



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 819

Date & Time Received: 04/17/24 at 17:44

Date & Time of Response: April 29, 2024 at 10 am

Entity Requesting FRF: LeChee Chapter

Title of Project: 1.7 Capital Investment for Public Facilities: Multi-purpose Building

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$7,526,651.00

Eligibility Determination:

- FRF eligible (checked)
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue (checked)
(4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
6.1 Provision of Government Services

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: Please note that we have modified the expenditure code from the requested 1.7 (Capital Investment for Public Facilities: Multi-purpose Building) to 6.1 (Provision of Government Services) to be consistent with similar previously approved projects.

A contractor has seemingly already been chosen for this Project; DOJ recommends ensuring that all procurement requirements - Navajo and federal - have been adhered to and documented.

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: LECHEE CHAPTER Date prepared: 03/18/2024

Chapter's mailing address: PO Box 4720 phone & email: 928-698-2805 lechee@navajochapters.org
Page, AZ 86040 website (if any): lechee.navajochapters.org

This Form prepared by: Renee Tsosie phone/email: rtsosie@nnchapters.org
Chapter Manager

CHAPTER CONTACT PERSON'S name and title

Title and type of Project: 1.7 Capital Investment for Public Facilities: Multi-purpose Building

Chapter President: JoAnn Yazzie-Pioche phone & email: 928-698-2805 jyazzie-pioche@naataanii.org

Chapter Vice-President: VACANT phone & email: NA

Chapter Secretary: Sharla Dale Hunt phone & email: 928-698-2805 sharla.hunt@navajochapters.org

Chapter Treasurer: Sharla Dale Hunt phone & email: 928-698-2805 sharla.hunt@navajochapters.org

Chapter Manager or CSC: Renee Tsosie phone & email: 928-698-2803 rtsosie@nnchapters.org

DCD/Chapter ASO: Milford Maloney phone & email: 928-283-3342 mmaloney@nndc.org

Best types of Subcontractors or Subrecipients that will be paid with FRF (if known): Sole source contract requested under IDIQ contract with JSRa that is working with the Navajo Nation document attached

Amount of FRF requested: \$7,526,651.00 FRF funding period: March 18, 2024 - September 30, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The LeChee Chapter Multi-Purpose Building project will include design and construction of 8,810 sq. ft. new building to provide support services of the community including restrooms, public showers, meeting room, conference, HVAC upgrades and accessibility upgrades. The project will be located at the LeChee Chapter compound. The COVID-19 related needs for the community include proper public showers, access to public health staff and Chapter admin staff. The multipurpose will also second as a shelter when needed and an Incident Command Post during wether related or man-made disasters. document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

Most rural communities on the Navajo Nation lack access to governmental services, safe location for families during weather or man-made disasters and an Incident Command Center for local CERT, Navajo Nation, County and State Emergency Teams. The benefits from this project will contribute and strengthen direct mitigation, preparedness, response & recovery. Promote public health and economic development document attached



(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

3/18/2024 - 04/02/2024 Obtain a supporting resolution, design the building with JSRa
04/02/2024 - 06/28/2024 Submit to NN Council for approval and awarding
05/03/2024 - 09/30/2026 Construction and build of new multipurpose building including any challenges with timeline

document attached

(d) Identify who will be responsible for implementing the Program or Project:

LeChee Chapter Administration and Chapter Officials will be responsible for implementing the project.

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The LeChee Chapter will be responsible for operation and maintenance costs for the project once completed.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.7 Capital Investment for Public Facilities: Multi-purpose Building

The LeChee Chapter is seeking funds for a new multi-purpose building. The current chapter house does not meet the growth of staff and programs to assist community members from Shadow Mountain to Marble Canyon within the LeChee Chapter service area. The multi-purpose building will house offices for the Chapter Administration, Senior Center Staff, a Community Health Representative, Police & EMT suboffice, meeting hall for Meetings and senior center meals. A computer room and fitness center to help with cultural revitalization, healthy living workshops, assistance with online applications: jobs, school, scholarships. A large conference that will second as an Incident Command Post with the meeting hall as a shelter.

document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

JSRa Multipurpose Building Prototype Site Adaptations Executive Summary
Honorable Helena Nez-Begay Support Letter
Chapter Land Information

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Rene Yousie
signature of Preparer/CONTACT PERSON

Approved by: John George Puche
signature of Chapter Official

Approved to submit for Review: _____
signature of DCD or NNFRFO Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2024

PART I Business Unit No.: <u>NEW</u>		Program Title: <u>LeChee Chapter - Multi-Purpose Building</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Renee Tsosie, Chapter Manager</u>		Phone No.: <u>928-698-2804</u>		Email Address: <u>rtosie@nnchapters.org</u>				
PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total	PART III. BUDGET SUMMARY			
NN Fiscal Recovery Fund		04/01/24-09/30/26	7,526,651.00	100%	Fund Type Code	Original Budget	Proposed Budget	Difference or Total
					2001 Personnel Expenses			0.00
					3000 Travel Expenses			0.00
					3500 Meeting Expenses			0.00
					4000 Supplies			0.00
					5000 Lease and Rental			0.00
					5500 Communications and Utilities			0.00
					6000 Repairs and Maintenance			0.00
					6500 Contractual Services	6	7,526,651	7,526,651.00
					7000 Special Transactions			0.00
					8000 Public Assistance			0.00
					9000 Capital Outlay			0.00
					9500 Matching Funds			0.00
					9500 Indirect Cost			0.00
					TOTAL		\$0.00	7,526,651.00
					PART IV. POSITIONS AND VEHICLES			
					Total # of Positions Budgeted:		0	0
					Total # of Vehicles Budgeted:		0	0
					TOTAL:		\$7,526,651.00	100%

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Renee Tsosie
Program Manager's Printed Name

Renee Tsosie
Program Manager's Signature and Date

APPROVED BY: Arbin Mitonell
Division-Director / Branch Chief's Printed Name

Arbin Mitonell
Division-Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW</u>	Program Name/Title: <u>LeChee Chapter - Multi-Purpose Building</u>									
PART II. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Measure: Design Multi-purpose building			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">1st QTR Goal</td> <td style="width: 25%;">2nd QTR Goal</td> <td style="width: 25%;">3rd QTR Goal</td> <td style="width: 25%;">4th QTR Goal</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	1st QTR Goal	2nd QTR Goal	3rd QTR Goal	4th QTR Goal				
1st QTR Goal	2nd QTR Goal	3rd QTR Goal	4th QTR Goal								
Work with JSRs in design and construction plan for new multipurpose building		1									
2. Program Performance Measure: Construction of Multipurpose Building											
New build start to be completed by 09/30/2024			1								
3. Program Performance Measure:											
4. Program Performance Measure:											
5. Program Performance Measure:											
PART III. CONCURRENCE/APPROVAL:											
<u>Renee Tsosie</u> Program Manager's Printed Name	<u>Arbin Mitchell</u> Division Director/Branch Chief's Printed Name	<u>Renee Tsosie</u> Program Manager's Signature and Date	<u>[Signature]</u> Division Director/Branch Chief's Signature and Date								

NR FRF Office
Received
APR 17 2024

Re: Navajo Nation – Multipurpose Building Prototype Site Adaptations
Executive Summary

Date: February 29, 2024

Project Summary:

The Navajo Nation occupies portions of northeastern Arizona, northwestern New Mexico, and southeastern Utah. In the Navajo culture there are four directions, four seasons, the first four clans and four colors that are associated with the four sacred mountains. In most Navajo rituals there are four songs and multiples thereof, as well as Navajo wedding basket and many other symbolic uses of four. Moving forward with design of the Multipurpose Building Prototypes, the use of materials would reflect the needs, style and culture of the people.

A chapter is the most local form of government on the Navajo Nation. The Nation is broken into five agencies. Each agency contains chapters; currently there are 110 local chapters, each with their own chapter house. Once a site is selected, input from the users could be imperative in creating a design that reflects the chapter while using common construction materials.

The proposed prototype buildings are planned based on the population of the chapter and to create opportunity for local services. The concept is to propose three different sizes, relative to the chapter population, and would be listed as small, medium and large. The meeting hall would be the primary function driving the size of each prototype, based on an occupancy of 80 for small, 120 for medium and 200 for large.

The support spaces for each building would be the same, with the size changing accordingly. These spaces include public restrooms with showers, Kitchen, pantry, General Storage, Offices and Auxiliary rooms that can be used as flex space.

Goals:

- Provide the multipurpose building centrally located to the served population.
- The Architectural elements should support the common use needs. Including Meeting Hall, Public Restrooms, and Kitchen.
- Exterior and Interior finishes should be durable and requiring minimal maintenance.
- Provide Natural Light with views to the outside.
- Large Overhead doors for the meeting hall to connect the interior and exterior during events.
- Commercial Style Kitchen utilizing residential or commercial appliances.
- Secondary Room as flexible space to meet the needs of each chapter.
- Based on the building Program 4 to 10 offices.
- Exterior shade space to extend event capabilities and continue cultural traditions.

The following sections for general building materials are not intended to be the final guide for construction. These are identified to provide a general concept, possible Basis of Design for the Schematic Design and create a base line for the budget.

Site:

The site location for each chapter has not been identified. General concept would be to include paved accessible parking, paved walkways and site utilities. Utilities would include access to existing infrastructure which would be Power, Communications, Water and Waste. Once the site is selected a Site Selection Elevation Report (SSER) should be completed to identify the feasibility of construction on the site.

Exterior & Structure:

The main building structure would consist of steel beams, columns and bar joist. The infill at the exterior between the structure would be at a minimum 6" metal studs with batt insulation.

The main exterior façade would consist of a durable material that is easy to maintain. Exterior Insulated Finish System (EIFS) would be the primary finish, which is similar in appearance to Stucco. The benefit of EIFS is easy repair and utilizing a higher continuous insulation meeting increasing energy efficiency requirements. Complementary materials would include the use of Concrete Masonry Units (CMU) and Metal Siding.

The roof would be a standing seam metal roof. This approach has the longest life (beyond 20 years) with minimal maintenance. Alternate roofing would include PVC/TPO Single ply membrane.

Windows would be standard aluminum with 1" insulated glass and low-e reducing solar heat gain. Exterior doors would be hollow metal with hollow metal frames, maximizing durability.

Each door would have a concrete landing. The primary entry would include a canopy and recess to help with inclement weather days.

Utilizing some of the exterior space adjacent to the meeting hall for a ramada will facilitate working in conjunction with the interior event center. This ramada could be constructed from traditional building materials (compliance with required building codes) to a modern canopy sail. An Alternative exterior cooling tower for the canopy space would facilitate extended use of the area as outdoor temperatures rise.

Interior Elements:

The interior construction would be metal studs, in lieu of wood, to reduce possible moisture rot. The sheeting would be 5/8" type 'X' gypsum board. Wet areas would utilize glass mat gypsum board, reducing potential mold growth and improving indoor air quality.

Flooring shall consist of a durable low maintenance material. The Main Meeting hall use the Luxury Vinyl Tile (LVT) for a wood plank look, restrooms and Kitchen ceramic tile and other areas to use Vinyl Composite Tile (VCT) or Polished Concrete.

Ceilings at the main meeting hall would be an open structure with acoustical panels attached to the underside of deck. The balance will use a 2x2 lay in acoustic tile or gypsum board for the wet areas, such as the rest rooms.

Doors and Frames would use a 1-3/4" solid core flush panel wood door with plastic laminate finish and the frames would be hollow metal. View panels would be provided on the appropriate doors, such as the Flex space and high traffic areas.

Code:

Applicable codes would need to be applied for the design. Recommend use of the current International Building Code (IBC) 2021, and its associated codes be used for the final basis of design. Some Basic Elements include Restroom requirements and energy efficiency.

General:

- Fully Sprinklered (Large Only)
- Occupancy = A-2 (Banquet Hall)
- Construction Type = Type V-B
- Max Area = 6,000sf (non-sprinklered) 24,000sf (sprinklered)
- No Rated Walls or Structure are required with Fully Sprinklered
- Assembly Occupancy without fixed tables & chairs = 15 net per square foot
- Kitchen Occupancy = 200 gross per square foot
- Other Spaces are ancillary support to the assembly space
- Corridor Width = 44" min (72" min recommended)
- Occupancy exceeds 49, Meeting Hall will require 2 exits
- Max Travel Distance to exit 75'

Accessibility:

- ADA 2010 will be used for Basis of Design, meeting all accessibility requires
- IBC 2021 Chapter 11, ANSI 11.7 will supplement the ADA requirements

Plumbing:

- Assembly A-2 (Banquet Hall) = 1 water Closet per 75 per gender. Small & Medium is 2 Water Closets Per Gender and Large is 3 Water Closets Per Gender.

5210 E Williams Circle, Suite 600 ■ Tucson, AZ 85711 ■ v:520.547.7904 ■ f:520.547.7905 ■ www.jsra.com

Building Envelope:

- Climate Zone 5B
- Roof = R30ci (Above Deck)
- Walls = R13+R10ci (Metal Framed)

Space Planning:**Small Multipurpose Building**

Space/Function	Quantity	Area	Total Area
<i>Meeting Hall (80 people)</i>	1	2,000sf	2,000sf
<i>Event Room Storage</i>	1	150sf	150sf
<i>Reception</i>	1	330sf	330sf
<i>Flex Room</i>	1	500sf	500sf
<i>Kitchen (Full Service)</i>	1	690sf	690sf
<i>Senior Room</i>	1	300sf	300sf
<i>Computer/Cultural Room</i>	1	520sf	520sf
<i>CHR Office</i>	1	140sf	140sf
<i>Office</i>	3	100sf	300sf
<i>Restrooms (2 stalls per gender + Showers)</i>	2	200sf	200sf
<i>Janitor Closet</i>	2	50sf	100sf
<i>Mechanical/Electrical/Comm</i>	2	120sf	240sf
Subtotal			5,470sf
<i>Building Factor 1.34</i>			1,860sf
TOTAL			7,330sf

Medium Multipurpose Building

Space/Function	Quantity	Area	Total Area
Meeting Hall (120 people)	1	2,200sf	2,200sf
Event Room Storage	1	300sf	300sf
Reception/Vestibule	1	250sf	250sf
Flex Room	1	460sf	460sf
Kitchen (Full Service)	1	870sf	870sf
Senior Room	1	200sf	200sf
Computer/Cultural Room	1	460sf	460sf
Fitness Room	1	440sf	440sf
CHR Office	1	150sf	150sf
Office	5	100sf	500sf
Police Office	1	400sf	400sf
Restrooms (2 stalls per gender + Showers)	2	230sf	460sf
Janitor Closet	1	60sf	60sf
Mechanical/Electrical/Comm	3	120sf	360sf
Subtotal			7,110sf
Building Factor 1.24			1,700sf
TOTAL			8,810sf

Large Multipurpose Building

Space/Function	Quantity	Area	Total Area
<i>Meeting Hall (200 people)</i>	1	3,000sf	3,000sf
<i>Event Room Storage</i>	1	300sf	300sf
<i>Reception/Vestibule</i>	1	250sf	250sf
<i>Flex Room</i>	1	460sf	460sf
<i>Kitchen (Full Service)</i>	1	870sf	870sf
<i>Senior Room</i>	1	200sf	200sf
<i>Computer/Cultural Room</i>	1	460sf	460sf
<i>Fitness Room</i>	1	440sf	440sf
<i>CHR Office</i>	1	150sf	150sf
<i>Office</i>	5	100sf	500sf
<i>Police Office</i>	1	400sf	400sf
<i>Restrooms (2 stalls per gender + Showers)</i>	2	230sf	460sf
<i>Janitor Closet</i>	1	60sf	60sf
<i>Mechanical/Electrical/Comm</i>	3	120sf	360sf
Subtotal			7,910sf
<i>Building Factor 1.24</i>			1,900sf
TOTAL			9,900sf

Preliminary Budget:

Budgeting is based on a Dollars per Square Foot. The site improvements would vary depending on utility access and condition of the selected site. For this budget exercise, 20% of the building cost is utilized for site improvements. The following worksheet shows the Small Multipurpose Building. Price escalation is set at 2 years.

Small Multipurpose Building				
	Multiplier	Base	PSF	Projected Cost
Basic PSF Unit Cost		\$460		
Site & Infrastructure Costs	20%	\$92	\$552	\$4,046,160
Cost Escalation to MidPoint (2026) @3%	6%	\$28	\$580	
Typical FFE	17%	\$99	\$678	
Admin (Permits, Mgmt, etc)	5%	\$29	\$707	
A/E Fees	12%	\$70	\$777	
Sub-Total		\$70	\$777	
Contingency	10%	\$78	\$854	
Total PSF			\$854	
Building Area (SF)	7,330			\$6,262,242

Total Price per Square Foot of \$854 is used for the following budget summaries.

Budget Summary:

- Total Medium Building (Construction Only) @ 7,330sf \$4,046,160
- Total Medium Building (Design, FFE & Construction) @ 7,330sf..... \$6,262,242

Preliminary Budget:

Budgeting is based on a Dollars per Square Foot. The site improvements would vary depending on utility access and condition of the selected site. For this budget exercise, 20% of the building cost is utilized for site improvements. The following worksheet shows the Medium Multipurpose Building. Price escalation is set at 2 years.

Medium Multipurpose Building				
	Multiplier	Base	PSF	Projected Cost
Basic PSF Unit Cost		\$460		
Site & Infrastructure Costs	20%	\$92	\$552	\$4,863,120
Cost Escalation to MidPoint (2026) @3%	6%	\$28	\$580	
Typical FFE	17%	\$99	\$678	
Admin (Permits, Mgmt, etc)	5%	\$29	\$707	
A/E Fees	12%	\$70	\$777	
Sub-Total		\$70	\$777	
Contingency	10%	\$78	\$854	
Total PSF			\$854	
Building Area (SF)	8,810			\$7,526,651

Total Price per Square Foot of \$854 is used for the following budget summaries.

