

LEGISLATIVE SUMMARY SHEET

Tracking No. 0161-15

DATE: May 7, 2015

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE LAND WITHDRAWAL OF 10.00 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS FOR GANADO CHAPTER VETERANS AND SENIOR CITIZENS CENTER TO DEVELOP AND MAINTAIN THE VETERANS AND SENIOR CITIZENS CENTER LOCATED AT GANADO, NAVAJO NATION (APACHE COUNTY, ARIZONA)

PURPOSE: Approving the withdrawal of 10.00 acres for Veterans and Senior Citizens Center located at Ganado, Navajo Nation (Apache County, Arizona).

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

PROPOSED STANDING COMMITTEE RESOLUTION
23ND NAVAJO NATION COUNCIL -- First Year, 2015

INTRODUCED BY

ANTON JOE SHEPHERD

(Prime Sponsor)

TRACKING NO. 0161-15

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT;
APPROVING THE LAND WITHDRAWAL OF 10.00 ACRES, MORE OR LESS, OF
NAVAJO NATION TRUST LANDS FOR GANADO CHAPTER VETERANS AND
SENIOR CITIZENS CENTER TO DEVELOP AND MAINTAIN THE VETERANS
AND SENIOR CITIZENS CENTER LOCATED AT GANADO, NAVAJO NATION
(APACHE COUNTY, ARIZONA)

BE IT ENACTED:

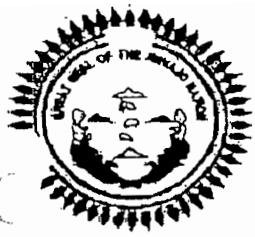
Section One. Findings

- A. Pursuant to 2 N.N.C. §501 (B)(2), the Resources and Development Committee of the Navajo Nation Council has authority to give final approval of 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; and
- B. Pursuant to Ganado Chapter Resolution No. GCR-71012-2, the Chapter recommended the approval of the withdrawal of 10.00 acres of land located within the Ganado community vicinity to establish a new senior center and Veterans Memorial Park, attached hereto and incorporated herein as Exhibit A; and

- 1 C. The proposed withdrawal consists of 10.00 acres, more or less, of Navajo Nation
2 Trust Land located in the East Half (E1/2) of Section 28, Township 27 North,
3 Range 26 East, G&SRM, Ganado, Apache County, Arizona and is more
4 particularly described on the map attached hereto and incorporated herein as
5 Exhibit B; and
- 6 D. The Navajo Land Department has obtained the consents of the affected land
7 users (grazing permittees) attached hereto as Exhibit C; and
- 8 E. All environmental and archaeological surveys and studies have been completed
9 and received appropriate clearances attached hereto and incorporated herein by
10 this reference. The Navajo Nation Fish and Wildlife Biological Resources
11 Compliance Form is attached as Exhibit D. The Ganado Chapter Veterans and
12 Senior Citizen Center Environmental Assessment is attached as Exhibit E. The
13 Cornfields Chapter Cornfields Junction Development Parcel packet containing
14 Chapter Resolutions, Consent Forms, Survey & Land Descriptions,
15 Archaeological/Cultural Resource Inventory Report, Environmental
16 Assessment, and other supporting documents is attached as Exhibit F.

17 **Section Two. Approval of Land Withdrawal**

- 18 A. The Resources and Development Committee of the Navajo Nation Council
19 hereby approves land withdrawal of 10.00 acres, more or less, of Navajo Nation
20 Trust Lands for the Ganado Chapter Veterans and Senior Citizens Center at
21 Ganado, Apache County, Arizona. The location is more particularly described
22 on the survey map attached hereto as Exhibit B.
- 23 B. The Resources and Development Committee of the Navajo Nation Council
24 hereby authorizes the President of the Navajo Nation to execute all documents
25 necessary to effectuate the intent and purpose of this resolution.
26
27
28
29
30



GANADO CHAPTER
P.O. BOX 188
GANADO, AZ 86505
TELEPHONE: 928-755-5920

GCR-71012-2

EXHIBIT

A

Lavenna George
President

Walter Jones
Vice-President

Richie Nez
Secretary/Treasurer

Alton Shepherd
Council Delegate

Dickerson Shon
Grazing Officer

Coordinator

RESOLUTION OF THE
GANADO CHAPTER



Supporting and Recommending the Approval of the withdrawal of Navajo Tribal Trust Lands for a Community Development to Establish a New Senior Center and a Veterans Memorial Park at Ganado, Arizona comprising of 10 Acres.

WHEREAS:

1 Pursuant to 11 N.N.C. Section 10 and 2 N.N.C. Section 4028(a) and (f), the Ganado Chapter is a duly certified Chapter of the Navajo Nation with the authority to review and recommend all matters concerning chapter land use planning, including an obligation to make available land in the community for projects of benefit to the community or to the Navajo Nation as a whole, and

2. The Ganado Chapter is a growth community and has all the potential for improvement for quality of living by developing a community development; and

3 The Ganado Chapter has taken the initiative and approved 10 acres of Navajo Tribal Trust Lands for a Community Development located on the east side of Arizona Department of Transportation Maintenance Yard, Ganado Arizona, and

4. The Ganado Senior Center is currently in operation in a double wide mobile home since November of 1994. The Senior Center wants to expand into a larger multi-purpose building to accommodate a seating capacity of 200-400 people.

5 The Senior Center will accommodate five (5) acres of Navajo Tribal Trust lands to build on with a parking lot.

6. The Family of Isabelle Shondee wants to establish a Harry Shondee, Jr Memorial Park consisting of five (5) acres of Navajo Tribal Trust land, the family also proposed a multi-purpose building for the local veterans.

NOW, THEREFORE BE IT RESOLVED THAT:

1 The Ganado Chapter hereby endorses and affirms its support of the proposed

COPY

Community Development for 10 acres of Navajo Tribal Trust Lands located on the east side of Arizona Department of Transportation, Ganado, Arizona.

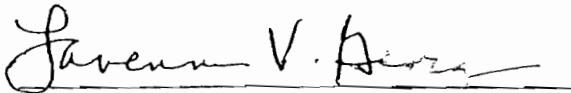
2. The Ganado Chapter requests the Navajo Nation to do any and all things necessary, advisable or incidental to carry out the purpose of this resolution consistent with Navajo Nation and Federal laws

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Ganado Chapter at a duly called meeting at Ganado Chapter, Navajo Nation (Arizona) at which a quorum was present and same was passed by a vote of 27 in favor, 0 opposed and 1 abstained, this 10th day of July 2012.

Motioned by: Vince James

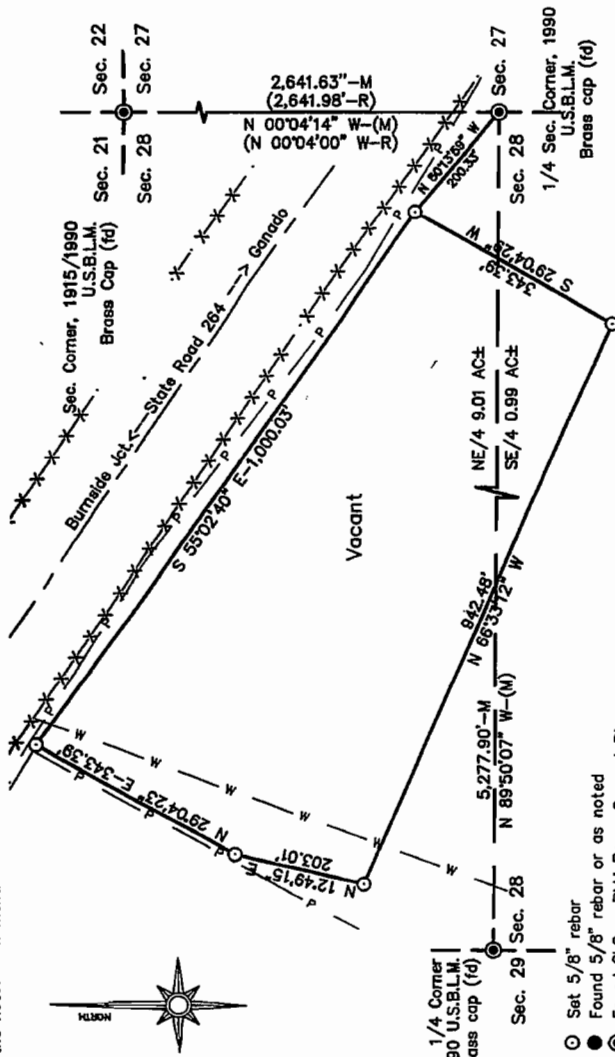
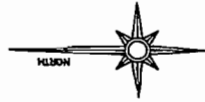
Seconded by: Ambrose Shepnera



Laveena V. George, President
Ganado Chapter Administration

NOTES:

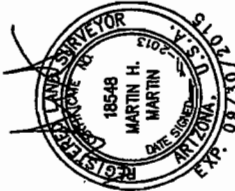
- 1: Basis of Bearings is the North half of the East line of Section 28, T27N, R26E, G&S.R.M., determined by GPS survey observation, and refer to True North, U.S.B.L.M. maps were referenced for recorded (R) bearings and distances.
- 2: All distances are "ground" unless enclosed in < >.
- 3: Only above ground evidence of utilities and primary structures were located.
- 4: Geodetic coordinates, if noted hereon, are based on NAD83, are approximate, and should be only for navigation to the general vicinity of the noted monument.



- Set 5/8" rebar
- Found 5/8" rebar or as noted
- ⊙ Found G.L.O. or BLM Brass Capped Pipe
- ⊞ Found Marked Stone, or as noted
- ▲ Found USGS Tri-Station or as noted
- < > Grid Distance or Bearing

SURVEYORS STATEMENT:

I, Martin H. Martin, a registered land surveyor under the laws of Arizona, under authority of the Navajo Nation, hereby state that this plat was prepared from notes of an actual field survey performed by the Navajo Land Department, and is true and correct to the best of my knowledge and belief, attest to by my seal and signature hereon.



Crownpoint Land Office

SURVEY BY: DBL
DRAWN BY: DBL
APPROVED BY: See Seal
FIELD BOOK NO.: 4093
JOB NUMBER: 4093
SCALE: 1" = 200'

Ganado Veteran's & Senior Citizen Center

10.00 Ac. ±
District 17, Fort Defiance Agency
(E/2) Sec. 28 T27N, R26E G.S.R.M.
Ganado, Apache County, Arizona

TRACT DESCRIPTION

A parcel of land, situate within the East Half (E/2) of Section 28; Township 27 North, Range 26 East, Gila & Salt River Meridian, in the vicinity of Ganado, Apache County, State of Arizona, and being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 28, a found United States Bureau of Land Management Brass Cap dated 1990;

thence N50°13'59"W, a distance of 200.33', to the POINT OF BEGINNING;

thence S29°04'29"W, a distance of 343.39';
thence N66°33'12"W, a distance of 942.48';
thence N12°49'15"E, a distance of 203.01';
thence N29°04'23"E, a distance of 343.39';
thence S55°02'40"E, a distance of 1,000.03';
to the POINT OF BEGINNING.

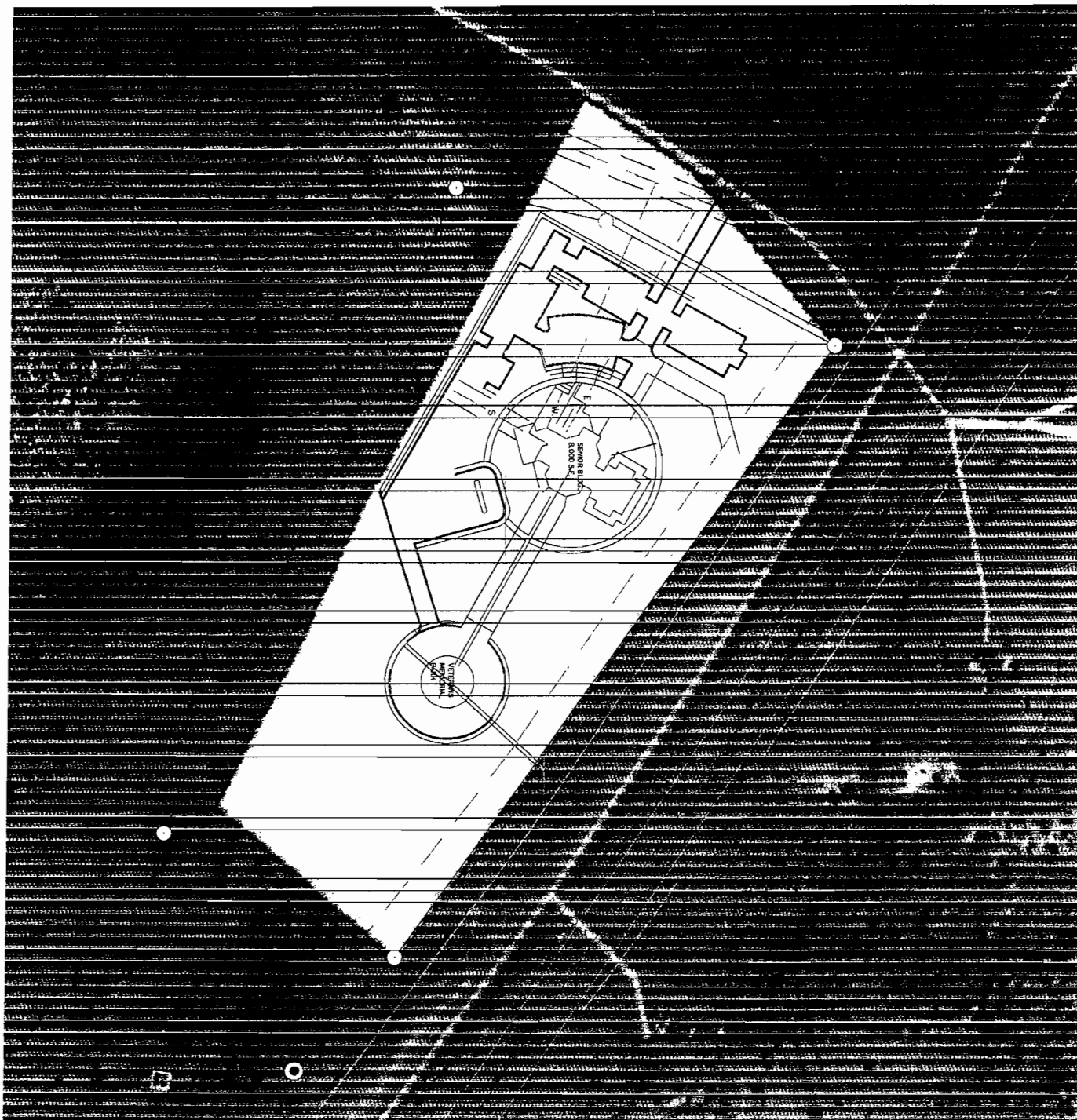
Said parcel contains 10.00 acres, more or less, and subject to existing easements and encumbrances.

