

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- First Year, 2019

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
A MISSION SITE PERMIT FOR THE DOOR CHURCH ON NAVAJO NATION
TRUST LANDS IN THE VICINITY OF SHIPROCK CHAPTER, NAVAJO
NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. Pursuant to 16 N.N.C. Section 1151 (C), the Resources Development Committee of the Navajo Nation Council has the authority to give approval for permits for mission sites on behalf of the Navajo Nation.
- B. Pursuant to 2 N.N.C. Section 501 (B)(2), the Resources Development Committee of the Navajo Nation Council has the authority to give final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations.

SECTION TWO. FINDINGS

- A. The Door Church, P.O. Box 3527, Shiprock, New Mexico 87420 has applied for a mission site permit within the Shiprock Chapter. The application is attached as **Exhibit E**.
- B. The proposed mission site is to be located on 1.5 acres, more or less, of trust lands within the vicinity of Shiprock Chapter, Navajo Nation (New Mexico). The land description appears on the survey plat attached hereto and incorporated as **Exhibit B**.
- C. The Grazing Committee Representative has declared that the land is designated for community development and is not on grazing land. See **Exhibit C**.

- D. The Shiprock Chapter Resolution No. 03-29-15-028-SHIP supporting the Door Church application for a mission site permit and the signed petition by the local residents in support of the Door Church are attached as **Exhibit D**.
- E. The Terms and Conditions for the Mission Site Permit is attached as **Exhibit A**.
- F. The Cultural Resources Compliance Form, the Archaeological Inventory Report, the Environmental Investigation Report, the Navajo Nation Environmental Protection Agency's Public Water Systems Supervision Program memorandum, the Environmental Department Air & Toxics Department memorandum, for The Door Church are attached as **Exhibit F**.
- G. The application for mission site permit has been reviewed through the Executive Official Review Document No. 010595, including the Department of Justice, and found "Sufficient" or "Approved." Executive Official Review Document No. 010595 is attached as **Exhibit G**.

SECTION THREE. APPROVAL

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the Mission Site Permit for The Door Church, subject to but not limited to the attached Terms and Conditions contained herein as **Exhibit A** and located on land described in Exhibit B, which are attached hereto and incorporated herein by this reference.
- B. The Resources and Development Committee of the Navajo Nation Council hereby authorizes President of the Navajo Nation to execute all documents to affect the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting at the Navajo Nation Council Chambers, Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, and 0 opposed, on this 30th day of October 2019.



Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Mark A. Freeland
Second: Honorable Wilson C. Stewart, Jr.

Chairperson Rickie Nez not voting.



FORM Mission Site
10/01/2014
Amended 05/15/19

TERMS AND CONDITIONS FOR MISSION SITE PERMIT
The Door Church of Shiprock (PERMITTEE)

1. This Mission Site Permit is issued to the **The Door Church of Shiprock, P.O. Box 3527 Shiprock, NM 87420** to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resources & Development Committee of the Navajo Nation Council or authorized representative. The Permit is authorized by Resources and Development Committee No. _____.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is 'NOT A LEASE' and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
3. The Permittee shall be given at least thirty (30) days written notice before this Mission Site Permit is terminated and revoked. Upon termination of the Mission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of the ninety (90) days, the Permittee shall peacefully and without legal process deliver the possession of the premises to the Navajo Nation. All improvements not removed after ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resources and Development Committee of the Navajo Nation Council.
5. This Permit shall be reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

TRACT DESCRIPTION

A parcel of land located in the East One-half (E1/2) of Section 25, Township 30 North, Range 18 West, N.M.P.M., San Juan County, New Mexico situate in the Shiprock area and being more particularly described as follows.

Commencing at the Point of Beginning a point which bears South 00°01'East, a distance of 2,588.41 feet from the Northeast (NE) Corner of the said Section 25;

**thence South 03°53'20" West, a distance of 151.03 feet to a 5/8" rebar;
thence South 03°36'05" West, a distance of 89.76 feet to a 5/8" rebar;
thence South 05°20'17" West a distance of 210.74 feet to a 5/8" rebar;
thence North 88°16'02" West a distance of 185.35 feet to a set 1/2" rebar;**

thence North 03°33'01" East, a distant of 197.62 feet to a set ½" rebar;
thence North 87°53'04" East, a distant of 81.35 feet to a set ½" rebar;
thence North 03°28'04" East, a distance of 241.84 feet to a set 1/2" rebar;
a point on a curve concave to the south having a radius of 1377.40
feet and a central angle of 4°41'09" and being subtended by a chord
which bears North 88°33'20" East 112.62 feet;
thence easterly along said curve, a distance of 112.65 feet to the point of beginning.
Containing 1.5017 Acres, more or less.

The annual rental rate will be **\$ 15.00** per year and is due by December 30, prior to the year for which such fees are due, 16 N.N.C. § 1164. Pursuant to 16 N.N.C. § 1157, if the Permittee fails to pay the rent when due, this permit shall automatically terminate. The Permittee is responsible to make direct payments to the Navajo Nation Accounts Receivable Section, Post Office Box 3150, Window Rock, Arizona 86515.

7. The Permittee may develop, use and occupy the area under the permit for the purpose(s) of Mission Site. The Permittee may not develop, use or occupy the area under the permit for any other purpose without the prior written approval of the Navajo Nation. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Permittee may not develop, use or occupy the area under the permit for any unlawful purpose.
8. In all activities conducted by the Permittee within the Navajo Nation, the Permittee shall abide by all laws and regulations of the Navajo Nation and of the United States, now in force and effect or as hereafter may come into force and effect including but not limited to the following:
 - a. Title 25, Code of Federal Regulations, Part 162;
 - b. All applicable federal and Navajo Nation antiquities laws and regulations, with the following additional condition: In the event of a discovery all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified immediately. As used herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not limited to archeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
 - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq.; and
 - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
9. The Permittee shall ensure that the air quality of the Navajo Nation is not jeopardized due to violation of applicable laws and regulations by its operations pursuant to the permit.
10. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.

11. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.
12. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use or occupancy or use of the permit area by the Permittee.
13. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo Nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon condition or withheld in the sole discretion of the Navajo Nation.
14. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
 - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
 - b. Non-use of the permit; and
 - c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
15. At the termination of the permit, the Permittee shall peaceably and without legal process deliver up the possession of the premises, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
16. The Permittee shall give written notice to the Navajo Nation Land Department regarding any change to the Permittee's contact information, address, leadership, organizational name, or any other substantial change to the organization. The notice shall be given within thirty (30) days and delivered to the Navajo Land Department at Post Office Box 2249, Window Rock, Arizona 86515.
17. Holding over by the Permittee after the termination of the permit shall not constitute a renewal or extension thereof or give the Permittee any rights hereunder or in or to the land subject to the permit or to any improvements located thereon.
18. The Navajo Nation shall have the right, at any reasonable time during the term of the permit, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
19. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgements for compensatory and punitive damages and injunctive relief,

in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.

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

Date: _____

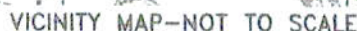
Date: _____

By: _____

By: _____

(Permittee)

Jonathan Nez, President
The Navajo Nation



	RVS#15-70

as surveyed by Nav. Land

[illegible]



Email: shiprock@navajochapters.org • (505) 368-1081 • Fax (505) 368-1092 • Website: www.shiprock.nndes.org


**STATEMENT OF CONSENT FOR THE DOOR CHURCH OF SHIPROCK
IN ITS APPLICATION FOR A MISSION SITE LEASE**

WHEREAS:

I, Robert Hayes as the official Grazing Committee Representative for Shiprock Chapter have determined that it is proper for The Door Church of Shiprock to apply for and be granted a Mission Site Lease for 1.5± acres of land located .25 miles west of the Shiprock Chapter on NM64.

The land area is a portion of the former Jimmie Garnenez Business Site Tract located at E1/2 of Section 25, Township 30 North, Range 18 West, NMPM in Shiprock, San Juan County, NM, see attached survey plat.

I, Robert Hayes hereby acknowledge and declare that this land area is located on land designated for community development and is not on grazing land area.


Robert Hayes, Grazing Committee Rep.
Shiprock Chapter, Navajo Nation



RESOLUTION OF THE SHIPROCK CHAPTER

SHIPROCK, NAVAJO NATION



SUPPORTING THE DOOR CHURCH OF SHIPROCK IN ITS APPLICATION FOR A MISSION SITE LEASE

WHEREAS:

1. The Shiprock Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1. Section B. Purpose, which states, "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; and the inclusivity provided by the Diné Fundamental Law, in that "it is entirely appropriate for the government itself to openly observe these fundamental laws", and
2. The Shiprock Chapter supports any efforts that are made to improve the lives of its community members whether it be physically, mentally, economically, socially or spiritually, and
3. The Door Church located in downtown Shiprock has been providing assistance and spiritual guidance to community members who desire to go to The Door Church; the church has been a good neighbor for many years and it behooves the community to support its efforts, and
4. The Shiprock Chapter membership understand The Door Church is submitting an application to the Navajo Land Department for a Mission Site Lease.

NOW, THEREFORE, BE IT RESOLVED THAT:

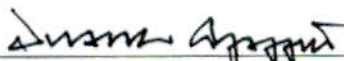
The Shiprock Chapter membership hereby expresses its support for The Door Church in its application for a Mission Site Lease.

Motioned by: Charley P. Joe

Seconded by: Eva B. Stokley

CERTIFICATION

We hereby certify that the foregoing resolution was presented and considered at a duly called Chapter meeting at which a quorum was present and that the same was approved by a vote of 50 in favor, -0- opposed and -0- abstention on this 29th day of March, 2015.


Duane H. Yazzie, President


Dr. J. Kaibah Begay, Secretary/Treasurer


Tommie Yazzie, Vice President


Tom Chee, Council Delegate

PETITION OF NAMES

We, the undersigned are citizens, registered voters and residents of Shiprock Chapter living within this community where the Door Church of Shiprock (Church) is being built. The primary purpose of this religious site is to provide a place to worship and basically have the church conduct religious services on any given days through out the year. Further, we hereby give our signatures on this petition to further the development of the church.

	NAME	DATE	WITNESS
01.	<u>John Shurt</u>	<u>8/30/17</u>	<u>John Shurt</u>
02.	<u>Ross M. Shurt</u>	<u>8-30-17</u>	<u>John Shurt</u>
03.	<u>John Shurt</u>	<u>8/30/17</u>	<u>John Shurt</u>
04.	<u>John Shurt</u>	<u>8/30/17</u>	
05.	<u>Norman J. Miller</u>	<u>6-22-18</u>	<u>John Shurt</u>
06.	<u>Cheryl Martin</u>	<u>6-22-18</u>	<u>John Shurt</u>
07.	<u>Margaret M. Mugh</u>	<u>6-22-18</u>	<u>John Shurt</u>
08.	<u>Richard Begaye</u>	<u>6/23/18</u>	<u>John Shurt</u>
09.	<u>James Begaye</u>	<u>6-23/18</u>	<u>John Shurt</u>
10.	<u>Israel Dodge</u>	<u>6-23/18</u>	<u>John Shurt</u>
11.	<u>Patricia A. G.</u>	<u>6-23/18</u>	<u>John Shurt</u>
12.	<u>John Shurt</u>	<u>6-23-18</u>	<u>John Shurt</u>
13.	<u>Carell Shurt</u>	<u>6-23-18</u>	<u>John Shurt</u>
14.	<u>Kathleen Shurt</u>	<u>6/23/18</u>	<u>John Shurt</u>
15.	<u>Tammy Johnson</u>	<u>6/24/18</u>	<u>John Shurt</u>
16.	<u>Anthony C. Begay</u>	<u>6/24/18</u>	<u>John Shurt</u>
17.	<u>Corinne Dodge</u>	<u>6/24/18</u>	<u>John Shurt</u>
18.	<u>Arlene Nye</u>	<u>4/25/18</u>	<u>John Shurt</u>

NAME

DATE

WITNESS

19.	<u>Ignacio J. Byn</u>	<u>6-25-18</u>	<u>Joh Shuf</u>
20.	<u>Dickinson Alex P.</u>	<u>6-25-18</u>	<u>Joh Shuf</u>
21.	<u>Melvin A. Bly</u>	<u>6-25-18</u>	<u>Joh Shuf</u>
22.	<u>Audene Lee</u>	<u>6-25-18</u>	<u>Joh Shuf</u>
23.	<u>Raylan Solo</u>	<u>6/25/18</u>	<u>Joh Shuf</u>
24.	<u>Adam G. Bly</u>	<u>06/25/2018</u>	<u>Joh Shuf</u>
25.	<u>Nathan Jones</u>	<u>0/25/18</u>	<u>Joh Shuf</u>
04.	<u>Thompson G. Bly</u>	<u>06-25-18</u>	<u>Joh Shuf</u>

THUMBPRINT

26.	_____	_____	_____
27.	_____	_____	_____
28.	_____	_____	_____
29.	_____	_____	_____
30.	_____	_____	_____

** SIGNING FOR ANOTHER PERSON WILL CAUSE THIS PETITION TO BE VOID.

APPLICATION FOR MISSION SITE (RELIGIOUS SITE)
NAVAJO NATION LANDS



DATE: 6-21-18

THE DOOR CHURCH OF SHIPROCK
(NAME OF CHURCH)

PO Box 3527 SHIPROCK, NM 87420
(ADDRESS)

hereby makes an application for a religious site covering approximately 1.5 acres of Navajo Nation land located in SHIPROCK, NM, SAN JUAN county, Arizona / New Mexico, as shown on the attached map.

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

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

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

Detailed statement of the purpose(s) for which said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical or other non-religious activities, this paragraph shall set forth fully the extent and character thereof:

CHURCH SERVICES, YOUTH OUTREACHES, FUNERALS,
WEDDINGS

Description of building and improvements to be placed on tribal land and the estimated cost thereof:

EXISTING BUILDING IN PLACE - APPROX 4500 Sq. feet
\$1450,00 ESTIMATED VALUE



Plans for Development of water and sewer:

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

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

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

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

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

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

Chris Descheine

Authorized Agent (Print Name)

[Signature]

Authorized Agent (Signature)

Bx 3705 Chul Ar 86503

Address

928-429-6004

Phone Number

pal-1962@gmail.com

Email Address

[Signature]



Sliding Fee Scale Form for Mission Site Permits

Application Information		Today's Date: 6-21-18	
Entitiy Name: The Door Church of Shiprock			
Mailing Address: PO box 3527	City: Shiprock	State: NM	Zip: 87420
Phone #: (505) 368-4166	Fax #: ()	Congregation Size: 40	Acres requested: 1.5

Contact # 505 486 6073

Income Information		
Source	Amount	Frequency (Circle One)
	\$ 3500 -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
	\$ -	Weekly <u>Monthly</u> Yearly
Total	\$ 3500 -	Weekly <u>Monthly</u> Yearly

I do hereby swear or affirm that the information provided on this application is true and correct to the best of my knowledge and belief. As an agent of the applicant entity, I hereby acknowledge that I read the foregoing disclosure and understand it.

Name (Print): Perry Shorty

Signature: *Perry Shorty*

Date: 6-21-18

Sliding Fee Scale for Navajo Nation Mission Site Permits

Purpose: These policies serve as a guide for the Navajo Land Department to determine Mission Site Permit fees in order to assure that a fair cost-determination has been made.

Policy: A sliding scale for permit fees will be provided to Mission Site Permit applicants, and based on their ability to pay. Ability to pay is determined by the size and annual income of the mission, as well as the number of acres utilized. The sliding scale is not a comprehensive formula, but is used for guidance to determine permit fees. The Navajo Land Department shall determine the permit fee for each mission on a case-by-case basis. The Navajo Land Department has the authority to adjust the sliding scale and permit fee as they see fit, in accordance with Navajo Nation and federal law.

Scope: These policies apply to all Mission Site Permits in the Navajo Nation.

Procedure:

1. Entities applying for Mission Site Permits must provide written verification of income.
2. Self-declaration may only be used in special circumstances. Entities that are unable to provide written verification must provide a signed statement of income, and why they are unable to provide independent verification. This statement will be presented to the Navajo Land Department for review and final determination as to the sliding fee percentage.
3. Permit fees will be determined at the discretion of the Navajo Land Department on a case-by-case basis for entities unable or unwilling to provide any level of documentation.
4. Pursuant to 16 N.N.C. § 1157 the Navajo Land Department will require a minimum charge of \$15.00 per acre per year for all mission sites in the Navajo Nation.
5. Permit cost will increase based on the annual income of the mission and the number of acres used, pursuant to Table 1 below. An additional \$15 will be assessed for each acre and each \$10,000 increase in annual income. An additional fee may also be added for missions with large congregations.

