



## 23<sup>rd</sup> NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

AMBER K. CROTTY

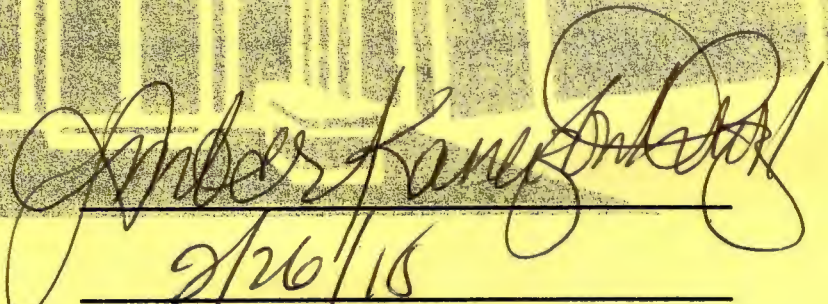
I, \_\_\_\_\_, Primary  
Sponsor of proposed legislation hereby withdraw my  
sponsorship of the proposed legislation. The legislation  
tracking number is 0377-17.

An Action Relating to Resources and Development Committee, Approving the Addition of  
N5212 Low Water Crossing Project in Toadlena/Two Grey Hills Chapter to the Navajo Nation  
Tribal Transportation Improvement Program.

If there are any co-sponsors, they may re-sponsor the same  
bill by beginning a new legislation.

SPONSOR SIGNATURE:

DATE:

  
2/26/18

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0377-17

**DATE:** August 24, 2017

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, APPROVING THE ADDITION OF A N5212 LOW WATER CROSSING PROJECT IN TOADLENA/TWO GREY HILLS CHAPTER TO THE NAVAJO NATION TRIBAL TRANSPORTATION IMPROVEMENT PROGRAM

**PURPOSE:** The purpose of this resolution, if passed, is to approve of a Navajo Route 5212 low water crossing project in Toadlena/Two Grey Hills Chapter to the Navajo Nation Tribal Transportation Improvement Program.

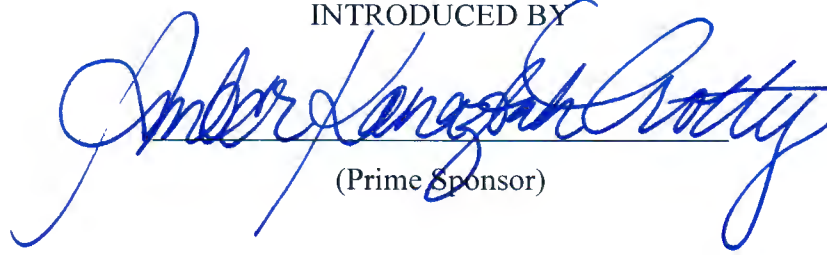
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.



5-DAY BILL HOLD PERIOD: None  
Website Posting Time/Date: 6:05pm 9/15/17  
Posting End Date: 9/20/2017  
Eligible for Action: 9/21/2017

PROPOSED STANDING COMMITTEE RESOLUTION  
23<sup>rd</sup> NAVAJO NATION COUNCIL -- Third Year, 2017

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0377-17

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, APPROVING  
THE ADDITION OF A N5212 LOW WATER CROSSING PROJECT IN  
TOADLENA/TWO GREY HILLS CHAPTER TO THE NAVAJO NATION TRIBAL  
TRANSPORTATION IMPROVEMENT PROGRAM)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee has oversight over roads on the Navajo Nation and the Division of Transportation. 2 N.N.C. §§ 500(C), 501(B) (2) (g).
- B. The Resource and Development Committee may appropriate all Navajo Nation Fuel Excise Taxes Funds for administration cost, preliminary studies, road maintenance, and road improvement activities to provide a common benefit across all Navajo lands. Navajo Nation Road Fund Management Plan, 12 N.N.C. § 1003 A.

SECTION TWO. FINDINGS

Toadlena/Two Grey Hills Chapter, through Resolution TDLA/TGH-16-01-24-02 has a Navajo Route 5212 low water crossing project in need of inclusion on the Tribal Transportation Improvement Program listing. This low water crossing project is in need of funds to conduct archeological drainage studies, biological assessment and to begin

1 design and construction. Resolution TDLA/TGH-16-01-24-2 is attached as Exhibit "A."  
2 The Resources and Development Committee finds it in the best interest of the Navajo  
3 Nation that a Navajo Route 5212 low water crossing project in Toadlena/Two Grey Hills  
4 Chapter be added to the Tribal Transportation Improvement Program.  
5

6 SECTION THREE. Approval

7 The Resources and Development Committee of the Navajo Nation Council hereby  
8 approves the addition of a Navajo Route 5212 low water crossing project in  
9 Toadlena/Two Grey Hills Chapter to the Navajo Nation Tribal Transportation  
10 Improvement Program, as further described in Exhibit "A."  
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## TOADLENA / TWO GREY HILLS CHAPTER

P.O. Box 7894, Newcomb, New Mexico 87455 • Phone 505-789-3100 • Fax 505-789-3101

"HOME OF THE FAMOUS TWO GREY HILLS RUGS"



### RESOLUTION TDLA/TGH-16-01-24-02

REQUESTING TO THE NAVAJO NATION COUNCIL'S RESOURCE & DEVELOPMENT COMMITTEE AND NAVAJO DEPARTMENT OF TRANSPORTATION F.E.T TO CONDUCT ARCHEOLOGICAL DRAINAGE STUDIES, BIOLOGICAL ASSESSMENT AND TO BEGIN DESIGN & CONSTRUCTION OF LOW WATER CROSSING ON NAVAJO ROUTE NO. 5212

#### WHEREAS:

- 1) The Toadlena/Two Grey Hills Chapter is a duly Certified Chapter Government of the Navajo Nation with delegated authority to adopt ordinance and to adopt plans on matter of local concern in the best interest of its local community membership; and,
- 2) Pursuant to 26 NNC Section 1 (b) Toadlena/Two Grey Hills Chapter is vested with the authority to review all matter affecting the community and make appropriate correction when necessary and make recommendation to the Navajo Nation and other local Agencies for appropriate action; and,
- 3) Request Navajo Department of Transportation Property Management to coordinate all preliminary studies and construction of the improvement of Navajo Route No. 5212.
- 4) It is estimated an approximate of \$500,000.00 to all Preliminary Engineering, Design and Construction for improvement of Navajo Route No. 5212.

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

- 1) The Toadlena/Two Grey Hills Chapter is Recommending to the Navajo Nation Council Resource & Development Committee to Modify the Toadlena/Two Grey Hills Chapter Road Maintenance List by Adding Navajo Route 5212 1.0 Mile and Navajo Route 5205, 3.5 Mile and Prioritize the Following Roads under the Federal Highway Tribal Transportation Road and The Bureau of Indian Affairs (BIA) Tribal Roads Inventory Program.

### CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Toadlena/Two Grey Hills Chapter at a duly called meeting in Toadlena/Two Grey Hills, Navajo Nation (New Mexico) at which a quorum was present and that same was passed by a vote of 16 in favor, 0 oppose and 1 abstained on this 24th day of January, 2016.

Motion By: Wallace Begay

Second By: David Claw

Stanley Hardy  
President



Andrew Deschenie  
Vice-President



Lolita Spencer  
Secretary / Treasurer



Derry Lewis  
Grazing Officer



Amber K. Crotty  
Council Delegate









## TOADLENA / TWO GREY HILLS CHAPTER

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"HOME OF THE FAMOUS TWO GREY HILLS RUGS"

### RESOLUTION TDLA/TGH-17-02-12-07

**REQUESTING FROM THE NAVAJO NATION DIVISION OF NATURAL  
RESOURCES & THE DEPARTMENT OF TRANSPORTATION UNDER THE  
FEDERAL HIGHWAY INDIAN RESERVATION ROADS PROGRAM & BIA  
ROADS INVENTORY GUIDELINES THROUGH BIA ROADS DEPARTMENT TO  
CONDUCT ASSESSMENTS AND FEASIBILITY STUDIES ON SIX  
TOADLENA/TWO GREY HILLS CHAPTER COMMUNITY ROADS**

#### WHEREAS:

1. Pursuant to 2 N.N.C., Section 4001, the Toadlena/Two Grey Hills Chapter is a duly recognized and certified government entity of the Navajo Nation Government; AND
2. Pursuant to 2 N.N.C., Section 4028 (A), the Toadlena/Two Grey Hills Chapter is vested with the authority to review all matters affecting the community and make appropriate actions; AND
3. The Toadlena/Two Grey Hills Chapter has community roads that transverse washes, streams & gullies that flood during the Monsoon season or inclement weather whereby community members cannot cross & therefore cannot make it home; AND
4. The Toadlena/Two Grey Hills Chapter is requesting in good faith to have the Bureau of Indian Affairs, Shiprock Agency & the Navajo Nation Department of Transportation to assist the local Government in conducting a feasibility study on the following roads in the following areas:
  - A. Tribal Route 5201 located 6 miles northwest of Junction N5000 and N19. Request for Culvert Pipe Replacement or Amy Bridge assessment to twelve (12) residents; AND
  - B. Tribal Route 5212 located 2 miles southwest of Junction N5001 and N5000. Request for Low Water Crossing assessment to three (3) residents; AND
  - C. Navajo Route 5087 located in the southern area of the Chapter which is a School Bus Route. Request for assessments in this area which services twenty (20) residents for Low Water Crossing/Cut Off or Culvert Pipe Installation in three (3) locations; AND
  - D. Navajo Route 5205 located in the southern area of the Chapter (this road connects N5002 and N192) which is a School Bus Route. Request for Low Water Crossing/Cut Off or Culvert Pipe Installation in two (2) locations; AND

Stanley Hardy  
President



Andrew Deschenie  
Vice-President



Angie Frank  
Secretary / Treasurer



Derry Lewis  
Grazing Officer



Amber K. Crotty  
Council Delegate

- E. Navajo Route 5002 located in the eastern area of the Chapter off N5000 that is a Bus Route and serves ten (10) residents for assessment of Low Water Crossing/Cut Off or Culvert Pipe Installation in two (2) locations; AND
- F. Navajo Route 5010 located in the northern area of the chapter at the pavements near Echo Canyon that is a Bus Route and serves four (4) residents for assessment of Low Water Crossing/Cut Off or Culvert Pipe Installation in one (1) location.

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

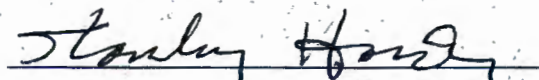
1. Toadlena/Two Grey Hills Chapter is requesting from the Navajo Nation Division of Natural Resources & the Navajo Department of Transportation under the Federal Highway Indian Reservation Roads Program & BIA Roads Inventory Guidelines through BIA Roads Department to assess and conduct a feasibility study on the above listed Chapter Community Roads listed in WHEREAS #4.


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

We hereby certify that the foregoing resolution was duly considered by the Toadlena/Two Grey Hills Chapter at a duly called meeting at Two Grey Hills, Navajo Nation, New Mexico, at which a quorum was present and that same was passed by a vote of **15** in favor, **00** oppose and **01** abstained on this **12th day of February, 2017**.

Motioned by: **La Vera Curley**

Seconded by: **Leonard Hunt**

  
Stanley Hardy, Chapter President

  
Andrew Deschenie, Chapter Vice-President

  
Angie Frank, Chapter Secretary/Treasurer

  
Derry Lewis, Chapter Grazing Official

  
Amber K. Crotty, Council Delegate





## TOADLENA / TWO GREY HILLS CHAPTER

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"HOME OF THE FAMOUS TWO GREY HILLS RUGS"

### RESOLUTION TDLA/TGH-17-05-07-03

**REQUEST TO THE NAVAJO DEPARTMENT OF TRANSPORTATION TO REALIGN, DIVERT AND RE-ROUTE THE CURRENT ROAD MAP ROUTES TO COINCIDE WITH THE TOADLENA/TWO GREY HILLS CHAPTER PUBLIC ACCESS ROAD MAPS AS SHOWN IN EXHIBIT "A" - 1 THRU 5.**

#### WHEREAS:

1. Pursuant to 2 N.T.C., Section 4001, the Toadlena/Two Grey Hills Chapter is a duly recognized and certified government entity of the Navajo Nation Government; AND
2. Pursuant to N.N.C., Section 4028 (A), the Toadlena/Two Grey Hills Chapter is vested with the authority to review all matters affecting the community and make appropriate actions; AND
3. Toadlena/Two Grey Hills Chapter has recently approved its E-911 Rural Addressing which was passed during a duly called chapter meeting held on February 15, 2012 and updated on June 20, 2016; AND
4. Toadlena/Two Grey Hills Chapter has adopted the San Juan County recommended road numbering for its rural road addressing; AND
5. Toadlena/Two Grey Hills Chapter has noted that in some cases; the BIA number Roads have over the last decade been either diverted or been blocked with the development of family expansion, which have home-site leases overlapping roads, AND
6. Toadlena/Two Grey Hills Chapter has also noted roads once tracked as BIA Road(s) have Right-of-Way(s) for NTUA Waterlines and Powerlines which if utilized would encroach on ROW and cause damage to utilities or infrastructure; AND
7. Toadlena/Two Grey Hills Chapter in these incidences identified these roads as driveways to family housing subdivisions and therefore inaccessible as public access roads and are listed as follows:
  - Realign N5087 from the old route next to the Clah residences to the Johnson residence to current route. (see attached map #1)
  - Cut off N5205 at the top of the Tumbling House Mesa to the bottom of Tumbling House Valley. (see attached map #2)
  - Cut off N5206 between the Wagnor residences to the Hunt residence. (see attached map #3)
  - Realign N5212 from current route passing by the front door of the Yazzie residence to bypass the Hunt residence to connect N5001 and N5087. (see attached map #4).
  - Reroute N5204 from the Lapahie residences to the Yazzie, Begay's and Shorty residences. (see attached map #5)

