

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 RESOLUTION RCJY-142-92 WITH RESPECT TO THE HOMESITE LEASE APPLICATION FOR CHRISTINA AND NATHANIEL BITSILLY FOR A HOMESITE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN THE WHEATFIELDS CHAPTER, 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. RCJY-142-92 "Establishing a Moratorium on New Structures, New Homesite Range Units Within the Navajo Commercial Forest Pending Development and Approval of a New Forest Management Plan", attached hereto and incorporated herein as Exhibit A; and
- C. Christina and Nathaniel Bitsilly have applied for a homesite lease within the Navajo Commercial Forestry Area and within the Wheatfields Chapter, Navajo Nation (Apache County, Arizona), as further described in the attached Exhibit B and have requested a waiver of Resolution No. RCJY-142-92 as pertains to their request for a homesite lease; and
- D. The proposed homesite lease will be located in Apache County, Arizona and is more particularly described on the map attached hereto and incorporated herein as Exhibit B.

Section Two. Waiving Resolution No. RCJY-142-92

A. The Resources and Development Committee of the Navajo Nation Council hereby waives the applicability of Resolution No. RCJY-142-92 "Establishing a Moratorium on New Structures, New Homesite Range Units Within the Navajo Commercial Forest Pending Development and Approval of a New Forest Management Plan" (Exhibit A) with respect to the homesite lease application for Christina and Nathaniel Bitsilly for a homesite within the Navajo Commercial Forestry Area and within the Wheatfields Chapter, Navajo Nation (Apache County, Arizona), as further described in the attached Exhibit B, subject to the following terms and conditions:

1. The Lessee shall not infringe on the operation and management of the Navajo commercial forestry authority of the Navajo Nation.
2. The Lessee shall comply with provisions for Homesite Lease Policy and Procedures for Tribal Trust/Fee Land,
3. The Lessee shall obtain a permit from the Navajo Forestry Department prior to cutting any trees within the homesite lease area.

B. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the Director of the Navajo Land Department to process and to execute all documents necessary to effectuate the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Nation Council Chambers, Window Rock, Navajo Nation (Arizona), at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 0 abstain this 16th day of June, 2015.

A handwritten signature in blue ink, appearing to read 'Alton Joe Shepherd', is written over a faint circular stamp.

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

Motion: Honorable Benjamin Bennett
Second: Honorable Davis Filfred
Vote: 4-0 (Chairman Not Voting)

RESOLUTION
OF THE RESOURCES COMMITTEE
OF THE NAVAJO NATION COUNCIL

-Establishing a Moratorium on New Structures, New Homesites and
Range Units Within the Navajo Commercial Forest Pending Development
and Approval of a New Forest Management Plan

WHEREAS:

1. Pursuant to 2 N.T.C. Section 691 and 695, et seq., the Resources 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 state of the resources, and approving homesite leases; and
2. By 23 N.T.C. Chapter 7, Section 704, the Tribal Forest Manager is to develop a forest management plan for the development, protection and utilization of forest resources; and
3. By 23 N.T.C. Chapter 9, Section 902, the Resources Committee of the Navajo Nation Council is given authority to establish regulations for the forest as proposed by the Forest Manager; and
4. The Navajo Forestry Department is in the process of developing a new ten (10) year forest management plan for the commercial forest area; and
5. There has been a concern over increasing uses and developments in the forest that may limit future uses and management of the forest resources; and
6. The Forestry Department has recognized that the use of the forest has changed from a summer grazing use with seasonal sheep camp sites, to permanent homesites with increased utilities supplied; and
7. The Forestry Department recommends that a moratorium be placed on approvals of any new homesites or related structures within the Navajo Commercial Forest pending completion of the ten (10) year plan for the forest, to ensure future uses for the forest are not limited by today's unplanned actions.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Resources Committee issues a moratorium on construction and approving any new homesite leases, range units and

related structures within the Navajo Commercial Forest, as identified on Exhibit "A", until a new ten (10) year forest management plan is approved by the Navajo Nation.

2. The Resources Committee directs all affected divisions, departments, programs, an entities to enforce this moratorium.

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

I hereby certify that the foregoing resolution was duly considered by the Resources Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed and 0 abstained, this 17th day of July, 1992.



