

**RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
23<sup>rd</sup> Navajo Nation Council --- Third Year, 2017**

**AN ACTION**

**RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A REVOCABLE USE  
PERMIT FOR A MISSION SITE OF ONE AND ONE-HALF (1.5) ACRES (MORE  
OR LESS) FOR THE ROCKY RIDGE FULL GOSPEL CHURCH, INC. IN THE  
VICINITY OF HARDROCK CHAPTER, NAVAJO NATION**

**Section One. Authority**

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

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

**Section Two. Title 16 of the Navajo Nation Code Provisions with Respect to Mission Sites**

A. Pursuant to 16 N.N.C. Section 1153 (A) No permit to enlarge the area of Navajo Nation land presently under permit to a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources Committee unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.

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

1. An exact description of the Navajo Nation land for which application is made.

2. A detailed statement of the purpose or purposes for which the said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully the extent and character thereof.

3. A signed petition of a substantial number of Navajos residing in the vicinity of the proposed site endorsing the proposed permit.

4. An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.

5. A description of buildings and improvements to be placed on Navajo Nation lands and an estimate of the cost thereof. Pursuant to 16 N.N.C. § 1155 the Resources and Development Committee is authorized to deny or grant, on behalf of the Navajo Nation, any permit with special consideration to the establishment of too many missions in any one area or at any one point.

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

1. Mission site for purely religious activities: one and one-half (1 1/2) acres;

2. Mission site for religious activities and community services facilities: three and one-half (3 1/2) acres:

3. Mission site for religious activities and either substantial medical or accredited educational programs: eight (8) acres; and

4. The Resources and Development Committee may, in the case of applications for mission sites in or near areas withdrawn for townships in the Navajo Nation, limit site acreage to less than two and five-tenths (2 5/10) acres, and may set rental fees with due regard for present or future competing demands for land use in such areas.

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

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

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

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

### **Section Three. Findings**

A. The Rocky Ridge Full Gospel Church, Inc., P.O. Box 1064 Hotevilla, Arizona 86030 has applied for a Revocable Use Permit for Mission Site within the Hardrock Chapter. See Exhibit "A".

B. Consent to use Navajo Nation land for religious activities has been given by the grazing permit holder. See Exhibit "B".

C. The Petition of Names endorsing the proposed mission site from surrounding residents in the vicinity has been submitted. See Exhibit "C".

D. The proposed mission site is located on one and one half acres (1.5), more or less, within the Hardrock Chapter, Navajo Nation (Navajo County, Arizona). The land description appears on the survey plat. See Exhibit "D".

E. The Hardrock Chapter, by Resolution No. 16/03-03, adopted March 17, 2016, approved the use of 1.5 acres of tract lands within Hardrock to be used by the Rocky ridge Full Gospel Church. See Exhibit "E".

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

G. The request for a mission site permit has been reviewed and found sufficient by the Navajo Nation Fish and Wildlife, Historic Preservation, General Land Department and the Department of Justice. See Exhibit "G".

#### **Section Four. Approval**

A. The Resources and Development Committee of the Navajo Nation Council hereby approves the withdrawal of one and one-half (1.5) acres, more or less, of trust lands within the vicinity of Hardrock Chapter, Navajo Nation (Arizona), as described in Exhibit "D" for the Rocky Ridge Full Gospel Church for use as a mission site.

B. The Resources and Development Committee of the Navajo Nation Council hereby approves and consents to the Revocable Use Permit for a Mission Site for the Rocky Ridge Full Gospel Church, subject to but not limited to the attached Terms and Conditions contained herein as Exhibit "H".

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

#### **CERTIFICATION**

I, hereby certify that the following resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at NDOT Nataani Conference Room, Tse Bonito, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained on this 13th day of July, 2017.



Alton Joe Shepherd, Chairperson  
Resources and Development Committee  
of the 23<sup>rd</sup> Navajo Nation Council

Motion: Honorable Davis Filfred  
Second: Honorable Walter Phelps



# Application for Revocable Use Permit (Mission Site)

Exhibit "A"



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

President, Navajo Nation  
Window Rock, Arizona

Date \_\_\_\_\_

**ROCKY RIDGE FULL GOSPEL CHURCH, INC.**

The church is located seven and half miles off Highway 264 on N8027 Road and Broken Dam Road, and P.O. Box 1064, Hotevilla, Arizona 86030

Hereby makes application for a religious site covering one and one half acres of Navajo Nation land located in Hardrock Chapter Community, Navajo County, Arizona, as shown on the attached map.

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

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

Articles of Incorporation  
Chapter Resolution  
Petition of Names

Land Use Consent  
Survey Plat  
Other Supporting Documents

The Church's primary purposes is to develop the site, construct buildings for use of Sunday morning and evening services, including Bible studies during the week, conduct weddings, in accordance with Biblical Principles, funerals, and to establish religious ministries to member of the church, including social and ancillary function during the week for youth.

A building will be constructed on the site to accommodate worship services and religious related activities. The size of the building will 40 feet by 60 feet for worship and additional structure for cooking and informal meetings. The actual cost of the buildings is undetermined at this time.

Water and electricity will be furnished by Navajo Tribal Utility Authority at the site.

All corporations must attach hereto a certified copy of their Articles of Incorporation . Corporation must supply a certified copy of their authority to do business on the Navajo Nation.

All corporations must furnish evidence of authority of the person or persons' signing this

application to execute papers in their behalf. Evidence should ordinarily be in the form of a general resolution of the Board of Directors certified by the Secretary over the seal of the corporation.

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

In all cases of applications on behalf of Unincorporated bodies where documents do no explicit give on individual authority to execute necessary papers, a power of attorney execute before notary public by all associated parties for the purpose should be attached. If this is not supplied all such persons must personally sign this application and all documents submitted to the Navajo Agency.

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

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

ROCKY RIDGE FULL GOSPEL CHURCH

  
\_\_\_\_\_  
Pastor, Donald Howard, Sr.

## Table of Contents

**Exhibit "A" - Application for Revocable Use Permit (Mission Site)**

**Exhibit "B" - Church Site Land Survey Plat**

**Exhibit "C" -**  
- **Field Clearance**  
- **Land Use Consent**  
- **Chapter Resolution**  
- **Council Delegate's Endorsement**  
- **Signed Petition by Local Residents**

**Exhibit "D" - Articles of Incorporation & Evidence of Authority**

**Exhibit "E" - Fair Market Rent Value Report**

**Exhibit "F" -**  
- **Environmental Assessment Report**  
- **Biological Survey**  
- **Cultural, Historical and Archaeological Report**  
- **Finding of No Significant Impact (FONSI)**  
- **Sanitation Clearance**  
- **Utility Clearance**  
- **Roadway Easement**

**Exhibit "G" -**  
- **Revocable Use Permit**  
- **Terms & Conditions**





To: Navajo Nation Land Department  
Land Acquisition Program

From: Aaron Simonson, Grazing Representative  
Hardrock Chapter

Date: February 17, 2017

Re: Hardrock Chapter, Rock Ridge Full Gospel Church, Inc.  
Land Withdrawal

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The Hardrock Chapter has approved resolution HR-16/03-03, Resolution of Hardrock Chapter, Supporting and Approving the Rocky Ridge Full Gospel Church, Inc., in its Endeavor to withdraw one and one half acres of Navajo Trust and for a Religious site within the Community of Hardrock, Navajo Nation, Navajo County, Arizona

The site is one and half acres, and is located seven miles west of Hardrock Chapter. The site is within a residential area, and is adjacent to the home site of Donald Sr. and Mary Alice Howard and Lorraine Howard. A resolution of support for the Rocky Ridge Full Gospel Church, is approved and is attached.

As the Hardrock Chapter Grazing Official, I am concurring that the identified site per resolution HR16/03-03 (see attached map) identified for the Rocky Ridge Full Gospel Church, is clear of any Home Site and Grazing use and or any disputes or claim. The lands can be withdrawn in the name of Rocky Ridge Full Gospel Church.

For more information, please contact me at Hardrock Chapter at 928-725-3732 or [Hardrock@navajochapters.org](mailto:Hardrock@navajochapters.org)

Date: 7/14/13

**I, Council Delegate from District four (4), Hardrock Chapter, herewith grant permission and agree to the establishment of the Church site by the ROCKY RIDGE FULL GOSPEL CHURCH at nine miles west of Hardrock Chapter House, Navajo Nation, Arizona.**

(Should the Delegate oppose) My reason for opposing the establishment of this church are as follows:

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Signed G. Wright Witherspoon

Council Delegate District: Dzil Yijin

Attested Abraham

**CONSENT TO USE  
NAVAJO TRIBAL LANDS**

**TO WHOM IT MAY CONCERN:**

**Mr. Timothy Johnson** \_\_\_\_\_ **Chapter President**

**Mr. Byron Wesley** \_\_\_\_\_ **Chapter Vice President**

**Mr. Jay Begay, Jr.** \_\_\_\_\_ **Chapter Secretary**

**Mr. Dwight Witherspoon** \_\_\_\_\_ **Chapter Council Delegate**

**Hereby grant consent to the Navajo Tribe, Bureau of Indian Affairs, Window Rock, Arizona to permit:**

**Rocky Ridge Full Gospel Church, Hardrock Community to use a portion of our authorized Customary Use Area, as drawn on the back, for the following purpose:**

**Build a Christian Church to accommodate the community with their religious needs.**

**WITNESSES**

**Date:** \_\_\_\_\_

  
\_\_\_\_\_  
**Chapter president**

**Date:** \_\_\_\_\_

  
\_\_\_\_\_  
**Chapter Vice President**

**Date:** \_\_\_\_\_

  
\_\_\_\_\_  
**Chapter Secretary**

**Date:** 7/14/16

  
\_\_\_\_\_  
**Chapter Council Delegate**

**Date:** 2-9-17

  
\_\_\_\_\_  
**Grazing Committee Member**

41  
**District No.**

CONSENT TO USE  
NAVAJO NATION LAND  
FOR RELIGIOUS ACTIVITIES

TO WHOM IT MAY CONCERN:

I, N/A, hereby grant my consent to Navajo Nation and Bureau of Indian Affairs to permit Rocky Ridge Full Gospel Church located approximately  $\frac{1}{2}$  miles from Rocky Ridge General Store Adjacent to Navajo Route 62, near Hardrock Chapter to use approximately 1.5 acres of my assigned grazing land for church purpose.

Furthermore, I hereby waive any right I may have to compensation for the taking of my land use and the diminishment of my land value as result of the above request. Should the church liquidates or if the land taken for religious use is no longer needed, than, I shall have the right to reclaim the land. The subject land will be re-incorporated back into my grazing allotment.

Further remarks: All Grazing Permit are cancel 1974 Land Settlements Act of Navajo/Hopi Tribe. Therefore, there is no permit holder's recommended within the propose Church

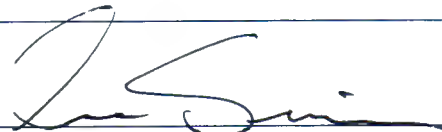
<u>N/A</u> Permit Holder's Signature	<u>                    </u> Census No.	<u>                    </u> Permit No.	<u>                    </u> Date
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WITNESSES:

THUMB PRINT:

\_\_\_\_\_

\_\_\_\_\_



Attested by Grazing Committee/Land Board

4  
District No.

2-9-17  
Date



Acknowledgement by church/field agent:

2/09/17  
Date

A thumbprint requires 2 witnesses



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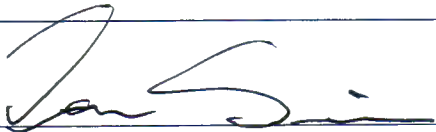
<u>N/A</u> Permit Holder's Signature	<u>                    </u> Census No.	<u>                    </u> Permit No.	<u>                    </u> Date
---	---	---	-------------------------------------

WITNESSES:

THUMB PRINT:

\_\_\_\_\_

\_\_\_\_\_

  
Attested by Grazing Committee/Land Board

4  
District No.

2-9-17  
Date

  
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2/09/17  
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NAVAJO NATION LAND  
FOR RELIGIOUS ACTIVITIES

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WITNESSES:

THUMB PRINT:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

  
Attested by Grazing Committee/Land Board

4  
District No.

2-9-17  
Date

  
Acknowledgement by church/field agent:

2/09/17  
Date

A thumbprint requires 2 witnesses



# PETITION OF NAMES

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

NAME	DATE	WITNESS
01. <u>Gloria J. Yazzie</u>	<u>9/27/15</u>	_____
02. <u>MARY B. Begay</u>	<u>9/27/15</u>	_____
03. <u>MARY A YAZZIE</u>	<u>9/27/15</u>	_____
04. <u>BESSIE B. Begay</u>	<u>9/27/15</u>	_____
05. <u>MIKE CHASE</u>	<u>9-27-15</u>	_____
06. <u>Curtis Begay</u>	<u>9/27/15</u>	_____
07. <u>Alice Howard</u>	<u>10/27/15</u>	_____
08. <u>Lernard Howard</u>	<u>9-27-15</u>	_____
09. <u>LINDA Gouge</u>	<u>9-30-15</u>	_____
10. <u>PAUL CHASE</u>	<u>9/30/15</u>	_____
11. <u>Julianne Bundy</u>	<u>9-30-15</u>	_____
12. <u>LUCY CHASE</u>	<u>9-30-15</u>	_____
13. <u>Helen Tishie</u>	<u>9-30-15</u>	_____
14. <u>Jay Begay Jr</u>	<u>9.30.15</u>	_____
15. <u>Helen R. Begay</u>	<u>9.30.15</u>	_____
16. <u>Kayla Bravetti</u>	<u>9/30/15</u>	_____
17. <u>Ethan Brown</u>	<u>9/30/15</u>	_____
18. <u>Ita Fatti</u>	<u>9/30/2015</u>	_____

	NAME	DATE	WITNESS
19.	ELIA Decker	9-30-15	
20.	ELIA Guy	9-30-15	
21.	Tommy Chase	9/30/2015	
22.	Dame Deschine	9/30/15	
23.	Calbert Guy	9/30/15	
24.	Joe Lee Begay	9/30/15	
25.	Betty L. Begay	9/30/15	

#### THUMBPRINT

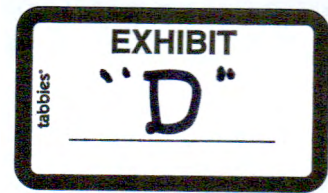
26.	Madge Zojinski	10/10/2015	
27.	Spencer Shepherd	10/10/2015	
28.	Dyl Johnson	10/10/2015	
29.	Sam Sheppard	11/02/2015	
30.	Joan Hunt	2-5-16	

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

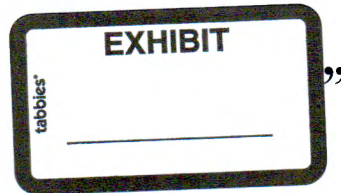
# PETITION OF NAMES

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

NAME	DATE	WITNESS
01. <u>Guy Gyige</u>	<u>3/16/16</u>	_____
02. <u>Elizabeth Shum</u>	<u>3/16/16</u>	_____
03. <u>Rachel F. Begay</u>	<u>3/16/16</u>	_____
04. <u>Genita Gyige</u>	<u>3-16-16</u>	_____
05. <u>Genevieve Gyige</u>	<u>3-16-16</u>	_____
06. <u>Thomas James</u>	<u>3/16/16</u>	_____
07. _____	_____	_____
08. _____	_____	_____
09. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____



# Church Site Land Survey Plat





# RESULTS OF SURVEY

1.50 ± ACRES

LOCATED IN SECTION 34

T. 31 N., R. 16 E. G. & S. R.M.

HARD ROCK, NAVAJO COUNTY, ARIZONA

HARD ROCK CHAPTER, DISTRICT 04, NAVAJO NATION

## LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED WITHIN SECTION 34, TOWNSHIP 31 NORTH, RANGE 16 EAST, GUA & SALT RIVER MERIDIAN, DISTRICT 04, NAVAJO NATION, IN HARD ROCK, NAVAJO COUNTY, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 34 MARKED BY B.L.M. BRASS CAP FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 34 LIES S 89°56'16" E, A DISTANCE OF 2642.65 FEET (BASIS OF BEARINGS, GPS DERIVED 00°07'07" N, 2642.64 FEET PER B.L.M. SURVEY PLAT 1278-A, DATED SEPTEMBER 17, 1981, R1); THENCE N 03°34'58" E, A DISTANCE OF 3540.05 FEET TO A 5/8" REBAR WITH PLASTIC CAP STAMPED "GPS RLS 42046" BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE N 16°06'56" E, A DISTANCE OF 2722.25 FEET TO A 5/8" REBAR WITH PLASTIC CAP STAMPED "GPS RLS 42046"; THENCE S 16°06'56" W, A DISTANCE OF 2722.25 FEET TO A 5/8" REBAR WITH PLASTIC CAP STAMPED "GPS RLS 42046"; THENCE N 73°53'04" W, A DISTANCE OF 2400.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING 1.50 ACRES MORE OR LESS, AND BEING SUBJECT TO ANY AND ALL EXISTING EASEMENTS FOR UTILITIES LOCATED THEREIN.

