

**RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Third Year 2017**

AN ACTION

**RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A REVOCABLE USE
PERMIT FOR THE EXISTING MISSION SITE 3.00 ACRES FOR THE RED LAKE
GRACE BIBLE CHURCH, NAVAJO NATION**

BE IT ENACTED

Section One. Authority

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

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

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

A. Pursuant to 16 N.N.C. § 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. § 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 Red Lake Grace Bible Church, Post Office Box 853, Tonalea, Arizona 86044 has applied for a Revocable Use Permit for Mission Site within the Tonalea Chapter, as further described in **Exhibit "A,"** attached hereto and incorporated herein by this reference.

B. The existing mission site is located on 3.00 acres, more or less, within the vicinity of Tonalea, Navajo Nation (Arizona). The land description appears on the survey plat attached hereto and incorporated as **Exhibit "B."**

C. Pursuant to 16 N.N.C. Section 1153 (A), this request for a mission site permit has been reviewed by the Navajo Land Department. See attached Executive Official Review Document No. 005306 attached as **Exhibit "G."**

D. The District 1 Grazing Official identified two land user who gave his consent which is attached hereto as **Exhibit "C."**

E. The Tonalea Chapter Resolution No. TN10-001-00 entitled "The Tonalea Chapter hereby supports and recommends to the Bureau of Indian Affairs and the Navajo Nation to grant a mission site lease to Red Lake Grace Brethren Church Comprising of three acres of land for religious use, Tonalea, Coconino County, Arizona." There is also a subsequent Tonalea Chapter Resolution with no number entitled, "The Tonalea Chapter hereby acknowledges and supports the Red Lake Grace Bible Church land withdrawl and Name Change, formerly Red Lake Grace Brethren Church." and the signed petition by the local residents are also attached herein as **Exhibit "D."**

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

G. A detailed statement of the purpose for which the land shall be used states: (1) to conduct worship services during the week (Sunday, Wednesday and as needed) and to assist families in providing funerals and wedding ceremonies; and (2) to have special meetings throughout the year (such as Thanksgiving, Christmas, Easter, Camp meetings, Vacation Bible School (VBS), Youth Activities and other various events); which accompanies the Application for Revocable Use Permit (Religious Site), attached as **Exhibit "A."**

H. The Resources and Development Committee finds that the Red Lake Grace Bible Church's requested use of 3.00 acres, more or less, will also be used for community service facilities such as providing recreational programs of benefit to the community.

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

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

Designation is to designate an area of land for further development by,

a. Ensuring that the rights of grazing permittees, who are in compliance with their grazing permits, are properly addressed as applicable and as required under 16 N.N.C. §§ 1401 et seq. and to prevent any subsequent claims to the land; and

b. Ensuring that the affected Chapter supports the Land Withdrawal Designation and use of the land."

J. Having received the consents of the land users, **Exhibit "C,"** and the receipt of the Tonalea Chapter Resolution No. RVC-56-15, **Exhibit "D,"** the purpose of the Land Withdrawal Designation has been met ensuring the rights of grazing permittees have been addressed and ensuring that the affected Chapter supports the Land Withdrawal Designation and use of the land as a mission site.

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

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

Section Four. Approval

A. The Resources and Development Committee of the Navajo Nation Council hereby approves the withdrawal of on 3.00 acres, more or less, of trust lands within the vicinity of Tonalea Chapter, Navajo Nation (Arizona), as described in **Exhibit "B,"** for Red Lake Grace Bible 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 Red Lake Grace Bible Church, subject to but not limited to the attached Terms and Conditions contained herein as **Exhibit "F"** which is attached hereto and incorporated herein by this reference.

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Bodaway-Gap Chapter, Bodaway-Gap (Navajo Nation), at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 11th day of January 2017.



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Motion: Honorable Davis Filfred
Second: Honorable Jonathan Perry



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

President, Navajo Nation
Window Rock, Arizona

Date 3/14/2016

Red Lake Grace Bible Church
(Name of Church)

P.O. Box 853, Tonalea, AZ 86044
(Address)

hereby makes application for a religious site covering approximately +/- 3 acres of Navajo Nation land located in Tonalea/Red Lake, Coconino County, Arizona/New Mexico, as shown on the attached map.

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

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

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

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

- (1) To conduct worship services during the week (Sunday, Wednesday and as needed) and to assist families in providing funerals and wedding ceremonies.
- (2) To have special meetings throughout the year (such as Thanksgiving, Christmas, Easter, Campmeetings, Vacation Bible School (VBS), Youth Activities and other various events).

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

- (1) Existing ~50'x 50' Sanctuary Building
- (2) Existing ~20'x 20' Kitchen Building
- (3) Existing ~30'x 28' Dining Facility
- (4) Existing ~41'x 32' Covered Ramada
- (5) Existing ~10'x 11' Temporary Storage Building
- (6) Future ~25' x 20' Restroom Facility at initial estimated cost of \$10,000
- (7) Future Wastewater System at initial estimated cost of \$9,000

Applicant's plan for development of water and sewer.

There is an existing connection to the water line which is provided by Navajo Tribal Utility Authority. Future development plans include a restroom facility with running water and associated wastewater system. Outhouses are currently in use at the site.

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

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

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

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

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

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

Jamie Brown-Esplain
(Print Name) Authorized Agent


(Signature) Authorized Agent

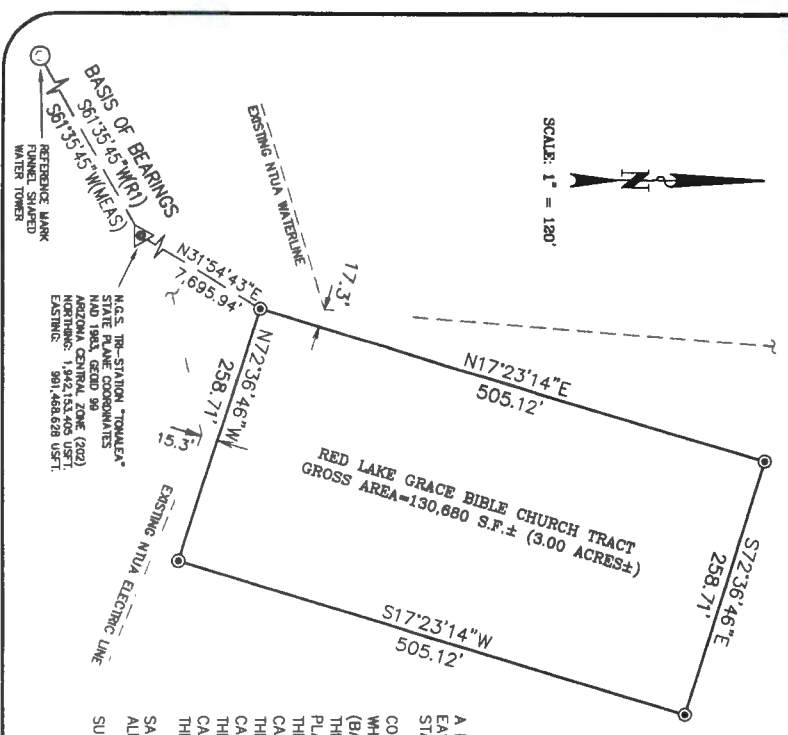
2946 S. Tex Lane, Flagstaff, AZ 86001
Address

928-606-4409
Phone

tabbies' **B**

RESULTS OF SURVEY
3.00 Acres ±
OF THE RED LAKE GRACE BIBLE CHURCH TRACT
DISTRICT 01, NAVAJO INDIAN RESERVATION
LOCATED IN UNSURVEYED SECTION 14
T. 34 N., R. 13 E., G.A.S.R.M.
TONALEA, COCONINO COUNTY, ARIZONA

LANDMARK
ENGINEERING & SURVEYING, INC.
SEDONA
P.O. BOX 1907
SEDONA, AZ 86339
(928) 282-7104
TUBA CITY
P.O. BOX 3107
TUBA CITY, AZ 86045
(928) 283-5969
www.landmarkinc.com



- *** LEGEND ***
- ▲ - FOUND N.G.S. BRASS CAPPED IRON PIPE STAMPED "TONALEA"
 - ⊙ - SET 1/2" RE-BAR W/ PLASTIC CAP "LS 14184"
 - RI - RECORD BEARING FROM NATIONAL GEODETIC SURVEY CONTROL STATION DATA SHEET.
 - (MEAS) - MEASURED DIMENSION FROM FIELD SURVEY.
 - (CALC) - CALCULATED DIMENSION FROM RI

- *** NOTE ***
1. ALL BEARINGS SHOWN ARE DERIVED FROM N.G.S. DATA SHEET.
 2. EXISTING N.T.U.A. WATER AND ELECTRIC LINES WERE THE ONLY UTILITIES LOCATED.