Elmer L. Milford
Chairperson

Motioned: Irving Billy
Seconded: Mark Peshlakai

FOR OFFICE USE ONLY

____ Field Clearance ____ Consent ____ Complete Application ____ Land Status
 ____ Filing Fee Reviewed by ____ Date ____

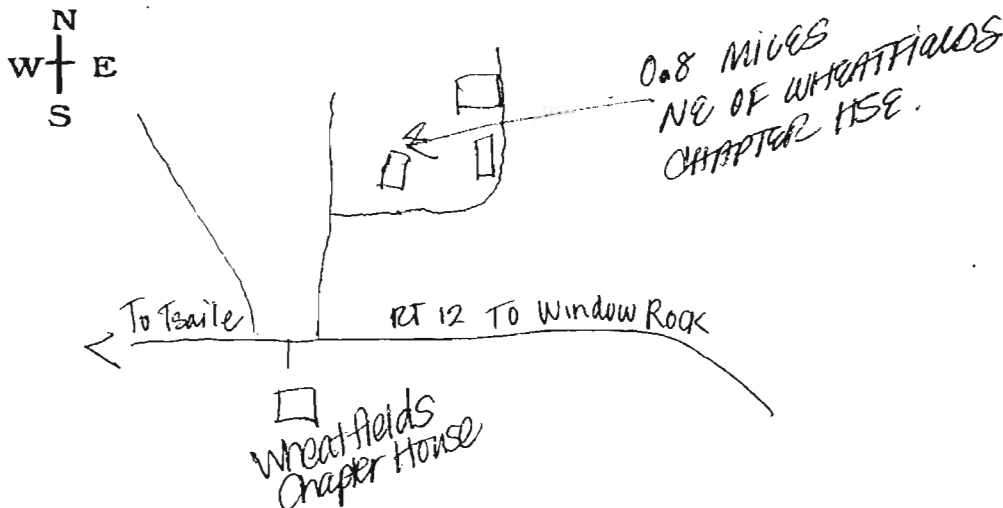
HOMESITE LEASE APPLICATION FORM

DATE: 071607NAME: CHRISTINA POTSIUY CENSUS NO. _____ AGE 32NAME: NATHANIEL POTSIUY CENSUS NO. _____ AGE 31ADDRESS: PO BOX CHINO AZ 86503PHONE NO: 928 724- OFFICE: 928 729-

I, (We) hereby apply for one acre or less of Navajo Tribal Land for a homesite lease from the Navajo Nation for the purpose of development a private dwelling for the term of sixty-five (65) years within SECTION _____, TOWNSHIP _____, RANGE _____.

COUNTY: APACHE STATE: ARIZONACHAPTER: WHEATFIELDS AGENCY: CHINOGRAZING DISTRICT: 11 UNIT: 3

Draw map showing the location and direction to the proposed site.



ACKNOWLEDGMENT

Charles L. Chue
 LOCAL GRAZING OFFICIAL/FARM BOARD MEMBER

July 24, 2007
 DATE

ELIGIBILITY REQUIREMENTS

1. You must be enrolled member of the Navajo Tribe.
2. You must be eighteen (18) years of age or older.

PLEASE ANSWER THE FOLLOWING QUESTIONS

Are there any improvement(s) on the proposed site? (i.e. Road, Trails, Powerline, etc.) If so, describe ROADS

Do you have a house on the propose site? YES If so, when was the house build 05/2007 Do you now live in the house? YES

Does your name reflect the record at the Navajo Census and Vital Statistics Office YES.

The following documents must be attached to the application:

1. Certificate of Indian Blood
2. Complete Field Clearance Certification form
3. Complete consent form(s)
Note: Does not apply to eastern Navajo Agency.
4. A Non-Refundable fifteen dollars (\$15.00) money order payable to the Navajo Nation for filing fee.

I, (We) acknowledge and understand that the following conditions apply to the Homesite Lease:

1. The Homesite Lease is intended for residential purposes only and not to be used for any other purposes, i.e., police quarters or educational instruction.
2. A Homesite Lease is not a business site lease.
3. A Homesite Lease is not a grazing permit.
4. No Homesite Lease Application shall be considered by the local Grazing Officers when is has determined that such lands have been formerly withdrawn otherwise obligated for community purposes, e.g. subdivision plans, zoning, existing community projects.
5. Written authorization from the District Grazing Committee is Required if the propose homesite is within a half of a mile of a government or tribal developed permanent livestock watering Point. (3 N.T.C. 714 et seq.)

6. There is a non-refundable one dollar (\$1.00) annual fee for the lease that must be paid to the Navajo Nation each year in advance following the date of execution for term of the lease.
7. If applicable, please attach assignment or relinquishment forms to the application.

As directed by the Resources Committee of the Navajo Nation Council, I, (We) understand and hereby agree to comply with the provisions provided in the revised Homesite Lease policy and procedures.'

Signed this day 16 of July 2007.

X [Signature]
Applicant

Witness: _____

X [Signature]
Applicant

Witness: _____

FOR JOINT APPLICANTS ONLY:
PLEASE CHECK ONE.

In the event this Lease is held by two or more persons, it shall be held in the following tenure:

☒ **Joint Tenancy (with right of survivorship)**-Property held by two or more persons jointly, with equal rights during their lives. The entire estate, upon the death of one of the joint tenant, goes to the survivor(s) without probate.

☐ **Tenancy In Common (without any right of survivorship)**-Property held by two or more persons but lacks right of survivorship. When one dies the decedent's interest in the property must be probated through the courts to determine ownership of the lease.

☐ **Community Property (without any right of survivorship)**- Property held by a Married couple (upon dissolution of the marriage and upon the death of one spouse, one half of the community property, the decedent's share must be probated through the courts.

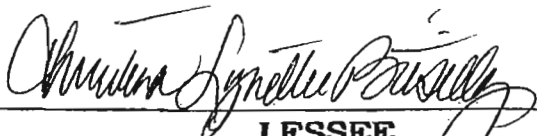
24. **EFFECTIVE DATE.** This lease shall take effect on the date of approval of this Lease by the Secretary.

THE NAVAJO NATION, LESSOR

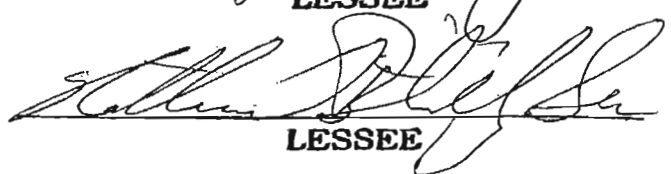
Date

By: _____
Director, Navajo Land Department

WITNESSES:



LESSEE



LESSEE

APPROVED: _____
Pursuant to Secretarial Redelelegation Order
209 DM 8, 230 DM 1 and 3 IAM 4.