## EXHIBIT "A"

## LEGEND:

- - FOUND 3" BRASS CAP, B.L.M. SECTION CORNER
- - FOUND 3" BRASS CAP, B.L.M. 1/4 CORNER
- - FOUND 5/8" REBAR W/ PLASTIC CAP STAMPED "NLT"
- - FOUND 5/8" REBAR W/ NO IDENTIFICATION
- - SET 5/8" REBAR W/ PLASTIC CAP STAMPED "GPS RLS 42046"

## REFERENCES:

- (R1) BUREAU OF LAND MANAGEMENT SURVEY PLAT 1278-A, DATED SEPTEMBER 17, 1981.
- (R2) LORRAINE HOWARD SURVEY PLAT, NAVAJO LAND DEPARTMENT, DATED SEPTEMBER 13, 2002.
- (R3) DONALD SR. & MARY ALICE HOWARD SURVEY PLAT, NAVAJO LAND DEPARTMENT, DATED AUGUST 31, 1992.

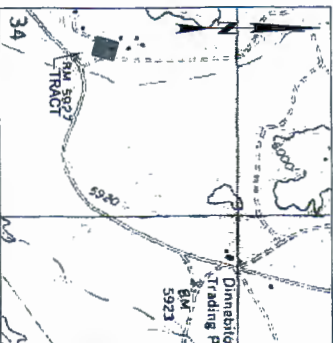
BASIS OF BEARINGS:  
THE SOUTH SECTION LINE OF SECTION 34, T. 31 N., R. 16 E., WITH A GPS DERIVED BEARING OF S 89°56'16" E AND A B.L.M. BEARING OF N 89°56'07" W PER B.L.M. PLAT 1278-A.

## SURVEYOR'S NOTE:

1. THE LOCATION OF THE BOUNDARY OF THIS TRACT WAS A DECISION MADE BY THE ROCKY RIDGE FULL GOSPEL CHURCH. THIS SURVEY MAKES NO STATEMENT REGARDING RIGHTS TO THIS TRACT OR PRIOR RIGHTS WHICH MAY HAVE EXISTED PRIOR TO THIS SURVEY.

## VICINITY MAP

N.T.S.



## GOLDTOOTH PRECISION SOLUTIONS, INC.

P.O. BOX 640 TUBA CITY, AZ 86046 Ph: (928)283-4652 Fax: (928)283-5073

Job No.: 1626

Surveyed: February & March 2016

File: 1626 Rocky Ridge Full Gospel

Drawn by: J. Goldtooth

Checked by: H. Goldtooth

Revised: n/a

Scale: 1" = 80'

Sheet: 1 of 1



EXPIRES 3-31-2017

Halbert O. Goldtooth, AZ RLS 42048

## CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTHS OF FEBRUARY AND MARCH OF 2016, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REPRODUCED.

Halbert O. Goldtooth

HALBERT O. GOLDTOOTH, AZ RLS 42048



10

20

40

DONALD SR. & MARY  
ALICE HOWARD  
100 PLOME (R3)

30

70

80

LORRAINE HOWARD  
1.00 ± AC (R2)

50

60

in Route 62



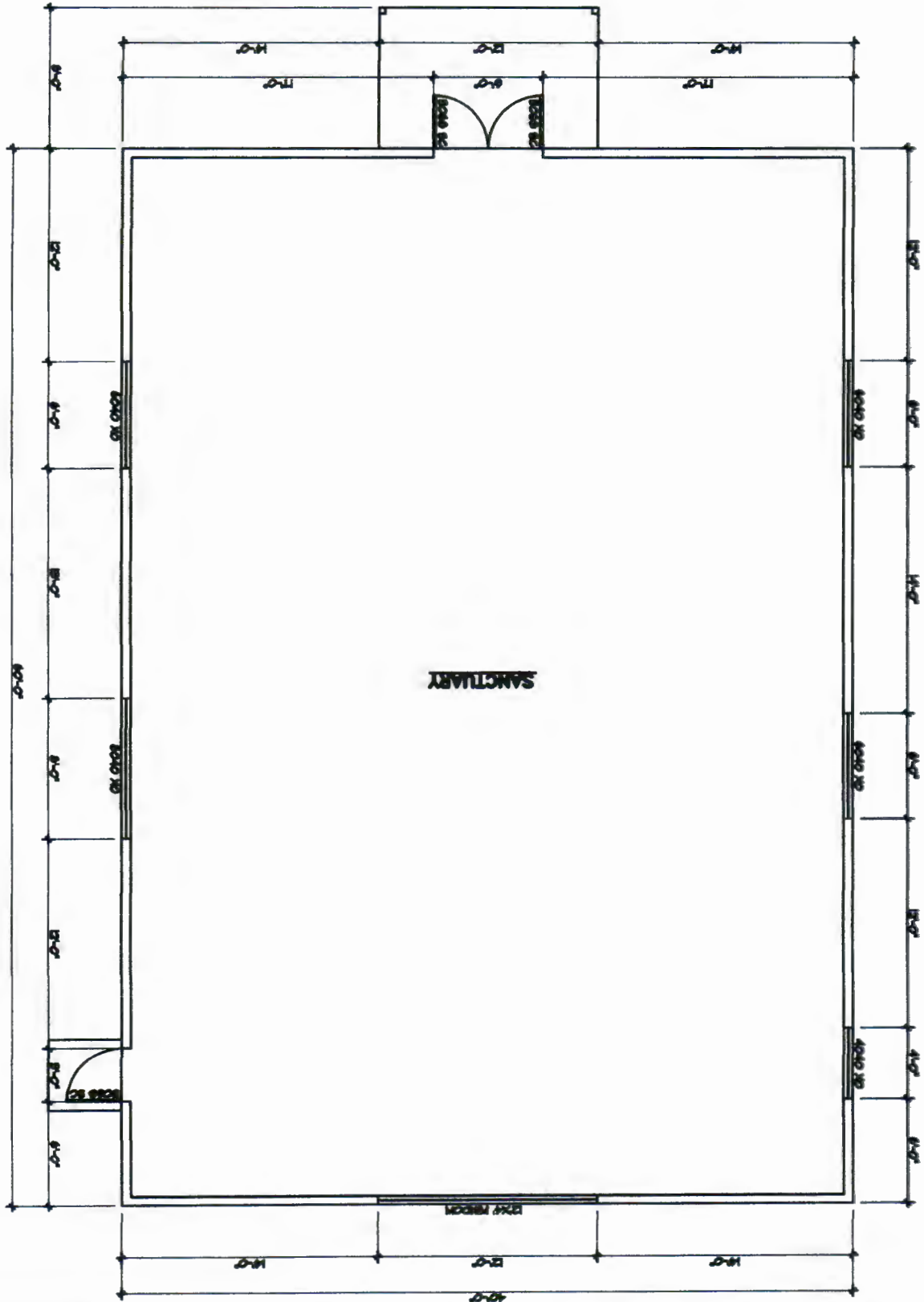
# FLOOR PLAN

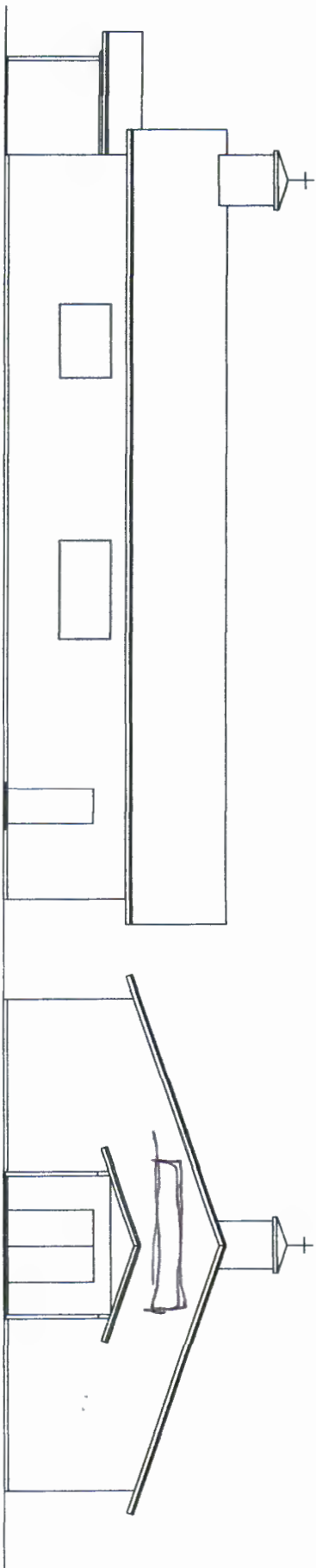
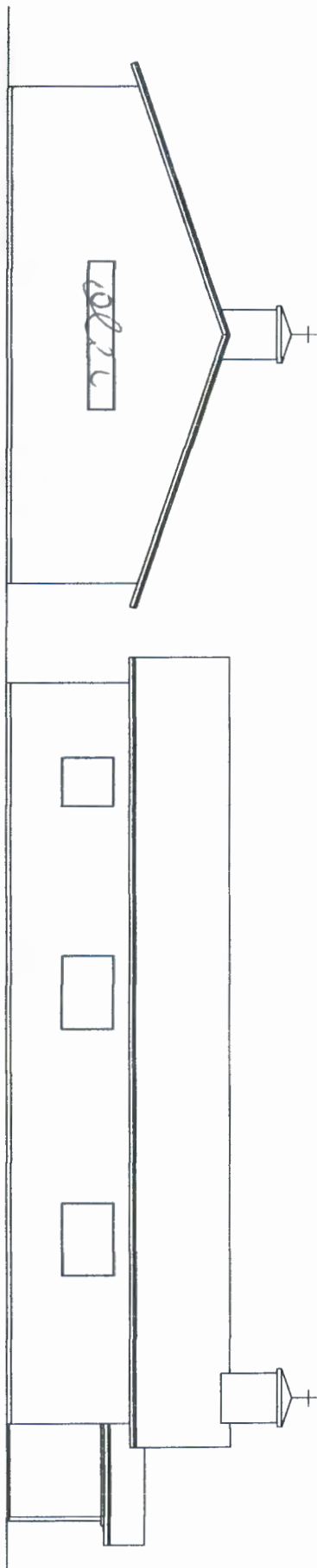


NORTH

GRAPHIC SCALE

SCALE: 1/4"=1'-0"







President: Timothy Johnson  
Vice President: Bryon Wesley  
Secretary: Jay Begay Jr.

Council Delegate: Dwight Wetherspoon  
Grazing Official:

**HARDROCK CHAPTER  
RESOLUTION 110/63-03**

**SUPPORTING AND APPROVING THE ROCKY RIDGE FULL GOSPEL CHURCH, INC. IN ITS ENDEAVOR TO WITHDRAW ONE AND ONE HALF ACRES OF NAVAJO TRUST LAND FOR A RELIGIOUS SITE WITHIN THE COMMUNITY OF HARDROCK, NAVAJO NATION, NAVAJO COUNTY, ARIZONA**

**WHEREAS:**

1. The Hardrock Chapter is certified and recognized as a government entity of the Navajo Nation given the authority to act on behalf of its community to recommend, support and approve all land related projects, such as right-of-way, land withdrawal for community and economic development, including home site and religious site; and
2. The Rocky Ridge Full Gospel Church, Inc. has selected a site situated on a one and one half acres of land located seven miles west of Hardrock Chapter, Navajo Nation, Navajo County, Arizona; and
3. The church's primary purpose is to develop the site, construct buildings for use on Sunday morning and evening services and Wednesday evening services, conduct weddings in accordance with Biblical principles, funerals, and to establish religious ministries to members of the church and including social auxiliary functions during the week for youth and adults; and
4. Rocky Ridge Full Gospel Church, Inc., has applied for a Revocable Permit through the Resource Committee of the Navajo Nation Council; and
5. The Grazing Permit holders have not given their written permission to this project ( There is a Permit with a multiple names on it. No one knows who has the permit or where that person resides) It is the hope of the Organizers obtain one and one half acre of land to build the church.

**NOW, THEREFORE LET IT BE RESOLVED THAT:**

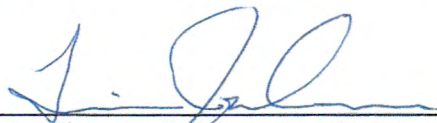
1. The Hardrock Chapter hereby approves the one and one half acre track of land withdrawal for the Rocky Ridge Full Gospel Church and direct the Navajo Land Department to do all things necessary to complete the processing of this application. Further, should the church liquidates, the site will be re-incorporated back to open range and grazing use of the site or otherwise directed by the Resource Committee of the Navajo Nation.
2. The Hardrock Chapter directs the Division of Natural Resources of the Navajo Nation Council to approve the site selected and charge the Church the minimal fee per acre per year as an established fee.

**CERTIFICATION**

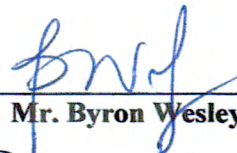
**We hereby certify that the forgoing resolution was duly considered by the Hardrock Chapter at duly**



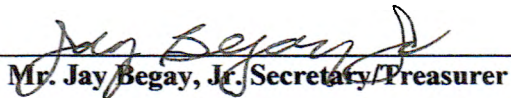
called meeting at which a quorum was present and the resolution was passed by a vote of 30 in favor,  
0 opposed and 1 abstained on this 17th of March, 2016.



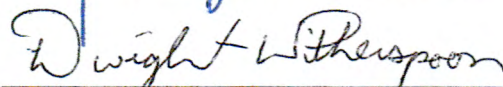
Mr. Timothy Johnson, President



Mr. Byron Wesley, Vice President



Mr. Jay Begay, Jr. Secretary/Treasurer



Mr. Dwight Witherspoon, Council Delegate

\_\_\_\_\_  
Grazing Official



- Environment Assessment Report
- Biological Survey
- Cultural Resource Compliance
- Archeological Clearance Report
- Sanitation Clearance
- Utility Clearance
- Roadway Easement

Exhibit “F”



# ENVIRONMENTAL ASSESSMENT

## Rocky Ridge Full Gospel Church Project

Hard Rock Chapter,  
Navajo Nation

December 2016



**ETD, Inc.**  
**Consulting and Applied Research**

---

**Environmental Assessment**  
(December 2016)

***Project: Rocky Ridge Full Gospel Church***  
Hard Rock Chapter, Navajo Nation, Navajo County, Arizona

***Prepared for:***

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Rocky Ridge Full Gospel Church, Inc.  
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***and for:***

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**Table 1.** Project Location Information

## Acronyms

ADEQ	Arizona Department of Environmental Quality
ARPA	Archaeological Resources Protection Act
AZGS	Arizona Geological Survey
BIA	Bureau of Indian Affairs
CEQ	[U.S.] Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EA	Environmental Assessment
GHG	Greenhouse Gas
LUST	Leaking Underground Storage Tank
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NNDFW	Navajo Nation Department of Fish and Wildlife
NNDWR	Navajo Nation Department of Water Resources
NNEPA	Navajo Nation Environmental Protection Agency
NNHPD	Navajo Nation Historic Preservation Department
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
NRCS	National Resource Conservation Service
NRHP	National Register of Historic Places
NTUA	Navajo Tribal Utility Authority
RCRA	Resource Conservation and Recovery Act
SWPPP	Storm Water Pollution Prevention Plan
TCP	Traditional Cultural Properties
TES	Threatened, Endangered, and Sensitive
TSCA	Toxic Substances Control Act
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
UST	Underground Storage Tank
WRCC	Western Regional Climate Center

## 1. INTRODUCTION

### 1.1 Summary

Rocky Ridge Full Gospel Church, Inc., the project sponsor, proposes to construct a church along Navajo Route 8027 and Tribal Road 8011 in Hard Rock Chapter of the Navajo Nation. Under the proposed action, a 60 feet x 40 feet building will be constructed to serve as the main church within a 1.5-acre parcel of land. Water and power utilities will be extended to the project site and an existing access road will be utilized extending from Navajo Route 8027. The project was approved via Hard Rock Chapter Resolution 16/30-03 on March 17, 2016.

