RESOLUTION OF THE RESOURCES AND DEVELOPMENT COMMITTEE of the 25th NAVAJO NATION COUNCIL-First Year, 2023

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, CERTIFYING MANUELITO CHAPTER'S COMMUNITY-BASED LAND USE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee, pursuant to 26 N.N.C. §2004(D)(2) shall certify community-based land use plans.

B. Pursuant to 26 N.N.C. § 2004 (B), "Community Based Land Use Plan. The chapter, at a duly-called chapter meeting shall by resolution, vote to implement a community-based land use plan, after the CLUPC has educated the community on the concepts, needs, and process for planning and implementing a community-based land use plan. The community-based land use plan shall project future community land needs, shown by location and extent, of areas identified for residential, commercial, industrial, and public purposes. The land use plan shall be based upon the guiding principles and vision as articulated by the community; along with information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure; and, finally with consideration for the land-carrying capacity. Such a plan may also include the following: 1. An open space plan which preserves for the people certain areas to be retained in their natural state or developed for recreational purposes. 2. A thoroughfare plan which provides information about the existing and proposed road network in relation to the land use of the surrounding area. 3. A community facilities plan which shows the location, type, capacity, and area served, of present and projected or required community facilities including, but not limited to, recreation areas, schools, libraries, and other public buildings. It will also show related public utilities and services and indicate how these services are associated with future land use."

SECTION TWO. FINDINGS

A. The Manuelito Chapter approved the Community-Based Land Use Plan which is attached as **Exhibit A**

B. The Manuelito Chapter Resolution MANU04-19-23-023, attached as **Exhibit B**, approved the Community-Based Land Use Plan which is attached as **Exhibit A**.

C. The Capital Project Management Department Projects Proposals—Check-off List, Memorandum from Chapter President of Manuelito Chapter Government, and Navajo Department of Justice review of Manuelito Chapter's land use plan are attached as **Exhibit C**.

SECTION THREE. Certification of Manuelito Chapter's Community-Based Land Use Plan

A. The Resources and Development Committee of the Navajo Nation Council hereby certifies the Manuelito Chapter's Community-Based Land Use Plan, attached hereto as **Exhibit A**.

B. Certification of this Community-Based Land Use Plan shall not delineate adjacent chapter boundaries.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 25th Navajo Nation Council at a duly called meeting at Mentmore, (Navajo Nation) New Mexico, at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, on this 1st day of November 2023.

Brenda Jesus, Chairperson
Resources and Development Committee
Of the 25th Navajo Nation Council

Motion: Honorable Otto Tso
Second: Honorable Shawna Ann Claw

EXHIBIT

A

Kin Hozhoni • Eastern Navajo Agency

Manuelito Chapter Master Land Use Plan

2023

Naabeehó Bináhásdzo - Navajo Nation

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Special thanks to the
community of the Manuelito Chapter
who made this plan possible.

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New Mexico State Representative
Patricia A. Lundstrom

Navajo Nation Council Delegate
Seth Damon

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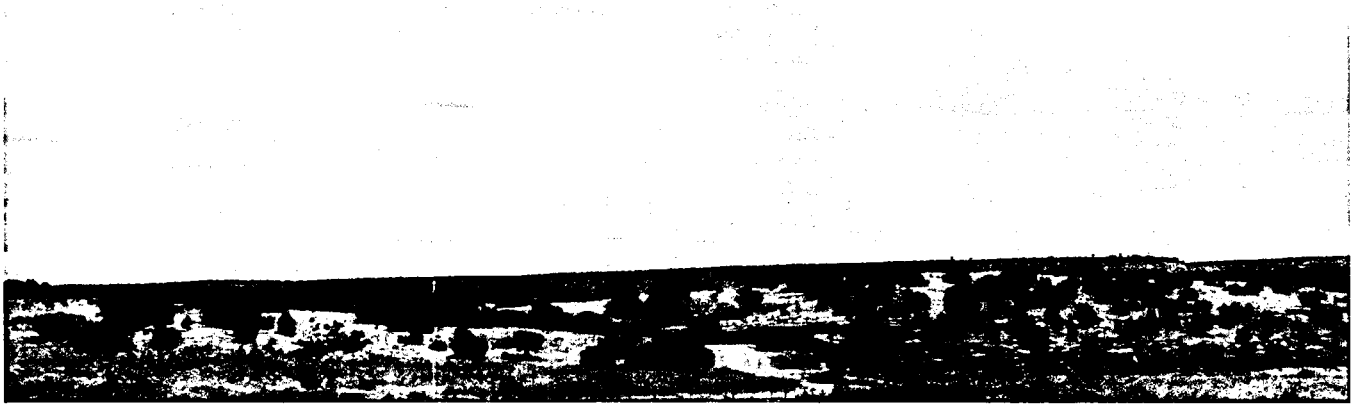
And another special thanks to Milton Davidson, who took the time to provide many of the beautiful pictures in this document.



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LIST OF TERMS

Acronym/ Abbreviation	Definition
ACS	American Community Survey
ARC	Architectural Research Consultants, Incorporated
ASC	Administrative Service Center
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BNSF	Burlington Northern Santa Fe (Railroad)
CARES	Coronavirus Aid, Relief, and Economic Security Act
CDEC	Continental Divide Electric Cooperative
CIP	capital improvement projects
CLUPC	Chapter Land Use Planning Committee
CPMD	Capital Project Management Department
CSC	Community Service Coordinator
DALTCS	Division of Aging and Long Term Care Services
DOH	Department of Health
DOT	Department of Transportation
EMS	emergency medical services
FRA	Federal Railroad Administration
GIS	geograhic information system
GRS	Gallup Regional System
GLDD	General Land Development Department
HSL	homesite lease
HUD	U.S. Department of Housing and Urban Development
Hwy	highway
ICIP	infrastructure capital improvement projects
IHP	Indian Housing Plan
IHS	Indian Health Services
IIM	Individual Indian Money
LBBP	Land-Buy-Back Program
LEDA	Local Economic Development Act
LGA	Local Governance Act
MVO	Manuelito Veterans Organization
NACE	Navajo Arts and Crafts Enterprise
NEPA	National Environmental Policy Act

NGWSP	Navajo-Gallup Water Supply Project
NHA	Navajo Housing Authority
NHPA	National Historic Preservation Act
NM	New Mexico
NMDOT	New Mexico Department of Transportation
NMHU	New Mexico Highlands University
NMSU	New Mexico State University
NMVIC	New Mexico Visitor Information Centers
NN	Navajo Nation
NNDCD	Navajo Nation Division of Community Development
NNEPA	Navajo Nation Environmental Protection Agency
NNFWS	Navajo Nation Fish and Wildlife Service
NNLD	Navajo Nation Land Development
NWNMCOG	North West New Mexico Council of Governments
NTUA	Navajo Tribal Utility Authority
PEP	Public Employee Program
RAID	Recycling and Illegal Dumping grant
RCP	Biological Resource Land-Use Clearance Policies and Procedures
Rd	road
ROW	right-of-ways
RPO	Regional Planning Organization
SOW	statement of work
STIP	Statewide Transportation Improvement Plan
UPS	United Parcel Service
USFWS	United States Fish and Wildlife Service
USPS	United States Postal Service
VA	Veterans Affairs

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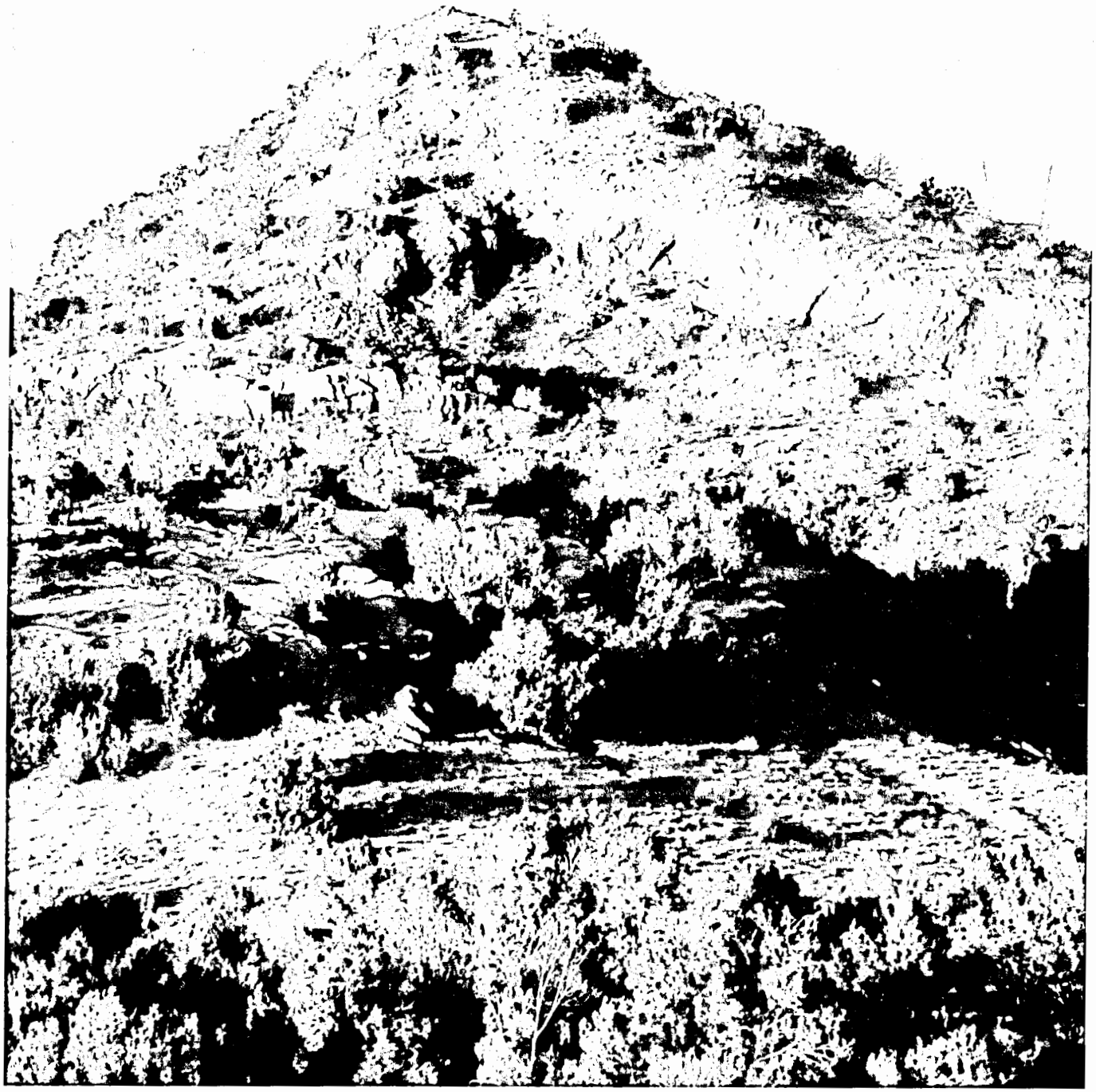


INTRODUCTION

Mission:

To realize a healthy, self-sustaining community that promotes family, Diné language, history, and cultural knowledge, while advocating for resources to build services and infrastructure, while respecting Diné Fundamental Law and the environment we live in with land, water, air, animals, and plant life, which provide medicine and mental health for us.

Vision:

To provide information and resources to the community, to understand the processes to complete the projects from homes, to education, to community, and to economic/ cottage industry development.

1.1 | PURPOSE OF THE PLAN

The Manuelito Chapter Master Land Use Plan is an official public document adopted by the chapter officials as a policy guide for decisions about the physical development of the community. It indicates, in a general way, how the residents and leaders of the chapter want the community to develop in the ensuing 20 to 30 years.

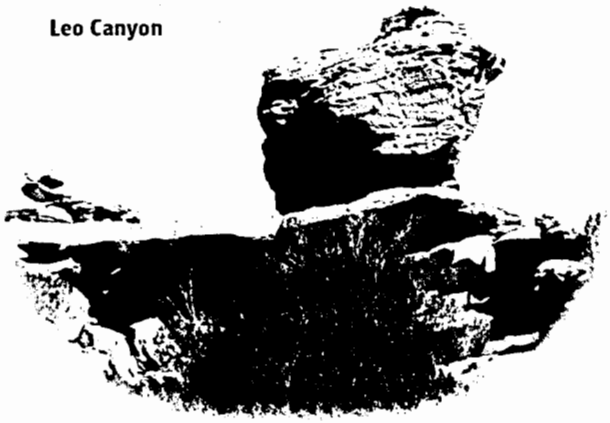
A master land use plan helps a community prepare for the future by anticipating change, maximizing strengths and minimizing weaknesses. The plan sets policies that help guide how to address critical issues facing the community, achieving goals according to priority, and coordinating both public and private efforts.

The Manuelito Chapter Master Land Use Plan provides a series of chapter plans, each covering a category of fundamental, publicly-owned elements in physical development—from open space to infrastructure. The final master land use plan incorporates all these smaller plans, which stand as a primary focus of the overall document and process.

The plan lays out the chapter's general, long-range approach to making decisions about any new development, infrastructure or improvement programs.

As a general document, the plan does not carry regulatory authority, unlike zoning and subdivision regulations. The plan serves as a decision-making tool, providing policy support for regulation and funding priorities for the chapter.

Leo Canyon



A master land use plan is an official public policy guide to help chapter officials and leaders decide what to work on, what improvements to prioritize, and how to design regulation regarding the physical development of the community. The plan provides data, information, and an account of the community's goals and priorities over the next 20 to 30 years.

This plan acknowledges the discriminatory practices, both historic and on-going, that result in pervasive infrastructural and regulatory impediments and constraints that continue to hinder growth, impact health, limit prosperity, and deprive the people of Manuelito of basic rights to life, liberty, and the pursuit of happiness.

Only by recognizing that the effects of systemic racism and historic injustices extend into nearly every aspect of life in the chapter does it become possible to appreciate the hurdles faced by the chapter in working to improve life and expand opportunities for Manuelito chapter members, and then to have hope of developing effective strategies, recommendations, and goals to assist in doing so.

This plan strives, in its small way, to identify mechanisms and strategies to begin rectifying long-standing injustice and restore self-determination, resources, access, and opportunities to the people of Manuelito.

1.2 | PLANNING AUTHORITIES

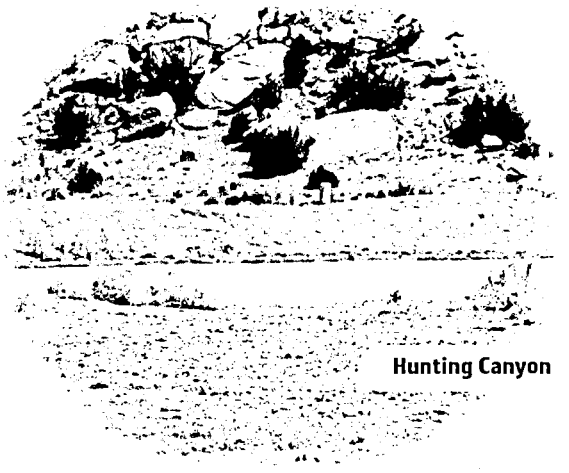
1.2A | LOCAL GOVERNANCE ACT (LGA)

The Navajo Nation adopted the Local Governance Act (LGA) in 1998; over time, it received several amendments, most recently in 2021. The LGA grants chapters authority over local issues relating to economic development, taxation and revenue generation, infrastructure development, and land use planning. By assisting chapters to become self-governing entities, the LGA creates opportunities for the improvement of chapter members' quality of life by

- » Developing opportunities for economic development.
- » Conserving natural resources and preserving the Navajo heritage and culture.
- » Ensuring government accountability.
- » Creating an atmosphere of experimentation and learning.

The LGA grants power over local issues to the chapters. As part of this process, chapters must adopt a five-management system, which sets up policies and procedures for chapter administration of (1) personnel, (2) property, (3) procurement, (4) accounting, and (5) record keeping. Chapters may also develop and adopt a comprehensive plan and zoning, which provide local chapters the tools to administer their land. The plan, according to the LGA, section 2004 (B), as amended, states that such a plan shall include, but not be limited to the following:

1. An open space plan which preserves for the people certain areas to be retained in their natural state or developed for recreational purposes.
2. A thoroughfare plan which provides a information about the existing and proposed road network in relation to the land use of the surrounding area.



Hunting Canyon

3. A community facilities plan which shows the location, type, capacity, and area served,of present and projected or required community facilities including, but not limited to, recreation areas, schools, libraries, and other public buildings. It will also show related public utilities and services and indicate how these services are associated with future land use.

§2004 (B), Navajo Nation Local Governance Act, 1998, amended 2021

The LGA requires the plan to be presented in one or more public meetings and through various media. The LGA requires an opportunity for community members to comment on the plan in Title 26, Section 2004 (D) of the Navajo Nation Code:

> "The community members shall have 60 days to comment in writing or in testimony at a final public hearing. The CLUP committee, after consideration for public input shall make necessary adjustments, finalize the plan, and submit the plan to the Resources and Development Committee of the Navajo Nation Council."
>
> *§2004 (D), Navajo Nation Local Governance Act, 1998, amended 2021*

LGA REQUIREMENTS

To meet LGA requirements of the Navajo Nation Code: Title 26, the plan must include the following components:

I. Land Use Plan

II. Open Space Plan

III. Thoroughfare Plan

IV. Community Facilities Plan

1.2B | CAPITAL PROJECT MANAGEMENT DEPARTMENT (CPMD) REQUIREMENTS

To meet CPMD requirements, plans must include the following components:

I. CLUP Plan of Operation

II. Community Education and Participation Plan

III. Community Assessment

IV. Inventory and Assessment of Pertinent Existing Data

V. Land Use Plan

VI Open Space Plan

VII. Thoroughfare Plan

VIII. Comprehensive Facilities Plan

VIII. Community Infrastructure Plan

RECOMMENDATION

Continue bringing stakeholder agency and department representatives together to discuss plans, issues, and collaborative opportunities in identifying potential and priority projects in the area.

Certification of the five-management system empowers the chapter to exercise most of the authorities listed in Section 103(D) and (E) of the Navajo Nation Local Governance Act. When the land use plan is also certified, a chapter becomes eligible to administer land such as issuing business site leases and adopting zoning ordinances. This would give the chapter authority in a variety of matters, including granting the authority to collect sales taxes and to review and approve/deny homesite leases. The strategy would expand authority and strengthen autonomy, but the costs and benefits of each should be carefully weighed in the decision to pursue certification.

In its current form, this plan meets CPMD requirements. It has been specifically designed as a bridge to a full Comprehensive Plan. Comprehensive plans are another step towards a community planning format that integrates the full range of interrelated topics and matters that influence and drive progress in a community. When this plan is updated, the chapter should prioritize expanding the plan's scope to cover this range. Doing so will not only provide the community with a clearer understanding of how planning decisions relate and impact one and other, it will place the chapter one step closer to self governance—should the community decide to pursue it.

An expansion into a full comprehensive plan integrates the community land use plan presented here into the following full components:

- Demographic & Community Context
- Land Use
- Economic Development
- Housing
- Transportation & Infrastructure (including facilities and utilities)
- Natural & Cultural Resource Preservation
- Implementation Plan
  - » Includes material intended to guide the community through the specific steps and actions needed to achieve goals laid out in the plan.

A comprehensive planning perspective, beyond integrating issues and topics, is vital to navigating the jurisdictional and bureaucratic complexities facing a Navajo Nation chapter. This approach can begin immediately with a concentrated effort to open and maintain productive lines of communication with the various entities responsible for development decisions affecting the chapter. That would include representatives of the many Navajo Nation departments and agencies; federal, state, and county officials and representatives; and private sector service providers and developers to discuss plans, issues, and collaborative opportunities in identifying potential and priority projects in the area.

INTRODUCTION TO MANUELITO (KIN HOZHONI)

The former name of Manuelito was known as Kin Hocho'ii', named after a trading post that was situated near the mouth of Manuelito Canyon between Lupton Road (BIA 7140) and I-40, or after an ancient Anasazi ruin.

There was a time the area had trade routes to Chaco Canyon, establishing a robust community commercethat involved many groups of peoples. That commerce continued pursuing trade among other indigenous and nonindigenous communities into the early 1900s with the establishment of trading posts throughout Manuelito.

Mike and Dean Kirk wned the most recent trading posts situated in the chapter community. The Kirk family was actively involved with the establishment of the Gallup Inter-Tribal Indian Ceremonial, which is now nearing 100 years of existence.

The establishment of trading posts within the community encouraged the trade of silversmithing, or tufu casting (melting of silver). Many families who trace their lineage to Manuelito are still renowned silversmiths. Another form of tourism commerce were the famous movie sets that occurred within Manuelito, and many community members acted as cast members in the late 1940s and 1950s. Such a movie was titled *Ace in the Hole.*

A small school was built in the community in the 1930s/1940s, located near where Mike Kirk trading post was located. The school still stands today—a solid sandstone building. Many community members, who are now in their 70s and 80s, went to school at this particular site.

As a local government, Manuelito had its start with local community meetings in the early 1900s, especially after allotment parcels were assigned to community members. Eventually the local meetings split into two—Tseyatoh and Manuelito. Through the years, both communities have overlapped in leadership, along with Chilchiltah.

One of the first community meeting buildings to be built was organized by two local community members, Jesse and Berniece Hampton. Both became active community members, ending with Berniece Hampton as a member of the Manuelito Senior Citizen Council. The current chapter house dates to 1965. The council delegate at the time, Willis Peterson, recommended a name change from Kin'Hocho'ii' to Kin Hozhoni. The community members agreed. The previous chapter house stands half a mile west of the current chapter house.

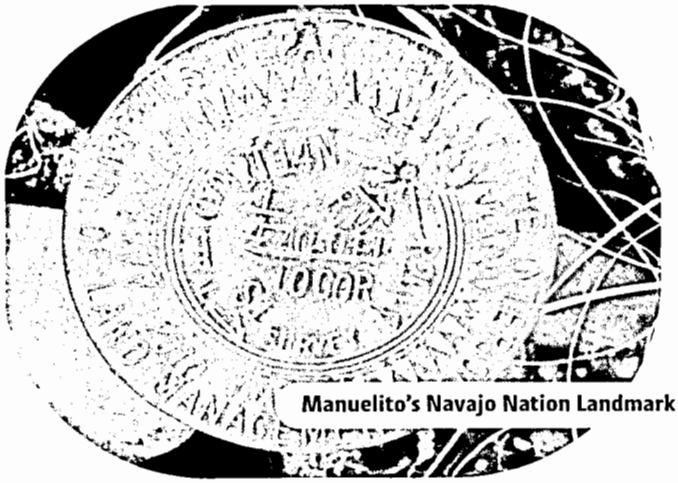
Today, Kin Hozhoni sits between Gallup and the state line of New Mexico and Arizona with Historic Route 66, I-40, and the railroad running in the center of the community. Canyons and mesas surround the chapter on either side.

—Information provided courtesy of Chapter Secretary/ Treasurer Percy B. Anderson

1.3 | MANUELITO CHAPTER

1.3A | PEOPLE & PLACE

The Chapter Of Manuelito resides towards the southern portion in the Eastern Agency, which is commonly referred to as the checkerboard area. Manuelito is part of district 16. A detailed list of the chapter officials from 1955 on can be seen in Exhibits 2 and 3. Manuelito is in the Rio Puerco Valley, located towards the western part of McKinley County, New Mexico. The chapter lies east of the Arizona border and is about 16 miles southwest of Gallup. Several other Navajo Nation chapters border Manuelito: Chichiltah to the south, Red Rock to the east, Tsaytoh to the north, and Oak Springs (Arizona) to the west. The area is characterized by its sandstone formations and canyons with sagebrush, piñon, and juniper.



Manuelito's Navajo Nation Landmark

The Navajo Nation is one of the largest tribal governments of the North American Indian Nations with a land base larger than the state of West Virginia. The Navajo Nation functions via a treaty with the United States Congress as a sovereign Native-American Nation.

The Navajo Nation is divided into five agencies, and the seat of government resides at the Navajo Nation's Governmental Capital in Window Rock (Tsédhóhoodzání). These agencies are similar to county entities and reflect the five Bureau of Indian Affairs (BIA) agencies created in the early years of the Navajo Nation. The five agencies within the Navajo Nation are the Chinle Agency at Chinle, Arizona; Eastern Navajo Agency at Crownpoint, New Mexico; Western Navajo Agency at Tuba City, Arizona; Fort Defiance Agency at Fort Defiance, Arizona; and Northern Agency at Shiprock, New Mexico. BIA agencies provide various technical services under the direction of the BIA's Navajo Area Office at Gallup, New Mexico. Agencies divide even further into chapters, similar to municipalities, as the smallest political unit.

Exhibit 1: Navajo Nation Capital in Window Rock, Arizona

Exhibit 2: History of Chapter Officials (1955-Present)

Year	Council Delegate	President	Vice President	Secretary/ Treasurer
1955	Leo Parker, Sr.	Little Cowboy Arviso	John Perry Begay	Cecil M. Canuto
August 1956				Rose Ann Etsitty
January 1957		Billy Parker	Chee Silversmith	Cecil M. Canuto
August 1958				Marie McCray
1959	Jim Sears McCrea	Little Cowboy Arviso	Ellen Parker	Marie A. McCray
1963	Jim Sears McCrea	Herbert K. Morgan	Ellen Parker	Marie A. McCray
June 1963		George Lee	Fred Adakai	Billy Chee
1967	Willis H. Peterson	Fred Adakai	Billy Chee	Albert Lewis
1971	Herbert Morgan	John Duboise	Fred Begay	Dorothy Upshaw
1975	Willis H. Peterson	John Duboise	Alfred Long	Johnny D. Francis
1979	Johnnie D. Francis	John Duboise	Alfred Long	
July 1980		Herbert K. Morgan	Mary Ann Lee	Ninahbah M. Hufford
1983	John K. James	Chester Nez	Harry L. Begay	Betty Chee
1987	Henry Hudson	Chester Nez	Harry L. Begay	Patricia Robertson
1992	Henry B. Hudson	Steven J. Francis	Harry L. Begay	Patricia A. Bitsuie
1996	Willis H. Peterson	Milton Davidson	Billy Chee	Percy B. Anderson
2000	Tully Haswood	Milton Davidson	Harry L. Begay	Bertha R. Dahozy
	Henry B. Hudson			
2002	Harriet K. Becenti	Milton Davidson	Harry L. Begay	Bertha R. Dahozy
2004	Harriet K. Becenti	Milton Davidson	Alfred Long	Bertha R. Dahozy

Exhibit 3: History of Chapter Officials (1955-Present), continued

Year	Council Delegate	President	Vice President	Secretary/ Treasurer
2006	Harriet K. Becenti			
2008	Harriet K. Becenti	Milton Davidson	Julia Ellison	Bertha R. Dahozy
2010	Charles Damon II			
2012	Charles Damon II	Milton Davidson	Julia Ellison	Bertha R. Dahozy
2014	Seth Damon			
2016	Seth Damon	Milton Davidson	Julia Ellison	Deborah A. Nelson
2020	Seth Damon	Milton Davidson	Deborah A. Nelson	Percy B. Anderson

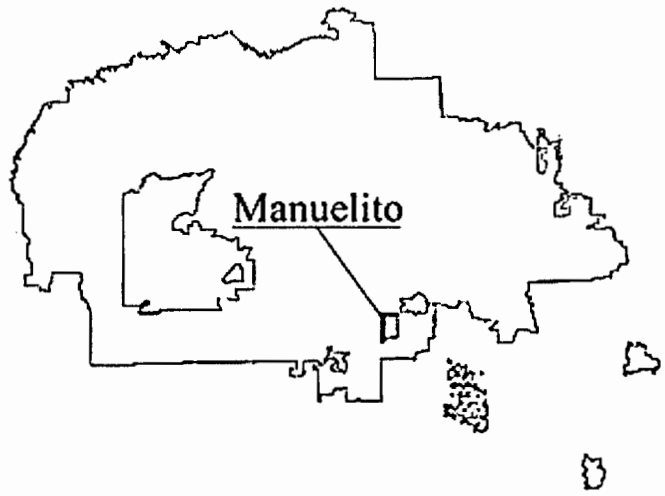
1.3B | GEOGRAPHY

A complex topic for the community, geography has implications well beyond a simple matter of location. For the Chapter of Manuelito, geography is a matter of culturally identity intrinsically tied to place; a matter overlaid by multiple boundaries, none of which accurately represent the historic and cultural affinities of the community.

This section strives to provide some answers to the question of where this place we are talking about is, and the answer is twofold. Manuelito is defined by the historic cultural geography of the community's identity, which crosses those geographic boundaries laid down by both the US Census and the Navajo Nation. In addition, various "official" chapter boundaries impose a definition of Manuelito over the community's historic and cultural boundaries, including Census and Navajo Nation.

The significance and implications of each, and the fact that they do not align, carry real consequences for the community. Boundaries, especially U.S. Census boundaries, define the parameters for population counts. Population counts often determine the public funding allotments and political representation. So when boundaries fracture the community's geography, they also fracture the community's population count, limiting the community's funding access and diluting its political influence.

Exhibit 4: Chapter of Manuelito, Geographic Context



Scenery to West Side of the Chapter

Other issues arise when facing bureaucratic matters, particularly in the layered chapters of the Navajo Nation. Not only do the chapter boundaries diverge from the community's sense of itself, they diverge between the various government bodies that hold political and regulatory jurisdiction over various aspects of the chapter. Even within the Navajo Nation, different departments adhere to differing variations of the chapter's boundaries.

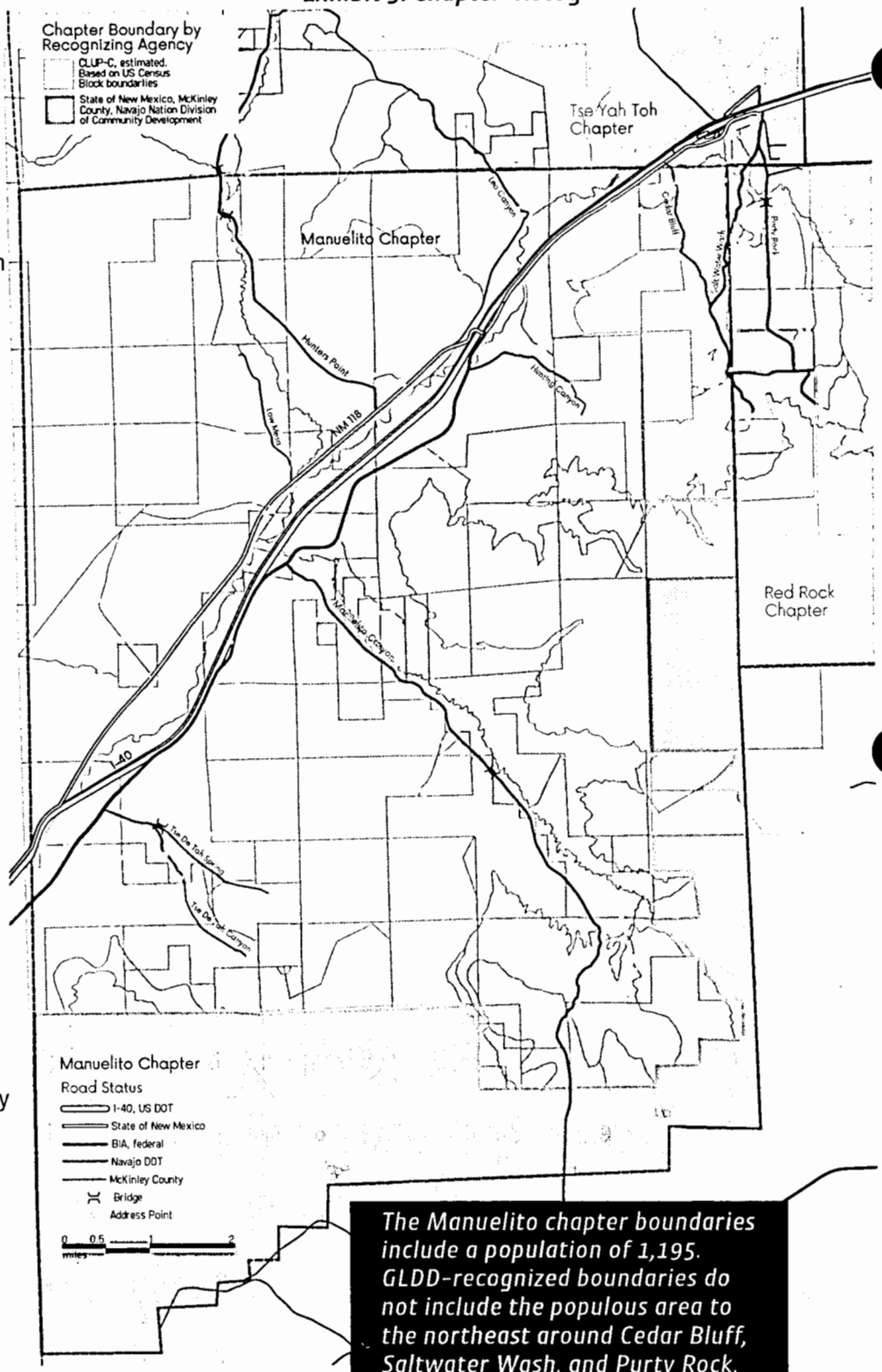
These differences muddle the already-murky waters that must be traversed in order to develop land, obtain various permits including homesites, and dictate various rights and responsibilities in the chapter.

A universally accepted, clearly delineated chapter boundary would provide some measure of relief to the chapter from the bureaucratic maze it faces.

1.3C | OVERVIEW OF BOUNDARY ISSUES

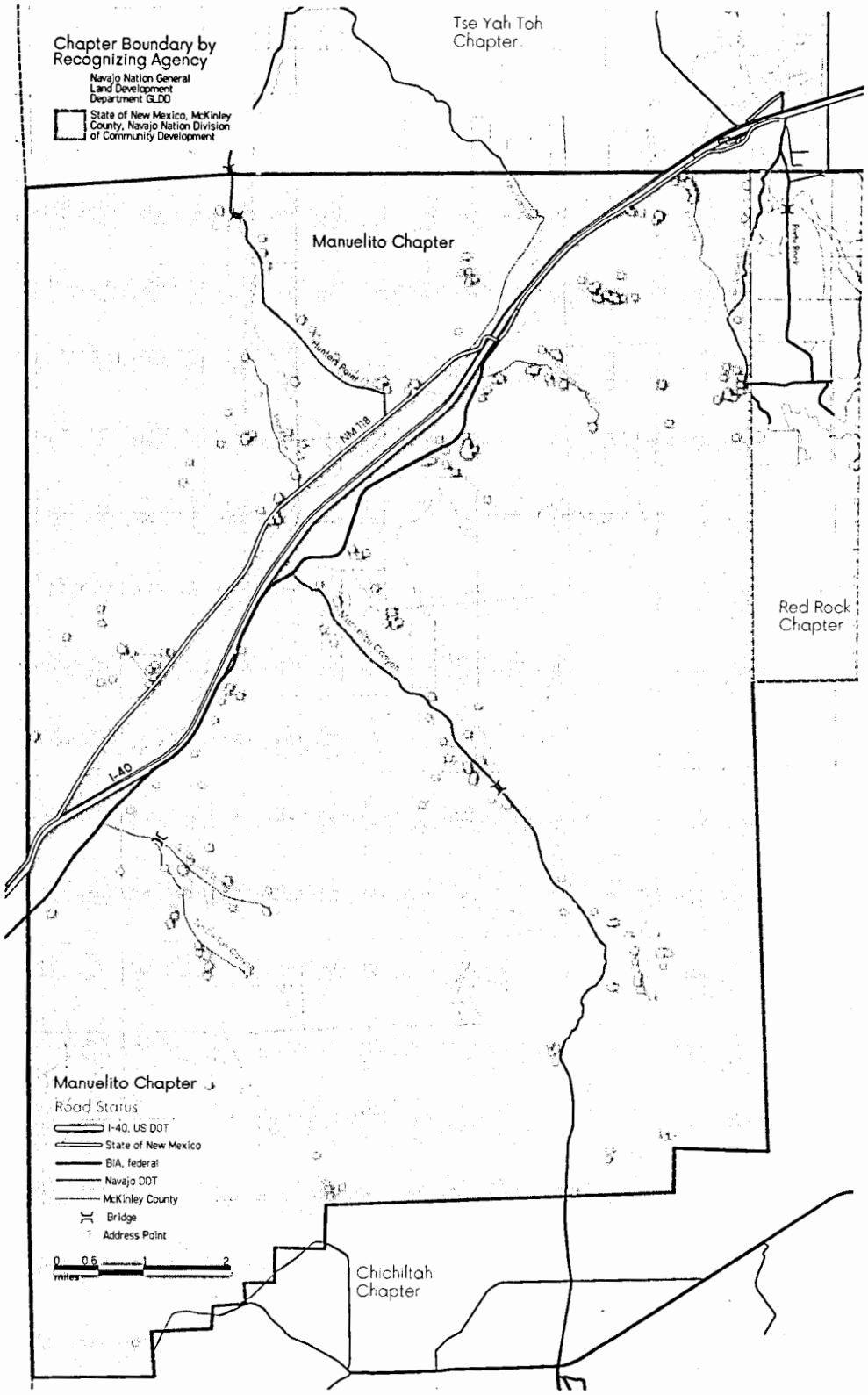
In the following two maps, a blue dashed line marks the boundary lines recognized by the State of New Mexico, McKinley County, and several Navajo Nation departments and agencies, including the Community Development Department. These differ considerably from the boundary that the CLUPC and community recognize as the Manuelito chapter boundaries, or what the GLDD indicates are official boundaries.

Exhibit 5: Chapter-Recognized Boundaries



The Manuelito chapter boundaries include a population of 1,195. GLDD-recognized boundaries do not include the populous area to the northeast around Cedar Bluff, Saltwater Wash, and Purty Rock. GLDD-recognized boundaries only encompass a population of 510.

Exhibit 6: GLDD-Recognized Chapter Boundaries



As Exhibit 5 illustrates, members of the chapter feel that the housing off of Saltwater Wash Road and Purty Rock Road should be included as part of their chapter, along with much of the housing to the north of the established boundary off of Leo Canyon Road and Hunters Point, almost as far north as West Tse Yah Toh Road. However, the area to the south, between Tse De Tah Canyon Road and Fox Road, should not be included; according to the community, the area aligns more closely with the community in Chichiltah.

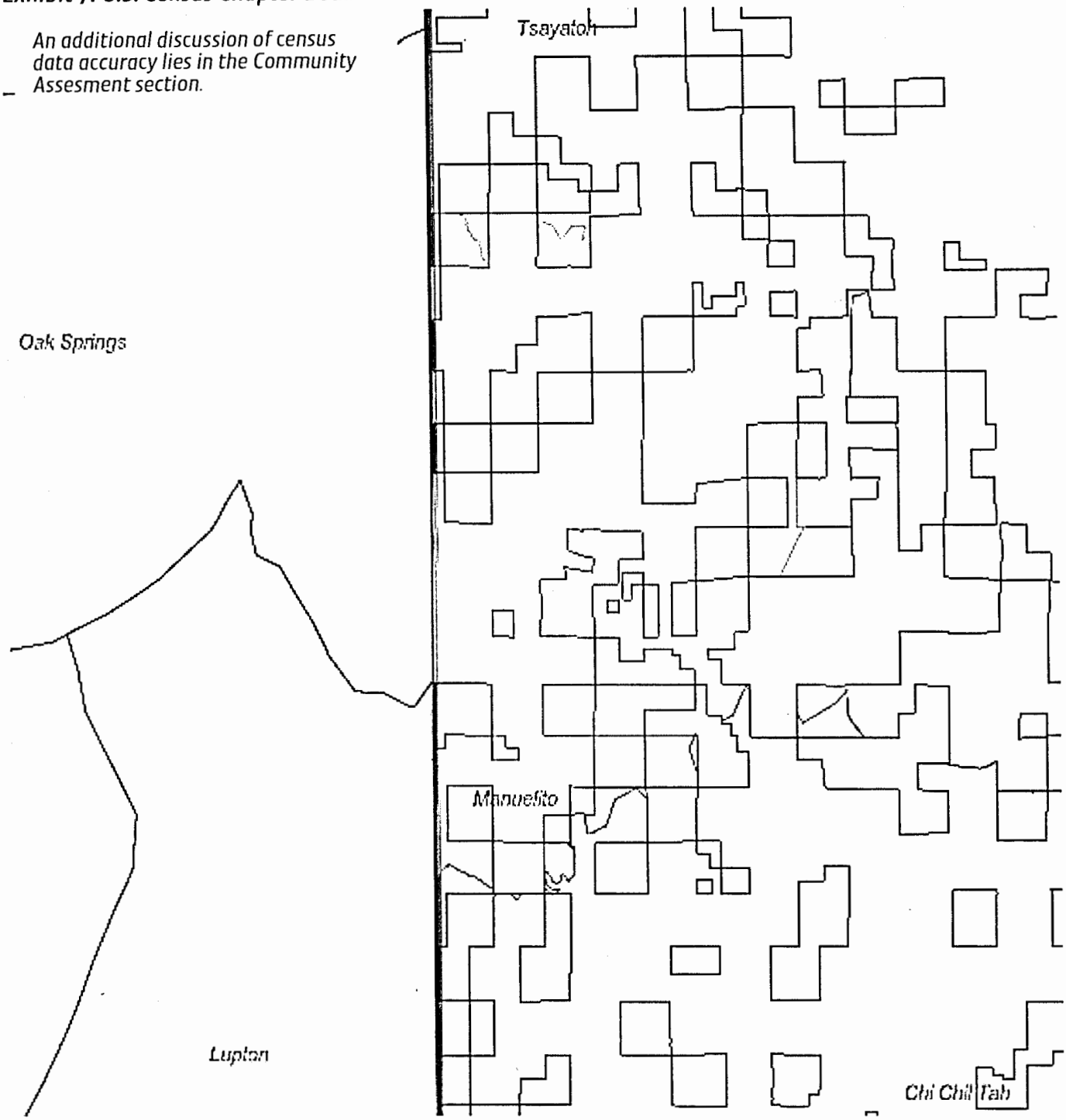
The GLDD indicates a much smaller area than what the Manuelito chapter or State of New Mexico recognize as the official chapter boundaries. Similar areas to the north and south are part of their respective chapter boundaries; however, the area to the east is not part of Manuelito, including parts of Cedar Bluff Road, Saltwater Wash Road, and Purty Rock Roads.

