

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A
TEMPORARY CONSTRUCTION EASEMENT TO THE NAVAJO NATION BUREAU OF
INDIAN AFFAIRS FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND
MAINTAINING THE ALL WEATHER ROADWAY N15 (2-3) LOCATED WITHIN THE
CORNFIELDS CHAPTER VICINITY

SECTION ONE. AUTHORITY

The Resources and Development Committee is established as a standing committee of the Navajo Nation Council and grants final approval for all, non-mineral leases, permits, licenses, rights of ways, and surface easements on Navajo Nation lands and unrestricted (fee) land. 2 N.N.C. §§ 500, 501 B 2(a).

SECTION TWO. FINDINGS

- A. The Bureau of Indian Affairs Navajo Region has requested a temporary construction easement for the all-weather roadway N15 (2-3) to alleviate hardship and difficult traveling conditions during the winter and rainy seasons, especially for the school buses and the elders.
- B. The Terms and Conditions for the Temporary Construction Easement for N15 is attached as **Exhibit A**.
- C. The proposed Temporary Construction Easement Plat Map for N15 is attached as **Exhibit B**.
- D. Cultural Resources Compliance Form Historic Preservation Department dated August 7, 1998; Biological Resources Compliance Form Navajo Nation Department of Fish and Wildlife dated August 29, 2015; Environmental Assessment Prepared for the Bureau of Indian Affairs, Navajo Area Office dated June 1975 are attached as **Exhibit C**.
- E. The Grant of Easement for right-of-way for N15(6) 2 & 4 and the right-of-way plat for N15 (2) 2 & 4 are attached as **Exhibit D**. This grant of right-of-way states "This easement is subject to any valid existing right or adverse claim and is without limitation as to tenure."

- F. The Application and the United States Department of the Interior memorandum dated April 14, 2020 requesting a waiver of bond(s), insurance, and/or other security meeting the requirements of § 169.103 and waiver of valuation meeting the requirements § 169.110 are attached as **Exhibit E**. A memorandum from the Federal Lands Highway Office dated May 3, 2016 regarding "Section 106 consultation on Navajo DOT's Navajo Route 15 Fencing and Construction Project N15 (2-3) (3-1) (4-1) in Apache and Navajo Counties, Arizona" is attached as **Exhibit F**.
- G. The Cornfields Chapter Resolution CF/DEC2012-15 (priority for road construction and fencing), the Greasewood Springs Chapter Resolution GSC07-17-0744 (improve Navajo Route 15), the District 17 Council Resolution dated December 2012 (priority for road construction and fencing) supporting the request for improvement to Navajo Route 15 are attached as **Exhibit G**.
- H. The request for a temporary construction easement has been reviewed through EOR No. 014747 and "approved" by the Department of Water Resources, Department of Fish and Wildlife, the Navajo Nation Minerals Management, the Historic Preservation Department, the Division of Natural Resources Administration and the Navajo Land Department; found legally sufficient by the Department of Justice. The Navajo Nation Environmental Protection Agency has given Document EOR 014747 a vote of sufficiency. The Executive Official Review No. 014747 is attached as **Exhibit H**.

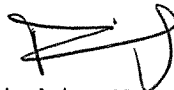
SECTION THREE. APPROVAL

- A. The Resources and Development Committee of the Navajo Nation hereby approves the request for a temporary construction easement to the United States Department of the Interior subject but not limited to the Terms and Conditions attached hereto and incorporated herein as found at **Exhibit A**. The Temporary Construction Easement Plat Map for N15 is attached as **Exhibit B**.
- B. The Resources and Development Committee of the Navajo Nation hereby approves a waiver of the requirement for a bond, insurance or alternative form of security, based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).

- C. The Resources and Development Committee hereby approves waiving valuation and waiving compensation for the temporary construction easement because it has determined that accepting the agreed-upon compensation and waiving valuation is in its best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110.
- D. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting held by a teleconference for which a quorum was present and that same was passed by a vote of 4 in favor, and 0 opposed, on this 22nd day of December 2021.



Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Thomas Walker, Jr.
Second: Honorable Mark A. Freeland

Chairperson Rickie Nez not voting.



NAVAJO NATION TEMPORARY CONSTRUCTION EASEMENT TERMS AND CONDITIONS

BIA NAVAJO REGION (GRANTEE)

1. The term of the temporary construction easement (TCE) shall be for two (2) years, beginning on the date the TCE is granted by the Secretary of Interior.
2. Consideration for the TCE is assessed at \$ 18,179.42 and shall be paid in full to the Controller of the Navajo Nation, in lawful money of the United States, and a copy of the receipt for such payment provided to the Navajo Nation Minerals Department, or its successor, within 10 days of approval of and consent to the grant of the TCE by the Navajo Nation.

Consideration for the grant of the TCE is hereby waived.

☐ NO ☐ YES

If consideration has been waived, then the Navajo Nation contributes the amount listed above to the project because the project serves a public purpose and will benefit Navajo residents.

3. The Grantee may develop, use and occupy the TCE for the purpose(s) of constructing, operating, and maintaining the all-weather roadway. The Grantee may not develop, use or occupy the TCE for any other purpose, nor allow others to use or occupy the TCE for any other purpose, without the prior written approval of the Navajo Nation and the Secretary of the Interior. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Grantee may not develop, use or occupy the TCE for any unlawful purpose.
4. In all activities conducted by the Grantee within the Navajo Nation, the Grantee 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 169;
 - 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 archaeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
 - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Act, 5 N.N.C. §§ 201 et seq.; and
 - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Grantee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
5. The Grantee 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 TCE.

6. The Grantee shall clear and keep clear the lands within the TCE to the extent compatible with the purpose of the TCE, and shall dispose of all vegetation and other materials cut, uprooted or otherwise accumulated during any surface disturbance activities.
7. The Grantee shall reclaim all surface lands disturbed related to the TCE, as outlined in a restoration and revegetation plan, which shall be approved by the Navajo Nation Environmental Protection Agency (NNEPA) prior to any surface disturbance. The Grantee shall comply with all provisions of such restoration and revegetation plan and shall notify the Director of the NNEPA immediately upon completion of the surface disturbance activities so that a site inspection can be made.
8. The Grantee shall at all times during the term of the TCE and at the Grantee's sole cost and expense, maintain the land subject to the TCE and all improvements located thereon and make all necessary and reasonable repairs.
9. The Grantee shall obtain prior written permission to cross existing TCEs, if any, from the appropriate parties.
10. The Grantee shall be responsible for and promptly pay all damages when they are sustained.
11. The Grantee shall indemnify and hold harmless the Navajo Nation and the Secretary of the Interior and their respective authorized agents, employees, landusers and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use or occupancy or use of TCE by the Grantee.
12. The Grantee shall not assign, convey, transfer or sublet, in any manner whatsoever, the TCE or any interest therein, or in or to any of the improvements on the land subject to TCE, without the prior written consent of the Navajo Nation and the Secretary of the Interior. Any such attempted assignment, conveyance or transfer without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation.
13. The Navajo Nation may terminate the TCE for violation of any of the terms and conditions stated herein. In addition, the TCE shall be terminable in whole or part by the Navajo Nation for any of the following causes:
 - a. Failure to comply with any term or condition of the grant or of applicable laws or regulations;
 - b. A non-use of the TCE for the purpose for which it is granted for a consecutive two year period; and
 - c. The use of the land subject to the TCE for any purpose inconsistent with the purpose for which the TCE is granted.
 - d. An abandonment of the TCE.
14. At the termination of this TCE, the Grantee 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 Grantee shall provide the Navajo Nation, at the Grantee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.

15. Holding over by the Grantee after the termination of the TCE shall not constitute a renewal or extension thereof or give the Grantee any rights hereunder or in or to the land subject to the TCE or to any improvements located thereon.
16. The Navajo Nation and the Secretary of the Interior shall have the right, at any reasonable time during the term of the TCE, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
17. By acceptance of the grant of TCE, the Grantee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgments for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Grantee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.
18. By acceptance of the grant of TCE, the Grantee 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 TCE or to the Navajo Nation.
19. Any action or proceeding brought by the Grantee against the Navajo Nation in connection with or arising out of the terms and conditions of the TCE shall be brought only in the Courts of the Navajo Nation, and no such action or proceeding shall be brought by the Grantee against the Navajo Nation in any court of any state.
20. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
21. 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.
22. 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 Grantee, and the term "Grantee," whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
23. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the TCE and all lands burdened by the TCE, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the TCE; and the TCE and all lands burdened by the TCE shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.
24. The Navajo Nation reserves the right to grant temporary construction easement within the temporary construction easement referenced herein for utilities, provided that such temporary construction easement do not interfere with the Grantee's use of the temporary construction easement.

PROJECT: N15(2-3)2&4



U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.218 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4, over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

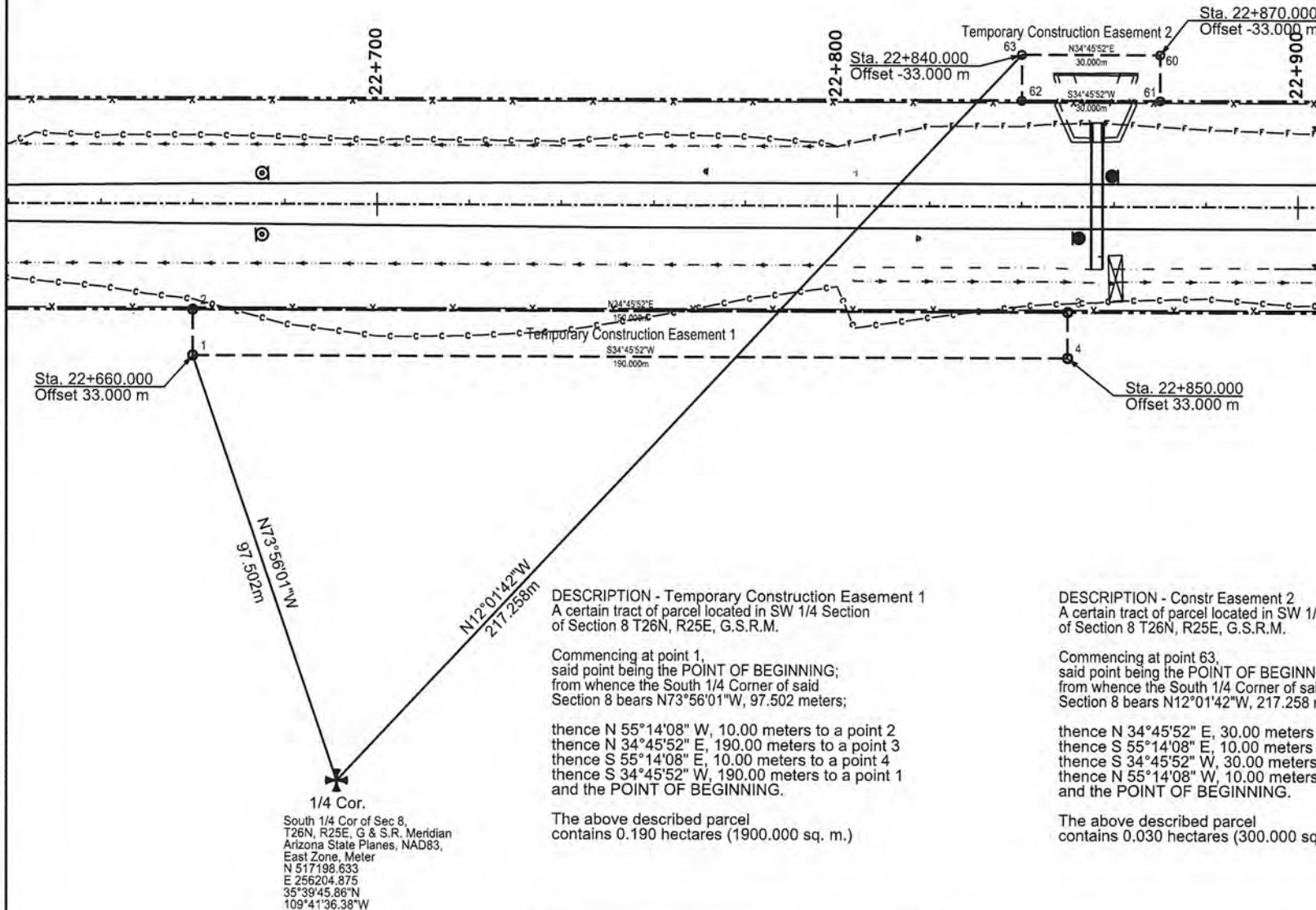
I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019



PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.438 KILOMETERS
varies meters left and varies meters right of road centerline,
Containing 52,522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term(s) and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Date: 2019.10.09 17:58:40-0500
Regional Division of Transportation Manager
Navajo Regional Office

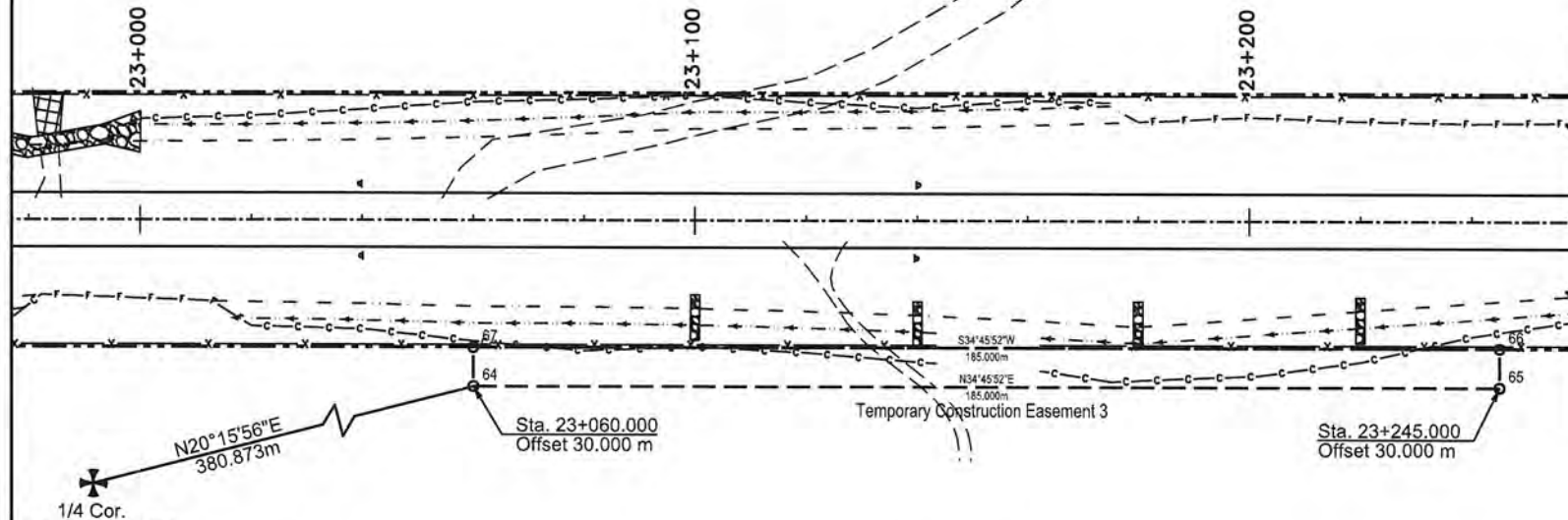
I, Harold J Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a (and division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date: _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019



1/4 Cor.
South 1/4 Cor of Sec 8,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 517198.633
E 266204.875
35°39'45.86\"N
109°41'36.38\"W

DESCRIPTION - Temporary Construction Easement 3
A certain tract of parcel located in SE 1/4 Section
of Section 8 T26N, R25E, G.S.R.M.

Commencing at point 64,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 8 bears N20°15'56\"E, 380.873 meters;

thence N 34°45'52\" E, 185.00 meters to a point 65
thence N 55°14'08\" W, 7.00 meters to a point 66
thence S 34°45'52\" W, 185.00 meters to a point 67
thence S 55°14'08\" E, 7.00 meters to a point 64
and the POINT OF BEGINNING.

The above described parcel
contains 0.130 hectares (1295.000 sq. m.)

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 31.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares 4.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road, Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

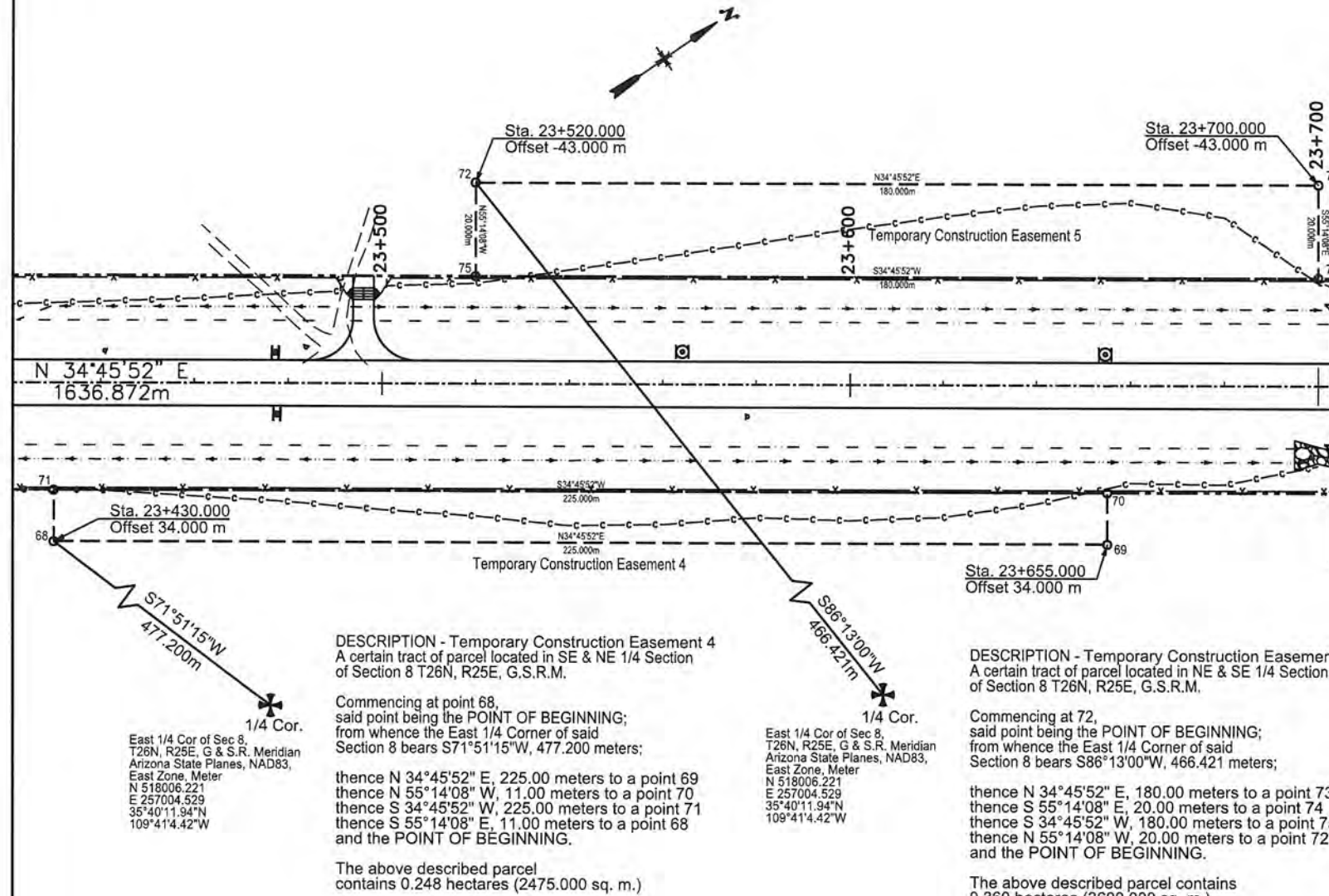
I, Harold J. Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in:

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J. Riley-PE at 1:08 pm, Sep 09, 2019



PROJECT: N15(2-3)2&4

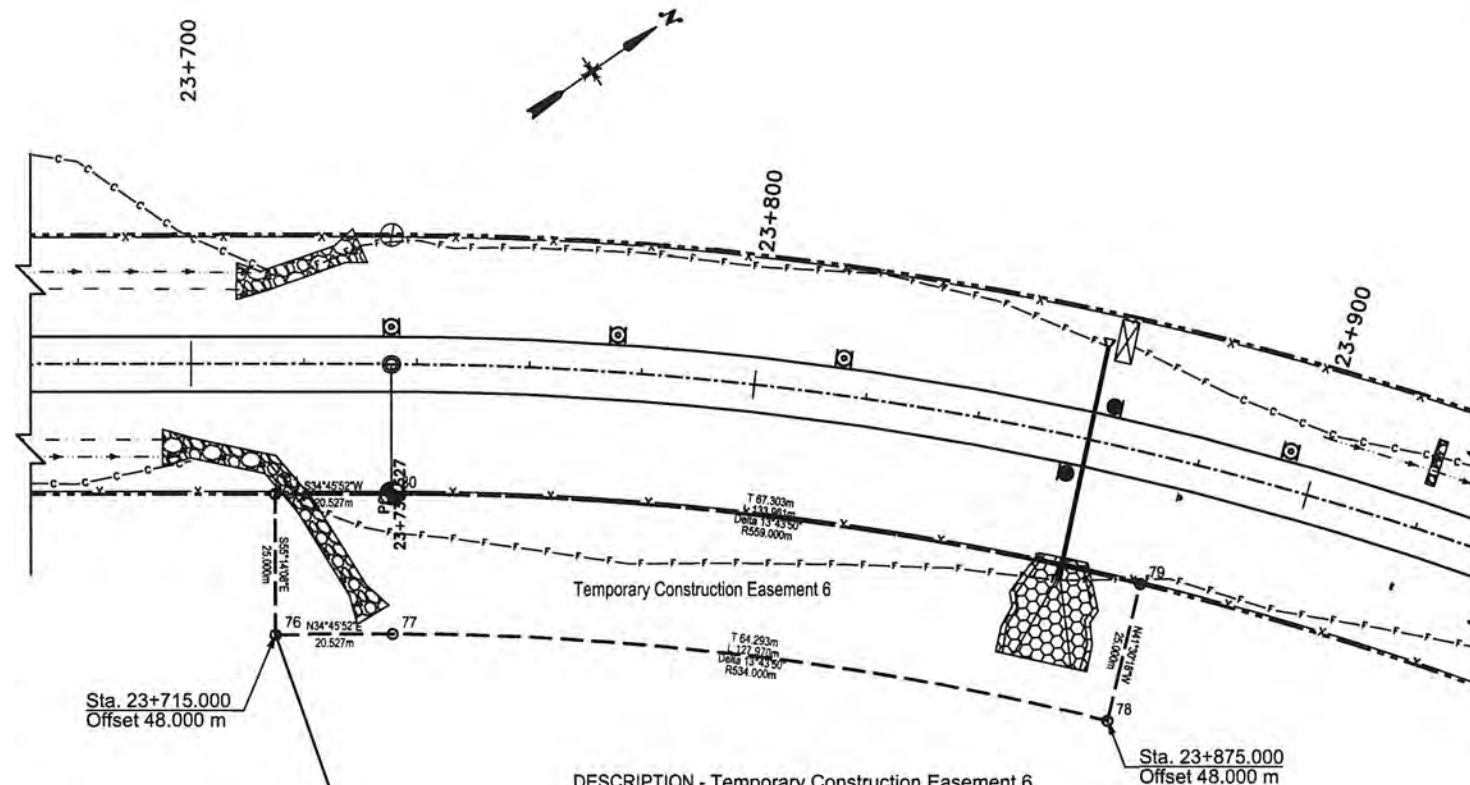
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.438 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares 4.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office



DESCRIPTION - Temporary Construction Easement 6
A certain tract of parcel located in NE 1/4 Section 8 T26N, R25E, G.S.R.M.

Commencing at 76,
said point being the POINT OF BEGINNING;
from whence the East 1/4 Corner of said
Section 8 bears N74°29'42"W, 290.013 meters;

thence N 34°45'52" E, 20.53 meters to a point 77
thence along an arc 127.97 meters, having
a radius of 534.00 meters the chord of which is
N 41°37'47" E, 127.66 meters to a point 78
thence N 41°30'18" W, 25.00 meters to a point 79
thence along an arc 133.96 meters, having
a radius of 559.00 meters the chord of which is
S 41°37'47" W, 133.64 meters to a point 80
thence S 34°45'52" W, 20.53 meters to a point 81
thence S 55°14'08" E, 25.00 meters to a point 76
and the POINT OF BEGINNING.

The above described parcel contains
0.379 hectares (3787.316 sq. m.)

East 1/4 Cor of Sec 8,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 518006.221
E 257004.529
35°40'11.94"N
109°41'4.42"W

I, Harold J Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 13.212 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.522 Hectares 1.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

BY: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager Date: 2019.10.09 21:55:40-0700
Navajo Regional Office

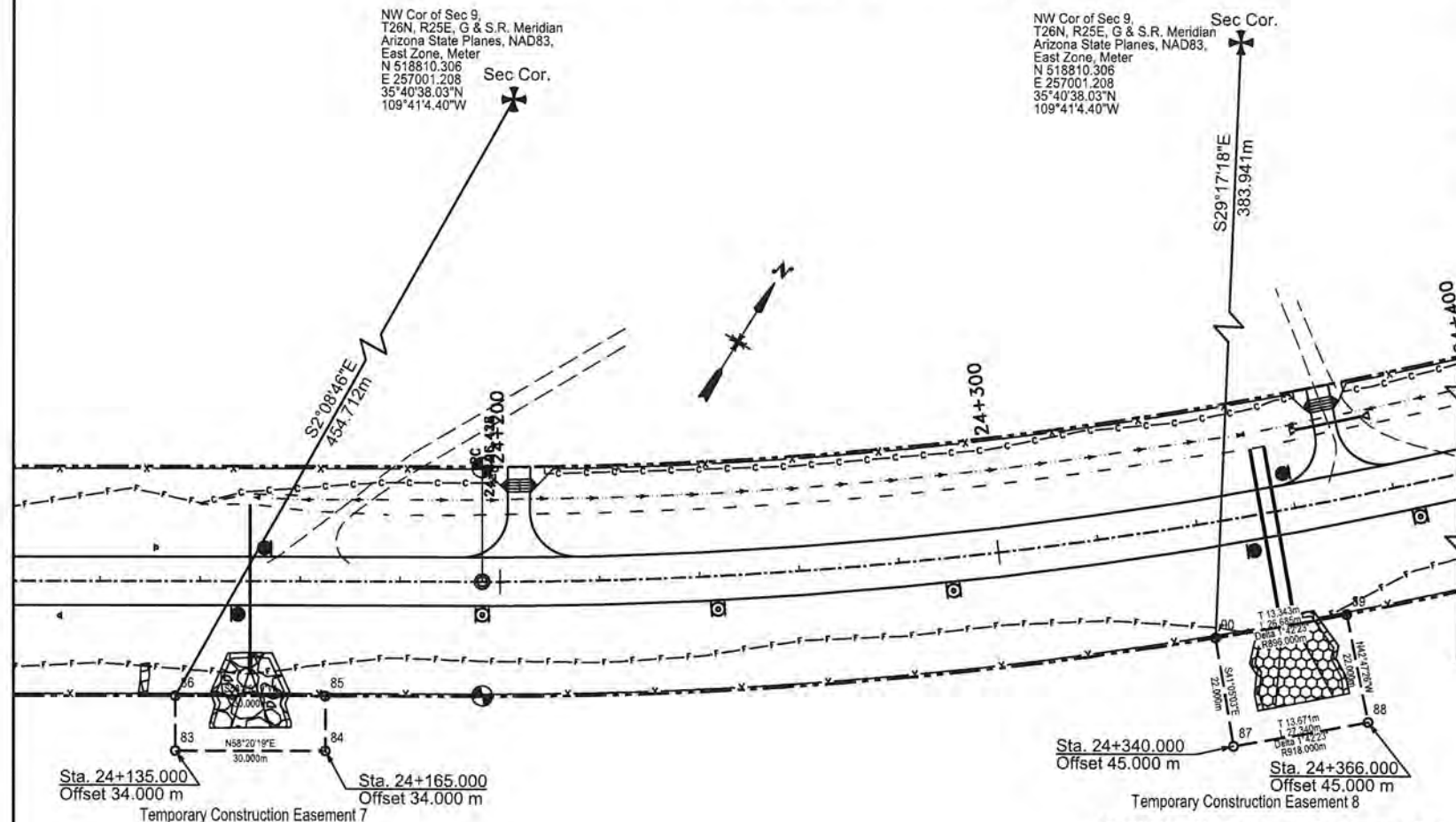
I, Harold J. Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J. Riley-PE at 1:08 pm, Sep 09, 2019



DESCRIPTION - Temporary Construction Easement 7
A certain tract of parcel located in NW 1/4 Section of Section 9 T26N, R25E, G.S.R.M.

Commencing at 86,
said point being the POINT OF BEGINNING;
from whence the NW Corner of said
Section 9 bears S02°08'46"E, 454.712 meters;

thence S 31°39'41" E, 11.00 meters to a point 83
thence N 58°20'19" E, 30.00 meters to a point 84
thence N 31°39'41" W, 11.00 meters to a point 85
thence S 58°20'19" W, 30.00 meters to a point 86
and the POINT OF BEGINNING.

The above described parcel contains
0.033 hectares (330.000 sq. m.)

Sta. 24+340.000
Offset 45.000 m
Temporary Construction Easement 8

DESCRIPTION - Temporary Construction Easement 8
A certain tract of parcel located in NW 1/4 Section of Section 9 T26N, R25E, G.S.R.M.

Commencing at 90,
said point being the POINT OF BEGINNING;
from whence the NW Corner of said
Section 9 bears S29°17'18"E, 383.941 meters;

thence S 41°05'03" E, 22.00 meters to a point 87
thence along an arc 27.34 meters, having
a radius of 918.00 meters the chord of which is
N 48°03'45" E, 27.34 meters to a point 88
thence N 42°47'26" W, 22.00 meters to a point 89
thence along an arc 26.68 meters, having
a radius of 896.00 meters the chord of which is
S 48°03'45" W, 26.68 meters to a point 90
and the POINT OF BEGINNING.

The above described parcel contains
0.059 hectares (594.277 sq. m.)

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 32,522 Hectares 4.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term(s) and length are as shown hereon.

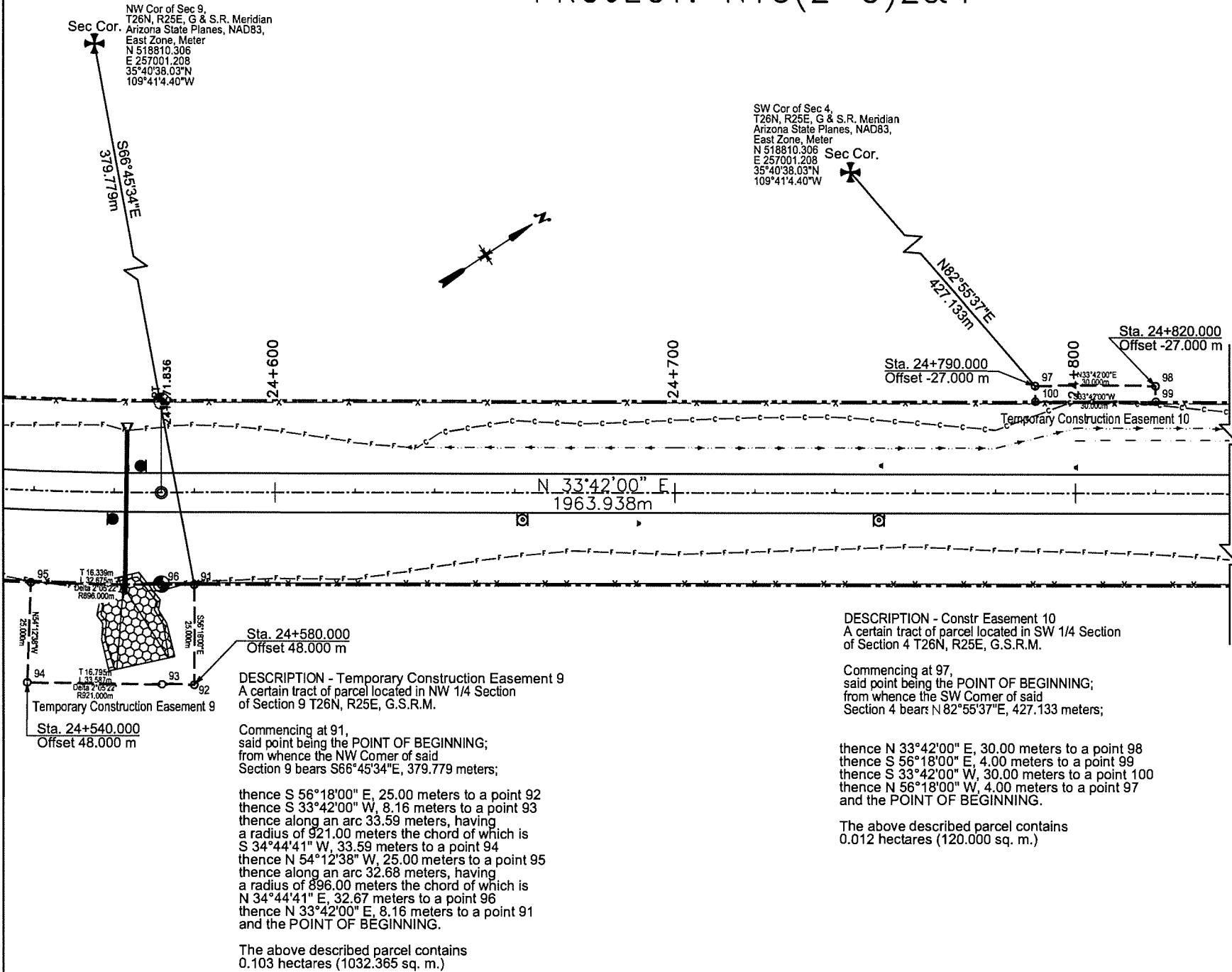
By: HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED
By Harold J Riley - P.E. at 1:08 pm, Sep 03, 2019



PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 17.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office
(Date: 2018.12.13 09:21:28 -0700)

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in:

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement

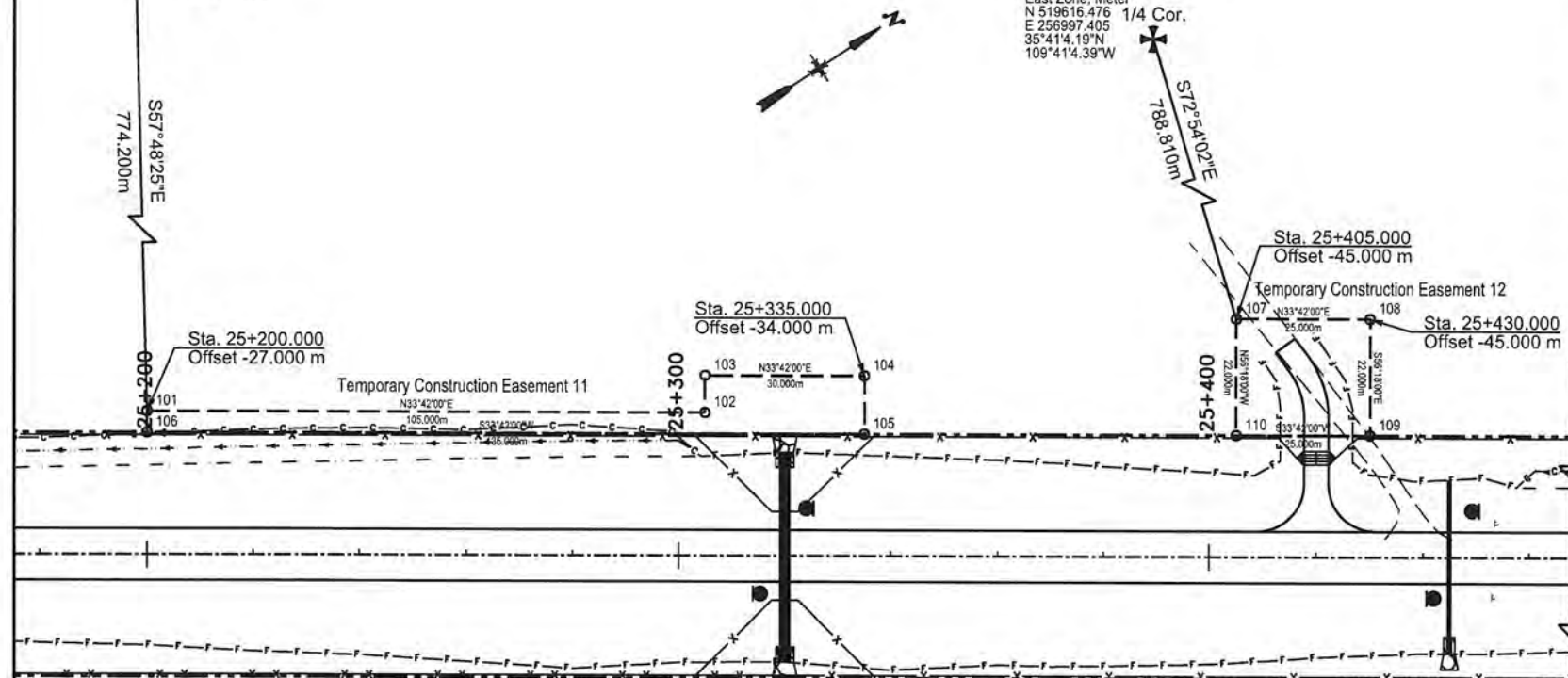
(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

1/4 Cor.
W 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 519616.476
E 256997.405
35°41'4.19"N
109°41'4.39"W

W 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 519616.476
E 256997.405
35°41'4.19"N
109°41'4.39"W



DESCRIPTION - Temporary Construction Easement 11
A certain tract of parcel located in SW 1/4 Section
of Section 4 T26N, R25E, G.S.R.M.

Commencing at 101,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 4 bears S57°48'25"E, 774.200 meters;

thence N 33°42'00" E, 105.00 meters to a point 102
thence N 56°18'00" W, 7.00 meters to a point 103
thence N 33°42'00" E, 30.00 meters to a point 104
thence S 56°18'00" E, 11.00 meters to a point 105
thence S 33°42'00" W, 135.00 meters to a point 106
thence N 56°18'00" W, 4.00 meters to a point 101
and the POINT OF BEGINNING.

The above described parcel contains
0.075 hectares (750,000 sq. m.)

DESCRIPTION - Temporary Construction Easement 12
A certain tract of parcel located in SW 1/4 Section
of Section 4 T26N, R25E, G.S.R.M.

Commencing at 107,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 4 bears S72°54'02"E, 788.810 meters;

thence N 33°42'00" E, 25.00 meters to a point 108
thence S 56°18'00" E, 22.00 meters to a point 109
thence S 33°42'00" W, 25.00 meters to a point 110
thence N 56°18'00" W, 22.00 meters to a point 107
and the POINT OF BEGINNING.

The above described parcel contains
0.055 hectares (550,000 sq. m.)

