



23rd NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Jonathan L Hale, Primary
Sponsor of proposed legislation hereby withdraw my
sponsorship of the proposed legislation. The legislation
tracking number is 0098-15

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

* original exhibits given to sponsor given by UBarbano.

SPONSOR SIGNATURE:

Jonathan L Hale

DATE:

June 23, 2015

LEGISLATIVE SUMMARY SHEET

Tracking No. 0098-15

DATE: March 20, 2015

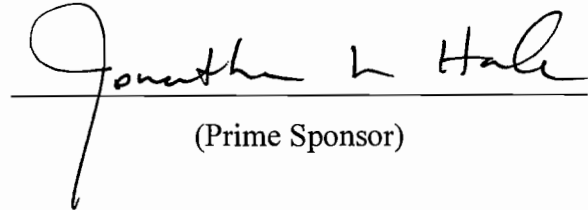
TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION ELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE LAND WITHDRAWAL OF 6.573 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LAND FOR THE BUREAU OF INDIAN AFFAIRS (BIA) FIRE AND AVIATION MANAGEMENT WITHIN THE EXISTING FENCED WINDOW ROCK AIRPORT IN WINDOW ROCK, NAVAJO NATION (APACHE COUNTY, ARIZONA)

PURPOSE: Approving the Land Withdrawal of 6.573 acres of Navajo Nation Trust Land for Bureau of Indian Affairs Fire and Aviation Management within the fenced Window Rock Airport, Window Rock, Navajo Nation (Apache County, Arizona).

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.

PROPOSED STANDING COMMITTEE RESOLUTION
23ND NAVAJO NATION COUNCIL -- First Year, 2015

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0098-15

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING THE LAND WITHDRAWAL OF 6.573 ACRES, MORE OR LESS, OF
NAVAJO NATION TRUST LAND FOR THE BUREAU OF INDIAN AFFAIRS
(BIA) FIRE AND AVIATION MANAGEMENT WITHIN THE EXISTING FENCED
WINDOW ROCK AIRPORT IN WINDOW ROCK, NAVAJO NATION (APACHE
COUNTY, ARIZONA)

BE IT ENACTED:

Section One. Findings

- A. Pursuant to 2 N.N.C. §500, the Resources and Development Committee is hereby established as a standing committee of the Navajo Nation Council; and.
- B. Pursuant to 2 N.N.C. §501 B 2 (a), the Resources and Development Committee grants final approval for all land withdrawals on Navajo Nation lands and unrestricted (fee) land.
- C. The existing Window Rock Airport was administratively established due to the urgent governmental and health need for transportation by the Federal Bureau of Indian Affairs (BIA then Headquarters) at Window Rock, Arizona; and
- D. Pursuant to various Council and sub-Committees of the Navajo Tribal Council the Navajo Nation petitioned the transfer of portions of the Window Rock Airport from the Bureau Indian Affairs but there is no documentation to show if any transfer occurred; and;

- 1 E. Per BIA letter dated November 20, 2014, attached hereto and incorporated herein as
2 Exhibit "A", the BIA Regional Director clarified and recommended the land
3 withdrawal of 6.573 acres, more or less, of lands within the existing Window Rock
4 Airport to BIA, Navajo Region, Branch of Fire and Aviation Management to
5 develop Air Operations facility/building; and
- 6 F. The St. Michaels Chapter supports and approves the withdrawal of land at the
7 Window Rock Airport for the Helibase Crew of the Navajo Region Air Operation.
8 St. Michaels Chapter Resolution No. 01-12-14-26 is attached as Exhibit "B".
- 9 G. The proposed land withdrawal consists of 6.573 acres, more or less, of Navajo
10 Nation Trust Lands located in Section 17, Township 26 North, Range 31 East,
11 G&SRM, Navajo Nation (Apache County, Arizona). The location is more
12 particularly described on the survey map attached hereto as Exhibit "C"; and.
- 13 H. The Navajo Land Department Project Review Section has determined that there are
14 no grazing permittees because the 6.573 acres tract is located within the existing the
15 fenced Window Rock airport area through Memorandum dated 10/8/14 from Mr.
16 Joseph Berardesco, Navajo Nation Air Transportation Director to Mr. Mike Halona,
17 Program Manager III, Navajo Land Department. Mr. Berardesco recommended that
18 the BIA have a permanent fixture within the Window Rock Airport for the dispatch
19 of firefighting aircraft. Memorandum attached hereto as Exhibit "D"; and.
- 20 I. All environmental and archaeological surveys and studies have been previously
21 completed and attached hereto and incorporated herein by this reference. Exhibit
22 "E" A Finding of No Significant Impact (FONSI) and Exhibit "F" the
23 Environmental Assessment

24
25 **Section Two. Approval:**

26 The Resources and Development Committee of the Navajo Nation Council hereby
27 approves the land withdrawal of 6.573 acres, more or less, of Navajo Nation Trust
28 Lands located within the (unwithdrawn) Window Rock Airport for the Bureau of
29 Indian Affairs (BIA) Fire and Aviation Management, Apache County, Navajo
30

1 Nation (Arizona). The location is more particularly described on the survey map
2 attached hereto as Exhibit "C".
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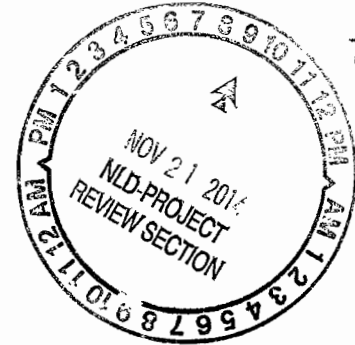
United States Department of the Interior

Bureau of Indian Affairs
Navajo Region
P. O. Box 1060
Gallup, New Mexico 87305



IN REPLY REFER TO:
Fire Management - 443

NOV 20 2014



Honorable Ben Shelly

President, The Navajo Nation

Attention: Mr. Mike Halona, Director, Office of Navajo Land Department

Dear President Shelly:

This is in response to Mr. Howard Draper's, Navajo Nation Land Department, discrepancy findings in our initial Land Withdrawal request package of October 3, 2014. Mr. Draper's review of the land withdrawal request disclosed that there is a difference in the amount of acreage being requested by the Bureau of Indian Affairs (BIA), Navajo Region, Branch of Fire and Aviation, as the supporting Resolution indicates 10.00 acres and the October 6th letter indicates 7 acres.

The BIA, Navajo Region, Branch of Fire and Aviation, has reviewed the matter and provides clarification that the land withdrawal request is for 6.573 acres, more or less, of Tribal Trust lands in Window Rock, Arizona. The 6.573 acres, more or less, will accommodate the BIA's proposed construction of a new Air Operations facility/building. Also enclosed is a copy of the certified legal description, dated 7/2/14, for the 6.573 acres, more or less.

The BIA, Navajo Region, Branch of Fire and Aviation Program, respectfully requests the approval of a land withdrawal for the BIA for 6.573 acres, more or less, of Tribal Trust lands within the existing Navajo Nation, Window Rock Airport land, in Window Rock, Arizona.

If you have any questions and /or require additional data, please contact Dale Glenmore, Fire Management Officer, at (928) 729-7392, or Dannel Begay, Helicopter Manager, at (928) 729-7380.

Sincerely,

/s/ Sharon A. Pinto

Regional Director, Navajo

Enclosures

cc: Region Fire Management Officer
Helicopter Manager
Region Real Estate Services Officer



Curran Hannon, President
Alfred Mike, Sr., Vice-President
Gloria Smiley,
Secretary/Treasurer
Jonathan Hale, Council Delegate
Joseph Peshlakai, Grazing Official

Ben Shelly, Navajo Nation President

Rex Lee Jim, Navajo Nation Vice President

**RESOLUTION OF THE
ST. MICHAELS CHAPTER
No. 01-12-14-26**

Supporting and Approving the Amendment for 10 Acres Withdrawal to the Existing Window Rock Airport Facility Pad for Helibase Crew that serves the Navajo Region Air Operation as well as Interagency Personnel who helps the Navajo Region During Wildland Fire Suppression

WHEREAS:

1. Pursuant to Resolution of the Navajo Nation Council, Title 26, Section 3(A), the St. Michaels Chapter is a duly certified Chapter of the Navajo Nation Government; and
2. Pursuant to Resolution of the Navajo Nation Council, Title 26, Section 1(B), the St. Michaels Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions; and
3. The Bureau of Indian Affairs helibase is located next to Window Rock Airport Facility that is use by the Navajo Region Air Operation personnel as well as interagency personnel who helps the Navajo Regional during wildland fire suppression; and
4. The helitack crews are trained and advanced in the fields of aviation, fire suppression, fire attack and all helicopter operations adheres to the standards, policies, and safety procedures; and
5. The Bureau of Indian Affairs, Fire Management Program has been protecting the Navajo Nation's natural resources throughout 17 million acres of the Navajo Reservation and had an average of 150.0 plus flight hours for many years in consistent with the Exclusive Use Helicopter Contracts; and
6. St. Michaels Chapter community supports the Bureau of Indian Affairs, Fire Management Program that is vitality of the community to provide rapid response emergency service to the community.

NOW, THEREFORE; BE IT RESOLVED THAT:

1. The St. Michaels Chapter hereby supports and approves the amendment to withdraw 10 acres tract at the Window Rock Airport Facility Pad for Helibase Crew of the Navajo Region Air Operation as well as interagency personnel who helps the Navajo Region during wildland fire suppression which is in the best interest of the Navajo Nation.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the St. Michaels Chapter at a duly called Chapter Meeting at St. Michaels, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 64 in favor, 0 opposed, and 11 abstained this 12th day of January 2014.

Motion by: Larry Skeet

Second by: GuyAnna Jim

Received

JAN 15 2014

**BIA, BRANCH OF FIRE
& AVIATION MANAGEMENT**



Curran Hannon, Chapter President
St. Michaels Chapter

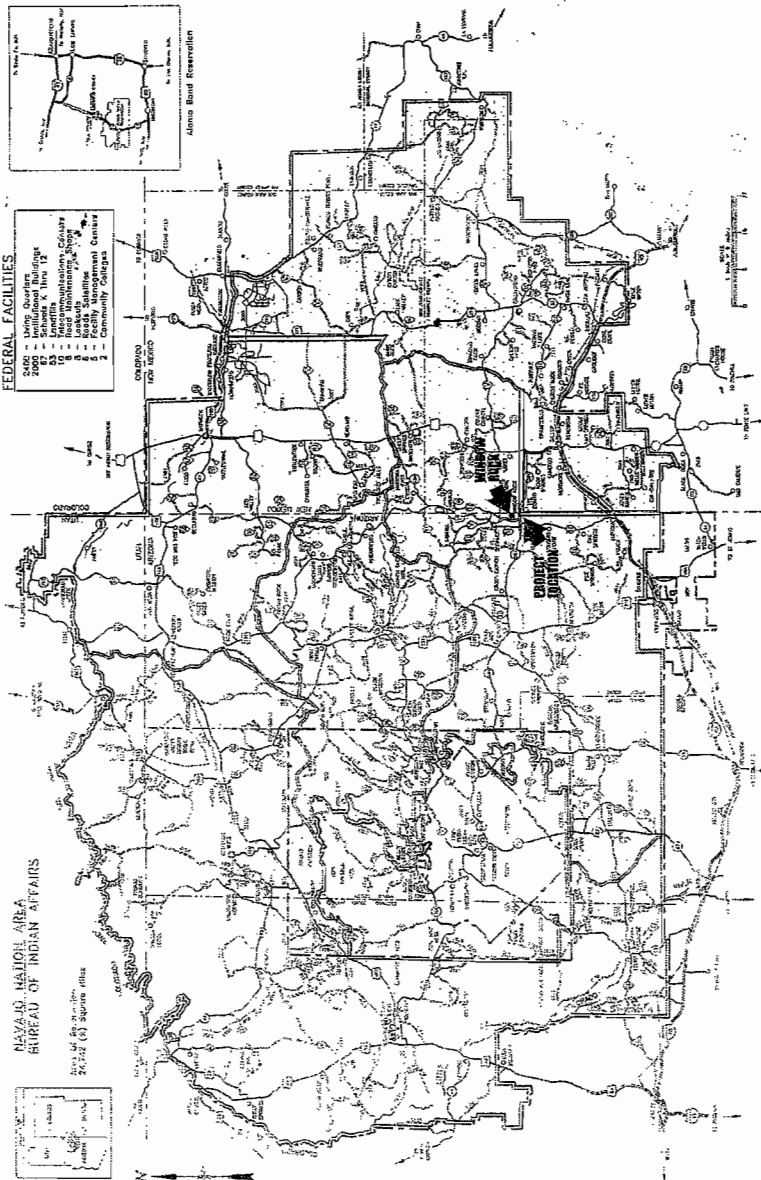
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JAN 21 2014