Recommendation

Determine the legal boundaries for the Chapter of Manuelito in order to clarify and expedite official processes and requirements.

Exhibit 7: U.S. Census Chapter Boundaries

An additional discussion of census data accuracy lies in the Community Assesment section.



This map illustrates U.S. Census boundaries used to determine chapter population. The data describes the demographic, economic, and housing conditions in the area. The areas in blue are the only areas included in this data and clearly exclude significant portions of the chapter. This plan relies on information gathered from the community survey and not census data alone, meaning that it should be considered a more accurate description of the community; the Community Assessment section outlines the parameters.

IMPLEMENTATION

THIS IS A GUIDE FOR COMPLETING THE PROJECTS AND ACHIEVING THE GOALS OUTLINED IN THIS PLAN.

FOLLOW THIS GUIDE TO ACCOMPLISH THE VISION

THIS IS A RECIPE BOOK FOR PROGRESS

2.1 | OVERVIEW

As a living document, this plan represents the current aspirations and desires of the community of Manuelito. The plan organized these desires into an achievable set of goals and outlines the necessary actions to achieve them.

The following implementation plan has been developed for the express purpose of realizing the goals outlined here. The plan includes the identification of responsible parties. This is a chapter land use plan; therefore, the responsible parties are primarily chapter officials and CLUPC members, though where warranted partner agencies and organizations should be involved in the implementation of this plan. Time frames are suggested based on urgency, achievability, and logistics.

Various areas are provided for completion at later dates. The chapter progresses through the completion of the actions outlined here; it includes a space for comments, which may include practical notes, referenced legislation or guidelines, contact information, progress updates, or other information as deemed helpful in implementing the plan. Funding sources may be added as well, and doing so is encouraged as a necessary step to realizing goals. Because funding sources and requirements change frequently, this plan does not limit the chapter's funding options by including them at this time.

Goals

Statements describing desired outcomes.

Policies

Identifying general strategies for achieving goals.

Actions

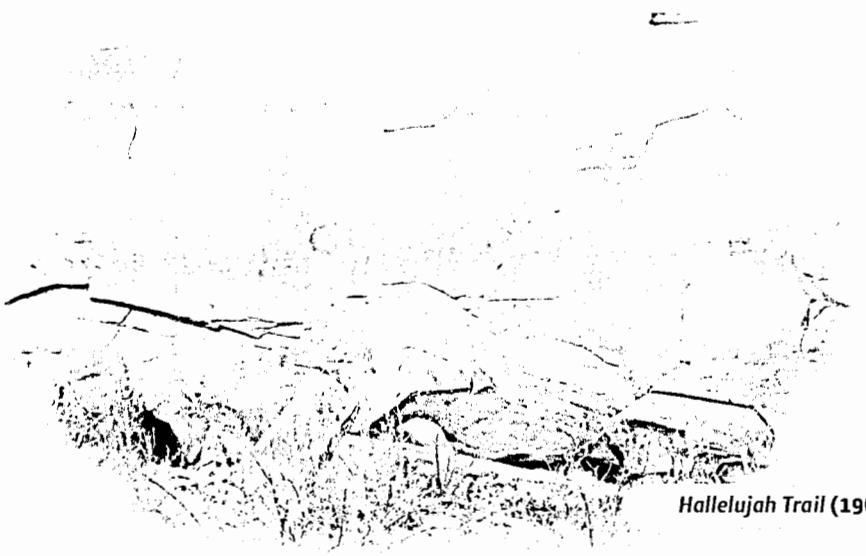
Specific instructions to make the strategy succeed .

Recommendations

Detailed actions and guidance for specific, individual topics to address particular issues or needs, in support of the overall goals and policies.

Guidelines

Guiding principals and considerations to inform decision-making in general terms.



***Hallelujah Trail* (1965) Film Site**

2.2 | METHODOLOGY

The Implementation Plan presents specific, priority actions that the chapter should take to implement the plan. These priority actions are derived from the complete set of actions identified in chapter goals and policies, as well as certain recommendations from throughout the chapters. These actions are designed to initiate progress towards achieving the goals identified by the community.

The Implementation Plan does not stand alone, but should be used as a reference point for implementing the plan. The body of the plan provides the full road map to implementation.

Priority actions included in the Implementation Plan are based on the following factors:

- **Achievability** - existing capacity to implement the action, or access to funding sources to do so
- **Need** - actions that must be implemented before others can, or actions that require immediate action to mitigate or address pressing issues
- **Potential Impact** - significance of impact
- **Community Support** - broad support exhibited through plan process

Most implementation actions require resources or funding, although a number of actions can be accomplished with existing chapter resources and personnel. Manuelito should designate or secure adequate resources as a first step in implementing any action.

2.3 | PLAN MAINTENANCE & MONITORING

2.3A | PLAN PROGRESS REVIEWS

In order to ensure the timely progress and success of efforts to achieve the goals outlined in this plan, the chapter should develop and institute a strategy with guidelines, responsibilities, schedules, procedures, and roles for regular review of the progress of the actions outlined in this plan.

Reviews provide an opportunity to communicate progress and involve the community in the planning process and also promote transparency. Reviews also offer the opportunity to adjust, eliminate, or add to goals, policies and actions as circumstances dictate.

2.3B | PLAN UPDATE

By law, this plan shall be updated every five years to remain in compliance with the various planning requirements outlined in the introduction chapter of this plan. Updates provide the opportunity to adjust and regroup to meet circumstances at the time. The overall long-range goals and policies may be reviewed and verified with the community at the time of the update, but may be altered significantly only with due consideration that goals may take decades to realize and altering course mid-stream may result in significant loss of time, energy and resources and set progress back considerably. That said, goals which are no longer relevant or pertinent will not be maintained without review and consideration either.

Leo Canyon

2.4 | GOALS & PRIORITIES

A list of goals and policies begins on page 2-8.

2.4A | SHORT-TERM GOALS

» Mapping: the Manuelito Chapter would like to gather and collaborate with other chapters to organize the development of a mapping program that could be used by all of them.

» Survey Land: land surveys and archaelogical surveys are the first step to many developments for the chapter including housing sites, economic development, a site for the community solid waste, and determining private land. There are several areas of the latter, which even includes 360 acres around Purty Rock.

» Recycling and Illegal Dumping (RAID) Grant: the chapter would like to apply for a RAID Grant, which is currently accepting applications. This is a step towards solid-waste cleanup.

» Statement of Work (SOW): a SOW should be completed to outline the project management for implementing funding, which is the underlying goal.

» Funding: in order to continue with master land use plans, the chapter needs to supplement funding, which could possibly come from the Navajo Nation and other sources.

» Capital Outlay Projects: the chapter would like to implement all capital outlay projects and use all their available funds from New Mexico legislature.

» Relocating Staff: chapter staff plan to move into the Administration Building sitting on top of the hill, next to the Veterans' Building.

2.4B | LONG-TERM GOALS

» Create an observation site/lookout point at a strategic location.

» Establish ROW for NM-118 with Surrender Canyon as an alternate route.

» Construct bridges, possibly five in total.

» Prioritize the seven families needing relocation for housing.

» Create a vendor's village, either considering downtown Gallup or designating and surveying an area in the chapter.

» Create a community center.

2.5 | PREPARATION

Chapter officials, CLUPC members, and other plan participants organized an Implementation Workshop to prepare the chapter for using this plan and determining the actions needed to achieve their goals. Workshop members worked together in developing an implementation plan tailored to suit the needs and challenges of the Manuelito Chapter. The workshop covered two days of discussion, brainstorming, working sessions, and presentations to develop the plan format and structure.

The team reviewed and discussed implementation plan elements and tools, creating an implementation format and procedures to best enable the chapter to meet its goals. That format is the one used here, as well as the process laid out for implementing this plan.

2.5A | PROCESS

- Responsible Parties—*Who will complete the task? Provides guidance to responsible parties, outlining the parameters of potential; this includes topics like the availability of funding, when it's available, and from whom.*
- Accountability—*Who was supposed to do that? Identifies the responsible parties and requirements for regular reports on progress, which allows fail points to be identified and addressed. Obstacles like the lack of authority or resources limit the capacity to meet goals, and this process prevents that.*
- Transparency—*How are public resources used? Prioritizes goals as long-range plans span across different administrations and terms of service. When policies ensure transparency, the community's goals and priorities remain visible.*
- Funding Resources—*What are the potential funding resources? The plan entity, the chapter, generally provides staff and funds. However, the chapter may name partners when agreements and committments are in place to ensure accountability.*
- Timeframes and Metrics—*When should this be done? Identifies when to expect results, laying out the order of steps in the multistep processes. Also identifies which outcomes can serve as a metric for success and measure progress.*

- Plan Maintenance—*How does the plan keep momentum? Outlines procedures and allocates resources to support regular plan progress reporting and plan updates. This process allows the community to track goal progress; identify obsolete goals and strategies; and help determine goals, priorities, public resource allocation, and public resource expenditure.*

2.5B | RESOURCES

An important task in the workshop was to identify resources available to the chapter in working to realize this plan. The lists identify staff, positions, agencies, roles, and organizations who are of service to the chapter in some way. Beginning with chapter resources, and going through federal agencies and the private sector, this list is not exhaustive, nor will it be static, as roles, positions, agencies, funding and missions change. However, this list creates a starting point that the chapter can build into a team of dedicated partners and resources.

CHAPTER STAFF

Community Services Coordinator

Accounts Maintenance Specialist

- Temp Workers/ Public Employee Program (PEP): funded by the Navajo Nation, varying by need, labor, adminstration, and maintenance.

CHAPTER OFFICIALS & CLUPC

Variable resource allowances:

- Constraints include time, internet access, phone access.
- Can pass resolutions

Filling positions:

- Manuelito Chapter administration should work with the Adminstrative Services Center (ASC) to fill the position.
- Hiring occurs through the Navajo Nation and their personnel policies.
  - » Staff position
  - » Provide orientation
  - » Assign tasks
- Create chapter project manager position, part time and temporary. Tasks include implementing and monitoring funded capital projects.

Land Board Committee (Navajo Nation)

- Elected member of Eastern Land Board
- Works with BIA
- Works with range management livestock
- Has an elected group of land board representatives

NAVAJO NATION REPRESENTATIVES

Community Health Representative

- Provides orientation on health issues, oversees services provision, emergency assessments, identifies high-risk individuals. Works in public education and outreach.

Land Department

- Homesite leases
- ROW

Division of Public Safety

- Police
- Fire department
- Emergency medical services (EMS)

Department of Transportation

Eastern Navajo Land Commission

- Land buy-backs
- Works with Land Department and BIA

Community Development

- Assistance with implementation of capital projects
- Staffing CSC and CPMD projects
- Technical assistance offered through the ASC

Economic Development

- Provides resources for ED projects and planning
- Implementation

Natural Resources

- Water resources
- Agriculture
- Windmills
- Earthen dams

Navajo Nation Fish and Wildlife

Department of Health (DOH)

- Division of Aging and Long Term Care Support (DALTCS) is available as part of the NNDOH

NAVAJO NATION TRIBAL ENTERPRISES

Navajo Arts and Crafts Enterprise (NACE)

Navajo Tribal Utility Authority (NTUA)

Navajo Housing Authority (NHA)

Navajo Engineering and Construction Authority (NECA)

MCKINLEY COUNTY

- Roads
- Land
- Rural Addressing

NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS (NWNMCOG)

- Assists with requests for capital project funding
- Provides technical assistance for ICIPs and workshops on solid waste

STATE OF NEW MEXICO

NM Indian Affairs Department

- Capital Outlay
- Tribal Infrastrcuture Fund
- Provides technical support for the chapter to the state

NM State Land Office (SLO)

- Land Exchange
- ROW

Representatives

- House District
- Senate District

NMDOT/District 6

NM Visitor Information Center (NMVIC)

FEDERAL/BIA

Intergovernmental Relations

BIA Roads

Natural Resources

Veterans Affairs (VA)

Indian Health Services (IHS)

PRIVATE SECTOR

Providers, planners, and developers

- Sacred Wind Communications
- DePauli Engineering
- Continental Divide Electric Cooperative
- Spirit Farm
- Faith-based organizations
- Church of God, Southwest Indian Ministries

GOAL 1

Improved and expanded chapter capacity and capabilities enables and supports chapter efforts to realize goals and improvements for residents

Policy 1: Develop and maintain adequate staff capacity to manage and utilize a variety of tools to improve chapter management including databases, reference libraries, contacts, planning and management schedules and documents, and transparency measures including outreach

A reliable and dedicated funding stream is optimal; grants, volunteers, and interns may supplement.

Policy 2: Improve the working relationships and quality of the services provided to the chapter by partner agencies, including the Navajo Nation and affiliated departments and agencies

Initial outreach should be supplemented and maintained through policies and procedures.

Policy 3: Consider additional strategies to provide a mechanism for documentation of interactions with partner agencies, including a log of residents' comments, experiences, and needs to serve as a record and resource in working to improve services

Review "Additional Capacity Building Options provided at the end of the Implementation Plan

Policy 4: Expand capacity of CLUPC and Chapter Officials by establishing mechanisms to retain institutional knowledge and understanding between administrations and members across terms of service

Various mechanisms possibly including staggered terms of election, exit interviews, special councils, and orientation workshops for new members.

Policy 5: Continue to work to efficiently expend allocated funding in support of projects and other efforts in a timely fashion as outlined by funding source requirements

Policy 6: Establish policy support for enhanced influence and leverage by chapters regarding Navajo Nation decision-making, planning, and policy changes by chapter resolution

Policy 7: Discuss and review options and strategies for improving chapter autonomy in interpreting or enforcing procedural and policy requirements established or recommended by the Navajo Nation

Policy 8: Discuss the challenges of working with the various agencies and departments in determinig chapter boundaries

GOAL 1.A

The chapter conducts effective and efficient business, and maintains tools in place to aid the chapter in managing and maintaining services and quality of life

Policy 1: The chapter maintains and regularly updates planning tools, and adheres to transparency, public engagement, and outreach protocols as outlined internally and adopted through resolution

Policy2: Maintain a schedule of regularly seeking opportunities for grants and other funding assistance for planning work, chapter management, and capacity building projects

Policy 3: Continue working to realize and implement the Five Management System as a tool for improving chapter management and capacity overall

GOAL 2

Accessibility and quality of housing ensures that adequate, safe, affordable housing is available to all chapter residents

Policy 1: Continue working to establish policy and record keeping to support the chapter's efforts in aiding residents with obtaining homesite leases and realizing home improvements

A clear understanding of the desired outcome will inform the identification of the reliable metric used to measure success

Policy 2: Continue working with the NHA and other housing providers and developers to realize responsible development of quality housing for the chapter

Though NHA is the primary and currently only housing developer working with the chapter, additional development strategies may be appropriate in the future

GOAL 3

Land is developed responsibly and protected to maintain a natural state and preserve environmental and ecological health

Careful land use management and regulation will protect the interests of the people by promoting responsible development while protecting natural and cultural assets

Policy 1: Establish protections for various land uses and types including natural and cultural assets through land status, designation, ownership, or regulation

Regular review of options for ensuring conservation will ensure the chapter is aware of all possible strategies for protecting land. Partner organizations can provide assistance as outlined in this plan.

Policy 2: Establish tools to guide development in a responsible, beneficial, and efficient manner including development regulation, incentives, and protections or restrictions, and as outlined in adopted policy and regulation

Policy 2a: **Employ a variety of regulatory and conservations tools to achieve protections and guide development**

Policy 2b: **Maintain and regulate access to information regarding sensitive areas and establish policies for review of this information in consideration of potential development**

Policy 2c: **Regularly review options including costs and benefits of developing and implementing land use regulation in the chapter**

Policy 3: Establish a policy of support and plan of action to develop a community cemetery to minimize the risk of development barriers and provide residents a safe, reliable cemetery

A policy regarding chapter intent will be adopted in the near future and include a strategy for acheiving the chapter's goals.

GOAL 4

Residents have reliable access to utilities at their homes and services for the chapter

Policy 1: Establish and maintain solid waste services for chapter residents

Policy 1a: **Consider regional solutions to solid waste management**

Policy 1b: **Develop and maintain partnerships where necessary and beneficial to the chapter in realizing improved services as outlined by the guidelines provided in this plan**

Policy 1c: **Refer to Navajo Nation guidance regarding solid waste facility design and planning as provided in this plan**

Policy 2: Continue working to improve and expand utility services available to residents at their homes

Policy2a: **Maintain close working relationships with partner agencies and organizations to ensure adequate representation of chapter goals and considerations in utility planning and maintenance**

Policy 2b: **Employ an open engagement policy in reviewing, addressing, and meeting the various rules and requirement as established by various utility service providers which can serve as barriers to progress or development for the chapter**

GOAL 5

Well-maintained roads provide residents and visitors safe passage throughout and across the chapter

Policy 1: Establish and maintain close working relationships with transportation and utility providers, agencies, and the railroads to ensure reliable service and appropriate project designs

GOAL 6

Residents and visitors have access to networks of trails for enjoyment and recreation

Policy 1: Identify and understand the potential for trails development including recreational trails, exercise trails, sightseeing trails, and designated stops

Policy 1a: **Prioritize trail development as outlined in this plan for the benefit of residents and as attractions to visitors**

GOAL 7

Economic development strategies are in place that support and empower local artisans and craftspeople

Policy 1: Support and assist in the development and maintenance, including promotion and vendor assistance, of a vendor village in partnership with neighboring chapters to promote local artisans and encourage visitorship

Policy2: Consider options to include additional economic development and recreational attractions for visitors and the community such as an ampitheatre, RV park, bandstand activity, and multipurpose building with small fees that the chapter could retain

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MANUELITO CHAPTER

IMPLEMENTATION PLAN WORKSHEET

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ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
TOPIC | CAPACITY BUILDING			
1 **Convene leadership workshop to address a need for improved accountability and communication with partner agencies, particularly Navajo Nation representatives and departments**	Chapter officials & CLUPC	Ongoing	
A Work with chapter representatives to identify strategies for promoting a higher level of service and accountability from agencies and positions of service intended to provide aid, assistance, information, or services to the chapter			
B Establish a policy to promote regular engagement with partner agencies including attending regular meetings and participating in planning activities- may include designating specific responsibilities, establishing support (i.e. travel fund for members to attend planning retreats, etc.) and review structure			
2 **Adopt policy support for increased self determination and planning and legislation influence**			
COMMENTS, UPDATES, & PROGRESS			
3 **Establish chapter staff capacity to develop and manage GIS data, programs, and equipment**	Chapter officials	6 mos.	
A Develop a position whose tasks and responsibilities include GIS management			
B Apply for funding to support a staff position, seek out dedicated and committed volunteer, or develop a partnership with an area school, college, or other institution to develop an internship to fill the position			
C Contact New Mexico Forestry and Watershed Restoration Institute (NMFWRI) to organize training for chapter staff on GIS programs			
i Discuss potential funding sources to purchase and maintain the equipment and software necessary for GIS data management with NMFWRI and area representatives			
D Establish access and file management protocols for sensitive material including geolocated data			
E Begin collecting and developing a GIS database to inform development and policy decisions in the chapter			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
F Contact the Native Land Information System group (https://nativeland.info) or other data advocacy resources to build capacity, understanding, and utility of GIS data			
COMMENTS, UPDATES, & PROGRESS			
4 **Establish legacy promotion protocols to ensure the retention of institutional knowledge across generations of CLUPC and chapter officials**	CLUPC	6 mos.	
A Review and consider strategies, identify and select for support a policy to promote legacy retention			
B Review CLUPC Plan of Operations to include measures and policies identified in Step 15			
C Institute staggered terms of service for CLUPC members to overlap member time and allow for knowledge to be carried on across terms between members			
COMMENTS, UPDATES, & PROGRESS			
TOPIC | HOUSING			
5 **Distinguish the specific goal for improving homesite lease outcomes in the chapter and identify a strategy for meeting that goal**	Chapter officials & administration	Ongoing	
A Identify the data, resources, or other elements required for implementing the strategy, including homesite lease data and tracking, and outline strategies for accessing and employing those tools			
i Establish chapter protocols and responsibilities in recording and tracking homesite lease progress			
B Continue conducting homesite and other regulatory instruction workshops to promote member access and improve member outcomes regarding permitting and other regulatory barriers			
COMMENTS, UPDATES, & PROGRESS			
6 **Develop a strategy for improving cooperation and collaboration with the Navajo Nation and BIA to improve outcomes for residents seeking homes in the community**	Chapter administration		
COMMENTS, UPDATES, & PROGRESS			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
7 **Continue working with the NHA to realize the development of housing in the chapter**	Chapter officials & administration	Ongoing	
A Maintain a policy of cooperation with NHA and private developers to promote the responsible development of future housing projects in the chapter and secure development rights for necessary projects			
COMMENTS, UPDATES, & PROGRESS			
8 **Continue working to expand utility services and improve living conditions for all residents in the chapter**	Chapter officials	5 years	
COMMENTS, UPDATES, & PROGRESS			
TOPIC | LAND USE			
9 **Review the possibility as well as the costs and benefits of developing and adopting land use regulations and/ or zoning codes in the chapter to manage growth and protect resources**	Chapter officials & CLUPC	5 years	
A Consult with the regional governmental and non-governmental agencies to understand limitations, potential benefits, costs, and practical considerations as necessary			
B Adopt a policy establishing guidelines to promote sustainable development in the chapter	Chapter officials		
COMMENTS, UPDATES, & PROGRESS			
10 **Define target or priority areas for development based on access to existing and planned utility services, including water lines**			
COMMENTS, UPDATES, & PROGRESS			
11 **Define and adopt land use guidelines and strategy based on the guidance provided in this plan including the following:**	Chapter officials, CLUPC, & chapter land board	5 years	
A Protect sensitive areas, including those listed in the Open Space section, from development or damage			
B Prioritize development plans that utilize existing or planned infrastructure and minimize the need for expanded services or infrastructure in the chapter			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
C Support development including housing, utility expansion and improvement, and other developments that will benefit the community			
D Identify priority areas for chapter purchase and/ or development including consideration of those areas highlighted in this plan and others			
E Support the NHA housing development and necessary ancillary development such as roads or other infrastructure to serve such a development which may be located at a site currently under consideration or a different, responsibly sited location			
F Ensure culturally appropriate design and use of the cemetery in the development and design of a community cemetery			
G Establish use and access policies for a community cemetery and identify resource streams for maintenance of a cemetery			
COMMENTS, UPDATES, & PROGRESS			
12 **Identify priority areas of the chapter for protection from development or destruction**	Chapter officials, chapter administration, & CLUPC	**5 years**	Consult with regulatory agencies
A Employ GIS, interviews, historic documents, and other map products to identify those areas in the categories outlined in the Open Space section of this plan that should be prioritized for protections			
B Consult with NNFWS, USFWS, and other departments, agencies, and advocacy groups to identify strategies for establishing effective protection measures for priority areas and other sensitive or special areas			
C Consider a range of options and partnerships in establishing protections, including special designations (i.e. federal protections), trusts, purchases, and education as well as regulation			
COMMENTS, UPDATES, & PROGRESS			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
TOPIC | INFRASTRUCTURE			
13 **Continue to work with regional partners to develop a solid waste facility to serve the people of Manuelito**	Chapter officials & CLUPC	5 years	
A Review and integrate guidelines provided in this plan regarding facility design, to the extent possible			
B Adopt and employ joint partnership best practices as outlined here to ensure mutually beneficial partnerships and the provision of services			
i Research the potential for assistance in solid waste solutions through RAID grants (Recycling and Illegal Dumping) from the New Mexico Environment Department			
COMMENTS, UPDATES, & PROGRESS			
14 **Convene a chapter transportation & utilities committee tasked with the following responsibilities:**	CSC	1 year	
A Research and document the processes and protocols in place with the various agencies to develop and complete projects with listings of requirements, contacts, time frames, and considerations			
B Research and document road ownership, practices, and contacts to serve as a guideline informing the chapter when roadway issues come up			
C Develop and maintain point-persons or positions at each road agency working in the chapter, remain in close contact with them, and stay informed with a participating member in agency planning to guide roadway decision-making for the benefit of the chapter			
D Consult with regional Council of Governments representatives in development of the document and conducting outreach to secure reliable contacts with whom the chapter can communicate needs, questions, and submit material as needed			
E Document contacts, procedures, policies, plans, guidelines, and other information acquired by the group on record to serve as a living reference document			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
F Establish a policy and protocols for working closely with transportation, utility, housing, and other development project planners and managers to ensure timely progress and appropriate and beneficial designs for transportation improvements and projects in and affecting the chapter			
G Remain in contact with the NTUA and CDEC and other utility providers to understand, needs, requirements, options, and opportunities to expand access to utility services in the chapter			
H Conduct studies to identify solutions to repeated low water crossing culvert washout during rain events as a result of inadequate maintenance	Water & soil conservation, county, state, feds.		
COMMENTS, UPDATES, & PROGRESS			
15 **Develop and conduct public education campaigns to educate the chapter community about septic maintenance and funding opportunities for all new housing and developments.**	Chapter officials, chapter administration, & CLUPC	Ongoing	Collaborate with partners
COMMENTS, UPDATES, & PROGRESS			
TOPIC | OPEN SPACE			
16 **Identify segments of potential trails to consider for study in the development of a trail network for chapter residents promoting walking and exercise**	Chapter officials, CLUPC, & CSC		
A Identify areas for study and potential funding sources to consider in the development of an observation deck, trainspotting trail, and recreational trail connecting to the regional trail network to serve residents and visitors			Conduct a study for development
COMMENTS, UPDATES, & PROGRESS			
TOPIC | ECONOMIC DEVELOPMENT			
17 **Identify a permanent vendor village space that is highly visible and accessible from the interstate, secure, obtainable, free of hazards such as flooding**	Chapter officials & CLUPC	5 years	
A Work to secure and develop the site as a permanent site for regional artisans			
B Include musicians and food vending, performances, classes, and other attractions to draw attention and crowds			
C Develop, maintain and expand marketing and branding to publicize the space			

ACTION	RESPONSIBLE PARTY	TIME FRAME	REVIEW
D Support artisans with legal, marketing, technical, and transportation assistance as needed. This may include providing group studio space, apprenticeship programs, design workshops, and other unconventional approaches	Chapter Officials, CLUPC	5 years	

Additional Capacity Building Recommendations,

1 **Develop a plan to improve accountability and communication with partner agencies, particularly Navajo Nation representatives and departments**	Chapter Officials, CLUPC	5 years	
A Formalize process and contacts			
i Working from the preliminary list provided previously in this plan, develop a comprehensive listing of all public offices tasked with providing aid assistance, resources, or services to the chapter, including a delineation of specific positions and responsibilities			
ii Establish and maintain points of contact at the various agencies and departments with whom the chapter can reliably communicate information, questions, request updates, and get policy and procedure guidance			
iii Establish a permanent chapter representative to conduct and maintain communication on a regular basis with partner agencies in the Navajo Nation, county, state, and various federal departments.			
iv Role may be an authority and responsibility granted to an existing position and include official designation of responsibility, mission, oversight, and support	Chapter President		
v Establish a record-keeping system to record instances of interactions with partner agencies, particularly within the Navajo Nation in which chapter members, officials, or staff find the services provided by the agency did not meet the responsibilities or mission of the agency			

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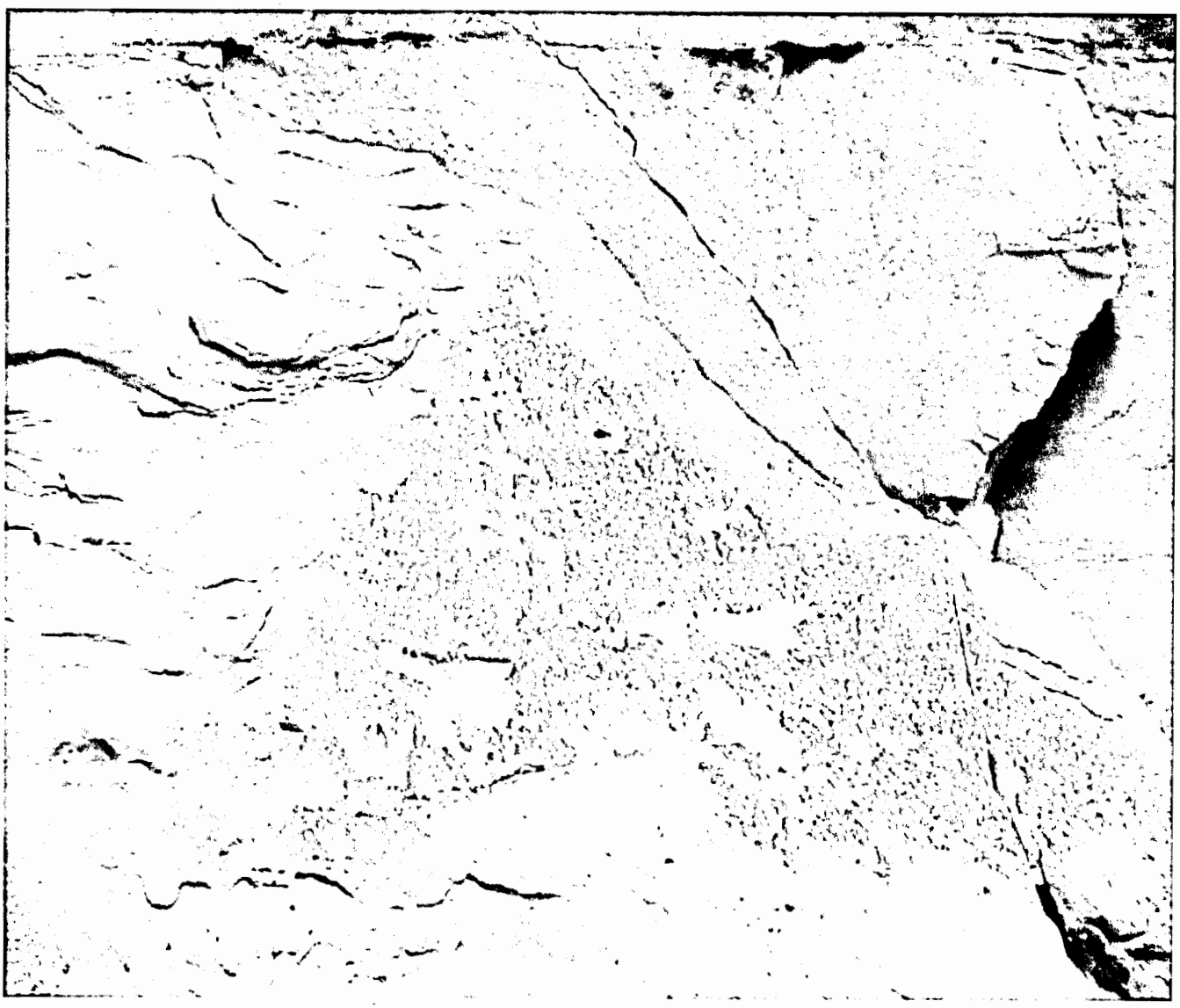

COMMUNITY EDUCATION & PARTICIPATION

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3.1 | OVERVIEW

The CLUPC outlined the Community Education and Participation Plan to accomplish broad and inclusive outreach. The plan included:

- Community Survey
- Call-in option for participating in public meetings
- Radio announcements and discussions inviting participation and explaining the purpose of the plan

To ensure highest level participation, CLUPC members hand delivered and personally conducted surveys, explaining to chapter members the utility and benefit of participation.

3.1A | ONGOING OUTREACH & PUBLIC ENGAGEMENT

The CLUPC has a history of commitment to regular and open communication with the public and encouraging and inviting participation and investment in planning and governing efforts.

The CLUPC offers reports, general discussions, and the announcements of events and progress at committee meetings. The CLUPC expressed a strong desire to increase participation and interest in the work done by chapter officials and CLUPC members. They are committed to continue working to improve communication strategies.

Recommendation

The CLUPC will continue to work with the community to develop an effective, practical protocol for communicating and informing the community of chapter projects, progress, concerns, issues, and efforts.

The product should be a policy that identifies specific actions to be regularly undertaken by chapter officials and representatives, accountability checks, requirements, and responsible parties.

3.2 | EXPANDING POWERS

The layers of bureaucratic rule and requirements currently regulating chapter activities severely limit the community's capacity for action and ability to self-rule. The biggest contributing factor to these bureaucratic obstacles is that Manuelito remains a nongovernance-certified chapter. The chapter may employ multiple strategies and address the situation to various extents and the different costs. Determining the appropriate strategy and end goal for the chapter will require thoughtful discussion, research, outreach, and transparency to determine resources. Some efforts require only policy changes and could vastly improve efficiency and efficacy of existing entities; others involve overhauls of the chapter government but would result in significant changes. The following is provided as a starting point for such a discussion.

3.2A | LEGACY MAINTENANCE

Regular turnover in CLUPC members can undermine access to institutional knowledge, including of this plan. In order to establish a mechanism for retaining and utilizing the knowledge of past CLUPC and chapter officials, the chapter may consider formalizing an advisory committee to convey accumulated knowledge to successive generations of community representatives.

The group may provide training, advisory and consultation services, and outreach to future CLUPC members and chapter officials.

In forming the group, a framework will be set up to clearly outline the role and purpose of the group, who may serve on it and for how long, and what authority and powers—or limitations thereof—the group has. The framework should include meeting, hierarchy, transparency, and participation guidelines, and should emphasize the importance of the information the group is there to provide.

Alternately, the chapter may consider conducting something similar to exit interviews for retaining experience and knowledge; these would require outgoing members to develop written narratives, lists, or other documentation outlining any information they feel is important to pass on. The benefits include the longevity of the information and dismissing the need for formal meetings.

Recommendations

Develop a mechanism for retaining the institutional knowledge of CLUPC members and chapter officials and provide a framework for ensuring access to that information. Options include forming a committee or creating a mechanism for documenting and retaining information for future reference.

3.3 | CHAPTER CERTIFICATION

The LGA enables Navajo chapters to obtain certification and delegates for governmental authority over certain local matters. The intent of the LGA is to give local chapters more authority over their own affairs. The act allows chapters to set land-use policy, establish and collect a chapter sales tax (in the range of 2%), and determine chapter government structure.

The LGA also gives chapters the authority to make agreements or contracts with other entities (chapters, counties, cities, and state governments).

3.3A | CURRENT FRAMEWORK

The Chapter of Manuelito is not currently certified, so economic development projects in Manuelito move through the Navajo Nation's central government. Land for economic development or community projects must be withdrawn, and the Navajo Nation must approve business leases.

Careful consideration of the costs and benefits of certification should inform any decision to pursue to remain not certified. Benefits include expanded self-determination, but costs include administration of additional responsibilities.

Steps to secure certification, should it be desired, are advised to consider the guidelines on the following page.

Chapter Officials and CLUPC Workshop

Guidelines to develop a form of government that promotes local authority and greater

Guidelines to develop a form of government that promotes local authority and greater autonomy:

A. Obtain chapter certification

- Determine which added authorities would be of interest to the chapter prior to applying for certification.
- Conduct a benefit/cost analysis identifying likely revenues from the collection of sales tax versus possible loss of Navajo Nation funding.
- Develop policies and procedures for the Five Management System, consistent with applicable Navajo Nation law, for certification by the Navajo Nation Auditor General, Resources and Development Committee of the Navajo Nation Council.
- Periodically update the community-based land use plan at least every five years, as required by LGA Section 2004 (D).
- Exercise authority in those areas allowed under the Local Governance Act, as determined by the chapter to be appropriate.

B. Elect chapter officials

C. Establish a structure for chapter government

- Consider lobbying the Navajo Nation Council, New Mexico Legislature, Bureau of Indian Affairs and McKinley County for the establishment of a chapter government structure. This could allow chapters in the checkerboard area to generate tax revenue on private lands and distribute it among those chapters. This process gives chapters more fiscal capacity to provide services and infrastructure.
- Using the chapter's certification, review homesite lease applications. The chapter may then approve or deny homesite lease applications based on proximity to infrastructure and compliance with other land development guidelines.
- Prepare grant applications to support chapter projects and programs identified in this plan.
- Assist in the development of housing and coordination with housing programs.
- Promote economic development.
- Maintain GIS files, including but not limited to data for utilities, existing homesite and business leases, and updates to maps identifying grazing rights.
- Compile a local history of Manuelito, archiving of photographs, stories, and possibly other important local historic artifacts.
- Consider development of a zoning code and implement the code.
- Contract with a legal service to provide expertise on land use regulations when needed.

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CLUP PLAN OF OPERATION

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4.1 | OVERVIEW

Each CLUPC conducts business in accordance with an adopted Plan of Operation that outlines the committees rules, purpose, and membership guidelines.

The Plan of Operations also establishes the CLUPC's purpose regarding land use planning, the right to prioritize and do what is deemed necessary to modify and approve community-based land use plans, and forward the final plan to the chapter for review and approval.

The Manuelito CLUPC Plan of Operation is included at the end of this chapter and establishes the Manuelito CLUPC's authority to develop this master land use plan.

4.2 | CHAPTER LAND USE AUTHORITY

4.2A | CLUPC AUTHORITY

Land use planning authority granted by the LGA is administered locally through an authorized CLUPC that is established by each Navajo Nation chapter to promote orderly community growth.

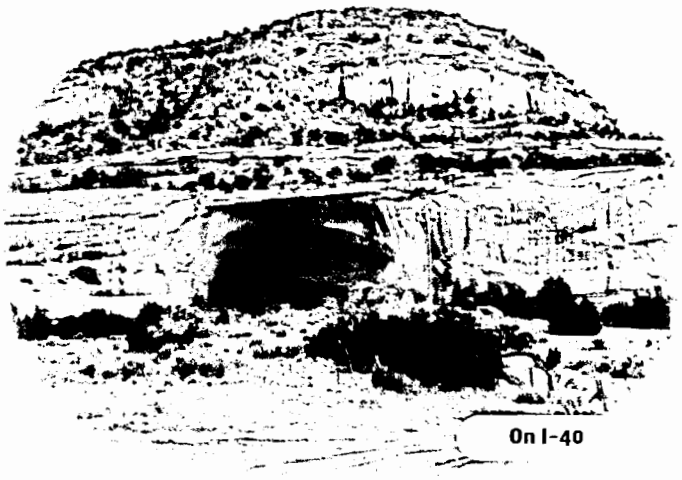
The stated purpose of the CLUPC is to identify and put into practice land uses that will best meet the needs of the community to safeguard resources for the future. Within the Navajo Nation, there are three basic reasons to develop a land use plan: (1) to comply with the Navajo Nation Local Governance Act; (2) to leverage for tribal, state, county and federal infrastructure development funds; and (3) to identify areas of land for community facilities, residential, recreational, commercial and industrial development and preserve agricultural areas, cultural areas, culturally sensitive areas, and open space.

The Chapter of Manuelito recognizes the following as the authorities of the CLUPC:

- To establish and adopt a regulatory policy subject to the Navajo Nation Council enactment of the Local Governance Act, which will govern any and all Chapter Land Use Planning activities.
- To establish, promulgate and enforce rules and regulations, policies and resolution(s) which are consistent with the Plan of Operation as necessary for the accomplishment of its purpose, authority, functions, and responsibilities.
- To establish a community land use plan based upon assessments of
  - » natural, cultural and human resources;
  - » current and alternative land use options;
  - » environmental, economic and social conditions; and
  - » community needs, goals and values.
- To seek funding sources for capacity building in economic/professional development related to land use planning and development.

These authorities describe the role of the CLUPC regarding land use regulations; however, all assumed authorities should be confirmed with the Navajo Nation.

Effective utilizations and potential strategies for expanding chapter authority, efficiency, and effectiveness are outlined in this chapter following the current overview of the plan update process.



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4.3 | PLANNING PROCESS

Funded by a legislative appropriation, supported by District Nine legislative representative Patricia Lundstrum, earmarked for Manuelito chapter land use planning, this project began in 2020. Various certification requirement processes and the strict public safety measures in place on the Navajo Nation response to the Covid-19 pandemic, extended the planning project somewhat to allow for community outreach, and the plan was completed in spring of 2023.

4.3A | CHAPTER LAND USE PLANNING COMMITTEE

The chapter adhered to a community-driven planning process. The recommendations and strategies outlined in this document arise from the voices of the community members and chapter officials.

This planning began by working with the project grant administrators, CLUPC, and chapter officials to identify and engage key community stakeholders representing a range of interests and voices. Chapter officials guided the process of formulating the plan. This committee of community members is the CLUPC.

The CLUPC served as the planning committee to guide the plan process, advise on plan development, and review draft plans and objectives. Chapter officials also participated at most of the committee meetings as well as the project manager from the Navajo Nation Division of Community Development.

This dedicated group played a vital role in the plan by guiding the planning process, the development of the plan itself, and the plan's implementation strategies and adoption.

Guiding the planning process, the committee worked with planners in

- » Identifying and designating focus groups and interviewees.
- » Designing and implementing the Community Education and Participation Plan including the development, distribution, and collection of a community survey.
- » Promoting public planning outreach efforts to support educational efforts.
- » Developing the content of the plan by assisting in identifying potential priority projects, issues and opportunities, and goals.
- » Outlining public capacity and capability.
- » Ensuring the quality of the plan and guiding it through local adoption and the Navajo Nation approval processes by reviewing plan material and drafts.
- » Guiding the plan through public hearings, planning workshops, and final adoption.

4.3B | CLUPC PLAN MEETINGS

The CLUPC met with the planning team frequently during the process and the planning team attended numerous CLUPC regular meetings which were usually held the second or third Fridays of every month. The team met more often when needed or when representatives from various State of New Mexico or Navajo Nation departments were attending.

Due to the ongoing nature of Covid-19, several meetings were held online.