The project sponsor is requesting a Revocable Land Use Permit for the project from the Navajo Nation. Such permits are regulated under **Navajo Nation General Leasing Regulations of 2013** (26 N.N.C. Chapter 23). This Environmental Assessment (EA) has been prepared for the Environmental Reviewer (ER) within the Navajo Nation Environmental Protection Agency (NNEPA) who will review this EA to determine whether or not the project activities meet all environmental compliance requirements. Under 26 N.N.C. § 2384, *Lessee Responsible for Environmental Compliance Determination*, the lessee has responsibility to provide compliance documentation for the related environmental laws. This EA has determined the lessee is in compliance with the following laws or regulations with mitigation measures identified in Chapter 4:

- National Historic Preservation Act, 16 U.S.C § 470 et seq.
- Endangered Species Act, 7 U.S.C. § 136, 16 U.S.C. § 1531 et seq.
- Resource Conservation and Recovery Act (RCRA), 42 U.S.C. ch. 82 §6901 et seq.
- Farmland Protection Policy Act, 7 U.S.C. §§4201 et seq.
- Clean Air Act, 42 U.S.C. §§7401 et seq.
- Eagle Protection Act, 16 U.S.C §668-668c
- Migratory Bird Treaty Act, 16 U.S.C. §703-712
- Navajo Nation Environmental Policy Act, 4 N.N.C. §901 et seq.
- Navajo Nation Cultural Resource Protection Act, 19 N.N.C. §1001 et seq.
- Navajo Nation Solid Waste Act, 4 N.N.C. §§101 et seq.
- Navajo Nation Air Pollution Prevention and Control Act, 4 N.N.C. §§1101 et seq.
- Navajo Nation Safe Drinking Water Act, 22 N.N.C. §2501 et seq.
- Navajo Nation Clean Water Act , 4 N.N.C. §§1301 et seq.
- Navajo Nation Underground And Aboveground Storage Tank Act, 4 N.N.C. ch. 15, §1501 et seq.
- Navajo Nation Pesticide Act, 4 N.N.C. §§301 et seq.
- Golden and Bald Eagle Nest Protection Regulations (GBENPR)
- Navajo Endangered Species List, RCS-41-08
- Biological Resource Land-Use Clearance Policies and Procedures (RCP), RCS-44-08
- All other applicable Navajo Nation and federal laws, regulations, and policies

## 1.2 Purpose and Need for Project

The purpose of the project is to provide a facility for Sunday morning and evening services, Wednesday evening services, weddings and funerals, as well as social functions for youths and adults. Currently, the building that is being utilized by the Church is too small and the site has not been legally withdrawn for this purpose.

## 1.3 Location

The proposed project is located in Hard Rock Chapter of the Navajo Nation, a political subdivision. The name "Hard Rock", or in Navajo, *Tsé Dildó'ii*, refers to stony outcrops found in the Chapter that have been quarried for thousands of years and used as building materials. Hard Rock Chapter's land base is comprised of about 122 square miles. This area used to be much larger, but the Chapter lost two-thirds of its land base during the settlement of the Navajo-Hopi land dispute in 1974. The proposed project site can be accessed from an existing dirt road near the intersection of Navajo Route 8027 and Tribal Road 8011. **Table 1** below provides a summary of the project location information. **Figure 1** shows a general location of the project site.

Table 1. Project Location Information			
Site Name	Center UTM*	Legal Location	USGS 7.5' Quadrangle Reference
Rocky Ridge Full Gospel Church	535480 E, 3989722 N	SW¼ of NE¼ of Sec. 34, T.31N, R.16E	Rocky Ridge SE, Arizona

\* datum = WGS84, Zone 12N



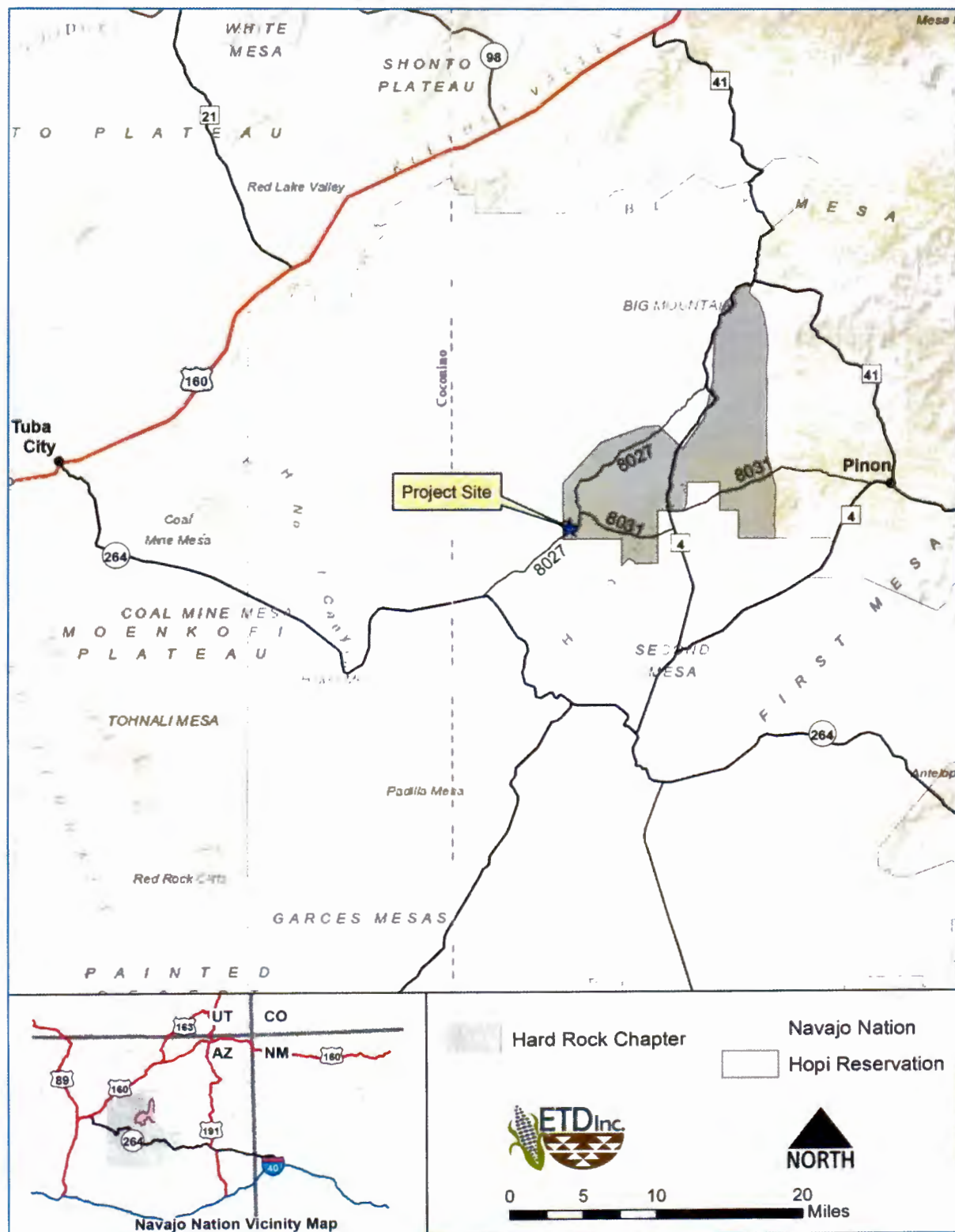


Figure 1. General location map showing project site in Hard Rock Chapter.

## 2. PROPOSED ACTION AND NO-ACTION ALTERNATIVE

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

### 2.1 Proposed Action

Rocky Ridge Full Gospel Church, Inc., the project sponsor, proposes to construct a church along Navajo Route 8027 and Tribal Road 8011 in Hard Rock Chapter of the Navajo Nation. Under the proposed action, a 60 feet x 40 feet building will be constructed to serve as the main church within a 1.5-acre parcel of land. The project sponsor is coordinating water and power utilities extensions to the site with the Navajo Tribal Utility Authority (NTUA). The project sponsor is also coordinating development of a 16 feet wide dirt access road along Navajo Route 8027 with the BIA. The project was approved via Chapter Resolution 16/30-03 on March 17, 2016.

### 2.2 No Action

Under the no action alternative, the proposed church site would not be constructed and there would be no impact to the existing natural and human environment. There would continue to be a lack of a Christian Church for community members living in the Rocky Ridge area of Hard Rock Chapter.

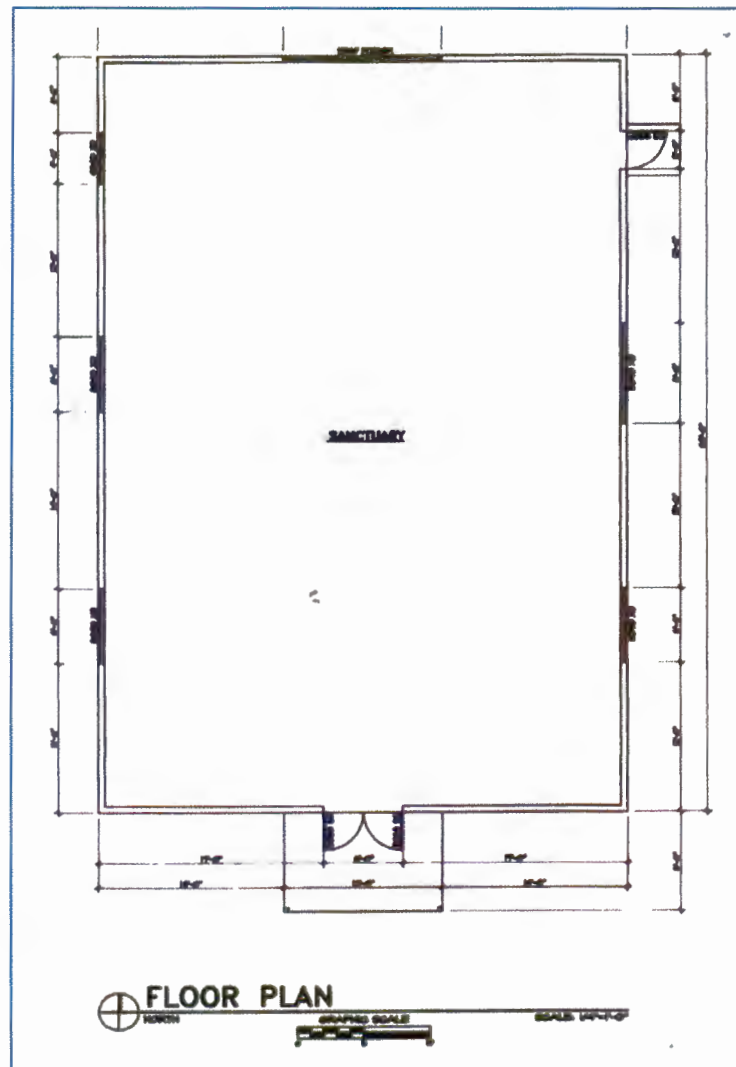


Figure 2. Floor plan for Church Sanctuary.

### 3. DESCRIPTION OF THE AFFECTED ENVIRONMENT

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

#### 3.1 Land Resources

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

##### 3.1.1 Geology

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

The project site is also located within an area known as the Black Mesa hydrogeologic subdivision (Cooley et al. 1969). Black Mesa is a large moderately dissected highland that occupies the structural center of the Black Mesa Basin (1969). It is delimited by high outfacing sandstone cliffs of the Toreva Formation and the Yale Point Sandstone (1969). The southern part of Black Mesa has been dissected by Dinnebito, Oraibi, and Polacca Washes into box canyons and gently dipping rock platforms - called First, Second, and Third Mesas (1969).

The surficial geology at the site is characterized as Quaternary surficial deposits (AZGS 2000), likely from the nearby Dinnebito Wash. These deposits are described as being unconsolidated to strongly consolidated alluvial and eolian deposits (2000). This particular unit includes coarse, poorly sorted alluvial fan and terrace deposits on middle and upper piedmonts and along large drainages; sand, silt, and clay on alluvial plains and playas; and wind-blown sand deposits (2000). The surrounding area is largely overlain by sedimentary rocks of the Upper Cretaceous Mesaverde Group (2000). Rocks of this unit host the only large coal deposits in Arizona (2000). To the southwest, Cretaceous sedimentary rocks are visible (2000). This unit contains tan sandstone (i.e. Dakota sandstone) overlain by gray shale (i.e. Mancos Shale) deposited in beach, river delta, and shallow sea settings (2000).

##### 3.1.2 Topography

The project site is located in Hard Rock Chapter, which is north-northwest of Third Mesa and borders the Hopi Reservation. Elevations range from 5,370 feet at the bases of washes to 6,570 at the peaks of ridges and mesas. Dinnebito Wash cuts through the southwestern part of the Chapter and Oraibi Wash cuts through the southeastern part of the Chapter. The project site is located in an area known as Rocky Ridge. The project site has elevations ranging from 5,930 to 5,955 feet with an upward slope to the west.

##### 3.1.3 Soils

The soils at the site are classified as Reef-Mido-Zukan complex and Tsosie-Councilor-Riverwash complex (NRCS 2016). Reef-Mido-Zukan complex comprises of the northern half of the project site while Tsosie-Councilor-Riverwash complex comprises of the southern half of the project site. Reef-Mido-Zukan complex soils are typically found at 2-35% slopes on the summits and backslopes of mesas (2016). The typical profile for these soils are channery sandy loams, fine sands, clay loams, and shallow bedrock. This complex is well-drained to excessively drained with low to medium runoff potential, moderately high to high transmissivity, and no flooding or ponding frequency. The Tsosie-Councilor-Riverwash complex soils are typically found at 0-4% slopes of alluvial flats and terraces. The typical profile for these soils are loams, silt loams, clay loams, sandy



clay loams, and loamy sands. This complex is well-drained to somewhat excessively drained with negligible runoff potential, moderately high transmissivity, and no flooding or ponding frequency.

#### **3.1.4 Mineral Resources**

According to spatial data retrieved from U.S. Geological Survey (USGS)'s Mineral Resource On-Line Data System, there are no mineral resources within the boundaries of Hard Rock Chapter (USGS 2015). The nearest past producing mine, Sinn Fein Mine, is located 16 miles southeast of the Church Site (2015). The nearest producing mines are the Kayenta/Peabody Western Coal Company Mine, located 45 miles north of the project site, and Rainbow Forest mine, located 45 miles south of project site.

### **3.2 Water Resources**

This section discusses surface water, ground water, and floodplains found in and around the project site. Data on ground water was provided by the Navajo Nation Department of Water Resources (NNDWR) in Fort Defiance, Arizona. Wetlands data was downloaded from the U.S. Fish and Wildlife's National Wetlands Inventory website. **Figure 3** illustrates these surface water and wells in and around the project site.

#### **3.2.1 Surface Water**

The principal drainages in the Black Mesa hydrogeologic subdivision are Polacca, Oraibi, and Dinnebito Washes (Cooley et al. 1969). They are perennial washes that drain along First, Second, and Third Mesas to the southwest, towards the Colorado River.

In the project area, the closest major surface water is the Dinnebito Wash, located about 3,400 feet southwest at its closest point. A small drainage channel that is a tributary to Dinnebito Wash is found 250 feet west of the project site. The wetlands in and around the project area are classified as riverine wetlands (that are seasonally flooded) and freshwater ponds. Upon inspection of satellite imagery, the freshwater pond is actually a sewer lagoon.

#### **3.2.2 Groundwater**

The Navajo Sandstone Aquifer (N-Aquifer) is an extensive aquifer and the primary source of groundwater in the 5,400-square-mile Black Mesa area in northeastern Arizona. The N-Aquifer is composed of three hydraulically connected formations—the Navajo Sandstone, the Kayenta Formation, and the Lukachukai Member of the Wingate Sandstone—that function as a single aquifer (Macy and Truini 2016).

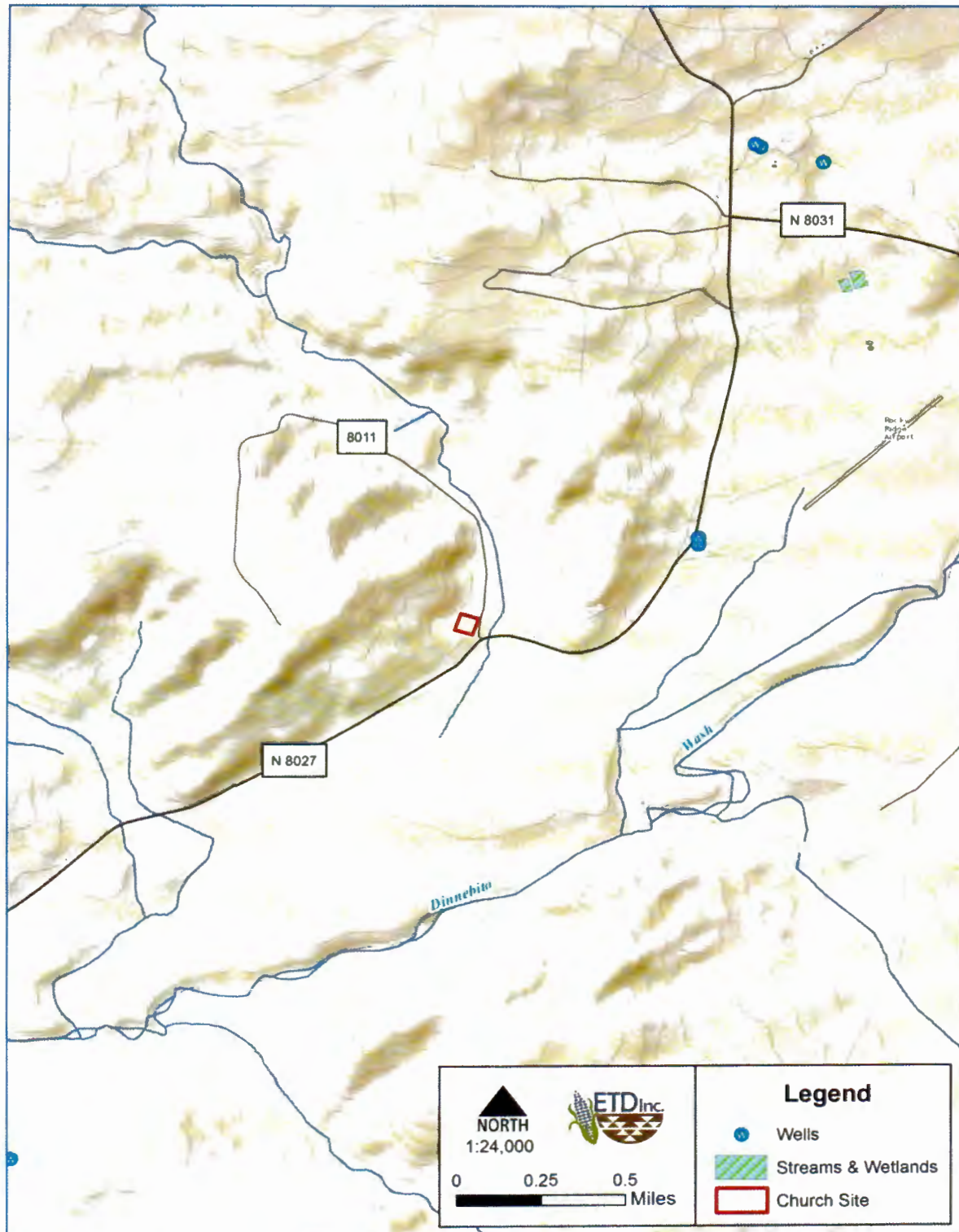
Other groundwater resources in the Black Mesa region come from the Coconino Sandstone, Dakota Sandstone, Toreva Formation, Bidahochi Formation, and alluvial aquifers (Macy and Truini 2016). These units are not found in Hard Rock Chapter (AZGS 2000).