Regional Director, Navajo Region
Bureau of Indian Affairs

24. **EFFECTIVE DATE.** This lease shall take effect on the date of approval of this Lease by the Secretary.

THE NAVAJO NATION, LESSOR

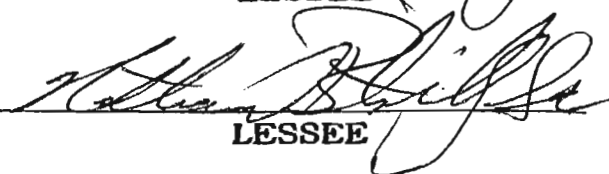
Date

By: _____
Director, Navajo Land Department

WITNESSES:



LESSEE



LESSEE

APPROVED: _____
Pursuant to Secretarial Redlegation Order
209 DM 8, 230 DM 1 and 3 IAM 4.

Regional Director, Navajo Region
Bureau of Indian Affairs


24. **EFFECTIVE DATE.** This lease shall take effect on the date of approval of this Lease by the Secretary.

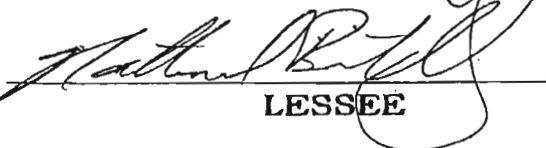
THE NAVAJO NATION, LESSOR

Date

By: _____
Director, Navajo Land Department

WITNESSES:


LESSEE


LESSEE

APPROVED: _____
Pursuant to Secretarial Redelelegation Order
209 DM 8, 230 DM 1 and 3 IAM 4.

Regional Director, Navajo Region
Bureau of Indian Affairs

July 24, 2007
Date

CONSENT FORM
FOR
NAVAJO TRUST LAND

TO WHOM IT MAY CONCERN:

I, EVELYN L. BEGAY hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit CHRISTINA RITSIUY and NATHANAW RITSIUY to lease one acre or less of Navajo Tribal Land within my permitted grazing use area for residential purpose as illustrated and acknowledged by the Grazing Official on the Homesite Lease Application.

I further waive any rights I may have to compensation for the diminishment in value of my permitted grazing use rights as a result of the proposed homesite development.

Signed this 7.16.07 day of July 16 2007.

WITNESSES:

(For thumbprint use only)

Evelyn L. Begay
Grazing Permittee

C# _____

Grazing Permit No. 11343

Date of Issue 7-10-02

Farm Plot No. _____

ACKNOWLEDGED:

Charles R. Chou
Grazing Officials/Farm Board Member

7.24.07

Date

Wheatfields
Chapter

CONSENT FORM
FOR
NAVAJO TRUST LAND

TO WHOM IT MAY CONCERN:

I, WESLEY L. BEGAY hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit CHRISTINA BITEWY and NATHAN BITEWY to lease one acre or less of Navajo Tribal Land within my permitted grazing use area for residential purpose as illustrated and acknowledged by the Grazing Official on the Homesite Lease Application.

I further waive any rights I may have to compensation for the diminishment in value of my permitted grazing use rights as a result of the proposed homesite development.

Signed this 16 day of July 2007.

WITNESSES:

(For thumbprint use only)

Wesley L. Begay
Grazing Permittee

C# _____

Grazing Permit No. 11871

Date of Issue 5/4/81

Farm Plot No. _____

ACKNOWLEDGED:

Charles L. Cheu
Grazing Officials/Farm Board Member

7.24.07
Date

Wheatfields
Chapter

CONSENT FORM
FOR
NAVAJO TRUST LAND

TO WHOM IT MAY CONCERN:

I, Freeman Henderson Sr hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit CHRISTINA BOTELLY and NATHANIEL BOTELLY to lease one acre or less of Navajo Tribal Land within my permitted grazing use area for residential purpose as illustrated and acknowledged by the Grazing Official on the Homesite Lease Application.

I further waive any rights I may have to compensation for the diminishment in value of my permitted grazing use rights as a result of the proposed homesite development.

Signed this 19 day of July 2007.

WITNESSES:

(For thumbprint use only)

Freeman Henderson Sr C# _____
Grazing Permittee

Grazing Permit No. 11-4301
Date of Issue 3-1-1940
Farm Plot No. _____

ACKNOWLEDGED:

Charles E. Chue
Freeman Henderson Sr
Grazing Officials/Farm Board Member

7.24.07
Date

Wheatfields
Chapter

Consent Form
For
Navajo Trust Land

To Whom It May Concern:

I, Genova Davis hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit CHRISTINA RITSUY and NATHANIEL RITSUY Two lease one acre or less of Navajo Tribal Land within my permitted grazing use area for residential purpose as illustrated and acknowledged by the grazing official on the Homesite Lease Application.

I further waive any rights I may have to compensation for the diminishment in value of permitted grazing use rights as a result of the proposed homesite development .

Signed this 24 day of July 2007.

Witnesses:
(For thumbprint use only)

 C#
Grazing Permittee

Grazing Permit No. 11-900
Date Of Issue 6-8-1982
Farm Plot No.