The planning team met to discuss the following topics on the following dates:

01/14/22 – Kickoff

01/21/22 – Organizational work session

02/11/22 – Economic development

02/25/22 – Open space and natural resources

03/04/22 – Federal Railroad Administration (FRA) Corridor Identification and Development Program, open space, and natural resources

04/22/22 – Project development

06/29/22 – Community survey and community cemetery

07/28/22 – Resource Meeting*

07/30/22 – Public Hearing #1

08/12/22 – Traditional/cultural element

09/15/22 – Roads, bridges, and land ownership

10/11/22 – Indigenous housing summit

10/12/22 – Review of process and financial meeting

10/14/22 – Cell tower agreement and chapter resolution update

11/14/22 – Land Buy-Back Program and mission sites

11/18/22 – Plan artisan meeting and review requests for data and land status

12/07/22 – Artisan meeting

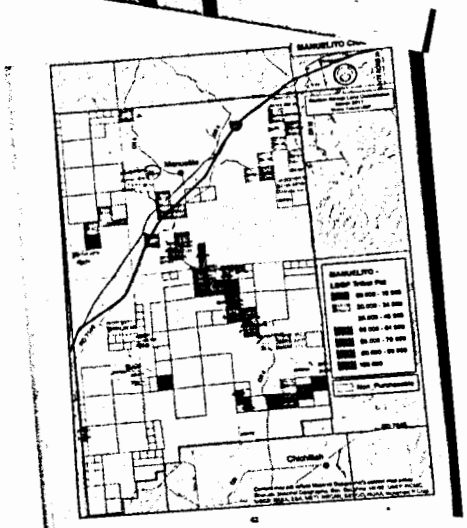
12/09/22 – Thoroughfare, quarterly training for gardening, agriculture, livestock

01/13/23 – ARPA funding and cemetery

** Resource Meeting speakers represented a range of topics, agencies, and expertise:*

- *Historic Preservation (Section 106)*
- *Navajo Nation Division of Transportation*
- *NMDOT*
- *Burlington Northern Santa Fe (BNSF) Railroad*
- *Economic Development Real Estate Department*
- *Business Development Office*
- *Sacred Wind Communications*
- *Navajo Agriculture Department*
- *BIA*
- *IHS*

Pictures from CLUPC Meeting



4.3C | COMMUNITY ENGAGEMENT

This planning process employed extensive community outreach and engagement. The planning team worked closely with the CLUPC to engage the public and stakeholders, and they collaborated closely with community officials, staff, and the committees to ensure that the plan update reflects the vision and goals of the people of Manuelito.

Working with the CLUPC to develop, distribute, collect, and interpret it, the feedback gathered throughout this process informed the goals, objectives, and strategies for implementing the growth goals identified in the community vision.

Community meetings provided a wealth of input and information in the development of this plan.

4.4 | COMMUNITY-BASED LAND USE PLAN REQUIREMENTS

The following checklist is provided by the CPMD for plan approval. An approved land use plan is one requirement for a chapter seeking certification.

- **CLUP Plan of Operation: Chapter Resolution on the CLUPC membership with names of CLUPC members.**
- **Community Education and Participation Plan**
- **Community Assessment:**
  - A. Community Demographics/Census
  - B. Goals/Project Priorities
  - C. Vision and Mission Statements
- **Inventory and Assessment of Pertinent Existing Data:**
  - A. Natural, Cultural, and Human Resources
  - B. Land Carrying Capacity
  - C. Community Infrastructure
- **Open Space Plan and the Identification of Certain Areas of Land for:**
  - A. Maintaining its Natural State
  - B. Recreational Purposes
- **Land Use Plan:**
  - A. Identification of Future Community Needs
  - B. Residential
  - C. Commercial
  - D. Industrial
  - E. Public Purposes; cemetery, agriculture, farming
  - F. Corresponding Maps
- **Thoroughfare Plan – System of and Design**
  - A. Existing and Proposed Major Streets
  - B. Distinguishing Between:
    1. Limited Access Routes
    2. Primary and Secondary Thoroughfares; and
    3. Major Thoroughfare to the Road Network and Land Use of the Surrounding Area.
    4. Road related; bridges, low water crossings, sidewalks, streetlights, pedestrian traffic
    5. Corresponding Maps
- **Community Facilities Plan: Location, type, capacity, and area served, of present, and projected or required community facilities including, but not limited to:**
  1. Recreational Areas
  2. Schools
  3. Libraries
  4. Other Public Buildings

  It will also show related public utilities and services and indicate how these services are associated with future land use.
- **Community Infrastructure Plan:**
  1. Powerline
  2. Waterline
  3. Sewer Lagoon
  4. Solid Waste
  5. Telephone Services
- **First Public Hearing on the updates.**
- **60 Day Community/Public Comment Period**
- **Second Public Hearing. Additional Public Hearings if needed.**
- **Chapter Resolution Adopting & Approving the Community Based Land Use Plan**
- **Council Delegate for Legislation, Review, and Five Day Comment Period**
- **RDC Committee Resolution Granting Certification/ Recertification**

4.4A | CLUPC PLAN OF OPERATION

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

THE MANUELITO CHAPTER COMMUNITY LAND USE PLANNING COMMITTEE (CLUPC) PLAN OF OPERATION

SECTION I. ESTABLISHMENT

The Manuelito Chapter community hereby establishes the Manuelito Chapter Community Land Use Planning Committee (CLUPC) to work for and in the best interests of Manuelito Chapter community in matters of community/economic planning to protect human lives and property for an improved quality of life, as approved by community membership.

SECTION II. PURPOSE

The purpose of the CLUPC is to develop and approve the process for local land use plan by review, recommend and oversee land use planning activities. After thorough review and analysis, approve policies/procedures to enhance the Master Plan on a five-year update. The CLUPC will present a sound and viable Master Community Land Use Plan through Public Participation.

The CLUPC will work cooperatively with policies and procedures on Local Rural Addressing and Emergency Operation Plan to develop, implement, and maintain for residents and facilities.

SECTION III. COMMITTEE SELECTION AND MEMBERSHIP

The CLUPC shall exercise the following duties and responsibilities consistent with the Navajo Nation Local Governance Act (LGA), Navajo Nation Code, Title 26, Section 2004.

A. The selection of members of the CLUPC shall be by the membership at a duly called Chapter Meeting at which a quorum is present. The selection of the members shall be set forth in a certified chapter resolution at which a quorum is present.
B. The membership shall serve for one fiscal year (October to September) and elect new officers whenever a vacancy occurs. A member may resign from their position through a memorandum to the CLUPC chairperson.
C. The members of the CLUPC shall be composed of four (4) members and selected based on their interest, knowledge, experience and capacity to implement the Plan. The Community Services Coordinator (CSC) shall serve as liaison to conduct an official meeting to provide valuable contributions to the overall land use planning process. In the absence of the CSC, the Accounts Maintenance Specialist (AMS) shall assist CLUPC.
D. Upon availability of funds, the Chapter may hire a Land Use Planner to assist with development of a quality land use plan. Hiring and supervision of the Planner shall be

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

consistent with 26 NNC, Section 2004 C (2). Employment of the Planner shall be based on their qualifications for the position and in accordance with Navajo Nation Preference and Procurement laws and requirements.

E. Ensure the Land Use Plan is based on principles, priorities, input and goals articulated by members of Chapter community through public participation meetings. Work in coordination with chapter officials, chapter staff, land board official and other established committees.
F. Upon Approval of the Land Use Plan by the Chapter membership, the CLUPC will seek approval and certification of the Plan by the Navajo Nation Council Resources & Development Committee pursuant to 26 N.N.C. Section 102 C (2).
G. Upon Certification of the Land Use Plan by the Navajo Nation Council Resources & Development Committee, the CLUPC shall develop plans, guidelines, and policies for implementation of the Manuelito Land Use Plan.

SECTION IV. MEETING, COMPENSATION AND REMOVAL

A. The Manuelito Chapter CLUPC shall hold one monthly meeting or a public participation meeting to accomplish the overall purposes of the committee.
B. Upon availability of funds within the Chapter Fiscal Year budget, each member of the CLUPC may receive $125.00 per meeting as stipend.
C. And within the annual Chapter budget, CLUPC may hold twelve (12) meetings per year, an official regular meeting is compensable (or) public participation to solicit comments is not an official meeting and no official action is taken.
D. Each member must attend the duration of meeting to receive full stipend. The Committee will consider and decide on justified absence.
E. Any member of CLUPC shall be absent three (3) consecutive meetings, and is justified for removal.
F. The CLUPC may hold their monthly meeting on the the second Friday of each month at the Manuelito Chapter House commencing at 9:00 A.M.
G. Three (3) members of the CLUPC will constitute a quorum to conduct official business.

SECTION V COMMITTEE OFFICERS DUTIES AND RESPONSIBILITIES

A. The members of CLUPC shall, at a duly called meeting, elect a Chairperson, Vice Chairperson and Secretary of the Committee.
B. The CLUPC Chairperson will preside over all duly called meetings and verify agenda and documents on behalf of the Manuelito CLUPC; and make monthly CLUPC report to the community membership at regular chapter meeting.
C. In the absence of the CLUPC Chairperson, the Vice Chairperson shall assume the duties and responsibilities of the Chair, for meeting purposes only, or as may be duly assigned (i.e. signatures on claim forms, resolutions and correspondences).

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

D. The CLUPC Secretary will take roll call, record and transcribe all minutes of committee meetings and maintain all accurate records and documentation of the CLUPC.
E. The Secretary will submit meeting minutes to the Manuelito Chapter Administration within five (5) working days after adjournment.

SECTION VI COMMUNITY ASSESSMENT AND ANALYSIS

A. Contingent upon availability of funds, a Planner may be hired to coordinate all land use planning activities and ensure CLUPC is meeting their goals and objectives.
B. Develop a community education and participation plan describing methods that will foster public education, solicit input through public hearings, announcements through media such as radio, newspaper and publication.
C. Develop and conduct community assessments on aspects, relevancy, profiles and demographics of the community to help determine feasible, realistic and achievable goals and objectives for the future of the community.
D. Inventory and assess pertinent 2020 Census data. The plan shall request data and seek technical assistance when necessary for compilation of all available data from Navajo Nation, federal and state agencies for inventorying and assessing natural, cultural, and human resources, and community infrastructures.
E. Provide a five-year update to include community assessment, land suitability analysis and infrastructure development on a Master Plan template.
F. Conduct road assessment on geographical map and complete Rural Addressing system for community roads and implement a consistent road signage.
G. Consult with local county, state and federal agencies to gather information on local residents within the Manuelito community.

SECTION VII TECHNICAL ASSISTANCE

A. The CLUPC shall seek technical assistance from the Manuelito Chapter staff and officials, Navajo Nation, Federal, State and County Governments, or other agencies, as needed. Technical assistance may be provided by the Division of Community Development/Administrative Service Center (ASC) and Project Managers with Capital Projects Management Department (CPMD).

SECTION VIII CODE OF ETHICAL CONDUCT

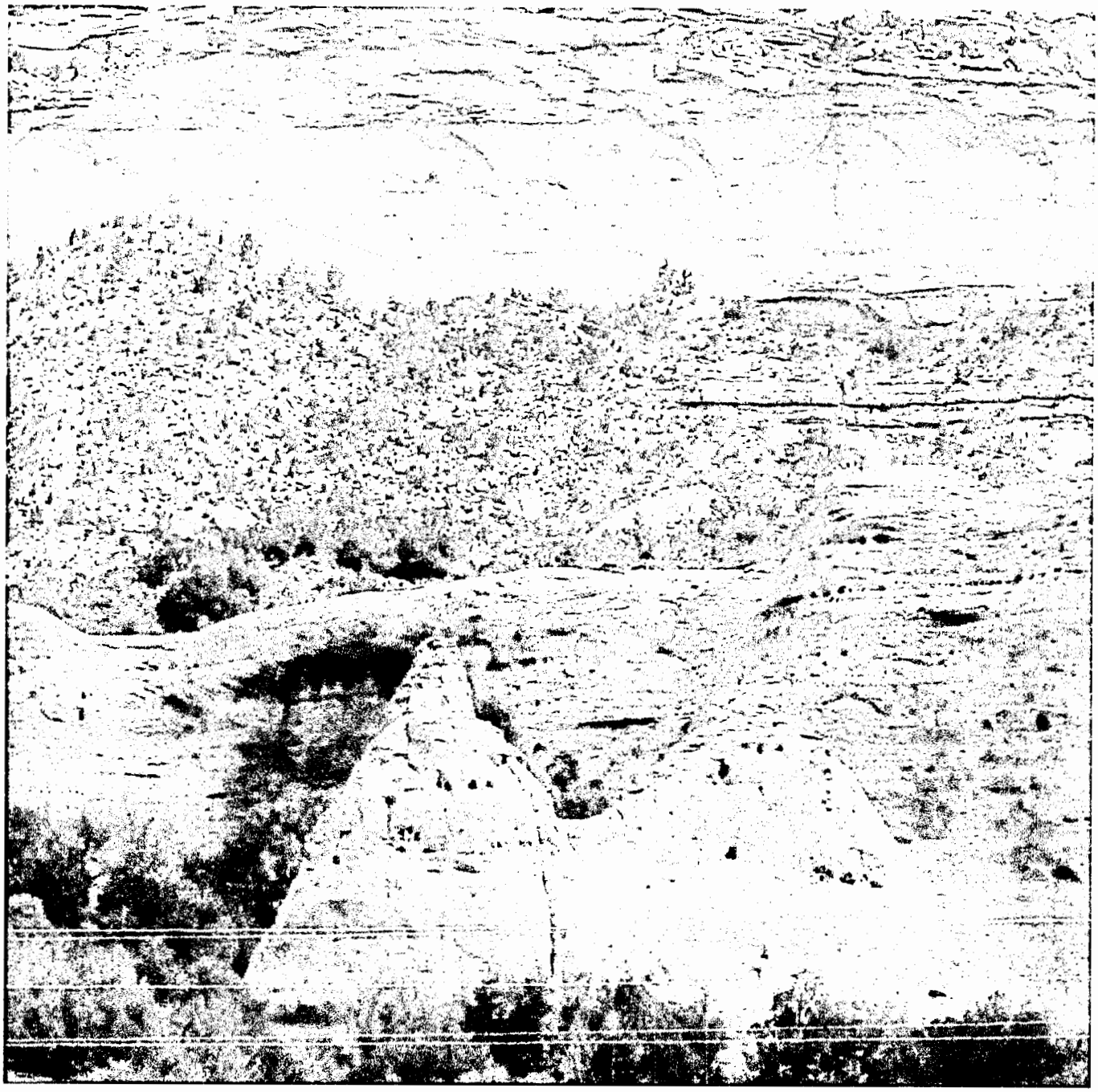
All CLUPC members shall comply with applicable statutes of the Navajo Nation Ethics in Government Law and shall not have been convicted of a felony crime.

SECTION IX AMENDMENTS

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

The Manuelito Chapter Community Land Use Plan Committee Plan of Operation may be amended as appropriate by the Manuelito Chapter CLUPC and approved by chapter membership at a duly called chapter meeting with a simple majority vote.



COMMUNITY ASSESSMENT

K I N H O Z H O N I

Mission:

To realize a healthy, self-sustaining community that promotes family, Diné language, history, and cultural knowledge, while advocating for resources to build services and infrastructure, while respecting Diné Fundamental Law and the environment we live in with land, water, air, animals, and plant life, which provide medicine and mental health for us.

Vision:

To provide information and resources to the community, to understand the processes to complete the projects from homes, to education, to community, and to economic/ cottage industry development.

5.1 | COMMUNITY SURVEY

5.1A | GEOGRAPHIC REPRESENTATION

The results heavily represent certain areas of the Manuelito, while others are not and some not at all. This should be kept in mind while reviewing the survey results.

A map delineating survey response locations lies at the end of this section.

As representatives of the people of Manuelito, the CLUPC led the team's effort to conduct outreach with the development, distribution, and collection of a community survey.

This primary outreach tool was developed and deployed exclusively by the CLUPC to ensure the highest level of participation possible.

5.1B | SURVEY PROCESS

CLUPC members developed a set of general questions designed to understand the composition of the community, housing characteristics, education, living arrangements, priority issues, and the community's vision for the chapter. Members delivered the surveys to their neighbors, explaining the purpose and importance of community participation. The chapter collected a total of 156 surveys.

5.2 | DEMOGRAPHICS

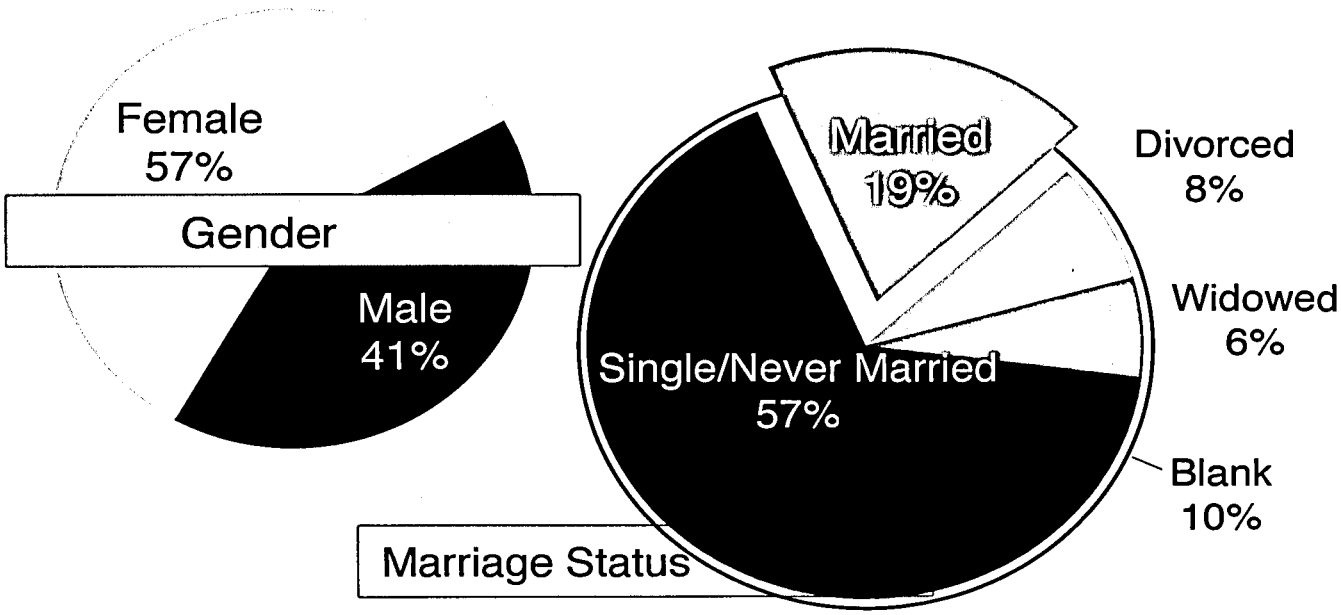
5.2A | GENDER

Of the 156 surveys returned, 57% were completed by women—a high ratio. However, that number is unlikely to represent actual gender ratios and is probably due to the predominance of women as household representatives.

5.2B | MARRIAGE STATUS

Overall, Manuelito survey respondents represent a low number of currently married persons, predominantly single or never married. Only 19% of respondents reported they were married. On average, roughly half of people in the U.S. are married. The relevance, with respect to land use planning, is the implication that less than a quarter of Manuelito residents have legal, presumably live-in, partners. This could have ramifications with regards to housing and household size, though the prevalence of multigenerational households likely has more impact.

Exhibit 8: Demographic Survey Results



5.2C | HERITAGE

Respondents reported almost exclusively Native American heritage: 91% Navajo and 4.5% non-Navajo Native American heritage. Another 4.5% declined to report and just 0.6% reported nonnative (Hispanic).

5.2D | EDUCATION

The highest share of Manuelito's population has graduated high school or earned a GED (about 37%). About 24% completed some college or earned higher educational degrees. Another 34% only have some or no schooling.

5.2E | SCHOOL AGED POPULATION & ATTENDANCE

The survey results represent a total 117 school-aged household members who predominantly attend Gallup-McKinley County schools.

Exhibit 9: Education Levels Survey Results

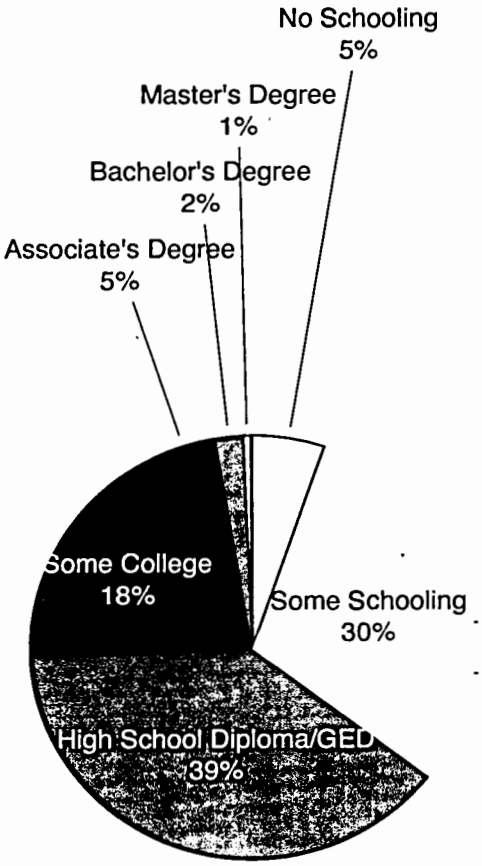
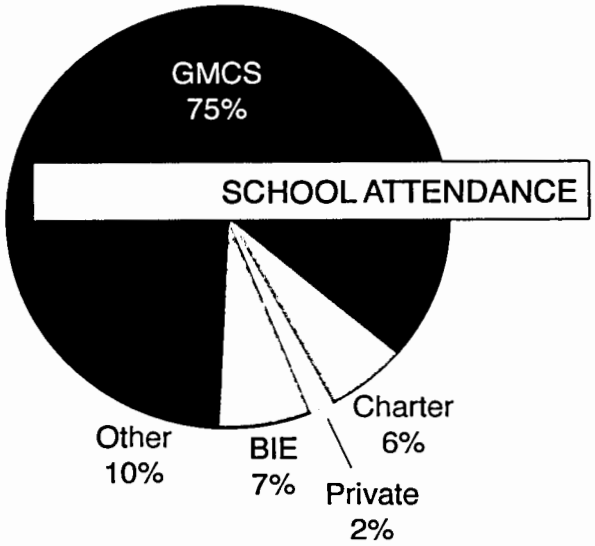


Exhibit 10: School Attendance Survey Results



5.3 | HOUSING AND LAND

The majority of survey respondents are homeowners at 95%, while renters only account for 3% of respondents. The national average for homeownership hovers around 64%.

For the most part, homeowners have homesite leases; although, eight homeowners reported having BIA leases, and some homeowners reported having neither a homesite nor a BIA lease.

5.3A | HOUSING CHARACTERISTICS & SERVICES

Over half of the homes represented in the survey are wood-frame homes (55%), a third are manufactured or mobile homes, and 12% are traditional hogan homes.

The majority of homes support fully functional kitchens and bathrooms, and 9% support one or the other. Another 30% of the homes represented were not distinguished one way or the other, leaving ambiguity as to whether this share represents homes that have neither or if respondents simply declined to answer this question.

Of the 156 responses, 125 reported having electrical service at home, and 115 reported having water. Most houses report both, although nine responses indicated only one or the other. A total of 78 respondents reported propane use, eight report using natural gas, and 16 report other heating fuel, likely wood. Improving access to utility lines is a goal of this plan.

Exhibit 11: Home Ownership Survey Results

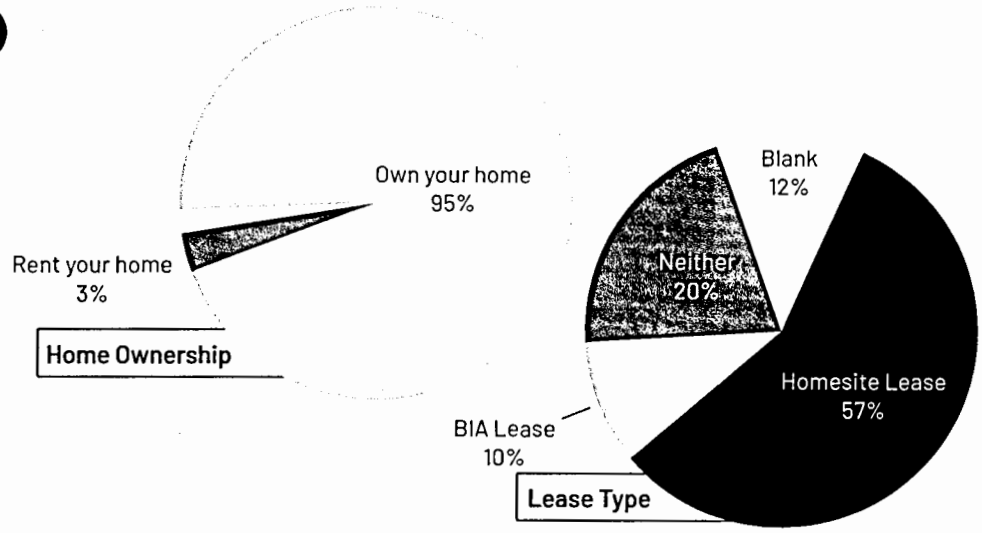


Exhibit 12: Utilities Survey Results

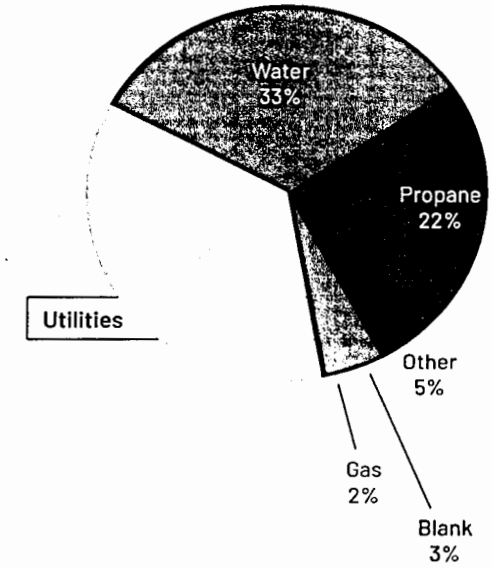
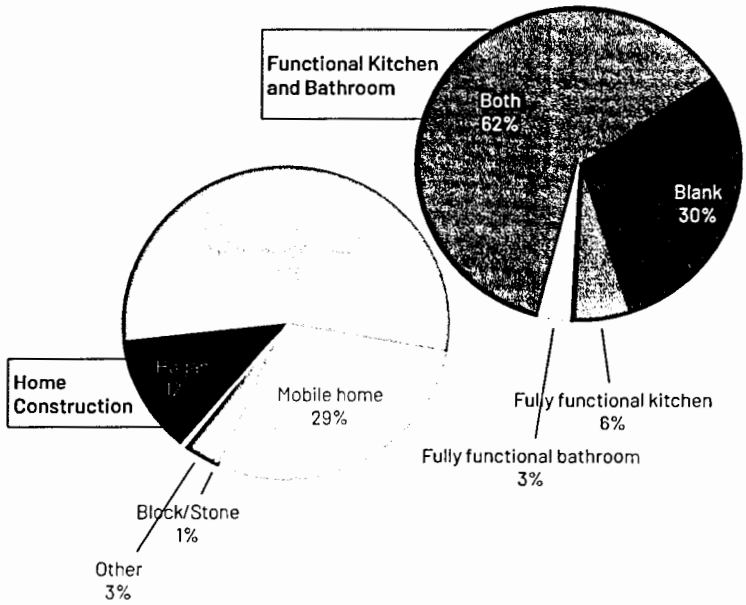


Exhibit 13: Home Characteristics Survey Results



5.3B | AGRICULTURE

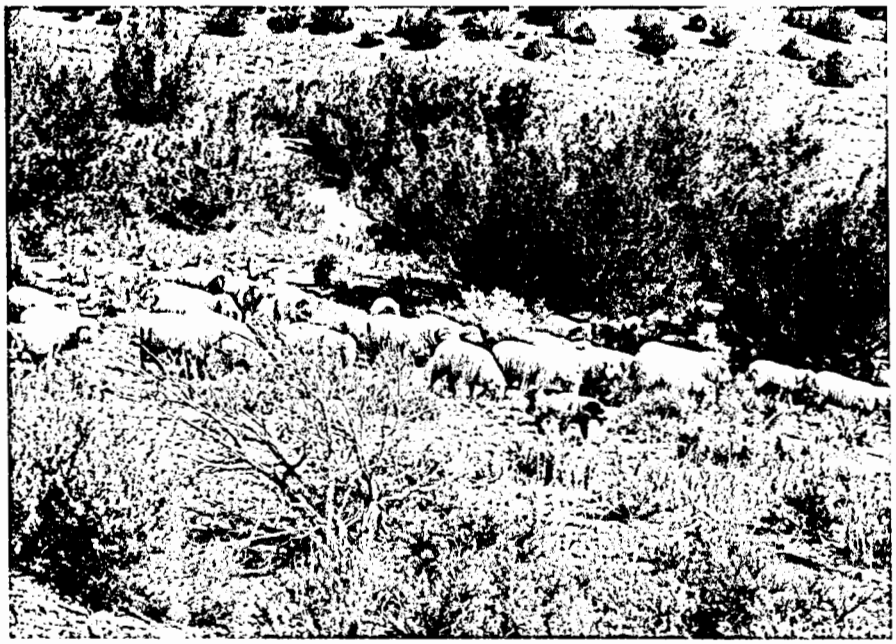
Teh survey showed little agricultural activity, as just 19 of the 156 respondents reported having crops. Of those, eight indicated having corn crop, and a couple indicated having three squash crops each. Gardening returned similar results; 12 reported having garden crops, and 25 reported having interest in garden crops. Respondents only shared a few barriers to growing food but lack of access to water or rain was the highest, as reported by five.

Volunteers Hauling Hay

RANCHING

Raising livestock was slightly more predominant with 38 reporting having livestock, and 24 of those with grazing permits. Responses were split with eight reporting that they managed their own grazing, five reporting a parent did it, and another three reporting a grandparent managed it.

Community Livestock



5.4 | ECONOMIC DEVELOPMENT

Economic development intentions speak to the community's desired services, employment needs, and target industries. Some of these can be met, addressed, or worked towards by local governments, but some are much more difficult for the public sector to address. Desired services often fall directly under the private sector, and market conditions mostly govern decisions in that sector.

Local communities can partner with regional/state agencies in developing incentives, Another option is regional advocacy groups or economic development organizations to identify target industries and work to attract them. So there is little else a local government can do to meet the community's request for a grocery store.

That said, understanding the needs and wishes of a community is essential in developing an economic development strategy, identifying incentives, and packaging marketing and outreach tools to attract private development that meets the needs and values of a community.

In Manuelito, a grocery store is the top focus of desired economic development, and the implications in terms of health and outcomes for the people of Manuelito in connection with access to healthy food choices are vital and

wide-ranging. Unfortunately, as discussed previously, the local community cannot meet this need single-handedly, but local advocates and representatives can. However, groups such as the Greater Gallup Economic Development Corporation; local, regional, and state representatives, agencies, and organizations; and even health advocates and provider partners can help develop incentive packages to attract private grocery development and identify other alternatives to traditional grocery stores. There are programs that can meet the community's needs and supply fresh, whole foods to the community. The second most desired economic development is a farmers market, which could provide fresh food without the hurdle of attracting new grocery-specific development. The limited agricultural activity in Manuelito may pose an initial barrier, but having an outlet for agricultural goods might spark interest in the activity and spur increased agricultural activity in Manuelito.

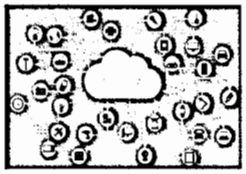
The Manuelito commnity also expressed the desire for mail service and clinic service, which fall closer to the public sector in terms of capability than most traditional economic development topics. These services have potential to be realized on small scales through partnerships or innovative, nontraditional strategies like telehealth.

The U.S. Inspector General reports new plans for innovating postal service in coming years entailing various technological advances such as the Internet of Things*, autonomous vehicles, and blockchain technology, indicating an openness to alternative solutions that may prove fruitful for serving Manuelito's postal needs in the future.

Local representatives may establish and maintain communications with regional U.S. Postal Service (USPS) representatives to understand, participate in, and take advantage of emerging postal strategies.

5.4A | REGIONAL ECONOMIC HUB

The rural nature of the community is clearly demonstrated by the list of desired services, and the regional commercial and services hub is decidedly Gallup; 93% report the city is their primary shopping destination.



***INTERNET OF THINGS**: From fitness trackers to smart heating systems, the Internet of Things describes the growing network of internet-enabled devices. In simple terms, it refers to the digitally connected universe of smart devices. These devices are embedded with internet connectivity, sensors and other hardware that allow communication and control via the web.

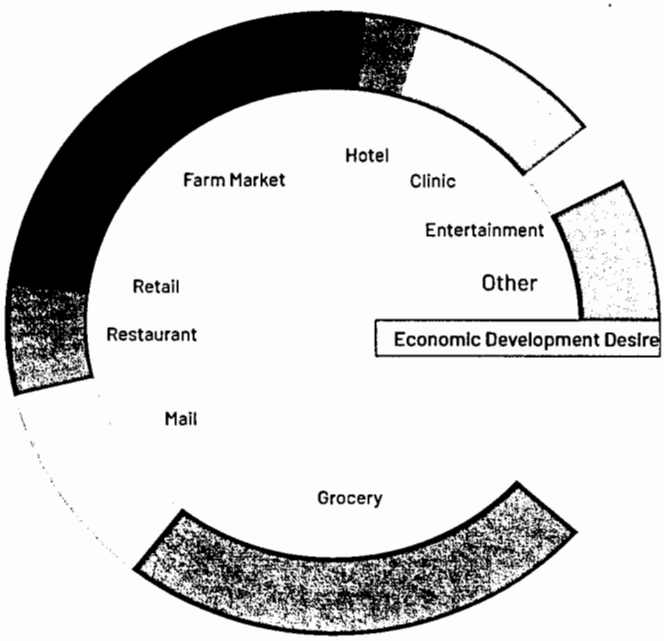


Exhibit 14: Economic Development Survey Results

5.4B | RECREATION

Meeting recreational needs in a community falls under the purview of the private sector but can still represent a significant challenge to develop and maintain, especially for smaller communities. Partnerships with local governments, such as county or neighboring communities, is often the most accessible and realistic means of realizing recreational services for a community.

Recreational services often overlap with economic development activities in attracting visitors and tourism dollars. Gallup has policies in place prioritizing outdoor recreation as economic development. More details are outlined in the Community Infrastructure section (11.8C) and the following section outlines how the topic of recreation was treated in the community survey.

PARTNERSHIPS

The City of Gallup has a wide range of recreational services and already partners with neighboring rural communities in working to meet the needs of county residents. Gallup will certainly continue to be an important partner in realizing Manuelito's recreational needs in the future.

Other partnership opportunities may include neighboring chapters, advocacy groups, and the county to expand recreational services for the community.

5.5 | RECREATIONAL ACTIVITIES & GOALS

Survey respondents in Manuelito expressed interest in a range of recreational activities. Many already walk or engage in other exercise; with outdoor sports, experiencing the outdoors is the most popular form of recreation. Activities like reading or spending time with family constitute the majority of indoor-oriented recreation.

The community expressed a range of desired additions to their recreational opportunities, supporting a recreation center, park, basketball court, trails, and baseball field—in that order.

Support for trails was consistent across two questions. The second question polling general support for trails garnered nearly the same number of supporters (57), but another 47 declined to support trails, and 52 declined to even answer the question. It is indiscernible if this represents any ambiguity in regards to trail development.

While reasoning for support generally fell under the category of promoting health, opposition fell into two categories. Some stated that they would not use trails, and some suggested that trails are unnecessary because "you can walk anywhere on the rez." That sentiment does not withhold support for the activity but expresses that this need may already be met.

As a tool in economic development, trails may serve a different purpose than to provide residents a place to walk, which they may already have, as indicated above. Trails to draw visitors and visitor dollars should be officially delineated, safely designed and developed, and well-maintained in order to protect the privacy of residents, the safety of visitors, and the usability of the trail.

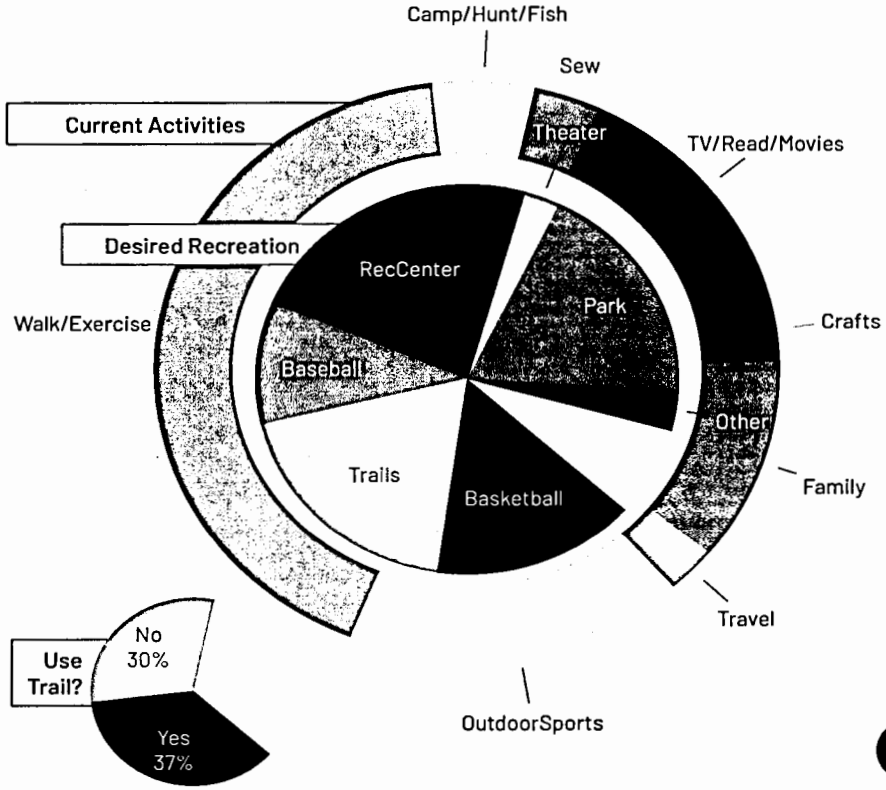
The intended user of recreational development plays a significant part in determining the design.But distinguishing the intent of any recreational development should always be an explicit part of any conversation on the topic to ensure that community support is fully informed.

Manuelito Scenery Off NM-118

5.5A | YOUTH PROGRAM WITH THE NEW MEXICO VISITOR INFORMATION CENTER (NMVIC)

The Chapter of Manuelito partners with the NMVIC, which is located on I-40 East. On a yearly basis, NMVIC employs those ages 14 to 18 during summer break. This partnership allows the young employees to gain hands-on training, providing tourist and visitors with information about the great State of New Mexico. The students greet visitors and answer questions about the Navajo Nation and other tribes in the state. These young people learn about the beautiful scenic atrractions and how to encourage tourists to stay a bit longer when visiting.

Exhibit 15: Recreation Survey Results



Community Comments

Comments regarding other economic development targets included the following:

- **Trash pickup, recycling, park for kids**
- **Community recreation center**
- **Better Wi-Fi, sewer for residents**
- **Headstart program**
- **Housing**
- **Mobile clinic**
- **Convenience store**
- **Laundry**
- **Wellness center, walking trail**
- **Laundromat, dollar store, housing complex**
- **Wholesale store**
- **A new chapter house**
- **A room with computers, printers. and internet that the community can use**

5. 6 | CULTURAL CONSIDERATIONS & NEEDS

5.6A | LAND USE PLANNING & CULTURE

The unique cultural vibrancy and traditions of the people of Manuelito are perhaps the community's greatest asset and one that deserves acknowledgment, protection, support, and respect in any aspect of development and development planning.

With respect to land use planning, certain elements of the culture and traditions take precedence as priorities for discussion. All traditions and cultural elements of the community are vitally important; however, not all will be mentioned or discussed here, as not all are relevant to land use.

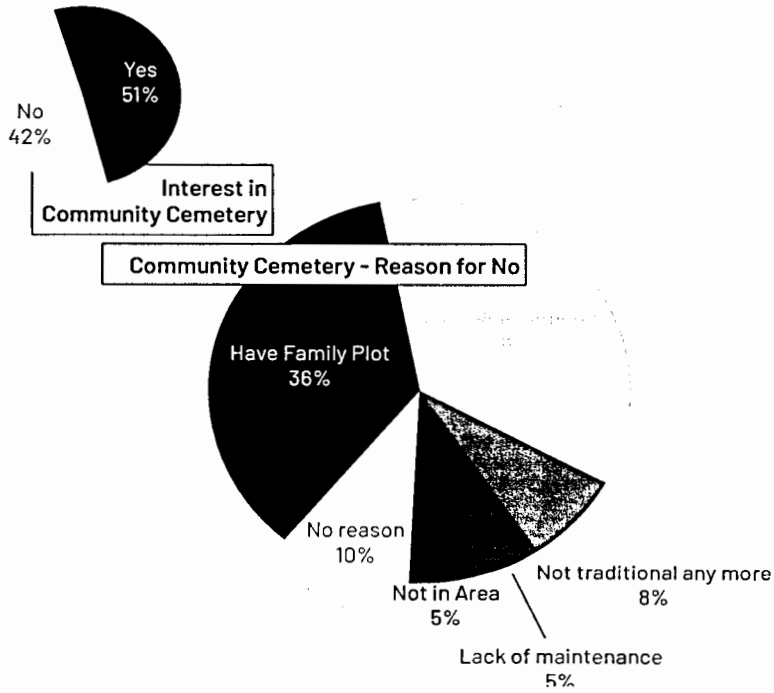
This plan explicitly supports and prioritizes protection of all the community's cultural activities and traditions in land use and other policy decision-making affecting this land and the people who have lived here since the beginning, even those not covered here.

5.6B | COMMUNITY CEMETERY

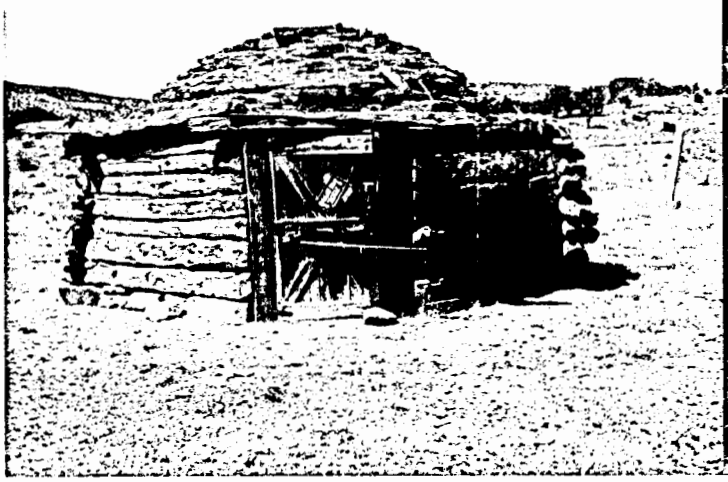
Discussed more in the Land Use section, community cemeteries are a pertinent topic in land use planning and are subject to both cultural and regulatory needs.