PROJECT: N15(2-3)2&4

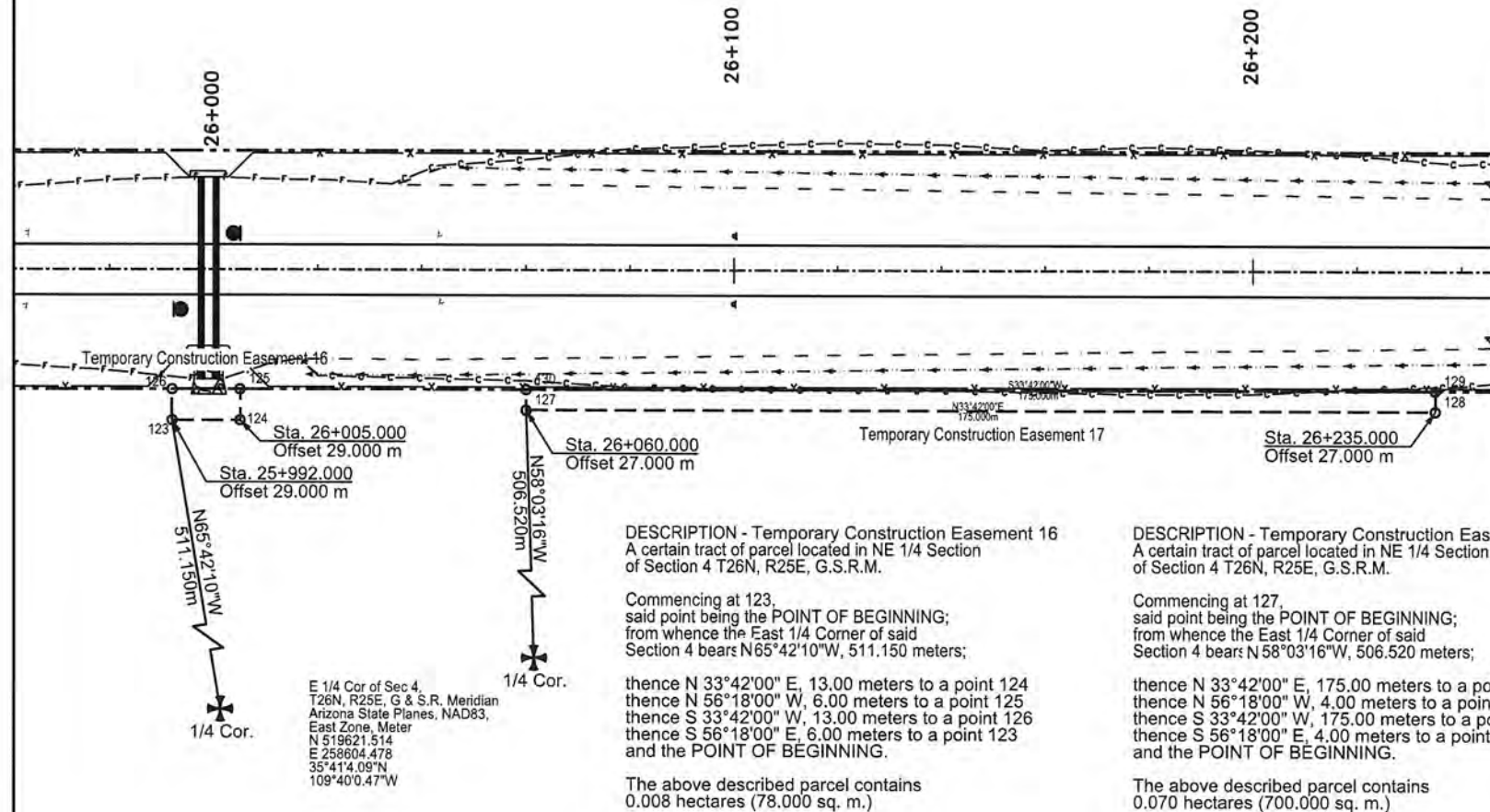
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.412 KILOMETERS
varies meters left and varies meters right of road centerline,
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

BY: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office
(Date: 2019.10.09 21:55:40-0600)



I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term(s) and length are as shown hereon.

By: **HERBY LARSEN** (Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office (Date: 2019.12.09 20:17:00 -0500))

I, Harold J Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

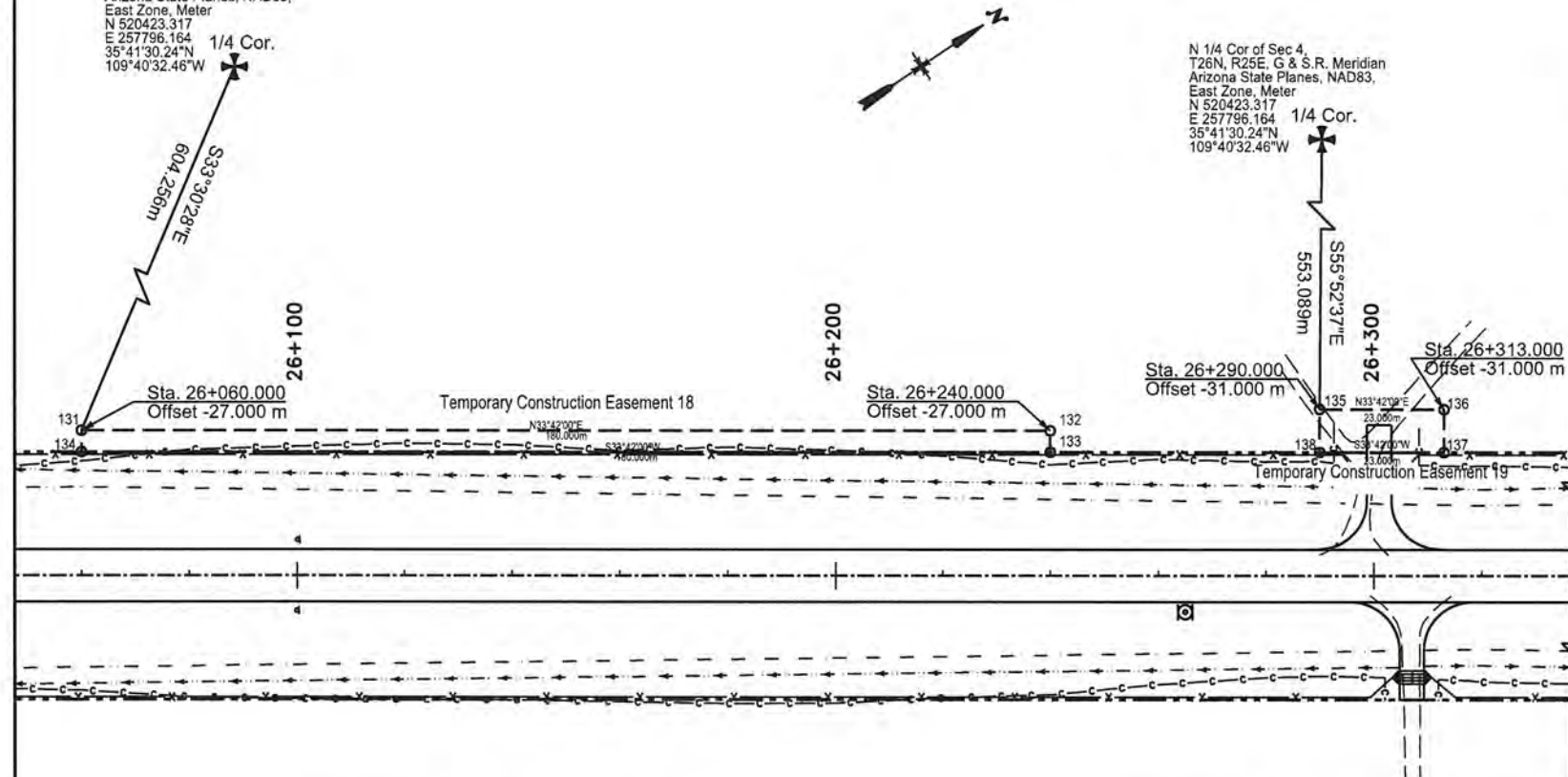
(signature) _____ Date _____
P.E. # 6665

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

N 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 520423.317
E 257796.164
35°41'30.24"N
109°40'32.46"W

N 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 520423.317
E 257796.164
35°41'30.24"N
109°40'32.46"W



DESCRIPTION - Temporary Construction Easement 18
A certain tract of parcel located in NE 1/4 Section
of Section 4 T26N, R25E, G.S.R.M.

Commencing at 131,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 4 bears S33°30'28"E, 604.256 meters;

thence N 33°42'00" E, 180.00 meters to a point 132
thence S 56°18'00" E, 4.00 meters to a point 133
thence S 33°42'00" W, 180.00 meters to a point 134
thence N 56°18'00" W, 4.00 meters to a point 131
and the POINT OF BEGINNING.

The above described parcel contains
0.072 hectares (720.000 sq. m.)

DESCRIPTION - Temporary Construction Easement 19
A certain tract of parcel located in NE 1/4 Section
of Section 4 T26N, R25E, G.S.R.M.

Commencing at 135,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 4 bears S55°52'37"E, 553.089 meters;

thence N 33°42'00" E, 23.00 meters to a point 136
thence S 56°18'00" E, 8.00 meters to a point 137
thence S 33°42'00" W, 23.00 meters to a point 138
thence N 56°18'00" W, 8.00 meters to a point 135
and the POINT OF BEGINNING.

The above described parcel contains
0.018 hectares (184.000 sq. m.)

PROJECT: N15(2-3)2&4

DESCRIPTION - Temporary Construction Easement 21
A certain tract of parcel located in SE 1/4 Section
of Section 33 T27N, R25E, G.S.R.M.

Commencing at 144,
said point being the POINT OF BEGINNING;
from whence the SE Corner of said
Section 33 bears N36°43'33" W, 129.224 meters.

thence along an arc 28.75 meters, having
a radius of 3460.00 meters the chord of which is
N 29°19'16" E, 28.75 meters to a point 145
thence S 60°55'01" E, 7.00 meters to a point 146
thence along an arc 28.81 meters, having
a radius of 3467.00 meters the chord of which is
S 29°19'16" W, 28.81 meters to a point 147
thence N 60°26'27" W, 7.00 meters to a point 144
and the POINT OF BEGINNING.

The above described parcel contains
0.020 hectares (201.459 sq. m.)

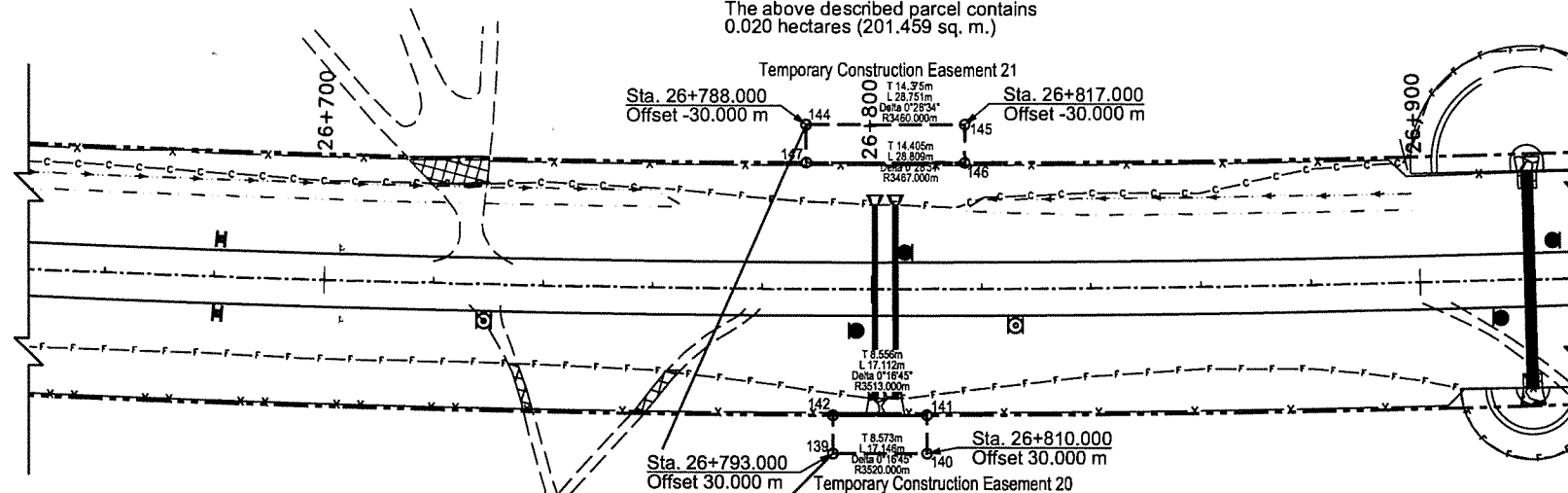
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo
Regional Office, Bureau of Indian Affairs, as the applicant herein for
the right-of-way for the construction of Bureau of Indian Affairs Road,
Project No. N15(2-3)2&4 over and across Indian lands, County of
Apache, certifies that the survey is accurately represented on this
map. Project termini and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office



I, Harold J Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

DESCRIPTION - Temporary Construction Easement 20
A certain tract of parcel located in SE 1/4 Section
of Section 33 T27N, R25E, G.S.R.M.

Commencing at 139,
said point being the POINT OF BEGINNING;
from whence the SE Corner of said
Section 33 bears N16°05'13" W 81.557 meters;

thence along an arc 17.15 meters, having
a radius of 3520.00 meters the chord of which is
N 29°20'15" E, 17.15 meters to a point 140
thence N 60°48'07" W, 7.00 meters to a point 141
thence along an arc 17.11 meters, having
a radius of 3513.00 meters the chord of which is
S 29°20'15" W, 17.11 meters to a point 142
thence S 60°31'22" E, 7.00 meters to a point 139
and the POINT OF BEGINNING.

The above described parcel contains
0.012 hectares (119.904 sq. m.)

Sec Cor.
SE Cor of Sec 33,
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 520426.261
E 258599.613
35°41'30.20"N
109°40'0.50"W

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 1.412 KILOMETERS
varies meters left and varies meters right of road centerline,
Containing 52,522 Hectares 1.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: **HERBY LARSEN**
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED

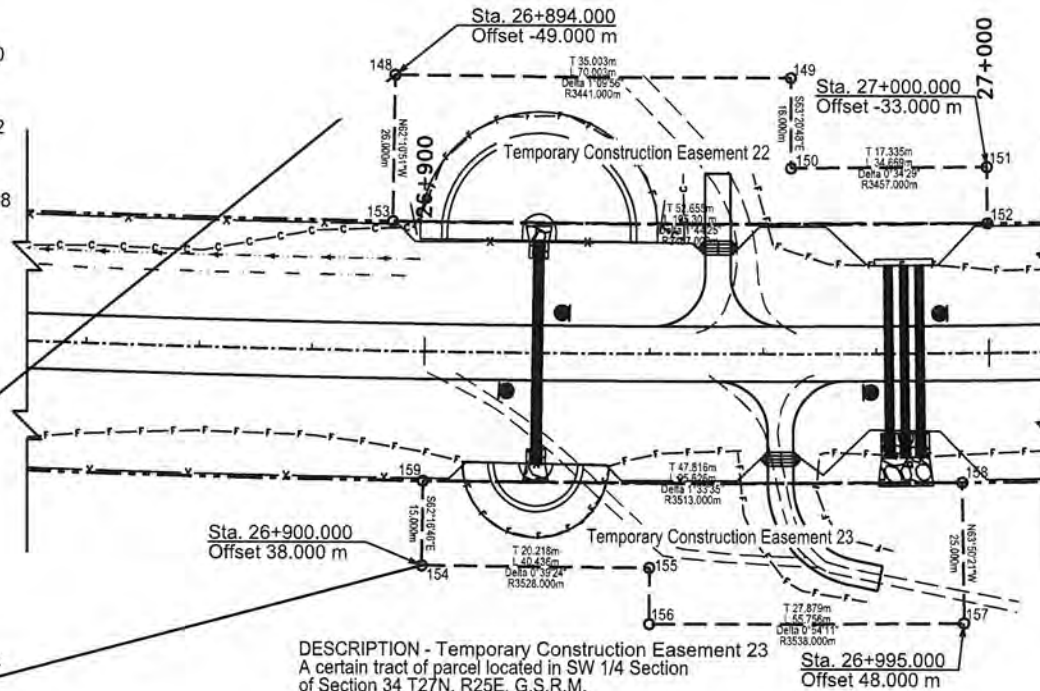
By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

DESCRIPTION - Temporary Construction Easement 22
A certain tract of parcel located in SE 1/4 Section 33
& SW 1/4 Section of Section 34, T27N, R25E, G.S.R.M.

Commencing at 148,
said point being the POINT OF BEGINNING;
from whence the SW Corner of said
Section 34 bears N 12°02'12" W 209.225 meters;

thence along an arc 70.00 meters, having
a radius of 3441.00 meters the chord of which is
N 27°14'10" E, 70.00 meters to a point 149
thence S 63°20'48" E, 16.00 meters to a point 150
thence along an arc 34.67 meters, having
a radius of 3457.00 meters the chord of which is
N 26°21'58" E, 34.67 meters to a point 151
thence S 63°55'16" E, 10.00 meters to a point 152
thence along an arc 105.30 meters, having
a radius of 3467.00 meters the chord of which is
S 26°56'56" W, 105.30 meters to a point 153
thence N 62°10'51" W, 26.00 meters to a point 148
and the POINT OF BEGINNING.

The above described parcel contains
0.217 hectares (2174.150 sq. m.)



DESCRIPTION - Temporary Construction Easement 23
A certain tract of parcel located in SW 1/4 Section
of Section 34 T27N, R25E, G.S.R.M.

Commencing at 154,
said point being the POINT OF BEGINNING;
from whence the SW Corner of said
Section 34 bears N12°02'36"E, 173.203 meters;

thence along an arc 40.44 meters, having
a radius of 3528.00 meters the chord of which is
N 27°23'32" E, 40.44 meters to a point 155
thence S 62°56'10" E, 10.00 meters to a point 156
thence along an arc 55.76 meters, having
a radius of 3538.00 meters the chord of which is
N 26°36'45" E, 55.76 meters to a point 157
thence N 63°50'21" W, 25.00 meters to a point 158
thence along an arc 95.63 meters, having
a radius of 3513.00 meters the chord of which is
S 26°56'27" W, 95.62 meters to a point 159
thence S 62°16'46" E, 15.00 meters to a point 154
and the POINT OF BEGINNING.

The above described parcel contains
0.199 hectares (1994.230 sq. m.)

Sec Cor.
SW Cor of Sec 34
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 520426.261
E 258599.613
35°41'30.20"N
109°40'0.50"W

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 17.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

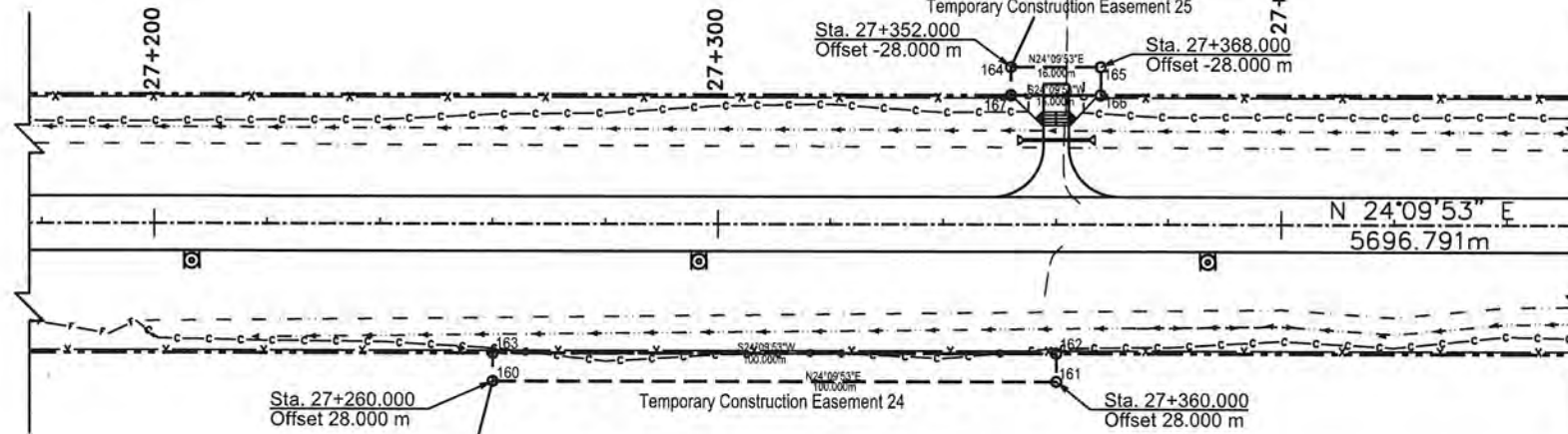
DESCRIPTION - Temporary Construction Easement 25
A certain tract of parcel located in SW 1/4 Section of Section 34 T27N, R25E, G.S.R.M.

Commencing at 164, said point being the POINT OF BEGINNING; from whence the West 1/4 Corner of said Section 34 bears S41°11'03"E, 260.946 meters;

thence N 24°09'53" E, 16.00 meters to a point 165
thence S 65°50'07" E, 5.00 meters to a point 166
thence S 24°09'53" W, 16.00 meters to a point 167
thence N 65°50'07" W, 5.00 meters to a point 164 and the POINT OF BEGINNING.

The above described parcel contains 0.008 hectares (80.000 sq. m.)

W 1/4 Cor of Sec 34
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 521230.693
E 258595.844
35°41'56.31"N
109°40'0.49"W



DESCRIPTION - Temporary Construction Easement 24
A certain tract of parcel located in SW 1/4 Section of Section 34 T27N, R25E, G.S.R.M.

Commencing at 160, said point being the POINT OF BEGINNING; from whence the South 1/4 Corner of said Section 34 bears N51°23'07"W, 798.579 meters;

thence N 24°09'53" E, 100.00 meters to a point 161
thence N 65°50'07" W, 5.00 meters to a point 162
thence S 24°09'53" W, 100.00 meters to a point 163
thence S 65°50'07" E, 5.00 meters to a point 160 and the POINT OF BEGINNING.

The above described parcel contains 0.050 hectares (500.000 sq. m.)

S 1/4 Cor of Sec 34
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 520429.066
E 259405.081
35°41'30.16"N
109°39'28.47"W

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline,
Containing 52,522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo
Regional Office, Bureau of Indian Affairs, as the applicant herein for
the right-of-way for the construction of Bureau of Indian Affairs Road
Project No. N15(2-3)2&4 over and across Indian lands, County of
Apache certifies that the survey is accurately represented on this
map. Project termini and length are as shown hereon.

By: HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Antiquities Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement

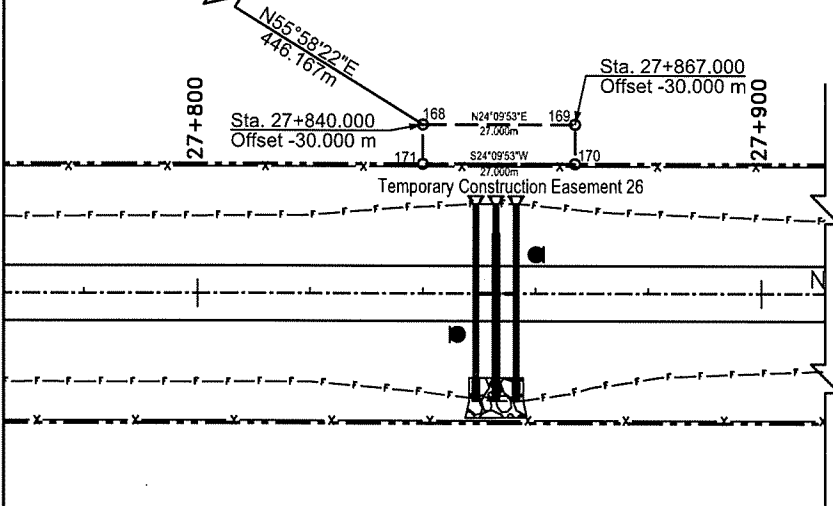
(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:06 pm, Sep 09, 2019

W 1/4 Cor of Sec 34
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 521230.693
E 258595.844
35°41'56.31"N
109°40'0.49"W

1/4 Cor.



DESCRIPTION - Temporary Construction Easement 26
A certain tract of parcel located in NW 1/4 Section
of Section 34 T27N, R25E, G.S.R.M.

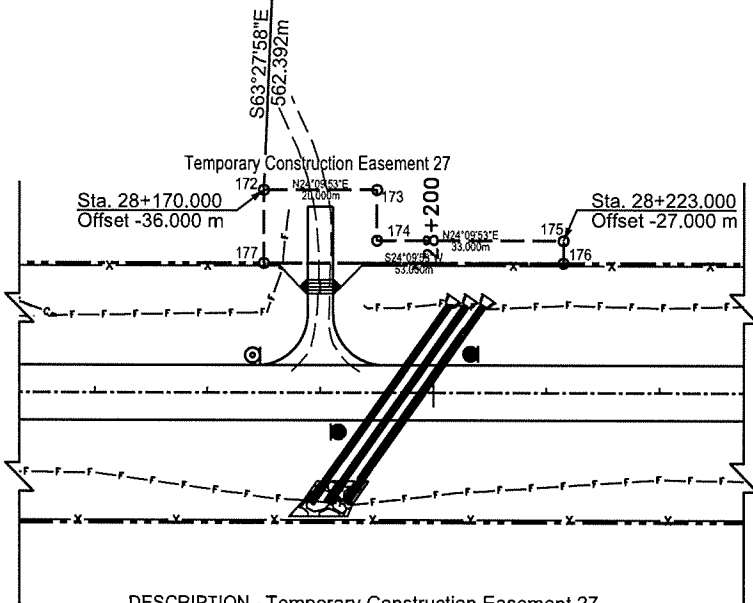
Commencing at 168,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 34 bears N55°58'22"E, 446.167 meters;

thence N 24°09'53" E, 27.00 meters to a point 169
thence S 65°50'07" E, 7.00 meters to a point 170
thence S 24°09'53" W, 27.00 meters to a point 171
thence N 65°50'07" W, 7.00 meters to a point 168
and the POINT OF BEGINNING.

The above described parcel contains
0.019 hectares (189.000 sq. m.)

NW Cor of Sec 34
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 522035.137
E 258592.074
35°42'22.41"N
109°40'0.48"W

Sec Cor.



DESCRIPTION - Temporary Construction Easement 27
A certain tract of parcel located in NW 1/4 Section
of Section 34 T27N, R25E, G.S.R.M.

Commencing at 172,
said point being the POINT OF BEGINNING;
from whence the NW Corner of said
Section 34 bears S63°27'58"E, 562.392 meters;

thence N 24°09'53" E, 20.00 meters to a point 173
thence S 65°50'07" E, 9.00 meters to a point 174
thence N 24°09'53" E, 33.00 meters to a point 175
thence S 65°50'07" E, 4.00 meters to a point 176
thence S 24°09'53" W, 53.00 meters to a point 177
thence N 65°50'07" W, 13.00 meters to a point 172
and the POINT OF BEGINNING.

The above described parcel contains
0.039 hectares (392.000 sq. m.)

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.218 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Date: 2019.09.09 17:58:49Z
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(Signature) _____ Date: _____
P.E. # 9865

APPROVED

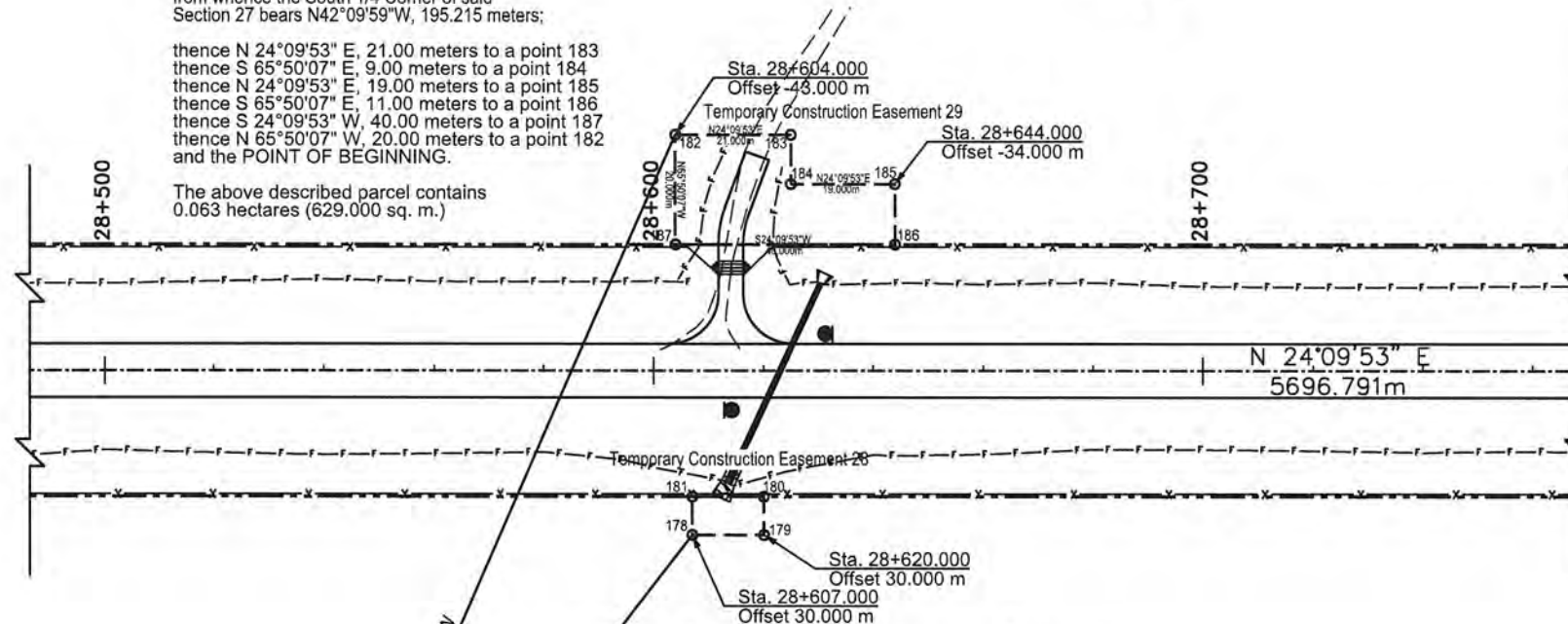
By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

DESCRIPTION - Temporary Construction Easement 29
A certain tract of parcel located in SW 1/4 Section of Section 27 T27N, R25E, G.S.R.M.

Commencing at 182,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 27 bears N42°09'59"W, 195.215 meters;

thence N 24°09'53" E, 21.00 meters to a point 183
thence S 65°50'07" E, 9.00 meters to a point 184
thence N 24°09'53" E, 19.00 meters to a point 185
thence S 65°50'07" E, 11.00 meters to a point 186
thence S 24°09'53" W, 40.00 meters to a point 187
thence N 65°50'07" W, 20.00 meters to a point 182
and the POINT OF BEGINNING.

The above described parcel contains
0.063 hectares (629.000 sq. m.)



DESCRIPTION - Temporary Construction Easement 28
A certain tract of parcel located in SW 1/4 Section of Section 27 T27N, R25E, G.S.R.M.

Commencing at 178,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 27 bears N28°16'12"W, 133.466 meters;

thence N 24°09'53" E, 13.00 meters to a point 179
thence N 65°50'07" W, 7.00 meters to a point 180
thence S 24°09'53" W, 13.00 meters to a point 181
thence S 65°50'07" E, 7.00 meters to a point 178
and the POINT OF BEGINNING.

The above described parcel contains
0.009 hectares (91.000 sq. m.)

S 1/4 Cor of Sec 27
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 522038.043
E 259397.550
35°42'22.37"N
109°39'28.43"W
Sec Cor.

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.434 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown hereon.

By: HERBY LARSEN Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

SW Cor of Sec 27
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 522035.137
E 258592.074
35°42'22.41"N
109°40'0.48"W

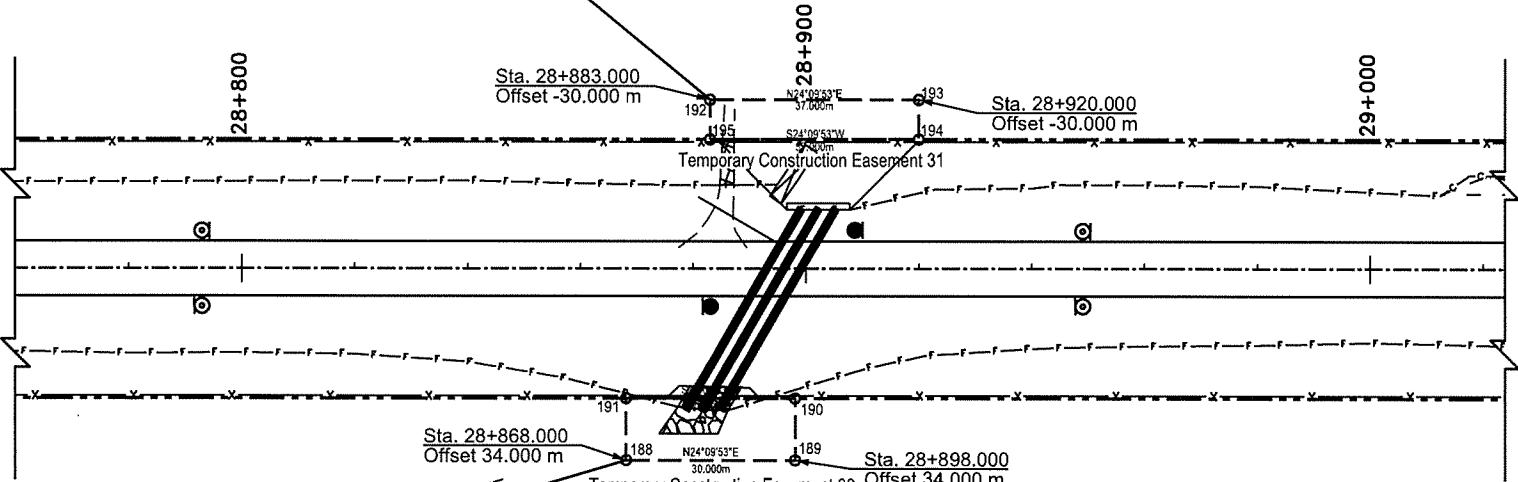
Sec Cor.

DESCRIPTION - Temporary Construction Easement 31
A certain tract of parcel located in SE 1/4 Section
of Section 27 T27N, R25E, G.S.R.M.

Commencing at 192,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 27 bears N63°37'52" E, 893.465 meters;

thence N 24°09'53" E, 37.00 meters to a point 193
thence S 65°50'07" E, 7.00 meters to a point 194
thence S 24°09'53" W, 37.00 meters to a point 195
thence N 65°50'07" W, 7.00 meters to a point 192
and the POINT OF BEGINNING.

The above described parcel contains
0.026 hectares (259.000 sq. m.)



1/4 Cor.

S 1/4 Cor of Sec 27
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 522038.043
E 259397.550
35°42'22.37"N
109°39'28.43"W

DESCRIPTION - Temporary Construction Easement 30
A certain tract of parcel located in SE 1/4 Section
of Section 27 T27N, R25E, G.S.R.M.

Commencing at 188,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 27 bears N07°36'23"E, 357.182 meters;

thence N 24°09'53" E, 30.00 meters to a point 189
thence N 65°50'07" W, 11.00 meters to a point 190
thence S 24°09'53" W, 30.00 meters to a point 191
thence S 65°50'07" E, 11.00 meters to a point 188
and the POINT OF BEGINNING.

The above described parcel contains
0.033 hectares (330.000 sq. m.)

I, Harold J. Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement.

(signature) _____ Date: _____
P.E. # 9865

APPROVED

By Harold J. Riley-P.E. at 1:08 pm, Sep 08, 2019

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project terminal and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in:

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED
By Harold J Riley-PE at 1:06 pm, Sep 09, 2019

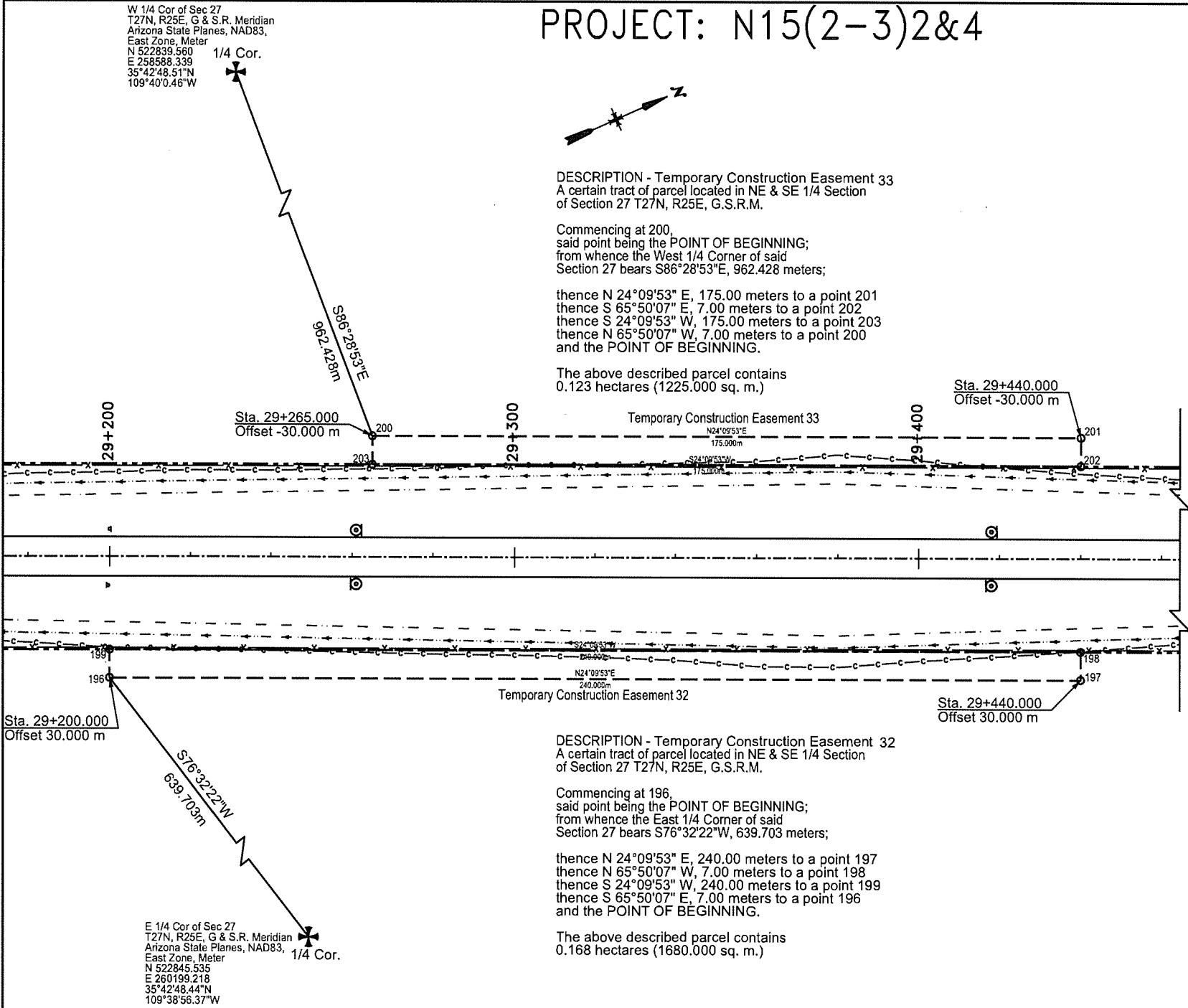


DESCRIPTION - Temporary Construction Easement 33
A certain tract of parcel located in NE & SE 1/4 Section of Section 27 T27N, R25E, G.S.R.M.

Commencing at 200,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 27 bears S86°28'53"E, 962.428 meters;

thence N 24°09'53" E, 175.00 meters to a point 201
thence S 65°50'07" E, 7.00 meters to a point 202
thence S 24°09'53" W, 175.00 meters to a point 203
thence N 65°50'07" W, 7.00 meters to a point 200
and the POINT OF BEGINNING.

The above described parcel contains
0.123 hectares (1225.000 sq. m.)



