

RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
23<sup>rd</sup> Navajo Nation Council --- Fourth Year, 2018

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING AN  
AMENDMENT TO ADD AN ADDITIONAL ONE AND ONE QUARTER ACRE (1.24)  
MORE OR LESS, TO THE REVOCABLE USE PERMIT FOR MISSION SITE  
ISSUED TO THE POTTER'S HOUSE CHRISTIAN CHURCH OF CHINLE, INC.,  
IN CHINLE CHAPTER, NAVAJO NATION

**Section One. Authority**

- A. Pursuant to 16 N.N.C. § 1151 (C), the Resources and Development Committee of the Navajo Nation Council has the authority to give approval for permits of mission sites on behalf of the Navajo Nation.
- B. Pursuant to 2 N.N.C. § 501 (B)(2), the Resources and Development Committee of the Navajo Nation Council has the authority to give final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations.

**Section Two. Title 16 of the Navajo Nation Code Provisions with Respect to Mission Sites**

- A. Pursuant to 16 N.N.C. § 1153 (A), no permit to enlarge the area of Navajo Nation land presently under permit to a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources and Development Committee, unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.
- B. Pursuant to 16 N.N.C. § 1153 (B), the application for a mission site shall contain:
  - 1. An exact description of the Navajo Nation land for which application is made.

2. A detailed statement of the purpose or purposes for which the said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully the extent and character thereof.
  3. A signed petition of a substantial number of Navajos residing in the vicinity of the proposed site endorsing the proposed permit.
  4. An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.
  5. A description of buildings and improvements to be placed on Navajo Nation lands and an estimate of the cost thereof. Pursuant to 16 N.N.C. § 1155, the Resources and Development Committee is authorized to deny or grant, on behalf of the Navajo Nation, any permit with special consideration to the establishment of too many missions in any one area or at any one point.
- C. Pursuant to 16 N.N.C. § 1159 (B), the following acreage limitations shall apply to all applicants for permits:
1. Mission site for purely religious activities: one and one-half (1 1/2) acres;
  2. Mission site for religious activities and community services facilities: three and one-half (3 1/2) acres;
  3. Mission site for religious activities and either substantial medical or accredited educational programs: eight (8) acres; and
  4. The Resources and Development Committee may, in the case of applications for mission sites in or near areas withdrawn for townships in the Navajo Nation, limit site acreage to less than two and five-tenths (2 5/10) acres, and may set rental fees with due regard for present or future competing demands for land use in such areas.

- D. Pursuant to 16 N.N.C. § 1159 (C), "community service facilities" shall be deemed to include only those permanent improvements upon the permitted site which are for the purpose of providing recreational programs, non-religious educational programs, including adult education, and other non-religious programs of benefit to the community.
- E. Pursuant to 16 N.N.C. § 1160 (A), the acreage limitations established by 16 N.N.C. § 1159 may be waived by the Resources and Development Committee upon a showing by the applicant that planned programs will be of sufficient benefit to the Navajo People to justify waiver of acreage limitations. No waiver of acreage limitations shall be granted unless the applicant has complied with 16 N.N.C. §§ 1153 and 1161, and all other procedures provided by law.
- F. Pursuant to 16 N.N.C. § 1160 (B), no waiver of acreage limitations shall be granted in cases of applications subject to acreage limitations established by 16 N.N.C. § 1159(B) (1).
- G. Pursuant to 16 N.N.C. § 1161, no application for a mission site permit for an area of Navajo Nation land in excess of the limitations established in 16 N.N.C. § 1159 shall be granted by the Resources and Development Committee, unless the application for such permit has been reviewed and approved by the Division of Community Development of the Navajo Nation, and by the Navajo Land Department of the Navajo Nation.

### **Section Three. Findings**

- A. The Potter's House Christian Church of Chinle, Inc., has applied for an additional 1.24 acres, more or less, to be added to the Revocable Use Permit for Mission Site issued pursuant to Resolution RDCJA-03-16 within the Chinle Chapter. See **Exhibit A**.
- B. Consent to use Navajo Nation land for religious activities has been given by the grazing permit holder as attested to by the Project Review Section of the Navajo Land Department. See **Exhibit B**.
- C. The land description appears on the survey plat. See **Exhibit B**.
- D. The Chinle Chapter, by Resolution CHIN-JUL-17-043, has approved the addition of 1.24 acres, more or less, to the

existing Revocable Use Permit for Mission Site. See **Exhibit C**.