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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS-NAVAJO REGIONAL OFFICE
WINDOW ROCK HELLIPORT AT WINDOW ROCK, ARIZONA

SHEET INDEX	
SHT. NO.	TITLE OF DRAWING
1 of 2	COVER SHEET AND LOCATION MAP OF WINDOW ROCK AREA
2 of 2	FLOOR PLAN AND DETAILS

[illegible]

FOUND SURVEY MONUMENTS

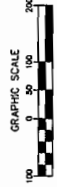
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X1001	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1002	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1003	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1004	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1005	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1006	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1007	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1008	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1009	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1010	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1011	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
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X1014	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1015	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1016	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1017	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1018	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1019	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1020	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT

FOUNDSET SURVEY CONTROL

POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
X1001	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
X1002	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT
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X1020	168944.297	102042.147	6763.5	FOUND SURVEY MONUMENT

LEGEND FOR SURVEY DATA

- FOUND CONTROL MONUMENT AS NOTED
- FOUND MONUMENT AS NOTED
- APPROXIMATE CONTROL
- SET 1/2" REBAR W/ALUMINUM CAP "ALS 1982"
- CALCULATED
- MEASURED
- REFERENCES
- SECTION LINE
- ROW LINE
- BOUNDARY LINE
- TEE LINE



DETAIL OF PARCEL B - N.T.S.

LINE	BEARING	DISTANCE	CHORD BEARING	CHORD LENGTH
L1	N 65° 47' 47" W	21.00	N 71° 12' 52" E	34.87
L2	S 89° 52' 52" E	20.00	S 89° 52' 52" E	20.00
L3	S 89° 52' 52" E	20.00	S 89° 52' 52" E	20.00
L4	N 87° 42' 42" E	13.50	N 87° 42' 42" E	13.50
L5	N 47° 50' 50" E	13.74	N 47° 50' 50" E	13.74
L6	S 47° 51' 02" E	25.00	S 47° 51' 02" E	25.00
L7	S 47° 51' 02" E	25.00	S 47° 51' 02" E	25.00
L8	N 55° 54' 44" W	21.00	N 55° 54' 44" W	21.00
L9	S 33° 14' 38" W	1.76	S 33° 14' 38" W	1.76

PARCEL A & B - COORDINATE TABLE

POINT	NORTHING	EASTING	DESCRIPTION
X1001	168944.297	102042.147	FOUND SURVEY MONUMENT
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X1019	168944.297	102042.147	FOUND SURVEY MONUMENT
X1020	168944.297	102042.147	FOUND SURVEY MONUMENT

HEREBY CERTIFY THAT THE SURVEY SHOWN ON THIS DRAWING WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ARE CORRECTLY DESCRIBED. I FURTHER CERTIFY THAT THIS DRAWING WAS PREPARED UNDER MY DIRECTION.

MICHAEL F. YORK, RLS
REGISTERED LAND SURVEYOR
ALS NUMBER 19882

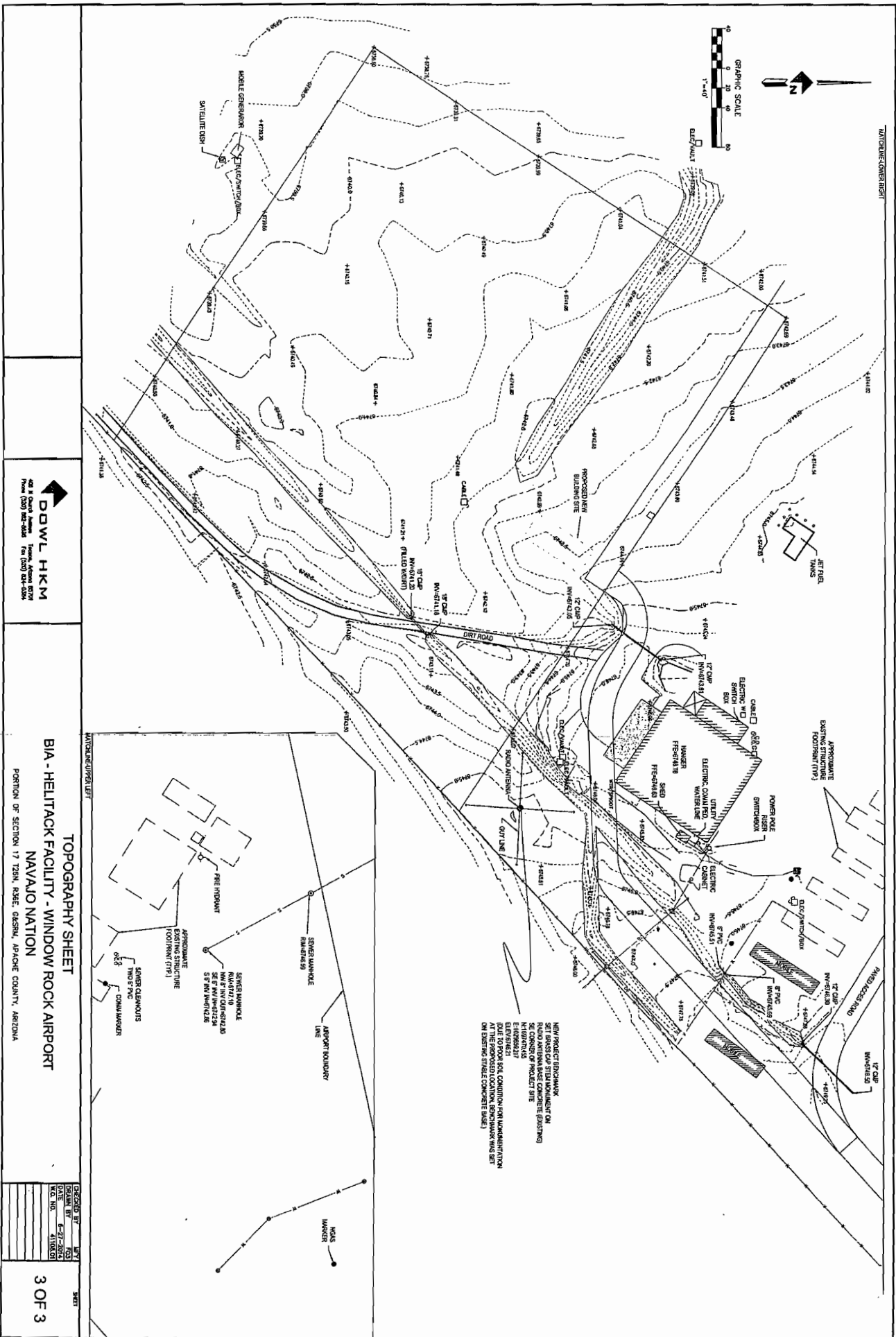


DOWL HKM
Surveying & Mapping
408 E. Church Avenue
Tucson, Arizona 85701
Phone (520) 282-3844 Fax (520) 282-3844

BOUNDARY SHEET

BIA - HELITACK FACILITY - WINDOW ROCK AIRPORT
NAVAJO NATION
PORTION OF SECTION 17 T26N, R36E, G4S4M, APACHE COUNTY, ARIZONA

CHECKED BY: [Signature]
DRAWN BY: [Signature]
DATE: 8-27-2014
ALS NO.: 110000



DOWL HKM
 420 N. Duane Avenue, Tucson, Arizona 85704
 Phone (520) 882-0400 Fax (520) 882-0384

TOPOGRAPHY SHEET
BIA - HELITACK FACILITY - WINDOW ROCK AIRPORT
NAVAJO NATION
 PORTION OF SECTION 17 T28N, R34E, G4S1W, APACHE COUNTY, ARIZONA

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
IN CHARGE	DATE
NO. 1	4/10/07
NO. 2	
NO. 3	
NO. 4	
NO. 5	
NO. 6	
NO. 7	
NO. 8	
NO. 9	
NO. 10	



THE NAVAJO NATION

P.O. BOX 706 • WINDOW ROCK, AZ 86515 • TEL: (928) 871-6466 • FAX: (928) 871-6484




BEN SHELLY
PRESIDENT

REX LEE JIM
VICE-PRESIDENT

MEMORANDUM

TO : Mike Halona, Program Manager III
Navajo Land Department

FROM : 
Joseph Berardesco, Air Transportation Director
Air Transportation Department
Division of General Services

DATE : October 8, 2014

SUBJECT : FIRE BASE



This memorandum is in reference to the Bureau of Indian Affairs (BIA) helicopter firefighting base which will be located at the Window Rock Airport (RQE). The addition of this state of the art BIA fire base to the airport community will enhance safety to the entire Navajo Nation. This base will allow BIA to have a permanent fixture for the dispatch of firefighting aircraft to combat wild fires in the local area. I can assure you that the location of the base will not interfere with any operations being conducted at the airport. Navajo Air Transportation welcomes this fire base and will assist in any way possible to ensure the success of this endeavor.

If you need further information about this matter, you may call our office at 928-871-6466. Thank you.



United States Department of the Interior

Bureau of Indian Affairs
Navajo Region
P. O. Box 1060
Gallup, New Mexico 87305



MC 620: Division of Environmental, Cultural & Safety Management

MAY 15 2014

MEMORANDUM

To: Regional Fire Management Officer

From: *JK* NEPA Coordinator

Through: Regional Environmental Scientist

Subject: FONSI-Navajo Helibase Facility

EA-14-047

The Environmental Assessment (EA), EA-14-047, received on April 23, 2014 for the Bureau of Indian Affairs, Branch of Fire Management, proposed Navajo Helibase Facility on 7 acres of Navajo Tribal Trust land located within the Window Rock Airport Compound, Apache County, Window Rock, Arizona has been reviewed in the Division of Environmental, Cultural and Safety Management, Navajo Regional Office. A permanent helibase facility will be constructed, with two helipads and parking lot within the existing Window Rock Airport Compound. A Finding of No Significant Impact (FONSI) has been determined for the proposed action. It will not have a significant impact on the quality of the natural and human environment. An environmental impact statement for the proposed project is not required.

If you have questions, you may contact Ms. Harrilene J. Yazzie, Regional NEPA Coordinator, at (505) 863-8287.

Attachment

Received

MAY 16 2014

BIA, BRANCH OF FIRE
& AVIATION MANAGEMENT



IN REPLY REFER TO:
Fire Management - 443

United States Department of the Interior

Bureau of Indian Affairs

Navajo Region

P. O. Box 1060

Gallup, New Mexico 87305



OCT 3 2014

Honorable Ben Shelly

President, The Navajo Nation

Attention: Mr. Mike Halona, Director
Office of Navajo Land Department

Dear President Shelly:

The Bureau of Indian Affairs (BIA), Navajo Region, Branch of Fire and Aviation Management Program, Fort Defiance, AZ., respectfully requests the Navajo Nation for the final approval of 7.0 acres of land on Navajo Trust lands within the existing Navajo Nation, Window Rock Airport, Window Rock, Arizona.