TRACT DESCRIPTION

A PARCEL OF LAND SITUATED IN UNSURVEYED SECTION 14, TOWNSHIP 34 NORTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, IN THE VICINITY OF TONALEA, COCONINO COUNTY, STATE OF ARIZONA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND NATIONAL GEODETIC SURVEY BRASS CAPPED PIPE DATED 1970 FROM (BASIS OF BEARING PER N.G.S. DATA SHEET),

THENCE NORTH 31°34'43" EAST A DISTANCE OF 7695.94 FEET TO A 1/2" RE-BAR WITH PLASTIC CAP STAMPED "LS 14184" SET AT THE POINT OF BEGINNING;

THENCE NORTH 17°23'14" EAST A DISTANCE OF 505.12 FEET TO A 1/2" RE-BAR WITH PLASTIC CAP STAMPED "LS 14184" (SET);

THENCE SOUTH 72°36'46" EAST A DISTANCE OF 258.71 FEET TO A 1/2" RE-BAR WITH PLASTIC CAP STAMPED "LS 14184" (SET);

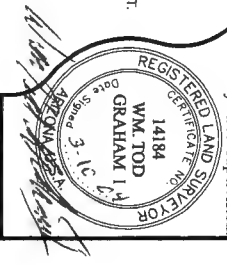
THENCE SOUTH 17°23'14" WEST A DISTANCE OF 505.12 FEET TO A 1/2" RE-BAR WITH PLASTIC CAP STAMPED "LS 14184" (SET);

THENCE NORTH 72°36'46" WEST A DISTANCE OF 258.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 3.00 ACRES MORE OR LESS AND IS SUBJECT TO ANY AND ALL EXISTING EASEMENTS FOR UNDERGROUND UTILITIES LOCATED THEREIN.

SURVEYED MARCH 09, 2004.

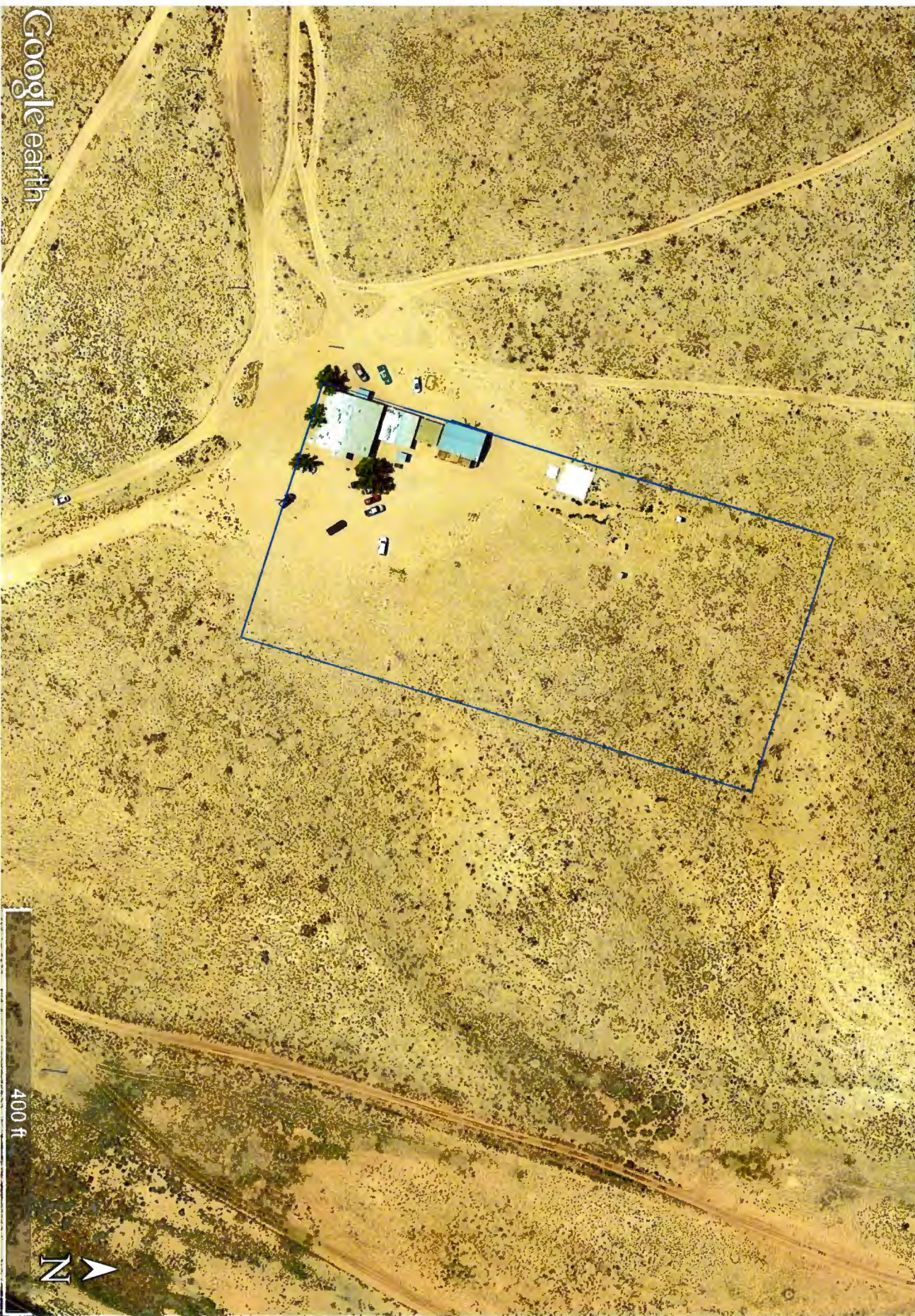
EXHIBIT "A"



Date:	Mar. 10, 2004
Revisions:	
Project Manager:	H. Goldtooth
Survey Crew:	W.C., K.D. T.D., A.B.
CAD by:	H. Goldtooth
Checked by:	L. Green
Contour Interval:	N. A.
Scale:	1" = 120'
Project Name:	104001R
File Name:	104001R.dwg
Sheet:	1 of 1
Job No.:	104001R

Red Lake Grace Bible Church

Approximately 3.0 Acre Tract
Tonalea, Arizona



Google earth

400 ft





CONSENT TO USE NAVAJO NATION LAND FOR RELIGIOUS ACTIVITIES

TO WHOM IT MAY CONCERN:

I, **Mary Lee**, hereby grant my consent to allow the **Red Lake Grace Brethren Church** to use approximately (3) acres of my assigned grazing land for Church activities and Youth Retreat camps. Furthermore, I hereby waive any rights I may have to compensation for the taking of my land use and the diminishment of my land value as a 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:

Mary E Lee
Permit holder's Signature

1-1082 10-2-00
Census No. Permit No. Date

WITNESSES:

THUMB PRINT:

Henry White
Attested by Grazing committee

1 10-28-00
District No. Date

Acknowledgement by:
Edison Wood
Edison Wood, Navajo Land Dept.
Row Agent

1/27/14
Date

A thumb print requires 2 witnesses

CONSENT TO USE NAVAJO NATION LAND FOR RELIGIOUS ACTIVITIES

TO WHOM IT MAY CONCERN:

I, **Kenneth Manymules**, hereby grant my consent to allow the **Red Lake Grace Brethren Church** to use approximately (3) acres of my assigned grazing land for Church activities and Youth Retreat camps.