DESCRIPTION - Temporary Construction Easement 32
A certain tract of parcel located in NE & SE 1/4 Section of Section 27 T27N, R25E, G.S.R.M.

Commencing at 196,
said point being the POINT OF BEGINNING;
from whence the East 1/4 Corner of said
Section 27 bears S76°32'22"W, 639.703 meters;

thence N 24°09'53" E, 240.00 meters to a point 197
thence N 65°50'07" W, 7.00 meters to a point 198
thence S 24°09'53" W, 240.00 meters to a point 199
thence S 65°50'07" E, 7.00 meters to a point 196
and the POINT OF BEGINNING.

The above described parcel contains
0.168 hectares (1680.000 sq. m.)

PROJECT: N15(2-3)2&4

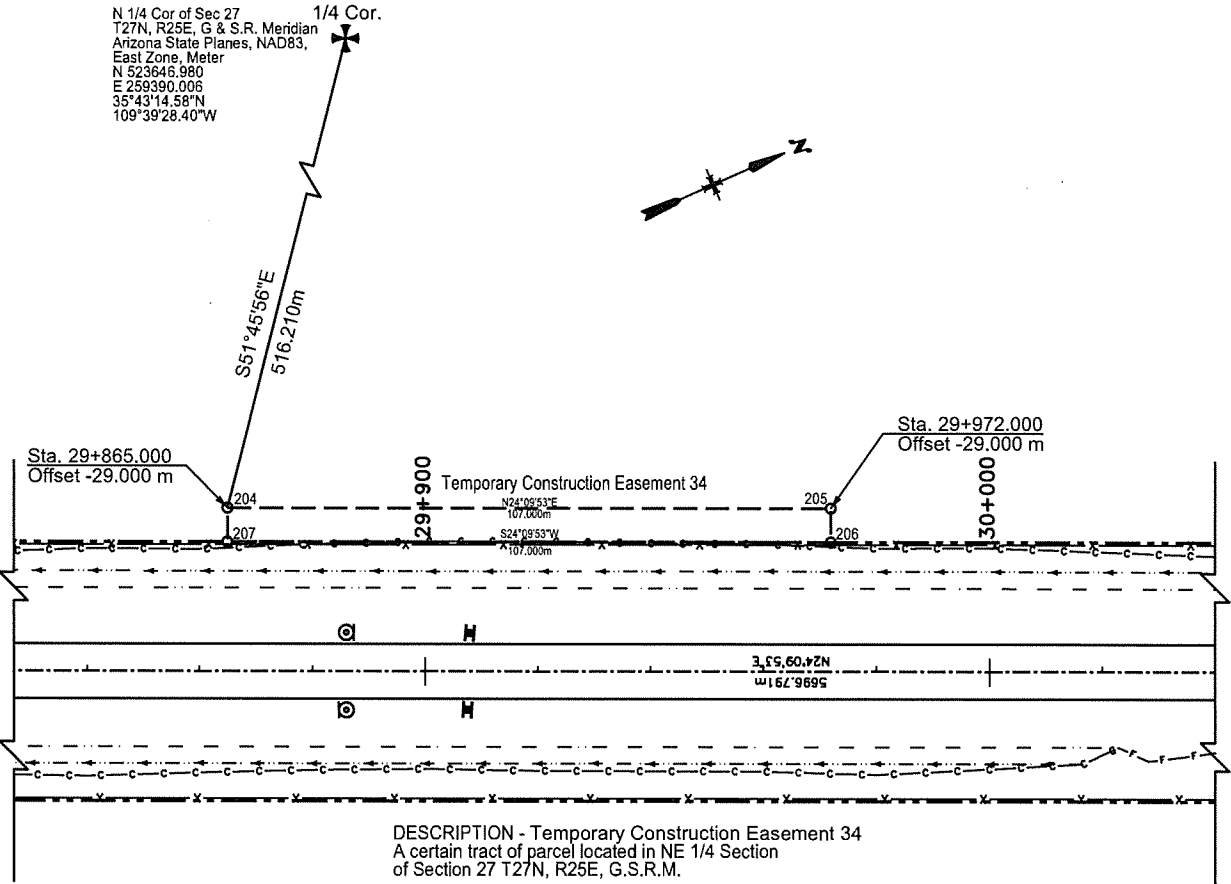
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 1.218 KILOMETERS
varies meters left and varies meters right of road centeline,
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: HERBY LARSEN (Signature)
Regional Division of Transportation Manager
Navajo Regional Office



DESCRIPTION - Temporary Construction Easement 34
A certain tract of parcel located in NE 1/4 Section
of Section 27 T27N, R25E, G.S.R.M.

Commencing at 204,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 27 bears S51°45'56"E, 516.210 meters;

thence N 24°09'53" E, 107.00 meters to a point 205
thence S 65°50'07" E, 6.00 meters to a point 206
thence S 24°09'53" W, 107.00 meters to a point 207
thence N 65°50'07" W, 6.00 meters to a point 204
and the POINT OF BEGINNING.

The above described parcel contains
0.064 hectares (642.000 sq. m.)

I, Harold J Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9805

APPROVED
By Harold J Riley-PE at 1:08 pm, Sep 03, 2013

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 1.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.522 Hectares 1.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown herein.

By: **HERBY LARSEN**
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(Signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

N 1/4 Cor of Sec 27
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 523646.980
E 259390.006
35°43'14.58"N
109°39'28.40"W

DESCRIPTION - Temporary Construction Easement 35
A certain tract of parcel located in NE 1/4 Section
of Section 27 T27N, R25E, G.S.R.M.

Commencing at 208,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 27 bears S79°28'08"E, 507.010 meters;

thence N 24°09'53" E, 23.00 meters to a point 209
thence S 65°50'07" E, 14.00 meters to a point 210
thence S 24°09'53" W, 23.00 meters to a point 211
thence N 65°50'07" W, 14.00 meters to a point 208
and the POINT OF BEGINNING.

The above described parcel contains
0.032 hectares (322,000 sq. m.)

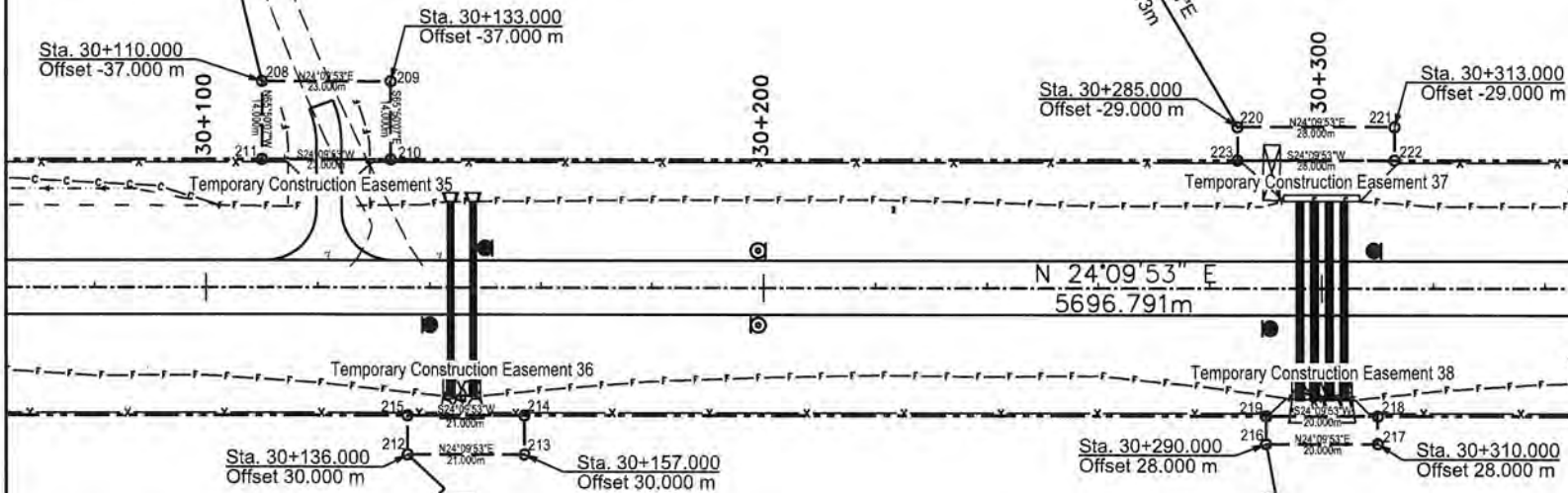
S 1/4 Cor of Sec 22
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 523646.980
E 259390.006
35°43'14.58"N
109°39'28.40"W

DESCRIPTION - Temporary Construction Easement 37
A certain tract of parcel located in SE 1/4 Section
of Section 22 T27N, R25E, G.S.R.M.

Commencing at 220,
said point being the POINT OF BEGINNING;
from whence the South 1/4 Corner of said
Section 22 bears N83°42'08"E, 580.913 meters;

thence N 24°09'53" E, 28.00 meters to a point 221
thence S 65°50'07" E, 6.00 meters to a point 222
thence S 24°09'53" W, 28.00 meters to a point 223
thence N 65°50'07" W, 6.00 meters to a point 220
and the POINT OF BEGINNING.

The above described parcel contains
0.017 hectares (168,000 sq. m.)



DESCRIPTION - Temporary Construction Easement 36
A certain tract of parcel located in NE 1/4 Section
of Section 27 T27N, R25E, G.S.R.M.

Commencing at 212,
said point being the POINT OF BEGINNING;
from whence the NE Corner of said
Section 27 bears S67°04'42" W 255.321 meters;

thence N 24°09'53" E, 21.00 meters to a point 213
thence N 65°50'07" W, 7.00 meters to a point 214
thence S 24°09'53" W, 21.00 meters to a point 215
thence S 65°50'07" E, 7.00 meters to a point 212
and the POINT OF BEGINNING.

The above described parcel contains
0.015 hectares (147,000 sq. m.)

NE Cor of Sec 27
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 523650.049
E 260195.408
35°43'14.54"N
109°38'56.36"W

SE Cor of Sec 22
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 523650.049
E 260195.408
35°43'14.54"N
109°38'56.36"W

DESCRIPTION - Temporary Construction Easement 38
A certain tract of parcel located in SE 1/4 Section
of Section 22 T27N, R25E, G.S.R.M.

Commencing at 216,
said point being the POINT OF BEGINNING;
from whence the SE Corner of said
Section 22 bears N76°27'42" W, 178.915 meters;

thence N 24°09'53" E, 20.00 meters to a point 217
thence N 65°50'07" W, 5.00 meters to a point 218
thence S 24°09'53" W, 20.00 meters to a point 219
thence S 65°50'07" E, 5.00 meters to a point 216
and the POINT OF BEGINNING.

The above described parcel contains
0.010 hectares (100,000 sq. m.)

PROJECT: N15(2-3)2&4

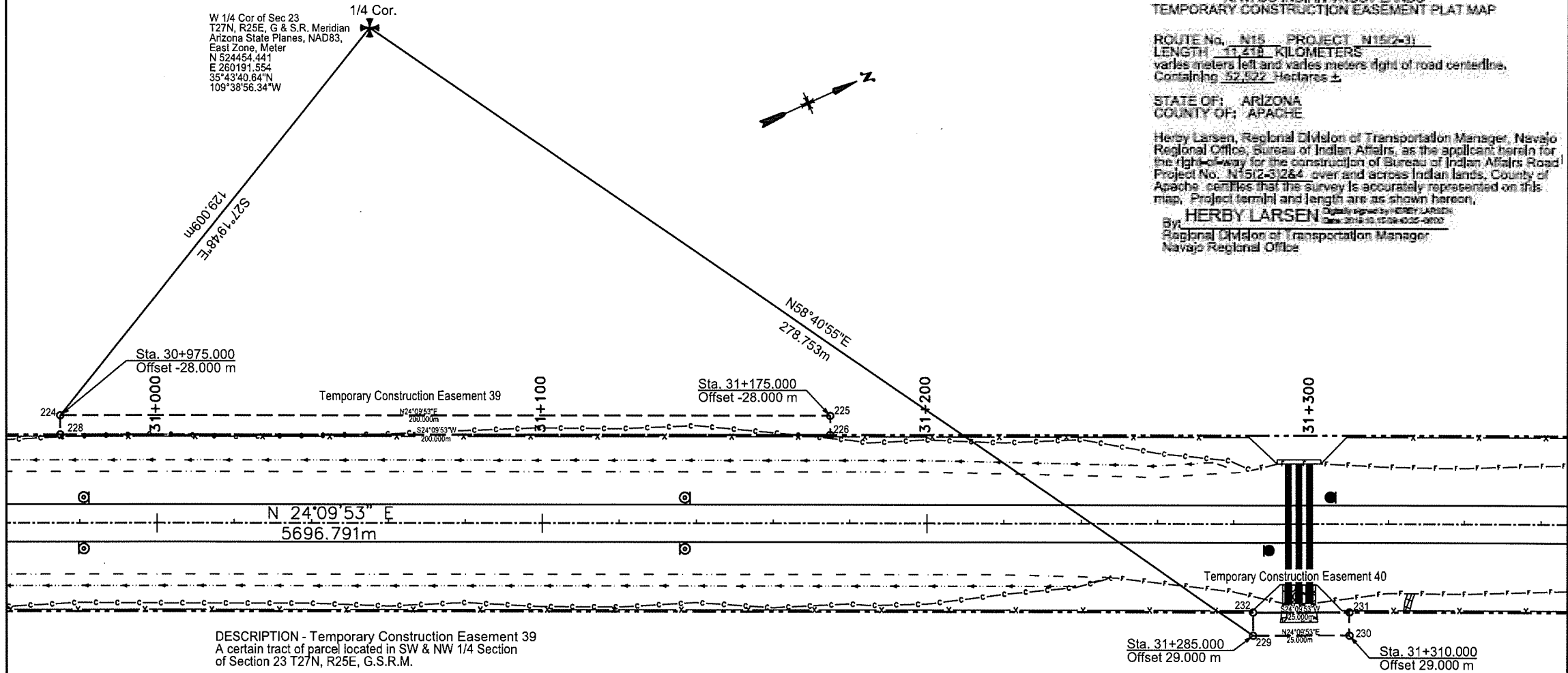
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.318 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache certifies that the survey is accurately represented on this map. Project term(s) and length are as shown herein.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office



DESCRIPTION - Temporary Construction Easement 39
A certain tract of parcel located in SW & NW 1/4 Section of Section 23 T27N, R25E, G.S.R.M.

Commencing at 224,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 23 bears S27°19'48"E, 129.009 meters;

thence N 24°09'53" E, 200.00 meters to a point 225
thence S 65°50'07" E, 5.00 meters to a point 226
thence S 24°09'53" W, 200.00 meters to a point 228
thence N 65°50'07" W, 5.00 meters to a point 224
and the POINT OF BEGINNING.

The above described parcel contains
0.100 hectares (1000.000 sq. m.)

I, Harold J. Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9885

APPROVED
By Harold J. Riley-P.E. at 1:00 pm, Sep 09, 2018

DESCRIPTION - Temporary Construction Easement 40
A certain tract of parcel located in NW 1/4 Section
of Section 23 T27N, R25E, G.S.R.M.

Commencing at 229,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 23 bears N58°40'55"E, 278.753 meters;

thence N 24°09'53" E, 25.00 meters to a point 230
thence N 65°50'07" W, 6.00 meters to a point 231
thence S 24°09'53" W, 25.00 meters to a point 232
thence S 65°50'07" E, 6.00 meters to a point 229
and the POINT OF BEGINNING.

The above described parcel contains
0.015 hectares (150.000 sq. m.)

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 17.218 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown herein.

By: HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

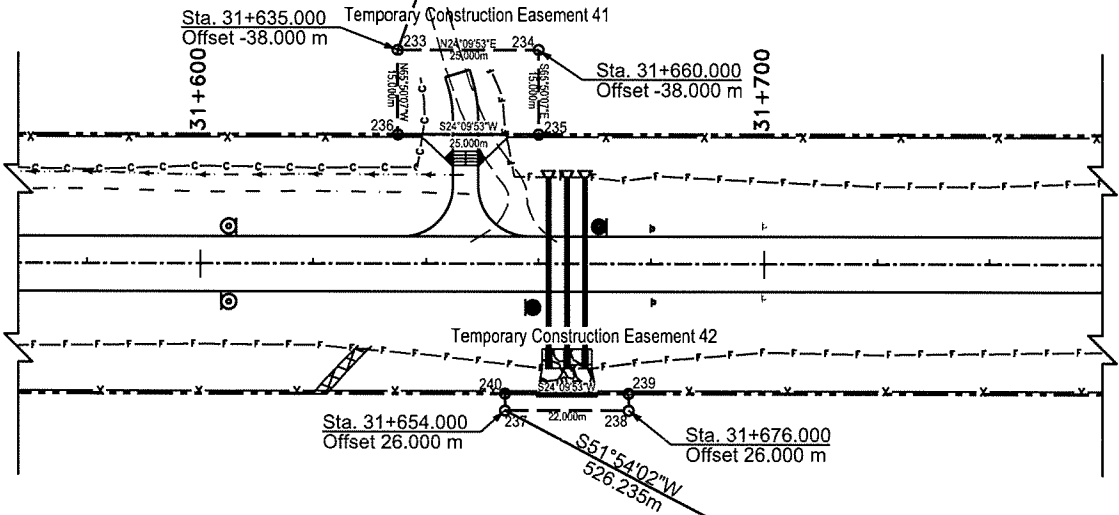
DESCRIPTION - Temporary Construction Easement 41
A certain tract of parcel located in NW 1/4 Section
of Section 23 T27N, R25E, G.S.R.M.

Commencing at 233,
said point being the POINT OF BEGINNING;
from whence the NW Corner of said
Section 23 bears S46°01'37"E, 450.414 meters;

thence N 24°09'53" E, 25.00 meters to a point 234
thence S 65°50'07" E, 15.00 meters to a point 235
thence S 24°09'53" W, 25.00 meters to a point 236
thence N 65°50'07" W, 15.00 meters to a point 233
and the POINT OF BEGINNING.

The above described parcel contains
0.038 hectares (375.000 sq. m.)

NW Cor of Sec 23
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 525258.823
E 260187.689
35°44'6.74"N
109°38'56.32"W



DESCRIPTION - Temporary Construction Easement 42
A certain tract of parcel located in NW 1/4 Section
of Section 23 T27N, R25E, G.S.R.M.

Commencing at 237,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 23 bears S51°54'02"W 526.235 meters;

thence N 24°09'53" E, 22.00 meters to a point 238
thence N 65°50'07" W, 3.00 meters to a point 239
thence S 24°09'53" W, 22.00 meters to a point 240
thence S 65°50'07" E, 3.00 meters to a point 237
and the POINT OF BEGINNING.

The above described parcel contains
0.007 hectares (66.000 sq. m.)

N 1/4 Cor of Sec 23
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 525261.929
E 260992.123
35°44'6.71"N
109°38'24.31"W

I, Harold J Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:09 pm Sep 09, 2015

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.374 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.527 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4, over and across Indian lands, County of Apache, certifies that this survey is accurately represented on this map. Project termini and length are as shown hereon.

By: HERBY LARSEN Digitally signed by HERBY LARSEN
Regional Division of Transportation Manager
Navajo Regional Office

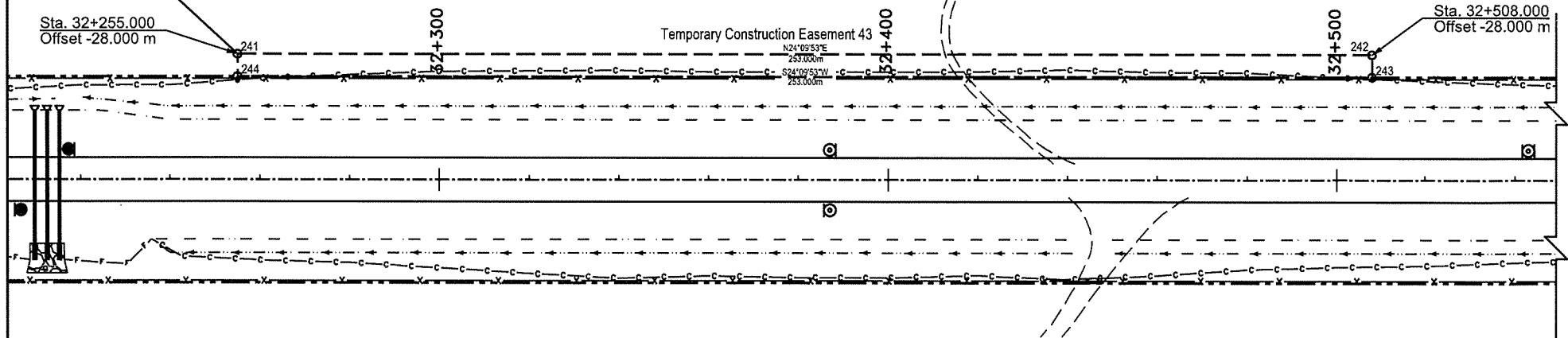
SW Cor of Sec 14
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 525258.823
E 260187.689
35°44'6.74"N
109°38'56.32"W
Sec Cor.

DESCRIPTION - Temporary Construction Easement 43
A certain tract of parcel located in SW 1/4 Section
of Section 14 T27N, R25E, G.S.R.M.

Commencing at 241,
said point being the POINT OF BEGINNING;
from whence the SW Corner of said
Section 14 bears N67°01'45"E, 637.638 meters;

thence N 24°09'53" E, 253.00 meters to a point 242
thence S 65°50'07" E, 5.00 meters to a point 243
thence S 24°09'53" W, 253.00 meters to a point 244
thence N 65°50'07" W, 5.00 meters to a point 241
and the POINT OF BEGINNING.

The above described parcel contains
0.127 hectares (1265.000 sq. m.)



I, Harold J. Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED
By Harold J. Riley, P.E. at 1:00 pm, Sep 04, 2018

PROJECT: N15(2-3)2&4

W 1/4 Cor of Sec 14
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 526063.162 1/4 Cor.
E 260183.797
35°44'32.84"N
109°38'56.31"W

DESCRIPTION - Temporary Construction Easement 44

A certain tract of parcel located in SE 1/4 Section
of Section 14 T27N, R25E, G.S.R.M.

Commencing at 245,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 14 bears S85°53'00"E, 817.090 meters;

thence N 24°09'53" E, 13.39 meters to a point 246
thence along an arc 6.77 meters, having
a radius of 1190.00 meters the chord of which is
N 24°19'39" E, 6.77 meters to a point 247
thence S 65°30'34" E, 4.00 meters to a point 248
thence along an arc 6.74 meters, having
a radius of 1186.00 meters the chord of which is
S 24°19'39" W, 6.74 meters to a point 249
thence S 24°09'53" W, 13.39 meters to a point 250
thence N 65°50'07" W, 4.00 meters to a point 245
and the POINT OF BEGINNING.

The above described parcel contains
0.008 hectares (80.569 sq. m.)

W 1/4 Cor of Sec 14
T27N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 526063.162 1/4 Cor.
E 260183.797
35°44'32.84"N
109°38'56.31"W

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Harry Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. 14-512-3126 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown hereon.

By: **HERBY LARSEN** Digitally signed by HERBY LARSEN
Date: 2016.10.20 10:56:02 -0700
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J. Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plan of an existing tract or tracts for purposes of acquiring a temporary construction easement.

Signature _____ Date _____
P.E. # 9805

APPROVED

By: Harold J. Kelly - 9/11/2011 1:00 pm Sep 03, 2011

DESCRIPTION - Temporary Construction Easement 45

A certain tract of parcel located in NE 1/4 Section
of Section 14 T27N, R25E, G.S.R.M.

Commencing at 252,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 14 bears N83°34'00"E, 876.209 meters;

thence along an arc 26.07 meters, having a radius of 1213.00 meters the chord of which is N 32°00'12" E, 26.07 meters to a point 253
thence S 57°22'51" E, 27.00 meters to a point 254
thence along an arc 25.49 meters, having a radius of 1186.00 meters the chord of which is S 32°00'12" W, 25.49 meters to a point 255
thence N 58°36'45" W, 27.00 meters to a point 252 and the POINT OF BEGINNING.

The above described parcel contains
0.070 hectares (696.184 sq. m.)

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.238 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52.522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project termini and length are as shown herein.

By: **HERBY LARSEN**
Regional Division of Transportation Manager
Navajo Regional Office

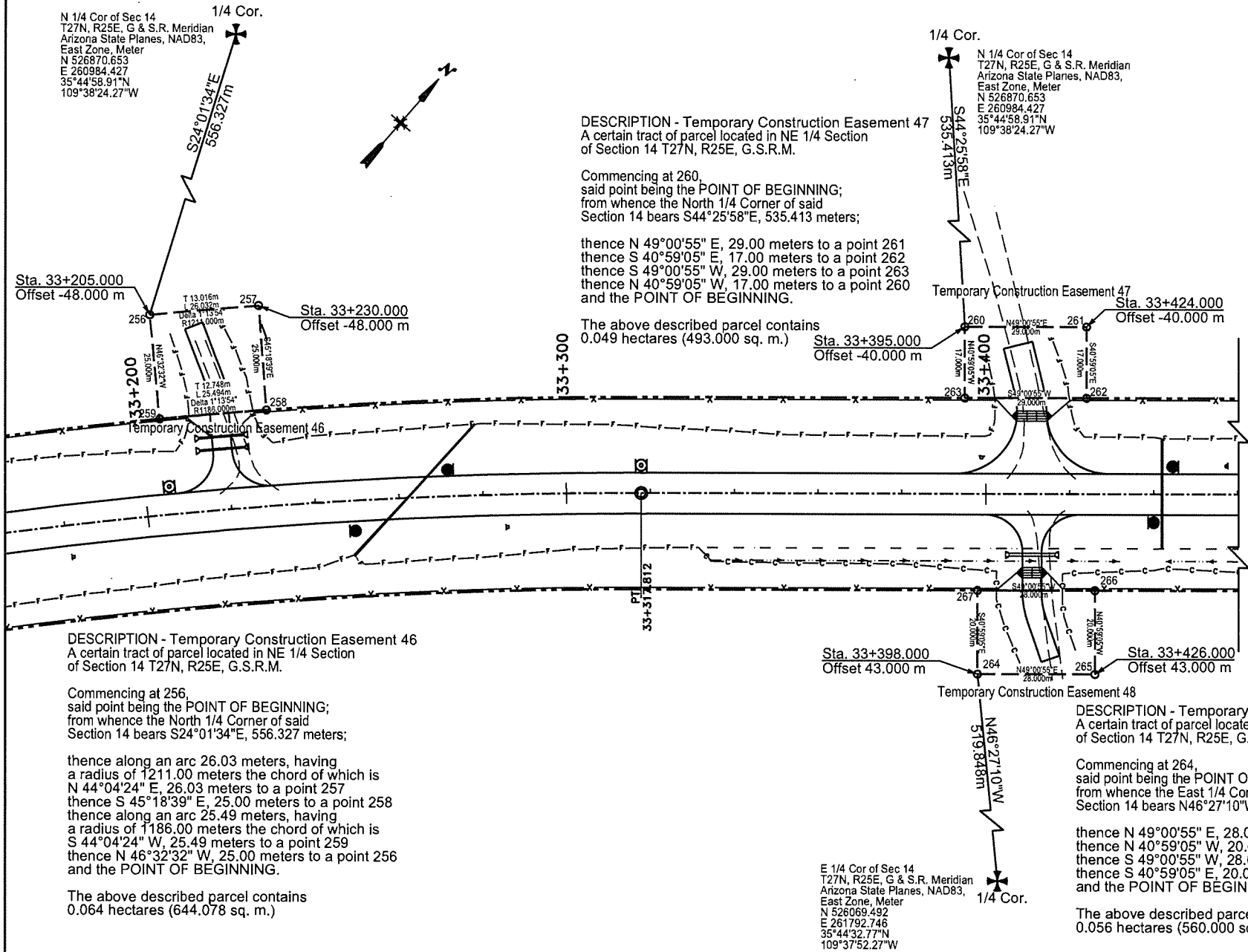
I, Harold J. Riley, a New Mexico registered Professional Engineer, certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Antiquities Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J. Riley, P.E. at 1:08 pm, Sep 09, 2019



DESCRIPTION - Temporary Construction Easement 47
A certain tract of parcel located in NE 1/4 Section of Section 14 T27N, R25E, G.S.R.M.

Commencing at 260,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 14 bears S44°25'58"E, 535.413 meters;

thence N 49°00'55" E, 29.00 meters to a point 261
thence S 40°59'05" E, 17.00 meters to a point 262
thence S 49°00'55" W, 29.00 meters to a point 263
thence N 40°59'05" W, 17.00 meters to a point 260
and the POINT OF BEGINNING.

The above described parcel contains
0.049 hectares (493.000 sq. m.)

DESCRIPTION - Temporary Construction Easement 46
A certain tract of parcel located in NE 1/4 Section of Section 14 T27N, R25E, G.S.R.M.

Commencing at 256,
said point being the POINT OF BEGINNING;
from whence the North 1/4 Corner of said
Section 14 bears S24°01'34"E, 556.327 meters;

thence along an arc 26.03 meters, having
a radius of 1211.00 meters the chord of which is
N 44°04'24" E, 26.03 meters to a point 257
thence S 45°18'39" E, 25.00 meters to a point 258
thence along an arc 25.49 meters, having
a radius of 1186.00 meters the chord of which is
S 44°04'24" W, 25.49 meters to a point 259
thence N 46°32'32" W, 25.00 meters to a point 256
and the POINT OF BEGINNING.

The above described parcel contains
0.064 hectares (644.078 sq. m.)

DESCRIPTION - Temporary Construction Easement 48
A certain tract of parcel located in NE 1/4 Section of Section 14 T27N, R25E, G.S.R.M.

Commencing at 264,
said point being the POINT OF BEGINNING;
from whence the East 1/4 Corner of said
Section 14 bears N46°27'10"W, 519.848 meters;

thence N 49°00'55" E, 28.00 meters to a point 265
thence N 40°59'05" W, 20.00 meters to a point 266
thence S 49°00'55" W, 28.00 meters to a point 267
thence S 40°59'05" E, 20.00 meters to a point 264
and the POINT OF BEGINNING.

The above described parcel contains
0.056 hectares (560.000 sq. m.)

PROJECT: N15(2-3)2&4

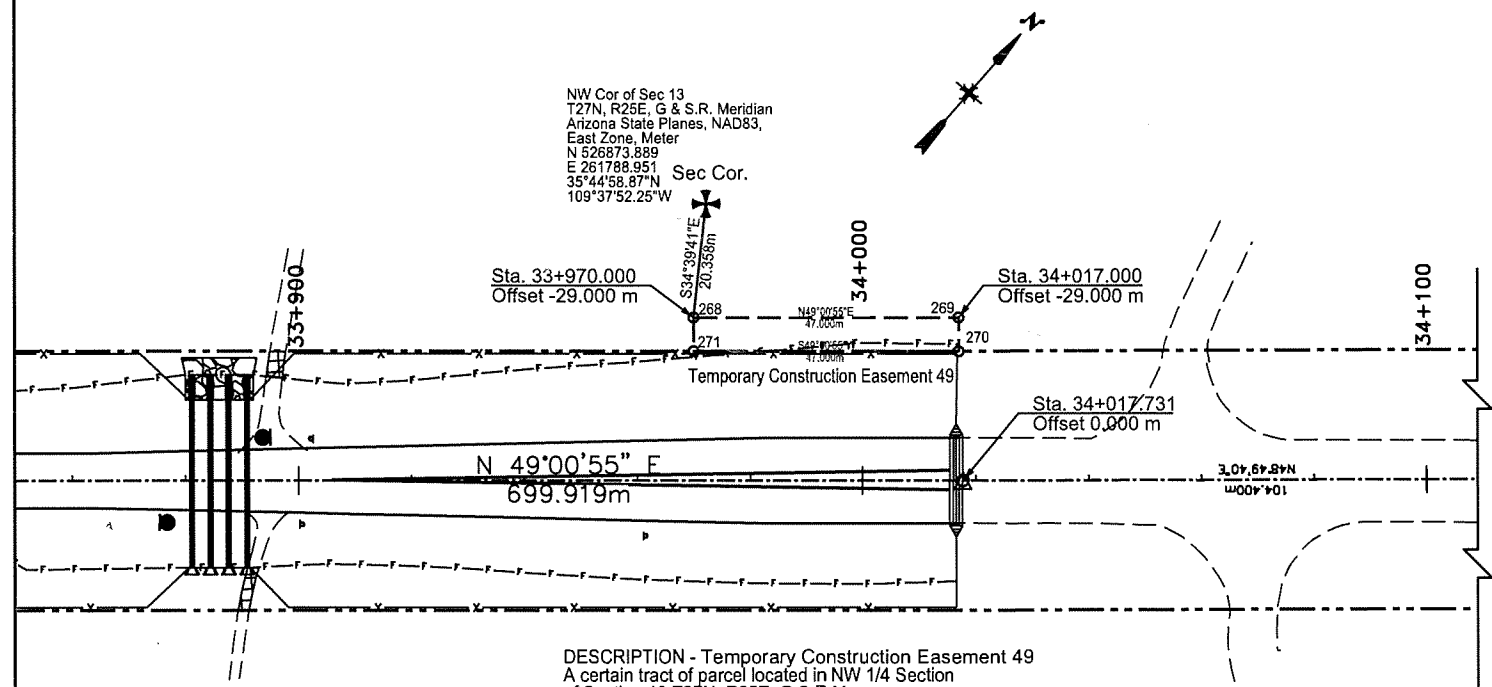
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 13.418 KILOMETERS
varies meters left and varies meters right of road centerline.
Containing 52,522 Hectares ±.

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: **HERBY LARSEN**
Regional Division of Transportation Manager
Navajo Regional Office



DESCRIPTION - Temporary Construction Easement 49
A certain tract of parcel located in NW 1/4 Section
of Section 13 T27N, R25E, G.S.R.M.

Commencing at 268,
said point being the POINT OF BEGINNING;
from whence the NW Corner of said
Section 13 bears S34°39'41"E, 20.358 meters;

thence N 49°00'55" E, 47.00 meters to a point 269
thence S 40°59'05" E, 6.00 meters to a point 270
thence S 49°00'55" W, 47.00 meters to a point 271
thence N 40°59'05" W, 6.00 meters to a point 268
and the POINT OF BEGINNING.

The above described parcel contains
0.028 hectares (282.000 sq. m.)

I, Harold J. Riley, a New Mexico registered Professional Engineer
certify that the survey was conducted under my direction and that
this survey is true and correct to the best of my knowledge and
belief, and that this survey and plat meet the Minimum Standards
for Surveying in

I further certify that this survey is not a land division or subdivision
as defined in the Arizona Subdivision Act and that this is a
boundary survey plat of an existing tract or tracts for purposes of
acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED
By Harold J. Riley-PE at 1:48 pm, Sep 05, 2019

PROJECT: N15(2-3)2&4

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO REGIONAL DIVISION OF TRANSPORTATION
NAVAJO INDIAN TRUST LANDS
TEMPORARY CONSTRUCTION EASEMENT PLAT MAP

ROUTE No. N15 PROJECT N15(2-3)
LENGTH 11.418 KILOMETERS
varies meters left and varies meters right of road centerline,
Containing 52.522 Hectares ±

STATE OF: ARIZONA
COUNTY OF: APACHE

Herby Larsen, Regional Division of Transportation Manager, Navajo Regional Office, Bureau of Indian Affairs, as the applicant herein for the right-of-way for the construction of Bureau of Indian Affairs Road Project No. N15(2-3)2&4 over and across Indian lands, County of Apache, certifies that the survey is accurately represented on this map. Project term and length are as shown hereon.

By: **HERBY LARSEN**
Regional Division of Transportation Manager
Navajo Regional Office

I, Harold J Riley, a New Mexico registered Professional Engineer certify that the survey was conducted under my direction and that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in

I further certify that this survey is not a land division or subdivision as defined in the Arizona Subdivision Act and that this is a boundary survey plat of an existing tract or tracts for purposes of acquiring a temporary construction easement.

(signature) _____ Date _____
P.E. # 9865

APPROVED

By Harold J Riley-PE at 1:08 pm, Sep 09, 2019

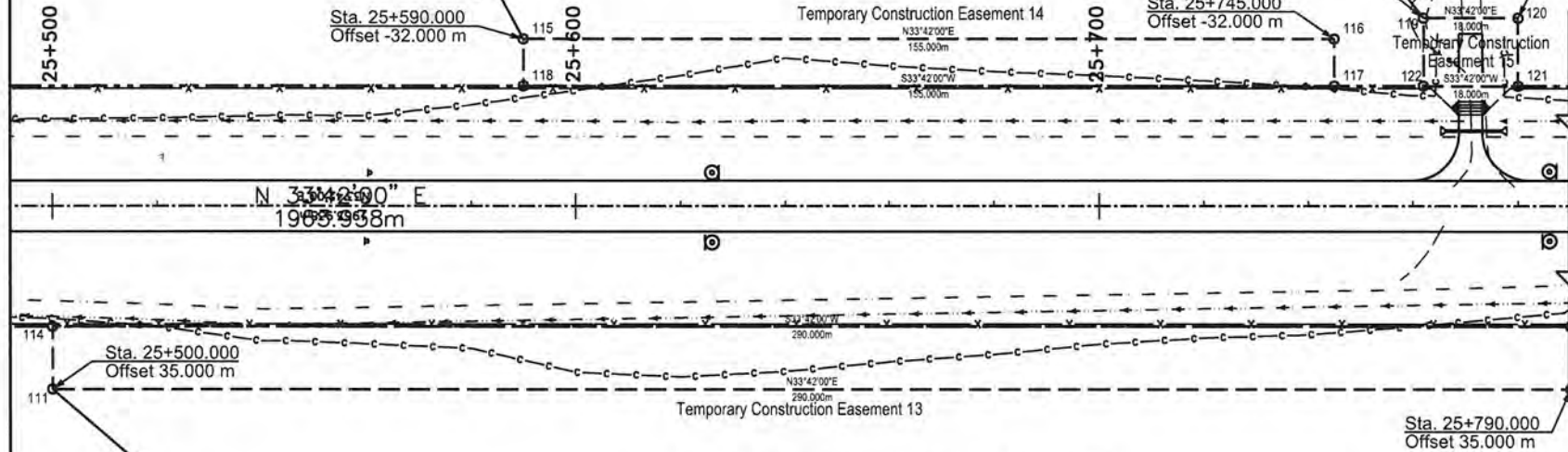
DESCRIPTION - Temporary Construction Easement 14
A certain tract of parcel located in SE & NE 1/4 Section of Section 4 T26N, R25E, G.S.R.M.

Commencing at 115,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 4 bears S84°23'16" E, 871.580 meters;
thence N 33°42'00" E, 155.00 meters to a point 116
thence S 56°18'00" E, 9.00 meters to a point 117
thence S 33°42'00" W, 155.00 meters to a point 118
thence N 56°18'00" W, 9.00 meters to a point 115
and the POINT OF BEGINNING.

The above described parcel contains
0.140 hectares (1395.000 sq. m.)

W 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 519616.476
E 256997.405
35°41'4.19"N
109°41'4.39"W

W 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 519616.476
E 256997.405
35°41'4.19"N
109°41'4.39"W



DESCRIPTION - Temporary Construction Easement 13
A certain tract of parcel located in SE & NE 1/4 Section of Section 4 T26N, R25E, G.S.R.M.

Commencing at 111,
said point being the POINT OF BEGINNING;
from whence the East 1/4 Corner of said
Section 4 bears S74°35'11" W, 761.246 meters;
thence N 33°42'00" E, 290.00 meters to a point 112
thence N 56°18'00" W, 12.00 meters to a point 113
thence S 33°42'00" W, 290.00 meters to a point 114
thence S 56°18'00" E, 12.00 meters to a point 111
and the POINT OF BEGINNING.