The BIA, Branch of Fire and Aviation Management, has awarded the contract for the new construction for the new Air Operations facility/building. The proposed new facility will assist the BIA in meeting our mission to protect and prevent unnecessary damage to the Nation's natural resources caused by wildland fire, and to accommodate the BIA Aviation personnel in support of the Bureau's helicopter contract. Reference for final document is enclosed copies of the Amendment Resolution of the St. Michaels Chapter, No. 01-12-14-26, dated January 12, 2014.

Enclosed are Environmental Assessment, Finding of No Significant Impact (FONSI), and the Land Survey documents in support of the 7.0 acres of land for the BIA Navajo Region Air Operations. Feasible studies were conducted on the site that was consisted of archeological and historical clearances, legal and topographic surveys, biological surveys, geotechnical soil boring investigations, hydrology assessments, site accessibility, utility assessments, environmental assessments, contaminants survey, and flood hazard assessments.

If you have any questions please contact Mr. Dale Glenmore, Fire Management Officer, at (928) 729-7392 or Mr. Dannell Begay, Helicopter Manager at (928) 729-7380.

Sincerely,

Regional Director, Navajo Region

Enclosures

Environmental Assessment



Navajo Helibase Facility

**Window Rock,
Apache County,
Arizona**



Prepared for:

United States Department of the Interior
Bureau of Indian Affairs
Navajo Regional Office
Branch of Fire Management
P.O. Box 1060
Gallup, NM 87305

Prepared by:

Dominick Chicharello
Regional Prescribed Fire/ Fuels Specialist
P.O. Box 1060
Mail Drop 443
Gallup, NM 87305-1060
(928) 729-7385

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 - 1. Project Location Map
 - 2. Project Map in relation Window Rock, AZ. N.M. Quadrangle
 - 3. Natural Resource Conservation Web Soil Survey Map
- B. St. Michaels Chapter Resolution No. 01-12-14-26
- C.
 - 1. Correspondence to Navajo Nation requesting 10 acre Land Withdrawal for Helibase.
 - 2. Correspondence to Navajo Regional Office for Permission of Withdrawal for Helibase
- D.
 - 1. Navajo Nation Heritage Program Species Request
 - 2. Biological Resource Compliance Form No. NNDFW Review No. 13BIAA-02
- E. Cultural Resource Compliance Form No. NNHPD No. HPD-93-450
- F. Fort Defiance Area, Parts of Apache and Navajo Counties, Arizona and McKinley Counties, New Mexico. Soil 90- Querencia and Gish soils explanation.

Chapter 1: Introduction

The Bureau of Indian Affairs (BIA), Navajo Regional Office (NRO), Branch of Fire Management (BOFM) proposes to construct a permanent Helibase facility. The BIA-NRO-BOFM oversees the trust responsibility of wild land fire suppression with the utilization of a helicopter for fire suppression activities on 17 million acres within the Navajo Reservation for the Navajo Tribe. The Navajo reservation averages 150 fire starts throughout the year from both natural and human causes. Utilizing a helicopter drastically decreases the response time to locate fires and deliver resources to ensure that small fires do not develop into large catastrophic wildfires during the initial burn period which would compromise firefighter and public safety, loss of property, and threaten natural resources for the Navajo tribe.

Helicopters are utilized to support fire suppression activities by transporting fire personnel and equipment, for operational reconnaissance and mapping fire boundaries, and also to provide water support in the form of "bucket drops". BOFM solicits an exclusive use contract for a helicopter during the peak of the fire season of May to August to support the Navajo reservation as well as surrounding agencies when needed within the Flagstaff Dispatch Zone. Through the dispatch zone, the helicopter may be assigned anywhere in the western United States, when available. Historically, BOFM has solicited yearly contracts for leasing a trailer to house the helitack personnel. Constructing a new Helibase facility would provide a permanent safe and secure base for the personnel, helicopter pilots and crew.

Chapter 2: Purpose and Need for Action

The National Aviation Plan (NAP) was revised in 2009 to support policy, organization, and procedures for the BIA Aviation Program. The mission requirements include support of wildland fire and prescribed fire operations. The purpose of the proposed action is to construct, operate and maintain a permanent Helibase facility under Chapter 9.1 "Permanent Air Bases", 9.2 "Construction and Maintenance" and 9.3 "Safety" of the NAP. The need of the proposed action is established by the BIA-NRO-BOFM trust responsibilities outlined under the Forestry Management Plan, Fire Management Plan, and CFR25 Section 163.21 "Fire Protective Measures".

Chapter 3: Alternatives

3.1 No Action Alternative:

Under the No Action alternative no new Helibase facility would be constructed. The aviation program would remain at the Window Rock Airport in a leased trailer. The contract would have to be awarded on a yearly basis through the BIA contracting office.

3.1 Proposed Alternative:

The proposed alternative is to construct, operate and maintain a permanent Helibase facility, which would include an office building, two helipads, and an appropriate parking area to comply with safety regulations outlined in DOI manuals, guides, handbooks, and the Occupational Safety and Health Act (OSHA). The Helibase facility would be constructed on approximately 7 acres of Navajo Tribal Trust Land within the Window Rock Airport compound. The proposed alternative will utilize existing utilities and improvement of existing roads. The project duration of construction will be 4-5 months. Fire Management will acquire a land withdrawal, rights-of-way (ROW), and utility service agreements for the project.

The building site will be graded to remove all vegetation and provide positive drainage around the outer perimeter of the approximate 7 acres. The main access drive will be approximately 600 linear feet of standard curb and gutter, grade and drain, 6" base course and 4" inch asphalt. Traffic control signs will be posted to meet Federal Highway Administration requirements. No borrow material will be necessary and all gravel, concrete, and asphalt will come from pre-existing local sources.

Utilities (power, water system, and natural gas) will be provided through existing Navajo Tribal Utilities Authority (NTUA) sources and will be connected to existing airport facilities. 3-phase electrical power will be provided through buried underground conduit. The connection for water distribution for fire protection and domestic use will be located on the east side of the office building. The underground sewer collection system will be on the west side of the building. Natural gas will be provided by an underground distribution system. Buried Telephone lines will be proved by Frontier Communications. All appropriate permits will be obtained prior to construction of the Helibase facility.

The building site would require additional site work to include a 7500 square feet asphalt parking lot to be located on the east and west side of the building. One fire hydrant will be installed. A side walk will be installed around the entire building (or through the main entrance) to allow handicap access to the building. Drainage from the building and parking lot will be made to conform to the natural drainage away from the facility; a driveway with a slope apron will be installed.

Two 400 square feet each landing pads will be located 100 feet away from the main fence line that surrounds the Window Rock Airport and 100 feet away from the main Helibase office building. Helicopter fueling vehicles will be driven directly to the landing pad(s). A gravel driveway will be placed from the landing site to the parking site. No permanent above ground storage tanks and/or fueling facility will be on site. Other than routine garbage disposal, no solid waste will generated as a result of the project.

Chapter 4: Affected Environment

4.1 Geographic Location:

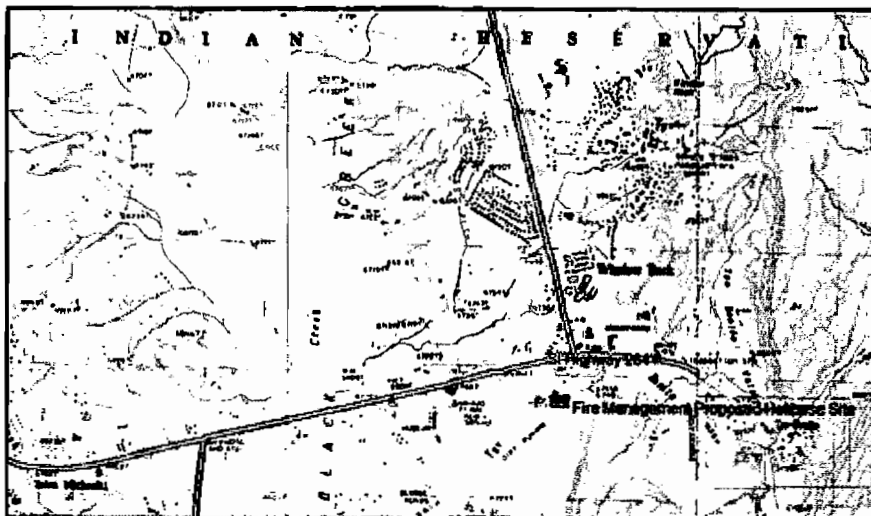


Figure 1. Navajo Helibase location.

County, AZ and encompasses the following USGS 7.5' topographical maps; Window Rock, AZ- N. Mex.

The project area is located within the boundaries of the St. Michaels Chapter south of Window Rock; AZ. The project area is in Township 17 North, Range 31 East, Section 17, Gila and Salt River Base and Meridian. The approximate coordinates for the proposed site are N 35° 39' 33" and W 109° 03' 27", NAD27. The project will take place within Apache

4.2 Topography

The project area is located on the South side of Tse Bonito Wash, on the eastern edge of a broad alluvial valley at an elevation of 6,750 feet above sea level. The project lies on the western base of cliff formations that are unnamed and have no significant interest. Approximately nine miles to the west is the Defiance Plateau. The project site is located on a western aspect at approximately 1 to 2 percent slope.

The elevation and general location of the project site is characterized as being situated within a desert and shrub habitat association. Wind has played a substantial role in shaping the land. Dust and sandstorms carry silt particles and sweep sand grains before them, using them to abrade rock surfaces. Often the wind cleans away fine particles from adjacent locations and deposits those particles into dunes.

4.3 Climate

Reference: Natural Resource Conservation Services Database

Temperatures are moderate and typically range from sub-zero to 90° F with an annual mean of 50° F to 53° F. There is a large diurnal temperature variance due to the arid climate and the location of the project area being at the base of a broad alluvial valley. The frost free season is approximately 4 to 5 months long. Annual precipitation associated with the area is approximately 10 – 14 inches. Winds are strongest during the spring months with winds prevailing from the southwest. (USDA, NRCS)

4.4 Soils

Reference: Natural Resource Conservation Services Database

The alluvial valley associated with the project area consists of a Querencia and Gish soils with a typical profile of silt loam to fine sandy loam. The parent material is of a stream alluvium derived from sandstone and shale. The properties and qualities include the following; well drained, capacity to transmit water is moderately high, the depth to water table is more 80 inches, the frequency of flooding and ponding is rare, available water capacity is high. (USDA, NRCS)

4.5 Hydrology

References: Natural Resource Conservation Services Database, USGS Flood Information Resources Database, Navajo Fire Management Plan EA

There is no above ground surface water in the vicinity of the project area. Tse Bonito Wash flows from east to west approximately 500 feet north of the project area. Water flow occurs on an annual basis as a result of spring snow runoff and during the monsoon season from approximately late July to early September. There are no documented wetlands, watersheds, and/or floodplains associated with the project.

4.6 Air Quality

Reference: Navajo Nation Environmental Protection Agency Database

The Navajo Nation Environmental Protection Agency (NNEPA) utilizes the US Environmental Protection Agency (USEPA) standards to track Air Quality Indexes (AQI). The AQI for the Window Rock area is below 50 and is considered "good". The average value throughout the year ranges from 22 to 35. The only known recent recorded value above 50 occurred in the year 2011 during September (55) and October (59). These values indicate a "moderate" level, which is "acceptable" and only a small number of individuals will have any concern to their respiratory system. (NNEPA) Facilities which may emit large amounts of pollutants that may interfere with the AQI are not located within the vicinity of the project area.

4.7 Vegetation

References: Natural Resource Conservation Services Database, Cultural Resources Inventory of Window Rock Airport, Navajo Fire Management Plan EA

The project area is situated in a Great Basin Desert Scrub vegetation type. Big sagebrush (*Artemisia tridentata*), shadscale (*Atriplex confertifolia*), greasewood (*Sarcobatus vermiculatus*), and fourwing saltbush are the major species with shadscale being the most diagnostic of this type. Other plants that have been identified within the project area include; foxtail grass (*Setaria italic*), bee plant (*Cleome lutea*). Russian thistle (*Salsola kali*) is the only documented invasive species for the project area.