Surveyed December 04, 2012, by the Crownpoint Land Office, The Navajo Nation, Crownpoint, New Mexico.

EXHIBIT "A"

EXHIBIT

B





FIELD CLEARANCE CHECKLIST

This form covers only damages and compensation to individual land users. It doesn't cover consideration or other fee to the Navajo Nation. (use back if necessary to complete this form).

1. Project Identification:

Application: Ganado Chapter

Type of Project: Land Withdrawal

Purpose: Community Development to Establish a Senior Citizen Center and a Veterans Memorial Park

Location: Ganado, Apache County, Arizona

2. Amount of land affected; 10 acres
3. Land Status: Trust: XX Fee: _____ Other: _____
4. List names of all individuals whose land use rights will be affected by the proposed project.

Name	Census Number	Type of Land Use Right
1. <u>Carolyn Holmes</u>	_____	<u>GP# 17-37-77</u>
2. <u>Julia Holmes</u>	_____	<u>GP# 17-12-07</u>
3. <u>Isabel Shondee</u>	_____	<u>GP# 17-15-97</u>
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____

5. Are all the land users with claims to the affected lands as shown in Branch Land Operation records included in the list in item 4? Yes
6. Have the Grazing Committee or Land Board Member (which ever appropriate) for the affected area confirm land user list in item 4 by signing acknowledgement below. Yes

ACKNOWLEDGEMENT

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

1-10-13
Date:

Darius Smith
Grazing Committee/Land Board Member

17-5
Dist. No.

**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.: Ganado Chapter Veterans Memorial Park & Senior Citizens Center

DESCRIPTION: The Ganado Chapter proposes to build a Veterans Memorial Park and Senior Citizens Center on a ±10-acre site. The project includes: two multi-purpose buildings, parking lots, garden, walking paths and a Veterans Memorial Monument.

LOCATION: Section 28, T27N, R26E, Ganado, Apache County, Arizona

REPRESENTATIVE: Permits West, Inc. for Harry Yazzie, CSC, Ganado Chapter

ACTION AGENCY: Navajo Nation and Bureau of Indian Affairs-Navajo Region

B.R. REPORT TITLE / DATE / PREPARER: EA - Ganado Chapter Veteran's Memorial Park & Senior Citizens Center/24 SEP 2014/Permits West, Inc.

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/01 OCT 2014

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:

Signature

Date

☒ Approval

☐ Conditional Approval (with memo)

☐ Disapproval (with memo)

☐ Categorical Exclusion (with request letter)

☐ None (with memo)

Gloria M. Tom
Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife

10/2/14

*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

CONSENT 3

(Waiver of compensation for damages)

**CONSENT TO USE
NAVAJO TRIBAL LANDS**

TO WHOM IT MAY CONCERN

I, Julia Holmes hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit _____ of 10 acres to use a portion of my land use area for the following purpose(s): Community development for construction of Senior Citizen and Veterans Memorial Park within Ganado Chapter as shown on the map showing the location of the proposed project on the back of this consent form.

I hereby waive any rights I may have to compensate for the diminishment in value of my land use rights as a result of the above-referenced project as proposed.

REMARKS: _____

11/2/12
Date:

[Signature]
Land Users Signature (or thumb print)

17-12-07
Census No. Permit No.

1-4-13
Date:

[Signature]
Grazing Committee or Land Board Members

17-5
District No

Acknowledgement of Field Agent

I acknowledge that the consents of this consent form was read / / or fully explained / / to the land user in Navajo / / or English ☒ (check where applicable).

[Signature]
Field Agent Signature

CONSENT 3

(Waiver of compensation for damages)

**CONSENT TO USE
NAVAJO TRIBAL LANDS**

TO WHOM IT MAY CONCERN

I, Carolyn Holmes hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit _____ of 10 acres to use a portion of my land use area for the following purpose(s): Community Development for construction of Senior Citizen Center and Veterans Memorial Park within Ganado Chapter.

as shown on the map showing the location of the proposed project on the back of this consent form.

I hereby waive any rights I may have to compensate for the diminishment in value of my land use rights as a result of the above-referenced project as proposed.

REMARKS: _____

11-1-2012
Date:

Carolyn Holmes
Land Users Signature (or thumb print)

Census No.

17-37-77
Permit No.

11-1-2012
Date:

Dickson Smith
Grazing Committee or Land Board Members

17-5
District No

Acknowledgement of Field Agent

I acknowledge that the consents of this consent form was read / / or fully explained / / to the land user in Navajo / / or English / ☒ (check where applicable).

Ara Shurley
Field Agent Signature

CONSENT 3

(Waiver of compensation for damages)

**CONSENT TO USE
NAVAJO TRIBAL LANDS**

TO WHOM IT MAY CONCERN

I, Isabel Shondee hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit _____ of 10 acres to use a portion of my land use area for the following purpose(s): community development for construction of Senior Citizen Center and Veterans Memorial Park within Ganado Chapter.

as shown on the map showing the location of the proposed project on the back of this consent form.

I hereby waive any rights I may have to compensate for the diminishment in value of my land use rights as a result of the above-referenced project as proposed.

REMARKS: _____

11/1/12
Date:

[Signature]
Land Users Signature (or thumb print)

17-15-97
Census No. Permit No.

11/1/12
Date:

[Signature]
Grazing Committee or Land Board Members

17-5
District No

Acknowledgement of Field Agent

I acknowledge that the consents of this consent form was read / / or fully explained / / to the land user in Navajo / / or English ☒ (check where applicable)

[Signature]
Field Agent Signature

ENVIRONMENTAL ASSESSMENT **FOR**

GANADO CHAPTER VETERAN'S AND SENIOR CITIZEN CENTER

On Navajo Tribal Trust Lands

Prepared for:

**Harry J. Yazzie
Community Service Coordinator
Ganado Chapter
P.O. Box 188
Highway 264
Ganado, Arizona
86505**

September 24, 2014

*Environmental
Assessment
Report*

**Prepared by Permits West, Inc.
Santa Fe, New Mexico**

PERMITS WEST, INC.
PROVIDING PERMITS for LAND USERS
37 Verano Loop, Santa Fe, New Mexico 87508 (505) 466-8120

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Appendix 3: Navajo Fish and Wildlife Correspondence Letter
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1. Introduction

Ganado Chapter plans to build a Veteran's and Senior Citizen's Center (Center) on a ten acre site in Ganado, Apache County, Arizona (Proposed Action). The Center will serve seniors and Veterans in four communities within a 20 mile radius of Ganado. Two multi-use buildings will be constructed. The buildings will each be approximately 6,000 square feet each and will provide parking, kitchens, beds, bathrooms and showers, game/activity rooms, health care space and office space. A garden, walking paths, and a Veteran's memorial monument are also planned for the Center. The proposed Center would be located on Navajo Nation Tribal Trust lands. The multi-use Center will be funded by the Navajo Nation and the Ganado Chapter. The Chapter is also looking in to funding a shuttle to help community seniors get to and from the Center and/or to deliver meals to seniors in remote or isolated locations.

The Ganado Veteran's and Senior Citizen Center will be located in Section 28, T. 27 North, Range 26 East, just south of US 191/SR 264. Access to the facility will be from an existing NTUA road west of the Proposed Action area (Appendix 1 and 1A).

1.1 Purpose and Need

Currently, seniors and veterans in Ganado and surrounding communities are lacking in an adequate Senior Center facility that can meet their needs as a multi-use facility. The small Senior Center at the Ganado Chapter is simply insufficient to serve the growing number of seniors and Veteran's in the Ganado Chapter and surrounding communities. Many seniors are living in remote areas and are reluctant to come into town for fear that they may not be able to get back home (e.g. in inclement weather). The multi-use Center will provide refuge in the form of a warm meal, beds, showers, and community support. It will also serve as a gathering place for friends and family members. A comfortable gathering place will help strengthen family and community relations. Important events for seniors and veterans will be held at the Center. These events may include health care clinics, recreation events (e.g. Bingo Night), holiday events, and regularly scheduled meals. The Center will provide similar benefits to veterans and will also serve as a place to honor active, retired, and fallen Navajo Nation armed forces servicemen.

1.2 Conformance with Applicable Land Use Plans and Other Environmental Assessments

This EA addresses the potential impacts imposed on surrounding resources by the Proposed Action. Impacts are presented on a site-specific basis as required by the National Environmental Policy Act (NEPA), as amended (NEPA 1969). The proposed project will not be in conflict with any local, county, or state plans. The Ganado Chapter will file a right-of-way (ROW) application with the Navajo Tribal Utility Authority for power and road access to the proposed Center. The Ganado Chapter has filed an application for a land

withdrawal from the Navajo Nation Land Office for the 10 acres of land that will be used for the Center.

1.3 Federal, State, or Local Permits, Licenses, or Other Consultation Requirements

FDSGI will be required to comply with Section 106 of the National Historic Preservation Act (NHPA). Cultural Resources Field Inventories were collected and have undergone NHPA review and consultation with the Navajo Nation Historic Preservation Department (NNHPD). The Cultural Resources Compliance Form (CRCF) is attached as Appendix 6.

The Navajo Nation Department of Fish & Wildlife (NNDFW) Natural Heritage Program has been consulted with respect to species of concern that are known to occur, or that have the potential to occur, within the area of the Proposed Action (Appendix 3). Species of concern listed by the NNDFW will be evaluated in Section 3 of this document and in the Wildlife and Plant Survey Reports attached as Appendices 4 and 5, respectively.

The Proposed Action will excavate an area larger than one acre; therefore, the construction project will be subject to National Pollution Discharge Elimination System (NPDES) permit requirements. The construction operator will develop and file a Storm Water Pollution Prevention Plan (SWPPP) for the site and obtain a permit from the USEPA NPDES Program prior to commencing construction.

Additionally, the Ganado Chapter is required to:

- Comply with all applicable federal, state, and local laws and regulations.
- Obtain the necessary permits for construction of the buildings and facilities, power lines, water lines, sewer lines, and other utilities required for the operation of the Center.

2. Alternatives Including the Proposed Action

2.1 Alternative A - No Action

The No Action alternative would mean that the seniors and veterans living in Ganado and surrounding communities would continue to use the current Senior Center facility which is not adequate to accommodate the number of seniors and veterans needing assistance in the form of meals, a place to stay overnight, nor of adequate size to accommodate additional services such as medical, recreational, or community activities. No veterans would be honored for their services, nor would they have a place to gather and receive services. No additional funding would be available for shuttle services to help seniors and veterans get meals when they are unable to travel, or to get them to and from the proposed Veteran's and Senior Citizen Center.

2.2 Alternative B - Proposed Action

Ganado Chapter proposes to construct two approximately 6,000 square foot buildings that would serve seniors and veterans on 10 acres of Navajo Tribal Trust Land located in Section 28 , T. 27 N., R. 26 E., in Ganado, Apache County, AZ. The buildings would be constructed of cinder block and wood framing. Within each building, there would be rooms for kitchens, sleeping areas, restrooms and showers, office space, activity spaces, and storage space. The buildings would be built with up to date plumbing, electric, and water utility service as well as energy efficient heating and cooling. In addition to the buildings, the facilities would require a combined parking lot with approximately 30 spaces. Walking paths and a small garden/park with a Veteran's memorial monument or plaque would also be included in the construction plans. The senior center and Veteran's facility would be accessed from US 191, located just north of proposed facility location. Power and water are located within the right-of-way (ROW) of US 191/SR 264, adjacent to the Proposed Action area. Ganado Chapter would file a ROW agreement with the Navajo Tribal Utility Authority (NTUA) to access the utilities from the existing infrastructure along US 191.

All access to the Facility would be from a constructed driveway which will originate from an unnamed NTUA road west of the Proposed Action area. The road/driveway and parking area will be located on the west half of the 10 acre parcel and the buildings will be located on the east half. The estimated duration from start of construction to the completed Center is 6 months to a year.

Table 2.1: Land Ownership Summary

<i>Land Ownership</i>	<i>Location</i>	<i>Total Area</i>
Navajo Nation Tribal Trust	East ½ Section 28, T. 27 North, R. 26 East	10.00
TOTAL	n/a	10.00

Grading and leveling will be necessary to prepare the project area for the two buildings and parking area. Vegetation will be bladed off the construction site. Efforts will be made to minimize tree removal and unnecessary vegetation and soils disturbance.

Construction will only be performed when the soil is dry enough to adequately support construction equipment and vehicles. When the soil is too wet (ruts more than six inches deep), construction will be postponed until conditions improve.

2.3 Reclamation

Most of the disturbed areas outside of the building sites will be restored as closely as possible to their original condition upon completion of construction. Some areas may be

seeded with native plants and/or ornamental flowers or trees to enhance the landscape. Reclamation measures will include ripping compacted and disturbed areas at least 12 inches deep with the contour, harrowing, applying a native seed mix as prescribed by the BIA or Ganado Chapter, and mulching. Noxious weeds would be controlled in accordance with Navajo Nation Environmental Protection Agency (EPA) requirements.

2.4 Alternatives Considered But Not Analyzed In Detail

One other location was considered for a Senior Center and did not include a Veteran's memorial. The site was a 2 acres site within the Ganado Chapter complex. It was determined that the site would be too small and would not allow adequate space to meet Senior's and Veteran's needs. No other significant issues were identified for the present location of the Proposed Action during the following activities:

- On-site inspections;
- Cultural Resources Inventory;
- Threatened, Endangered, and Special Status Species Surveys; and the
- Review of NNDFW species of concern known to occur or with the potential to occur in the project area.

Therefore, no further alternatives other than the No Action Alternative were considered.

3. Description of Affected Environment

This section describes the environment that would be affected by implementation of the alternatives described in Section 2. Aspects of the affected environment described in this section focus on the relevant major resources or issues. Only aspects of the affected environment that are potentially impacted are described.

3.1 Air Resources

The proposed project is located in Apache County, Arizona on Navajo Nation Tribal Trust land. The US Environmental Protection Agency (USEPA), Region IX, and the Navajo Nation Environmental Protection Agency Air Quality Control program are responsible for administering air quality regulations on Navajo lands in Arizona. The Navajo Nation Air Quality Control Program (NNAQCP) is responsible for the implementation and enforcement of the Navajo Air Pollution Prevention and Control Act (NAPPCA) (Navajo Nation Council 2004).