Acknowledged :

Charles L. Choe
Grazing Officials /Farm Board Member

7/24/07
Date

Wheatfields
Chapter



THE NAVAJO NATION

JOE SHIRLEY, JR.
PRESIDENT

BEN SHELLY
VICE PRESIDENT

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

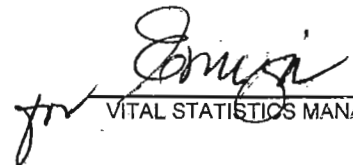
PART A (To be used if applicant is enrolled)

SHIPROCK

APRIL 2, 2007
DATE

I certify that NATHANIEL BITSILLY, SR. Is listed on the Navajo Indian Census Roll, dated
January 01, 1940 , Which is an official record of this office as being of 4/4 Degree Navajo
Indian blood, with Roll Number, Date of Birth NOVEMBER 14, 1975 .

Record: MARCH 22, 1978.


VITAL STATISTICS MANAGER

THE INFORMATION CONTAINED ON THIS DOCUMENT
HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
THE NAVAJO NATION ♦ P.O. BOX 3240 ♦ WINDOW ROCK, ARIZONA 86515



THE NAVAJO NATION

DR. JOE SHIRLEY, JR.
PRESIDENT

BEN SHELLY
VICE PRESIDENT

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

PART A (To be used if applicant is enrolled)

CHINLE
AGENCY

FEBRUARY 27, 2007
DATE

I certify that CHRISTINA LYNNETTE BITSILLY is listed on the Navajo Indian Census Roll, dated January 01, 1940, Which is an official record of this office as being of 4/4 Degree Navajo Indian blood, with Roll Number, _____, Date of Birth JANUARY 3, 1975.

Record: JUNE 16, 1979


Vital Statistics Manager
OAI 

THE INFORMATION CONTAINED ON THIS DOCUMENT
HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
THE NAVAJO NATION ♦ P.O. BOX 3240 ♦ WINDOW ROCK, ARIZONA 86515

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

ROUTING: COPIES TO

AZ
XX

SHPO
REAL PROPERTY MGT/330
PJ

NNHPD NO. HPD-05-785
OTHER PROJECT NO. _____

PJ-10-05

PROJECT TITLE: A Cultural Resource Inventory for Four Proposed Homesites in Chinle/Shiprock Agency, Apache County, Arizona

LEAD AGENCY: BIA/NR

SPONSORS: 1. Herbert Wilson, General Delivery, Chinle, Arizona 86503
2. Nathaniel/Christina Bitsilly, PO Box 3801, Chinle, Arizona 86503
3. Elise Conn, PO Box 393, Many Farms, Arizona 86538
4. Howard Yazzie/Selina Wheeler, PO Box 186, Round Rock, Arizona 86538

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of four new homes along with the installation of associated facilities & utilities within each 1-acre homesite lease area. A 200-ft radius or 2.88 acres was surveyed for each homesite. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Tribal Trust

CHAPTER: Chinle, Wheatfields, Many Farms, Round Rock

LOCATION:

- | | |
|---------------------------------|---|
| 1. Herbert Wilson | Unplatted & Projected T22N, R27E; Del Muerto Quadrangle, Apache County, Arizona G&SRPM&B |
| 2. Nathaniel/Christina Bitsilly | Unplatted & Projected T23N, R30E; Upper Wheatfields Quadrangle, Apache County, Arizona G&SRPM&B |
| 3. Elise Conn | Unplatted & Projected T35N, R25E; Many Farms NE Quadrangle, Apache County, Arizona G&RPM&B |
| 4. Howard Yazzie/Selina Wheeler | Unplatted & Projected T39N, R25E; Mexican Water SW Quadrangle, Apache County, Arizona G&SRPM&B |

PROJECT ARCHAEOLOGIST: Paul Jim
NAVAJO ANTIQUITIES PERMIT NO.: B05474

DATE INSPECTED: 06/26/05

DATE OF REPORT: 07/11/05

TOTAL ACREAGE INSPECTED: 11.52 ac

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

LIST OF CULTURAL RESOURCES FOUND:	None
LIST OF ELIGIBLE PROPERTIES:	None
LIST OF NON-ELIGIBLE PROPERTIES:	None
LIST OF ARCHAEOLOGICAL RESOURCES:	None

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

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

FORM PREPARED BY: TAMARA BILLIE

FINALIZED: September 15, 2005

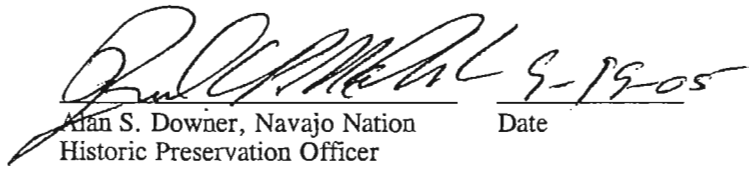
Notification to

Proceed Recommended:

Yes XX No _____

Conditions:


Yes _____ No XX


Alan S. Downer, Navajo Nation
Historic Preservation Officer

9-19-05
Date

Navajo Region Approval:

Yes X No _____


Regional Director

9/30/05
Date

ARCHEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE

1. HPD REPORT NO.	2. FOR HPD USE ONLY	3. RECIPIENTS ACCESS
4. TITLE OF REPORT: A Cultural Resources Inventory for 5. FIELDWORK: 6-26-05 Four Proposed Homesites in Chinle/Shiprock Agency, Apache County, Arizona		
AUTHORS(s): Paul Jim		6. REPORT DATE: 7-11-05
7. CONSULTANT NAME AND ADDRESS: Gen'l Charge: Paul Jim Org. Name: Self Org. Address: P.O. Box # Chinle, Arizona 86503 Phone: (928) 781-		8. PERMIT NO. B05474
9. CONSULTANT REPORT: PJ-10-05		
10. SPONSOR NAME AND ADDRESS: Ind. Name: Herbert Wilson Address: General Delivery Chinle, Arizona 86503		11. SPONSOR PROJECT: N/A
12. AREA OF EFFECT: 1.00ac. (0.4 ha) AREA SURVEY: 2.88 ac. (1.16 ha.)		
10. SPONSOR NAME AND ADDRESS: Ind. Name: Nathaniel/Christina Bitsilly Address: P.O. Box # 3801 Chinle, Arizona 86503		11. SPONSOR PROJECT: N/A
12. AREA OF EFFECT: 1.00ac. (0.4 ha) AREA SURVEY: 2.88 ac. (1.16 ha.)		
10. SPONSOR NAME AND ADDRESS: Ind. Name: Elise Conn Address: P.O. Box # Many Farms, Arizona 86538		11. SPONSOR PROJECT: N/A
12. AREA OF EFFECT: 1.00ac. (0.4 ha) AREA SURVEY: 2.88 ac. (1.16 ha.)		
10. SPONSOR NAME AND ADDRESS: Ind. Name: Howard Yazzie/Selina Wheeler Address: P.O. Box # Round Rock, Arizona 86547		11. SPONSOR PROJECT: N/A
12. AREA OF EFFECT: 1.00 ac. (0.4 ha) AREA SURVEY: 2.88 ac. (1.16 ha.)		

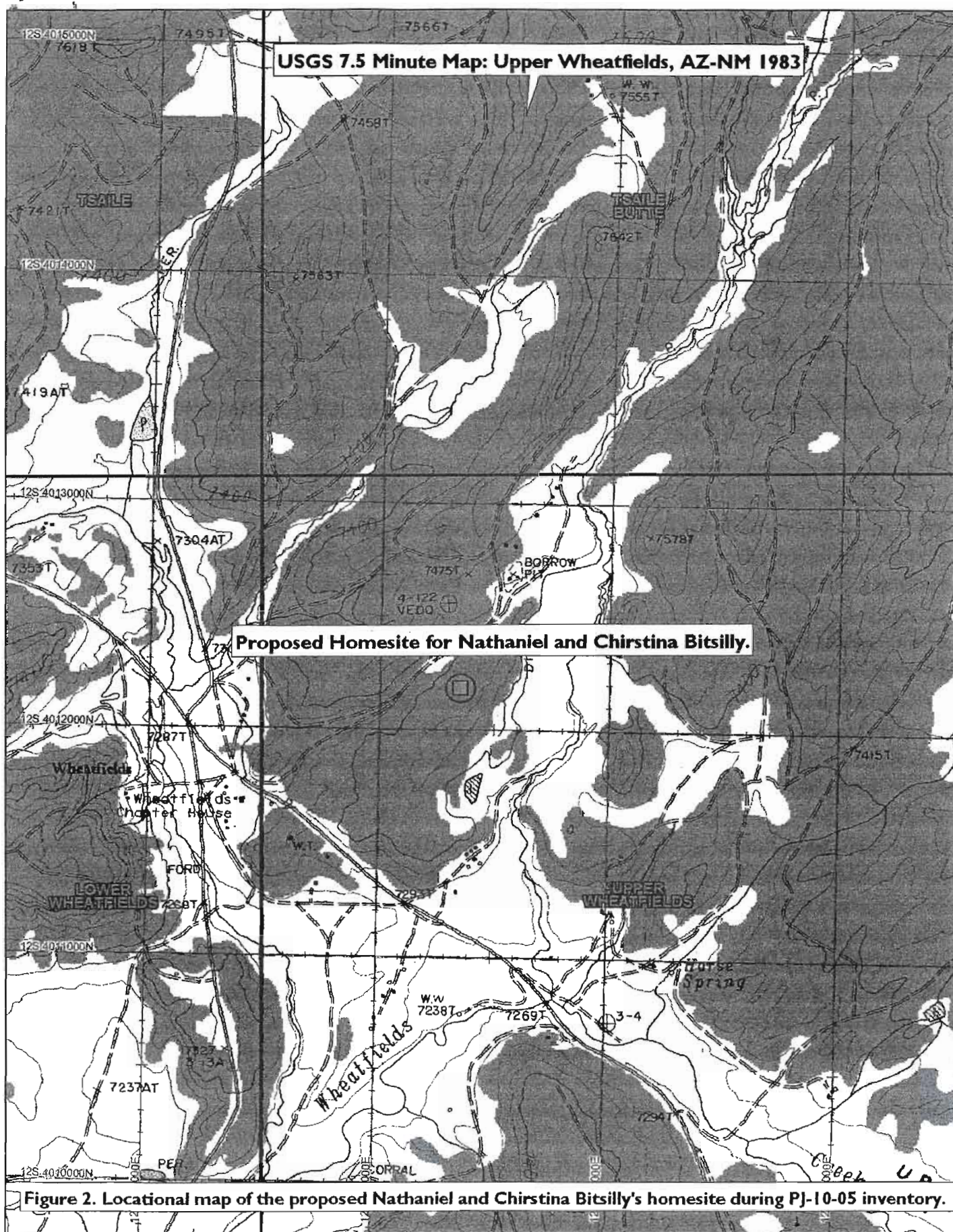
AREA OF EFFECT SURVEYED 4.00 AC. AND TOTAL AREA SURVEYED 11.52 AC.