4.8 Wildlife

Reference: Navajo Department of Fish and Wildlife Natural Heritage Database and Species Accounts

Wildlife species occurring in the proposed project include a wide variety of large and small mammals, birds, and reptiles, and invertebrates. Fire Management received a list of federally and/or tribally threatened and endangered species (as well as species of concern) compiled from the Navajo Nation Heritage Program (NNHP) database on July 30, 2012. See table 1. The following species have the potential to occur within and/or adjacent to the Project based on the appropriate USGS 7.5- minute quadrangle map (Window Rock, Arizona, New Mexico). A Biological Evaluation is on file with BOFM.

Table 1. Navajo Helibase facility Project species list.

Common Name	Scientific Name	Species Status
Golden eagle	<i>Aquila chrysaetos</i>	NESL group 3; MBTA
Peregrine Falcon	<i>Falco peregrinus</i>	NESL group 4; MBTA
Parish's Alkali Grass	<i>Puccinellie parishii</i>	NESL group 4

Note: Navajo Endangered Species List (NESL), Migratory Bird Treaty Act (MBTA)

4.9 Historical/Archeological Resources

References: A Cultural Resources Inventory of Window Rock Airport, Navajo Fire Management Plan EA

Past cultural occurrences associated with the project area may have begun with people as early as the Paleo- Indian Culture. This period dates from as early as 9000 B.C. and ends about 5500 B.C. The Archaic period began in the Southwest approximately 5500 B.C. and lasted until about 100 A.D. These time periods are characterized as hunting large mammals such as mammoths and bison and utilizing wild plants in the Paleo- Indian culture and having climatic change in the Archaic Culture encouraging the utilization of smaller mammals and more wild plants.

The project area also exhibits traces of the Basketmaker II A.D. 100- 500, and Basketmaker III A.D. 500- 750 periods which are demonstrated by sedentary sites and village types of societies. The evolution of utilizing framed structures and pithouse villages, and reliance on agriculture are traits of these period types.

Five distinct periods of the Anasazi Culture started around A.D. 750 to approximately A.D. present. These periods exhibit the utilization of above ground dwellings constructed from sandstone and masonry. During this time period social habitation included the integration of art, politics, trade, and the evolution practices in religion with the arrival of Spaniards.

The earliest period of Navajo occupation is referred to as the Dinétah Phase (A.D. 1,450-1,630) and are characterized by brush structures, forked-pole hogans, or both, light ceramic and lithic artifact scatters, and hearths (Brown and Hancock 1992).

4.10 Socioeconomic Conditions *References: Chapter Images: 2004, Profiles of 110 Navajo Nation Chapters, Navajo Fire Management Plan EA,*

The St. Michaels and Window Rock areas are of high urban development value to the tribe as Window Rock is the Navajo Nation Capital. Infrastructure within this area includes tribal and federal government facilities, hospitals and clinics, education facilities that include grade school to high schools and various higher education branches, churches, commercial establishments such as service stations, restaurants, hotels, and arts and crafts shops.

The St. Michaels chapter has an estimated land base of approximately 75,553 acres. According to the 2000 census, the St. Michaels chapter has 5,867 enrolled tribal members. The total individuals employed as of 2004 were 2,164 with an unemployment rate of 14.9%. The poverty status for the chapter includes 24.4% of families living in poverty and 23.8% of total individuals living in poverty. Given the location of the chapter and the total number of individuals, the unemployment and poverty rates are quite high compared to other chapters of similar size and location.

4.11 Resource Use Patterns *References: Chapter Images: 2004, Profiles of 110 Navajo Nation Chapters, Navajo Fire Management Plan EA, A Cultural Resources Inventory of Window Rock Airport*

The most prevalent resource use patterns associated with project site include dry farming of corn and various vegetables. Navajos consider several factors for planting their stable crops, some of which are based on cultural beliefs and values. The average growing season for crops is approximately 130 to 160 days out of the year. There are several dry farming seed crops that are not readily available as they are from the Canyon D Chelly and San Juan River areas.

In an effort to decrease overgrazing the federal government, through the Bureau of Indian Affairs, established grazing units throughout the reservation. St. Michael's chapter falls within Land Management District 18. Designated administrators monitor grazing activities and make recommendations to the tribal council through elected chapter officials.

4.12 Noise

The proposed project is located in an area that is relatively noisy. The project area is located in an urban developed area and is located within an established airport. Vehicle travel through the area includes all-terrain vehicles (ATV), passenger cars and pickup trucks, semi-trucks, school buses, transit buses, heavy machinery for road maintenance, and farm equipment.

The Window Rock airport receives airplane traffic throughout the year for tourism, transporting officials to and from surrounding areas, athletic events, medical transport, and search and rescue.

Chapter 5: Environmental Consequences

5.1 Geographic Location:

Neither alternative has the potential to affect the geographic location.

5.2 Topography

Neither alternative has the potential to affect the topography.

5.3 Climate

Neither alternative has the potential to affect climate.

5.4 Soils

A. No Action Alternative

The No Action Alternative does not have the potential to appreciably affect soils.

B. Proposed Alternative

The proposed alternative would affect soils throughout the direct project area as all soils will be cleared of vegetation, compacted and either paved over or constructed upon. Effects to soils outside the project footprint should be minimized by proper drainage development from engineering and structures. Of major direct impacts to the soil for the area is value to farming and grazing. Animals are not allowed to graze within the airport as it is a hazard to aircraft and farmland classification for the soil is characterized as “not prime farmland” (USDA, NRCS).

5.5 Hydrology

A. No Action Alternative

The No Action Alternative does not have the potential to appreciably affect surface or groundwater.

B. Proposed Alternative

The proposed alternative would affect surface hydrology. Compaction, paving, and building construction would increase runoff since there is no water holding capacity. The presence of vehicles, aircraft, and fire suppression equipment may cause petroleum products, lubricants, and surfactants to become concentrated in runoff from the facility. The depth to the water table is approximately seven feet indicating that there would be no effects to groundwater.

5.6 Air Quality

Fire Management has utilized the Window Rock Airport to house the helicopter and personnel since 2009. In analyzing the NNEPA Air Quality Indexes (AQI) from 2009 to 2011 there have been no instances of a reading over 50 during the summer months which indicates that AQI remains good throughout the peak of the fire season when utilizing the helicopter at its' peak.

During the construction phase there may be times when dust may affect air quality for local individuals who may suffer from respiratory illnesses and visual effects. Occupational Safety and Health Administration (OSHA) regulations standards 29 CFR, PART 1926, title Safety and Health Regulations for Construction, Subpart T Occupational Health and Environmental Controls- Gases, vapors, dusts, and mists states "Exposure of employees to inhalation... or contact with any material or substance at a concentration above those specified in the Threshold Limit Values of Airborne Contaminants for 1970... shall be avoided". "To achieve compliance... controls must be implemented when feasible". The most feasible and practical measure is to manually dust the construction area with water trucks to saturate the dust as to not inhale and visually impair employees.

5.7 Vegetation

A. No Action Alternative

The No Action Alternative does not have the potential to appreciably affect vegetation.

B. Proposed Alternative

Vegetation would be directly affected by the proposed alternative during the construction phase. All vegetation would be removed from the site permanently. Limited placing of ornamental shrubs and trees may occur in parking lots and other public areas and will not be allowed within the flight pad areas for hazards to aircraft.

5.8 Wildlife

A Biological Evaluation, *BIA Air Operations Building Construction*, was prepared for the following raptor species golden eagle and peregrine falcon with respect to the migratory bird treaty act. The concern pertains to nesting habitat to the east and southeast of the project area. Findings of the Biological Evaluation for the listed species indicate "no adequate nesting habitat" and "no effects" to wildlife species.

Biological Resource Compliance Form Number-NNDFW Review No. 13BIAA-02 is provided in Appendix D.

5.9 Historical/Archeological Resource

The Navajo Historic Preservation Department conducted an archeological survey under report, *A Cultural Resources Inventory of Window Rock Airport*, number NNAD 93-153, and findings for the area include 2 two cultural sites which the project will not be effecting. The sites are not within the project boundary.

Cultural Resources Compliance Form No. HPD-93-153 is provided in Appendix E.

5.10 Socioeconomic Conditions

A. No Action Alternative

The No Action Alternative may have negative indirect effects to the socioeconomic environment. Without the completion of an adequate facility, the Navajo Regional Office would eventually stand the risk of losing the Helitack program in favor of a location with appropriate facilities.

B. Proposed Alternative

The proposed alternative would have a positive effect on the socioeconomic environment by continuing to supply employment on the reservation and protecting the environment from the risk of catastrophic wildland fires which could result in the loss of life and property and natural resources.

The "Local Governance" Act, 26 N.N.C. Chapter 1 recognizes governance at the local level for the Navajo Tribe. Through adoption of this Act, the Navajo Nation Council delegates' governmental authority with respect to local matters consistent with Navajo law, including custom and tradition to the 110 chapters.

On January 12, 2014 the St. Michaels Chapter passed a vote of 64 in favor, 0 opposed and 11 abstained to resolve discussions associated with the socioeconomic environment and approve the withdrawal of 10 acres to construct a helibase.

St. Michaels Chapter Resolution No. 01-12-14-26 is provided in Appendix B.

5.11 Resource Use Patterns

A. No Action Alternative

The No Action Alternative does not have the potential to appreciably affect current resource patterns.

B. Proposed Alternative

The proposed alternative would exhibit no effects on the resource use patterns of the project area. The area is heavily disturbed by the current Window Rock Airport activities. The construction of the Helibase facility will have very little appreciable effects to the area.

The St. Michaels Chapter has grazing administrators that make recommendations to the tribal council through the elected chapter officials. As an issue that may have potential impacts to the quality of life for members with respect to the project area, analysis of the current grazing practices and discussions for alternatives is consulted by the chapter prior to chapter resolution approval.

Under Resolution No. 01-12-14-26, the St. Michaels Chapter approves and supports the construction of the Helibase facility with consideration given to current land use practices.

5.12 Noise

A. No Action Alternative

The No Action Alternative does not have the potential to appreciably affect the current noise pollution.

B. Proposed Alternative

The proposed alternative would have little impacts to noise pollution. The helicopter would only be operated on the site during takeoff and landing, and only for a few minutes at a time. The Window Rock area is an urban development area and experiences routine construction projects. Given the relatively noisy condition that currently exists at the site the impacts of constructing a Helibase facility would be minimal.

Chapter 6: Mitigation Measures

The construction of the Helibase facility will have no adverse effects to the affected environment. When adverse effects are identified and noted, mitigation measures to reduce or eliminate such effects may be identified where possible. Mitigation measures however may only be relied upon to support a "Finding of No Significant Impact" (FONSI) if they are imposed by statute or regulation, or are an integral part of the action as originally proposed. Other mitigation measures may support a FONSI if they are enforceable.

Chapter 7: Significance of Analysis

Utilizing a helicopter for fire suppression activities drastically decreases the response time to locate fires and deliver resources to ensure that small fires do not develop into large catastrophic wildfires during the initial burn period which would compromise firefighter and public safety, loss of property, and threaten natural resources for the Navajo tribe. Protecting the quality of life for the Navajo Tribe as well as the natural resources exhibits better use of land, creates and encourages a diversified economy relating to the socioeconomic environment.

All other environmental impacts will be negligible or insignificant. No impacts will result in an irreversible or irretrievable commitment of resources, nor will the project result in cumulatively significant impacts. Based on the analysis of potential impacts in this environmental assessment titled "Navajo Helibase Facility", impacts to the quality of the human environment are not expected to be significant upon the approval of their application. Therefore, further environmental analysis and the development of an environmental impact statement and is probably not required and the issuance of a FONSI decision is recommended.