Table 1						
Annual Income	\$0-\$20,000	\$20,000-\$30,000	\$30,000-\$40,000	\$40,000-\$50,000	\$50,000-\$60,000	\$60,000-\$70,000
Acres Used	Minimum Fee	Minimum Fee	Minimum Fee	Minimum Fee	Minimum Fee	Minimum Fee
1	\$15	\$30	\$45	\$60	\$75	\$90

2	\$30	\$45	\$60	\$75	\$90	\$105
3	\$45	\$60	\$75	\$90	\$105	\$120
4	\$60	\$75	\$90	\$105	\$120	\$135
5	\$75	\$90	\$105	\$120	\$135	\$150
6	\$90	\$105	\$120	\$135	\$150	\$165
7	\$105	\$120	\$135	\$150	\$165	\$180
8	\$120	\$135	\$150	\$165	\$180	\$195

6. Any mission that is actively conducting substantial medical or accredited educational programs on its site shall be exempt from the permit fee.
7. The Navajo Land Department requires payment by December 30 of each year, prior to the year for which fees are due. If any mission fails to pay the required amount by the due date, their Mission Site Permit will automatically terminate in accordance with 16 N.N.C. § 1157.



NAVAJO NATION CORPORATION CODE

CERTIFICATE OF AMENDMENT

To all to Whom these Presents Shall Come, Greetings

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

THE DOOR CHURCH OF SHIPROCK
File Number 102325

a DOMESTIC corporation organized under the laws of the jurisdiction of the Navajo Nation, was issued a Certificate of Incorporation and was authorized to transact business within the Navajo Nation on the 8th day of February, 2018.

I FURTHER CERTIFY THAT this corporation has filed an AMENDMENT to Change the Corporation name from THE DOOR CHRISTIAN FELLOWSHIP CHURCH (former name) to THE DOOR CHURCH OF SHIPROCK (new name) with Restated Articles of Incorporation (dated March 6, 2018) in the ARTICLES OF INCORPORATION on this 12th day of March, 2018.



IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the official seal of the
Navajo Nation Corporation Act at Window
Rock, Arizona this 12th day of March, 2018.

Beverly J. Coho, Department Manager
Business Regulatory Department
Division of Economic Development



NAVAJO NATION CORPORATION ACT

CERTIFICATE OF INCORPORATION

To all to Whom these Presents Shall Come, Greeting:

I, the Manager of the Business Regulatory Department, DO HEREBY CERTIFY
that ***THE DOOR CHRISTIAN FELLOWSHIP CHURCH***
(Non Profit)
File Number: 102325

a corporation organized under the laws of the jurisdiction of the Navajo Nation, was on
the Eighth day of February, 2018
authorized to transact business within the Navajo Nation as a DOMESTIC Corporation.

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



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

day of February, 2018 A.D.

Beverly J. Coho, February 8, 2018
Beverly J. Coho
Manager, Business Regulatory Department

General Land Development Department

CHECK LIST FOR MISSION SITE APPLICATION

1. ☒ **APPLICATION** for religious activities is filled out by the applicant
2. ☒ **FILING FEE** of \$100.00 made payable to The Navajo Nation
3. ☒ **CONSENT(S)** Contact your local Chapter Grazing Official or Land Board Member
4. ☒ **PETITION OF NAMES** endorsing the proposed mission site from surrounding residents in the vicinity.
5. ☒ **SLIDING FEE SCALE** Filled out by applicant to determine annual rental fee
6. ☒ **SURVEY PLAT** showing the exact location of the proposed mission site. Fees associated with services.
7. ☒ **CHAPTER RESOLUTION** Supporting the withdrawal of land for mission site and permit.
8. ☒ **ARTICLES OF INCORPORATION** Submit to Navajo Nation Business Regulatory Department to issue a Certificate of Incorporation authorizing to transact business within Navajo Nation as a Non-profit organization.
9. ☒ **BIOLOGICAL SURVEY** performed by the Fish and wildlife Department. Fees associated with service. (928) 871-6451/6452
10. ☒ **CULTURAL, HISTORICAL AND ARCHAEOLOGICAL** compliance report issued by the Historic & Heritage Preservation Department after the cultural resources conduct their service (928) 871-7147/7148
11. ☒ **ENVIRONMENTAL ASSESSMENT REPORT** reviewed by the Navajo Environmental Protection Agency to ensure there is no contaminated or hazardous materials. NNEPA Office (928) 871-7692

Note: It is the policy of the Navajo Nation that the minimum acreage to conduct religious activities shall be 1½ acres. Acreage more than 1½ shall require justification from the applicant. While the permit is pending final approval, **NO** religious organization shall construct, operate, install or otherwise effect any improvements upon Navajo Nation land without processing a valid mission site permit. Failure to comply will cause the Navajo Nation to set reasonable rental fee or other remedies at law.

****Incomplete packages will not be processed and
returned to you****



THE NAVAJO NATION
HERITAGE & HISTORIC PRESERVATION DEPARTMENT

PO Box 4950, Window Rock, Arizona 86515
TEL: (928) 871-7198 FAX: (928) 871-7886

CULTURAL RESOURCES COMPLIANCE FORM

EXHIBIT

F

ROUTE COPIES TO:	NNHPD NO.: HPD-17-690
<input checked="" type="checkbox"/> JMC	OTHER PROJECT NO.: JMC-17NN43

PROJECT TITLE: A Cultural Resource Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico.

LEAD AGENCY: Navajo Nation

SPONSOR: The Door Church of Shiprock, P.O. Box 2034, Shiprock, New Mexico 87420.

PROJECT DESCRIPTION: The proposed undertaking involves an existing building and associated facilities within the 1.5-acre mission site location. The parcel of land measures 151.03 ft by 89.76 ft by 210.74 ft by 185.35 ft by 197.62 ft by 81.35 ft by 241.84 ft by 112.65 ft Ground disturbing activities will be intensive and extensive with the use of heavy equipment within the 1.5-acre area of effect.

LAND STATUS:	Navajo Tribal Trust Land													
CHAPTER:	Shiprock													
LOCATION:	T.	30	N.,	R.	18	W-	Sec.	25;	Shiprock	Quadrangle,	San Juan	County	New Mexico	NMPM
PROJECT ARCHAEOLOGIST:	Julia M. Chavez													
NAVAJO ANTIQUITIES PERMIT NO.:	B17556													
DATE INSPECTED:	08/07/17													
DATE OF REPORT:	08/18/17													
TOTAL ACREAGE INSPECTED:	1.5 - ac													
METHOD OF INVESTIGATION:	Class III pedestrian inventory with transects spaced 12 m apart.													
LIST OF CULTURAL RESOURCES FOUND:	(1) In-Use Area (IUA)													
LIST OF ELIGIBLE PROPERTIES:	None													
LIST OF NON-ELIGIBLE PROPERTIES:	(1) IUA													
LIST OF ARCHAEOLOGICAL RESOURCES:	None													

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

TCP verification form attached in report findings. TCPs #343 and #364 have been noted in report.

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

FORM PREPARED BY: **Lukai Nez**
FINALIZED: September 22, 2017

Notification to Proceed
Recommended

☒ Yes ☐ No

Conditions:


☐ Yes ☒ No

Richard M. Begay
Richard M. Begay, Director/THPO
The Navajo Nation
Heritage & Historic Preservation Office

Date

9/22/17

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD APR/93)

1. HPD REPORT NO.	2. (FOR HPD USE ONLY)	3. RECIPIENTS ACCESSION NO.:
4. TITLE OF REPORT: A Cultural Resource Inventory of One Existing 1 5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico	5. FIELDWORK DATES: August 7, 2017	6. REPORT DATE: August 18, 2017
7. CONSULTANT NAME AND ADDRESS: Julia M. Chavez PO Box 3606 Farmington, NM 87499 505-686-4111	8. PERMIT NO.: B17556	9. CONSULTANT REPORT NO.: JMC-17NN43
10. SPONSOR NAMES AND ADDRESSES: The Door Church of Shiprock PO Box 2034 Shiprock, NM 87420 505-486-6073 Pastor Perry Shorty	11. SPONSOR PROJECT NO.: N/A	12. Area of Effect: 1.5 acres Total Area Surveyed: 1.5 acres
13. LOCATION (MAP ATTACHED):		
a. Chapter: Shiprock	e. Land Status: Navajo Trust	
b. Agency: Northern	UTM Zone 12, 706805E 4073258N (NAD 27)	
c. County: San Juan	706741E 4073462N (NAD 83)	
d. State: New Mexico	f. Legal: Township 30N, Range 18W, E1/2 of Section 25, NMPM (Derived from survey plat, Red Valley Survey 2015)	
	g. 7.5' Map(s): Shiprock, NM, 1983	
	h. Lead Agency: Bureau of Indian Affairs	
14. REPORT /X/ OR SUMMARY (REPORT ATTACHED)		
a. Description of Undertaking: The client has an existing building and associated facilities within the 1.5-acre mission site location. The parcel of land measures 151.03 ft by 89.76 ft by 210.74 ft by 185.35 ft by 197.62 ft by 81.35 by 241.84 ft by 112.65 ft. There will be extensive surface and subsurface disturbances within the 1.5-acre area of effect. The church is completing the mission site lease process.		
b. Existing Data Review: See Supplemental Sheet		
c. Area Environmental & Cultural Setting: The project area is located on the floodplains in the community of Shiprock, New Mexico, north of the San Juan River. The elevation is about 4900 ft (1494 m). The soil in the project area is loam to silty clay loam classified as Werjo, saline-Werjo loams, 0 to 1 percent slopes. The vegetation environment consists of elm trees along with annuals and grasses. The San Juan River is located about 1460 ft (445 m) southwest of the project area. Current development includes business sites, US Highway 64, power lines, sewer lines and water lines.		
NRCS 2017 Soil Survey Staff, National Resource Conservation Service, United States Department of Agriculture, Web Soil survey, http://soildatamartnrsc.usda.gov . Accessed 8/14/17.		
d. Field Methods: See Supplemental Sheet		
15. CULTURAL RESOURCE FINDINGS:		
a. Location/Identification of Each Resource: One in-use area was encountered during the survey. See Supplemental Sheet		
b. Evaluation of Significance of Each Resource: See Supplemental Sheet		
16. MANAGEMENT SUMMARY (RECOMMENDATIONS): Since no significant cultural resource was encountered during the survey of the existing mission site location, it is recommended that a determination of no historic properties affected be made for the undertaking.		
17. CERTIFICATION:	SIGNATURE:	DATE:
General Charge Name: (also Direct Charge)	 Julia M. Chavez	8/18/2017

ARCHAEOLOGICAL INFORMATION REPORT FORM

Supplemental Sheet

14. REPORT

- b. Existing Data Review: On August 16, 2017, records checks at the NNHPD office in Window Rock, Arizona indicated that there are no previously recorded sites located within a 100-meter (305 ft) radius of the mission site location. There are four previous inventories located within the 100-meter radius of the mission site location (HPD-85-532, 92-468, 02-164 and 02-1115). On the same day, a records search at the TCP office was conducted. The Traditional Cultural Property (TCP) Record Search Verification Form is included with this report (provided only the NNHPD). The search revealed two TCP areas with a 1-mi radius of the project area (#343 and 364). A check of Van Valkenburgh revealed no sacred places in the vicinity of the mission site location.

Van Valkenburgh, Richard F

1974 Navajo Sacred Places *In Navajo Indians III*, edited by Clyde Kluckhohn, pp. 9-199. Garland Publishing, New York, New York.

- d. Field Methods: The survey and ethnographic interview was conducted by Julia Chavez. A Class III pedestrian survey was performed by walking parallel transects spaced about 12 m apart at the mission site location. The survey area is a block survey and encompasses a 1.5-acre area. Perry Shorty, the pastor of the church, verified the location of the mission site. A survey plat was also provided by the client (attached). Three of the corner points identified with a rebar were relocated. These corners and a center point of the mission site were taken using a handheld Garmin GPS unit. According to Mr. Shorty, he is unaware of any TCPs or unmarked burials in the vicinity of the mission site.

15. CULTURAL RESOURCE FINDINGS:

- a. Location/Identification of Each Resource: IUA 1 is a 1980s to 1990 business site and a 1990s to present mission site location. The original occupant was the Garnanez Brothers business site. In 1990, the client, The Door Church of Shiprock, moved into the vacant building. In 1998 and 1999, the church had an addition built onto the original building. Currently, there is 1 church building, 2 mobile homes and 1 abandoned house on the premises. The plans are to have the owners of the mobile homes relocate since the parcel of land will be a mission site for The Door Church of Shiprock.
- b. Evaluation of Significance of Each Resource: The IUA possesses integrity of location and setting. The IUA is not eligible for nomination to the National Register of Historic Places under criteria a, b, or c, but may qualify under criterion d since it could provide information important to understanding Navajo use of the area. The IUA does not meet the 50-year eligibility guideline. The IUA does not meet the 100-year age requirement as an archaeological resource under ARPA. Thus, the IUA does not merit protection under ARPA. The IUA does not retain qualities that would make it eligible for protection under AIRFA.

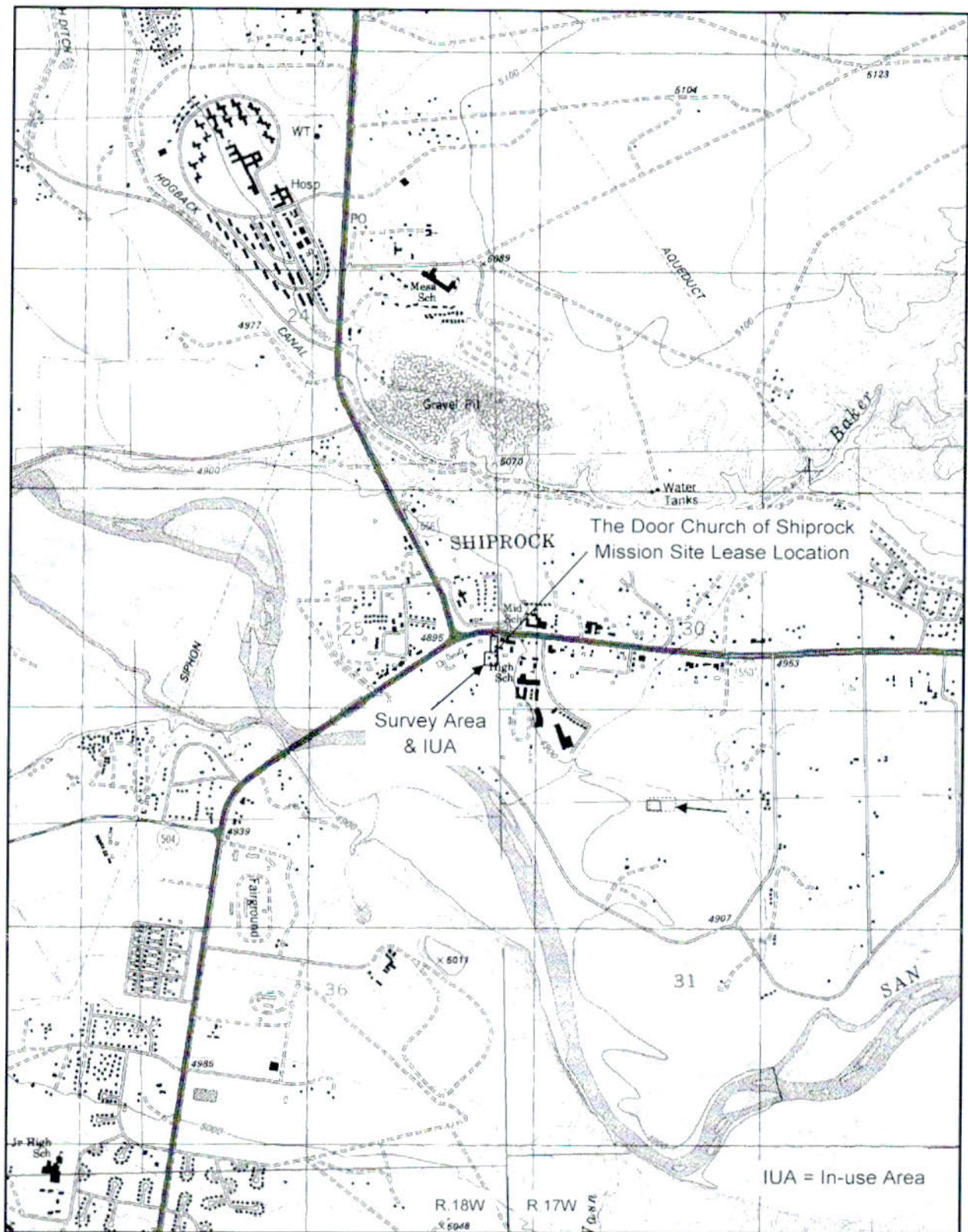


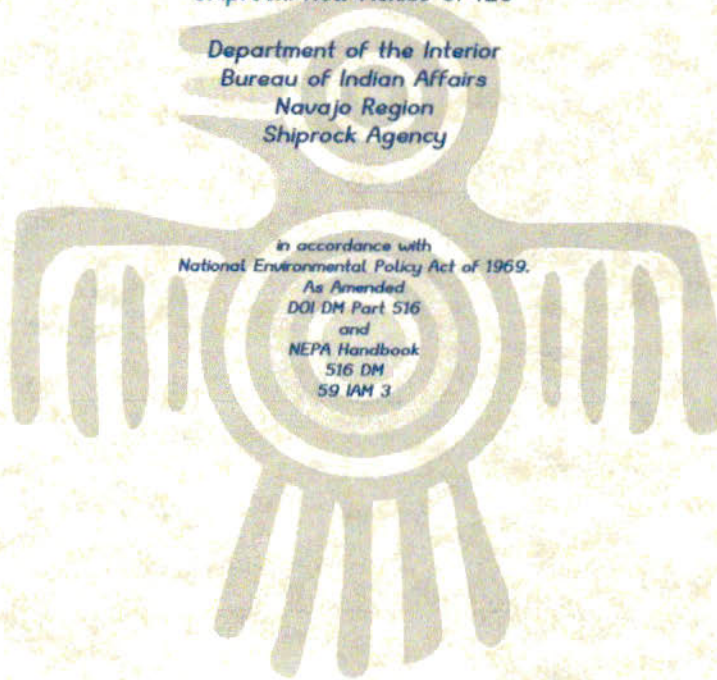
Figure 1. Project area map showing The Door Church of Shiprock mission site lease location and cultural resource; T.30N, R.17W, USGS 7.5' map: Shiprock, N. Mex., 1983. Project No. JMC-17NN43 (B17556).