Furthermore, I hereby waive any rights I may have to compensation for the taking of my land use and the diminishment of my land value as a 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:

Kenneth Manymules 1-600 10-4-00
Permit holder's Signature Census No. Permit No. Date

WITNESSES:

THUMB PRINT:

Henry W. L. H.
Attested by Grazing committee

1
District No.

10-28-00
Date

Acknowledgement by:

Vera Shurely
Edison Wood, Navajo Land Dept.
row agent

11/27/14
Date

A thumb print requires 2 witnesses

Joe Dayzie
Council Delegate

Jerry Whiterock
Grazing Committee Member
District 1-1



EXHIBIT

D

Lavernda Whitehair
Secretary/Treasurer

TN10-001-00

RESOLUTION OF THE TONALEA CHAPTER
WESTERN NAVAJO AGENCY

THE TONALEA CHAPTER HEREBY SUPPORTS AND RECOMMENDS TO THE BUREAU OF INDIAN AFFAIRS AND THE NAVAJO NATION TO GRANT A MISSION SITE LEASE TO RED LAKE GRACE BRETHREN CHURCH COMPRISING OF THREE ACRES OF LAND FOR RELIGIOUS USE, TONALEA, COCONINO COUNTY, ARIZONA.

WHEREAS:

1. The Tonalea Chapter is a recognized and certified Navajo Nation Chapter pursuant to 2 N. T. C. Section 4001 and 4028 (a), concurring their authority to exercise governmental affairs to the best interests and welfare of its community chapter members; and
2. The Tonalea Chapter supports the Red Lake Grace Brethren Church has selected a site situated on three acres tract of land located on the Navajo Nation in Tonalea, Arizona; and
3. The primary purpose of the Church is to develop the site, construct a building for Sunday Morning Service, Evening Service, conduct weddings, funerals, to establish religious ministries to members of the Church, and social and auxiliary functions during the week for youth; and
4. The permit holder's living within the area where the Church site is proposed have given their consents to permit the religious organization permission to utilize three acres of their grazing lands.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Tonalea Chapter hereby supports and approves the three acres tract withdrawn for the Red Lake Grace Brethren Church.
2. Directs the Navajo Nation Land Department to do all things necessary to complete the processing of this application.
3. In the event that the Church liquidates the permit, the land users shall reclaim subject land, to re-incorporate back to land user; or otherwise directed by the Resource committee of the Navajo Nation.
4. The Tonalea Chapter directs the Division of Natural Resources of the Navajo Nation Council to approve the site selected and charges the religious group the minimal fee for its ground site.

CERTIFICATION


WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY CONSIDERED BY THE TONALEA CHAPTER AND AT A DULY CALLED CHAPTER MEETING AT TONALEA, ARIZONA. AT WHICH A QUORUM WAS PRESENT AND THAT SAME WAS PASSED BY A VOTE OF 62 IN FAVOR, -0- OPPOSED, AND -0- ABSTENTIONS, ON THIS 28th DAY OF OCTOBER, 2000.


GEORGE BETONEY, CHAPTER PRESIDENT


JOHN L. TRUJILLO, CHAPTER VICE PRESIDENT


JOE DAYZIE, COUNCIL DELEGATE


LAVERNDA WHITEHAIR, SECRETARY/TREASURER


JERRY WHITEROCK
GRAZING COMMITTEE MEMBER
DISTRICT 1-1

George Betoney
Chapter President

John L. Trujillo
Chapter Vice President

Lavernda Whitehair
Chapter Secretary/Treasurer



Diné Bikéyah

Tonalea Chapter

Leslie Dele
Council Delegate

Vicky Rose Begay
Grazing Committee Member
District 1-1

RESOLUTION OF THE TONALEA CHAPTER WESTERN NAVAJO AGENCY

THE TONALEA CHAPTER HEREBY ACKNOWLEDGES AND SUPPORTS THE RED LAKE GRACE BIBLE CHURCH LANDWITHDRAWAL AND NAME CHANGE, FORMERLY RED LAKE GRACE BRETHREN CHURCH.

WHEREAS:

1. The Tonalea Chapter is a recognized and certified Navajo Nation Chapter pursuant to 2 NNC § 4001 and §4028(a), concurring their authority to exercise governmental affairs to the best interests and welfare of its community chapter members; and
2. The Tonalea Chapter recognizes that the pursuant to Title 26, N. N. C. C.; Section 1; Prior inconsistent enactments, laws, rules, policies, ordinances, and regulations of the Navajo Nation and all branches, divisions, departments, offices, and political subdivisions thereof, are superceded hereby and/or amended to comply herewith; and
3. The former Red Lake Grace Brethren Church amended their name to Red Lake Grace Bible Church during a duly called meeting with their membership;
4. The Tonalea Chapter recognizes that the Red Lake Grace Bible Church are pursuing land withdrawal for the purposes of mission site lease with the Navajo Nation; and
5. The Tonalea Chapter recognizes that a Proposed Mission Site Lease application necessitates a supporting chapter resolution.

NOW, THEREFORE BE IT RESOLVED THAT:

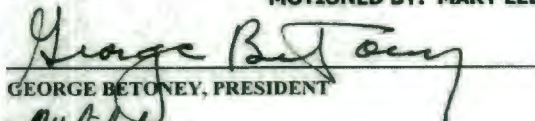
1. The Tonalea Chapter hereby supports and acknowledges that the Red Lake Grace Bible Church land withdrawal site.
2. The Tonalea Chapter hereby supports and acknowledges new adopted name Red Lake Grace Bible Church and requests support and acknowledgement of all other appropriate entities.
3. The Tonalea Chapter directs appropriate entities to provide technical assistance to realize the pursuit of Red Lake Grace Bible Church land withdrawal efforts.

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY CONSIDERED BY THE TONALEA CHAPTER AT A DULY CALLED CHAPTER MEETING AT TONALEA, ARIZONA, AT WHICH A QUORUM WAS PRESENT AND THAT SAME WAS PASSED BY A VOTE OF 25 IN FAVOR, -0- OPPOSED, AND -0- ABSTENTIONS, ON THIS 23RD DAY OF NOVEMBER 2003.

MOTIONED BY: MARY LEE

SECONDED BY: CONNIE LEE


GEORGE BETONEY, PRESIDENT


LAVERNDA WHITEHAIR, SECRETARY/TREASURER


JOHN L. TRUJILLO, VICE PRESIDENT


LESLIE DELE, COUNCIL DELEGATE

PETITION FOR RED LAKE GRACE BRETHREN CHURCH

We, THE UNDERSIGNED, are citizens, registered voters and residents of TONALEA CHAPTER living within this community where the Church is existing. 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 years. Further, we hereby give our signatures on this petition sheet to further the development of the church.