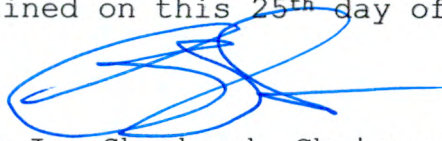
- E. The request for a mission site permit has been reviewed and found sufficient by the Navajo Nation Fish and Wildlife, Historic Preservation, General Land Department and the Department of Justice. See **Exhibit B**.
- F. The Potter's House Christian Church of Chinle, Inc., will use the requested 1.24 acres, more or less, for "Expansion of parking lot, all-purpose building addition, outside activities basketball and volleyball courts, Children Church, Sunday School, Child Care, room for tents and larger events." See **Exhibit A**. Application for Revocable Use Permit (Religious Site) Navajo Nation Lands.
- G. The requested 1.24 acres, more or less, will bring the total acreage for the Potter's House Christian Church of Chinle, Inc., to 2.74 acres, more or less, when combined with the previously Resources and Development Committee Resolution RDCJA-03-16, approved 1.5 acres, more or less. See **Exhibit A**.
- H. The Resources and Development Committee of the Navajo Nation Council finds that the requested 1.24 acres, more or less, will be used for community service facilities pursuant to 16 N.N.C.

#### **Section Four. Approval**

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the addition of 1.24 acres, more or less, to the existing Revocable Use Permit for Mission Site as issued to the Potter's House Church of Chinle, Inc., as described in **Exhibit C**.
- B. All existing Terms and Conditions remain unchanged and in effect.
- C. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute all documents to affect the intent and purpose of this resolution.

**CERTIFICATION**

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at Twin Arrows Public Safety Building, Twin Arrows, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 2 abstained on this 25<sup>th</sup> day of April 2018.



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

Motion: Honorable Benjamin Bennett  
Second: Honorable Walter Phelps

# APPLICATION FOR REVOCABLE USE PERMIT (RELIGIOUS SITE) NAVAJO NATION LANDS



DATE: Aug 20, 2017

Chinle Potters House Christian Center  
(NAME OF CHURCH)

P.O. Box 2585 Chinle, AZ 86503  
(ADDRESS)

hereby makes an application for a religious site covering approximately 1.24 acres of Navajo Nation land located in Chinle, Apache county, Arizona New Mexico, as shown on the attached map.

After the local chapter approval of this application and with approval of land clearance given by the Navajo Land Department, a survey plat and legal description of the site prepared by a licensed or registered surveyor shall be submitted to the Navajo Land Department or the Bureau of Indian Affairs for review.

In Support of said application, the applicant hereby submits the following information:

- |  |   |
|--|---|
| <input type="checkbox"/> Supporting Chapter Resolution     | <input type="checkbox"/> Land Use Consent           |
| <input type="checkbox"/> Survey Plat                       | <input type="checkbox"/> Current Petition of Names  |
| <input type="checkbox"/> Copy of Articles of Incorporation | <input type="checkbox"/> Other Supporting Documents |

Detailed statement of the purpose(s) for which said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical or other non-religious activities, this paragraph shall set forth fully the extent and character thereof:

Expansion of parking lot, use purpose Building addition,  
Outside activities basket ball & volleyball courts.  
Children Church, Sunday school, Child Care  
Room for tents & larger events

Description of building and improvements to be placed on tribal land and the estimated cost thereof:

<u>Modular Portable building children church - 24'X60'</u>	<u>\$50,000<sup>00</sup></u>
<u>Basketball court, Small pits for volleyball courts.</u>	<u>\$ 5,000<sup>00</sup></u>
<u>Additional Parking</u>	<u>\$ 4,000<sup>00</sup></u>
<u>Outside arena for Music &amp; Drama</u>	<u>\$ 1,800<sup>00</sup></u>

Applicant's plan for development of water and sewer:

*Already in place no Modification needed -*

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All corporations must attach hereto a copy of their Articles of Incorporation. If foreign to the state where religious site is to be located, the corporation must supply a certified copy of their authority to do business in the state.

All corporations must furnish evidence of authority of the person(s) signing this application to execute papers on their behalf. Evidence should ordinarily be in the form of a general resolution of the Board of Directors certified by the Secretary over the seal of the corporation.

For the purpose of conducting business within the Navajo Reservation, all corporations must file their Articles of Incorporation with the Economic Development Commerce Department of the Navajo Nation. The Commerce Department will issue a corporate number to the church organization.