Wells data received from NNDWR reveals two wells are within one mile of the project area. Both of these are located within the Rocky Ridge school grounds. They draw from the Toreva Formation at depths of 130-285 feet below ground surface. Other wells in the project area draw from the N-aquifer at depths varying from 1,500 - 1,800 feet below ground surface. The location of these wells are shown in **Figure 3**.

#### **3.2.3 Floodplains**

The Church site is not located within a floodplain as it is situated 3,400 feet from the Dinnebito Wash and 250 feet from a small drainage channel. The project site and the drainage channel have an elevation difference of 10 feet.





**Figure 3.** Topographic map showing water resources in the project area (USGS 7.5' Quadrangle: Rocky Ridge SE, Arizona).

### **3.3 Air Resources**

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

#### **3.3.1 Quality/Visibility**

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

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

#### **3.3.2 Climate/Meteorology**

The project region experiences cold, harsh winters, low precipitation scattered more or less throughout the year, and extremes in both daily and seasonal temperatures (Cooley et al. 1969). The average annual precipitation for the Hard Rock area is about 10 inches (WRCC 2016). The average annual total snowfall for the area is 10 inches, yet the snow does not typically stick on the ground (2016). The average maximum temperature occurs in July at 89.1°F and the average minimum temperature occurs in January at 16.2°F (2016). Winds are generally from the southwest (2016).

Climate Change has become a prominent issue and per new U.S. Council of Environmental Quality (CEQ) memorandum, it is recommended that greenhouse gas (GHG) emissions and climate change impacts be addressed in NEPA environmental assessments and environmental impact statements (2016). There will be direct GHG emissions associated with mobile combustion. These emissions will come from heavy equipment and other vehicles accessing the site during construction activities. There will be many indirect GHG emissions associated with process emissions (products purchased to erect a the church, utility extensions, and amenities to furnish the church), GHG emissions as a consequence of consumption of electricity and propane gas, and GHG emissions as a consequence of organizational operations (e.g. people driving to and from the site for church services and other activities).

### **3.4 Biotic Resources**

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

#### **3.4.1 Description of Biological Communities**

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



### 3.4.2 Vegetation and Wildlife

Vegetation observed at the project site included: locoweed (*Oxytropis* spp.), kochia (*Kochia scoparia*), four-winged saltbrush (*Atriplex canescens*), yarrow (*Achillea millefolium*), galleta grass (*Pleuraphis jamesii*), black grama grass (*Bouteloua eriopoda*), wild cabbage (*Brassica oleracea*), indian ricegrass (*Oryzopsis hymenoides*), and broom snakeweed (*Gutierrezia sarothrae*). **Figure 4** presents a photo showing the vegetation.

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



**Figure 4.** Photo of the Church site showing the vegetation.

### 3.4.3 Threatened, Endangered and Sensitive Species (TES)

The proposed project is within a less sensitive zone ("Area 3") as designated by the Navajo Nation Department of Fish and Wildlife (NNDFW). NNDFW states that these areas have low, fragmented concentrations of species of concern (NNDFW 2016). Species in this area may be locally abundant on "islands" of habitat, but these islands are relatively small, limited in number, and well-spaced across the landscape. The project sponsor requested an internal review for the project. The NNDFW did not identify any known or potential TES species on the project site. Thus, no impact to such species was anticipated as a result of the proposed project. NNDFW issued a Biological Resources Compliance Form for the proposed project, which has been attached in **Appendix A**.

#### **3.4.4 Agriculture**

Hard Rock Chapter has a farming co-op that was established in 1985 (LSR Innovations 2004). A large farm is located 500 feet east of the Church site, across Tribal Road 8011. Before the church was proposed, the project area was used as open rangeland.

### **3.5 Cultural Resources**

Cultural resources include archaeological resources (prehistoric), historic resources, and traditional cultural properties. A cultural resources inventory was conducted by Carol S. Yazzie-Ward, Project Archaeologist, on April 2, 2016 under permit number B16257. The inventory included a records search and a field survey using a Class III pedestrian inventory method. It involved walking sub-parallel transects spaced no more than 40 feet apart across the 1.5 acre project area, plus a 50-foot buffer zone (Yazzie-Ward 2016). Therefore, the total surveyed area was 2.14 acres. The findings of this survey are discussed below.

#### **3.5.1 Archaeological Resources**

The records search conducted at the Navajo Nation Historic Preservation Department (NNHPD) revealed five (5) previous cultural resource inventories were conducted within 100 feet of the Church site with no archaeological sites being identified.

During the field survey, one (1) archaeological resource was discovered (Yazzie-Ward 2016). It was assigned the following site number by the NNHPD: AZ-J-61-110. The site is described as an Anasazi sherd scatter from 750-1300 AD. It is located along the east boundary of the Church site between two dirt access roads. The archaeologist suggested it may be eligible for protection under criterion (d) of the National Register of Historic Places (NRHP) and under the Archaeological Resource Protection Act (ARPA) (2016). NNHPD reviewed the report and found that AZ-J-61-110 is ineligible for protection under NRHP. NNHPD issued a Cultural Resource Compliance Form for the project with no further mitigation measures, as shown in **Appendix B**.

#### **3.5.2 Historic Properties**

An older stone house is located 125 feet north of the project site. It was constructed in the 1940s, but has since been renovated and is currently occupied, according to Mr. Howard (Interview by Eunice Tso, 2016).

#### **3.5.3 Traditional Cultural Properties (TCPs)**

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

### **3.6 Socioeconomic Conditions**

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

#### **3.6.1 Employment and Income**

According to the American Community Survey's 5-Year Estimates for 2010-2014 in Hard Rock Chapter, the median household income in 2014 was \$29,861 and the per capita income was \$10,722 (U.S. Census Bureau 2014). The unemployment rate was estimated to be at 38.4% in 2014. 44.3% of the population lived below the poverty level. The Navajo Nation government employs many residents in healthcare, social, education services, and public administration. Other major occupations in Hard Rock include: customer service-related jobs, production, transportation, and materials-moving, and management and business.



### 3.6.2 Demographic and Trends

The U.S. Census Bureau reported the population of Hard Rock Chapter to be 1,161 in 2010 (U.S. Census Bureau 2010). The median age was about 27.9 years of age. In 2010, there were approximately 340 households within the Chapter with an average 3.4 persons per household. In comparison, the average household size for the U.S. is about 2.5 persons.

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

### 3.6.3 Lifestyles, Cultural Values, Attitudes, Expectations

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

### 3.6.4 Community Infrastructure

Infrastructure systems that serve Hard Rock Chapter are described below:

- Roads and Accessibility. The major thoroughfare through Hard Rock Chapter is Navajo Route 4. It extends northward from State Highway 264 to Navajo Route 41. Secondary roads are Navajo Routes 8031, 8029, and 8027. Navajo Route 8031 extends westward from Navajo Route 4 to the junction of Navajo Route 8027, near Rocky Ridge School. The Church site is located one mile south of this junction.
- Power. The electrical power infrastructure in Hard Rock Chapter is owned and operated by NTUA. The project sponsor is working with NTUA to extend power utilities to the project site.
- Water. Water utilities in Hard Rock Chapter are owned and operated by NTUA. The project sponsor is working with NTUA to extend water utilities to the project site.
- Sanitary Sewer. Sewer lagoon systems are usually installed near many developments and are operated by NTUA. Otherwise, residents use septic tanks for their household sanitary sewer system. The project sponsor will install a septic tank system for sewer needs at the project site.
- Storm water runoff. The project site does not have a storm drain system. Because the area of impact is more than one acre, a National Pollutant Discharge Elimination System permit and a Storm Water Pollution Prevention Plan is required for this project under Section 402 of the Clean Water Act.
- Solid Waste. Solid waste generated in the Hard Rock Chapter is disposed of at the Hopi Landfill (Phone Correspondence with Crystal Yazzie). The Hopi Landfill has a solid waste program that picks up solid household waste in the Chapter.

## 3.7 Environmental Justice

The project was approved via a Chapter resolution and has land user approval. Additionally, it is located in Hard Rock Chapter where 99.2% of the population is Native American (U.S. Census 2010). Environmental justice has been defined as the pursuit of equal justice and equal protection under the law for all environmental statutes and regulations without discrimination based on race, ethnicity, and/or socioeconomic status. Rural church projects do not have any associated environmental justice issues.

### **3.8 Indian Trust Resources**

Local natural resources that may be considered Indian Trust Resources within Hard Rock Chapter include wood and coal (LSR Innovations 2004).

### **3.9 Environmental Module**

Sites regulated under the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Toxic Substance Control Act (TSCA) are discussed here. The information presented below was obtained from the U.S. Environmental Protection Agency (USEPA) EnviroFacts website (USEPA October 20, 2016) and field observation.

#### **3.9.1 RCRA Subtitle C Sites**

Subtitle C program identifies the criteria and establishes various requirements for the three categories of hazardous waste handlers, including generators, transporters, and treatment, storage, and disposal facilities. The proposed project will not generate, handle, or store hazardous waste on or near the project site. Additionally no such sites were recorded in or near the project site (USEPA October 20, 2016).

#### **3.9.2 RCRA Subtitle D Sites**

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

#### **3.9.3 RCRA Subtitle I Sites**

Subtitle I regulates active Underground Storage Tanks (UST) and abandoned and often Leaking Underground Storage Tanks (LUST). There was no evidence of USTs in the proposed project area during a field visit. A review of the Arizona Department of Environmental Quality's databases revealed no USTs or LUSTs near the project site (ADEQ 2016). Data from USEPA concurred that no USTs or LUSTs are on the project site (USEPA October 6, 2016). There is one LUST 0.60 miles northeast of the project site. It is a gasoline UST at the old Hard Rock Trading Post (Facility ID: NAV443). The site was closed on January 9, 2011 and was determined no further action is necessary.

#### **3.9.4 CERCLA Sites**

There are no National Priority List (NPL) sites under CERCLA located within one mile of the proposed project site (USEPA October 20, 2016). A field visit to the site also supported the conclusion that no NPL nor CERCLA sites occur on or near the proposed project.

#### **3.9.5 Toxic Substances Control Act Sites (TSCA)**

TSCA sites do not occur on or near the project site (USEPA October 20, 2016). No toxic substances will be used, generated, handled, or stored on or near the project site as part of the construction or operation of the proposed project.

### **3.10 Transportation Network/Land Use Patterns**

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

#### **3.10.1 Transportation Network**

The transportation network consists of paved and unpaved roads that are maintained by Navajo Department of Transportation. The major thoroughfare through Hard Rock Chapter is Navajo Route 4. It extends south to north from State Highway 264 to Navajo Route 41. Secondary roads are Navajo Routes 8031, 8029, and 8027. These roads provide access to tribal roads and other dirt roads that extend throughout the Chapter.

### **3.10.2 Land Use Plans**

Hard Rock Chapter has no published land use plan. The land use pattern throughout most of Hard Rock Chapter is largely undeveloped rangeland with scattered homesites, few public and community facilities, and utility corridors. The proposed project will take place in a relatively disturbed area along Navajo Route 8027. This area consists of open rangeland, farmlands, scattered residential homesites, water and electrical utility infrastructure, and road infrastructure.

### **3.10.3 Outdoor Recreation, Fishing, Hunting**

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

### **3.10.4 Timber Harvesting**

No timber resources are located within Hard Rock Chapter.

## **3.11 Other Values**

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

### **3.11.1 Wilderness Areas**

The nearest designated wilderness area is the Strawberry Crater Wilderness area, located about 60 miles southwest of the project site. The U.S. Forest Service oversees this area.

### **3.11.2 Sound and Noise**

Man-made sound and noise sources near the project site include traffic along Navajo Route 8027, Tribal Road 8011, and activities from neighboring residential homes. Natural sound and noise sources in the project site primarily consist of atmospheric phenomena such as wind, thunder, and rain.

### **3.11.3 Public Health and Safety**

The Hard Rock Chapter community go to the following hospitals and clinics for medical services: Chinle Indian Hospital, Tuba City Regional Health Care Corporation Hospital, Rocky Ridge Health Station, Pinon Health Center, and Hopi Health Center (LSR Innovations 2004). Fire protection is provided by fire stations located in Chinle, Arizona. Wildfire protection is provided by the BIA. Hard Rock Chapter receives police protection through the Chinle Police District (LSR Innovations 2004).

### **3.11.4 Visual Setting**

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



## 4. Environmental Consequences of the Proposed Action

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

### 4.1 Land Resources Impacts

#### 4.1.1 Topography

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

#### 4.1.2 Soils

Grading and excavation work will disturb will occur in and around areas where buildings and parking lots will be constructed and where utilities will be installed.

**Mitigation Measure:** Since the project will disturb more than one acre of land, the project requires a coverage under the National Pollutant Discharge Elimination System (NPDES) - General Construction permit. This permit requires a Storm Water Pollution Prevention Plan (SWPPP) that involves best management practices to control soil erosion. As a result, the impact to the soil resources will be direct, minor, and short-term.

### 4.2 Water Resources Impacts

#### 4.2.1 Surface Water

Earth moving on the project site can result in increased soil erosion and stream sedimentation or contamination, especially during times of heavy precipitation. With a SWPPP in place, the potential impacts to nearby ephemeral streams will be direct, minor, and short-term.

**Mitigation Measure:** Since the project will disturb more than one acre of land, the project requires a coverage under the National Pollutant Discharge Elimination System (NPDES) - General Construction permit. This permit requires a Storm Water Pollution Prevention Plan (SWPPP) that involves best management practices to control soil erosion. As a result, the impact to the surface waters will be direct, minor, and short-term.

#### 4.2.2 Ground Water

The proposed project does not involve extensive ground-breaking activities that will affect groundwater resources. However, water utilities will be extended to the project site. Thus, there will be a direct and long-term, yet minor impact to the aquifer in which these water utilities draw from.

#### 4.2.3 Floodplains

The Church site is over 3,000 feet from the Dinnebito Wash. A nearby drainage is located 250 feet east of the site boundary. Due to the elevation difference, the project site is not located within the drainage's floodplain; therefore, there will be no impacts associated with floodplains.

### 4.3 Air Resources Impacts

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



#### **4.4 Biological Resources Impacts**

##### **4.4.1 Vegetation**

The project site is covered with about 50-60% vegetation and the rest of the site is bare. Some disturbances occur from dirt roads going through the site and some overgrazing. The site will experience grading and excavation that will destroy any vegetation where the church will be placed and the new dirt access road will be built. The impact to vegetation resources will be direct, minor, and short-term.

##### **4.4.2 Wildlife and TES Species**

NNDFW determined that no federal or tribal threatened, endangered, sensitive (TES) or special status species are present in the project area. Therefore, there will be no impact to TES species. **Appendix A** presents a Biological Resource Compliance Form from the Navajo Nation.

##### **4.4.3 Agriculture**

The project site does not contain soils that are classified as prime, unique, or farmlands of statewide importance (NRCS 2016). Additionally, the project will not convert the land use from farmlands to another purpose. In the past, the area has provided grazing land for livestock. The project will change the land status from open rangeland to church use. There will be a minor, yet direct and long-term impact to rangeland.

