# LEGISLATIVE SUMMARY SHEET Tracking No. $0123-19$ 

DATE: May 10, 2019

# OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A MISSION SITE PERMIT FOR 3.5 ACRES FOR THE NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINÉ CHAPTER IN THE VICINITY OF NAGEEZI CHAPTER, NAVAJO NATION 

PURPOSE: Approving a mission site permit and terms and conditions for religious and community services facility for the Native American Indian Religion of Eastern Diné Chapter., located in the Nageezi Chapter.

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PROPOSED STANDING COMMITTEE RESOLUTION
$24^{\text {th }}$ NAVAJO NATION COUNCIL -- First Year, 2019
INTRODUCED BY


TRACKING NO. $0123-19$

## AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A MISSION SITE PERMIT FOR 3.5 ACRES FOR THE NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINE CHAPTER IN THE VICINITY OF NAGEEZI 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. $\S 1159$ (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 The Resources and Development Committee may, in the case of applications for mission sites in or near areas withdrawn for townships in the Navajo Nation, limit site acreage to less than two and five-tenths (25/10) acres, and may set rental fees with due regard for present or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. $\S 1159$ (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.

## Section Three. Findings

A. The Native American Indian Religion of Eastern Diné Chapter, Post Office Box 295, Nageezi, New Mexico has applied for a Mission Site Permit within the Nageezi Chapter, as further described in Exhibit E, attached hereto and incorporated herein by this reference.
B. The proposed mission site is located on 3.5 acres, more or less, within the vicinity of Nageezi Chapter, Navajo Nation (New Mexico). The land description appears on the survey plat attached hereto and incorporated as Exhibit B.
C. The Grazing Official identified two land users who gave their consents which are attached hereto as Exhibit C.
D. The Nageezi Chapter Resolution NC-18-049 dated March 4, 2018 entitled "Supporting Native American Indian Religion of Eastern Diné Chapter in Renewing Their 3.5 Acres Mission Site Lease" and the petition signed by the local residents are also attached herein as Exhibit D.
B. Pursuant to 16 N.N.C. § 1159 (B) the acreage limitations for permits for a mission site for religious activities and community services facilities is three and one-half ( 3 $1 / 2$ ) acres. The Native American Indian Religion of Eastern Diné Chapter request is for three and one half (3.5) acres.
C. The Native American Indian Religion of Eastern Diné Chapter request for three and one-half ( $31 / 2$ ) acres is stated in the application. The accompanying Letter of Justification from the Native American Indian Religion of Eastern Diné Chapter Secretary and the application are attached as Exhibit E. The Letter of Justification states that "The organization plans to build small arbors with picnic tables; a basketball court and volleyball court as a recreation center to benefit the youth and children as community services facilities and to build a cultural center to provide 'Non-religious' adult education programs to improve the way of life; and any other improvements as needed. "
D. The Resources and Development Committee finds that the planned programs are sufficient to demonstrate the use of the three and one-half (3.5) acres for community service activities pursuant to 16 N.N.C. § 1159 (B).
E. 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. $\S \S 1401$ 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."
F. Having received the consents of the land users, Exhibit C, and the receipt of the Nageezi Chapter Resolution NC-18-049, 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.
G. 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 Mission Site Permit.
H. The Department of Fish and Wildlife Biological Resources Compliance Form is attached as Exhibit F; the Cultural Resources Compliance Form is attached as Exhibit G; and, the Navajo Nation Environmental Protection Agency Surface and Ground Water Protection Department Memorandum is attached as Exhibit H.
I. The Executive Official Review Document No. 009968 has been reviewed by the Navajo Land Department of Fish and Wildlife; Historic Preservation; Navajo Nation Environmental Protection Agency; Division of Natural Resources; the Division of Community Development and the Department of Justice and found "Sufficient" or "Approved." Executive Official Review Document No. 009968 is attached as Exhibit I.
E. The Terms and Conditions for the Mission Site Permit is attached as Exhibit A.

## Section Four. Approval

A. The Resources and Development Committee of the Navajo Nation Council hereby approves the withdrawal of 3.5 acres, more or less, of trust lands within the vicinity
of Nageezi Chapter, Navajo Nation, as described in Exhibit B, for Native American Indian Religion of Eastern Diné Chapter for use as a mission site.
B. The Resources and Development Committee of the Navajo Nation Council hereby approves and consents to the Mission Site Permit for the Native American Indian Religion of Eastern Diné Chapter subject to but not limited to the attached Terms and Conditions contained herein as Exhibit $\mathbf{A}$ 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.