	NAME	DATE	WITNESS
1.	<u>April Betony</u>	<u>9-21-00</u>	<u>Bessie Betoney</u>
2.	<u>Bessie Betoney</u>	<u>9-21-00</u>	<u>April Betony</u>
3.	<u>June Esplin</u>	<u>9-22-00</u>	<u>Betony</u>
4.	<u>Nora Esplin</u>	<u>9-22-00</u>	<u>Deshah T. Salt</u>
5.	<u>Deshah Salt</u>	<u>9-22-00</u>	<u>Joe T. Birkhead</u>
6.	<u>Lee K. Salt Sr.</u>	<u>9-22-00</u>	<u>Joe T. Birkhead</u>
7.	<u>Carroll Hamble</u>	<u>9-22-00</u>	<u>Joe T. Birkhead</u>
8.	<u>Israel Begay</u>	<u>09-23-00</u>	<u>Bessie Betoney</u>
9.	<u>Priscilla Begay</u>	<u>09-23-00</u>	<u>Bessie Betoney</u>
10.	<u>[Signature]</u>	<u>9-24-00</u>	<u>Betony</u>
11.	<u>[Signature]</u>	<u>9-24-00</u>	<u>Joe T. Birkhead</u>
12.	<u>Lula Esplin</u>	<u>9-24-00</u>	<u>June Esplin</u>
13.			<u>June Esplin</u>
14.	<u>Yazue Braw</u>	<u>9-24-00</u>	<u>Joe T. Birkhead</u>
15.	<u>Quone Francis</u>	<u>9-24-00</u>	<u>Betony</u>
16.	<u>Israel Betoney</u>	<u>9-24-00</u>	<u>June Esplin</u>
17.	<u>Bonnie Betoney</u>	<u>9-24-00</u>	<u>June Esplin</u>
18.	<u>Nancy Brown</u>	<u>9-24-00</u>	<u>June Esplin</u>
19.	<u>Willie Thompson</u>	<u>9/24/00</u>	<u>June Esplin</u>
20.	<u>Joe T. Birkhead</u>	<u>9/24/00</u>	<u>Betony</u>
21.	<u>Lorraine Wilson</u>	<u>9-24-00</u>	<u>June Esplin</u>
22.	<u>Betty Mexican</u>	<u>9-24-00</u>	<u>[Signature]</u>
23.	<u>Betty Mexican</u>	<u>9-24-00</u>	<u>[Signature]</u>

	NAME	DATE	WITNESS
24.	Daniel Esnoy	9-24-00	[Signature]
25.	Lorise Bibeau	9-24-2000	[Signature]
26.	Maizie David	9/25/00	[Signature]
27.	Hannin Paul	9/25/00	[Signature]
28.	Chamarellee	9/28/00	[Signature]
29.	Ally Pells	9/29/00	[Signature]
30.	Connie D. Lee	9/30/00	[Signature]
31.	Salene Navaho	9-30-00	[Signature]
32.	CASSANDRA NAUAKO	9-30-00	[Signature]
33.	Janie Brown-Esplan	9-30-00	[Signature]
34.	Tracy T. Esplan	9-30-00	[Signature]
35.	Mary E Lee	9-30-00	[Signature]
36.	[Signature]	9-30-00	[Signature]
37.	Alice Esplan	9-30-00	[Signature]
38.	Nora Trujillo	9-30-00	[Signature]
38.	Lena E. Manymuth	10-02-00	[Signature]
39.	Kenneth Manymuth	10-02-00	[Signature]
40.	[Signature]	10-02-00	[Signature]
41X	Agnes Freeman	10-02-00	[Signature]
42.	Irene R. Begay	10-2-00	[Signature]
43.	Irene R. Begay	10-2-00	[Signature]
44.	Jan E. Dunt	10-2-00	[Signature]
45.	Melinda J. Begay	10-2-00	[Signature]

NOTE: Signing another person names will cause this petition to be voided and returned.

NAME	DATE	WITNESS
46. Louise Birkie	Oct 08, 2000	[Signature]
47. J. Birkie	10/8/2000	[Signature]
48. Lerin Gray	10/8/2000	[Signature]
49. Grace Cline	10-8-00	[Signature]
50. John J. Mynle	10-8-00	[Signature]
51. Sally Redburn	10-8-00	[Signature]
52. Betty Barlow	10-8-00	[Signature]
53. Marie Daw	10-8-2000	[Signature]
54. Mike Hill	10-8-2000	[Signature]
55. Ruby Elton	10-8-200	[Signature]
56. Betty Ann Yapp	10-8-2000	[Signature]
57. Bonnie Mays	10-11-00	[Signature]
58. Anna Begay	10-11-00	[Signature]
59. Dick B. Bz	10/11/00	[Signature]
60. Leila Saganitso	10/11/00	[Signature]
61. Anna Gray Begay	10/11/00	[Signature]
62. Anna Greyhat	10/11/00	[Signature]
63. Sam Adams	10/11/00	[Signature]
64. Harrold Chow	10-12-00	[Signature]
65. Linda Beyazy	10-12-00	[Signature]
66. Alce Sepzyl	10-16-00	[Signature]
67. Rebecca John	10-16-00	[Signature]
68. Terina Shortman	10-16-00	[Signature]
69. Chelene A. Moss	10-16-00	[Signature]
70. David [Signature]	10-16-00	[Signature]

NOTE: Signing another person names will cause this petition to be voided and returned.

	NAME	DATE	WITNESS
71.	Mel White	10-16-00	John
72.	L Hayes	10-16-00	John
73.	Laborer	1-16-00	John
74.	Loma Shultz	10-16-00	John
75.	Caroline Dan	10-16-00	John
76.	Arsied L. Jase	10-16-00	John
77.	Alan K. Jr	10-16-00	John
78.	Jonita Whitthorne	10-16-00	John
79.	Jermin Strawn	10-16-00	John
80.	Millie Shaw	10-16-00	John
81.	Nita Hurlay	10-16-00	John
82.	Sam C Fowler	10-16-00	John
83.	James C. Fowler	10-16-00	John
84.	Fannie W Kee	10 16 00	John
85.	Bilta Kee Jr	10-16-00	John
86.	Bilta Kee Jr	10 16 00	John
87.	Katie Goodman	10-16-00	John
88.	Susie H. Chae	10-16-00	John
89.	Ebun Allen	10-16-00	John
90.	Fannie C. Del	10-16-00	John
91.	Albert W Dele	10-16-00	John
92.	Rena L. Watson	10-16-00	John
93.	Lorena Watson	10/16/00	John
94.	Lafrem Paul	10/16/00	John
95.	Spang Begun	10-16-00	John
96.	Louisa Juba	10-16-00	John

	NAME	DATE	WITNESS
97.	Tammy Strong	10-16-00	J. Davis
98.	Richard Chen	10-16-00	J. Davis
99.	Joe Klein Jr.	10-16-2000	J. Davis
100.	Walter Hays	10-16-00	Hazel W. Hays
101.	Maria Rizzo	10/16/00	J. Davis
102.	Henny Espino	11/11/00	J. Davis
103.	Shirley Smalley	10/16/00	J. Davis
104.	Cecil Smith	10/16/00	J. Davis
105.	Elise D. Yazzie	10/16/00	J. Davis
106.	Edward Mayay	10/16/00	J. Davis
107.	Gordon Shaw	10-16-00	J. Davis
108.	Jake Fowler	10-16-00	J. Davis
109.	Evangelita Bayne	10-16-00	J. Davis
110.	Ella Bayne	10-16-00	J. Davis
111.	Jamie Strong	10-16-00	J. Davis
112.	Ronald Freeman	10-16-00	J. Davis
113.	Christopher Carley	10-16-00	J. Davis
114.	TANTALIA BERRY	10-16-00	J. Davis
115.	Rosita George	10-16-00	J. Davis
116.	Amelia George	10-16-00	J. Davis
117.	Patricia D. Smith	10/16/00	J. Davis
118.	James Donald	10/16/00	J. Davis
119.	Felix Watson	10-16-00	J. Davis
120.	Phyllis De	10-16-00	J. Davis

PETITION FOR RED LAKE GRACE BIBLE CHURCH

We, THE UNDERSIGNED, are citizens, registered voters and residents of TONALEA CHAPTER living within this community where the Church is existing. 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 years. Further, we hereby give our signatures on this petition sheet to further the development of the church.