Stanley Hardy  
President



Andrew Deschenie  
Vice-President



Angie Frank  
Secretary / Treasurer



Derry Lewis  
Grazing Officer



Amber K. Crotty  
Council Delegate

**NOW THEREFORE BE IT RESOLVED THAT:**

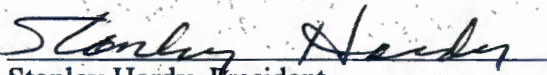
1. Toadlena/Two Grey Hills Chapter requests the Navajo Department of Transportation to realign, divert and re-route the current road map routes to coincide with the Toadlena/Two Grey Hills Chapter public access road maps as shown in Exhibit "A (#1 thru 5)"

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Toadlena/Two Grey Hills Chapter during a duly called chapter meeting held at Two Grey Hills, New Mexico (Navajo Nation) at which a quorum was present and that same was passed by a vote of 15 in favor, 00 opposed and 01 abstained on this 7th of May, 2017.

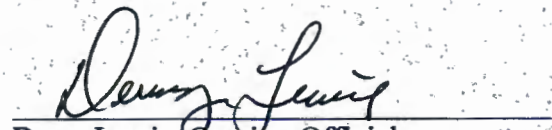
Motioned by: **Lynda Lasiloo**

Seconded by: **LaVera Curley**

  
Stanley Hardy, President

  
Andrew Deschenie, Vice-President

  
Angie Frank, Secretary-Treasurer

  
Derry Lewis, Grazing Official



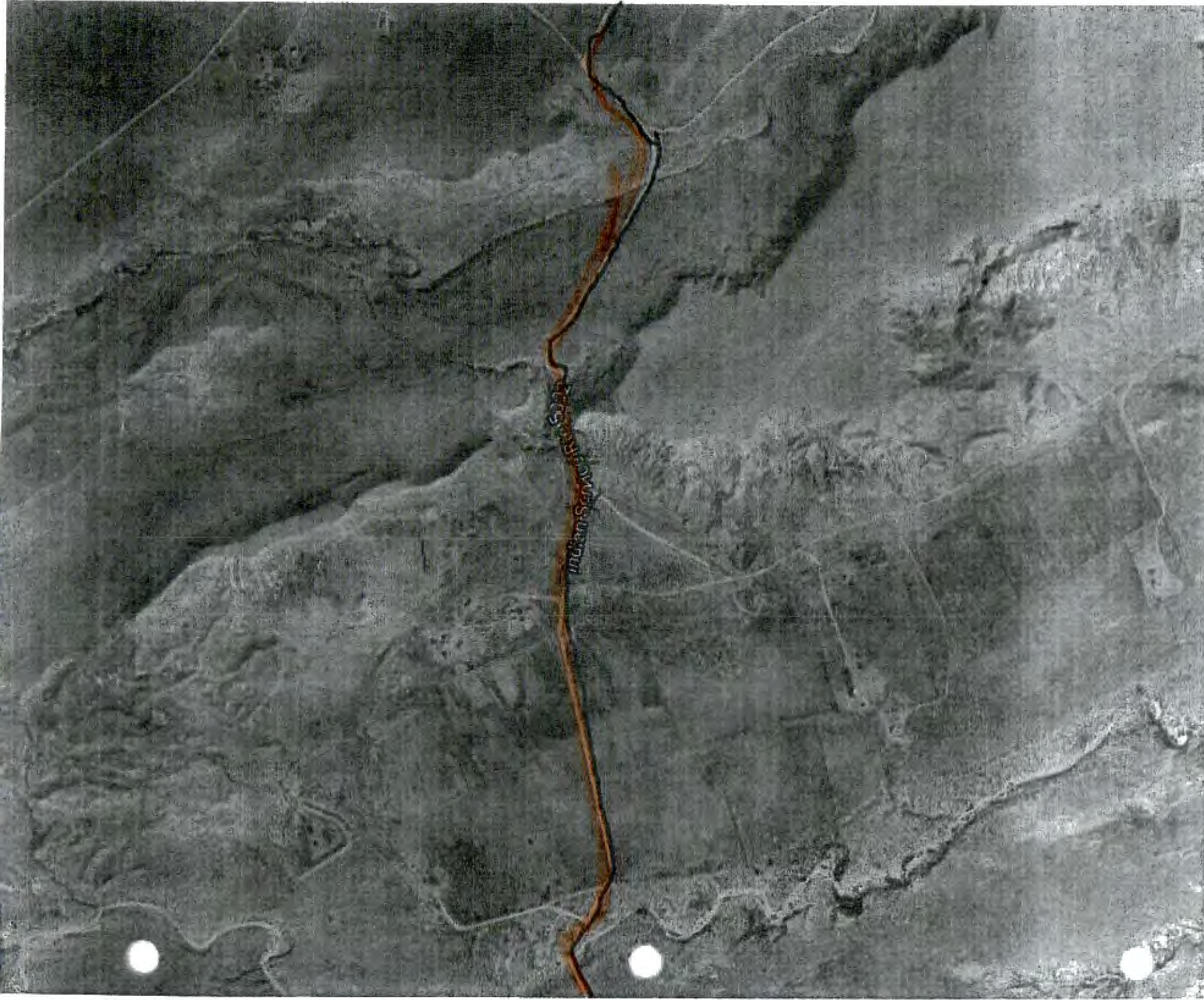
1805 N  
Hwy 77

NS800 - cut from Clark's to Johnsons

#1







NS705 - Ruins (Anasazi)