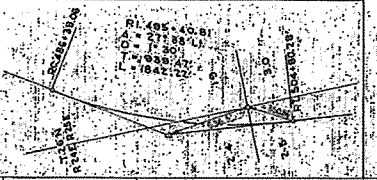
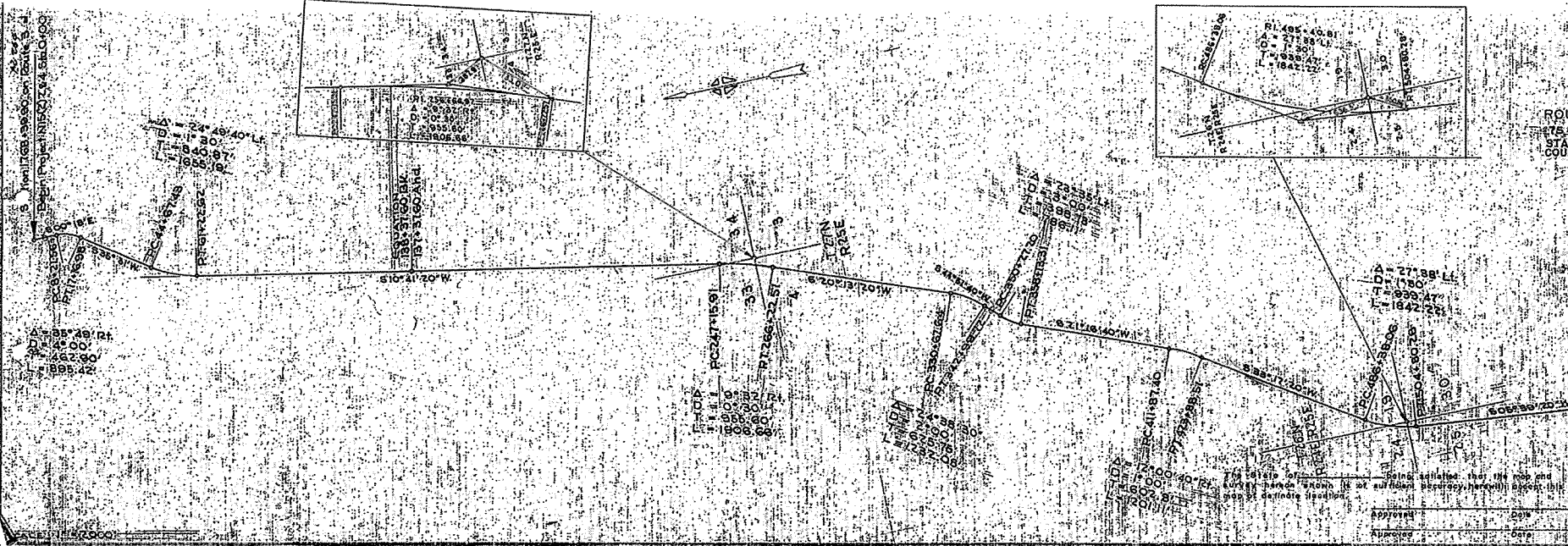
The above described parcel contains
0.348 hectares (3480.000 sq. m.)

E 1/4 Cor of Sec 4,
T26N, R25E, G & S.R. Meridian
Arizona State Planes, NAD83,
East Zone, Meter
N 519621.514
E 258604.478
35°41'4.09"N
109°40'0.47"W

DESCRIPTION - Temporary Construction Easement 15
A certain tract of parcel located in NE 1/4 Section of Section 4 T26N, R25E, G.S.R.M.

Commencing at 119,
said point being the POINT OF BEGINNING;
from whence the West 1/4 Corner of said
Section 4 bears N86°25'02" E, 961.387 meters;
thence N 33°42'00" E, 18.00 meters to a point 120
thence S 56°18'00" E, 13.00 meters to a point 121
thence S 33°42'00" W, 18.00 meters to a point 122
thence N 56°18'00" W, 13.00 meters to a point 119
and the POINT OF BEGINNING.

The above described parcel contains
0.023 hectares (234.000 sq. m.)



BUREAU OF INDIAN AFFAIRS
GALLUP AREA BRANCH OF ROADS

NAVAJO INDIAN RESERVATION

RIGHT OF WAY MAP

ROUTE NO. 115 PROJECT N50214 LENGTH 11.000 MILES
STATION 580+00.0

STATE OF ARIZONA

Sworn and subscribed to before me this 2nd day of January, 1964, at Gallup, New Mexico.

Notary Public

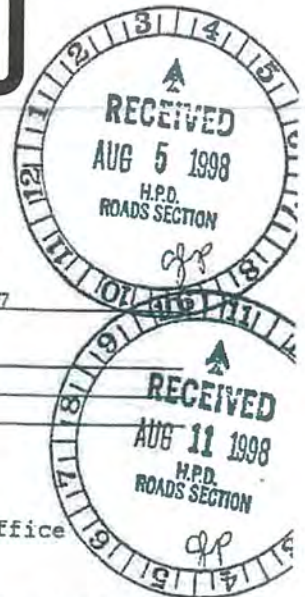
Sheet No. 1 of 1

EXHIBIT

tabbies

C

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



ROUTING: COPIES TO

Arizona	SHPO	NNHPD NO. HPD-98-287
X	ACHP	OTHER PROJECT NO.
X	REAL PROPERTY MGT/330	BIA-BOR 96-001
X	BIA-NAO-BOR (Attn: Harold Riley)	
X	Pueblo of Laguna, Governor's Office	
X	Pueblo of Acoma, Governor's Office	
X	Pueblo of Zia, Governor's Office	
X	Pueblo of Zuni, Heritage and Historic Preservation Office	
X	The Hopi Tribe, Cultural Preservation Office	

PROJECT TITLE: A Cultural Resources Inventory of Existing Navajo Route 15 (N15) Highway Located Between the SR264 Burnside Junction and Cornfields, Apache County, Arizona, for the BIA Branch of Roads.

LEAD AGENCY: Bureau of Indian Affairs, Navajo Area Office

SPONSOR: Wilfred Frazier, Bureau of Indian Affairs, Navajo Area Office, Branch of Roads

PROJECT DESCRIPTION: The undertaking will involve upgrading and repaving of the existing N15 involving intensive and extensive ground disturbance with heavy equipment. The proposed right-of-way is eight (8) miles in length with a width of 150-ft. The entire route will be bladed, graded, paved and drainage facilities will be constructed as needed.

LAND STATUS: Navajo Tribal Trust

CHAPTER: Cornfields

LOCATION: The project starts at the junction of N15 and State Route 264 and ends at the turnoff from N15 to the Cornfields community, Apache County, Arizona.

BOP - UTM (Zone 12) 3957420N, 624120E; Township unplatted, Range unplatted, USGS 7.5' Ganado Mesa SW, Ariz, 1972
EOP - UTM (Zone 12) 394633N, 617550E; Township 26 N, Range 25 E, Section 17; USGS 7.5' Cornfields, Ariz, 1972

CULTURAL RESOURCE PROFESSIONALS: Archaeologists - G. Stuart Benally, Dennis Yazzie; Cultural Specialists - Robert Johnson and Paul Jim

NAVAJO ANTIQUITIES PERMIT NO.: Navajo Tribal Code

DATE INSPECTED: Between November 1995 and March 1996

DATE OF REPORT: January 29, 1998

TOTAL ACREAGE INSPECTED: 145.4 Acres (59 ha)

METHOD OF INVESTIGATION: Archaeology: Class III pedestrian inventory with



transects spaced 15m apart. *Ethnography*: Sixteen community members, chapter officials, grazing permit holders were interviewed in regards to traditional cultural properties (TCPs), historical properties and burials located in the right-of-way.

LIST OF CULTURAL RESOURCES FOUND:

AZ-P-19-18
AZ-P-19-19
AZ-P-19-20
AZ-P-19-21

LIST OF ELIGIBLE PROPERTIES:

AZ-P-19-18
AZ-P-19-19
AZ-P-19-20
AZ-P-19-21

LIST OF NON-ELIGIBLE PROPERTIES: None

LIST OF ARCHAEOLOGICAL RESOURCES:

AZ-P-19-18
AZ-P-19-19
AZ-P-19-20
AZ-P-19-21

EFFECT/CONDITIONS OF COMPLIANCE: Pursuant to Stipulation 3 of A Programmatic Agreement Among the Navajo Nation, the Bureau of Indian Affairs-Navajo Area Office, the Advisory Council on Historic Preservation, the Arizona State Historic Preservation Officer, the New Mexico State Historic Preservation Officer, and the Utah State Historic Preservation Officer for Cultural Resource Management Projects Conducted Under the Auspices of the Navajo Nation Historic Preservation Department, Roads Planning Section, Within the Boundaries of the Navajo Nation, the Navajo Nation has determined that the project will have no adverse effect on historic properties provided that the BIA ensures adherence to the following:

- 1) AZ-P-19-18; AZ-P-19-20; and AZ-P-19-21: The BIA shall ensure that nature and extent testing plans are prepared and implemented for each of these sites. Following the testing program, a data recovery plan shall be prepared and reviewed by the Historic Preservation Department, and implemented at the sites, as appropriate.
- 2) All construction activities must be confined to right-of-way.

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 520-871-7132.

FORM PREPARED BY: Rena Martin
FINALIZED: July 8, 1998

Notification to Proceed

Recommended: Yes X No

Conditions: Yes X No

[Signature]

Arian S. Downer
Navajo Nation Historic Preservation Officer

7/1/98
Date

Agency Approval: Yes ✓ No
acting

100R *[Signature]*
Area Director

8/7/98
Date

NNDFW Review No. 14EM-02

**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.: Burnside to Greasewood N15 Fencing

DESCRIPTION: NDOT proposes to install 23 miles of fencing within the existing 300 ft. ROW. The project would increase driver safety by keeping livestock off the roadway. The total area of impact would be 1,672 acres.

LOCATION: Greasewood Springs, Cornfield, and Ganado Chapters, Navajo/Apache Counties, Arizona

REPRESENTATIVE: Ecosystem Management, Inc. for Navajo Division of Transportation (NDOT)

ACTION AGENCY: Navajo Nation and Bureau of Indian Affairs

B.R. REPORT TITLE / DATE / PREPARER: BE-Proposed Burnside to Greasewood N15 Fencing Project/SEP 2015/Randy Seeley, EMI

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3. Raptor Sensitive Area (RSA) onsite. A segment of the project falls within 800 m (0.50 mi) of known AQCH nest(s).

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: [1] *Aquila chrysaetos* (Golden Eagle), G3, GBENPR, BGEP, MBTA; [2] *Athene cunicularia* (Burrowing Owl), G4, MBTA.

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: [1] The NNDFW concurs with the mitigation recommendations outlined in the Environmental Assessment, Section 7.0.

CONDITIONS OF COMPLIANCE*: [1] Fencing installation activities shall avoid Sections 8, 9, 17, & 18, T25N, R24E during the Golden Eagle (*Aquila chrysaetos*) breeding season of 15 JAN-15 JUL. If the breeding season cannot be avoided in Sections 8, 9, 17, & 18, T25N, R24E, NDOT shall cease activity and contact the NNDFW zoologist immediately to determine if the nest(s) are active. If the nest(s) are active, the NDOT shall delay the project until the young have fledged the nesting area; [2] Suitable habitat for the Burrowing Owl (*Athene cunicularia*) was observed in the project area. Fencing installation shall avoid the breeding season of 01 MAR-15 AUG where suitable habitat is present within a ¼ mile of the fence project. If the breeding season cannot be avoided, surveys will be required. Activity will be not allowed within a ¼ mile of an active nest burrow until the young have fledged the nesting area.

FORM PREPARED BY / DATE: Pamela A. Kyselka/24 SEP 2015

COPIES TO: (add categories as necessary)

☒ BIA☐

2 NTC § 164 Recommendation:		Signature	Date
<input type="checkbox"/> Approval		<i>David Nelson</i>	9/29/15
<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)		Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife	

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

Representative's signature

Date

Environmental Assessment

Navajo Route 15

Prepared for the Bureau of Indian Affairs,
Navajo Area Office by the Federal Highway
Administration, Office of Federal Highway
Projects, Denver, Colorado, June 1975.

Gratitude is extended to the Arizona High-
way Department for permission to use their
General Highway Map, 1971 edition.

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NAVAJO ROUTE 15

GENERAL DESCRIPTION

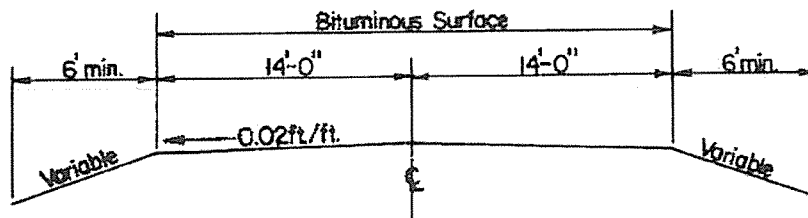
Termini

Navajo Route 15 is located in the southern portion of the Navajo Reservation entirely within the state of Arizona. It begins at the west reservation boundary, 28 miles east of Flagstaff, Arizona, and proceeds eastward through the communities of Sunrise, Leupp, Dilkon, Indian Wells, Bita Hochee, Lower Greasewood, and Sunrise Springs. The term "community" as used throughout this statement (except in the Biology section) designates a specific, named location which offers one or more social services such as a trading post, health clinic or school. Chapter houses, which are located in many communities, serve as voting precincts for Tribal, county, state and national elections. Route 15 terminates at its junction with Arizona State Routes 264 and 63 (Navajo Route 3), approximately 6 miles west of Ganado, Arizona. The total route length is 104.5 miles.

Existing Facility

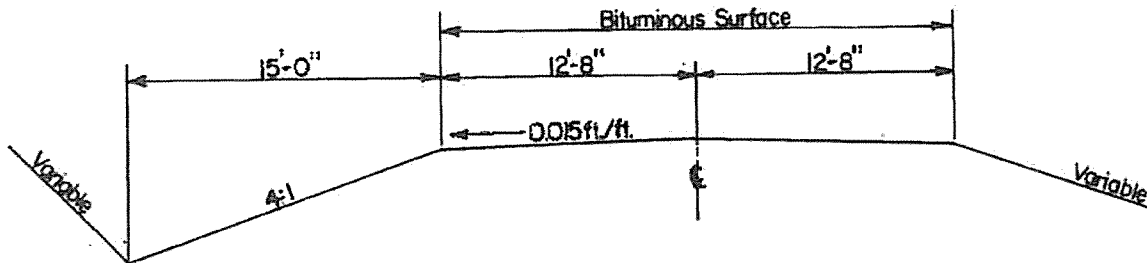
A program has been developed by the Navajo Tribe and the Bureau of Indian Affairs to improve this route to a paved standard, thereby providing an all-weather road through the southern portion of the Navajo Reservation. Presently there is no surfaced east-west highway crossing this part of the reservation. The planning, design, and construction of the two portions located on each end were completed prior to the requirement for an environmental impact statement.

The first completed section, project N15(1)2 & 4, begins at the west reservation boundary and extends eastward 15.2 miles to Sunrise-Leupp. This section was constructed in the early 1960's.

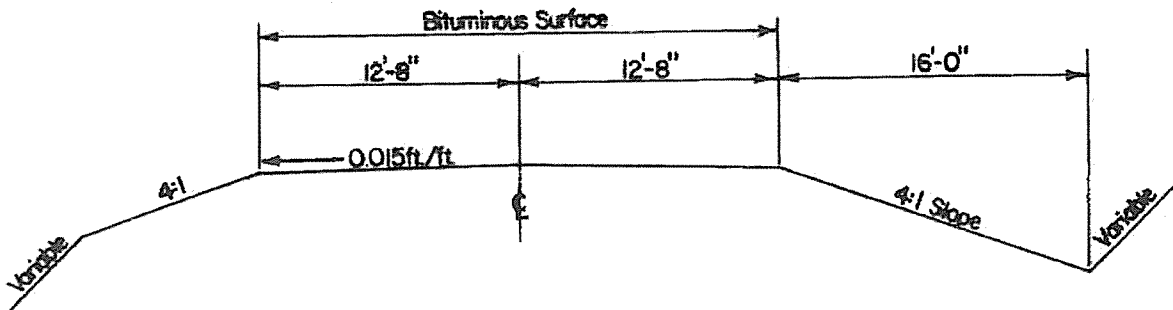


TYPICAL CROSS SECTION
PROJECT N15(1)2&4

Project N15(3)2 & 4, a 10.6 mile section from Sunrise Springs southwesterly to Lower Greasewood, was completed in the mid-1960's, and Project N15(2)2 & 4 from Sunrise Springs northwesterly to the intersection with State Route 264 and 63 was reconstructed in the mid to late 1960's.



TYPICAL CROSS SECTION
PROJECT N15(3)2&4

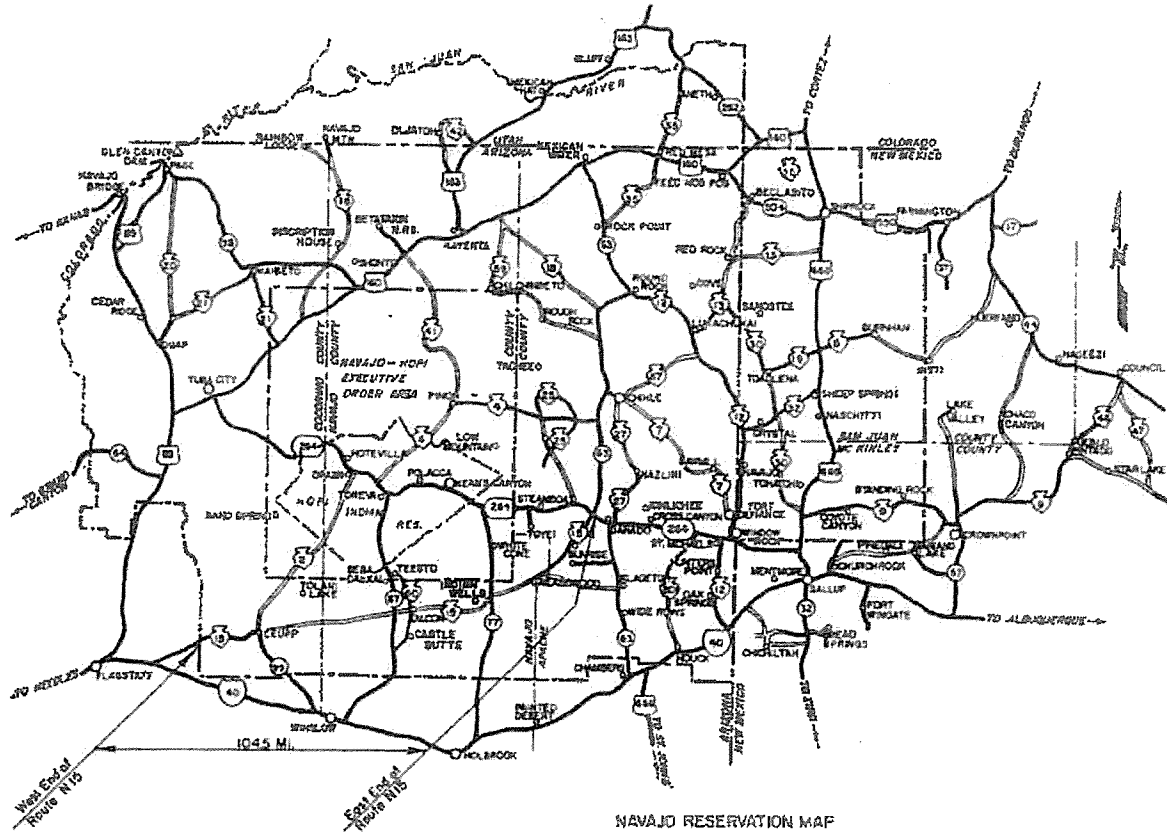


TYPICAL CROSS SECTION
PROJECT N15(2)2&4

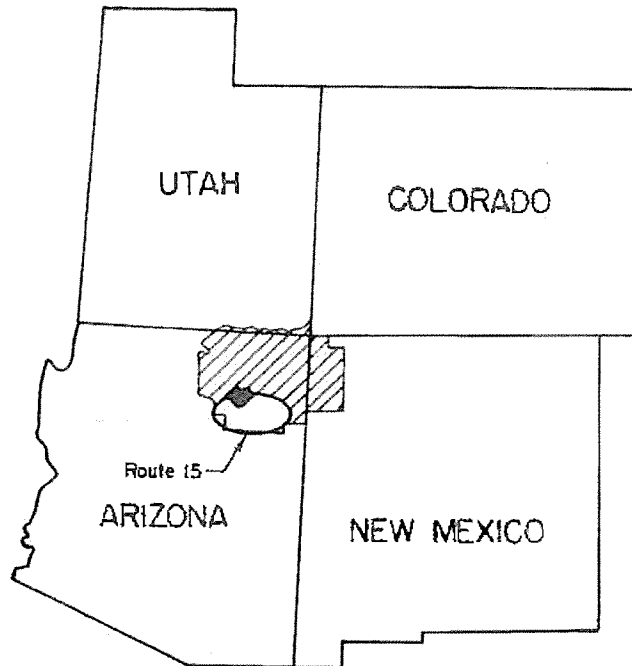
The design speed for these projects is 60 mph, and the estimated average daily traffic (ADT) at the time of construction was 200 vehicles per day. The following actual counts taken on route 15 indicate that traffic has increased significantly on the improved portions since they were reconstructed.

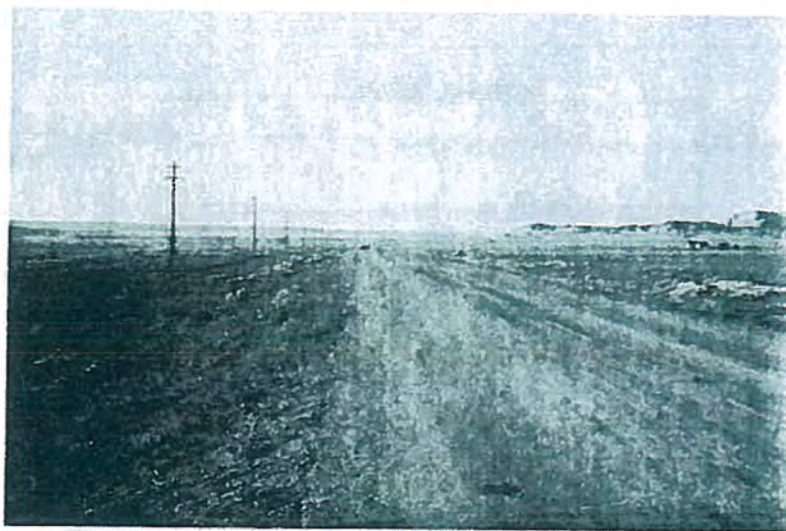
	ADT	Location
Route N-15	984	On Route 15, 200 feet south of the intersection with Arizona State Highway 264
Route N 15	456	On Route 15 at the end of pavement west of Lower Greasewood

Vicinity Map



NAVAJO RESERVATION MAP



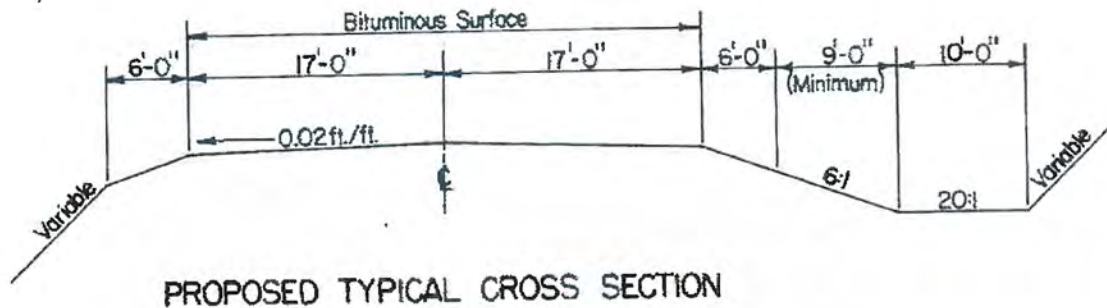


1. Paved section of route 15 south of its intersection with Arizona State Route 264 and 63.



2. Paved section of route 15 nine miles west of Leupp.

The current estimated ADT on the unimproved portion of this route is less than 200 vehicles. The estimated 1995 ADT is 1070 vehicles.



Those portions which have been improved comprise 37 miles of the route. The remaining 67.5 miles is unimproved graded dirt road with an average width of 24 feet shoulder to shoulder. This dirt road requires extensive maintenance to keep it in a usable condition. Often, during rain storms or spring snow melting periods various portions of this route become nearly impassable because of mud. In dry seasons the traffic breaks up the hardened surface causing potholes and washboard surface to form, and the dust generated by traffic and wind causes physical irritation and poor visibility, making driving difficult.



3. Looking west toward Dilkon, along existing route 15.

Reason for Construction

In 1936, as a result of the Federal Highway Act of that year, the Bureau of Indian Affairs and the Bureau of Public Roads entered into an agreement setting forth the responsibilities of both agencies concerning reservation highways. One of the points required in the original Memorandum of Agreement was that the BIA would prepare a Master Road Plan for each reservation. This was the beginning of a systematic, continuing plan for the improvement of the Navajo Reservation roads. (Refer to page 7 for the current Master Road Plan.)

Navajo Route 15 is classified as a Class 2, Primary highway which is defined as, "Major or minor arterial roads providing an integrated network having the characteristics for serving traffic between larger population centers, generally without stub connections. May also link smaller towns and communities to major resort areas which attract travel over long distances and generally provide for relatively high overall travel speeds with minimum interference to through traffic movement. Generally provide for at least intercounty or interstate service and are spaced at intervals consistent with population density." Currently there are no Class 1 highways on the reservation system, Class 2, Primary is the highest class.

The determination of priorities for highway improvement lies primarily with the Navajo Tribe. Through their Agency Road Committees, the Navajo Tribal Transportation and Roads Committee, and with advice from the Bureau of Indian Affairs, the Tribe determines a priority schedule for roads on the system. To aid the Tribe in determining areas of greatest need, the Bureau of Indian Affairs is developing a road inventory and needs study for each route on the reservation. An inventory and needs study, shown on pages 8 and 9, was conducted on route 15 and indicates the relative condition of each of ten sections with respect to a designated rating value of 100. The unimproved sections, No's 30, 40, 50, 70 and 80 are rated respectively 63, 59, 59, 60 and 54. Section number 60 is a bridge over Whe-Yol-Da-Sah Wash and is not rated. These ratings are low compared with the 91, 89 and 89 ratings of the improved sections, No's 10, 90 and 100. (See map on pages 10 and 11 for section locations.) Preparation of the road inventory and needs study is still in progress so comparison of this route with others on the reservation is not possible. However, the study does show that the unimproved portions rate low in most categories indicating a need for improvement.

Perhaps the most important aspect in determining need is the expressed desire of the local people. Many resolutions have been passed by the local Chapters, Districts, the Agency Road Committee, and the Agency Council (refer to Appendix A) expressing the need and desire of the local people to have route 15 improved and paved. The points raised in these resolutions include: 1) hardship of traveling the existing road, 2) an improved road needed by local people for obtaining the basic necessities of life, 3) people becoming stranded during bad weather conditions, 4) an all-weather route is needed for the transportation of school children, and 5) public safety.

NAVAJO RESERVATION MASTER ROAD PLAN

LEGEND

- STATE LINE
- RESERVATION LINE
- PAVED ROAD
- DIRT ROAD
- SOME ROADS ARE UNPAVED OR DRAINAGE
- ADVERSE WEATHER CONDITIONS

REVISIONS

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
NAVAJO RESERVATION

MASTER ROAD PLAN

TO ACCOMPANY LAND RANGING ROAD PROGRAM

APPROVED BY: _____
AREA ROAD ENGINEER

APPROVED BY: _____
ROAD SYSTEM AS OF: 1979

SCALE: 1" = 10 MILES

DATE: 1979

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF WILDLIFE AFFAIRS
FEDERAL RESERVATION
MANADO ROAD PLAN
TO ACCOMPANY LAND RANCE ROAD PROPOSAL
COMPILED BY: REE ROAD ENGINEER
APPROVED BY: AMEL ROAD ENGINEER
ROAD SYSTEM AS OF: 1979

Area	N (Code)	Navajo (Name)
Agency	36 (Code)	Ft. Defiance (Name)
Reservation	780 (Code)	Navajo (Name)
Route 0015 (No.)	2 (Class)	67.8 (Length Mi.)

Estimated Costs For Improvement

Right of Way	M-\$
Incidental Construction	1356.0
Grade & Drain	6102.0
Base and/or Surfacing	9153.0
Bridges	210.0

TOTAL	M-\$6821.0
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Date of this Report 10/08/74 (P/R)

Section Number	50	60	70	80	90	100
County	17	17	17	17	17	1
Congressional District	4	4	4	4	4	4
State	4	4	4	4	4	4
Length (Miles)	3.5		30.3	12.8	3.1	18.1
Bridge Number (No.)		297				
Length (L.F.)		175				
Surface Width (Ft.)	24		24	22	25	25
Type	2		2	2	6	6
Shoulder Width (Ft.)	0		0	0	0	0
Type						
Roadway Width (Ft.)	24	17	24	22	25	25
Right of Way Width (Ft.)	0	0	0	0	67	67
ADT (Existing) (Yr.)	1974		1974	1974	1974	1974
(Existing) (V.P.D.)	380		380	380	380	380
(Estimated For Year 1990) (V.P.D.)	600		600	600	600	600
Adequacy Design Standard No. (No.)	5		5	5	5	5
Future Surface Type	6		6	6	6	6
Rating	59		60	54	89	89
Surface Width & Type (25)	12		12	4	25	25
Shoulder Width & Type (6)	0		0	0	0	0
Stopping Sight Distance (8)	3		5	7	8	8
Non-Passing Sight Distance (6)	6		6	6	6	6
Horizontal Alignment (8)	8		7	7	8	8
Gradient (6)	6		6	6	6	6
Safety (6)	6		6	6	6	6
Foundation Condition (15)	15		15	15	15	15
Wearing Surface Condition (10)	0		0	0	10	10
Drainage Condition (5)	3		3	3	5	5
Shoulder Condition (5)	0		0	0	0	0
Adjusted Rating						
Est. Cost to Improve --Total-- (M-\$)	857.5	210.0	7423.5	3136.0	759.5	4434.5
Right of Way (M-\$)						
Incidental Construction (M-\$)	70.0		606.0	256.0	62.0	362.0
Grade & Drain (M-\$)	315.0		2727.0	1152.0	279.0	1629.0
Base and/or Surfacing (M-\$)	472.5		4090.5	1728.0	418.5	2443.5
Bridges (M-\$)		210.0				
Terrain Type	R		R	R	R	R

Area	N (Code)	Navajo (Name)
Agency	33 (Code)	Tuba City (Name)
Reservation	780 (Code)	Navajo (Name)
Route 0015	2 (Class)	36.3 (Length Mi.)

Estimated Costs For Improvement

Right of Way	M-\$
Incidental Construction	724.0
Grade & Drain	3258.0
Base and/or Surfacing	4887.0
Bridges	351.0

TOTAL	M-\$9220.0
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Date of this Report	10/08/74 (P/R)
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Section Number	10	20	30	40
County	5	5	5	17
Congressional District	3	3	3	4
State	4	4	4	4
Length (Miles)	14.9		13.5	7.8
Bridge Number (No.)		149		
Length (L.F.)		293		
Surface Width (Ft.)	24		24	24
Type	6		2	2
Shoulder Width (Ft.)	3		0	0
Type	2			
Roadway Width (Ft.)	30	15	24	24
Right of Way Width (Ft.)	67	67	0	0
ADT (Existing) (Yr.)	1974		1974	1974
(Existing) (V.P.D.)	380		380	380
(Estimated For Year 1990) (V.P.D.)	600		600	600
Adequacy Design Standard No. (No.)	5		5	5
Future Surface Type	6		6	6
Rating	91		63	59
Surface Width & Type (25)	25		12	12
Shoulder Width & Type (6)	0		0	0
Stopping Sight Distance (8)	8		7	3
Non-Passing Sight Distance (6)	6		6	6
Horizontal Alignment (8)	8		8	8
Gradient (6)	6		6	6
Safety (6)	6		6	6
Foundation Condition (15)	15		15	15
Wearing Surface Condition (10)	10		0	0
Drainage Condition (5)	5		3	3
Shoulder Condition (5)	2		0	0
Adjusted Rating				
Est. Cost to Improve --Total-- (M-\$)	3650.5	351.0	3307.5	1911.0
Right of Way (M-\$)				
Incidental Construction (M-\$)	298.0		270.0	156.0
Grade & Drain (M-\$)	1341.0		1215.0	702.0
Base and/or Surfacing (M-\$)	2011.5		1822.5	1053.0
Bridges (M-\$)		351.0		
Terrain Type	R		R	R



Route 15 is an integral part of the reservation road system, and for that system to function properly, each link must be capable of carrying out its proposed function. Therefore, on a system basis, there is a need to continue improving route 15. The road inventory and needs study clearly shows the poor condition of the unpaved portions; improving the route would correct these insufficiencies. And, the Navajo people have indicated by resolution their desire to have route 15 improved and paved.

POSSIBLE ALTERNATIVES

Three alternatives are being considered for this route: 1) Do nothing, 2) Other modes of transportation utilizing existing transportation facilities, and 3) Improve the remaining unimproved portions of route 15 to current Class 2, Primary standards.

Alternative 1-Do Nothing

This alternative does not involve any reconstruction or improvement work. Standard maintenance work will be continued to maintain the existing facilities in a usable condition during favorable climatic conditions.

Alternative 2-Other Modes of Transportation Utilizing Existing Transportation Facilities

This alternative considers the use of mass transportation modes including bus, air, and rail.

Alternative 3-Improve Route 15 to Current Class 2 Primary Standard

This alternative consists of improving the remaining dirt graded sections of Route 15 and replacing the inadequate bridges and pipes that now exist.

Each alternative will be examined for potential social, economic and environmental impacts in the following section.

POTENTIAL SOCIAL ECONOMIC AND ENVIRONMENTAL EFFECTS OF EACH ALTERNATIVE IN BROAD TERMS

Noise

Route 15 traverses primarily rural terrain, however, it does pass near or through 7 small communities. These communities are typical of many on the reservation with the primary centers of activity being a trading post, chapter house or possibly a church or school -- they generally have few residents. The noise sensitive areas identified on this route are two boarding schools, one at Lower Greasewood and one at Sunrise-Leupp, and an elementary day school in the Sunrise-Leupp area. There is a boarding school in Dilkon, but it is located several miles from the existing and proposed route 15 and will not be affected significantly.

One noise reading was taken on this route, in front of the elementary school. Also a noise prediction analysis was prepared for the entire route (see Appendix B). Results from both the noise reading and the analysis indicate that the guideline values presented in the Federal Highway Administration Policy and Procedure Memorandum, 90-2 entitled "Noise Standards and Procedures"² will not be exceeded by the anticipated traffic volume.

Potential Effect of Alternative 1. The L_{10} noise level for the unimproved portion of route 15 would be approximately the same as the value calculated in the prediction analysis for the same volume of traffic. If the traffic volume on the graded portion does not reach the estimated 1995 volume of 1,000 vehicle per day (peak hour, 250 vehicles) the L_{10} noise level will be less than the predicted value. The rough surface of the graded road will increase the noise level as much as 5 decibels, however, a corresponding reduction will occur because of lower speeds.

Potential Effect of Alternative 2. The effect of noise pollution as a result of Alternative 2 is difficult to evaluate because of different noise characteristics of the alternate modes. By using mass transportation modes, such as airplane, train or bus, the noise will decrease along route 15, but will probably increase at localized areas such as, airports, train depots and bus stops, and at periodic times when trains, airplanes and buses pass by.

Potential Effect of Alternative 3. The effect of Alternative 3 will be to produce noise levels of undetermined value, but estimated in the noise prediction analyses in Appendix B.

Air Quality

Air samples were not taken along the existing or proposed route 15, and an investigation of possible sampling by other agencies did not produce any existing data. However, there are no known air pollution sources located in the influence area of route 15.

An air quality analysis has been prepared for route 15 using an air pollution prediction model to estimate the increase in carbon monoxide caused by the anticipated increase in traffic volume (see Appendix C). Results of the mathematical model estimate indicate that carbon monoxide will increase 1.52 parts per million under the worst probable conditions -- a non-significant increase when compared with the National Ambient Air Quality Standards of 35 parts per million.

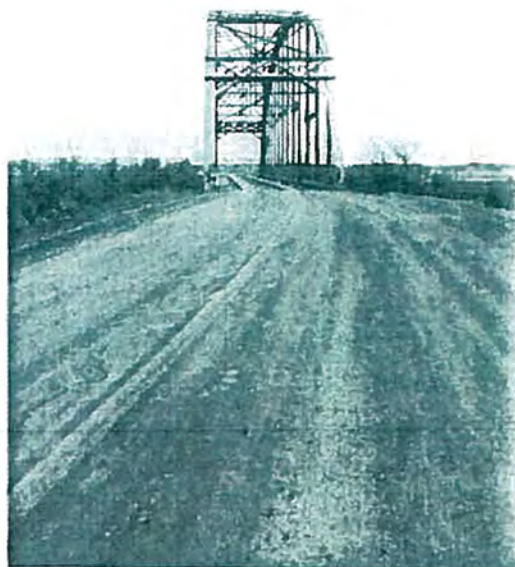
Water Quality

Route 15 does not cross any perennial streams along its 104 mile length. It does cross several major washes and the Little Colorado River (intermittant at the crossing point near Leupp). Three bridges are proposed for the unimproved portion -- over the Little Colorado River, Whe-Yol-Da-Sah Wash and Teshbito Wash. Superspan type



4. The Little Colorado River downstream
(north) from the bridge at Leupp.

5. One-lane bridge over
the Little Colorado
River at Leupp.



pipe structures are proposed for 2 or 3 other washes along the route. These structures, as well as smaller pipes and culverts, will be designed and constructed to preserve, as completely as possible, the character and quality of water passing through them.

The nature of drainage throughout this area is typical of desert drainage. Usually, water flow occurs in the washes only after heavy thunderstorms or immediately after spring snow melt. The storm flows are characterized by large volumes of water and fast velocities, usually for a short period of time. During times of small storms, light rains or spring runoff, the washes may carry small quantities of water for longer periods.

The quality of the water flowing in the washes during thunderstorms is quite low because of the heavy silt and sand burden they typically carry. The quality of water during low flow periods is higher (still noticeably turbid), but because of the unpredictability and intermittent nature of these streams, this flow is generally not utilized for anything other than stock watering. Many small reservoirs known as "tanks" are constructed on tributaries to these washes but few are constructed across the main washes.

The Little Colorado River is an intermittent stream flowing throughout much of the year but drying up in the hot summer months. The water quality of this river as measured by the sediment concentration and dissolved-solids is relatively low. During periods of flow, it carries sediment loads of 50,000 parts per million or more, which is very high compared to other water courses of the United States. The prevalent dissolved solids are sodium and potassium appearing as sulfates and chlorides. The concentration of these compounds averages 1500 parts per million. This concentration is considered high with respect to other waters throughout the nation, more than twice as high as those concentrations recommended for potable water, and high for irrigation use.