The subject of whether a community cemetery should be developed garnered mixed support, though the majority, about 51%, support the concept. About 42% expressed opposition and 8% declined to answer. Reasons for opposition ranged, but most (36%) cited having a family plot. Another 36% stated members should use a cemetery in Gallup. The need to identify existing family plots is pressing in order to protect these places from development, disruption, and disrespect. The chapter should identify and geolocate all sites; the data should be in a master list that can be kept on record, with strict access limitations, by the CLUPC. This is discussed more in Land Use.

Exhibit 16: Cemetery Survey Results



Old Hogan in Manuelito



Sacred Site

5.6C | CULTURAL SHOWCASE

The preservation and celebration of local culture is a priority for Manuelito, and how to go about doing so may include the development of a cultural center. Such a center could serve the community and chapter members as a gathering place, repository of cultural assets and traditions, as well as providing visitors an opportunity to appreciate local culture and perhaps contribute to the local economy.

The community's location along busy Interstate 40 is certainly an asset with respect to the concept, and partnerships in the regional cultural economy can tap into a vast well of experience, expertise, and capacity with regards to marketing and development.

Furthermore, funding for cultural centers for pueblos and chapters is not uncommon at the state and national level. The community may find ample opportunity to utilize these dollars for cultural protection and promotion.

The people of Manuelito support the idea as well; 70 respondents expressed support in the survey, and just 38 expressing opposition. In terms of what elements of the culture may be considered for potential celebration at a cultural center, respondents support a range of areas: mostly language, but cooking and storytelling as well. Other topics drawing support are agriculture and ceremonial practices. However, when asked what elements of the culture should be preserved, just five identified ceremonial practices, while 23 opted to support language and culture preservation.

Exhibit 17: Cultural Center Survey Results

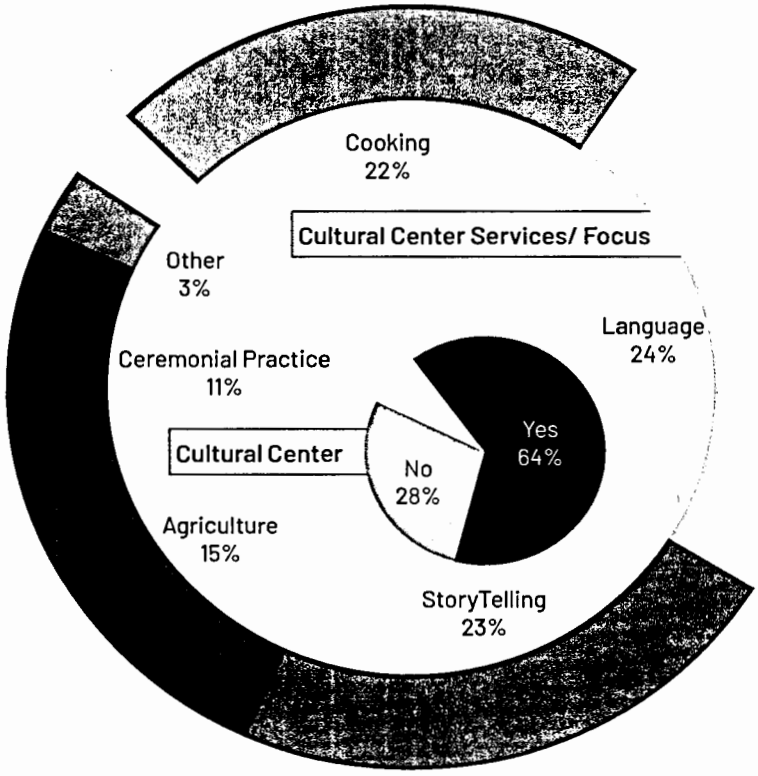
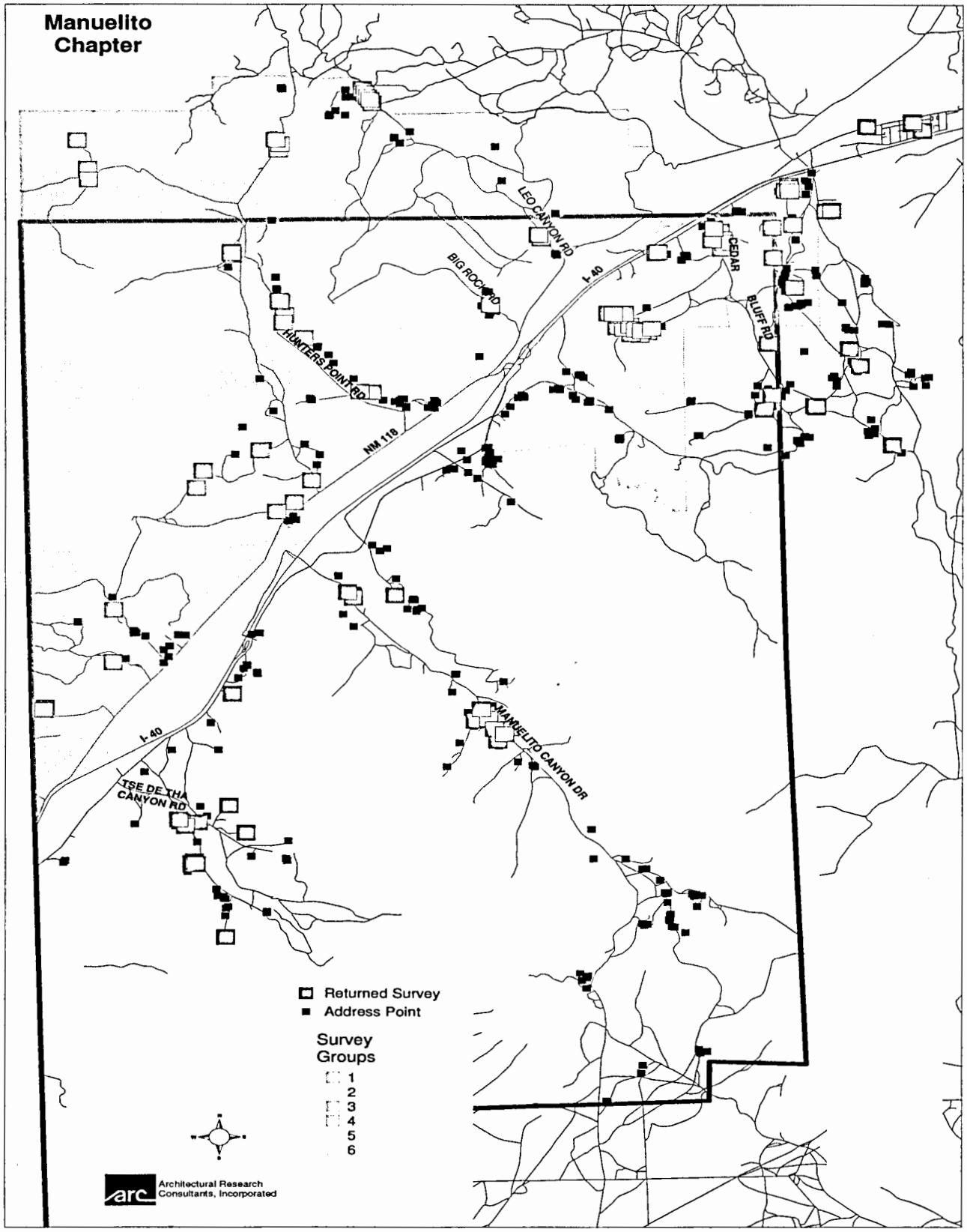


Exhibit 18: Community Survey Locations Map



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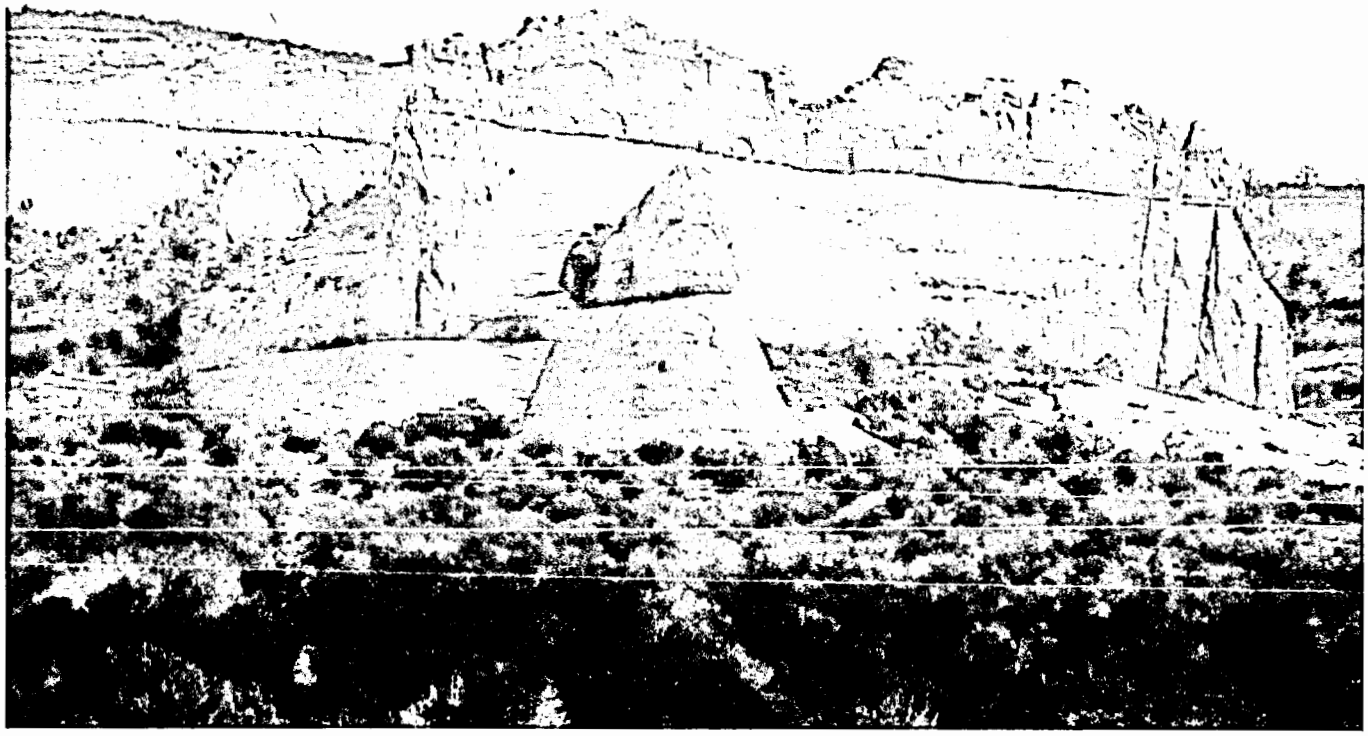

INVENTORY & ASSESSMENT OF EXISTING PERTINENT DATA

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6.1 | OVERVIEW

This section contains some of the many resources provided by various departments, officials, and community members. For the detailed assessment, please refer to the Community Assessment section of this plan, which breaks down the geographic and demographic information about the Manuelito Chapter. The Community Assessment section outlines how the data affects future land use, while this section offers a look into the chapter's dedication in compiling data for this plan. Most of the inventory is available via the appendices provided with this document.

This plan required collaboration with multiple departments and entities that provided the information needed for this plan, as well as additional research by ARC. Some of the resources and entities include

- Chapter Officials
- CLUPC
- Navajo Nation Land Department
- Navajo Nation Real Estate Department
- Navajo Nation Heritage and Historic Preservation Department
- Navajo Nation Fish and Wildlife
- New Mexico Department of Transportation
- Eastern Region Land Commission Office
- Eastern Agency Business Development
- BIA Division of Transportation
- BIA Realty
- BNSF Railroad
- Sacred Wind Communications
- Continental Divide Electric Cooperative

The remainder of the section outlines the resources, including handrawn maps and an overview of community infrastructures, sensitive wildlife areas, and references used to produce the Manuelito Chapter Master Land Use Plan.

Formation West of Chapter

6.2 | MANUELITO DATA

The following data, starting to the right, attests to the hard work of members and officials in compiling and recording data for chapter use. This data was especially pertinent when creating the Land Use section of this document, as the hand-drawn maps provided a myriad of details such as

- » telephone services
- » water lines
- » power lines
- » livestock
- » crops
- » roads
- » bridges
- » gates
- » housing
- » hogans
- » burial sites
- » post offices
- » windmills
- » churches

For the detailed list corresponding with the maps, please see the following exhibits. These are all courtesy of Manuelito Chapter President Milton Davidson, who drew and wrote them by hand.

Exhibit 19: Corresponding Key and List for Hand-Drawn Maps

	Manuelito Sand Springs Burned out (A)	Teeth Tah Rock Arch (B)	Low Mesa (D)	Chapter Hunters (H) Leo Canyon (G)	Cedar Bluff (I)	Saltwater Wash (H) Blue Eyed Hill (J)	Pinky Rock (K)	Hunting
House Frame House.	51	30		22	22	14	43	14	215
Hogan Hogan.	10	7		8	2	2	12	3	46
Mobile Home Mobile Home.	12	2		13	13	12	32	3	99
Bridge Bridge	2	1		3	0	0	1	0	7
Corn field Corn field	12	6		5	4	2	9	2	43
Cemetary Cemetary	7	3		4	4	0	0	1	20
Earthen Doms.	2	0		3	0	0	2	1	10
Gate.	12	6		15	3	3	6	4	53
Power line.	12	7		13	1	1	7	1	47
Water line.	10	2		15	1	1	4	1	38
VA	5	4		4	0	0	6	0	19
SW Housing.	2	3		0	3	0	2	3	13
Navajo Housing	0	7		0	7	0	6	0	14
NDOT Rd	3	0		1	1	0	1	2	8
Cow / Horse / sheep	C.H.S. 6 10.9	C H S 1 4 4		C.H.S. 3.7.5	C.H.S. 0.0.2.	C.H.S. 0.2.2.	C.H.S 2.9.8	C.H.S	C.H.S. 13 35 34
[X]	3	1		0	0	0	2	1	8
Wash	4	2		3	1	1	1	3	16
Sewer Lagoon.	1	0		1	1	1	1	0	5
McKinley Canyon Roads.	1	2		3	1	2	4	0	14
Elderly	36	17		17	11	5	28	4	130
Middle	11	12		16	16	17	27	8	118
Trash. Illegal Dumping	1	1		1	3	0	3	0	10
Horse/up	1	1		1	0	0	1	0	5
Windmill	0	0		1	0	0	0	0	1
Old wall	0	2		0	0	0	1	1	4
Strange Tank	1	0		0	0	0	2	0	3
Churchs	0	0		0	0	0	1	0	2
Bull Riding	0	0		2	0	0	0	0	2
Team Roping	0	0		1	0	0	0	0	1
New Road	0	0		0	1	0	0	0	1
N.H.A.	0	0		0	1	0	0	0	1

	Manuelito Sand Spring Burned out (A)	Teeth Tah Rock Arch (B)	Low Mesa (D)	Chapter Hunters (H) Leo Canyon (G)	Cedar Bluff (I)	Saltwater Wash (H) Blue Eyed Hill (J)	Pinky Rock (K)	Hunting
	2	2	1	1	1	1	3	1
Telephone Services.	✓					✓	✓	✓
Post office				✓				
Anasazi								
Herb Gathering		1					1	

Exhibit 20: Neighborhood Blue, Cedar Bluff Rd.

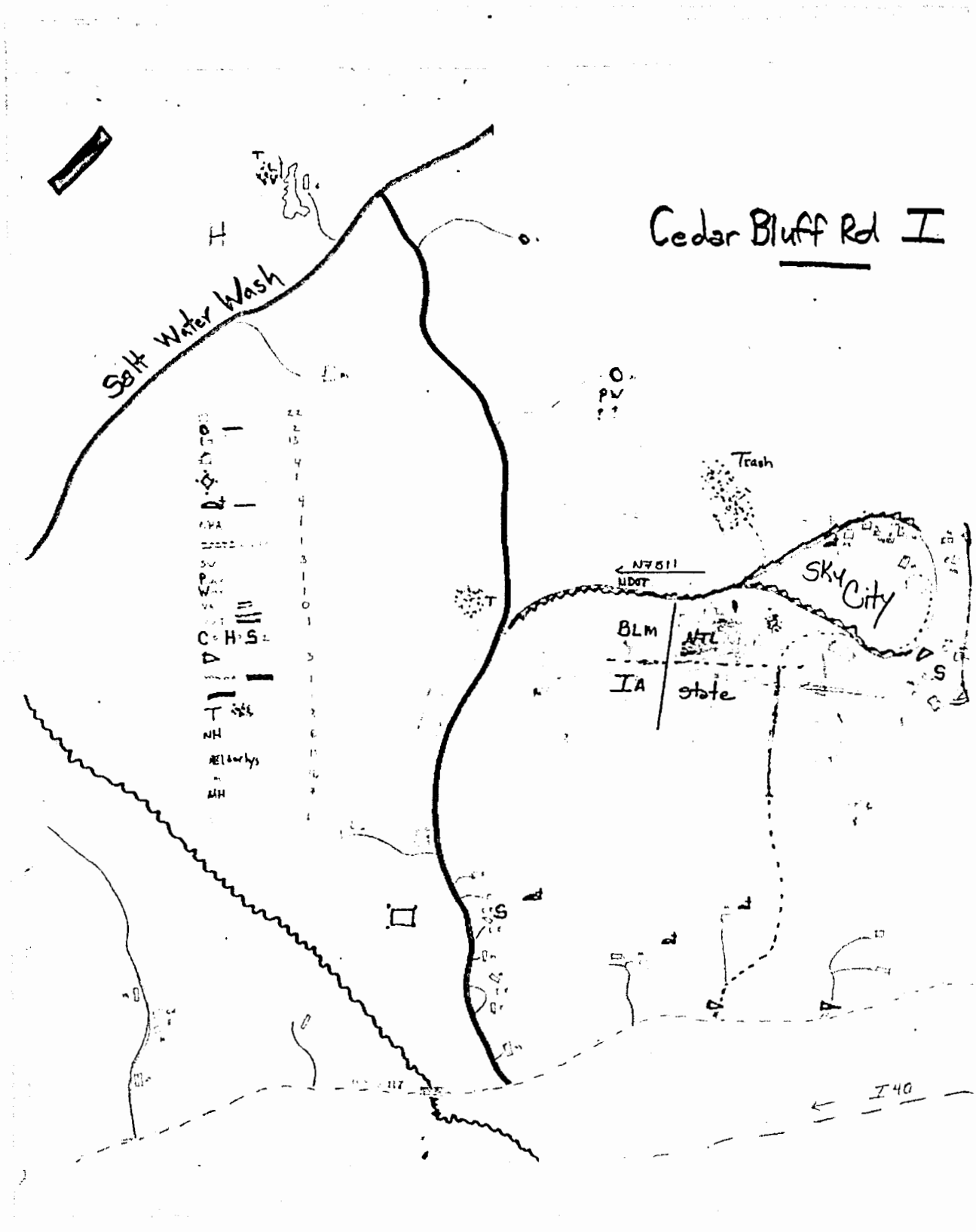


Exhibit 21: Neighborhood Green, Saltwater Wash

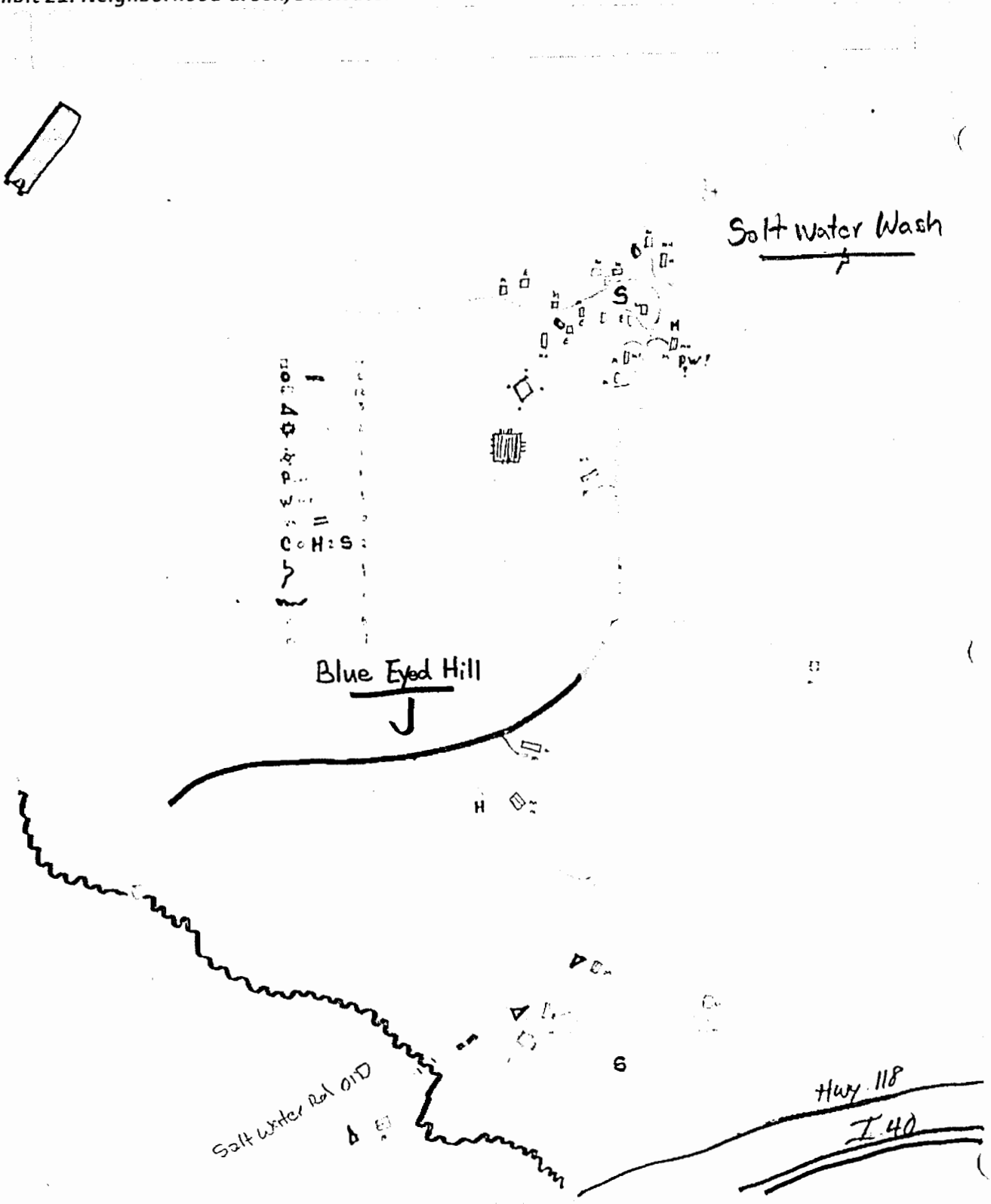


Exhibit 22: Neighborhood Light Blue, Huntington Canyon

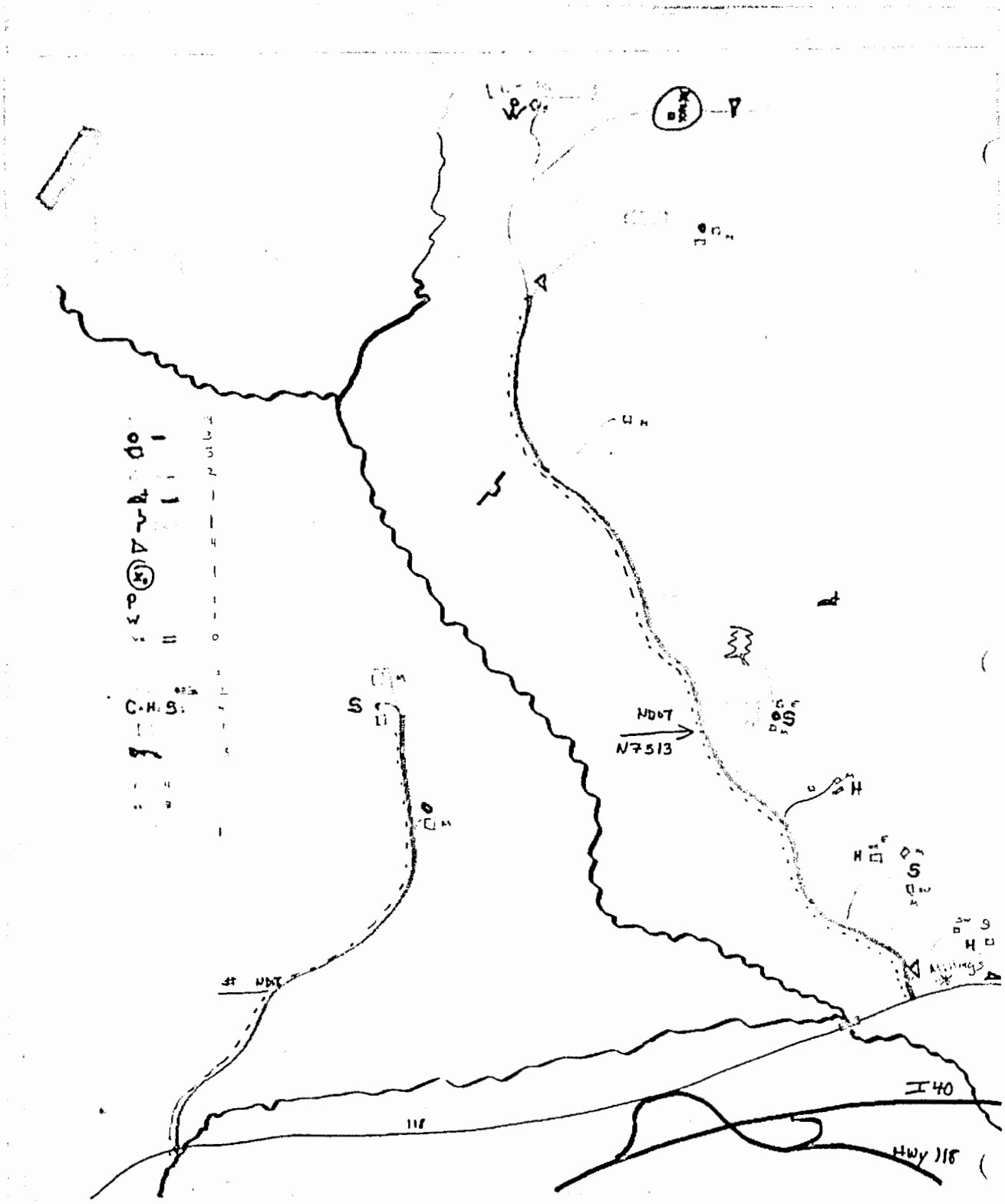


Exhibit 23: Neighborhood Light Green, Low Mesa Rd.

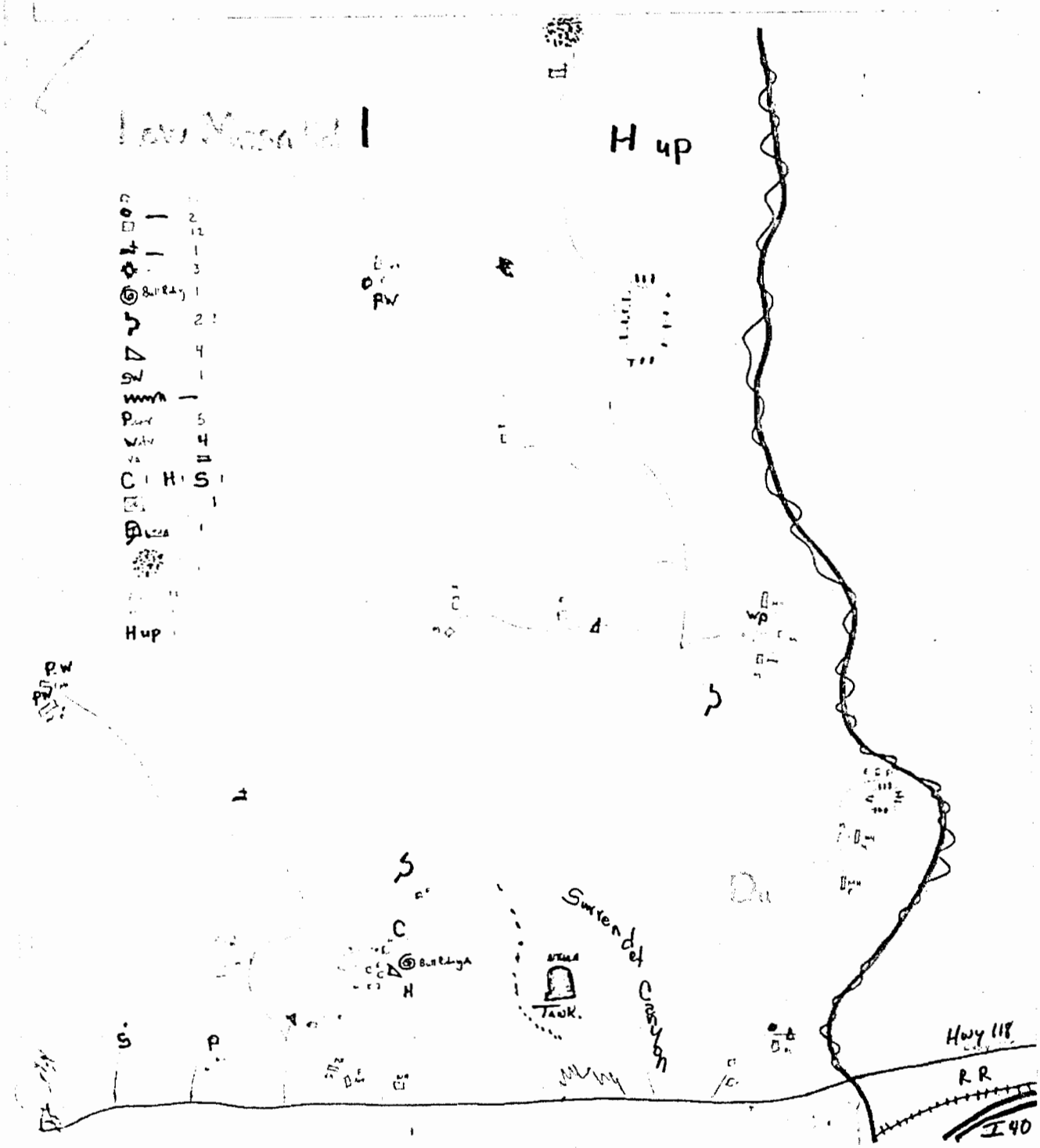


Exhibit 24: Neighborhood, Red Hunters Point

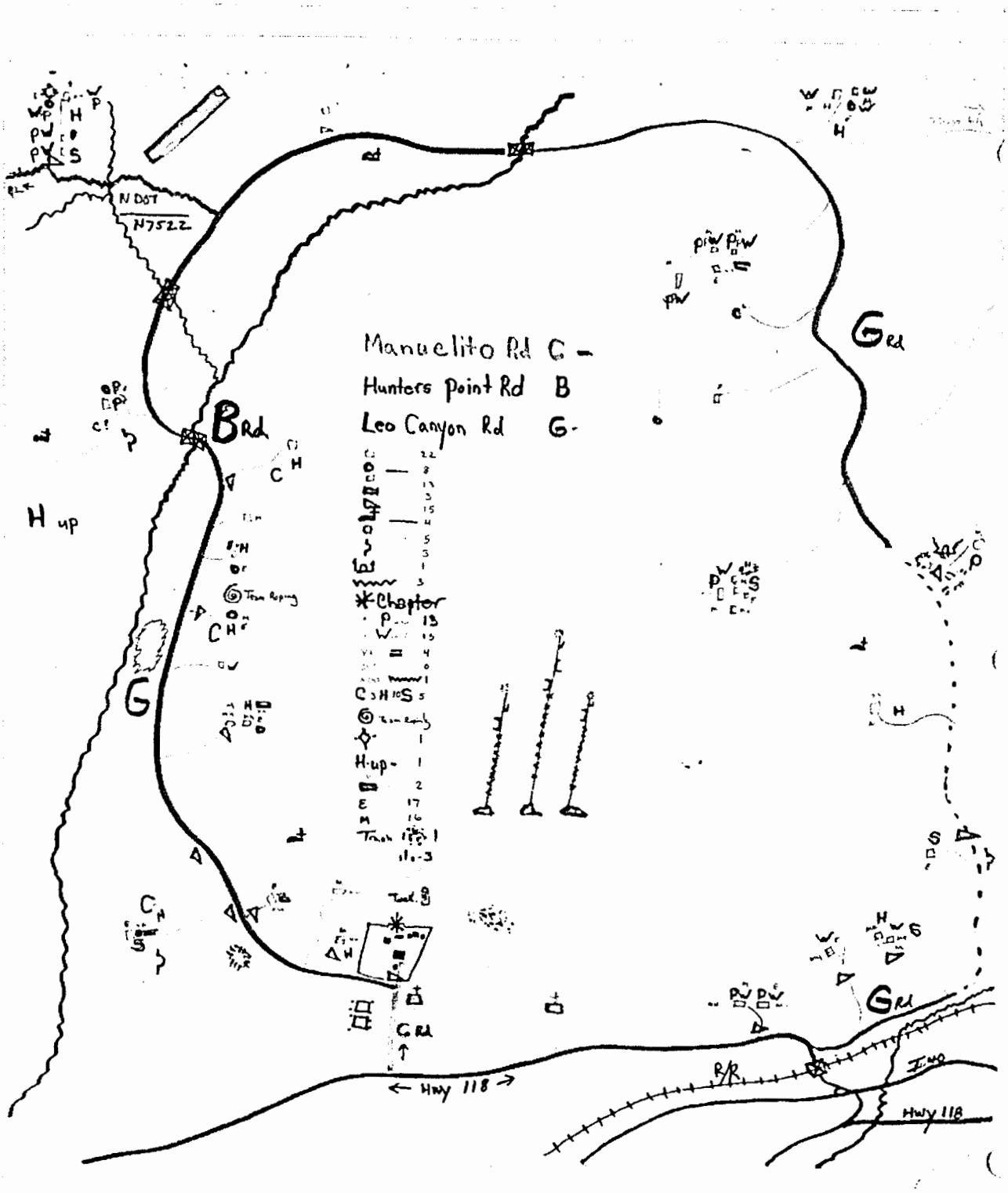


Exhibit 25: Neighborhood Red, Manuelito Canyon

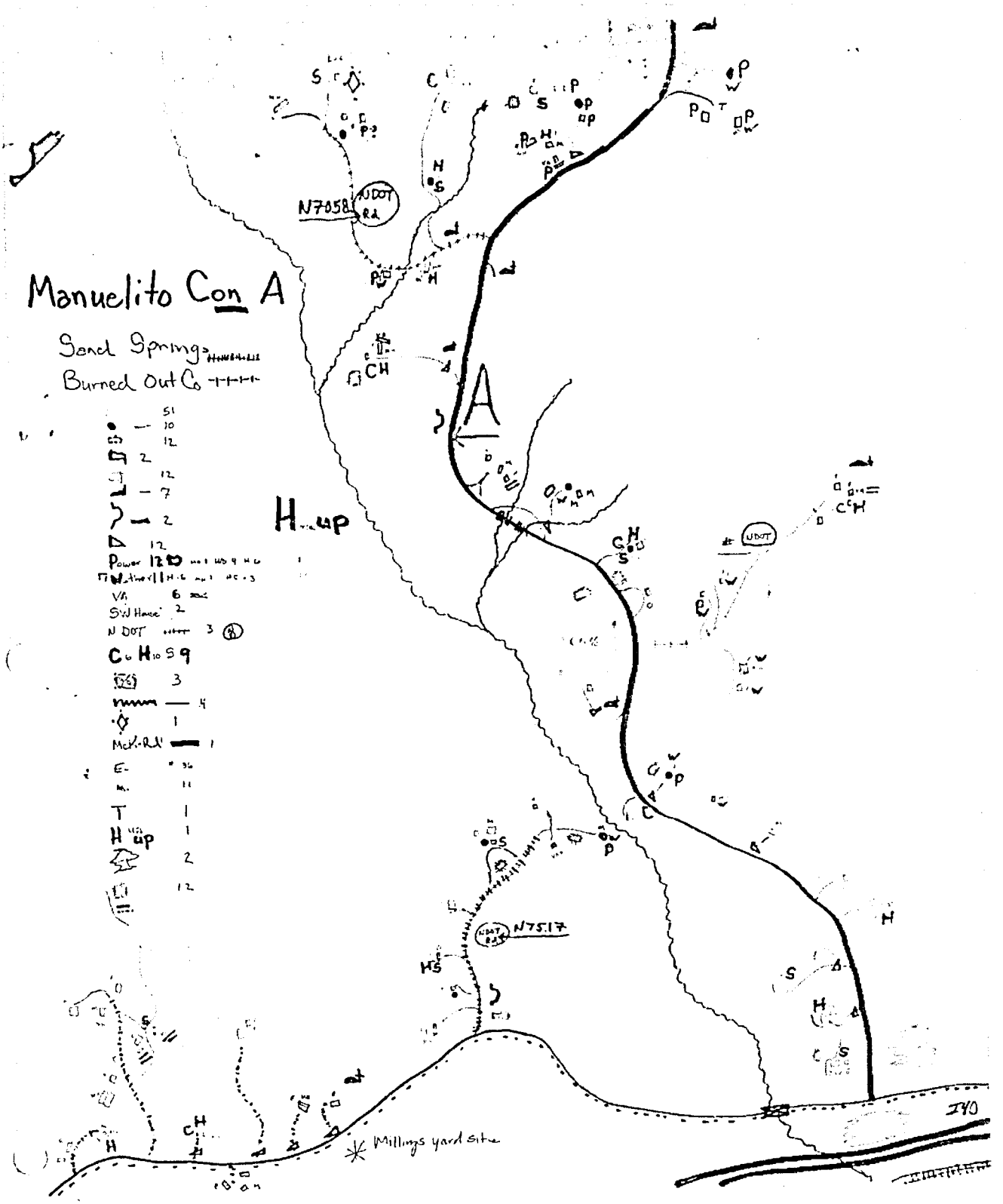


Exhibit 26: Neighborhood Red, Purty Rock Rd.