Air resources include air quality and climate. The USEPA has the primary responsibility for regulating air quality, including seven nationally regulated ambient air pollutants. Air quality is determined by atmospheric pollutants and chemistry, dispersion meteorology, and

terrain; and also includes applications of noise, smoke management, and visibility. Greenhouse gas (GHG) emissions, such as carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), water vapor, and several trace gases, can affect air quality (USEPA Apr. 2013).

Climate is the composite of generally prevailing weather conditions of a particular region throughout the year, averaged over a series of years. GHGs also affect climate. Through complex interactions on a global scale, GHG emissions may cause a net warming effect of the atmosphere, primarily by decreasing the amount of heat energy radiated by the earth back into space. Although GHG levels have varied for millennia (along with corresponding variations in climatic conditions), industrialization and burning of fossil carbon sources have caused GHG concentrations to increase measurably, and may contribute to overall climatic changes, typically referred to as global warming (USEPA Sep 2013). GHGs are not regulated by the USEPA, however, climate is important to consider because it has the potential to influence renewable and non-renewable resource management.

Air Quality

The primary sources of air pollution are dust from blowing wind on disturbed or exposed soil and unpaved surfaces (e.g. dirt roads), and exhaust emissions from motorized equipment.

Air quality in the area near the proposed project is generally good and is not located in an area designated by the USEPA as a "non-attainment area" for any listed pollutants regulated under the Clean Air Act (USEPA July 2013).

The USEPA's Inventory of US Greenhouse Gas Emissions and Sinks found that total U.S. GHG emissions were over 5.7 billion metric tons and that total U.S. GHG emissions have increased by 8.4% from 1990 to 2011. Emissions decreased from 2010 to 2011 by 1.6% (108.0 million metric tons CO₂ Eq.). The decrease was due to a decrease in carbon intensity of fuels consumed to generate electricity (due to a substitution of coal use by natural gas and an increase in hydropower use), and relatively mild winter conditions. (USEPA Apr. 2013)

Since 1990, U.S. emissions have increased at an average annual rate of 0.4 percent (USEPA Apr. 2013). It is likely, then, that levels of these GHGs will continue to increase. But, it is hoped that the rate of increase will continue to slow as greater awareness of the potential environmental and economic costs associated with increased levels of GHGs result in behavioral and industrial adaptations.

Climate

The average global temperature has risen about 1.4°F (0.8°C) from 1880 to 2012. The continued increase in GHG levels in Earth's atmosphere assures a long-term rise in global temperatures. On the current course of GHG increases, scientists expect each successive decade to be warmer than the previous one (Hansen 2013).

In 2007, the Intergovernmental Panel on Climate Change (IPCC) predicted a warming of about 0.2°C per decade for the next two decades, and then a further warming of about 0.1°C per decade (IPCC 2007). The National Academy of Sciences (NAS) believes that the need for urgent action to address climate change is now indisputable and it has called on the G8+5 nations to seize all opportunities to coordinate their simultaneous work on the climate and economic agendas (NAS 2009).

A report on climate change by the U.S. Government Accountability Office (USGAO) found that, "federal land and water resources are vulnerable to a wide range of effects from climate change, some of which are already occurring. These effects include, among others: 1) physical effects such as droughts, floods, glacial melting, and sea level rise; 2) biological effects, such as increases in insect and disease infestations, shifts in species distribution, and changes in the timing of natural events; and 3) economic and social effects, such as adverse impacts on tourism, infrastructure, fishing, and other resource uses" (USGAO 2007). It is not, however, possible to predict with any certainty regional or site-specific effects on climate relative to the Proposed Action and subsequent actions.

3.1.1 No Action Alternative

3.1.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to air resources would occur.

3.1.2 Proposed Action

3.1.2.1 Direct and Indirect Effects

Air Quality

1. There will be a short-term (approximately 6 months to a year) increase in dust during construction of the Proposed Action. This impact would subside when construction is completed and disturbed areas are reclaimed.
2. There will be a minor, short-term increase (approximately 6 months to a year) in local combustive emissions from operating vehicles and earth moving equipment.
3. There will be a minor long-term impact to air quality from building emissions and motorized vehicles coming in and out of the Center.

Climate

No quantifiable impacts to the climate are anticipated as a result of the Proposed Action.

3.1.2.2 Mitigation

1. The construction company hired for the job will apply water for dust control, if necessary.
2. Surface disturbance and vehicular traffic will be limited to the approved locations to reduce combustive emissions and dust.
3. The construction company will ensure that all final building inspections comply with the NAPPCA, USEPA's Clean Air Act, and all applicable state and local regulations.
4. Construction vehicles and equipment will be equipped and maintained for proper emission control.

3.2 Cultural Resources

A cultural resource survey was performed in the project area April 10, 2014. A determination of "no historic properties affected" was made. The Cultural Resources Compliance Form is attached as Appendix 5.

3.2.1 No Action Alternative

3.2.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to cultural resources would occur.

3.2.2 Proposed Action

3.2.2.1 Direct and Indirect Effects

The potential exists to impact undiscovered or improperly inventoried cultural resources that may be discovered during construction of the Proposed Action.

3.2.2.2 Mitigation

Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered during the Proposed Action by the construction company, or any person working on their behalf, will be immediately reported to the NNHPD at (928) 871-7148, and to any other necessary agencies. The construction company will suspend all operations in the immediate area of such discovery until approval to proceed is issued by the NNHPD. An evaluation of the discovery will be made by the NNHPD archaeologist to

determine appropriate action to prevent the loss of significant cultural or scientific values.

3.3 Environmental Justice

Executive Order 12898 requires federal agencies to assess projects to ensure there are no disproportionately high or adverse environmental, health, or safety effects on minority and low-income populations (1994). Minorities comprise a high percentage of the population residing on the Navajo Nation.

3.3.1 No Action Alternative

3.3.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to environmental justice would occur.

3.3.2 Proposed Action

3.3.2.1 Direct and Indirect Effects

The purpose of the Proposed Action is to provide services to senior citizens and veterans that live in Ganado and several surrounding communities. Seniors and veterans living on Navajo Nation lands in the vicinity of the Proposed Action are considered a minority and could potentially represent low income populations. A positive direct effect of the Proposed Action will be the availability of important services for seniors and community strengthening for the entire community of Ganado and surrounding communities. The Proposed Action is not located on public lands and the area is not used for wood gathering or hunting. If there are any grazing permits in the area, the permittees will be contacted. Negative direct effects to minority or low-income populations include a slight increase in activity and noise disturbance during construction activities.

3.3.2.2 Mitigation

There are no mitigations for Environmental Justice as the Proposed Action is an overall positive effect for minority and low income populations. Regarding an increase in noise disturbance, see Section 3.8 Noise, below.

3.4 Floodplains

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the Proposed Action is not located within a floodplain (FMSC FEMA 2014). The closest floodplain would be along the Pueblo Colorado Wash approximately 0.25 miles east of the project area. The landscape in the project area is comprised of high desert scrub intermixed with grassland and pockets of pinyon-juniper woodland. Topography is generally represented by rolling hills, mesas, and badland formations.

3.4.1 No Action Alternative

3.4.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to floodplains would occur.

3.4.2 Proposed Action

3.4.2.1 Direct and Indirect Effects

The Proposed Action is not located in a 100-year floodplain. Therefore, no impacts to floodplains are anticipated.

3.5 General Topography/Surface Geology

The Proposed Action area is located in Ganado, Arizona. Topography in the project area is represented by rolling hills, badlands, broken escarpments, slopes, and drainages. The Proposed Action area is located on the lower slopes of Hubbell Hill, a distinctive, oblong topographic feature with an elevation of 5400 feet and resistant sandstone outcroppings along the rims of its upper slopes (Figure 1). This feature will provide a pleasant visual backdrop to the Center.



Figure 1. Looking south from the Proposed Action area at Hubbell Hill

Geology in the project area is represented by the Chinle Formation. This formation was deposited by a large river system and is comprised of conglomerates and sandstones, as well as colorful mudstones that often erode into badlands formations (AZGS 2014).

Within the Proposed Action area, soils are loose and sandy. There is a high percentage of bare ground. Several small drainages cross the project and drain generally to the southeast towards the Pueblo Colorado Wash. Elevation within the project area is fairly constant at about 6350 feet.

3.5.1 No Action Alternative

3.5.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to general topography and surface geology would occur.

3.5.2 Proposed Action

3.5.2.1 Direct and Indirect Effects

1. A direct effect to the natural topography of the project area will result from construction of the Veteran and Senior Citizen's Center, including the two buildings, driveway, and parking lot. The project area will have to be leveled, filled, and graded to support the two buildings, the parking area, and the driveway.
2. The construction process and resulting completion of the Center would result in a permanent change of the topography in the project area.
3. Temporary indirect effects include loss and displacement of soil, and loss of potential native plants seed banks from the construction area.

3.5.2.2 Mitigation

1. Surface disturbance, including the construction zone, heavy equipment and vehicular traffic will be limited to approved locations to reduce the area of disturbance.
2. Disturbed areas will be reclaimed pursuant to Section 2.3. Reseeding will help prevent soil loss and seed bank disturbance/loss. Successful reclamation will likely take two to three years. Reclamation may include ornamental landscaping plantings as well as native plants.

3. Use of BMPs including sediment barriers, water to control dust, and proper drainage control to reduce sediment loading and soil loss into adjacent areas.

3.6 Invasive, Non-native Species

There are seventeen species listed on the BIA Navajo Noxious Weed List (USDI OSM 1999). None of these 17 species were observed within the project area. The full Plant Survey Report is attached as Appendix 5.

3.6.1 No Action Alternative

3.6.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to invasive, non-native species would occur.

3.6.2 Proposed Action

3.6.2.1 Direct and Indirect Effects

Noxious weeds may become established in disturbed areas within the Proposed Action area.

3.6.2.2 Mitigation

1. Any disturbed areas will be seeded with an approved seed mix.
2. The construction company will make every effort to ensure that noxious weeds do not spread over disturbed areas. If noxious weeds become established within the Proposed Action area, the construction company or Ganado Chapter will contact the Navajo Nation EPA Pesticides Program for a list of approved herbicides and applicators.

3.7 Land Use

The Proposed Action is located on Navajo Tribal Trust lands. Current land uses within 0.5 miles of the Proposed Action area include existing power lines and utility corridors; paved highway, dirt, and two-track roads; sewage treatment ponds, rodeo grounds, a National Historic Site (Hubbell Trading Post), businesses, homes and nearby structures (e.g. corrals and outbuildings), and grazing livestock. There are no farmlands in the Proposed Action area.

3.7.1 No Action Alternative

3.7.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to current land uses would occur.

3.7.2 Proposed Action

3.7.2.1 Direct and Indirect Effects

1. The Proposed Action will affect 10.00 acres of Navajo Tribal Trust Lands.
2. Short-term impacts will come from land clearing for the two buildings, parking lot, and driveway in to the Center.

3.7.2.2 Mitigation

1. Reclamation of the Proposed Action as stated in Section 2.3 will replace, vegetative cover around the Center with native and ornamental plants through seeding and transplanting. Successful reclamation of native vegetation is expected to take two to three years if seeds are used. Direct transplants may improve and shorten the reclamation process.
2. If grazing permits are identified in the project area, the permittees will be contacted to gain written permission for use of the land as part of this project.

3.8 Noise

Noise is not currently regulated or managed by the Navajo Nation. The Proposed Action is in a semi-rural location and is not in any designated Noise Sensitive Area. Ambient noise in the vicinity of the project area comes from traffic along SR 264/US 191, activities at the nearby local chapter house (which includes outdoor concerts and events), businesses, and homes. The most likely receptors of noise generated from the Proposed Action construction will be local residents and businesses.

3.8.1 No Action Alternative

3.8.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect noise impacts would occur.

3.8.2 Proposed Action

3.8.2.1 Direct and Indirect Effects

1. Noise will be generated as part of construction activities associated with the Proposed Action.
2. Noise will be an ongoing effect once the Proposed Action is operating. Traffic and human activity will add to the general noise level in the area.

3.8.2.2 Mitigation

1. Construction will be conducted during daylight hours and will be limited to approved locations.
2. Vehicular traffic will be restricted to approved areas and will not exceed what is necessary for the construction and maintenance of the Proposed Action.
3. Noise associated with construction activities will cease after approximately six months to a year. Once construction is complete and operation begins, noise will be a long term effect within and adjacent to the project area due to traffic and human activity at the Center.

3.9 Public Health and Safety

It is expected that the only people that would be in the vicinity of the Proposed Action during construction are the construction workers and inspectors. After the Center is constructed, public health and safety concerns would be directed to the seniors and community members that are using the buildings, parking areas, and grounds.

3.9.1 No Action Alternative

3.9.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to public health and safety would occur.

3.9.2 Proposed Action

3.9.2.1 Direct and Indirect Effects

Risks to the public associated with the construction of the Veteran's and Senior Citizen's Center include wildfire, increased traffic on public roads during construction, fire and explosion, spills of vehicular or construction

equipment fluids, potential air emissions exposure, bodily injury from falls, use of heavy equipment, and tools, and potential electrocution.

Risks to the public associated with the completed Senior Center would include fire, falls, electrocution, parking area collisions, and other common human oriented accidents.

3.9.2.2 Mitigation

1. Only approved areas will be used during construction to minimize hazards to workers and the general public.
2. All applicable laws, regulations, and policies will be followed during construction activities, or while responding to any emergency. Spills from vehicle or construction equipment will be cleaned immediately and thoroughly.
3. BMPs and appropriate Occupational Safety and Health Administration standards and guidelines will be implemented to minimize negative effects to public health and safety.
4. The construction site would be inspected regularly by the foreman and by third party inspectors to ensure a safe work environment and proper installation of potentially hazardous infrastructure, utilities, construction materials as well as proper use of equipment and tools.
5. Once the Center is complete and in use, safety equipment and designs would include fire extinguishers, first aid kits, AED devices, properly marked exits, smoke alarms and fire extinguishing systems, exit signs and building escape routes, clearly labeled instructions for using utilities (e.g. heating and cooling), handicap ramps and railing, clearly marked sidewalks and parking areas, and lockable closets or lockers for storing potentially hazardous materials such as cleaning supplies or medical equipment and pharmaceuticals.

3.10 Soils

The Proposed Action area crosses two soil types: the Aquima-Hawaikuh silt loams, 1-5 percent slopes and the Rizno-Tekapo family-Rock outcrop complex, 2-45 percent slopes. The Aquima soils are found on stream terraces on valley floors. These soils were formed in fan and stream alluvium derived from sandstone and shale and/or stream alluvium derived from sandstone and shale. These are well drained soils with no frequency of flooding or ponding. Ksat (capacity of most limiting layer to transmit water) is moderately high to high. Depth to restrictive feature is more than 80 inches.