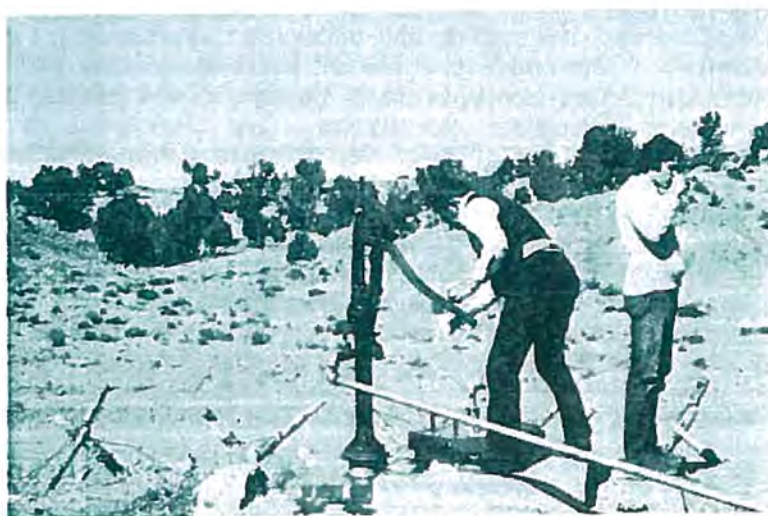
Groundwater is important to the Navajo, for nearly all of the domestic water used on the reservation comes from wells. Many of these wells are located in washes where a relatively shallow well can reach a good water supply. Usually, Navajo families do not have wells near their homes, or even on their land, instead the closest well may be several miles away and used by many families in the area.

Potential Effect of Alternative 1. Alternative 1 will not cause any change in the existing water quality condition. High storm runoff occasionally washes out existing drainage structures; however, because of the already high turbidity condition associated with this type of flow, ~~it is doubtful if this~~ added material will cause a significant change in the water quality.

Potential Effect of Alternative 2. Alternative 2 will have little effect on water quality providing that erosion associated with any necessary construction is properly controlled.

Potential Effect of Alternative 3. As with Alternative 2, the primary danger to water quality will occur during construction activities. Specific precautions and measures necessary to reduce the possibility of accidental water pollution during construction are outlined in the section ACTION THAT WILL MINIMIZE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS. In addition, provisions for revegetation will be included in the contract so that cuts and fills can be returned to a natural condition as quickly as possible. With these efforts to minimize pollution and with special precautions taken at water crossings, this alternative will not have a significant effect on the surface water quality of the area.

The Bureau of Indian Affairs does not anticipate many large cuts which might affect ground water (in many areas on the reservation, the watertable lies several hundred feet below the surface), and they will locate the proposed alignment to avoid existing wells. Alternative 3 will not have a significant effect on the ground water along route 15.



6. Community well located near route 15.

Biology

To assess the biological effects of the alternatives, an understanding of habitat and energy flow in an ecosystem is necessary. Ecosystem is a term used to describe all the interactions between organisms and their physical environment. It includes all abiotic (non-living) and biotic (living) factors that any particular organism has adapted to over many generations. The abiotic and biotic factors influence the properties of each other, and both are necessary for life on earth.

Potential biological effects of alternatives 1 through 3 are discussed beginning on page 21. The relationship between habitat, productivity and energy flow in an ecosystem are discussed below. Since habitat includes abiotic as well as biotic factors, the discussion on the potential biological effects includes the effects on the area's physical characteristics.

In assessing the potential qualitative biological effects of a long route such as N15, it is convenient to look at the ecological similarities of the whole area. Route N15 reaches east 104.5 miles from the western boundary of the Navajo Indian Reservation to Arizona State Route 264. Kearney (1960)⁴ refers to the area traversed as the Great Basin Microphyll Desert, a biome controlled by the abiotic conditions characteristic of the area. A biome is the largest land community unit which is convenient to recognize. The Microphyll Desert Biome is fairly uniform except for the riparian community along the Little Colorado River and the Pueblo Colorado Wash, and the junipers traversed west of Dita Hochee. A community in this sense is a collection of different kinds of plant and animal populations of the same species. The microphyll desert community and the riparian community may be referred to as habitats, since habitat is the place occupied by an entire community. The abiotic complexes present greatly influence the biotic interactions in a habitat. In the case of the microphyll desert habitat, the abiotic complexes exert a larger control than in other habitats. The abiotic environment is discussed in the "Physical Environment" section on page 23. Habitat, in this assessment, refers to organisms, the abiotic environment and the interreactions present between them. Odum's Fundamentals of Ecology is the source for all ecological definitions used in this assessment.⁵

The dominant plants of the Microphyll Desert habitat include saltbrush, Atriplex spp; Mormon Tea, Ephedra spp; sagebrush, Artemisia spp; black-brush, Coleogyne; galleta, Hilaria Jamesii; blue grama, Bouteloua graciles; alkali sacaton, Sporobolus airoides; and snakeweed, Gutierrezia. There is a large amount of bare ground and these plants are few and far-between (McDougall, 1965).⁶ The influence of abiotic factors, such as climate, topography, soils, and biotic factors, such as grazing, have caused complex patterns of distribution and composition of these plants.

The Little Colorado River and the Pueblo Colorado Wash are intermittent streams, but carry enough surface or ground water to produce environmental differences from the desert microphyll habitat. These areas are referred to as the riparian habitat and are rare along the proposed route. Cottonwood, Populus sp.; tamarisk, Tamarix sp., and willow, Salix are common representatives of the riparian habitat. The presence and success of these organisms depends upon a complex of abiotic and biotic conditions in the habitat. Any condition that approaches or exceeds the limit of tolerance for an organism is a limiting factor. Arroyos, springs and drainage areas along the proposed route, excluding the Little Colorado River and Pueblo Colorado Wash, have the same species as the microphyll desert habitat. The riparian habitat members are absent here because water is seldom available.

The presence of junipers at an area located approximately 3 miles west of Bita Hochee changes the characteristics of the desert microphyll habitat. Differences in climate, elevation, geological formations and soils has enabled Juniperus to invade this particular area, however, producers belonging to the desert microphyll habitat are also present. Therefore, there is more vertical displacement and more niches are available throughout this area. Niche includes an organisms physical space but also its functional role in the community and its position in environmental gradients of abiotic factors. Niche is an important ecological concept in describing biotic relationships in regard to habitat.

The producers (plant species) of the habitats discussed above are greatly influenced by the abiotic factors discussed in the Physical Environment section on page 23. The producer organisms store radiant energy by photosynthetic activity in the form of organic substances which can be used as food materials. The rate at which this energy is produced and stored is primary productivity. The biotic relationship between producer organisms, primary productivity, and other organisms can be explained by energy circuits in a habitat. Once energy is produced it can be transformed from the producer to other trophic levels. Odum defines a trophic level as containing organisms (other than plants) whose food is obtained from producers by the same number of steps. For example, the kangaroo rat present in the desert microphyll habitat would belong to the primary consumer trophic level where food is ingested directly from producers. The coyote, hawk or bobcat that ingest the kangaroo rat belongs to the secondary consumer trophic level. This transfer of food energy from the energy source in plants through a series of organisms with repeated eating and being eaten is a food chain.

In natural field conditions food chains are not isolated sequences but are interconnected with another. This interlocking pattern is a food web, an example of which is represented in Figure 1 on page 19. Consumers of the habitats' food web are listed in Table 1. The herbivores and carnivores are consumers of different trophic levels. Consumers are organisms that belong to a trophic level who ingest other organisms or particulate organic matter.

Herbivores are strictly primary consumers that eat living plants. Carnivores are animal eating consumers that occur at the secondary trophic level or higher. Decomposers in Figure 1 are organisms which break down the complex compounds of dead organisms. This group is composed chiefly of bacteria and fungi.

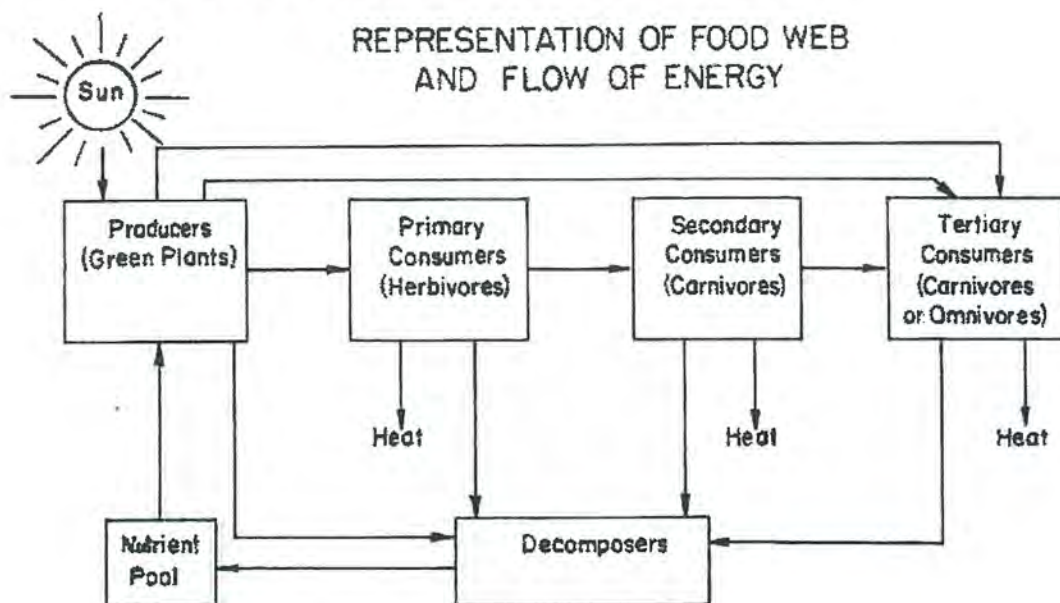


Figure 1

The primary productivity of the Little Colorado River and the Pueblo Colorado Wash is relatively low due to the low water quality and intermittence of these water bodies (see Water Quality on page 13). Low water quality inhibits the penetration of sunlight which restricts the photosynthetic activity, and thus the primary productivity. High turbidity in streams acts as a limiting factor.

Fish species likely to be found on the Little Colorado River below Lyman Reservoir (located between St. Johns and Springfield, Arizona) include northern pike, fathead minnow, channel catfish, largemouth bass and bluegill. Because of the intermittent nature of the Little Colorado River, it would be uncommon to find any of these species around the Leupp crossing of Route 15 (U.S. Fish & Wildlife Service). The Pueblo Colorado Wash lacks a fishery community.

The Navajo Fish and Wildlife Department has listed two threatened and endangered species in the vicinity of proposed route N15. They are the black-footed ferret, Mustela nigripes, and the golden eagle, Aquila chrysaetos. The Department also believes that the prairie dog, Cynomys gunnisoni, is becoming threatened due to the activities of man. The red book (Threatened Wildlife of the

TABLE 1
LIST OF MAMMALS, THEIR OCCURENCE
AND THEIR GENERAL TROPHIC POSITION
FOR PROPOSED ROUTE N15.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Occurence</u>
<u>Herbivores (Primary Consumers)</u>		
Deer mouse	<u>Peromyscus maniculatus</u>	Common
House Mouse	<u>Mus musculus</u>	Common
Silky pocket mouse	<u>Perognathus flavus</u>	Occasional
Apache pocket mouse	<u>Perognathus apache</u>	Occasional
Whitetail ground squirrel	<u>Citellus leucurus</u>	Common
Whitetail prairie dog	<u>Cynomys gunnisoni</u>	Common
Rock squirrel	<u>Citellus variegatus</u>	Common
Ords kangaroo rat	<u>Dipodomys ordii</u>	Common
Desert cottontail	<u>Sylvilagus auduboni</u>	Very common
Blacktail jackrabbit	<u>Lepus californicus</u>	Very common
Cliff chipmunk	<u>Eutamias dorsalis</u>	Occasional
Pronghorn antelope	<u>Antilocapra americana</u>	Occasional
Mule deer	<u>Odocoileus hemionus</u>	Occasional
<u>Carnivores (Secondary Consumers)</u>		
<u>*Also Fills Tertiary Trophic Level</u>		
Striped Skunk	<u>Mephitis mephitis</u>	Common
Badger	<u>Taxidea taxus</u>	Common
Black-Footed ferret	<u>Mustela nigripes</u>	Rare
Coyote*	<u>Canis latrans</u>	Common
Gray fox	<u>Urocyon cinereoargenteus</u>	Common
Red fox	<u>Vulpes vulpes</u>	Common
Kit fox	<u>Vulpes macrotis</u>	Common
Bobcat*	<u>Lynx rufus</u>	Common
Mountain lion*	<u>Felis concolor</u>	Occasional

United States)' includes the American peregrine falcon (Falco peregrines anatum) as being threatened in Arizona and New Mexico. The falcon as well as the golden eagle are carnivores of high trophic levels. The disappearance of the black-footed ferret is due to the prairie dogs becoming threatened. The black-footed ferret is a carnivore that fills the secondary consumer trophic level. It mainly ingests the prairie dog that belongs to the primary consumer trophic level.

Potential Effect of Alternative 1. Alternative 1 will not cause any change in the energy flow or habitats of the project's ecosystem.

Potential Effect of Alternative 2. A transportation corridor for bus and rail modes would require the removal of habitat and the possible impact on ground water from waste disposal at rest areas. On the other hand, air transportation would require the removal of habitat only at localized areas. Overall noise impacts on the biotic component would be minimal except at localized areas. If this alternative is selected, additional ecological studies should be conducted to fully assess the ecological impacts.

Potential Effect of Alternative 3. Several construction activities will affect the desert microphyll habitat traversed by the proposed route. These activities will affect the primary productivity, as discussed below, with a resultant effect on the energy interrelationships between the organisms present.

Clearing and grubbing will cause the removal of approximately 675 acres of the microphyll desert producers within the proposed right-of-way and borrow sites. This will have a negative effect on the primary productivity for a short time until vegetation is re-established. Also, clearing and grubbing will cause the exposure of soils which will lead to erosion during rains. The lack of vegetation (producers) causes increased water sheet flow on exposed slopes. As the sheet flow volume increases, the energy of the flowing water cuts ruts or rivulets in these slopes removing soil. Certain engineering practices will mitigate erosion and are presented in ACTION THAT WILL MINIMIZE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS on page 42. The seeding of the slopes will enhance primary productivity and water infiltration into the soil, precluding erosion.

Excavation and filling will change the soil structure with consequent effects on the natural succession in the right-of-way of the proposed route 15. Succession is an orderly process of community development that involves changes in species structure and community interrelationships with time. A community in a high stage of successional-development usually is characteristic of a thick soil layer. Excavation and filling inhibits natural succession by removing and

covering any developed soils. A highly developed community is more self-perpetuating and in equilibrium with its physical habitat than a newly developed community. Topsoil, when available, will mitigate this effect.

Since the topographic features of the desert microphyll habitat are relatively flat, excavation and filling will cause a minimal change in the local topographical conditions. Also, the construction of the proposed route is not expected to alter the water table so that primary productivity is affected.

The Navajo Fish and Wildlife Department (located at Window Rock, Arizona) believes mule deer, Odocoileus hemionus, and pronghorn antelope, Antilocopra americana, occur occasionally in the area. The fencing of the right-of-way of the proposed project will affect a small number of mule deer and pronghorn antelope but will not affect the total population of these species in the microphyll desert habitat. A population is a group of the same species.

Fertilizing, seeding and mulching will enhance the primary productivity of the microphyll desert habitat. This will involve only cut and fill slopes and not the approximate 583 acres committed to traveled ways and shoulders. Also, this construction activity will increase the overall ecological stability of the immediate area. In the case of route 15, the seeding of slopes with grass species next to the desert microphyll habitat will produce an edge effect which tends to increase variety and density of species. Seeding creates a junctional zone where species from the overlapping communities (grass and desert microphyll communities) are present plus species that are absent from either overlapping community. This leads to increased species diversity, and thus increased stability, a beneficial ecological impact.

The construction of the proposed route will not greatly affect the habitat of the threatened and endangered species. Moreover, the proposed route does not traverse any known prairie dog town locations.

The construction activities associated with the crossing of the Little Colorado River at Leupp will not significantly affect the riparian habitat present. If harmful substances, such as silt, fuels, oils, bitumens and, chemicals are accidentally spilled into the Little Colorado River during periods of flow, it is unlikely they will affect the habitat characteristic below Grand Falls (see map on page 24). Species present below Grand Falls include the speckled dace, carp and the fathead minnow. Moreover, the contract of the proposed construction will include provisions to minimize the possibility of spillage of any harmful substances into the Little Colorado River (see ACTION THAT WILL MINIMIZE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS). The construction of the remaining unimproved portion of route 15 will not affect the riparian habitat of Pueblo Colorado Wash, or significantly alter the vegetation along other arroyos, springs and drainages present in the vicinity.

Physical Environment

Below is a discussion of the areas geologic setting, its topography, and its climate. All these factors influence the inter-reactions occurring in the microphyll desert and riparian habitats traversed by proposed Route N15. The physical environment is as much a part of these habitats as the organisms (plants and animals) that range over the area. Extremes in the geologic setting, topography and the climate exert more control over ecological inter-reactions in the microphyll desert habitat than the biotic components. Also, the physical environment is more useful in describing the area of route 15.

Geology -- Geology is an important abiotic factor since geological formations characteristic of a habitat influence the type of soils and topography present in an area. Soil is a product of broken down bedrock of a geological formation with direct relationship to climatic conditions. The erosion of rock strata with different physical properties produces topographical relief, largely due to the varying degrees of resistance of rocks. And, topography influences the microclimates of an area by effecting wind currents, runoff, and exposure.

The past geological processes in the area include wind and water deposition, periods of deformation by folding, warping and faulting, erosion, and volcanic activity. The exposed stratigraphic layers traversed by the proposed route include the Moenkopi Formation and the Chinle Formation. Members of these formations vary in thickness and locality throughout the vicinity of proposed route 15. The accompanying Geology Map on page 24 illustrates the outcrops of the Moenkopi and Chinle formations.

The Moenkopi and Chinle formations on the Reservation overlie Permian rocks and are a mudstone and siltstone sequence that erodes into spectacular multicolored badlands and painted deserts. The Moenkopi Formation was deposited during the last eastward transgression of a sea associated with regional folding in the Triassic Period. After a period of wide spread erosion, the Chinle Formation was deposited by streams originating in nearby highlands in present day Colorado and New Mexico (Hydrogeology - page A12).⁸ The Moenkopi Formation is divided into the Wupatki, Moqui, and the Holbrook members. The Chinle Formation consists of the following members in order: Shinarump, Mesa Redland sandstone and siltstone, Monitor Butte, Petrified Forest, Owl Rock and Church Rock. All these members form a gradational and intertonguing depositional sequence (Soil and Range Inventory, BIA).⁹ Other formations in the area include the Kaibab limestone of the Permian Period, the Wingate and Moenave formations of the Triassic Period, the Kayenta and Navajo formations of the Jurassic Period, and volcanic activity and alluvial deposition of the Quaternary Period.

The majority of proposed route 15 is located in the Painted Desert Hydrogeologic subdivision of the Navajo Reservation as classified by Cooley, et al. It is characterized by brilliant-hued badlands carved from the Moenkopi, Chinle, Moenave and Kayenta formations. The Little Colorado River, which drains the majority of this subdivision, flows on a wide alluvial flood plain between dip slopes cut on the Moenkopi Formation around Leupp. The Pueblo Colorado Wash drains the area south of Ganado to the Little Colorado River. Hydrogeologically, the Painted Desert subdivision is underlain principally by Triassic rocks that do not yield water to wells, and ground water supplies generally are insufficient or of poor chemical quality for stock and domestic use. Some water is obtained from the alluvium along the larger washes, from tuff beds in the volcanic rocks of the Hopi Buttes, and from sandstone beds of the Chinle Formation.

In the vicinity between Leupp and Dilkon a heterogeneous array of volcanic buttes, rocks, and lava flows comprising the Hopi Buttes (see map on page 24) towers above the badland slopes carved from the brightly colored Triassic rocks (Hydrogeology p. A23).¹⁰ Several of these buttes are visible from the proposed alignment of route 15.



7. The Hopi Buttes visible from the proposed alignment.

Topography -- The Navajo country has been subjected to vigorous cycles which consisted of downcutting periods alternating with periods of planation and deposition. As a result, streams have carved a complex maze of plateaus, rock benches, and mesas, which tower above extensive plains and canyons. Also, volcanic activity has affected the topography by creating buttes, mesas and lava flows.

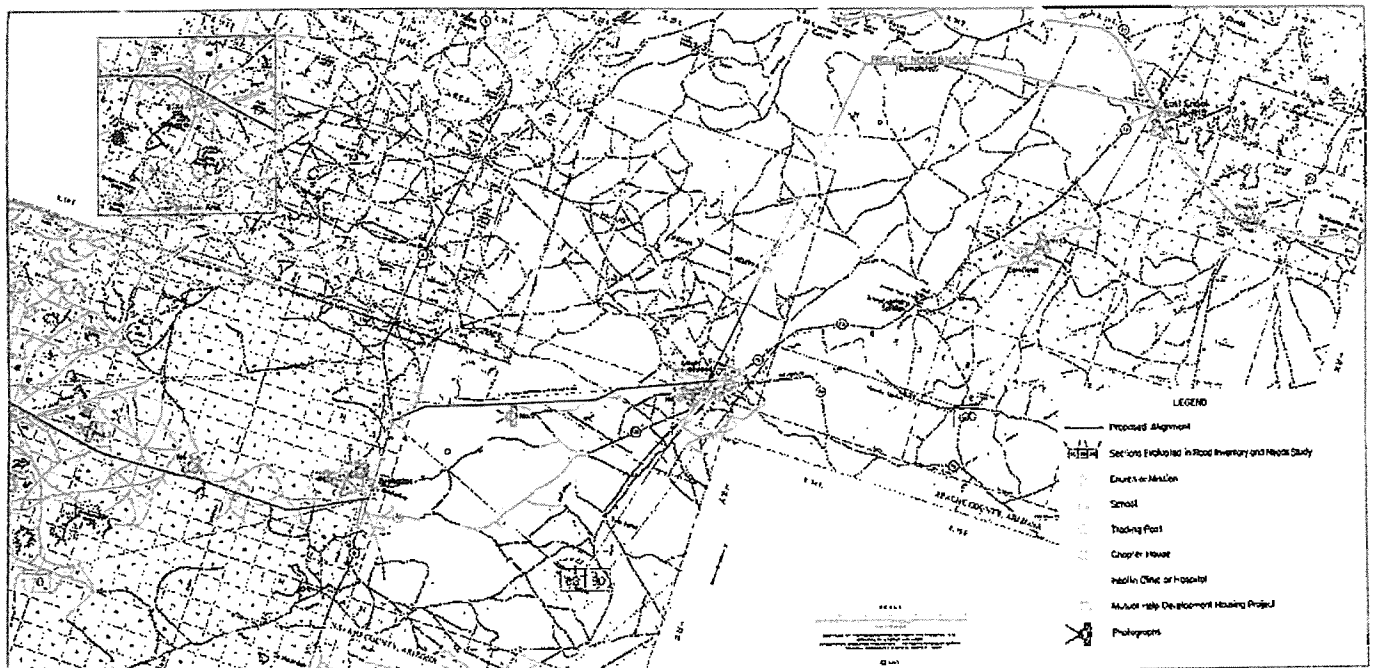
Generally, the topography of the proposed route is relatively flat with elevation ranging from a low of 4,710 feet at the Little Colorado River crossing to a high of 6,350 feet at the east end of route 15. The maximum topographical relief is found at WHe-Yol-Da-Sah Wash, Tesbito Wash, and in the limestone members south of Elephant Butte (see map on page 27). Limestone is more resistant to erosion in this arid climate, and forms numerous hills throughout the region.

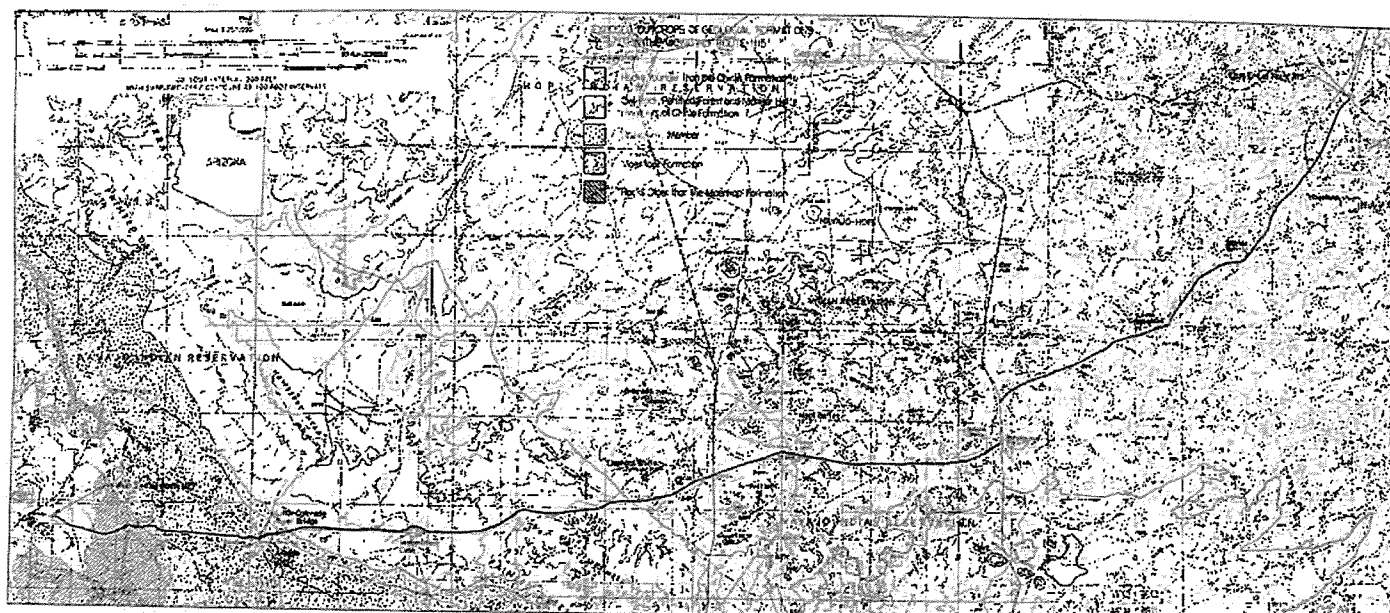
Soils -- Soil may be defined as the weathered superficial layer of the earth's crust with which are mingled living organisms and products of their decay (Daubenmire, 1947).¹¹ Eight general soil associations are traversed by the proposed alignment of N15 and are shown on the accompanying Soil Map, page 27.

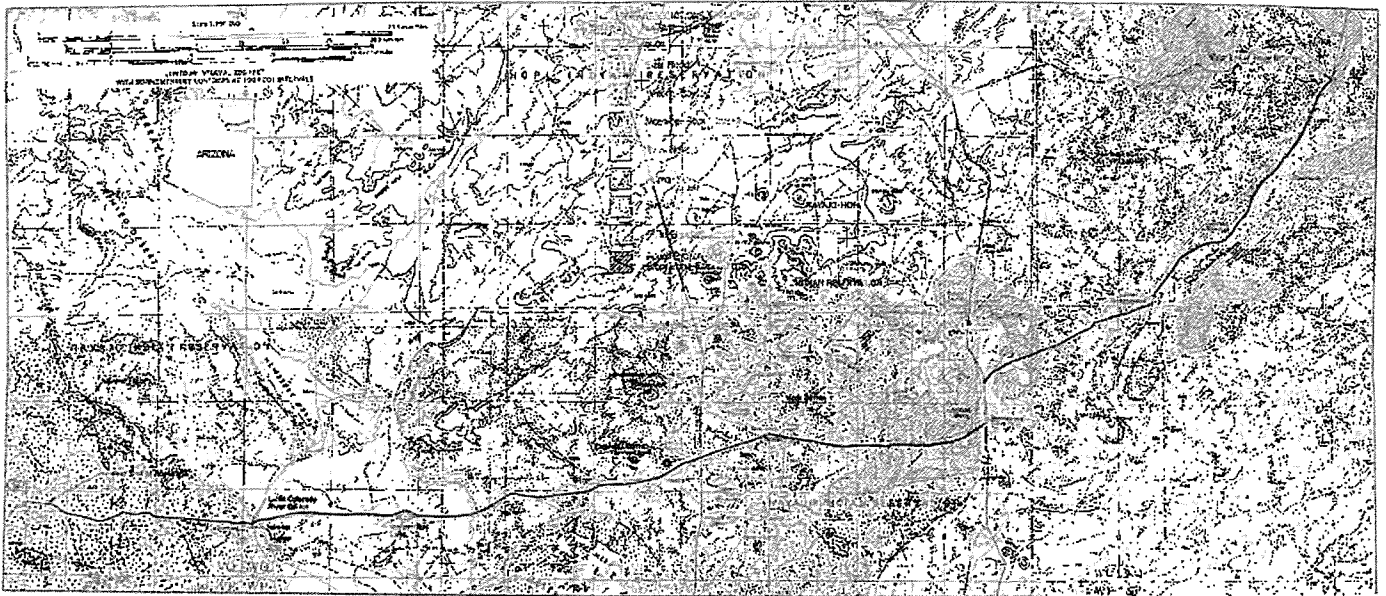
The Sizer-Rudd-Bandera association consists of shallow to deep, gravelly or cindery loamy soils formed on cinders or basalt. Sizer soils are on the sides and bases of cinder cones having slopes usually of 5 to 30 percent. They have dark grayish brown gravelly (cindery) silt loam surface layers and brown, gravelly, silt loam to clay loam subsoils over cinders or very cindery coarse textured material at average depths of 15 to 20 inches. Rudd soils are on basaltic plateaus or plains with slopes of about 0 to 5 percent and are at slightly lower elevations in a warmer, more arid climate. They have grayish brown gravelly to very gravelly loam surface and subsurface layers that are strongly calcareous. Hard fractured bedrock is at average depths of about 20 inches but slightly deeper soils are included. Bandera soils are found on cinder cones and are similar to Sizer soils but are more cindery throughout and loam textured in the subsoil. Depth to loose cinders is 12 to 26 inches. Slopes range from 5 to 45 percent (General Soil Map, Coconino County, 1972).¹²

The soils in the Winona-Boysag association are shallow and have textures ranging from gravelly loam to clay. Slopes are dominantly 15 to 20 percent but are up to 50 percent on breaks and escarpments. Winona soils have brown, gravelly or cobbly calcareous loam profiles that are usually 10 to 18 inches deep to hard fractured limestone and calcareous sandstone bedrock. They are found on gently sloping to rolling plateaus and mesas broken in places by canyons and escarpments. Slopes are mostly 2 to 15 percent, but up to 50 percent or more on breaks and escarpments. Boysag soils have brown or reddish brown loam or sandy loam thin surface layers which may be gravelly. The subsoils are reddish brown to red clay with a strong lime zone or lime capping over the calcareous sandstone bedrock which is usually at depths of 14 to 20 inches. The bedrock is commonly quite fractured. Slopes are 0 to 8 percent.¹³

The Moekopi-Rock outcrop association is on the nearly level to rolling plateaus of the Moenkopi geologic formation. The soils are very shallow to shallow sandstone or sandy shale bedrock. In places, cinders, bombs, and ash from adjacent volcanic areas cover







the surface of these soils. Rock outcrop is exposed on buttes, escarpments, mesas, and canyon walls. The area is dissected to varying degrees by many shallow to deep drainageways including the middle and lower reaches of the Little Colorado River. Moenkopi soils have reddish brown loamy sand or sandy loam profiles that are gravelly in places. Sandstone bedrock is usually found at depths of 9 to 20 inches, but may be as shallow as 5 inches. Slopes are 2 to 15 percent. Rock outcrop consists of sandstone ledges and bluffs interbedded with sandy shale. The soils are strongly calcareous and saline in some areas. Gypsum beds and seams occur in some areas of shaly outcrop.¹⁴

The Tours-Navajo association occupies the floodplains of drainage areas. The soils are predominantly moderately fine and fine textured and subject to seasonal overflow. Parent alluvium is from shale, sandstone, limestone and volcanic rock. Tours soils have reddish brown silt loam or silty clay loam surface and subsurface layers to 60 inches or more that are commonly stratified with slightly finer or coarser textured material. Navajo soils are similar in color but are clay or silty clay in texture throughout the profile to 60 inches or more. Some areas with both soils are saline. Slopes are dominantly 0 to 1 percent on Navajo soils, and 0 to 3 percent on Tours soils.¹⁵

The Palma-Clovis association consists of deep, reddish brown sandy soils formed in mixed aeolian (wind blown) and alluvial materials from sandstone. Slopes are dominantly 0 to 15 percent. They occupy the high plains broken up by occasional drainages and escarpments. Palma soils have reddish brown loamy sand or sandy loam surface layers and reddish brown sandy loam or fine sandy loam subsoils and substrata. They occur on low ridges and undulating plains with slopes of 0 to 15 percent. Local areas are hummocky from wind action. Clovis soils have brown or reddish brown sandy loam or loam surface layers and sandy clay loam subsoils that grade to calcareous fine sandy loam below about 30 inches. They are on plains and fans with slopes dominantly 0 to 8 percent. Sheppard soils are sandy and dune-like in places.¹⁶

The Badland association consists of steep and very steep, nearly barren areas of highly erodible clayey shales and siltstones interbedded with thin layers of harder sandstone, conglomerate or limestone. These materials are dissected by numerous drainageways leaving small remnants as ridges and low buttes capped by the more resistant sandstone or conglomerate rocks. Dominant slopes are 30 to 75 percent but range to 15 percent. Vertical relief is from 25 to 200 feet, or more, in short distances (General Soil Map, Navajo County, 1972).¹⁷

The Rudd-Bandera association consists mainly of shallow soils on nearly level to undulating basalt flows and mesa tops and on moderately steep cinder cones and volcanic peaks but also including steep ones as well. Rudd soils have grayish brown gravelly or very

gravelly loam surface and subsurface layers that are strongly calcareous. The depth to hard fractured basalt is 6 to 20 inches. These soils occur on the tops of basaltic mesas and lava flow areas where slopes are dominantly 0 to 15 percent.¹⁸ Bandera soils have brown or grayish-brown, gravelly (cindery) loam surface and subsurface layers. Loose, weakly cemented cinders lie below depths of 12 to 26 inches. These soils are found on cinder cones with dominant slopes of 10 to 30 percent but ranging up to 50 percent. Rock outcrops occur as steep escarpments on the sides of the mesas, buttes, and volcanic necks.

The Rough Broken and Stony Land-Rock outcrop association consists principally of the steep and very steep eroded lands and sedimentary rock outcrops on uplands.¹⁹ The topography is steep to very steep with many drainage channels deeply dissected. Vertical relief is generally 20 to 200 feet.

Climate -- Temperature, precipitation and wind are the dominant climatic elements affecting the environment. Temperatures higher than 100°F. are common along route 15 during the summer and below zero weather occurs occasionally in the winter. Precipitation occurs primarily during two periods in the year -- July and August and December through February. The summer precipitation generally exceeds the winter. The prevailing winds blow from the southwest, however, winds from the west, south, and southeast are not uncommon. Winds from other directions are uncommon and usually accompany local storm activities. Average wind velocities range between 4.8 and 15.3 miles per hour, but a maximum of 68 mph was recorded at Winslow, Arizona. The wind has had a dominant affect on soil formation through the erosion of sandstone and the deposition of coarser textured material in the valleys and on adjacent mesas. Climatic data for Leupp and Ganado are given below.

	Altitude (feet)	Mean Annual Temp (°F)	Mean Annual ppt. (inches)	Temp. Extreme High Low
*Leupp	4710'	54.0	6.37	105 -12
**Ganado	6350'	48.7	11.48	

*Climatological Data, Environment Science Service Administration,
U.S. Department of Commerce

**From U.S. Weather Bureau, Climatological Data, annual summary
of Arizona, New Mexico, and Utah, U.S. Department of Commerce.

Resource Conservation

The term resource includes several broad areas: air and water resources, mineral resources, agricultural, aesthetic and human resources. Air and water were covered under previous sections, aesthetic and human resources will be covered under subsequent sections, agricultural and mineral resources will be presented in this section.

Nearly all Navajos living along route 15 depend, at least partially, on agriculture or livestock for their livelihood. Crop production is marginal in this area because of the scanty rainfall and the lack of irrigation, however, nearly all the land is utilized for grazing sheep and cattle.

An estimated 675 acres of land will lie beneath the roadway section, and will be of no use for other purposes. The right-of-way, 100 ft. each side of centerline, will be fenced, removing an estimated 960 additional acres of land from grazing use.

There are no known mineral resources of commercial value in the vicinity of route 15.



8. Domestic stock wandering across existing, unfenced route 15.

Potential Effect of Alternative 1. Alternative 1 will not use any additional right-of-way and will not remove the estimated 1635 acres from grazing production (approximately 200 acres are presently unavailable for grazing because of the existing road). Also, this alternative will not improve the farm-to-market transportation system that now exists.

Potential Effect of Alternative 2. Assuming that modes of transportation other than personal vehicle are used with the existing transportation system, there would be no reduction in grazing land, but depending on the mode of transportation used, (air, rail, or bus) the expense could be greater, the mode could be inadequate for need, and the timing incorrect to meet necessities. If new facilities for transportation of a different mode are constructed, such as

additional airports or rail terminals, similar disadvantages will apply to Alternative 2 as apply to the proposed reconstruction, namely, that land will be taken out of grazing production. If a motor vehicular transportation system is developed using the existing highway system, the inadequacies of the existing route will remain. In fact, if the route is not improved, the mass transportation system would be plagued by the same mechanical problems that individuals now have with their personal vehicles.

Potential Effect of Alternative 3. Alternative 3 would require the use of an estimated 675 acres of land and reduce grazing capacity by 1635 acres. The residents will benefit, however, from an easier, all-weather access to the market area.

Transportation and Safety

Transportation on the reservation is a vital necessity; it is a requirement for most basic needs. The Navajo must move his livestock from one location to another, he must travel several miles to obtain water, and most supplies must be obtained at the trading post (generally within 15 to 20 miles) or from larger communities like Winslow, Holbrook, Gallup or Shiprock which may be as far away as 50 or 100 miles. Because the Navajo society is rural in nature, any activity that is not held in the family residential area will involve travel. Ceremonies, Chapter meetings, rodeos, church meetings, social entertainment all require travel. Areas of employment on the Reservation are wide spread, and it is not uncommon for people to commute up to 50 miles and occasionally more each way between their homes and work.

Whether this transportation is accomplished by foot, horse or automobile, it is a necessity. The Navajo reservation is a place of growing technology and the transportation system around which the Navajo's daily life is woven is the automobile, but the highway system on the reservation has not kept pace with the technological advances in the automobile, producing a discontinuity in components of the system.

There are three factors which combine to form the total automotive transportation system -- the vehicle, the road and the operator. This report concerns primarily the road but is indirectly concerned with the vehicle which becomes a factor when the condition of the roads over which they are driven is considered. Every vehicle on the reservation is driven at one time or another on unimproved dirt roads, and most vehicles are driven over them frequently. These unimproved dirt roads jar the vehicles loosening bolts, throwing them out of alignment and generally causing fatigue wear to the vehicle. Records of the extent of malfunctioning equipment related to accidents are not available, however, vehicle wear is a definite problem.

To obtain information concerning wear on vehicles using reservation roads, the General Services Administration, Gallup Motor Pool was contacted. This motor pool has 1,000 vehicles, 98 percent of which use the reservation roads. When the vehicles come in every 3,000 miles for a normal maintenance check-up, it is found that 60 to 70 percent require a front end realignment. The motor pool also reports problems of body damage caused by sand, rocks, and the dirt associated with these unimproved roads. Tires last approximately 12,000 miles; shock absorbers are needed every 10,000 miles. Because of these more frequent maintenance needs and higher maintenance costs, the motor pool charges 15¢ a mile for the use of these vehicles which is approximately 1/3 more than is charged for Government vehicles in other areas. This high maintenance cost is directly attributable to the poor condition of the reservation roads. These vehicles have to be retired from service at approximately 40,000 miles rather than the normal 60-70,000 miles for GSA vehicles in other parts of the country.