Budget Summary:

- Total Medium Building (Construction Only) @ 8,600sf \$4,863,120
- Total Medium Building (Design, FFE & Construction) @ 8,600sf \$7,526,651

Preliminary Budget:

Budgeting is based on a Dollars per Square Foot. The site improvements would vary depending on utility access and condition of the selected site. For this budget exercise, 20% of the building cost is utilized for site improvements. The following worksheet shows the Large Multipurpose Building. Price escalation is set at 2 years.

Large Multipurpose Building				
	Multiplier	Base	PSF	Projected Cost
Basic PSF Unit Cost		\$460		
Site & Infrastructure Costs	20%	\$92	\$552	\$5,409,600
Cost Escalation to MidPoint (2026) @3%	6%	\$28	\$580	
Typical FFE	17%	\$99	\$678	
Admin (Permits, Mgmt, etc)	5%	\$29	\$707	
A/E Fees	12%	\$70	\$777	
Sub-Total		\$70	\$777	
Contingency	10%	\$78	\$854	
Total PSF			\$854	
Building Area (SF)	9,800			\$8,372,438

Total Price per Square Foot of \$854 is used for the following budget summaries.

Budget Summary:

- Total Medium Building (Construction Only) @ 9,800sf \$5,409,600
- Total Medium Building (Design, FFE & Construction) @ 9,800sf \$8,372,438

Summary:

In summary the concept for the multipurpose building is to use an adaptable design for each chapter relative to population and identified needs. The next phase of design would be to begin the process of site selection and engage the user committee for the chapter.

Should you have any questions please feel free to contact our office immediately.

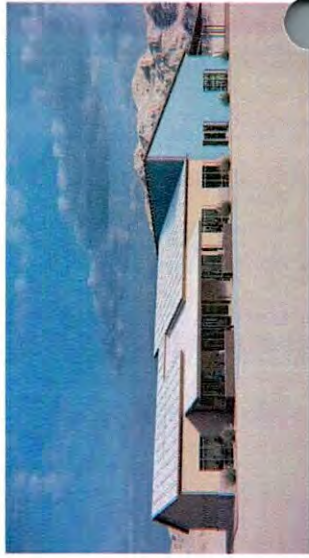
Yours very truly,



Daniel Hargreaves, AIA, FCSI, iSCS, CDT, RAS, LEED Assoc.
Director of Operations

DH

Concept Space Plan & Renderings are a separate attachment



1 FLOOR PLAN - SMALL



JOHNSON SMITTHIPONG & ROSAMOND
ASSOCIATES, INC.
5719 E Williams Cir • Suite 600 • Tucson, AZ 85711
(520) 547-7604 • www.jsrainc.com

LeChee Chapter



P.O. Box 4720 • Page, Arizona • 928-698-2805 • 928-698-2803 fax

August 16, 2013

Genevieve Keetso-Bighorse
Principal Economic Development Specialist
Tuba City Regional Business Development Office
P.O. Box 485
Tuba City, Arizona 86045

Dear Mrs. Keetso-Bighorse

This letter pertains to consent for land with drawl for commercial purposes at LeChee Chapter. The land with drawn was formerly designated for commercial purposes. The land is not being utilized by any Chapter member for grazing purposes.

Your assistance and cooperation in this matter is appreciated. If you have an questions, please call me at 928-698-2805.

Sincerely,

Sara Dale DGEM LeChee
Sara Dale, Grazing Committee Member
LeChee Chapter

Cc: LeChee Chapter

Council Delegate
Duane Tsinigine

Chapter President
Irene Nez-Whitekiller

Vice President
Yvonne S. Bigman

Secretary/Treasurer
Elizabeth Nez

Grazing Committee Member
Sara Dale

LeChee Chapter



P.O. Box 4720

Page, Arizona

928-698-2805

928-698-2803 fax

RESOLUTION OF THE LECHEE CHAPTER

LC 08-89-13

SUPPORTING AND APPROVING A LAND WITHDRAWAL OF THREE ACRES MORE OR LESS FOR COMMERCIAL DEVELOPMENT, ALL REQUIRED LAND FOR UTILITIES, ROAD RIGHT-OF-WAYS/PERMITS, IS LOCATED AT LECHEE CHAPTER (NAVAJO NATION), ARIZONA.

RECEIVED

AUG 16 2013

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the LeChee Chapter is a certified Chapter of the Navajo Nation as listed under 11 N.N.C., part 1, Section 10; and
2. Pursuant to 26 N.N.C., Section 1 (B), the LeChee Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Laws, customs, and tradition; and
3. Due to the prime location for commercial and tourism development, the Chapter Planning and Zoning Committee identified and supports a land withdrawal for economic, commercial and other business related activities; and
4. LeChee Chapter is in support of economic initiatives to create jobs, increase availability of products and services and increase the revenue that these businesses will generate to benefit the community; and
5. LeChee Chapter is pursuing the land withdrawal to start working on developing the recommended commercial site with all necessary infrastructures located at along and on the east side of BIA Route N20 to accommodate future economic, commercial and tourism development.

Western Regional
Business Development Office

NOW, THEREFORE BE IT RESOLVED THAT:

1. The LeChee Chapter hereby supports and approves a land withdrawal of three acres more or less for commercial development including all required land for utility and road Right of Ways/permits, land is located ½ mile south of LeChee Chapter and along the east side of BIA Route N20 at LeChee (Navajo Nation), Arizona.
2. LeChee Chapter further approves and recognize that this resolution will supersede all previous resolution that the Chapter may have approved in the past regarding this particular site.

Council Delegate
Duane Yininigine

Chapter President
Irene Nez-Whitekiller

Vice President
Yvonne S. Bigman

Secretary/Treasurer
Elizabeth Nez

Grazing Committee Member
Sara Dale

3. LeChee Chapter further approves all required land for Right of Ways for all utilities and roads, including but, not limited to Navajo Tribal Utility Authority, any and all communication companies, the Bureau of Indian Affairs Roads Department, and Arizona Department of Transportation. This approval includes permits for the purpose infrastructure development to accommodate the three more or less acres commercial site.
4. LeChee Chapter further directs the Navajo Nation, Bureau of Indian Affairs and all entities involved in the processing and approval of this commercial land withdrawal to assist and do any and all things necessary to carry out the intent and purpose of this resolution.

CERTIFICATION

LeChee Chapter hereby certifies that the foregoing resolution was considered at a duly called Chapter meeting at LeChee, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a vote of 37 in favor 7 opposed and 1 abstained on this 12th day of August, 2013.

Motion: LEO Kesoli

Irene N. Whitekiller
Irene N. Whitekiller, President

Second: ALBERTA MARTIN

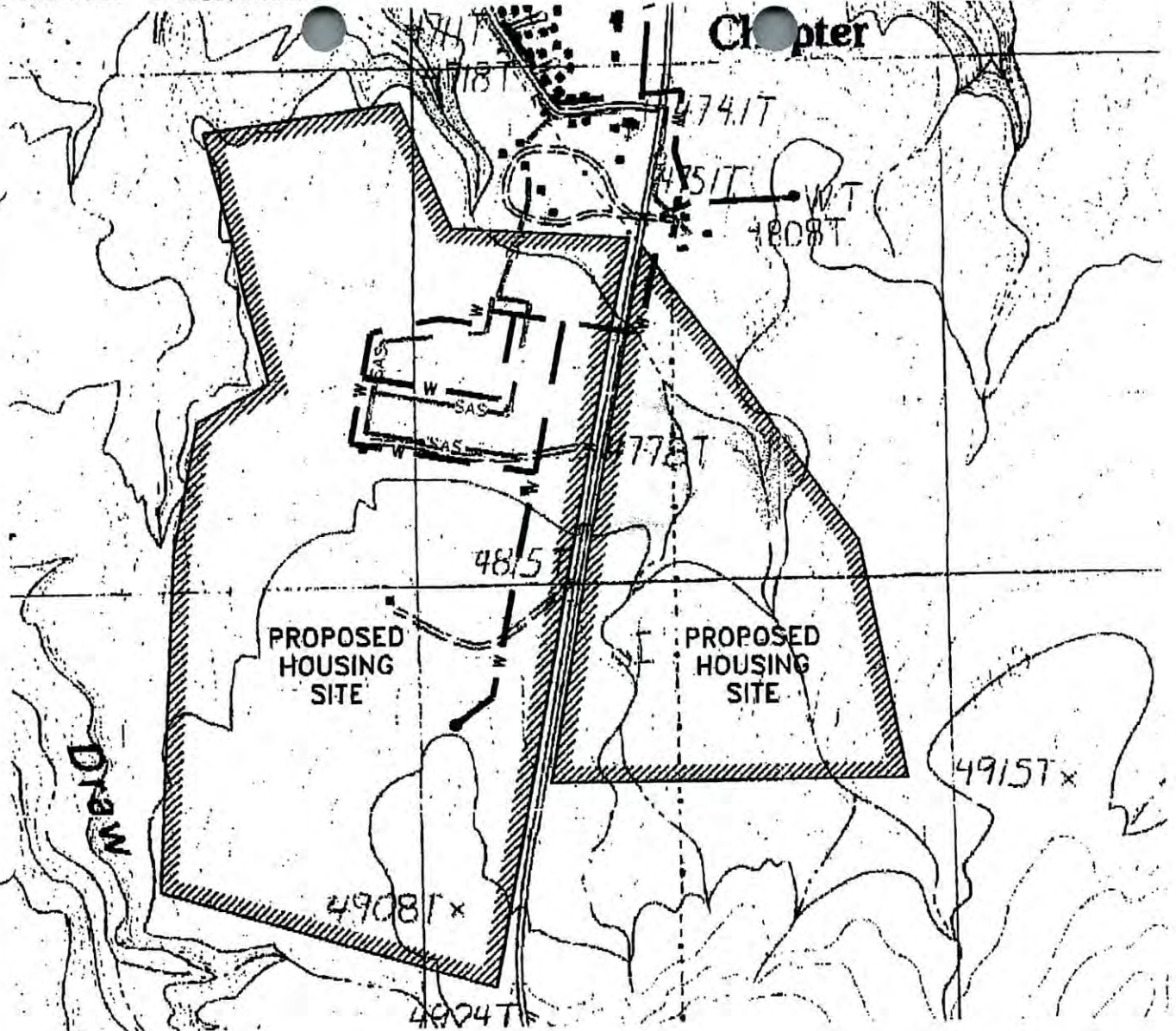
Yvonne Bigman
Yvonne Bigman, Vice President

Elizabeth H. Nez
Elizabeth H. Nez, Secretary

ABSENT-UNAVAILABLE TO SIGN
Duane Tsinigine, Council Delegate

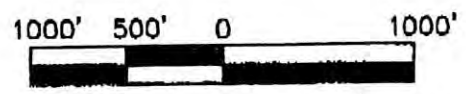
Sara Dale
Sara Dale, Grazing Committee Member

Chapter



LEGEND:

- SAS ----- EXISTING SANITARY SEWER LINE
- W ----- EXISTING WATER LINE



SCALE: 1" = 1000'

NO.	REVISION	BY	APPROV.	DATE

DESIGNER	2017	DESIGN	JED
FILE NAME	2037/UTL.dwg	ENGINEER	JEC
DATE	02-12-04	DRAWN	BAC
SCALE	1" = 1000'		

PROJECT: **NAVAJO COMMUNITY BASED PLANNING**

SHEET TITLE: **UTILITY PLAN - LECHE-E CHAPTER
PROPOSED HOUSING SITE SOUTH**

THE DESIGN IS THE PROPERTY OF RED MOUNTAIN ENGINEERS, INC. AND IS NOT TO BE REPRODUCED, COPIED OR USED

Red Mountain Engineers, Inc.
Engineers • Surveyors

1616 Parkway Drive, Suite 170, Hill, Arizona 85301
Phone: (602) 476-7076

2000 West American Freeway, Suite 100, Phoenix, Arizona 85015
Phone: (602) 998-9722

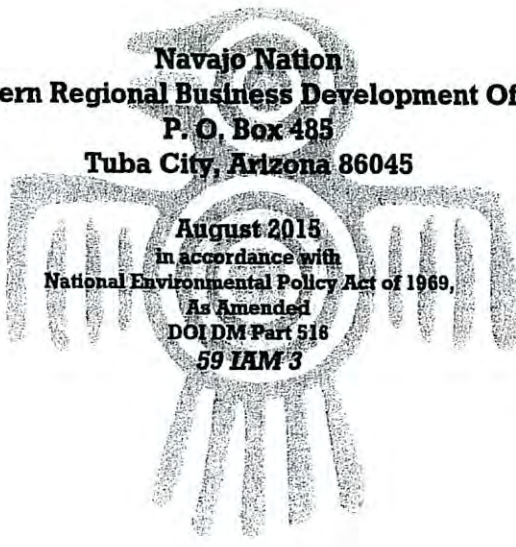


LeChee Chapter 3-Acre Commercial Tract.

**AN
ENVIRONMENTAL INVESTIGATION REPORT**

**For
Tse'Lichii Business Park Site
LeChee Chapter
P. O. Box 4720
Page, Arizona 86045**

**Navajo Nation
Western Regional Business Development Office
P. O. Box 485
Tuba City, Arizona 86045**



**August 2015
In accordance with
National Environmental Policy Act of 1969,
As Amended
DOI DM Part 516
59 IAM 3**

Table of Contents

Executive Summary.....	i
I. DESCRIPTION OF THE PROPOSED ACTION.....	1
A. PROJECT DESCRIPTION.....	1
B. PURPOSE AND NEED FOR ACTION.....	2
C. LOCATION.....	2
II. ALTERNATIVES.....	3
A. PREFERRED ALTERNATIVE - APPROVAL OF THE LECHÉE CHAPTER LAND WITHDRAWAL FOR A BUSINESS PARK TRACT ..	3
B. REASONABLE ALTERNATIVES.....	3
1. No Action Alternative.....	3
2. Alternate Locations.....	3
III. DESCRIPTION OF THE AFFECTED ENVIRONMENT.....	4
A. LAND RESOURCES.....	4
1. Topography.....	4
2. Soils.....	4
3. Geological Setting and Mineral Resources.....	4
a. Geological Setting.....	4
b. Mineral Resources.....	4
4. Paleontology.....	4
B. WATER RESOURCES.....	4
1. Surface Water.....	4
a. Floodplain Management [24 CFR 55, Executive Order 11988].....	5
b. Wild and Scenic River Act [Sections 7(b) and (c)].....	5
c. Wetland Protection [Executive Order 11990].....	5
2. Ground Water.....	5
a. Sole Source Aquifers [40 CFR 149].....	5
C. AIR RESOURCES, CLEAN AIR ACT [SECTIONS 176 (C), (D) AND 40 CFR 6, 51, 93].....	5
1. Quality.....	5
2. Visibility.....	6
3. Climate/Meteorology.....	6
D. BIOTIC RESOURCES.....	6
1. Description of Ecosystems and Biological Communities.....	6
2. Wildlife.....	6
a. Terrestrial.....	6
b. Riparian/Aquatic.....	6
c. Threatened and Endangered Species.....	7
d. Species of Concern.....	7
3. Vegetation.....	7
b. Riparian/Aquatic.....	7
c. Threatened and Endangered Species.....	7
d. Species of Concern.....	7
E. CULTURAL RESOURCES, HISTORIC PRESERVATION [36 CFR PART 800].....	7
1. Traditional Cultural, Historic and Religious Properties.....	7
2. Archaeological Resources.....	8
F. SOCIOECONOMICS.....	8
1. Employment.....	8
2. Demographics.....	8
3. Lifestyles, Cultural Values.....	8
4. Community Infrastructure.....	9

(Cont.)

(Cont.)

G. RESOURCE AND LAND USE PATTERNS	9
1. Agriculture, Farmland Protection Policy Act [7 CFR 658]	9
2. Residential Land Use	9
H. OTHER VALUES	10
1. Sound and Noise, Noise and Abatement Control [24 CFR 51B]	10
2. Public Health and Safety	10
3. Visual Setting	10
4. Explosive and Flammable Operations [24 CFR 518]	10
5. Toxic Chemicals and Radioactive Materials	10
6. Airport Clear Zones and Accident Potential Zones [24 CFR 51D]	10
IV. ENVIRONMENTAL CONSEQUENCES OF THE PROPOSED ACTION	11
A. LAND RESOURCES	11
1. Topography	11
2. Soils	11
3. Geological Setting and Mineral Resources	11
a. Geology	11
b. Mineral Resources	11
4. Paleontology	11
B. WATER RESOURCES	11
1. Surface Water	11
a. Floodplain Management [24 CFR 55, Executive Order 11988]	11
b. Wild and Scenic River Act [Sections 7(b) and (c)]	11
c. Wetland Protection [Executive Order 11990]	12
2. Ground Water	12
a. Sole Source Aquifers [40 CFR 149]	12
C. AIR RESOURCES (CLEAN AIR ACT [SECTIONS 176 (c), (D) AND 40 CFR 6, 51, 93])	12
1. Quality	12
2. Visibility	12
3. Climate/Meteorology	12
D. BIOTIC RESOURCES	12
1. Wildlife	12
b. Riparian/Aquatic	12
c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]	12
d. Other Species of Concern	12
2. Vegetation	13
a. Terrestrial	13
b. Riparian/Aquatic	13
c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]	13
d. Other Species of Concern	13
3. Biological Resources Compliance	13
E. CULTURAL RESOURCES, HISTORIC PRESERVATION [36 CFR PART 800]	13
1. Traditional Cultural, Historic and Religious Properties	13
2. Archaeological Resources	13
F. SOCIOECONOMICS	13
1. Employment	13
2. Demographics	13
3. Lifestyles	14
4. Community Infrastructure	14
G. RESOURCE AND LAND USE PATTERNS	14
1. Agriculture, Farmland Protection Policy Act [7 CFR 658]	14
2. Residential Land Use	14

(Cont.)

(Cont.)