#2





Delia  
5206

NS001 - Near Wagners to Hunts

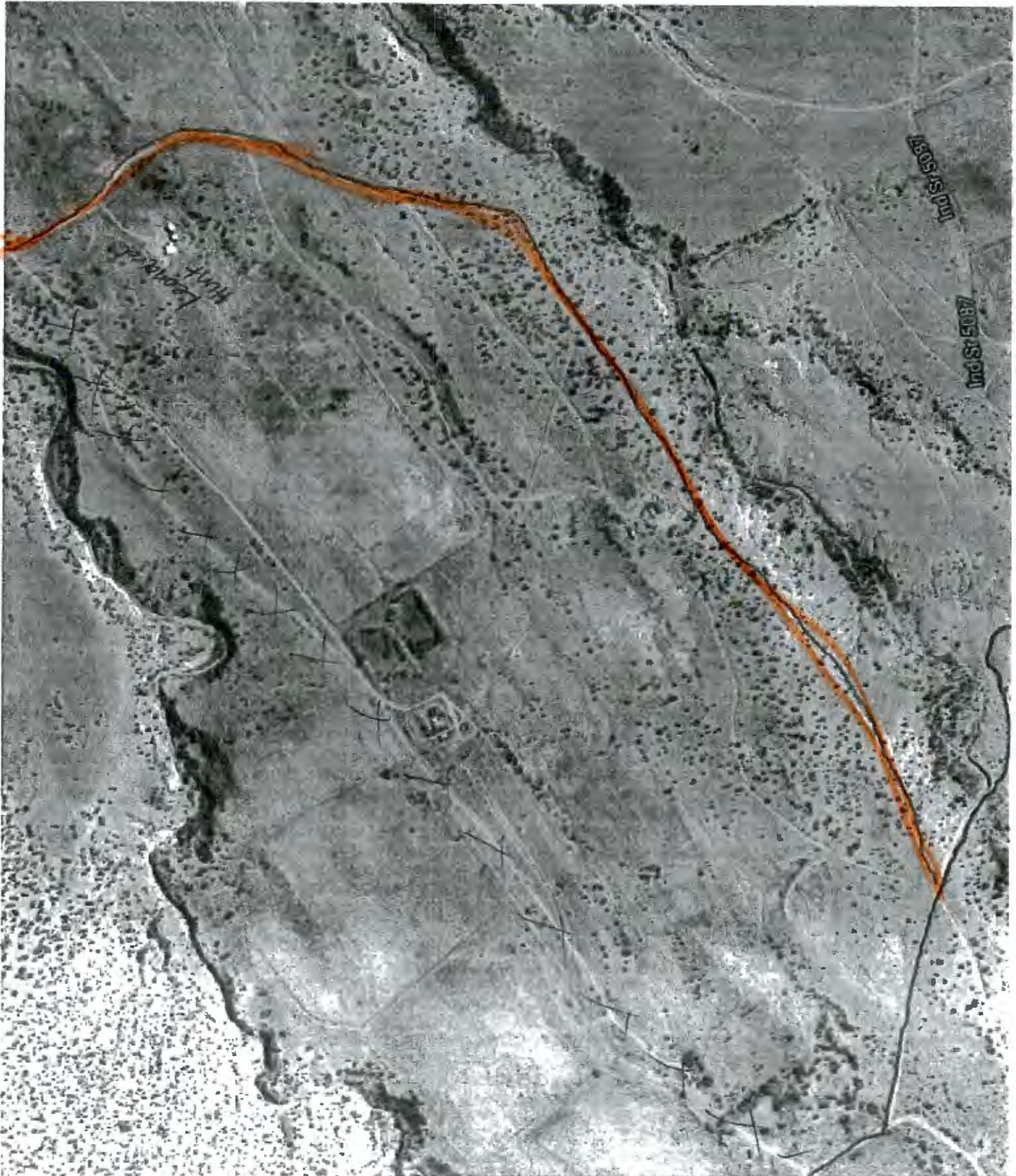
#3



Leonard Hunt  
March 31, 2017

#4

East



WEST



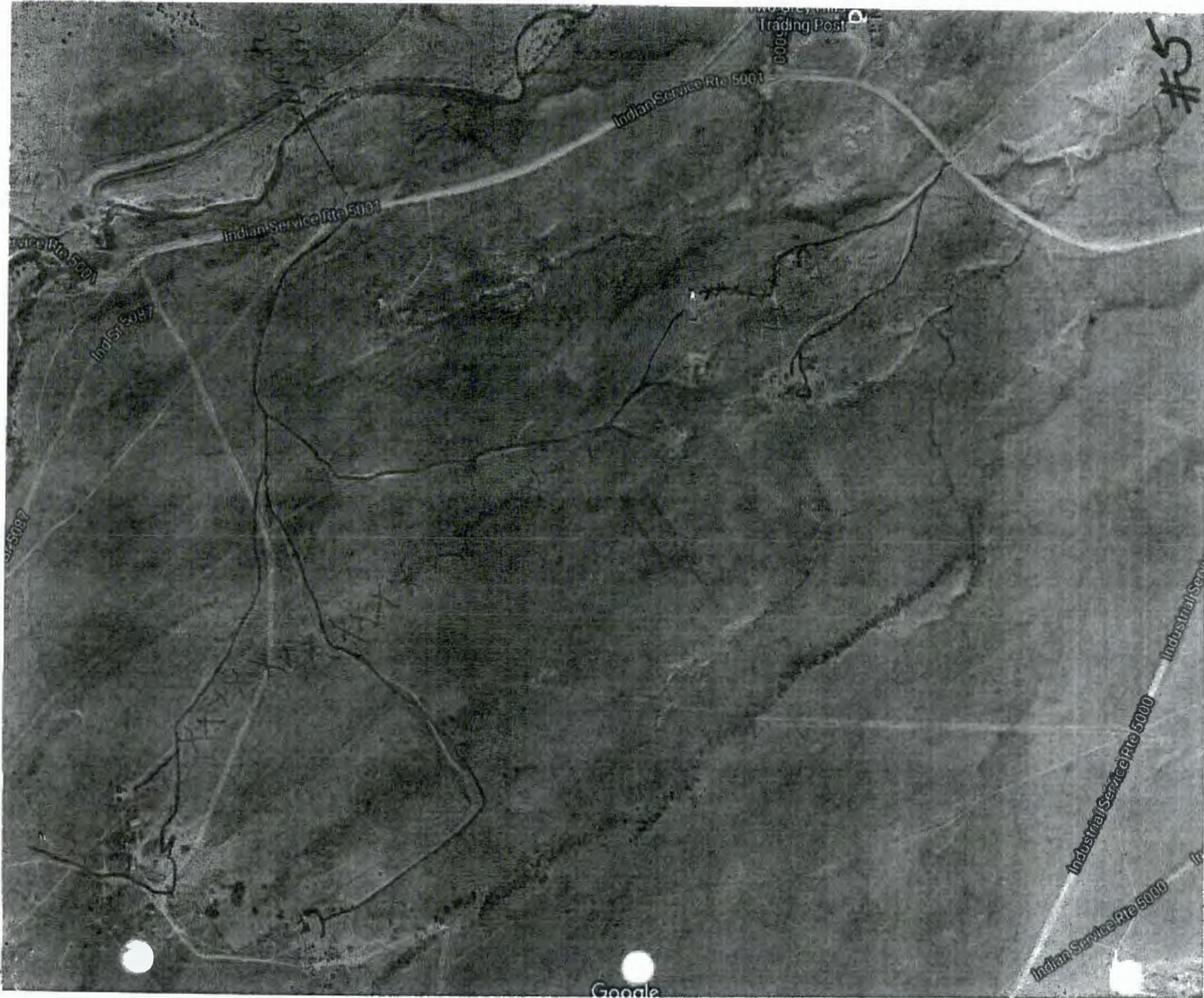


Route  
5012

N5001 - Near Hunts and Begay

#4





NSN - Lapahie's to Yazue's, Begay's, Shorty's, etc.