ENVIRONMENTAL INVESTIGATION REPORT

For the
Door Church of Shiprock, NM
The Door Church of Shiprock
P. O. Box 3527
Shiprock, New Mexico 87420

Department of the Interior
Bureau of Indian Affairs
Navajo Region
Shiprock Agency

In accordance with
National Environmental Policy Act of 1969,
As Amended
DOI DM Part 516
and
NEPA Handbook
516 DM
59 IAM 3



ENVIRONMENTAL SUMMARY
Door Church of Shiprock, NM
Shiprock, New Mexico 87420

DATE: _____

Requesting Party: _____

Reviewed by _____

Summary of Compliance Determinations (if non-NEPA environmental review process)

1. Historic Preservation
2. Fish and Wildlife
3. Navajo Environmental Protection Agency

Summary of Compliance with Environmental Laws:

Supporting documentation for the following determinations are found in *An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018* attached to this Environmental Summary. The proposed action addressed in this Environmental Investigation Report (EIR) is the lease of a 1.5± acre tract of land for use by the Door Church of Shiprock (DCS).

1. National Historic Preservation:

In compliance with National Historic Preservation Act of 1988, as amended, Section 106 consultation and 26 CFR 800.9 (b). On August 16, 2017 Julia M Chavez (JMC) completed a cultural resource inventory of the DCS church site. The inventory was the subject of the final report *A Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43. Cultural Resource Compliance Form HPD-17-690* was issued on September 22, 2017. (*An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018; Section III. Description of the Affected Environment, E. Cultural Resources, Historic Preservation [36 CFR Part 800]*).

2. Floodplain Management:

The Navajo Nation has not been included in the National Flood Insurance Program (NFIP) and there are no floodplain maps published which identify Special Flood Hazard Areas (SFHA) on the Navajo Nation. No evidence exists to indicate the proposed DCS church site has ever been inundated or subject to flooding. The site has no characteristics common to floodplains. Local runoff will be controlled by a project specific drainage plans included in the final project design and the DCS church site and surrounding area will not be affected by flooding. (*An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018; Section III. Description of the Affected Environment, B. Water Resources, a. Floodplain Management [Executive Order 11988]*).

3. Wetlands Protection:

Potential impacts to wetlands by the proposed undertaking have been evaluated in accordance with Executive Order 11990. None of the jurisdictional wetlands characteristics as defined by the U. S. Fish and Wildlife Service and the U. S. Army Corps of Engineers are present. No wetlands have been identified within the proposed DCS church site. There are no springs, seeps, ponds or other impoundments within or adjacent to the proposed DCS church site.; (*An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018; Section IV. Environmental Consequences of the Proposed Action and Mitigation Measures, B. Water Resources, c. Wetland Protection [Executive Order 11990]*).

4. Endangered Species Act:

The Navajo Nation Natural Heritage Program (NNNHP), Navajo Department of Fish and Wildlife (NDFW) were consulted regarding the effect of the development and use of the Door of Shiprock church site on federally listed threatened or endangered species; or any tribally listed species or other species of concern. NDFW has determined development is not expected to affect any federally listed threatened or endangered species; or any tribally listed species or other species of concern (An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018: Section III. Description of the Affected Environment, D. Biotic Resources).

5. Air Quality

Ambient air quality may be regarded as good to excellent, that is, near pristine. Primary pollution in the project area is primarily wind blown dust from loose topsoil common during times of high winds and dust from vehicular traffic along unimproved roads in the area. DCS church site is not in a nonattainment area, an area that exceeds EPA air quality standards for pollutants (An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018: Section III. Description of the Affected Environment, C. Air Resources).

6. Sole Source Aquifer:

There are no designated sole source aquifers within the Navajo Nation (An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018: Section III. Description of the Affected Environment, B. Water Resources, 2. Ground Water, a. Sole Source Aquifers [40 CFR 149].

7. Abandoned Mine Lands:

There are no abandoned mines on the DCS church site; and no Abandoned Mine Lands (AML) project funding involved in the undertaking.

8. Navajo Nations Solid Waste Act:

A contract with the local solid waste management contractor will be acquired to dispose of solid waste generated by the development and operations of DCS. DCS operations will not generate or require toxic or hazardous materials. (An Environmental Investigation Report for Door Church of Shiprock, NM - EAS-1703 – January 2018): Section III. Description of the Affected Environment, G. Resource and Land Use Patterns, 3. Solid Waste a. Solid Waste b. Hazardous Waste.

I certify that the Environmental Review Process and the Compliance Determination Process in good faith has been complied with:

DATE: _____

Environmental Reviewer

Navajo Nation Environmental Protection Agency

ENVIRONMENTAL INVESTIGATION REPORT

For the
Door Church of Shiprock, NM
The Door Church of Shiprock
P. O. Box 2034
Shiprock, New Mexico 87420

Department of the Interior
Bureau of Indian Affairs
Navajo Region
Shiprock Agency

In accordance with
National Environmental Policy Act of 1969,
As Amended
DOI DM Part 516
and
NEPA Handbook
516 DM
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Appendix B	EPA Designated Sole Source Aquifers in EPA Region VI. www.epa.gov/safewater/swp/ssa/reg6.html New Mexico Air Quality Bureau Correspondence, August 1, 2005
Appendix C	New Mexico Air Quality Bureau Correspondence, August 1, 2005
Appendix D	Air State Implementation Plans, EPA Region VI: South Central
Appendix E	Correspondence, The Door Church of Shiprock, NM, County of San Juan, State of New Mexico Nation Natural Heritage Program, Department of Fish and Wildlife, 14 September 2017 Biological Resources Compliance Form NNDF&WL Review No. 17jrae103
Appendix F	Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43
Appendix G	Cultural Resource Compliance Form HPD-17-690

Executive Summary

Due to the unique land status of the Navajo Nation; approval of commercial site leases and land withdrawals, require compliance with *Sections 101 and 102 of the National Environmental Policy Act of 1969, As amended, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 and NEPA Handbook, 516 DM, 59 IAM 3*. The proposed action addressed in this Environmental Investigation Report (EIR) is the withdrawal of a 1.5± acre tract of land for use by the Door Church of Shiprock (DCS). The tract is located in Shiprock Chapter (SC), in Shiprock, New Mexico. This EIR addresses potential environmental impacts which may result from the approval of the DCS church site lease.

DSC is in need of modern up-to-date facilities to minister and serve community of Shiprock and the residents of the area.

The Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) have been consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On 14 September 2017, NFWD responded with a determination that the proposed project is not expected to affect any federally listed; or significantly impact any tribally listed species or other species of concern.

An inventory and report, *A Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43* was completed for the DCS on 8/18/17. *Cultural Resource Compliance Form HPD-17-690* was issued on September 22, 2017 with the determination No historic properties found.

This EA analyzes and evaluates the impacts of the proposed project and decision on a minority and low-income population and surrounding communities as mandated by *Executive Order 12898 (EO) of February 11, 1994, Federal Actions to address Environmental Justice in Minority Populations and Low-Income Populations*. The EO requires agencies to incorporate environmental justice into their missions by identifying and addressing disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities.

The assessments and determinations of final impacts contained in this EA were developed in accordance with the *CEQ Guidelines 1.5 CFR 1500*. *1.5 CFR 1500* provides that the EA shall include reasonable alternatives to the proposed action, identify a preferred alternative, give consideration to general and broad measures to minimize or eliminate adverse impacts and allow a final federal decision as to the need for an environmental impact statement (EIS) for the approval of the DCS church site lease.

Approval of the 1.5-acre[±] church site lease for the DCS addressed in this document will not result in an irreversible commitment of other resources or prejudice the selection of other alternatives for future project related activities.

Based on this EA, it is determined that approval of the proposed action will not have a significant impact on the quality of the human environment so as to require the preparation of an EIS.

ENVIRONMENTAL INVESTIGATION REPORT

For the
Door Church of Shiprock, NM
The Door Church of Shiprock
P. O. Box 2034
Shiprock, New Mexico 87420

Department of the Interior
Bureau of Indian Affairs
Navajo Region
Shiprock Agency

I. Description of the Proposed Action

Due to the unique land status of the Navajo Nation; approval of commercial site leases and land withdrawals, require compliance with *Sections 101 and 102 of the National Environmental Policy Act of 1969, As amended, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 and NEPA Handbook, 516 DM, 59 IAM 3*. The proposed action addressed in this Environmental Investigation Report (EIR) is the lease of a 1.5± acre tract of land for use by the Door Church of Shiprock (DCS). The tract is located in Shiprock Chapter (SC), in Shiprock, New Mexico. This EIR addresses potential environmental impacts which may result from the approval of the DCS church site lease.

A. Project Description

The 1.5± acre tract of land will be used by DCS to develop facilities to provide for the ministry for its congregation. The site was previously used by the Garnanez Brothers as a business site. The DCS long term plans are to enlarge the facilities (approximately 5000 sq. ft.) to accommodate upwards of 200 people. DCS immediate plans are to clear the site of abandoned structures, mobile homes, clean up and level the terrain. Plans include importing material as necessary to level the site to provide for expanded parking and events such as tent meetings and outreach programs. A garage will be constructed to house equipment and trailers. Design of respective buildings and infrastructure will be initiated when the requested site lease is approved and granted. Design will include structures, location of structures and features necessary to control and manage pedestrian and vehicle traffic; including parking. A drainage plan to control surface runoff will be developed when the location of buildings; and alignment of streets and sidewalks are determined.

Navajo Sanitation, Inc. and Navajo Tribal Utility Authority and telephone services are available at the proposed DCS church site lease. All permits and requirements of Navajo Nation will be acquired and complied with for the construction and operation of the complex. Contracts shall be initiated with Navajo Sanitation, Inc. to collect and dispose of solid waste generated by the all operations. Solid waste shall be collected and disposed of at a location approved of by the Navajo Nation.

B. Purpose and Need for Action

DSC is in need of modern up-to-date facilities to minister and serve community of Shiprock and the residents of the area. The approval and granting of the requested church site lease described in this document will allow the DCS to develop a complex where all their operations and ministry may be conducted.

C. Location

The proposed DCS church site lease encompasses 1.5-acres ±. The DCS tract is located in Section 25, T30N, and R18W, New Mexico Prime Meridian and on the 7.5 minute Shiprock Quadrangle. Maps showing a more exact location and site photographs are shown in Figures 1-5.