Chapter 8: Coordination

Federal Environmental Statutes and Orders

- National Historic Preservation Act of 1966
- Native American Graves Protection and Repatriation Act of 1990
- Endangered Species Act of 1973
- Migratory Bird Treaty Act
- Eagle Protection Act
- Fish and Wildlife Coordination Act
- Executive Order 12898 of 1994 (Environmental Justice)
- Clean Air Act of 1970
- Clean Water Act of 1977

Navajo Nation Environmental Statutes

- Navajo Chapter resolution approval
- Navajo Endangered Species Act (NESA)
- Navajo Nation Cultural Resources Protection Act (NNCRPA)

Chapter 9: Consultation

Danael Begay -	Forestry Technician (Navajo Region Helicopter Supervisor), Fire Management, Navajo Regional Office (NRO).
Dale Glenmore -	Fire Management Officer, Fire Management, NRO.
Ernie Watson-	Forestry Technician (Communication and Education), Fire Management, NRO.
Harrilene Yazzie-	Regional Environmental Protection Specialist, Division of Environmental, Cultural, and Safety, NRO.
Jacilyn Synder-	Environmental Protection Specialist, Division of Environmental, Cultural, and Safety, NRO.
April Bowman-	Realty Specialist, Real Estate Services, NRO.
Melvin Tsethlikia-	Construction Representative, Facilities Management, NRO.
Pamela Kyselka -	Wildlife Biologist/Environmental Reviewer Navajo Natural Heritage Program, Navajo Fish & Wildlife.
Sonja Detsol -	Wildlife Technician Navajo Natural Heritage Program, Navajo Fish & Wildlife.
Curran Hannon-	Chapter President, St. Michaels Chapter House, Navajo Nation.
Alan Downer -	Former Program Manager, Navajo Historical Preservation Department (NNHD).
Dennis Yazzie -	Archeologist (Forestry/Natural Resource Program), NHPD.
W. Mike Halena-	Departmental Manager III, Navajo Land Department.
Joe Beridisco-	Airport Manager, Window Rock Airport.
Orlando Teller-	Program Manager, Navajo Nation Department of Transportation.

Chapter 10: Literature Cited/ References

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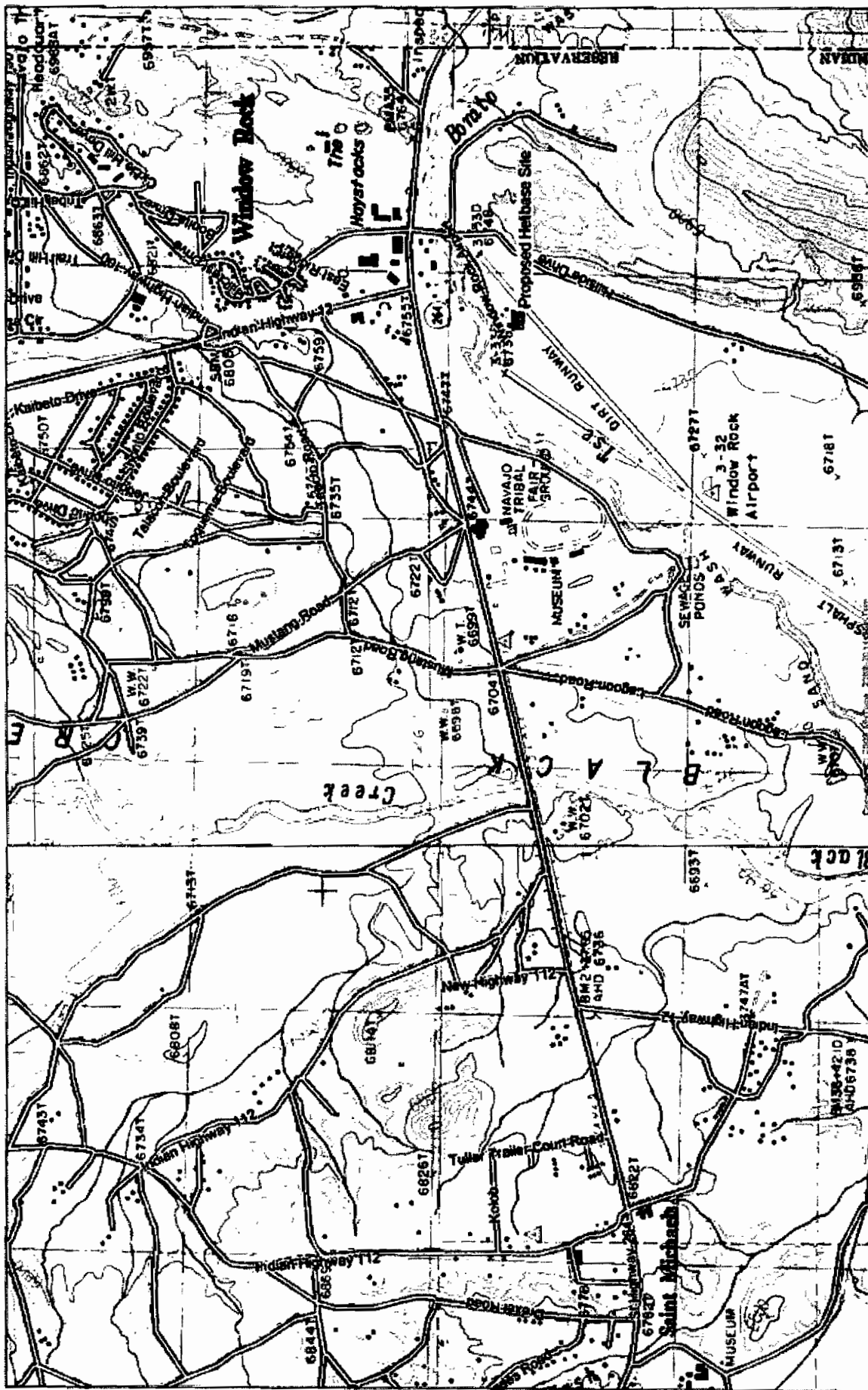
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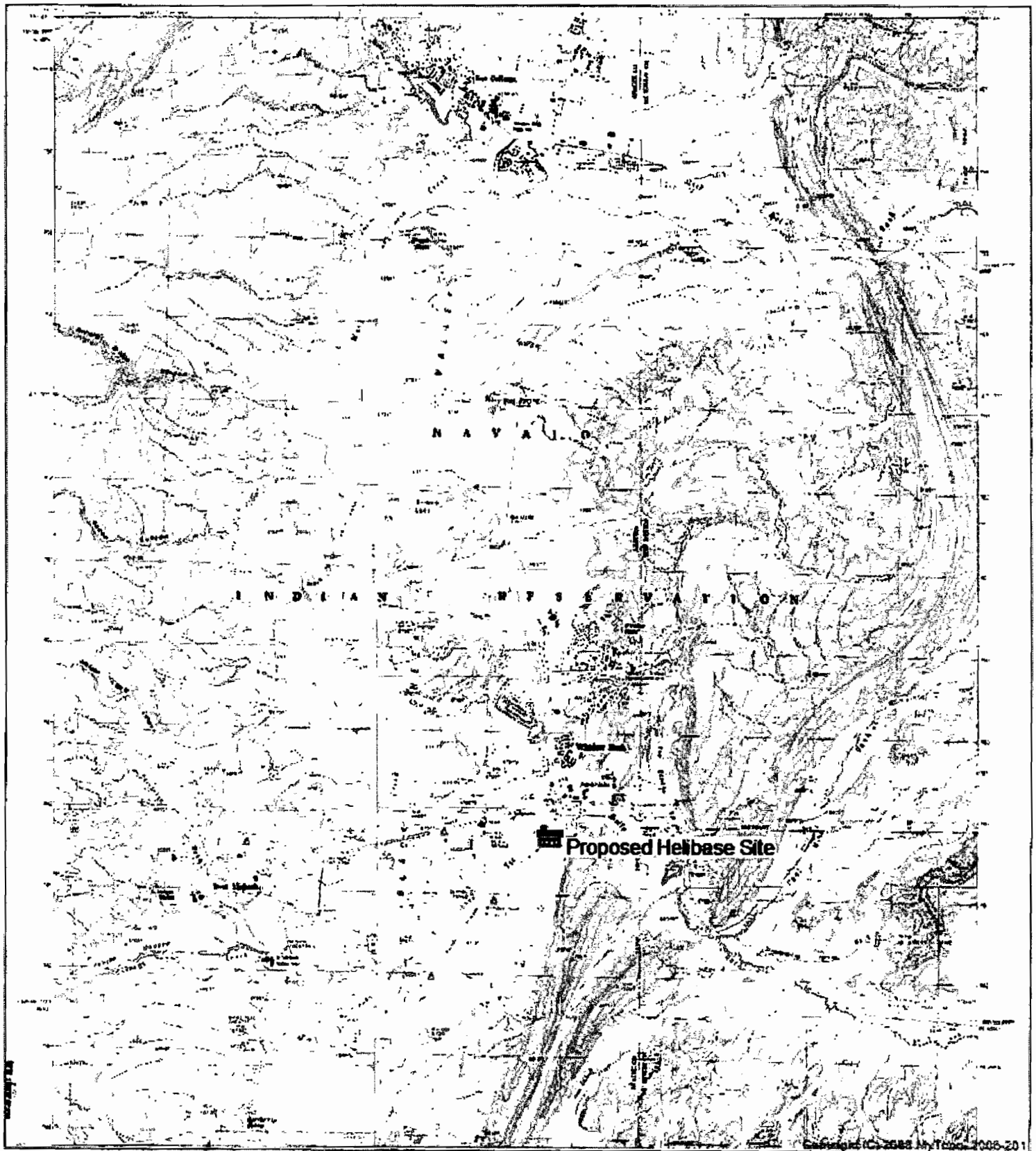
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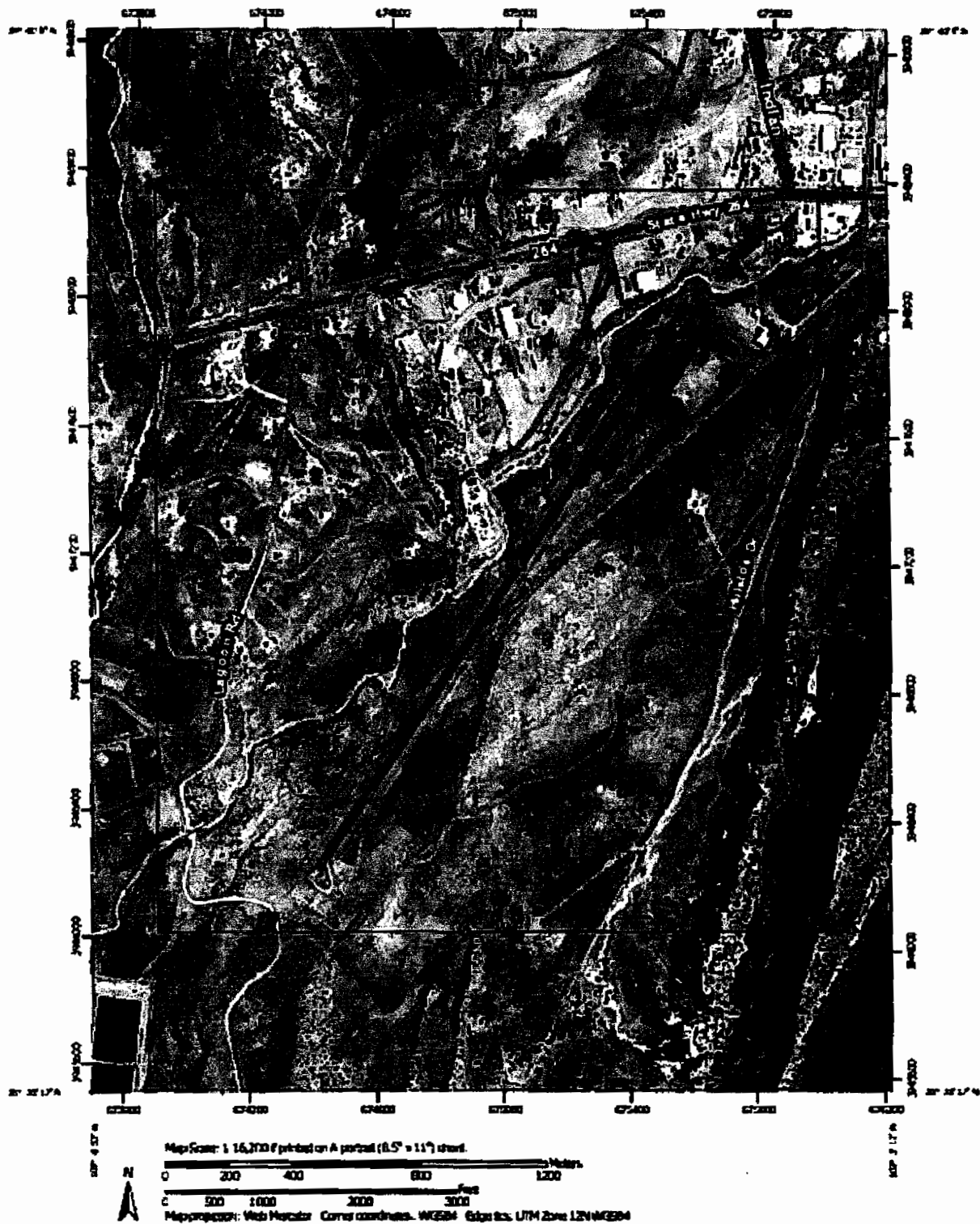


APPENDIX A-1. Navajo Helibase Project Location Map.