Ref. 5204



TOADLENA/TWO GREY HILLS CHAPTER  
5212 LOW WATER CROSSING MEETING

MARCH 15, 2017

9:00 AM

AGENDA

1. Welcome Address
2. Invocation
3. 5212 Low Water Crossing Funding:
  - A. Chapter Project
4. N5001 Update Information
5. N19 Right Of Way Fencing
  - A. Funding Allocation
6. Questions and Answer/Discussion
7. Invocation
8. Next Meeting:      Date: \_\_\_\_\_      Time: \_\_\_\_\_

TOADLENA/TWO GREY HILLS CHAPTER  
5212 LOW WATER CROSSING MEETING  
MARCH 15, 2017

MEETING MINUTES

Welcome Address was made by Mr. Stanley Hardy, Chapter President at 9:30 am

Invocation was made by Pastor Laura Washburn, Spritual Hope Penticostal Church

Ms. Amber K. Crotty, Council Delegate stated that one of the main reasons that this meeting was set up was to determine where funding would come from for the cost of obtaining EA's, Assessments, etc. for 5212 Water Crossing Funding Chapter Project. Mr. Leonard Hunt stated that he did not agree with the wording of the Chapter Resolution in which four other sites were listed for funding. Mr. Hunt stated that each EA, Assessment, etc. would cost an estimated \$8,000.00. Mr. Hunt stated that he was informed by Mr. Larry Ute Joe, NDOT Planner that funding could be obtained from the chapter under the Capital Improvement Project Fund. Mr. Hunt was informed that the chapter does have funding for chapter projects however, a budget transfer would have to be made for these funds to be utilized as they are in-kind contribution for state Capital Outlay Projects. Mr. Larry Ute Joe made a recommendation that only N5212 would be funded at this time and the remaining three locations would be placed on hold and grant funding requested. Mr. Anderson Blatchford, SR BIA DOT stated that as his program is transitioning over to NDOT; there are presently no funding that can be utilized. Upon completion of discussion, it was the consensus of the community members that this project funding would be placed on the Chapter Meeting Agenda on April 09, 2017. We would continue to work on this project together (Chapter, NDOT and BIA DOT).

Ms. Amber K Crotty, Council Delegate gave a summary on the N5001 Pavement Project. She informed that community that the project is still on the FY2018 Project Listing. Mr. Blatchford stated that the Designs are at 75% complete and there are presently no changes for this project. If anything should come up, he would be in contact with the Chapter.

N19 Right Of Way Fencing reported Mr. Stanley Hardy is attached to the N5001 Project. Funding is to come from the BIA DOT Safety Project Funds and installation is to be done by the contractor awarded the 5001 Paving Project. As is also stated in this project, a new updated resoluton needs to be submitted and a traffice accident report for N19. The chapter is encouraged to continue to do follow-up and to provide any new information.

Questions and Answer/Discussion

Next Meeting:      Date:\_\_\_April 19. 2017\_\_\_      Time: \_\_9:30 AM\_\_\_

Meeting was adjourned at 12:45 pm.



TWO Grey Hills Chapter  
Low Water Crossing Mt  
3/15/17

- 1 ~~Sam Hunt~~
- 2 Fred Curley
- 3 Letitia Curley
- 4 ~~Sam Curley~~ davidcurley.tgh@gmail.com
- 5 David Washburn
- 6 Sam Washburn
- 7 Stephen Hight
- 8 ~~David Hight~~ - Row Fence
- 9 Mike Hunt
- 10 Larry Joe - Navajo DOT
- 11 Amber Kanazbah Crotty
- 12 Anderson Blatchford - BIA Shiprock DOT
- 13 Lm Johnson, CMgr TDA/TAT





## TOADLENA / TWO GREY HILLS CHAPTER

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### RESOLUTION

TDLA/TGH-16-01-10-04

RECOMMENDING TO THE NAVAJO NATION COUNCIL'S RESOURCE & DEVELOPMENT COMMITTEE TO MODIFY THE TOADLENA/TWO GREY HILLS CHAPTER ROAD MAINTENANCE LIST BY ADDING NAVAJO ROUTE 5212, 1.0 MILE AND NAVAJO ROUTE 1995, 1.0 MILE AND PRIORITIZE THE FOLLOWING ROADS UNDER THE FEDERAL HIGHWAY TRIBAL TRANSPORTATION ROAD AND THE BUREAU OF INDIAN AFFAIRS (BIA) TRIBAL ROAD INVENTORY PROGRAM

#### WHEREAS:

- 1) The Toadlena/Two Grey Hills Chapter is a duly Certified Chapter Government of the Navajo Nation with delegated authority to adopt ordinance and to adopt plans on matter of local concern in the best interest of its local community membership; and,
- 2) Pursuant to 26 NNC Section 1 (b) Toadlena/Two Grey Hills Chapter is vested with the authority to review all matter affecting the community and make appropriate correction when necessary and make recommendation to the Navajo Nation and other local Agencies for appropriate action; and,
- 3) The Navajo Division of Transportation under the guideline and planning program of the Federal Highway Tribal Transportation Road Program and the BIA Road Inventory Program support the effort of upgrading all Bus Routes as high priority and improving public transportation concern for safety and reliable mobility for the people; and,
- 4) The Toadlena/Two Grey Hills Chapter recognize the severity for road improvement and maintenance in the community and has selected, prioritized and amend the road maintenance & improvement plan for the listed Bus Route and Public Roads; and,

#### A. Bus Route Road Maintenance

Navajo Route 5001	8.8 Mile
Navajo Route 5087	1.9 Mile
Navajo Route 5212	1.0 Mile
Navajo Route 1995 NS205	1.0 Mile
N192	3.9
TOTAL	11.7
	12.7 Miles

- 5) Requesting the Navajo Division of Transportation under the Federal Highway Tribal Transportation Road Program and the BIA Road Inventory Guideline to amend the road improvement plan and secure funding for the above reference road priority project.

Stanley Hardy  
President



Andrew Deschenie  
Vice-President



Lolita Spencer  
Secretary / Treasurer



Derry Lewis  
Grazing Officer



Amber K. Crotty  
Council Delegate



- 6) The amended change is to add Navajo Route 5212 for 1.0 Mile and the remaining 1.0 Mile to Navajo Route 1995, totaling 2.0 Mile; Navajo Route 192 is now under the Toadlena/Two Grey Hills Chapter and included in its Infrastructure Capital Improvement Plan with the State of New Mexico.
- 7) The Toadlena/Two Grey Hills Chapter is requesting for proper project clearance documents in obtaining the proper construction road maintenance easement for the purpose of constructing an engineered grade and drain access with a bridge that will be used safely used and crossed for reasons stated.

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

- 1) The Toadlena/Two Grey Hills Chapter is Recommending to the Navajo Nation Council Resource & Development Committee to Modify the Toadlena/Two Grey Hills Chapter Road Maintenance List by Adding Navajo Route 5212 1.0 Mile and Navajo Route 1995 1.0 Mile and Prioritize the Following Roads under the Federal Highway Tribal Transportation Road and The Bureau of Indian Affairs (BIA) Tribal Roads Inventory Program.