## TERMS AND CONDITIONS FOR MISSION SITE PERMIT NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINE CHAPTER (PERMITTEE)

## 1. This Mission Site Permit is issued to the Native American Indian Religion of Eastern Dine

Chapter to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the Mission Site Permit is effective beginning on the date the permit is approved by the Resources \& Development Committee of the Navajo Nation Council or authorized representative. The Permit is authorized by Resources and Development Committee No. $\qquad$ -
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 three and one-half (3.50) acre tract of land in the Southeast one-quarter (SE $1 / 4$ ) of Section one (1), Township twenty-three (23) North, Range eight (8) West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:
BEGINNING N $60^{\circ} 36^{\prime} 28^{\prime \prime}$ W 2136.24 feet from the Southeast corner of said Section 1 ;
THENCE S $56^{\circ} 33^{\prime} 31^{\prime \prime}$ W 483.82 feet;
THENCE N $36^{\circ} 18^{\prime} 32^{\prime \prime}$ 年 316.77 feet;
THENCE N $56^{\circ} 40^{\prime} 19^{\prime \prime}$ E 480.65 feet;

THENCE S $36^{\circ} 53^{\prime} 25^{\prime \prime}$ E 315.99 feet to the point of beginning.
7. The annual rental rate will be $\$ \mathbf{4 5 . 0 0}$ per year and is due on or before the first day of December each year the Permit remains in effect. Pursuant to 16 N.N.C. $\S 1157$, 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. $\S \S$ et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ et seq.: and
d. The Navajo Nation Water Code, 22 N.N.C. $\S 1101$ 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 assig, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo Nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon condition or withheld in the sole discretion of the Navajo Nation.
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 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: $\quad 3 / 13 / 18$
By:


Permittee

Date $\qquad$
By:

Russell Begaye<br>Navajo Nation President

A three and one-half (3.50) acre tract of land in the Southeast one-quarter (SEk) of Section one (1), Township twenty-three (23) North, Range eight (8) West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:

BEGINNINC N $60^{\circ} 36^{\prime} 28^{\prime \prime}$ W 2136.24 feet from the Southeast corner of said Section 1 ;
THENCE S $56^{\circ} 33^{\prime} 31^{\prime \prime}$ W 483.82 feet;
THENCE N $36^{\circ} 18^{\prime} 32^{\prime \prime}$ W 316.77 feet;
THENCE N $56^{\circ} 40^{\prime} 19^{\prime \prime}$ E 480.65 feet;
THENCE S $36^{\circ} 53^{\prime} 25^{\prime \prime}$ E 315.99 feet to the point of beginning.


1947 GLo Brass Cap
(C) $\mathrm{L}^{\prime \prime}$ rebar w/cap \#5979

I horeby state that this plat was prepared from a field survey by me in accordance with New Mexico Minimum Standards and is true and correct to the best of my knowledge and bellef.
 505-325-3904


## CONSENT TO USE <br> NAVAJO TRIBAL LANDS

## TO WHOM IT MAY CONCERN:

 hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit NATty American Invelian Teligivinof EAsTeRN DiNe chapteR
to use a portion of my land use area for the following purposes): - To maverse
business mooting wild to sponsor q peyote prayer ceremony add civterenkes annually
tor as shown on the map showing the location of the proposed project on the back of this consent form.

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

REMARKS:

(OR THUMBPRINT)
$\frac{20 R P 7588 \quad \mathrm{Bl} 100 \mathrm{Amfield}}{\text { Address (P.O. Box, City, State, Zip) } 87413} \frac{\cdots}{\text { Social Security No. }}$


## Acknowledgement of Field Agent

I acknowledge that the contents of this consent form was $\square$ read $\square$ fully explained to the land user in $\square$ Navajo or $\square$ English. (check where applicable)

## CONSENT TO USE NAVAJO NATION LAND FOR MISSION SITE WITHDRAWAL

TO WHOM IT MAY CONCERN:
I, Leo Dennison Sr $\qquad$ hereby grant my consent to the Navajo Nation and the Bureau of Indian Affairs to permit Native American Indian Religion of the Nageezi
Chapter. The Church Organization is to use a partial of my assigned grazing area for the purpose of withdrawing $\quad 3,5$ acres of land for religious purposes.

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

REMARKS: The requested areas is on Iribal Trust Land.