The Hawaikuh soils are found on stream terraces and fan terraces. These are also well drained soils with no frequency of ponding or flooding. Parent materials are fan and stream

alluvium derived from sandstone and shale. Depth to restrictive feature is more than 80 inches. Ksat is moderately low to moderately high. Runoff class is high [Web Soil Survey, 2014].

Rizno soils are found on structural benches on escarpments. These soils were formed in colluvium and slope alluvium over residuum weathered from sandstone and/or colluvium and slope alluvium over residuum weathered from limestone. These are well drained soils, and depth to restrictive feature is 10-12 inches (lithic bedrock). Runoff is medium and Ksats are moderately low to high. Depth to water table is more than 80 inches. There is no frequency of ponding or flooding. The Tekapo family of soils are found on escarpments and were formed in slope alluvium and colluvium over residuum weathered from shale. Depth to restrictive feature is 10-20 inches (paralithic bedrock). These are well drained soils with very high runoff. There is no frequency of flooding or ponding. Ksat is moderately low to moderately high and depth to water table is more than 80 inches [Web Soil Survey, 2014].

3.10.1 No Action Alternative

3.10.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to soils would occur.

3.10.2 Proposed Action

3.10.2.1 Direct and Indirect Effects

1. Soils will be structurally reduced and mixed, exposed to the elements of wind and water erosion, and compacted on and around the construction site.
2. Due to wind and water, the soils will be subject to an undetermined amount of erosion until vegetation is established.

3.10.2.2 Mitigation

1. Successful reclamation of the Proposed Action outlined in Section 2.3 will help to reduce long-term negative impacts to soils. Re-seeding will reduce sediment loading by stabilizing the soil. Successful reclamation is expected to take two to three years.
2. Use of BMPs as outlined in Section 2.2 will also help reduce impacts to soils.

3.11 Threatened, Endangered, and Special Status Species

On July 13 and 14, 2014 a wildlife biologist and a botanist conducted pedestrian surveys of the project area to inspect for the potential presence of threatened, endangered, or special status wildlife or plant species.

No federal or Navajo listed threatened, endangered, or special status species were observed during the surveys.

Thirteen migratory bird species were observed in the vicinity of the Proposed Action (Appendix 4). Migratory birds are protected by the Migratory Bird Treaty Act (MBTA) [1918]. The observed species are accustomed to some human disturbance and would not likely be impacted by the construction and opening of the Veteran's and Senior Citizen's Center. No nests or nesting habitat, other than a few small pinyon (*Pinus edulis*) trees are located within the Proposed Action area; therefore, not take of nesting migratory birds is anticipated from the Proposed Action.

Threatened, Endangered, and Special Status species reports addressing wildlife and plants in the project area are attached as Appendices 4 and 5.

3.11.1 No Action Alternative

3.11.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to threatened, endangered, or special status species would occur.

3.11.2 Proposed Action

3.11.2.1 Direct and Indirect Effects

1. The project will likely require at least one span of overhead power line. Power lines can have a direct effect on raptors. Raptors and other birds are killed every year by electrocution from perching or nesting on power lines.

3.11.2.2 Mitigation

1. Power line construction will be raptor-safe and will follow the Navajo Nation's Raptor Electrocution Prevention Regulations (NNDFW NNHP Sep. 2008) and/or the Avian Power Line Interaction Committees's *Suggested practices for Avian Protection on Power Lines: State of the Art in 2006* (APLIC 2006).

3.12 Vegetation, Forestry

The project area is in a high desert shrubland with sparse grasses and scattered patches of pinyon and juniper (*Juniperous spp.*) on slopes and higher terrain just south of US 191/SR 264, just setting east of NM 371 and South of Indian Service Route 7022. The landscape is represented primarily by mesas and hills, as well as badland type formations situated between dry washes, and rolling plains. The vegetation type is variably desert shrub and desert grassland. Native grasses have been heavily impacted by grazing livestock. Grass species are represented by alkali sacaton (*Sporobolus airoides*) and Indian rice grass (*Oryzopsis hymenoides*), among others. Dominant shrubs include snakeweed (*Gutierrezia sarothrae*), Greene's rabbitbrush (*Chrysothamnus Greenei*), Pale wolfberry (*Lycium pallidum subsp. pallidum*), and Garner's saltbush (*Atriplex gardneri var. cuneata*). Forbs include Bur ragweed (*Ambrosia acanthicarpa*), milkvetch (*Astragalus sp.*) and sand aster (*Chaetopappa eirroides*). The shallow soils are sandy and well drained. There are a few scattered trees in the project area. A complete inventory of plant species can be found in Appendix 5.

3.12.1 No Action Alternative

3.12.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to vegetation or forestry would occur.

3.12.2 Proposed Action

3.12.2.1 Direct and Indirect Effects

The Proposed Action will affect 10 acres of Navajo Tribal Trust Land.

3.12.2.2 Mitigation

Reclamation, as outlined in Section 2.3, will mitigate impacts to vegetation from the construction of the Proposed Action. Reseeding and planting landscaping ornamental plants will replace vegetation removed or damaged during construction. Successful reclamation is expected to take two to three years.

3.13 Visual Resources

Visual resources are not currently inventoried or managed by the Navajo Nation. The proposed Veteran's and Senior Citizen Center would be located in an area of community

development, and there are homes and businesses impacting visual resources in the vicinity. The proposed Center would be low profile with respect to the horizon and should not interrupt any long distance line of site views. The topography in the project area provides natural vistas and enhances the overall visual beauty of the area while effectively integrating buildings and development into the landscape. Construction and architectural plans of the Center will include designs that are appealing and congruent with the natural and developed setting of the Ganado community.

3.13.1 No Action Alternative

3.13.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to visual resources would occur.

3.13.2 Proposed Action

3.13.2.1 Direct and Indirect Effects

1. Short-term impacts to visual resources could come from dust, truck traffic, and placement of heavy equipment during construction.
2. The completed Veteran's and Senior Citizens Center would result in a long term visual impacts to the native landscape surrounding Hubbell Hill, but the benefits of the Senior Center outweigh a slight increase in visual impacts of the area.

3.13.2.2 Mitigation

1. Short-term impacts to visual resources from construction will cease after approximately six months to a year.
2. Long term visual impacts would be mitigated by ensuring that the completed Center buildings are congruent with the surrounding community development and that landscaping and reclamation enhance the visual beauty of the Center.

3.14 Wastes, Hazardous and Solid

As a result of the construction of the Proposed Action, solid waste materials will be generated. These materials may include typical field waste such as building materials and supplies, bent hardware, packaging, and construction crew waste (e.g. lunch packaging, cigarette butts). Generation of hazardous waste during construction is not expected other than fuels and oils for vehicles and heavy equipment, and perhaps paints or finished for the Center buildings. These substances have the potential to negatively impact the environment

if not properly contained and handled. Infiltration of hazardous materials into the soils and ultimately into groundwater can have significant negative consequences on local residents and wildlife.

Once the Center is completed, wastes should be properly contained within the plumbing and sewage systems of the buildings. These systems will be inspected and approved for proper operation and containment during the construction process. Cleaning supplies and other potentially hazardous chemicals (e.g. pharmaceuticals) stored within the Center buildings should be stored behind locked doors and should be kept at the proper temperatures to avoid leaks and explosions. Directions on labels should be read prior to use of any hazardous chemicals and in some cases, proper training on use of chemicals, must occur prior to their use.

3.14.1 No Action Alternative

3.14.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts from wastes, hazardous or solid, would occur either during construction of the Proposed Action or after the Center is complete and in operation.

3.14.2 Proposed Action

3.14.2.1 Direct and Indirect Effects

Trash and unwanted materials will be generated by construction. After construction is complete and the Center is in operation, potentially hazardous chemicals, such as cleaning supplies and pharmaceuticals, will be stored on site.

3.14.2.2 Mitigation

1. All trash will be placed in a portable trash cage and hauled to an approved landfill. There will be no burial or burning of trash.
2. Portable toilets will be available on site and will be pumped as needed. Human waste will be disposed of in chemical toilets and hauled to an approved dump station.
3. Major spills of any hazardous waste (e.g. fuels, oils, paints and finishes) will be contained, immediately cleaned up, and reported to Navajo Hazardous Waste Program.
4. Machinery will be inspected daily for leaks and any leaks will be corrected prior to use. All hazardous or contaminant materials brought on site will

-
- be properly contained and handled according to federal and Navajo Tribal Hazardous Waste guidelines.
5. Potentially hazardous chemicals should be stored behind locked doors once the Center is operating. Maintenance workers and employees should be properly trained in the handling and administering of cleaning supplies or other materials that could be potentially hazardous.

3.15 Water Resources

The project is located east within the Little Colorado River Plateau groundwater basin. Within this basin are regional and local aquifers which supply water to communities via wells and surface water.

The groundwater zones present beneath the project area include the Bidahochi aquifer. The Bidahochi formation forms a local aquifer in the central part of Apache and Navajo Counties. Most recharge to the Bidahochi aquifer probably occurs from direct precipitation. The Bidahochi aquifer includes alluvial deposits that occur along washes and stream channels, including the Little Colorado River and its tributaries, sedimentary and volcanic rocks of the Bidahochi and other formations, and some sandstones.

Water quality in the project area is generally good, though problems with Coliform bacteria have occurred periodically due to contamination from human and animal waste (NTUA, 2011). In addition, to coliform bacteria, drinking water standards have been exceeded for thallium and radionuclides in both wells and springs north of SR 264, and arsenic for areas south of SR 264. For the entire basin, the most frequently exceeded constituents measured, in order of greatest occurrence were arsenic, radionuclides, thallium, lead, and TDS (ADWR, 2014).

Surface water occurring in the project area is from precipitation events and drains from side canyons and slopes into the Pueblo Colorado Wash, which is located east and south of the project area. The project area receives approximately 10.63 inches of annual precipitation (WRCC 2014).

The plant survey report indicated no wetlands or riparian zones in the Proposed Action area (Appendix 5).

3.15.1 No Action Alternative

3.15.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to water resources would occur.

3.15.2 Proposed Action

3.15.2.1 Direct and Indirect Effects

1. A direct effect is the increased sediment loading to the adjacent surface drainages through runoff of disturbed soils.
2. Natural drainage patterns may be slightly disrupted by construction of the Proposed Action.
3. Hazardous substance used during construction or on completion of the Center could potentially get in to the groundwater or surface water in the project area.

3.15.2.2 Mitigation

1. BMPs including sediment barriers will be implemented to prevent erosion and off-site migration of soils and other materials, and to reduce impacts to watershed and hydrology.
2. Any spilled contaminants will be cleaned up as soon as possible to prevent run-off of contaminants into surface hydrology or infiltration into groundwater.
3. The Proposed Action will be reclaimed as outlined in Section 2.3. Re-seeding and plantings will reduce sediment loading by stabilizing the soil. Successful reclamation is expected to take two to three years.
4. Operation of the Center will include properly containing all hazardous substances (e.g., fuels, cleaning supplies, pharmaceuticals) so that are not inadvertently released to the environment.
5. Regular inspections of sewage and water lines will occur to ensure proper function and operation during the construction and life of the Center.

3.16 Wildlife

Wildlife occurring in the area is typical of desert scrubland/badland habitats of the Great Basin desert. This includes passerines such as black-throated sparrows (*Amphispiza bilineata*) as well as black-tailed jackrabbits (*Lepus californicus*), and whiptail lizards (*Aspidocelis spp.*). A complete inventory of observed species is included in Appendix 4. There is no pristine or unique wildlife habitat available within the project area.

3.16.1 No Action Alternative

3.16.1.1 Direct and Indirect Effects

Under the No Action Alternative, the project would not be approved or constructed and no direct or indirect impacts to wildlife would occur.

3.16.2 Proposed Action

3.16.2.1 Direct and Indirect Effects

1. The wildlife that uses the site may become deceased or displaced during construction. Removal of or damage to vegetation during construction of the Proposed Action may reduce wildlife forage and cover in the area.
2. The new power line and associated structures may be attractive as a perch sites for some avian species.

3.16.2.2 Mitigation

1. Reclamation of the Proposed Action, as outlined in Section 2.3, will reduce the long-term impacts to wildlife that use the area. Reseeding or planting disturbed areas will replace vegetation removed during construction. In some instances, there may be a benefit from successful reclamation due to an increase in vegetative cover and wildlife forage. Successful reclamation is expected to take two to three years.
2. The power line will be constructed according to raptor-safe power pole design standards for new power line construction within Raptor Sensitive Areas (RSA) (NNDFW NNHP 2008) The power line should be constructed according to guidelines in *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006* (APLIC 2006).
3. During construction, it is recommended that no trenches or pits be left open overnight, or escape ramp should be incorporated into construction tactics to prevent entrapment of small mammals and reptiles.
4. Environmental contaminants associated with construction should be properly contained and any spills should immediately and thoroughly be cleaned up to prevent exposure to wildlife.
5. Efforts should be made to incorporate habitat improvements into the Memorial Park design to attract native wildlife and enhance the enjoyment of facility users. Habitat enhancements may include tree plantings, bird boxes, flower gardens, rock gardens, and water features, among others.
6. It is recommended that poisons (i.e., insecticides, herbicides, and rodent poisons) be avoided during construction and maintenance of the facility to protect local wildlife (and facility users) from exposure to harmful toxins. Secondary poisonings of raptors are a potential cause of MBTA violations.

3.17 Cumulative Effects

3.17.1 No Action Alternative

Under the No Action Alternative, this project would not be approved or constructed so this project would not contribute to the cumulative disturbance in the area.

3.17.2 Proposed Action

The Proposed Action will affect 10 acres on Navajo Tribal Trust lands. Reasonably foreseeable future development may include additional power lines, roads, buildings, parks, and businesses. These installations would add to the cumulative disturbance in the area.

4. Consultation/Coordination

This section identifies the interdisciplinary team that participated in the development of this document.