APPENDIX A-2. Navajo Helibase Project Map in Relation to Window Rock Quadrangle.

Soil Map—Fort Defiance Area, Parts of Apache and Navajo Counties, Arizona and McKinley and San Juan



USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

4/11/2014
Page 1 of 3



IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Region

P.O. Box 1060

Gallup, New Mexico 87305-1060

K250/Division of Property

JAN 28 2014

Honorable Ben Shelly

President, The Navajo Nation

Attention: Director, Navajo Land Department

Dear President Shelly:

This is a formal request for "Right of Entry" to conduct feasibility assessments of a 10 acre tract of land located on Navajo Tribal Trust lands and within the existing Navajo Nation, Window Rock Airport land tract, in Window Rock, Arizona.

The Bureau of Indian Affairs (BIA), Navajo Region, Branch of Wildland Fire and Aviation, is seeking approximately 10 acres of land for the construction of a new Air Operations facility/building. The proposed new facility will assist the BIA in meeting our mission to protect and prevent unnecessary damage to the Nation's natural resources caused by wildland fire, and to accommodate the BIA aviation personnel in support of the Bureau's helicopter contract. For your reference, enclosed are copies of the Amendment Resolution of the St. Michaels Chapter, No. 01-12-14-26, dated January 12, 2014, in support of the withdrawal of a 10 acre tract of land for the BIA Navajo Region Air Operations, and BIA letter dated February 1, 2010.

Feasibility studies conducted on the site will consist of archeological and historical clearances, legal and topographic surveys, biological surveys, geotechnical soils boring investigations, hydrology assessments, site accessibility, utility assessments, environmental assessments, contaminant survey, and flood hazard assessments.

Therefore, and as the new construction funds for this proposed facility/building is time sensitive and may be lost if not obligated in the Bureau's financial system prior to the end of Fiscal Year 2014, it is requested your response to this request for "Right of Entry" be provided to this Region by February 7, 2014.

If you have any questions and/or require additional data, please contact Fern Becenti, Acting Supply Management Officer, at (505) 863-8223.

Sincerely,

Paul Chamberli
Acting
Regional Director, Navajo

Enclosures

THE NAVAJO NATION



BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

February 11, 2014

Sharon Pinto, Regional Director
Bureau of Indian Affairs
Navajo Region
P.O. Box 1060
Gallup, New Mexico 87305

Dear Ms. Pinto:

The Bureau of Indian Affairs (BIA) Navajo Region, P.O. Box 1060, Gallup, New Mexico 87305-1060, d.b.a. Branch of Wildland Fire and Aviation has requested to conduct a preliminary surface survey on the Navajo Nation Trust Lands for the purpose of preparing archaeological reports, environmental assessment, Navajo ethnographic studies and staking the *proposed new Air Operations facility/building project*. Please refer to the attached letter and map for reference and information.

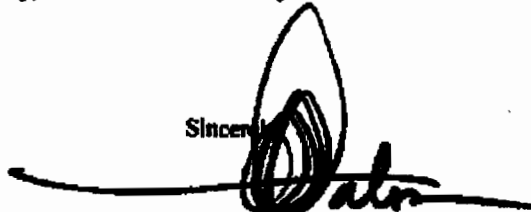
The request for permission to survey for BIA, d.b.a. Branch of Wildland Fire and Aviation is hereby granted, subject to the following terms and conditions:

1. The rights of local Navajo people will be respected and protected.
2. Personnel with the Division of Natural Resources (DNR) will retain the right to monitor the field survey.
3. The field survey will be conducted at your own risk. The Navajo Nation will not be held liable for any personal injury or property damage that might occur during the course of the field survey.
4. Vehicles will be kept on existing roads and trails. Surface disturbance will be kept to an absolute minimum while conducting the field survey.

Letter to Sharon Pinto
February 11, 2014
Page two

5. A complete copy of any reports generated from the field survey will, within one month of its completion, be submitted to Navajo Land Department (NLD) and Minerals Department.
6. Permission to conduct the survey will be for a period of six (6) months.
7. The Permittee will comply with all applicable Tribal and Federal laws and regulations.
8. Approval of right-of-way, business site lease or any actual construction is not implied.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Mike Halona', written over a horizontal line.

W. Mike Halona Department Manager III
Navajo Land Department, DNR

lfpd
ATTACHMENTS
Xc: project file



NAVAJO NATION
Department of Fish & Wildlife
Navajo Natural Heritage Program
P.O. Box 1480
Window Rock, AZ 86515



Phone: 928.871.6472 • Fax: 928.871.7603 • <http://nnhp.nndfw.org>

Ben Kelly, President

Ben Lee Jon, Vice President

30 July 2012

HEP/ISMAA 02

Dominick Chicharello, Regional Fuels Specialist
U.S. Department of the Interior
Bureau of Indian Affairs
Navajo Regional Office
P.O. Box 1060
Gallup, NM 87305-1060

Received

AUG 1, 2012

BIA, BRANCH OF FIRE
& AVIATION MANAGEMENT

NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR:

**PROJECT: PROPOSED INSTALLATION OF A PERMANENT OFFICE STRUCTURE ON THE
WINDOW ROCK AIRPORT COMPOUND
WINDOW ROCK, APACHE COUNTY, AZ**

Mr. Chicharello:

The following information on species of concern¹ is provided in response to your 11 July 2012 request concerning the subject project, which consists of the Bureau of Indian Affairs (BIA), Branch of Fire Management proposed installation of a permanent office structure on the Window Rock Airport Compound, Window Rock, Apache County, AZ. The BIA Air Operations Section will be utilizing the structure to support day to day government aviation missions related to public and fire fighter safety.

Species of concern known to occur on or near the project site(s) include:

1. *Aquila chrysaetos* (Golden Eagle); NESL Group 3; MBTA.
2. *Falco peregrinus* (Peregrine Falcon); NESL group 4; MBTA.

AREA 3: LOW SENSITIVITY WILDLIFE RESOURCES

Potential for *Puccinellia parishi* should be evaluated if wetland conditions exist that contain white alkali crusts.

¹Species of concern include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (NESL), federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate or NESL group 4 status; please be aware of these species during surveys and inform the NFWF of observations. Documentation that these species are more numerous or widespread than currently known, and addressing these species in project planning and management is important for conservation and may contribute to ensuring they will not be uplisted in the future. Species without ESA or NESL legal protection (e.g., NESL group 4 species) are only included in responses on a regular basis and may not be included in this response. Please refer to the NESL for a list of group 4 species; contact me if you need a copy.

**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.: BIA Air Operations Building Construction

DESCRIPTION: The BIA Branch of Fire Management proposes to construct a permanent office building within the Window Rock Airport Compound.

LOCATION: Window Rock Airport Compound, Window Rock, Apache County, Arizona

REPRESENTATIVE: Dominick Chicharello, Navajo Regional Fuels Specialist, BIA Branch of Fire Management

ACTION AGENCY: Bureau of Indian Affairs Navajo Region, Branch of Fire Management

B.R. REPORT TITLE / DATE / PREPARER: BIA Air Operations Building Construction/FEB 2014/Chicharello

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 4.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/12 MAR 2014

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

Received

March 10 2014

**BIA BRANCH OF FIRE
& AVIATION MANAGEMENT**

2 NTC § 164 Recommendation:

Signature

Date

☒ Approval

☐ Conditional Approval (with memo)

☐ Disapproval (with memo)

☐ Categorical Exclusion (with request letter)

☐ None (with memo)

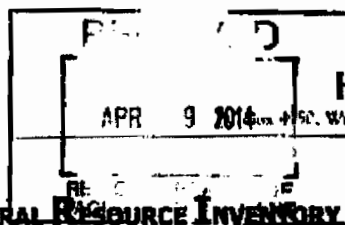
Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife

3/14/14

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

Representative's signature

Date



THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT

Box #50, Window Rock, Arizona 86515 Tel. (928) 871-7148 Fax: (928) 871-7666

CULTURAL RESOURCE INVENTORY DETERMINATION FORM

SPONSOR: Joseph Bitsie, Jr.,
Facility Management Officer

NNHPD NO.: HPD-93-450

ADDRESS: BIA/ Navajo Region - Facility
Management Office

PROJECT NO.: NNAD-93-193 07/AR/2014

PO Box 1060, Gallup, New Mexico 87305

UNDERTAKING: New construction of a Fire Management
Building Office & Utility Line Extensions for NRO-Branch
of Fire Management

REPORT TITLE: A Cultural Resources Inventory of Window Rock Airport

NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT RECOMMENDATIONS:

A Cultural Resources Compliance Form (CRCF) is not included in this "archaeological approval" due to the nature of sensitive cultural resources documented. This in no way affects any authority of the NNHPD-Cultural Resource Compliance Section to issue an "archaeological approval" for this undertaking. A cultural resource inventory survey is not required for the reason(s) indicated below:



The proposed project is located within an area that has been previously inventoried for cultural resources and documented in the NNHPD report listed above. The previous archaeological inventory found that "No Historic Properties will be Affected" within the area of this undertaking. Archaeological approval is hereby granted for the undertaking within the area noted in attachment(s).

Attachment A (Cultural Resources Compliance Form)

Attachment B (Locational Map)

Attachment C (Copy of Letter / Request from Joseph Bitsie, Jr., Facility Management Officer)

1. Installation of a new modular building size, size: approximately 28' wide x 68',
2. Water Line Extension - Approximately 800 linear feet of a new 1" PE water service line will be installed,
3. Waste Water Line Extension - Approximately 480 linear feet of new 4" PVC waste water service line including one or two manholes will be installed,
4. Natural Gas Line Extension - Approximately 600 linear feet of new 1" and 2" high density polyethylene (HDPE) natural gas service line will be installed,
5. Under Ground Electrical Line Extension Approximately 450 linear feet of new underground single phase,
6. Under Ground Telephone Line Extension - Approximately 611 linear feet of new underground telephone service line extension will be installed by Frontier Communications.

Attachment D (Site Map of AZ-P-24-62) Stipulations for the site are:

1. Site boundary will be flagged and/or temporarily flagged under the direction of a qualified archaeologist prior to all ground disturbing activities.
2. Site will be avoided by all construction/ground disturbing activities by a minimum of 50-ft from the site boundary.
3. A qualified archaeologist will monitor all ground disturbing activities within 50-ft of the site boundary.
4. A letter/report will be submitted to NNHPD within 30-days of the monitoring activities.