#### **4.5 Cultural Resources Impacts**

One archaeological site, known as AZ-J-61-110, was found within the Church boundary. The site is an Anasazi sherd scatter from 750-1300 AD. Ms. Yazzie-Ward, Project Archaeologist, suggested the site may be eligible for protection under NRHP and ARPA. However, NNHPD reviewed the report and found that AZ-J-61-110 is ineligible for protection and no mitigation measures are required for the project. NNHPD issued a Cultural Resource Compliance Form for the project, which is attached in **Appendix B**.

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 must cease, and the NNHPD must be notified at (928) 871-7198.

#### **4.6 Socioeconomic Conditions Impacts**

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

#### **4.7 Environmental Justice Impacts**

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

#### **4.8 Indian Trust Resources Impacts**

The project is not expected to impact any local natural resources that may be considered Indian Trust Resources.

#### **4.9 Environmental Module Impacts**

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

#### **4.10 Resource/Land Use Patterns Impacts**

Transportation Network. The project is not anticipated to significantly increase traffic.

Land Use Pattern. The land use will change from open rangeland to a semi-public land use. The impact to the land use pattern will be minor, yet direct and long-term.

#### **4.11 Other Values**

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

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

Visual Quality. Due to the existing surrounding developments, there will be no impact to the visual quality of the area.

#### **4.12 Cumulative Impacts**

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

#### **4.13 Summary of Mitigation Measures**

##### **4.13.1 Soils and Surface Water Impact Mitigation Measure**

Earthmoving will increase potential for soil erosion and stream sedimentation. Because the project will disturb more than one acre of land, it is required to obtain coverage under an NPDES permit under Section 402 of the Clean Water Act. This permit which requires a Storm Water Pollution Prevention Plan (SWPPP) that identifies best management practices to reduce soil erosion.

## 5. List of Agencies and Organizations Consulted

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

## 6. Document Preparer's Qualifications and Signature

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



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

12/19/2016

Date



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

12/19/2016

Date

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## Appendix A: Biological Resources Compliance Form

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NNDFW Review No. 16RRFG01a3

**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.:** Rocky Ridge Full Gospel Church

**DESCRIPTION:** The Rocky Ridge Full Gospel Church proposes a mission site lease consisting of ±1.50 acres. All utilities are onsite.

**LOCATION:** Section 34, T31N, R16E, G&SRM, Hard Rock, Navajo County, Arizona

**REPRESENTATIVE:** Donald Howard, Sr., Rocky Ridge Full Gospel Church

**ACTION AGENCY:** Navajo Nation

**B.R. REPORT TITLE / DATE / PREPARER:** Request for review & concurrence/05 APR 2016/Donald Howard, Sr.

**SIGNIFICANT BIOLOGICAL RESOURCES FOUND:** Area 3. Proposed site is adjacent to existing homesites.

**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/13 APR 2016

**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

*4/14/16*

**\*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**

*Donald Howard Sr.*

**Date** *4/19/16*

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Page 1 of 1

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

## Appendix B: Cultural Resources Compliance Form

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

## CULTURAL RESOURCE COMPLIANCE FORM

ROUTE COPIES TO:	NNHPD NO.: <b>HPD-16-375</b>
<input checked="" type="checkbox"/> CSWTA	OTHER PROJECT NO.: CSWTA-ARCH-2016062

**PROJECT TITLE:** A Cultural Resource Inventory Survey for the Proposed Rocky Ridge Full Gospel Church Mission Site with Associated Utilities in the Vicinity of Hardrock, Navajo County, Arizona.

**LEAD AGENCY:** BIA/NR

**SPONSOR:** Donald Howard, Sr., Rocky Ridge Full Gospel Church, P.O. Box 1064, Hotevilla, Arizona 86030

**PROJECT DESCRIPTION:** The proposed undertaking will involve the construction of a homesite with associated facilities within the 1-acre area homesite lease. Ground disturbing activities will be intensive and extensive with the use of heavy equipment.

<b>LAND STATUS:</b>		Navajo Tribal Trust												
<b>CHAPTER:</b>		Hardrock												
<b>LOCATION:</b>	<b>T.</b>	<b>31</b>	<b>N.</b>	<b>R.</b>	<b>16</b>	<b>E-</b>	<b>Sec.</b>	<b>34:</b>	Rocky Ridge SE	Quadrangle,	Navajo	County	Arizona	G&SRM
<b>PROJECT ARCHAEOLOGIST:</b>							Carol S. Yazzie-Ward							
<b>NAVAJO ANTIQUITIES PERMIT NO.:</b>							B16257							
<b>DATE INSPECTED:</b>							4/02/2016							
<b>DATE OF REPORT:</b>							4/15/2016							
<b>TOTAL ACREAGE INSPECTED:</b>							2.14— ac							
<b>METHOD OF INVESTIGATION:</b>							Class III pedestrian inventory with transects spaced 10-12 m apart.							
<b>LIST OF CULTURAL RESOURCES FOUND:</b>							(1) Site (AZ-J-61-110)							
<b>LIST OF ELIGIBLE PROPERTIES:</b>							None							
<b>LIST OF NON-ELIGIBLE PROPERTIES:</b>							(1) Site (AZ-J-61-110)							
<b>LIST OF ARCHAEOLOGICAL RESOURCES:</b>							(1) Site (AZ-J-61-110)							

**EFFECT/CONDITIONS OF COMPLIANCE:** No historic properties affected.

**Site AZ-J-61-110: No further work is warranted.**

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

FORM PREPARED BY: **Tamara Billie**  
FINALIZED: November 17, 2016

Notification to Proceed  
Recommended  
Conditions:

☒ Yes ☐ No  
☐ Yes ☒ No

**The Navajo Nation  
Historic Preservation Office**

### Navajo Region Approval

☒ Yes ☐ No

**ARCHAEOLOGICAL INVENTORY REPORT (AIRs) DOCUMENTATION PAGE**

<b>1. RECIPIENTS ACCESSION NO.</b>	<b>2. (FOR HPD USE ONLY)</b>	<b>3. HPD REPORT NO.</b>																				
<b>4. TITLE OF REPORT:</b> A Cultural Resources Inventory Survey for the Proposed Rocky Ridge Full Gospel Church Mission Site with Associated Utilities in the Vicinity of Hardrock, Navajo County, Arizona. <b>AUTHOR:</b> Carol S. Yazzie-Ward		<b>5. FIELDWORK DATES:</b> April 2, 2016  <b>6. REPORT DATE:</b> April 15, 2016																				
<b>7. CONSULTANTS NAME AND ADDRESS:</b> General Charge: Carol S. Yazzie-Ward Org. Name: CSWTA, Inc. Org. Address: Post Office Box 790, Tuba City, Arizona 86045 Phone: (928) 283-4804		<b>8. PERMIT NO.:</b> B16257  <b>9. CONSULTANTS REPORT NO.:</b> CSWTA-ARCH-2016062																				
<b>10. SPONSOR NAME AND ADDRESS:</b> Ind. Responsible: Donald Howard, Sr. Org. Name: Rocky Ridge Full Gospel Church Org. Address: Post Office Box 1064, Hotevilla, Arizona 86030 Phone: (928) 613-8810		<b>11. SPONSOR REPORT NO.:</b> NA  <b>12. AREA OF EFFECT:</b> 1.50 ac <b>AREA SURVEYED:</b> 2.14 ac																				
<b>13. LOCATION: (Map Attached):</b> <table border="0"> <tr> <td>a. Chapter:</td> <td>Hardrock</td> <td>f. UTM Center:</td> <td>3989737N, 535472E</td> </tr> <tr> <td>b. Agency:</td> <td>Chinle</td> <td>g. Area:</td> <td>T31N, R16E, Section 34</td> </tr> <tr> <td>c. County:</td> <td>Navajo</td> <td>h. 7.5' Map Name:</td> <td>Rocky Ridge SE, AZ 1967</td> </tr> <tr> <td>d. State:</td> <td>Arizona</td> <td>i. Lead Agency:</td> <td>BIA</td> </tr> <tr> <td>e. Land Status:</td> <td colspan="3">Navajo Tribal Trust Land</td> </tr> </table>			a. Chapter:	Hardrock	f. UTM Center:	3989737N, 535472E	b. Agency:	Chinle	g. Area:	T31N, R16E, Section 34	c. County:	Navajo	h. 7.5' Map Name:	Rocky Ridge SE, AZ 1967	d. State:	Arizona	i. Lead Agency:	BIA	e. Land Status:	Navajo Tribal Trust Land		
a. Chapter:	Hardrock	f. UTM Center:	3989737N, 535472E																			
b. Agency:	Chinle	g. Area:	T31N, R16E, Section 34																			
c. County:	Navajo	h. 7.5' Map Name:	Rocky Ridge SE, AZ 1967																			
d. State:	Arizona	i. Lead Agency:	BIA																			
e. Land Status:	Navajo Tribal Trust Land																					
<b>14. REPORT OR SUMMARY (Attach additional pages if necessary):</b> <p><b>a. Description of Undertaking:</b> The proposed undertaking will involve the construction of a new mission site with associated utilities within a 272.25 feet by 240.00 feet parcel of land. The total area of potential effect equals 65,340 square feet or 1.5 acres. Ground disturbance is expected to be intensive and extensive from the use of heavy equipment. Mr. Howard is in the process of mission site lease approval through BIA.</p> <p><b>b. Existing Data Review:</b> A site file search of the project area was conducted at the Navajo Nation Historic Preservation Department (NNHPD) in Window Rock, Arizona. The file search indicated that no sites were previously recorded within 100 feet of the project area. Five previous projects were reported: #HPD-85-714, #HPD-04-1011, #HPD-83-507, #HPD-90-356 and #HPD-83-171. A check of Traditional Cultural Properties (TCP) was researched at the NNHPD/TCP office and no sacred places were reported within five (5) miles of the project area. The TCP Record Search Verification Form is attached.</p> <p><b>c. Area Environmental and Cultural Setting:</b> The project area is situated at an elevation of 5,954 feet above mean sea level. The proposed mission site is on a 1.5-acre parcel of undisturbed land. Vegetation consists of cedar shrub, snakeweed, locoweed, kochia, four-wing saltbush, yarrow, galleta, black grama, wild cabbage, Indian ricegrass and broom snakeweed. The nearest water resources are Dinnebito Wash to the southeast and several unnamed drainages to the northwest and west. The contemporary cultural setting is modern Navajo. The prehistoric use was Anasazi.</p> <p><b>d. Field Methods:</b> Carol S. Yazzie-Ward and Loretta Flatrock walked subparallel transects spaced 10-12 meters apart to survey for cultural resources. The survey included a buffer zone of 50 feet around the perimeter of the project area. The total area surveyed was 93,452.50 square feet or 2.14 acres. All exposed ground surfaces were carefully examined and special attention was given to areas of erosion and deflation. Mr. Howard was interviewed for knowledge of Traditional Cultural Properties or sacred places.</p>																						

**15. CULTURAL RESOURCES FINDINGS (Attach additional pages if necessary):**

**a. Location/Identification of Each Resource:** One cultural resources were inventoried, which is site #AZ-J-61-110 is a Anasazi sherd scatter date to PI-PIII (AD 750-1300). The Site Survey Management Form is attached. No Traditional Cultural Properties or sacred places were found.

**b. Evaluation of Significance of Each Resource:** The site is eligible for the National Register and merits protection under ARPA.

**16. MANAGEMENT SUMMARY OR RECOMMENDATIONS (Attach additional pages if necessary):**

Archaeological clearance is recommended for the mission site with associated utilities, the site will be fenced before any construction takes place. This site is between two existing dirt roads and is on the eastern boundary of the church boundary. No construction activities will take place within 50 feet of the site boundary.

**17. CERTIFICATION:**

Signature: Carol S. Yazzie-Ward for

Date: 05/06/2016

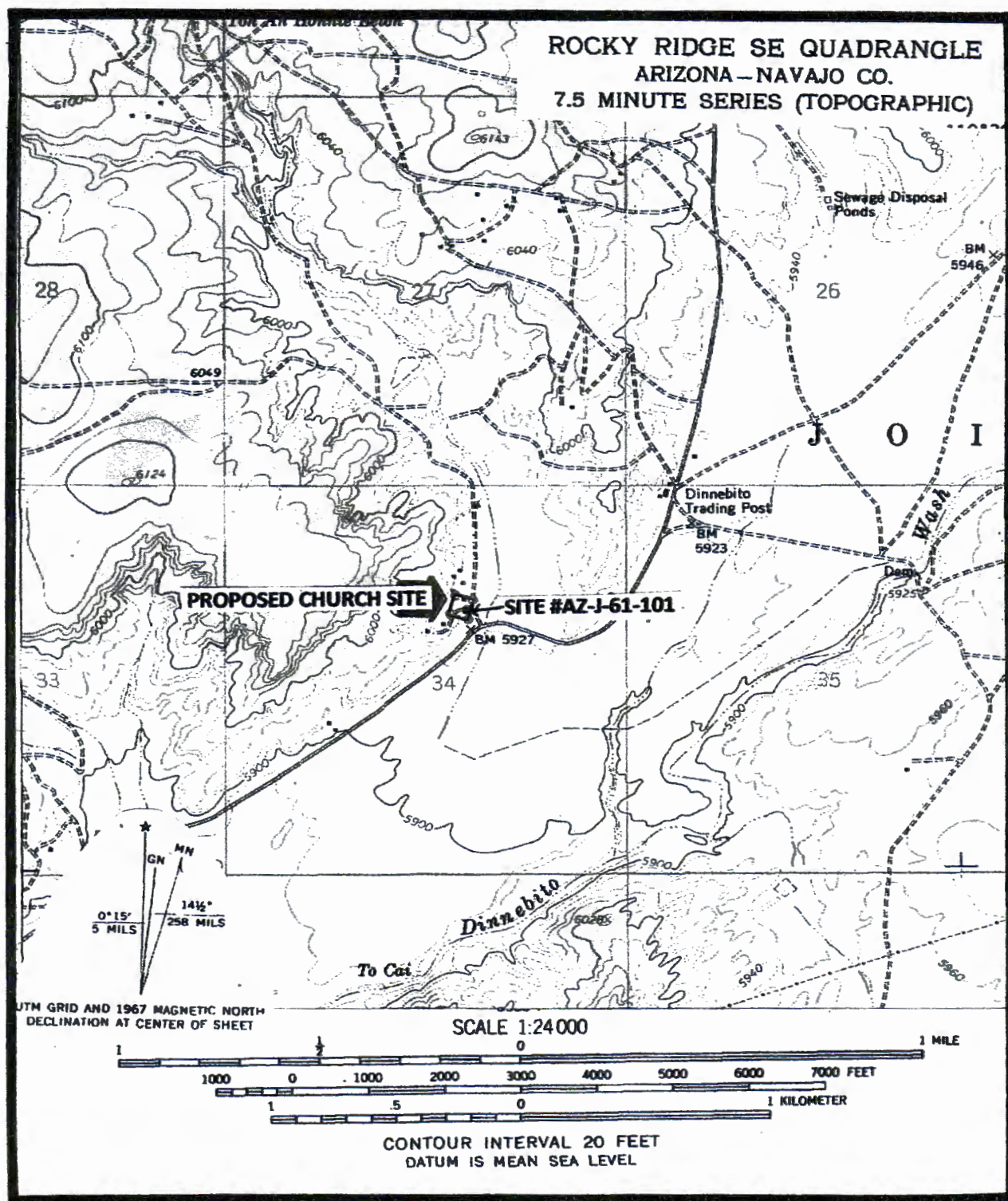
General Charge Name: Loretta Flatrock

Signature: Carol S. Yazzie-Ward

Date: 05/06/2016

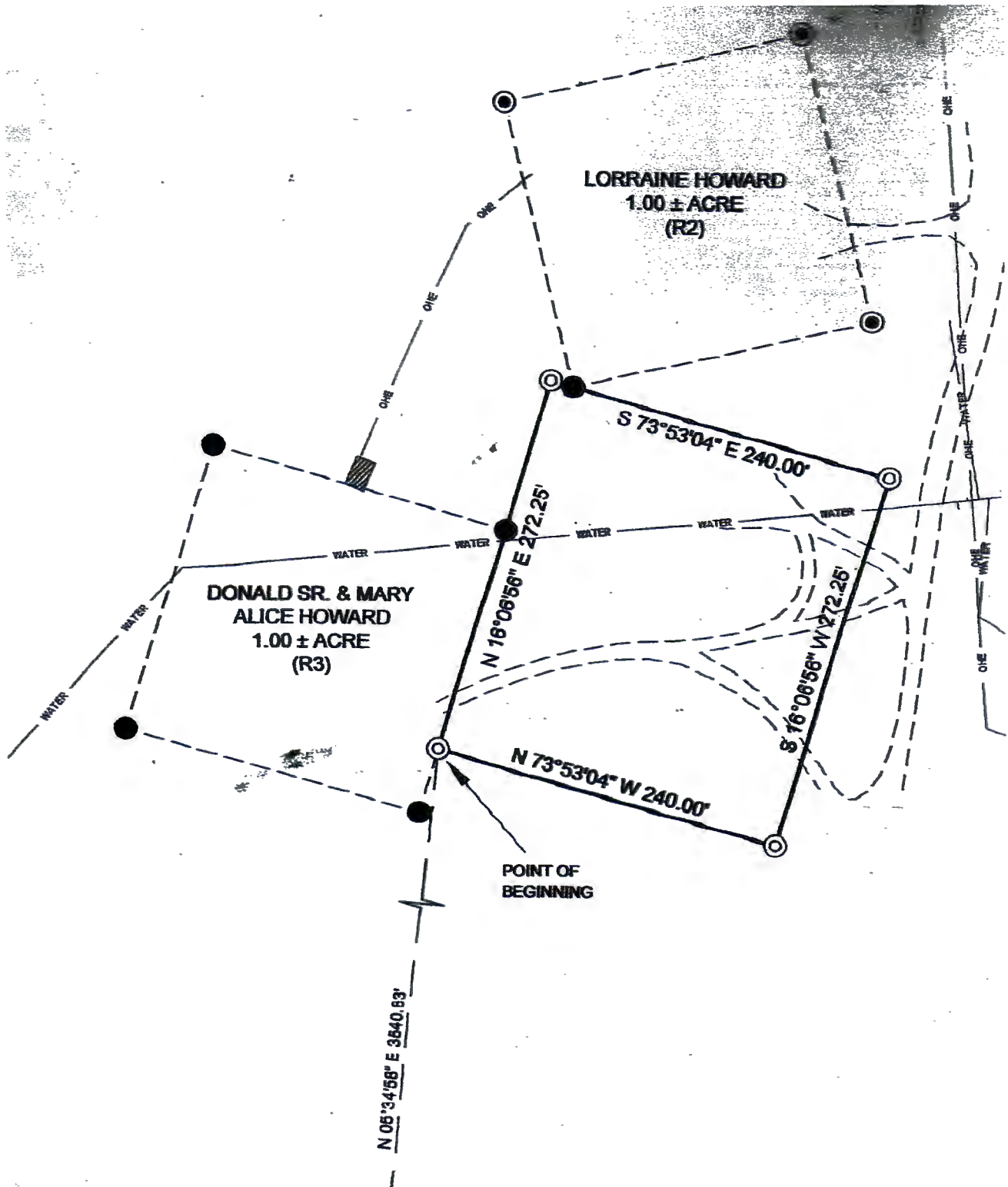
Direct Charge Name: Carol S. Yazzie-Ward





The project area is plotted on USGS Rocky Ridge SE Quadrangle, 7.5-minute series, Navajo County, Arizona within the Hardrock Chapter.