H. OTHER VALUES.....	14
1. Solid Waste.....	14
2. Sound and Noise, Noise and Abatement Control [24 CFR 51B].....	14
3. Public Health and Safety	14
4. Visual Setting	14
5. Explosive and Flammable Operations [24 CFR 518]	14
6. Toxic Chemicals and Radioactive Materials	14
7. Airport Clear Zones and Accident Potential Zones [24 CFR 51D]	14
V. COMPLIANCE WITH EXECUTIVE AND SECRETARIAL ORDERS	15
1. Environmental Justice.....	15
2. Indian Trust Resources	15
VI. CONCLUSIONS REGARDING SIGNIFICANCE.....	16
VII. CONSULTATION AND COORDINATION.....	17
A. PERSONS OR AGENCIES INVOLVED IN THE PROPOSED ACTION.....	17
B. PERSONS OR AGENCIES PROVIDING INFORMATION.....	17
C. REFERENCES.....	17
VIII. DOCUMENT PREPARER	18

Appendices

Appendix A

Wild and Scenic Rivers, www.nps.gov/rivers/wildriverslist.html

Appendix B

EPA Designated Sole Source Aquifers in EPA Region IX. www.epa.gov/safewater/swp/ssa/reg9.html

Appendix C

Arizona Department of Environmental Quality, Air Quality Division Non-attainment Areas in Arizona

Appendix D

Correspondence, NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR:
LeChee Chapter 3.0-Acre Commercial Development Tract, LeChee, Coconino County, AZ, Navajo Nation Natural Heritage Program, Department of Fish and Wildlife 11 May 2015

Biological Resource Compliance Form, NNDFW Review No. 15JRAE-01

Appendix E

A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona, Report No. CSWTA-ARCH-2013072

Appendix F

Cultural Resource Compliance Form, NNHPD No. HPD-14-241

Executive Summary

This *Environmental Investigation Report (EIR)* (environmental assessment) has been prepared in accordance with *Sections 101 and 102 of the National Environmental Policy Act of 1969, As amended, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 and Department of the Interior (DOI), Departmental Manual 516 DM 6, 59 IAM 3*. The environmental assessment is an instrument required by federal law and regulations to determine if potential impacts of a federal action are of such significance as to require the preparation of an environmental impact statement.

The proposed action addressed in this EIR is the withdrawal of a 3.0± acre tract of land by the LeChee Chapter for commercial development and community use. The tract, Tse'Lichii Business Park (TLBP) is located approximately five miles south of Page, Arizona on BIA Route 20. LeChee Chapter (LC) is having this document prepared as an integral element of their Chapter Land Use Planning procedures to expedite the business site leasing process for commercial businesses wishing to locate in the LeChee Chapter; and provide a convenient and accessible location for LC development of chapter and tribal services; and social and recreational facilities.

Consultation has been conducted with the Navajo Nation Natural Heritage Program, Fish and Wildlife Department to identify federally listed threatened or endangered species, critical habitat or other species of concern, which may exist in the project area. No archaeological sites have been previously recorded within 100 feet of the TLBP site.

A complete cultural resource inventory of the proposed TLBP was completed by the CSWTA Inc. of Tuba City, Arizona. This work is defined in the report *A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona, Report No. CSWTA-ARCH-2013072. Cultural Resource Compliance Form, NNHPD No. HPD-14-241* was issued for this project on May 20, 2014.

This EA analyzes and evaluates the impacts of the proposed land use withdrawal on a minority and low-income population and surrounding communities as mandated by *Executive Order 12898 (EO) of February 11, 1994, Federal Actions to address Environmental Justice in Minority Populations and Low-Income Populations*. The EO requires agencies to incorporate environmental justice into their missions by identifying and addressing disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities.

The assessments and determinations of final impacts contained in this EA were developed in accordance with the *CEQ Guidelines 40 CFR 1500*. *40 CFR 1500* provides that the EA shall include reasonable alternatives to the proposed action, identify a preferred alternative, give consideration to general and broad measures to minimize or eliminate adverse impacts and allow a final federal decision as to the need for an environmental impact statement (EIS) for the approval of the requested lease.

Approval of the requested land withdrawal addressed in this document will not result in an irreversible commitment of other resources or prejudice the selection of other alternatives for future project related activities.

Based on this EIR (EA), it is determined that the approval of the requested action will not have a significant impact on the quality of the human environment so as to require the preparation of an EIS.

AN
ENVIRONMENTAL INVESTIGATION REPORT

For
Tse'Lichii Business Park Site
LeChee Chapter
P. O. Box 4720
Page, Arizona 86045

Navajo Nation
Western Regional Business Development Office
P. O. Box 485
Tuba City, Arizona 86045

I. Description of the Proposed Action

Due to the unique land status of the Navajo Nation; approval of commercial site leases and land withdrawals, require compliance with *Sections 101 and 102 of the National Environmental Policy Act of 1969, As amended, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 and NEPA Handbook, 516 DM, 59 IAM 3*. The proposed action addressed in this Environmental Investigation Report (EIR) is the withdrawal of a 3.0± acre tract of land by the LeChee Chapter (LC) for Tse' Lichii Business Park (TLBP). The tract is located approximately five miles south of Page, Arizona on BIA Route 20. LC is having this document prepared as an integral element of their Chapter Land Use Planning procedures to expedite the business site leasing process for commercial businesses wishing to locate in the LC; and provide a convenient and accessible location for LC development of chapter and tribal services; and social and recreational facilities. This EA will evaluate the potential environmental impacts from a variety of business ventures and chapter developments which may be located at the TLBP. This EIR addresses potential environmental impacts which may result from the approval of the site withdrawal.

A. Project Description

TLBP has potential to develop the following commercial businesses ventures to meet current unmet needs in the market area.

- Truck Stop
- Hotel/Motel
- Bed/Breakfast
- Laundromat
- Gas Station/Convenience Store
- Chapter Offices and facilities

Development of areas with outdoor facilities for camping, rodeos, pow-wows, song and dance competitions, cattle and rug auctions, arts and crafts festival grounds with vending kiosks and supporting infrastructures are possibilities in the future.

Development will generally over an extended time. Development will occur as business site leases are sought; and needs and planning for chapter projects develop; and funding becomes available. Initially septic tank systems may be used, however, as the TLBP develops and if the need arises a sewage lagoon may be constructed to provide sanitary needs of the numerous facilities. NTUA will be contacted and consulted in the location, design and construction of a sewage lagoon.

As the TLBP is developed, access to BIA Route 20 for the various facilities and businesses will be in designed and constructed as required in compliance with the BIA Branch of Roads (BIABR) guidelines and requirements. Final design and construction of all entrances will be approved and permitted by the BIABR.

All features including access roads, parking lots, drainage control and utilities will be addressed in the design of the respective facilities as they are developed. Storm drain systems will be included in the design and construction of TLBP facilities as required. Concentrated storm runoff will not be allowed to occur. All runoff will be collected and directed to drain onto the natural water courses in the area.

Facilities requiring heat will be fueled by propane (LPG) gas, with above ground storage tank(s). The size, location and number of tanks will be determined as the TLBP is developed. LPG shall be odorized prior to delivery to the business site. The purpose of odorization is to provide a means of detecting leaks or other unintentional releases of LPG. All tanks and lines shall be fitted with emergency shutoff valves incorporating thermal and manual means of closing. All LPG tanks will be above ground. All containers, piping and associated equipment for storage and delivery of LPG shall be designed, constructed, installed and operated in accordance with the *NFPA, Liquefied Petroleum Gas Code, 1998 Edition*. Underground piping shall be required to supply LPG to the facilities.

Underground storage tanks used for fuel dispensing operations at service stations will be equipped with tank monitors. Appurtenances will meet *UL 142* safety requirements. Tanks will be pressure tested in accordance with *40 CFR 260 and 261*. Test results will be submitted to the U. S. Environmental Protection Agencies and Navajo Nation EPA. The tank and overflow containers will bear UL labels and meet or exceed existing *Standards 142 and 1709 Uniform Fire Code*. The U. S. Environmental Protection Agencies and Navajo Nation will be notified as appropriate for the work required. Waste petroleum products generated by service station operations will be stored for short durations and periodically collected and transported to certified sites for final disposal. No regulated waste materials will be disposed of on site, in local landfills or at uncertified locations.

LC will require that all businesses located at the TLBP will be required to comply with all federal, state and tribal permits; and be in compliance with all inspections, regulations and requirements necessary for operation of the respective business.

Electric power is available from Navajo Tribal Utilities Authority (NTUA); telephone service in the area is provided by Citizens Communications. Water will be provided by the local NTUA water department. Solid waste generated by the TLBP operations shall be collected and disposed of at a location approved of by the Navajo Nation.

B. Purpose and Need for Action

The TLBP will provide a convenient and accessible location for much needed commercial business ventures to locate in the LC. The site will also provide a central site for LC to construct and operate facilities for chapter and tribal programs. By locating the numerous and varied businesses, chapter and tribal facilities on the TLBP, chapter land use development will be orderly and the required support infrastructure will be localized which will be economically sound. With a localized TLBP infrastructure; those considering businesses ventures in the LC may find the TLBP a desirable location to develop projects in the area. The proposed TLBP site withdrawal will contribute significantly to the quality of life and enhance the social and economic needs of the residents of LC and surrounding area.

C. Location

The TLBP is found on *White Dome Quadrangle; Arizona – Coconino Co., 7.5 Minute Series (Topographic)*; located in Section 20 T40N, R9E, G&SRM. Maps showing a more exact location and site photographs are shown in Figures 1-5.

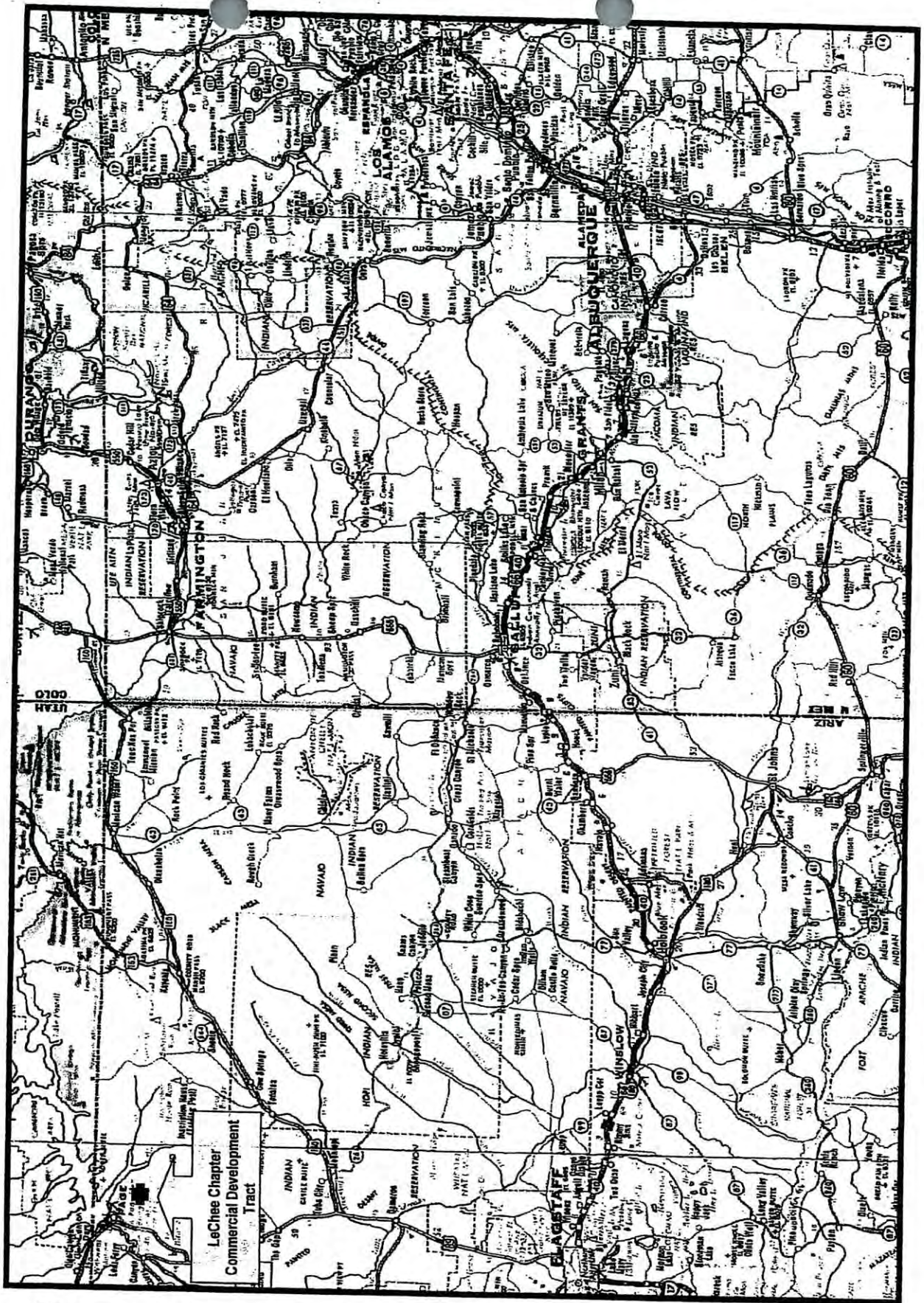


Figure Sheet 1
 LeChee Chapter Commercial Development Tract
 LeChee Chapter



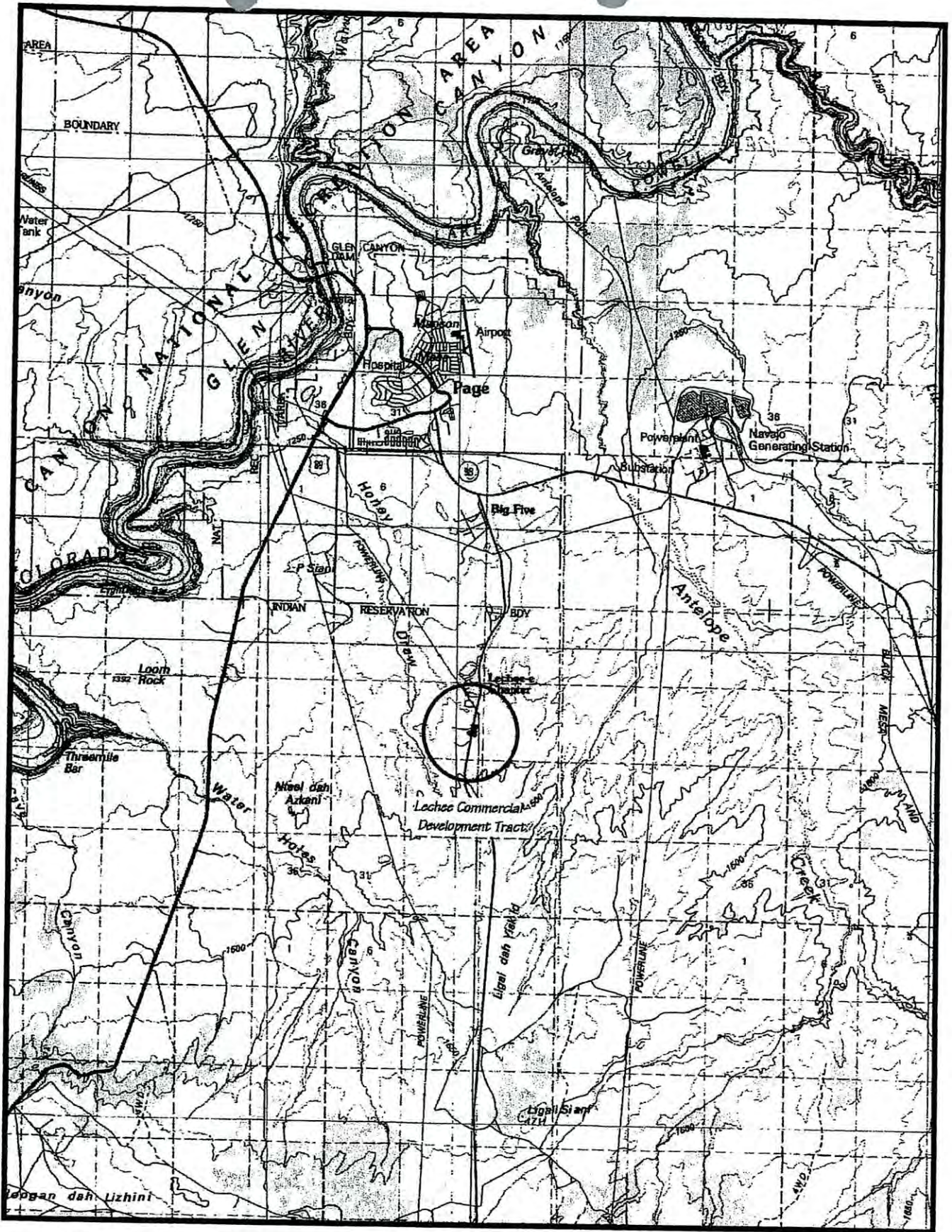
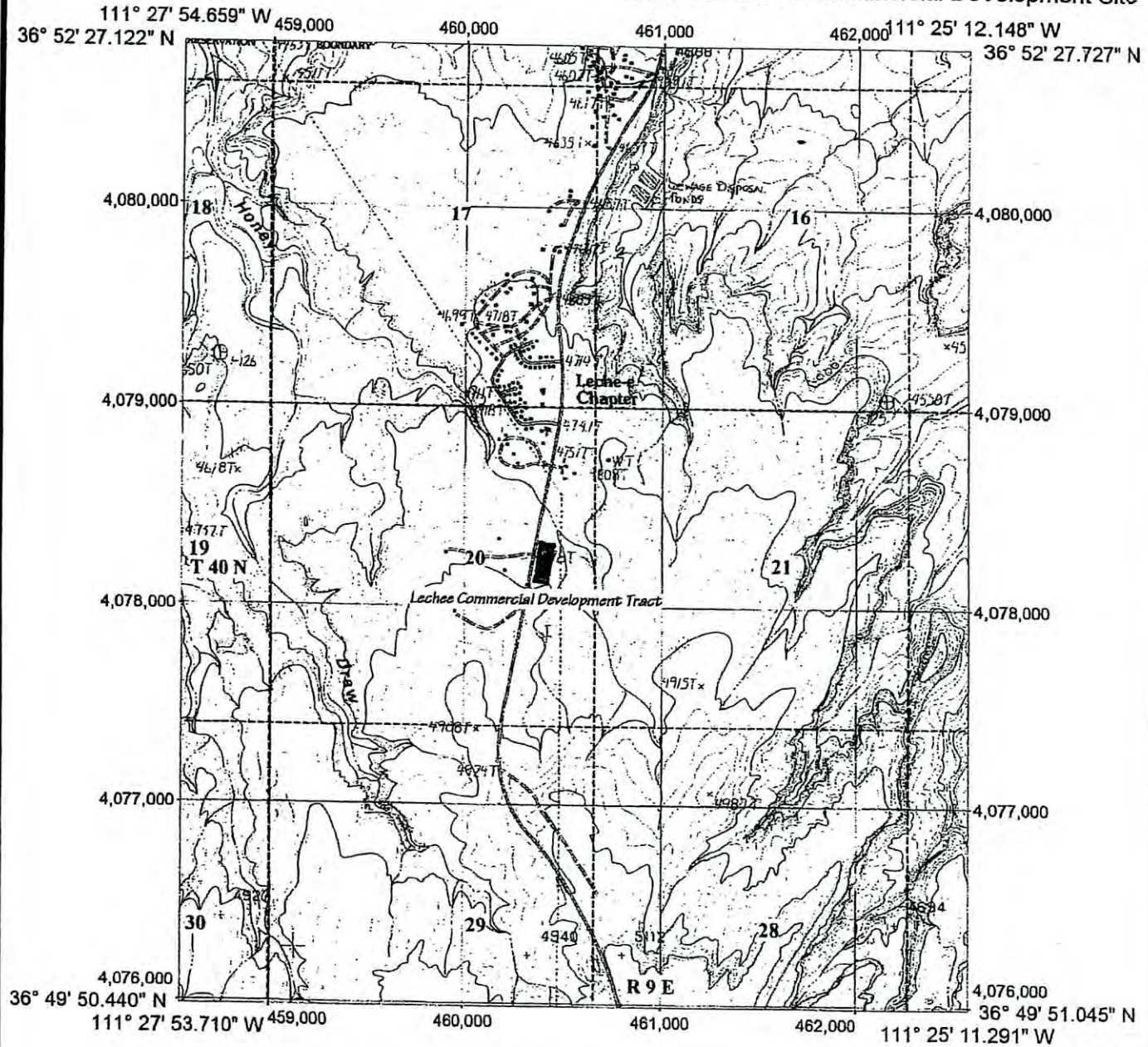


