

**RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
Of the 23rd Navajo Nation Council---First Year 2015**

**AN ACTION**

**RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE  
APPLICABILITY OF THE PROTECTION ZONE WITHIN THE CANYON DE  
CHELLY NATIONAL MONUMENT RESOLUTION RCS-51-85 FOR THE SPIDER  
ROCK PHASE II AND PHASE III WATERLINE EXTENSIONS WITHIN THE  
CHINLE AND NAZLINI CHAPTERS, NAVAJO NATION (APACHE COUNTY,  
ARIZONA)**

**BE IT ENACTED:**

**Section One. Findings**

- A. Pursuant to 2 N.N.C. §501 (B)(2), the Resources and Development Committee of the Navajo Nation Council has authority to give final approval of all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations; and
- B. The Resources Committee (Predecessor to the Resources and Development Committee) passed Resolution No. RCS-51-85 "Establishing a Protection Zone within the Boundaries of Canyon De Chelly National Monument to Protect Scenic, Scientific, Natural and Cultural Resources from Activities and Developments Deemed to be a Threat or an Adverse Impact Until a Joint Management Plan between the Navajo Nation Bureau of Indian Affairs, and the National Park Service is Developed and Approved", attached hereto and incorporated herein as Exhibit A; and
- C. The Chinle Chapter has passed resolution CHIN-JUN-15-034, attached as Exhibit B, Urgently Requesting the Resources and Development Committee to Establish a Partial Waiver of the Canyon De Chelly Moratorium for the Sole Purpose of Completing the Spider Rock Phases

II and III Waterline Extensions to Serve Sixty-Seven (67) Homes. In the resolution, the Chinle Chapter states "Chinle Chapter, Office of Environmental Health and Engineering (OEHE), Navajo Tribal Utility Authority (NTUA) and Canyon De Chelly National Park Service will not proceed with Spider Rock Phases II & III Waterline Extensions Project until the RDC establishes a partial waiver on the Moratorium" as the waterline projects are within the Protection Zone described in Resolution No. RCS-51-85. A map of the waterline projects is attached as Exhibit D.

- D. The Nazlini Chapter has passed resolution NAZL-2015-07-039 titled "Supporting Chinle Chapter Resolution CHIN-JUN-15-034 Urgently Requesting the Resources and Development Committee to Establish a Partial Waiver of the Canyon De Chelly Moratorium for the Sole Purpose of Completing the Spider Rock Phases II & III Waterline Extensions to Serve Residences in Spider Rock and Three Turkey Areas". The Nazlini Chapter resolution is attached as Exhibit C.
- E. Resources Development Committee has reviewed the document, including RDC Resolution RCS-51-58, and concludes that water line development do not represent "adverse impact" as indicated in the resolution and is not covered by Resolution RCS-15-85. Therefore, waiver of Resolution RCS-51-85 is not required.

**Section Two. Waiving Resolution No. RCS-51-85 "Establishing a Protection Zone within the Boundaries of Canyon De Chelly National Monument to Protect Scenic, Scientific, Natural and Cultural Resources from Activities and Developments Deemed to be a Threat or an Adverse Impact Until a Joint Management Plan between the Navajo Nation Bureau of Indian Affairs, and the National Park Service is Developed and Approved"**

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the water line projects with respect to the Spider Rock Phase II and Phase III Waterline Extensions within the Chinle and Nazlini Chapters within the Canyon De Chelly Protection Zone.

- B. The waiver of RCS-51-85 does not waive Navajo Nation law with regard to homesite lease requirements.
- C. A copy of this resolution shall be sent to the Superintendent of the Canyon De Chelly Monument.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at Church Rock, Navajo Nation (New Mexico), at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 0 abstained this 29th day of September, 2015.



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

Motion: Honorable Davis Filfred  
Second: Honorable Leonard Pete

RCS-51-85

RESOLUTION OF THE  
RESOURCES COMMITTEE OF  
THE NAVAJO TRIBAL COUNCIL

Establishing a Protection Zone within  
the Boundaries of Canyon De Chelly National Monument  
to Protect Scenic, Scientific, Natural and Cultural Resources  
from Activities and Developments Deemed to be a threat  
or an Adverse Impact Until a Joint Management Plan  
between the Navajo Nation Bureau of Indian Affairs,  
and the National Park Service is Developed and Approved

WHEREAS:

1. By Advisory Committee Resolution ACMA-35-84, the Resources Committee is responsible for all resource management and protection of scenic, scientific, natural and cultural resources; and
2. The Tribal Council Resolution 1922-1951 Res. page 40, passed July 8, 1930, approved a bill to authorize the President of the United States to establish Canyon de Chelly National Monument; and
3. Canyon De Chelly National Monument was established on February 14, 1931, by Presidential Proclamation with the consent of the Navajo Tribal Council to protect resources of scenic, scientific, natural, cultural and historical interest on all lands in Del Muerto, Canyon de Chelly, and Monument Canyon, and the canyons tributary thereto, and lands within one half mile of the rims of the said canyons; and
4. The National Park Service, the Bureau of Indian Affairs, and the Navajo Nation have established a core team to prepare a management plan for the Joint Management of these lands by these aforementioned agencies; and
5. The Joint Planning Team has identified issues and concerns and initiated public hearings to receive comments from local chapters, agencies, and interested individuals; and
6. The issues identified will be defined and management policies and guidelines will be developed to resolve problems and concerns, and to prevent adverse impacts that will destroy valuable resources are: The purpose and significance of Canyon De Chelly National Monument; Cultural and Natural Resource Management; Park Administration; future developments; visitor use and access; and

7. Adverse impacts to the Monument such as community encroachment and business related developments within the boundaries of Canyon De Chelly can be contrary to the new Joint Management Plan; and

8. The Chairman of the Navajo Tribal Council has asked the Chairman of the Resources Committee of the Navajo Tribal Council to establish a moratorium on new construction within the boundaries of Canyon De Chelly National Monument pending the development and approval of the Joint Management plan.

NOW THEREFORE BE IT RESOLVED THAT:

1. Adverse impacts will not be allowed, such as the development of structures and activities including:

- A. House trailers;
- B. Two story houses;
- C. Wells and water tanks;
- D. Tee-Pees, except those used for religious purposes;
- E. Special uses, including research and film making;
- F. Roads or trails including those for logging, woodcutting, homesites, utility access, and others;
- G. Landfills or dumps for solid waste;
- H. Commercial signs and structures, including ramadas;
- I. Chaining for range management;
- J. Quarrying, including borrow pits and mineral exploration;
- K. Wood cutting in highly sensitive areas;
- L. Timbering
- M. Sewage disposal lagoons or treatment facilities;
- N. Antennas;
- O. Hogans, corrals, or other traditional structures;
- P. Fences;
- Q. Hunting;
- R. Trapping;
- S. Recreational four wheeling by recreation vehicles except authorized tour guide services.
- T. Activities that are dangerous or hazardous in violation of Health and Safety Standards.