In all cases of applications on behalf of unincorporated bodies where documents do not explicitly give one individual authority to execute necessary papers, a power of attorney executed before a notary public by all associated parties for this purpose should be attached. If this is not supplied, all such persons must personally sign this application and all other documents submitted to the Navajo Agency.

Unincorporated applicants should submit articles depicting their organization, unless none exists, in which case an explanation of the nature of the organization should be listed on a separate sheet.

Applicant agrees to give preference to qualified local residents of the Navajo Nation for employment in the construction of any improvement on the church site if the permit is granted.

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**Authorized Agent (Print Name)**

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**Authorized Agent (Signature)**

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**Address**

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**Phone Number**

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**Email Address**



RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
Of the 23rd Navajo Nation Council---Second Year 2016

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A REVOCABLE USE PERMIT FOR MISSION SITE FOR MISSION SITE FOR THE POTTER'S HOUSE OF CHINLE, INC. ON THE NAVAJO NATION TRUST LANDS IN THE VICINITY OF CHINLE CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

Section One. Findings

A. Pursuant to 16 N.N.C., Section 1151(C), the Resources and Development Committee of the Navajo Nation Council has authority to give approval for permits for mission sites on behalf of the Navajo Nation; and

B. The Potter's House of Chinle, Inc., Post Office Box 2585, Chinle, Arizona 86503 has applied for Revocable Use Permit for Mission Site within the Chinle Chapter, as further described in Exhibit "A," attached hereto and incorporated herein by this reference; and

C. The mission site is located on 1.5. acres of trust lands in the Southwest Quarter (SW1/4) of Section 20, Township 32 North, Range 26 East, in the vicinity of Chinle Chapter, Navajo Nation (Apache County, Arizona). The land description appears on the survey plat attached hereto and incorporated herein as Exhibit "B"; and

D. The District Grazing Official identified one land user, Foster Gorman and his consent is attached hereto as "Exhibit "C." The chapter resolution and the signed petition by the local residents are also attached as Exhibit "D"; and

E. Biological, Historical, Cultural and Archeological surveys and clearances for this permit were completed including an Environmental Assessment report, and are all attached and labeled as Exhibit "E"; and

F. On June 16, 2015, the Resources and Development Committee of the Navajo Nation Council through RDCJN-35-15 delegated the director of Navajo Land Department, Division of Natural Resources, the power and authority to give final approval of all land withdrawal designations on the Navajo Nation. The Land Withdrawal Designation has been approved for the mission site for the Potter's House of Chinle, Inc., for 1.5 acres of tribal trust land for five (5) years, attached hereto



land withdrawal designation from Navajo Land Department as Exhibit "F." and

**Section Two. Approval**

A. Resources and Development Committee of the Navajo Nation Council hereby approves and consents to the Revocable Use Permit for Mission Site for the Potter's House of Chinle, Inc., subject to but not limited to the attached Terms and Conditions contained in Exhibit "G" which is attached hereto and incorporated herein by this reference.

B. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute all documents to affect the intent and purpose of this resolution.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at Leupp Chapter, Leupp, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained this 5th day of January, 2016.



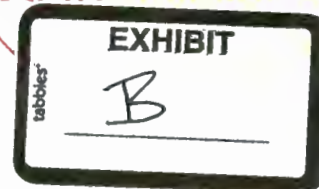
Alton Joe Shepherd, Chairperson  
Resources and Development Committee  
Of the 23<sup>rd</sup> Navajo Nation Council

Motion: Honorable Davis Filfred  
Second: Honorable Walter Phelps



# THE NAVAJO NATION


RUSSELL BEGAY, PRESIDENT  
JONATHAN



## MEMORANDUM:

TO: Howard Draper, Program/Project Specialist  
Project Review Section/ NLD

FROM:

  
Raymond Pine, Appraiser  
Title Section/NLD

DATE: February 7, 2017

SUBJECT: Field clearance report on the Potter's House Christian Church of Chinle, Inc.

This is to inform you that necessary follow-up and field survey has been completed for the Potter's House Christian Church of Chinle, Inc. The proposed location of the church site tract addition is more particularly described Southwest Quarter (SW $\frac{1}{4}$ ) of Section 20, Township 32 North, Range 26 East, Chinle, Apache County, Arizona. See attached survey plat.