Previous ground disturbance within the last fifty (50) years has modified the surface so extensively that the likelihood of finding any cultural properties is negligible (e.g., within a flood plain).



Undertaking will not require any surface disturbing activities (e.g. aerial spraying, hand application of chemicals, travel on existing roads, etc).



Other:

Reviewed by: Tamara Billie, Senior Archaeologist <i>Tamara Billie</i>	DATE: March 11, 2014
NOTIFICATION TO PROCEED RECOMMENDED: <u>WITH THE ABOVE CONDITIONS</u>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<i>Tamara Billie</i> Navajo Nation Historic Preservation Department	DATE: 03/11/14
NAVAJO REGIONAL APPROVAL:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<i>Diane S. Bette</i> Acting Regional Director, Bureau of Indian Affairs	DATE: 3/31/14

TM 3-27-14

DISCOVERY CLAUSE

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 918.872.7198.

Fort Defiance Area, Parts of Apache and Navajo Counties, Arizona and McKinley and San Juan Counties, New Mexico

90—Querencia and Gish soils, 0 to 2 percent slopes

Map Unit Setting

Elevation: 6,100 to 6,800 feet

Mean annual precipitation: 10 to 14 inches

Mean annual air temperature: 50 to 53 degrees F

Frost-free period: 120 to 150 days

Map Unit Composition

Gish and similar soils: 0 percent

Querencia and similar soils: 0 percent

Description of Querencia

Setting

Landform: Stream terraces on valley floors

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Concave

Parent material: Stream alluvium derived from sandstone and shale

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high (0.20 to 0.60 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: Rare

Frequency of ponding: Rare

Calcium carbonate, maximum content: 5 percent

Gypsum, maximum content: 1 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 5.0

Available water capacity: High (about 12.0 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 6c

Hydrologic Soil Group: C

Ecological site: Clay Loam Terrace 10-14" p.z. Saline-Sodic
(R035XC309AZ)

Typical profile

0 to 2 inches: Silt loam

2 to 10 inches: Clay loam

10 to 15 inches: Clay loam

Map Unit Description: Querencia and Gish soils, 0 to 2 percent slopes—Fort Defiance Area, Parts of Apache and Navajo Counties, Arizona and McKinley and San Juan Counties, New Mexico

15 to 70 inches: Clay loam

Description of Gish

Setting

Landform: Stream terraces on valley floors
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Stream alluvium derived from sandstone and shale

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: Rare
Calcium carbonate, maximum content: 10 percent
Gypsum, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (2.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 10.0
Available water capacity: High (about 10.6 inches)

Interpretive groups

Farmland classification: Not prime farmland
Land capability (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: Clay Loam Terrace 10-14" p.z. Saline-Sodic (R035XC309AZ)

Typical profile

0 to 4 inches: Silt loam
4 to 20 inches: Silty clay loam
20 to 30 inches: Silty clay loam
30 to 35 inches: Silty clay loam
35 to 47 inches: Silty clay loam
47 to 70 inches: Fine sandy loam

Data Source Information

Soil Survey Area: Fort Defiance Area, Parts of Apache and Navajo Counties, Arizona and McKinley and San Juan Counties, New Mexico
Survey Area Data: Version 11, Dec 15, 2013



United States Department of the Interior

Bureau of Indian Affairs
Fort Defiance Agency
P. O. Box 619
Fort Defiance, AZ 86504



January 30, 2015

Navajo Nation Department of Justice
Post Office Box 2010
Window Rock, Arizona 86515

ATTN: Bidtah Becker

Dear Ms. Becker:

Per your request, below is a list of grazing permit holders that graze livestock year round east of the Window Rock Airport.

Permit Holder	Census No.	Grazing Permit Number	Active
Wilbert Dawes	56,290	18-16-95	Yes
Albert Sagina, Jr.	90,695	18-14-95	Yes

Please notify us if you have further questions at (928) 729-7218

Sincerely,

Calvert L Curley, Natural Resource Manager

cc: Navajo Nation Land Department

See Attachment "A"

Attachment "A"

PERMIT HISTORY of Annie Belone, C#60,761, District 18-4:

1. Permit No. 6802 issued to Annie Belone on 03/01/1941 for 197/6 sheep units with brand E over EA. Six horses included.
2. Awarded the entire 197/6 sheep units to Helen D. Yazzie, C#56,201 per Quiet Title No. CP-CV-198-83 dated 01/26/1984.
3. Motion for reconsideration was filed: Awarded 98/3 units to Yilth Habah Dawes, C#62,124 and awarded 99/3 units to Helen D. Yazzie, C#56,201 per Order No. WR-CV-586-78 dated 03/15/85.
4. Awarded 66/2 sheep units to Chee Dawes, C#44,034; Awarded 66/2 units to Maggie Dawes, C# 44,036 and awarded 65/2 units to Yilth Habah Dawes, C# 62,134. Per JUDGEMENT AND ORDER dated 11/14/1988, and ORDER ALLOWING CORRECTIONS AND AMENDMENT OF JUDGEMENT dated 02/23/1990.

PERMIT HISTORY of Yilth Habah Dawes, C#62,124, District 18-4:

1. Permit No. 18-48-84 was issued to Yilth Habah Dawes on 1/29/1984 for 25/1 sheep unit one horse included with brand E over YD as a gift from Ason Peshlakai, C# 62,122 per Transaction Agreement #1 dated 10/03/1984.
2. Additional 98/3 units was awarded from the Estate of Annie Belone, C#60,761 per ORDER NO. WR-CV-586-78 dated 03/15/1985.
3. Corrections made on Judgement Order of 03/15/1985. New permit 18-48-84 issued on 11/29/84 for 123/4 sheep units with same brand per Natural Resource Manager.
4. Awarded the entire 25/1 units to Wilbert Dawes, C#56,190 and to be held as Tenancy In Common, per FINAL PROBATE DECREE, Doc.No. WR-FC-091-93, dated 11/14/1994.

PERMIT HISTORY of Wilbert Dawes, C#56,290, District 18-4:

1. Permit No. 18-16-95 issued on 06-26-95 for 76/4 with brand E over BY. Awarded two permits for 10/2 and 66/2 from the Estate of Chee Dawes, C#44,034. The two permits were consolidated and to be held in as Tenancy In Common, per FINAL PROBATE DECREE Doc. No. WR-FC-09-090-93 dated 11/17/1994.
2. Permit No. 18-15-95 issued on 06/26/95 for 90/3 with brand E over YD. Awarded two permit for 25/1 and 65/2 from the Estate of Yilth Habah Dawes, C#62,124. The two permits were consolidated per FINAL PROBATE DECREE, Doc. No. WR-FC-091-93, dated 11/14/1994.





ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION
OFFICE OF ENVIRONMENTAL REVIEW
PO BOX 339 WINDOW ROCK ARIZONA 86515 Office: 928/871-7188 Fax: 928/871-7996
Website: www.navajonationnepa.org

M E M O R A N D U M

TO: Howard P. Draper, Project and Program Specialist
Project Review Office
Navajo Land Department
Division of Natural Resources

FROM:

A handwritten signature in black ink, likely belonging to Rita Whitehorse-Larsen.

Rita Whitehorse-Larsen, Senior Environmental Specialist
Office of Environmental Review
Office of the Executive Director/Administration
NNEPA

DATE: December 31, 2014

**SUBJECT: 164 EOR 003136 Land Withdrawal 6.573 Acres BIA Fire and Aviation
Management Program Window Rock Airport**

The Navajo Nation Environmental Protection Agency (NNEPA) reviewed¹ and recommends ***conditional approval*** for the proposed 6.573 acres land withdrawal in Window Rock, Apache County, Arizona. The Bureau of Indian Affairs (BIA), Navajo Regional Office (NRO), Branch of Fire Management (BOFM) proposes to construct a permanent Helibase facility at the Window Rock Airport to provide a location for helicopters used in fire suppression activities to transport fire personnel and equipment; for operational reconnaissance and mapping fire boundaries and to provide water support in the form of bucket drops. The proposed action entails constructing a permanent office building, two helipads and parking area. Existing utilities and improvement of existing roads will be used. The proposed action is located at 35°39'33"N 109°03'27"W NAD27.

1. ***Navajo Nation Clean Water Act:***

- a. **§402 Navajo Pollutant Discharge Elimination System (NPDES):** The proposed action is greater than 1 acre. BIA Fire and Aviation Management is subject to complete the requirements under the Clean Water Act Section 402. Technical

¹USDOJ BIA Fire and Aviation Management. Environmental Assessment Navajo Helibase Facility Window Rock Arizona. April 2014.

assistance is available with NNEPA Water Quality Staff in Section 402 application, Stormwater Pollution Prevention Plan (SWPPP), Best Management Practices (BMPs) and Notice of Intent (NOI). All should be submitted to USEPA Region 9 and a copy will be provided to Patrick Antonio, Principal Hydrologist with NNEPA Water Quality Program. His office phone is 928/871-7185. The SWPPP template can be found online at the following weblink:
<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#template>.

2. Navajo Nation Air Pollution Prevention and Control Act:

- a. The proposed action is not located in an attainment area.
- b. Visibility is good to excellent.
- c. Dust suppression must be implemented in the Best Management Practice.

3. Navajo Nation Safe Drinking Act:

- a. *"Connection for water distribution for fire protection and domestic use will be located on the east side of the office building."* [Excerpt from EA]
- b. *"The underground sewer collection system will be on the west side of the building."* [Excerpt from EA]
- c. The NNEPA - Public Water Systems Supervision Program (PWSSP) recommends all proposed drinking water projects (extensions, upgrades, new wells, new public water systems, etc.) must also comply with the design review and construction permit of the PWSSP pursuant the Navajo Nation Primary Drinking Water Regulations.
- d. The owner/operator and water utility companies are subject to submit the proposed domestic waste water and public drinking water lines to Ms. Yolanda Barney, Program Manager, NNEPA PWSSP, she can be contacted at 928/871-7715 or visit the website at www.navajopublicwater.org.
- e. A construction permit for Safe Drinking Water and Domestic Waste Water is required before commencing construction activities.
- f. Assessing the existing sewer lagoons to ensure the lagoon(s) will hold additional waste water and not to exceed the holding capacity of the lagoon(s) will lessen the impacts to the public.
- g. Sewer lines must be tapped into if it is located near the proposed site.
- h. If a need for a septic system, it must be controlled to prevent discharge and prevent ground water/soil contamination.
- i. Cooking grease is required to be properly disposed of outside and should not be released into the indoor plumbing. Disposing food related waste in appropriate containers and not released into the public waste water lines will lessen impacts to the public and environment.

4. Navajo Nation's Solid Waste Act:

- a. The BIA Fire and Aviation Management is subject to control the solid waste bin to reduce injuries or fatalities of merchandise related waste to human, wildlife and domestic animals.
- b. Do not allow public to take construction waste, cumulatively NNEPA receives complaints and reports on illegal trash dumpings on rural areas and in the waters of the US and Navajo Nation.

5. Federal Insecticide Fungicide and Rodenticide Act (FIFRA)/NN Pesticide Act:

- a. BIA Fire and Aviation Management is subject to control and prevent the spread of

- invasive and noxious weeds.
- b. Contact the NNEPA Pesticide Program at 928/871-7815/7810 before applying any pesticides and herbicides to control noxious and invasive plant species to ensure the product is in compliance and appropriately applied by a certified and licensed applicator.
 - c. Pesticide staff will also may need to be onsite to monitor during pesticide/herbicide application.
6. ***Navajo Nation Comprehensive, Environmental Response, Compensation and Liability Act (CERLA):***
- a. No hazardous material will be stored, transported, generated and distributed from the proposed 100-acres land withdrawal.
 - b. According the Navajo CERCLA, petroleum is considered hazardous material and any spills \geq 25 gallons should be reported to NNEPA Office of Executive Director/Administration at 928/871-7692.
7. ***Navajo Nation Storage Tank Act (NNSTA) (formerly Underground Storage Tank (UST) Act; amended February 2012):***
- a. *'No permanent above ground storage tanks and/or fueling will be onsite.'*
 - b. If there are plans to install underground and/or aboveground storage tanks greater than 100 gallons, the plans must meet the design specifications as outlined by NNEPA Storage Tank Program. The specifications must be approved by the Storage Tank Program. They can be reached at 928/871-7993.
 - c. NNEPA Storage Tank Program staff will need to be onsite before installing any above and underground storage tanks.
8. ***Others:***
- a. Existing public roads will be used for access during helipad activities. If there is a need for new road(s), new archaeological, biological and environmental clearances are required before any construction activities.
 - b. Jack Utter, Navajo Nation Water Code Program, for the proposed fire hydrant installation.