13. LOCATION (MAP ATTACHED): Figure. 1,2,3,4.
- a. Chapter: Chinle, Wheatfields, Many Farms, Round Rock
 - b. Agency: Chinle, Shiprock
 - c. County: Apache, Navajo.
 - d. State: Arizona
 - e. Land Status: Navajo Tribal Trust
 - f. UTM: See Table 1.
 - g. Area: TN, RE Sec: Unplatted See Table 1.
 - h. 7.5' Map Name Del Muerto, AZ 1982,
Upper Wheatfield, AZ-NM 1983, Many Farms NE,
AZ 1968, Mexican Water SW, AZ 1968.

Table 1. UTM Coordinates:	Center of Homesite.	Zone 12				
Designation:	Northing:	Easting:	Sec.	Legal	T.	R.
Herbert Wilson	4006061	641380	Unplatted		22N	27E
Nathaniel / Christina Bitsilly	4012185	669359	Unplatted		23N	30E
Elise Conn	4034515	625037	Unplatted		35N	25E
Howard Yazzie / Selina Wheeler	4068280	621860	Unplatted		39N	25E

14. REPORT /X / OR SUMMARY (REPORT ATTACHED) / / OR PRELIMINARY REPORT / /

a. Description of Undertaking: The proposed project will involve construction of a house and associated facilities within each 208.7 ft. (63.6m) by 208.7 ft. (63.6m) 43,556 sq. ft. (4,046 sq. m) 1.0 ac. (0.4 ha.) areas in Chinle and Shiprock Agency, Apache County, Arizona. Ground disturbance will be intensive and extensive from the use of heavy equipments during the construction of houses and installation of utilities and associated facilities. The Herbert Wilson homesite is located east of the Del Muerto Church, the area is on the hill. The Nathaniel and Christina Bitsilly their homesite is located northeast of the Wheatfield Chapter in nice open space in the forest of the Wheatfield area. The Elise Conn homesite is located on the east of SR191 and about five north of the Many Farms Chapter house. The Howard Yazzie and Selina



Wheeler's homesite is on the east of the SR191 and about 2 mile north of the Rock Point Chapter house.

b. Existing Data Review: A check of Navajo Nation Historic Preservation Department (NNHPD) site files indicated that there is no site that was previously recorded within 100 meter of the project area. Previously projects been completed include HPD #'s 01-346, 01-296, 87-28, 00-1079, 92-721, 84-610, 02-867 No sites.

c. Area Environmental & Cultural Setting: The proposed home sites are at (averages) elevation of 6035 feet (1840m) above sea level. The location of the homesites on a flat land. Surface sediment consists of fine to medium-grained eolian sand. Vegetation: Snakeweed, Ponderosa Pine, Cedar, Oak, Juniper Tree, grama grass and narrow-leaf yucca. Current setting includes Chapter House, gas station, school power line, waterline, telephone line, scattered houses, BIA's dirt and paved road.

d. Field Methods: During conducting the inventory of the surveyed of the homesites all of the sponsors were on site for information on locating the points. The surveys were done 200 feet radius at 15 meters apart extending out to 200 feet radius from the center of homesite. The total area surveyed for each homesite is 2.88 ac. And the total area surveyed is 11.52 ac.

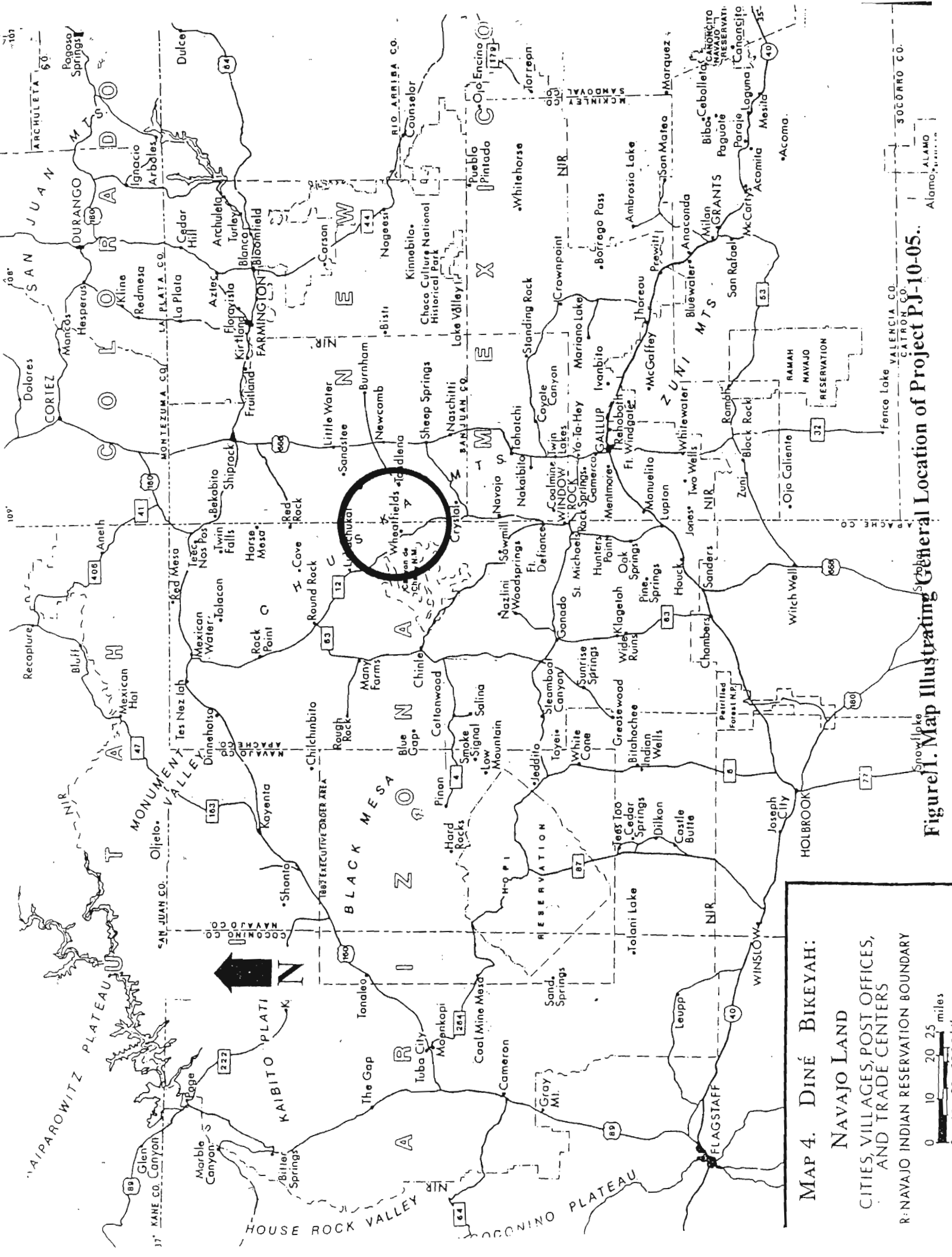
15. CULTURAL RESOURCES FINDINGS:

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

b. Evaluation of Significance of Each Resource: No significant finding were made

16. MANAGEMENT SUMMARY (RECOMMENDATIONS): Archaeological clearance is recommended for all of the homesites leases

17. CERTIFICATION: SIGNATURE: Paul Jim DATE: 4/13/2007
General Charge/Direct Charge Name: Paul Jim





THE NAVAJO NATION

PJ 10-05

JOE SHIRLEY, JR.
PRESIDENT

FRANK J. DAYISI
VICE-PRESIDENT

NAVAJO NATION

PERMIT NUMBER B05474

DATE: 06-14-05

CULTURAL RESOURCES INVENTORY PERMIT (S)

Pursuant to the authority of the Navajo Nation Cultural Resources Protection Act (CMY-19-88) Section 302, permission is hereby granted: PAUL JIM, P.O. BOX 636, CHINLE, ARIZONA 86503

PURPOSE OF PERMIT: To conduct a non-collection cultural resource inventory for five scattered homesite Chinle Agency, Herbert Wilson, Nathaniel/Chirstina Bitsilly, Elise Conn, and Howard Yazzie/Selina Wheeler, Chinle, Tsaile, Many Farms, and Rock Point, Apache County, Arizona

Personnel Authorized to Conduct Field Work Under the Authority of the Permit:

PERSON IN GENERAL CHARGE: Paul Jim

PERSON IN DIRECT CHARGE Paul Jim

PROJECT MEMBERS: As above

Permission is Granted for a Period of : June 14, 2005 thru July 14, 2005

Standard Stipulations: This permit is granted subject to the Permittee adhering to the following stipulations. Failure to conform strictly to these conditions may result in suspension or revocation of this Permit and affect the Permittee's ability to obtain similar Permits from the Navajo Nation in the future.

- A. A copy of this Permit must be in the possession of field workers at all times when they are conducting fieldwork under the authority of this Permit.
- B. The Permittee will exclusively employ Navajos for all positions, to the extent that qualified Navajos are available.
- C. This Permit is not a grant of authority.
 - (1) Prior to initiating fieldwork, the Permittee must notify chapter officials (President, Vice President, Secretary, or Chapter Project Coordinator) to familiarize them with the proposed fieldwork and the provisions of the Permit.
 - (2) The Permittee must inform any potential interviewee that he/she is not required to consent to interviews or to otherwise cooperate with the Permittee.

PERMIT GRANTED,

Alan S. Downer
Historic Preservation Officer
Navajo Nation Historic Preservation Department



**PRESIDENT
BEN SHELLY
VICE PRESIDENT
REX LEE JIM**

NAVAJO FISH AND WILDLIFE

P.O. BOX 1480

WINDOW ROCK, AZ 86515

14 July 2014

14HSL-120

Christina Bitsilly, Homesite Applicant
Post Office Box
Chinle, Arizona 86503

Dear Christina,

The Navajo Nation Department of Fish and Wildlife (NNDFW) conducted a Project Specific Review of your homesite proposal located in Wheatfields, Arizona. It was determined that the proposed homesite is located within a Raptor Sensitive Area. The proposed homesite was granted a Conditional Approval. The homesite is approved with the following condition:

[1] The proposed homesite is located within a Raptor Sensitive Area (RSA). A power line extension to the homesite shall be constructed with a raptor-safe power pole design per Raptor Electrocution Prevention Regulations (REPR).

Contact me at 928-871-7065 with any questions that you have concerning the review of your proposed homesite.