Acknowledgement of Church Agent:


[^1]NAGEEZI CHAPTER
EASTERN NAVAJO AGENCY

# RESOLUTION OF NAGEEZI CHAPTER <br> EASTERN AGENCY, DISTRICT 19 

RESOLUTION \# NC-18-049

## SUPPORTING NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINÉ CHAPTER IN RENEWING THEIR 3.5 ACRES MISSION SITE LEASE

## WHEREAS:

Pursuant to 26 N.N.C. $\S 1(B)$, the Nageezi Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Law, Custom, and Tradition and under 11 N.N.C., Part 1, Section 10, is delegated authority to make local decisions in the best interest and welfare of the community members; and

Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered voters, is made of up of nine (09) sub-communities including and not limited to: Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz, and Dzilth-na-o-dithhle, being one of the largest land base chapter in the Eastern Agency of the Navajo Nation; and

Navajo Nation General Land Development Department has informed Native American Indian Religion of Eastern Diné Chapter that their 3.5 acres mission site lease needs to be renewed; and

The 3.5 acres mission site lease is located at SE $1 / 4$ of Section 01, T23N, R08W, Nageezi Chapter, San Juan County, New Mexico; and

Native American Indian Religion of Eastern Diné Chapter must submit a mission site application to renew their mission site lease. A Chapter Resolution supporting the renewal of the mission site lease must be included in the application; and

A significant number of community members of Nageezi Chapter are members of the Native American Indian Religion of Eastern Diné Chapter; and

Native American Indian Religion of Eastern Diné Chapter conduct business meetings and sponsor a peyote ceremony/conference annually for Native American Church members at the 3.5 acres mission site lease.

NOW THEREFORE BE IT RESOLVED THAT:

## 1. NAGEEZI CHAPTER HEREBY SUPPORTS NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINÉ CHAPTER IN RENEWING THEIR 3.5 ACRES MISSION SITE LEASE

## 2. NAGEEZI CHAPTER HEREBY REQUESTS NAVAJO NATION GENERAL LAND DEVELOPMENT DEPARTMENT TO ASSIST NAGEEZI CHAPTER AND NAGEEZI CHAPTER LAND BOARD MEMBER IN RESOLVING THE DISPUTE ON THE ACCESS ROAD TO THE 3.5 ACRES MISSION SITE LEASE

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NO. NC-18-049 was duly presented and discussed at a duly called meeting of Nageezi Chapter, Navajo Nation (New Mexico), at which a quorum was present, motioned by Juanita Jaquez, seconded by Danny Platero Sr., was voted on with 20 in favor, 00 opposed, and 04 abstained, this $04^{\text {th }}$ day of March 2018.


Ervin Chavez, Chapter President


## TO WHOM IT MAY CONCERN:

WE, THE UNDERSIGNED, WHO ARE NON-MEMBERS AND MEMBERS OF THIS CHURCH HEREBY GIVE OUR CONSENTS TO THE NAVAJO NATION FOR THE PURPOSE OF BUILDING A CHURCH:


TO WHOM IT MAY CONCERN:
WE, THE UNDERSIGNED, WHO ARE NON-MEMBERS AND MEMBERS OF THIS CHURCH HEREBY GIVE OUR CONSENTS TO THE NAVAJO NATION FOR THE PURPOSE OF BUILDING A CHURCH:

NAME / THUMB PRINT:

1. Thumb print of $\qquad$

2. Thumb print of $\qquad$
Date: $\qquad$
Date: $\qquad$

- $12 / 20 / 95$


3. Thumb print of $\qquad$ Etta M Banally


Date: $\qquad$
WITNESS: WITNESS:

04. Thumb print of $\qquad$ Jessica Platero

05. Thumb print of $\qquad$ Leo Dennison Sr

Date: $\qquad$ $12 / 20 / 95$

06. Thumb print of Mary Dennison

WITNESS WITNESS


Date: $12 / 20 / 95$

WITNESS: WITNESS:


TO WHOM IT MAY CONCERN:
WE, THE UNDERSIGNED, WHO ARE NON-MEMBERG- AND MEMBERS OF THIS CHURCH HEREBY GIVE OUR CONSENTS TO THE NAVAJO NATION FOR THE PURPOSE OF BUILDING A CHURCH:

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Date: $\qquad$

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03. Thumb print of $\qquad$ James Jaquez

Date: $\qquad$

$12 / 20 / 95$

Date: $\qquad$ 12/20/95
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06. Thumb print of $\qquad$ David Newton


WITNESS:


## PETITION

## TO WHOM IT MAY CONCERN:

WE, THE UNDERSIGNED, WHO ARE NON-MEMBERS-AND MEMBERS OF THIS CHURCH HEREBY GIVE OUR CONSENTS TO THE NAVAJO NATION FOR THE PURPOSE OF BUILDING A CHURCH:

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TO WHOM IT MAY CONCERN:
WE, THE UNDERSIGNED, WHO ARE NON-MEMBERS AND MEMBERS OF THIS CHURCH HEREBY GIVE OUR CONSENTS TO THE NAVAJO NATION FOR THE PURPOSE OF BUILDING A CHURCH:

NAME / THUMB PRINT:

1. Thumb print of $\qquad$ Nancy Benison

WITNESS WITNESS:


Date: $\qquad$
02. Thumb print of $\qquad$ Susie Padilla
03. Thumb prime of $\qquad$ Almira Benison

Date: $\qquad$
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 WITNESS:


## ACTION BY CHAPTER ON MISSION SITE APPLICATION for land within the navajo reservation



We, the undersigned, duly elected officers of Nageezi Chapter, P, 0, Box 100 ,
Naqeezi, NM 87037
(Name and Address of Chapter)
hereby certify that this application for this specific mission site was considered by the
Chapter on this 7 th day of $\quad$ January $\quad 19 \ldots 96$
and was (approved) (disapproved) by a vote of $47 \quad$ in favor 0 opposed.

Date $\qquad$


Chapter Secretary

## NAVAJO NATION COUNCIL DELEGATE'S CONSENT

Date_January 7, 1996

1, Henry Hesuse Navajo Nation Council Delegate from District No. 19 herewith grant my approval of
the establishment of mission site by the Native American Indian Religion of Eastern Dine' Ohapter, P.O. Box 882, Bloomfield NM 87413., requested location at south east of Nageezi, NM.
[Should the Delegate oppose.] My reasons for opposing the establishment of this mission are as follows:
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$

Signed


19
District No.
date: March 13. 2018

# $\frac{\text { Native American Indian Religion of Eastern Dine Chapter }}{(\text { NAME OF CHURCH) }}$ 

$\frac{\text { P.O. Box } 295}{\text { (ADDRESS) }}$ Nageezi, NM 87037

hereby makes an application for a religious site covering approximately 3.5 acres of Navajo Nation land located in Nageezi, San Juan county, Arizona KNew Mexiceras 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:

| $\square$ Supporting Chapter Resolution | $\square$ Land Use Consent |
| :--- | :--- |
| $\square$ Survey Plat | $\square$ Current Petition of Names |
| $\square$ Copy of Articles of Incorporation | $\square$ Other Supporting Documents |

Detailed statement of the purposes) 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: This is a permanent foundation set in 1987 with a hogan structure which is used to conduct prayer meetings and manage business meetings. There are additional buildings, arbor, parking lot and nine (9) teepee spots which can be used for ceremonies and used for National Conversion Day. This is all open to the community. Description of building and improvements to be placed on tribal land and the estimated cost thereof:
The permanent hogan structure has a 30 feet diameter. There is a $16 \times 24 \mathrm{ft}$ kitchen which is lo cated 50 yards away. Also, the parking lot takes up about an acre of the 3.5 acre total. Earthern foundation for nine (9) teepees covers a 12 foot diameter. This is all established within the 3.5 acres and there is no plans for improvement or additional structures at the moment.
plans for development of water and sewer: Currently, there are no utilities powering this estabilshment. Haul water from neighboring church or chapter house in 200 gal. barrel. Once Mission site is updated, Jemez Electric will provide
All corporations must attach hereto a copy of their Articles of Incorporation. If foreign to the state where religious site is to be located, the corporation must supply a certified copy of their authority to do business in the state.

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

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

In all cases of applications on behalf of unincorporated bodies where documents do no 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 exits, 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.

## Norman Benally <br> Authorized Agent (Print Name)




# NATIVE AMERICAN INDIAN RELIGION 

of Eastern Diné Chapter
Physical Address: 10771 U.S. 550, Nageezi NM 87037

TO: General Land Development Department Window Rock, AZ<br>DATE: $\quad$ August 27, 2018<br>FROM: Richard Harrison, Secretary<br>SUBJECT: Letter of Justification

The Native American Indian Religion of Eastern Diné Chapter is a duly certified non-profit organization established in 1988; and is incorporated in the State of New Mexico, Charter \#1395870; and NM EID \#85-0368221; and is incorporated with the Navajo Nation Corporation Code \#100210, dated April, 1994.

Native American Indian Religion of Eastern Dine Chapter is the sole owner and the Mission Site is located seven (7) miles SE of Nageezi, NM on NM 550; a three and one half (3.5) acre tract of Tribal Trust land in the SE $1 / 4$ of Section 1, T23N, R8W.

The Mission Site of 3.5 acres is fenced for the establishment of a permanent foundation of a structural Hogan, buildings, arbor, parking areas and tepee grounds. The purpose is to manage business meetings and to sponsor a peyote ceremony/conference annually for Native American Church members.
The organization plans to build small arbors with picnic tables; a basketball court and volleyball court as a recreation center to benefit the youth and children as community services facilities and to build a cultural center to provide 'Non-religious' adult educational programs to improve the way of life; and any other improvements as needed.