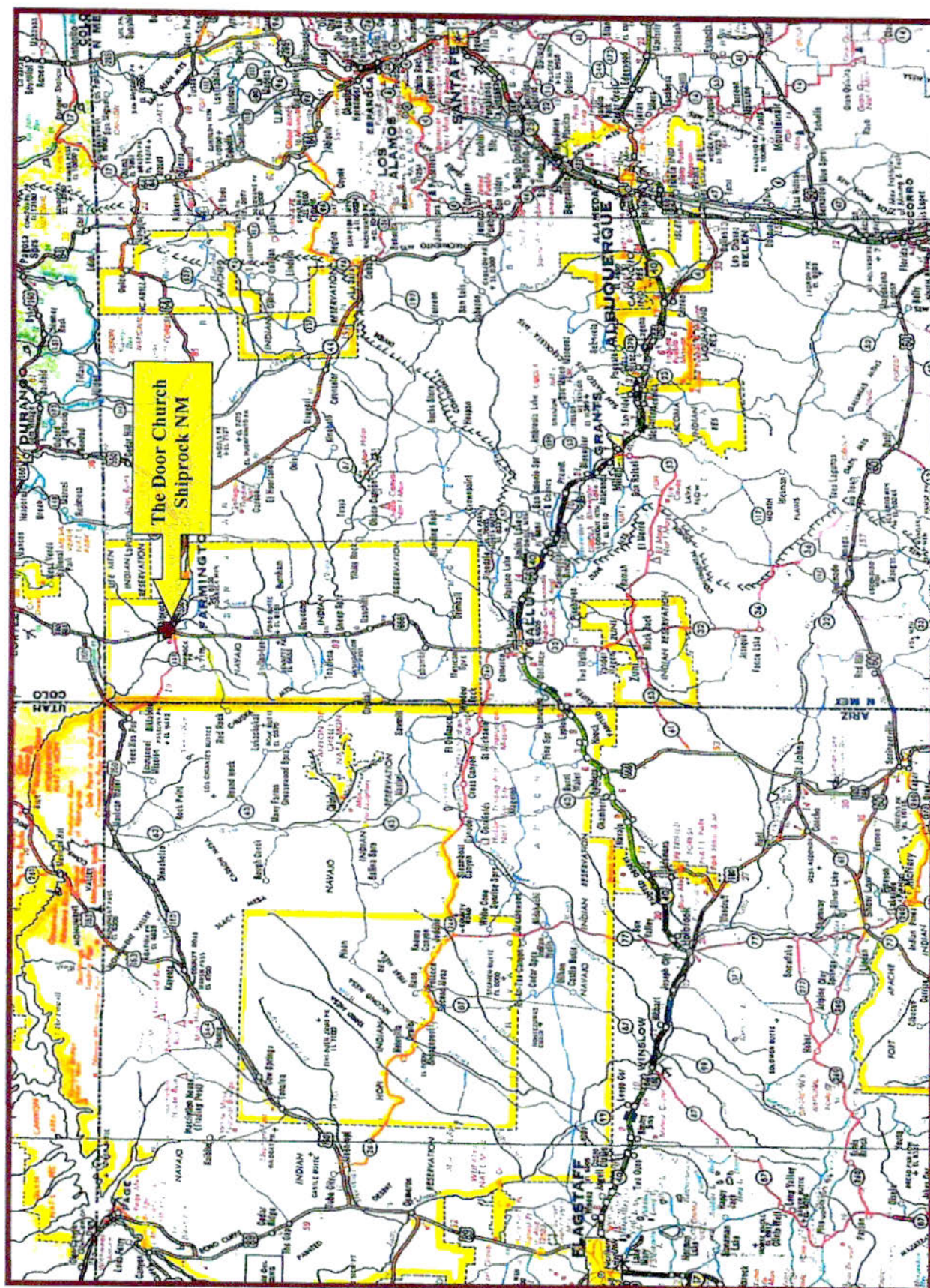


Figure Sheet 1
The Door Church—Shiprock NM





Figure Sheet 2
The Door Church—Shiprock NM



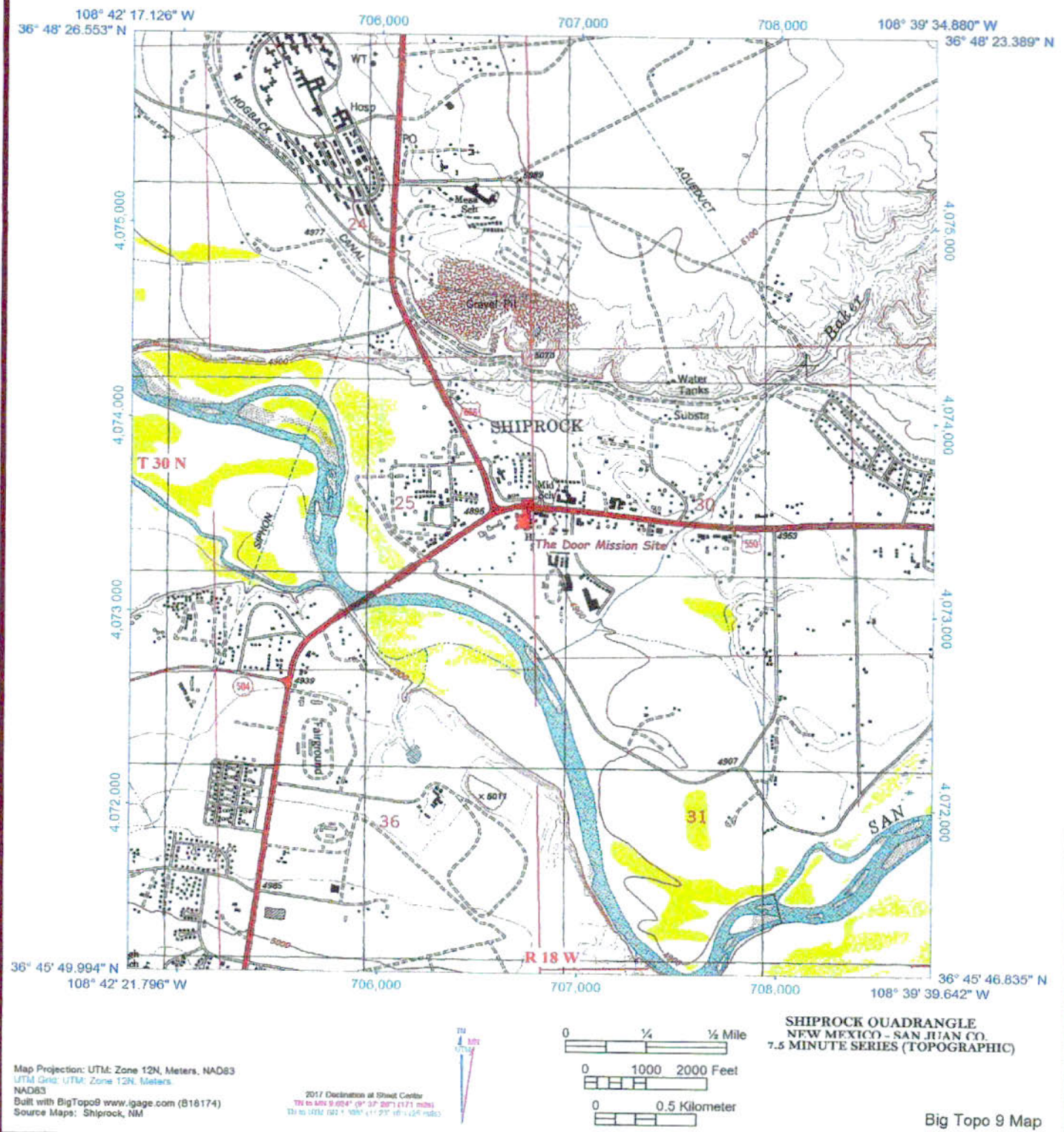


Figure Sheet 3
The Door Church—Shiprock NM





Figure Sheet 4

The Door Church -Shiprock NM



The Door Church Site from NE Corner



The Door Church Site from NW Corner



The Door Church Site from SE Corner



Figure Sheet 5
The Door Church -Shiprock NM



II. Alternatives

A. Preferred Alternative

The preferred alternative is approval of the lease for a 1.5 [±]-acre tract of land for the proposed DCS church site lease, as described in section *I. Description of the Proposed Action, A. Project Description*.

B. Reasonable Alternatives

1. Alternative Sites

No other sites have been identified for the DCS. Due to the unique Indian Trust status of land on the Navajo Nation, other alternative sites, located on Navajo Tribal Trust lands, would be subject to the same procedures and approvals, as the existing “preferred” site. There are no alternative sites at an equally suitable location which is immediately available that will serve the purpose of the “preferred” alternative.

2. Alternatives Beyond the Authority of the BIA [1.5 CFR 1502.14 (c)]

Only a location on private land or other non-Indian Trust land is an alternative beyond the authority of the BIA. There are no sites in the Shiprock Chapter, which fulfill the requirements of the proposed undertaking, which are not located on Navajo Tribal Trust land. There are no alternatives for this action that will satisfy the intent and needs of this approval that are beyond the authority of the BIA.

3. “No Action” Alternative [(1.5 CFR 1502.14(d)]

The “No Action” alternative will result in the abandonment of plans for the development of the DCS. The DCS will be required to cease operations at the present location and attempt to relocate at another site in Shiprock. Negative impacts of this alternative are not acceptable considering they can be eliminated by the approval of the “preferred alternative.”

III. Description of the Affected Environment

A. Land and Mineral Resources

1. Topography

The topography in the Shiprock area is gently sloping to strongly sloping and rolling uplands, intermingled with some moderately steep to very steep, rough, broken lands and escarpments.

The DCS church site lease is located near the center of the community of Shiprock. The elevation of the site is approximately 4,900 feet.

2. Soils

The project area may be best described as Urban land; however these Urban lands are located on soils that have been classified as Werjo, saline-Werjo loams association.

Werjo, saline-Werjo loams are deep, moderately well drained soil is found on high flood plains of the San Juan River. It formed in mixed alluvium derived dominantly from sandstone and shale. Soil is moderately well drained. Permeability of Werjo soil is moderately slow. Available water capacity is low. Surface runoff is slow. Hazard of soil blowing is severe. Soils in the Werjo series are classified as fine-loamy, mixed, (calcareous), mesic Aquic Torrifluvents.

Urban land is found in areas mostly covered by streets, parking lots, buildings and other structures of urban areas. The potential plant community is weeds and grasses in vacant lots and along streets. Runoff is generally rapid and controlled. The hazard of soil blowing is slight.

3. Geological Setting

The DCS church site lease lies on the Four Corners Platform within the San Juan Basin, which is in the Navajo and Datil physiographic sections of the Colorado Plateaus Province. Geologic deposits within the basin range from Cambrian (600 million years old) to Recent age and are as much as 15,000 feet thick. In the project area some of the Precambrian granite rocks are exposed which may be well over 600 million years old. The San Juan Basin is an asymmetric structural feature with a northwest trending axis. The Four Corners Platform occupies the northwestern corner of the San Juan Basin and is bounded by the Hogback Monocline on the east and the Carrizo Mountains and Ute Mountain on the west. This feature is a relatively flat, wide and low divide between the Chuska and the San Juan Uplift in Colorado. The main structural features include singly and doubly plunging anticlines distributed in an irregular fashion. Geological units of the platform include upper Cretaceous members of the Mesa Verde Group and the Mancos Shale, which dip eastward into the central basin. South of the San Juan River along Shiprock and Red washes, banded shale units have been eroded into extensive badlands.

4. Mineral Resources

Mineral resources in the DCS church site lease area include coal, petroleum, and natural gas. All are being commercially developed in the Shiprock area; however no mineral resources are found on the DCS church site.

5. Paleontology

Paleontology is the science that deals with the remains of animals and plants found buried in rocks. For convenience it is now customary to use the term only for the study of fossil and animals and to deal with plants under the heading of paleobotany. In essence, however, the two form one science.

There are no formations, which would contain fossils on the proposed DCS church site lease.

B. Water Resources

1. Surface Water

Most discharge in local washes and arroyos occurs during the spring snowmelt and occasional intense summer thundershowers. As a result flow is erratic and fluctuates widely both seasonally and annually. Torrential thunderstorms can produce flood stage flows within minutes. There are no defined drainages on the project site.

The proposed DCS church site is located approximately 1500 feet north of and above the San Juan River. The San Juan River is the major drainage in northwest New Mexico and drains 12,900 square miles above the project site. The maximum flood of record occurred October 6, 1911 and reached a stage of 22 feet at Shiprock. The maximum discharge of record since 1927 was 80,000 ft.³/sec. recorded on August 11, 1929. The gage height of this flood was 5.7 feet at Shiprock. The stream flow of the San Juan River at Shiprock has been partly regulated since 1962 by the Navajo Dam, above Bloomfield, New Mexico. Diversion of stream flow for approximately 118,000 acres of farmland irrigation occurs above Shiprock.

a. Floodplain Management [24 CFR 55, Executive Order 11988]

Flood data, including peak discharges and high water records are not available for most washes on the Navajo Nation. No evidence exists to indicate the proposed DCS church site has ever been inundated or subject to flooding. The site has no characteristics common to floodplains. Local runoff will be controlled by a project specific drainage plans included in the final project design and the DCS church site lease and surrounding area will not be affected by flooding.

b. Wild and Scenic River Act [Sections 7(b) and (c)]

There are four designated Wild and Scenic Rivers as set forth in *16 U.S.C. Section 1271* in the State of New Mexico. These are the East Fork of the Jemez, portions of the Pecos, Rio Chama and Rio Grande; none are located in the DCS area as defined in *Appendix A*.

c. Wetland Protection [Executive Order 11990]

Wetlands are defined as areas that are inundated or saturated by surface or groundwater (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs and similar areas. Further, jurisdictional wetlands; those that are regulated by the U. S. Army Corps of Engineers (COE) under *Section 1.54*, must exhibit all three characteristics: hydrology, hydrophytes and hydric soils (*US ACOE 1987*). The U. S. Fish and Wildlife Service defines wetlands as transitional lands between terrestrial and aquatic systems where the water table is at or near the surface; or the land is covered by shallow water, and that have one or more of the following attributes:

1. At least periodically, the land supports predominantly hydrophytes.
2. The substrate is predominantly undrained hydric soil.
3. The substrate non-soil and is saturated during the growing season of each year (*Cowardin et al. 1979*).

No wetlands have been identified within the proposed DCS church site. There are no springs, seeps, ponds or other impoundments within or adjacent to the proposed DCS church site lease.

2. Ground Water

The proposed DCS church site lease lies in the San Juan Underground Water Basin. Ground water is not abundant in the basin. Total recoverable groundwater has been estimated by the U. S. Geological Survey at 257 million acre-feet. About 2 million acre-feet of this is total is fresh the balance is slightly saline. Geological formations capable of yielding large quantities of water are not numerous and water from those which could yield large quantities is likely to be of poor quality.

The availability of surface water from the San Juan River has made the definition of ground water supplies less urgent in the Shiprock area and areas along the river than other portions of the basin. Regionally, stream valley alluviums may provide a various quantities of water. Well yields from this source vary greatly in volume and quality. Generally the quantity and quality of the water varies significantly depending on the alluvial material and the substrata water level as it rises and lowers depending on precipitation and runoff. Much of the water is primarily suitable for livestock use, and only marginally suitable for human consumption.

Regional aquifers underlying the Shiprock area are the Morrison Formation and the Dakota Sandstone. Drinking water in the Shiprock area is provided by Navajo Tribal Utilities Authority, which obtains water from three deep wells, 1,000 feet, 800 feet and 600 feet in depth, respectively.

a. Sole Source Aquifers [40 CFR 149]

The US EPA Region IV is the agency responsible for maintaining the sole source aquifer database for the State of New Mexico. The five Sole Source Aquifer designations in EPA Region VI are shown in *Appendix B*. There are no designated sole source aquifers within the State of New Mexico or the Navajo Nation. No designated sole source aquifers are in the DCS area.

C. Air Resources (Clean Air Act [Sections 176 (c), (d) and 1.5 CFR 6, 51, 93])

1. Quality

Air quality is affected by pollutants, which include almost any composition of matter capable of being airborne. It is usual to consider as pollutants only those substances added in sufficient concentrations to produce measurable effects. These effects include visibility reduction, damage to materials such as structural metals, paint and fabrics, damage to vegetation, and physiological damage to man and animals. The New Mexico Air Quality Bureau no longer maintains ambient air quality monitors in areas where the air quality is generally good. Because of the absence of air quality problems; no air monitoring stations are located in McKinley County (*Appendix C*). No published studies for air quality have been conducted in project area. However, ambient air quality may be regarded as good to excellent, that is, near pristine. Primary pollution in the vicinity of the proposed project is wind blown dust from loose topsoil common during times of high winds and dust from vehicular traffic along unimproved roads in the area. The proposed DCS church site lease is not within a designated nonattainment area, an area that exceeds EPA air quality standards for pollutants (*Appendix D*).

2. Visibility

No sources of air pollution, which would affect visibility, are located in the Shiprock area. Primary pollution in the area, which may affect visibility, is wind blown dust from loose topsoil common during times of high winds and dust from vehicular traffic along unimproved roads in the area.

3. Climate/Meteorology

Due to the latitude and elevation of the area, precipitation occurs as snow in the winter, rain in the summer and both in the fall and spring. Winter precipitation generally occurs from air masses that originate in the extratropical Pacific or Canada. Summer precipitation usually occurs due to localized thunderstorm activity from air masses that primarily originate in the Gulf of Mexico. Precipitation also occurs from air masses that originate off the west coast of Mexico.

Winds at higher altitudes generally move from west to east, while surface winds are influenced somewhat by the local topography, solar insolation, and the proximity of high and low pressure areas. Prevailing winds in the project area are from southwest to northeast.

The Western Regional Climate Center data shows that the average annual maximum temperature in the project area is 69.8° F, with an average high of 94.6° F in July and a low of 43.0° F in January. The average annual minimum temperature is 36.4° F, with an average high of 58.8° F in July and a low of 15.7° F in January. The average annual total precipitation is 7.00 inches with a high average rainfall of 1.0 inches in August and a low of 0.41 inches in April. The average annual snowfall is 4.2 inches with a high average of 1.6 inches in January and a minimum snowfall of 0.6 inches is recorded in March, with no recorded snowfall from April thru October.

D. Biotic Resources

1. Description of Ecosystems and Biological Communities

A field trip was conducted on August 8, 2017 to become familiar with the project area and the physical, biotic and hydrospheric environments. The Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) have been consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On 14 September 2017, NFWD responded with a determination that the proposed project is not expected to affect any federally listed; or significantly impact any tribally listed species or other species of concern (*Appendix E*).

2. Wildlife

a. Terrestrial

Animal destinies are extremely low due to lack of vegetative cover and human intrusion in the surrounding area. Mammals inhabiting the DCS church site lease area include spotted ground squirrels, silky pocket mice and jackrabbits. Characteristic breeding birds in the area include common flickers, western kingbirds, Say's phoebes, starlings, house sparrows, chipping sparrows, gray-headed juncos and common ravens. Reptiles include lesser earless lizards, plateau whiptails and short-horned lizards. Domestic animals are common in the area.

b. Riparian/Aquatic

There are no streams, lakes, ponds, springs or seeps on the DCS church site lease. Habitat, which would support riparian or aquatic species, is not found on the site.

c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]

On 14 September 2017 the Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) responded to a request for information by EAS regarding the effect of the proposed undertaking on federally listed threatened or endangered species at the DCS church site lease. The NFWD have determined that the proposed project is not expected to affect any federally listed species (*Appendix E*).

d. Other Species of Concern

On 14 September 2017 the NNNHP, NFWD responded to a request for information regarding the effect of the proposed undertaking on tribally listed species or other species of concern at the DCS church site lease. The NFWD have determined that the proposed project is not expected significantly impact any tribally listed species or other species of concern (*Appendix E*).

3. Vegetation

a. Terrestrial

Scattered stunted saltbush, ring muhly, rice grass Russian thistle and other weedy annuals comprise almost the total list of plant species in the area.

b. Riparian/Aquatic

There are no streams, lakes, ponds, springs or seeps on the DCS church site lease. Habitat, which would support riparian or aquatic species, is not found on the site.

c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]

On 14 September 2017 the NNNHP, NFWF responded to a request for information regarding the effect of the proposed undertaking on federally listed threatened or endangered species at the NTUA site. The NFWF have determined that the proposed project is not expected to affect any federally listed species (*Appendix E*).

d. Other Species of Concern

On 14 September 2017 the NNNHP, NFWF responded to a request for information by EAS regarding the effect of the proposed undertaking on tribally listed species or other species of concern at the NTUA site. The NFWF have determined that the proposed project is not expected to affect any federally listed species (*Appendix E*).

E. Cultural Resources, Historic Preservation [36 CFR Part 800]

On August 16, 2017 Julia M Chavez (JMC) completed a cultural resource inventory of the DCS church site lease. JMC conducted a records check of archaeological documents on file with the Navajo Nation Historic Preservation Department (NNHPD) in Window Rock. The records check was conducted to identify previous survey projects and previously recorded archaeological resources in the project area. There were no previously recorded sites within a 100-meter radius of the DCS. Four previous inventories were conducted within a 100-meter radius of DCS church site lease. On the same day a records search at the TCP office was conducted. The results of this work revealed a total of 2 TCP areas within a 1-mi radius of the DCS church site lease. None of these previously identified resources are located within the DCS church site lease. A check of *Navajo Sacred Places, 1974, Van Valkenburgh* revealed no sacred places in the vicinity of the DCS church site lease.

Field work for the inventory consisted of 100% pedestrian survey of the 1.5-acres± tract. The survey consisted of walking parallel transects spaced approximately 12.0 m apart across the entire project area. The inventory and report, *A Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43 (Appendix F)*. *Cultural Resource Compliance Form HPD-17-690* was issued on September 22, 2017 with the determination No historic properties found (*Appendix G*).

1. Traditional Cultural, Historic and Religious Properties

2 TCP areas were identified within a 1-mi radius of the DCS. Neither of these previously identified resources is located within the DCS church site lease. No other TCPs or sacred areas were identified within or near the project area.

2. Archaeological Resources

No archaeological sites or isolated occurrences were identified on the DCS church site lease. One IUA was recorded. The IUA is the building being used by The Door Church and 2 mobile homes and 1 abandoned house.