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

We, hereby certify that the foregoing resolution was duly considered by the Toadlena/Two Grey Hills Chapter at a duly-called meeting in Toadlena/Two Grey Hills, Navajo Nation (New Mexico) at which a quorum was present and that same was passed by a vote of 25 in favor, 0 oppose and 1 abstained on this 10th day of January, 2016.

Motion By: Leonard Hunt

Second By: Anderson Brown

Stanley Hardy  
Stanley Hardy, Chapter President

Andrew Deschenie  
Andrew Deschenie, Chapter Vice-President

Lolita Spencer  
Lolita Spencer, Chapter Secretary/Treasurer

Derry Lewis  
Derry Lewis, Chapter Grazing Official





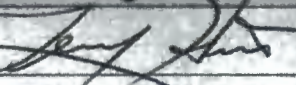
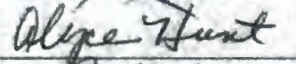
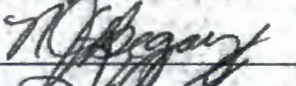
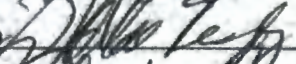
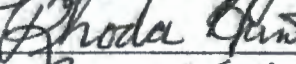
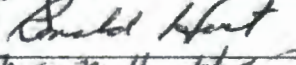

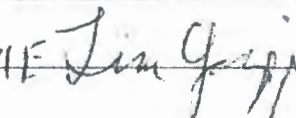


# Petition to Construction Grade and Drain Roadway

## Citizens living in the Grey Mesa Area

### Two Grey Hills Chapter

<b>Petition summary and background</b>	Residents living in the Grey Mesa area located within the Two Grey Hills Chapter District are requesting a support resolution from the Chapter leaders and community members in helping the residents living in the Grey Mesa area who daily use Tribal Route (TR) 5212 that crosses an arroyo called Owl Springs Wash. Since that Navajo Nation is in the process or have taking over the roads maintenance and construction programs from the Navajo Region Bureau of Indian Affairs Division of Transportation, we transmit this petition requesting the Navajo Nation Department of Transportation (NNDOT) to place a drainage or bridge structure on TR 5212 that crosses the Owl Springs Wash. This access will require NNDOT and Two Grey Hills Chapter in obtaining the necessary clearance documents (i.e., right-of-way (ROW) or construction easement, 401/404 Water Quality permits, Biological Consultation, etc.) for TR 5212 drainage structure location. This unimproved earth road connects with BIA Route N5001 near road station 720+00. BIA road project N5001 is scheduled for new grade and drain road construction in FY2017. In addition, we are requesting NNDOT to add this route 5212 to their road maintenance grading services.
<b>Action petitioned for</b>	We, the undersigned, who are concerned citizens and members of the Navajo Tribal Nation are urging our Chapter Officials to help us accomplish the tasks of acquiring the proper project clearance documents in obtaining the proper construction road maintenance easements for the purpose of constructing an engineered grade and drain access with a bridge so that we, the citizens and residents, will be able to safely used and cross the arroyo for reasons stated in the attached justification.

Print Name	Signature	Address	Census No.	Date
Leonard Hunt		Po Box 7317 Newcomb, NM 87455	22205	1/5/16
Alyce Hunt		" "	41931	1-5-16
Norma J. Begay		PO Box 7705 Newcomb NM 87455	123-910	1-05-16
Wallace Begay		" "	95403	1-05-16
Rhoda Hunt		Box 7317 Newcomb, N.M.	110540	1/5/16
Ronald Hunt		" "	110,541	1/05/16
Mary M. Hunt		POA PO Box 7317 Newcomb, NM 87455	25032	1/1/16
TIM YAZZIE		Box 8009 NEWCOMB NM	202373	1/1/16



[illegible]



## **BACKGROUND INFORMATION:**

Grey Mesa community is located about 1.5 miles west of the Two Grey Hills Chapter and south of BIA route N5001. The residents/citizens use N5001 daily to get to their homes. They have been crossing an arroyo called the Owl Springs Wash for four generations. Upstream of this wash comprises of hundreds of other smaller to moderate size tributaries that begins from the peaks of the Chuska Mountains and converge at a crossing (Coordinates N36°13'52.2"/W108°49'14.7") that we the residents use daily. Consequently, when heavy summer rains and spring snow melts we encounter extreme muddy conditions that make it impassable at times. There are no other suitable safe crossings for the local residents and other users. Other larger arroyos exist on either side of the community making it difficult to cross after each flooding occurrences. We have witness the water levels reaching heights/depths of 6 feet or more, leaving debris, rocks, silts and saturated muddy conditions. It takes about two to three days before conditions become safer for repair work. The citizens have been sharing duties in repairing TR 5212 themselves using their own tractor equipment.

## **JUSTIFICATION:**

This road is essential for our everyday livelihood. There are elderly people living in this area needing daily medical attention and home care services.

Organizations providing homecare, utility work/repairs, emergency vehicles (ambulances) use this dirt road extensively, not to mention the local residents getting groceries, laundry, mail, replenishing their wood supplies, etc.

## **LOCATION MAP:**

See attached Map.

## **CONTACT INFORMATION:**

*Mr. Leonard Hunt, Lead Citizen – Telephone No. (928) 245-9373*

*Email: chato99ajl@yahoo.com*





Exhibit K

**Toadlena/Two Grey Hills Chapter**

• Post Office Box 7894 Newcomb, New Mexico 87455 • Telephone (505) 789-3100: Facsimile: (505) 789-3101 •

**BUDGET TRANSFER REQUEST**March 31, 2017

Date

TO: Chapter OfficialsFROM: Linda M. Johnson, Chapter Manager24 - NN Supplemental**TRANSFER REQUESTED**

FROM OBJECT ACCOUNT	AMOUNT	INTO OBJECT ACCOUNT	AMOUNT
6809 - Powerline	\$8,000.00	6603 - Other Professional Fee	\$8,000.00
<b>TOTAL:</b>	<b>\$8,000.00</b>	<b>TOTAL:</b>	<b>\$8,000.00</b>

**JUSTIFICATION: (Must be Detailed and Complete)**To pay for public access road arch clearance, etc for RD 9666, connecting N5001 (9665) to N 5087 (9667).

(Use reverse side of sheet - if necessary)

**Resolution No. and Date Approved:** \_\_\_\_\_

CHAPTER MANAGER \_\_\_\_\_

Date \_\_\_\_\_

CHAPTER SECRETARY/TREASURER \_\_\_\_\_

Date \_\_\_\_\_

**(REQUIRES OVERSIGHT APPROVAL):**\_\_\_\_\_  
CHAPTER PRESIDENT\_\_\_\_\_  
DATE





**iiná bá, Inc.**

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION

N5001

January 6, 2017

Mr. Leonard Hunt

**RE: Proposal for Environmental Assessment**  
Low-Water Crossings  
Region of Toadlena and Two Grey Hills Chapters  
Navajo Indian Reservation  
San Juan County New Mexico

Dear Mr. Hunt:

**iiná bá, Inc. (iiná bá)** is hereby submitting the following Cost Proposal regarding the performance of an Environmental Assessment (EA) for the above-referenced project. This Cost Proposal has been prepared in response to your request in person made on this day, January 6, 2017.