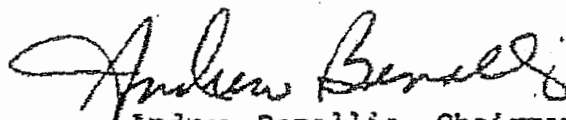
2. Disputes to the restrictions will be heard by a Subcommittee of the Core Team of the Joint Management Plan and recommendations of the dispute will be referred to the Resources Committee for a final decision. The joint management plan will include minimum criteria which can be used by the Subcommittee and Resources Committee to settle disputes that will arise. Disputes be considered on individual basis, and specific problems in addition to those identified by the joint management criteria will be addressed. Disputes must meet at least one of the following criterion:

- A. be a project already in the design stages as of this date;
- B. be an approved homesite lease where financing has been approved;
- C. be a modification or enlargement of existing structures;
- D. be a genuine, provable hardship, absent approval of the proposed development;
- E. be a project within areas determined to be not significant for the protection of important resources or not necessary for visitor or administrative use.

3. The protection zone hereby established covers all lands within the approximate park boundary including a buffer along the south and north main roads at a distance 1,000 feet away from the road on the side away from the canyon rim. The protection zone will extend up to the Navajo Community College turnoff on the north rim and the Spider Rock turnoff including Monument, Canyon de Chelly, Black Rock, Del Muerto, and other significant canyons.

#### C E R T I F I C A T I O N

I hereby certify the foregoing Resolution was duly considered by the Resources Committee at a duly called meeting at Window Rock, Arizona at which a quorum was present, and that same was approved by a vote of 4 in favor and 0 opposed, this 5th day of September, 1985.



Andrew Benallie, Chairman  
Resources Committee

MOTIONED: Wallace Davis  
SECONDED: Jeffrey Henry

# Chinle Chapter Government

THE NAVAJO NATION

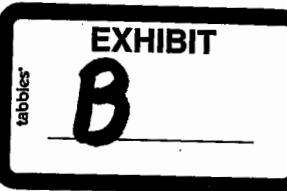
Andy R. Ayze  
PRESIDENT

Myron McLaughlin  
VICE PRESIDENT

Cynthia Hunter  
SECRETARY/TREASURER

Leonard Pete  
COUNCIL DELEGATE

Eugene Tso  
GRAZING COMMITTEE MEMBER



## RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-JUN-15-034

### URGENTLY REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE TO ESTABLISH A PARTIAL WAIVER OF THE CANYON DE CHELLY MORATORIUM FOR THE SOLE PURPOSE OF COMPLETING THE SPIDER ROCK PHASES II & III WATERLINE EXTENSIONS TO SERVE SIXTY-SEVEN (67) HOMES.

#### WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. Pursuant to 2 N.T.C., Section 691 and 695, et seq., the Resources and Development Committee (RDC) was established as a Standing Committee of the Navajo Nation Council with the responsibility to oversee and regulate all activities involving the disposition, or alteration of the natural resources.
3. Chinle Chapter has been diligently working on Spider Rock Phases III Waterline Extensions that will be serving sixty-seven (67) consumers, nine (9) homes are located within the Canyon De Chelly Moratorium; and
4. Chinle Chapter began a prior project known as Spider Rock Phase II Waterline Extension in 2014 to serve fifty-nine (59) consumers, however, twenty-four (24) consumers residing on the North side of N7 within the Canyon De Chelly Moratorium could not be approved; and
5. Chinle Chapter, Office of Environmental Health and Engineering (OEHE), Navajo Tribal Utility Authority (NTUA) and Canyon De Chelly National Park Service will not proceed with Spider Rock Phases II & III Waterline Extensions Project until the RDC establishes a partial waiver on the Moratorium; and
6. Chinle Chapter has made sure all consumers listed are living in their homes and their homes are feasible for this project; and
7. Chinle Chapter, urgently requests the RDC to partially waive the Canyon De Chelly Moratorium specifically for the Spider Rock Phases II & III Waterline Extensions Project at their next scheduled meeting so that the project can move forward, this will also give Chinle Chapter enough time to apply for Grants and meet deadlines for project funding.
8. At the June 02, 2014 RDC Meeting, with a consensus of RDC, National Park Service, OEHE and Navajo Nation Parks and Recreation fully supported the partial waiver of the Canyon De Chelly Moratorium which would grant the Right of Way to proceed with this project.

URGENTLY REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE TO ESTABLISH A PARTIAL WAIVER OF THE CANYON DE CHELLY MORATORIUM FOR THE SOLE PURPOSE OF COMPLETING THE SPIDER ROCK PHASES II & III WATERLINE EXTENSIONS TO SERVE SIXTY-SEVEN (67) HOMES.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter hereby urgently requests the Resources and Development Committee to establish a partial waiver of the Canyon De Chelly Moratorium for the purpose of completing the Spider Rock Phases II & III Waterline Extensions Project to serve sixty-seven (67) homes.

CERTIFICATION

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 20 in favor, 0 opposed, and 7 abstained, this 14<sup>th</sup> day of June 2015.

Motioned  
by:

ROSELYNE YATZIE

Second by:

MYRON MCLAUGHLIN

Andy R. Ayze

Andy R. Ayze, President

Myron McLaughlin

Myron McLaughlin, Vice President

Cynthia Hunter

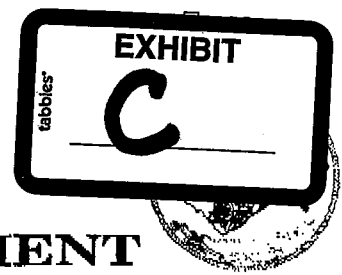
Cynthia Hunter, Secretary / Treasurer

on 6/16/2015





**RESOLUTION OF THE NAZLINI CHAPTER**  
**NAZL-2015-07-039**



**NAZLINI CHAPTER GOVERNMENT**

JOHNSON GLAW  
• PRESIDENT

JOSEPH DEDMAN, JR.  
• VICE PRESIDENT

JOANN DEDMAN  
• SECRETARY/TREASURER

**SUPPORTING CHINLE CHAPTER RESOLUTION CHIN-  
JUN-15-034 URGENTLY REQUESTING THE RESOURCES  
AND DEVELOPMENT COMMITTEE TO ESTABLISH A  
PARTIAL WAIVER OF THE CANYON DE CHELLY  
MORATORIUM FOR THE SOLE PURPOSE OF  
COMPLETING THE SPIDER ROCK PHASES II & III  
WATERLINE EXTENSIONS TO SERVE RESIDENCES IN  
SPIDER ROCK AND THREE TURKEY AREAS.**