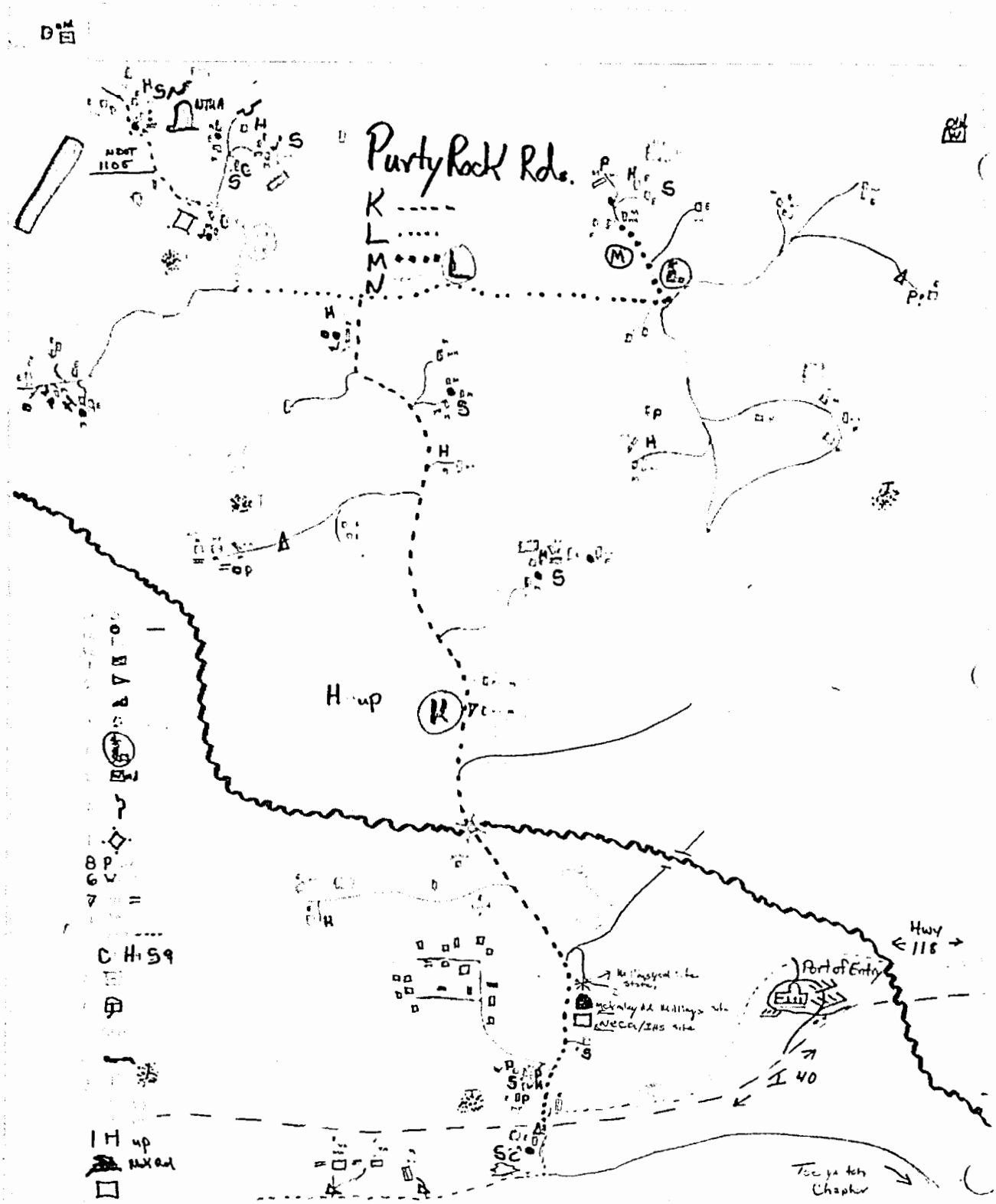


Exhibit 27: Neighborhood Yellow, Tse De Tah

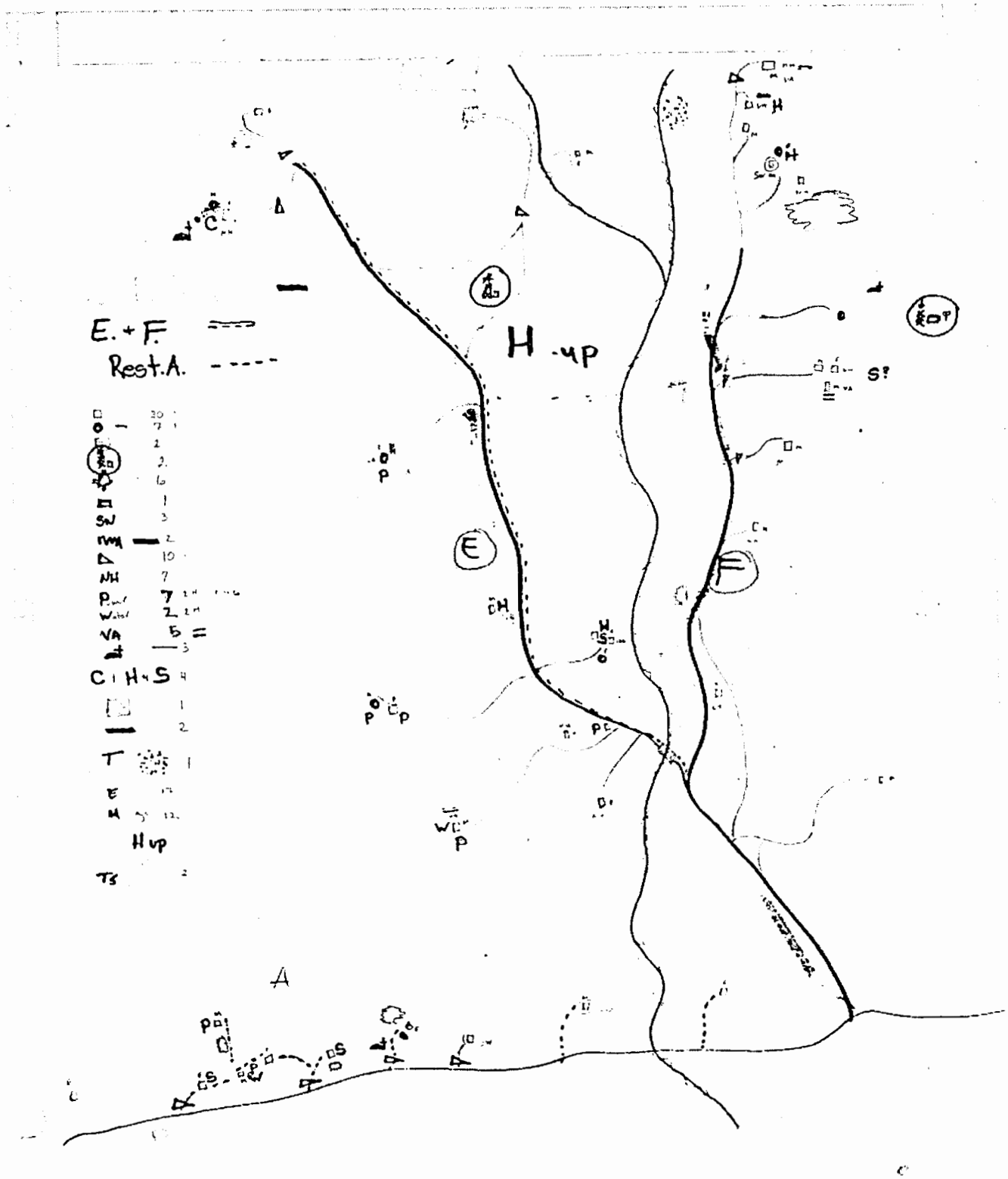
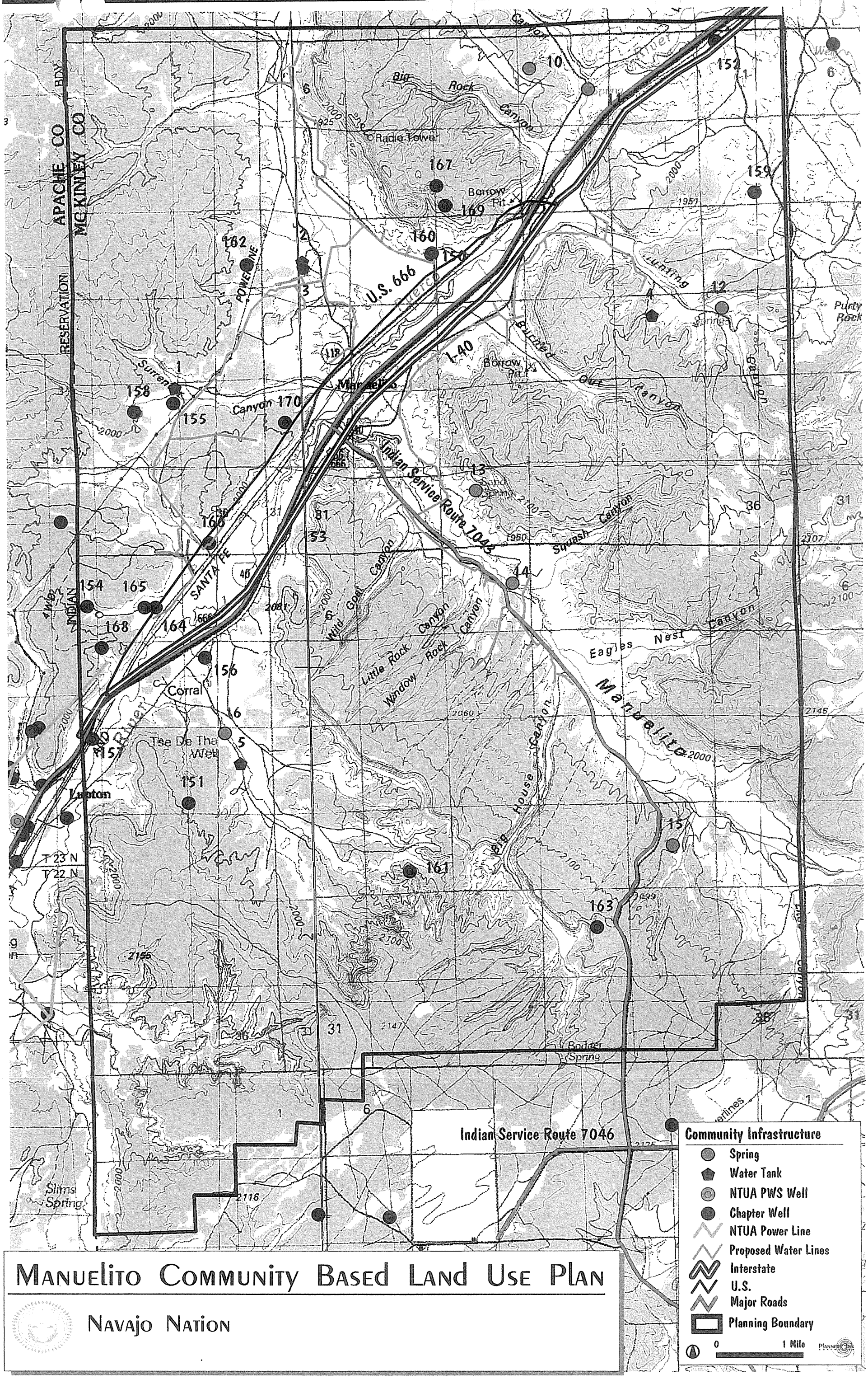


Exhibit 28: Overview of Community Infrastructure (2004)



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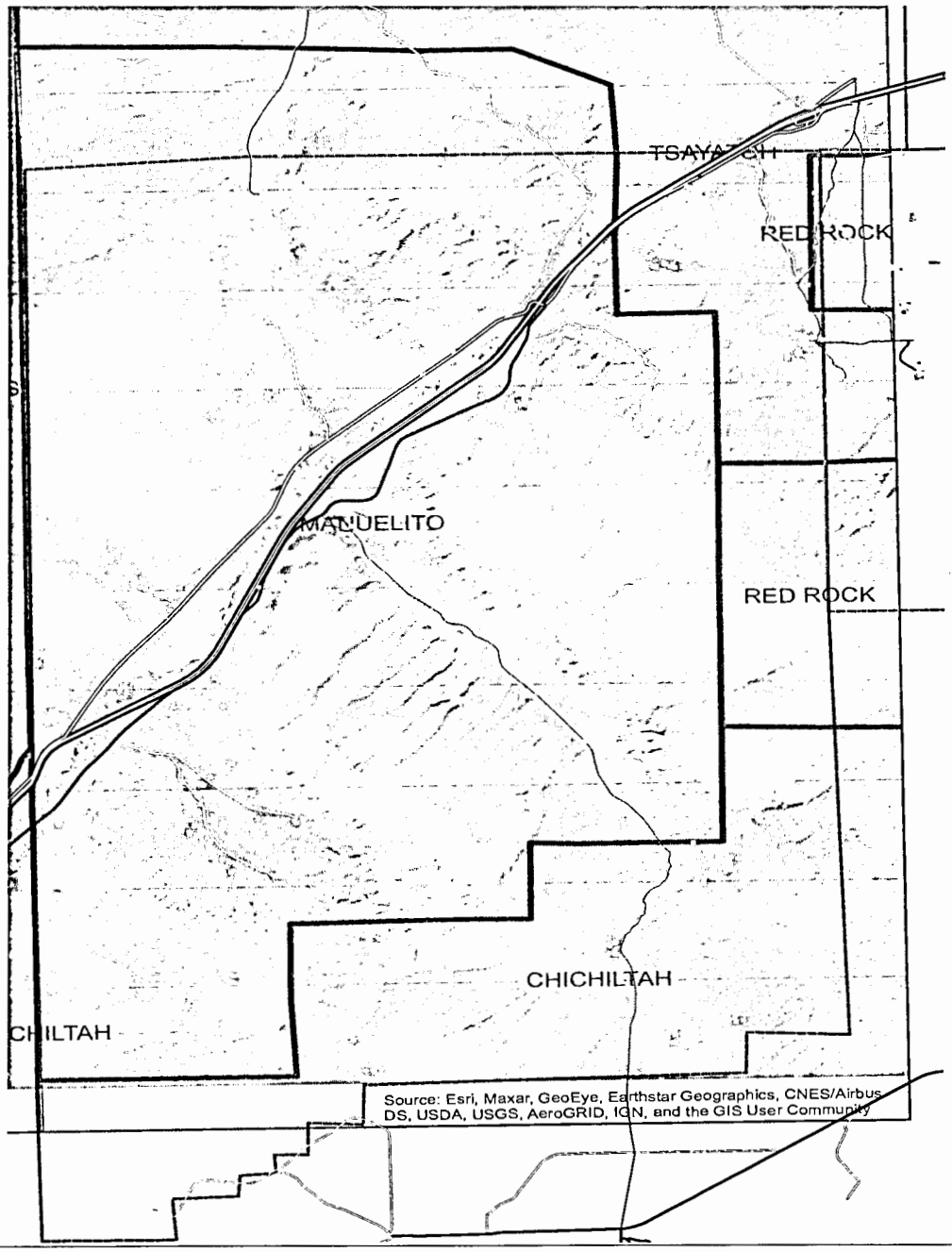
6.3 | SENSITIVE WILDLIFE AREAS

A brief inventory and analysis of sensitive areas, which affect numerous sections such as Open Space, Land Use, and Thoroughfare.

BIOLOGICAL RESOURCE LAND USE CLEARANCE POLICIES AND PROCEDURES (RCP) RCS-44-08 - APPROVED SEPTEMBER 10, 2008

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).

Exhibit 29: Navajo Nation Fish & Wildlife Sensitive Areas



The purpose of the RCP is to assist the Navajo Nation government and chapters ensure compliance with federal and Navajo laws which protect, wildlife resources, including plants, and their habitat resulting in an expedited land use clearance process.

After years of research and study, the NNDFW has identified and mapped wildlife habitat and sensitive areas that cover the entire Navajo Nation.

The RCP Policies and Procedures will help direct development to areas where impacts to wildlife and/or their habitat will be less significant. Development includes but is not limited to human activities that result in permanent structures, temporary, long term, or repetitive disturbance to wildlife or habitat as defined by Navajo Nation Code 17 NNC § 500 et. Seq. 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. RCP Policies and Procedures explains what restrictions apply in each area and describes the process for the planning and approval of projects with respect to wildlife resources.

AREA 1: HIGHLY SENSITIVE

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 activity or development that is going to result in significant impact to wildlife resources. 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:

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

6.4 | INVENTORY OF EXISTING DATA AND REFERENCES

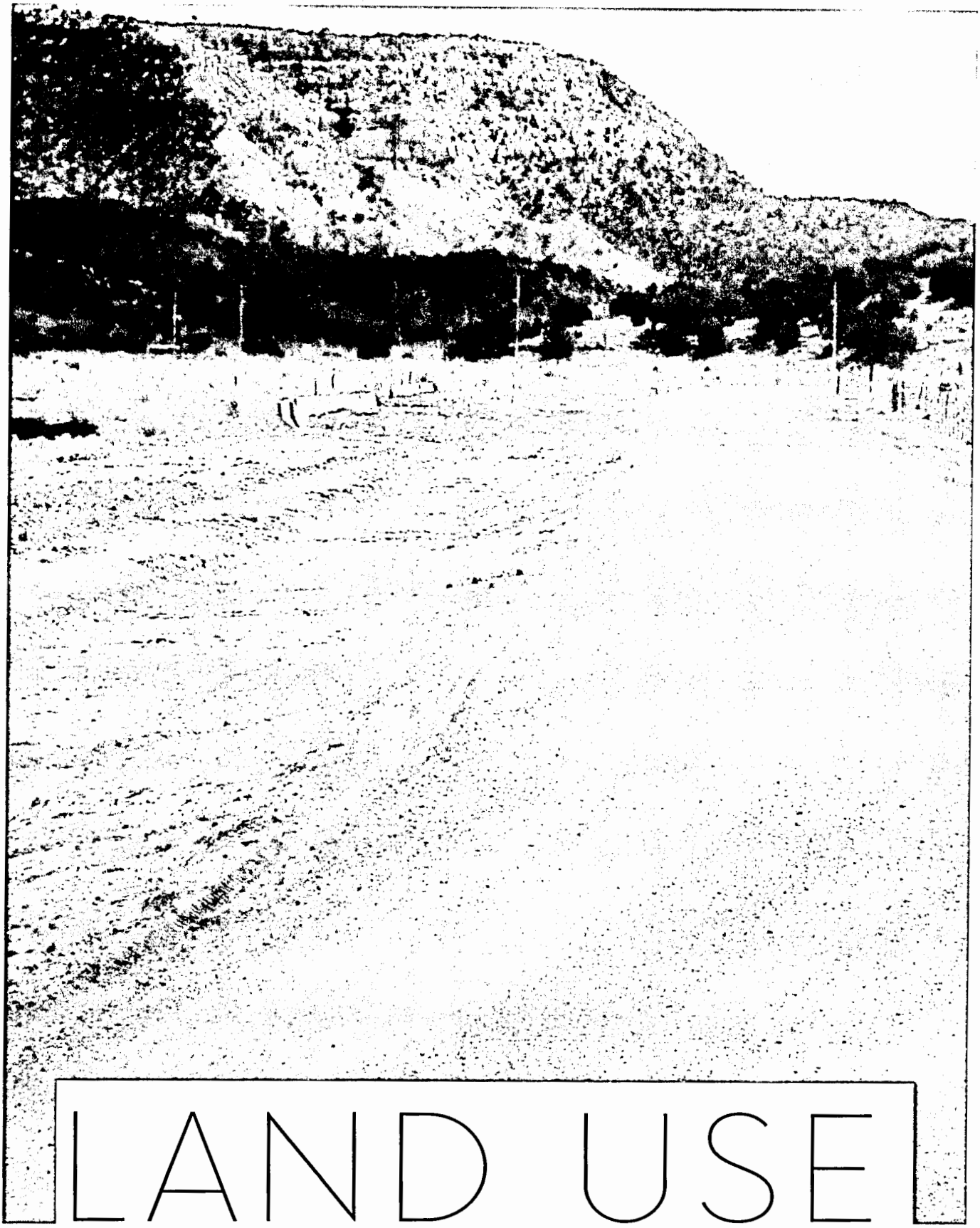
A number of important planning references informed the development of this plan. The primary planning reference was the Manuelito Chapter Master Land Use Draft of 2004.

While the document informed this update as to developments and trends in the chapter in the time since, this plan update's format and approach were significantly more broad, in an effort to bridge this document to a comprehensive plan.

The2004 plan was a CLUP draft intended to identify specific areas for potential development. As a plan with that specific purpose, some material served as reference, but the planning team found it necessary to broaden the scope of the document review and reference library.

That material consisted of dozens of plans, reports, regulations, policies, guidelines, and studies. An appendix and a much more extensive digital library are included with this plan. The digital library is the compilation of files and documents available on the download website made available by ARC. The full bulk of this should be available for any future reference by the chapter.

The list of reference material, included in the Appendix, is extensive. The documents and material listed there informed the development of this plan and may serve the chapter in providing context, additional material, or guidance on any matter discussed in this plan.



LAND USE

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7.1 | OVERVIEW

Land use planning promotes an orderly growth that balances a number of the community members' interests. Land use planning identifies areas to accommodate growth that can be served by necessary infrastructure. Planning should anticipate growth based on population projections, housing projections, economic development activity, and additional public uses. Planning should also identify lands that should not be built upon for cultural, environmental, or grazing purposes. The development of residential and commercial buildings and agricultural lands should be in accord with principles of tradition and sustainability.

One of the core purposes of land use planning under the LGA is to identify and assess the suitability of lands for residential and economic development uses. This element includes land suitability assessments for identified development areas.

7.1A | LAND STATUS

Land status refers to the type of ownership for a specific section of land—whether it is privately owned, state owned, etc. All land use planning in the checkerboard area must navigate the complexities of land status and grazing permits on Navajo trust land, homesite leases, and business leases. The Land Buy-Back Program makes it possible for fractionated land allotments to reassemble as Navajo trust land or gain sufficient Navajo Nation control, so the land may be more readily developed.

In many ways, the complexity of land status and permits preserved the land and helped sustain the culture. In other ways, the fragmentation of permitting authority, bureaucracy, time, and expense stymied attempts to locate desired land uses where they might most efficiently be located and has held back beneficial growth and development.

7.1B | GIS MAPPING

In order to efficiently manage land development, GIS mapping will be the most effective tool available. This will require the development of existing maps, as well as the training of staff to maintain and update the data. The Chapter of Ramah can serve as reference, providing the necessary steps to take next before Manuelito can develop GIS.

A reference for beginning this process should be the steps taken by the Chapter of Ramah in developing such an asset.

The information should include both public and restricted data layers and may include the following information:

- Locations of homes
- Burial sites
- Utility and infrastructure lines
- Roads and roadways
- Flood risk
- Trails
- Public buildings

Additional layer data will be identified later in the process.

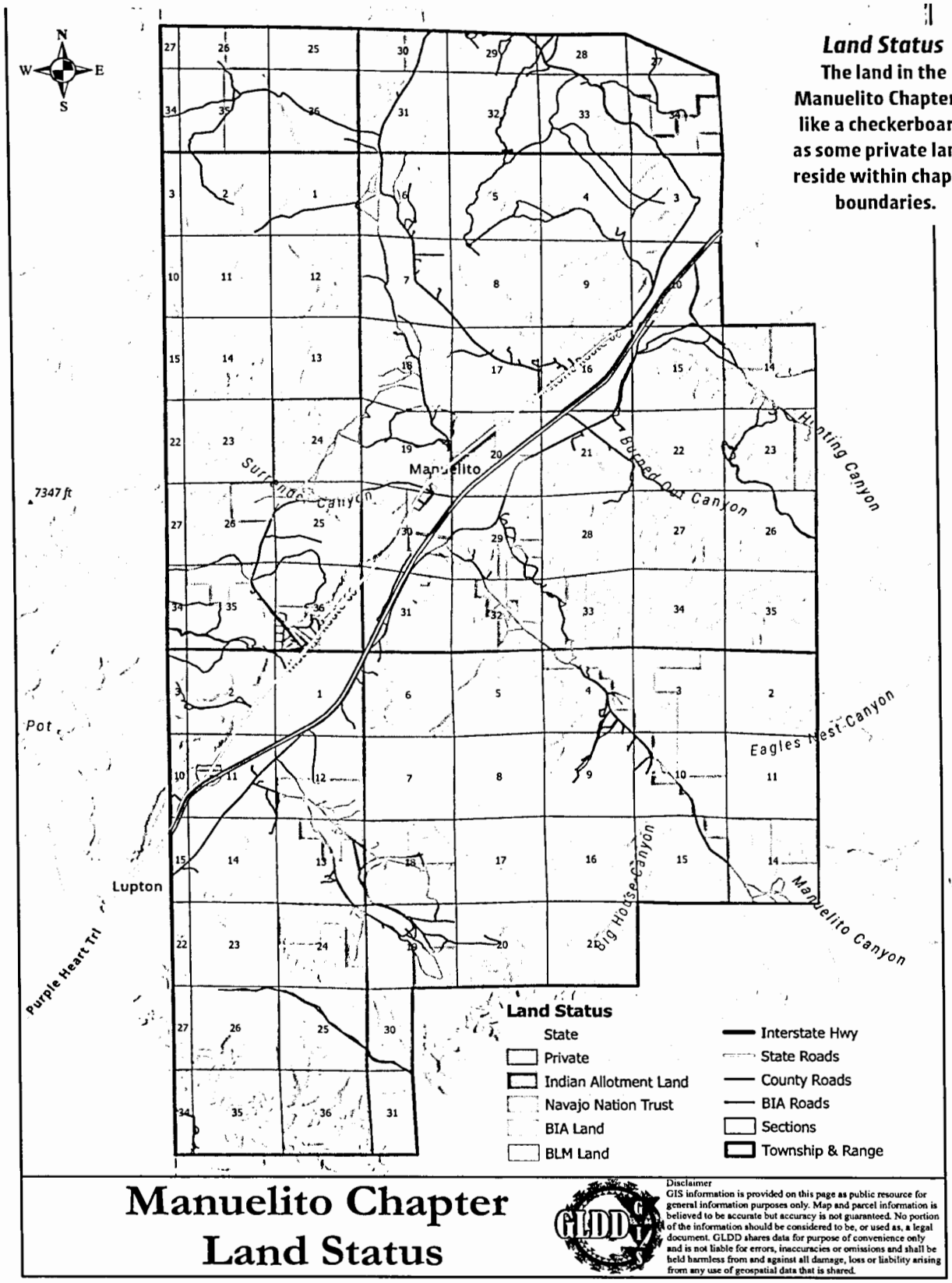
RECOMMENDATION

Develop GIS capacity for chapter management beginning with GIS software training for chapter staff, and the development, maintenance, and management of GIS data regarding land use and other geographically specific data needed to manage development, protect assets, track changes, or aid in accomplishing chapter and community goals.

Note

Assistance with training may be obtained, at no cost to the chapter, from the New Mexico Forestry and Watershed Institute at NMHU. The organization can provide multiday training, including software and computers, to help the chapter develop this essential asset.

Exhibit 30: Manuelito Land Status Map



7.2 | CONTEXT

7.2A | LAND ADMINISTRATION

The Navajo Land Department and General Land Development Department are responsible for administering the following programs that have a major impact on the chapter's development pattern and future potential:

- Homesite lease
- Business site lease
- Shopping center lease
- Land withdrawals
- Mission site lease
- Cell towers

7.2B | THE COBELL SETTLEMENT

In 1996, Elouise Cobell (Blackfeet) filed a class action suit against the U.S. government on behalf of an estimated 250,000 to 500,000 plaintiffs. The plaintiffs were Native Americans whose trust accounts did not reflect an accurate accounting of monies owed them under leases or fees.

The Eastern Navajo Land Commission implemented a buy-back program to reconsolidate fractioned allotment lands to turn them into Navajo trust lands and secure the lands' controlling interest.

Congress approved the Cobell Settlement Agreement on November 30, 2010 (Claims Resolution Act of 2010), President Obama signed it on December 8, 2010. The $3.4 billion Cobell Settlement includes a $1.9 billion Trust Land Consolidation Fund and $1.5 billion in direct payments to class members. The $1.9 billion Trust Land Consolidation Fund is to be used over a ten-year period to purchase fractional interests. The U.S. Department of Interior began making buy-back offers in 2013, having paid over $1.8 billion as of August 15, 2022 (Source: Department of Interior Press Release, 08-15-22).

The Cobell Settlement resulted in several notable outcomes:

- **The Land Buy-Back Program For Tribal Nations (LBBP)**: The Secretary of the Interior established the LBBP to implement the land consolidation provisions of the Cobell Settlement Agreement. The Settlement provided a $1.9 billion Trust Land Consolidation Fund to consolidate fractional land interests across Indian Country.
- **National Commission on Indian Trust Reform:** As part of President Obama's commitment to fulfilling the nation's trust responsibilities to Native Americans, the Secretary of the Interior named five prominent Native Americans to a commission, which would undertake a forward-looking, comprehensive evaluation of U.S. Department of Interior's management of nearly $4 billion in Native American trust funds.
- **Individual Settlement Payments:** The settlement provided one-time payments to anyone who had an Individual Indian Money (IIM) account anytime from approximately 1985 through September 30, 2009, or anyone who had an individual interest in land held in trust or restricted status by the U.S. government as of September 30, 2009.
- **Indian Education Scholarship Fund:** The settlement created the Indian Education Scholarship Fund to help "defray the cost of attendance at both post-secondary vocational schools and institutions of higher education."

As tracts or allotments of Navajo lands are passed down through generations, they gain more individual owners. Currently, there are approximately 150 locations with fractionated tracts of land that include about 243,000 unique owners. Tracts have hundreds, even thousands, of individual owners. It is difficult for owners to agree on how to use the land; these allotments often lie idle and cannot be used for any economic development, which affects communities like Manuelito.

Please see the next two exhibits for information on Manuelito's LBBP.

Exhibit 31: Manuelito LBBP Map

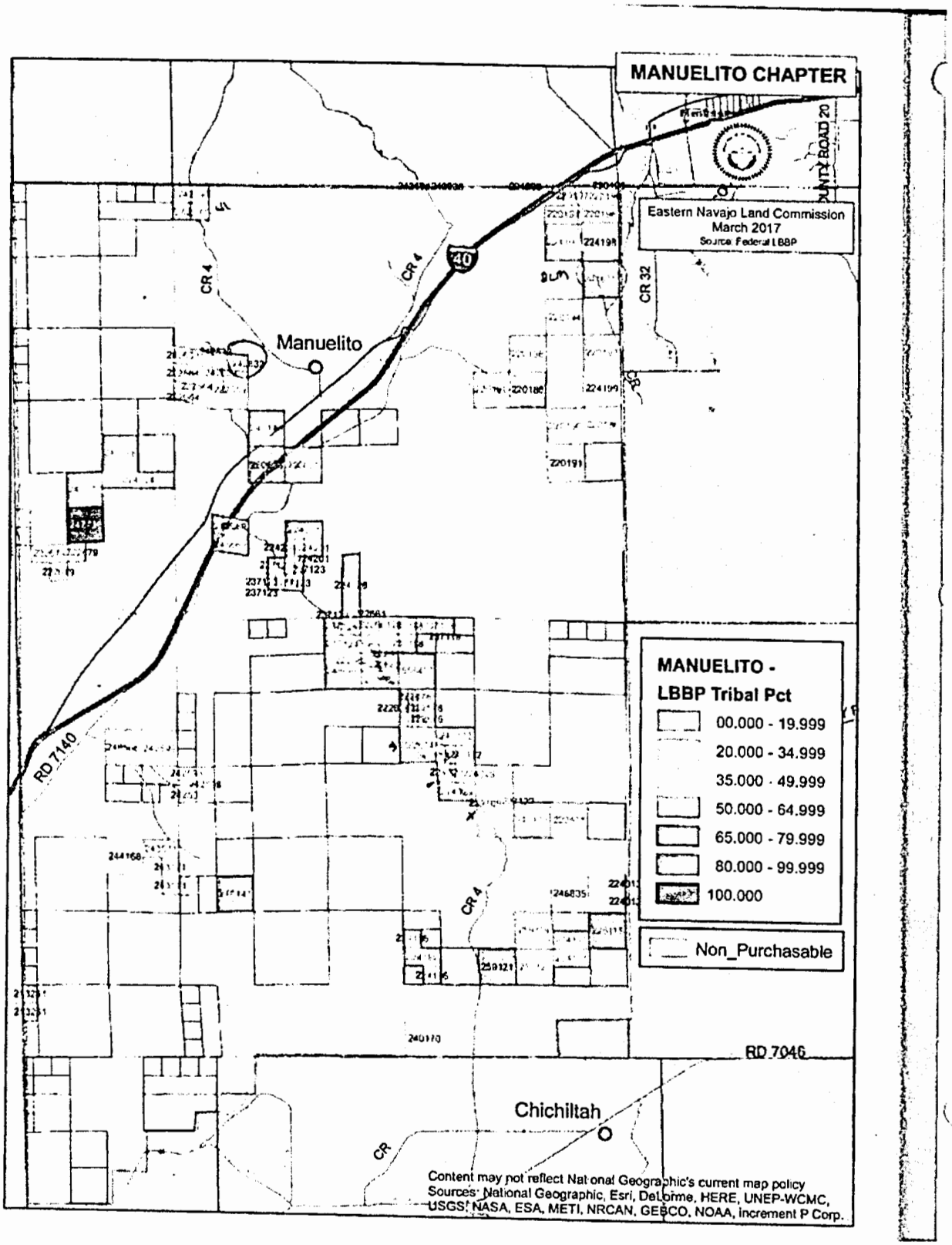


Exhibit 32: Manuelito LBBP Purchased Results 2016

Tract No.	Tribal Pct	All Own Cnt	Tract Acres		Tract No.	Tribal Pct.	All Own Cnt	Tract Acres
213251	0.51718	29	65.00		240171	0.08857	44	160.00
220186	0.29600	86	160.00		240172	0.13265	18	140.00
220188	0.60417	5	160.00		240172	0.13265	18	20.00
220189	0.29167	12	160.00		240377	0.17308	16	160.00
220190	0.27081	83	160.00		240378	0.10256	37	160.00
220191	0.37500	17	160.00		241676	0.14286	7	160.00
220193	0.30362	83	160.00		242597	0.08000	41	157.90
220194	0.25000	4	160.00		242598	0.32143	11	160.07
220196	0.33926	82	159.94		242599	0.25641	8	160.00
220197	0.23473	87	119.93		242632	0.14673	73	40.00
220198	0.26394	39	160.00		242633	0.24609	26	119.67
222659	0.28577	23	160.00		243101	0.40625	19	160.00
222661	0.20590	29	130.45		243571	0.24490	11	160.00
222661	0.15903	30	30.00		243936	0.77402	3	160.00
222662	0.14809	31	40.00		244168	0.44233	53	160.00
222662	0.15642	30	120.00		246141	0.78472	4	160.00
222664	0.20844	135	159.26		247796	1.00000	1	160.00
222674	0.17859	119	160.00		248566	0.25000	4	160.00
222675	0.25025	58	160.00		248668	0.19809	29	160.00
222676	0.11906	102	100.00		248669	0.06250	19	80.00
222676	0.11906	101	60.00		248835	0.40526	47	160.00
222679	0.24816	99	160.00		259119	0.29167	9	160.00
224013	0.28274	30	159.20		259120	0.16755	5	160.00
224024	0.15811	141	160.00		259121	0.89063	3	160.00
224026	0.10000	8	160.00		260625	0.12500	5	160.00
224029	0.14604	50	40.00		260626	0.50000	5	160.00
224029	0.14604	50	120.00		556407	0.71212	8	160.00
224195	0.15782	83	160.00					
224196	0.18025	93	160.00					
224197	0.11436	359	160.00					
224198	0.39340	350	160.00					
224199	0.41152	26	160.00					
224201	0.09517	54	100.00					
224201	0.09032	54	60.00					
224201	0.09517	54	100.00					
224203	0.05412	10	160.00					
225115	0.68803	31	160.00					
237118	0.06537	72	160.39					
237122	0.20937	42	160.00					
237123	0.09465	43	120.00					
237123	0.07220	49	40.00					
237124	0.08333	6	79.91					
237124	0.08333	6	80.00					
239709	0.20668	63	160.00					
240146	0.17188	11	160.00					
240170	0.42031	6	160.00					

Spencer Valley—Saddle Ridge

7.2C | THE DAWES ACT (GENERAL ALOTTMENT ACT)

The Dawes Act or "An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations" was approved on February 8, 1887. The Dawes Act was named after its author, Senator Henry Dawes of Massachusetts. The Dawes Act emphasized severalty and the treatment of Native Americans as individuals rather than tribe members. Federal policies during the period from 1870 to 1900 diverged from previous ones focused on removal, treaties, reservations, and war. The newer policy concentrated on breaking up reservations by granting land allotments to individual Native Americans.

The law allowed the President to split reservation land into small allotments and parcel them out to individuals, instead of members of the tribe commonly owning the land. Thus, Native Americans registering on a tribal "roll" were granted allotments of reservation land, per the Dawes Act:

> "To each head of a family, one-quarter of a section; To each single person over eighteen years of age, one-eighth of a section ; To each orphan child under eighteen years of age, one-eighth of a section; and To each other single person under eighteen years now living, or who may be born prior to the date of the order of the President directing an allotment of the lands embraced in any reservation, one-sixteenth of a section..."

Section 8 of the Dawes Act specified groups that were to be exempt from the law:

> "...the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south."

Subsequent events later extended the act's provisions to these groups as well. In 1893, President Grover Cleveland appointed the Dawes Commission to negotiate with the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles—who together were known as the Five Civilized Tribes. As a result of these negotiations, several acts were passed. These new acts allotted a share of common property to members of the Five Civilized Tribes in exchange for abolishing their tribal governments and recognizing state and federal governments. In order to receive the allotted land, members were to enroll with the BIA. Once enrolled, the individual's name went on the "Dawes Rolls," which assisted the BIA and the Secretary of the Interior in determining the eligibility of individual members for land distribution.

The purpose of the Dawes Act intended to protect Native American property rights, particularly during the land rushes of the 1890s. However, in many instances, the results were different. The land allotted to Native Americans was desertlike and unsuitable for farming. In addition, the techniques of self-sufficient farming opposed the tribal way of life. Many Native Americans did not want to take up this new agriculture. Those who did want to farm could not afford tools, animals, seed, and other necessary supplies. Even though the land could be inherited, land was left to young children who could not farm because they were sent to boarding schools. Multiple heirs created problems when several people inherited an allotment, and the size of the holdings became too small for efficient farming.

The Secretary of the Interior established the LBBP to implement the land consolidation aspects of the settlement. In consultation and cooperation with tribes, the program seeks to reduce historic fractionation through this unique opportunity for Manuelito, the land, and the community. As trust land becomes formalized and consolidated, the chapter may track progress and update the potential sites for development to prioritize areas that may be developed for economic development, recreation, or housing.

FRACTIONATION: INHERITING UNDIVIDED INTERESTS

The complications associated with land use in the Navajo Nation are compounded by the fractionalization of interest in lands. Parcels originally allotted to individuals were allocated to an increased numbers of individuals. Increasing the amount of people decreased the shares, as the interest was equally split amongst an increasing number of dependents. Exhibit 33 exemplifies a six-generation inheritance of undivided interests, illustrating the potential for confusion. The graphic also demonstrates how a parcel once under the control of a single individual now relies on a large number of people. Land use becomes reliant on the availability and agreeability of the interest holders. Without an agreement amongst the majority of holders, the land is effectively unusable and undevelopable.

7.3 | LOCATION OF NEW DEVELOPMENT IN RELATION TO UTILITIES AND MAINTAINED ROADS

The most suitable locations for new development are those that can be served by infrastructure, allow for wildfire protection, and minimize disruption of wildlife migration routes and historic and cultural areas/sites.

All forms of development—including business leases and withdrawals for homesite leases—must be located within a relatively short distance from maintained roads, water utilities, and electricity. Some exceptions include homesites and summer camps—areas where the residents expect to live off-grid and do not expect water, electricity, or all-weather roads. The chapter would like a drone to assist in identifying land for development.

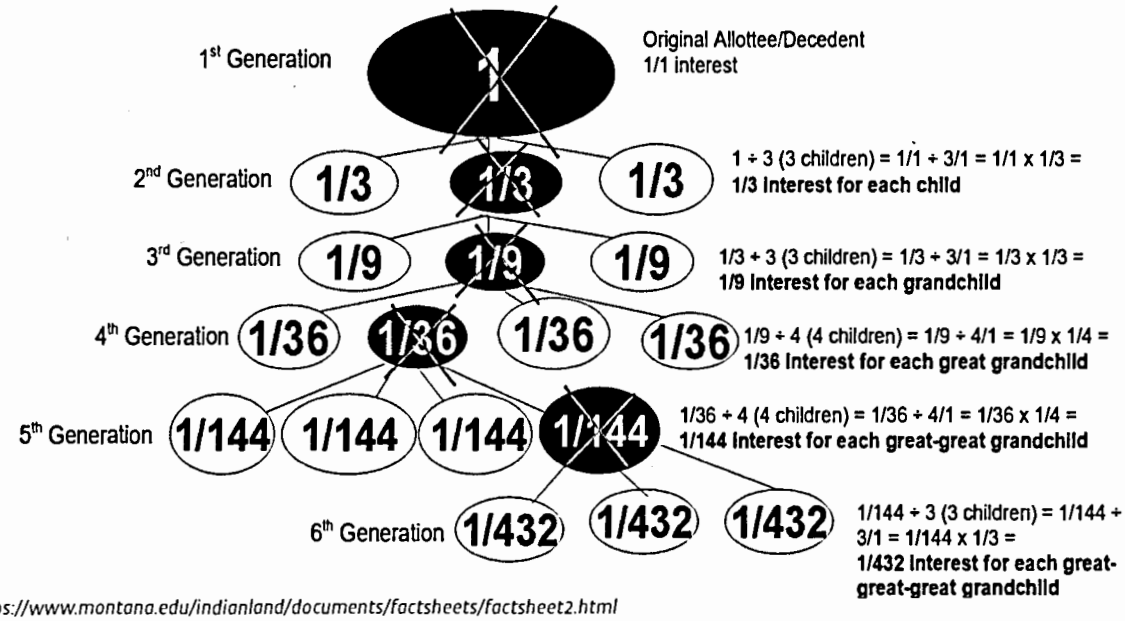
Additional discussion of utilities and infrastructure lies in the Community Infrastructure section.

7.4 | HOUSING DEVELOPMENT AND LAND USE

Housing densities, community planning, and design are essential considerations in maintaining natural landscapes and community landscapes, and integrity. The composition of housing in the chapter is an important topic for consideration.

Additional discussion of housing and housing developments is in Community Infrastructure.

Exhibit 33: Inheriting Undivided Interest



Source: https://www.montana.edu/indianland/documents/factsheets/factsheet2.html

7.4A | ALTERNATIVE APPROACHES

Navajo chapters have long expressed a preference for traditional scattered housing and housing clusters over dense housing layouts, although greater density makes more sense for some residents

To address this, the NHA employed Swaback Partners PLLC to visualize a sustainable development pattern on the Navajo Nation in 2012 and 2013. The Swaback team developed models for more compact development, including concepts for clan pods, shopping centers, and open space preservation. The Manuelito chapter might be interested in the concepts that Swaback developed and consider them in the design process. Unfortunately, the nodal development pattern that they recommend appears impossible without significant disruption of existing grazing permits and homesite leases; this may result in a density that chapter members do not find desirable.

EXAMPLES

There is no NHA housing development currently in Manuelito, but examples and recommendations from the nearby Chapter of Chichiltah can provide context for understanding housing density as it will apply to Manuelito.

The NHA subdivision in Chichiltah has an average density of three housing units per acre. This density is acceptable and desirable to chapter members who want to live a more urban lifestyle and enjoy utilities, paved streets, and other infrastructure while living in the chapter.

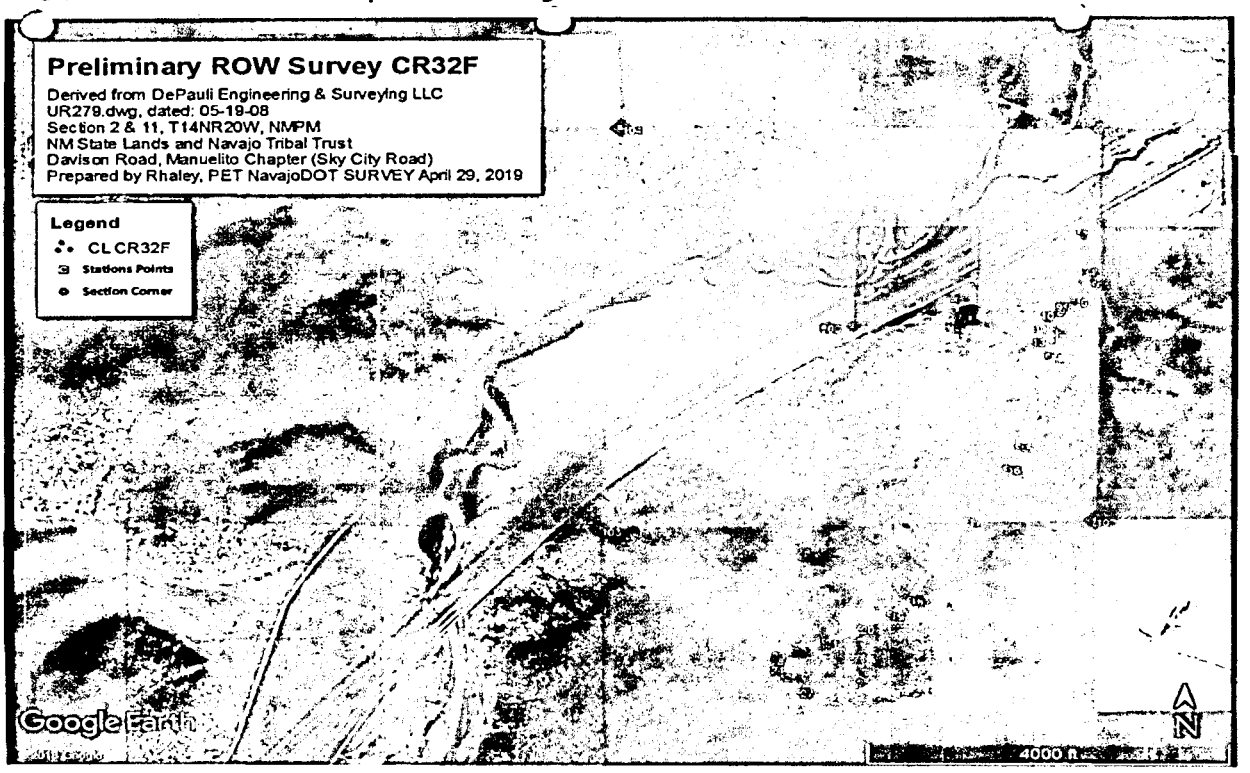
Alternately, a large lot development model may work well for some residents, including lots in the range of five to 10 acres. The number of housing units that may be placed on a single lot should be limited.