If there are any questions contact Rita Whitehorse-Larsen at 928/871-7188 or email: rwhitehorsel@navajo-nsn.gov. Thank you.

Cc: Dale Glenmore and Dannell Begay, USDOJ, BIA, Navajo Region, PO Box 1060, Gallup, New Mexico, 87305
Jack Utter, Navajo Nation Water Code Program, 928/729-4132
NNEPA Departments/Programs; Administration chrono file

**THE
NAVAJO
NATION**

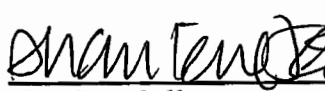
THE DIVISION OF NATURAL RESOURCES
Land, Water, Power, and Quality of Life

Ben Shelly
President

Rex Lee Jim
Vice-President

MEMORANDUM

TO: ALL CONCERNED

FROM: 
Sharilene Jeff
Division Director

DATE: January 8, 2015

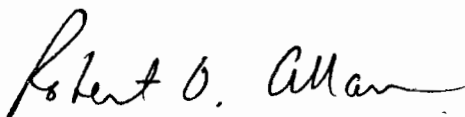
SUBJECT: Delegation of Authority

Be advised that Mr. Robert O. Allan, Principal Attorney, Division of Natural Resources, is hereby given the authority to oversee activities of the Division of Natural Resources on January 8, 2015 at 8:00 a.m. through 5:00 p.m.

Mr. Allan is responsible for reviewing all documents and for directing and signing off on routine duties except for those that may need personal attention.

Your cooperation with Mr. Allan is appreciated.

ACKNOWLEDGED:


Robert O. Allan
Principal Attorney
Division of Natural Resources

EXECUTIVE OFFICIAL REVIEWTitle of Document: Landw/drawal 6.573,BIA F&A Mgmt.W/Rairpt Contact Name: DRAPER, HOWARDProgram/Division: DIVISION OF NATURAL RESOURCESEmail: howarddraper@frontiernet.net Phone Number: 928 871-6447☐ **Business Site Lease** Sufficient Insufficient

- | | | | |
|---|-------------|---|---|
| 1. Division: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| (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: _____ | □ | □ |

☐ **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: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

- | | | | |
|---|-------------|---|---|
| 1. Office of Management and Budget: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Navajo Housing Authority Request for Release of Funds**

- | | | | |
|--|-------------|---|---|
| 1. NNEPA: _____ | Date: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Lease Purchase Agreements**

- | | | | |
|--|-------------|---|---|
| 1. Office of the Controller: _____ | Date: _____ | □ | □ |
| (recommendation only) | | | |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Grant Applications**

- | | | | |
|---|-------------|---|---|
| 1. Office of Management and Budget: _____ | Date: _____ | □ | □ |
| 2. Office of the Controller: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **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: _____ | □ | □ |
| 2. Office of the Attorney General: _____ | Date: _____ | □ | □ |

☐ **Relinquishment of Navajo Membership**

- | | | | |
|--|-------------|---|---|
| 1. Land Department: _____ | Date: _____ | □ | □ |
| 2. Elections: _____ | Date: _____ | □ | □ |
| 3. Office of the Attorney General: _____ | Date: _____ | □ | □ |

DIVISION OF
NATURAL RESOURCES
JAN - 8 2015

☐ 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 ~~*~~ *See below* Date: *05 Dec 14* ☒ ☐
2. F&W *See below* Date: _____ ☒ ☐
3. HPD *See below* Date: _____ ☒ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA *See below* Date: _____ ☒ ☐
6. DNR *Robert O. Allen* Date: *1/18/15* ☒ ☐
7. DOJ *(ie)* _____ Date: _____ ☐ ☐

☐ Rights-of-Way

1. NLD _____ Date: *04 Dec 14* ☒ ☐
2. F&W _____ Date: *12/11/14* ☒ ☐
3. HPD _____ Date: *12-15-14* ☒ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: *12-31-2014* ☒ ☐
6. Office of the Attorney General: _____ Date: *2/27/2015* ☒ ☐
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 _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐
8. OPVP _____ Date: _____ ☐ ☐

☐ OTHER:

1. _____ Date: _____ ☐ ☐
2. _____ Date: _____ ☐ ☐
3. _____ Date: _____ ☐ ☐
4. _____ Date: _____ ☐ ☐
5. _____ Date: _____ ☐ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
01/14/15 11495
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 00 3136
SAS #:
UNIT: NM

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST:	12/3/2014	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	VERA	DEPARTMENT:	LAND
PHONE NUMBER:	6447 OR 6490	E-MAIL:	

TITLE OF DOCUMENT: BIA FIRE AND AVIATION MANAGEMENT LAND WITHDRAWAL OF 6.573 ACRES WITHIN THE (UNWITHDRAWN) WINDOW ROCK AIRPORT

DOJ SECRETARY TO COMPLETE

DATE/TIME RECEIVED: 2/18/15 4:50pm	REVIEWING ATTORNEY/ADVOCATE: Irvin, Bialak 2/27/15
DATE/TIME DEPARTMENT OF JUSTICE NATURAL RESOURCES UNIT:	

DOJ ATTORNEY / ADVOCATE COMMENTS

- Document is legally sufficient.

REVIEWED BY: (Print) Irvin, G	Date / Time 2/24/15	SURNAMED BY: (Print) Becker	Date / Time 2/27/15 8:05 AM
-------------------------------	---------------------	-----------------------------	-----------------------------

DOJ Secretary Called: Vera Shurley for Document Pick Up on 2/27/15 at 8:16 By: [Signature]

PICKED UP BY: (Print) _____ DATE / TIME: _____

NNDOJ/DRRF-July 2013

COMPLETED

From the desk of Vera Shurley
Navajo Land Department
(928) 871-6447

TO: JONATHAN HALE, DELEGATE
23RD NAVAJO NATION COUNCIL

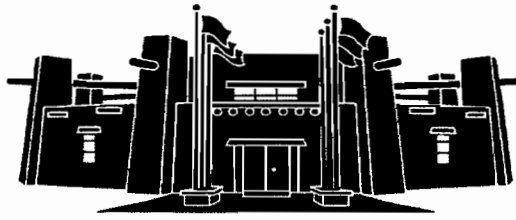
DATE: March 20, 2015

RE: **DOCUMENT NO. 3130** (BIA FIRE AND AVIATION MANAGEMENT LAND
WITHDRAWAL OF 6 ACRES WITHIN THE WINDOW ROCK AIRPORT.

THE ABOVE MENTIONED DOCUMENT HAS COMPLETED ITS REVIEW WITH THE
LEGISLATIVE COUNSEL, MS.MARIANN KAHN AND IS READY FOR PICK UP AND
FORWARD TO THE RESOURCES & DEVELOPMENT COMMITTEE FOR ACTION.

PLEASE PICK UP DOCUMENT AT LEGISLATIVE SERVICES, MS. KAHN'S OFFICE.
THANK YOU.


Received
MAR 20 2015
OLS Council Delegates
Office



MEMORANDUM

To : Honorable Jonathan Hale
St. Michaels and Oaksprings Chapters

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

Date : March 20, 2015

Re : PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING THE LAND WITHDRAWAL OF 6.573 ACRES, MORE OR
LESS, OF NAVAJO NATION TRUST LAND FOR THE BUREAU OF INDIAN
AFFAIRS (BIA) FIRE AND AVIATION MANAGEMENT WITHIN THE
EXISTING FENCED WINDOW ROCK AIRPORT IN WINDOW ROCK,
NAVAJO NATION (APACHE COUNTY, ARIZONA)

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 drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. 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.

Thank you for your service to the Navajo Nation.

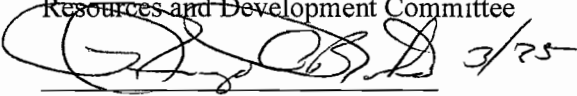
15-838-1



March 24, 2015

MEMORANDUM

TO : *Honorable Members
Resources and Development Committee*

FROM :  3/25
Hon. LoRenzo C. Bates, *Speaker*
23rd Navajo Nation Council

SUBJECT : **ASSIGNMENT OF LEGISLATION**

Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Resources and Development Committee;

Legislation No. 0098-15

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE LAND WITHDRAWAL OF 6.573 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LAND FOR THE BUREAU OF INDIAN AFFAIRS (BIA) FIRE AND AVIATION MANAGEMENT WITHIN THE EXISTING FENCED WINDOW ROCK AIRPORT IN WINDOW ROCK, NAVAJO NATION (APACHE COUNTY, ARIZONA).

As the Committee assigned to consider the legislation, Legislation No. 0098-15 must be placed on the Resources and Development Committee's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0098-15

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Mark Grant, *Controller*
Dominic Beyer, *Executive Director, OMB*
Honorable Jonathan L. Hale, Council Delegate (*Prime Sponsor*)

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0098-15_____

SPONSOR: Jonathan Hale

TITLE: An Action Relating To The Resources and Development Committee; Approving the Land Withdrawal of 6.573 Acres, More or Less, of Navajo Nation Trust Land For the Bureau of Indian Affairs (BIA) Fire and Aviation Management Within the Existing Fenced Window Rock Airport in Window Rock, Navajo Nation (Apache County, Arizona)

Date posted: March 26, 2015 at 10:42am

Digital comments may be e-mailed to 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.: 0098-15

SPONSOR: Honorable Jonathan L. Hale

TITLE: Relating To Resources And Development Committee; Approving The Land Withdrawal Of 6.573 Acres, More Or Less, Of Navajo Nation Trust Land For The Bureau Of Indian Affairs (BIA) Fire And Aviation Management Within The Existing Fenced Window Rock Airport In Window Rock, Navajo Nation (Apache County, Arizona).

Posted: March 26, 2015 at 10:42am

5 DAY Comment Period Ended: March 31, 2015

Digital Comments received: *No comments were received.*



Executive Director
Office of Legislative Services

04/01/15 9:30 a.m.

Date/Time



MEMORANDUM

To : Whom It May Concern

From : 6.711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : March 12, 2014

Subject : **Standing Delegation of Authority – OLS Executive Director**

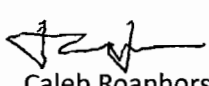
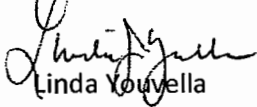
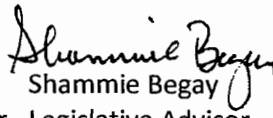

Effective immediately and ending July 31, 2015, the following shall be the standing delegation for the position of Executive Director for Office of Legislative Services:

- 1st Caleb Roanhorse, Legislative Advisor
- 2nd Linda Youvella, Legislative Clerk Supervisor
- 3rd Shammie Begay, Legislative Advisor
- 4th Janice Jumbo, Administrative Services Officer

This delegation will be in effect when I am on travel or on leave status. The delegation shall cover day-to-day operations. This standing delegation supersedes all previously issued standing delegation letters.

Thank you for your cooperation with the designated staff while they are delegated. If you should have any questions, I can be reached at (928) 871-7236/7254 or by e-mail at tomplatero@navajo-nsn.gov.

ACKNOWLEDGMENTS:

			
Caleb Roanhorse Legislative Advisor	Linda Youvella Legis. Clerk Supervisor	Shammie Begay Legislative Advisor	Janice Jumbo Admin. Services Officer

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