KEE ALLEN BEGAY, JR.  
COUNCIL DEPUTATE

IRVIN SHIRLEY  
GRAZING REPRESENTATIVE

JUDY DONALDSON  
COORDINATOR

**WHEREAS:**

1. The Nazlini Chapter pursuant to the NC Title 26, Section 101 and the Resource and Development Committee Legislation #RDCF-02-15 dated February 17, 2015 recognized as a L.G.A. Certified Chapter; AND
2. Nazlini Chapter has residences in Three Turkey area that do not have running water; AND
3. Chinle Chapter, a recognized certified local government of the Navajo Nation, has been working on Spider Rock Phases II & III Waterline Extensions since 2014 that will serve Spider Rock and Three Turkey Area residences; AND
4. Chinle Chapter, Office of Environmental Health and Engineering (OEHE), Navajo Tribal Utility Authority (NTUA), and Canyon De Chelly National Park Service will not proceed with Spider Rock Phases II & III Waterline Extensions Project until the RDC establishes a partial waiver on the Moratorium; AND
5. Nazlini Chapter supports Chinle Chapter's efforts to develop, construct and complete the Spider Rock Phases II & III Waterline Extension Project which will benefit and serve the residences located in Spider Rock and Three Turkey areas; AND
6. Nazlini Chapter will partner and cost share with Chinle Chapter to complete the Spider Rock Phase III Waterline Extension which will serve residences located in Three Turkey area which is within the Nazlini Chapter boundar; AND

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

1. Nazlini Chapter supports Chinle Chapter Resolution CHIN-JUN-15-034 urgently requesting the Resources and Development Committee to establish a Partial Waiver of the Canyon De Chelly Moratorium for the sole purpose of completing the Spider Rock Phases II & III Waterline Extensions to serve residences in Spider Rock and Three Turkey area.

Page 2

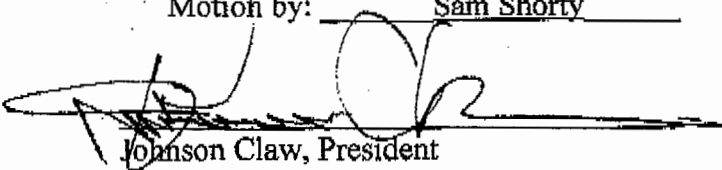
2. Nazlini Chapter will partner and cost share with Chinle Chapter to complete the Spider Rock Phase III Waterline Extension which will serve residences located in Three Turkey area which is within the Nazlini Chapter boundary

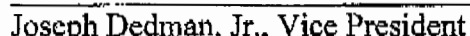
### CERTIFICATION

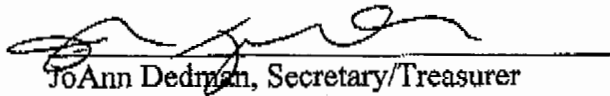
We, hereby certify that the foregoing resolution was duly considered by the Nazlini Chapter at a duly called meeting at Nazlini, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 23 in favor, 0 opposed and 2 abstained, this 12 day of July, 2015.

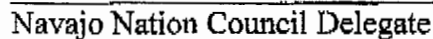
Motion by: Sam Shorty

Seconded by: Harry Gorman Sr.

  
Johnson Claw, President

  
Joseph Dedman, Jr., Vice President

  
JoAnn Dedman, Secretary/Treasurer

  
Navajo Nation Council Delegate

2001/04/04



Existing Waterline  
003 WATERLINE  
Proposed Waterlines  
(SOS - Warning List)

Name List for SDS Project NO: AZ01054-0103 [Spider Rock - Chinle Phase 3] Community: Spider Rock (Chinle-Many Farm)

Chapters: Chinle, Many Farms, & Nazlini Last Updated: 18 May 2010

Number of Homes	Homeowner (Last, First)	Chapter	House Type	First Service	Recommended Facilities			Plumbing Required	Bathroom Addition Required
					Water	Sewer	SW		
Qualified Homes									
1	Smith, Farley	Chinle	Trailer	Yes	Yes	Yes	No	No	
2	Smith, Lorraine	Chinle	Trailer	Yes	Yes	Yes	No	No	
3	Smith, Phillip	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
4	Smith, Felix	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
5	Smith, Howard	Chinle	Trailer	Yes	Yes	Yes	No	No	
6	Smith, George	Chinle	Trailer	Yes	Yes	Yes	No	No	
7	Begay, Marcus	Chinle	Trailer	Yes	Yes	Yes	No	No	
8	Smith, Evelyn	Chinle	Trailer	Yes	Yes	Yes	No	No	
9	Skye, Lorretta	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
10	Clark, Priscilla Smith	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
11	Skye, Thomas Jr.	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
12	Buckner, Sadie Marie	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
13	Whitesinger, Don	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
14	Yoe, Charlie	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
15	Yoe, Jarvice	Chinle		Yes	Yes	Yes	No	Yes	Yes
16	Yoe, Maggie	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
17	Chee, Elizabeth	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
18	Smith, Dolly	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
19	Chester, Gabriel	Chinle	Frame	Yes	Yes	Yes	No	No	
20	Chester, Nettel	Chinle		Yes	Yes	Yes	No	Yes	Yes
21	Chester, Josephina	Chinle		Yes	Yes	Yes	No	Yes	Yes
22	Yoe, Larry	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
23	Yoe, Gloria	Chinle		Yes	Yes	Yes	No	Yes	Yes
24	Bia, Stanley	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
25	Bahe, LaRose	Chinle	Trailer	Yes	Yes	Yes	No	No	
26	Bia, Charles Sr.	Chinle	Frame	No	Yes	Yes	No	No	
27	Largo, Rosetta	Chinle	Trailer	Yes	Yes	Yes	No	No	
28	Bia, Rose Ann	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
29	Hale, Darlene	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
30	Begay, Jimson	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
31	Begay, Lena A.	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
32	Begay, Jullison D.	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
33	Begay, Johnson D. Jr.	Chinle	Trailer	No	Yes	Yes	No	No	
34	Yazzie, Christine/Phillison	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
35	Spencer, Lena	Chinle	Frame	Yes	Yes	Yes	No	No	
36	Yazzie, Vangie	Chinle		Yes	Yes	Yes	No	Yes	Yes
37	Segay, Angela	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
38	Spencer, Estervon Lee	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
39	Spencer, Tommie Lee Sr.	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
40	Teller, Anabelle	Chinle	Frame	Yes	Yes	Yes	No	No	
41	Yazzie, Martha	Chinle	Trailer	Yes	Yes	Yes	No	No	
42	Yazzie, Valencia	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
43	Hayou, Rita	Chinle	C-block	Yes	Yes	Yes	No	No	
44	Hayou, Henry	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
45	Henry, Andrew	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
46	Henry, Bessie	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
47	Bia, Herbert	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
48	James, Foley	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
49	Begay, Rose Nez	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
50	Yazzie, Francis H.	Chinle	Frame	Yes	Yes	Yes	No	No	
51	Brown, Johnson L.	Chinle	Trailer	Yes	Yes	Yes	No	No	
52	Brown, Peterson Lee	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
53	Church, Hogan	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
54	Brown, David L. Sr	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes

55	Yazzie, Dan	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
56	Bia, Raymond	Chinle	Trailer	Yes	Yes	Yes	No	No	
57	Bia, Elsie M.	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
58	Bia, Julian	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
59	James, Daisy	Chinle	Trailer	Yes	Yes	Yes	No	No	
60	James, Floyd	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
61	Bia, Annie	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
62	Silversmith, Mary	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
63	Smith's	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
64	Stealy, Vannie	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
65	Vanwinkle, Sarah	Chinle	Trailer	Yes	Yes	Yes	No	No	
66	Yazzie, Kara	Chinle	Trailer	Yes	Yes	Yes	No	No	
67	Spencer, John	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
68	Blake, Lavera	Chinle	Trailer	Yes	Yes	Yes	No	No	
69	Yazzie, Rose	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
70	Blake, Emily	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
71	DeBoise, Stella	Chinle	Trailer	Yes	Yes	Yes	No	No	
72	DeBoise, Johnathan	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
73	Begay, Roselyn	Chinle	Trailer	Yes	Yes	Yes	No	No	
74	Thomas, Johnson	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
75	Charles, Aurelia	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
76	Becenti, Mary	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
77	Smith, Howard	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
78	Price, Conrita	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
79	Caroll, George	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
80	Tah, Dennis	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
81	Anderson, Lorraine	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
82	Price, Ida	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
83	Smith, Ester	Chinle	Trailer	Yes	Yes	Yes	No	No	
84	Sam, Genevieve	Chinle	Trailer	Yes	Yes	Yes	No	No	
85	Stevens, Lynn	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
86	Stevens, Wilmerine F.	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
87	Yazzie, Leroy D.	Chinle	Frame	Yes	Yes	Yes	No	No	
88	Yazzie, Deswood	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
89	Yazzie, Elroy	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
90	Yazzie, Alfred	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
91	Nez, Jesse	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
92	Yazzie, Marlina	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
93	Yazzie, Preston	Chinle	Trailer	Yes	Yes	Yes	No	No	
94	Yazzie, Sharon W.	Chinle	Trailer	Yes	Yes	Yes	No	No	
95	Yazzie, Preston	Chinle	Frame	Yes	Yes	Yes	No	No	
96	Yazzie, Denet	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes
97	Yazzie, Mae	Chinle	Frame	Yes	Yes	Yes	No	No	
98	Yazzie, Benjamin	Chinle	Frame	Yes	Yes	Yes	No	Yes	Yes
99	Brown, Vernita V.	Chinle	Cabin	Yes	Yes	Yes	No	Yes	Yes
100	John, Sheryl K.	Chinle	Hogan	Yes	Yes	Yes	No	Yes	Yes

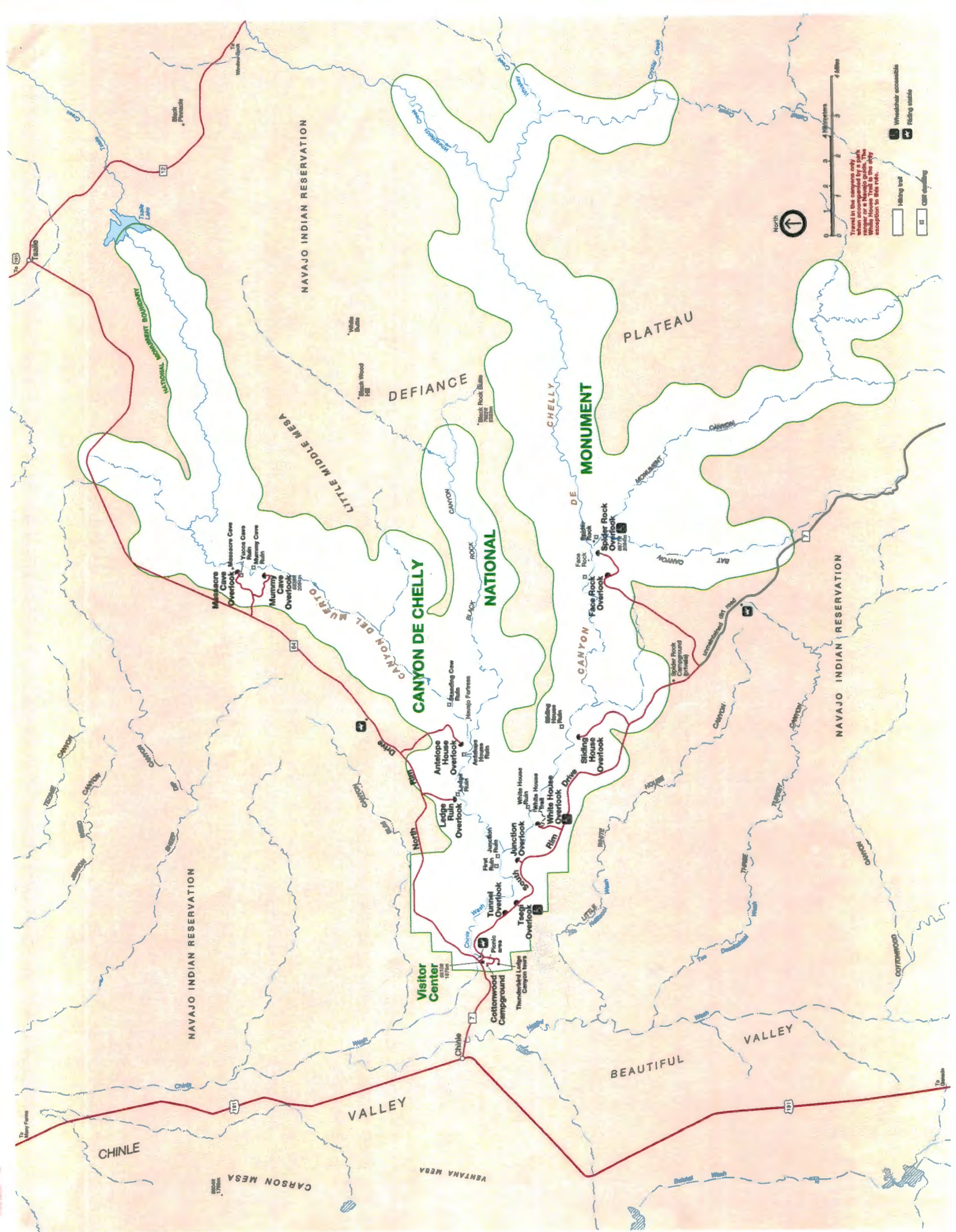
Non Qualified Homes:

**SPECIAL #24**  
*MD RATTAN*

Plumbings needed 69  
Additions needed 69

\*UO=Unoccupied, IS=Inadequate Structure, ES=Mobile Homes with no exterior stubouts, NS=Mobile Home not skirted, HH=H