F. Socioeconomics

1. Employment

While unemployment on the Navajo Reservation is high, living standards of Navajo people in this area may be better than what may be considered average on the reservation. This is due to the availability of educational opportunities, wage work and other business and job opportunities available in Shiprock. Major employers in the area are the BIA, Navajo Nation, Indian Health Service and Central Consolidated School System, Shiprock Community School/BIA, Child Development – Head Start, Navajo Housing Authority, Navajo Tribal Utilities Authority, Basha's and Shiprock Institute of Technology.

2. Demographics

The Navajo Nation encompasses 16.2 million acres in northwest New Mexico, northeast Arizona and southeast Utah. The 2000 census set the Navajo Nation resident population at a total of 180,462 persons, 165,673 being Navajo. The proposed project is located in the Shiprock Chapter, Shiprock Agency. The 2000 census of the Navajo Nation set the population of the Shiprock Chapter at 9,279.

3. Lifestyles, Cultural Values

From the time the Navajo Reservation was established until the early 20th century, Navajo social and political organization were based on the extended family, the clan, and related clans, with informal local leaders or headmen. The chapter system, now a strong element in social and political life, was introduced as a bureaucratic substitute for the headman system in the late 1920's.

The Navajo of today is subject to a fluidity and change that appears to characterize Navajo culture. There may not be, in fact, a single Navajo culture; rather a continuum from most traditional to most "modern" (that is, most like Anglo culture). The sources of change within the Navajo society are education, proximity to the Anglo society, political organization, economic relationships and other factors. In American culture, one is accustomed to thinking of certain activities as religious, or economic or political; in Navajo society, these divisions do not necessarily exist nor are they perceived.

For Navajos, man, nature, and supernatural forces are inextricably interwoven, and everyday acts are infused with the concept of the supernatural. Animals, plants, minerals, mountains, and places frequented daily; can all be endowed with power so that spiritual and supernatural forces surround the Navajo wherever he goes and in whatever he does. Navajos are influenced by a worldview, which anchors them within a rich cultural and religious tradition. Despite changes in Navajo society, traditional practices are still strong. Christian and the Native American Church preach primary responsibility to one's nuclear family and only secondary responsibility to other kin. Many Navajos, who subscribe to a belief in these non-traditional religions, are still strongly bound by tradition to their kinship and community groups through Navajo religious practices. Most traditional families have an area marked by a bush or plant where family members leave offerings of used material and paraphernalia from sings or ceremonies. Only individual families, medicine men or singers may know areas. Such areas are numerous and can only be identified by inquiry in each community. The tenuous subsistence of the marginal lands that make up lands within the Navajo Nation dictates a mutual dependence for Navajo survival and it is the clan group, which serves to promote economic cooperation. Because a nuclear family finds it difficult to survive without reciprocal relationships, the clan system is continually reinforced. Withdrawal of group or clan support is an economic, as well as, a psychological threat.

4. Community Infrastructure

The Navajo Nation is governed by a President, Vice-President and a unicameral council made up of delegates from the chapters throughout the reservation. The Chapter, District and Agency system has developed from the basis of the BIA and Navajo Tribal political system. Local governments consist of Chapter Presidents and other representatives, with day-to-day administrative duties conducted by Chapter Coordinators.

Housing conditions range from poor to excellent throughout the Shiprock area. Many of the dwellings in the area have been built by their owners. Modern homes have become available through the NHA housing development projects. Mobile homes are a popular source of improved housing for those who can afford them. Many of the homes lack water and sewer and are dependent on outhouses and hauled water.

3,081 houses were reported in the Shiprock Chapter in the 2000 census; of this number 561 were found vacant. 897 mobile homes are located in the Chapter. 257 homes lack water and sewer and are dependent on outhouses and hauled water.

Education in the area is provided by Navajo Community College, Nataani Nez Elementary School, Nizhoni Elementary School, Mesa Elementary School, Tse'Bit'Ai Junior High School, Shiprock High School, Northwest High School, Atsa Bi yaazh Elementary, Career Prep High, Nenahnezad community School, Kirtland Mid-School and Kirtland High School.

Among the social services available within the Shiprock Chapter include Agricultural Lands Department, Regional Business Development Office/DED, Community Health Representative, Department of Work Force Services, Navajo Nation Model Government Program, Division of Water Resource/Farm Project Employee Assistance Program, Criminal Investigation Office, Land Administration, Dept of Behavioral Health, Division of Health, Division of Social Services, Veterinary Clinic, Dept of Head Start, Food Distribution, Low Income Home Energy Program Day Care Center, Navajo Orthodontic Program, Veterans Office, Senior Citizens Center, Elderly Group Home, Office of Navajo Labor Relations, Adult In-Home and Navajo Housing Services Dept.

Numerous businesses such as a supermarket, restaurants, fast-food outlets, feed stores, miscellaneous retail outlets video shops and car washes are found in Shiprock. The major trade center is Farmington, New Mexico, 25 miles east.

There are numerous Christian churches and 2 Native American Churches serving the area.

Road construction and maintenance are provided by the BIA, San Juan County and the State of New Mexico.

Utilities available in the area are provided by Navajo Tribal Utilities Authority, Inc., and Citizens Communications Telephone Company.

G. Land Use Patterns

1. Agriculture, Farmland Protection Policy Act [7 CFR 658]

Agriculture is generally practiced on a limited basis throughout the Navajo Nation. Dry land farming of small farm plots is the most prevalent method due to the aridity of the southwest. Agriculture is generally practiced on a limited basis throughout the Navajo Nation. However the San Juan River, a perennial stream, flows through the San Juan Chapter and adjoining chapters. A total of 452 farmers are reported for the Hogback Farming Project. The project covers a total of 8,869 acres of which 7,795 are cultivated for actual crop production. Most farms in the Shiprock area are in the low lands adjacent to the San Juan River.

Grazing by sheep, goats, cattle and horses is a common use of the land by local inhabitants. According to studies the best grazing areas would require 20 to 30 acres per sheep unit. In poorer grazing areas, as many as 500 acres would be required per sheep unit. The area of the proposed project is considered fair to poor.

No prime or unique farmlands are within or adjacent to the proposed DCS church site lease.

2. Residential Land Use

The community of Shiprock has no definite town limits or zoning restrictions, which specify types of construction or specific areas for commercial, industrial or residential development. However, Shiprock has developed into a conventional community with homes, businesses and offices located along streets and alleys. Housing is also available through Navajo Housing Authority projects throughout the area. Several Navajo Housing Authority (NHA) projects have been developed in the Shiprock Chapter which are available for purchase to individuals and their families. The availability of these homes relieves the prospective owners of the involved process of acquiring individual homesites and costs of constructing their own homes.

Navajo families residing outside the immediate Shiprock community reside a rural form often found in farming and ranching communities where homes are located and surrounded by acres of farmland or grazing areas. Often several families, composed of the parents, and one or more sons and/or daughters, live at the same location. These compounds are generally ¼ mile or more apart.

3. Waste Material

a. Solid Waste

Navajo Sanitation will provide serve to the DCS church site lease. Residents outside the service area are responsible for transporting solid waste to solid waste disposal transfer stations.

b. Hazardous Waste

No hazardous or toxic waste materials are found within the DCS church site lease.

H. Other Values

1. Sound and Noise, Noise and Abatement Control [24 CFR 51B]

In acoustics noise is defined as any undesired sound. Usually, noise is a mixture of many tones combined in a non-musical manner. Sound measurements are given in decibels (db).

NOISE LEVELS

Decibel Level	Example
30	Quiet library, soft whispers
45	Living room, refrigerator, bedroom away from traffic
50	Light traffic, normal conversation, quiet office
60	Air conditioner at 20 feet, sewing machine
70	Vacuum cleaner, hair dryer, noisy restaurant
80	Average city traffic, garbage disposals, alarm clock at two feet
THE FOLLOWING NOISE LEVELS MAY BE DANGEROUS UNDER CONSTANT EXPOSURE	
90	Motorcycle, truck traffic, lawn mower
100	Garbage truck, chain saw, pneumatic drill
120	Rock band concert in front of speakers, thunderclap
145	Gunshot blast, jet plane
180	Rocket launching pad

The ambient noise levels in the Shiprock area ranges between 0 db (soft whisper) and 90 db from heavy truck traffic. Short-term work at the DCS church site lease may generate noises not considered normal for the Shiprock community. Noise levels in the 90 to 95-db range may be generated by the operation of construction equipment and large trucks. These noise levels are common for construction activities when measured approximately 20 feet from the source. Construction noises will be limited to daylight working hours. Outdoors, sound levels decrease six db each time the distance between the source and point of measurement is doubled. At 500 feet, sound levels from the construction activities may be expected to decrease to approximately 70 db. This is equivalent to the noise of an automobile at 20 feet or heavy traffic at 25 to 50 feet. Noise from the construction activities will be short-term and not continue after the development of the DCS.

2. Public Health and Safety

Medical services in the area are provided by Northern Navajo Medical Center, San Juan Regional Medical Center, Shiprock Community Health Center, Shiprock Dialysis and numerous health clinics and private practitioners in the surrounding communities. The Shiprock District Navajo Police, San Juan County Sheriff's Department and New Mexico State Department of Public Safety provide public safety services. Fire retention and emergency services are presently provided by the Shiprock Fire Department operating under San Juan County Fire Department.

3. Visual Setting

“Landscape which is unique – that is, different from others or uncommon – has more significance to society than that which is common. The unique qualities which enhance its value to society are those which have some aesthetic, scenic or human interest connotation”

Luna B. Leopold

The visual resources of an area are closely linked to peoples’ concern for that area. Because of the importance of the visual senses, aesthetics are closely related to other human-interest values. Public enjoyment of recreational, historical and cultural resources is enhanced by aesthetic quality.

There are no unique features, vegetative patterns or sensitive areas, which would make the area on or around the proposed DCS church site lease a unique visual resource.

4. Explosive and Flammable Operations [24 CFR 518]

A field trip to the DCS church site lease was conducted on August 8, 2017. The site was found to be clear of dumps, landfills, industrial sites or other facilities or locations that contain hazardous wastes. The site is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances.

5. Airport Clear Zones and Accident Potential Zones [24 CFR 51D]

The Shiprock airstrip is located approximately six miles south of Shiprock. There are no airports or landing strips in the vicinity of the DCS church site lease. Aircraft do not land or take off over the DCS church site lease.

IV. Environmental Consequences of the Proposed Action and Measures for Mitigation

A. Land Resources

1. Topography

Approval of the DCS church site lease will have no effect on the topography.

2. Soils

Approval of the 1.5±acre DCS church site lease will have no effect on soils.

3. Geological Setting and Mineral Resources

a. Geology

Approval of the DCS church site lease will not affect the geological setting.

b. Mineral Resources

Approval of the DCS church site lease will have no effect on mineral resources.

4. Paleontology

Approval of the 1.5±acre DCS church site lease will have no effect on paleontology.

B. Water Resources

1. Surface Water

There are no surface waters or significant drainages located within the DCS church site lease. No major or defined drainages will be blocked, impounded or significantly diverted as a result of the development of the DCS. The quality of the surface runoff will not be affected by the proposed undertaking. Runoff from the 1.5±acre DCS church site lease will contain no toxic or hazardous materials. Design of the proposed DCS will include necessary features to control and manage surface runoff from the complex.

Approval of the 1.5±acre DCS church site lease will have no effect on the surface waters in the Shiprock area or on the Navajo Nation.

a. Floodplain Management [24 CFR 55, Executive Order 11988]

The DCS church site lease has no evidence of being flooded or inundate. Design of the DCS complex will include management of the surface runoff to assure that the site and surrounding area will not be adversely affected by surface runoff.

b. Wild and Scenic River Act [Sections 7(b) and (c)]

There are no designated Wild and Scenic Rivers as set forth in *16 U.S.C. Section 1271* in the State of New Mexico or the Navajo Nation. Approval of the 1.5±acre DCS church site lease will have no effect on wild and scenic rivers.

c. Wetland Protection [Executive Order 11990]

There are no wetlands on the DCS church site lease. Approval of the 1.5±acre DCS church site lease will have no effect on wetlands.

2. Ground Water

Approval of the 1.5±acre DCS church site lease will not affect ground water.

a. Sole Source Aquifers [1.5 CFR 149]

There are no designated sole source aquifers within the State of New Mexico or the Navajo Nation. Approval of the 1.5±acre DCS church site lease will have no effect on sole source aquifers.

C. Air Resources (Clean Air Act [Sections 176 (c), (d) and 1.5 CFR 6, 51, 93])

1. Quality

Development of the DCS may result in airborne particles during construction; however, this will be mitigated by application of water as necessary for dust suppression. Approval of the 1.5±acre DCS church site lease will not have a significant effect on the air quality in the Shiprock Chapter or the Navajo Nation.

2. Visibility

Approval of the 1.5±acre DCS church site lease will have no effect on visibility in the area.

3. Climate/Meteorology

Approval of the 1.5±acre DCS church site lease will have no effect on the climate or meteorology.

D. Biotic Resources

1. Description of Ecosystems and Biological Communities

The work proposed for the DCS will result in an insignificant amount of land disturbance. Approval of the 1.5±acre DCS church site lease will not have adverse impacts on the ecosystem and biological communities as they presently exist.

The Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWF) have been consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species or tribally listed species or other species of concern

2. Wildlife

a. Terrestrial

Approval of the 1.5±acre DCS church site lease will not have an effect on wildlife in the area.

b. Riparian/Aquatic

There are no riparian or aquatic habitats within or adjacent to the DCS church site lease. The proposed undertaking will have no effect on riparian or aquatic species or their habitats in the area.

c. Threatened and Endangered Species

On 14 September 2017, NFWF responded with a determination that the proposed approval of the 1.5±acre DCS church site lease is not expected to affect any federally listed species (*Appendix E*).

d. Species of Concern

On 14 September 2017, NFWF determined that the proposed approval of the 1.5±acre DCS church site lease is not expected to affect or significantly impact any tribally listed species or other species of concern (*Appendix E*).

3. Vegetation

a. Terrestrial

The proposed approval of the 1.5±acre DCS church site lease will require an insignificant amount of land disturbance. The impact to vegetation in the project area will be insignificant.

b. Riparian/Aquatic

There are no riparian or aquatic habitats within or adjacent to the DCS church site lease. The proposed undertaking will have no effect on riparian or aquatic species or their habitats in the area.

c. Threatened and Endangered Species

On 14 September 2017, NFWF responded with a determination that the proposed approval of the 1.5±acre DCS church site lease is not expected to affect any federally listed species (*Appendix E*).

d. Species of Concern

On 14 September 2017, NFWF determined that the proposed approval of the 1.5±acre DCS church site lease is not expected to affect or significantly impact any tribally listed species or other species of concern (*Appendix E*).

3. Biological Resources Compliance

The best available construction practices will be used to limit impacts to land, water (surface and ground), and biological resources. *Biological Resources Compliance Form NNDF&WL Review No 17jrae103* was issued on January 29, 2018 (*Appendix E*).

E. Cultural Resources, Historic Preservation [36 CFR Part 800]

An inventory and report, *A Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43* was completed for the DCS church site lease on 8/18/17 (*Appendix F*). *Cultural Resource Compliance Form HPD-17-690* was issued on September 22, 2017 with the determination No historic properties found (*Appendix G*).

1. Traditional Cultural, Historic and Religious Properties

Approval of the 1.5±acre DCS church site lease will have no effect on traditional cultural properties or sacred areas.

2. Archaeological Resources

No Archaeological resources were identified as a result of the cultural resource surveys and inventories.

Approval of the 1.5±acre DCS church site lease will have no effect on archaeological resources in the project area.

In the event of the discovery of any previously unidentified or incorrectly identified cultural resources; including but not limited to archaeological deposits, human remains, or locations reportedly associated with the Native American religious/traditional beliefs or practices; the Navajo Nation Historic Preservation Department will be notified.

F. Socioeconomics

1. Employment

Approval of the 1.5±acre DCS church site lease will have no effect on long-term employment in the Shiprock Chapter.

2. Demographics

Approval of the 1.5±acre DCS church site lease will not have an effect on demographics.

3. Lifestyles, Cultural Values

Approval of the 1.5±acre DCS church site lease will not have an adverse effect on lifestyles or cultural values.

4. Community Infrastructure

Approval of the 1.5±acre DCS church site lease will not have an effect on the Shiprock community infrastructure.

G. Resource and Land Use Patterns

1. Agriculture, Farmland Protection Policy Act [7 CFR 658]

Approval of the 1.5±acre DCS church site lease will not have an effect on agriculture.

2. Residential Land Use

Approval of the 1.5±acre DCS church site lease will not have an effect on residential land use.