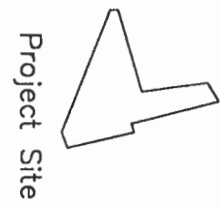
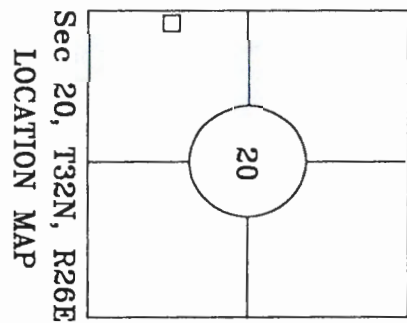
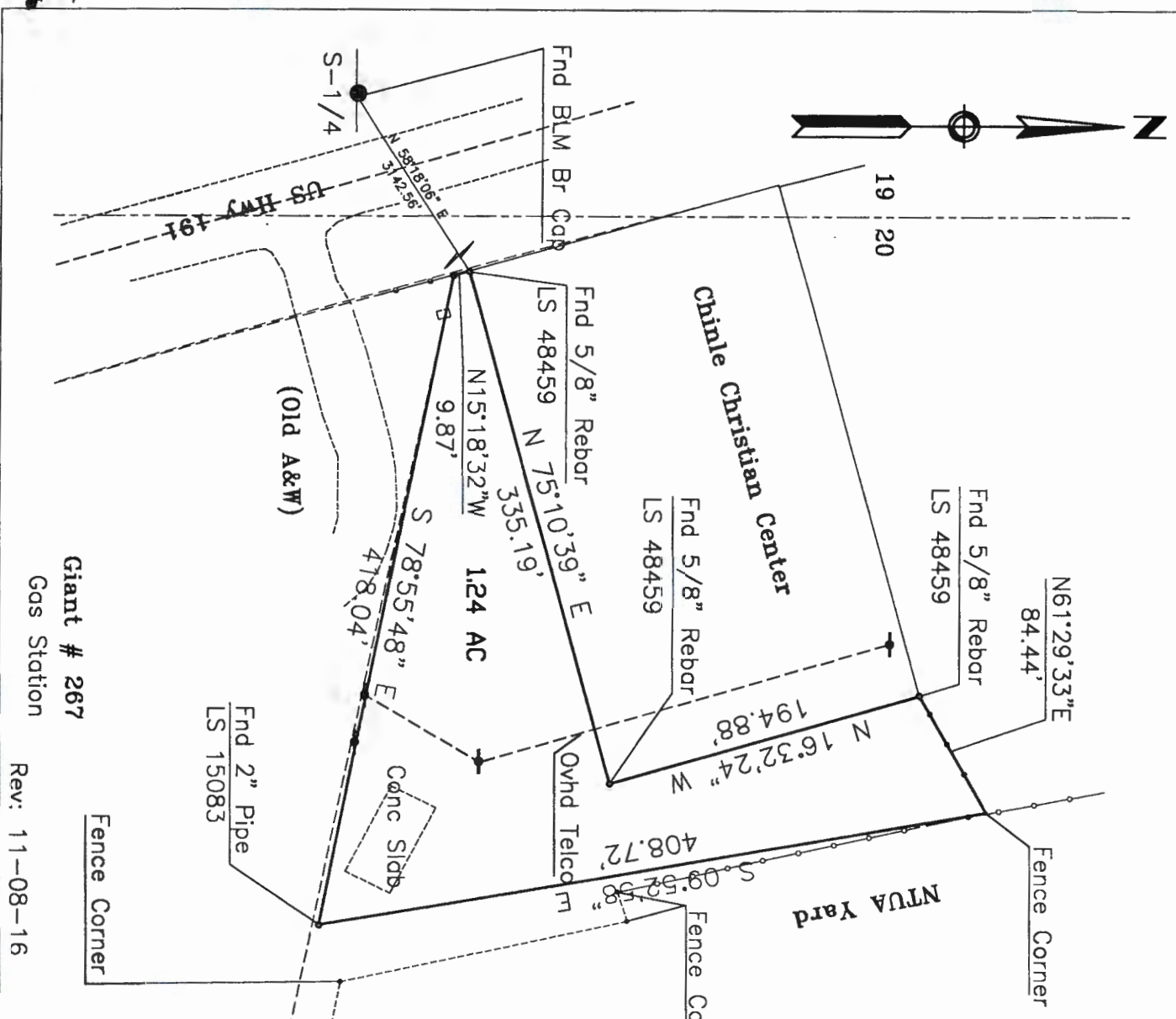
During the initial assignment, I had to check with the Navajo Nation Economic Development Office at Chinle Regional Business Development on the proposed addition to the present church site because of a business site corridor in the area. Upon further site analysis of the area it was found that the previous land survey was encroaching into the approved NTUA tract description. Therefore, a resurvey was requested on the proposed site which is reflected on the revised land survey that contains 1.24 acres, more or less.