# PARTIAL WAIVER OF THE CANYON DE CHELLY MORATORIUM

## Exhibits

### A. RESOLUTIONS

- 1) **CJL-5-30** Canyon De Chelly National Monument Submittal of Bill Establishing Canyon De Chelly National Monument
- 2) \_\_\_\_\_
- 3) **RCS-51-85** Establishing a Protection Zone within the Boundaries of Canyon De Chelly National Monument to Protect Scenic, Scientific, Natural and Cultural Resources from Activities and Developments Deemed to be a Threat or an Adverse Impact Until a Joint Management Plan between the Navajo Nation Bureau of Indian Affairs, and the National Park Service is Developed and Approved
- 4) **RCN-113-87** Reviewing and Recommending for Approval by the Chairman of the Navajo Tribal Council the Revised Task Directive for Canyon De Chelly National Monument
- 5) **RCJ-8-88** Reviewing and Recommending for Approval by the Chairman of the Navajo Tribal Council the Revised Statement for Management for Canyon De Chelly National Monument
- 6) **CHIN-DEC-12-065** Requesting the Office of Environmental Health and Engineering changes its Plan to Ensure That the Twenty-Four (24) Homes on the North Side of Highway N7 are Included in the Second Phase of the Spider Rock Waterline Extension
- 7) **CHIN-JUN-15-034** Urgently Requesting the Resources and Development Committee to Establish a Partial Waiver of the Canyon De Chelly Moratorium for the Sole Purpose of completing the Spider Rock Phases I, II, & III Waterline Extensions to Serve Sixty- Seven (67) Homes
- 8) **CHIN-JUN-15-035** Requesting the Resources and Development Committee to Schedule a Work Session with Canyon De Chelly National Park Service, Bureau of Indian Affairs, and Navajo Nation to Complete the Joint Management Plan
- 9) **CHIN-APR-15-018** Requesting the Office Environmental Health and Engineering to Conduct a Feasibility Study, Right of Way and Cost-Estimate for Sixty-Seven (67) Customers for Spider Rock Phase III Project for the Chinle Chapter
- 10) **NAZL-2015-07-039** Supporting Chinle Chapter Resolution CHIN-JUN-15-034 Urgently Requesting the Resources and Development Committee to Establish a Partial Waiver of the Canyon De Chelly Moratorium for the Sole Purpose of Completing the Spider Rock Phases II & III Waterline Extensions to Serve Residences in Spider rock fand Three Turkey Areas

**B. RESIDENTS LISTING**

**C. MAPS**

- 1) Canyon De Chelly National Monument Boundary/Moratorium
- 2) Spider Rock Phases I, II, & III Waterline Extension

**D. EMAILS BETWEEN CHINLE CHAPTER AND OFFICE OF ENVIRONMENTAL HEALTH & ENGINEERING**

**E. NEWSPAPER ARTICLES**

- 1) Daniel Vandever. Navajo-Hopi Observer, "Navajo Parks Welcomes New Manager", dated 8/31/2010
- 2) Cindy Yurth. Navajo Times, "Not so Fast, say Tseyi Residents", dated May 20, 2015

**F. JOIN MANAGEMENT PLAN, Canyon De Chelly National Monument, Arizona February 1990. National Park Service, Navajo Nation and Bureau of Indian Affairs**



Subject Matter: Car Chelly National Monument al of  
 Bill: Establishing  
 Page: July 1930 Meeting: 73  
 Discussed: July 8, 1930  
 Passed: July 8, 1930  
 Vote: Page 73 (16 for, 1 against, 3 not voting).

RESOLVED, That the Navajo Tribal Council assembled at Fort Wingate on July 8, 1930, approves the following bill to authorize the President of the United States to establish the Canyon de Chelly National Monument within the Navajo Indian Reservation, Arizona.

A BILL: To authorize the President of the United States to establish the Canyon de Chelly National Monument within the Navajo Indian Reservation, Arizona.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED:

That with the consent of the Tribal Council of the Navajo Tribe of Indians, the President of the United States is hereby authorized to establish by presidential proclamation, the Canyon de Chelly National Monument, within the Navajo Indian Reservation, Arizona, including the lands hereinafter described.

SECTION 2. That nothing herein shall be construed as in any way impairing the right, title, and interest, of the Navajo Tribe of Indians which they now have and hold to all lands and minerals including oil and gas and the surface use of such lands for agricultural, grazing and other purposes, except as hereinafter defined, and the said tribe of Indians shall be and is hereby granted the preferential right, under regulations to be prescribed by the Secretary of the Interior of furnishing riding animals for the use of visitors to the monument.

SECTION 3. That the National Park Service, under the direction of the Secretary of the Interior, is hereby charged with the administration of the area of said national monument, so far as it applies to the care, maintenance, preservation and restoration of the prehistoric ruins, or other features of scientific or historical interest within the area, and shall have the right to construct upon the lands such roads, trails or other structures or improvements as may be necessary in connection with the administration and protection of the monument, and also the right to provide facilities of any nature whatsoever required for the care and accommodation of visitors to the monument.

PERMANENT FILE - NAVAJO TRIBE

RESOLUTION OF THE  
THE NAVAJO TRIBE

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

Canyon De Chelly National Monument

BE IT RESOLVED by the Advisory Committee of the Navajo Tribal Council that:

1. It is the opinion of the Committee, that the Navajo Tribe, through the establishment of the Canyon De Chelly National Monument on Tribal lands within the Navajo Reservation, retained full ownership and control of the lands.
2. The action of the National Park Service in granting a concession for trading and hotel purposes is not proper or within the authority of the Park Service.
3. Should the National Park Service claim rights to grant concessions within the area, the Committee hereby requests the Commissioner of Indian Affairs and the Secretary of the Interior to cause the boundaries of the monument to be changed to exclude that portion of the lands on which the Thunder Bird Ranch is located.
4. An understanding be worked out with the Park Service and the Navajo Tribe relative to the use and control of the Tribal lands within the monument.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting, at which a quorum was present, at Window Rock, Arizona, and that same was approved by a vote of 5 in favor and 0 opposed, on the 2nd day of October, 1951.

APPROVED:

*Samuel A. Bush*  
Sam A. Bush, Chairman  
Navajo Tribal Council

*William C. Harber*  
William C. Harber  
Acting Director

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RESOLUTION OF THE  
RESOURCES COMMITTEE OF THE  
NATIVE TRIBAL COUNCIL

Supporting and Recommending for Approval by the  
Chairman of the Navajo Tribal Council the  
Navajo Land Structure Study as Truly National Monument

WHEREAS

1. Pursuant to Advisory Committee of the Navajo Tribal Council resolution 44-18-84 the Resources Committee of the Navajo Tribal Council has the authority to ensure the optimum utilization of all resources of the Navajo Nation in behalf of the Navajo Tribal Council; and

2. Canyon de Chelly National Monument was established by Presidential Proclamation on April 1, 1931, and the authorizing legislation by Congress reserved to the Navajo people "all rights to the surface and subsurface of the land within the Monument"; and

3. Because of the unique situation where the National Park Service does not own land rights within the Monument, management of the resources is largely uncoordinated by the agencies involved due to the lack of a guidance document; and

4. The National Park Service, Navajo Nation, and the Bureau of Indian Affairs are cooperating in an effort to develop a Joint Management Plan for Canyon de Chelly National Monument; and

5. This Land Structure Study is a study which is already working as a Planning Team to develop and prepare this Plan.

THE CHAIRMAN OF THE RESOURCES COMMITTEE

The Resources Committee of the Navajo Tribal Council has reviewed the Land Structure Study and recommends for approval by the Chairman of the Navajo Tribal Council.