Figure Sheet 2
LeChee Chapter Commercial Development Tract
LeChee Chapter



EAS 1502 LeChee Commercial Development Site



0 ¼ ½ Mile

0 1000 2000 Feet

WHITE DOME QUADRANGLE
ARIZONA - COCONINO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

0 0.5 Miles

EAS 1502 LeChee Commercial Development Tract

1987 North American Datum, UTM grid zone 12
Generated by BigTopo2 (www.bigtopo.com)
Map compiled from USGS Quads: Vm2a
Done: AZ

2015 Declination at Sheet Center
1° 34' 0.000" (0° 0' 0") (0.3131)
7M to UTM GN -0.385" (0° 15' 55") (-5 mbs)



Figure Sheet 3
LeChee Chapter Commercial Development Tract
LeChee Chapter



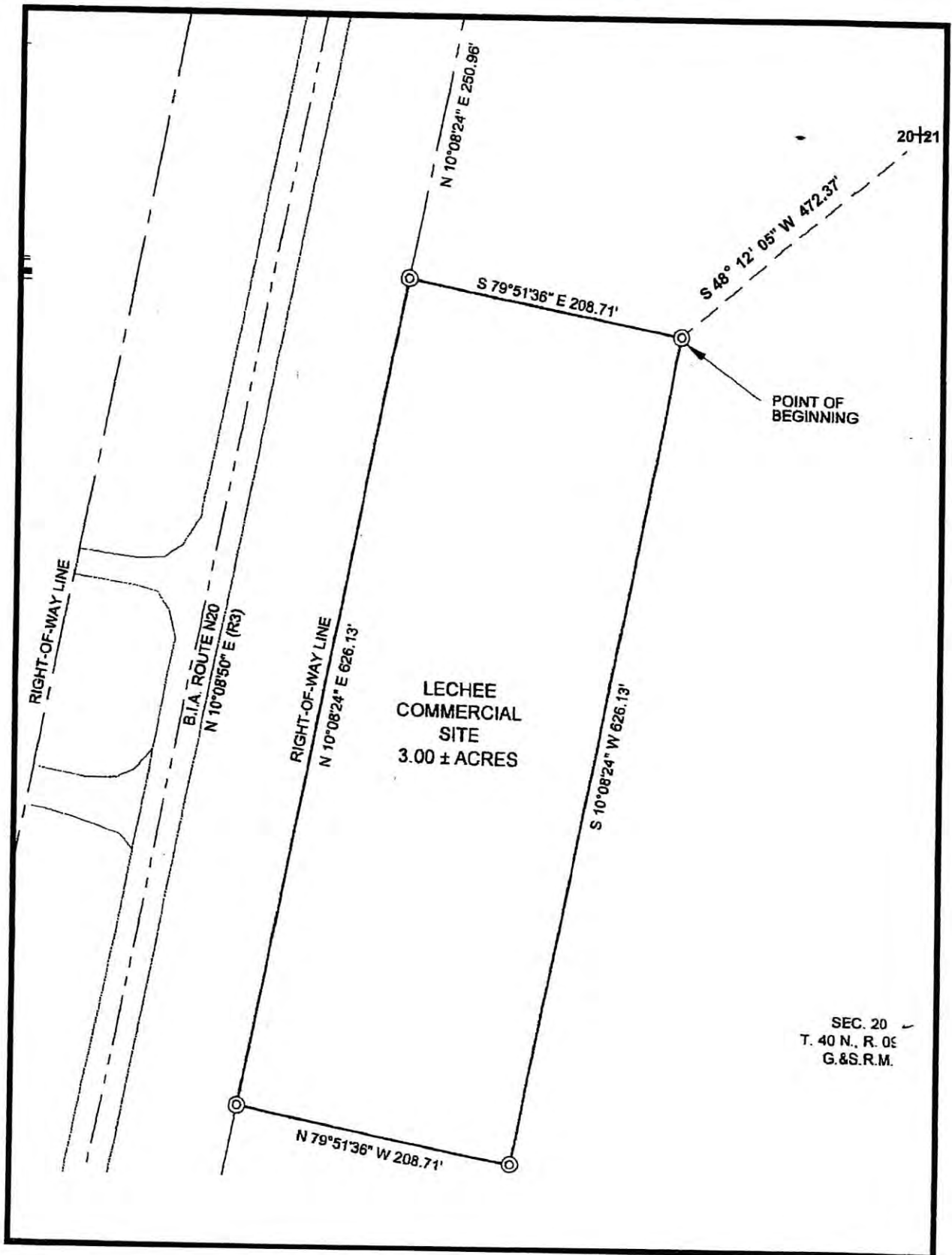
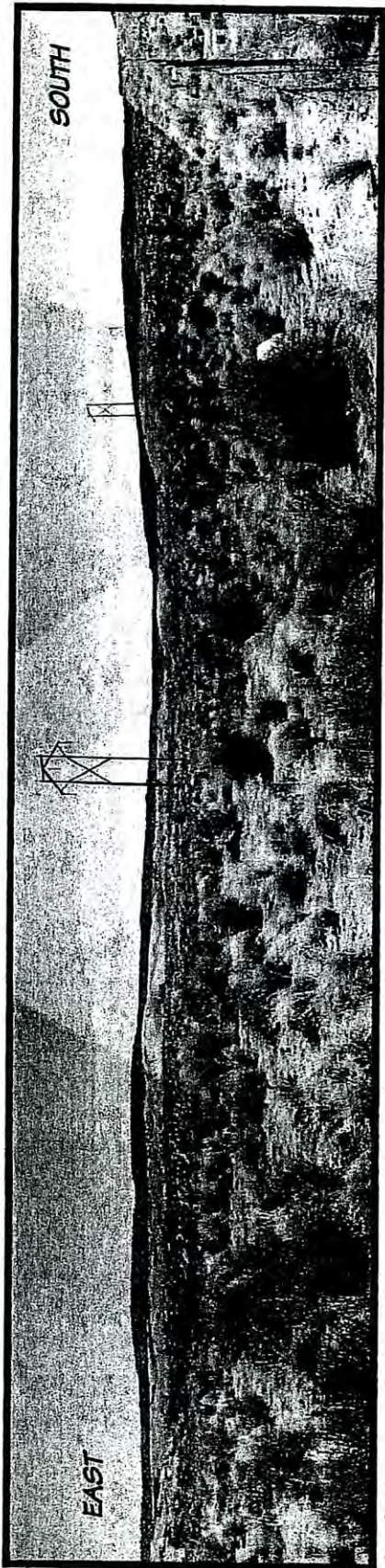
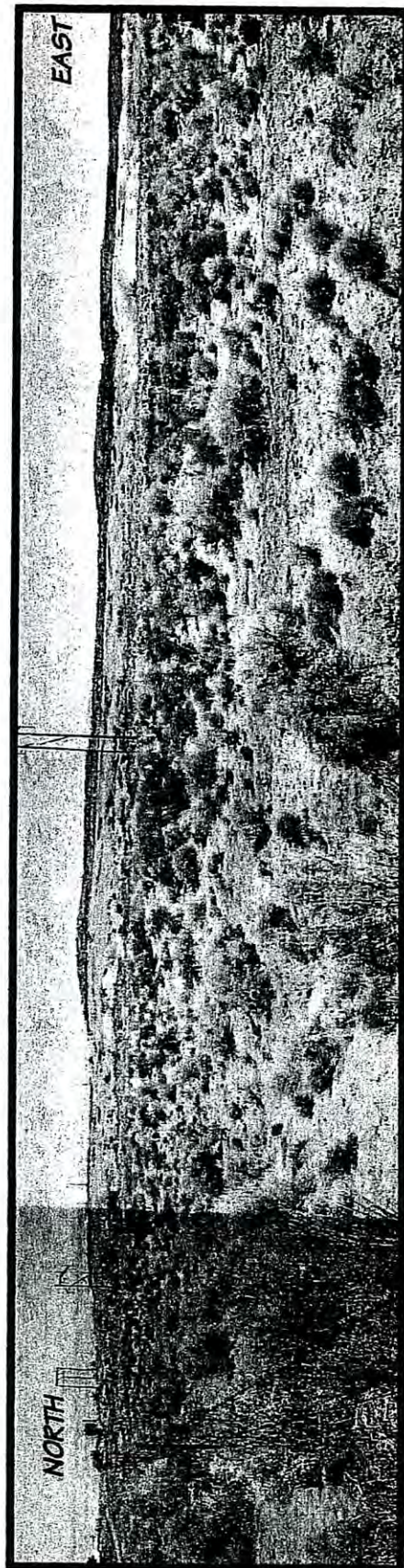


Figure Sheet 4
LeChee Chapter Commercial Development Tract
LeChee Chapter





Looking across LeChee Commercial tract from northwest corner



Looking across LeChee Commercial tract from southwest corner



Figure Sheet 5
LeChee Chapter Commercial Development Tract
LeChee Chapter



II. Alternatives

A. Preferred Alternative - Approval of the LeChee Chapter Land Withdrawal for a Business Park Tract

The preferred alternative is the approval of the land withdrawal for the TLBP to be used by LC as described in *Section I. Description of the Proposed Action, A. Project Description* of this document.

B. Reasonable Alternatives

1. No Action Alternative

The "No Action" alternative, will deny LC use of the TLBP tract. Without The TLBP the chapter will not have the option of locating chapter and tribal programs at a convenient and accessible central location. Facilities for social and recreational activities may not be developed in an orderly manner. Commercial business ventures may continue to find it difficult or economically infeasible to locate in LC. Adverse impacts to the LC operations, social, and recreational opportunities and needed business development which will result from the "No Action" alternative are unacceptable considering that they can be mitigated by the "preferred alternative".

2. Alternate Locations

An archaeological survey and clearance has been completed for the TLBP tract. The terrain and topography are clear. Sites for the variety of businesses and other proposed facilities will require a minimal amount of site preparation for development. Utilities are available in the general area. Considering the site has excellent access to BIA Route 20, no other sites are being considered at this time for the TLBP

III. Description of the Affected Environment

A field trip to the TLBP site was conducted on April 3, 2015 to become acquainted with the physical, hydrospheric, biotic and human environment at the proposed project site.

A. Land Resources

1. Topography

Topography in the project area is gently sloping to strongly sloping with rolling uplands, intermingled with some moderately steep to very steep, rough, broken lands and escarpments. The TLBP site is generally level at an elevation of approximately 4,780 feet.

2. Soils

The proposed project is located on lands that have been the subject of a soil survey conducted by the *United States Department of Agriculture, Natural Resources Conservation Service* in cooperation with the *Navajo Nation Mountain Soil and Water Conservation District and Arizona Agricultural Experiment Station*. Soils have been classified as Sheppard Sand complex.

Sheppard soil is deep and somewhat excessively well drained. It formed in eolian material derived from mixed sources. Permeability of Sheppard soil is rapid. Available water capacity is low. Effective rooting depth is 60 inches or more. Runoff is slow and the hazard of water erosion is high. The hazard of soil blowing is very severe. The soils are classified as Typic Torripsamments, mixed, mesic. These deep, somewhat excessively drained soils are on mesas and plateaus.

3. Geological Setting and Mineral Resources

a. Geological Setting

The TLBP is located on the Colorado Plateau, also called the Colorado Plateau Province, is a physiographic region of the Intermontane Plateaus, roughly centered on the Four Corners region of the southwestern United States. The project area lies on a broad platform capped with resistant sandstone of the Glen Canyon Group. This group includes the red ledges of Wingate Sandstone, bright orange-red Moenave Formation, red Kayenta Formation stream deposited on ancient floodplains and the Navajo Sandstone, gray-white or pale pink, cross-bedded, cliff-forming dune sandstone. The entire group is thought to span late Triassic and early Jurassic time with the Navajo Sandstone considered to be mostly Jurassic.

b. Mineral Resources

There are no mineral resources on or in the vicinity of the TLBP.

4. Paleontology

Paleontology is the science that deals with the remains of animals and plants found buried in rocks. For convenience it is now customary to use the term only for the study of fossil and animals and to deal with plants under the heading of paleobotany. In essence, however, the two form one science. There are no known fossils, or formations that would contain fossils, on the proposed TLBP site.

B. Water Resources

1. Surface Water

Most discharge in local washes and arroyos occurs during the spring snowmelt and occasional intense summer thundershowers. As a result flow is erratic and fluctuates widely both seasonally and annually. Torrential thunderstorms can produce flood stage flows within minutes.

Antelope Creek, a major intermittent drainage approximately four miles east of the TLBP, flows into Lake Powell seven miles north. Honey Draw, a small local drainage is located approximately one mile west. There are no significant drainages on the TLBP tract. There are no lakes, ponds, springs, seeps or wetlands located within the TLBP.

a. Floodplain Management [24 CFR 55, Executive Order 11988]

Flood data, including peak discharges and high water records are not available for most drainages on the Navajo Nation. No evidence exists to indicate the TLBP site has ever been inundated or subject to flooding. Floodplain characteristics do not exist at the TLBP site.

b. Wild and Scenic River Act [Sections 7(b) and (c)]

The State of Arizona has only one Wild and Scenic River as set forth in 16 *U.S.C. Section 1271*. The designated river is a section of the Verde River south of Flagstaff Arizona as defined in *Appendix A*. There are no designated Wild and Scenic Rivers on the Navajo Nation.

c. Wetland Protection [Executive Order 11990]

Wetlands are defined as areas that are inundated or saturated by surface or groundwater (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs and similar areas. Further, jurisdictional wetlands; those that are regulated by the U. S. Army Corps of Engineers (COE) under *Section 404*, must exhibit all three characteristics: hydrology, hydrophytes and hydric soils (*US ACOE 1987*). The U. S. Fish and Wildlife Service define wetlands as lands that are transitional between terrestrial and aquatic systems where the water table is at or near the surface or the land is covered by shallow water, and that have one or more of the following attributes:

- At least periodically, the land supports predominantly hydrophytes.
- The substrate is predominantly undrained hydric soil.
- The substrate non-soil is saturated during the growing season of each year (Cowardin et al. 1979).

Sheppard Sand complex on the TLBP are not hydric soils as defined in *AD-A176734, Corps of Engineers Wetlands Delineation Manual, Jan 87*. Attributes that would indicate presence of wetlands are not found on the proposed TLBP site.

2. Ground Water

Regionally, stream valley alluviums may provide a various quantities of water. Generally the quantity and quality of the water varies significantly depending on the alluvial material and the substrata water level as it rises and lowers depending on precipitation and runoff. Much of the water is primarily suitable for livestock use, and only marginally suitable for human consumption. Aquifers producing sufficient quantities of potable water for domestic use require wells from 200 to over 500 feet in depth. Drinking water in the LC is provided by Navajo Tribal Utilities Authority (NTUA).

a. Sole Source Aquifers [40 CFR 149]

The US EPA Region IX is responsible for maintaining the sole source aquifer database for the State of Arizona. Two aquifers have been designated a sole source aquifers in the state. These are the Upper Santa Cruz & Avra Basin Aquifer and the Bisbee-Naco Aquifer located in the southern part of the state as shown in *Appendix B*. There are no designated sole source aquifers within the Navajo Nation.

C. Air Resources, Clean Air Act [Sections 176 (c), (d) and 40 CFR 6, 51, 93]

1. Quality

Air quality is affected by pollutants, which include almost any composition of matter capable of being airborne. It is usual to consider as pollutants only those substances added in sufficient concentrations to produce measurable effects. These effects include visibility reduction, damage to materials such as structural metals, paint and fabrics, damage to vegetation, and physiological damage to man and animals.

Data generated on March 20, 2015 by the U. S. Environmental Protection Agency for Navajo County, Arizona included the following in their Air Quality Index Report.