The affected grazing permittee has consented to proceed with the proposed site addition for the Potter's House Christian Church of Chinle, Inc.

This complete my report for the project.

Attachments

CHINLE CHURCH SITE



SURVEY BY:	HB
DRAWN BY:	HB
APPROVED BY:	
SURVEY DATA NO.:	16-018
JOB NUMBER:	16-018
SCALE: 1" =	50'

NOTES:

- All bearings shown hereon are derived from ARIZONA STATE PLANE COORDINATE SYSTEM, EAST ZONE and refer to GRID NORTH.
- Coordinates are converted to the 1983 N.A.D. and 1988 N.A.V.D. in reference to G.P.S.
- BLM Monuments used as control.
- All distances around the lease site are ground distances.
- 1/2" Rebar (Set) on all corners of tract, unless indicated otherwise.
- Scale, other than 1" = 50'.
- Underground Utilities Not Located.

Potters House

1.24 Ac. ±

District 10, Navajo Indian Reservation  
SW 1/4, Sec 20, T.32 N., R. 26 E., G&SRM  
Chinle, Apache County, Arizona

LEASE NO.

LOT DESCRIPTION

A PARCEL OF LAND SITUATED WITHIN SW-1/4 SECTION 20, TOWNSHIP 32 NORTH, RANGE 26 EAST, OF THE GILA AND SALT RIVER MERIDIAN, APACHE COUNTY, ARIZONA, WITHIN CHINLE MANAGEMENT DISTRICT 10 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 19, BEING A BLM BRASS CAP; THENCE NS8° 18' 08"E, A DISTANCE OF 3142.56 FEET; TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY 191 AND THE POINT OF BEGINNING.  
THENCE N75°10'39"E, A DISTANCE OF 335.19 FEET, ALONG THE SOUTH LINE OF THE POTTERS HOUSE LEASE; THENCE N18° 32'24"W, A DISTANCE OF 194.88 FEET, TO THE NORTHEASTERLY CORNER OF SAID LEASE; THENCE N61°29'33"E, ALONG A CHAIN LINK FENCE FOR A DISTANCE OF 84.44 FEET, TO A FENCE CORNER; THENCE S09°52'58"E, A DISTANCE OF 408.72 FEET, TO A 2-INCH PIPE (LS 15035); THENCE N78°55'48"W, A DISTANCE OF 418.04 FEET TO THE RIGHT-OF-WAY LINE OF SAID US HIGHWAY 191 AND A REBAR (LS15035); THENCE N15°18'32"W ALONG SAID RIGHT-OF-WAY; A DISTANCE OF 9.87 FEET, TO THE POINT OF BEGINNING.  
SAID PARCEL CONTAINS 1.24 ACRES, MORE OR LESS.

**EXECUTIVE OFFICIAL REVIEW**Title of Document: RUP Mission Site -Chinle Potter's House 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: _____ | □ | □ |



164 EDR 4410

☐ Land Withdrawal or Relinquishment for Commercial Purposes

Sufficient Insufficient

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases

1. NLD \_\_\_\_\_ Date: 20 July 15 ☒ ☐  
 2. F&W \_\_\_\_\_ Date: July 23 2015 ☒ ☐  
 3. HPD \_\_\_\_\_ Date: 8/3/15 ☒ ☐  
 4. Minerals \_\_\_\_\_ Date: 8/12/15 ☒ ☐  
 5. NNEPA \_\_\_\_\_ Date: 8/18/2015 ☒ ☐  
 6. DNR \_\_\_\_\_ Date: 8/24/2015 ☒ ☐  
 7. DOJ (sic) \_\_\_\_\_ Date: 10/3/15 ☒ ☐  
 8. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ Rights of Way

1. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 6. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 7. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease

1. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 3. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ Assignment of Mineral Lease

1. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 3. DOJ \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)

1. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 6. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 7. DOJ \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 8. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ OTHER:

1. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 2. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 3. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 4. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
 5. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

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

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

**PROJECT NAME & NO.:** The Potter's House Chinle Christian Center, Inc.

**DESCRIPTION:** The Potter's House Chinle Christian Center, Inc. proposes a 1.24-acre expansion of the existing 1.50-acre mission site lease. The combined total acreage would be 2.74 acres.