WITNESSED AND APPROVED THIS 17th

I hereby certify that the foregoing resolution was duly considered by the Resources Committee of the Navajo Tribal Council at a duly called meeting on Monday, July, Navajo Nation, Arizona, at which a quorum was present and said same was passed by a vote of 12 in favor and 1 opposed, this 17th day of November, 1977.

\_\_\_\_\_  
Elizabeth A. Parker, Chairman  
Resources Committee

WITNESSED: Elmer L. White  
RECORDED: Alfred L. Tamm

RESOLUTION OF THE RESOURCES COMMITTEE  
OF THE NAVAJO TRIBAL COUNCIL

Reviewing and Recommending for Approval by the  
Chairman of the Navajo Tribal Council the  
Revised Statement for Management for  
Canyon de Chelly National Monument

WHEREAS:

1. Pursuant to Advisory Committee of the Navajo Tribal Council resolution NDMA-15-84, the Resources Committee of the Navajo Tribal Council has the authority "to insure the optimum utilization of all resources of the Navajo Nation on behalf of the Navajo Tribal Council"; and

2. Canyon de Chelly National Monument was established by Presidential Proclamation on April 1, 1931, and the authorizing legislation by Congress reserved to the Navajo people "all rights to the surface and subsurface of the land within the "Monument"; and

3. Because of the unique situation whereby the National Park Service does not own land rights within the Monument, management of the resources is largely uncoordinated by the agencies involved due to the lack of a guidance document; and

4. The National Park Service, Navajo Nation, and the Bureau of Indian Affairs are involved in a cooperative in an effort to develop a Joint Management Plan for Canyon de Chelly National Monument; and

5. The Resources Committee of the Navajo Tribal Council approved the Central Task Structure through resolution NDP-11-87 that created a subcommittee establish a Site Planning Team to develop and prepare this Plan.

NOW THEREFORE BE IT RESOLVED THAT

The Resources Committee of the Navajo Tribal Council has reviewed the Revised Statement for Management and recommends its approval by the Chairman of the Navajo Tribal Council.

CONFIDENTIAL

I have recently read the following resolution was adopted  
 considered by the Executive Committee of the United States Council on  
 Education at a meeting at New York City, New York, January 1955, at which a  
 joint resolution was adopted and the same was passed by a vote of 12 to 0  
 and signed this 11th day of January, 1955.

Respectfully,  
 Executive Committee

UNITED STATES: House of Representatives  
 SENATE: Senate

# Chinle Chapter Government

## THE NAVAJO NATION

LEO R. BEGAY  
PRESIDENT

BRUCE C. DRAPER  
VICE PRESIDENT

PRISCILLA M. CLARK  
SECRETARY/TREASURER

Leonard H. Pete  
COUNCIL DELEGATE

Eugene Tso  
GRAZING REPRESENTATIVE

### RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-DEC-12-065

#### REQUESTING THE OFFICE OF ENVIRONMENTAL HEALTH AND ENGINEERING CHANGES ITS PLAN TO ENSURE THAT THE TWENTY-FOUR (24) HOMES ON THE NORTH SIDE OF HIGHWAY N7 ARE INCLUDED IN THE SECOND PHASE OF THE SPIDER ROCK WATER LINE EXTENSION.

#### WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. Chinle Chapter is working diligently for the improvement of the community water, wastewater system to improve the health of the people, to reduce the unnecessary hardship involved in finding and hauling potable water; and
3. For several years Chinle Chapter Officials, elected leaders having been diligently working to have the Spider Rock water line extended to the base of the mountain to serve as many homes as possible and the progress have been slow due the shortage of funds; and
4. Chinle Chapter with its elected leaders, staff are relentlessly working to complete the first phase of the Spider Rock water line extension and the Chapter is seeking additional funds for the second phase of the water line extension; and
5. Initially there were ninety (90) homes that were identified for the second phase of the water line extension but the numbers of homes have been reduced to sixty-four (64) homes by Office of Environmental Health and Engineering due to the shortage of construction funds; and
6. Chinle Chapter has been seeking and exerting extra effort to obtain additional funds to reduce the cost the water line extension to be undertaken by Office of Environmental Health and Engineering alone; and
7. Chinle Chapter has not been given the approximate amount of fund that is in the shortfall to ensure that all ninety (90) homes are included in the second phase of the water line extension; and
8. With the hope of ensuring that all ninety (90) homes are placed on the community water system Chine Chapter is in the process of applying for funds from Community Development Block Grant to cover part of the construction of the water line extension; and
9. Chinle Chapter has already expended funds on building materials and manpower to get the twenty-four (24) homes ready to be included in the proposed water line extension project. The Chapter had been working according to the plans provided by Office of Environmental Health and Engineering to construct bathrooms for homes of the north side of the highway ; and
10. There are elders living on the east side of the highway that are vulnerable to various sickness by using drinking water from unapproved sources.

REQUESTING THE OFFICE OF ENVIRONMENTAL HEALTH AND  
ENGINEERING CHANGES ITS PLAN TO ENSURE THAT THE TWENTY-  
FOUR (24) HOMES ON THE NORTH SIDE OF HIGHWAY N7 ARE INCLUDED  
IN THE SECOND PHASE OF THE SPIDER ROCK WATER LINE EXTENSION.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter hereby requests the Office of Environmental Health and Engineering changes its plan to ensure that the Twenty-Four (24) homes on the north side of highway N7 are included in the second phase of the Spider Rock water line extension.

CERTIFICATION

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 37 in favor, 00 opposed, and 00 abstained, this 5<sup>th</sup> day of December 2012.

Motioned by:

Johnson Begay Sr.

Second by:

Timothy Begay

Leo R. Begay, President

Bruce C. Draper, Vice President

Priscilla M. Clark  
Priscilla M. Clark, Secretary / Treasurer

# Chinle Chapter Government

THE NAVAJO NATION

Andy R. Ayze  
PRESIDENT

Myron McLaughlin  
VICE PRESIDENT

Cynthia Hunter  
SECRETARY/TREASURER

Leonard Pete  
COUNCIL DELEGATE

Eugene Tso  
GRAZING COMMITTEE MEMBER

## RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-JUN-15-035

### REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE TO SCHEDULE A WORK SESSION WITH CANYON DE CHELLY NATIONAL PARK SERVICE, BUREAU OF INDIAN AFFAIRS AND NAVAJO NATION TO COMPLETE THE JOINT MANAGEMENT PLAN

#### WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. Pursuant to 2 N.T.C., Section 691 and 695, et seq., the Resources and Development Committee was established as a Standing Committee of the Navajo Nation Council with the responsibility to oversee and regulate all activities involving the disposition, or alteration of the natural resources.
3. Chinle Chapter is Canyon De Chelly National Park Service, Bureau of Indian Affairs (BIA) and the Navajo Nation to schedule a work session to complete the Joint Management Plan; and
4. The Joint Management Plan was developed on February, 1990 by the three governmental entities, but was never officially signed and implemented; and
5. The Joint Management Plan will address the overall management of Canyon De Chelly by Canyon De Chelly National Park Service, Bureau of Indian Affairs (BIA) and the Navajo Nation regarding, but not limited to, jurisdictional issues, enforcement issues, and preservation as well as conservation issues.

#### NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter hereby requests the Resources and Development Committee to schedule a work session with Canyon De Chelly National Park Service, Bureau of Indian Affairs, and Navajo Nation to complete the Joint Management Plan.

#### CERTIFICATION

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 23 in favor, 0 opposed, and 5 abstained, this 14<sup>th</sup> day of June 2015.

Motioned  
by:

MARIA BEZAY

Second by:

CORINNA MORALES

Andy R. Ayze  
Andy R. Ayze, President

Myron McLaughlin  
Myron McLaughlin, Vice President

Cynthia Hunter  
Cynthia Hunter, Secretary / Treasurer

6/16/2015



# Chinle Chapter Government

THE NAVAJO NATION

Andy R. Ayze  
PRESIDENT

Myron McLaughlin  
VICE PRESIDENT

Cynthia Hunter  
SECRETARY/TREASURER

Leonard Pete  
COUNCIL DELEGATE

Eugene Tso  
GRAZING COMMITTEE MEMBER

## RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-APR-15-018

### REQUESTING THE OFFICE ENVIRONMENTAL HEALTH AND ENGINEERING TO CONDUCT A FEASIBILITY STUDY, RIGHT OF WAY AND A COST-ESTIMATE FOR SIXTY-SEVEN (67) CUSTOMERS FOR SPIDER ROCK PHASE III PROJECT FOR THE CHINLE CHAPTER.

#### WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. All sixty-seven (67) customers are currently occupied there home 24/7 and have been verified by Mr. Danny Halwood, Jr, Project Coordinator and Peter Littlehat, Jr., Environmental Engineer; and
3. Chinle Chapter plans to utilize the cost estimate to pursue funding through the Navajo Nation Community Development Block Grant (CDBG), and other grants that the Chapter may find; and
4. Chinle Chapter has requested the Right of Way and Cost-Estimate of this project last year, but at this time Chinle Chapter has not receive a cost estimate or the Right of Cost to make payment; and
5. The Many Farms OEHE office and the Main office in Window Rock needs to provide the necessary documentation to the Chinle Chapter Government in the manner of the Right of Way cost, so that Chinle Chapter may proceed with this project and complete the necessary paperwork so that funding may be appropriated so the project can commence.

#### NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter hereby requests the Office Environmental Health and Engineering to conduct a Feasibility Study, Right of Way and a Cost-Estimate for sixty-seven (67) customers for Spider Rock Phase III Project for the Chinle Chapter.

#### CERTIFICATION

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 3 abstained, this 23<sup>rd</sup> day of April 2015.

Motioned by: SHARON YAZZIE

Second by: ROSELIN YAZZIE

Andy R. Ayze  
Andy R. Ayze, President

Myron L. McLaughlin  
Myron L. McLaughlin, Vice President

Cynthia Hunter  
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## Navajo Parks welcomes new manager

Submitted by: Daniel Vandever  
Special to the Observer

WINDOW ROCK, Ariz. - With the Navajo Nation close to entering into a joint-partnership with the National Parks Service to maintain and manage Canyon de Chelly, Navajo Parks and Recreation has hired on a new park manager to take on the task of operating one of the Navajo people's most sacred sites.

Since the early 1700s, the Navajo people have had a presence in Canyon de Chelly, or Tsegi, but have never had a hand in the preservation of the land as a tribal park.

Mike Rollins joined the Navajo Parks and Recreation after spending the last 11 years as Park Manager at Jerome State Historic Park for Arizona State Parks. The position of Park Manager for Canyon de Chelly was advertised three times with Rollins, a non-tribal member, being the only qualified candidate to be presented to the Navajo Park and Recreation Department from the Personnel Department.

"It's going to be exciting coming from the Arizona State Parks to the Navajo Parks and Recreation," stated Rollins. "Having a background from another park agency you can take the positives you've experienced before and then apply them to the new park; at the same time, you can also improve on the negatives."

"I really feel privileged to have the opportunity to share my experience with the Navajo Nation, and the chance to make Canyon de Chelly a better place for all."

Rollins, who just recently moved from Cottonwood to the Window Rock area, graduated from Northern Arizona University in 1997 with a Bachelor's degree in Criminal Justice, and minored in Psychology. He also did a four-year stint in Desert Storm with the United States Air Force.



Photo by: Geri Hangeva

Mike Rollins is the newly selected Park Manager at Canyon de Chelly. Having over 11 years of experience at Arizona State Park, he joins the Navajo Parks and Recreation team to manage tribal parks in Navajo country.



Photo by: Daniel Vandever

The majestic view overlooking Spider Rock at Canyon de Chelly, near Chinte, Ariz.

While Rollins will be new to the Navajo Parks and Recreation, he will be bringing years of



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experience and extensive knowledge in historic management, construction management and exhibit design and construction.

The joint-partnership with the National Parks Service is currently only in the beginning stages, but eventually Navajo Parks and Recreation will become more responsible in much of the park's administrative duties.

Within the next fiscal year, Rollins stated that Parks and Recreation would be undertaking several objectives. Some of those goals include: drafting and enacting the long awaited Joint Management Plan between the Navajo Parks and Recreation Department and the National Park Service, amending the moratorium for residents living in and around Canyon de Chelly, and setting guidelines for use and improvements at Cottonwood Campground.

Rollins also stated that Parks will immediately start issuing Navajo Nation Tour and Guide Service permits, hiking, camping and climbing permits, and drafting vendor guidelines and a vendor village setup.

Because of the extensive history of not only the land, but the inhabitants of the area, Rollins is also planning on working closely with the residents of the area.

"I am concentrating on the needs of the Navajo and canyon residents. I am here to help them and hear their concerns, and address their issues regarding Canyon de Chelly National Monument."

Rollins and Parks and Recreation are currently operating out of the Canyon de Chelly Planning Office in the Chinle Chapter House, and if you have any questions, call

(928) 674-2106.

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## NEWS

### Not so fast, say Tséyi' residents

Some residents say tribe not ready to take over Canyon de Chelly

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CANYON DE CHELLY NATIONAL MONUMENT, Oct. 2, 2008

movement to have the Navajo Nation take over management of this 130-square-mile national monument from the National Park Service is premature and not supported by the majority of the canyon's residents, some residents charged at a public forum here Sunday.