Navajo County Air Quality Report Year: 2013
 Number of Days when Air Quality Was.....

Good	Moderate	Unhealthy for Sensitive Groups	Unhealthy
312	53	0	0

EPA Air Data – County Air Quality Report

No published studies for air quality have been issued for the LeChee area. However, ambient air quality may be regarded as very good to excellent, that is, near pristine. Primary pollution in the area is wind blown dust from loose topsoil common during times of high winds and dust from vehicular traffic along unimproved roads in the area. The TLBP is not in a non-attainment area; an area that exceeds EPA air quality standards for pollutants as shown in *Appendix C*.

2. Visibility

No sources of air pollution which would affect visibility are located in the vicinity of the TLBP. Primary pollution in the area, which may affect visibility, is wind blown dust from loose topsoil common during times of high winds and dust from vehicular traffic along unimproved roads in the area. Visibility in the area may be regarded as very good to excellent.

3. Climate/Meteorology

Winter precipitation generally occurs from air masses that originate in the extratropical Pacific or Canada. Summer precipitation usually occurs due to localized thunderstorm activity from air masses that primarily originate in the Gulf of Mexico. Precipitation also occurs from air masses that originate off the west coast of Mexico. Winds at higher altitudes generally move from west to east, while surface winds are influenced somewhat by the local topography, solar insolation, and the proximity of high and low pressure areas. Prevailing winds in the project area are from southwest to northeast.

The Western Regional Climate Center data shows the average annual total precipitation is 6.47 inches with a high average rainfall of 0.71 inches in August and a low of 0.16 inches in June. The average annual snowfall is 4.5 inches with a high average depth of 1.8 inches in January. The average annual maximum temperature in the project area is 70.0° F, with an average high of 96.6° F in July and a low of 43.5F in January. The average annual minimum temperature is 46.7 with an average high of 69.5° F in July and a low of 25.6° in December.

D. Biotic Resources

1. Description of Ecosystems and Biological Communities

On April 3, 2015, a field trip was made to the project site to become acquainted with the physical, hydrospheric, biotic and human environment at the proposed project site. The TLBP site is in an area designated as *AREA 3; LOW SENSITIVITY WILDLIFE RESOURCES* as defined by the *Navajo Nation Natural Heritage Program Biological Resources Land Clearance Policies and Procedures*.

2. Wildlife

a. Terrestrial

Fauna in the TLBP area include silky pocket mice, spotted ground squirrels, striped skunk, coyote, badger, valley pocket gopher, porcupine, blacktail jackrabbits, desert cottontails, deer mice and bannertail kangaroo rats. Characteristic breeding birds in the area include common nighthawks, common flickers, western kingbirds, Say's phoebes, American kestrels, loggerhead shrikes, starlings, vesper sparrows, house sparrows, chipping sparrows, gray-headed juncos and common ravens. Reptiles include lesser earless lizards, plateau whiptails and short-horned lizards.

b. Riparian/Aquatic

Habitat for riparian or aquatic species is not found on the TLBP.

c. Threatened and Endangered Species

On April 7, 2015 the Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) was consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On May 11, 2015 the NFWD responded with the determination that the project is not expected to affect any federally listed species (*Appendix D*).

d. Species of Concern

On April 7, 2015 the Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) was consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On May 11, 2015 the NFWD responded with the determination that the project is not expected to affect any species of concern (*Appendix D*).

3. Vegetation

The potential plant community is mainly Indian ricegrass, giant dropseed, alkali sacaton and needleandthread, Mormon tea, sandhill muhly, sand sagebrush and broom snakeweed.

b. Riparian/Aquatic

Habitats for riparian or aquatic species are not found on the TLBP.

c. Threatened and Endangered Species

On April 7, 2015 the Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) was consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On May 11, 2015 the NFWD responded with the determination that the project is not expected to affect any federally listed species (*Appendix D*).

d. Species of Concern

On April 7, 2015 the Navajo Nation Natural Heritage Program (NNNHP), Navajo Fish and Wildlife Department (NFWD) was consulted regarding the effect of the proposed undertaking on federally listed threatened or endangered species. On May 11, 2015 the NFWD responded with the determination that the project is not expected to affect any species of concern (*Appendix D*).

E. Cultural Resources, Historic Preservation [36 CFR Part 800]

A complete cultural resource inventory of the proposed TLBP was completed by the CSWTA Inc. of Tuba City, Arizona. Work consisted of a Class III, 100% level pedestrian survey strategy utilizing parallel transects spaced about 10-12m apart covering the entire 3.0 acre TLBP tract. This work is defined in the report *A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona, Report No. CSWTA-ARCH-2013072 (Appendix E)*.

Prior to fieldwork, a literature search was conducted at the NNHPD in Window Rock, Arizona. This work included a records search of the NNHPD traditional cultural Property (TCP) files for the locations of sacred areas and other TCPs.

Cultural Resource Compliance Form, NNHPD No. HPD-14-241 was issued for this project on May 20, 2014 (*Appendix F*).

1. Traditional Cultural, Historic and Religious Properties

During the records search of the NNHPD traditional cultural property files; and visitation to the site a single area of Navajo traditional concern was identified; #343 Tooh/River/Colorado River and San Juan River which is located approximately 5 miles northwest of the TLBP site. Mr. Wilford Lane of the LeChee Chapter was interviewed for knowledge of Tradition Cultural Properties (TCPs) or sacred places. None were identified.

2. Archaeological Resources

The review of the NNHPD record files and NMCRIS data revealed that a total of four archeological surveys have been conducted within a 1 mile radius of the general project area; #HPD 08-063, #HPD 06-912, #HPD 06-608 and #HPD 07-172. No archaeological sites have been previously recorded within 100 feet of the TLBP site. No archaeological resources were discovered on the TLBP site.

F. Socioeconomics

1. Employment

Unemployment on the Navajo Nation is high. Living standards of Navajo people in this area may be considered better than average for the reservation. LC is located approximately five miles south of Page, Arizona on BIA Route 20. Employment opportunities for all types of jobs and levels are available in Page, Arizona and the surrounding area.

Major employers in the area include the Salt River Project Navajo Generating Station, National Park Service and Page United School District.

2. Demographics

The Navajo Nation encompasses 16.2 million acres in northwest New Mexico, northeast Arizona and southeast Utah. The 2000 census set the Navajo Nation resident population at a total of 180,462 persons, 175,228 being American Indian. The proposed project is located in the LeChee Chapter, Western Navajo Agency. The 2000 census of the Navajo Nation set the population of the LeChee Chapter at 1,605.

3. Lifestyles, Cultural Values

From the time the Navajo Reservation was established until the early 20th century, Navajo social and political organization were based on the extended family, the clan, and related clans, with informal local leaders or headmen. The chapter system, now a strong element in social and political life, was introduced as a bureaucratic substitute for the headman system in the late 1920's. The Chapter, District and Agency system has developed from the basis of the BIA and Navajo Tribal political system.

The Navajo of today is subject to a fluidity and change that appears to characterize Navajo culture. There may not be, in fact, a single Navajo culture; rather a continuum from most traditional to most "modern" (that is, most like Anglo culture). The sources of change within the Navajo society are education, proximity to the Anglo society, political organization, economic relationships and other factors. In American culture, one is accustomed to thinking of certain activities as religious, or economic or political; in Navajo society, these divisions do not necessarily exist nor are they perceived. For Navajos, man, nature, and supernatural forces are inextricably interwoven, and everyday acts are infused with the concept of the supernatural. Animals, plants, minerals, mountains, and places frequented daily; can all be endowed with power so that spiritual and supernatural forces surround the Navajo wherever he goes and in whatever he does. Navajos are influenced by a worldview that anchors them within a rich cultural and religious tradition. Despite changes in Navajo society, traditional practices are still strong. Christian and the Native American Church preach primary responsibility to one's nuclear family and only secondary responsibility to other kin.

Many Navajos, who subscribe to a belief in non-traditional religions, are still strongly bound by tradition to their kinship and community groups through Navajo religious practices. Most traditional families have an area marked by a bush or plant where family members leave offerings of used material and paraphernalia from sings or ceremonies. Areas considered sacred or have significant cultural meaning may be known only to individual families, medicine men or singers. Such areas are numerous and can only be identified by inquiry in each community. The tenuous subsistence of the marginal lands that make up lands within the Navajo Nation dictates a mutual dependence for Navajo survival and it is the clan group that serves to promote economic cooperation. Because a nuclear family could scarcely survive without reciprocal relationships, the clan system is continually reinforced. Withdrawal of group or clan support is an economic, as well as, a psychological threat.

4. Community Infrastructure

The Navajo Nation is governed by a President, Vice-President and a unicameral council made up of delegates from the chapters throughout the reservation. Local governments consist of chapter presidents and representatives, with day to day administrative duties conducted by Chapter Coordinators.

Navajo Tribal offices providing services within the LC are the Community Health Representative, Community Services Program and Navajo Area Agency on Aging.

The Page Unified School District and LeChee Pre-School serve the area.

All retail services are available in Page, Arizona.

There are approximately 3 Christian and 2 Native American churches serving the LeChee community.

The BIA, County of Coconino and the State of Arizona provide road construction and maintenance in the area.

Utilities available in the area are provided by the Navajo Tribal Utilities Authority, Indian Health Service and Citizens Communication.

G. Resource and Land Use Patterns

1. Agriculture, Farmland Protection Policy Act [7 CFR 658]

Grazing by sheep, goats, cattle and horses is the primary use of the land by local inhabitants. According to studies conducted in the area, the best grazing areas would require 20 to 30 acres per sheep unit. In poorer grazing areas, as many as 500 acres would be required per sheep unit. The area of the proposed project is considered fair.

Agriculture is generally practiced on a limited basis throughout the Navajo Nation. Dry land farming of small farm plots is the most prevalent method due to the aridity of the southwest. Due to the quality of the soils and aridity of the area, there is no farming activity in the LC.

There are no prime or unique farmlands in the LC.

2. Residential Land Use

There are no definite town limits or zoning restrictions, which specify types of construction or specific areas for commercial, industrial or residential development in the LC. NHA housing projects LeChee are laid out in the conventional urban system of homes located along streets and alleys.

Many Navajo families residing in the LC communities reside a rural form often found in farming and ranching communities where homes are located and surrounded by acres of grazing areas. Often several families, composed of the parents, and one or more sons and/or daughters, live at the same location. These compounds are generally ¼ mile or more apart.

In general, housing conditions range from poor to excellent in the LC. Many of the dwellings in the area have been built by their owners and have three rooms or fewer. Mobile homes are a popular source of improved housing. However, many of the mobile homes lack water and sewer and are dependent on outhouses and hauled water. This situation is constantly improving as Indian Health Service projects gradually expand water systems on the reservation allowing families to enjoy water, indoor plumbing utilizing septic tanks and leach fields for sanitary systems. 527 houses were reported in the LC in the 2000 census; of this number 116 were found vacant, 157 mobile homes were located in the Chapter. 88 homes lacked water and sewer and are dependent on outhouses and hauled water.

H. Other Values

1. Sound and Noise, Noise and Abatement Control [24 CFR 51B]

In acoustics noise is defined as any undesired sound. Usually, noise is a mixture of many tones combined in a non-musical manner. The measurement of any sound stimulus is commonly made with a sound-level meter and a frequency analyzer. The results of a measurement are given in decibels (db).

NOISE LEVELS

Decibel Level	Example
30	Quiet library, soft whispers
40	Living room, refrigerator, bedroom away from traffic
50	Light traffic, normal conversation, quiet office
60	Air conditioner at 20 feet, sewing machine
70	Vacuum cleaner, hair dryer, noisy restaurant
80	Average city traffic, garbage disposals, alarm clock at two feet
THE FOLLOWING NOISE LEVELS MAY BE DANGEROUS UNDER CONSTANT EXPOSURE	
90	Motorcycle, truck traffic, lawn mower
100	Garbage truck, chain saw, pneumatic drill
120	Rock band concert in front of speakers, thunderclap
140	Gunshot blast, jet plane
180	Rocket launching pad

The ambient noise levels in the LC ranges between 0 db (soft whisper) and 90 db from heavy truck traffic.

2. Public Health and Safety

Medical services are provided by the Tuba City Indian Medical Center in Tuba City Arizona; the Page Hospital, Canyon View Medical Center and Lake Powell Medical Center in Page, Arizona.

The Coconino County Sheriff's Department, Arizona State Police and Navajo Police, Tuba City District, provide public safety services. The Page fire department provides local fire suppression services.

3. Visual Setting

The visual resources of an area are closely linked to peoples' concern for that area. Because of the importance of the visual senses, aesthetics are closely related to other human-interest values. Public enjoyments of recreational, historical and cultural resources are enhanced by aesthetic quality.

Landscape elements found in the TLBP area are of a variety in form, color and texture that is generally uniform and typical throughout the Navajo Nation. There are no unusual or outstanding landforms, vegetative patterns or sensitive areas in the TLBP that would be considered unique visual resources.

4. Explosive and Flammable Operations [24 CFR 518]

The TLBP was visited on April 3, 2015. No industrial facilities handling explosives or fire-prone materials are located in the project area.

5. Toxic Chemicals and Radioactive Materials

The TLBP was visited on April 3, 2015. The area was found to be clear of dumps, landfills, industrial sites or other facilities or locations that contain hazardous wastes. The TLBP site is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances.

6. Airport Clear Zones and Accident Potential Zones [24 CFR 51D]

No airstrips are located in the TLBP area. The proposed TLBP is not within air traffic landing or potential accident zones.

IV. Environmental Consequences of the Proposed Action

Development at the TLBP will be conducted over an extended and prolonged period of time. Development will occur as business site leases are sought; and needs and planning for chapter projects develop and funding becomes available. Impacts to the environment will be gradual and limited to small areas of the TLBP. All requests for business sites and land uses at TLBP will be screened for proposed uses and activities. LC will require that all businesses located at the TLBP will comply with all federal, state and tribal permits; and be in compliance with all inspections, regulations and requirements related to the operation of the respective business.

A. Land Resources

1. Topography

The construction of the various proposed buildings and facilities required to develop the TLBP will require diverse construction requirements and methods. The most extreme will be excavation and clearing; excavation will be dependent of the ultimate use of the respective site. Modification of the existing topography at the TLBP will be dependent on the needs, size and location of each individual business site or development project. Overall modification of the topography will be not be significant for TLBP site.

2. Soils

Construction, operation and maintenance of the facilities developed on the TLBP will result in moderate surface and subsurface disturbance. No release of hazardous or toxic materials will be allowed to occur. Erosion control will be implemented for TLBP developments as determined necessary in their design and construction. The proposed TLBP development, construction, operation and maintenance activities will have not have a significant effect on the soils.

3. Geological Setting and Mineral Resources

a. Geology

The proposed TLBP development will have no effect on the geological setting.

b. Mineral Resources

The proposed TLBP development will have no effect on the mineral resources.

4. Paleontology

There are no known fossils, or formations that would contain fossils within the proposed TLBP site. The proposed TLBP development will have no effect on paleontology.

B. Water Resources

1. Surface Water

Projects planned for development at TLBP will not be allowed to block, divert or deposit earth or rock in surface drainages. Development of the TLBP will not require the deposit of excavated material in "waters of the United States". Approval of the proposed TLBP site withdrawal will not affect surface waters.

a. Floodplain Management [24 CFR 55, Executive Order 11988]

The TLBP development will not be affected by; nor will it affect floodplains.

b. Wild and Scenic River Act [Sections 7(b) and (c)]

There are no designated Wild and Scenic Rivers as set forth in *16 U.S.C. Section 1271* on the Navajo Nation. See *Appendix A* for designated Wild and Scenic Rivers in New Mexico. Development of the TLBP will have no effect on wild and scenic rivers.

c. Wetland Protection [Executive Order 11990]

Soils in the project area are not hydric soils as defined in AD-A176734, Corps of Engineers Wetlands Delineation Manual, Jan. 87. Attributes that would designate wetlands are not found in the TLBP site. No wetlands have been identified within the TLBP site. Development of the TLBP will have no effect on wetlands.

2. Ground Water

TLBP development will not have a significant effect on ground water. Future businesses and chapter developments will require water for operations as they are developed. These needs will be dependent on the nature and proposed use of developments and will be coordinated with NTUA. This water is obtained from deep wells owned and operated by the NTUA. The NTUA will be contacted to advise the respective entities proposing developments as to the availability of an adequate water supply as the development of the TLBP proceeds.

a. Sole Source Aquifers [40 CFR 149]

There are no designated sole source aquifers within the State of Arizona or the Navajo Nation. Development of the TLBP will have no effect on sole source aquifers.

C. Air Resources (Clean Air Act [Sections 176 (c), (d) and 40 CFR 6, 51, 93])

1. Quality

The TLBP development will not allow any activities which will require use of; or generate pollutants capable of reducing visibility, damaging materials such as structural metals, paint and fabrics, damage to vegetation, or causing physiological damage to man and animals. The proposed TLBP development will not have an effect on air quality.

2. Visibility

The proposed TLBP development will have no effect on visibility.

3. Climate/Meteorology

The proposed TLBP development will have no effect on the climate.

D. Biotic Resources

The proposed approval of the TLBP land withdrawal will not have a significant adverse impact on the ecosystem and biological communities as they presently exist in the LC.

1. Wildlife

The approval of the TLBP land withdrawal will not result in a significant loss, or extinction of any species of wildlife native to the area.

b. Riparian/Aquatic

Approval of the TLBP land withdrawal will have no effect on riparian or aquatic species or habitat.

c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]

Approval of the TLBP land withdrawal will not affect any federally listed threatened or endangered species.

d. Other Species of Concern

Approval of the TLBP land withdrawal will not impact any tribally listed species or other species of concern.

2. Vegetation

a. Terrestrial

Approval of the TLBP land withdrawal will not have a significant adverse affect on natural vegetation.

b. Riparian/Aquatic

Approval of the KSLCSL easement will have no effect on riparian or aquatic species or habitat.

c. Threatened and Endangered Species, Endangered Species Act [50 CFR 402]

Approval of the TLBP land withdrawal will not affect any federally listed threatened or endangered species.

d. Other Species of Concern

Approval of the TLBP land withdrawal will not affect any tribally listed species or other species of concern.