7.4B | RESIDENTIAL DEVELOPMENT

The NHA is open to the possibility of developing large lot subdivisions. The chapter is working with the NHA on such a subdivision but may consider creating a subdivision by other means, such as working with a developer at the chapter or regional level.

The NHA requires that every housing subdivision has two access roads. For the proposed housing site, the existing road is Cedar Bluff Rd. The proposed road would be the second access road to the subdivision and can be seen in the following map, Exhibit 34.

Exhibit 34: Potential Road to Proposed Housing Subdivision



7.5 | DEVELOPING LAND

7.5A | RESIDENTIAL DEVELOPMENT

The chapter should encourage development in proximity to maintained roads, water, and electricity service. If chapter members desire to live off-grid without water and other infrastructure, then they may locate farther away from existing or planned infrastructure.

Additional discussion of homesite leases, including a diagram of the process, and BIA residential leases can be found in the Community Infrastructure section (11.7B).

7.5B | COMMERCIAL DEVELOPMENT

Properties for commercial uses may include those listed later in the chapter, but additional property options may become available as land consolidation progresses. These commercial sites may be leased or acquired by the chapter or individual chapter members. Additionally, land near the chapter house should also be considered for commercial development if the land becomes available for such use and the current holders of the permit/lease are interested in development.

The processes for a commercial site lease and a shopping center lease should be coordinated with the Navajo Land Department.

CULTURAL, ARCHAEOLOGICAL AND ENVIRONMENTAL CLEARANCES

Culturally significant areas include prehistoric and historic sites, as well as traditional cultural objects, structures, locations, or natural features. The National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) mandate resource compliance in the Navajo Nation. NEPA requires environmental impact statements on cultural and natural resources affected by proposed projects. NHPA provides protection and preservation of significant cultural properties.

Recorded archaeological sites may be located within or directly adjacent to the potential development areas. If so, it may be possible to designate a "development envelope" area for new development. The chapter or any other developing agency will need to obtain a full archaeological assessment and archaeological clearance before any construction can take place.

Scenic View Along Highway

7.5C | LAND WITHDRAWAL PROCESS

The GLDD is in charge of land withdrawal for economic development. The process is described in the flow chart below (Exhibit 35).

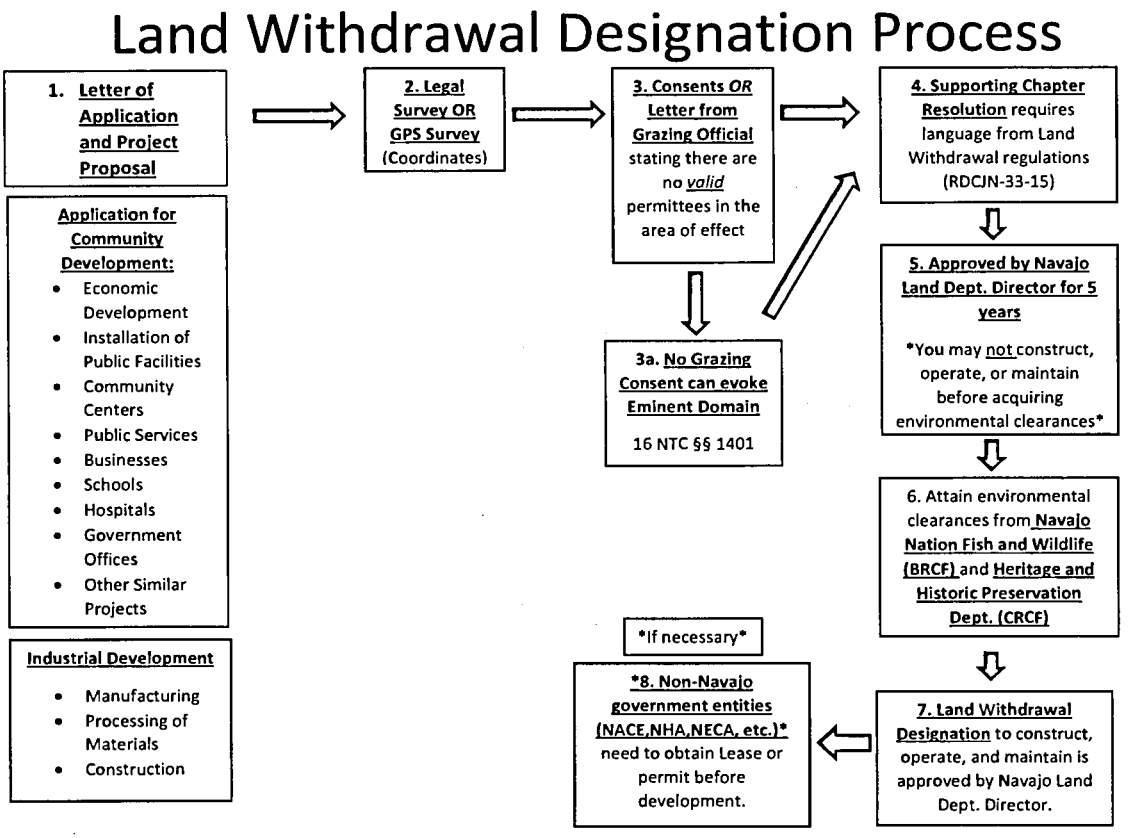
7.5D | PERMITS FOR MISSIONS

The Chapter of Manuelito supports the mission site application process in compliance with 16 N.N.C Subsections 1151-1164, regarding the issuance of permits to missionaries and mission bodies to conduct religious and other related activities on the Navajo Nation.

Recommendation

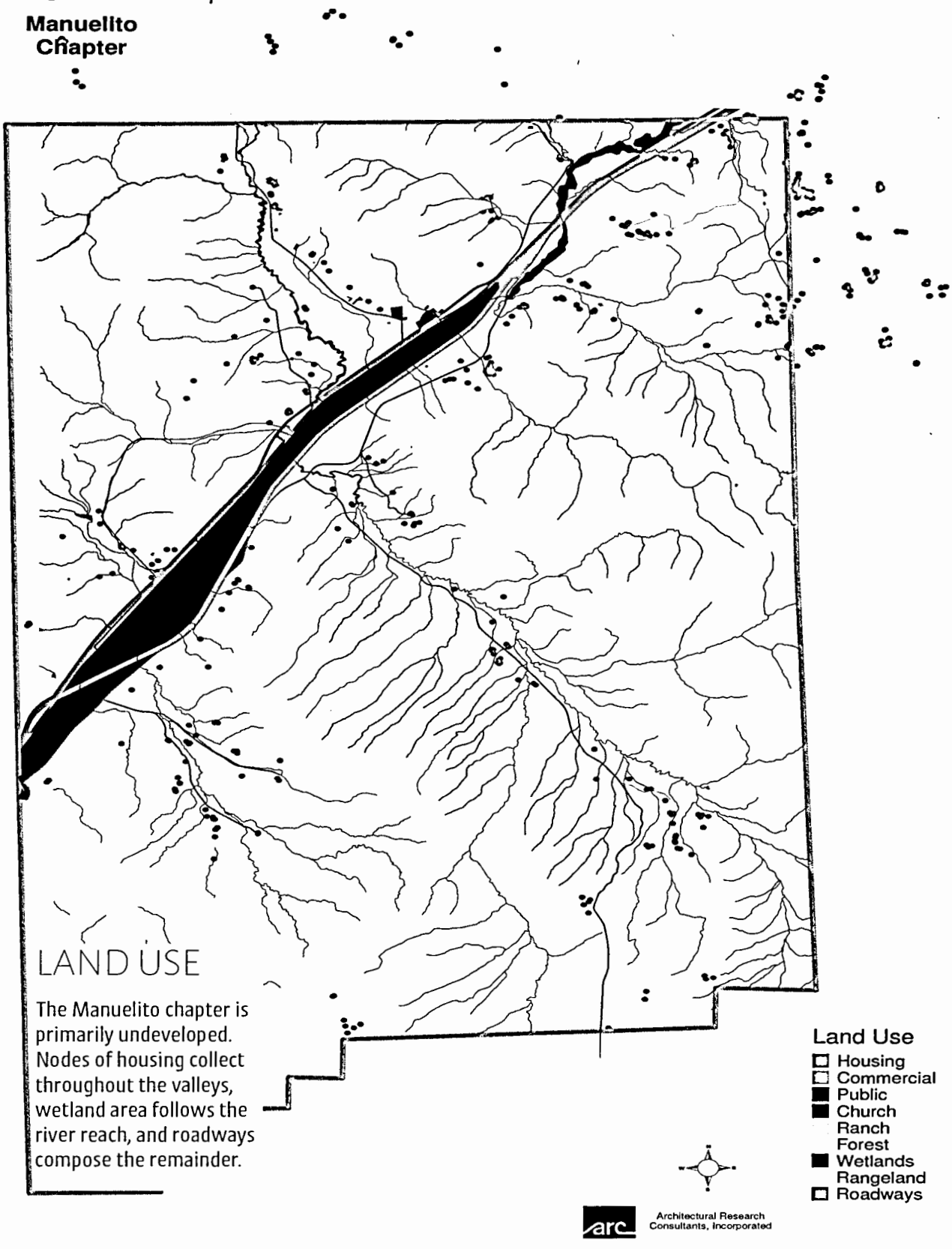
Consider developing, implementing, and enforcing a land use code and development regulations in the future to protect chapter assets and encourage beneficial development.

Exhibit 35: Land Withdrawal Process



Source: http://nnld.org/home/gldd

Exhibit 36: Land Use Map



7.6 | DEVELOPMENT OF A ZONING CODE

In establishing a vision for the community, the chapter may decide that this vision is best realized through the adoption of development codes, including zoning and development standards.

Section 2004 (A) of the LGA enables certified chapters to enact zoning ordinances subject to membership adoption of a community-based land use plan. The zoning code must be consistent with the chapter's community-based land use plan. The LGA also states that the chapter shall be responsible for the enforcement of the adopted zoning ordinance.

The primary purpose of zoning is to divide the community into residential, commercial, industrial, and other districts that are separate from one another; the use of properties should be being reasonably uniform within each district zone. Zoning is a way to assure that adjacent uses are compatible with one another, do not adversely affect a neighbor, help maintain positive community character, and retain a healthy environment. Zoning serves as a tool to guide future development and may motivate community members to be more considerate about the impacts of development activities and uses. Zoning codes vary greatly in degree of restriction or lenience, as suits the needs of the community. All codes need to be enforced, and lack of enforcement devalues codes and can cause confusion.

Requirements and restrictions for each zone typically address the uses allowed in each zone district:

- » Usually a code designates some uses "by right" and other uses allowed by a conditional use permit, which entails approval of use on a case-by-case basis.
- » Restrictions defining minimum lot size, setbacks, and height allowance are mostly typical.
- » Other restrictions include the size of buildings, landscaping requirements, the number of parking spaces in a parking lot, and signage.

The conditional use process may be of special interest to the chapter, as it allows a review of the conditions for particular uses. For example, if an applicant wishes to run an auto repair business from their home in a residential zone, and it is allowed as a conditional use, the applicant should present a proposed plan to the chapter. A planning and zoning commission might set conditions for issues such as hours of operation, noise levels, signage, fire protection measures, and environmental safeguards such as the disposition of used oil.

Most municipalities (cities, towns, and villages) in New Mexico have their own zoning code, but many counties do not. McKinley County has subdivision regulations for the platting of private property but no zoning code.

The chapter should consider developing a zoning code in the long term; however, this is probably not a high enough priority for the short-term future. In most cases, rural areas do not have the same levels of concern as urban areas when considering the compatibility of development with zoning restrictions. Before developing a code, the chapter should determine which uses are of particular concern, who will administer the code, and who will enforce it.

7.7 | COMMUNITY CEMETERY

Resolution of the Resources and Development Committee of the Navajo Nation Council RCD216-99 requests that each chapter designate lands for community cemeteries, including land withdrawal. Part of this plan includes completing the task of selecting a location for a community cemetery.

7.7A | GUIDELINES

A community cemetery must be large enough to allow for all the proper burial rites, per Navajo customs and rituals. The cemetery should be of adequate size to accomodate the number of members who might be buried there in the future.

The chapter will continue to research the burial sites that are scattered throughout the area. These sites should be geolocated or professionally surveyed. Knowing the proper locations would allow utilities and other services to be installed near homes or businesses.

The ensuing maps include the general locations of current burial sites and a potential site for a community cemetery resides on state land just south and west of the NM Port of Entry.

7.7B | ADDITIONAL DISCUSSION: BURIAL SITES & CEMETERIES

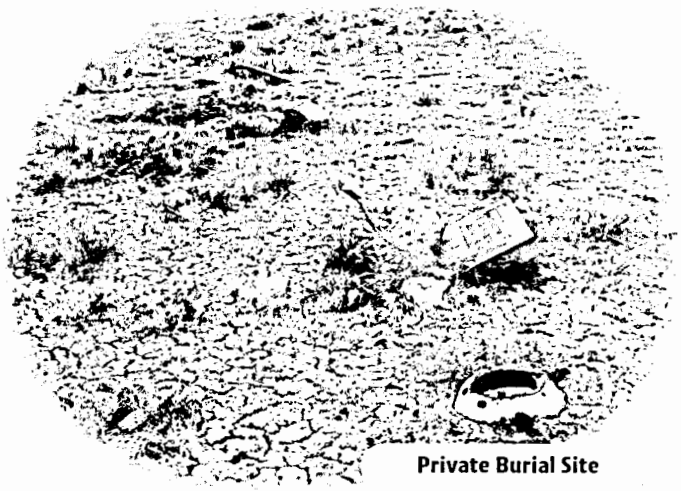
Traditional burial practices have been in place for centuries, but the nation is shifting focus to structure community cemeteries rather than scattered individual or family sites.

Recommendation

The Navajo Nation recommends that land for private cemeteries be withdrawn and fenced. There are policies to identify maintenance responsibilities. The chapter could adopt policy measures outlining procedures and responsibilities.

Adequate resources and commitments for operations, maintenance, and upkeep should be identified in the initial steps of any project. Ideally, the chapter should set up a permanent fund to ensure responsibilities can be met in the future.

The survey indicates that about half the community supports developing a community cemetery in Manuelito. About 51% of respondents supported the development of a community cemetery, and 42% reported they would not suport the development. The remaining percentage failed to respond, indicating that people did not have enough information or enough concern about the project to share an opinion. For now, the failed responses can be read with the "No" reponses.



Private Burial Site

Diné (Navajo) society is based on harmony and beauty. Issues related to death are treated with the utmost respect in our culture. In harmony with the Diné way of life, we do not talk about or discuss death. We avoid burial sites and do not handle materials belonging to one who is deceased. **—NAVAJO NATION POLICY FOR THE PROTECTION OF JISHCHAA': GRAVE SITES, HUMAN REMAINS, AND FUNERARY ITEMS**

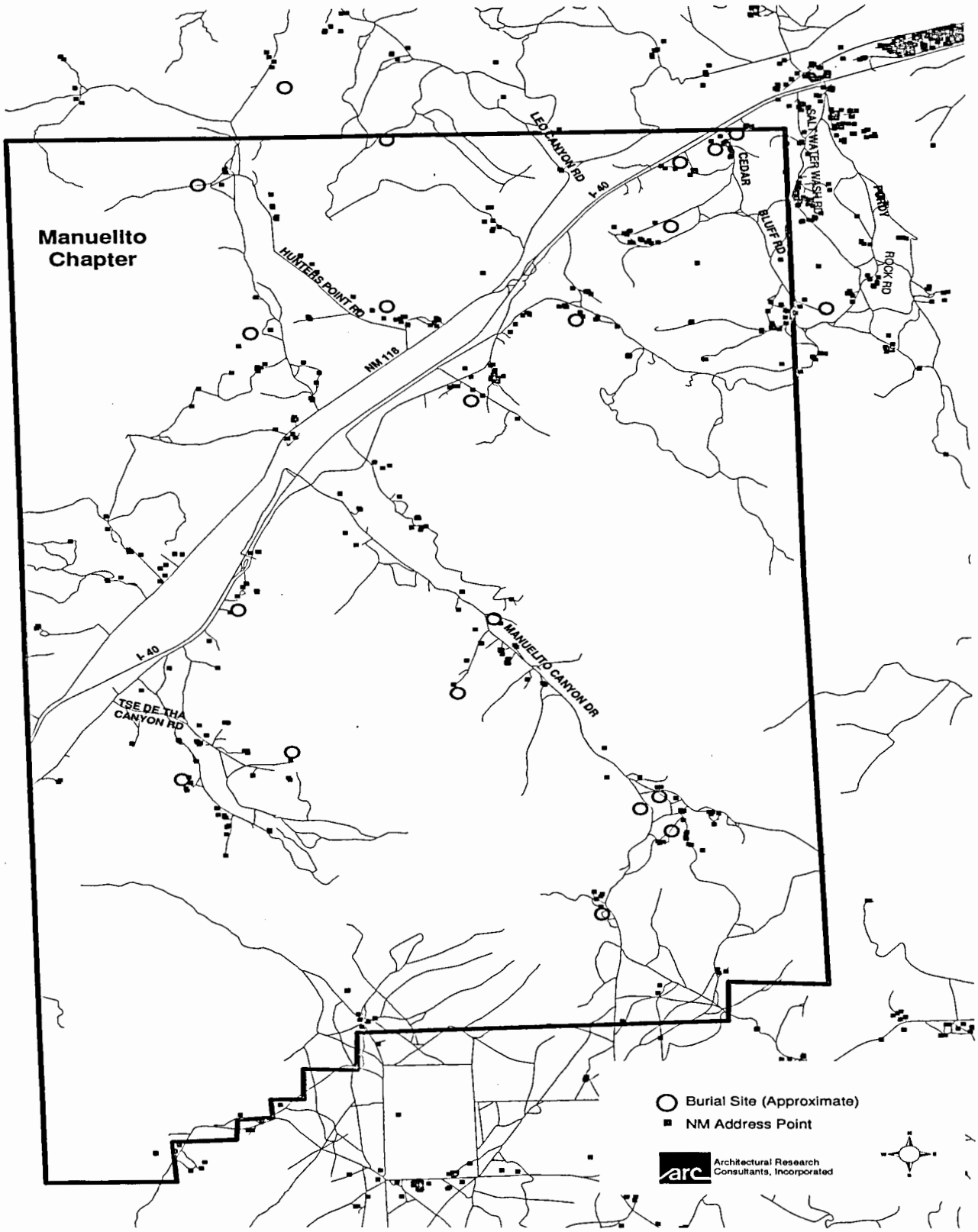
The majority support the community cemetery. The Navajo Nation will likely continue to promote the idea and may even require it in the future.

The chapter should complete preliminary research about the feasibility and cost, in order to understand the real barriers and benefits of developing a community cemetery in Manuelito. This would include identifying a site and understanding acquisition costs, conducting preliminary, cursory environmental analysis to understand impacts, and creating a plan and budget to understand capacity maintenance. Cultural practices provide a specific framework for the activities and practices that will and will not be acceptable at community cemetery sites and for activities that must be accommodated at these sites.

INDIVIDUAL SITES

The preservation of individual burial sites is key. In order to maintain the integrity of existing sites, the chapter will continue to map these sites and retain the information securely. The information will remain at the chapter for reference when identifying locations for development.

Exhibit 37: Burial Sites Map



7.8 | FUTURE DEVELOPMENT: SITE SELECTION

The following sites might be appropriate for acquisition, community development, or economic development. Uses to consider may include recreation, community facilities, events or activity grounds, and other uses beneficial to the community of Manuelito.

This initial site review identifies several sites may be acquired, are over ten acres, and have access to transportation routes.

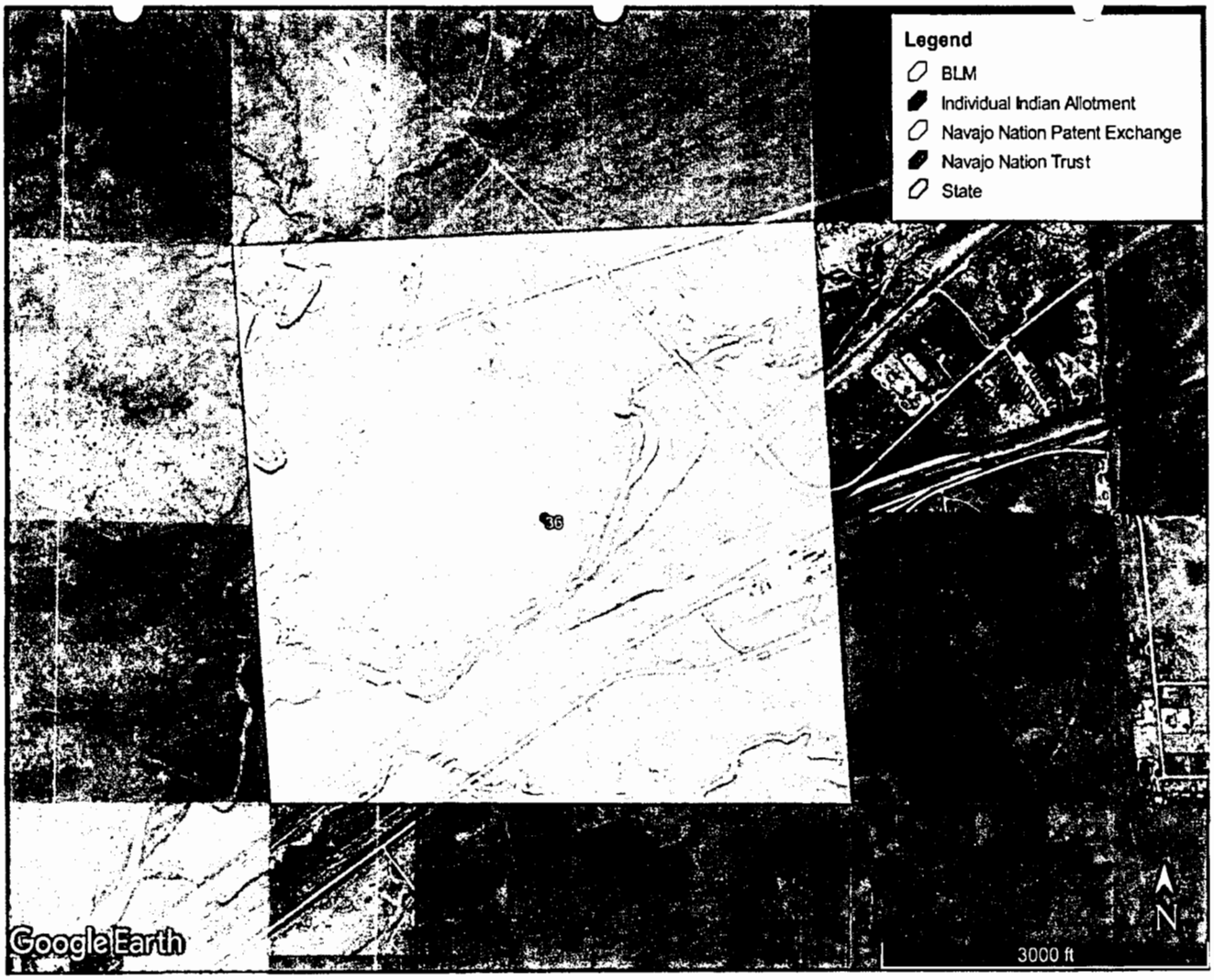
1. **Option 1** is an area south of I-40 at the Manuelito exit. The location is approximately 60 acres of private land. The complete parcel is 220 acres, and I-40 runs through the parcel. The chapter considered acquiring this 59.62-acre site.
2. **Option 2** is an area south of the NM Port of Entry. It is approximately 70 acres that belong to the State of New Mexico. The Manuelito chapter discussed acquiring this land from the state to develop as a cemetery.
3. **Option 3** is the state-owned land 1.25 miles west of the NM Port of Entry on the south side of Rocky Point Road. It is approximately 11.5 acres. There is a residence and corral in the southwest corner of the site, which is not included in the 11.5 acres. A burial site is also somewhere on the property. There are approximately 18 acres of tribal land east of the site.
4. **Option 4** is 18 acres of state-owned land two miles west of the NM Port of Entry on the south side of Rocky Point Road that could support a transfer station.

The chapter may consider any of these for additional research to review zoning, compatibility of uses, potential for environmental impacts and nuisance issues, and transportation access. Research can also include cost and availability of the land for acquisition and use by the chapter to develop as a transfer station or other waste management site, should the opportunity and resources become available.

If a partnership is brokered, the partner entity may have a more suitable site outside of Manuelito that could be used.

Exhibit 38: Four Possible Locations

Exhibit 39: New Available Land



7.8A | NEW AVAILABLE LAND

The State of New Mexico recently conveyed a section of land to the tribal government. This area contains a portion of the port of entry and weigh station, which are both operated by the state. The southern portion of the land is the previously mentioned Option 2. However, the northern portion includes 340 acres of land available for development. This area also contains the plot of land proposed for the joint venture with the Chapter of Tse Yah Toh. However, it recently came to light that this portion of land is all considered floodplain, meaning it cannot be developed. The chapter will have to seek out other options.

OPEN SPACE

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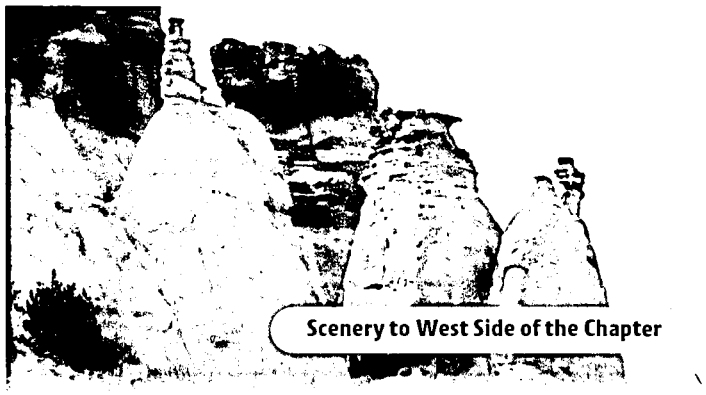
8.1 | OVERVIEW

The land is a vital part of the community, and protecting it for the enjoyment and use of future generations is a high priority. To provide guidance for doing so, this chapter outlines areas to prioritize for protection. There are several recommendations listed on how to begin developing an open space network, which will enable the community, as well as visitors, to safely enjoy and appreciate the land within the Manuelito Chapter.



Scenery to West Side of the Chapter

8.2 | MAINTAINING A NATURAL STATE

The primary capacity in maintaining and protecting the chapter's land, habitats, important and sensitive places, resources, historic areas, water, and recreational/ open space areas is to identify key geographies that should be prioritized for protective measures. Protections include limiting development, access, disturbance, contamination, or other danger, and working to put protective measures in place. The chapter can take protective measures like purchasing or obtaining the land or working with land owners to secure protective measures, development and mining rights, and land purchases. Many groups and organizations exist for the express purpose of enabling and assisting with efforts such as this and might be worth considering as partners to the chapter.

A short list of potential conservations strategies is provided, and many more potential strategies have and can be developed and implemented with great success. Partnerships are key to such efforts. Teaming up with legal, scientists and researchers, policy experts, lobbying and advocacy groups, and conservation or environmental protection groups can provide a wealth of capacity and assistance in such efforts.

8.3 | GEOGRAPHIC DATA & CONSERVATION

Understanding exactly what assets are, what may threaten them, and how best to protect them requires a detailed understanding of the land itself. GIS databases are an essential and powerful tool for conservation. Throughout this plan, various topics include recommendations concerning the development and maintenance of GIS databases covering a range of topics, and all elements and topics covered under the concept of open space, conservation, and ecological assets should be included in the top priorities.

Some datasets already exist and have informed the development of this and other plans and projects. Much of the relevant data, including a great deal sought for this plan, is fractured across various Navajo Nation, state, federal, county, or private organizations. The databases can be difficult to track down, access, or obtain. Continuing to amass, expand, and utilize the data should remain prioritized.

8.3A | CONSERVATION MEASURES

PARTNERS IN CONSERVATION

The New Mexico Forest and Watershed Restoration Institute (NMFWRI), a publically funded organization dedicated to watershed management, is the primary partner recommended for contact by this plan. NMFRWI is available to provide, at no cost to the chapter, assistance in training and developing GIS capacity. More detailed can be found in recommendations in the Land Use section.

The Native Land Information System (NLIS) exists to compile, consolidate and visualize data and information that Indigenous peoples of North America need to protect their lands and resources and plan for the future. A partnership with NLIS would help with the Open Space Plan and utilizing GIS to support sustainable planning and conservation efforts.

Conservation Tools

- **Conservation easements**
- **Purchase development rights**
- **Bargain sales**
- **Land donations**
- **Conservation subdivisions**
- **Reserved life estates**
- **Stewardship programs**

8.3B | AREAS FOR PROTECTION

Certain datasets and categories rise to the top as key information in considering land protection measures. The chapter should prioritize the following categories for identification, documentation, and mapping to identify conservation and protection; these are key features for understanding policies, designations, restrictions, potential for development, conservation, ecological functioning, and other practical land matters.

Categories that have been identified for consideration of conservation or other protective measures include:

- Ecologically sensitive areas
- Valleys
- Water sources and wetlands
- Culturally significant areas
- Agricultural areas
- Grazing areas
- Areas with flood/ erosion risk (slopes, riparian areas, washes, etc.); see Exhibit 40
- Grazing and agriculture area

Exhibit 41 shows grazing capacity within the chapter. Grazing capacity has been classified as 110 acres per animal unit equivalents throughout the chapter with the exception of the band along the Rio Puerto where 160 acres per animal unit equivalents is necessary.

This number expresses the number of acres required to maintain one animal unit year-long under average rainfall and management conditions.

Exhibit 40: Animal Unit Chart

Animal Unit Equivalents	
Cow	1.00
Weaned Calf	0.60
Yearling 12 to 17 months	0.70
Yearling 17 to 22 months	0.75
Two-year-old 22 to 32 months	0.90
Bull	1.25
Horse	1.25
Mature Ewe with Lamb	0.20
Weaned Wether	0.17
Ram	0.20
Doe Goat with Kid	0.17

The plan includes maps covering categories listed above that were available at time of printing. The map are available for reference and should be used to inform decision-making and/ or be evaluated in considerations for protections from development. Maps span across this planning document, as well as in the digital library.

Exhibit 41: Grazing Map

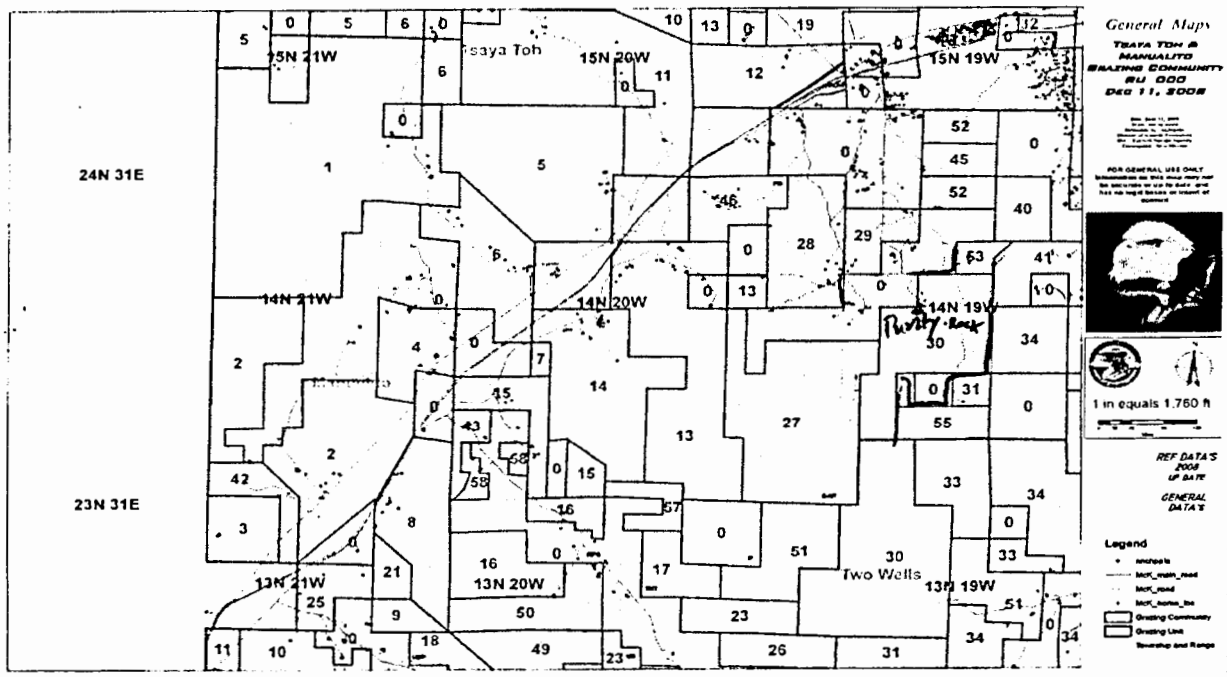
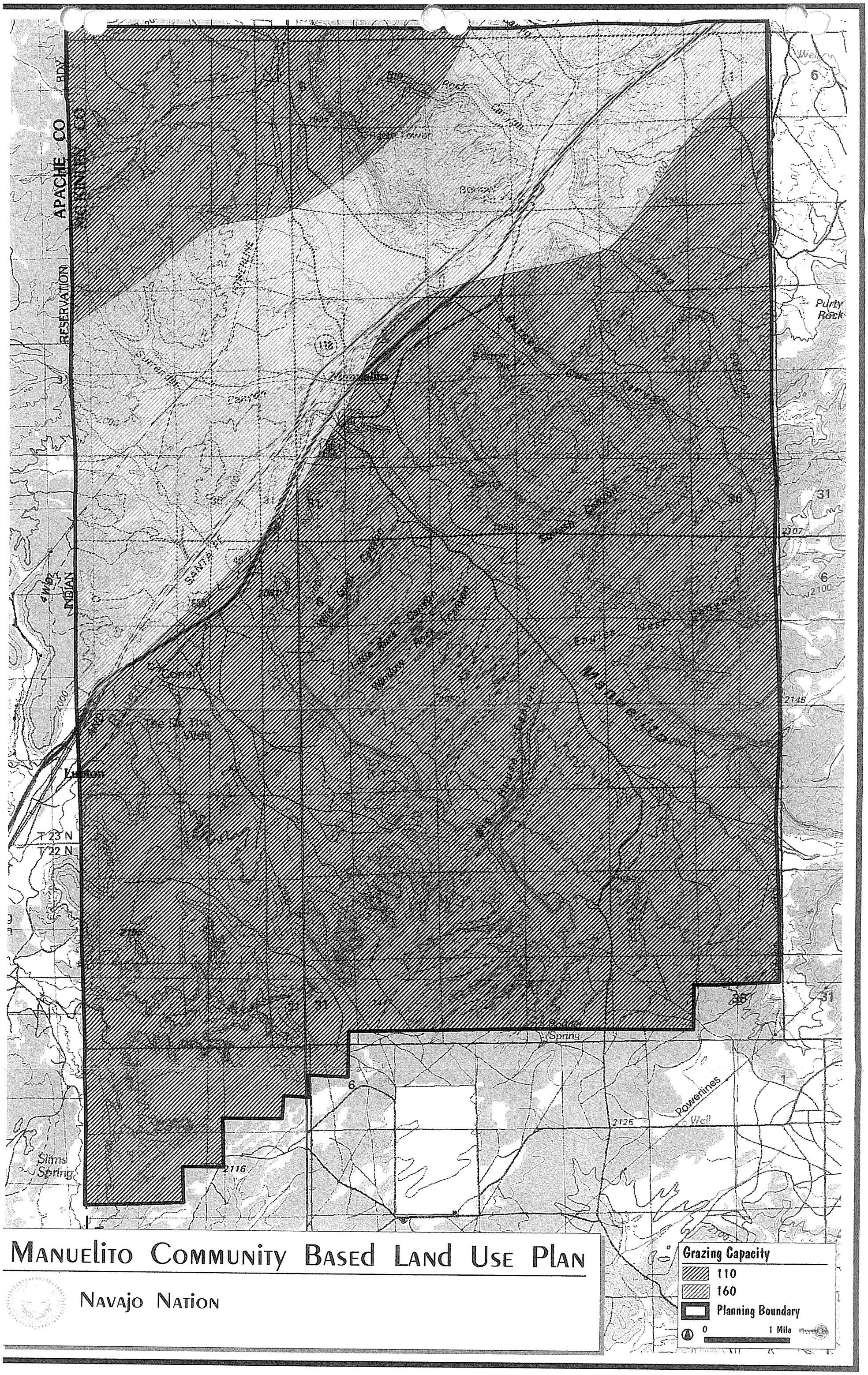
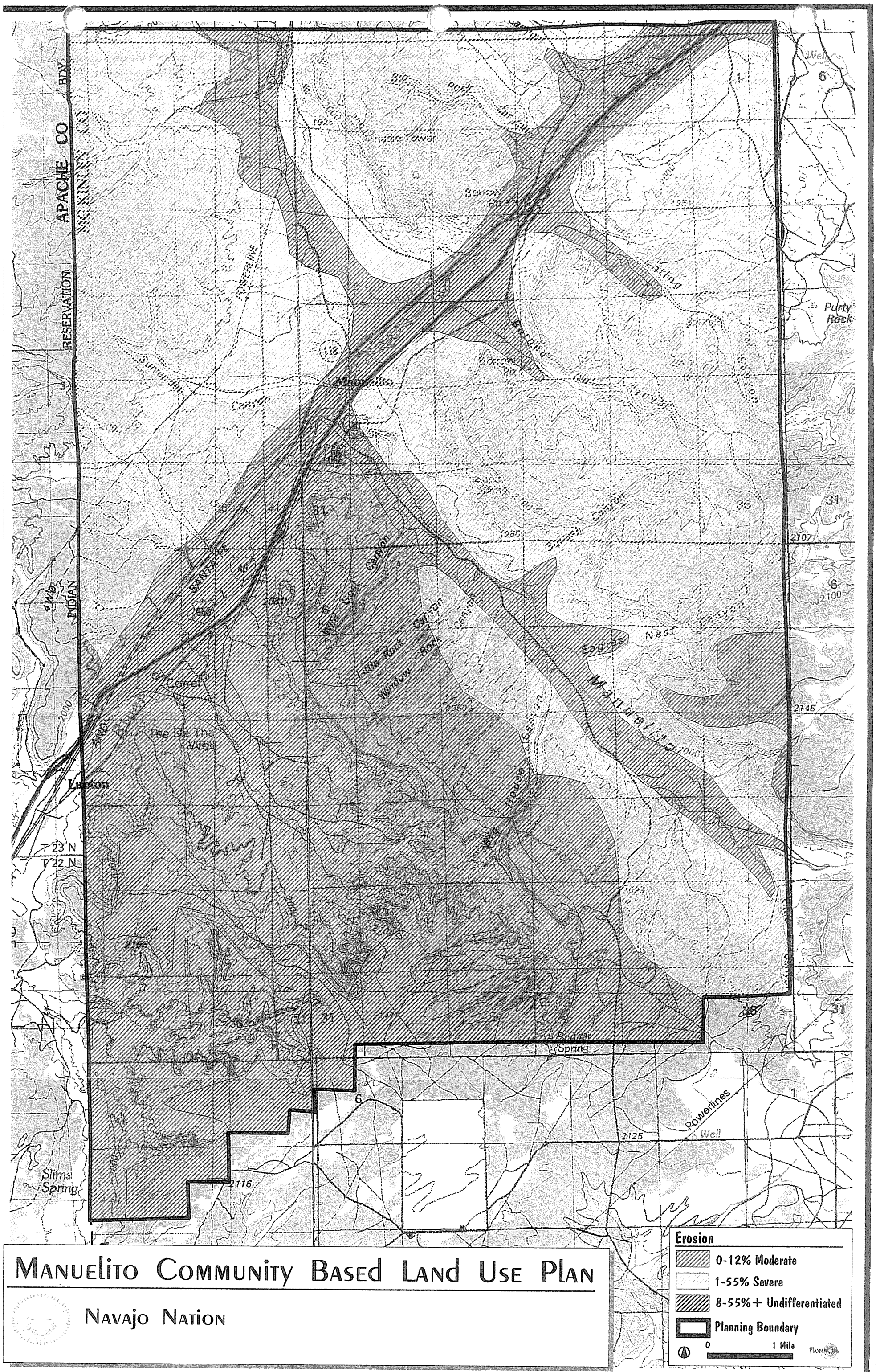


Exhibit 42: Grazing Capacity Map (2004)



Manuelito Community Based Land Use Plan

Navajo Nation



Manuelito Community Based Land Use Plan

Navajo Nation

Exhibit 43: Erosion Map (2004)

Community Sheep Grazing

Categories requiring additional identification:

» **Culturally significant areas**—these include areas where medicine men collect herbs and other materials, ceremonial sites, and any other culturally significant sites. These areas are not currently mapped. Access to the sites and the location of the sites should remain restricted, as part of the culture and traditions of the people of Manuelito. However, the sites should be documented and kept on record with chapter officials. Then the appropriate chapter representatives can access records as needed, like in the consideration of the location for planned development. This information should be included in GIS mapping efforts (see Land Use).

The importance of the use of the data, as appropriate, to inform decision making and planning efforts should be an explicit primary purpose of the data.

Existing information and land designations establish certain protected areas already, including areas identified by the Navajo Fish and Wildlife as sensitive ecologies (see Exhibit 39). These areas are restricted with regard to development and use and should be noted in any consideration of potential development plans.

8.3C | STRATEGIES FOR PROTECTION

Recommendation

Plan to develop, adopt, and enforce zoning ordinances including protective measures for the sites listed in this chapter and development standards designed to ensure ecological sustainability.

In order to fully protect these areas, zoning, development standards, or trusts should be set up and enforced. This solution is not in the immediate future, so the chapter should consider the following alternate solutions.

Recommendations: Alternate Solutions

Adopt a resolution that advocates for the chapter to purchase all available land as it becomes available.
Adopt a resolution that prioritizes the chapter purchasing all sites identified for protection,
Continue to review locations for protection when prioritizing which development projects to support.