It is the desire and intention of Native American Indian Religion organization is to foster and preserve our aboriginal culture, sacred sites, and the religious beliefs and the healing through its divine powers; and to promote the teachings of traditional ways to worship a Heavenly Father through the use of peyote sacrament, and to protect our spiritual and moral values.

Native American Indian Religion of Eastern Dine Chapter is updating its legal records and the following records: Biological Survey, Cultural, Historical and Archaeological Compliance Report, and Environmental Assessment Report are already on file with the land department.
Thank you for help.
Sincerely,

| TO: | ATTN ERVIN CHEE <br> NN Dept of Justice | FROM: | RICHARD HARRISON, <br> Secretary |
| :--- | :--- | :--- | :--- |
| FAX: | (928) $871-6177 / 6200$ | FAX: | NONE |
| PHONE: | $(928) 871-6222$ | PHONE: | $505 / 947-0702$ |
| SUBJECT: | Letter of Proposal | DATE: | August 27,2018 |

COMMENTS: Letter of Justification, dated $3 / 2 / 18$
PLEASE call me when you received the documents. Thank you
Cover fax page and 1 attachment


## THE

# NAVAJO <br> NATION 

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Mr. Norman Benally, Registered Agent
NATIVE AMERICAN INDIAN RELIGION OF
    EASTERN DINE CHAPTER
NBU 3043, Space 28, Cr#5476
Farmington, NM }8749
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Dear Mr. Benally:
Please find enclosed a Certificate of Incorporation symbolizing the acceptance and approval of your Articles of Incorporation. Your Certificate of Incorporation should be placed in a conspicuous area within your organization.

Also, in accordance with the Navajo Nation Corporation Code, all corporate entities are required to file an annual report. This report is due on or before the last day of the first quarter, after the closed of your operation year.

If you have any questions regarding this matter do not hesitate to contact us at the above address or telephone number. Thank you.


Enclosure

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

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

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

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

| Table 1 |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Annual Income | $\begin{gathered} \$ 0- \\ \$ 20,000 \end{gathered}$ | $\begin{aligned} & \$ 20,000- \\ & \$ 30,000 \end{aligned}$ | $\begin{aligned} & \$ 30,000- \\ & \$ 40,000 \end{aligned}$ | $\begin{aligned} & \$ 40,000- \\ & \$ 50,000 \end{aligned}$ | $\begin{aligned} & \$ 50,000- \\ & \$ 60,000 \\ & \hline \end{aligned}$ | $\begin{aligned} & \hline \$ 60,000- \\ & \$ 70,000 \end{aligned}$ |
| Acres Used | Minimum Fee | Minimum Fee | $\begin{gathered} \text { Minimum } \\ \text { Fee } \end{gathered}$ | Minimum Fee | Minimum Fee | Minimum Fee |
| 1 | \$15 | \$30 | \$45 | \$60 | \$75 | \$90 |


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

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

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 1ribal 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.: Native American Indian Religion of Eastern Dine Chapter
DESCRIPTION: Proposed 3.5-acre mission site. This review includes all associated utilities.
LOCATION: SE $1 / 4$ of Section 01, T23N, R08W, NMPM, Nageezi Chapter, San Juan County, New Mexico
REPRESENTATIVE: Norman Benally, President-Native American Indian Religion of Eastern Dine Chapter
ACTION AGENCY: Navajo Nation
B.R. REPORT TITLE / DATE / PREPARER: Request for review \& concurrence/13 FEB 2018/Norman Benally

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3. Existing mission site.
POTENTIAL IMPACTS
NESL SPECIES POTENTLALLY IMPACTED: NA
FEDERALLY-LISTED SPECIES AFFECTED: NA
OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA
AVOIDANCE / MITIGATION MEASURES: NA
CONDITIONS OF COMPLLANCE*: NA
FORM PREPARED BY / DATE: Pamela A. Kyselka/13 FEB 2018
COPIES TO: (add categories as necessary)

| NTC \& 164 Recommendation: | Signature |
| :--- | :--- |
| $\boxed{A p p r o v a l}$ |  |
| $\square$ Conditional Approval (with memo) | Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife |
| $\square$ Disapproval (with memo) | $\square$ Categorical Exclusion (with request letter) |
| $\square$ None (with memo) |  |

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

Representative's signature
Date

The Navajo Nation

## MEMORANDUM

TO : Jeffrey Cole, Wildlife Manager $\quad$|  | Department of Fish and Wildlife |
| ---: | :--- |
|  | DIVISION OF NATURAL RESOURCES |

FROM : $\qquad$
For Gloria M. Tom, Director
Department of Fish and Wildlife
DIVISION OF NATURAL RESOURCES
DATE : February 13, 2018

SUBJECT : DELEGATION OF AUTHORITY

I will be on out of the office and I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 8:00 am Tuesday February 13, 2018. This delegation shall end at 5:00 pm. on Tuesday, February 13, 2018.