Table 4.1: Interdisciplinary Project Team

Member	Title	Organization	Onsite Inspection	Date of Inspection
Celia Cook	Wildlife Biologist/Author	Permits West, Inc.	yes	07/13/2014
Marian J. Rohman,	Botanist	Permits West, Inc.	yes	07/14/2013

5. Contact Information

Permits West, Inc.
37 Verano Loop
Santa Fe, NM 87508
505-466-8120
Fax: (505) 466-9682

Harry Yazzie
Community Service Coordinator
Ganado Chapter
P.O. Box 188
Ganado, AZ 86505
(928)-755-5920

6. References

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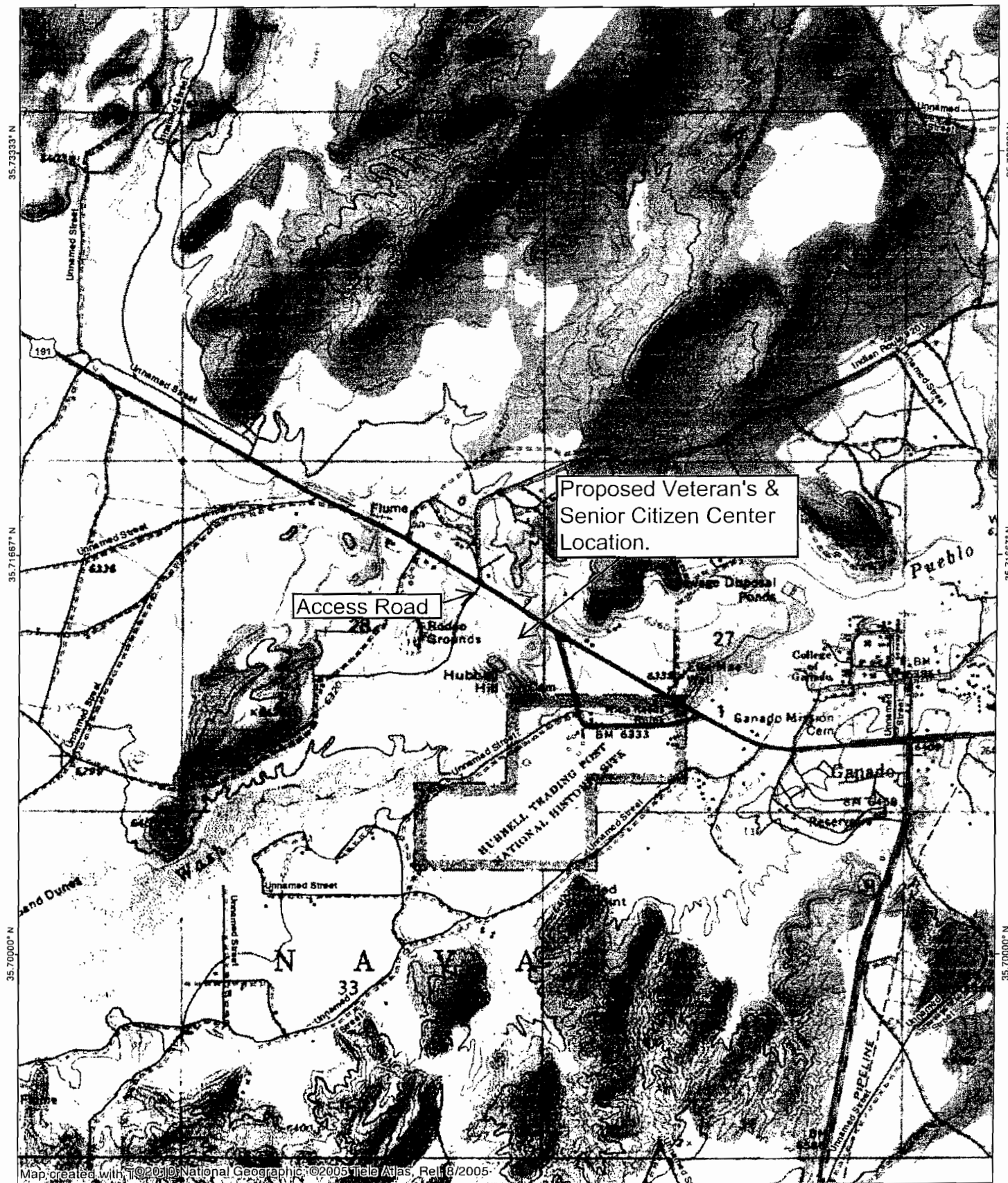
Western Regional Climate Center (WRCC). Ganado, AZ (023303). Period of Record Monthly Climate Summary Period of Record: 12/01/1909 to 3/31/2011. Web. 12 July 2014.

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109.58667° W

WGS84 109.55000° W

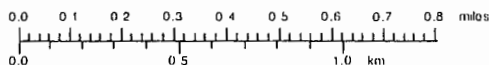


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WGS84 109.55000° W

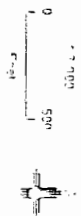
**NATIONAL
GEOGRAPHIC**



Appendix 1A Ganado Chapter

Proposed Senior Center Site

Section 28, T.27N R.26E
Ganado Chapter, Apache County, Arizona

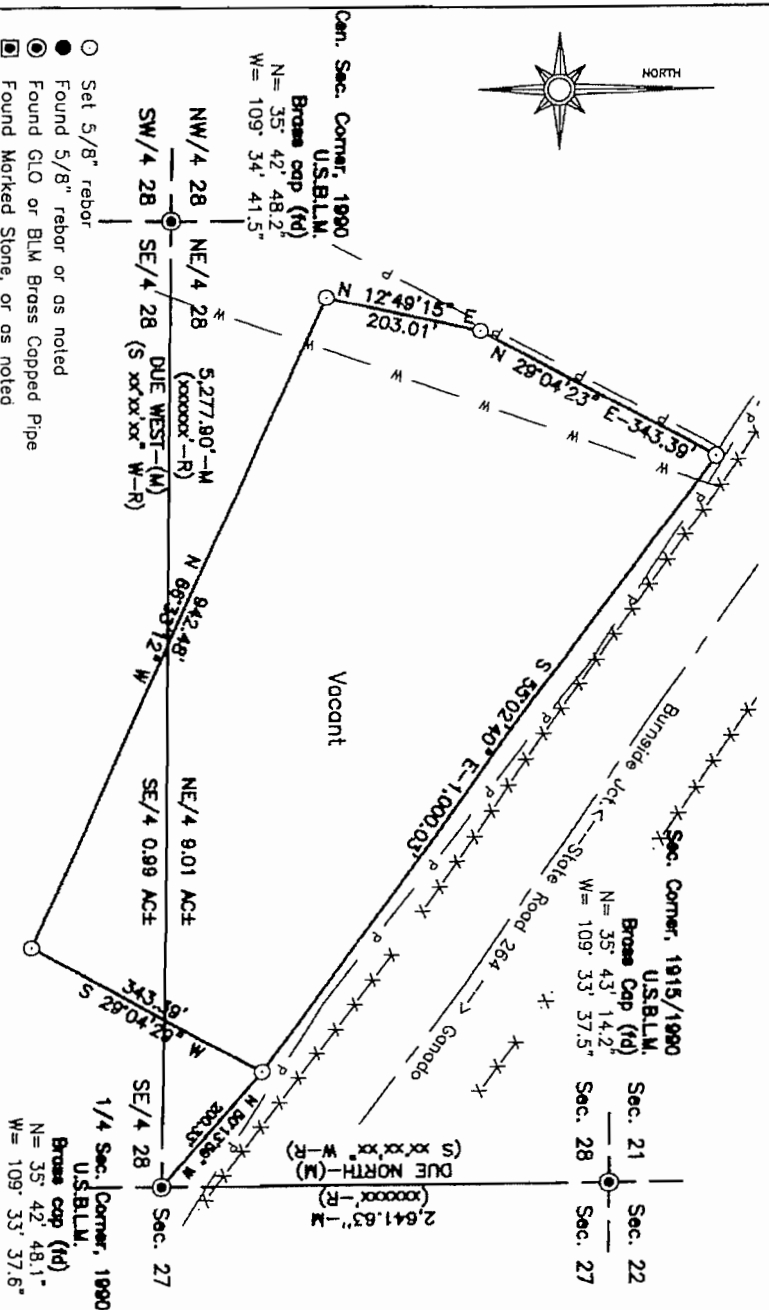


Prepared by: [illegible]
Date: [illegible]



NOTES:

- 1: Basis of Bearings is the North half of the East line of Section 28, T27N, R26E, G.&S.R.M. determined by GPS survey observation, and refer to True North, U.S.B.L.M. maps were referenced for recorded (R) bearings and distances.
- 2: All distances are "ground" unless enclosed in < > .
- 3: Only above ground evidence of utilities and primary structures were located.
- 4: Geodetic coordinates, if noted hereon, are based on NAD83, are approximate, and should be only for navigation to the general vicinity of the noted monument.



**TRACT DESCRIPTION
Appendix 2-1**

A parcel of land, situate within the East Half (E/2) of Section 28, Township 27 North, Range 26 East, Gila & Salt River Meridian, in the vicinity of Ganado, Apache County, State of Arizona, and being more particularly described as follows:

COMMENCING at the East Quarter corner of said section 28, a found United States Bureau of Land Management Brass Cap dated 1990:

thence N50°13'59"W, a distance of 200.33', to the POINT OF BEGINNING;

thence S29°04'29"W, a distance of 343.39';
thence N68°33'12"W, a distance of 942.48';
thence N12°49'15"E, a distance of 203.01';
thence N29°04'23"E, a distance of 343.39';
thence S55°02'40"E, a distance of 1,000.03';
to the POINT OF BEGINNING.

Said parcel contains 10.00 acres, more or less, and subject to existing easements and encumbrances.

Surveyed December 04, 2012, by the Crownpoint Land Office, The Navajo Nation, Crownpoint, New Mexico.

EXHIBIT "A"

Crownpoint Land Office	Ganado Veteran's & Senior Citizen Center
SURVEY BY: DBL	
DRAWN BY: DBL	
APPROVED BY: See Seal	
FIELD BOOK NO.: 4093	
JOB NUMBER: 4093	
SCALE: 1" = 200'	

10.00 Ac. ±
District 17, Fort Defiance Agency
(E/2) Sec. 28 T27N, R26E G.S.R.M.
Ganado, Apache County, Arizona

SURVEYORS STATEMENT:
I, Martin H. Martin, a registered land surveyor under the laws of Arizona, under authority of the Navajo Nation, hereby state that this plat was prepared from notes of an actual field survey performed by the Navajo Land Department, and is true and correct to the best of my knowledge and belief, attest to by my seal and signature hereon.



NAVAJO NATION
Department of Fish & Wildlife
Navajo Natural Heritage Program
P.O. Box 1480
Window Rock, AZ 86515



Phone: 928.871.6472 • Fax: 928.871.7603 • <http://nnhp.nndfw.org>

Ben Shelly, President

Rex Lee Jim, Vice-President

03 September 2014

File#14PERM-06

Brian Wood
Permits West, Inc.
37 Verano Loop
Santa Fe, NM 87508

NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR:

PROJECT: GANADO CHAPTER'S VETERAN'S MEMORIAL PARK & SENIOR CITIZEN CENTER
1 MILE N WEST OF GANADO
UTM COORDINATES 630056E, 3952962N
GANADO, APACHE COUNTY, AZ

Mr. Wood:

The following information on species of concern¹ is provided in response to your 11 July 2014 request concerning the subject project, which consists of the proposed 10 acre Veteran's Memorial Park & Senior Citizen Center located in legal description 630056E, 3952962N, Ganado, Apache County, AZ.

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

AREA 4 of The Biological Resource Land Clearance Policies & Procedures

Area 4-Community Development. The Department has determined that areas around communities do not support the habitat for species of concern and therefore development can proceed without further biological evaluation. This applies to all development except that which may have significant impacts outside the community. For detailed information regarding "Area 4" please refer to our website at nndfw.org.

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

¹"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 each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (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 or NESL group 4 status; please be aware of these species during surveys and inform the NFWD of observations. Documentation that these species are more numerous or widespread than currently known, and addressing these species in project planning and management is important for conservation and may contribute to ensuring they will not be uplisted in the future. Species without ESA or NESL legal protection (e.g., NESL group 4 species) are only included in responses on a regular basis and may not be included in this response. Please refer to the NESL for a list of group 4 species; contact me if you need a copy.

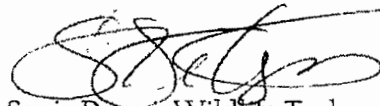
are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the 'Corps of Engineers Wetlands Delineation 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 NFWD's Natural Heritage Program (NHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NHP). The NHP 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.

This response is based on information in the Navajo Natural Heritage Program database; knowledge of staff biologists about the project area; the scope of the project; the USGS topographic map of the project area; and information you provided. Because the NFWD's information is continually updated, any given information response is only wholly appropriate for its respective request.

For a list of sensitive species on the Navajo Nation in addition to the species listed on the Navajo Endangered Species List (NESL) please refer to our website at www.nndfw.org.

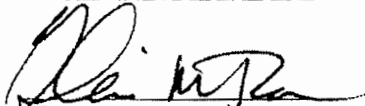
An invoice for this information is attached.

If you have any questions I may be reached at (928) 871-6472.



Sonja Detsoi, Wildlife Tech.
Natural Heritage Program
Department of Fish and Wildlife

CONCURRENCE



Gloria M. Tom, Director
Department of Fish & Wildlife
Division of Natural Resources

xc: file/chrono

WILDLIFE SURVEY REPORT

FOR THE PROPOSED

GANADO CHAPTER VETERAN'S AND SENIOR CITIZENS CENTER

SECTION 28, T. 27 NORTH, R. 26 EAST
APACHE COUNTY, ARIZONA

1.0 INTRODUCTION

Threatened, endangered and special status wildlife (T&E) surveys were conducted July 13, 2014 at the location for the proposed Ganado Chapter Veteran's and Senior Citizens Center Ganado, Arizona (Proposed Action). The legal location is Section 28, Township 27 North, Range 26 East. The 10 acre site lies just south of US 191/SR 264 and approximately 1.0 mile west of Ganado, Arizona. The proposed project is located on Navajo Nation Tribal Trust lands. Existing roads access the site. The current land use for the Proposed Action area is grazing and recreation.

2.0 METHODS

Prior to the field survey, The Navajo Department of Fish and Wildlife's Navajo Natural Heritage Program (NNHP) was consulted regarding the potential for threatened and endangered (T&E) wildlife species to occur on or near the project area. In response, NNHP indicated that the proposed project area is within the Area 4-Community Development zone as designated by the Navajo Nation Biological Resource Land Policies and Procedures. Areas around communities are defined as not supporting habitat for species of concern and therefore development can proceed without further biological evaluation (Detsoi, 2014; RCP, 2014). No species were identified as species of interest.

Permits West, Inc. field biologist, Celia Cook conducted a pedestrian survey of the Proposed Action area July 13, 2014. The purpose of the survey was to inspect for the potential presence of T&E wildlife species and evaluate existing habitat conditions.

Weather during surveys was sunny with scattered clouds and temperatures in the mid-80s (°F). Winds were at 3-5 miles per hour.