NAME	DATE	WITNESS
1. <u>Harry Haskan</u>	<u>JAN. 30, 2016</u>	<u>Lula Esplin</u>
2. <u>Asbel Smith</u>	<u>1-30-2016</u>	<u>Lula Esplin</u>
3. <u>Annie Fowler</u>	<u>1-30-2016</u>	<u>Lula Esplin</u>
4. <u>John Fowler</u>	<u>1-30-2016</u>	<u>Lula Esplin</u>
5. <u>Paul D. Dyer</u>	<u>1-30-2016</u>	<u>Lula Esplin</u>
6. <u>Mark W. Dyer</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
7. <u>Norman Johnson</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
8. <u>Lula Esplin</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
9. <u>Daniel Keams</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
10. <u>Olinda Keams</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
11. <u>Leanne R. Begay</u>	<u>1-3-16</u>	<u>Lula Esplin</u>
12. <u>Helen Maloney</u>	<u>1-3-16</u>	<u>Lula Esplin</u>
13. <u>Lisa Ballant</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
14. <u>Ned Esplin</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
15. <u>Elyse Lee</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
16. <u>Esplin</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
17. <u>Daniel Mangood</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
18. <u>Victoria Mangood</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
19. <u>Bruce W. Mangood</u>	<u>1-30-16</u>	<u>Lula Esplin</u>
20. <u>Ginnie Dyer</u>	<u>1-31-16</u>	<u>Lula Esplin</u>
21. <u>Dore M. Carlson</u>	<u>1-31-16</u>	<u>Lula Esplin</u>
22. <u>Connie Lee Lee</u>	<u>1-31-16</u>	<u>Lula Esplin</u>
23. <u>Mary E. Lee</u>	<u>1-31-16</u>	<u>Lula Esplin</u>

NOTE: Signing another person's name will cause this petition to be voided and returned

NAME	DATE	WITNESS
24. <u>Sam M. Myer</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
25. <u>More Ching</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
26. <u>Rosa Ching</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
27. <u>Gosie Brown</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
28. <u>Nancy Isaac</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
29. <u>John Smellie</u>	<u>01-31-16</u>	<u>Lula Explor.</u>
30. <u>Rodger D. Mangyons</u>	<u>01-31-2016</u>	<u>Lula Explor.</u>
31. <u>Lena E. Mangyons</u>	<u>01-31-2016</u>	<u>Lula Explor.</u>
32. <u>Ki Mangyons</u>	<u>0-31-2016</u>	<u>Lula Explor.</u>
33. <u>Margaret Black</u>	<u>1/31/2016</u>	<u>Lula Explor.</u>
34. <u>Gosie D. Josie Sr.</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
35. <u>Amelanie</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
36. <u>Ande Josie</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
37. <u>Mary Watson</u>	<u>1-31-16</u>	<u>Lula Explor.</u>
38. <u>Elb Mae Begon</u>	<u>1-31-16</u>	
39. <u>Jimmy W. Josie</u>	<u>1-31-16</u>	
40. <u>Fannie Foster</u>	<u>1-31-16</u>	
41. <u>Lila & Bea G</u>	<u>1-31-16</u>	
42. <u>Lee</u>	<u>1-31-16</u>	
43. <u>Nora Trujillo</u>	<u>1-31-16</u>	
44. <u>John Trujillo</u>	<u>1-31-16</u>	
45. <u>Favna Henderson</u>	<u>1-31-16</u>	
46. <u>Gella Begg</u>	<u>1-31-16</u>	
47. <u>Maisee Tsinnipanni</u>	<u>1-31-16</u>	
48. <u>Lucille Begg</u>	<u>1-31-16</u>	
49. <u>W. Explor.</u>	<u>1-31-16</u>	<u>Lula + Ned Explor.</u>
50.		
51.		

NOTE: Signing another person's name will cause this petition to be voided and returned



CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

ROUTING: COPIES TO

AZ SHPO
XX REAL PROPERTY MGT/330
XX CSWTA

NNHPD NO. HPD-04-585

OTHER PROJECT NO.

CSWTA-ARCH-2004058

PROJECT TITLE: A Cultural Resources Inventory Survey for the Existing Red Lake Grace Bible Church with Associated Utilities in the Vicinity of Tonalea, Coconino County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: John Trujillo, Red Lake Grace Bible Church, PO Box 74, Tonalea, Arizona 86044

PROJECT DESCRIPTION: The proposed undertaking will involve mission site lease approval and the construction of associated facilities/utilities for the existing mission within the three-acre lease area. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Tribal Trust

CHAPTER: Tonalea

LOCATION: Unplatted & Projected T34N, R13E; Tonalea Quadrangle, Coconino County, Arizona G&SRPM&B

PROJECT ARCHAEOLOGIST: Loretta Flatrock

NAVAJO ANTIQUITIES PERMIT NO.: B04414

DATE INSPECTED: 05/30/04

DATE OF REPORT: 06/01/04

TOTAL ACREAGE INSPECTED: 3.93 ac

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 10-12m apart.

LIST OF CULTURAL RESOURCES FOUND: None

LIST OF ELIGIBLE PROPERTIES: None

LIST OF NON-ELIGIBLE PROPERTIES: None

LIST OF ARCHAEOLOGICAL RESOURCES: None

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties will be affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7132.

FORM PREPARED BY: TAMARA BILLIE

FINALIZED: June 17, 2004

Notification to

Proceed Recommended:

Yes XX No

Conditions:

Yes No XX

Alan S. Downer
Navajo Nation Historic Preservation Officer

6-21-04
Date

Navajo Region Approval:

Yes ✓ No

24,

ACTING

Stephen M. M. M.
Regional Director

06/29/04
Date

Vera /NLD

Needs Compliance Form

HPD-04-588

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD JAN/91)

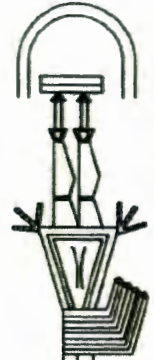
1. HPD REPORT NO. 2. (FOR HPD USE ONLY)	3. RECIPENTS ACCESSION NO.
4. TITLE OF REPORT: A Cultural Resources Inventory Survey for the Existing Red Lake Grace Bible Church with Associated Utilities in the Vicinity of Tonalea, Coconino County, Arizona. AUTHOR: Loretta Flatrock	5. FIELDWORK DATE: May 30, 2004
7. CONSULTANTS NAME AND ADDRESS: Gen'l Charge: Carol S. Yazzie-Ward Org. Name: CSWTA, Inc. Org. Address: Post Office Box 790 Tuba City, Arizona 86045 Phone: (928) 283-4323	6. REPORT DATE: June 1, 2004
10. SPONSOR NAME AND ADDRESS: Ind. Responsible: John Trujillo Org. Name: Red Lake Grace Bible Church Org. Address: Post Office Box 74 Tonalea, Arizona 86044 Phone: (928) 283-8815	8. PERMIT NO.: B04414
13. LOCATION: (Map Attached). a. Chapter: Tonalea b. Agency: Western Navajo c. County: Coconino d. State: Arizona	9. CONSULTANT REPORT NO. CSWTA-ARCH-2004058
	11. SPONSOR REPORT NO. NA
	12. AREA OF EFFECT: 3.00 ac AREA SURVEYED: 3.93 ac
	e. Land Status: Navajo Tribal Trust Lands f. UTM Center: Zone 12, 4022790N, 507910E g. Area: Section Unplatted, projected at T34N, R13E h. 7.5' Map Name: Tonalea, Arizona, 1982

13. REPORT /X/ OR SUMMARY (Report Attached).

- a. **Description of Undertaking:** The undertaking will involve the construction of associated utilities for the existing mission site within a 505.12 feet by 258.71 feet parcel of land. The total area of potential effect equals 130,680 square feet or 3.0 acres. Ground disturbance has previously been and will be intensive and extensive from the use of heavy equipment, pedestrians and vehicle parking. The Red Lake Grace Bible Church is in the process of mission site lease approval through BIA.
- b. **Existing Data Review:** A check of Navajo Nation Historic Preservation Department (NNHPD) site files indicated that six sites were previously recorded within one kilometer of the project area. These sites are briefly discussed on Table 1. Thirteen projects were reported: #HPD 00-495, #HPD 04-060, #HPD 04-059, #HPD 01-638, #HPD 91-255, #HPD 95-258, #HPD 98-788, #HPD 02-1033, #HPD 02-585, #HPD 03-1339, #HPD 90-3391, #HPD 89-168, and #HPD 01-027.
- c. **Area Environmental and Cultural Setting:** The project area is situated at an elevation of 5,540 feet above mean sea level. The existing church mission site is on 3.0-acres of disturbed land with a church building, kitchen building, two opening meeting places, and two outhouses. The church has been in business at this location since the early 1970s. Vegetation consists of sand puffs, Indian rice grass, Mormon tea, yucca, snakeweed, rabbitbrush, foxtail, sacaton, globemallow, aster, cheatgrass, and prickly pear. The nearest water resource is Begashii Wash.