3. Biological Resources Compliance

Biological Resources Compliance Form 15JRAE-01 was issued on August 4, 2015 with no conditions of compliance required (*Appendix D*).

E. Cultural Resources, Historic Preservation [36 CFR Part 800]

A complete cultural resource inventory of the proposed TLBP was completed by the CSWTA Inc. of Tuba City, Arizona. This work is defined in the report *A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona, Report No. CSWTA-ARCH-2013072 (Appendix E)*.

Cultural Resource Compliance Form, NNHPD No. HPD-14-241 was issued for this project on May 20, 2014 (*Appendix F*).

1. Traditional Cultural, Historic and Religious Properties

A single area of Navajo traditional concern was identified approximately 5 miles northwest of the TLBP site. Mr. Wilford Lane of the LeChee Chapter was interviewed for knowledge of Tradition Cultural Properties (TCPs) or sacred places on the TLBP tract. None were identified.

2. Archaeological Resources

No archaeological sites have been previously recorded within 100 feet of the TLBP site. No archaeological were discovered on the TLBP site.

In the event of the discovery of any previously unidentified or incorrectly identified cultural resources; including but not limited to archaeological deposits, human remains, or locations reportedly associated with the Native American religious/traditional beliefs or practices; the Navajo Nation Historic Preservation Department will be notified.

F. Socioeconomics

1. Employment

The proposed TLBP development will have a significant positive impact on the employment base in the LC. Development of the TLBP and future business operations will provide new employment opportunities in the future.

2. Demographics

The proposed TLBP development will not affect the demographics of the area.

3. Lifestyles

The proposed TLBP development will have a positive effect the lifestyles and quality of life of families in the LeChee Chapter and surrounding area by providing facilities for recreation and social activities in the future. It will also provide local commercial outlets for goods and services not presently available in the LC.

4. Community Infrastructure

The proposed TLBP development activities will enhance the LC infrastructure.

G. Resource and Land Use Patterns

1. Agriculture, Farmland Protection Policy Act [7 CFR 658]

The proposed TLBP development will not affect agriculture or farmlands.

2. Residential Land Use

The proposed TLBP development will have no effect on residential land use.

H. Other Values

1. Solid Waste

Disposal of solid waste generated by the development and operations of the LC TLBP will be required; individual developers and occupants will be responsible for collection and disposed of in conformance with applicable federal and Navajo Nation laws and regulations.

2. Sound and Noise, Noise and Abatement Control [24 CFR 51B]

The proposed TLBP development will have no effect on ambient noise levels in the LC.

3. Public Health and Safety

The proposed TLBP development will have no effect on public health and safety.

4. Visual Setting

The proposed TLBP development will have no effect on visual resources.

5. Explosive and Flammable Operations [24 CFR 518]

The TLBP was visited on April 3, 2015. No industrial facilities handling explosives or fire-prone materials are found in the project area.

6. Toxic Chemicals and Radioactive Materials

The TLBP was visited on April 3, 2015. The area was found to be clear of dumps, landfills, industrial sites or other facilities or locations that contain hazardous wastes. The TLBP is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances.

7. Airport Clear Zones and Accident Potential Zones [24 CFR 51D]

No airstrips are located in the TLBP area. The proposed TLBP is not within air traffic landing or potential accident zones.

V. Compliance with Executive and Secretarial Orders

1. Environmental Justice

The LC land withdrawal for the TLBP will have positive social and economic impacts on families in the LeChee Chapter, a minority population. The site withdrawal approval for the TLBP is considered as an action, which is in conformance with the intent of *Executive Order 12898 of February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

2. Indian Trust Resources

This environmental assessment and investigation has been prepared to assess the impacts of the LC land withdrawal for the TLBP on the Navajo Indian environment and trust resources. This action is conducted in compliance with *Secretarial Order 3175, Departmental Responsibilities for Indian Trust Resources*.

VI. Conclusions Regarding Significance

Development of the TLBP will not have a significant impact on the topography.

Development of the TLBP will have no impact on the soils.

Development of the TLBP will not affect the geological setting or mineral resources.

Development of the TLBP will not affect fossilized plants or animals.

Surface runoff will be addressed in the design and construction of commercial businesses, facilities and Chapter projects at the TLBP to assure that surface runoff is not adversely affected.

Development of the TLBP will not have a significant impact on local aquifers.

Development of the TLBP will not affect the air quality in the area.

Visibility will not be affected by the development of the TLBP.

Development of the TLBP will not affect the climate in the area.

Development of the TLBP will have minor adverse impacts on biotic resources. These adverse impacts are considered acceptable in consideration of the benefits to the social and quality of life enhancements to be realized by the local residents.

Development of the TLBP will not have adverse impacts on federally listed threatened or endangered species; or other species of concern.

Development of the TLBP will have no effect on agriculture.

The development of the TLBP will not affect traditional cultural properties or sacred areas.

Development of the TLBP will have no effect on *National Register* eligible historic properties or archaeological sites.

As projects are developed at TLBP the LC will realize a positive effect on employment in the area.

Development of the TLBP will not have an impact on the demographics of the Navajo Nation.

Development of the TLBP will have a positive impact on the lifestyle of families in the area of the proposed undertaking.

Development of the TLBP will have no effect on medical and social services.

It is determined that there will be no significant impact to, or imprudent use of natural resources should the proposed action be initiated.

Development of the TLBP will not have an impact on mining or mineral resources.

Development of the TLBP will not have an effect on ambient sound.

VII. Consultation and Coordination

Consultation with the Navajo Nation Fish and Wildlife Program, Biological Survey Services Program, Window Rock, Arizona, Navajo Nation Historic Preservation Department has been completed to assure mandated protection of natural and cultural resources.

A. Persons or agencies involved in the proposed action

Navajo Nation Western Regional Business Development Office
LeChee Chapter

B. Persons or agencies providing information

Genevieve Keetso-Bighorse, NN Western Regional Business Development Office
CSWTA Inc. of Tuba City, Arizona
The Navajo Nation, Natural Heritage Program, Navajo Fish and Wildlife Department

C. References

- _____ 2014. A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona, Report No. CSWTA-ARCH-2013072
- _____ 2015. Correspondence, NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR: LeChee Chapter 3.0-Acre Commercial Development Tract, LeChee, Coconino County, AZ, Navajo Nation Natural Heritage Program, Department of Fish and Wildlife 11 May 2015
- _____ 2000. Chapter Images: 2000 Edition, Division of Community Development, The Navajo Nation, Summer 1997
- _____ 1998. NEPA Handbook, 516 DM, 59 IAM 3
- _____ 2012. Western Regional Climate Center, Page, Arizona (026180) Period of Record Monthly Climate Summary, 10/29/1957 to 12/31/2005
- _____ 2008. Soil Survey of Navajo Mountain Area, Arizona, Parts of Apache, Coconino and Navajo Counties
- _____ 2005. Western Wild and Scenic Rivers, New Mexico
- _____ 2005. Designated Sole Source Aquifers, EPA Region VI
- _____ 2005. Designated Nonattainment Areas, EPA Region VI.

VIII. Document Preparer

Jim R. Analla, Consultant
Environmental Assessment Services
P. O. Box 1034
Gallup, New Mexico 87305
(505) 905-3943

Wild and Scenic Rivers
www.nps.gov/rivers/wildriverslist.html



Wild & Scenic Rivers By State

"... the time has also come to identify and preserve free-flowing stretches of our great rivers before growth and development make the beauty of the unspoiled waterway a memory."

- President Lyndon Johnson

Designated WSRs
River Information
Rivers & Trails
WSR Council
Publications
Study Rivers
About WSRs
Guidelines
Site Index
Agencies
WSR Act
NRI

- [Alabama](#)
- [Alaska](#)
- [Arizona](#)
- [Arkansas](#)
- [California](#)
- [Colorado](#)
- [Connecticut](#)
- [Delaware / Pennsylvania](#)
- [Florida](#)
- [Georgia / Carolinas](#)
- [Idaho](#)
- [Idaho / Oregon](#)
- [Illinois](#)
- [Kentucky](#)
- [Louisiana](#)
- [Maine](#)
- [Massachusetts](#)
- [Michigan](#)
- [Minnesota / Wisconsin](#)
- [Mississippi](#)
- [Missouri](#)
- [Montana](#)
- [Nebraska](#)
- [Nebraska / S Dakota](#)
- [New Hampshire](#)
- [New Jersey](#)
- [New Jersey / Pennsylvania](#)
- [New Mexico](#)
- [New York / Pennsylvania](#)
- [North Carolina](#)
- [Ohio](#)
- [Oregon](#)
- [Pennsylvania](#)
- [Tennessee](#)
- [Texas](#)
- [Washington](#)
- [West Virginia](#)
- [Wisconsin](#)
- [Wyoming](#)

Managing Agencies

- ACOE = [Army Corps of Engineers](#)
- BLM = [Bureau of Land Management](#) -- [BLM Rivers](#)
- NPS = [National Park Service](#)
- USFS = [U.S. Forest Service](#)
- USFWS = [U.S. Fish & Wildlife Service](#)
- Various states

Multiple listings of some rivers indicate more than one segment of the river is designated. Some rivers also have tributaries designated.

Arizona

- [Verde](#). USFS

New Mexico

- [Jemez \(East Fork\)](#). USFS
- [Pecos](#). USFS
- [Rio Chama](#). BLM/USFS -- [Boating the Rio Chama](#)
- [Rio Grande](#). BLM/USFS -- [Boating the Rio Grande](#)

EPA Designated Sole Source Aquifers in EPA Region IX
www.epa.gov/safewater/swp/ssa/reg9.html



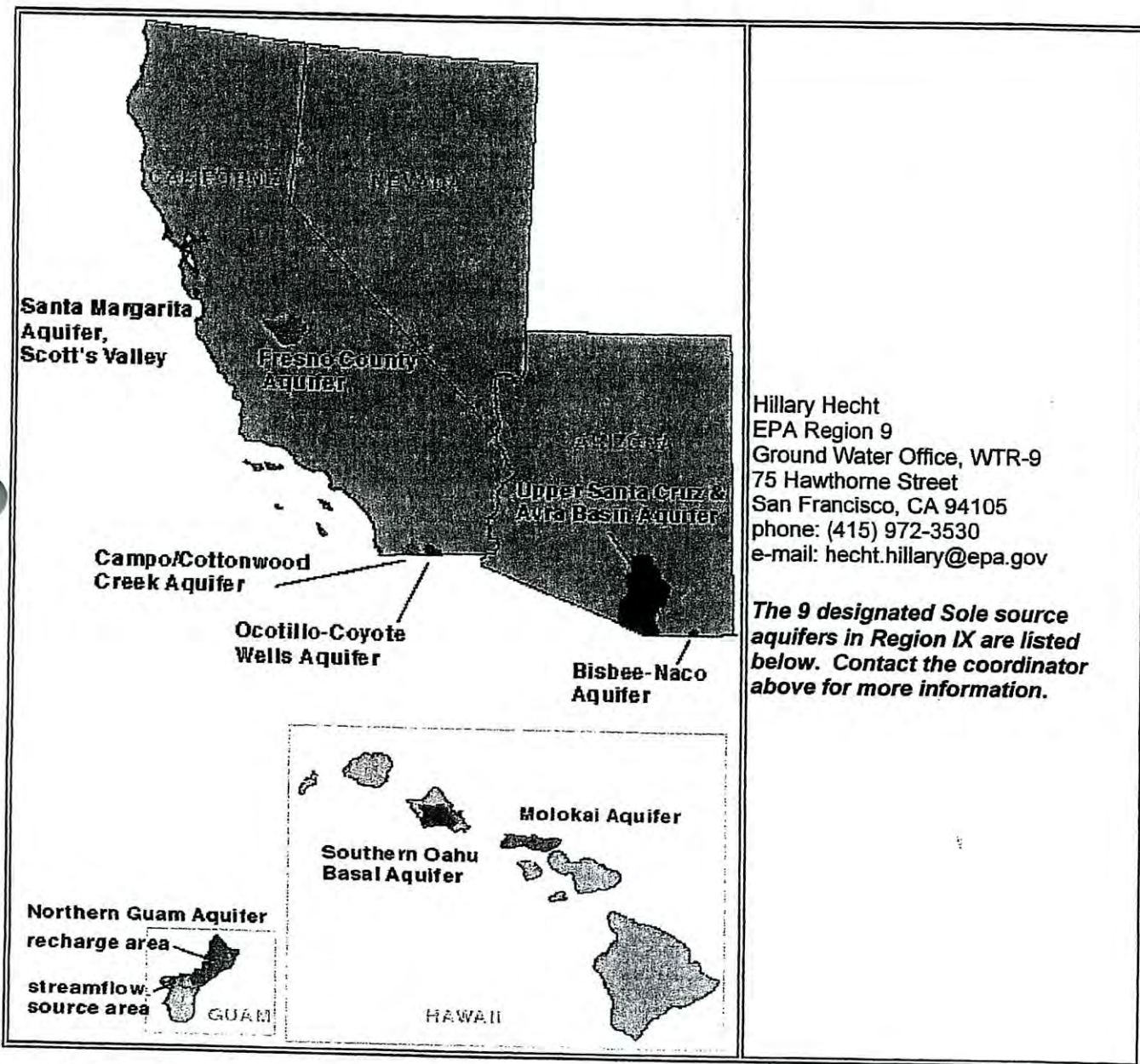
Source Water Protection

Recent Additions | Contact Us | Search:

EPA Home > Water > Ground Water & Drinking Water > Source Water Protection > Source Water Protection > Designated Sole Source Aquifers in EPA Region IX

Designated Sole Source Aquifers in EPA Region IX

Arizona, California, Hawaii, Nevada, Guam, and American Samoa



Hillary Hecht
 EPA Region 9
 Ground Water Office, WTR-9
 75 Hawthorne Street
 San Francisco, CA 94105
 phone: (415) 972-3530
 e-mail: hecht.hillary@epa.gov

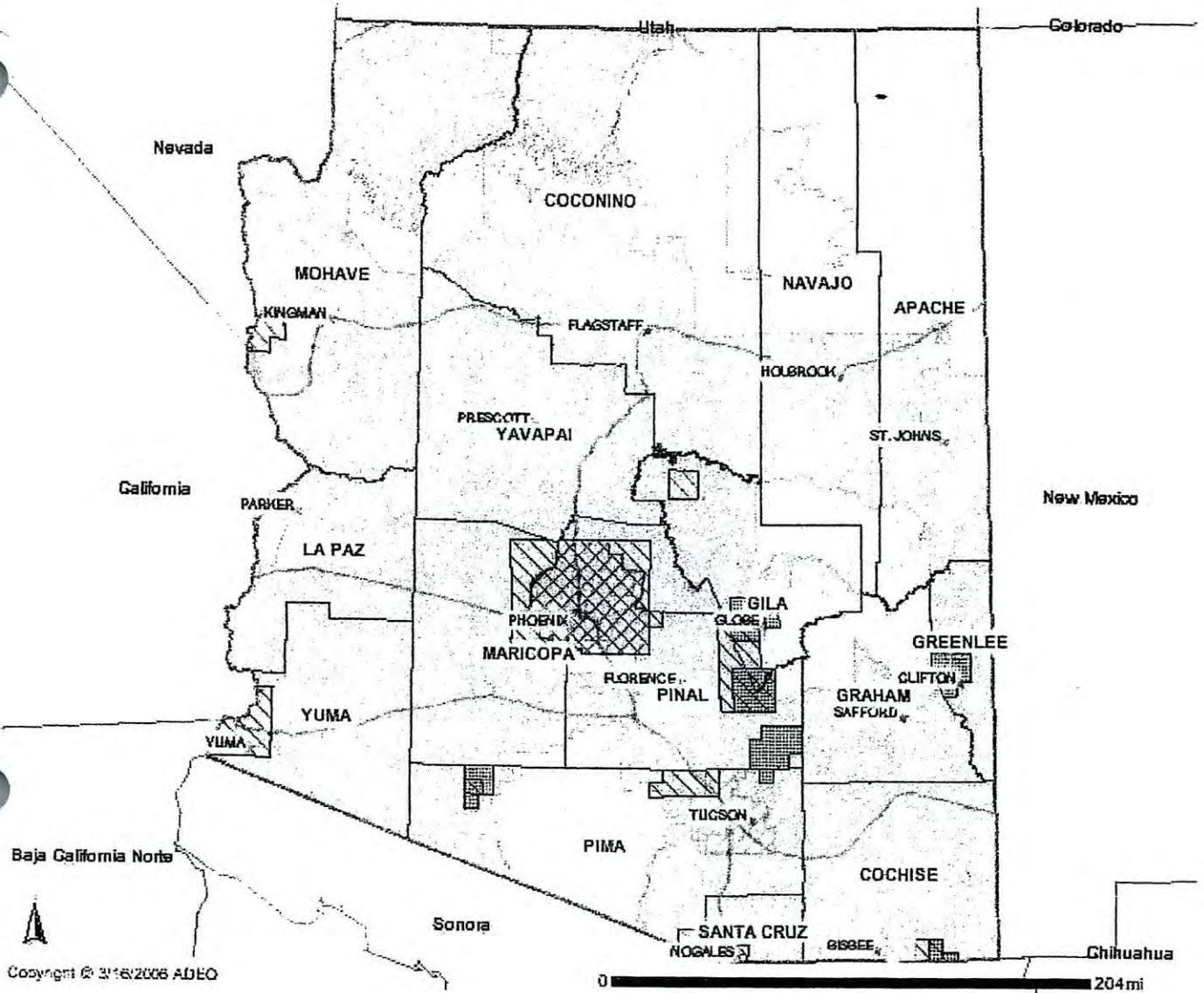
The 9 designated Sole source aquifers in Region IX are listed below. Contact the coordinator above for more information.