3. Waste Material

a. Solid Waste

Solid waste generated at the DCS, including those generated by the construction activities will be collected by Navajo Sanitation, Inc. and disposed of in conformance with applicable federal and Navajo Nation laws and regulations.

b. Hazardous Waste

There are no hazardous or toxic waste materials presently on the DCS church site lease. No hazardous or toxic waste materials will be generated by DCS operations. Should any controlled or regulated waste products be generated by construction operations at the DCS, they will be collected and disposed of in accordance with applicable federal and Navajo Nation laws and regulations.

H. Other Values

1. Sound and Noise, Noise and Abatement Control [24 CFR 51B]

Work at the DCS church site lease may have short term effects on noise levels in the immediate area of the project. These noises will be restricted to daylight hours and generally far enough away from most residential areas so as not to be considered significant. There will be no unusually loud noises generated by the operations and activities at the DCS after the work is completed.

2. Public Health and Safety

Approval of the 1.5±acre DCS church site lease will have no effect on the public health and safety of the community of Shiprock.

3. Visual Setting

Approval of the 1.5±acre DCS church site lease will not have an effect on the visual setting or visual resources.

V. Compliance with Executive and Secretarial Orders

1. Environmental Justice

Approval of the 1.5± acre DCS church site lease will have positive impact on people of Shiprock, a minority population, by providing modern up-to-date facilities to minister and serve community of Shiprock and the residents of the area, Approval of the 1.5±-acre DCS church site lease is considered as an action which is in conformance with the intent of *Executive Order 12898 of February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

2. Indian Trust Resources

This environmental assessment has been prepared to assess the impacts of approval of the DCS church site lease on the Navajo Nation environment and trust resources. This action is conducted in compliance with *Secretarial Order 3175, Departmental Responsibilities for Indian Trust Resources*.

V. Conclusions Regarding Significance

- The Approval of the 1.5±acre DCS church site lease will not have an adverse impact on the total land resources in the Shiprock Chapter.
- Approval of the 1.5±acre DCS church site lease will not have an effect on water resources.
- Approval of the 1.5±acre DCS church site lease will not have an effect on air resources.
- Approval of the site lease for the DCS church site lease will have a significant effect on biotic resources.
- Approval of the 1.5±acre DCS church site lease will not have an effect on wetlands.
- Approval of the 1.5±acre DCS church site lease will not affect any federally listed species or impact any tribally listed species or other species of concern.
- Traditional cultural, historic, or religious properties will not be affected by the approval of the 1.5±acre DCS church site lease.
- Approval of the 1.5±acre DCS church site lease will have no effect on archaeological resources.
- Approval of the 1.5±acre DCS church site lease will have a positive impact on socioeconomics in the Shiprock Chapter.
- Approval of the 1.5±acre DCS church site lease will not have a significant effect on sound and noise in the Shiprock Chapter and surrounding area.
- Approval of the 1.5±acre DCS church site lease may be considered as an action which is in conformance with the intent of *Executive Order 12898 of February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.
- This environmental assessment has been prepared to assess the impacts to the Navajo Indian environment and trust resources that may result from the approval of the 1.5±acre DCS church site lease. This action is conducted in compliance with *Secretarial Order 3175, Departmental Responsibilities for Indian Trust Resources*.

VI. Consultation and Coordination

A. Persons or agencies involved in the proposed action

Consultation with the Navajo Nation Fish and Wildlife Program, Biological Survey Services Program, Window Rock, Arizona and the Navajo Nation Historic Preservation Department has been conducted to assure mandated protection of natural and cultural resources.

Navajo Nation Historic Preservation Officer
Navajo Nation Shiprock Regional Business Development Office
Navajo Nation Environmental Protection Agency
Shiprock Agency, Branch of Real Estate Services U. S. DOI, BIA Navajo Region

B. Persons or agencies providing information

Julia M Chavez, Archeologist
Navajo Nation Capital Improvement Office, Shiprock, New Mexico
The Navajo Nation, Natural Heritage Program, Navajo Fish and Wildlife Department

C. References

- _____ 2017. A Cultural Resources Inventory of One Existing 1.5-Acre Mission Site Lease for The Door Church of Shiprock in Shiprock Chapter, San Juan County, New Mexico JMC-17NN43
- _____ 2017. Correspondence, The Door Church of Shiprock, NM, County of San Juan, State of New Mexico Nation Natural Heritage Program, Department of Fish and Wildlife, 14 September 2017
- _____ 2000. Navajo Nation Data from US Census 2000, NN Division of Economic Development, Support Services Department
- _____ 2005. Correspondence, State of New Mexico, Air Quality Bureau, August 1, 2005
- _____ 1996. Chapter Images: 1996 Edition, Division of Community Development, The Navajo Nation, Summer 1997
- _____ 1998. Bureau of Indian Affairs, NEPA Handbook, 516 DM 59 IAM 3
- _____ 2000. Western Regional Climate Center, Shiprock, New Mexico (298284), Period of Record 7/1/1926 to 10/31/2007 Monthly Climate Summary
- _____ 2005. Western Wild and Scenic Rivers, New Mexico, www.nps.gov/rivers/wildriverslist.html
- _____ 2005. Designated Sole Source Aquifers in EPA Region VI. w.epa.gov/safewater/swp/ssa/reg6.html
- _____ 2005. Designated Nonattainment Areas, EPA Region VI. www.epa.gov/earth1r6/6pd/airpf-1/sip.html
- _____ 1978. Western Area Survey, PNM

VII. Document Preparer

Jim R. Analla, Consultant
Environmental Assessment Services
P. O. Box 1034
Gallup, New Mexico 87305
(505) 905-3943

APPENDIX A

Wild and Scenic Rivers
www.nps.gov/rivers/wildriverslist.html



Wild & Scenic Rivers By State

"... the time has also come to identify and preserve free-flowing stretches of our great rivers before growth and development make the beauty of the unspoiled waterway a memory."
- President Lyndon Johnson

Designated WSRs
River Information
Rivers & Trails
WSR Council
Publications
Study Rivers
About WSRs
Guidelines
Site Index
Agencies
WSR Act
NRI

Questions?

- [Alabama](#)
- [Alaska](#)
- [Arizona](#)
- [Arkansas](#)
- [California](#)
- [Colorado](#)
- [Connecticut](#)
- [Delaware / Pennsylvania](#)
- [Florida](#)
- [Georgia / Carolinas](#)
- [Idaho](#)
- [Idaho / Oregon](#)
- [Illinois](#)
- [Kentucky](#)
- [Louisiana](#)
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- [Mississippi](#)
- [Missouri](#)
- [Montana](#)
- [Nebraska](#)
- [Nebraska / S Dakota](#)
- [New Hampshire](#)
- [New Jersey](#)
- [New Jersey / Pennsylvania](#)
- [New Mexico](#)
- [New York / Pennsylvania](#)
- [North Carolina](#)
- [Ohio](#)
- [Oregon](#)
- [Pennsylvania](#)
- [Tennessee](#)
- [Texas](#)
- [Washington](#)
- [West Virginia](#)
- [Wisconsin](#)
- [Wyoming](#)

Managing Agencies

- ACOE = [Army Corps of Engineers](#)
- BLM = [Bureau of Land Management](#) -- [BLM Rivers](#)
- NPS = [National Park Service](#)
- USFS = [U.S. Forest Service](#)
- USFWS = [U.S. Fish & Wildlife Service](#)
- Various states

Multiple listings of some rivers indicate more than one segment of the river is designated. Some rivers also have tributaries designated.

Arizona

- [Verde, USFS](#)

New Mexico

- [Jemez \(East Fork\), USFS](#)
- [Pecos, USFS](#)
- [Rio Chama, BLM/USFS](#) -- [Boating the Rio Chama](#)
- [Rio Grande, BLM/USFS](#) -- [Boating the Rio Grande](#)

**Designated Sole Source Aquifers
in EPA Region VI
www.epa.gov/safewater/swp/ssa/reg6.html**



U.S. Environmental Protection Agency

Source Water Protection

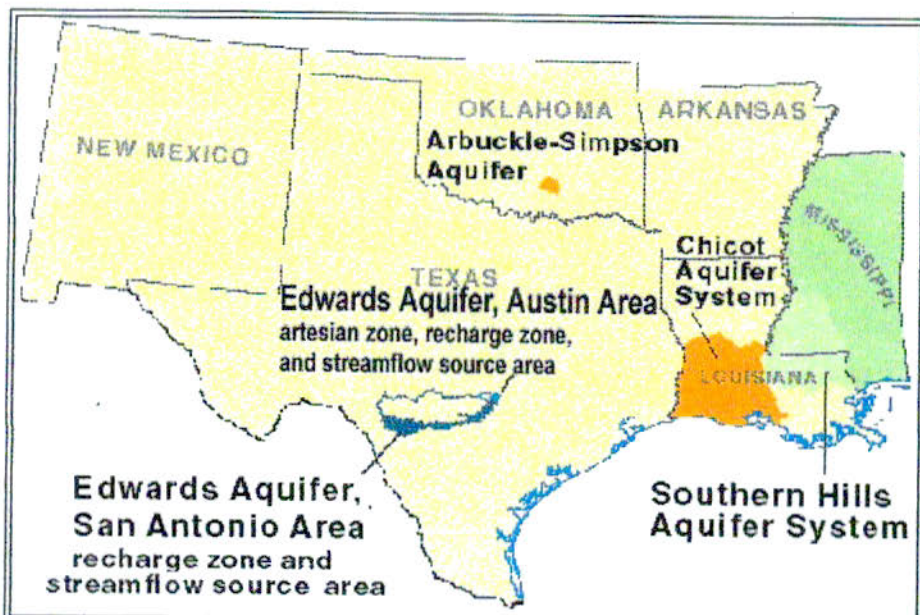
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[EPA Home](#) > [Water](#) > [Ground Water & Drinking Water](#) > [Source Water Protection](#) [Source Water Protection](#) > [Designated Sole Source Aquifers in EPA Region VI](#)

DESIGNATED SOLE SOURCE AQUIFERS IN EPA REGION VI

Arkansas, Louisiana, New Mexico, Oklahoma, Texas



Claybourne Chesney
Source Water Protection Branch (6WQ-S)
US EPA Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
phone: (214)665-7128
email: chesney.claybourne@epa.gov

The 5 Sole Source Aquifer designations in Region VI are listed below. Visit [EPA Region 6](#) for SSA maps and details on each aquifer.

DESIGNATED SOLE SOURCE AQUIFIERS IN REGION 6:

State	Sole Source Aquifer Name	Federal Reg. Cit.	Public. Date	IS map
LA	Chicot Aquifer System	53 FR 20893	06/07/88	yes
*LA/MS	Southern Hills Aquifer System	53 FR 25538	07/07/88	yes
OK	Arbuckle-Simpson Aquifer, South Central Oklahoma	54 FR 39230	09/25/89	yes
TX	Edwards Aquifer, San Antonio Area	40 FR 58344	12/16/75	yes
TX	Edwards Aquifer, Austin Area	53 FR 20897	06/07/88	yes

**New Mexico Air Quality Bureau
Correspondence
August 1, 2005**



BILL RICHARDSON
Governor

State of New Mexico
ENVIRONMENT DEPARTMENT

Air Quality Bureau
2048 Galisteo St.
Santa Fe, NM 87505
Phone (505) 827-1494
Fax (505) 827-1523
www.nmenv.state.nm.us



RON CURRY
Secretary

DERRITH WATCHMAN-MOORE
Deputy Secretary

August 1, 2005

Mr. Jim Analla
PO Box 1034
Gallup, NM 87305

Dear Mr. Analla:

In response to your question about the New Mexico Environment Department (NMED) air monitoring network, I can give you the following information. Generally, our ambient air monitors are set up at sites in New Mexico that are near known sources of air pollution or have a high population concentration. Usually, when NMED has no monitors in a particular area, it is because air quality is generally good. There are many counties in New Mexico where there is no air monitoring because of the absence of air quality problems.

In the absence of air monitors, such areas are generally described as "unclassified" for attainment status, and are treated as though they are in attainment of all national and state ambient air quality standards. I hope this information will be useful to you in preparing your air quality assessments.

Sincerely,

Josephine Ball
Quality Assurance Manager
New Mexico Air Quality Bureau

APPENDIX D

**Air State Implementation Plans
EPA Region VI: South Central
www.epa.gov/earth1r6r/air/pd-1/sip.html**

Air State Implementation Plans

Section 110 of the Clean Air Act (Act) or (CAA) requires states to submit plans to EPA which provide for implementation, maintenance, and enforcement of the primary and secondary national ambient air quality standards for the criteria pollutants regulated under Title I of the Act (i.e., ozone, carbon monoxide, particulate matter less than or equal to 10 microns (PM-10), sulfur dioxide, nitrogen dioxide, and lead).

Each plan submitted must undergo reasonable notice and public hearing and include enforceable emission limitations and other control measures, schedules and timetables for compliance. The EPA approved [SIP regulations](#) are available for each State.

The following are the designated nonattainment areas in Region 6 subject to the section 110 nonattainment planning requirements (as of 9/5/12):

AREA	POLLUTANT	CLASSIFICATION
Houston-Galveston-Brazoria, Tx	8-Hour Ozone (1997 standard)	Severe
Houston-Galveston-Brazoria, Tx	8-Hour Ozone (2008 standard)	Marginal
Beaumont-Port Arthur, Tx	8-Hour Ozone (2008 standard)	N/A
Dallas-Ft. Worth, Tx	8-Hour Ozone (1997 standard)	Serious
Dallas-Ft. Worth, Tx	8-Hour Ozone (2008 standard)	Moderate
Baton Rouge, La	8-Hour Ozone (2008 standard)	Marginal
Anthony, NM	PM-10	N/A
El Paso, Tx	PM-10	N/A

**Correspondence
The Door Church of Shiprock
NM, County of San Juan, State of New Mexico
Nation Natural Heritage Program
Department of Fish and Wildlife
14 September 2017**

**Biological Resources Compliance Form
NNDF&WL Review No. 17jrae103**



NNHP

Navajo Natural Heritage Program

PO BOX 1480
Window Rock, AZ 86515

P 928.871.6472
F 928.871.7603

www.nndfw.org

17jrae103

14-September-2017

Jim R. Analla
J.R. Analla EA Services

SUBJECT: The Door Church of Shiprock NM, County of San Juan, State of New Mexico

Jim R. Analla,

NNHP has performed an analysis of your project in comparison to known biological resources of the Navajo Nation and has included the findings in this letter. The letter is composed of seven parts. The sections as they appear in the letter are:

1. **Known Species** – a list of all species within relative proximity to the project
2. **Potential Species** – a list of potential species based on project proximity to respective suitable habitat
3. **Quadrangles** – an exhaustive list of quads containing the project
4. **Project Summary** – a categorized list of biological resources within relative proximity to the project grouped by individual project site(s) or quads
5. **Conditional Criteria Notes** – additional details concerning various species, habitat, etc.
6. **Personnel Contacts** – a list of employee contacts
7. **Resources** – identifies sources for further information

Known Species lists "species of concern" known to occur within proximity to the project area. Planning for avoidance of these species is expected. If no species are displayed then based upon the records of the Navajo Nation Department of Fish and Wildlife (NNDFW) there are no "species of concern" within proximity to the project. Refer to the Navajo Endangered Species List (NESL) Species Accounts for recommended avoidance measures, biology, and distribution of NESL species on the Navajo Nation (www.nndfw.org/nnhp/sp_account.htm).

Potential Species lists species that are potentially within proximity to the project area and need to be evaluated for presence/absence. If no species are found within the Known or Potential Species lists, the project is not expected to affect any federally listed species, nor significantly impact any tribally listed species or other species of concern. Potential for species has been determined primarily on habitat characteristics and species range information. A thorough habitat analysis, and if necessary, species specific surveys, are required to determine the potential for each species.

Species of concern include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For legally protected species, the following tribal and federal statuses are indicated: NESL, federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate, NESL group 4 status, and species listed on the Sensitive Species List. Please be aware of these species during surveys and inform the NNDFW of observations. Reported observations of these species and documenting them in project planning and management is important for conservation and may

contribute to ensuring they will not be up listed in the future.

In any and all correspondence with NNDFW or NNHP concerning this project please cite the Data Request Code associated with this document. It can be found in this report on the top right corner of the every page. Additionally please cite this code in any biological evaluation documents returned to our office.

1. Known Species (NESL=Navajo Endangered Species List, FE=Federally Endangered, FT=Federally Threatened, FC=Federal Candidate)

Species:

None

2. Potential Species

Species:

None

3. Quadrangles (7.5 Minute)

Quadrangles

Shiprock (36108-G6) / NM

4. Project Summary (EO1 Mile/EO 3 Miles=elements occurring within 1 & 3 miles., MSO=mexican spotted owl PACs, POTS=potential species, RCP=Biological Areas)

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

5. Conditional Criteria Notes *(Recent revisions made please read thoroughly. For certain species, and/or circumstances, please read and comply)*

A. Biological Resource Land Use Clearance Policies and Procedures (RCP) - The purpose of the RCP is to assist the Navajo Nation government and chapters ensure compliance with federal and Navajo laws which protect, wildlife resources, including plants, and their habitat resulting in an expedited land use clearance process. After years of research and study, the NNDFW has identified and mapped wildlife habitat and sensitive areas that cover the entire Navajo Nation.