The proposed Rocky Ridge Full Gospel Church on 1.5 acres of land.

CSWTA, INC.  
SITE SURVEY AND MANAGEMENT FORM

SITE: AZ-J-61-110 FIELD (OR OTHER) NAME: \_\_\_\_\_ DATE RECORDED: April 16, 2016

PROJECT NUMBER AND NAME: CSWTA-ARCH-2016062: Cultural Resources Inventory Survey for the Proposed Rocky Ridge Full Gospel Church with Associated Utilities in the Vicinity of Hardrock (Rocky Ridge). Navajo County, Arizona.

ORGANIZATION: CSWTA, Inc. ARCHAEOLOGISTS: Carol S. Yazzie-Ward and Loretta Flatrock

USGS MAP REFERENCE: Rocky Ridge SE, 7.5 minute series, 1967

LEGAL LOCATION: Township 31N, Range 16E, Section 34

UTM: Zone 12, 3989717 Northing, 0535504 Easting

STATE: Arizona COUNTY: Navajo CHAPTER: Hardrock

LAND STATUS: Navajo Nation Tribal Trust Lands

GROUND VISIBILITY: KIND AND EXTENT OF COVER? 80% visibility, grass and a several saltbushes.

TOPOGRAPHY: On the bottom of a slope.

DRAINAGE: Dinnebito Wash is to the southeast and an unnamed drainage is east.

ELEVATION (ft/m): 5,948 ft. (1,813 m) SLOPE AND DIRECTION: 6 degrees, east.

SEDIMENT TYPE: Aeolian

OTHER: \_\_\_\_\_

VEGETATION PRESENT: Cedar shrub, snakeweed, locoweed, kochia, four-wing saltbush, yarrow, galleta, black grama, wild cabbage, Indian ricegrass and broom snakeweed.

CULTURAL AFFILIATION(S): Anasazi SITE TYPE: Sherd scatter

PERIOD(S) OF OCCUPATION (DATE, IF KNOWN): PI-PIII (A.D. 750-1300)

HOW DATED? Ceramics

DIMENSIONS OF SITE (L x W): 16.18 m by 9.57 m TOTAL AREA (SQ M): 154.84 square meters

HOW DETERMINED: Metric tape and compass

ARCHITECTURE PRESENT? No DESCRIBE: \_\_\_\_\_

ARTIFACTS OBSERVED/COUNTED: 32 gray ware sherds, 7 black-on-white sherds, 7 corrugated sherds and 3 red ware sherds

COLLECTION MADE: No OF WHAT? METHOD:

PHOTO TAKEN? No B/W ROLL: COLOR ROLL: FRAME(S):

SITE DESCRIPTION: This site is a small sherd scatter, which is located between to existing dirt roads that go to a homeseite up the hill to the west. The site is located in the middle of the eastern boundary of the proposed church mission site. The site contains 32 gray ware sherds, 7 black-on-white sherds, 7 corrugated sherds and 3 red ware sherds. The site measures 16.18 meters by 9.57 meters for a total of 154.84 square meters.

CONDITION OF SITE: Poor

CAUSES OF DISTRUBRANCE: Human, vehicle traffic and erosion.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located within the mission site boundary on the eastern side and between two dirt roads.

EXTENT OF INVESTIGATION TO DATE: This recording.

RESEARCH POTENTIAL: Potential, site may contribute information concerning PI, PII and PIII settlement patterns.

RECOMMENDATIONS: This site will be avoided since all construction activities will be in the northwestern portion of the mission site. We recommend that the site be fenced for protection from human and vehicle traffic.

SITE ASSESSMENT UNDER 36 CFR 60.4 (NATIONAL REGISTER):

INTEGRITY: Has integrity on context and association.

CRITERIA a-d: Eligible under criterion d.

50 YEAR GUIDELINE: Meets.

EXCLUSIONS: None

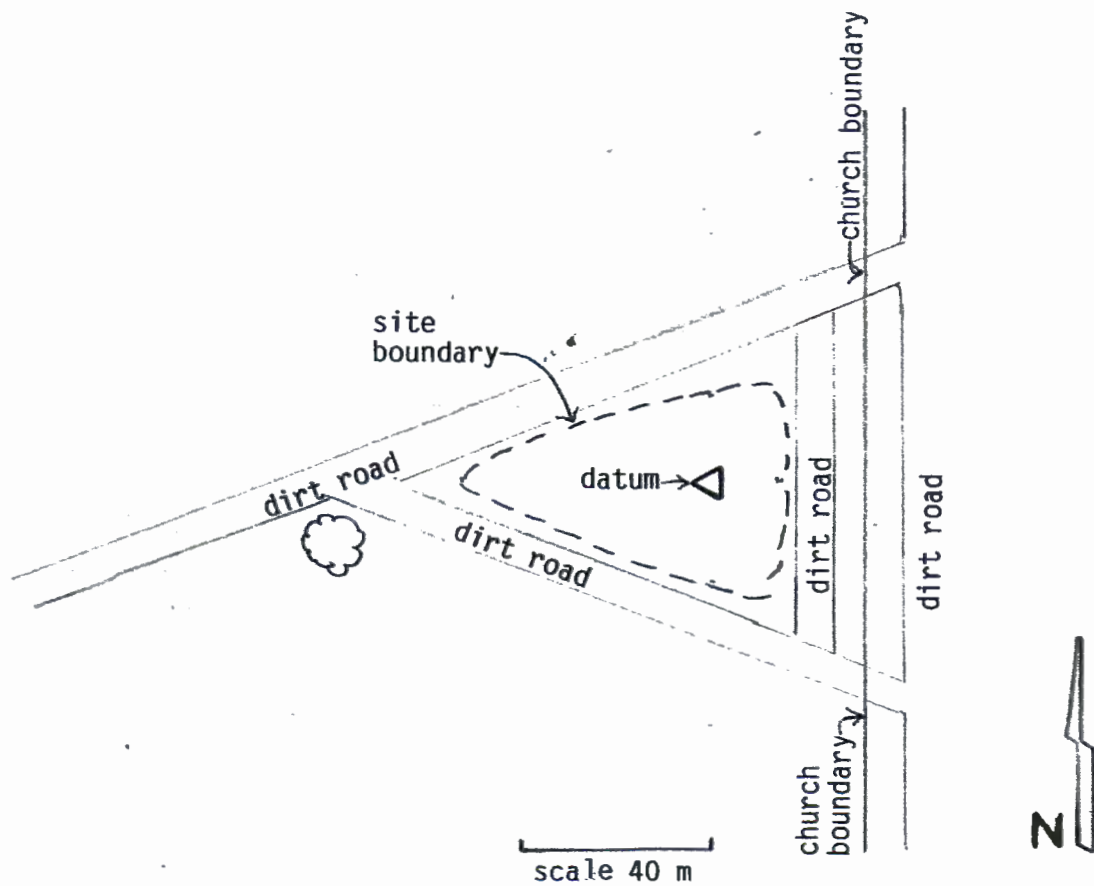
SITE ASSESSMENT UNDER 43 CFR 7.3 (ARPA): This site is over 100 years old and merits protection under ARPA.

SITE ASSESSMENT UNDER AMERICAN INDIAN RELIGIOUS FREEDOM ACT: This site has no known qualities meriting consideration under AIRFA.

PROVIDE A SITE MAP: (INCLUDING SITE DESIGNATION, NORTH ARROW, RECOGNIZABLE FEATURES, LANDMARKS, AND RELATIONSHIP TO PROJECT AREA).

HOW CAN SITE BE REACHED? USGS Rocky Ridge SE Quadrangle is attached.

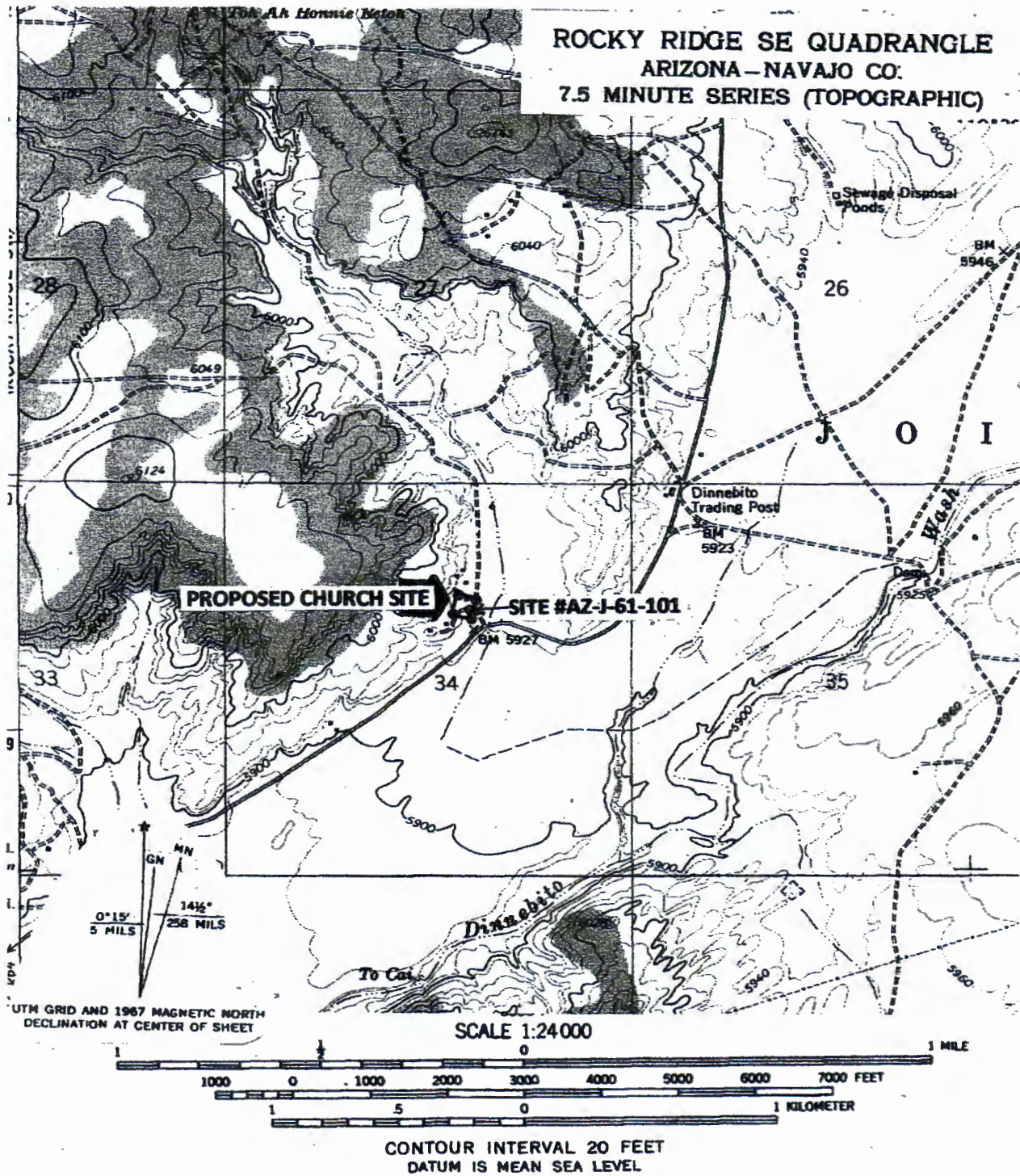
OTHER COMMENTS (ETHNOGRAPHIC DATA, ETC.):



MAP OF SITE #AZ-J-61-110



ROCKY RIDGE SE QUADRANGLE  
ARIZONA-NAVAJO CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)



SITE #AZ-J-61-110 PLOTTED ON USGS ROCKY RIDGE SE QUADRANGLE.





## Historic Preservation Department

PO Box 4950, Window Rock, AZ 86515  
TEL: (928) 871-7198 / 7134 FAX: (928) 871-7886

### TRADITIONAL CULTURAL PROPERTY (TCP) RECORD SEARCH VERIFICATION FORM

**\*\*TCP WILL NOT SIGN/APPROVE IF THIS PORTION IS LEFT BLANK\*\***

<b>Project Information:</b>	
DATE	April 11, 2016
RESEARCHER & COMPANY	Carol S. Yazzie-Ward/CSWTA, Inc.
PROJECT NAME	Rocky Ridge Full Gospel Church proposed mission site on 1½ acres of land.
PROJECT/PERMIT NUMBER	CSWTA-ARCH-2016062/B16257
PROJECT LOCATION	Hardrocks, Navajo County, Arizona.

**\*\*\*TO BE FILLED OUT & SIGNED BY AUTHORIZED NNHPD STAFF ONLY\*\*\***

<b>A literature search of TCP Records at NNHPD on the above date indicates the following:</b>	
<input checked="checked" type="checkbox"/>	There are <u>no</u> TCP(s) present within the project area and/or buffer zone. The project may proceed as proposed.
<input type="checkbox"/>	TCP(s) <u>are</u> present within the project area and/or buffer zone. Project may have the potential to adversely affect TCP(s). Please document TCP(s) as a summary (with only general location information) in the body of reports submitted for review to HPD/CRCS. Give full detail on the TCP Documentation Forms in a separate, and clearly labeled, confidential appendix.
<input type="checkbox"/>	Project may proceed with the following stipulations:
<input type="checkbox"/>	Further consultation is required. Consult with the following:
<input type="checkbox"/>	There are no mitigative measures. Project may not proceed.

NNHPD/TCP Program  
Reviewer:

Date: 4/11/16

**\*\*Return this form along with report to the NNHPD/Compliance Section\*\***

Note: In addition to the TCP Record search, the consultant must demonstrate that a good-faith effort to consult with 1.) Surface user(s): grazing-permit holder(s) (individuals whose consents for right-of-way have been sought by developer); any other residents in or within view of the proposed project area. 2. Chapter(s) within which the proposed project is located: chapter officers and/or delegate(s) of the Navajo Nation Council; at the request of any of these individuals, the developer's consulting anthropologist will also make a presentation at a meeting of general chapter membership. 3. Other knowledgeable people recommended by the present surface user(s), chapter officials, and chapter members.



## NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

May 3, 2016

Donald Howard  
P.O. Box 1064  
Hotevilla, Arizona 86030

### RE: UTILITY CLEARANCE

Dear Mr. Howard:

This letter is in response to your request for water and wastewater clearance letter from NTUA for your business site lease in Rocky Ridge, Arizona. This site is located at 1/2 Mile southwest of Rocky Ridge General Store adjacent to Navajo Route 62. The following was observed:

**WATER:** There is an existing 2" PVC Water main going through the site in the upper area of your site. There is also a 4" PVC waterline 120' from the northeast corner of your site.

**WASTEWATER:** There are no existing sewer lines in the area.

At this time NTUA cannot determine if your site will be feasible to serve with a water line extension. We will need to review your construction plans to determine if the existing services are feasible to serve your development of the area. A Permission-to-tap form will need to be submitted to NTUA for review and approval before any connections are made to any development at the site.