DESIGNATED SOLE SOURCE AQUIFERS IN REGION IX:

State	Sole Source Aquifer Name	Federal Reg. Cit.	Publ. Date	GIS map
AZ	Upper Santa Cruz & Avra Basin Aquifer	49 FR 2948	01/24/84	yes (PDF)
AZ	Bisbee-Naco Aquifer	53 FR 38337	09/30/88	yes (PDF)
CA	Fresno County Aquifer	44 FR 52751	09/10/79	yes (PDF)

**Arizona Department of Environmental Quality
Air Quality Division Non-attainment Areas in Arizona**

ADEQ GIS eMaps - PM10 Non-attainment Areas



Copyright © 3/16/2006 ADEQ

**Correspondence, NAVAJO ENDANGERED SPECIES LIST (NESL)
INFORMATION FOR:**

LeChee Chapter 3.0-Acre Commercial Development Tract

LeChee, Coconino County, AZ,

Navajo Nation Natural Heritage Program

Department of Fish and Wildlife

11 May 2015

Biological Resource Compliance Form, NNDFW Review No. 15JRAE-01

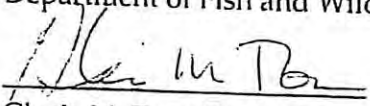
THE NAVAJO NATION



BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

MEMORANDUM

TO : Jeffrey Cole, Wildlife Manager
Department of Fish and Wildlife

FROM : 
Gloria M. Tom, Director
Department of Fish and Wildlife

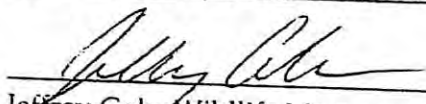
DATE : May 08, 2015

SUBJECT : DELEGATION OF AUTHORITY

I will be on travel beginning Monday, May 11, 2015 through May 15, 2015. I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 8:00 a.m. on Monday, May 11, 2015. This delegation shall end at 5:00 p.m. on Wednesday, May 13, 2015.

Your authority will cover the review and signing off of all routine documents pertaining to the Department of Fish and Wildlife, except for issues that you feel should have the attention of the Director.

ACKNOWLEDGEMENT


Jeffrey Cole, Wildlife Manager
Department of Fish and Wildlife



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 Shelly, President

Rex Lee Jim, Vice-President

11 May 2015

File#15JRAE-01

Jim R. Analla
J.R. Analla EA Services
P.O. Box 1034
Gallup, NM 87305

NAVAJO ENDANGERED SPECIES LIST (NESL) INFORMATION FOR:

PROJECT: LECHEE CHAPTER 3.0-ACRE COMMERCIAL DEVELOPMENT TRACT
LEGAL DESCRIPTION SEC. 20, T40N, R9E, G&SRM
LECHEE, COCONINO COUNTY, AZ

Mr. Analla:

The following information on species of concern¹ is provided in response to your 07 April 2015 request concerning the subject project, which consists of the proposed land withdrawal for the LeChee Chapter proposed 3.0-acre Commercial Development Tract south of Page, AZ. Legal Description of the site is Section 20, T40N, R9E, G&SRM, LeChee Chapter, Coconino County, AZ.

The project is not expected to affect any federally listed species or significantly impact any tribally listed species or other species of concern.

AREA 3 of The Biological Resource Land Clearance Policies & Procedures

Area 3-Low Sensitivity Wildlife Resources: This area has a low, fragmented concentration of species of concern. Species in this area may be locally abundant on 'islands' of habitat, but islands are relatively small, limited in number and well spaced across the landscape. (For detailed information regarding "Area 3" please refer to our website at nndfw.org).

Potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g.,

¹"Species 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 NFWD 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.


due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the 'Corps of Engineers Wetlands Delineation Manual' (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the NFWD's Natural Heritage Program (NHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NHP). The NHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation.

This response is based on information in the Navajo Natural Heritage Program database; knowledge of staff biologists about the project area; the scope of the project; the USGS topographic map of the project area; and information you provided. Because the NFWD's information is continually updated, any given information response is only wholly appropriate for its respective request.

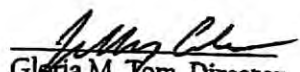
For a list of sensitive species on the Navajo Nation in addition to the species listed on the Navajo Endangered Species List (NESL) please refer to our website at www.nndfw.org.

An invoice for this information is attached.

If you have any questions I may be reached at (928) 871-6472.


Sonja Detsoi, Wildlife Tech.
Natural Heritage Program
Department of Fish and Wildlife

CONCURRENCE


Gloria M. Tom, Director
Department of Fish & Wildlife
Division of Natural Resources

xc: file/chrono

Biological Resource Land Clearance Policies and Procedures

INTRODUCTION

The Resources Committee of the Navajo Nation Council is the legislative oversight of the Division of Natural Resources that includes the Navajo Nation Department of Fish & Wildlife (NNDFW). It has the responsibility and authority to adopt policies, procedures and regulations that protect the biological resources of the Navajo Nation. The Resources Committee, by Resolution No. RCMA-34-03 dated March 13, 2003, approved the Biological Resource Land Clearance (BRLC) Policies and Procedures prepared by the NNDFW to assist the Navajo Nation government and chapters ensure compliance with federal and Navajo laws which protect fish, wildlife species, both plants and animals, and their habitat, resulting in expedited land use approvals.

The NNDFW is established, "to conserve, protect, enhance and restore the Navajo Nation's fish, wildlife, plants and their habitat, through aggressive management programs for the spiritual, cultural and material benefit of present and future generations of the Navajo Nation". After years of research and study, the NNDFW has identified and mapped wildlife habitat and sensitive areas that cover the entire Navajo Nation. The maps are attached, hereto, as attachment "A", and are incorporated herein by reference. The BRLC Policies and Procedures identify wildlife/habitat sensitive areas that will assist the Navajo Nation government and chapters expedite the land clearance process for land withdrawals, rights-of-ways, leases, subleases, assignments, land use permits and other similar land uses.

The BRLC Policies and Procedures will help direct development to areas where impacts to wildlife and/or their habitat will be less significant. This should increase certainty in planning and implementation of projects, while ensuring the perpetuation of wildlife resources for present and future generations. The entire Navajo Nation has been divided into six types of wildlife areas. These areas provide the framework for planning specific development projects, but site-specific planning to address wildlife resources will still be necessary, in most cases. This BRLC Policies and Procedures explain what restrictions apply in each area and describes the process for the planning and approval of projects with respect to wildlife resources.

The following is a brief summary of six (6) wildlife areas identified in attachment "A":

1. Highly Sensitive Area – recommended little or no development.
2. Moderately Sensitive Area – moderate restrictions on development.
3. Low Sensitive Area – least restrictions on development.
4. Community Development – areas in and around towns, and with only a few exceptions, there are no biological resources that need to be taken into consideration in planning. However, this is not meant to keep chapters from taking the initiative to develop areas such as parks or nature trails to enhance the quality of life for those communities.
5. Biological Preserve – area is off limits to development except development that is compatible with the purpose of this area.
6. Recreational – area is off limits to development except development that is compatible with the purpose of this area.

Preparation of a Biological Evaluation (BE) is required for development in any area, except in Area 3 and 4 for individual homesites and related utilities. The BE:

- Is documentation of impacts that a proposed project may have on biological resources.
- Must consider direct, indirect, short-term, long-term and cumulative impacts and impacts from actions that are dependent on, or are clearly related to the proposed development.
- Must have Department concurrence that the evaluation of impacts to wildlife resources is accurate.
- Contains accurate information about the location of the development, including but not limited to a legal description, distance to landmark, and a map (7.5' USGS topographic quadrangle).

For information about the contents of a BE, contact NNDFW. Additionally, the Department possesses additional information on wildlife, including biology, distribution, occurrence records, avoidance measures, management recommendations and wildlife law. Project sponsors, including chapter officials, or those working on behalf of a chapter on land-use planning, are encouraged to contact the Department for this information.

Federal laws for environmental planning and protection apply to all areas when the Federal government is involved in funding, carrying out, or authorizing, in whole or in part, proposed development. These laws include the National Environmental Policy Act, Endangered Species Act, Eagle Protection Act and Migratory Bird Treaty Act. The wildlife areas identified herein do not supersede or replace Federal law, but can be an important tool in addressing the requirements of these laws. Federal actions that may affect federally listed species will require consultation with the U.S. Fish and Wildlife Service.

The following is a more detailed description of the six (6) wildlife areas, identified in attachment "A", which provides an explanation of the applicable restrictions on development, and describes the process for the planning and approval of projects

Biological Resource Land Clearance Policies and Procedures
with respect to wildlife resources.

AREA 1: HIGHLY SENSITIVE WILDLIFE RESOURCES

This area contains the best habitat for endangered and rare plant, animal and game species, and the highest concentration of these species on the Navajo Nation. The purpose of this area is to protect these valuable and sensitive biological resources to the maximum extent practical.

The general rule for this area is no development. Restricted development is allowable only if the following criteria are met. All development requires the preparation of a BE. An acceptable BE must fully consider alternatives to the proposed development, and provide a compelling reason to develop in this area.

Criteria for Allowable Development:

- A. Residential/business development is allowed within Area 1 if it is:
 - 1. Not within or close enough to the habitat to cause significant impacts
 - 2. Located on the perimeter of the area
 - a) If not on the perimeter, there must be no reasonable alternatives
 - 3. Located within 1/8 mile of similar development
- B. Other types of development are allowed in Area 1 if:
 - 1. It is not within or close enough to habitat to cause significant impacts
 - 2. There are no reasonable alternatives outside the area

Process for planning and approval of development:

- A. Project Sponsor requests information on rare and endangered species, specific to the proposed development, from the Navajo Natural Heritage Program
- B. Project Sponsor meets with the Department to explore alternatives for development
- C. Project Sponsor, or their consultant, prepares a BE for the proposed development
- D. Department reviews the BE to determine if impacts to wildlife resources are accurately assessed, impacts that can not be avoided are reasonably mitigated, and that no other reasonable alternatives exist
- E. Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
- F. The Department letter must be part of any project approval application package

2. AREA 2: MODERATELY SENSITIVE WILDLIFE RESOURCES

This area has a high concentration of rare, endangered, sensitive and game species occurrences or has a high potential for these species to occur throughout the landscape. The purpose of this area is to minimize impacts on these species and their habitats within Area 2, and to ensure the habitats in Area 1 do not become fragmented.

The rule for this area is that all development be placed to avoid species and their habitat. Avoidance needs to include an adequate buffer to address long-term and cumulative impacts. The buffer distance will depend on the species and the situation, and may be up to one mile. All development requires the preparation of a BE.

Criteria for allowable development:

- A. Must not be within or close enough to habitat to cause significant impacts

Process for planning and approval of development:

- A. Project Sponsor requests information on rare and endangered species, specific to the proposed development, from the Navajo Natural Heritage Program
- B. Project Sponsor, or their consultant, prepares a BE for the proposed development
- C. Department reviews the BE to determine if impacts to wildlife resources are accurately assessed, impacts that can not be avoided are reasonably mitigated, and that no other reasonable alternatives exist
- D. Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
- E. The Department letter must be part of any project approval application package

3. AREA 3: LOW SENSITIVITY WILDLIFE RESOURCES

This area has a low, fragmented concentration of species of concern. Species in this area may be locally abundant on

Biological Resource Land Clearance Policies and Procedures

'islands' of habitat, but islands are relatively small, limited in number and well spaced across the landscape. Small-scale development to serve the private needs of individuals, such as homesites and service lines for utilities, can proceed without the development of a BE. However, documentation of the development shall be submitted to the NNDFW for its files.

All other development requires preparation of a BE. Any proposed development in this area does not preclude the need to meet the requirements of Federal law, as applicable.

Process for planning and approval of development:

- A. For individual homesites and related utilities
 1. Submit homesite documentation to NNDFW, including:
 - a) Location plotted on a 7.5' USGS topographic quadrangle map or reasonable facsimile
 - b) Brief description of project, including acreage
- B. For all other development
 1. Project Sponsor requests information on rare and endangered species, specific to the proposed development, from the Navajo Natural Heritage Program
 2. Project Sponsor, or their consultant, prepares a BE for the proposed development
 3. Department reviews the BE to determine if impacts to wildlife resources are accurately assessed, impacts that cannot be avoided are reasonably mitigated, and that no other reasonable alternatives exist
 4. Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
 5. The Department letter must be part of any project approval application package

4. AREA 4: COMMUNITY DEVELOPMENT

The Department has determined that areas around certain communities do not support the habitat for species of concern and therefore development can proceed without further biological evaluation. This applies to all development except that which may have significant impacts outside the community. An example of this is industrial development that may impact air or water quality. For certain communities, there are exceptions where one or two species have the potential to occur. For these exceptions, the biological evaluation need only address that one or two species, and be submitted to the Department for approval.

Small-scale development to serve the private needs of individuals, such as homesites and service lines for utilities, can proceed without the development of a BE. However, documentation of the development shall be submitted to the NNDFW for its files.

Process for planning and approval of development:

- A. For individual homesites and related utilities
 1. Submit homesite documentation to Department, including:
 - a) Location plotted on a 7.5' USGS topographic quadrangle map or reasonable facsimile
 - b) Brief description of project, including acreage
- B. For all other development
 1. Project Sponsor requests information on rare and endangered species, specific to the proposed development, from the Navajo Natural Heritage Program
 2. For responses that do not list any wildlife resources the process is complete
 3. For responses that list wildlife resources
 - a) Project Sponsor, or their consultant, prepares a BE for the proposed development
 - b) Department reviews the BE to determine if impacts to wildlife resources are accurately assessed, impacts that cannot be avoided are reasonably mitigated, and that no other reasonable alternatives exist
 - c) Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
 - d) The Department letter must be part of any project approval application package

5. AREA 5: BIOLOGICAL PRESERVE

These areas contain excellent, or potentially excellent, wildlife habitat and are recommended by the Department for protection from most human-related activities, and in some cases are recommended for enhancement. Only a few of these areas have been developed, to date. Future areas will be identified for each chapter on a case-by-case basis. A variety of

Biological Resource Land Clearance Policies and Procedures

protection and enhancement techniques are available, and the Department is interested in working with the chapter and land-user to protect/enhance these habitats by providing technical assistance, and possibly materials and labor. The Department is interested in receiving proposals from chapters and land-users for these types of areas. Ultimately, the Department maintains the authority for designating and managing biological preserves. However, the Department may delegate certain management responsibilities to the local level, under Department oversight. Any development within this area must be compatible with the purpose of the management plan for the area.

Process for planning and approval of development:

- A. Project Sponsor requests information from the Department on the purpose of the area, and the management plan, if available
- B. Project Sponsor meets with the Department to explore alternatives for development
- C. Project Sponsor, or their consultant, prepares a BE for the proposed development
- D. Department reviews the BE to determine if the proposed project is compatible with the purpose of the area, impacts to wildlife resources are accurately assessed, impacts that cannot be avoided are reasonably mitigated, and that no other reasonable alternatives exist
- E. Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
- F. The Department letter must be part of any project approval application package

6. AREA 6: RECREATIONAL

These areas are used for recreation that involves wildlife, or have potential for development for this purpose. Recreation can involve consumptive and/or non-consumptive uses of wildlife resources, and is often a part of a broader outdoor experience. Examples include fishing lakes, camping and picnic areas and hiking trails. Several areas have been identified as Recreation Areas. Future areas will be identified for each chapter on a case-by-case basis. A variety of management techniques are available, and the Department is interested in working with the chapter and land-user to develop and/or manage these areas. The Department is also interested in receiving proposals from chapters and land-users for these types of areas. Ultimately, the Department maintains the authority for designating and managing recreational areas that involve wildlife. However, the Department may delegate certain management responsibilities to the local level, under Department oversight. The Department encourages chapters to plan development in this area compatible with purpose, for example nature trails, interpretive displays and picnic areas.

Process for planning and approval of development:

- A. Project Sponsor requests information from the Department on the purpose of the area, and the management plan, if available
- B. Project Sponsor meets with the Department to explore alternatives for development
- C. Project Sponsor, or their consultant, prepares a BE for the proposed development
- D. Department reviews the BE to determine if the proposed project is compatible with the purpose of the area, impacts to wildlife resources are accurately assessed, impacts that can not be avoided are reasonably mitigated, and that no other reasonable alternatives exist
- E. Department issues a letter, to the Project Sponsor, either concurring or not concurring with the BE based on the review
- F. The Department letter must be part of any project approval application package

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.: Tse'Lichii Business Park Site

DESCRIPTION: The LeChee Chapter proposes a land withdrawal of ±3.0 acres for commercial development and community use.