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

## ACKNOWLEDGEMENT:



Cc: file

ROUTING: COPIES TO
$\frac{\mathrm{NM}}{\mathrm{X}}$

SHPO
REAL PROPERTY MGT/330 NNAD

NNHPD NO. HPD-96-739
OTHER PROJECT NO.
NNAD-96-226

PROJECT TITLE: An Archaeological Survey of the Proposed Parcel of land for the Native American Indian Religion of Eastern Dine Chapter in Nageezi Chapter, San Juan County, New Mexico

LEAD AGENCY: BIA Navajo Area Office
SPONSOR: Norman Benally, Native American Indian Religion of Eastern Dine Chapter, P.O. Box 882, Bloomfield, New Mexico 87413

PROJECT DESCRIPTION: Construction of a hogan, building for office/kitchen, shelters, parking lots and earthen foundations for teepees

LAND STATUS: Tribal Trust
CHAPTER: Nageezi
LOCATION: T23N, R8W, Section 1, San Juan County, New Mexico
PROJECT ARCHAEOLOGIST: Nathaniel Todea
NAVAJO ANTIQUITIES PERMIT NO.: NTC
DATE INSPECTED: $11 / 01 / 96$
DATE OF REPORT: $11 / 13 / 96$
TOTAL ACREAGE INSPECTED: 3.50 Acres
METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 12 m apart.

LIST OF CULTURAL RESOURCES FOUND:
LIST OF ELIGIBLE PROPERTIES:
LIST OF NON-ELIGIBLE PROPERTIES:
LIST OF ARCHAEOLOGICAL RESOURCES:
(1) In-Use Site

None
In-Use Site A
None

EFFECT/CONDITIONS OF COMPLIANCE:
No historic properties were located. Pursuant to 36 CFR 800.4 (d), a copy of this form and the report have been provided to the SHPO notifying them that no historic properties were found.

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 520-871-7132.

FORM PREPARED BY: Iris Begaye
FINALIZED: December 10, 1996
Notification to
Proceed Recommended:
Conditions:



April 12, 2018

## MEMORANDUM

$$
\begin{aligned}
& \text { TO: } \\
& \text { Navajo Land Title Data Systems } \\
& \text { Land Department } \\
& \text { Division of Natural Resources } \\
& \text { FROM: } \\
& \begin{array}{l}
\text { Yolanda Barney, Environmental Program Manager } \\
\text { Public Water Systems Supervision and Domestic Wastewater Programs } \\
\text { Surface and Ground Water Protection Department } \\
\text { Navajo Nation Environmental Protection Agency }
\end{array}
\end{aligned}
$$

SUBJECT: DOCUMENT No. 009968
The Navajo Nation Environmental Protection Agency's Public Water Systems Supervision Program ("PWSSP") reviewed Document No. 009968, Native American Indian Religion of Eastern Dine Chapter Mission Site. Currently, there is no water or wastewater infrastructure at this facility. When the Native American Indian Religion of Eastern Dine Chapter plans to install water and wastewater facilities, construction permits will be required. PWSSP recommends approval of this document.

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

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

If there are any questions, please contact me at 871-7755.
xc: Ronnie Ben, Environmental Department Manager, Surface/Ground Water Protection Dept., NNEPA
Title of Document: Native American Indian Religion Of East

Contact Name: YAZZIE, ELERINA B
Program/Division: DIVISION OF NATURAL RESOURCES
Email: $\qquad$ Phone Number: 928-871-6447Business Site Lease
Sufficient Insufficient

1. Division:
2. Office of the ControllerDate:
3. Ofice of the Controller Date:
$\qquad$ (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: $\qquad$
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
4. Division:
5. Office of the Attorney General:
Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications
6. Office of Management and Budget:
7. Office of the Controller:

Date:
3. Office of the Attorney General:


Date:
Date:
Navajo Housing Authority Request for Release of Funds

1. NNEPA:
2. Office of the Attorney General: $\qquad$ Date:

Lease Purchase Agreements

1. Office of the Controller: $\qquad$

Date: $\qquad$
 (recommendation only)
2. Office of the Attorney General: $\qquad$ Date: $\qquad$


Grant Applications

1. Office of Management and Budget:
2. Office of the Controller:
3. Office of the Attorney General:
$\qquad$ $\begin{array}{ll}\text { Date: } \\ \text { Date: } \\ \text { Date: } & \square \\ & \square\end{array}$