The following is a brief summary of six (6) wildlife areas:

1. **Highly Sensitive Area** – recommended no development with few exceptions.
2. **Moderately Sensitive Area** – moderate restrictions on development to avoid sensitive species/habitats.
3. **Less Sensitive Area** – fewest restrictions on development.
4. **Community Development Area** – areas in and around towns with few or no restrictions on development.
5. **Biological Preserve** – no development unless compatible with the purpose of this area.
6. **Recreation Area** – no development unless compatible with the purpose of this area.

None - outside the boundaries of the Navajo Nation

This is not intended to be a full description of the RCP please refer to the our website for additional information at www.nndfw.org/clup.htm.

B. Raptors – If raptors are known to occur within 1 mile of project location: Contact the NNHP zoologist at 871-7070 regarding your evaluation of potential impacts and mitigation.

Golden and Bald Eagles - If Golden or Bald Eagle are known to occur within 1 mile of the project, decision makers need to ensure that they are not in violation of the *Golden and Bald Eagle Nest Protection Regulations* found at www.nndfw.org/nnhp/docs_reps/gben.pdf.

Ferruginous Hawks – Refer to *Navajo Nation Department of Fish and Wildlife's Ferruginous Hawk Management Guidelines for Nest Protection* (www.nndfw.org/nnhp/docs_reps.htm) for relevant information on avoiding impacts to Ferruginous Hawks within 1 mile of project location.

Mexican Spotted Owl - Please refer to the *Navajo Nation Mexican Spotted Owl Management Plan* (www.nndfw.org/nnhp/docs_reps.htm) for relevant information on proper project planning near/within spotted owl protected activity centers and habitat.

C. Surveys – Biological surveys need to be conducted during the appropriate season to ensure they are complete and accurate please refer to NN Species Accounts www.nndfw.org/nnhp/sp_account.htm. Surveyors on the Navajo Nation must be permitted by the Director, NNDFW. Contact Jeff Cole at (928) 871-6450 for permitting procedures. Questions pertaining to surveys should be directed to the NNDFW the NNHP Zoologist for animals, and the NNHP Botanist for plants. Questions regarding biological evaluation should be directed to Jeff Cole at 871-6450.

D. Oil/Gas Lease Sales – Any settling or evaporation pits that could hold contaminants should be lined and covered. Covering pits, with a net or other material, will deter waterfowl and other migratory bird use. Lining pits will protect ground water quality.

E. Power line Projects – These projects need to ensure that they do not violate the regulations set forth in the *Navajo Nation Raptor Electrocution Prevention Regulations* found at www.nndfw.org/nnhp/docs_reps/repr.pdf.

F. Guy Wires – Does the project design include guy wires for structural support? If so, and if bird species may occur in relatively high concentrations in the project area, then guy wires should be equipped with highly visual markers to reduce the potential mortality due to bird-guy wire collisions. Examples of visual markers include aviation balls and bird flight diverters. Birds can be expected to occur in relatively high concentrations along migration routes (e.g., rivers, ridges or other distinctive linear topographic features) or where important habitat for breeding, feeding, roosting, etc. occurs. The U.S. Fish and Wildlife Service recommends marking guy wires with at least one marker per 100 meters of wire.

G. San Juan River – On 21 March 1994 (Federal Register, Vol. 59, No. 54), the U.S. Fish and Wildlife Service designated portions of the San Juan River (SJR) as critical habitat for *Ptychocheilus lucius* (Colorado pikeminnow) and *Xyrauchen texanus* (Razorback sucker). Colorado pikeminnow critical habitat includes the SJR and its 100-year floodplain from the State Route 371 Bridge in T29N, R13W, sec. 17 (New Mexico Meridian) to Neskahai Canyon in the San Juan arm of Lake Powell in T41S, R11E, sec. 26 (Salt Lake Meridian) up to the full pool elevation. Razorback sucker critical habitat includes the SJR and its 100-year floodplain from the Hogback Diversion in T29N, R16W, sec. 9 (New Mexico Meridian) to the full pool elevation at the mouth of Neskahai Canyon on the San Juan arm of Lake Powell in T41S, R11E, sec. 26 (Salt Lake Meridian). All actions carried out, funded or authorized by a federal agency which may alter the constituent elements of critical habitat must undergo section 7 consultation under the Endangered Species Act of 1973, as amended. Constituent elements are those physical and biological attributes essential to a species conservation and include, but are not limited to, water, physical habitat, and biological environment as required for each particular life stage of a species.

H. Little Colorado River – On 21 March 1994 (Federal Register, Vol. 59, No. 54) the U.S. Fish and Wildlife Service designated Critical Habitat along portions of the Colorado and Little Colorado Rivers (LCR) for *Gila cypha* (humpback chub). Within or adjacent to the Navajo Nation this critical habitat includes the LCR and its 100-year floodplain from river mile 8 in T32N R6E, sec. 12 (Salt and Gila River Meridian) to its confluence with the Colorado River in T32N R5E sec. 1 (S&GRM) and the Colorado River and 100-year floodplain from Nautuloid Canyon (River Mile 34) T36N R5E sec. 35 (S&GRM) to its confluence with the LCR. All actions carried out, funded or authorized by a federal agency which may alter the constituent elements of Critical Habitat must undergo section 7 consultation under the Endangered Species Act of 1973, as amended. Constituent elements are those physical and biological attributes essential to a species conservation and include, but are not limited to, water, physical habitat, and biological environment as required for each particular life stage of a species.

I. Wetlands – In Arizona and New Mexico, potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the Navajo Natural Heritage Program (NNHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NNHP). The NNHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation. In Utah, the U.S. Fish & Wildlife Service's National Wetlands Inventory maps are not yet available for the Utah portion of the Navajo Nation, therefore, field surveys should be completed to determine whether wetlands are located close enough to the project site(s) to be impacted. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. For more information contact the Navajo Environmental Protection Agency's Water Quality Program.

J. Life Length of Data Request – The information in this report was identified by the NNHP and NNDFW's biologists and computerized database, and is based on data available at the time of this response. If project planning takes more than two (02) years from the date of this response, verification of the information provided herein is necessary. It should not be regarded as the final statement on the occurrence of any species, nor should it substitute for on-site surveys. Also, because the NNDFW information is continually updated, any given information response is only wholly appropriate for its respective request.

K. Ground Water Pumping - Projects involving the ground water pumping for mining operations, agricultural projects or commercial wells (including municipal wells) will have to provide an analysis on the effects to surface water and address potential impacts on all aquatic and/or wetlands species listed below. NESL Species potentially impacted by ground water pumping: *Carex specuicola* (Navajo Sedge), *Cirsium rydbergii* (Rydberg's Thistle), *Primula specuicola* (Cave Primrose), *Platanthera zothecina* (Alcove Bog Orchid), *Puccinellia parishii* (Parish Alkali Grass), *Zigadenus vaginatus* (Alcove Death Camas), *Perityle specuicola* (Alcove Rock Daisy), *Symphyotrichum welshii* (Welsh's American-aster), *Coccyzus americanus* (Yellow-billed Cuckoo), *Empidonax traillii extimus* (Southwestern Willow Flycatcher), *Rana pipiens* (Northern Leopard Frog), *Gila cypha* (Humpback Chub), *Gila robusta* (Roundtail Chub), *Ptychocheilus lucius* (Colorado Pikeminnow), *Xyrauchen texanus* (Razorback Sucker), *Cinclus mexicanus* (American Dipper), *Speyeria nokomis* (Western Seep Fritillary), *Aechmophorus clarkia* (Clark's Grebe), *Ceryle alcyon* (Belted Kingfisher), *Dendroica petechia* (Yellow Warbler), *Porzana carolina* (Sora), *Catostomus discobolus* (Bluehead Sucker), *Cottus bairdi* (Mottled Sculpin), *Oxyloma kanabense* (Kanab Ambersnail)

6. Personnel Contacts

Wildlife Manager

Sam Diswood

928.871.7062

sdiswood@nndfw.org

Zoologist

Chad Smith

928.871.7070

csmith@nndfw.org

Botanist

Nora Talkington

ntalkington@nndfw.org

Biological Reviewer

Pamela Kyselka

928.871.7065

pkyselka@nndfw.org

GIS Supervisor

Dexter D Prall

928.645.2898

prall@nndfw.org

Wildlife Tech

Sonja Detsoi

928.871.6472

sdetsoi@nndfw.org

7. Resources

Navajo Endangered Species List:

www.nndfw.org/nnhp/endangered.htm

Species Accounts:

www.nndfw.org/nnhp/sp_account.htm

Biological Investigation Permit Application

www.nndfw.org/nnhp/study_permit.htm

Navajo Nation Sensitive Species List

www.nndfw.org/nnhp/trackinglist.htm

Various Species Management and/or Document and Reports

www.nndfw.org/nnhp/docs_reps.htm

Consultant List

www.nndfw.org/bi_consult_list_2014.pdf

Dexter D Prall

Digitally signed by Dexter D Prall
DN: cn=Dexter D Prall, o=Navajo Nation
Department of Fish and Wildlife,
ou=Navajo Natural Heritage Program,
email=prall@nndfw.org, c=US
Date: 2017.09.14 10:12:28 -07'00'

Dexter D Prall, GIS Supervisor - Natural Heritage Program
Navajo Nation Department of Fish and Wildlife

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.: Door Church of Shiprock - Mission Site

DESCRIPTION: Proposed 1.5-acre mission site. The site was previously used as a business site. This review and approval includes all associated utilities.

LOCATION: Section 25, T30N, R18W, Shiprock, San Juan County, New Mexico

REPRESENTATIVE: Jim R. Analla, J.R. Analla EA Services for the Door Church of Shiprock

ACTION AGENCY: Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: EAS-1703/JAN 2018/ J.R. Analla EA Services

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 4 - Community Development Area

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA


AVOIDANCE / MITIGATION MEASURES: NA


CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/29 JAN 2018

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 <u>1/29/2018</u>
--	--	-----------------------

*I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.	
Representative's signature 	Date <u>1/29/2018</u>

**Cultural Resources Inventory
of One Existing 1.5-Acre Mission Site Lease
for The Door Church of Shiprock
in Shiprock Chapter, San Juan County, New Mexico
JMC-17NN43**

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD APR/93)

1. HPD REPORT NO.

2. (FOR HPD USE ONLY)

3. RECIPIENTS ACCESSION NO.:

4. **TITLE OF REPORT:** A Cultural Resource Inventory of One Existing
1.5-Acre Mission Site Lease for The Door Church of Shiprock in
Shiprock Chapter, San Juan County, New Mexico

5. **FIELDWORK DATES:**

August 7, 2017

6. **REPORT DATE:**

August 18, 2017

7. **CONSULTANT NAME AND ADDRESS:**

Julia M. Chavez
PO Box 3606
Farmington, NM 87499
505-686-4111

8. **PERMIT NO.:**

B17556

9. **CONSULTANT REPORT NO.:**

JMC-17NN43

10. **SPONSOR NAMES AND ADDRESSES:**

The Door Church of Shiprock
PO Box 2034
Shiprock, NM 87420
505-486-6073 Pastor Perry Shorty

11. **SPONSOR PROJECT NO.:**

N/A

12. **Area of Effect:** 1.5 acres

Total Area Surveyed: 1.5 acres

13. **LOCATION (MAP ATTACHED):**

- a. Chapter: Shiprock
- b. Agency: Northern
- c. County: San Juan
- d. State: New Mexico

e. Land Status: Navajo Trust

UTM: Zone 12, 706805E 4073258N (NAD 27)

706741E 4073462N (NAD 83)

f. Legal: Township 30N, Range 18W, E1/2 of Section 25, NMPM (Derived from
survey plat, Red Valley Survey 2015)

g. 7.5' Map(s): Shiprock, NM, 1983

h. Lead Agency: Bureau of Indian Affairs

14. **REPORT /X/ OR SUMMARY (REPORT ATTACHED)**

a. Description of Undertaking: The client has an existing building and associated facilities within the 1.5-acre mission site location. The parcel of land measures 151.03 ft by 89.76 ft by 210.74 ft by 185.35 ft by 197.62 ft by 81.35 by 241.84 ft by 112.65 ft. There will be extensive surface and subsurface disturbances within the 1.5-acre area of effect. The church is completing the mission site lease process.

b. Existing Data Review: See Supplemental Sheet

c. Area Environmental & Cultural Setting: The project area is located on the floodplains in the community of Shiprock, New Mexico, north of the San Juan River. The elevation is about 4900 ft (1494 m). The soil in the project area is loam to silty clay loam classified as Werjo, saline-Werjo loams, 0 to 1 percent slopes. The vegetation environment consists of elm trees along with annuals and grasses. The San Juan River is located about 1460 ft (445 m) southwest of the project area. Current development includes business sites, US Highway 64, power lines, sewer lines and water lines.

NRCS

2017 Soil Survey Staff, National Resource Conservation Service, United States Department of Agriculture, Web
Soil survey. <http://soildatamart.nrcs.usda.gov>. Accessed 8/14/17.

d. Field Methods: See Supplemental Sheet

15. **CULTURAL RESOURCE FINDINGS:**

a. Location/Identification of Each Resource: One in-use area was encountered during the survey. See Supplemental Sheet

b. Evaluation of Significance of Each Resource: See Supplemental Sheet

16. **MANAGEMENT SUMMARY (RECOMMENDATIONS):** Since no significant cultural resource was encountered during the survey of the existing mission site location, it is recommended that a determination of no historic properties affected be made for the undertaking.

17. **CERTIFICATION:**

SIGNATURE:

DATE:

General Charge Name:
(also Direct Charge)


Julia M. Chavez

8/18/2017

ARCHAEOLOGICAL INFORMATION REPORT FORM

Supplemental Sheet

14. REPORT

- b. Existing Data Review: On August 16, 2017, records checks at the NNHPD office in Window Rock, Arizona indicated that there are no previously recorded sites located within a 100-meter (305 ft) radius of the mission site location. There are four previous inventories located within the 100-meter radius of the mission site location (HPD-85-532, 92-468, 02-164 and 02-1115). On the same day, a records search at the TCP office was conducted. The Traditional Cultural Property (TCP) Record Search Verification Form is included with this report (provided only the NNHPD). The search revealed two TCP areas with a 1-mi radius of the project area (#343 and 364). A check of Van Valkenburgh revealed no sacred places in the vicinity of the mission site location.

Van Valkenburgh, Richard F.

1974 Navajo Sacred Places. In *Navajo Indians III*, edited by Clyde Kluckhohn, pp. 9-199. Garland Publishing, New York, New York.

- d. Field Methods: The survey and ethnographic interview was conducted by Julia Chavez. A Class III pedestrian survey was performed by walking parallel transects spaced about 12 m apart at the mission site location. The survey area is a block survey and encompasses a 1.5-acre area. Perry Shorty, the pastor of the church, verified the location of the mission site. A survey plat was also provided by the client (attached). Three of the corner points identified with a rebar were relocated. These corners and a center point of the mission site were taken using a handheld Garmin GPS unit. According to Mr. Shorty, he is unaware of any TCPs or unmarked burials in the vicinity of the mission site.

15. CULTURAL RESOURCE FINDINGS:

- a. Location/Identification of Each Resource: IUA 1 is a 1980s to 1990 business site and a 1990s to present mission site location. The original occupant was the Garnanez Brothers business site. In 1990, the client, The Door Church of Shiprock, moved into the vacant building. In 1998 and 1999, the church had an addition built onto the original building. Currently, there is 1 church building, 2 mobile homes and 1 abandoned house on the premises. The plans are to have the owners of the mobile homes relocate since the parcel of land will be a mission site for The Door Church of Shiprock.
- b. Evaluation of Significance of Each Resource: The IUA possesses integrity of location and setting. The IUA is not eligible for nomination to the National Register of Historic Places under criteria a, b, or c, but may qualify under criterion d since it could provide information important to understanding Navajo use of the area. The IUA does not meet the 50-year eligibility guideline. The IUA does not meet the 100-year age requirement as an archaeological resource under ARPA. Thus, the IUA does not merit protection under ARPA. The IUA does not retain qualities that would make it eligible for protection under AIRFA.