Residents expressed fear that a shift to tribal management would result in "chaos," unenforced regulations, and deterioration of the facilities.

"My canyon is called Canyon de Chelly," quipped Deborah Lem. "I don't want it to be known as 'Canyon Decay.'"

Canyon resident Genny Yazzie, who was master of ceremonies for the meeting, urged those pushing for the tribal takeover to hold off until the unveiling of a proposed joint-use plan for the canyon at the regular Chinle Chapter meeting this Sunday, Oct. 5.

If the chapter approves the plan it will be forwarded to the Navajo Nation Council, explained Adam Teller, the chairman of the volunteer committee of canyon residents who drafted it.

If the council approves it, a 1985 moratorium on development in the canyon would be lifted - and those who want the Park Service out may have a change of heart.

"This is the problem," said Francis Teller, waving a copy of the 1985 moratorium. "This isn't from the Park Service - it's from the tribe."

The moratorium prohibits any new home-site leases or construction - including wells and corrals - until a joint-use plan between the Park Service, the BIA and the tribe is enacted.

At the time the Navajo Nation Council's Resources Committee enacted the moratorium, that seemed imminent, but it never happened. A committee presented a plan in 1990, and it was approved by the council, but then-Chairman Peterson Zah refused to sign it because it did not address legal liability issues in the canyon.

In a telephone interview from his office in Phoenix, Zah said Tuesday he would probably do the same today.

"There are thousands of visitors that come from all over the world to see the canyon, and we were concerned about who would be responsible if something should happen to one of them," he said. "The



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question of liability is always something that you ask as a leader."

By the time Zah referred the plan back to the drafting committee, the committee had disbanded, energy for the project had dissipated, and to this day there is no management plan detailing the responsibilities of the Park Service, the tribe and the BIA - other than the 1931 congressional proclamation creating the park that says the Park Service's authority is limited to protecting the archeological sites and controlling tourism.

"What we found out when we researched this," said Adam Teller, "is that tribe is not doing its part. It's supposed to mediate disputes between vendors, but when we take disputes to peacemaker court, they refer us back to the Park Service. The Navajo Nation Police are supposed to patrol the canyon, but all you ever see are park rangers."

### Transition time needed

The proposed join-use plan is basically the 1990 plan with some slight updates. It calls for a tribal park to be superimposed on the national monument, gradually taking more and more responsibility until, potentially, the tribe could take over and the feds could leave.

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This gradual approach, which Teller said would take about 10 years, would be an alternative to legislation that came before the tribal council Sept. 11 to ask Congress to turn the park over to the Navajo Nation.

Teller said returning the area to tribal control without a transition would be too drastic, and leave the tribe unprepared to responsibly manage the 25-mile-long canyon and its environs.

"It would be like the state of Arizona asking for the Grand Canyon back," he said.

The bill was taken off the floor when Delegate Harry Claw (Chinle) objected to it, saying there hadn't been enough input from local residents.

Resources Committee Chairman George Arthur (Nenahnezad/San Juan/Tiistsoh sikaad), who sponsored it, disputes that.

"Chinle Chapter has passed two resolutions supporting the tribe taking over the canyon," he said in a telephone interview Tuesday. "If these people don't like what their chapter is doing, they should find the time to come to chapter meetings."

At Sunday's meeting, a petition was being passed around that called for a chapter resolution to support keeping the monument in Park Service hands.

Most of the residents who spoke at Sunday's forum said they were concerned that the tribe is already mismanaging the recreational areas it oversees. Lem presented pictures she had taken at Three Turkeys Ruins Tribal Park, a small canyon not far from Canyon de Chelly.

She showed photos of crumbling picnic tables and fire rings, and a road that's almost inaccessible without a four-wheel drive.

Two women from Monument Valley also attended the forum, urging the residents not to let Tséyi' become a tribal park.







## NAVAJO NATION DEPARTMENT OF JUSTICE

ETHEL B. BRANCH  
ATTORNEY GENERAL

DEPUTY ATTORNEY GENERAL

### MEMORANDUM

TO: Honorable Leonard Pete  
23<sup>rd</sup> Navajo Nation Council

FROM:

A handwritten signature in blue ink, appearing to read "Toni Flora", is written over a horizontal line.

Toni Flora, Acting Assistant Attorney General  
Natural Resources Unit, Department of Justice

DATE: August 18, 2015

SUBJECT: **RFS No. 15-1340: PROPOSED LIMITED WAIVER OF MORATORIUM  
IN CANYON DE CHELLY FOR SPIDER ROCK PHASE II AND PHASE  
III WATERLINE EXTENSION**

Sharon Yazzie, Legislative Assistant for Honorable Pete, requested a review of some documentation contained in RFS 15-1340. Currently, there is a valid moratorium in place near Spider Rock at Canyon de Chelly. Pursuant to RCS-51-85, this moratorium restricts new construction of structures and activities to include housing and utilities in the area. The purpose of the review is to determine legal sufficiency.

While DOJ does not want to stop residents from obtaining running water, it should be noted that many of the residents in that area do not have valid home site leases. If RDC waives the restriction *only to bring services and obtain home site leases for already existing residences*, Division of Natural Resources has indicated that it will work with existing residents to obtain home site leases. These individuals will then be in compliance with Navajo law and will be able to legally obtain other utilities. Division of Natural Resources would like to urge Chapters to restrict further building on the Canyon, as these current residents are located within the protection zone of the Canyon, and in order to protect the Canyon for future generations, it is important to adhere to the moratorium on building.





# NAVAJO NATION DEPARTMENT OF JUSTICE

## REQUEST FOR SERVICES



DOJ
7/30/15 4:35 pm
DATE / TIME
RFS #: 15-1340
UNIT: DOAG
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: 7/30/15	ENTITY/DIVISION: Chinle Chapter
CONTACT NAME: Leonard Pete / Sharon Yazzie	DEPARTMENT:
PHONE NUMBER: 928/221-3224	E-MAIL: leonardpete@navajo-nsn.gov shyazzie@navajo-nsn.gov
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (attach documents): Renew "Partial Waiver of Canyon De Chelly Moratorium for Spider Rock Phase II + III Waterline Extension"	
DEADLINE: ASAP	REASON: RDC Legislation
DOJ SECRETARY TO COMPLETE	
DATE/TIME IN UNIT: 7/30/15 4:40 pm	REVIEWING ATTORNEY/ADVOCATE: Toni Flora
DATE/TIME OUT OF UNIT: 8-18-15 4:57	PREPARED BY (initial):
DOJ ATTORNEY / ADVOCATE COMMENTS	
See memo attached	
REVIEWED BY: (PRINT) Toni Flora	DATE / TIME 8/18/15 4:10 pm
DOJ Secretary Called: Sharon Yazzie for Document Pick Up on 8-18-15 at 4:45 By: AG	
PICKED UP BY: (PRINT)	DATE / TIME:

Revised NNDJ/RFS Form - July 2013

COMPLETED