The surveyed area consisted of the approximate 10 acre parcel designated for the Proposed Action, plus surrounding habitat including Hubbell Hill and portions of Pueblo Colorado Wash. General habitat and existing conditions were evaluated. A 0.5-mile radius around the project area was surveyed with binoculars, and in some areas on foot, for structures or land formations that would support raptor nests and other unique habitat elements that would benefit T&E species and wildlife in general.

3.0 DESCRIPTION OF EXISTING HABITAT

The project area is situated in a small valley just north of the Pueblo Colorado Wash. Hubbel Hill, and surrounding hills and mesas provide topographic relief. Elevation within the proposed project area is approximately 6350 feet. Vegetation within the boundaries of the project area is relatively degraded from grazing and erosion and is represented by scattered juniper trees (*juniperous sp.*), desert scrub vegetation including rabbit brush (*Chrysothamnus sp.*), russian thistle (*Salsola kali*), four-wing saltbush (*Atriplex confertifolia*), and snakeweed (*Gutierrezia sarothrae*). Sparse grasses include Indian rice grass (*Oryzopsis hymenoides*) and galleta (*Hilaria jamesii*). There are large areas of exposed soils between patches of vegetation. The soils are sandy and pinkish, being derived from the Chinle Formation (AZGS, 2014). Several small washes and drains originate within the boundaries of the project area and drain into the Pueblo Colorado via a series of tributaries that circumvent Hubbell Hill. The Pueblo Colorado supports riparian vegetation, including mature cottonwoods (*Populus spp.*) and Russian olive (*Elaeagnus angustifolia*). These riparian stands and the Pueblo Colorado Wash are at approximately 0.25 miles east and south of the project area.

Land use in the project vicinity includes livestock grazing, recreation, rodeo grounds, homes and businesses, a sewage treatment plant, and a national historic site. Currently, the 10 acre Proposed Action site appears to be used only for livestock and some recreation (hikers visiting Hubbel Hill); it is otherwise vacant.

Elevation within the project area is approximately 6350 feet. Common wildlife occurring in the area are represented by species such as coyote (*Canis latrans*), desert cottontail (*Sylvilagus auduboni*), common raven (*Corvus corax*), and prairie dog (*Cynomys gunnisoni*).

4.0 THREATENED, ENDANGERED, AND SPECIAL STATUS WILDLIFE SPECIES

According to the Navajo Natural Heritage Program, no threatened, endangered, or special status wildlife species are expected to occur in the project area due to its location within an Area 4-Community Development zone (RCP, 2014).

5.0 RESULTS

No federal or Navajo listed threatened, endangered, or special status species or their habitats were observed during the July 13, 2014 wildlife surveys. In addition, no habitat for any threatened, endangered, or special status species was observed within the project area.

Migratory Birds:

Migratory birds are protected under the Migratory Bird Treaty Act. Birds protected under the Act include all common songbirds, waterfowl, shorebirds, hawks, owls, eagles, ravens, crows, native doves and pigeons, swifts, martins, swallows and others, including their body parts (feathers, plumes etc.), nests, and eggs. The Act protects migratory birds from a "take". Take is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or any attempt to carry out these activities".

A "take" does not include habitat destruction or alteration, as long as these is not a direct taking of birds, nests, eggs, or parts thereof.

Thirteen migratory bird species was observed during the survey. They are listed in Section 6.0 below. No nests of migratory birds were observed within the project boundaries.

6.0 SPECIES OBSERVED DURING THE SURVEY

Within the boundaries of the Proposed Action area, there is no unique or suitable habitat for any threatened or endangered species. Juniper trees within the boundaries of the project area may provide suitable nesting habitat for migratory birds; however no nests were observed during the July 13, 2014 survey. Hubbell Hill, the sewage treatment ponds and riparian vegetation located within 0.25 miles of the project area provide good nesting habitat for nesting migratory birds. It is likely, but unconfirmed during the survey, that an American kestrel (*Falco sparverius*) nest is located within 0.25 miles of the project area. Numerous species of waterfowl and water birds were observed using the sewage treatment ponds. These birds likely nest along the shores of the ponds. Wildlife species occurring within the project boundaries are common and representative of desert grassland/shrubland habitats.

Avian species observed:

American coot	<i>Fulica americana</i>
Ruddy duck	<i>Oxyura jamaicensis</i>
Spotted sandpiper	<i>Actitis macularius</i>
Cooper's hawk	<i>Accipiter cooperi</i>
American kestrel	<i>Falco sparverius</i>
Mourning dove	<i>Zenaida macroura</i>
Western kingbird	<i>Tyrannus verticalis</i>
Ash-throated flycatcher	<i>Myiarchus cinerascens</i>
Rock wren	<i>Salpinctes obsoletus</i>
Juniper titmouse	<i>Baeolophus ridgwayi</i>
Common raven	<i>Corvus corax</i>
Black-throated sparrow	<i>Amphispiza bilineata</i>
House finch	<i>Carpodacus Mexicana</i>

Mammalian species observed:

Domestic horse	<i>Equus ferus caballus</i>
Coyote	<i>Canis latrans</i>
Gunnison's prairie dog	<i>Cynomys gunnisoni</i>

Reptilian species observed:

Plateau striped whiptail	<i>Aspidoscelis velox</i>
--------------------------	---------------------------

7.0 RECOMMENDATIONS

There will be some loss of wildlife habitat and perhaps loss of individual wildlife during construction of the Proposed Action. In addition, some wildlife will be permanently displaced due to the presence of human activity at the Veteran's and Senior Citizen Center. Recommendations to protect local wildlife include the following:

- Any power lines being constructed to serve the facility must be built raptor safe according to the Navajo Nation Raptor Electrocution Prevention Regulations (NNHP, 2008) or the Avian Power Line Interaction Committee guidelines (APLIC, 2006).
- During construction, it is recommended that no trenches or pits be left open overnight, or escape ramp should be incorporated into construction tactics to prevent entrapment of small mammals and reptiles.
- Environmental contaminants associated with construction should be properly contained and any spills should immediately and thoroughly be cleaned up to prevent exposure to wildlife.
- Efforts should be made to incorporate habitat improvements into the Memorial Park design to attract native wildlife and enhance the enjoyment of facility users. Habitat enhancements may include tree plantings, bird boxes, flower gardens, rock gardens, and water features, among others.
- It is recommended that poisons (i.e., insecticides, herbicides, and rodent poisons) be avoided during construction and maintenance of the facility to protect local wildlife (and facility users) from exposure to harmful toxins. Secondary poisonings of raptors are a potential cause of MBTA violations.

8.0 REFERENCES

- Avian Power Line Interaction Committee (APLIC). 2006. *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006*. Edison Electric Institute, APLIC, and the California Energy Commission. Washington, D.C. and Sacramento, CA.
- Biological Resource Land-Use Clearance Policies and Procedures, Navajo Nation Department of Fish and Wildlife (RCP). 2014. Area Description, Shiprock Chapter. Accessed September 12, 2014.
- Detsoi, Sonya. September 2014. Navajo Endangered Species List (NESL) information for Ganado Chapter's Veteran's Memorial Park and Senior Citizen Center. *Correspondence with Permits West Inc.* Navajo Department of Fish and Wildlife, Navajo Natural Heritage Program. P. O. Box 1480, Window Rock, AZ.
- Navajo Natural Heritage Program. 2008. Navajo Nation Raptor Electrocution Prevention Regulations, September 10, 2008. P.O. Box 1480, Window Rock, Arizona.

Signature of Author:



Celia A. Cook
Wildlife Biologist
Permits West, Inc.
37 Verano Loop
Santa Fe, NM 87508
(505) 466-8120

GANADO CHAPTER
PROPOSED VETERAN'S AND SENIOR CITIZEN CENTER

E/2 Section 28, T. 27 N., R. 26 E.

Apache County, Arizona

PLANT SURVEY REPORT

Prepared for Permits West, Inc., Santa Fe, New Mexico
By Marian J. Rohman September 22, 2014

This report discusses the potential for disturbance to plant species of concern listed by the Navajo Natural Heritage Program (NNHP) and the U.S. Fish and Wildlife Service (USFWS) that have the potential to occur in the project area.

The project area is within the Area 4-Community Development zone as designated by the Navajo Nation Biological Resource Land Policies and Procedures. Areas around communities are defined as not supporting habitat for species of concern and therefore development can proceed without further biological evaluation (Detsoi, 2014; RCP, 2014). There are no plants listed by the USFWS (IPaC, 2014) for the project area.

PROJECT DESCRIPTION

The proposed project consists of the construction of a Veteran's and Senior Citizen's Center. The project site is an irregular rectangle measuring approximately 1000 feet long and approximately 343 to 500 feet wide. The total land disturbance will be approximately 10 acres. The proposed project is on Navajo Tribal Trust Land located 1.11 to 1.28 miles northwest of the town of Ganado in Apache County, Arizona, in the E/2 of Section 28, T. 27 N., R 26 E. The north side of the project area parallels paved State Highway 191. The west side follows a dirt road.

The landscape in the proposed project area is a relatively even plain with a gentle slope down to the south-southwest. The east end of the project area extends approximately 150 feet onto the north flank of Hubbell Hill. There are several small drainages extending through the project area from the northeast side to the south-southwest heading to a tributary of the Pueblo Colorado Wash south of the project area. The plant community across much of the area is dominated by Russian-thistle (*Salsola tragus*), Greene's rabbitbrush (*Chrysothamnus Greenei*), and galleta (*Pleuraphis jamesii*), with pale wolfberry (*Lycium pallidum* subsp. *pallidum*) also dominant in the southwest half. The soil just west of Hubbell Hill and extending onto it has a heavier clay content and is dominated by smooth buckwheat (*Stenogonum salsuginosum*) with Russian-

thistle, pale wolfberry, Bigelow's sagebrush (*Artemisia bigelovii*), spreading buckwheat (*Eriogonum divaricatum*), and areas of alkali sacaton (*Sporobolus airoides*). On the north side of the slope the dominant plants are narrow-leaf tunebroom (*Parryella filifolia*) and Indian ricegrass (*Achnatherum hymenoides*).

The west three-quarters of the proposed project area is in the Aquima-Hawaikuh silt loams, 1 to 5 percent slopes soil unit. This unit consists of fan and stream alluvium and/or stream alluvium derived from sandstone and shale with a soil texture of silt loam. The eastern quarter, including Hubbell Hill, is in the Rizno-Tekapo fan-ly-Rock outcrop complex, 2 to 45 percent slopes soil unit. This complex consists of colluvium and slope alluvium over residuum weathered from sandstone, limestone, and/or shale. The soil textures range from sandy loam and loam to clay loam and bedrock (NRCS, 2014). The bedrock in the project area is the Chinle Formation (AZGS, 2000). The elevation of the project area ranges from approximately 6340-6370 feet. Disturbances in the project area include a dirt road, the highway right-of-way fence, a power line, and grazing by horses and cattle.

METHODOLOGY

The project area was surveyed on July 14, 2014, by botanist Marian Rohman. The survey was accomplished by walking parallel transects at approximately 80-foot intervals across the proposed site, including a 200-foot buffer around the outside of the circumference. The emphasis of the survey was to inspect for potential species of concern; however, all plants were identified in order to provide a more complete description of the environment. A list of the plants observed in the project area is included at the end of this report.

SURVEY RESULTS

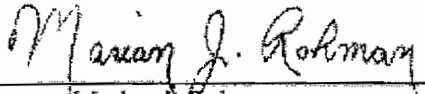
Species of Interest to the Navajo Natural Heritage Program and the U.S. Fish and Wildlife Service: The proposed project area is within the Area 4-Community Development zone as designated by the Navajo Nation Biological Resource Land Policies and Procedures. Areas around communities are defined as not supporting habitat for species of concern and therefore development can proceed without further biological evaluation (Detsoi, 2014; RCP, 2014). No species were identified as species of interest.

Noxious Weeds: There are seventeen species listed on the BIA Navajo Noxious Weed List (OSM, 1999). None of these species is present in the project area.

DISCUSSION

No plant species of concern to the Navajo Natural Heritage Program or the United States Fish and Wildlife Service will be impacted by the proposed project.

Signature of Author:



Marian J. Rohman

September 22, 2014

REFERENCES

- Arizona Geological Survey (AZGS). 2000. The Geologic Map of Arizona. <http://data.azgs.az.gov/geologic-map-of-arizona/>. accessed September 22, 2014.
- Biological Resource Land-Use Clearance Policies and Procedures, Navajo Nation Department of Fish and Wildlife (RCP). 2014. Area Description, Shiprock Chapter. Accessed September 12.
- Detsoi, Sonja. 2014. Navajo Endangered Species List (NESL) Information For: Project: Ganado Chapter's Veteran's Memorial Park & Senior Citizen Center. 1 mile nwest of Ganado. UTM Coordinates 6300056E, 3952962N, Ganado, Apache County, AZ. Wildlife Technician, Navajo Natural Heritage Program. Letter of 3 September to Brian Wood, Permits West, Inc. Santa Fe, NM.
- Heil, Kenneth D., Steve L. O'Kane, Jr., Linda Mary Reeves, and Arnold Clifford. 2013. *Flora of the Four Corners Region: Vascular Plants of the San Juan River Drainage, Arizona, Colorado, New Mexico, and Utah*. Missouri Botanical Garden Press, St. Louis, Missouri.
- Information, Planning, and Conservation System, US Fish and Wildlife Service (IPaC), Listed and Sensitive Species. 2014. <https://ecos.fws.gov/ipac/wizard/trustResourceList!prepare.action>. Accessed September 22.
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- Weber, W. A. and Ronald C. Wittman. 2012. *Colorado Flora : Western Slope*. University Press of Colorado. Boulder, Colorado.