9. Rough road between Lower Greaswood and Bita Hochee.

Most Navajos have pick-up trucks for use on the reservation, and, after a few thousand miles, wear and fatigue begin to show. However, they do not have the facilities available to repair and maintain these vehicles in top serviceable condition. Therefore, the vehicle continues to deteriorate with problems remaining unsolved.

There are no accident records available for the unimproved portion of route 15 but the Navajo Vehicle Safety Office in Window Rock, Arizona felt the accident rate was higher because of the dirt condition and stock wandering onto the road.

Potential Effect of Alternative 1. There will be no change to the existing transportation system, no relief from the high maintenance costs, no change in accident rate caused by the unimproved condition of route 15.

Potential Effect of Alternative 2. Other modes of transportation would improve the transportation aspect. Air or rail travel would not be subjected to extra maintenance requirements. A mass transportation system, using the existing facility, (busses) would be subjected to the dirt graded road but the expense might not be born by individuals on the reservation. Money for operation of such a system would probably come, at least in part, from Federal government subsidy.

Potential Effect of Alternative 3. Improving the remaining unimproved portion of route 15 will reduce the maintenance work required and increase the useful life of automobiles operated on the reservation, directly benefiting the economic status of those involved. Fencing will reduce the incidence of accidents involving cattle and sheep. Alternative 3 will advance the reservation transportation system toward optimum functioning as conceived in the Master Road Plan.

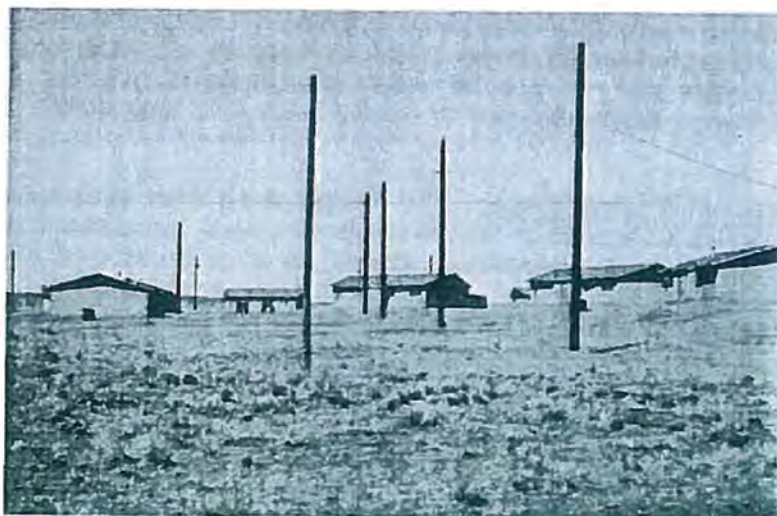
The land of the Navajo is a land of towering buttes and mesas, tree covered mountains and arid grasslands, truly a land of contrast and beauty. The Navajo Tribe and the Bureau of Indian Affairs recognize the need to maintain this scenic value in as near an undisturbed condition as is possible and consistent with the human needs.

Alternative 1 would not alter the landscape. Alternatives 2 and 3 would be located, designed and constructed to disturb existing features as little as possible and enhance the view from the highway (or other facility) into the surrounding countryside. Based on previous experiences with highway improvements, the BIA expects that if route 15 is reconstructed to an improved standard, tourists will use it as a scenic route across the reservation.

Handmade Indian crafts are highly desired by many people throughout the country. Tourist traffic along route 15 will provide an on-reservation market for these crafts, economically bene-

fitting individuals on the reservation and the reservation as a whole. Other recreation oriented enterprises can also be developed, further aiding the economy. These economic improvements will contribute to social development of the reservation.

Economic condition is one measure of the overall health of a society, and one of the measures of economic health is employment. The population of the reservation, according to the 1973 census, is 146,297. Of this population 28,660 people, or 20%, are currently receiving welfare payments. This is far above the national percentage of 5.3%. In addition, the average annual family income on the reservation is \$650. This is well below the national average annual family income of \$13,622. (Welfare and income figures were obtained from the U.S. Department of Labor and the Bureau of Indian Affairs.)



10. Mutual help development housing project in lower Greaswood.

A transportation-communications system is an important factor in increasing employment opportunities and employment in any area. The Navajo Reservation road system is not equal to the road system of the nation as a whole, and this is one factor which helps keep employment and average income on the reservation below the national average. As

stated in a speech given by Mr. H.E. Johnson, Area Road Engineer from April 1955 to May 1963:

"It wasn't long before people noticed that, when roads were improved in a region, business and general prosperity improved greatly. The road improvement credit for this was proved when it was found that a few States that did not go along with the road improvement program remained retarded economically."²⁰

Potential Effect of Alternative 1. Alternative 1 would not alter the existing economic condition as it relates to transportation. Regardless of other economy stimulation factors, the incomplete transportation system would be a significant deterrent to a reservation economy which matches the national economy.

Potential Effect of Alternative 2. Many types of transportation systems would help improve the reservation economy if they are fully developed, but other modes of transportation utilizing existing facilities would not be fully developed systems. Extensive development and construction would be required to produce a system equal to the existing highway system, additional development would be required to improve that system to the point where it would help the economy.

Potential Effect of Alternative 3. The Master Road Plan is a system plan which has been developed over the last 40 years, incorporating the latest technology and progressing toward completion as rapidly as funding will allow. Alternative 3 will provide another link in the system, carrying the Master Road Plan one route closer to completion.

Social and Political

The Navajo society, a rural society with a widely scattered population, has been developed through hundreds of years of living in an arid land. Many communities exist throughout the reservation, however, few Navajos live in them. Mostly these communities serve as focal points for socially oriented activities. They usually consist of a trading post, one or more schools, and possibly a health clinic, small airport, church or Chapter house. The traditional family dwelling of the Navajo, the hogan, is still used by many Indians on the reservation today, though modern cinderblock and frame houses are seen more frequently. As can be seen in the maps on pages 10 and 11, the rural road system is the communication system for the Navajos, linking family to family, clan to clan, and family and individuals to the services provided in communities.

The communities through which this route passes are Sunrise, Leupp, Dilkon, Indian Wells, Bitá Hochee, Lower Greasewood and Sunrise Springs. These communities provide the majority of the local social services available in the southern portion of the reservation. Of primary importance in all communities is the trading post, for

it is at the trading post that the Navajo obtains food and supplies, sells crafts and livestock, and pawns jewelry for immediate cash needs. Route 15 is the primary link between these communities and the arterial route for rural feeder roads.



11. A modern Navajo hogan.

Citizen Desires -- The Navajo Reservation is a place of change, just as all the world is changing, but the Navajo is experiencing this change to a greater magnitude. Not only is he trying to form a coordinated relationship between his traditional culture and modern society, but he, like other Americans, is caught in the whirlwind of technology. The Navajo desires the modern conveniences and pleasures that technology has produced, but he is denied these because the physical requirements -- electricity, telephone service and highways -- are either absent or are inadequate to serve his needs. He is aware of the modern way of life and wants to participate in it.

The Navajo Tribe has developed a democratic form of self-government with the Navajo Tribal Council as the legislative body. It is composed of elected representatives from 23 Districts throughout the reservation, and determines regulations and policies on the reservation. Within the Districts are located 102 chapters which are the local organizations for interaction between people in the rural areas. At chapter meetings, problems of local concern are discussed and resolutions passed. Although these chapters have no governing power in themselves, they are local voices to the Districts and the Tribal Council, expressing their desires and concerns through resolutions. Chapters and Districts located along route 15 have indicated by resolution their desires to have this road improved. (See Appendix A for resolutions passed.)

During an inspection of route 15, a Navajo lady who lives 5 to 10 miles west of Indian Wells stopped to express her opinion and concern about the existing condition and proposed reconstruction of this road. She said that her family uses this road everyday to go to the trading post and to haul water and hay. She said that during wet weather this road is very difficult to travel, and at times almost impassable. She also stated that all of the people around here would like to have this road improved right away. She was on her way to Holbrook to shop for groceries.



12. Trading post at Bitá Hochee.

Reservation Identity and Cohesion -- The Navajo people of today live in two cultures--their traditional culture and the modern culture of the American society. It is difficult to mold the best of each into a life that is meaningful and workable during this time of many changes. However, the Navajo is weaving, with various degrees of success, the two cultures together. Another factor which enters in to this cultural assimilation is the degree to which the modern technologies can be integrated into reservation life. For instance, many Navajos would like to utilize the modern conveniences of electrical appliances and the communications of television and telephone, but only 25% of the homes on the reservation have electricity and telephones. Also, the most modern cars and trucks are available, but much of the reservation road system is still in the 1930's stage of development. This technological incongruity adds to the difficulties of assimilating the two cultures.

Education -- There are two types of school facilities located throughout the reservation; the boarding school, where children live while attending, and day schools where children in a local area are bused each day. With either type of school, the children must travel long distances to attend. There are four schools located along route 15, boarding schools at Lower Greasewood, Dilkon and Sunrise-Leupp, and an elementary day school in the Sunrise-Leupp area.

The children of the Lower Greasewood area live in the Holbrook school district but, because of the unimproved condition of route 15, the Holbrook school system pays tuition for these students to attend school in Ganado. The Holbrook School District has written to the Bureau of Indian Affairs expressing their urgent desire to eliminate this uneconomical and cumbersome arrangement. If route 15 is improved, the children of Lower Greasewood will go to school in the Holbrook district.

The unimproved condition of route 15 and its feeder roads cause many delays in transporting children to and from school. At times, conditions are bad enough that students cannot get to school. Improving route 15 as a part of upgrading the entire system would help to alleviate this problem.

Religious Facilities -- Nearly all of the major religions of the United States are represented on the reservation. Many Navajos attend their services, but many still follow their traditional spiritual teachings. Much of the traditional Navajo spiritual practice is centered around the family, home and the natural world. Members of families, clans, even the Tribe as a whole occasionally gather for ceremonials and other traditional religious practices. But, whether attending a conventional religious service or traveling to a ceremonial, the reservation road system must be used. See the maps on pages 10 and 11 for the location of churches along route 15.

Health and Welfare Facilities -- There are four health clinics located along route 15. These include full use, seven day per week clinics located in Leupp, Dilkon, and Lower Greasewood, and a clinic open one day per week in Indian Wells. Hospitals are located in Winslow and Ganado. The hospital in Ganado is known as the Sage Memorial Hospital and is operated by the international organization, HOPE. Even though the Indian cultural healing ceremonies are still prominent in the life of the Navajo, many are now using these health facilities either in conjunction with their traditional healing methods or as a replacement.

The Indian Health Service, under the Department of Health, Education, and Welfare, is the agency charged with the responsibility of health care on the Navajo Reservation, and is striving to increase the quality of health care facilities and health services. This will include, when appropriations are available, additional clinics,

hospitals, and health care programs. The Indian Health Service anticipates that health care will be improved in the communities where it is now available and additional clinic units and health care facilities will be located in areas where there is none at this time.

Transportation routes to these facilities will be a key factor in providing the best possible health care. During times of adverse weather, many reservation roads, including portions of route 15, become impassable. Under these conditions people needing emergency treatment have difficulty getting to a treatment facility.

Displacement and Relocation of Persons and Families -- The Bureau of Indian Affairs does not anticipate that the proposed reconstruction will take any family dwellings or displace any persons. Their policy is to avoid all homes when locating a proposed highway. If a new home is built on the proposed alignment between the location and construction phases, the alignment is usually altered to miss the dwelling. Although this is not always considered the best engineering practice, it is done to maintain a solidified social structure, and to avoid disrupting families and dwellings.

Right-of-way for a proposed highway is obtained from the Tribe. Most of the land comprising the reservation is Tribal land, owned by the Tribe and assigned to Navajo families and individuals for grazing and raising agricultural products. This land remains the property of the Tribe. In the case of allotted and deeded land, the Navajo Tribe negotiates with the land owners to obtain right-of-way for the proposed alignment. The negotiations involve standardized right-of-way procurement procedures.

Recreational Facilities and Programs -- The primary recreation activities of the Navajo along route 15 are ceremonials and rodeos. Rodeos on the reservation are operated similarly to rodeos held in other parts of the country with contestants building up points toward a Navajo Tribal Rodeo Championship. Ceremonies are held throughout the reservation especially during the Spring and Fall periods. These ceremonies often are a part of their Navajo religious tradition.

Health and Well-Being of the Public -- The 1973 population of the Navajo Reservation was 146,297 individuals. Approximately 55,000 men, women and children (38% of the total population) are supported primarily by raising livestock. In addition to these, approximately 14% farm 15,000 acres of land. An estimated 30% of the reservation population earn wages, and 7,591 families comprising 28,660 people live either completely or partially on welfare. In all of these types of work transportation is a necessity. Hay must be hauled for horses, cows and sheep, produce must be transported to markets, and wage earners must travel to and from their jobs.

Water is a scarce commodity on the reservation, and most Navajos use community wells which are spotted throughout the reservation where water is accessible. Family members normally drive to the well, sometimes a distance of 10 miles or more; few families have water sources at the family dwelling. Schools and trading posts are generally located many miles from the home, thus, residents must travel over the existing road system for most of their needs.

Political Structure -- The Navajo Tribal government is a democratic form of government with an elected Chairman and elected representatives from each of the 23 districts located both on and off the reservation. To aid in forming legislation and administering the executive duties, the Tribal Council has numerous advisory committees.

The reservation and areas to the east which are populated by the Navajo people are divided into five Navajo Area Agencies. These agencies coordinate and administer the executive policies and regulations of the reservation. The District is the next smaller territorial unit, but, like the Agency, does not have any governing power. The smallest area of interest is the Chapter, a non-governing unit which is used primarily as a focal point for the exchange of ideas, problems, and methods of operation in the local area, and as a voice speaking for specific needs. Although chapters have no governing powers, they do, by resolution, lobbying and solicitation of councilmen, make their needs and desires known.



13. Chapter house at Cornfields.

The Navajo reservation road system has been developed by the Navajo Tribe and the Bureau of Indian Affairs to form an integrated system serving the transportation needs of the Navajo Indian. The basic highway needs are determined on the Agency level. The Agency receives resolutions from the Chapters expressing local needs, then, through the Agency Road Committee, a priority list of highways needing improvement within the Agency is determined and forwarded to the Navajo Tribal Council.

Potential Effect of Alternative 1. The existing sociological aspects outlined in this section are conditions that exist today. Many of these conditions are undesirable, some are nearly intolerable. Alternative 1 will not alter these conditions and considering the continual technologic advance, this non-progress will actually be a relative regression.

Potential Effect of Alternative 2. Other modes of transportation -- air, rail or bus -- could alleviate the existing deficiencies, but only if specific steps are taken. First, a complete transportation system based on one or more modes must be developed to a practical application stage. Second, necessary construction must be completed before the system can function as planned. If existing facilities are used, these other modes cannot function in an efficient manner providing service that is comparable to the personal vehicle transportation system that is now in the midst of development. Other modes of transportation could solve the problem of inadequate transportation on the reservation, but the change in systems would require considerable planning and development time; the problem exists now, not some time in the future.

Potential Effect of Alternative 3. The reconstruction of route 15 to an improved standard is part of the Master Road Plan for the reservation. Improvement of this route by itself will not cure all problems of communication and transportation, however, it is a part of a progressive, active master plan which, when fully implemented, will provide a system that will help the Navajo in many aspects of his life.

This alternative will have a direct effect on those people living in the southern portion of the reservation. Improvement is what the local citizens desire; alternative three will provide that improvement. A hard surfaced, all-weather road across the southern portion of the reservation will provide a dependable corridor for transportation to and from religious, education, health and recreation facilities and will benefit the general well-being of the public by providing a smooth, dependable highway. Alternative 3 will complete another link in the highway system master plan for the Navajo Reservation.

The primary land use along this route is grazing. The Navajos raise sheep, goats, cattle and horses, most of which are used as a portion of their food supply. The other notable land use is the six communities

through which this route passes. As stated before, these communities have few residents and those who do live in town build their dwellings well away from the highway and spaced several hundred feet or more apart. The trading post, Chapter House, school or a church may be located near the highway but often they are not.

Potential Effect of Alternative 1. There would be no change in the existing land use if Alternative 1 is implemented.

Potential Effect of Alternative 2. This alternative would cause modification of land use in spot locations. It is probable that land use would be altered in the vicinity of train depots, airports or bus stops if these alternative modes of transportation are developed. It is possible that commercial enterprise would be developed around these terminal areas, however the primary land use, grazing, will not change appreciably.

Potential Effect of Alternative 3. Alternative 3 will require the use of 1635 acres of land, removing this land from its current use. It is also probable that this alternative, as a part of the increasing technological advancement of the reservation as a whole, will cause land use changes in the communities. It is likely that a paved road will help stimulate commercial development and possibly induce manufacturing firms to develop on the reservation. These possibilities and the improved highway itself are highly desired by the Navajo people to stimulate and raise their economy.

The location of the proposed reconstruction (Alternative 3) has been surveyed for possible historic and cultural sites. All located sites were examined for archeological, historical and cultural significance and reports prepared. Archeologic and historic clearance will be obtained for the entire length of the unimproved portion of route 15.

All location, design and construction administration will be done by, or under the direction of, the Bureau of Indian Affairs, Area Road Office, Gallup, New Mexico. Work will be coordinated with the Federal Highway Administration as set forth in the Federal-aid Highway Act.

ACTION THAT WILL MINIMIZE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS

Environmental Protection. The contractor will be required to comply with all Federal, State and local laws and regulations controlling pollution of the environment. He must take necessary precautions to prevent pollution of streams, lakes, ponds, and reservoirs with silt, fuels, oils, bitumens, chemicals, or other harmful materials and to prevent pollution of the atmosphere from particulate and gaseous matter.

During the construction of the roadway, the roadbed will be maintained in such condition that it will be well drained at all times. Side ditches or gutters emptying from cuts to embankments will be constructed to avoid damage to embankments by erosion. Prior to the start of the applicable construction, the contractor will submit for acceptance by the Bureau of Indian Affairs his schedules for accomplishment of temporary and permanent erosion control work as applicable for clearing and grubbing, grading, bridges and other structures at water courses, construction and paving. He will also submit for acceptance his proposed method of erosion control on haul roads and borrow pits and his plan for disposal of waste materials. Work will not be started until the erosion control schedules and methods of operations for the applicable construction have been accepted by the Bureau of Indian Affairs.

The surface area of erodible earth material exposed by clearing and grubbing, excavation, borrow and fill operations may be limited and/or the contractor directed to provide immediate permanent or temporary erosion control measures to prevent soil erosion that will adversely affect construction operations, damage adjacent properties, or cause contamination of adjacent streams or other watercourses, lakes, ponds or other areas of water impoundment. Such work may involve the drains and use of temporary mulches, mats, seeding or other control devices or methods as necessary to control erosion. Cut and fill slopes will be seeded and mulched as the excavation proceeds to the extent considered desirable and practicable.

The contractor will be required to incorporate all permanent erosion control features into the project at the earliest practicable time as outlined in his accepted schedule to minimize the need for temporary erosion control measures. Temporary erosion and pollution control measures will be used to correct conditions that develop during construction that were not foreseen during the design stage, and to temporarily control erosion that develops during normal construction practices.

Where erosion is likely to be a problem, clearing and grubbing operations should be scheduled and performed so that grading operations and permanent erosion control features can follow immediately thereafter if the project conditions permit; otherwise, temporary erosion control measures may be required between successive construction stages. Under no conditions will the surface area of erodible earth material exposed at one time by clearing and grubbing exceed 750,000 square feet (69,677 m²) per equipment spread without approval by the BIA.

The BIA will limit the area of excavation, borrow and embankment operations in progress commensurate with the contractor's capability and progress in keeping the finish grading, mulching, seeding and other such permanent erosion and pollution control measures current in accordance with the accepted schedule. Should seasonal limitations make such coordination unrealistic, temporary erosion control measures will be taken immediately to the extent feasible and justified.

In the event that temporary erosion and pollution control measures are required due to the contractor's negligence, carelessness or failure to install permanent controls as a part of the work as scheduled and are ordered by the BIA, such work will be performed by the contractor at his own expense. Temporary erosion and pollution control work required, which is not attributed to the contractor's negligence, carelessness or failure to install permanent controls, will be performed as ordered by the BIA.

Temporary erosion and pollution control may include construction work outside the right-of-way such as borrow pit operations, haul roads and equipment storage sites.

Dust Control. The hot bituminous mixing plant shall be equipped with a dust collector constructed to waste or return uniformly to the hot elevator all or any part of the material collected as directed, without the escape of objectionable dust into the atmosphere.

To comply with established air pollution limitations, the contractor may be required to provide and use a wet scrubber or other protective device for further treatment of the effluent dust charged gases emanating from the mixing plant dust collector. The treatment will be considered adequate when the gases are measured for solids content by the control agency and the solids content is accepted by that agency as being within established limitations.

Liquids from a wet scrubber will not be discharged into a live stream, lake or pond. The effluent will be circulated through sludge pits, tanks, or swamps. The resultant sedimentation, together with all other waste material developed by crushing and mixing operations, will be covered or otherwise acceptably disposed of.

The contractor will furnish and apply water or use other satisfactory means to control roadway dust during construction.

Public Accommodation. The contractor will keep the portion of the project being used by public traffic, whether it be through or local traffic, in such condition that traffic will be adequately accommodated. He will furnish, erect and maintain barricades, warning signs, delineators, flagmen and pilot cars when necessary. He will also provide and maintain in a safely passable condition temporary approaches or crossings and intersections with trails, roads, streets, businesses, parking lots, residences, garages and farms.

Materials Sources. Where practicable, borrow pits, gravel pits, quarry sites and waste or disposal areas will be located so that they will not be visible from the highway and will be so excavated that water will not collect and stand therein, unless otherwise provided. Final restoration of borrow or waste disposal areas will include grading, establishment of vegetative cover, or other necessary treatments that will blend the area into the surrounding area.

Obliteration of the Old Roadway. Those sections of old roadway that are no longer needed for traffic will be restored to approximately the original contour of the ground or shaped to produce a pleasing appearance by forming natural, rounded slopes. After the rough grading is completed, the area of the old roadbed will be scarified or plowed to mix the remaining road metal thoroughly with earth and then will be harrowed and smoothed.

Turf Establishment. The contract will require topsoiling, when topsoil is available, soil preparation, seeding, fertilizing, and mulching on all areas designated for turf establishment as shown on the plans or where directed by the BIA.

Cleanup. Before final acceptance, the highway, borrow and local material sources, and all areas occupied by the contractor in connection with the work, will be cleaned of all rubbish, excess materials, temporary structures, and equipment; and all parts of the work shall be left in an acceptable condition.

Historical and Cultural Preservation. If the contractor's operations should encounter remains of prehistoric people's dwelling sites or artifacts of historical or archeological significance, the operations will be temporarily discontinued. An archeologist will excavate the site in such a manner as to preserve the artifacts encountered and will remove them for delivery to the custody of the proper authorities.

¹U.S. Bureau of Indian Affairs, Instructions for Indian Roads Needs Report, Appendix C (BIA Central Operations Office, Albuquerque, New Mexico) June 18, 1974.

²U.S. Department of Transportation, Federal Highway Administration, Policy and Procedure Memorandum 90-2, Noise Standards and Procedures February 8, 1973

³F.H. Rainwater, U.S. Geological Survey "Stream Composition of the Conterminous United States" (U.S. Geological Survey, Washington, D.C.) 1962

⁴Thomas A. Kearney & Robert H. Peebles Arizona Flora, University of California Press, Berkley, 1960 1085P Second Edition

⁵E.P. Odum, Fundamentals of Ecology, Philadelphia, W. B. Saunder Co., 1971, 574 p.

⁶W.B. McDougal, "The Desert of the Little Colorado River Basin," Plateau, Quart. Mus. Northern Arizona Vol. 37(3), 1965, p. 106-108.

⁷Bureau of Sports, Fisheries and Wildlife, Threatened Wildlife of the United States; Washington U.S. Government Printing Office, 1973

⁸M.E. Cooley et.al. Regional Hydrogeology of the Navajo and Hopi Indian Reservations, Arizona, New Mexico, and Utah. Washington, D.C. G.P.O. 1969, p. A12

⁹BIA, District 5 Soil and Range Inventory p. 2-5

¹⁰M.E. Cooley, et.al., op. cit., p. A23.

¹¹R.F. Daubenmire Plants and Environment, New York, New York, John Wiley & Sons, Inc., 1947, p. 7

¹²M.L. Miller and M.S. James, General Soil Map - Coconino County, U.S. Department of Agriculture, Soil Conservation Service, 1972, p. 3

¹³Ibid, p. 5

¹⁴Ibid, p. 9

¹⁵Ibid, p. 8

¹⁶Ibid, p. 10 ⁵

¹⁷M.L. Richardson and M.L. Miller, U.S. Department of Agriculture, Soil, Conservation Service General Soil Map - Navajo County, 1972 p. 4

¹⁸Ibid, p. 7

¹⁹Ibid, p. 5

²⁰H.E. Johnson, "Secondary Roads, Bureau of Indian Affairs Roads, and Gallup Area Road Systems". (From a speech written by H.E. Johnson, Area Road Engineer, Gallup, New Mexico 1957.) p. 4

APPENDIX A

Resolutions

RECEIVED

1974 DEC -3 PM 2:34

Milton Bluehouse
Fort Defiance Agency Council
General Delivery
Ganado, Arizona 86515
November 27, 1974

Mr. Anthony Lincoln,
Area Director
Bureau of Indian Affairs
Window Rock, Arizona 86504

Dear Mr. Lincoln:


As requested in the attached resolutions by the Fort Defiance Agency Roads Committee and the Fort Defiance Agency Council, I, Milton Bluehouse as President of the Fort Defiance Agency Council respectfully requesting that you cooperate with Chairman of the Navajo Tribal Council to move Project N15(4)2&4 to the Highest Road Construction Priority for the Navajo Area and to insure that the said project will be constructed beginning as soon as possible in Fiscal Year 1976.

The history of the planning for this project justifies the construction of this project along the right-of-way easement for highway purposes as granted to the United States Government.

The funds for the construction of this project has been allocated in Fiscal Year 1975 in accordance with the priority listing as furnished by the Tribal Transportation and Roads Committee to the Bureau of Indian Affairs.

The Agency Council has requested that you do any and all necessary action to effectuate the requests of the council. Your prompt action to expedite this request will be greatly appreciated.

Sincerely yours,


Milton Bluehouse, President
Fort Defiance Agency Council

RESOLUTION OF THE FORT DEFIANCE AGENCY COUNCIL
FORT DEFIANCE AGENCY

Requesting the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to take any and all actions necessary to move "Project N15(4)2&4 to the Highest Road Construction Project" and resubmit to the Central Office of the Bureau of Indian Affairs.

WHEREAS:

1. There is a real need for improving this roadway in the Greasewood and Bitahochee area for the convenience and safety of the people who use these roads daily, both Navajo and Non-Navajo, and
2. This construction project was justified and funds were allocated in Fiscal Year 1975 by the Central Office of the Bureau of Indian Affairs for the construction, and
3. The highway right-of-way easement for this project has been granted in compliance with the regulations of the Bureau of Indian Affairs and the regulations of the Navajo Tribe of Indians, and
4. The local Navajo people were consulted and were in agreement with the location and construction of the project during the planning period, and
5. The Fort Defiance Agency Roads Committee were not consulted of the changes made on the priority listing for the construction of this project as furnished by the Tribal Transportation and Roads Committee to the Bureau of Indian Affairs, and
6. The progress of the development of the Greasewood-Bitahochee and Indian Wells communities with the benefits to the Navajo people in the area and the Navajo Indian Reservation would be severely hampered by not proceeding with the construction of this roadway.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Fort Defiance Agency Council of the Fort Defiance Agency hereby requests the Chairman of the Navajo Tribal Council of the Navajo Nation and Area Director of the Bureau of Indian Affairs to take any and all actions necessary to move "Project N15(4)2&4 to the Highest Road Construction Project" and resubmit the revised priority to the Central Office of the Bureau of Indian Affairs.
2. The Fort Defiance Agency Council of the Fort Defiance Agency further requests the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to reaffirm the approval of the Fort Defiance Roads Committee of the construction of the Project N15(4)2&4 beginning in Fiscal Year 1976.
3. The Fort Defiance Agency Council of the Fort Defiance Agency further requests the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to insure that the said project given first priority in Fiscal

ar 1976.

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

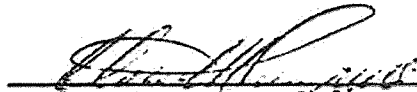
I hereby certify that the foregoing resolution was duly considered by the Fort Defiance Agency Council at a duly called meeting at Coyote Canyon, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 43 in favor and 0 opposed on this 23rd day of November.



President, Fort Defiance Agency Council



Vice President, Fort Defiance Agency Council



Secretary, Fort Defiance Agency Council

R E S O L U T I O N
of the
FORT DEFIANCE AGENCY ROADS COMMITTEE TO FORT DEFIANCE AGENCY
COUNCIL AND THE TRANSPORTATION & ROADS COMMITTEE OF THE NAVAJO
TRIBAL COUNCIL

SUBJECT: To request the Fort Defiance Agency Council and the transportation and Roads Committee of the Navajo Tribal Council of the Navajo Tribe of Indian to take any and all actions necessary to move "Project N15(4) 284 to the Highest Priority Road Construction Project for Fiscal Year 1976" for the Navajo Area and resubmitted to the Central Office of the Bureau of Indian Affairs.

WHEREAS:

1. There is a real need for improving this roadway in the Greasewood-Bitahochee area for the convenience and safety of the people who use these roads daily, both Navajo and Non-Navajo, and
2. This construction project was justified and funds were allocated in Fiscal Year 1975 by the Central Office of the Bureau of Indian Affairs for the construction, and
3. The highway right-of-way easement for this project has been granted in compliance with the regulations of the Bureau of Indian Affairs and the regulations of the Navajo Tribe of Indians, and
4. The local Navajo people were consulted and were in agreement with the location and construction of the project during the planning period, and
5. The Fort Defiance Agency Roads Committee were not consulted of the changes made on the priority listing for the construction of this project as furnished by the Tribal Transportation and Roads Committee to the Bureau of Indian Affairs, and
6. The progress of the development of the Greasewood and Bitahochee communities with the benefits to the Navajo people in the area and the Navajo Indian Reservation would be severely hampered by not proceeding with the construction of this roadway.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Fort Defiance Agency Roads Committee of the Fort Defiance Agency Council hereby requests the Fort Defiance Agency Council and the Transportation and Roads Committee of the Navajo Tribal Council of the Navajo Tribe of Indians to take any and all actions necessary to move "Project N15(4)284 to the Highest Road Construction Project and resubmit to the Central Office of the Bureau of Indian Affairs.
2. The Fort Defiance Agency Roads Committee hereby requests the Chairman of the Fort Defiance Agency Council of the Navajo Tribe of Indians to

support its approval and submit a resolution to the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to insure that the said project will be constructed beginning in Fiscal Year 1976.

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 Fort Defiance Agency Roads Committee of the Fort Defiance Agency Council at a duly called meeting in Window Rock Motor Inn, Window Rock, Arizona at which all members were present. The vote was 4 in favor and 0 opposed of said resolution on this 23rd day of October, 1974.

_____, Chairman
Fort Defiance Agency Roads Committee

RESOLUTION OF THE DISTRICT 18 COUNCIL

Requesting the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to Reaffirm the approval of the Fort Defiance Agency Roads Committee and the Fort Defiance Agency Council of the Construction of the Project N15(4)2&4.

WHEREAS:

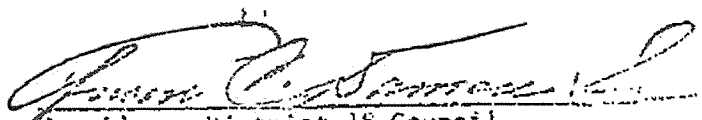
1. There is a real need for improving this roadway so as to permit its use by local people to obtain the basic necessities of life, and
2. The construction of this Project N15(4)2&4 was justified and the funds were allocated by the Central Office of the Bureau of Indian Affairs in Fiscal Year 1975 for the construction, and
3. The highway right-of-way easement for this project has been granted to the United States of America dated November 16, 1966, in compliance with the regulations of the Bureau of Indian Affairs and the Navajo Tribe, and
4. This roadway has been approved by the local people and the chapters of Greasewood and Indian Wells communities, and
5. To delay the construction of this project would prolong the hardships of many Navajo Indian people of this area.

NOW THEREFORE BE IT RESOLVED THAT:

1. The District 18 Council hereby requests the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to reaffirm the approval of the Fort Defiance Agency Roads Committee and Fort Defiance Agency Council of the construction of the Project N15(4)2&4.
2. The District 18 Council further requests the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to move Project N15(4)2&4 to the Highest Road Construction Priority for construction, beginning in Fiscal Year 1976.
3. The District 18 Council further request the Area Roads to do all things necessary to carry out the intent of the resolution and reply directly to the District 18 Council.

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 District 18 Council at a duly called meeting at Lupton, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 59 in favor and 0 opposed on this 24th day of November, 1974.


President, District 18 Council



THE NAVAJO NATION
WINDOW ROCK, ARIZONA 86515

PETER MacDONALD
CHAIRMAN

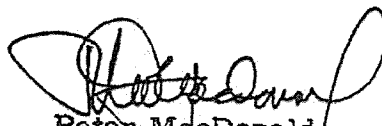
FEB 3 1975

Dear Mr. Benally:

The Fort Defiance Agency have sent representatives to my office requesting that road priorities be adjusted to reflect the "Greasewood-Bitahochee" route as top priority. I have expressed approval on this request provided there are no monies wasted due to non-surfacing of roads that are presently under construction, during the next construction period.

Please inform my office and the new Transportation and Roads Committee as to the feasibility of this request as soon as possible. Thank you.

Sincerely yours,


Peter MacDonald
Chairman
Navajo Tribal Council

Mr. John A. Benally
Area Road Engineer
Gallup Area Office
Bureau of Indian Affairs
Gallup, New Mexico 87301

RESOLUTION OF THE LOWER GREASEWOOD CHAPTER

Requesting the Chairman of the Navajo Tribal Council of the Navajo Tribe of Indian and Area Director of the Bureau of Indian Affairs to revised the "Highest Road Construction Priority for Fiscal Year 1976" for the Navajo Area and re-submitted to the Central Office of the Bureau of Indian Affairs.

WHEREAS:

1. In 1965, the paved (black top) highway from Burnside Southwest to Greasewood was completed, but the extensions to Indian Wells has not since been completed, and
2. That there is no all season road to connect Greasewood with the town of Holbrook where the source of services for the community is located, and
3. That many schools north of Greasewood transporting students for athletic and educational trips to other schools located south of Greasewood have to travel via Keams Canyon which demands additional time and mileage, and
4. That the people residing west of the Greasewood get stranded during bad weather conditions and cannot obtain the services of the local chapter, clinic, trading post, school and churches, and
5. That the road between Greasewood and Indian Wells has already been surveyed, public hearing has been conducted and the highway right-of-way easement has been granted, and
6. That the mutual help housing is almost completed and the need for a good road is necessary for this community.

NOW THEREFORE BE IT RESOLVED THAT:

1. The members of the Lower Greasewood Chapter respectively request of the Chairman of the Navajo Tribal Council of the Navajo Tribe of Indian and Area Director of the Bureau of Indian Affairs to revised the "Highest Road Construction Priority and moved Project N15(4)2&4 to No. 1 priority for the Navajo Area for Fiscal Year 1976.
2. The members of the Lower Greasewood Chapter hereby declare the road between Greasewood and Indian Wells will be constructed beginning as soon as possible in Fiscal Year 1976.

3. The members of the Lower Greasewood Chapter further request that the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs take any and all necessary actions to effectuate this resolution.

4. The members of the Lower Greasewood Chapter further request that the Chairman of the Navajo Tribal Council and Area Director of the Bureau of Indian Affairs to direct Area Road Engineer to reply directly to the members of Lower Greasewood of the intent of this resolution.

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 members of the Lower Greasewood Chapter of the Navajo Tribe of Indians at a duly called meeting at Greasewood, Navajo Nation (Arizona), at which a quorum was present and that same was past by a vote of 30 in favor and 0 opposed, this 8th day of December, 1974.

Sam James
Sam James, President

Martin - 2032
Vice President

David C. Slaughter
Secretary

CONCURRED:

Frank Gishey
Frank Gishey, Councilman

RESOLUTION OF THE DISTRICT 14 COUNCIL

Requesting the Area Director of the Bureau of Indian Affairs and the Chairman of the Navajo Tribal Council of the Navajo Tribe of Indian to take any and all actions necessary to move "Project N15(4)2&4 to the Highest Road Construction Project For Fiscal Year 1976" for the Navajo Area and resubmitted to Central Office of the Bureau of Indian Affairs.

WHEREAS:

1. This roadway between Greasewood and Bitahochee, Navajo Nation (Arizona) is in a real need for improvement for the convenience and security of the Navajo people of this area, and
2. The funds for this construction project were allocated in Fiscal Year 1975 for the construction by the Central Office of the Bureau of Indian Affairs, and
3. The local Navajo people and the members of the Greasewood and Indian Wells Chapter are all in agreement to proceed with the construction of this project, and
4. The highway right-of-way easement has been granted to the United State of American dated November 16, 1966 for this project.

NOW THEREFORE BE IT RESOLVED THAT:

1. The District 14 Council hereby request the Area Director of the Bureau of Indian Affairs and the Chairman of the Navajo Tribal Council of the Navajo Tribe of Indian to take any and all action necessary to insure that "Project N15(4)2&4 will be moved to the Highest Road Construction Project for Fiscal Year 1976.

2. The revised document will be sent to the Central Office of the Bureau of Indian Affairs and any other data needed to justify the revised document be included.

3. The District 14 Council further requests the Area Director of the Bureau of Indian Affairs and the Chairman of the Navajo Tribal Council to direct the Area Road Engineer to do all thing necessary to carry out the intent of this resolution and reply directly to the District 14 Council.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the District 14 Council at a duly called meeting at Tohatchi, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 18 in favor and 0 opposed on this 7th day of December, 1974.

APPENDIX B

Noise Analysis

Noise Analysis for Navajo Route 15

I. INTRODUCTION

One noise reading was taken on route 15 in front of the Leupp elementary day school located in the Sunrise-Leupp area. The existing highway at this location is paved with an asphalt surface. Wind conditions were marginal for taking noise readings; even with the use of a wind screen and some wind noise was picked up on the meter. For this reason, the reading is given only partial credibility with the primary use being to show that no high noise traffic passed by. In addition to wind noise, the elementary school children were at recess approximately 100 to 200 feet behind the sample location, and these noises also influenced the readings. During the 20 minute period of sampling, 13 vehicles passed the sampling station. These included passenger cars and light trucks only, no heavy trucks passed during the sample period.

II. NOISE

a). Identification of land use and noise sensitive areas which may be affected by noise from the highway section. The primary use of land along route 15 is grazing. The Navajo society is a rural society with the majority of the population living away from communities. Also, from a cultural aspect, the Navajo people do not like to build their homes close to a road or highway; they generally prefer a setback of 500 feet to 1/2 mile or more. With this setback distance rural people are not subjected to loud highway noises. Few people live in the communities through which the route passes and those who do, usually live away from the main highway.

There are three schools located on route 15, a boarding school at Lower Greasewood, and a boarding school and elementary day school in the Sunrise-Leupp area. The boarding schools are located 400 feet or more away from the existing and proposed highways. The elementary school, however, is located approximately 100 feet to the right of the existing highway in Sunrise and it has two temporary mobile home type classrooms parked in front, approximately 60 feet from the highway. This elementary school was the sampling site for the noise reading that was taken.