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:
2. Office of the Attorney General:
Date:
Relinquishment of Navajo Membership
3. Land Department:
4. Elections:
5. Office of the Attorney General: $\qquad$



Land Withdrawal or Relinquishment for Commercial Purposes

1. Division:

Date:
2. Office of the Attorney General:

Date: $\qquad$
$\square$ Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases

1. NLD
2. F\&W
3. HPD
4. Minerals
5. NNEPA
6. DNR
7. DOJ $\qquad$

$\square$ Rights of Way
8. NLD
9. F\&W
10. HPD
11. Minerals
12. NNEPA
13. Office of the Attorney General:
14. OPVP

$\square$ Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease
15. Minerals
16. OPVP
17. NLD


Date: $\qquad$

$\square$ Assignment of Mineral Lease

1. Minerals
2. DNR
3. DOJ

$\square$ ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)
4. NLD
5. F\&W
6. HPD
7. Minerals
8. NNEPA
9. DNR
10. DOJ
11. OPVP


- other:Mission site




## CARL SMITH

 Executive DirectorDivision of
Communtry Development

PO Box 1904 Window Rock, AZ 86515

PH: 928.871 .7182 Fax: 928.871.7189

## Weasmes:

NNDCD.org
NavajoChapters.org

## Mission:

Provide
opportunlties for the Navajo communities to be self-governing and self-sufficient.

DCDA-M18001

## MEMORANDUM

TO :

FROM
ALL CONCERNED

Cant mutil
Carl Smith, Executive Director Division of Community Development

DATE : October 2, 2017
SUBJECT
FY 2018 Standing Delegation of Authority

In my absence from the office, two DCD personnel are designated to assume delegation of authority to act in my capacity as DCD Executive Director to assure proper operation, handle routine administrative matters, and have signatory approval, except those matters they feel require my attention. The order of delegation will be as follows:

1. Norbert Nez, Computer Operations Manager Division of Community Development
2. Marlon Stevens, Department Manager II Community Housing \& Infrastructure Department

Your assistance and cooperation will be appreciated.

Acknowledged by:



Marlon Stevens, Department Manager II Community Housing \& Infrastructure Dept. Division of Community Development

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

MEMORANDUM

TO: Executive Official Reviewers

FROM:


DATE: September 5, 2018

## SUBJECT: Document No. 9968\#2 - Native American Indian Religion of Eastern Dine Chapters Mission Site

The above-referenced document was submitted through the Executive Official Review process. This document is now legally sufficient after the sponsors were able to finalize their justification for the request for 3.5 acres of land. The consent forms are attached. Ms. Bidtah Becker's comments on the Data System is regarding which terms and conditions to use, Lease or Permit? We issue church lease only if the church is involved with school like Immanual Mission or St. Bonaventure Mission sites since they are involved with school. If it's pure religious without school involvement, we use the terms and conditions for mission site permit like in this case.

If you have any questions, please contact me at 871-6347. Thank you.

[^2][^3]Tier 2 Document Voting Results

| User Name (Facility) | Job Title | Department | Vote Cast | Comments | Replies | Vote Date | Signature |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Bidtah N. Becker (FBFA) | FBFA Users | FBFA Action Team | Approved | 1. Dear DOJcan you please opine on whether the applicant should obtain a mission site permit OR should it obtain a lease? Thank you. | 1. No Reply | 23-May-2018 | Rphrelen |
| Richard Begay NNHP (Navajo Land Title Data System Windowrock AZ) | Navajo <br> Nation <br> Historic <br> Preservation Officer | Historic Preservation Department | Approved | no comments | No Reply | 15-May-2018 | Rull MByo |
| Ronnie Ben EPA <br> (Navajo Land <br> Title Data System Windowrock AZ) | Underground Injection Control Reviewer | Navajo Nation Environmental Protection Agency | Approved | 1. Documents are outdated and should be made current Conditional Approval contingent on compliance with all NNEPA and USEPA environmenta laws. | 1. No Reply | 18-May-2018 | noi he |
| Sam Diswood (Navajo Land Title Data System Windowrock AZ) | Technical Review | Fish and Wildlife | Approved | no comments | No Reply | 13-May-2018 | Eenuel IT. disured |
| Steven Prince MIN <br> (Navajo Land <br> Title Data <br> System - <br> Windowrock <br> AZ) | Technical Reviewer | Navajo Nation <br> Minerals <br> Management | Approved | no comments | $\begin{aligned} & \text { No } \\ & \text { Reply } \end{aligned}$ | 14-May-2018 | Adwen Lopmer |
| W. Mike Halona <br> (Navajo Land <br> Title Data System Windowrock AZ) | Manager III <br> Navajo Land <br> Department | NLD <br> Administration | Approved | no comments | No Reply | 21-May-2018 | (4)aton |