**LOCATION:** SW¼ of Section 20, T32N, R26E, G&SRM, Chinle, Apache County, Arizona

**REPRESENTATIVE:** Artie Aragon, Pastor, Chinle Christian Center Potters House

**ACTION AGENCY:** Navajo Nation

**B.R. REPORT TITLE / DATE / PREPARER:** Request for amendment/31 JUL 2017/Artie Aragon

**SIGNIFICANT BIOLOGICAL RESOURCES FOUND:** Area 4 - Community Development Area.

**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/01 SEP 2016; amended on 31 JUL 2017

**COPIES TO:** (add categories as necessary)

☐
☐

**2 NTC § 164 Recommendation:**

**Signature**

**Date**

☒ Approval

☐ Conditional Approval (with memo)

☐ Disapproval (with memo)

☐ Categorical Exclusion (with request letter)

☐ None (with memo)



8/1/17

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

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

**Representative's signature**

**Date**





**THE NAVAJO NATION**  
**HERITAGE & HISTORIC PRESERVATION DEPARTMENT**

PO Box 4950, Window Rock, Arizona 86515  
TEL: (928) 871-7198 / 7147 FAX: (928) 871-7886

**CULTURAL RESOURCE COMPLIANCE FORM**

ROUTE COPIES TO:	NNHPD NO.: <b>HPD-14-005 - REVISED</b>
<input checked="" type="checkbox"/> NNAD	OTHER PROJECT NO.: <b>NNAD 13-171</b>

**PROJECT TITLE:** A Cultural Resources Inventory of the Proposed (The Potter's House) Chinle Christian Center in Chinle, Apache County, Arizona

**LEAD AGENCY:** BIA/NR

**SPONSOR:** Christopher Descheenie, The Potter's House/Chinle Christian Center, PO Box 2585, Chinle, Arizona 86503

**PROJECT DESCRIPTION:** The proposed undertaking will involve the mission lease approval and/or construction of building(s) along with the installation of associated facilities/utilities within the 1.24-acre church site lease area. Ground disturbance will be intensive and extensive with the use of heavy equipment.

**LAND STATUS:** Navajo Tribal Trust

**CHAPTER:** Chinle

**LOCATIONS:** T. 32 N, R. 26 E – Sec. 20; Chinle Quagdrangle, Apache County, Arizona G&SRPM

**PROJECT ARCHAEOLOGIST:** Loretta Chavez

**NAVAJO ANTIQUITIES PERMIT NO.:** NTC

**DATE INSPECTED:** 12/06/13

**DATE OF REPORT:** 12/30/13

**TOTAL ACREAGE INSPECTED:** 1.5 - ac

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

**LIST OF CULTURAL RESOURCES FOUND:** (1) In-Use Area (IUA)

**LIST OF ELIGIBLE PROPERTIES:** None

**LIST OF NON-ELIGIBLE PROPERTIES:** (1) IUA

**LIST OF ARCHAEOLOGICAL RESOURCES:** None

**EFFECT/CONDITIONS OF COMPLIANCE:** No Historic Properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7147.

FORM PREPARED BY: Tamara Billie  
FINALIZED: March 30, 2017 - Revised

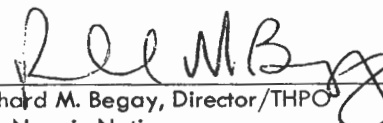
Notification to Proceed Recommended ☒ Yes ☐ No

Conditions: ☐ Yes ☒ No

Navajo Region Approval

☒ Yes ☐ No

Acting

  
Richard M. Begay, Director/THPO  
The Navajo Nation  
Heritage & Historic Preservation Office

Date

  
BIA - Navajo Regional Office

Date

**ARIZONA DEPARTMENT OF TRANSPORTATION**  
INTERMODAL TRANSPORTATION DIVISION  
Highway Encroachment Permit Application  
*(Application for Permission to Use State Highway Right-of-Way)*

**FOR ADOT USE** ADOT Agreement Number: \_\_\_\_\_ ☐ ECS ☐ JPA ☐ Other \_\_\_\_\_

PERMIT NUMBER: 1212555 ROUTE: US 191 MILEPOST: 447.92

ADOT PROJECT NUMBER: \_\_\_\_\_ ADOT ENGINEERING STATION: 3344+52

Name of Encroachment Owner: \_\_\_\_\_ Name of Authorized Agent / Applicant (If other than the Encroachment Owner): \_\_\_\_\_