There are several churches located along route 15, but most are located away from the highway. One church is located 100 to 200 feet from the existing paved highway just west of the Sunrise-Leupp community area.

b). Determination of existing noise levels. One noise reading was taken in front of the elementary school under the conditions noted above. The L_{10} noise level at this location was measured at 60 decibels A-scale; however, as stated previously, this value is not reliable because of wind noise. The results can be used only to show that no excessively noisy vehicles were recorded during the sampling period.

c). Predicted highway generated noise levels. The traffic counts taken on route 15 are 984 vehicles per day near the intersection of route 15 with Arizona State Highway 264, and 456 vehicles per day at the end-of-pavement west of Lower Greasewood. For this analysis the figures 1,000 vehicles per day and a peak hour volume of 250 vehicles will be used. The estimated peak hour truck volume is 5 percent or 13 trucks. These low traffic volumes cause difficulties in predicting future noise levels because the mathematical models used for noise prediction are based on a continuous, freely flowing traffic situation. However, from past experience the NCHRP noise prediction model, the model being used in this prediction, tends to predict conservatively, that is, higher values than will actually occur when low traffic volumes are used. One modification in the traffic volume figures will be made. The estimated number of heavy trucks during the peak hour (13) is not sufficient to work properly in noise equations developed at this time. Therefore, trucks will be combined with automobiles in the calculation of predicted noise levels.

Summary of predicted highway generated noise levels at various distances from the highway.

	<u>50 ft.</u>	<u>100 ft.</u>	<u>200 ft.</u>	<u>400 ft.</u>
NCHRP 177 model	67 dBA	64 dBA	61 dBA	58 dBA

These values do not exceed the noise level guidelines developed by the Federal Highway Administration for the exterior of school buildings. The main school building is a masonry (brick) structure with glazed windows and is set back from the highway 100 feet. The temporary classrooms are mobile structures parked in front of the main building, 60 feet from the highway. The predicted noise level at these structures falls within the guideline values. Both structures are within the guideline values for interior noise levels if the windows remain closed. This school is adjacent to one of the sections of N15 which has been improved to a paved standard. The mobile classrooms were placed after construction. Currently, additional improvement is planned for this segment.

For all other points along route 15, the estimated noise levels fall within the noise level guidelines developed by the Federal Highway Administration (PPM 90-2).

EXISTING NOISE DATA SHEET

62

DATE: 3-4-74 CREW: W.R. Bird
D.R. Swanson

EQUIPMENT: B&K model 2205

EQUIPMENT POSITION: 50' from rear

lane, 50' in front of Leupp school

WIND: 15-20 mph (Esl.)

TEMPERATURES: 40°-50° (Esl.)

HUMIDITY: _____

SKY: thin light clouds

TIME: BEGIN 10:57 am

FINISH 11:20 am

SKETCH ON BACK OF SHEET: _____

L₁₀: 60 dBA

PROJECT: N 15

HIGHWAY TYPE*: Asphalt paved

PAVEMENT CONDITION* & TYPE*: Good

SPEED*: 35 mph GRADE*: flat

PAVEMENT WIDTH & NO. LANES*: 2L - 2R total

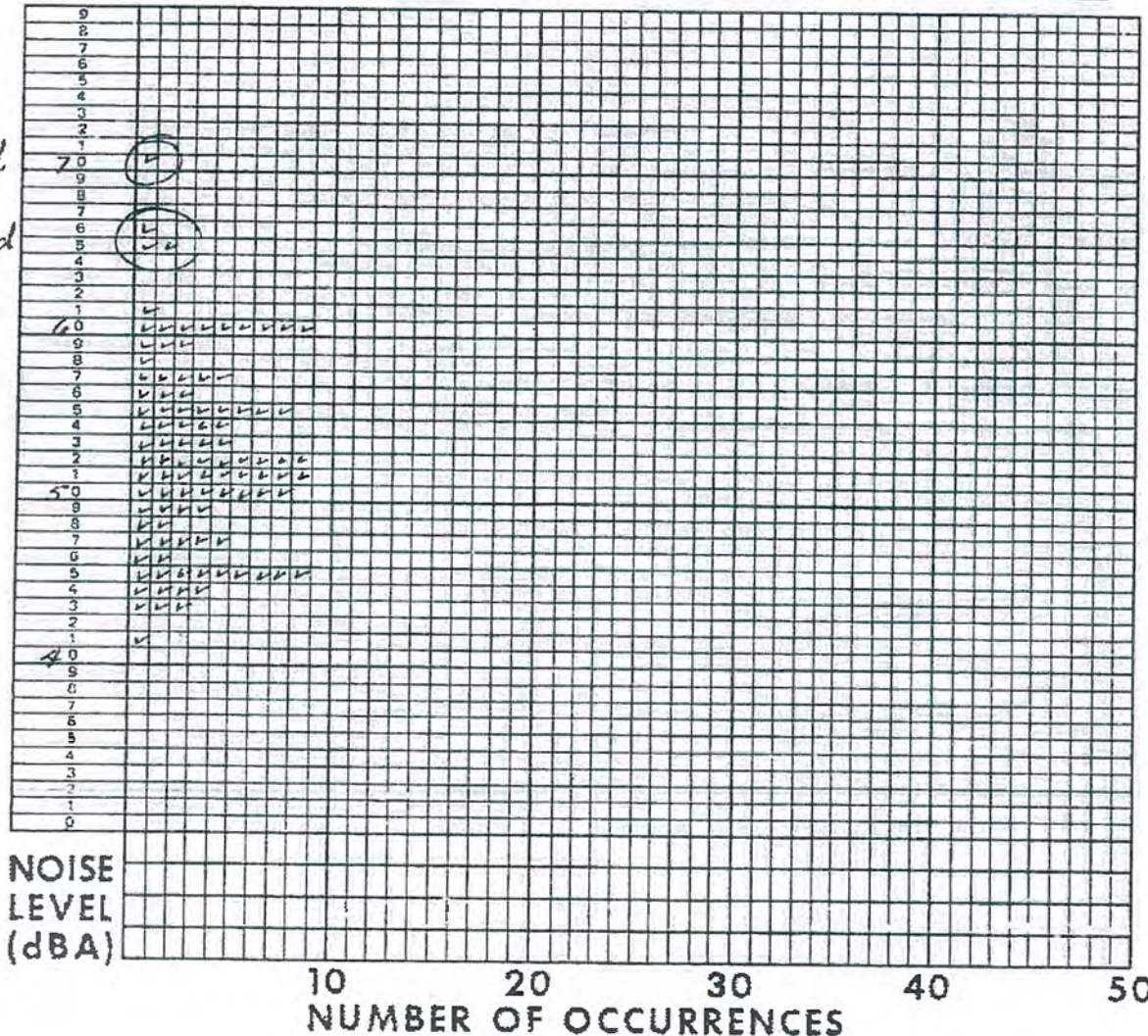
TRAFFIC COUNT*: AUTOS 13 TRUCKS 0

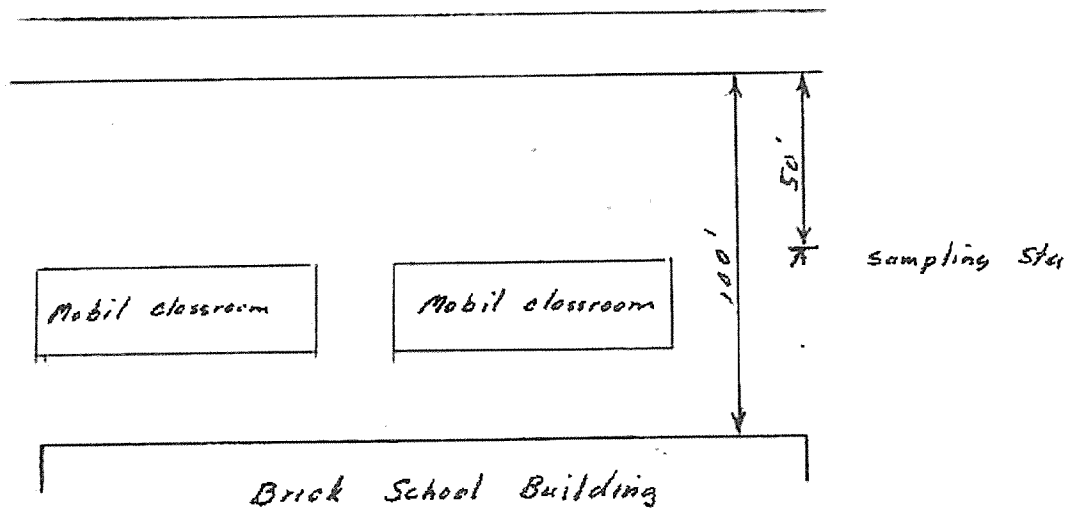
*WHERE APPLICABLE

Total No. Samples	Upper Limit	L ₁₀	Lower Limit
50	1st	5th	10th
100	5th	10th	17th
150	8th	15th	23rd
200	12th	20th	29th

wind

wind





This reading was taken in front of a school, during a recess period. The prominent noise is that of children playing. The background noise, exclusive of children is estimated to be 40 to 45 dBA based on readings taken at times when the children weren't yelling. The wind was gusting between 15 and 20 mph (estimated) causing difficulties even with a wind screen. Very few vehicles passed the noise meter during the 20 minute time of testing. There were no large trucks and the vehicles which did pass were not a dominant noise source.

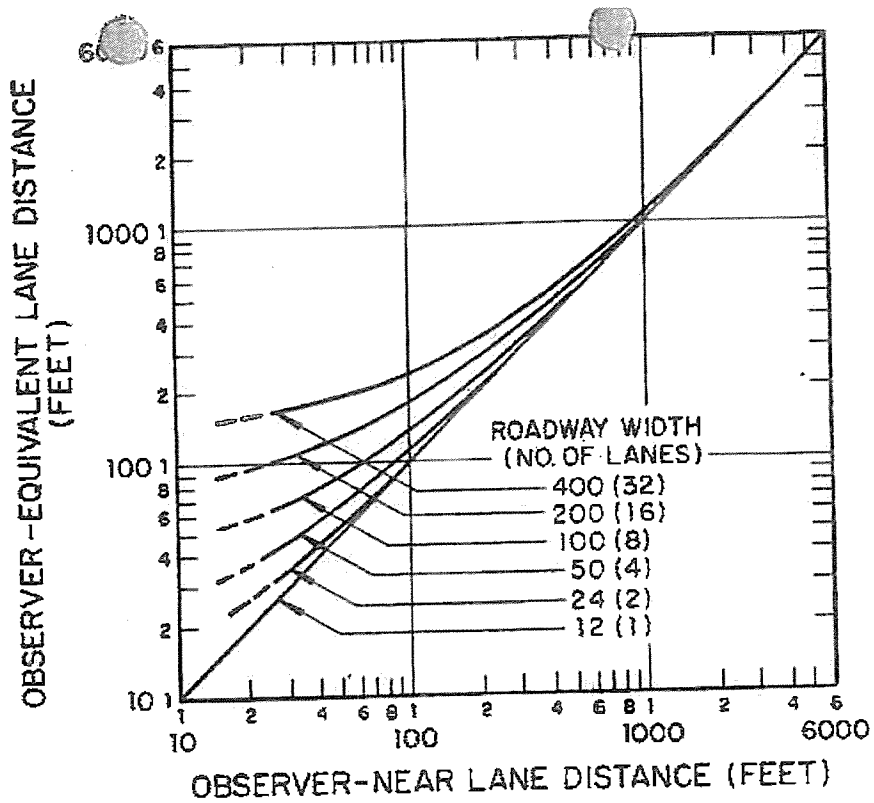
Sheet 1 of 4

TRAFFIC NOISE COMPUTATION TALLY
NOISE LEVEL, dBA

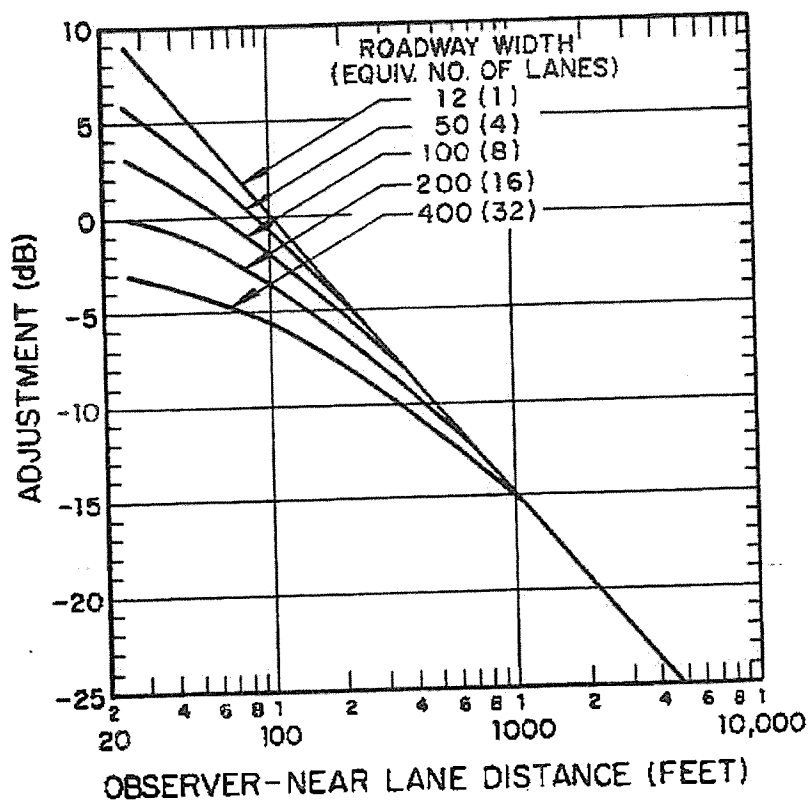
Project Navajo Route A115 Engineer W.R. BirdSegment A11 Date 3-28-75Autos/hr. 237 Trucks/hr. 13 Miles/hr. 50Highway Width 38 feet. Observer _____

Comments 13 trucks/hr is not sufficient to use with developed equations, therefore, 250 Autos/hr. will be used.
Est. ADT = 1000 Peak Hour Vol. = 250 veh. Trucks = 5%

Item		A	T	A	T	A	T	A	T
L ₅₀ reference at 100 feet		55							
Distance, width adjustment		0							
L ₁₀ -L ₅₀ adjustment		9							
L ₁₀ reference at observer		64							
Segment adjustment									
Barrier adjustment									
Miscellaneous Adjustments	Gradient								
	Road surface								
	Foliage								
	Rows of houses								
L ₁₀ at observer, by veh. type		64							
L ₁₀ at observer, summed		64							

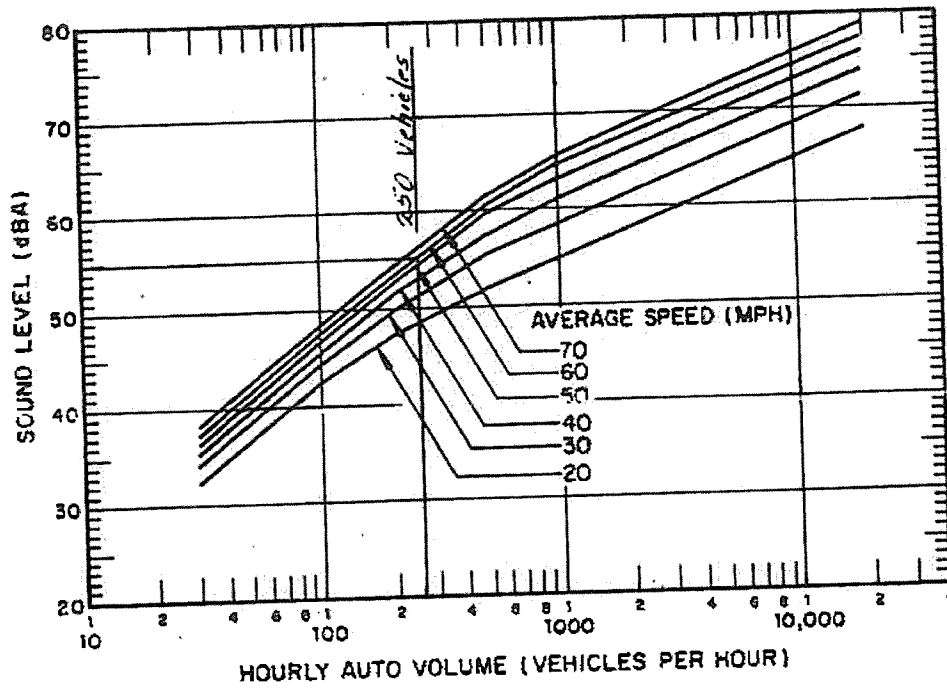


EQUIVALENT LANE DISTANCE VS. NEAR LANE DISTANCE

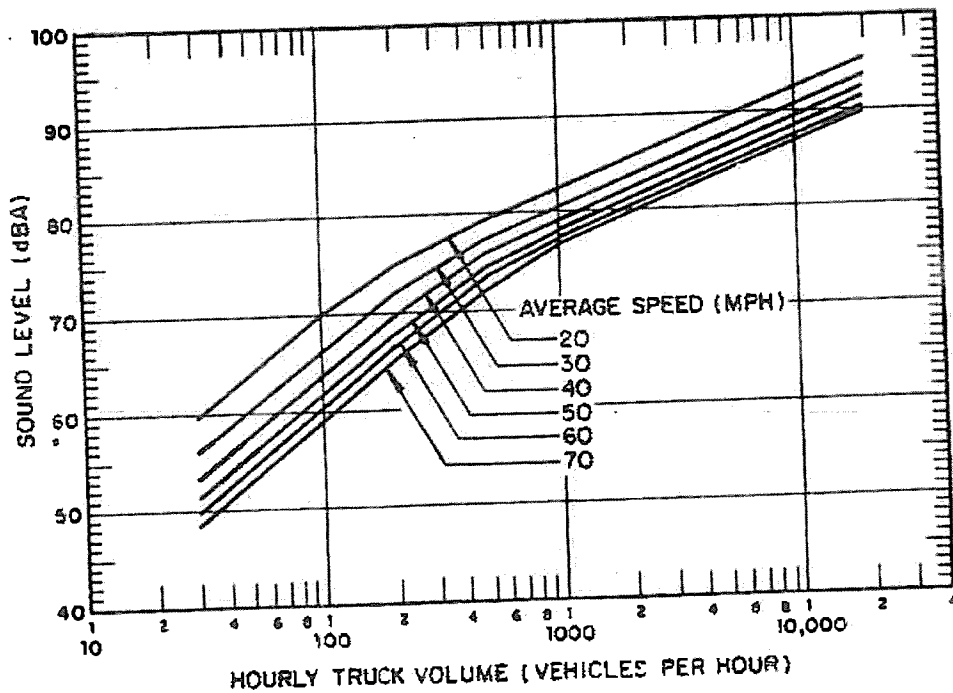


DISTANCE ADJUSTMENT TO 100-FOOT REFERENCE DISTANCE

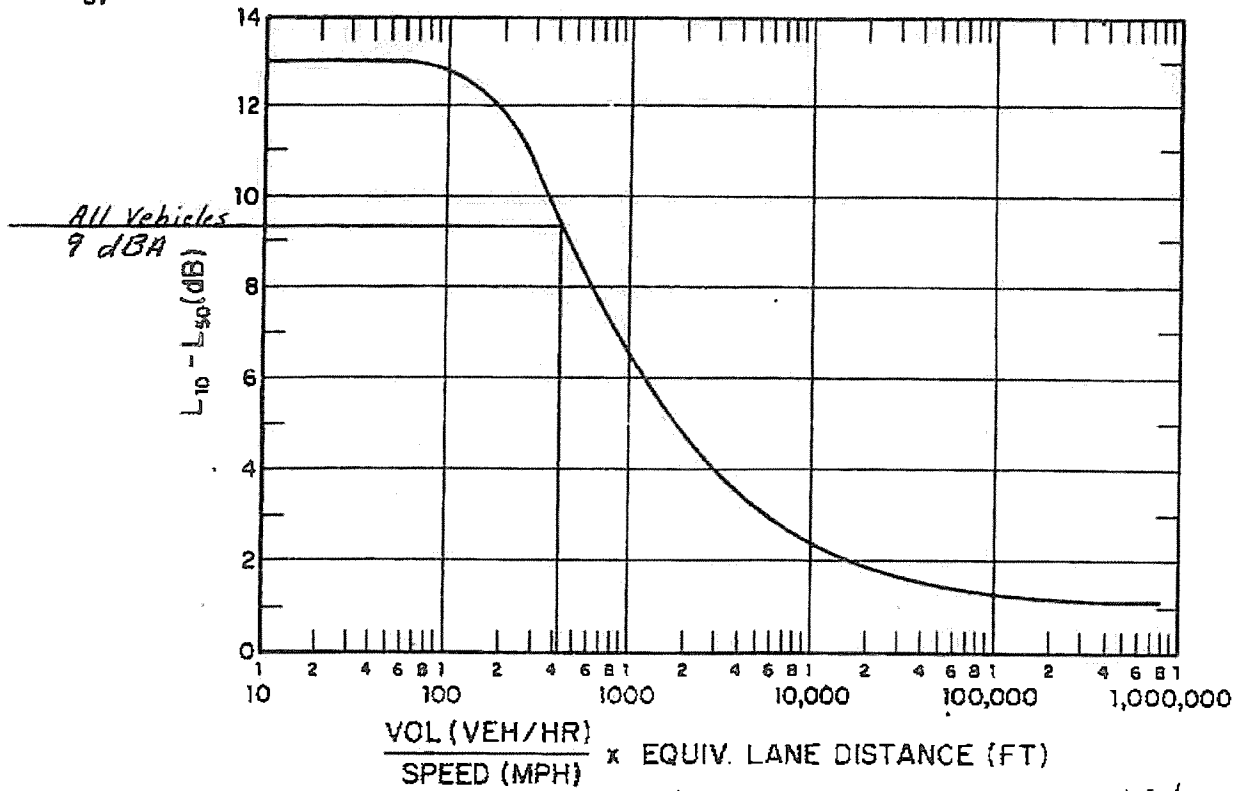
55 dBA



L_{50} SOUND LEVEL VS. AUTO VOLUME
AT 100-FOOT REFERENCE DISTANCE

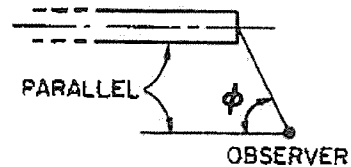
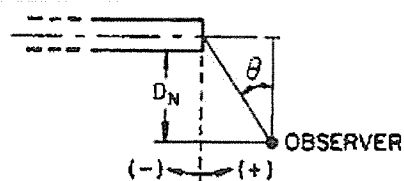
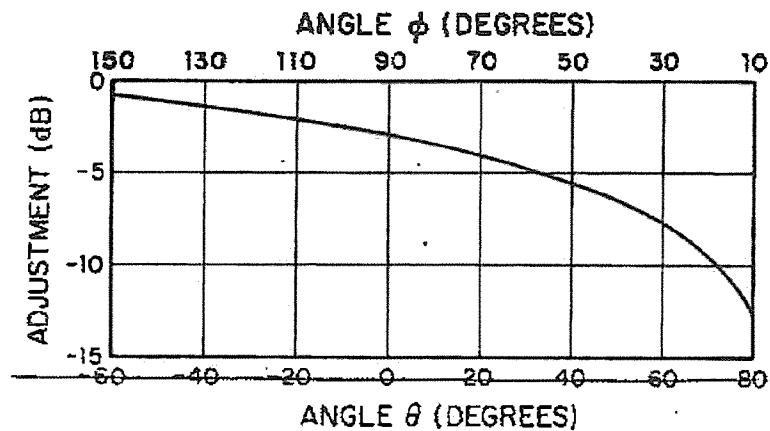


L_{50} SOUND LEVEL VS. TRUCK VOLUME
AT 100-FOOT REFERENCE DISTANCE



$L_{10} - L_{50}$ ADJUSTMENT

Vehicles
 $\frac{250 \times 100}{60} = 416$



NOTE: THE ANGLE θ CAN BE (+) OR (-)
DEPENDING IF IT IS MEASURED
TO THE RIGHT OR LEFT

SEMI-INFINITE ROADWAY ADJUSTMENT

APPENDIX C
Air Quality Analysis

Air Quality Analysis for Navajo Route 15

Project Description

Route 15 is 104.5 miles long, beginning at the west reservation boundary 28 miles east of Flagstaff, Arizona, and heading east and northeast to its intersection with Arizona State Highway 264. Flagstaff is the only town of notable size, population 32,000, located along route 15. There are no known major pollution sources in the vicinity of this route, no air quality analyses for this area of Arizona were found.

Thirty-seven miles of this route have been improved to a paved standard; the remaining 67.5 miles is a graded dirt road. The Bureau of Indian Affairs is currently planning the improvement of this remaining 67.5 miles.

Conclusion

Comparison of the calculated concentration of carbon monoxide under the probable worst conditions with the National Ambient Air Quality Standards indicates that the proposed improvement will not add a significant quantity of carbon monoxide to the air in this area.

	Distance from roadway at a height of 5 feet.		
	50	100	200
Carbon Monoxide Concentration in parts per million	1.52	1.35	1.19

These values are not significant when compared with the National Primary Ambient Air Quality standards of 35 parts per million maximum for a 1 hr. concentration and 9 parts per million maximum for an 8 hr. concentration.

An estimation of nitrogen oxides concentration was not made since there are no mathematical methods of predicting these values which are considered to be valid by the Environmental Protection Agency.

The worst meteorological conditions and emission factors were assumed in the calculations. Actual average vehicle emission rates will decrease with the accuracy of new vehicles with strict emission controls and normal attrition of older and less controlled vehicles.

BACKGROUND INFORMATION

Topography

The topography along most of this route is relatively flat and open. The elevation ranges from 4700 feet at the crossing of the Little Colorado River to 6300 feet at the junction of route 15 with Arizona State Route 264.

Traffic Estimates

Traffic estimates used for route 15 were obtained from the Bureau of Indian Affairs, Area Road Office, Gallup, New Mexico.

Estimated Traffic Volume for Navajo Route 15

1995 ADP = 1,000 veh./day

1995 Peak Hour Vol.¹ = 250 vehicles

Heavy-duty vehicles = 5%

1. A policy on Geometric Design of Rural Highways, 1965 American Association of State Highway Officials Published by the Association GENERAL OFFICES 1969.

Meterology

A 2 mph wind parallel to the proposed highway was assumed for the air quality analysis. A low wind speed of 2 mph has the affect of decreasing the amount of air into which the emitted pollutants are dispersed, causing minimal dilution.

Emission Factors

The emission factor used for the calculations was derived from EPA Publication AP-42, Compilation of Air Pollution Emission Factors. The emission factor for CO used in this prediction is 52.7 grams per mile.

The relative emissions for vehicle models 1962 to 1975 were weighted, based on the precentage of each model in 1975, and then averaged in accordance with established EPA procedure to provide the emission factors. A deterioration factor was applied to the emission factors since emission control devices are expected to deteriorate as vehicles accumulate miles, however, average emission rates for future years will be less because of strict emission control on new vehicles.

The emission factor includes 95% light duty vehicles and 5% heavy duty diesel trucks, and is computed for an average speed of 60 mph.

Mathematical Analysis

The mathematical model used to calculate the pollution concentration for a receptor 50, 100 and 200 feet from the highway is based on the Gaussian Diffusion Equation as presented in FHWA Report RD-72-36, Mathematical Approach to Estimating Highway Impact on Air Quality.

TRIBAL XXX
 INDIVIDUALLY OWNED XXX
 GOVERNMENT OWNED XXX
 RIGHT-OF-WAY N15(6)2&4

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America for and on behalf of the Indian Owners of the lands described in Exhibit "A" hereof, acting by and through the Area Director, Bureau of Indian Affairs, Department of the Interior, Window Rock, Arizona, hereinafter referred to as "Grantor", under authority contained in Commissioner's Redelelegation Order 10 BIAM Section 3.1, and pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. §§ 323-328), and Part 161, Title 25, Code of Federal Regulations, in consideration of Waived--Tribal lands \$9,569.60--Allotted and other good and valuable lands consideration, the receipt of which is acknowledged does hereby grant to the UNITED STATES OF AMERICA, Department of the Interior, Bureau of Indian Affairs, Navajo Area Office, Branch of Roads, Box 1060, Gallup, New Mexico, hereinafter referred to as "Grantee", an easement for a right-of-way for the following purpose(s), namely:

Highway purposes (including road construction and its operation and maintenance)

 , over, across, in and upon the following described lands located in the County of Navajo, State of Arizona.

The said easement, as shown on the Map(s) No. N15(6)2&4, consisting of two sheets, marked Exhibit "B", attached hereto, is limited to and more particularly described as a right-of-way across Navajo Tribal and Allotted trust lands situate in Township 23 North, Ranges 18, 19, 20 and 21 East, G. & S.R.M., Navajo County, Arizona, being 200 feet in width, 20.895 miles in length, and containing 506.546 acres, more or less, distributed as follows:

	<u>Feet</u>	<u>Miles</u>	<u>Acres</u>
Tribal Trust Lands	89,444.01	16.940	410.849
Allotted Trust Lands	<u>20,882.17</u>	<u>3.955</u>	<u>95.697</u>
Totals	110,326.18	20.895	506.546

Said right-of-way is more particularly described in the "Right-of-Way Description, BIA Road Project N15(6)2&4, BIA Route 6 (Bitachochee West via Dilcon) to Arizona State Highway 87," attached hereto as Exhibit "A" and by this reference made a part hereof.

This easement is subject to any valid existing right or adverse claim and is

without limitation as to tenure

for a term of years extending to xxxxxxxxxxxxxxxxx ,

so long as said easement shall be actually used for the purpose above specified;
PROVIDED, that this right-of-way shall be terminable in whole or in part by the
Grantor for any of the following causes upon 30 days' written notice and failure
of the Grantee within said notice period to correct the basis for termination
(25 CFR 161.20):

A. Failure to comply with any term or condition of the grant or the
applicable regulations.

B. A nonuse of the right-of-way for a consecutive two-year period for
the purpose for which it was granted.

C. An abandonment of the right of way.

D. Failure of the Grantee, upon the completion of construction, to
file with the Grantor an affidavit of completion pursuant to 25 CFR 161.16.

E. Failure to comply with conditions of Tribal consent contained in memo-
randum of the Chairman, Navajo Tribal Council, dated November 24, 1971.

F. Failure to comply with stipulations of archaeological clearance from
the N.P.S. Southwest Region Archeologist, dated October 13, 1976.

G. ---

The conditions of this easement shall extend to and be binding upon
and shall inure to the benefit of the heirs, representatives, successors, and
assigns of the Grantee.

IN WITNESS WHEREOF, Grantor has executed this grant of easement this

3rd day of March, 19 77.

UNITED STATES OF AMERICA

By

Ed L. Keen
(Name)

ACTING
ASSISTANT

Area Director
(Title)

U. S. DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Navajo Area Office
Window Rock, Arizona 86515

UNITED STATES GOVERNMENT

Memorandum

AK 522
TR 5226

TO : Assistant Area Director (Administration)
Attention: Area Road Engineer
ACTING ASSISTANT
FROM : Area Director

DATE: March 3, 1977

SUBJECT: Approved Grant of Easement for Right-of-Way -- BIA Road Project No. N15(6)2&4,
BIA Route 6, near Bitahochee to Dilkon to State Highway 87, Navajo County,
Arizona

Enclosed for your information and use is an approved Grant of Easement for
Right-of-Way for subject road project. Upon completion of construction,
please submit an affidavit of completion, per 25 CFR 161.16, and copy of
Final Acceptance Report from the Federal Highway Administration.

Led L. Keen

Enclosure

3/8/77 - copy to Ft. Defiance Roads

RECEIVED

MAR 4 1977

BIA
NAVAJO AREA ROADS



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

THE NAVAJO TRIBE
WINDOW ROCK, ARIZONA

RAYMOND NAKAI
CHAIRMAN, Navajo Tribal Council

9 November 1966

NELSON DAMON
VICE CHAIRMAN, Navajo Tribal Council

RECEIVED

628C
NOV 14 '66



AREA OFFICE
REAL PROPERTY MANAGEMENT
MEMORANDUM

To : Navajo Area Office
ATTENTION: Branch of Real Property Management

From : Chairman, Navajo Tribal Council

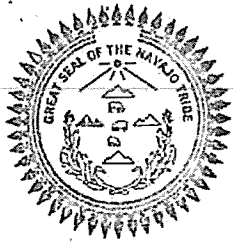
Subject: Approval of Right-of-Way Maps - Project N15(4)2&4
Route 15

Transmitted herewith are the approved right-of-way maps on Project N15(4)2&4 on Route 15. This approval is subject to the following conditions:

1. We hereby waive damage payments on said project.
2. That our Tribal Land Investigation Department be furnished a set of planning and profile drawings so that the route could be included in the field and all settlements thereon made before construction commences.

Nelson Damon
ACTING Chairman, Navajo Tribal Council

Attachment



THE NAVAJO TRIBE

WINDOW ROCK, NAVAJO NATION, (ARIZONA) 86515

24 November 1971

PETER MacDONALD, SR.
CHAIRMAN, Navajo Tribal Council

WILSON C. SKEET
VICE CHAIRMAN, Navajo Tribal Council

ARPMO
ASS'T
MINERALS
OGG
BR. SEC.
FILE

MEMORANDUM

To: Area Director, Navajo Area Office
Attention: Area Real Property Management Officer

From: Chairman, Navajo Tribal Council

Subject: Application by the Bureau of Indian Affairs for a
Right-of-way for Road Project Route 15, Indian
Wells to the Dilkon Area

The Bureau of Indian Affairs has made application for a right-of-way for their road project Route 15, Indian Wells to the Dilkon area. The proposed project is more particularly shown on the accompanying map.

The Navajo Real Property Management Department of the Navajo Tribe has completed all necessary field clearances, and all authorized land users have given their consent substantiated by the District Grazing Committee member, Mr. William Singer, and same is on file with said department.

It is strongly recommended that the right-of-way for this project be fenced and cattle passes be incorporated into this project whereby the affected land users can graze their live-stock on both sides of the highway and have access to existing water reservoirs.

Tribal consent is hereby given you to grant the Bureau of Indian Affairs right-of-way on their road project Route 15, Indian Wells to the Dilkon area in Navajo County, Navajo Indian Reservation, subject to the stipulations contained in Attachment "A", CFR 25, §161.5.

RECEIVED

DEC 29 71

AREA BRANCH OF
REAL PROPERTY MGMT.

Stipulations
C.F.R. 25, § 161.5

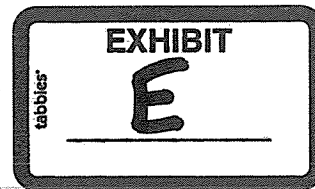
1. To construct and maintain the right-of-way in a workmanlike manner.
2. To pay promptly all damages and compensation, in addition to the deposit made pursuant to § 161.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the right-of-way.
3. To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
4. To restore the land as nearly as may be possible to their original condition upon the completion of construction to the extent compatible with the purpose for which the right-of-way was granted.
5. To clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
6. To take soil and resource conservation and protection measures, including weed control, on the land covered by the right-of-way.
7. To do everything reasonably within its power to prevent and suppress fires on or near the lands to be occupied under the right-of-way.
8. To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the right-of-way.
9. That upon revocation or termination of the right-of-way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
10. To at all times keep the Secretary informed of its address, and in case of corporations, of the address of its principal place of business and of the names and addresses of its principal officers.

11. That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way is granted.

THE NAVAJO TRIBE OF INDIANS

By 
Chairman, Navajo Tribal Council

done this 28 day of December,
1971.



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

RIGHT-OF-WAY APPLICATION MUST IDENTIFY [§169.102(a)]:

1. Applicant Name and Address: Bureau of Indian Affairs, Navajo Region, Division of Transportation, P.O. Box 1060, Gallup, New Mexico 87301
2. Tract(s) or parcel(s) affected by the right-of-way: See attached ROW Plat Map .
3. General location (easement description): See attached Legal Description.
4. Purpose: Construction of an all-weather roadway, operation and maintenance of Public Highway Navajo Route N15(2-3)2&4 and accordance with 25 CFR, Part 170
5. Term (Renewal, if applicable): Temporary easements for duration of construction.
6. Identify ownership of permanent improvements associated with the right-of-way and the responsibility for constructing, operating, maintaining, and managing; or removal of permanent improvements under §169.105:

REQUIRED SUPPORTING DOCUMENTS [§169.102(b)]:

NOTE: DUE TO THE APPLICANT BEING THE US GOVERNMENT THE FOLLOWING IS REQUESTED:

- I. A REQUEST TO WAIVE ITEM No's. 3 and 6 WILL BE MADE TO THE NAVAJO NATION.
 - II. ITEM No. 7 IS NOT APPLICABLE.
-
1. Accurate legal description of the right-of-way, its boundaries, and parcels associated with the right-of way;
 2. A map of definite location of the right-of-way; (25 CFR 169.102((b)(2); survey plat signed by professional surveyor or engineer showing the location, size, and extent of the ROW and other related parcels, with respect to each affected parcel of individually owned land, tribal land, or BIA land and with reference to the public surveys under 25 U.S.C. § 176, 43 U.S.C. § 2 AND § 1764, and showing existing facilities adjacent to the proposed project.)
 3. Bond(s), insurance, and/or other security meeting the requirements of §169.103;
 4. Record of notice that the right-of-way was provided to all Indian landowners;
 5. Record of consent that the right-of-way meets the requirements of §169.107, or a statement documenting a request for a right-of-way without consent under §169.107(b);

6. If applicable, a valuation meeting the requirements of §§ 169.110, 112, 114;
7. With each application, if the applicant is a corporation, limited liability company, partnership, joint venture, or other legal entity, except a tribal entity, information such as organizational documents, certificates, filing records, and resolutions, demonstrating that:
 - a. The representative has authority to execute the application;
 - b. The right-of-way will be enforceable against the applicant; and
 - c. The legal entity is in good standing and authorized to conduct business in the jurisdiction where the land is located.
8. Current environmental and archaeological reports, surveys, and site assessments, as needed to facilitate compliance with applicable Federal and tribal environmental and land use requirements;
9. If required, a statement from the appropriate tribal authority that the proposed right-of-way is in conformance with applicable tribal law.

THE APPLICANT FURTHER STIPULATES AND EXPRESSLY AGREES AS FOLLOWS:

To conform and to abide by all applicable requirements with respect to the right-of-way herein applied for. The applicant agrees to conform to and abide by the rules, regulations, and requirements contained in the *Code of Federal Regulations*, Title 25 Indians, Part 169, as amended, and by reference includes such rules, regulations and requirements as a part of this application to the same effect as if the same were herein set out in full.

Applicant Point of Contact Information:

NAME: Herby J. Larsen
ADDRESS: BIA, NRO Division of Transportation
P.O. Box 1060
CITY/STATE: Gallup, New Mexico
ZIP: 87301
PHONE: (505) 863-8281
FAX: (505) 863-8355
EMAIL: Herby.Larsen@bia.gov

DATE: 06-29-2020

APPLICANT: _____
(Signature)

Herby Larsen
(Print Name)



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

April 14, 2020

Honorable Jonathan Nez
President, Navajo Nation
P.O. Box 7440
Window Rock, Arizona 86515

Dear President Nez:

The NABIK'YATI' Committee of the 22nd Navajo Nation Council (NNC) has authorized the BIA Navajo Region Branch of Transportation (BIA-NRBOT) to improve BIA Route N15 (2-3)2&4 located in Burnside, Apache County, Arizona, traversing through Navajo Nation Trust lands.

At the request of community members and the Navajo Nation Resource Development Committee (RDC), this road Project is scheduled for improvements to alleviate hardship/difficult traveling conditions during the winter and rainy seasons, especially for the school buses and the elders.