| Tier 1 Document Voting Results |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| User Name (Facility) | Job Title | Department | Vote Cast | Comments | Replies | Vote Date | Signature |
| Eugenia <br> Quintana <br> EPA <br> (Navajo Land <br> Title Data <br> System - <br> Windowrock <br> AZ) | Air and Toxics Reviewer | Navajo Nation <br> Environmental <br> Protection <br> Agency | Approved | 1. Comments attached. | 1. No Reply | 11-May-2018 |  |
| Lee Anna <br> Martinez <br> EPA <br> (Navajo Land <br> Title Data <br> System - <br> Windowrock <br> AZ) | Water Quality Reviewer | Navajo Nation <br> Environmental <br> Protection <br> Agency | Approved | 1. These structures already exist; the material provided does not indicate they are expanding or adding to the already existing structure. | 1. No Reply | 20-Apr-2018 | Lee smad. Ali/nosdt |
| Najamh <br> Tariq <br> (Navajo Land <br> Title Data <br> System - <br> Windowrock <br> AZ) | Approver | Department of Water Resources | Approved | no comments | No Reply | 11-Apr-2018 |  |
| Pam Kyselka F\&W (Navajo Land Title Data System Windowrock AZ) | Technical Review | Fish and Wildlife | Approved | 1. \#18NAIRoia3 |  | 11-Apr-2018 | $14$ |
| Pam Maples EPA <br> (Navajo Land Title Data System Windowrock AZ) | Storage <br> Tanks <br> Program - <br> Reviewer | Navajo Nation Environmental Protection Agency | Approved | 1. It is impossible to locate this parcel precisely given the thumbnail map in the upper right hand corner of the legal survey. the survey starting section corner is T. 23 N.,R. 8 9 W ., and is located in the Oil and Gas Fields of the Four Corners Area, see Volumes I-1I, 1978 Pages 427-428 Nageezi Gallup (Oil), T. 23 N., R. 8 9 W., NMPM, San Juan County, New | 1. No Reply | 20-Apr-2018 | Tatricu $7 /$ aplua |





## MEMORANDUM

| TO: | Honorable Mark Freeland <br> Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, <br> Nageezi, Crownpoint Chapters |
| :--- | :--- |
| FROM: | Mariana Kahn, Attorney <br> Office of Legislative Counsel |
| DATE: May 10, 2019 |  |

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A MISSION SITE PERMIT FOR 3.5 ACRES FOR THE NATIVE AMERICAN INDIAN RELIGION OF EASTERN DINÉ CHAPTER IN THE VICINITY OF NAGEEZI CHAPTER, NAVAJO NATION

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. $\S \S 301,401,501,601$ and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

## THE NAVAJO NATION

LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0123-19_SPONSOR: Mark A. Freeland

# An Action Relating To Resources And Development Committee; Approving A Mission Site Permit For 3.5 Acres for The Native American Indian Religion Of Eastern Diné Chapter In The Vicinity Of Nageezi Chapter, Navajo Nation 

Date posted: May 16, 2019 at 4:46pm
Digital comments may be e-mailed to commentsonavajo-nsn.gov

Written comments may be mailed to:
Executive Director
Office of Legislative Services
P.O. Box 3390

Window Rock, AZ 86515
(928) 871-7590

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

[^4]
## THE NAVAJO NATION <br> LEGISLATIVE BRANCH <br> INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: $\underline{0123-19}$
SPONSOR: Honorable Mark AFreeland
TITLE: An Action Relating To Resources And Development Committee; Approving A Mission Site Permit For 3.5 Acres for The Native American Indian Religion Of Eastern Dine Chapter In The Vicinity Of Nageezi Chapter, Navajo Nation

Posted: May 16, 2019 at 4:46 PM
5 DAY Comment Period Ended: May 22, 2019
Digital Comments received:

| Comments Supporting | None |
| :---: | :--- |
| Comments Opposing | None |
| Inconclusive Comments | None |



Legislative Tracking Secretary Office of Legislative Services
 Date/Time


[^0]:    This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

[^1]:    * A thumb-print requires 2 witnesses

[^2]:    xc: Elerina Yazzie, Department Manager, General Land Development Department (GLDD) Veronica Blackhat, Assistant Attorney General, Natural Resources Unit, NNDOJ

[^3]:    X:INRUDNRIGLDDMMission-Church12018-09-05 NNDOJ Memo- Doc 996842 Native Amencan Indian Religion of Eastern Dine Chapters Mission Site

[^4]:    Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. $\S 374$ et. seq.