Exhibit 44: Wildlife Areas Map

Area	Title	Description
1	Highly Sensitive	Contains the best habitat for endangered and rare plant, animal, and game species
2	Moderately Sensitive	Contains a high concentration of rare, endangered, sensitive and game species occurrences or has a high potential for these species to occur
3	Less Sensitive	Contains a low, fragmented concentration of species of concern
4	Community Development	Contains no support for habitat of species of concern where development can proceed without further biological evaluation
5	Biological Preserve	Contains excellent, or potentially excellent, wildlife habitat
6	Recreation	Contains wildlife that involves consumptive and/or non-consumptive uses of wildlife resources, and is often part of a broader outdoor experience such as fishing lakes, camping and picnic areas, and hiking trails

8.4 | RECREATIONAL PRIORITIES

The chapter's primary priority is to develop a walking trail with options for exercise equipment. The preferred route for the trail will lead from the chapter house up to the north by the water tank. The trail can serve as the first leg of a future trail network leading throughout the chapter and linking into the larger regional trail network.

The map on the following page illustrates these options.

8.4A | RECREATIONAL USES

The community identified its priorities for recreational developments. Exhibit 13 details the community survey results to analyze current recreational activities and the types of recreation desired by chapter members.

Additional discussion of trails, including sight-seeing trails and trail networks is included in the Community Infrastructure section of this plan.

Exhibit 45: Recreation Survey Results

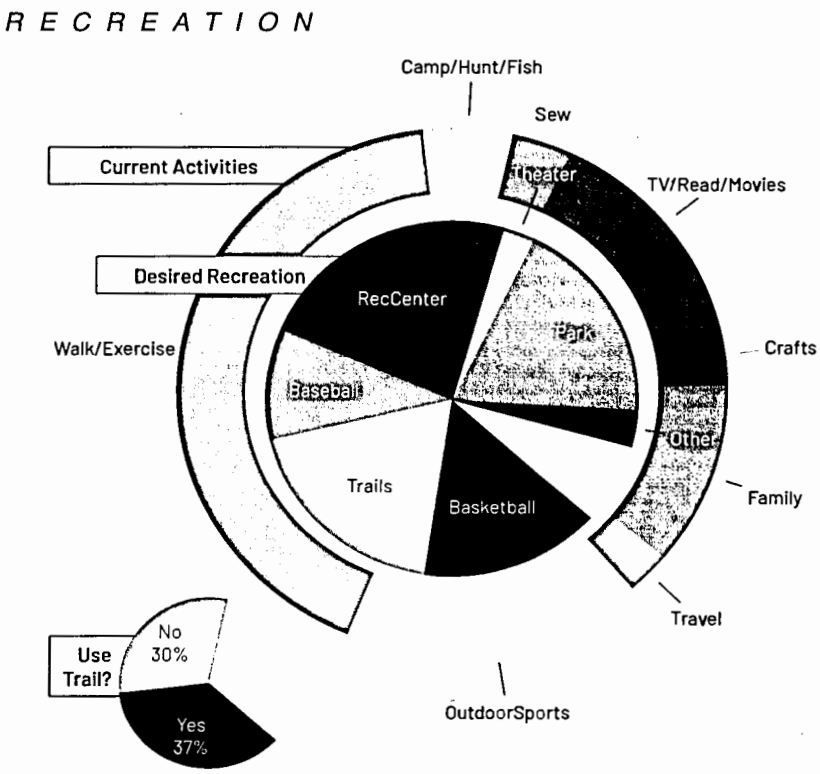
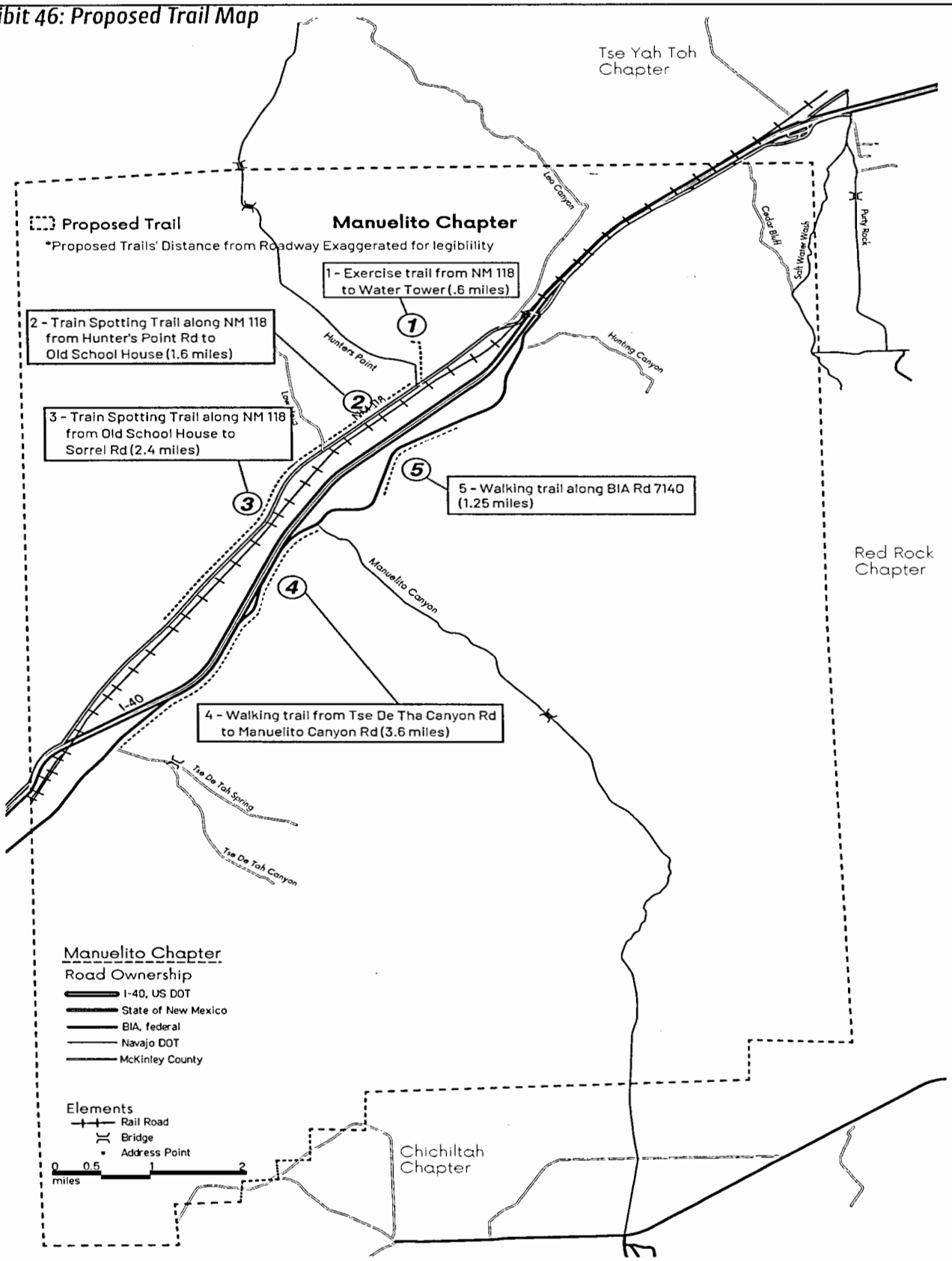
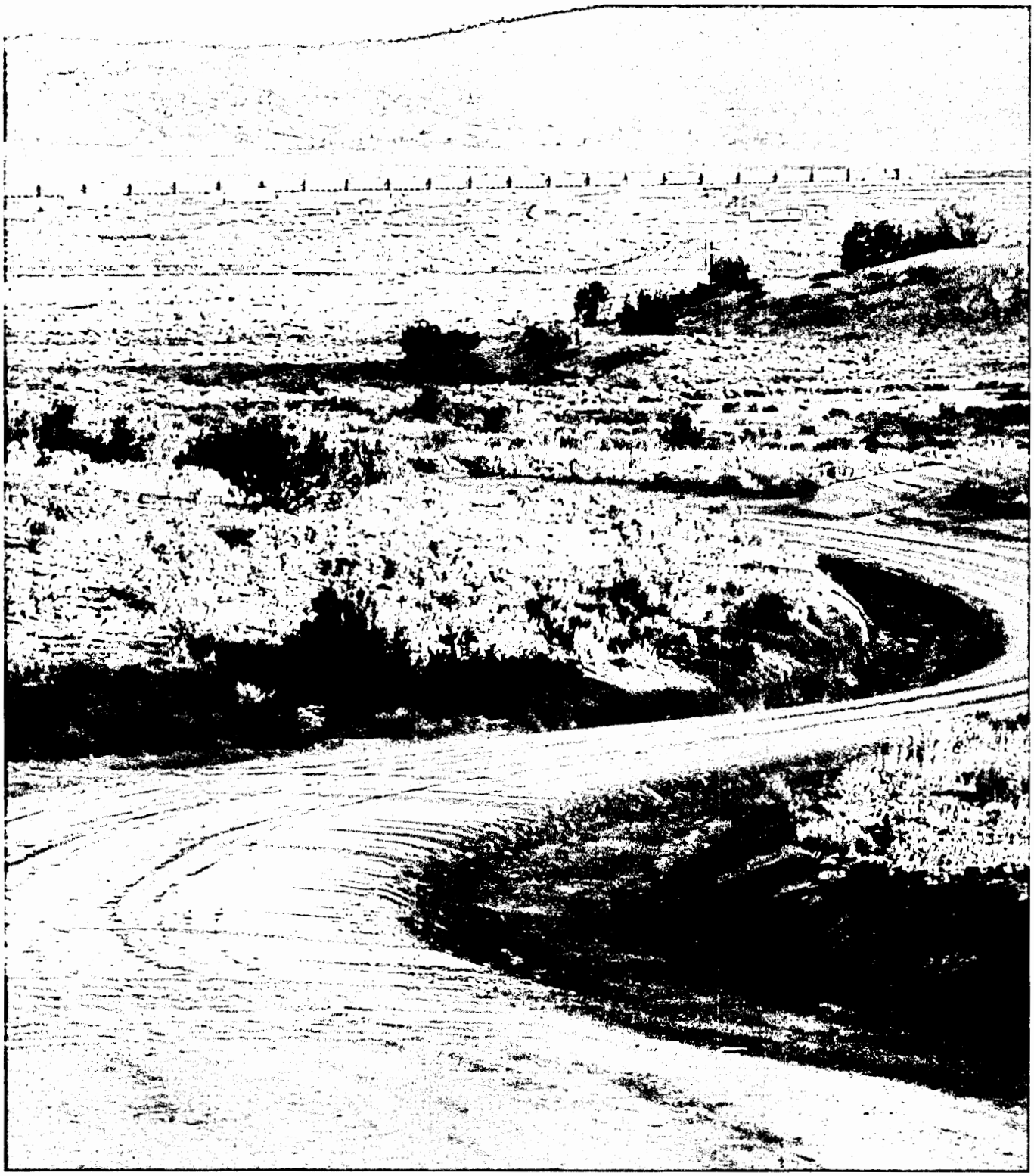


Exhibit 46: Proposed Trail Map





THOROUGHFARE

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9.1 | OVERVIEW

The Thoroughfare Plan guides improvements and any expansion of the multimodal transportation system for current and future needs. The transportation system consists of roads for vehicular traffic, bicycle lanes and trails, sidewalks, buses or commercial and shipping routes for transit.

The transportation system is pivotal to the chapter's economic development, providing access for commercial development in the chapter for residents and travelers passing through the chapter, as well as access to nearby goods, services, and employment. Roads are also key to any cultural tourism or light manufacturing the chapter decides to pursue. Maintained roads are also important for access to homes. Road rights-of-way (ROW) or easements allow for utilities.

Safety, efficient routing for motorists and emergency service providers, energy conservation, cost factors and community character are all major concerns in transportation planning. The Thoroughfare Plan is closely related to the Land Use Plan in facilitating the land use pattern served by roads.

9.2 | AUTHORITY

Many jurisdictions take part in improving and maintaining roads in the chapter. At this time, BIA maintains paved roads designated as BIA routes. NNDOT plans to assume BIA's responsibilities in the near future. NNDOT currently maintains unpaved roads designated as NNDOT roads. It plans to chip-seal or pave some NNDOT roads by priority, particularly the 15-mile regional routes. McKinley County maintains county roads, a mix of both paved and unpaved roads. The county is best equipped for snow plowing, having machinery available at a closer location. The New Mexico Department of Transportation (NMDOT) is responsible for maintaining and improving NM-118 as well as executing maintenance and management of federal I-40 through the chapter.

The agencies coordinate through regular meetings. For efficiency, they periodically swap roads. Continued improvements in coordination between the different road management agencies and communities would allow these various agencies to deliver more effective services to residents and businesses served by the road system.

Road in Manuelito

9.2A | TRANSPORTATION PLANNING

Each agency responsible for its respective roads conducts transportation planning; as mentioned, the various agencies cooperate with one another. For example, when the McKinley County Roads Department convenes a roads forum, they regularly invite all transportation providers, chapters, and others to receive information and discuss project development, ROW dedication, and other processes. Manuelito will try to remain up-to-date about various planning processes so that it can participate in planning and project programming that affects the area and to better advocate for projects related to the chapter.

TRANSPORTATION PLANS

The NMDOT maintains the Statewide Transportation Improvement Plan (STIP) as a means to program transportation improvement projects on state and U.S. highways across the state. The NMDOT organizes the information by districts. McKinley County is in NMDOT District 6, headquartered in Milan. The Northwest New Mexico Council of Governments (NWNMCGO) is the designated Regional Planning Organization (RPO) to advise the district engineer on transportation improvement projects. The NNDOT also conducts long-range planning and programming.

NMDOT is currently conducting a corridor study for I-40 to identify priority improvement projects. Exit 8, the exit leading to Manuelito chapter, should be prioritized for improvements and repairs, but not replacement.

9.3 | STATUS

The map on the following page provides the ownership of all roads in the chapter and highlights areas slated for improvement projects in the coming years by the county. This map serves as a ROW map as well.

Exhibit 47: Roads & Bridges with Road Ownership Indicating ROW Control

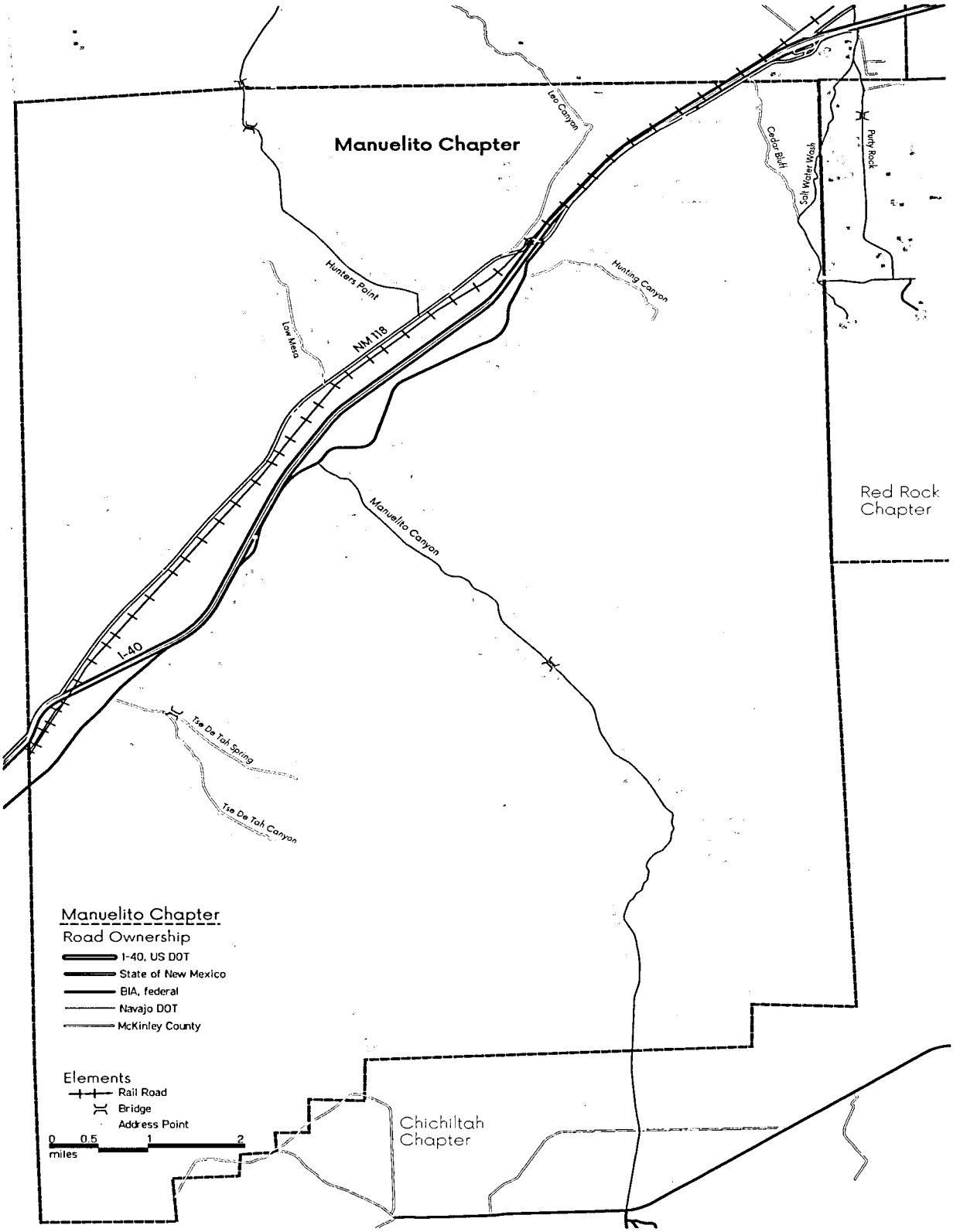
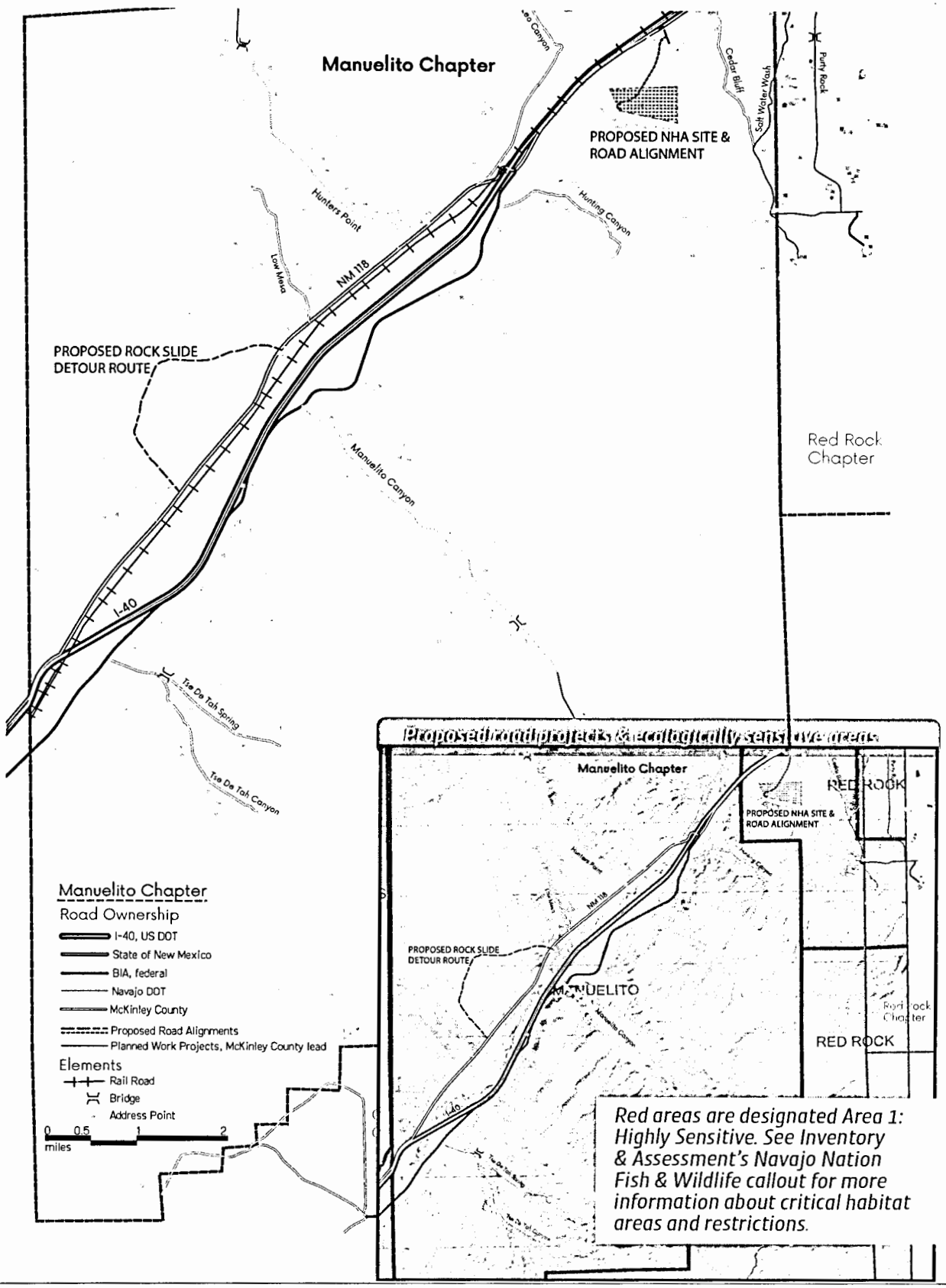


Exhibit 48: Proposed & Planned Road Projects



Red areas are designated Area 1: Highly Sensitive. See Inventory & Assessment's Navajo Nation Fish & Wildlife callout for more information about critical habitat areas and restrictions.

Exhibit 49: Manuelito Roads

MANUELITO ROADS

CLUPC IDENTIFICATION OF ROADS ON JUNE 28, 2019

ROADS	ASSIGNED #	MILES	COUNTY/NDOT MAINTENANCE	LAND STATUS	ROW COMPLETED?	BRIDGES	ROADS IDENTIFIED AS SAFETY, ECONOMIC DEVT. & BUS ROUTES	GEOGRAPHIC AREA
White Family Rd.	N7512	5	NDOT	Mix	NO			Branch off of Hunters Point Road
Hunting Canyon Rd.	N7513	2	NDOT	TT	NO			
Sky City Rd.	N7511	3	NDOT	TT & BLM	NO			
Sand Springs Rd.	N7517	3	No maintenance by NDOT	TT	NO			
Begay/John Family Rd.	N7058/ N7061	3	No maintenance by NDOT	Mix	NO			Manuelito Canyon Rd.
Elsie Cowboy Rd.	N1105	.5	NONE	AL	NO			Purty Rock
Leo & Christine Arviso Rd.	N7522	5	NONE	TT	NO			Near NM/AZ State line
Mary Hosteen Rd.	N1106	.5						Purty Rock
Low Mesa Rd.			COUNTY	TT	NO			
Manuelito Canyon Rd.			COUNTY	Mix	YES	2	BUS ROUTE	
Tse De Tah Rd.			COUNTY	Mix	NO		BUS ROUTE	
Hunter's Point Rd.			COUNTY	TT	NO	3		
Leo Canyon East Rd.			COUNTY	Mix	NO			
Blue Eye Hill Rd.			COUNTY	AL	NO			Spencer Valley
Cedar Bluff Rd.			COUNTY	AL	NO			Spencer Valley
Salt Water Wash Rd.			COUNTY	AL	NO			Spencer Valley
Saddle Ridge Rd.			COUNTY	Private	NO			Spencer Valley
Road to Duboise Family			NONE	Private	NO			
Purty Rock Rd.			COUNTY	Mix	YES	1	BUS ROUTE	

9.4 | RIGHTS-OF-WAY (ROW)

ROW and easements are mapped legal documentation that show the road alignment, the width of the road, and the surrounding land that one of the public agencies is responsible for. Unfortunately, many roads on Indian trust lands do not have designated ROW or easements. Acquiring ROW for existing roads is often difficult and potentially expensive, and therefore the chapter has not rigorously pursued acquiring ROW.

> A right-of-way is a right or privilege granted by the commissioner to pass over, upon, through or across a defined area of trust lands for a prescribed purpose and time. This right of way can be issued as a road, pipeline, telecommunication or electrical

The lack of ROW makes it difficult to install or maintain utilities, as discussed in more detail in the Utilities portion. ROW or easements should have space for a utilities corridor, to account for the installation of various above- or below-ground utilities. In addition, underground utilities should have signs marking them, and grader operators should call 811 to avoid damaging utilities in ROWs

The BIA prioritized acquiring ROWs or "implied" ROWs for major paved roads. Bar ditches at the edges of the road demarcate the width of the rights-of-way, typically from ditch to ditch.

Easements and ROW access is essential for development and understanding the requirements.It is essential to work with the entities responsible for ROWs.

Tracks and ROWs from the BNSF Railroad run through the chapter. Originally constructed in the late 1800's, the railway remains in use, carrying material and passengers through the chapter multiple times a day.

For a typical 100-foot ROW, with a single operating track located in the center, the required minimum width is often an 8.5-foot safety clearance on either side of the centerline or a total width of 17 feet minimum for the operating track, which is generally required to be kept clear.

The railroad may own some portions of the corridor outright, while it may only have the right to use other portions without possessing ownership. Determining actual ownership requires a title search.

Recommendation

The chapter plans to convene a workshop including all entities with roads in the chapter to discuss right-of-way issues and begin to work out solutions. Solutions may include reallocation of ownership, acquiring easements without full ownership, or other solutions to enabling access for utilities, passage, maintenance, or other necessary activities.

9.5 | TRANSPORTATION AND DEVELOPMENT

New development, as noted in the Land Use section, should be located with adequate access to roads. This holds for true for new housing, and the NHA maintains its own standards for access. This includes access to two roads leading from housing developments out. This is the current matter to address in the process of developing a new housing project in Manuelito. A second road is needed for access to the proposed site (shown above). The preferred route (above) recently received a survey of the area, indicating that the project is moving forward. Once addressed, this secondary access should meet requirements for NHA housing.

For additional context placing the project, see chapter transportation projects map on the facing page.

9.5A | IMPROVEMENTS/ FUTURE PROJECTS

The NMDOT maintains a network of roads designed to function under a range of circumstances, including emergencies. The frontage road (NM-118) running through the chapter, parallel to I-40, must function as an alternate route for interstate traffic when I-40 is closed due to storms or accidents. The road needs to maintain existing capacity (such as in lane number and width) to carry rerouted interstate traffic. This limits the potential redesign options available to the route. And during those rerouting events, traffic will be more congested, straining local road capacity and impeding regular travel. These do not pose an immediate concern to the chapter at this time.

A regular site of rock slides, an area along NM-118, south of the old school, is a candidate for needing a relief or alternate route. The preferred route would create a path going up and over the hill on which the rock falls originate. The route is illustrated on the adjacent page, and clearly traverses ecologically sensitive areas for the majority of the proposed route. Archaeological sites along the route pose additional barriers. Either designation carries significant restrictions and/ or requirements.

Exhibit 50: Planned & Surveyed Roadway Alignment to Proposed NHA Housing

Several minor improvement efforts on area roadways are prioritized by the chapter:

- Additional signage and sign replacements
- Erosion control
- Repair potholes
- Upkeep and improvements, i.e. repainting tunnels
- Vegetation trimming

The NMDOT is conducting a study of the corridor to identify priority projects. Among those already identified are improvements to exit 8, the primary exit for Manuelito chapter.

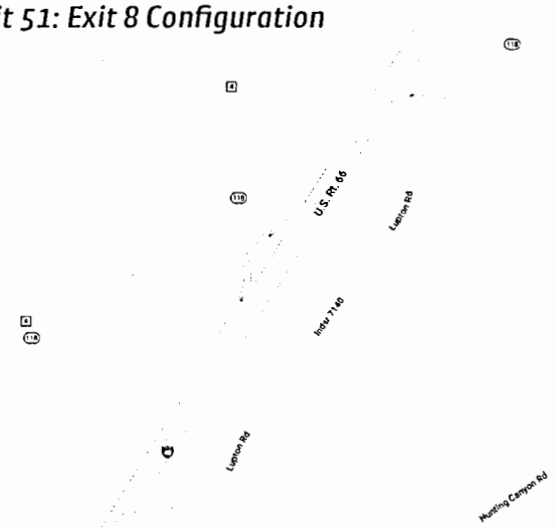
Exit 8 involves an off-ramp allowing travelers on I-40 to exit the interstate into NM-118. The exit is older, and the design involves short ramps and sharp turns that were designed for slower speeds. It also involves a box culvert under the interstate. The structure is slated for repairs under the corridor study but not replacement.

The exit design is a deterrent to economic development, neither being conducive to shipping transportation nor attractive to passing travelers. So, this will remain an obstacle for the foreseeable future, and strategies for economic development must work around the design or try to use it as an advantage if possible.

Recommendation

Work closely with transportation project managers to ensure timely progress and appropriate designs for transportation improvements and projects affecting the chapter.

Exhibit 51: Exit 8 Configuration



9.6 | MAINTENANCE & ACCESS

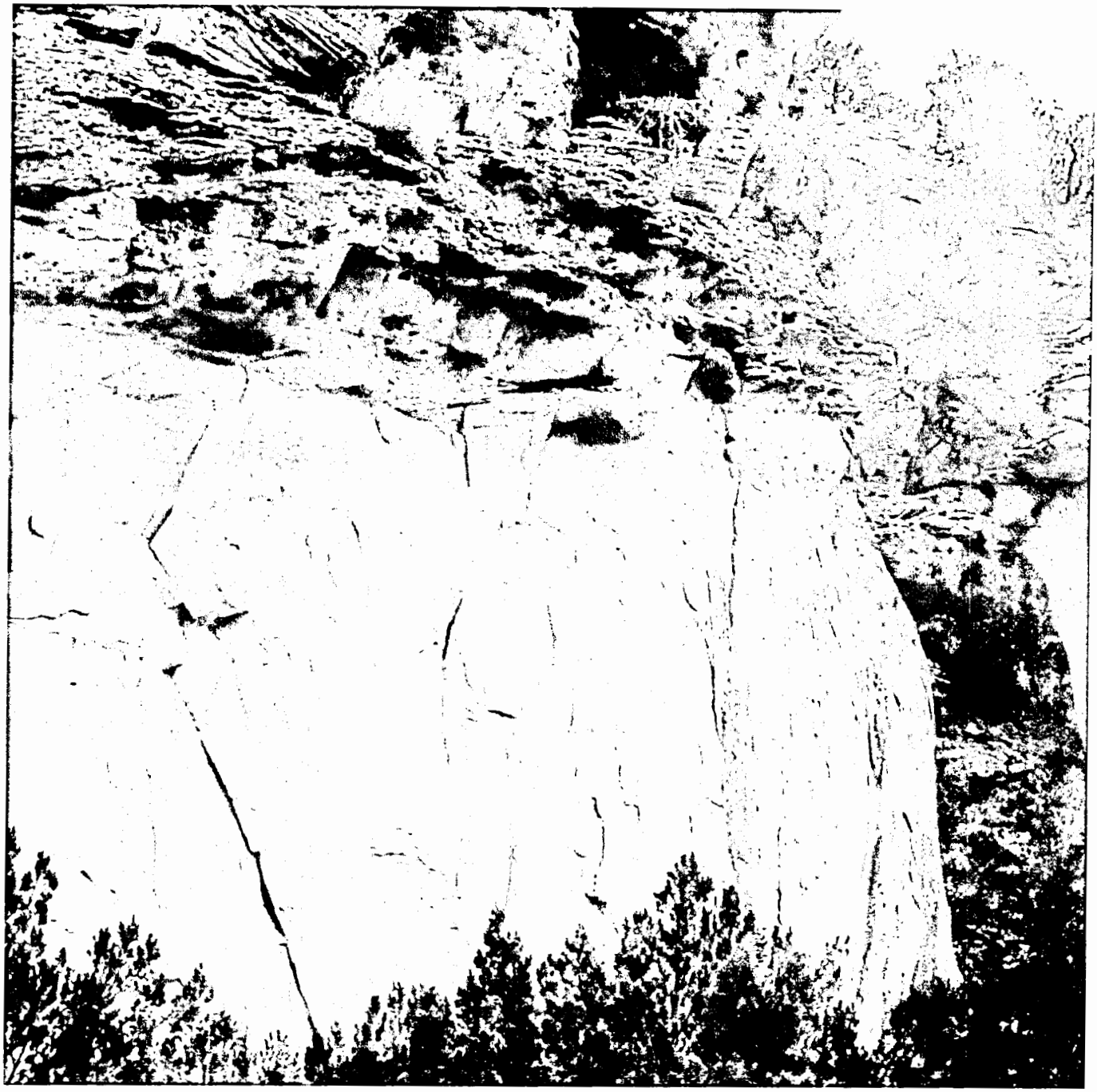
Having a clear understanding and documentation of road ownership, ROW permissions and requirements, maintenance responsibilities, schedules, protocols, contacts, planned projects and improvements, and upcoming and ongoing planning efforts is key for participating in the development and maintenance of roads within the chapter. The chapter should prioritize developing such a resource, while maintaining updated information and participatory relationships with the various road agencies.

This will enable the chapter to make informed decisions and enable proactive decision-making regarding roadways in the chapter.

Recommendation

Convene a chapter transportation committee to:

- ***Research and document the processes and protocols in place with the various agencies to develop and complete projects with listings of requirements, contacts, time frames, and considerations.***
- ***Research and document road ownership, practices, and contacts to serve as a guideline informing the chapter when roadway issues come up.***
- ***Develop and maintain point-persons or positions at each road agency working in the chapter, remain in close contact with them, and stay informed and a participating member in agency planning work to guide roadway decision-making for the benefit of the chapter.***
- ***Consult with regional Council of Governments representatives in development of the document and conducting outreach to secure reliable contacts with whom the chapter can communicate needs, questions, and submit material as needed.***
- ***Keep the document on record for reference***



COMMUNITY FACTILITIES

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10.1 | OVERVIEW

The purpose of this section is to assess public facilities in the chapter and guide long- and short-term strategies that will result in high-quality, well-maintained facilities.

10.2 | CHAPTER FACILITIES

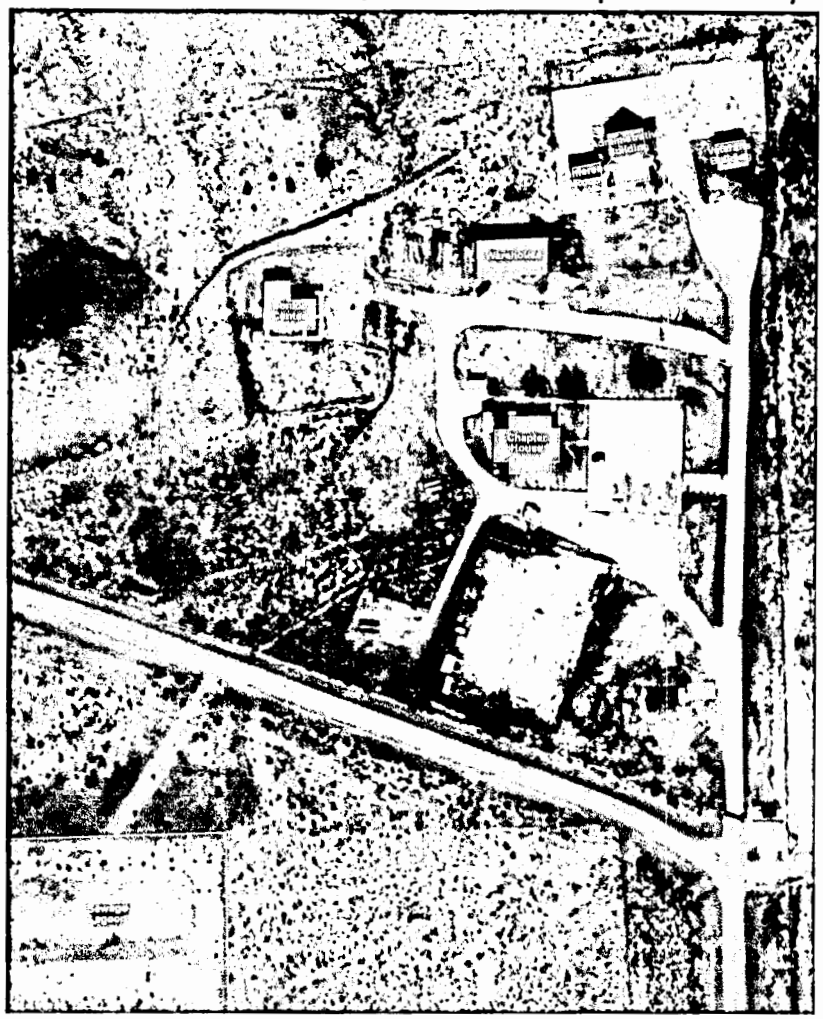
The chapter house site is the only public community facility site in Manuelito. It includes a senior center, a closed daycare center, a warehouse, and a work center. The senior center is slated for replacement, and the daycare center closed during the pandemic.

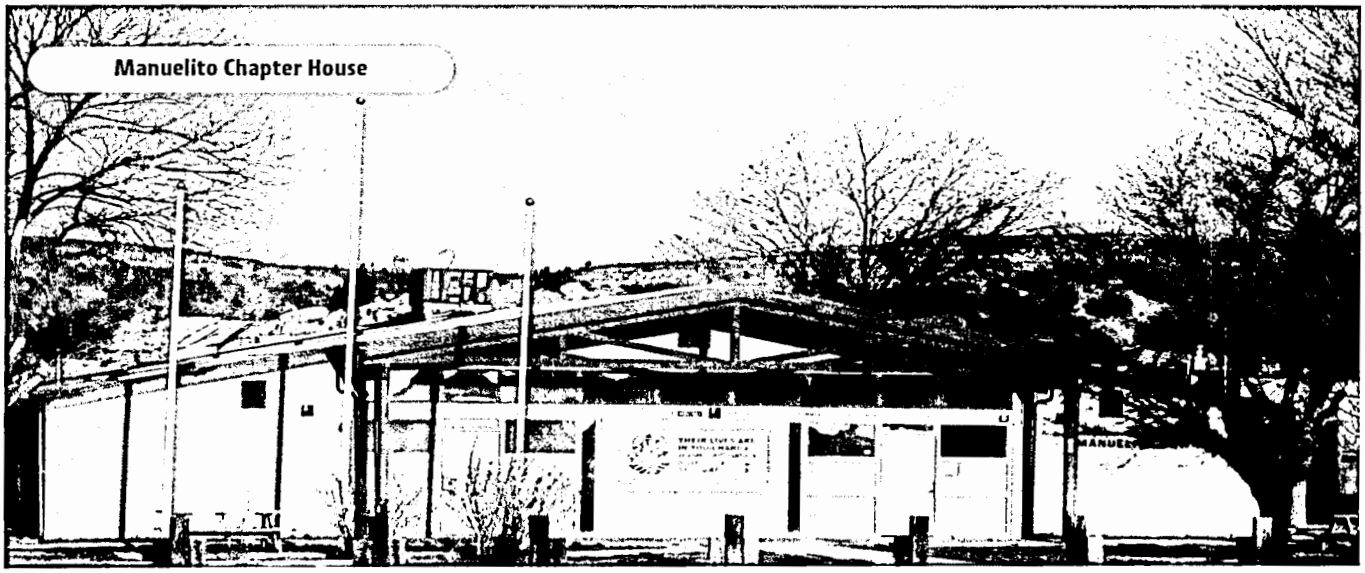
The chapter is planning to develop a new senior center and hopes to build a new warehouse.

Plans to reopen the daycare are not in the works but should be considered as the need and resources to do so may arise in the future.

The diagram to the right illustrates the layout of the chapter house site.

Exhibit 52: Manuelito Chapter House Map





10.2A | PUBLIC FACILITIES

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)

The local government infrastructure capital improvement plan (ICIP) is a planning, which establishes priorities for anticipated infrastructure projects for counties, municipalities, tribal governments, special districts, and senior citizen facilities. The state ICIP is administered through the Local Government Division in the NM Department of Finance and Administration. ICIPs encourage entities to develop and annually update their five-year plan, which they submit to the state. It provides an opportunity for communities to assist and assess any critical needs. Although the ICIP is not a funding source, it does include information in each project for state and federal funding opportunities. *(Source : https://www.nmdfa.state.nm.us/local-government/icip/icip-publication/)*

Acoording to the Division of Community Development, the Chapter of Manuelito does not currently have any ICIPs with the Navajo Nation. The chapter's 2024-2028 state ICIP projects are outlined in the following table. Among these are road, facility, equipment, and recreational projects. The funding for this plan is included in this ICIP as well.

Additional discussion and guidance on maintenance and planning for public facilities is included in the Appendix.