Pursuant to the enclosed Navajo Nation Council Resolution No. CN-67-02 "*Approving Interim Standard Terms and Condition for the Granting of Right-of-Way for BIA Road Construction Projects on the Navajo Nation*," the Nation has previously waived any compensation that is subject to a transportation project application. The Terms and Conditions have not been updated under the new Right-of-Way regulations. However, the new 25 CFR Part 169 regulations require us to request for a tribal consent/waiver for the following sections of the new regulation:

- (1) 25 CFR § 169.103: *What bonds, insurance, or other security must accompany the application?*
- (f) *We may waive the requirement for a bond, insurance, or alternative form of security:*
 - a. *For individually owned Indian land, if the Indian landowners of the majority of the interests request it and we determine, in writing, that a waiver is in the Indian landowners' best interest considering the purpose of and risks associated with the right-of-way, or if the grantee is a utility cooperative and is providing a direct benefit to the Indian land or is a tribal utility.*

- b. *For tribal land, deferring, to the maximum extent possible, to the tribe's determination that a waiver of a bond, insurance or alternative form of security is in its best interest.*

This office is requesting the Navajo Nation to waive the bonding requirements as the owner of the Project is the BIA Navajo Branch of Transportation (NRBOT) and the waiving of this requirement would be in the Tribe's best interest.

- (2) 25 CFR §169.110: *How much monetary compensation must be paid for a right-of-way over or across tribal land?*
 - a. *A right-of-way over or across tribal land may allow for any payment amount negotiated by the tribe, and we will defer to the tribe and not require a valuation if the tribe submits a tribal authorization expressly stating that it:*
 - (1) *Has agreed upon compensation satisfactory to the tribe;*
 - (2) *Waives valuation; and*
 - (3) *Has determined that accepting such agreed-upon compensation and waiving valuation is in its best interest.*

This office is requesting for the Nation to waive this monetary compensation as being in the best interests of the project which will save the TPP program money to use on improving more miles of roads on the reservation.

- (3) § 169.105 *What requirements for due diligence must a right-of-way grant include?*
 - a. *If permanent improvements are to be constructed, the right-of-way grant must include due diligence requirements that require the grantee to complete construction of any permanent improvements within the schedule specified in the right-of-way grant or general schedule of construction, and a process for changing the schedule by mutual consent of the parties. If construction does not occur, or is not expected to be completed, within the time period specified in the grant, the grantee must provide the Indian landowners and BIA with an explanation of good cause as to the nature of any delay, the anticipated date of construction of facilities, and evidence of progress toward commencement of construction.*
 - b. *Failure of the grantee to comply with the due diligence requirements of the grant is a violation of the grant and may lead to cancellation of the right-of-way under § 169.405 or § 169.408.*
 - c. *BIA may waive the requirements in this section if we determine, in writing, that a waiver is in the best interest of the Indian landowners.*

This office is requesting for the Nation's consent for this office to waive the *due diligence* requirement since the Navajo DOT will be carrying out the construction of this project for the BIA NRBOT.

- (4) § 169.125 *What will the grant of right-of-way contain?*
 - (c) *The grant will state that:*

- (1) *The tribe maintains its existing jurisdiction over the land, activities, and persons within the right-of-way under § 169.10 and reserves the right of the tribe to reasonable access to the lands subject to the grant to determine grantee's compliance with consent conditions or to protect public health and safety;*
- (2) *The grantee has no right to any of the products or resources of the land, including but not limited to, timber, forage, mineral, and animal resources, unless otherwise provided for in the grant;*

This office is requesting for the Nation's consent for this office to waive the *use of resources of the land* requirement since the Navajo DOT will be carrying out the construction of this project for the BIA NRBOT and the dirt, old pavement, slash, timber, and gravel minerals within the existing easement will be re-used for the re-construction of the project and/or in the case of the timber, given to the Chapters for use by the community members in the area.

Based upon the above explanations, this office respectfully request for the Navajo Nation to concur (in writing) to: 1) waive the bonding requirements; 2) Waive the valuation and compensation requirements as the project is in the Nation's best interests; 3) waive the due diligence requirement or allow the timeline to begin when actual construction takes pace up to the contract final construction deadlines, taking into account any time extensions authorized by BIA due to any change orders in the work or unforeseen construction issues; 4) That the term of the easement grant be "*for as long as the project is under construction and that the program can use the material within the easement to build the project as needed*" and

(5) In addition, we respectfully request the existing right-of-way grant include a utility system provision/condition as follows:

The Existing Right-of-Way easement will include construction of utilities with the N15(2-3) easement corridor. This provision will allow the road right-of-way grant previously given to the Bureau of Indian Affairs, Navajo Region, to be used for such purpose that will benefit the tribal communities, and their socioeconomic development needs with respect to utilities. The Utility owner must first acquire consent from the Nation. The utility conveyance construction and maintenance must not interfere with the integrity of the road prism, road ditches, road design features and miscellaneous road appurtenances. Any and all utility installations or relocations will be approved through the BIA NRBOT utility permitting process where applicable.

The BIA-NRBOT respectfully submits the attached Right-of-Way application and supporting documents for BIA Project N15 (2-3), crossing Navajo Nation Trust lands. The supporting documents include:

1. One original and a photocopy of the New Title 225, Part 169 Right-of-Way application;
2. Two copies of the Temporary Construction Easement (TCE) plat maps with legal descriptions;
3. One photocopy of the Environmental Assessment (EA) report consisting the Archaeological Clearance report and Finding of No Significant Impact report.

4. One photocopy of the Navajo Nation Council Resolution No. CN-67-02 "Approving Interim Standard Terms and Condition for the Granting of Right-of-Way for BIA Road Construction Projects on the Navajo Nation;
5. One photocopy of a legislative action by the Navajo Nation Recourses Committee Resolution Number RCO-106-09, approving Utility Systems with the Navajo Mountain Road Project N16(6)1,2&4 Right-of-Way corridor;

The BIA-NRBOT respectfully requests your office to process this application expeditiously to ensure this project receives the TCE's before construction commences. We are planning for this project to go to construction on or about (put date of construction here).

If you have questions or need additional information, please contact Mr. Herby Larsen, Branch Manager, at (505) 863-8281 or Mr. Harold Riley, Program Engineer, at (505) 863-8284. Thank you for your prompt attention in this matter.

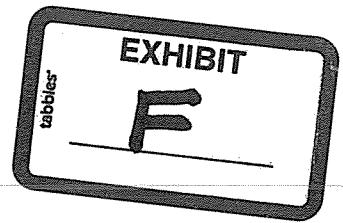
Sincerely,



Bartholomew Stevens
Regional Director

Enclosures

cc: Fort Defiance Agency Transportation
Real Estate Services



U.S. Department
of Transportation
Federal Highway
Administration

Federal Lands Highway Office
Lakewood Field Office Tribal Transportation Program

May 3, 2016

12300 West Dakota Avenue
Suite 280
Lakewood, CO 80228
720-963-3528
david.cremer@dot.gov

In Reply Refer To:
LFO TTP (Ste. 280- Cremer)

Dr. Ora Marek-Martinez
Tribal Historic Preservation Officer
Navajo Nation Historic Preservation Department
P.O. Box 4950
Window Rock, AZ 86515

Dear Dr. Marek-Martinez:

Subject: Section 106 consultation on Navajo DOT's Navajo Route 15 Fencing and Construction Project N15 (2-3) (3-1) (4-1) in Apache and Navajo Counties, Arizona.

We are contacting you at this time to perform Section 106 consultation relevant to the above-referenced project. The Federal Highway Administration, Federal Lands Highway Office Tribal Transportation Program (FHWA TTP), in cooperation with the Navajo Nation Division of Transportation (NDOT), is proposing to construct fencing and cattle guards at intersections within the existing 300 ft (91.44 m) NDOT right of way (ROW). NDOT also proposes to rehabilitate N15 serving Ganado to Lower Greasewood and surrounding communities. The proposed project will be located in the Cornfields, Ganado, Greasewood Springs, and Steamboat Chapters, Apache and Navajo Counties, Arizona. For the purposes of Section 106, and the National Environmental Policy Act, the FHWA is the lead Federal agency for this undertaking.

The total area of potential effect (APE) is 780.26 acres (315.76 ha), all on Navajo Nation land.

The location of the Navajo Route 15 Fencing and Construction Project is described in the enclosed Archaeological Inventory Report Documentation form (AIRs Form) and shown on the enclosed maps. The project will comply with Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended) and Executive Order 11593, Protection and Enhancement of the Cultural Environment. FHWA has made an effort to consider potential impacts to historic properties, which are defined as cultural resources listed or eligible for listing in the National or Register of Historic Places (NRHP), and to afford the Navajo Nation Tribal Historic Preservation Office (NNTHPO) an opportunity to comment on the undertaking.

Project Description

The undertaking consists of the construction of fencing and cattle guards at intersections within the existing 300 ft (91.44 m) NDOT right of way (ROW). The purpose of the proposed fencing is to increase public safety by ensuring that livestock are kept off the roadway. NDOT also proposes to rehabilitate N15 serving Ganado to Lower Greasewood and surrounding communities. The purpose of the proposed construction is to improve the existing road conditions for current and future traffic. The proposed project consists of fencing, drainage, and construction along 21.41 miles (34.46 km) of Navajo Route 15 (N15) from Burnside to Greasewood, AZ.

Area of Potential Effect

The APE is defined as the areas in which construction impacts will take place. Exact locations are denoted in the enclosed Archaeological Inventory Report (AIR) form and Cultural Resources Inventory report.

Potential impacts to cultural properties related to fencing include adverse effects from ground disturbing activities associated with clearing and grubbing and the transport and placement of equipment required for the subsurface installation of the T-post fencing and cattle guards. Potential impacts related to construction include adverse effects from ground disturbing activities associated with regrading and realigning the existing roadway profile, contouring, widening, and stabilizing the shoulder areas, and installation of new drainage structures, where necessary, for flood and erosion control within the existing highway easement.

The total area of potential effect (APE) is 780.26 acres (315.76 ha), all on Navajo Nation land.

Cultural Resource Survey Results

In September 2014 and March, July, and December 2015, Ecosystem Management, Inc. (EMI) conducted a Class III cultural resource inventory for Wilson & Company, Inc. in advance of the proposed fencing and construction project. The Class III inventory consisted of a pre-field records search, TCP interviews, a cultural resources pedestrian survey, an evaluation of cultural resources for National Register of Historic Places (NRHP) eligibility, and assessment of potential impacts to cultural resources within the APE. Archaeological documentation was limited to the surface only. No excavation or subsurface probing was conducted during the current survey.

Seventeen archaeological sites were investigated within the project area. Nine previously recorded sites were revisited (AZ-P-19-7, AZ-P-19-18, AZ-P-19-19, AZ-P-19-20, AZ-P-19-21, AZ-P-19-65, AZ-P-19-66, AZ-P-30-53, and AZ-P-31-13), and eight new sites were identified and recorded (AZ-P-19-67, AZ-P-19-68, AZ-P-30-67, AZ-P-31-49, AZ-P-31-50, AZ-P-31-51, AZ-P-31-52, and AZ-P-31-53). Fifty isolated occurrences (IO) were identified in the project area.

TCP investigations at NNHPD and through interviews indicated the presence of four TCPs—two officially documented, and two unofficially documented locations—near the project area but not within the APE. Two burial locations were documented.

After reviewing the survey results, FHWA TTP recommends sites AZ-P-19-18, AZ-P-19-19, AZ-P-19-20, AZ-P-19-21, AZ-P-30-53, AZ-P-31-13, AZ-P-19-65, AZ-P-19-66, AZ-P-31-49, AZ-P-31-50, AZ-P-31-51, AZ-P-19-68, AZ-P-31-53, AZ-P-19-67, AZ-P-31-52 as eligible for listing in the NRHP under Criterion D and sites AZ-P-19-7 and AZ-P-30-67 as ineligible for listing in the NRHP.

The results of the research and survey are documented in the enclosed AIRs Form and Cultural Resources Inventory report.

Assessment of Effect and Conclusion

During fencing activities, FHWA TTP recommends that NRHP-eligible site boundaries be flagged prior to fence construction and that no heavy machinery or mechanical ground disturbing equipment be operated within the site boundaries. Installation of the T-post fencing should be done by hand and all work should be monitored by a qualified archaeologist. The two sites recommended as ineligible for NRHP listing require no further action.

Based on proposed construction activities within or adjacent to sites, subsurface testing at the following sites: AZ-P-19-18, AZ-P-19-21, AZ-P-19-65, AZ-P-19-66, AZ-P-19-67, AZ-P-19-68, AZ-P-31-50, AZ-P-31-51, and AZ-P-31-53 is recommended to obtain data and firmly establish site boundaries prior to commencing construction activities. Installation of temporary fencing and monitoring by a qualified archaeologist for all NRHP-eligible sites (except AZ-P-30-53) during construction is recommended. The two sites recommended as ineligible for NRHP listing require no further action.

The FHWA TTP has determined that the Navajo Route 15 Fencing and Construction Project would result in *no adverse effect* to any historic properties if the above mentioned management recommendations are implemented prior to, or during, construction. Please review the information in this letter and the enclosed information. If you concur with the findings of the Cultural Resources Inventory report and with our effect and eligibility determinations, please reply in writing (electronic mail is acceptable).

Please be aware that concurrence with this determination will result in FHWA determining that this project will have a de minimis impact on historic properties within the project area. The "use" of historic properties is protected by Section 4(f) of the U.S. Department of Transportation Act of 1966. The term use, as it relates to Section 4(f), denotes an adverse impact to, or occupancy of, a Section 4(f) protected property. If it is discovered through the Section 106 process that historic properties will be affected by a "use", but the project will not adversely affect any historic properties, FHWA can then determine the use to be de minimis. This determination does not require analysis or feasible and prudent avoidance alternatives.

If you have questions or concerns, please contact David Cremer, TTP Environmental Specialist at david.cremer@dot.gov or 720-963-3528.

Sincerely yours,



David E. Cremer
Environmental Coordinator
FHWA-Tribal Transportation Program

Enclosures
AIRs Form with maps
TCP Record Search Verification Form
Cultural Resources Inventory Report

cc (electronic copy only with enclosures):
Taft Blackhorse, Project Management Department Manager, Navajo DOT;
tblackhorse@navajodot.org

RESOLUTION OF THE CORNFIELDS CHAPTER

Declaring N15 as a very unsafe road and Requesting the BIA Roads Department, the Navajo Nation Department of Transportation, and the Agency Road Committee to consider Highway N15 as a Regional priority for Road Construction and fencing

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3(A), the Cornfields Chapter is a duly recognized, LGA-certified chapter of the Navajo Nation as listed at 11 N.N.C. part 1, Section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B), Cornfields Chapter is vested with the authority to address local issues, make appropriate decisions when necessary or to make recommendations to the Navajo Nation Council and other local agencies for appropriate actions, and
3. Cornfields Chapter is aware that Highway N15 is one of the deadliest roads on the Navajo Nation according to statistics from Sage Memorial Hospital and Navajo Department of Transportation; and
4. Cornfields Chapter is also, aware that Highway N15 was one of the Navajo Nation's top priority for Road Construction in the past; and
5. Now Highway N15 is listed at a lower priority and seems to be going down further; and
6. Highway N15 has a high volume of traffic on a daily basis because it serves as a short cut to the Canyon De Chelly and other tourist attraction areas; and
7. Since Highway N15 is not fenced, many accidents occurred due to animals on the highway and this has led to numerous injuries and deaths to human, as well as animals; and
8. Cornfields Chapter believes it is in the best interest of not only the community but also, tourists, and the Navajo People in general, to reconstruct the old road and build a fence along the road from Burnside Junction to Lower Greasewood.

NOW THEREFORE BE IT RESOLVED THAT:

The Cornfields Chapter hereby declares Highway N15 as a very unsafe road and requests the BIA Road Department, the Navajo Nation Department of Transportation, and the Agency Road Committee to consider Highway N15 as a Regional priority for Road Construction and Fencing.

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

I, hereby, certify that the foregoing resolution was duly considered at a duly called Chapter meeting at Cornfields Chapter, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 60 in favor, 0 opposed and 4 abstentions, on this 16th day of December 2012.

Motion: Sarah White

Second: Warren Thomas

Presiding President,

A handwritten signature in black ink, appearing to read "Jimmie Taliman" followed by a stylized flourish or checkmark.

Jimmie Taliman, Sr., Chapter President

Greasewood Springs Chapter
Diwozhii Bii' To doo' Bi'Naha'ta'



Calvin F. Lee, President
Emery Lester, Vice-President
Omercita Begay, Secretary/Treasurer

Bill Spencer, Grazing Official
Lee Jack Sr., Council Delegate

GSC07-17-0744

RESOLUTION OF THE GREASEWOOD SPRINGS CHAPTER

Resolution to Support the Bureau of Indian Affairs Division of Transportation and other Tribal Programs to Work Cooperatively to Improve Navajo Route 15 that Serves as Primary Route for the Greasewood Springs Community on the Navajo Nation.

WHEREAS:

1. The Greasewood Springs Chapter exists as a local unit of government recognized as a political sub-division of the Navajo Nation, pursuant of the Navajo Nation Code No. 26, Section (a) and is authorized to review all matter effecting the community in order to address the needs of the local residents with the authority to act in the best interest of the general welfare of its community membership; and
2. Pursuant to Resolution No. CAP-34-98, the Navajo Nation council approved the Historic Local Governance Act, which authorized the local Navajo Communities to plan develop and implement a restructuring process to improve community decision making allowing communities to excel and flourish enabling Navajo leaders to lead toward a prosperous future and improve the strength of the Navajo Nation Sovereignty; and
3. The Greasewood Springs Chapter respectfully request to support the Bureau of Indian Affairs Division of Transportation and other Tribal Programs to work cooperatively to improve Navajo Route 15 that serves as primary route for the Greasewood Springs Community on the Navajo Nation.

NOW THEREFORE IT BE RESOLVED THAT:

The Greasewood Springs Chapter hereby approves to support the Bureau of Indian Affairs Division of Transportation and other Tribal Programs to work cooperatively to improve Navajo Route 15 that serves as primary route for the Greasewood Springs Community on the Navajo Nation.

CERTIFICATION

We, hereby certify that the foregoing was duly considered by the Greasewood Springs Chapter at a duly called regular chapter meeting in Greasewood Springs (Navajo Nation), Arizona, at which a quorum of community membership was present and the same had passed with a vote of: 28 in favor, 0 in opposed and 01 in abstained on this 25th day of June, in the year 2017.

Motioned By: Betty Jackson

Seconded By: Joni Begay

A handwritten signature in black ink, appearing to read "Calvin F. Lee".

Calvin F. Lee, President

RESOLUTION OF THE DISTRICT #17 COUNCIL

Supporting and Acknowledging that Highway N15 between Burnside Junction and Greasewood is a very unsafe road, and Requesting the Navajo Nation Department of Transportation, the BIA Road Department and the Fort Defiance Agency Road Committee to consider Highway N-15 as a Regional priority for Road Construction and ROW Fencing

WHEREAS:

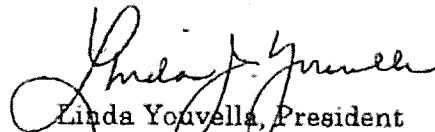
1. The District #17 Council is a recognized body authorized to promote the general welfare of all the people and chapters within District #17 of the Navajo Nation; and
2. The District #17 Council is vested with the authority to make recommendations to the Navajo Nation Council regarding matters affecting the communities of District #17; and
3. The District #17 Council is aware that Highway N-15 is a very dangerous road because it is not fenced and has caused many accidents and deaths each year (see attached statistics); and
4. The District #17 Council is also, aware that Highway N-15 should be higher on the Tribal Road Priority List due to the danger it presents to community members, tourists, travelers and animals; and
5. District #17 Council believes it is in the best interest and general welfare of the Navajo communities as well as tourists to reconstruct Highway N-15 by elevating the highway, widening it, and fencing it so that it is safer for all who use it.

NOW THEREFORE BE IT RESOLVED THAT:

The District #17 Council hereby, supports and acknowledges that Highway N15 between Burnside Junction and Greasewood is very unsafe, and requests the Navajo Nation Department of Transportation, the BIA Road Department and the Fort Defiance Agency Road Committee to consider Highway N15 as a Regional Priority for Road Construction and ROW fencing.

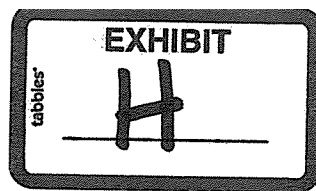
C E R T I F I C A T I O N

I, hereby, certify that the foregoing resolution was duly considered by the District #17 Council, Navajo Nation, at a duly called regular District 17 Council meeting, at which a quorum was present and that same was passed by a vote of 23 in favor, 0 opposed and 2 abstentions, on this 19th day of December 2012.


Linda Youvella, President
District #17 Council

Motion - Walt Jones

2nd Motion - Bessie Yellowhair-Simpson

Document No. 014747Date Issued: 07/28/2020**EXECUTIVE OFFICIAL REVIEW**Title of Document: NDOT TCE N15 (2-3) Burnside AZ Contact Name: YAZZIE, ELERINA BProgram/Division: DIVISION OF NATURAL RESOURCESEmail: e_yazzie@navajo-nsn.gov Phone Number: 928-871-6447

<input type="checkbox"/>	Business Site Lease			Sufficient	Insufficient
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)				
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications				
	1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Navajo Housing Authority Request for Release of Funds				
	1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Lease Purchase Agreements				
	1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(recommendation only)				
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Grant Applications				
	1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Relinquishment of Navajo Membership				
	1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

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

Sufficient Insufficient

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

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

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

☐ **Rights of Way**

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

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

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

☐ **Assignment of Mineral Lease**

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

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

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA *Valencia Hickey* Date: *9/7/2021* ☒ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ *(ic)* *Vm [Signature]* Date: *5/21/21* ☒ ☐
8. OPVP *800* Date: *5/27/21* ☒ ☐

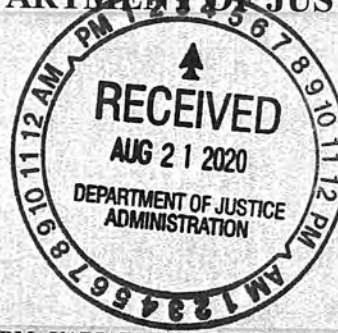
☐ **OTHER:**

1. _____ Date: _____ ☐ ☐
2. _____ Date: _____ ☐ ☐
3. _____ Date: _____ ☐ ☐
4. _____ Date: _____ ☐ ☐
5. _____ Date: _____ ☐ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



08/21/2020 3:41pm	DOJ
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #: 014747	
SAS #:	
UNIT: Hsgo New	

☐ 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:	8/21/2020	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	Michelle Hoskie	DEPARTMENT:	GENERAL LAND DEVELOPMENT DEPARTMENT
PHONE NUMBER:	x 6447 or x 6423	E-MAIL:	michellehoskie@navajo-nsn.gov

TITLE OF DOCUMENT: EOR#14747 NDOT TCE N15 (2-3) Burnside AZ

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 8/24/20 9:32 AM REVIEWING ATTORNEY/ADVOCATE: Iwin Chee 9/03/20

DATE TIME OUT OF UNIT: 10/02/20 2:19 PM

DOJ ATTORNEY / ADVOCATE COMMENTS

Document returned to GLDD to attach the right Rsm. for Cornfield Road Project. See memo.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
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Iwin Chee 10-2-20




DOJ Secretary Called: Michelle for Document Pick Up on 10/02/20 at 2:19 PM By: CJ

PICKED UP BY: (Print)	DATE / TIME:
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NNDJ/DRRF-July 2013

VB. Please correct + resubmit 10/2/20

- GLDD -

Tier 1 Document Voting Results							
User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Najamh Tariq (Navajo Land Title Data System - Windowrock AZ)	Approver	Department of Water Resources	Approved	<i>no comments</i>	<i>No Reply</i>	03-Aug-2020	
Pam Kyselka F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. The BRCF is for a fencing project. Stipulations still apply to road improvement activity.	1. <i>No Reply</i>	28-Jul-2020	
Rebecca Gilchrist MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	1. This vote is contingent upon the uploaded Terms and Conditions, dated 08.10.2020, permanently being included in the application approval package. - rkg	1. <i>No Reply</i>	10-Aug-2020	
Tamara Billie NNHP (Navajo Land Title Data System - Windowrock AZ)	HPD Reviewer	Historic Preservation Department	Approved	1. HPD-98-287	1. <i>No Reply</i>	07-Aug-2020	

Tier 2 Document Voting Results							
User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Leanna Begay (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	<i>no comments</i>	<i>No Reply</i>	10-Aug-2020	

Richard Begay NNHP (Navajo Land Title Data System Officer - Windowrock AZ)
Navajo Nation Historic Preservation Department
Historic Preservation Department
Approved
no comments
No Reply
13-Aug-2020

Roll M Begay

Robert Allan DNR (Navajo Land Title Data System - Windowrock AZ)
Deputy Director DNR
DNR Administration
Approved
no comments
No Reply
19-Aug-2020

Robert O. Allan

Steven Prince MIN (Navajo Land Title Data System - Windowrock AZ)
Technical Reviewer
Navajo Nation Minerals Management
Approved
no comments
No Reply
11-Aug-2020

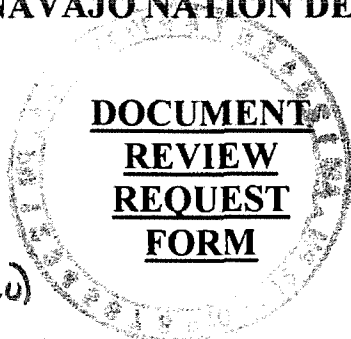
Steven L Prince

W. Mike Halona (NLTDS - Admin)
NLD Department Manager III
NLD
Approved
no comments
No Reply
10-Aug-2020

W. Mike Halona



NAVAJO NATION DEPARTMENT OF JUSTICE



DOJ	
5/17/21 @ 1034a	DATE / TIME
<input type="checkbox"/> 7 Day Deadline	
DOC #: 014747 #2	
SAS #:	
UNIT: NAM	

☒ RESUBMITTAL
(August 2020)

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

CLIENT TO COMPLETE			
DATE OF REQUEST:	5/17/21	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	Michelle Hoskie	DEPARTMENT:	GENERAL LAND DEVELOPMENT DEPARTMENT
PHONE NUMBER:	x 6447 or x 6423	E-MAIL:	michellehoskie@navajo-nsn.gov
TITLE OF DOCUMENT: EOR# 014747 NDOT TCE N15(2-3) Burnside AZ			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 5-17-21 11:30 AM		REVIEWING ATTORNEY/ADVOCATE: Winn Chue 5-26-21	
DATE TIME OUT OF UNIT: 5-21-21 @ 935			
DOJ ATTORNEY / ADVOCATE COMMENTS			
- The Resubmittal of TCE is legally sufficient.			
REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
F. Blackhat	5-18-21	V. Blackhat	5-21-21 7:00am
DOJ Secretary Called: Michelle for Document Pick Up on 5-21-21 at 930 By: B			
PICKED UP BY: (Print)		DATE / TIME:	

NNDJ/DRRF-July 2013

COMPLETED

THE NAVAJO NATION

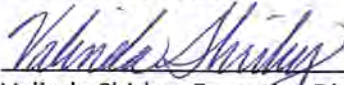


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

September 3, 2021

MEMORANDUM

TO: Executive Reviewers

FROM: 
Valinda Shirley, Executive Director
Navajo Nation Environmental Protection Agency

SUBJECT: **Document No. 014747, NDOT TCE N15(2-3) Burnside, AZ.**

Based upon the review of the above-noted document, a vote of sufficiency is recommended. However, the following comments and recommendations are provided, including a request for coordination with the Navajo Nation Environmental Protection Agency (NNEPA) before any activities in the proposed TCE areas are undertaken.

According to information from the review package, the proposed undertaking is to acquire a Temporary Construction Easement (TCE) for 49 locations along the construction route on N15. It was noted that the 1975 Environmental Assessment (EA) included in the package is very outdated. Often, EAs contain narrative information and/or references to tribal or federal environmental laws that are applicable to the undertaking. There was no supporting documentation to indicate that consultation was completed with the NNEPA during the development of the EA, or that the NNEPA would be consulted for matters related to environmental compliance. Moreover, there was not a clear project description(s) illustrating the proposed activities to be undertaken within the proposed TCE areas. The descriptions found among various documents included fencing, cattle guards, upgrading and repaving of the existing N15, blading, grading, paving, and intensive and extensive ground disturbance. There were no timeframes included to correlate with activities in each of the proposed TCE areas.

The Navajo Nation Environmental Protection Agency (NNEPA) supports road projects for the benefit of communities, emergency response, highway safety, school bus routes, and the myriad of other co-benefits related to roads infrastructure. Attention is directed to the following, as the activities within the proposed TCE areas could be/are subject to the following:

1. **Navajo Nation Air Pollution Prevention and Control Act (Navajo Clean Air Act), 4 N.N.C. §§ 1134-40, Air Quality Control Programs.** Provisions include Best Management Practices (BMPs) to control dust that would be generated during earth moving activities. Details the BMPs to control excessive amounts of particulates.
2. **Clean Water Act (CWA) §401 certification and 402 NPDES, Construction General Permit.** The NNEPA Water Quality Program has provided comments related to CWA compliance (attached).
3. **Tribal Minor New Source Review Permitting Program under 40 CFR 49.152.** Page 44 of the 1975 EA mentions the use of a hot bituminous mixing plant. There is no documentation to

indicate that the BIA or the NDOT has properly applied to USEPA R9 for a General Air Quality Permit for New or Modified Minor Source, Hot Asphalt Plants in Indian Country. The type of road construction work anticipated, including replacement of the existing pavement and/or concrete, curb, gutters, etc., could be subject to Tribal Minor New Source Review Permitting Program under 40 CFR 49.152, for minor sources such as the hot asphalt mix plants in Indian Country, if there will be temporary siting of equipment to complete components of this project. Currently, the Navajo Nation does not have a minor source program for applicable minor sources operating on the Navajo Nation Lands. The USEPA Region 9 has authority for Tribal Minor NSR for minor sources on the Navajo Nation. The BIA and/or NDOT and/or its contractor(s) can visit the USEPA, Region website at: <https://www.epa.gov/caa-permitting/tribal-minor-new-source-review-permitting-region-9#general-rule>.

As applicable, the BIA, NDOT, and/or its contractor(s) should complete the appropriate documents and, if required, obtain a permit before beginning construction. The contact person at USEPA, Region 9 regarding this matter is Lisa Beckham and she can be reached at (415) 972-3811 or beckham.lisa@epa.gov. It is recommended that the BIA, NDOT, and/or its contractors also provide NNEPA, Operating Permit program with a notice of their application to USEPA Region 9.

The Navajo Nation Air Quality Control Program (NNAQCP) is proposing the Minor Source Program Regulations, which are being promulgated pursuant to the Navajo Nation Clean Air Act, 4 N.N.C. §§ 1101-1162 and two General Permits for Oil and Natural Gas Sectors and Gasoline Dispensing Facilities. After issuing its own Minor Source Program regulations, NNAQCP will seek to implement this program in place of the federal government. Promulgation is anticipated to be finalized in 2022.

4. **Navajo Nation Pesticide Act.** The 1975 EA does not describe the abatement of noxious weeds in the TCE areas or along the N15 route. The control of invasive and noxious vegetation is occasionally required during road construction. The Navajo Nation Pesticide Act describes the requirements for pesticide applications on the Navajo Nation. It is recommended that the BIA, NDOT and/or its contractors integrate into its activities, the BIA Natural Resource, Navajo Nation Integrated Weed Management Plan for treatment of noxious weeds within highway rights-of-ways.
5. The NNEPA requests collaboration related to the fulfillment of the environmental compliance measures indicated herein. The Water Quality Program can be contacted at 928-871-7185; the Air Quality Control Program can be contacted at 928-729-4094, 729-4096, 729-4248. The Navajo Nation Pesticide Program can be contacted at 928-871-7810, 871-7184.

I can be contacted at valinda.shirley@navajo-nsn.gov. You may also contact eugeniaquintana@navajo-nsn.gov if there are any questions in this regard. Thank you.

Attachments

Xc: NNEPA Water Quality Program
NNEPA Operating Permit Program
NNEPA Pesticide Program



NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY
Water Quality/NNPDES Program
P.O. Box 339
Window Rock, Arizona 86515
Phone: (928) 871-7690
FAX: (928) 871-7599

JONATHAN NEZ
PRESIDENT

MYRON LIZER
VICE PRESIDENT

M-E-M-O-R-A-N-D-U-M

TO: Reviewers/Approvers

FROM:

A handwritten signature in blue ink, appearing to read "Patrick Antonio".

Patrick Antonio, Principal Hydrologist
Navajo EPA – WQ/NPDES Program

DATE: September 3, 2021

SUBJECT: **Document No. 014747 – NDOT TCE N15(2-3) Burnside, AZ**

There is no specific description of the project on N15 (2-3). The various documents mention fencing (23 miles), cattle guard installation, and/or construction. The various documents also have a wide range in dates from 1975 to 2020. The August 1998 Cultural Resources Compliance Form mentions 8 miles of construction on N15 starting from the junction with AZ 264 to the turn off to the Cornfields Chapter House. This 8-mile stretch is the focus of my review.

CWA Section 401 Water Quality Certification

There are three drainage crossings (35.734N, 109.633W; 35.734N, 109.644W; and 35.674N, 109.683W) that are designated as riverine wetlands which may be subject to coverage under a CWA Section 404 Dredge & Fill permit issued by the U.S. Army Corps of Engineers (COE). The COE will need to be contacted for a jurisdictional determination to see if these crossing are considered waters of the U.S. and, therefore, subject to Section 404 permit coverage. If Section 404 permit coverage is needed, then a Section 401 WQ Certification will also be required from Navajo EPA.

CWA Section 402 NPDES – Construction General Permit

A project with surface disturbances over 1.0 acre (include previously disturbed areas) will require coverage under the CGP for storm water discharges from construction sites. A Notice of Intent (NOI) must be electronically submitted to U.S. EPA 14 days prior to the start of construction. A storm water pollution prevention plan must be developed prior to NOI submittal. When applying for an NOI, utilize permit number AZR10I000 which covers Indian country within the State of Arizona, including Navajo Reservation lands in New Mexico and Utah. U.S. EPA will then issue an NOI tracking number.

For questions, contact me at extension 7185.

Navajo Nation Environmental Protection Agency (NNEPA)
Federal Clean Water Act Section 401 Certification Guidance

According to Section 201 of the Navajo Nation Surface Water Quality (NNSWQS) Certification Regulations, any application for a federal permit to conduct any activity which may result in any discharge into “Waters of the United States” (WOTUS) must provide the permitting agency a certification from NNEPA that such activity will comply with the NNSWQS. One such federal permit is an individual or nationwide federal Clean Water Act Section 404 Dredge & Fill permit issued by the U. S. Army Corps of Engineers (Corps). NNEPA 401 Certifications are not required if a Corps 404 Permit is not required. The only way to determine if a Corps 404 Permit is required is to contact the Corps. The NNEPA does not provide “consultations” to determine if a dredge and/or fill activity requires a Corps 404 Permit. Consultants, cities, counties, states, chapters, tribes, road departments, etc. *cannot determine* if a Corps 404 Permit is required. Only the Corps can determine if a Corps 404 Permit is required.

A NNEPA 401 Certification is required for any dredge and/or fill activity in any surface water body within the Navajo Nation unless a written statement from the Corps is provided to the NNEPA stating that dredge and/or fill activity does not require a Corps 404 Permit.

If a dredge and/or fill activity project applicant wishes to proceed without obtaining a written statement from the Corps that a Corps 404 Permit is not required, then a 401 Certification is required from NNEPA.

To determine if a Corps 404 Permit is required please contact one of the following Corps offices:

New Mexico (Albuquerque District)
Wyatt Medley
Wyatt.T.Medley@usace.army.mil
970-471-0213

Arizona (Los Angeles District)
Sallie Diebolt
sallie.diebolt@usace.army.mil
602-230-6950

Utah (Sacramento District)
Jason Gipson
Jason.A.Gipson@usace.army.mil
Office: 801-295-8380 x 8314
Cell: 801-725-1275

Written statements from the Corps that a Corps 404 Permit is not required can be emailed to NNEPA at:

patrickantonio@navajo-nsn.gov or via regular mail to:

Patrick Antonio
NNEPA Water Quality Program
PO Box 339
Window Rock, AZ 86515



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

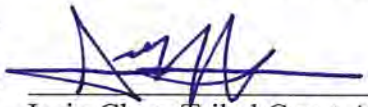
DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

MEMORANDUM

TO: Stevie Hudson, Leasing Agent
General Land Development Department

THROUGH: 
Veronica Blackhat, Asst. Attorney General
Natural Resources Unit, Dept. of Justice

FROM: 
Irvin Chee, Tribal Court Advocate
Natural Resources Unit, Dept. of Justice

DATE: October 2, 2020

SUBJECT: **Document No. 014749 - NDOT TCE N15 (2-3), Burnside, Arizona**

The Department of Justice is returning Navajo Department of Transportation (NDOT) Temporary Construction Easement (TCE) packet to General Land Development Department (GLDD) to attach the right resolution that approved the granting of Cornfield road project.

The resolution that is attached is for Navajo Mountain road project. We need to attached the resolution that approved the Cornfield road project.

Please return the packet to DOJ after the corrections are made so I can complete my review.

Feel free to call me at 928/871-6347 if you have any question. Thank you.



NAVAJO DIVISION OF TRANSPORTATION

POST OFFICE BOX 4620
WINDOW ROCK, ARIZONA 86515

TEL: 505.371-8300
FAX: 505.371-8399

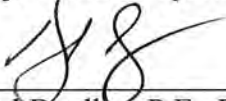
President Jonathan Nez

Vice President Myron Lizer

April 7, 2021

MEMORANDUM:

TO: Veronica Blackhat, Asst. Attorney General
Navajo Nation Department of Justice, Natural Resource Unit

FROM: 
Darryl Bradley, P.E., Principal Civil Engineer
Navajo Division of Transportation

SUBJECT: **Document No. 014749 – NDOT TCE N15(2-3), Burnside, Arizona**

I have reviewed the attached memorandum dated October 2, 2020 regarding Navajo Nation Department of Justice review of Document No. 014749 – Temporary Construction Easement (TCE) packet for Project N15(2-3)2&4 Burnside-Cornfields, AZ. As requested, attached are the following Chapter and District resolutions supporting the project:

- Cornfields Chapter Resolution CF/DEC2012-15 dated December 16, 2012
- Greasewood Springs Chapter Resolution GSC07-17-0744 dated June 25, 2017
- District #17 Council Resolution dated December 19, 2012

The N15(2-3)2&4 road improvement project is much needed to address deteriorating pavement conditions, drainage issues, and overall safety for the traveling public. If you have any questions, please contact me at (505) 371-8397.

Thank you.

**RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council**

THIRD YEAR 2021

**ROLL CALL
VOTE TALLY SHEET**

LEGISLATION #0260-21: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A TEMPORARY CONSTRUCTION EASEMENT TO THE NAVAJO NATION BUREAU OF INDIAN AFFAIRS FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING THE ALL-WEATHER ROADWAY N15 (2-3) LOCATED WITHIN THE CORNFIELDS CHAPTER VICINITY.

Sponsor: Honorable Vince R. James

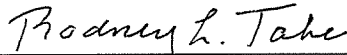
Date: December 22, 2021 – Regular Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Thomas Walker, Jr. **S:** Mark A. Freeland **V:** 4-0-1 (CNV)
In Favor: Thomas Walker, Jr.; Kee Allen Begay, Jr.; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excuse: None
Not Voting: Rickie Nez, *Chairperson*



Honorable Rickie Nez, *Chairperson*
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services