Sincerely,

Pamela A. Kyselka, Wildlife Biologist
Navajo Natural Heritage Program
Department of Fish and Wildlife

CONCURRENCE

Gloria Tom, Director
Department of Fish and Wildlife
Date

BIOLOGICAL RESOURCES COMPLIANCE FORM
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Department's opinion the project described below, with applicable conditions, is in compliance with Tribal and Federal laws protecting biological resources including the Navajo Endangered Species and Environmental Policy Codes, U.S. Endangered Species, Migratory Bird Treaty, Eagle Protection and National Environmental Policy Acts. This form does not preclude or replace consultation with the U.S. Fish and Wildlife Service if a Federally-listed species is affected.

PROJECT NAME & NO.: Christina Bitsilly Homesite

DESCRIPTION: Proposed 1.00± acre home site.

LOCATION: UTM: 669359E 4012185N (NAD27), Tsaile/Wheatfields Chapter, Apache County, Arizona

REPRESENTATIVE: Christina Bitsilly

ACTION AGENCY: NLD and BIA

B.R. REPORT TITLE / DATE / PREPARER: Request for biological clearance/31 MAR 2014/Christina Bitsilly

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 2. Raptor Sensitive Area (RSA) onsite.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA


AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: [1] The proposed homesite is located within a Raptor Sensitive Area (RSA). A power line extension to the homesite shall be constructed with a raptor-safe power pole design per Raptor Electrocution Prevention Regulations (REPR).

FORM PREPARED BY / DATE: Pamela A. Kyselka/14 JUL 2014

COPIES TO: (add categories as necessary)

☒ BIA ☐

<u>2 NTC § 164 Recommendation:</u> <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditional Approval (with memo) <input type="checkbox"/> Disapproval (with memo) <input type="checkbox"/> Categorical Exclusion (with request letter) <input type="checkbox"/> None (with memo)	Signature  Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife	Date 7/14/14
--	--	--------------

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

Representative's signature

Date



NAVAJO ENDANGERED SPECIES LIST (NESL)
REQUEST FOR
BIOLOGICAL RESOURCE CLEARANCE



HOMESITE LEASEE INFORMATION

NAME(S) First/Last:

CHRISTINA BIRBILLY

MAILING ADDRESS:

PO B

CITY, STATE, ZIP:

Chino AZ 86503

PHONE/MESSAGE NUMBER:

928 551 -

*** PLEASE CHECK MARK ITEMS REGARDING THIS HOMESITE ***

☐ NEW HOMESITE LEASE (UNDISTURBED NO STRUCTURES ON SITE)

☒ EXISTING HOME/STRUCTURE CURRENTLY ON SITE.

DATE ON SITE: 06/2007

☐ HSL TRANSFER

FROM: _____ TO: _____

☐ HSL MODIFICATION (EX: NAME CHANGE)

☐ OTHER: _____

OFFICIAL USE ONLY

NLD OFFICE PLEASE COMPLETE

PACKET SENT FROM:

☐ CHINLE NLD

☐ CROWNPOINT NLD

☐ SHIPROCK NLD

☐ TUBA CITY NLD

☐ WINDOW ROCK NLD

☐ OTHER: _____

\$32.50 MONEY ORDER ATTACHED? ☐ YES ☐ NO

ALL DOCUMENTS ATTACHED:

☒ 7.5MIN USGS MAP & ALL REQUIRED INFO.

☐ GPS/UTM COORDINATES

INDICATE RCP AREA # _____

PLEASE INITIAL & DATE: _____

NNHP USE ONLY

FILE# _____

MO# _____

RECEIVED AT OUR OFFICE BY:

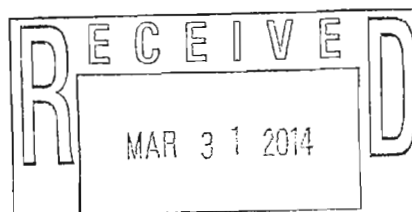
☐ EMAIL

☐ MAIL

☒ DROP-OFF

☐ OTHER: _____

DATE RECEIVED:



NAVAJO FISH & WILDLIFE DEPARTMENT
NATURAL HERITAGE PROGRAM

MONEY ORDER RECEIPT - NON NEGOTIABLE

Try the new Western Union Payments service for all your bills and get guaranteed proof of payment. To learn more and to search over 10,000 billers, go to WesternUnionPayMyBills.com.
ACT 722927 LOC 000024 DT 033114 \$32.50 32DOLLARS AND 50CENTS

Payable to: MONEY ORDER RECEIPT. IT MUST BE INCLUDED WITH ALL REQUIRED DOCUMENTS. RETURN THIS RECEIPT TO THE ISSUING AGENCY. PURCHASE AGREEMENT: You the purchaser agree that Western Union Financial Services Inc. (WUFSI) need not stop payment on, or replace or refund a lost or stolen Western Union Money Order. If you are in the area of the Money Order at the time it is lost or stolen, you must immediately notify WUFSI. If you are not in the area of the Money Order at the time it is lost or stolen, you must notify WUFSI within 10 business days of the date of loss. WUFSI will issue this Money Order receipt. Issued by Western Union Financial Services Inc., Englewood, Colorado. For customer service, call 1-800-359-4860.

* 1 4 8 6 2 6 6 8 3 2 1 *



← LOAD THIS DIRECTION, THIS SIDE UP

LOAD THIS DIRECTION, THIS SIDE UP →

Sadler
made for me