LOCATION: Section 20, T40N, R09E, G&SRM, LeChee Chapter, Coconino County, Arizona

REPRESENTATIVE: Jim R. Analla, J.R. Analla EA Services for Western Regional Business Development Office

ACTION AGENCY: Navajo Nation and Bureau of Indian Affairs

B.R. REPORT TITLE / DATE / PREPARER: EAS-1502/AUG 2015/J.R. Analla EA Services

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

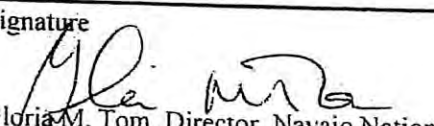
AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

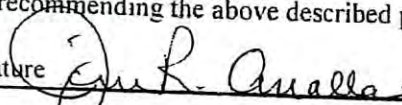
FORM PREPARED BY / DATE: Pamela A. Kyselka/03 AUG 2015

COPIES TO: (add categories as necessary)

_____ _____

<u>2 NTC § 164 Recommendation:</u> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditional Approval (with memo) <input type="checkbox"/> Disapproval (with memo) <input type="checkbox"/> Categorical Exclusion (with request letter) <input type="checkbox"/> None (with memo)	Signature  Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife	Date 8/4/15
--	---	----------------

*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 8/4/15

**A Cultural Resources Inventory Survey
for the Proposed LeChee Commercial Site with Associated Utilities in
LeChee, Coconino County, Arizona
Report No. CSWTA-ARCH-2013072**

ARCHAEOLOGICAL INVENTORY REPORT (AIRs) DOCUMENTATION PAGE

1. RECIPIENTS ACCESSION NO.		2. (FOR HPD USE ONLY)	3. HPD REPORT NO.
4. TITLE OF REPORT: A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona.		5. FIELDWORK DATES: October 26, 2013	
AUTHOR: Carol S. Yazzie-Ward		6. REPORT DATE: April 1, 2014	
7. CONSULTANTS NAME AND ADDRESS: General Charge: Carol S. Yazzie-Ward Org. Name: CSWTA, Inc. Org. Address: Post Office Box 790, Tuba City, Arizona 86045 Phone: (928) 283-4323		8. PERMIT NO.: B13674	
10. SPONSOR NAME AND ADDRESS: Ind. Responsible: Wilfred Lane Org. Name: LeChee Chapter Org. Address: Post Office Box 4720, Page, Arizona 86040 Phone: (928) 698-2805		9. CONSULTANT REPORT NO. CSWTA-ARCH-2013072	
11. SPONSOR REPORT NO. NA		12. AREA OF EFFECT: 3.0 ac AREA SURVEYED: 4.01 ac	
13. LOCATION: (Map Attached):			
a. Chapter: LeChee	f. UTM Center: 4078410N, 460340E		
b. Agency: Tuba City	g. Area: T40N, R9E, Section 20		
c. County: Coconino	h. 7.5' Map Name(s): White Dome, AZ, 1985		
d. State: Arizona	i. Lead Agency: BIA		
e. Land Status: Navajo Tribal Trust Land			
14. REPORT OR SUMMARY (Attach additional pages if necessary):			
<p>a. Description of Undertaking: The proposed undertaking will involve the construction of a the commercial site with associated utilities within a 208.71 feet by 626.13 feet square parcel of land. The total area of potential effect equals 130,679.59 square feet or 3.0 acres. Ground disturbance is expected to be intensive and extensive from the use of heavy equipment. The LeChee Chapter is in the process of business site lease approval through BIA.</p> <p>b. Existing Data Review: Before fieldwork was conducted a site file search of the project area was conducted at the Navajo Nation Historic Preservation Department (NNHPD) in Window Rock, Arizona. The file search indicated that no sites were previously recorded within 100 feet of the project area. Four previous report were recorded: #HPD08-063, #HPD 06-912, #HPD 06-608, and #HPD 07-172. A check of Traditional Cultural Property (TCP) was researched at the NNHPD/TCP office and one sacred place was reported: #343 is Tooh/River/Colorado River and San Juan River, which is approximately 5 miles to the northwest. The Traditional Cultural Property (TCP) Record Search Verification Form is attached.</p> <p>c. Area Environmental and Cultural Setting: The project area is situated at an elevation of 4,782 feet above mean sea level. The proposed commercial site is on a 3.0-acre parcel of undisturbed land. Vegetation consists of cliffrose, sand dropseeds, yucca, Mormon tea, four wing saltbrush, prickly pear, and Indian ricegrass. The nearest water resources are Antelope Creek to the east and Lake Powell to the north. The contemporary cultural setting is modern Navajo. The prehistoric use was Anasazi.</p> <p>d. Field Methods: Carol S. Yazzie-Ward and Loretta Flatrock walked subparallel transects spaced 10-12 meters apart to survey for cultural resources. The survey included a buffer zone of 50 feet around the perimeter of the project area. The total area surveyed was 174,921.59 square feet or 4.01 acres. All exposed ground surfaces were carefully examined and special attention was given to areas of erosion and deflation. Mr. Lane was interviewed for knowledge of Traditional Cultural Properties or sacred places.</p>			

15. CULTURAL RESOURCES FINDINGS (Attach additional pages if necessary)

a. Location/Identification of Each Resource: No cultural resources were inventoried. No Traditional Cultural Properties or sacred places were found.

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

16. MANAGEMENT SUMMARY OR RECOMMENDATIONS (Attach additional pages if necessary)

Archaeological clearance is recommended for the proposed commercial site with associated utilities.

17. CERTIFICATION:

Signature: Carol S. Yazzie-Ward for

Date: 04/25/2014

General Charge Name: Loretta Flatrock

Signature: Carol S. Yazzie-Ward

Date: 04/25/2014

Direct Charge Name: Carol S. Yazzie-Ward

15. CULTURAL RESOURCES FINDINGS (Attach additional pages if necessary)	
a. Location/Identification of Each Resource: No cultural resources were inventoried. No Traditional Cultural Properties or sacred places were found.	
b. Evaluation of Significance of Each Resource: No significant findings were made.	
16. MANAGEMENT SUMMARY OR RECOMMENDATIONS (Attach additional pages if necessary)	
Archaeological clearance is recommended for the proposed commercial site with associated utilities.	
17. CERTIFICATION:	
Signature: <u>Carol S. Yazzie-Ward for</u>	Date: <u>04/25/2014</u>
General Charge Name: <u>Loretta Flatrock</u>	
Signature: <u>Carol S. Yazzie-Ward</u>	Date: <u>04/25/2014</u>
Direct Charge Name: <u>Carol S. Yazzie-Ward</u>	

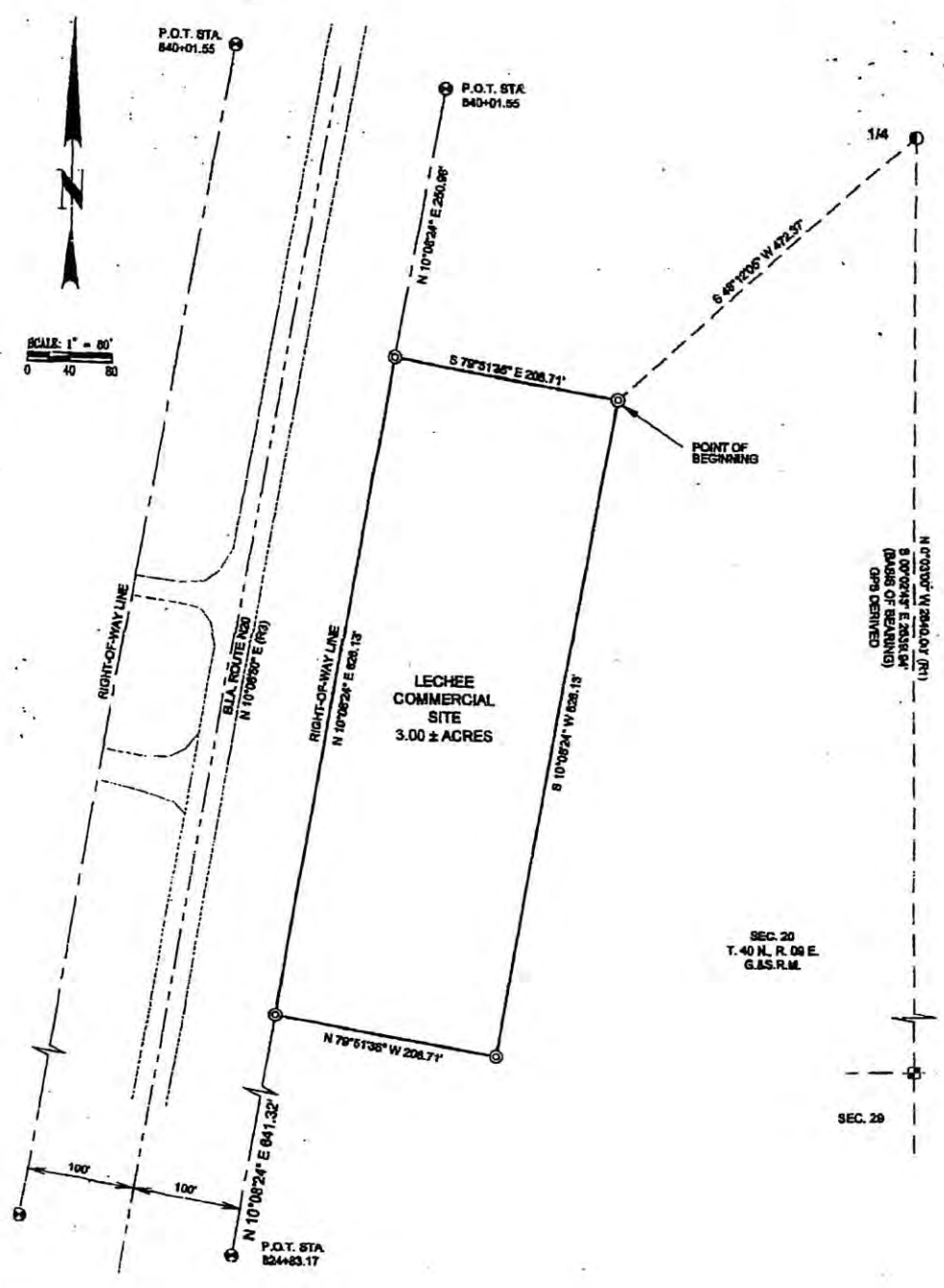


Figure 2. The proposed LeChee Commercial Site tract on 3.0 acres of land.



**TRADITIONAL CULTURAL PROPERTY (TCP) RECORD
 SEARCH VERIFICATION FORM**

DATE	04/14/2014
COMPANY	CSWEAD/IND.
PROJECT NAME	Proposed LeChee Chapter Commercial Site
PROJECT NUMBER	CSWTA-ARCH-10213072
PERMIT NUMBER	B13674
PROJECT LOCATION	LeChee, Coconino Co., AZ
USGS QUAD MAP:	White Dome Quadrangle

A literature search of TCP Records at NNHPD on the above date indicates the following:

<input checked="" type="checkbox"/>	There are <u>no</u> TCP(s) present within the project area and/or buffer zone. The project may proceed as proposed.
<input type="checkbox"/>	TCP(s) <u>are</u> present within the project area and/or buffer zone. Project may have the potential to adversely affect TCP(s). Please document TCP(s) as a summary (with only general location information) in the body of reports submitted for review to HPD/CRCs. Give full detail on the TCP Documentation Forms in a separate, and clearly labeled, confidential appendix.
<input type="checkbox"/>	Project may proceed with the following stipulations:
<input type="checkbox"/>	Further consultation is required. Consult with the following:
<input type="checkbox"/>	There are no mitigative measures. Project may not proceed.

Researcher's Name:	Carol S. Yazzie-Ward
NNHPD/TCP Program Reviewer:	Thy C. Boy

****Return this form along with report to the NNHPD/Compliance Section.**

Note: In addition to the TCP Record search, the consultant must demonstrate that a good-faith effort to consult with 1.) Surface user(s): grazing-permit holder(s) (individuals whose consents for right-of-way have been sought by developer); any other residents in or within view of the proposed project area. 2. Chapter(s) within which the proposed project is located; chapter officers and/or delegate(s) of the Navajo Nation Council; at the request of any of these individuals, the developer's consulting anthropologist will also make a presentation at a meeting of general chapter membership. 3. Other knowledgeable people recommended by the present surface user(s), chapter officials, and chapter members.

**Cultural Resource Compliance Form
NNHPD No. HPD-14-241**



THE NAVAJO NATION
 HISTORIC PRESERVATION DEPARTMENT
 PO Box 4950, Window Rock, Arizona 86515
 TEL: (928) 871-7198 / 7134 FAX: (928) 871-7886

CULTURAL RESOURCE COMPLIANCE FORM

ROUTE COPIES TO:	NNHPD NO.: HPD-14-241
<input checked="" type="checkbox"/> CSWTA	OTHER PROJECT NO.: CSWTA-ARCH-2013072

PROJECT TITLE: A Cultural Resources Inventory Survey for the Proposed LeChee Commercial Site with Associated Utilities in LeChee, Coconino County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Wilfred Lane, LeChee Chapter, PO Box 4720, Page, Arizona 86040

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a commercial site with associated utilities within the 3.0-acre lease area. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Navajo Tribal Trust

CHAPTER: LeChee

LOCATIONS: T. 40 N, R. 09 E - Sec. 20; White Dome Quadrangle, Coconino County, Arizona G&SRPM

PROJECT ARCHAEOLOGIST: Carol S. Yazzie-Ward
NAVAJO ANTIQUITIES PERMIT NO.: B13674

DATE INSPECTED: 10/26/14
DATE OF REPORT: 04/01/14
TOTAL ACREAGE INSPECTED: 4.01 - ac

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 10-12 m apart.

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

EFFECT/CONDITIONS OF COMPLIANCE: No Historic Properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7198.

FORM PREPARED BY: Tamara Billie
FINALIZED: May 8, 2014

Notification to Proceed
 Recommended
 Conditions:

Yes No
 Yes No


 The Navajo Nation
 Historic Preservation Officer
 Date: 5/8/14

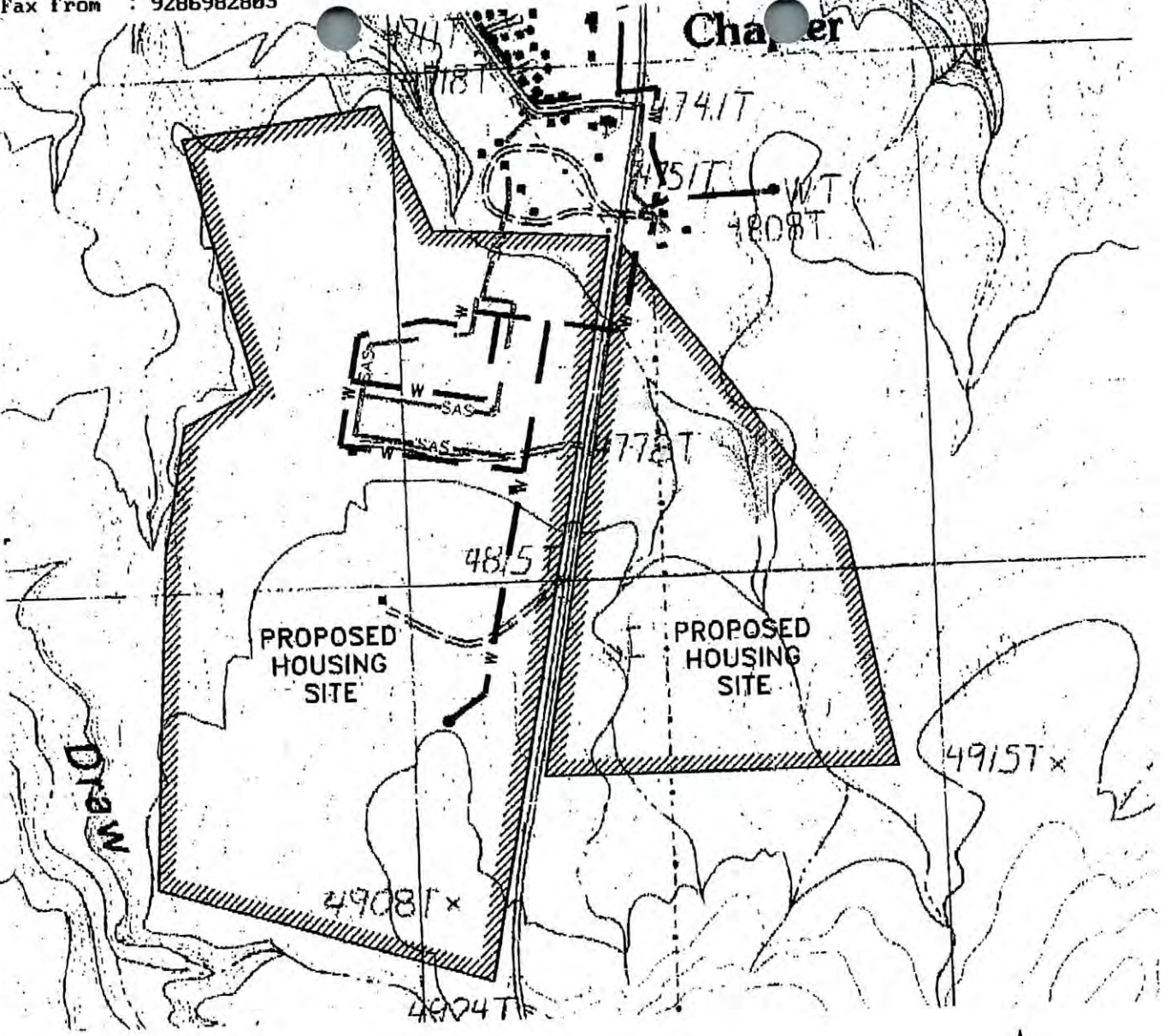
Navajo Region Approval

Yes No


 BIA - Navajo Regional Office
 Date: 5/20/14

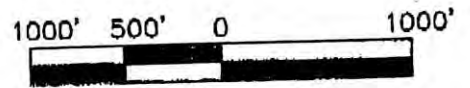
TIM 5.20.14

Chapter



LEGEND:

- SAS EXISTING SANITARY SEWER LINE
- W EXISTING WATER LINE



SCALE: 1" = 1000'

NO.	REVISION	BY	APPROV.	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

PROJECT:	NAVAJO COMMUNITY BASED PLANNING
CLIENT:	LECHE-E CHAPTER
DATE:	02-12-04
BY:	DRAMB
CHECKED:	JED
APPROVED:	RNE

PROJECT: NAVAJO COMMUNITY BASED PLANNING

CLIENT: LECHE-E CHAPTER

PROJECT TITLE: UTILITY PLAN - LECHE-E CHAPTER PROPOSED HOUSING SITE SOUTH

THIS DRAWING IS THE PROPERTY OF RED MOUNTAIN ENGINEERS, INC. AND IS NOT TO BE REPRODUCED, COPIED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF RED MOUNTAIN ENGINEERS, INC.

Red Mountain Engineers, Inc.
 ENGINEERS • SURVEYORS

1818 Parkway Drive
 Flagstaff, AZ 86001-7808
 Phone: (908) 478-7878

MEMBER: National Society of Professional Engineers
 PROFESSIONAL ENGINEERS



MULTI-PURPOSE BUILDING PROJECTS

LeChee Chapter

Amounts of Funds Requested

\$7,526,651.00

Submitted by:

A handwritten signature in black ink, appearing to read "Helena Nez Begay", written over a horizontal line.

Honorable Delegate Helena Nez Begay
25th Navajo Nation