CSWTA, Inc., Archaeological Consultants
A Tł'izilání Corporation
P. O. Box 790 • Tuba City, AZ 86045 • (928) 283-4323



June 3, 2004

John Trujillo
Red Lake Grace Bible Church
Post Office Box 74
Tonalea, Arizona 86044

Dear Mr. Trujillo:

Enclosed is a final Cultural Resources Inventory Survey for the Existing Red Lake Grace Bible Church with Associated Utilities in the Vicinity of Tonalea, Coconino County, Arizona. Three (3) copies of the report have been mailed to the Navajo Nation Historic Preservation Department in Window Rock for clearance.

If you have any questions, please call me at (928) 283-4323.

Sincerely,

Carol S. Yazzie-Ward

Carol S. Yazzie-Ward,
President

Enclosure

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD JAN/91)

1. HPD REPORT NO. 2.	(FOR HPD USE ONLY)	3. RECIPENTS ACCESSION NO.
4. TITLE OF REPORT: A Cultural Resources Inventory Survey for the Existing Red Lake Grace Bible Church with Associated Utilities in the Vicinity of Tonalea, Coconino County, Arizona. AUTHOR: Loretta Flatrock		5. FIELDWORK DATE: May 30, 2004
7. CONSULTANTS NAME AND ADDRESS: Gen'l Charge: Carol S. Yazzie-Ward Org. Name: CSWTA, Inc. Org. Address: Post Office Box 790 Tuba City, Arizona 86045 Phone: (928) 283-4323		6. REPORT DATE: June 1, 2004
10. SPONSOR NAME AND ADDRESS: Ind. Responsible: John Trujillo Org. Name: Red Lake Grace Bible Church Org. Address: Post Office Box 74 Tonalea, Arizona 86044 Phone: (928) 283-8815		8. PERMIT NO.: B04414
13. LOCATION: (Map Attached). a. Chapter: Tonalea b. Agency: Western Navajo c. County: Coconino d. State: Arizona		9. CONSULTANT REPORT NO. CSWTA-ARCH-2004058
		11. SPONSOR REPORT NO. NA
		12. AREA OF EFFECT: 3.00 ac AREA SURVEYED: 3.93 ac
		e. Land Status: Navajo Tribal Trust Lands f. UTM Center: Zone 12, 4022790N, 507910E g. Area: Section Unplatted, projected at T34N, R13E h. 7.5' Map Name: Tonalea, Arizona. 1982

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- c. **Area Environmental and Cultural Setting:** The project area is situated at an elevation of 5,540 feet above mean sea level. The existing church mission site is on 3.0-acres of disturbed land with a church building, kitchen building, two opening meeting places, and two outhouses. The church has been in business at this location since the early 1970s. Vegetation consists of sand puffs, Indian rice grass, Mormon tea, yucca, snakeweed, rabbitbrush, foxtail, sacaton, globemallow, aster, cheatgrass, and prickly pear. The nearest water resource is Begashibito Wash

to the southeast. The contemporary cultural setting is modern Navajo. The prehistoric use was Anasazi.

- d. **Field Methods:** Loretta Flatrock and Carol S. Yazzie-Ward 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 mission site. The total area surveyed equaled 171,371 square feet or 3.93 acres. Mr. and Mrs. Trujillo were interviewed for Traditional Cultural Properties.

14. **CULTURAL RESOURCES FINDINGS:**

- a. **Location/Identification of Each Resource:** No cultural resources were inventoried and no Traditional Cultural Properties was reported.

- b. **Evaluation of Significance of Each Resource:** No significant findings were made.

16. **MANAGEMENT SUMMARY (Recommendations):** Archaeological clearance is recommended for the existing church mission site with associated utilities.

17. **CERTIFICATION:** Signature: _____ Date: 06/03/04
General Charge Name: Carol S. Yazzie-Ward
Signature: _____ Date: 06/03/04
Direct Charge Name: Loretta Flatrock

Table 1. Previously recorded sites within one kilometer of the project area

SITE NUMBER	BRIEF DESCRIPTION	REFERENCE REPORT #
AZ-D-9-17	Anasazi/PII-PIII/Artifact scatter	HPD-93-391
AZ-D-9-19	BMIII-PI/Sherd scatter	HPD 93-391
AZ-D-0-20	Navajo/1940-60/Sweatlodge and PII/Sherd scatter	HPD 93-391
AZ-D-9-685	Kayenta Anasazi/BMIII-PI/Pit house	HPD 90-137
BMRL-12	PII/Sherd scatter	HPD 93-391
BMRL-13	PII/Sherd scatter	HPD 93-391

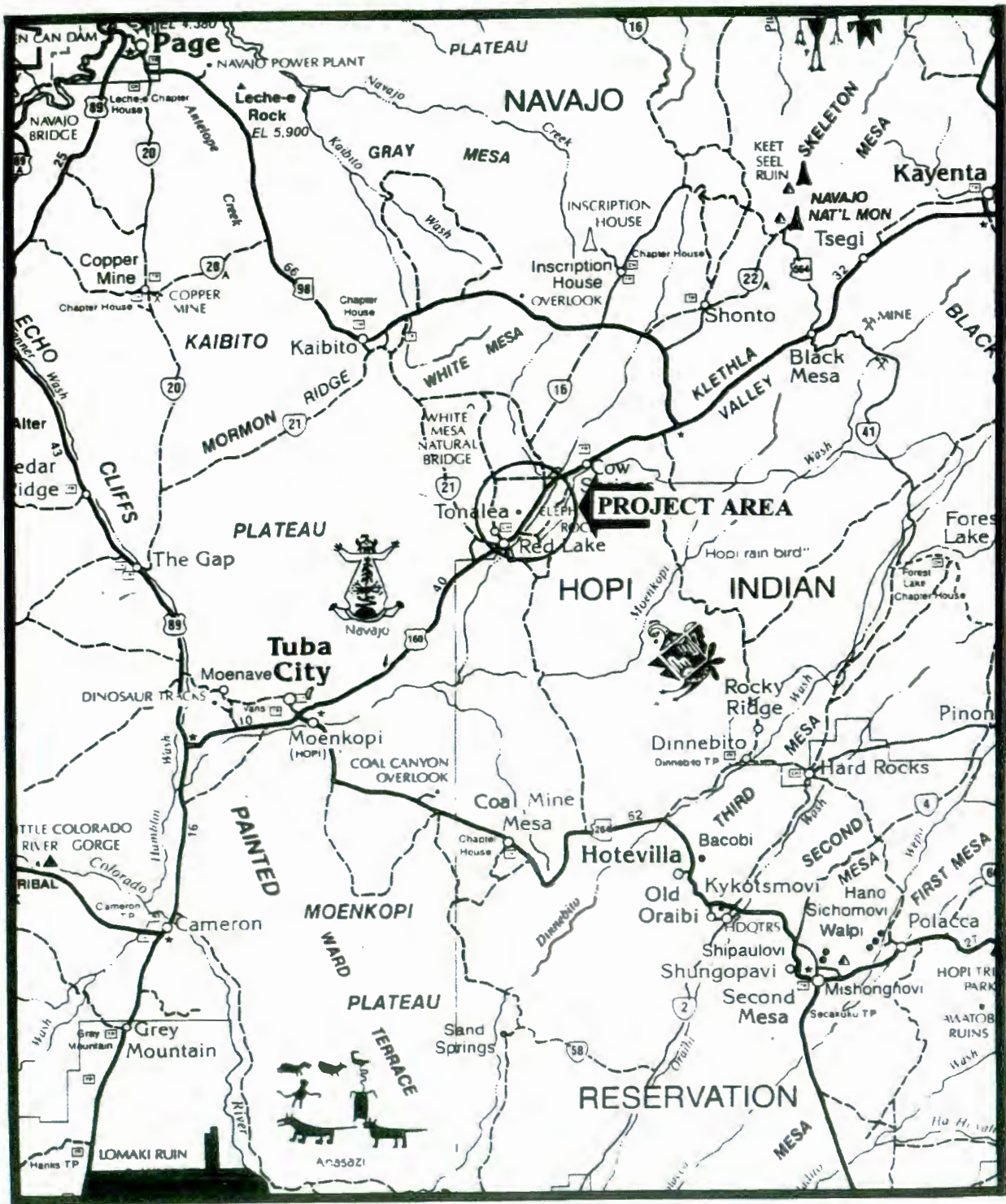


Figure 1. General project area on Navajo Tribal Trust Lands, Tonalea Chapter, Western Navajo Agency, Coconino County, Arizona.