#### **Project Understanding**

We understand the following with regards to the proposed project:

- There are at least three (3) low-water crossings concerning various washes that cross one (1) or more roadways within the subject area that are impassible following storm events based on their current construction or design;
- It is the intent of the project to obtain the necessary environmental clearances that would allow the design and construction of improved low-water crossings that would allow year-round use regardless of weather conditions.

#### **Summary of Proposed Services**

##### **Environmental Assessment**

- Conduct an Environmental Assessment (EA) for each of the subject crossings to determine if the proposed actions (improvement) will have a "significant impact" on the environment;
- The subject EA will include an archaeological investigation (historical records review and on-site pedestrian survey) of the proposed project area, with the issuance of a compliance determination from the Navajo Nation Historic Preservation Department (NNHPD);

*Maintaining Harmony Between Man and His Environment*

iiná bá, Inc. 4801 N. Butler Ave. suite 1101 Farmington, NM 87401 PO Box 2606 Farmington, NM 87499  
Phone: (505) 327-1072 Fax: (505) 327-1517

[www.iinabainc.com](http://www.iinabainc.com)





**iiná bá, Inc.**

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION

- The subject EA will include a threatened & endangered (T&E) species determination by a qualified biologist in compliance with the Navajo Department of Fish and Wildlife (NDFW); and,
- Preparation of an Environmental Assessment (EA) Report summarizing the results of the archaeological and biological assessments, as well as the remaining environmental topics of concern required for a National Environmental Policy Act (NEPA) document.

### **Project Assumptions**

- The low-water crossings will be the focus of the proposed project improvements and that any improvements regarding the access road leading to or away from the crossing are already covered by an existing Maintenance Agreement and will not be included in the subject work; and,
- Each of the three (3) low-water crossings will be a separate project for budgetary purposes. However, a cost savings with regards to the proposed services can be realized if all three (3) of the locations are addressed at the same time.

### **Schedule for Completion**

#### **Environmental Assessment**

It is estimated that field data collection for this project can be initiated within one (1) week of receipt of the Notice to Proceed (NTP) and a signed Navajo Nation Contract or Purchase Order equivalent. The archaeological and biological/environmental evaluation of the proposed area can be completed in one (1) day of field data collection each. The preparation of an EA Report can be completed within three (3) weeks from the completion of all field data collection. Upon receipt of the NTP, *iiná bá* believes that the completion of this effort can be performed within 30 calendar days. It has been assumed that the performance of the biological clearance assessment will not be delayed due to special considerations given to the "season" with regards to any species that may or may not be "in season" at the time the NTP is granted.

However, it should be noted that the timeframe for the NHPD to issue a Cultural Resource Inventory (CRI) Compliance Form can and has taken as many as 90 calendar days to receive from the date of report submittal. The estimated project completion timeframe above only represents the actual data collection and EA reporting period for the project and not final "clearance" or agency approval (*e.g.*, Findings of No Significant Impact - FONSI).

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[www.iinaba.com](http://www.iinaba.com)





***iiná bá, Inc.***

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION

**Total Cost Breakdown**

***iiná bá*** has estimated the cost to perform the above-referenced. A breakdown of the fees for the service is summarized below. The Lump Sum costs include applicable Navajo Nation taxes and New Mexico Gross Receipts taxes. A detailed cost breakdown is attached to this proposal.

Task	Lump Sum Fee
Environmental Assessment	\$7,660.35
<b>Project Total</b>	<b>\$7,660.35</b>

**Closing**

***iiná bá, Inc.*** appreciates the opportunity to provide this proposal for environmental services. If you have any questions or comments concerning this proposal, feel free to call John R. Isham, CPG, or me at (505) 327-1072.

Respectfully submitted,

***iiná bá, Inc***

Duane M. Aspaas  
President - Owner

Attachment: Detailed Cost Breakdown

***Maintaining Harmony Between Man and His Environment***

***iiná bá, Inc.*** 4801 N. Butler Ave. suite 1101 Farmington, NM 87401 PO Box 2606 Farmington, NM 87499  
Phone: (505) 327-1072 Fax: (505) 327-1517

www.iinabainc.com



**Bid Summary: Leonard Hunt Low Water Crossing EA**

**LABOR**

	<b>OPERATION</b>	<b># OF UNITS</b>	<b>TOTAL</b>
1	Environmental Report Preparation**	1	\$761.00
2	Mobilization/Travel*	1	\$259.00
3	Project Management and Administration**	1	\$302.00
4	Site Screening/Evaluation*	1	\$86.00
	<b>TOTAL LABOR</b>		<b>\$1,408.00</b>

**MATERIALS**

	<b>MATERIAL</b>	<b># OF UNITS</b>	<b>TOTAL</b>
1	2004 Chev Silverado 3500 (day)*	1	\$75.00
2	Vehicle Mileage (mile)*	150	\$93.00
	<b>TOTAL MATERIALS</b>		<b>\$168.00</b>