POTTER'S HOUSE Child Christian Center PO Box 3705  
Mailing Address of Owner: Mailing Address:

P.O. Box 2585 Chinle

City: 11-11-1 City: 11-11-1

CHNLE Az 86503 Az 86503

State: NE Zip: 68102 State: NE Zip: 68102

ARIZONA (480)-658-9155 C.U.#

Phone: 1-800-368-2772

(928) 674-5189 Hk / (928) 674-3229 Church Member

E-mail address: \_\_\_\_\_ Legal Relationship to Owner: \_\_\_\_\_

GRANDWARTHE @ gmail. com ☐ Contractor ☐ Sub Contractor ☐ Authorized Employee

Name of Local Point of Contact: \_\_\_\_\_  
☐ Engineer ☐ Attorney ☒ Other: Church Member

Name of Local Point of Contact: Alan A. ... ☐ Engineer ☐ Attorney ☒ Other: Other

CHARLES DESCHENIE

Phone Number for Local Point of Contact: 1 914 E-mail Address:

(928) 674-549-HM 1480x654-91C1

City (in or near) CHINE Side of Highway: ☐ N ☐ S ☒ E ☒ W (check one)

City (in or near) San Francisco Side of Highway: ☐ N ☐ S ☒ E ☒ W (check one)  
Highway Route # 101 Approximately: East ☐ N ☐ S ☐ E ☐ W (check one) of Milepost # 447.0

Highway Route # 527 Approximately \_\_\_\_\_ Feet ☐ N ☐ S ☐ E ☐ W (check one) of Milepost # 117.0

Encroachment Owner's Project # or Property Parcel #: \_\_\_\_\_ Project Duration : \_\_\_\_\_

Description of the proposed work or activity in the right of way: MISSION SITE LEASE

Description of the proposed work or activity in the right-of-way: 7112000 240 25-4-31  
filling station

ESTABLISH Church

THIS PERMIT IS FOR 125' COMMERCIAL TURNOUT TO SERVE BOTH

THE CHURCH AND THE PROPERTY ABUTTING THE CHURCH PROPERTY.

THIS TURNOUT ALREADY EXISTS.

The Encroachment Owner will be the Permittee. By signing this application, the Encroachment Owner and the Owner's Agent acknowledge that the information given and statements made in this application are true and correct to the best of his/her knowledge. The Encroachment Owner agrees as the Permittee to accept the following General Obligations and Responsibilities as described on page 2 of the application. By accepting an approved encroachment permit, the Permittee agrees to the requirements described in the permit, to be responsible for all permit requirements, and to comply with ADOT's requirements as set out in the permit. An approved permit consists of but is not limited to this application and final supporting documentation approved by ADOT, and any requirements set by ADOT. NO WORK SHALL TAKE PLACE INSIDE THE RIGHT OF WAY WITHOUT AN APPROVED PERMIT ON SITE.

Archie Aragon Carlos M. Aragon, Jr. Jan 22 2014

Encroachment Owner (Print Name and Sign) \_\_\_\_\_ Date \_\_\_\_\_

21 1 1 10 1 - ~~Platts~~ 1/6 - 27-11

Christopher Veschevici (att) [signature] 1-22-17

Authorized Agent or Applicant: *If other than the Encroachment Owner (Print Name and Sign)* \_\_\_\_\_ Date \_\_\_\_\_

**FOR ADOT USE**

**PERMIT TO USE STATE HIGHWAY RIGHT-OF-WAY**

*This application is approved as a permit and a permit is issued to the Permittee. Construction is authorized only for the period indicated below.*

$P_{11} = P_{22} = P_{12} = P_{21} = 0$

Earl Craig PERMITS SUPERVISOR Earl Craig FOR KANDY ROUTHIER  
Authorized ADOT Signer and Signature

Authorized ADOT Name and Signature *DEVELOPMENT ENGINEER*

Issue Date: 3/17/14 Permit work to be completed by: 6/17/14

Issue Date 5/1/14 Permit work to be completed by: 5/1/14



# Chinle Chapter Government

THE NAVAJO NATION

**Myron McLaughlin**  
PRESIDENT

**David Yazzie, Jr.**  
VICE PRESIDENT

**Cynthia Hunter**  
SECRETARY/TREASURER

**Leonard H. Pete**  
COUNCIL DELEGATE

**Eugene Tso**  
GRAZING COMMITTEE MEMBER

## RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-JUL-17- 043

EXHIBIT

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### AMENDING CHIN-AUG-16-054 SUPPORTING CHINLE POTTER'S HOUSE CHRISTIAN CENTER TO OBTAIN AN ADDITIONAL 1.24 ACRES ~~1.40 ACRES~~ TO TOTAL 2.74 MORE OR LESS ACRES.

#### WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and
2. The existing Potter's House Christian Center was approved by the Resources and Development Committee for 1.5 acres on January 05, 2016. The church is seeking an additional 1.24 acres for a total of 2.74 acres more or less; and
3. During field clearance of the site, Mr. Raymond Pine, Appraiser with Navajo Land Department (attached Memo dated 02/07/2017) finds that the previous land survey was encroaching into the approved NTUA tract, a resurvey was requested; and
4. Alpha Omega Engineering & Survey resurveyed the site reflecting the correct acreage of 1.24 acres; and
5. Pursuant to Title 16, Chapter 11 §1159, Acreage Limitations – Generally: B(2) Mission site for religious activities and community service facilities: three and one half acres; and
6. Chinle Potters House Christian Church wishes to expand their area to include:
  - Buildings to accommodate classes, programs and recreational activities for their congregation
  - Additional space to hold vacation bible school programs
  - A child care facility
  - An auditorium/fellowship hall that can be used for dinners and other events that are hosted within the community
  - Expansion of their parking area for the safety of the congregation and visitors
7. Supporting documents for justification purposes are attached and include:
  - Letter from Vera Shurley, ROW Agent/Navajo Land Department dated May 18, 2016
  - Consent to Use Navajo Nation Land for Religious Activities signed by Foster Gorman, dated March 07, 2016
  - Application for Revocable Use Permit (Religious Site) dated May 22, 2016
  - Alpha-Omega Engineering & Survey dated November 08, 2016



Page Two

CHIN-JUL-17- 043: AMENDING CHIN-AUG-16-054 SUPPORTING CHINLE POTTER'S HOUSE CHRISTIAN CENTER TO OBTAIN AN ADDITIONAL 1.24 ACRES ~~1.40 ACRES~~ TO TOTAL 2.74 MORE OR LESS ACRES.

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

1. Chinle Chapter hereby amends CHIN-AUG-16-054, Supporting Chinle Potter's House Christian Center to Obtain an Additional 1.24 Acres ~~1.40 acres~~ to total 2.74 more or less acres to continue their religious activities.

**CERTIFICATION**

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 37 in favor, 0 opposed, and 10 abstained, this 12<sup>th</sup> day of July 2016.

Motioned by: Eugene Tso

Seconded by: Betty Rose Draper

Myron McLaughlin  
Myron McLaughlin, President

David Yazzie  
David Yazzie, Vice President

Cynthia Hunter  
Cynthia Hunter, Secretary/Treasurer

**RESOURCES AND DEVELOPMENT COMMITTEE**  
**Regular Meeting**  
**April 25, 2018**

**ROLL CALL**  
**VOTE TALLY SHEET:**

**Legislation # 0124-18:** An Action Relating to Resources and Development, Approving an Amendment to Add an Additional One and One Quarter Acre (1.24) More or Less, to the Revocable Use Permit for Mission Site Issued to the Potter's House Christian Church of Chinle, Inc., in Chinle, Chapter, Navajo Nation. *Sponsor: Honorable Davis Filfred*

**MAIN MOTION:** Benjamin Bennett    S: Walter Phelps    V: 3-0-2 (CNV)

**ROLL CALL VOTE TALLY:**

**YEAS:** Benjamin Bennett, Davis Filfred; Leonard H. Pete and Walter Phelps

**NAYS:** NONE

**EXCUSED:** Jonathan Perry

**AMENDMENT # 1:**

**MOTION:** Davis Filfred    S: Benjamin Bennett    V: 3-0-2 (CNV)

**ROLL CALL VOTE TALLY:**

**YEAS:** Benjamin Bennett, Davis Filfred and Walter Phelps

**NOT VOTING:** Leonard Pete (NOTE: Mr. Pete recused himself in the discussion & voting process)

**EXCUSED:** Jonathan Perry



Alton Joe Shepherd, Chairperson  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Resources and Development Committee