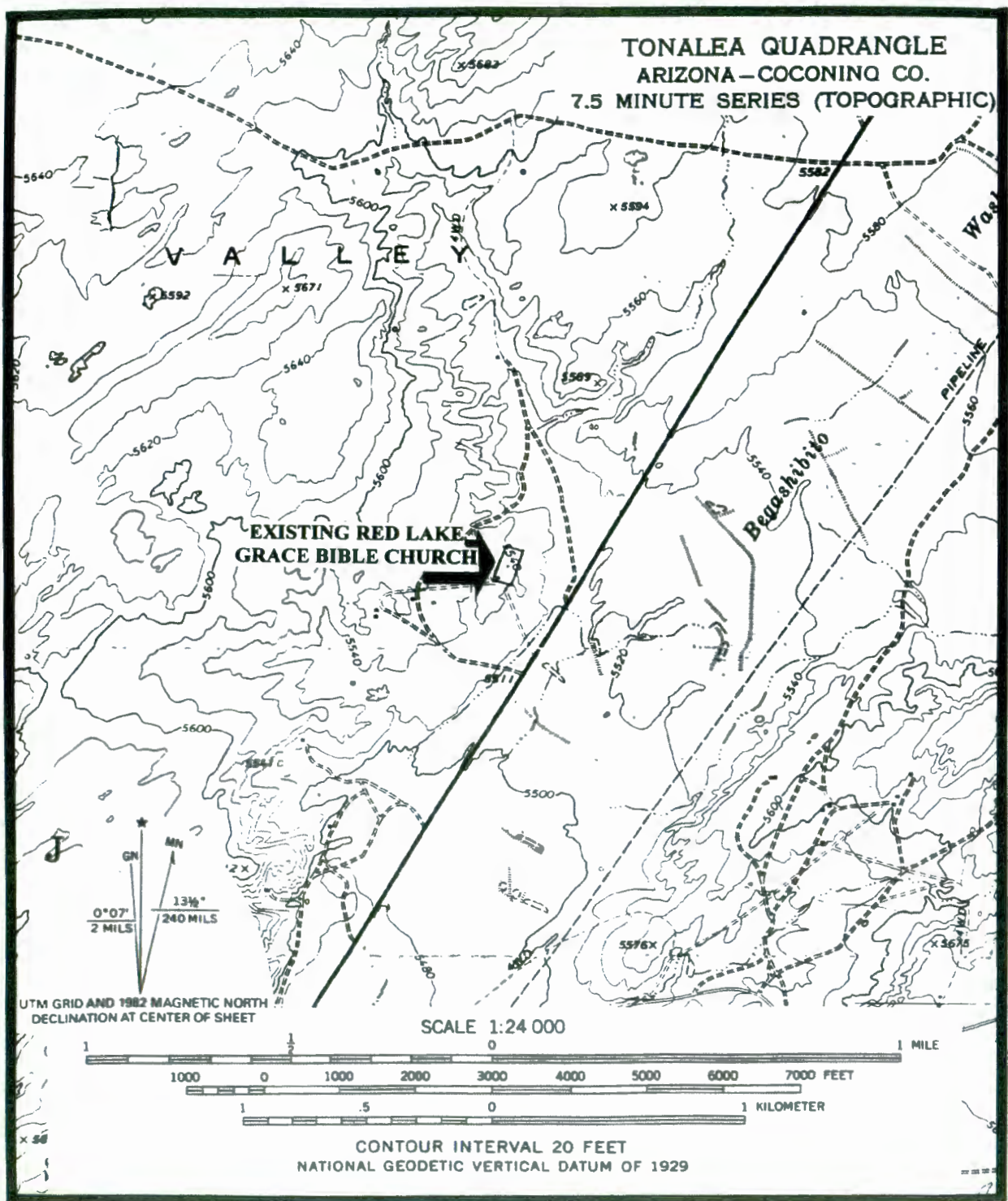


Figure 2. The project area plotted on USGS Tonalea Quadrangle, 7.5-minute series, Coconino County, Arizona.

RESULTS OF SURVEY

OF THE RED LAKE GRACE BIBLE CHURCH TRACT
 3.00 Acres \pm
 DISTRICT 01, NAVAJO INDIAN RESERVATION
 LOCATED IN UNSURVEYED SECTION 14
 T. 34 N., R. 13 E., G.&S.R.M.
 TONALEA, COCONINO COUNTY, ARIZONA