**SUBCONTRACTORS**

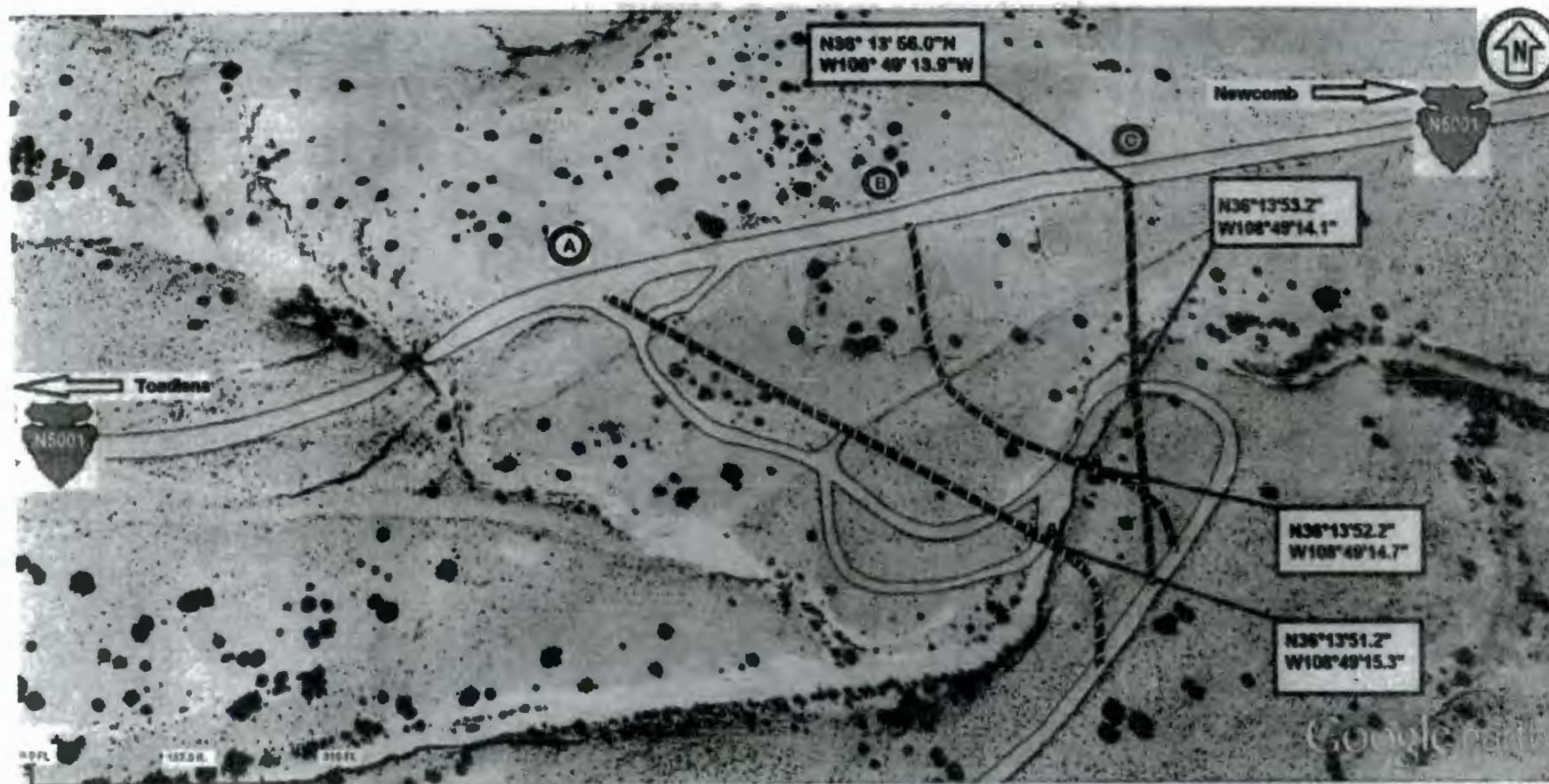
	<b>SUBCONTRACTOR NAME</b>	<b>TOTAL</b>
1	Dinetahdoo CRM*	\$3,163.00
2	Dodge Environmental LLC*	\$2,530.00
	<b>TOTAL SUBCONTRACTORS</b>	<b>\$5,693.00</b>

<b>TOTAL BEFORE TAXES</b>	<b>\$7,269.00</b>
<b>NAVAJO NATION TAX (5.0 %)</b>	<b>\$310.30</b>
<b>NEW MEXICO GROSS RECEIPTS TAX (7.6250%)</b>	<b>\$81.05</b>
<b>GRAND TOTAL</b>	<b>\$7,660.35 per crossing</b>

\*Navajo Nation taxable item.

\*\*New Mexico Gross Receipts taxable item.

\*\*\*Please keep in mind that there would be a cost savings per crossing study if performed at the same time as field costs would be less if all studies were performed for each crossing during the same mobilization.\*\*\*



# **BIA ROUTE N-5001**

## **SECTION 13**

**Township 23 North, Range 19 West  
N/W, N/E**



**DOI, Bureau of Indian Affairs  
Shiprock Agency  
Division of Transportation  
P.O. Box 3538  
Shiprock, New Mexico 87420**

**Phone (505) 368-3341  
FAX (505) 368-3348**



### NDOT Maintenance Schedule

[illegible]

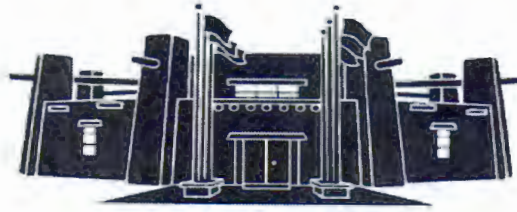


### NDOT Maintenance Schedule

Hogback/ Newcomb/ Burnham/ Nenahnezad/ Upper Fruitland  
Shiprock

[illegible]





**MEMORANDUM**

TO: Honorable Amber Crotty  
Sheep Springs, Toadlena/Two Grey Hills, Tsé Alnáozt'i'i, Red Valley, Cove,  
Beclabito, Gadii'áhi/Tokoi Chapters

FROM: Mariana Kahn  
Mariana Kahn, Attorney  
Office of Legislative Counsel

DATE: August 24, 2017

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT  
COMMITTEE, APPROVING THE ADDITION OF A N5212 LOW WATER  
CROSSING PROJECT IN TOADLENA/TWO GREY HILLS CHAPTER TO  
THE NAVAJO NATION TRIBAL TRANSPORTATION IMPROVEMENT  
PROGRAM

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

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

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0377-17\_\_\_\_\_ SPONSOR: Amber Crotty

**TITLE: An Act Relating to Resources and Development Committee, Approving the Addition of a N5212 Low Water Crossing Project in Toadlena/ Two Grey Hills Chapter to the Navajo Nation Tribal Transportation Improvement Program)**

***Date posted:*** September 15, 2017 at 6:05pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590

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

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



**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0377-17**

**SPONSOR: Honorable Amber Crotty**

**TITLE: An Act Relating to Resources and Development Committee, Approving the Addition of a N5212 Low Water Crossing Project in Toadlena/ Two Grey Hills Chapter to the Navajo Nation Tribal Transportation Improvement Program)**

**Posted: September 15, 2017 at 6:05 PM**

**5 DAY Comment Period Ended: September 20, 2017**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Inclusive Comments</b>	<i>None</i>



**Policy Analyst  
Office of Legislative Services**

**09-21-17 @ 10:00 AM**

**Date/Time**

**RESOURCES AND DEVELOPMENT COMMITTEE**

**Regular Meeting –  
February 21, 2018**

**ROLL CALL  
VOTE TALLY SHEET:**

**Legislation # 0377-17:** An Action Relating to Resources And Development Committee, Approving the Addition of N5212 Low Water Crossing Project in Toadlena/Two Grey Hills Chapter to the Navajo Nation Tribal Transportation Improvement Program. *Sponsor: Honorable Amber K. Crotty*

**MOTION TO DELETE FROM AGENDA: (At request of Sponsor)**

**M:** Jonathan Perry                      **S:** Walter Phelps                      **V:** 3-0-1 (VCNV)

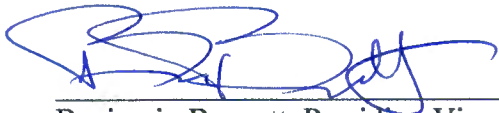
**ROLL CALL VOTE TALLY:**

**YEAS:** Jonathan Perry; Leonard Pete and Walter Phelps

**NAYS:** NONE

**NOT VOTING:** Benjamin Bennett (Presiding)

**EXCUSED:** Davis Filfred and Alton Joe Shepherd



Benjamin Bennett, Presiding Vice-Chairman  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Resources and Development Committee