Enclosed is a quad map of NTUA's existing waterline for your convenience. If you have any questions, please call our office at (800) 528-5011 ext. 3407.

Sincerely,

Willette Edwards, Engineering Technician  
Tuba City NTUA District Office



XC: File

Home Office: P.O. BOX 170 FT. DEFIANCE, AZ 86504	KAYENTA P.O. BOX 37 KAYENTA, AZ 86033	TUBA CITY P.O. BOX 398 TUBA CITY, AZ 86045	SHIPROCK P.O. BOX 1749 SHIPROCK, NM 87420	CHINLE P.O. BOX 549 CHINLE, AZ 86503	FORT DEFIANCE P.O. BOX 587 FT. DEFIANCE, AZ 86504	DILCON HC 63 BOX D WINSLOW, AZ 86047	CROWNPOINT P.O. BOX 1825 CROWNPOINT, NM 87313
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CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community. Copyright© 2013 National Geographic Society. Licensed





## NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

May 3, 2016

Donald Howard  
P.O. Box 1064  
Hotevilla, Arizona 86030

### RE: UTILITY CLEARANCE-ELECTRIC

Dear Mr. Howard:

This letter is in response to your request for Electric powerline clearance letter from NTUA for your business site lease in Rocky Ridge, Arizona. This site is located at 1/2 Mile southwest of Rocky Ridge General Store adjacent to Navajo Route 62. The following was observed:

**ELECTRIC:** This area is an NTUA service area. There is an existing NTUA single phase powerline located 150 feet East of the site.

With the recommendations above, this project is considered feasible to serve with electric service from NTUA. Our office requires a letter indicating the type of load center that will be used to serve the project site. This information will be used to ensure that NTUA's electric lines will accommodate the load.

A housewiring affidavit/certification is required from the certified electrician who wires the building and installs the meter loop. Other required documents include: a business site lease, a Commercial service application, and a Right-of Way approval by the landholder(s), and a Chapter Resolution supporting your plans.

Enclosed is a quad map of NTUA's existing powerline for your convenience. If you have any questions, please call our office at (800) 528-5011 Ext. 3407.

Sincerely,

Willette Edwards, Engineering Technician  
Tuba City NTUA District Office

Home Office: P.O. BOX 170 FT. DEFIANCE, AZ 86504	KAYENTA P.O. BOX 37 KAYENTA, AZ 86033	TUBA CITY P.O. BOX 398 TUBA CITY, AZ 86045	SHIPROCK P.O. BOX 1749 SHIPROCK, NM 87420	CHINLE P.O. BOX 549 CHINLE, AZ 86503	FORT DEFIANCE P.O. BOX 587 FT. DEFIANCE, AZ 86504	DILCON HC 63 BOX D WINSLOW, AZ 86047	CROWNPOINT P.O. BOX 1825 CROWNPOINT, NM 87313
--	---	--	---	--	---	--	---

CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.





Indian Route 62

LEGEND

EXISTING POWERLINE  
(Single Phase 44.4 KV)

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, GeoEye, AeroMap, IGN, IGP, swisstopo, and the GIS User Community, Copyright © 2013 National Geographic Society, i-cubed





United States Department of the Interior  
Bureau of Indian Affairs  
Navajo Regional Office

*Application for Permission to work within BIA Road Right-of-Way for other than driveways  
or utility installations*

(Authorization: 23 USC Part 111, 23 CFR SubChapter A, Part 1.23, 25 CFR Part 169.15)  
Rev: 05/15/2012

**Background:** (to be filled out by Agency DOT Office)

Agency: Chinle  
Route No: NB027  
Project No: NB027/0  
8027

Date: 08/22/2016  
Permit No: 5N370-2016-8027-008  
(Assigned by NRDOT Office)

**Section (A):** to be filled out by applicant

APPLICATION is hereby made by Donald Howard,  
address: P.O. Box 106A, Hotevilla, Az 86480 Phone: 928-613-8810 to  
Construct Roadway at the following location(s) Rocky Ridge, Az adjacent to BIA  
Route Station/Mile Post: Rt. 8027 Street: Broken Dam Road for the purpose  
of (access to): / / residence / ☒ Business: Church / / School:  
/ X / Other: Church. The work shall be carried out by the  
applicant on or by (date) 2017 And shall take 14 calendar days to complete. The  
applicant further agrees to comply with all the conditions, restrictions, and regulations of both  
the BIA Navajo Division of Transportation (NRDOT) and the Navajo Nation including the  
requirements of Section (B) thru (E) below.

**Section (B):** to be filled out by the Agency DOT Engineer

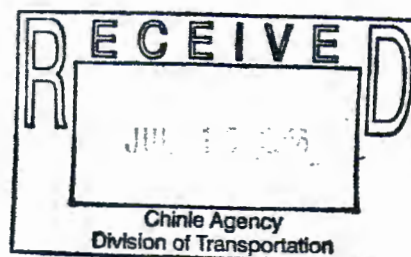
The above work shall require the following appurtenances which the applicant agrees to install in  
accordance with the BIA NRDOT design and construction standards. The applicant further  
agrees to maintain (at his/her entire expense) these appurtenances in good repair for the safety of  
the traveling public unless otherwise specified herein.

The above location(s) shall require: a work area width of: 5 long with: ☒ Unit  
cattle guard; with / / gate / / no gate; fencing Type: / / 5 strand barb wire / / woven wire / /  
chain link; ☒ Other: Construct 16 ft. wide turnout to Church / / culverts in  
accordance with BIA NRDOT standards enclosed. The work area(s) shall require construction of  
/ / PCC curbing / / PCC gutter / / PCC sidewalk in accordance with BIA NRDOT standards  
enclosed.

RECEIVED

JUL 27 2016

Navajo Region  
Division of Transportation



Document No. 007627Date Issued: 02/27/2017**EXECUTIVE OFFICIAL REVIEW**Title of Document: RUP Rocky Ridge Full Gospel ChurContact Name: YAZZIE, ELERINA BProgram/Division: DIVISION OF NATURAL RESOURCESEmail: michellehoskie@frontier.comPhone Number: 928-871-6447☐ **Business Site Lease** Sufficient    Insufficient

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

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

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

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

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

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

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

☐ **Lease Purchase Agreements**

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

☐ **Grant Applications**

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

☐ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

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

☐ **Relinquishment of Navajo Membership**

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



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

Sufficient    Insufficient

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

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

1. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
6. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
7. DOJ \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
8. OPVP (ic) \_\_\_\_\_ Date: 4-12-17 ☒ ☐  
*ms* Date: 5-15-17 ☒ ☐

☐ **Rights of Way**

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

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

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

☐ **Assignment of Mineral Lease**

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

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

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

☐ **OTHER:**

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



☐ RESUBMITTAL

# NAVAJO NATION DEPARTMENT OF JUSTICE

## DOCUMENT REVIEW REQUEST FORM



DOJ
04-05-17 @ 940a
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 007627
SAS #:
UNIT: NRW

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

### CLIENT TO COMPLETE

DATE OF REQUEST: 4/5/2017 DIVISION: NATURAL RESOURCES  
CONTACT NAME: Michelle Hoskie or Stevie Hudson DEPARTMENT: GENERAL LAND DEVELOPMENT DEPARTMENT  
PHONE NUMBER: x 6447 E-MAIL: steviehudson@frontier.com  
TITLE OF DOCUMENT: RUP ROCKY RIDGE FULL GOSPEL CHURCH

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 4/5/17 10AM REVIEWING ATTORNEY/ADVOCATE: Irvin Choe 4/11/17  
DATE TIME OUT OF UNIT: 4/18/17 9:39 dm

### DOJ ATTORNEY / ADVOCATE COMMENTS

Doc. Rtd. to GLDD Off. to insert Rental Rate in the Lease. Rental Rate is inserted in the lease. Document is now legal sufficient.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Irvin Choe	4-12-17	Blackhart	4-12-17 3:40pm
DOJ Secretary Called: Michelle OS Stevie for Document Pick Up on 4/18/17 at 10:39 By: dm			

PICKED UP BY: (Print) DATE / TIME:



Document No. 007627Date Issued: 02/27/2017**EXECUTIVE OFFICIAL REVIEW**Title of Document: RUP Rocky Ridge Full Gospel Chur Contact Name: YAZZIE, ELERINA BProgram/Division: DIVISION OF NATURAL RESOURCESEmail: michellehoskie@frontier.com Phone Number: 928-871-6447☐ **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: _____ | □ | □ |



# RUP Rocky Ridge Full Gospel Church

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

### Document Information

Document Name: 002\_H002\_00007627.zip  
Revision:  
Version: 1  
Document Desc:  
Document Author: Stevie Hudson GLDD (Navajo Land Title Data System - Windowrock AZ)  
Document Status: Sufficient  
DocumentType: 164 Review Process  
Effective Date: 04-Apr-2017  
Expires: Never  
Uploaded from:  
Navajo Land Title Data System (NLTDs) Phase 1: Plan for Quality Management System  
Step 989: 002\_H002\_00007627  
Task 1: Upload and Manage Documents  
Size: 13841 KB  
Date Uploaded: 27-Feb-2017  
Maintained by: Project Management Team

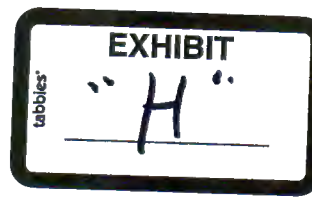
### No Document Distribution Locations

### Tier 1 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date
Eugenia Quintana EPA (Navajo Land Title Data System - Windowrock AZ)	Air and Toxics - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. No comments.	1.	03-Mar-2017
Lee Anna Martinez EPA (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. Please consult with our office should your project impact any waterway, ephemeral or perennial. A Clean Water Act section 401 Certification may be needed. You may contact us at 928-871-7690. Thank you.	1.	01-Mar-2017
Pam Kyselka F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. BRCF attached. Ref#16RRFG01a3	1.	20-Mar-2017
Pam Maples EPA (Navajo Land Title Data System - Windowrock AZ)	Storage Tanks Program - Reviewer	Navajo Nation Environmental Protection Agency	Approved	no comments	No Reply	28-Feb-2017
Patrick Antonio EPA (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Supervisor	Navajo Nation Environmental Protection Agency	Approved	1. EA for the project indicates intent to seek coverage under the federal Construction General Permit for storm water discharges.	1.	27-Feb-2017
Robert Allan DNR (Navajo Land Title Data System - Windowrock AZ)	Deputy Director DNR	DNR Administration	Approved	1. Typographical errors will have to be addressed in the permit itself.	1.	23-Mar-2017
Tamara Billie NNHP (Navajo Land Title Data System - Windowrock AZ)	HPD Reviewer	Historic Preservation Department	Approved	1. I've linked a revised copy of the Archaeological Inventory Report & site form indicating that site AZ-J-61-110 is ineligible to the National Register of Historic Places. The EA prepared by ETD, Inc. should incorporate this new information on Page 10.	1.	02-Mar-2017
Yolanda Barney EPA (Navajo Land Title Data System - Windowrock AZ)	Public Water System Supervision Program	Navajo Nation Environmental Protection Agency	Approved	no comments	No Reply	27-Feb-2017

### Tier 3 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date
Bidtah N. Becker (FBFA)	FBFA Users	FBFA Action Team	Approved	no comments	No Reply	03-Apr-2017
Richard Begay NNHP (Navajo Land Title Data System - Windowrock AZ)	Navajo Nation Historic Preservation Officer	Historic Preservation Department	Approved	1. No comments. Survey and compliance form attached. No stipulations	1.	27-Mar-2017
Ronnie Ben EPA (Navajo Land Title Data System - Windowrock AZ)	Underground Injection Control - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. approval contingent on compliance with all NN and Federal Environmental laws.	1.	29-Mar-2017
Sam Diswood (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	no comments	No Reply	23-Mar-2017
Steven Prince MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	no comments	No Reply	23-Mar-2017
W. Mike Halona (Navajo Land Title Data System - Windowrock AZ)	Manager III Navajo Land Department	NLD Administration	Approved	no comments	No Reply	27-Mar-2017



10/01/14  
FORM Mission Site

**TERMS AND CONDITIONS FOR MISSION SITE PERMIT**  
**Rocky Ridge Full Gospel Church, Inc. (PERMITTEE)**

1. This Mission Site Permit is issued to the Rocky Ridge Full Gospel Church, INC., Post Office Box 1064, Hotevilla, Arizona 86030 to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resource & Development Committee of the Navajo Nation Council or authorized representative. This Permit is authorized by Resources and Development Committee No. \_\_\_\_\_.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The Permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is "NOT A LEASE" and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
3. The Permittee shall be given at least thirty (30) days written notices before this Mission Site Permit is terminated and revoked. Upon termination of the Mission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resource and Development Committee of the Navajo Nation Council.
5. This Permit shall be reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

**TRACT DESCRIPTION**

A parcel of land situated within Section 34, Township 31 North, Range 16 East, Gila & Salt River Meridian, District 4, Navajo Nation, In Hardrock, Navajo County, State of Arizona, more particularly described as follows:

Commencing at the south quarter corner of section 34 marked by B.L.M. Brass Cap, from which the Southwest Corner of said Section 34 lies S 89°56'16"E, a distance of 2,642.65 feet (Basis of Bearings, GPS Derived N 00°01'00"W, 2,642.64 feet per B.L.M. Survey Plat 1278-A, dated September 17, 1981, R1) Thence N 05°34'58"E, a distance of 3,540.83 feet to a 5/8 rebar with plastic cap stamped "GPS RLS 42048" being the point of beginning of the herein described parcel of land;

Thence N 16°06'56"E, a distance of 272.25 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence S 73°53'04"E, a distance of 240.00 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence S 16°06'56"W, a distance of 272.25 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence N 73°53'04"W, a distance of 240.00 feet to the Point of Beginning.

Said Parcel containing 1.5 acres more or less in area and being subject to any restrictions, easements and reservations of record.

7. The annual rental is set at \$ 15.00 per year and is due on or before the first day January of each year the Permit remains in effect. Pursuant to 16 N.N.C. § 1157, if the Permittee fails to pay the rent when due, this permit shall automatically terminate. The Permittee is responsible to make direct payments to the Navajo Nation Accounts Receivable Section, Post Office Box 3150, Window Rock, Arizona 86515.
8. The Permittee may develop, use and occupy the area under the permit for the purpose(s) of Mission Site. The Permittee may not develop, use or occupy the area under the permit for any other purpose without the prior written approval of the Navajo Nation. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Permittee may not develop, use or occupy the area under the permit for any unlawful purpose.
9. In all activities conducted by the Permittee within the Navajo Nation, the Permittee shall abide by all laws and regulations of the Navajo Nation and of the United States, now in force and effect or as hereafter may come into force and effect, including but not limited to the following:
  - a. Title 25, Code of Federal Regulations, Part 162.
  - b. All applicable Federal and Navajo Nation antiquities laws and regulations, with the following additional condition: In the event of a discovery all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified immediately. As use herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not



limited to archeological deposits, humans remains, or location reportedly associated with Native American religious/traditional beliefs or practices;

- c. The Navajo Nation Preference in Employment Act, 15 N.N.C. §§ 601 et seq.; and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq. and
  - d. The Navajo Nation Water Code, 22 N.N.C. §§ 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
- 10. The Permittee shall ensure that the air quality of the Navajo Nation is not jeopardized due to Violation of applicable laws and regulations by its operations pursuant to the permit.
  - 11. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.
  - 12. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.
  - 13. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use of occupancy or use of the permit area by the Permittee.
  - 14. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation.
  - 15. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
    - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
    - b. No-Use of the permit; and

- c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
16. At the termination of the permit, the Permittee shall peaceably and without legal process deliver up the possession of the premise, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
17. The Permittee shall give written notice to the Navajo Nation Land Department regarding any change to the Permittee's contact information, address, leadership, organizational name, or any other substantial change to the organization. The notices shall be given within thirty (30) days and delivered to the Navajo Land department at Post Office Box 2249, Window Rock, Arizona 86515.
18. Holding over by the Permittee after the termination of the permit shall not constitute a renewal or extension thereof or give the Permittee any rights hereunder or in or to the land subject to the permit or to any improvement located thereon.
19. The Navajo Nation shall have the right, at any reasonable time during the term of the permit, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
20. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgements for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.
21. By acceptance of the grant of the permit, the Permittee covenants and agrees never to contest or challenge the legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the general health and welfare) over all lands, persons and activities within its territorial boundaries, or on any other basis not generally applicable to a similar challenge to the jurisdiction of a state government. Nothing contained in this provision shall be construed to negate or impair federal responsibilities with respect to the land subject to the permit or to the Navajo Nation.
22. Any action or proceeding brought by the Permittee against the Navajo Nation in connection with or arising out of the terms and conditions of the permit shall be resolved

administratively under the laws of the Navajo Nation, and no action or proceeding shall be brought by the Permittee against the Navajo Nation, in any court of any state.

23. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
24. Except as prohibited by applicable federal law, the law of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
25. The terms and conditions contained herein shall extend to and be binding upon the successors, heirs, assigns, executors, administrators, employees and agents, including all contractors and subcontractors, of the Permittee, and the term "Permittee" whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
26. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the area under the permit and all lands burdened by the permit, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the area under the permit; and the area under the permit and all lands burdened by the permit shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.

Date: Feb. 09, 2017

Date: \_\_\_\_\_

By: Donald Howard  
Rocky Ridge Full Gospel Church, Inc.  
Permittee

By: \_\_\_\_\_  
President  
Navajo Nation





**TERMS AND CONDITIONS FOR MISSION SITE PERMIT**  
**Rocky Ridge Full Gospel Church, Inc. (PERMITTEE)**

1. This Mission Site Permit is issued to the Rocky Ridge Full Gospel Church, INC., Post Office Box 1064, Hotevilla, Arizona 86030 to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resource & Development Committee of the Navajo Nation Council or authorized representative. This Permit is authorized by Resources and Development Committee No. \_\_\_\_\_.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The Permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is "NOT A LEASE" and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
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Said Parcel containing 1.5 acres more or less in area and being subject to any restrictions, easements and reservations of record.

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limited to archeological deposits, humans remains, or location reportedly associated with Native American religious/traditional beliefs or practices;

- c. The Navajo Nation Preference in Employment Act, 15 N.N.C. §§ 601 et seq.; and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq. and
  - d. The Navajo Nation Water Code, 22 N.N.C. §§ 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
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  12. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.
  13. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use of occupancy or use of the permit area by the Permittee.
  14. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation.
  15. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
    - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
    - b. No-Use of the permit; and



- c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
16. At the termination of the permit, the Permittee shall peaceably and without legal process deliver up the possession of the premise, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
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20. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgements for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.
21. By acceptance of the grant of the permit, the Permittee covenants and agrees never to contest or challenge the legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the general health and welfare) over all lands, persons and activities within its territorial boundaries, or on any other basis not generally applicable to a similar challenge to the jurisdiction of a state government. Nothing contained in this provision shall be construed to negate or impair federal responsibilities with respect to the land subject to the permit or to the Navajo Nation.
22. Any action or proceeding brought by the Permittee against the Navajo Nation in connection with or arising out of the terms and conditions of the permit shall be resolved

administratively under the laws of the Navajo Nation, and no action or proceeding shall be brought by the Permittee against the Navajo Nation, in any court of any state.

23. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
24. Except as prohibited by applicable federal law, the law of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
25. The terms and conditions contained herein shall extend to and be binding upon the successors, heirs, assigns, executors, administrators, employees and agents, including all contractors and subcontractors, of the Permittee, and the term "Permittee" whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
26. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the area under the permit and all lands burdened by the permit, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the area under the permit; and the area under the permit and all lands burdened by the permit shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.

Date: February 07, 2017

By: Donald Howard  
Rocky Ridge Full Gospel Church, Inc.  
Permittee

Date: May 18, 2017

By: Kenell Begay  
President  
Navajo Nation

**TERMS AND CONDITIONS FOR MISSION SITE PERMIT**  
**Rocky Ridge Full Gospel Church, Inc. (PERMITTEE)**

1. This Mission Site Permit is issued to the Rocky Ridge Full Gospel Church, INC., Post Office Box 1064, Hotevilla, Arizona 86030 to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resource & Development Committee of the Navajo Nation Council or authorized representative. This Permit is authorized by Resources and Development Committee No. \_\_\_\_\_.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The Permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is "NOT A LEASE" and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
3. The Permittee shall be given at least thirty (30) days written notices before this Mission Site Permit is terminated and revoked. Upon termination of the Mission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resource and Development Committee of the Navajo Nation Council.
5. This Permit shall be reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

**TRACT DESCRIPTION**

A parcel of land situated within Section 34, Township 31 North, Range 16 East, Gila & Salt River Meridian, District 4, Navajo Nation, In Hardrock, Navajo County, State of Arizona, more particularly described as follows:



Commencing at the south quarter corner of section 34 marked by B.L.M. Brass Cap, from which the Southwest Corner of said Section 34 lies S 89°56'16"E, a distance of 2,642.65 feet (Basis of Bearings, GPS Derived N 00°01'00"W, 2,642.64 feet per B.L.M. Survey Plat 1278-A, dated September 17, 1981, R1) Thence N 05°34'58"E, a distance of 3,540.83 feet to a 5/8 rebar with plastic cap stamped "GPS RLS 42048" being the point of beginning of the herein described parcel of land;

Thence N 16°06'56"E, a distance of 272.25 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence S 73°53'04"E, a distance of 240.00 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence S 16°06'56"W, a distance of 272.25 feet to a 5/8" rebar with Plastic cap stamped GPS RSL 42048;

Thence N 73°53'04"W, a distance of 240.00 feet to the Point of Beginning.

Said Parcel containing 1.5 acres more or less in area and being subject to any restrictions, easements and reservations of record.

7. The annual rental is set at \$ 15.00 per year and is due on or before the first day January of each year the Permit remains in effect. Pursuant to 16 N.N.C. § 1157, if the Permittee fails to pay the rent when due, this permit shall automatically terminate. The Permittee is responsible to make direct payments to the Navajo Nation Accounts Receivable Section, Post Office Box 3150, Window Rock, Arizona 86515.
8. The Permittee may develop, use and occupy the area under the permit for the purpose(s) of Mission Site. The Permittee may not develop, use or occupy the area under the permit for any other purpose without the prior written approval of the Navajo Nation. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Permittee may not develop, use or occupy the area under the permit for any unlawful purpose.
9. In all activities conducted by the Permittee within the Navajo Nation, the Permittee shall abide by all laws and regulations of the Navajo Nation and of the United States, now in force and effect or as hereafter may come into force and effect, including but not limited to the following:
  - a. Title 25, Code of Federal Regulations, Part 162.
  - b. All applicable Federal and Navajo Nation antiquities laws and regulations, with the following additional condition: In the event of a discovery all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified immediately. As use herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not

limited to archeological deposits, humans remains, or location reportedly associated with Native American religious/traditional beliefs or practices;

- c. The Navajo Nation Preference in Employment Act, 15 N.N.C. §§ 601 et seq.; and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq. and
  - d. The Navajo Nation Water Code, 22 N.N.C. §§ 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
- 10. The Permittee shall ensure that the air quality of the Navajo Nation is not jeopardized due to Violation of applicable laws and regulations by its operations pursuant to the permit.
  - 11. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.
  - 12. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.
  - 13. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use of occupancy or use of the permit area by the Permittee.
  - 14. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation.
  - 15. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
    - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
    - b. No-Use of the permit; and

- c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
16. At the termination of the permit, the Permittee shall peaceably and without legal process deliver up the possession of the premise, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
17. The Permittee shall give written notice to the Navajo Nation Land Department regarding any change to the Permittee's contact information, address, leadership, organizational name, or any other substantial change to the organization. The notices shall be given within thirty (30) days and delivered to the Navajo Land department at Post Office Box 2249, Window Rock, Arizona 86515.
18. Holding over by the Permittee after the termination of the permit shall not constitute a renewal or extension thereof or give the Permittee any rights hereunder or in or to the land subject to the permit or to any improvement located thereon.
19. The Navajo Nation shall have the right, at any reasonable time during the term of the permit, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
20. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgements for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.
21. By acceptance of the grant of the permit, the Permittee covenants and agrees never to contest or challenge the legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the general health and welfare) over all lands, persons and activities within its territorial boundaries, or on any other basis not generally applicable to a similar challenge to the jurisdiction of a state government. Nothing contained in this provision shall be construed to negate or impair federal responsibilities with respect to the land subject to the permit or to the Navajo Nation.
22. Any action or proceeding brought by the Permittee against the Navajo Nation in connection with or arising out of the terms and conditions of the permit shall be resolved




administratively under the laws of the Navajo Nation, and no action or proceeding shall be brought by the Permittee against the Navajo Nation, in any court of any state.

23. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
24. Except as prohibited by applicable federal law, the law of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
25. The terms and conditions contained herein shall extend to and be binding upon the successors, heirs, assigns, executors, administrators, employees and agents, including all contractors and subcontractors, of the Permittee, and the term "Permittee" whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
26. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the area under the permit and all lands burdened by the permit, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the area under the permit; and the area under the permit and all lands burdened by the permit shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.

Date: Feb. 09, 2017

By:   
Rocky Ridge Full Gospel Church, Inc.  
Permittee

Date: May 18, 2017

By:   
President  
Navajo Nation



## NAVAJO NATION CORPORATION ACT

### CERTIFICATE OF INCORPORATION

*To all to Whom these Presents Shall Come, Greeting:*

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

\*\*\*ROCKY RIDGE FULL GOSPEL CHURCH, INC.\*\*\*  
(Non Profit)  
File Number: 102079

a corporation organized under the laws of the jurisdiction of the Navajo Nation, was on  
the 13th day of May, 2016

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

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



IN WITNESS WHEREOF, I have hereunto set  
my hand and affixed the official seal of the  
Navajo Nation Corporation Act at Window  
Rock, Arizona, this 13th

day of May, 2016 A.D.

Clarence Chee  
Manager, Business Regulatory Department



# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

May 13, 2016

Donald Howard, Sr.  
PO Box 1064  
Hotevilla, Arizona 86030

RE: File Number 102079

Dear Incorporator:

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

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

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

Sincerely,

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

Clarence Chee  
Department Manager  
Business Regulatory Department  
Division of Economic Development

Enclosures



**ARTICLES OF INCORPORATION  
OF  
ROCKY RIDGE FULL GOSPEL CHURCH, INC.**

**FILED**

File Number: 102079

MAY 18 2016

Navajo Nation Corporation Act.

Department Manager

The undersigned natural person(s), acting as incorporators of a corporation under the Navajo Nation Corporation Act. Hereby adopts(s) the following Articles of Incorporation for such purpose

**ARTICLE I**

The name of the corporation shall be: Rocky Ridge Full Gospel Church, Inc., its principal place of business is Rocky Ridge, Navajo County, Arizona.

**ARTICLE II**

The official mailing address for this corporation shall be Rocky Ridge Full Gospel Church, Inc., N8027 and Broken Dam Road, Post Office Box 1064, Hotevilla, Arizona 86030.

**ARTICLE III**

The time of existence of this non-profit corporation shall be perpetual.

**ARTICLE IV**

**PURPOSE:** The purpose for which this corporation is organized in the transaction of any and all lawful business for which non-profit corporations may be incorporated under the laws of the Navajo Nation, as they may be amended from time to time.

**ARTICLE V**

**CHARACTER OF AFFAIRS:** The corporation initially intends to establish a Church for religious and charitable purposes and to propagate the Gospel of Jesus Christ according to the Holy Bible, and specifically, but not limited to: Christian Worship Services every Sunday mornings, evenings and Wednesday evening, Funeral, Counseling, Benevolent Activities, Christian Education, Conduct Wedding in accordance with Biblical Principles and other Christian related activities, approved by the Board of Directors.

**ARTICLE VI**

**INITIAL BUSINESS:** This corporation is a religious corporation and is not organized for private gain of any person. It is organized under the Non-profit Religious Corporation Law exclusively for religious purposes. The specific of this corporation is to operate a church for religious purposes and be able to contract, rent, buy, sell personal or real

property and to have and exercise all rights and powers conferred on a non-profit corporation under the laws of the Navajo Nation and the State of Arizona.

#### ARTICLE VII

No part of the net earnings of the corporation shall incur to the benefit of, or be distributed to it's members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in ARTICLE V.

#### ARTICLE VIII

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payments of all of the liabilities of the corporation,, dispose of all its assets exclusively for the purposes of the corporation in such a manner, or to such organizations organized and operated exclusively for charitable, education, religious, scientific purposes as shall at the time qualify as an exempt organizations under Section 501 (c ) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of the United States Internal Revenue Laws).

#### ARTICLE IX

These Articles of Incorporation may be amended by the affirmative vote of a majority of the Board of Directors present at a meeting called for that purpose.

#### ARTICLE X

The property of each member, Directors and officers of Rocky Ridge Full Gospel Church, Inc., shall at all times be exempt from the debts and liabilities of Rocky Ridge Full Gospel Church, Inc.

#### ARTICLE XI

The annual meeting is to be held at a place within or without the state as fixed by the Laws

#### ARTICLE XII

Donald Howard, Sr. who resides at N8027 and Broken Dam Road, who's mailing address is P.O. Box 1064, Hotevilla, Arizona 86030, a resident of the Navajo Nation for in excess of forty (40) years is hereby appointed and made the initial registered agent for Rocky Ridge Full Gospel Church, Inc.

ARTICLE XIII

BOARD OF DIRECTORS: The members of Board or Directors constituting the initial Board of Directors is three (3), but no time shall the board membership be less than two (2) or more than five (5). The names and addresses of the persons who are to serve until the first annual meeting of the Board of Directors or until their successors are elected and qualified are:

- |  |   |
|--|---|
| 1. Donald Howard, Sr.<br>Broken Dam Road and N. 8027 Road<br>P.O. Box 1064, Hotevilla, AZ. 86030 | 2. Leonard Howard<br>P.O. Box 742<br>Hotevilla, AZ. 86030 |
| 3. Joann Howard<br>P.O. Box 742<br>Hotevilla, AZ. 86030  | 4. Mike Chase<br>P.O. Box 901<br>Hotevilla, AZ. 86030     |

ARTICLE XIV

Rocky Ridge Full Gospel Church, Inc., hereby agrees to abide by all criminal, civil and regulatory laws of the Navajo Nation.

ARTICLE XV

INCORPORATORS: and, as listed above, is the INCORPORATORS of this corporation

Dated this 07 day of April 2016

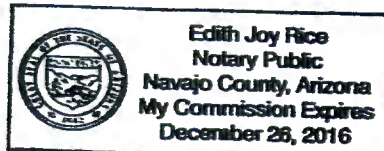
<u>Donald Howard, Sr.</u> Donald Howard, Sr.	<u>Leonard Howard</u> Leonard Howard	<u>Joann Howard</u> Joann Howard
<u>Mike Chase</u> Mike Chase		

I, having been designated to act as Registered Agent, hereby consent to act in that capacity until removed, or resignation is submitted in accordance with the Navajo Nation Corporation Code and the Arizona Revised Statutes.

Donald Howard, Sr.  
Donald Howard, Sr.

Subscribed and sworn to before me on this 11<sup>th</sup> day of April 2016

Edith Joy Rice





ROCKY RIDGE FULL GOSPEL CHURCH  
POST OFFICE 1064  
HOTEVILLA, ARIZONA 86030

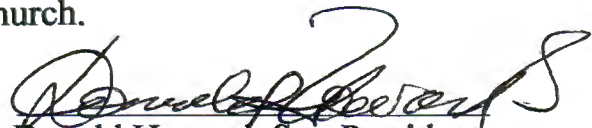
RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
ROCKY RIDGE FULL GOSPEL CHURCH

**Authorization to Execute Religious Documents**

We, the Undersigned, duly elected officers and members of the Rocky Ridge Full Gospel Church hereby authorize Mr. Donald Howard, Sr., President of the church to act as Liaison for the church and to coordinate the processing of church documents or execute any actions or functions necessary to establish a permanent religious site for the Rocky Ridge Full Gospel Church. Further, this authority allows Mr. Donald Howard, Sr. to sign any legal documents on behalf of the church

This form is given in response to a language written on the second pages of the religious site application where it state that, All Corporation must furnish evidence of authority of the person or persons who will be signing and executing papers on behalf of the church.

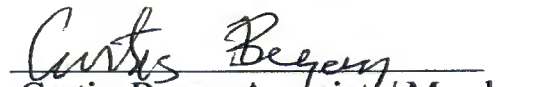
Date: \_\_\_\_\_

  
Donald Howard, Sr. President

  
Leonard Howard, Vice President

  
Joanne Howard, Secretary/Treasurer

  
Mike Chase, Associate/Member

  
Curtis Begay, Associate/ Member



# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT



February 10, 2017

General Land Development Department  
Division of Natural Resources  
P.O. Box 2249  
Window Rock, Arizona 86515

Re: Church Site Permit for Rocky Ridge Gospel Church, Inc.

Chinle Navajo Land Department, has conducted field clearance on February 09, 2017 for Rocky Ridge Gospel Church. Tully Begay, Engineering Technician did field clearance and worked with Hardrock Grazing Official Aaron Simonson and the pastor Donald Howard.

Mr. Begay, mentions he did field visit and had the Grazing Official signed the consent to use Navajo Land for Religious Activities consent form. No land users were recommended due the area within Navajo Partition Land, all grazing permit are cancel.

The location of the propose church is approximately 8 ½ miles southwest from Hardrock Chapter and the lot is 1 ½ acre and it no improvement on the site.

The Church Site Permit for Rocky Ridge Gospel Church is now recommended for approval, they meet all the requirements and complete their application.

If you should additional information, please feel free to contact our office at 928-674-2056.

Sincerely;

Caroline Dale, Senior Homesite Agent  
Chinle Navajo Land Department