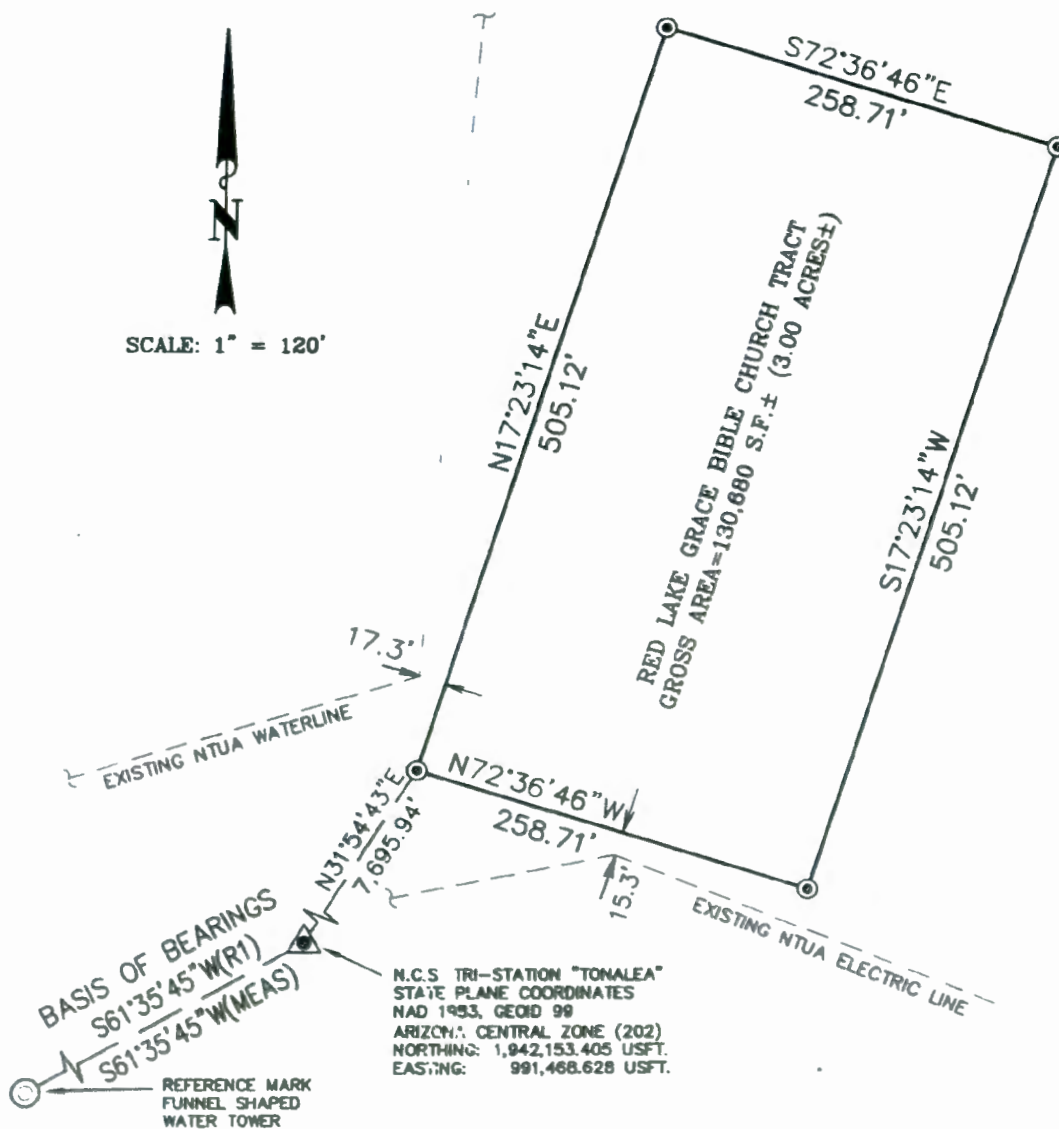


Figure 3. The existing Red Lake Grace Bible Church mission site on 3.0 acres of land.

**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.: Red Lake Grace Bible Church

DESCRIPTION: The Red Lake Grace Bible Church Church proposes a mission site lease consisting of ±3.00 acres for their existing church buildings, utilities, and access road.

LOCATION: Unsurveyed Section 14, T34N, R13E, G&SRM, Tonalea Chapter, Coconino County, Arizona

REPRESENTATIVE: Jamie Brown-Esplain, Red Lake Grace Bible Church

ACTION AGENCY: Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: Request for review & concurrence/26 FEB 2016/Jamie Brown-Esplain

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3 - Low Sensitive Area.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/29 FEB 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

2/29/16

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

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

Representative's signature

Jamie Brown-Esplain

Date *2/29/16*



THE NAVAJO NATION

RUSSELL BEGAYE **President**
JONATHAN NEZ **Vice President**



ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION

OFFICE OF ENVIRONMENTAL REVIEW

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

Website: www.navajonationepa.org

March 14, 2016

Jamie Brown-Esplain
Red Lake Grace Bible Church
PO Box 853
Tonalea, AZ 86044

Subject: Existing Mission Site Lease – Red Lake Grace Bible Church, Tonalea, Coconino County, Arizona; LAT/LONG: 36.3502° N 110.9131° W

Ms. Brown-Esplain,

The Navajo Nation Environmental Protection Agency (NNEPA) recommends *approval* for the existing ± 3.00 acres mission site lease to Red Lake Grace Bible Church. The existing mission site lease action will not significantly impact the Navajo Nation's environmental resources. This environmental clearance is only for the ± 3.00 acre mission site lease. The site has been existing for (fifty) 50 years and currently has electrical and water utility infrastructure including four (4) buildings: chapel/meeting, kitchen and two (2) covered ramadas.

If there are any questions, you may contact Rita Whitehorse-Larsen at 928/871-7188. Thank you.

Sincerely,

Rita Whitehorse-Larsen, Senior Environmental Specialist
Navajo Nation Environmental Protection Agency
Office of the Executive Director/Administration
Office of Environmental Review

Cc: Vera Shurley, Right-of-Way Agent, Navajo Land Department
Tonalea Chapter, via email



TERMS AND CONDITIONS FOR MISSION SITE PERMIT
Red Lake Grace Bible Church (PERMITTEE)

1. This Mission Site Permit is issued to **Red Lake Grace Bible Church, Post Office Box 853, Tonalea, Arizona 86044** to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resources & Development Committee of the Navajo Nation Council or authorized representative. 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 notice before this Mission Site Permit is terminated and revoked. Upon termination of the Mission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of the ninety (90) days, the Permittee shall peacefully and without legal process deliver the possession of the premises to the Navajo Nation. All improvements not removed after ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resources and Development Committee of the Navajo Nation Council.
5. This Permit shall be reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

TRACT DESCRIPTION

A parcel of land situated in unsurveyed Section 14, Township 34 North, Range 13 East, Gila and Salt River Meridian, in the vicinity of Tonalea, Coconino County, State of Arizona, said parcel being more particularly described as follows:

Commencing at a found national geodetic survey brass capped pipe dated 1970 from which a reference mark (s funnel shaped water tower) lies south 61°35'45" West (basis of bearing per N.G.S. data sheet);

Thence North 31° 54' 43" East, a distance of 7695.94 feet to a ½" re-bar with plastic cap stamped "LS 14184" set at the point of beginning;

Thence North 17° 23' 14" East, a distance of 505.12 feet to a ½ " re-bar with plastic cap stamped "LS 14184" (set);

Thence South 72° 36' 46" East, a distance of 258.71 feet to a ½ " re-bar with plastic cap stamped "LS 14184" (set);

Thence South 17° 23' 14" West, a distance of 505.12 feet to a ½ " re-bar with plastic cap stamped "LS 14184" (set);

Thence North 72° 36' 46" West, a distance of 258.71 feet to the point of beginning;

Said parcel of land contains 3.00 acres more or less and is subject to any and all existing easements for underground utilities located therein.

7. The annual rental is set at \$_____ per year and is due on or before the first day of 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 used herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not limited to archeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
 - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq.; and
 - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
10. The Permittee shall ensure that the air quality of the Navajo Nation is not jeopardized due to violation of applicable laws and regulations by its operations pursuant to the permit.
11. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.

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

Date: _____

By: _____

By: _____

**Red Lake Grace Bible Church
Permittee**

**President
Navajo Nation**

Document No. 005306Date Issued: 01/21/2016**EXECUTIVE OFFICIAL REVIEW**Title of Document: MissionSite RedLakeGraceBibleChurch Contact Name: DRAPER, HOWARDProgram/Division: DIVISION OF NATURAL RESOURCESEmail: howarddraper@frontiernet.net Phone Number: 928/871-6447

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

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

Sufficient Insufficient

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

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

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

☐ **Rights of Way**

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

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

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

☐ **Assignment of Mineral Lease**

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

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

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

☐ **OTHER:**

1. **NLD** _____ Date: 26 April 16 ☒ ☐
2. **F&W** _____ Date: 4/29/16 ☒ ☐
3. **HPD** _____ Date: 5/4/16 ☒ ☐
4. **NNEPA** _____ Date: 5-6-2016 ☒ ☐
5. **DNR** _____ Date: 5-9-2016 ☒ ☐
6. **DOJ** (ic) _____ Date: 5/16/16 ☒ ☐
7. **OPVP** _____ Date: 12-7-16 ☒ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
05/11/16 1103a	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	005306
SAS #:	
UNIT:	NRU

☐ RESUBMITTAL

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

CLIENT TO COMPLETE			
DATE OF REQUEST: May 11, 2016		ENTITY/DIVISION: DNR	
CONTACT NAME: Veta Sharley / Kayla Bria		DEPARTMENT: Navajo Land Dept.	
PHONE NUMBER: 46447		E-MAIL: klbia@frontier.com	
TITLE OF DOCUMENT: Mission Site Lease for Red Lake Grace Bible Church			
DOJ SECRETARY TO COMPLETE			
TIME IN UNIT: 05/11/16 1:15pm		REVIEWING ATTORNEY/ADVOCATE: Joan Jones	
DATE/TIME OUT OF UNIT: 05/16/16 1:35pm		SB	
DOJ ATTORNEY / ADVOCATE COMMENTS			
Document is legally sufficient.			
REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
James Gase	5-13-16	[Signature]	5-16-16 10:22AM
DOJ Secretary Called: Joan Jones		for Document Pick Up on 5/16/16 at 3:18pm By: [Signature]	
PICKED UP BY: (PRINT)		DATE / TIME:	