PLANTS OF THE PROPOSED CANADO VETERAN'S AND
SENIOR CITIZEN'S CENTER

Scientific names according to Heil et al., 2013

Identifications are based on Heil, et al. 2013; Weber and Wittman, 2012

Trees

Juniperus prob. osteosperma
Pinus edulis

Utah juniper
Piñon

Shrubs and Subshrubs

Artemisia bigelovii
Atriplex gardneri var. *cuneata*
Chrysothamnus Greenei
Ericameria nauseosa
Eriogonum microthecum var. *simpsonii*
Gutierrezia sarothrae
Lycium pallidum subsp. *pallidum*
Parryella filifolia
Yucca baileyi

Bigelow sagebrush
Gardner's saltbush
Greene's rabbitbrush
Rubber rabbitbrush
Simpson's wild buckwheat
Broom snakeweed
Pale wolfberry
Narrow-leaf dunebroom
Bailey's yucca

Cacti

Cylindropuntia whipplei
Opuntia polyacantha

Whipple's cholla
Starvation pricklypear

Grasses

Achnatherum hymenoides
Aristida purpurea
Bouteloua gracilis
Elymus smithii
Pleuraphis jamesii
Sporobolus airoides

Indian ricegrass
Purple threeawn
Blue grama
Western wheatgrass
Galleta
Alkali sacaton

Forbs

Ambrosia acanthicarpa
Astragalus sp.
Calochortus sp.
Chaetopappa ericoides
Chamaesyce sp.
Convolvulus arvensis
Croton texensis

Bur ragweed
Milkvetch
Sego lily
Sand aster
Purge
Field bindweed
Texas croton



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



MC: 620 Division of Environmental, Cultural and Safety Management

NOV 07 2014

Mr. Brian Wood
Permits West, Inc.
37 Verano Loop
Santa Fe, New Mexico 87508

Attn: Kitty Wood

Dear Mr. Wood:

The Environmental Assessment (EA), **EA-14-144**, received October 21, 2014, for the Ganado Chapter proposed Veterans' and Senior Citizen Center to be located in Ganado, Apache County, Arizona, been reviewed in the Branch of Environmental Quality Act Compliance and Review, Navajo Regional Office. The Ganado Chapter proposes to withdraw 10 acres of Navajo Tribal Trust land on which to construct two 6,000 square-foot multi-use buildings. Parking lots, gardens, walking paths and a Veterans' Memorial monument are also planned. The proposed project site is located just south of US 191/SR 264, approximately 1.0 miles west of Ganado, Arizona. Existing roads access the site. A Finding of No Significant Impact (FONSI) has been determined for the proposed action. It will not have a significant impact on the quality of the natural and human environment. An environmental impact statement for the proposed project is not required.

If you have questions, you may contact Ms. Harilene J. Yazzie, Regional NEPA Coordinator, at (505) 863-8287.

Sincerely,

Acting Regional Director, Navajo

Enclosure

**FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT EA-14-144
VETERANS' AND SENIOR CITIZEN CENTER**

GANADO CHAPTER

**Location: Ganado, AZ. Quadrangle. USGS 7.5 Minute Series Maps
Section 28. T27N, R26E, G&SRPM
Ganado Chapter, Apache County, Arizona**

The proposed action is land withdrawal of 10 acres of Navajo Tribal Trust land on which the Ganado Chapter proposes to construct two 6,000 square-foot multi-use buildings. Each building will have a kitchen, sleeping accommodations, bathrooms, showers, game/activity rooms, health care space and office space. Parking lots, gardens, walking paths and a Veterans' Memorial monument are also planned. The proposed project site is located just south of US 191/SR 264, approximately 1.0 miles west of Ganado, Arizona. Existing roads access the site. The project is sponsored by the Ganado Chapter, P.O. Box 138, Ganado, Arizona 86505.

The project environmental assessment (EA) was reviewed in the Division of Environmental, Cultural and Safety Management, Navajo Regional Office. Based on the environmental assessment and the mitigation measures specified in the document, it is determined that the proposed action will not have a significant impact on the natural and human environment. Therefore, in accordance with the National Environmental Policy Act, Section 102 (2) (C), an environmental impact statement will not be required.

The following references, incorporated in the environmental assessment, serve as the bases for this decision:

1. Agency and public involvement was solicited, and environmental issues relative to the proposed project were identified. Alternative courses of action and mitigation measures were developed in response to environmental concerns and issues.
2. The EA disclosed the environmental consequences of the proposed and "no action" alternatives.
3. In compliance with the Endangered Species Act, informal consultation was held with the Navajo Nation Department of Fish and Wildlife (NNDFW), Natural Heritage Program (NHP). *The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern* (September 3, 2014 letter from the NNDFW). The proposed project area is *AREA 4: Community Development*. On July 13, 2014, field biologist, Celia Cook, conducted a pedestrian survey of the project area. No federal or Navajo listed threatened, endangered, or special status species or their habitats were observed during the survey. No habitat for any threatened, endangered, or special status species was observed within the project area (Wildlife Survey Report-Appendix 4-1). The project area was surveyed on July 14, 2014, by botanist, Marian Rohman. No plant species of concern to the NNHP will be impacted by the proposed project (Plant Survey Report, Appendix 5-2). The NNDFW issued Biological Resources Compliance Form (BRCF), NNDFW Review No. 14PERM-06 indicating approval of the proposed action.
4. Potential impacts to flood plains and wetlands by the proposed project have been evaluated in accordance with Executive Order 11988 and 11990 respectively. The proposed

action is not located within a flood plain, therefore, no impacts to flood plains are anticipated (EA, Part 3.4). There are no wetlands or riparian zones in the proposed action area (EA, Part 3.15).

5. Water Resources – the proposed action area is located in the Little Colorado River Plateau. Surface water occurring in the project area is from precipitation events and drains from side canyons and slopes into the Pueblo Colorado Wash which is located east and south of project area (EA, Part 3.15).

6. In compliance with the National Historic Preservation Act of 1966 as amended, Section 106 and 36 CFR 800.9 (b), a cultural resources inventory of the project area was conducted by the Navajo Nation Division of Community Development (DCD1). The Navajo Nation Historic Preservation Department (NNHPD) issued Cultural Resources Compliance Form (CRCF) NNHPD No. HPD-13-593 indicating “No historic properties affected” (EA-Appendix 6, CRCF).

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.

7. RCRA, Subtitle C, Hazardous Waste and Subtitle D, Non-Hazardous Solid Waste – as a result of the proposed action, solid waste materials will be generated. These materials may include typical field waste such as building materials and supplies, bent hardware, packaging and construction crew waste. Generation of hazardous waste is not expected other than fuels and oils for vehicles and heavy equipment, and perhaps paints or finishes for the buildings. Trash will be disposed at approved landfills. Human waste will be disposed in chemical toilets and hauled to an approved dump station. Hazardous or containment materials brought on the site will be properly contained and handled according to federal and Navajo Tribal hazardous waste guidelines (EA, Part 3.14).

8. Noxious Weeds – none of the 17 species listed on the BIA Navajo Noxious Weed list were observed within the project area. The operator shall implement Best Management Practices to prevent the introduction of non-native, invasive plants to the project area.

9. Air Resources – air quality in the area near the proposed action area is generally good. The primary sources of air pollution in the action area are: dust from blowing wind on disturbed or exposed soil and unpaved surfaces; and exhaust emissions from motorized equipment. There will be a short-term increase in dust during construction of the proposed action. This impact will subside when construction is completed and disturbed areas are reclaimed. There will be a minor, short-term increase in local combustive emissions from operating vehicles and earth-moving equipment. There will be long-term impact to air quality from building emissions and vehicles coming in and going out of the Center (EA, Part 3.1).

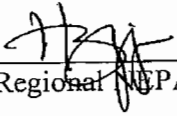
10. Visual Resources – the proposed Center would be low-profile with respect to the horizon and should not interrupt any long-distance line of site views. Short-term impacts to visual resources from construction will cease upon completion of the project. Long-term visual impacts would be mitigated by ensuring that the completed Center buildings are congruent with the surrounding community development and that landscaping and reclamation enhance the visual beauty of the center (EA, Part 3.13).

11. Public Health and Safety – risks to the public associated with the construction of the Center include wildfire, increased traffic on public roads during construction, fire and explosion, spills of vehicular or construction equipment fluids, potential air emissions exposure, bodily injury from falls, use of heavy equipment and tools and potential electrocution. Risks to the public associated with the completion of the Center would include fire, falls, electrocution, parking area collisions and other common human oriented accidents. Only approved areas will be used during construction to minimize hazards to workers and the general public. All applicable laws, regulations and policies will be followed during construction activities. BMPs and appropriate Occupation Safety and Health Administration standards and guidelines will be implemented to minimize negative effects to public health and safety. The construction site would be inspected regularly to ensure a safe work environment. Once the Center is complete and in use, safety equipment and designs such as fire extinguishers, first aid kits, AED devices, properly marked exits, smoke alarms, handicap ramps and railings, etc. would be used (EA, Part 3.9).

12. Cumulative and secondary effects on soil, water, air, noise, vegetation, cultural resources, and wildlife resources (species and habitat) were considered, and the proposed mitigation measures were found to be acceptable.

13. In accordance with Executive Order 12898 on Environmental Justice, impacts to minority and low-income populations and communities have been considered by the Regional NEPA Coordinator, as have impacts to Indian Trust Resources.

The proposed action will allow the construction of a multi-use center for veterans and senior citizens where they can obtain support in the form of a comfortable gathering place where health care clinics, recreation events, holiday events and regularly scheduled hot meals are available.


Regional NEPA Coordinator

11/6/2014
Date

Cryptantha sp.
Eriogonum cernuum
Eriogonum divaricatum
Grindelia squarrosa
Mentzelia sp.
Mirabilis linearis
Phlox canescens
Physaria newberryi var. *newberryi*
Salsola tragus
Senecio flaccidus var. *flaccidus*
Senecio spartioides
Sphaeralcea coccinea
Stenogonum salsuginosum
Tragopogon dubius
Xanthium strumarium

Perennial cat's-eye
 Nodding wild buckwheat
 Spreading wild buckwheat
 Curly gumweed
 Blazingstar
 Narrowleaf umbrellawort
 Carpet phlox
 Newberry's twinpod
 Russian-thistle
 Thread-leaf ragwort
 Broom ragwort
 Scarlet globemallow
 Smooth buckwheat
 Yellow salsify
 Common cocklebur

ORIGINAL
mailed: 09-10-2013

CULTURAL RESOURCES COMPLIANCE FORM

THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTE COPIES TO:

☒ DCD1

MNHPD NO. **HPD-13-593**

OTHER PROJECT NO.: **DCD1 13-004**

PROJECT TITLE: A Cultural Resource Inventory of the Ganado Veterans and Senior Center, Ganado Chapter, Apache County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Henry J. Yazzie - CSC, Ganado Chapter, PO Box 188, Ganado, Arizona 86505

PROJECT DESCRIPTION: The proposed undertaking will involve the land withdrawal & construction of a Veterans Center and Senior Citizens Center. The area of effect is 10.0-acres. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Navajo Tribal Trust

CHAPTER: Ganado

LOCATION: T.27N, R.26E - Sec. 28; Ganado Quadrangle, Apache County, Arizona, ST-515PM

PROJECT ARCHAEOLOGIST: Curtis Yazzie

NAVAJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: 04/10/2013

DATE OF REPORT: 07/05/2013

TOTAL ACREAGE INSPECTED: 10.0 - ac.

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

LIST OF CULTURAL RESOURCES FOUND:

10) Isolated Occurrences (IO)

LIST OF ELIGIBLE PROPERTIES:

None

LIST OF NON-ELIGIBLE PROPERTIES:

10) IO

LIST OF ARCHAEOLOGICAL RESOURCES:

None

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7147.

FORM PREPARED BY: Tamara Billie

FINALIZED: August 6, 2013

Notification to

Proceed Recommended:

Yes ☒ No

Conditions:

Yes ☐ No ☒

The Navajo Nation
Historic Preservation Officer

Date

Navajo Region Approval:

Yes ☒ No

BIA - Navajo Regional Office

Date

T-333-7

Appendix 7

Biological Resources Compliances Form

Place Holder

Navajo Area Agency on Aging
Plan of Operation

I. Establishment

There is hereby established Navajo Area Agency on Aging (NAAA) program within the Navajo Division of Health (NDOH) of the Navajo Nation Government Executive Branch.

II. Purpose

The purpose of the Navajo Area Agency on Aging is to provide administrative supervision and management for all aging and geriatric related services.

III. Staffing and Organization

A. Staffing

1. The Navajo Area Agency on Aging shall be directed and supervised by a Department Manager who shall be employed in accordance with the Navajo Nation Executive Branch Personnel Policy Manual. The NDOH Executive Director will be responsible for the recruitment, selection and supervision of the Navajo Area Agency on Aging Department Manager.
2. There are no extraordinary restrictions other than being restricted to the duties of the office of the Navajo Area Agency on Aging as detailed in this document.
3. The Navajo Area Agency on Aging Department Manager shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organization purposes as stated herein. Additional positions shall be acquired in accordance with applicable Navajo Nation Executive Branch Personnel Policy Manual and applicable budget rules established for conducting the annual Navajo Nation budget process.
4. All personnel shall be employed and compensated in accordance with applicable Navajo Nation Executive Branch Personnel Policy Manual.

B. Organization

The organizational chart of the Navajo Area Agency on Aging Program is displayed as Exhibit "A".

IV. Responsibility and Authority

1. Reports, accountable and responsible to the Executive Division Director; adhere to the chain of command.



THE NAVAJO NATION

P. O. BOX 9000

WINDOW ROCK, ARIZONA 86515

(520) 871-6000

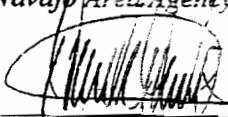
KELSEY A. BEGAYE
PRESIDENT

TAYLOR MCKENZIE, M.D.
VICE PRESIDENT

January 10, 2002

MEMORANDUM

TO: LaVerne T. Wavaco, Department Manager II
Navajo Area Agency on Aging

FROM: 
Henry Haskie, Senior Nutritionist
Navajo Area Agency on Aging

SUBJECT: **Plan of Operation(s): Review of Draft for Dissemination to Solicit Comments and Recommendations**

While in the course of working on the revision of the NAAA policy and procedure manual, it became apparent that NAAA's existing policies did not contain a systematic approach to accomplish its mission and objectives.

Upon reviewing the plans of operation to establish a model and the authority to provide NAAA services, they contained a narrow and inflexible system, with little or no room for expansion. Some programs are non-existent. It became increasingly difficult and nearly impossible to establish any substance in the policies and incorporate purpose and accountability.

Therefore, a commitment to redevelop the plans of operation for NAAA programs and services emerged. The end results are the attached plan of operation working documents.

In the process of developing the working documents, comments and input were solicited from the central staff who specialized in these particular areas. Also, Ms. Butler of NAAA Shiprock Agency office contributed to the formulation of the working documents. The format for the Navajo Area Agency on Aging's plan of operation is used a generic format for the other programs. Some detailed and some generalized comments were received. In some case, no comments made. Comments were revised them to reflect the purposes of the programs in as few words as possible.

May I recommend a review of the proposals at the next staff meeting of the NAAA support staff? At yesterday's NNCoA meeting, I was encouraged by the atmosphere of a potential support for an initiative to reorganize and restructure the Navajo Area Agency on Aging. The support appear to revolve around NAAA provision of a low cost, but efficient services without jeopardizing quality and quantity of these services.

Personally, and in my professional career, I have always advocated for quality services. With NAAA administrative support, I am confident that Navajo Area Agency on Aging can become a model for providing the highest quality of services for the Navajo Nation and other aging related services.