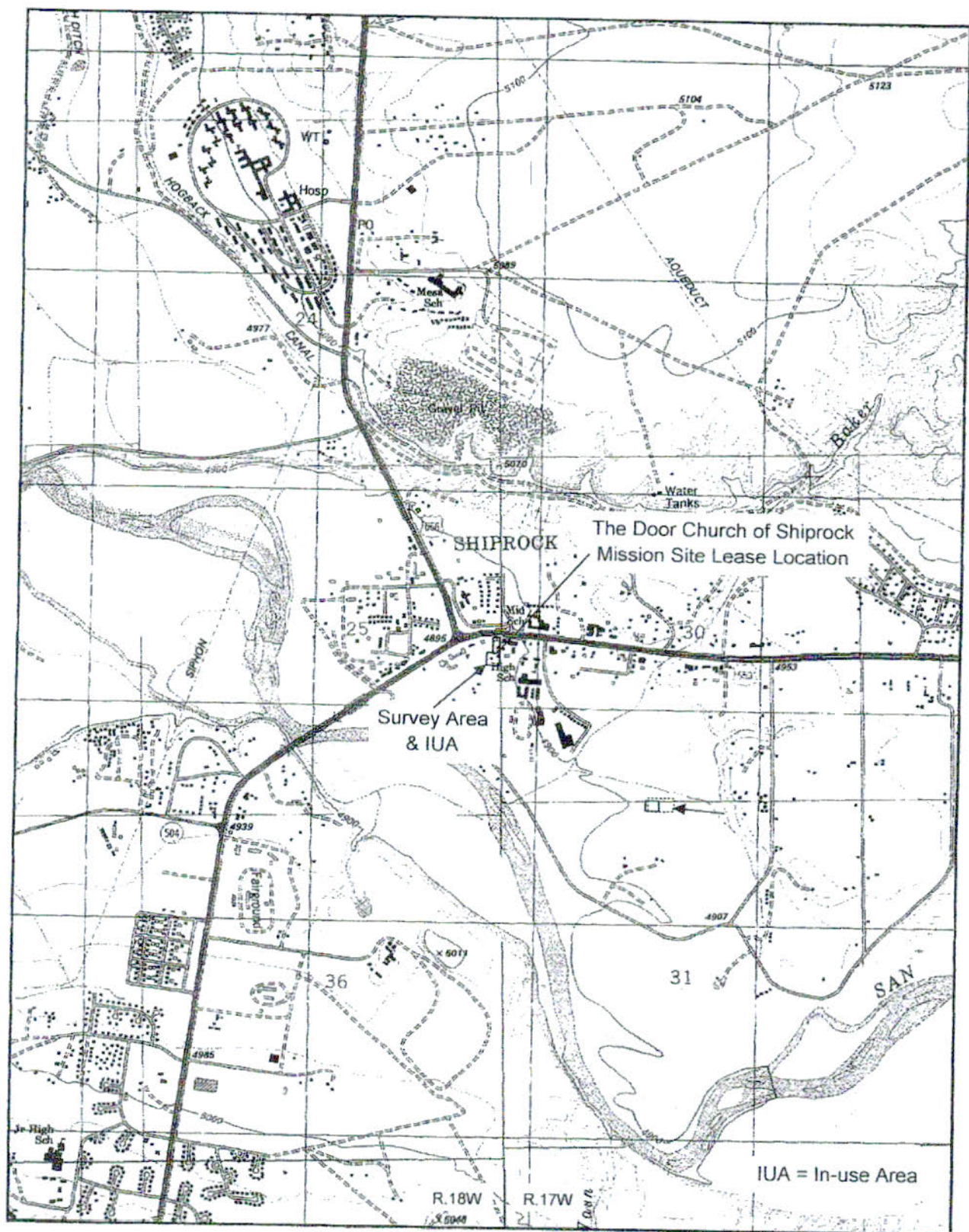


Figure 1. Project area map showing The Door Church of Shiprock mission site lease location and cultural resource; T.30N, R.17W, USGS 7.5' map: Shiprock, N. Mex., 1983. Project No. JMC-17NN43 (B17556).

Cultural Resource Compliance Form HPD-17-690



THE NAVAJO NATION
ENVIRONMENTAL PROTECTION AGENCY

Public Water Systems Supervision Program
Post Office Box 339, Window Rock, AZ 86515
Telephone (928) 871-7755
Fax (928) 871-7818
www.navajopublicwater.org




Russell Begaye
President

Jonathan Nez
Vice President

July 16, 2018

MEMORANDUM

TO: Navajo Land Title Data Systems
Land Department
Division of Natural Resources

FROM: 
Yolanda Barney, Environmental Program Manager
Public Water Systems Supervision Program
Surface and Ground Water Protection Department
Navajo Nation Environmental Protection Agency

SUBJECT: DOCUMENT No. 010595

The Navajo Nation Environmental Protection Agency's Public Water Systems Supervision Program ("PWSSP") reviewed Document No. 010575, The Door Church of Shiprock in Shiprock, New Mexico. This application for mission site will include buildings on a 1.5 acre lot and will require water and wastewater infrastructure. PWSSP recommends approval of this document.

All proposed drinking water projects will need to be permitted by the PWSSP-NNEPA. All proposed drinking water projects (extensions, upgrades, new wells, new public water systems, etc.) must also comply with the design review and construction permit requirements of the PWSSP pursuant §§1501 and 1601 of the Navajo Nation Primary Drinking Water Regulations.

All proposed wastewater projects will need to be permitted by the Domestic Wastewater Program-NNEPA. Extensions, upgrades, new sewer infrastructure, septic tanks, and other wastewater infrastructure must comply with the design review and construction permit requirements pursuant to §201 of the Domestic Wastewater Program.

If there are any questions, please contact me at 871-7755.

xc: Ronnie Ben, Environmental Department Manager, Surface/Ground Water Protection Dept., NNEPA
PWSID#NN3500245
PWSID#NN35120039



THE NAVAJO NATION


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

Navajo Nation Environmental Protection Agency – Air & Toxics Department
P.O. Box 339 Window Rock, AZ 86515 • Bldg # 2318 Window Rock Blvd.
Tel: 928.871.6790 Fax: 928.871.6757

July 23, 2018

MEMORANDUM

TO: Navajo Land Title Data System

FROM: 
Eugenia Quintana, Environmental Department Manager
Air & Toxics Department

SUBJECT: **Document No. 010595, The Door, Church of Shiprock Mission Site**

Based upon the review of the above-noted document, a vote of sufficiency is recommended. However, the following comments and recommendations are provided.

1. The Environmental Summary is undated and incomplete with a final signature. If the finalization of the Environmental Summary is not necessary for the proposed mission site lease, the Environmental Summary should be removed from the packet, as its presence connotes necessity and completeness.
2. There is documentation in the EA that discusses how the management of solid waste will be managed and the information is sufficient in documenting that The Door will responsibly ensure waste generated from their activities are properly managed.
3. Attention is directed to the Navajo Nation Open Burn Regulations. The regulations prohibit open burning of household waste, unless the burning is an exempted activity defined in the regulations. The Applicant should become familiar with §201, Prohibition of Open Burning and, §302, Open Burn Permit Requirement. Given that there is an inadequate network of solid waste disposal facilities on the Navajo Nation, instances of open burning often coincide with open dumping, which is also prohibited on the Navajo Nation. In the event that The Door will utilize open burning in its related activities, the Applicant should become familiar with activities for which burn registrations should be pursued.

I can be contacted directly at 871-7800 or at eugeniaquintana@navajo-nsn.gov if there are any questions in this regard. Thank you.

Document No. 010595Date Issued: 06/28/2018**EXECUTIVE OFFICIAL REVIEW**Title of Document: Mission Site, The Door Church of Shiprock Contact Name: YAZZIE, ELERINA BProgram/Division: DIVISION OF NATURAL RESOURCESEmail: elerina_yazzie@frontier.com Phone Number: 928-871-6447

<input type="checkbox"/>				Sufficient	Insufficient
<input type="checkbox"/>	Business Site Lease				
	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"/>	Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications				
	1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Navajo Housing Authority Request for Release of Funds				
	1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Lease Purchase Agreements				
	1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(recommendation only)				
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Grant Applications				
	1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Relinquishment of Navajo Membership				
	1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

Sufficient Insufficient

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

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

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

☐ **Rights of Way**

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

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

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

☐ **Assignment of Mineral Lease**

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

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

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

☒ **OTHER: Mission Site**

- | | | | | |
|-------------|-------|----------------|-------------------------------------|--------------------------|
| 1. NLD | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. F&W | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. HHPD | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. NNEPA | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. DNR | _____ | Date: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. OOC | _____ | Date: 8/22/18 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. DOJ (ic) | _____ | Date: 10/1/18 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. OPVP | _____ | Date: 10/24/18 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

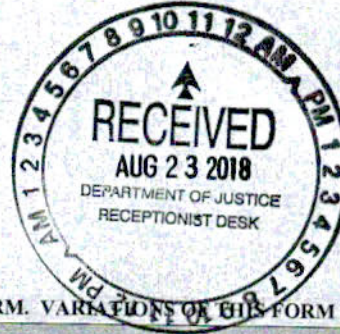
8/22/18

Paul L. Kirk
V. Blum
OS



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



☒ RESUBMITTAL
(August 2018)

DOJ	
8/23/18 @ 1029a	DATE / TIME
<input type="checkbox"/> 7 Day Deadline	
DOC #: 010595#2	
SAS #:	
UNIT: NRW	

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

CLIENT TO COMPLETE

DATE OF REQUEST:	8/23/2018	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	Michelle Hoskie or Stevie Hudson	DEPARTMENT:	GENERAL LAND DEVELOPMENT DEPARTMENT
PHONE NUMBER:	x 6447 or x 6423	E-MAIL:	steviehudson@frontier.com

TITLE OF DOCUMENT: THE DOOR - CHURCH OF SHIPROCK, EOR NO. 10595

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	8-23-18 11 am	REVIEWING ATTORNEY/ADVOCATE:	Armin Chee 9.4.18
DATE TIME OUT OF UNIT:	10/01/18 145 pm		

DOJ ATTORNEY / ADVOCATE COMMENTS

- Document is legally sufficient.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Armin Chee	10-1-18	Blackhat	10/1/18 12:35 pm
DOJ Secretary Called: Michelle for Document Pick Up on 10/01/18 at 141 pm By: mm			

PICKED UP BY: (Print)

DATE / TIME:



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
8/17/18 @ 11:19	DATE / TIME
<input type="checkbox"/> 7 Day Deadline	
DOC #: 010595	
SAS #:	
UNIT: NRU	

☐ RESUBMITTAL


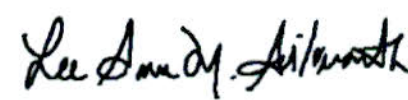


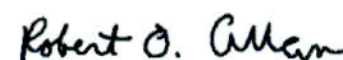
*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATION OF THIS FORM WILL NOT BE ACCEPTED. ***




CLIENT TO COMPLETE			
DATE OF REQUEST:	8/17/2018	DIVISION:	Division Natural Resources
CONTACT NAME:	Michelle Hoskie or Stevie Hudson	DEPARTMENT:	General Land Development Department
PHONE NUMBER:	871-6447 or 871-6423	E-MAIL:	michellehoskie@frontier.com
TITLE OF DOCUMENT: THE DOOR CHURCH OF SHIPROCK, EOR NO. 010595			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT:	8/17/18 2:30 PM	REVIEWING ATTORNEY/ADVOCATE:	Irvin C. 8/28/18
DATE TIME OUT OF UNIT:	8-17-18 4:05 PM		
DOJ ATTORNEY / ADVOCATE COMMENTS			
<p>- Stevie with GLDD office wanted this packet, Doc#: 010595; Rtd. to GLDD so OOC will review for Procurement Clearance.</p>			
REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Travis Haze	8/17/18		
<p>Emailed Stevie Hudson / Michelle for Document Pick Up on 8.17.18 at 4pm By: Jy</p>			
PICKED UP BY: (Print)	DATE / TIME:		

NNDOJ/DRRF-July 2013

GLDD's COPY

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	1. Sufficient; see comments in attached memorandum.	1. No Reply	23-Jul-2018	
Lee Anna Martinez EPA (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. Conditional Approval granted and contingent on compliance with all NNEPA and US EPA environmental laws.	1. No Reply	30-Jul-2018	
Najamh Tariq (Navajo Land Title Data System - Windowrock AZ)	Approver	Department of Water Resources	Approved	no comments	No Reply	17-Jul-2018	
Pam Kyselka F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. #17jrae103	1. No Reply	13-Jul-2018	
Patrick Antonio (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Supervisor	Navajo Nation Environmental Protection Agency	Approved	1. Indication that there are no improvements to be done. No coverage required under the federal Construction General Permit for storm water discharges from construction sites.	1. No Reply	13-Jul-2018	
Robert Allan DNR (Navajo Land Title Data System - Windowrock AZ)	Deputy Director	DNR Administration	Approved	1. CONDITIONAL- need to add-in the "endorsements of Navajo Nation Council Delegates," unless you are accepting the Chapter Resolution approving of the church site with the Council Delegate's signature on the document. 16 N.N.C. Section 1153 (B) (4).	1. No Reply	23-Jul-2018	

Tamara Billie NNHP (Navajo Land Title Data System - Windowrock AZ)	HPD Reviewer	Historic Preservation Department	Approved 1.	HPD-17- 690	1. No Reply	16-Jul-2018	
Warren Roan - EPA (Navajo Land Title Data System - Windowrock AZ)	Storage Tanks Program - Reviewer	Navajo Nation Environmental Protection Agency	Approved 1.	A No Further Action (NFA) Letter was issued to this location on March 17, 2014 by USEPA with concurrence by NNEPA. This location was once the former (NAV444) Garnenez Brothers Trading Post, as mentioned in the EA report dated January 2018 by J.R. Analla. The NFA was issued administratively because there was no evidence of underground storage tanks ever being in the ground or the tanks was removed prior to 1974.	1. No Reply	25-Jul-2018	
Yolanda Barney (Navajo Land Title Data System - Windowrock AZ)	Public EPA Water System Supervision Program	Navajo Nation Environmental Protection Agency	Approved 1.	Please see attached memorandum approving the project.	1. No Reply	16-Jul-2018	

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	no comments	No Reply	16-Aug-2018	
Richard Begay NNHP (Navajo Land Historic Title Data System - Windowrock AZ)	Navajo Nation Preservation Officer	Historic Preservation Department	Approved	no comments	No Reply	06-Aug-2018	
Ronnie Ben EPA (Navajo Land Control - Title Data System - Windowrock AZ)	Underground Injection Control - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. Conditional Approval contingent on compliance with all NNEPA and US EPA environmental laws.	1. No Reply	31-Jul-2018	
Sam Diswood (Navajo Land Review Title Data System - Windowrock AZ)	Technical	Fish and Wildlife	Approved	no comments	No Reply	30-Jul-2018	
Steven Prince MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	no comments	No Reply	30-Jul-2018	
W. Mike Halona (Navajo Land Title Data System - Windowrock AZ)	Manager III	NLD Navajo Land Administration	Approved	no comments	No Reply	02-Aug-2018	



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

PRESIDENT
VICE PRESIDENT

February 26, 2018

Pastor Perry Shorty
THE DOOR CHURCH
Post Office Box 3527
Shiprock, New Mexico 87420



Dear Pastor Shorty,

Regional Business Development Office is responding to your request for a support letter in reference to converting 1.50 ± acres business site to mission site; a portion of the former Jimmie Garnenez business tract, see attached survey plat.

Our office is aware the Door Church has been operating since '1990 and built a structure on said property; therefore we are in support of the Church obtaining a mission site and to convert the property from business site to a mission site.

If you have any questions, contact our office at (505) 368-1315.

Sincerely,

Sally A. Yabeny
Senior EDS / "Acting Program Manager"

Attachments (survey plat)

xc: Correspondence Log, SR-18-070
File Folder

Irvin Chee

From: Charmaine Hosteen <chosteen@navajo-nsn.gov>
Sent: Thursday, August 30, 2018 6:40 PM
To: Irvin Chee
Subject: Mission Site at Shiprock call "The Door"
Attachments: Application_for_Mission_Site.pdf

Irvin,

Please see attachment of the mission site application and requirements.

After our phone conversation this morning, I contacted Howard Draper concerning this Mission Site Lease in Shiprock.

Mr. Draper indicated that the Grazing Official would need to provide a written statement concerning "Land Use Consent". In addition, the question came up on the Shiprock Chapter being LG Certified, or not? Another question was: Is this mission site area "formally determined as a Business Site", and Is there an Economic Committee Development (EDC) Resolution in place for "Commercial" use? If so, then this EDC Resolution would need to be "rescinded" to allow for this mission site.

Did you contact Randy Sells, RBDO, on the zoning, or if it is under their jurisdiction?

I hope this information is helpful.

Have a Good Evening and Day!

Charmaine Hosteen
NNDA-Northern Agency

RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council
FIRST YEAR

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0318-19: An Action Relating to the Resources and Development; Approving a Mission Site Permit For the Door Church on Navajo Nation Trust Lands In The Vicinity of Shiprock Chapter, Navajo Nation. *Sponsor: Honorable Eugene Tso*

October 30, 2019 – Regular Meeting
Meeting Location: Navajo Nation Council Chambers
Window Rock, Arizona

MAIN MOTION:

M: Mark A. Freeland S: Wilson C. Stewart, Jr. Vote: 4-0-1(CNV)

YEAS: Thomas Walker, Jr., Mark A. Freeland, Wilson C. Stewart, Jr. and Herman M. Daniels

EXCUSED: Kee Allen Begay, Jr.



Honorable Rickie Nez, Presiding Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Office of Legislative Services