Thank you for your time and consideration. I am available for comments.

2. Advises and consults the NDOH Executive Director in executive reviews of NAAA programs, projects, services and activities to execute the goals and objectives of the NAAA and NDOH.
3. The Department Manager of the Navajo Area Agency on Aging shall be responsible of the overall management of NAAA to develop, organize, administer and coordinate all functions and services within NAAA and its program within the policy and procedures of the Navajo Nation.
4. Plans, develops, implements and monitors the Area Plan on Aging
5. Provides and complies with fiscal and statistical reporting requirements in a timely and accurate manner.
6. Plans, develops, implements, monitors, evaluates and assesses NAAA programs, projects, services, activities and other geriatric initiatives.
7. Plans, develops, implements, monitors, provides assurance of compliance and quality assurance for all internal and external contracts and grants.
8. Maintains, reviews, and monitors statistics and data; forecasts, monitors, and adjusts to the trends and needs of the current and future aging population.
9. Formulates overall administrative and operating policy and procedures necessary for effective management and implementation of NAAA programs, projects, services and activities.
10. Provides leadership, supervision, directorship, technical assistance and support of NAAA programs.
11. Develops, implements and monitors all NAAA goals and objectives, policies and procedures; and standard operating procedures; interprets local, state and federal policies, rules and regulations, and directives.
12. Provides effective administrative, managerial and financial direction to the programs within the NAAA.
13. Establishes and maintains a prudent fiscal planning, accountability; conducts periodic fiscal evaluations, assessments, and reviews; monitors internal and external fiscal activities.
14. Establishes and maintains effective communications with local, state, federal, national organizations and other authorities on matters to the objectives of NAAA.
15. Establishes and maintains necessary coordination with programs of the Navajo Nation

Government for proper and appropriate accomplishment of the program goals and objectives.

16. Consults and coordinates with local, state, federal governments, national organizations, private entities and individuals on aging related matters.
17. Plans, develops and monitor legislative initiatives and opportunities at the local, state, federal and national level.
18. Acquires and establishes additional positions within NAAA when deemed appropriate and necessary in accordance with established guidelines.
19. Maintains responsibility for the recruitment, selection, orientation, performance, evaluation, professional and personal staff training and development, meritorious and adverse personnel actions; and retention of qualified personnel and volunteers.
20. Provides and arranges for appropriate training to improve staff development and performance.
21. Advises and provides technical support and assistance to the Navajo Nation Council on Aging, Agency Councils on Aging, and Local Senior Citizen Council on Aging.
22. Plans, develops, implements and monitors facility planning for aging related services.
23. Supports and promotes health promotion and disease prevention; research; continuing education in health disparities of the older populations.
24. Advocates and assists older people to secure equal opportunity to the full and free enjoyment of adequate income in retirement; best possible physical and mental health; obtaining and maintaining suitable housing; full restorative services for institutionalized care, and a comprehensive array of community based, long term care services to sustain older people in their own communities and in their homes, including support to family members and other person providing care to the older persons; opportunity for employment and volunteerism; retirement in health, honor and dignity; participating and contributing to civic, cultural, educational and training and recreational opportunities; accessibility to low-cost transportation and social assistance; benefit from proven research knowledge to sustain and improve health and happiness; and freedom, independence and the free exercise of individual initiatives in planning and managing their own lives, full participation in the planning and operation of community based services and programs provided for their benefits; and protection against abuse, neglect and exploitation.
25. Delivers NAAA programs, projects, services and activities in a culturally sensitive, dignified, honorable and ethical manner.

V. Legislative Oversight

The Health and Social Services Committee of the Navajo Nation Council shall provide legislative oversight for the Navajo Division of Health.

VI. Amendments

Section I through V may be amended by the Government Services Committee upon recommendation of the Health and Social Services Committee of the Navajo Nation Council, as deemed necessary.

FEB 25 2015

Document No. 003478Date Issued: 02/12/2015**EXECUTIVE OFFICIAL REVIEW**Title of Document: W/drawal_10acres.GanadoChap.VetMemorial Contact Name: DRAPER, HOWARDProgram/Division: DIVISION OF NATURAL RESOURCESEmail: howarddraper@frontiernet.net Phone Number: 928-871-6647

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

☐ Land Withdrawal or Relinquishment for Commercial Purposes

1. Division: _____ Date: _____ ☐ Sufficient ☐ Insufficient
2. Office of the Attorney General: _____ Date: _____ ☐ Sufficient ☐ Insufficient

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

1. NLD *X* _____ Date: 20 Feb 15 ☒ Sufficient ☐ Insufficient
2. F&W _____ Date: 2/23/15 ☒ Sufficient ☐ Insufficient
3. HPD _____ Date: 2/24/15 ☒ Sufficient ☐ Insufficient
4. Minerals _____ Date: _____ ☐ Sufficient ☐ Insufficient
5. NNEPA _____ Date: 3-18-2015 ☒ Sufficient ☐ Insufficient
6. DNR _____ Date: 3/21/15 ☒ Sufficient ☐ Insufficient
7. DOJ *(ic)* _____ Date: 3/26/15 ☒ Sufficient ☐ Insufficient
8. OPVP _____ Date: 4/8/15 ☒ Sufficient ☐ Insufficient

☐ Rights of Way

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

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

1. Minerals _____ Date: _____ ☐ Sufficient ☐ Insufficient
2. OPVP _____ Date: _____ ☐ Sufficient ☐ Insufficient
3. NLD _____ Date: _____ ☐ Sufficient ☐ Insufficient

☐ Assignment of Mineral Lease

1. Minerals _____ Date: _____ ☐ Sufficient ☐ Insufficient
2. DNR _____ Date: _____ ☐ Sufficient ☐ Insufficient
3. DOJ _____ Date: _____ ☐ Sufficient ☐ Insufficient

☐ 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: _____ ☐ Sufficient ☐ Insufficient
2. F&W _____ Date: _____ ☐ Sufficient ☐ Insufficient
3. HPD _____ Date: _____ ☐ Sufficient ☐ Insufficient
4. Minerals _____ Date: _____ ☐ Sufficient ☐ Insufficient
5. NNEPA _____ Date: _____ ☐ Sufficient ☐ Insufficient
6. DNR _____ Date: _____ ☐ Sufficient ☐ Insufficient
7. DOJ _____ Date: _____ ☐ Sufficient ☐ Insufficient
8. OPVP _____ Date: _____ ☐ Sufficient ☐ Insufficient

☐ OTHER:

1. _____ Date: _____ ☐ Sufficient ☐ Insufficient
2. _____ Date: _____ ☐ Sufficient ☐ Insufficient
3. _____ Date: _____ ☐ Sufficient ☐ Insufficient
4. _____ Date: _____ ☐ Sufficient ☐ Insufficient
5. _____ Date: _____ ☐ Sufficient ☐ Insufficient



ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION

OFFICE OF ENVIRONMENTAL REVIEW

PO BOX 339 WINDOW ROCK ARIZONA 86515 Office: 928/871-7188 Fax: 928/871-7996

Website: www.navajonationnepa.org

M E M O R A N D U M

TO: Howard P. Draper, Project and Program Specialist
Project Review Office
Navajo Land Department
Division of Natural Resources

FROM:

A handwritten signature in black ink, likely belonging to Rita Whitehorse-Larsen.

Rita Whitehorse-Larsen, Senior Environmental Specialist
Office of Environmental Review
Office of the Executive Director/Administration
NNEPA

DATE: March 13, 2015

SUBJECT: 164 EOR 003478 Withdrawal 10 Acres Ganado Chapter Veteran Memorial

The Navajo Nation Environmental Protection Agency (NNEPA) reviewed¹ and recommends **conditional approval** for proposed ten (10) acres land withdrawal in Ganado, Apache County, Arizona. The Ganado Chapter is proposing to withdraw 10-acres land for the new senior citizen center and Veterans Memorial Park. The proposed action includes constructing two multi-use purpose [kitchens, beds, bathrooms and showers, game/activity rooms, health care space and office space] buildings and a parking lot will be constructed. The Veteran's memorial park will include a garden, walking paths and a monument. The proposed action is located at latitude/longitude coordinates 35.713941N 109.564424W; 35.715.06N 109.5637W; 35.713718N 109.560951W; 35.712896N 109.561519W.

Each proposed action is required to meet the following when design and plans are being developed. Each permit should be acquired before commencing any project and development activities.

1. *Navajo Nation Clean Water Act:*

¹Permits West, Inc. Environmental Assessment Chapter Veteran's and Senior Citizen Center Environmental Assessment. September 2014.

- 164 EOR 003478 Ganado 10 acres land withdrawal
Page 2 of 3
3/13/15

- b.* According the Navajo CERCLA, petroleum is considered hazardous material and any spills $\geq$ 25 gallons should be reported to NNEPA Office of Executive Director/Administration at 928/871-7692.
- 6. ***Navajo Nation Storage Tank Act (NNSTA)*** (*formerly Underground Storage Tank (UST) Act; amended February 2012*):
 - a.* No storage tanks are proposed on the 10-acres land withdrawal.
 - b.* If there are plans to install underground and/or aboveground storage tanks greater than 100 gallons, the plans must meet the design specifications as outlined by NNEPA Storage Tank Program. The specifications must be approved by the Storage Tank Program. Contact the Storage Tank Program at 928/871-7993 for further technical assistance.
 - c.* NNEPA Storage Tank Program staff will need to be onsite before installing any above and underground storage tanks.
- 7. ***Federal Insecticide Fungicide and Rodenticide Act (FIFRA)/NN Pesticide Act:***
 - a.* The Senior Citizen Center and the Veteran staff are subject to control and prevent the spread of invasive and noxious weeds.
 - b.* Contact the NNEPA Pesticide Program at 928/871-7815/7810 before applying any pesticides and herbicides to control noxious and invasive plant species to ensure the product is in compliance and appropriately applied by a certified and licensed applicator.
 - c.* Pesticide staff will also may need to be onsite to monitor during pesticide/herbicide application.
- 8. ***Others To Contact Within Navajo Nation:***
 - a.* Jack Utter, Division of Natural Resources, Department of Water Resources, Water Code Program at 928/871-6595 to ensure sufficient water is available for the new and proposed Ganado land withdrawal development.
 - b.* Existing public roads will be used for access during the construction activities.

If there are any questions contact Rita Whitehorse-Larsen at 928/871-7188 or email: rwhitehorse@navajo-nsn.gov. Thank you.

CC: Ganado Chapter, PO Box 188, Ganado, Arizona, 86505
Jack Utter, Division of Natural Resources, Dept of Water Resources, Water Code Program
NNEPA Water Quality, PWSSP; Air Quality, OPP; Pesticides; Superfund; RCRP; Storage Tank
Program; Administration chrono file

THE NAVAJO NATION



BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

MEMORANDUM

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

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

DATE : October 02, 2014

SUBJECT : **DELEGATION OF AUTHORITY**

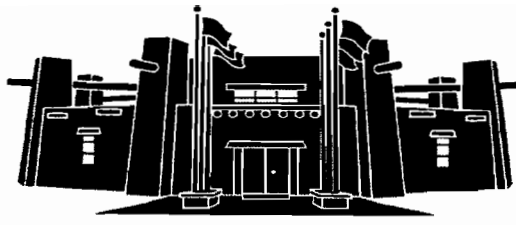
I will be on travel on October 02, 2014. I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 12:00 noon on Thursday, October 02, 2014. This delegation shall end at 5:00 p.m. on Thursday, October 02, 2014.

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

ACKNOWLEDGEMENT:

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

xc: Sharilene Jeff, Executive Director, DNR



MEMORANDUM

TO: Honorable Alton Shepherd
Jeddito, Cornfields, Ganado, Kinlichee, Steamboat Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

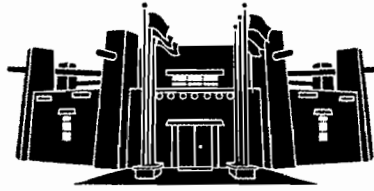
DATE: May 7, 2015

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE LAND WITHDRAWAL OF 10.00 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS FOR GANADO CHAPTER VETERANS AND SENIOR CITIZENS CENTER TO DEVELOP AND MAINTAIN THE VETERANS AND SENIOR CITIZENS CENTER LOCATED AT GANADO, NAVAJO NATION (APACHE COUNTY, ARIZONA)

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

Thank you for your service to the Navajo Nation.



May 7, 2015

MEMORANDUM

TO : *Honorable Members*
Resources and Development Committee

FROM :

Hon. LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

SUBJECT : ASSIGNMENT OF LEGISLATION

Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Resources and Development Committee;

Legislation No. 0161-15

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE LAND WITHDRAWAL OF 10.00 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS FOR GANADO CHAPTER VETERANS AND SENIOR CITIZENS CENTER TO DEVELOP AND MAINTAIN THE VETERANS AND SENIOR CITIZENS CENTER LOCATED AT GANADO, NAVAJO NATION (APACHE COUNTY, ARIZONA).

As the Committee assigned to consider the legislation, Legislation No. 0161-15 must be placed on the Resources and Development Committee's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0161-15

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Robert Willie, *Controller*
Dominic Beyal, *Executive Director, OMB*
Honorable Alton Joe Shepherd, Council Delegate (*Prime Sponsor*)

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0161-15_____

SPONSOR: Alton Joe Shepherd

TITLE: An Action Relating To Resources and Development; Approving the Land Withdrawal of 10.00 Acres, More or Less, of Navajo Nation Trust Lands for Ganado Chapter Veterans and Senior Citizens Center To Develop and Maintain the Veterans and Seniors Citizens Center Located at Ganado, Navajo Nation (Apache County, Arizona)

Date posted: May 8, 2015 at 10:38am

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0161-15

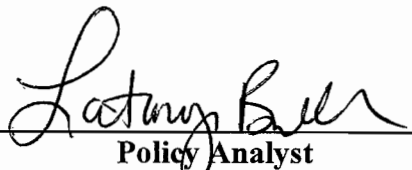
SPONSOR: Honorable Alton Joe Shepherd

TITLE: Relating To Resources And Development; Approving The Land Withdrawal Of 10.00 Acres, More Or Less, Of Navajo Nation Trust Lands For Ganado Chapter Veterans And Senior Citizens Center To Develop And Maintain The Veterans And Seniors Citizens Center Located At Ganado, Navajo Nation (Apache County, Arizona).

Posted: May 8, 2015 at 10:38 am

5 DAY Comment Period Ended: May 13, 2015

Digital Comments received: *No comments were received.*


Policy Analyst
Office of Legislative Services

5/14/15 10:10 am
Date/Time