Chapter's Equipment and Mailboxes

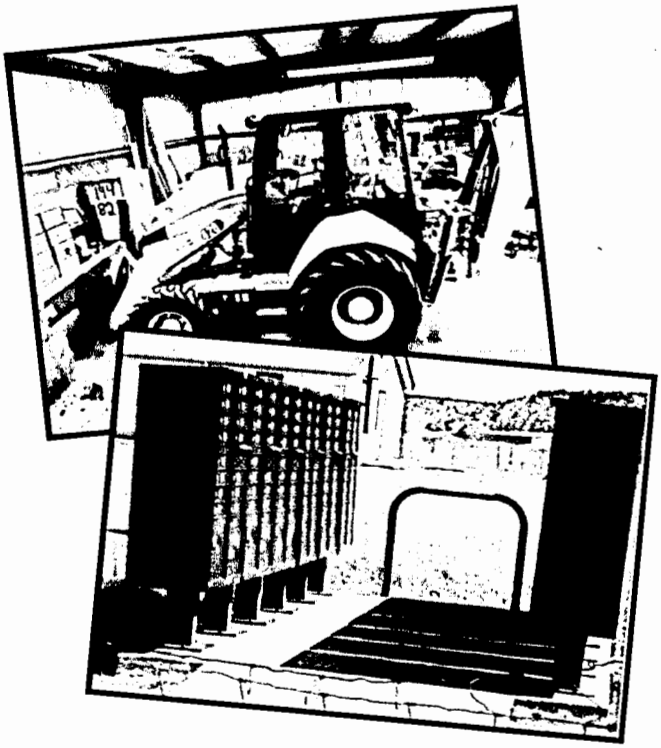


Exhibit 53: Manuelito State ICIPs

Infrastructure Capital Improvement Plan FY 2024-2028

Project Summary

Project ID	Year Rank	Project Title	Category	Funded to date	2024	2025	2026	2027	2028	Total Project Cost	Amount Not Yet Funded	Phases?
Manuelito Chapter / 13015												
9876	2024-001	Manuelito Chp Manuelitu Canyon Road Improvement	Transportation - Highways/Roads/Bridges	3,200,000	900,000	900,000	0	0	0	5,000,000	1,800,000	Yes
10270	2024-002	Manuelito Chp Tsa Da Tah Road Improvements	Transportation - Highways/Roads/Bridges	75,000	825,000	900,000	0	0	0	1,800,000	1,725,000	Yes
11549	2024-003	Manuelito Chp Motor Grader Purchase	Equipment - Other	60,000	240,000	0	0	0	0	300,000	240,000	No
37805	2024-004	Manuelito Chp Master Land Use Plan	Facilities - Administrative Facilities	100,000	100,000	0	0	0	0	200,000	100,000	No
34988	2024-005	Manuelito Chp Renovate Manuelito Veterans Center	Facilities - Other	10,000	238,000	0	0	0	0	248,000	238,000	No
10172	2024-006	Manuelito Chp New Housing Initiative	Facilities - Housing-Related Cap Infrastructure	0	1,150,000	500,000	0	0	0	1,650,000	1,650,000	Yes
26518	2024-007	Manuelito Chp Rocky Point Valley Road Improvement	Transportation - Highways/Roads/Bridges	10,000	105,000	500,000	0	0	0	615,000	605,000	Yes
35583	2024-008	Manuelito Chp New Manuelito Senior Center	Facilities - Senior Facilities	0	590,000	3,000,000	550,000	0	0	4,140,000	4,140,000	Yes
11471	2024-009	Manuelito Chp New Powerline and Housewiring	Other - Utilities (publicly owned)	387,520	150,000	0	0	0	0	537,520	150,000	No
36080	2024-010	Manuelito Chp Chapter Vehicle	Facilities - Other	0	60,000	0	0	0	0	60,000	60,000	No
36081	2024-011	Manuelito Chp Scattered Bathroom Additions	Facilities - Housing-Related Cap Infrastructure	0	60,000	0	0	0	0	60,000	60,000	No
11547	2024-012	Manuelito Chp New Walking Trail	Transportation - Bike/Pedestrian/Equestrian	0	10,000	100,000	0	0	0	110,000	110,000	Yes
11550	2024-013	Manuelito Chapter Administrative Building	Facilities - Administrative Facilities	10,000	240,000	0	0	0	0	250,000	240,000	No
19717	2024-014	Manuelito Chp Scattered Solar Power Installation	Facilities - Housing-Related Cap Infrastructure	0	805,000	0	0	0	0	805,000	805,000	No
21404	2024-015	Manuelito Chp Implement E911 System	Other - Other	0	300,000	0	0	0	0	300,000	300,000	No
Subtotal for Manuelito Chapter			15 projects	3,852,520	5,773,000	5,900,000	550,000	0	0	16,075,520	12,223,000	

Source: https://www.nmdfa.state.nm.us/local-government/icip/icip-publication/

10.2B | MANUELITO VETERANS ORGANIZATION

The Manuelito Veterans Organization (MVO) utilizes a plan of operation, meeting monthly on the second Friday. MVO has 39 Veterans, 36 male and three female, who have served in different military branches. There are 10 widows. The organization provides technical assistance to veterans of all branches and outreach to current military personnel. These services provide educational support, career guidance, health benefits, mental counseling, and financial assistance. The organization works with the Eastern Agency Veterans Administration, providing support for veterans to receive housing and financial assistance to meet basic needs and health benefits. Technical support is available from online resources to enroll for health benefits and apply for financial assistance.

MVO has $250 thousand in funding from New Mexico State Legislative to implement the plan design and construction of a modular building. MVO works with the Navajo Nation Capital Project Management Department (CPMD). The chapter is assisting in advocating for additional funding to complete the capital outlay project.

Scenery in Manuelito

Manuelito Veteran Banner

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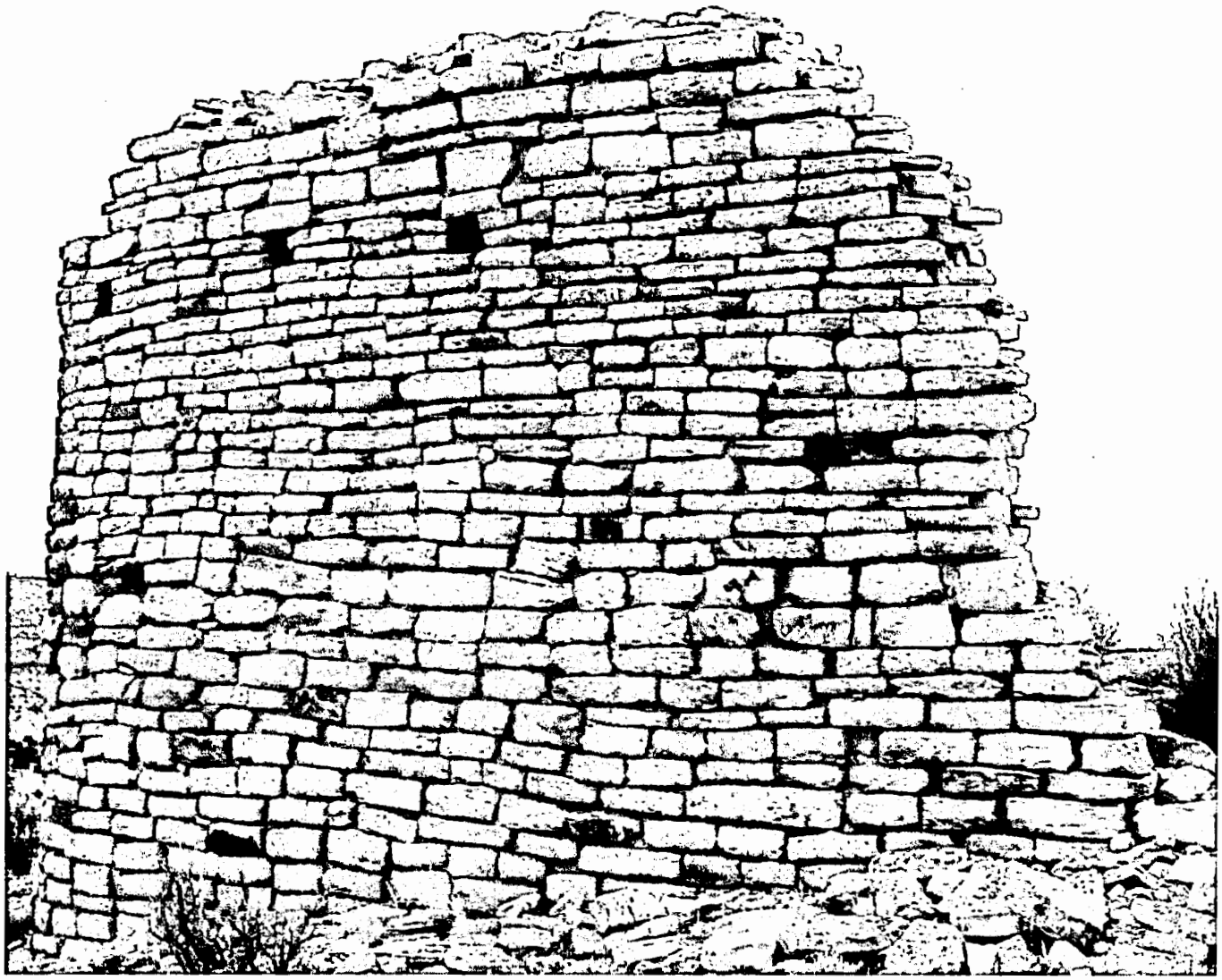

COMMUNITY INFRASTRUCTURE

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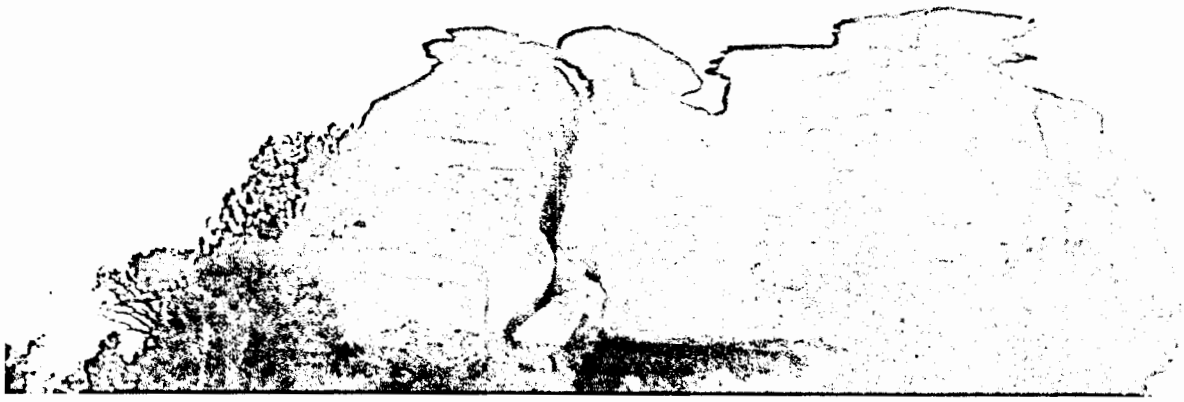


Purty Rock

11.1 | OVERVIEW

This chapter provides information on a number of topics. Each topic covers an element of foundational support for the community, serving as the infrastructure upon which the community is built and functions. Elements of functional support include the community's utilities and communications infrastructure. These support the community's housing and economy.

Unlike towns and cities, tribes cannot raise money through property taxes as reservation lands are held in trust by the federal government. While root causes vary, the overriding issue is the absence of an adequately funded government policy to make good on treaty obligations. In exchange for the cession of millions of acres of lands to white settlers, tribes were promised a permanent homeland, a livable reservation, and a home conducive to health and prosperity.

11.2 | UTILITIES & SERVICES

The purpose of this section is to establish base information about the existing water system, electricity, telecommunications, and solid waste management. The section identifies major plans for utilities improvements in the future. Utilities constitute essential public infrastructure networks that deliver services to the community.

Utility infrastructure planning is closely related to

- » Land use - understanding where utility access is currently and planned to become available helps understand current and future land use patterns and identifying priority areas for future development.
- » Housing - improving residential access to utilities is a priority goal for the community as essential for improving life and opportunities, and should be a determining factor in identifying priority areas for new housing development.
- » Economic development - all businesses and any development that promotes jobs and earning require utilities. Electricity and water are basic necessary services, and business and industry have greater capacity and flexibility with access to high capacity water supplies and infrastructure. Internet services have become almost as necessary, certainly for home-based websites or remote services businesses. However, nearly any business or sector will require reliable, high-speed Internet. Access to the educational and training programs that support many industries, higher education options, and employment opportunities for residents require Internet.
- » Transportation - utility corridors should be located within ROWs and improvements.Other transportation projects should be planned in coordination with utility upgrades wherever possible.

The chapter is not a direct provider of utilities. Coordinate with tribal, federal, and private utility providers to meet needs and improve access and services.

11.2A | COMMUNITY REPORT: UTILITIES

Of the 156 surveys returned, 146 provided information on the utilities serving their home. The majority have electricity, amounting to 125; and slightly fewer (115) have water. About half (78) have propane, and eight report having gas. Sixteen report "Other," including solar, wood, and private wells.

WATER & FACILITIES

As of November 2019, two million people living in the US were without access to running water, indoor plumbing, or wastewater services. The [US] government must not ignore the lack of access to an essential resource or the governmental actions of environmental racism that have created the situation.

The Independent. August 04, 2022. https://www.independent.co.uk/climate-change/news/native-american-navajo-running-water-b2122643.html

Over 61 % of survey respondents reported having full bathroom and kitchen facilities in the chapter area. Another 6% and 3% reported having either kitchen or bathroom facilities, respectively. Still, the total for either remains under 70%.

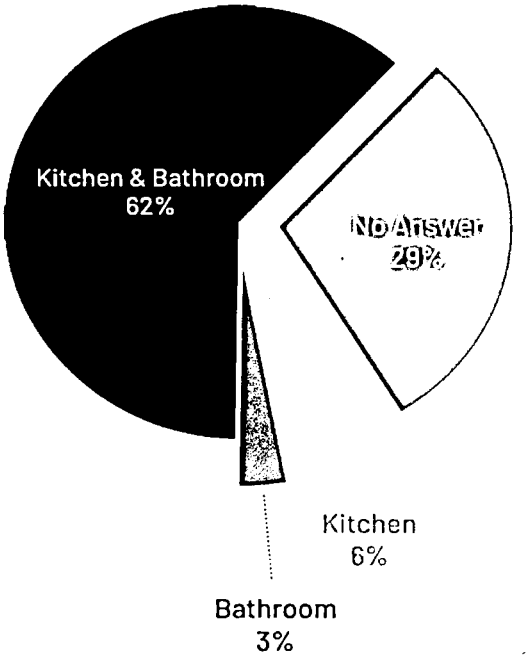
The U.S. Census ACS reported in 2018 that 81% of Navajo Nation homes have full plumbing and 87% have full kitchen; all 22 homes counted for the Census Designated Place of Manuelito reported access to both Kitchen and bathroom facilities.

The national averages for these statistics, which include the Navajo Nation, was measured at 98.5% and 99.8% in 2021, highlighting the stark inequality of access on the Navajo Nation.

"The lack of running water in homes across the Navajo Nation has an astonishingly high economic impact, as families hauling water have to spend the equivalent $43,000 per acre foot of water...compared to the $600 per acre foot of water spent for typical suburban water users in the region."

The Navajo Nation Report on COVID19 the Impact of State on Recovery Laws and Policies Indigenous Peoples to the United Nations Special Rapporteur on the Rights of Indigenous Peoples, 2021

Exhibit 54: Kitchen and Bathroom Survey Results



Manuelito Census Designated Place (CDP) vs. Manuelito Community

In the Census data measuring access to kitchen and bathroom facilities, the larger Navajo Nation geography is more representative of the chapter area than the Manuelito CDP.

The conditions reported for Manuelito CDP appear to have little correlation with the community surveyed. This is almost certainly a product of the different geographies of each. While most surveys returned were from the northern and eastern part of the chapter area, Manuelito CDP accounts for only a small area near I-40 toward the south of the chapter.

That Manuelito CDP is not representative of the community of Manuelito; this is important to note when considering how to use statistics in reports, grant applications, and other statistically based allocations/ efforts.

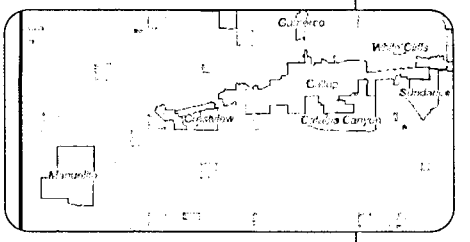
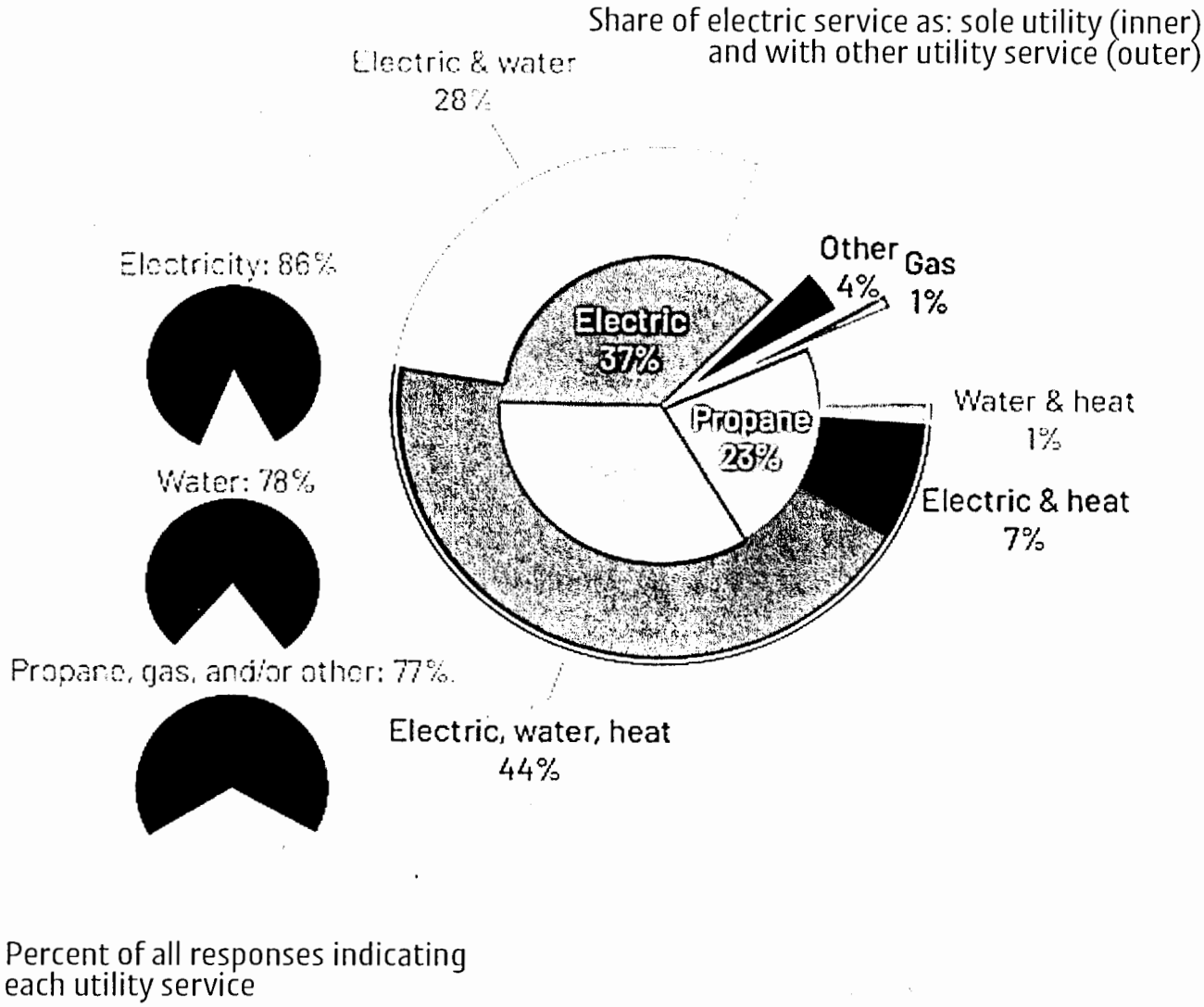


Exhibit 55: Breakdown of Survey Results

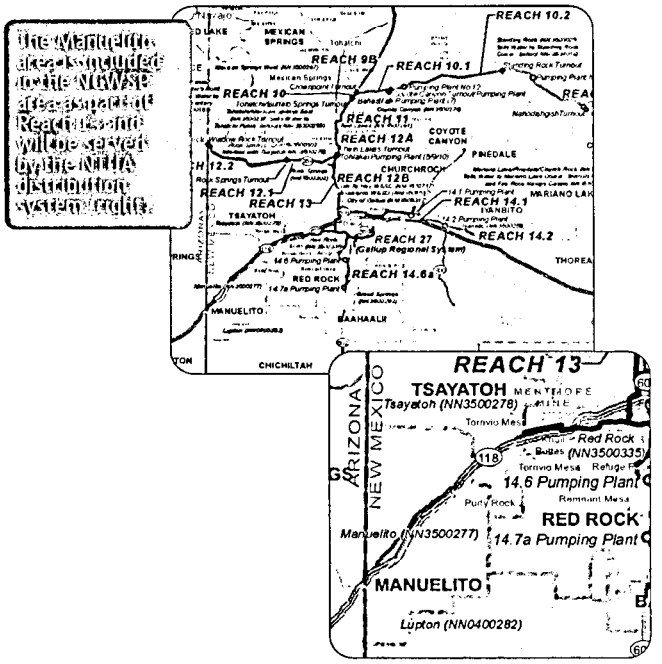


The cost of hauling water is at least 70 times more expensive than piped water

You spend a lot of time just gathering the regular essentials or the normal essentials of life," Haase said. He noted that many people must drive an hour to an hour and a half to get to the nearest store. And it's not a Walmart; it's a gas station. Drinking water is often stored in a 250-gallon plastic drum, which is hauled in the back of a pickup truck to be refilled at watering points dispersed throughout the territory. The water lasts three or four days, and then the cycle is repeated.

"It takes a lot of time and energy, and it's expensive to deal with it that way, so, getting these folks utility services that they deserve is paramount."

Navajo Nation residents are 67 times more likely than other Americans to live without running water.



11.2B | NAVAJO-GALLUP WATER SUPPLY PROJECT (NGWSP)

The Navajo-Gallup Water Supply Project (NGWSP) is a massive infrastructure project designed to provide a long-term sustainable water supply to meet the future (40-year) population needs of 250,000 people in the eastern section of the Navajo Nation, southwestern portion of the Jicarilla Apache Nation, and the city of Gallup. The system will include about 300 miles of pipeline, 19 pumping plants, and two water treatment plants. The Navajo chapters south of Gallup will also receive water from the NGWSP, although the following map does not show that reach.

The NGWSP and the U.S. Bureau of Reclamation, which is the lead federal agency on the project, are developing treatment and storage.

The Gallup Regional System (GRS) is a secondary project to anchor the water distribution system for the NGWSP. The GRS will create flexibility for local water management by distributing groundwater to third parties, such as other water districts through Gallup to neighboring Navajo chapters. The Navajo Tribal Utility Authority (NTUA), the Indian Health Service (IHS), the City of Gallup, and the Northwest New Mexico Council of Governments are joint developers of the GRS, resulting in funding for the project from the State of New Mexico to begin building the first phases of the system. (Source: Region 6 - Northwest New Mexico Regional Water Plan, 2004)

The Omnibus Public Land Management Act of 2009, Title X Part III (Public Law 111-11) signed on March 30, 2009, regulates the complex project schedule, but project goals set completion as early as the end of 2024.

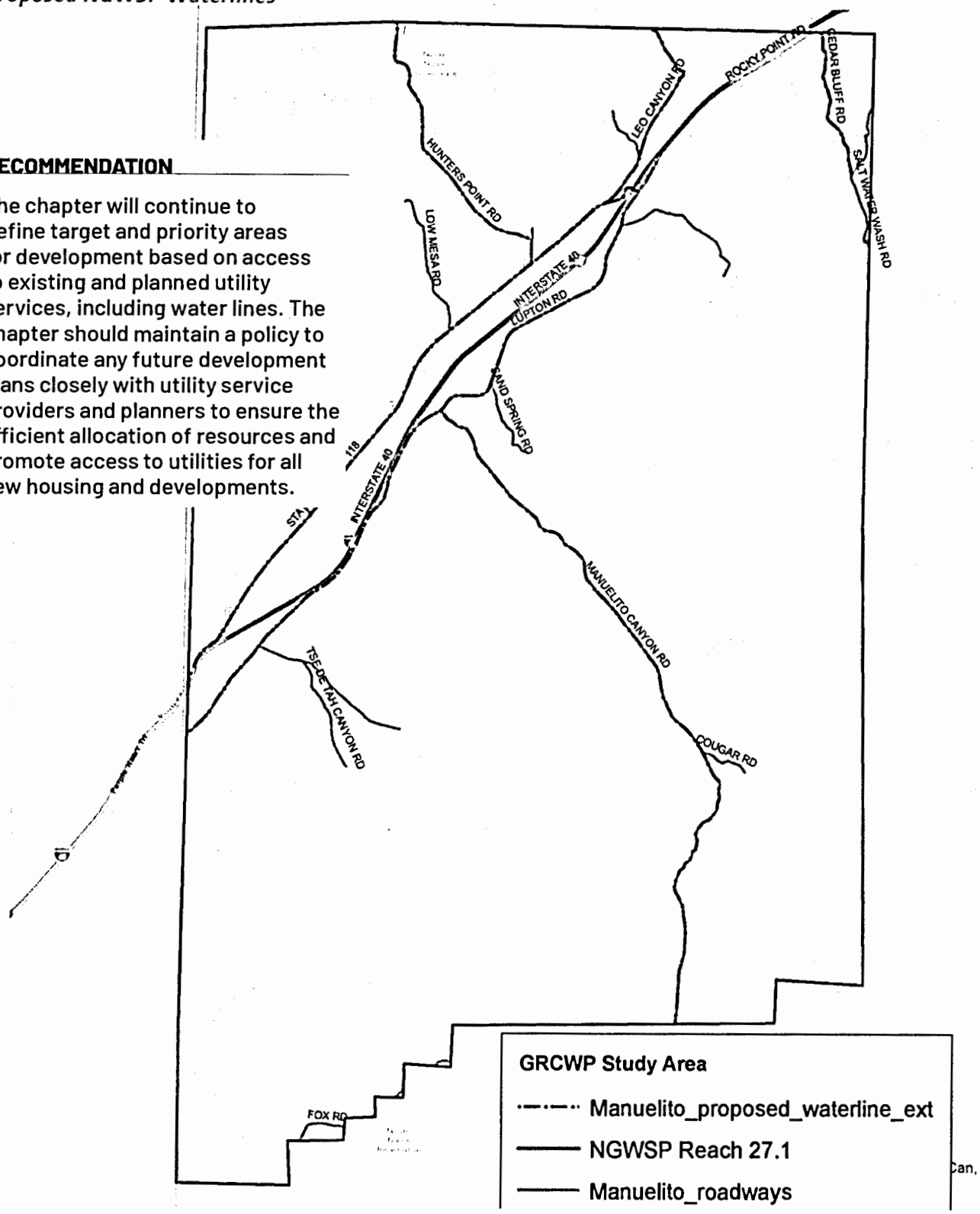
In 2020, water deliveries to Navajo communities began on the Cutter Lateral. Deliveries to the Jicarilla Apache Nation from the Cutter Lateral were anticipated to begin in 2021. On the San Juan Lateral, construction is underway with anticipated completion in 2028.

For discussion of residential water availability, see Housing portion in this section.

Exhibit 56: Proposed NGWSP Waterlines

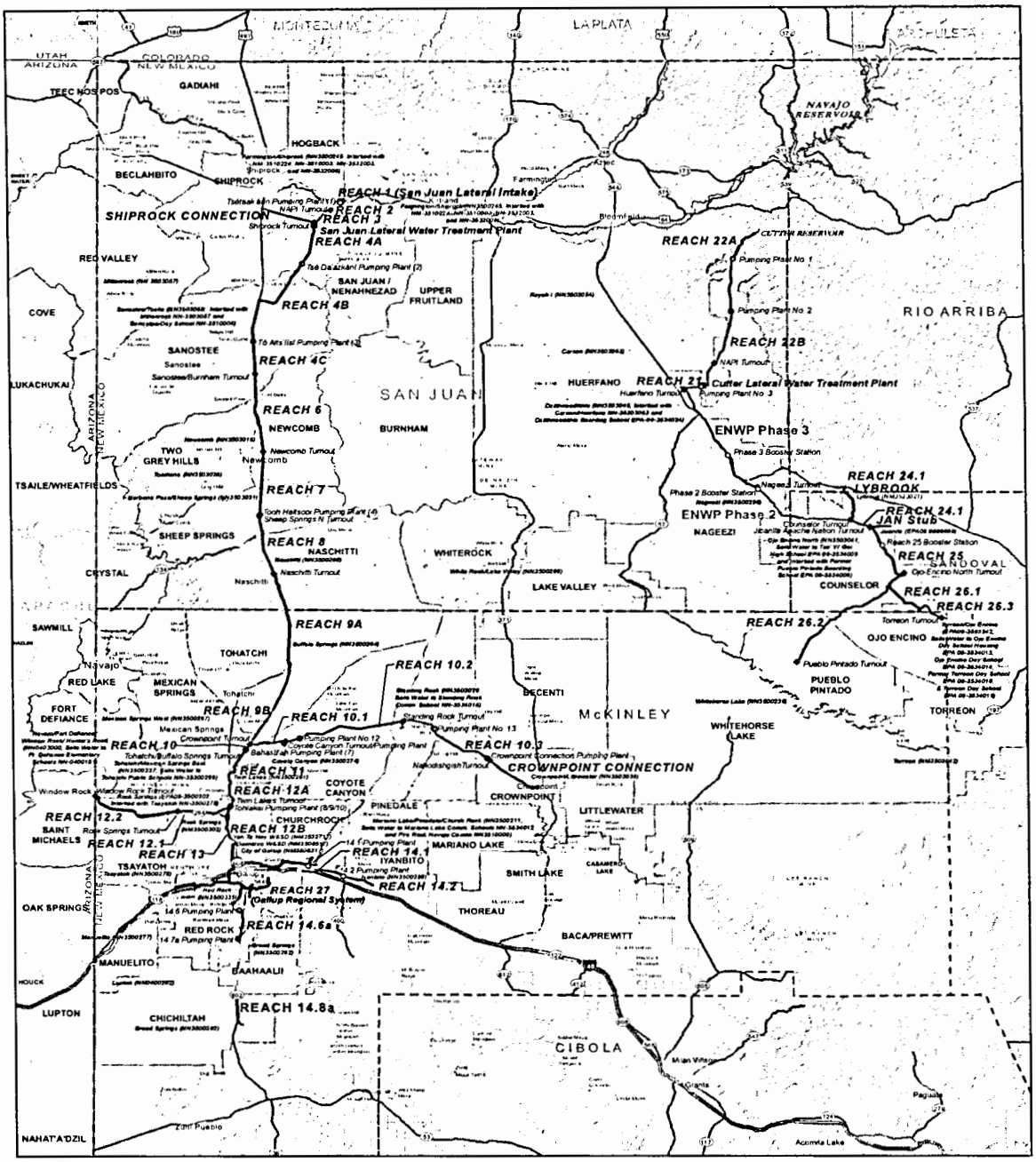
RECOMMENDATION

The chapter will continue to define target and priority areas for development based on access to existing and planned utility services, including water lines. The chapter should maintain a policy to coordinate any future development plans closely with utility service providers and planners to ensure the efficient allocation of resources and promote access to utilities for all new housing and developments.



This map shows the waterline extensions proposed in the Gallup Regional Chapters Water Plan located within existing roadways that are in the Manuelito chapter. Understanding the challenges and identifying opportunities for water connections and extensions in prime locations within the chapter will facilitate a reliable water supply for future development, which could include waterline extension through adjacent chapters.

Exhibit 57: NGWSP Map



Navajo Gallup Water Supply Project

RECLAMATION
Managing Water in the West

LEGEND

- San Juan Lateral
- Cutter Lateral
- Gallup Regional System
- Eastern Navajo Water Pipeline (ENWP) Phase 2
- Eastern Navajo Water Pipeline (ENWP) Phase 3
- Crownpoint (Beacon Blue N9) Lateral Connections
- Pumping Plant
- Turnout
- Navajo Tribal Utility Authority Distribution System
- Red Rock — Public Water System ID
- Navajo Nation Serviced Chapters
- Navajo Nation Non-Serviced Chapters

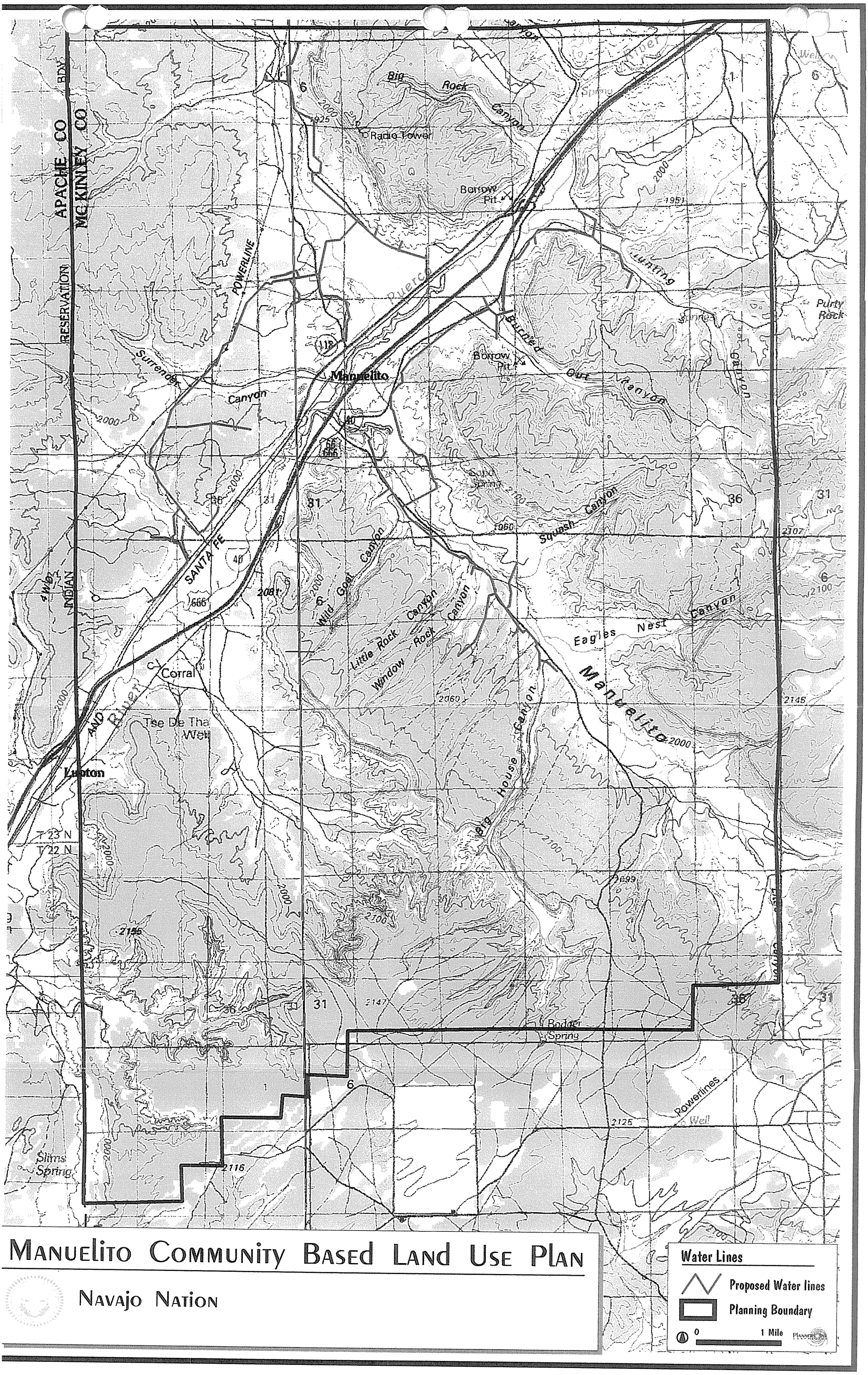
Note: Pumping Plant numbers reflect FEIS designations. Some pumping plants in original FEIS design have been combined and/or eliminated as a result of editional analyses and optimization studies.

Disclaimer: Not for construction purposes. Alignment may be refined as designs and field reviews are completed.

NAVAJO GALLUP

1695-529-537
Last Update: August 14, 2018
Print Date: 8/14/2018
File Name: 1695-529-537 11x17

Exhibit 57: Proposed Water Line Extensions (2004)



Manuelito Community Based Land Use Plan

Navajo Nation

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11.2C | WASTEWATER

In 2022, the chapter applied for ARPA grant money that could fund around 200 residential septic cleanouts in the chapter.

Private septic systems serve many of the homes in the chapter area. Regular maintenance and upkeep prevent leeching and groundwater contamination from these systems. Education on the subject is an important community strategy for minimization and, coupled with guidance on access to funding resources, can have a significant positive impact on the prevalence of this type of contamination.

Regulatory requirements, penalties, and other local legal strategies require enforcement in order to be effective; in communities with limited resources for enforcement, assistance tends to be more effective than punishment.

11.3 | SOLID WASTE

There is currently no solid waste service in Manuelito. Residents must transport their domestic trash and find open receptacles in nearby communities, which is difficult to do legally. Residents may dispose of it some other way, which can include open burning, but the State of New Mexico prohibits burning. Illegal dumping violates various state, county, and tribal regulations.

It is a priority for the chapter to develop some waste management service solution.

The construction and implementation of a regional waste and/ or recycling transfer station where residents could deposit their residential waste to be transported to a regional landfill is the preferred option for the chapter. However, a project of this scale and continued cost to operate is significant and would represent a heavy, ongoing burden on limited chapter resources.

11.3A | PARTNERSHIPS

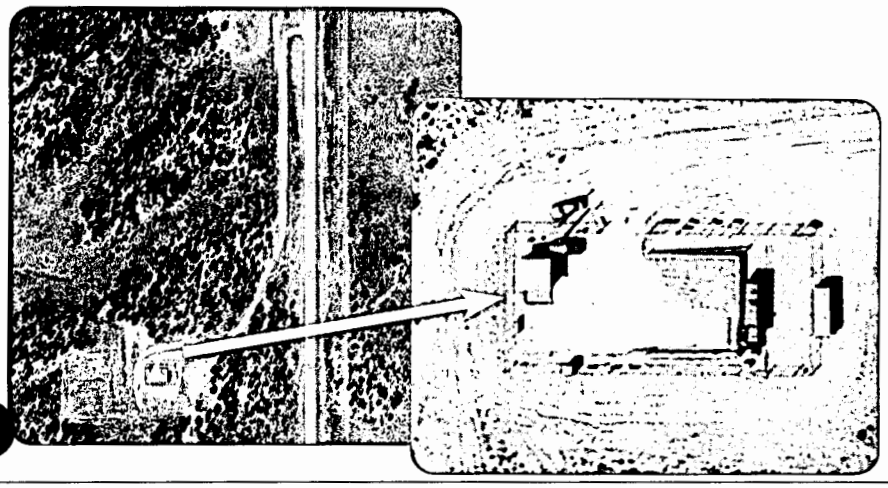
Large-scale infrastructure and services projects, like wastwater treatment or solid waste management, require a level of resources that are unavailable for many small, rural communities. As the previous example illustrated, partnerships in developing and operating regional services can be a successful solution.

The Manuelito chapter began discussions with the neighboring Chapter of Tse Yah Toh about the option of partnering to develop a regional solid waste transfer station. The approach is in its early phases, and the chapters still have much to determine before such project is realized. But the strategy has proven successful for many rural communities in New Mexico.

Collaborative partnerships to develop regional infrastructure projects enables the distribution of costs that would otherwise be out of reach and can expand state and federal funding options both of which are often structured so as to promote regional solutions and collaborative efforts, especially for rural communities.

Development and operation of any transfer station and/ or collection site will require resources and commitment from all parties. In partnerships of this nature, disagreements between partners can often lead to the discontinuation of services and can easily generate ill will between neighbors. Partnership agreements for joint operations must be carefully drawn up early in the process in order to ensure appropriate sharing of costs and benefits.

Exhibit 59: Bááháálí Chichiltah RWCRC



RECOMMENDATION

Develop and conduct public education campaigns to educate the chapter community about septic maintenance and funding opportunities.

Best Practices

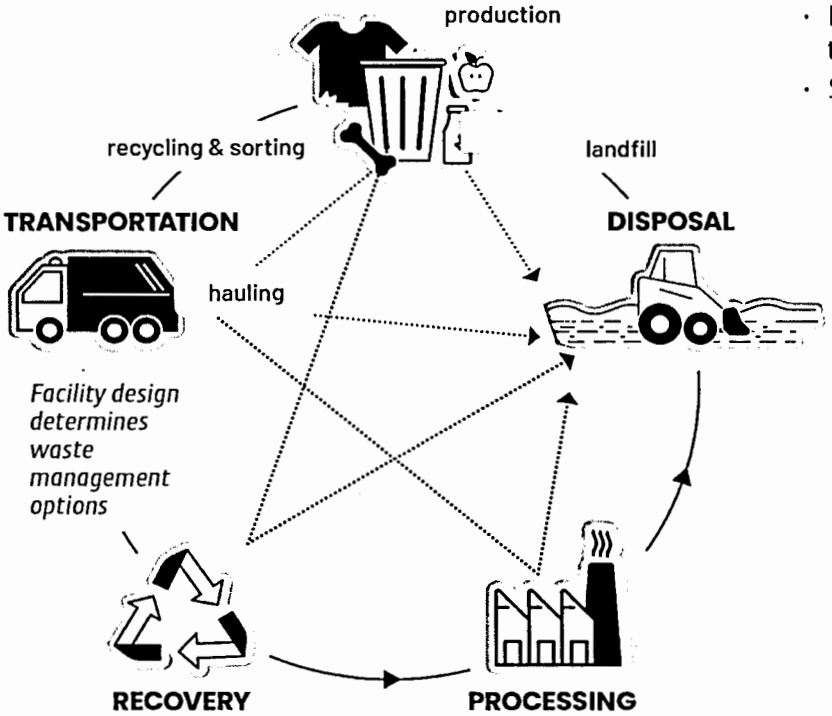
Joint facility agreements should be carefully negotiated and formalized as soon as possible and should include development; operations; maintenance, repair cost, and responsibility-sharing structure; maintenance schedules; use and fee agreements; payment schedules; designation of partner representatives; decision-making chain-of-command and communication protocols; schedules for regular communication, meetings, collaborative efforts, and information-sharing; and procedures for implementing agreement changes and managing disputes, while maintaining facility operations and the partnership.

11.3B | DESIGN & FUNCTION

Determining the proper scale, services, and site for a solid waste management solution will be essential for improving the long-range viability of the project.

BUILD VS. HAUL

The cost of developing any local waste management solution and convenience of a legal local site must outweigh the cost of hauling/processing local solid waste elsewhere and the current lack of a legal solid waste disposal option. Other considerations include fee and cost balance, customer base, long-term resource commitment capacity and limitations, and ancillary costs (i.e. increased need for road repairs due to truck traffic versus an increasing prevalence of trash and risk of environmental contamination).



FACILITY DESIGN

Operational considerations include understanding the costs and benefits of the range of possible services to offer and the functions that the facility will need. Understanding the need for services and facility function will help inform what types of material would be accepted and the size and capacity of the station.

SITE SELECTION

Site selection considerations include

- Zoning and land use regulations (where applicable)
- Proximity to homes, schools, churches, wildlife, etc.
- Impacts on neighboring properties and ecologies from wind, light, noise, or air pollution and increased traffic as well as
- Increased risk of contamination and pollution and proximity to sensitive or important sites and areas
- Potential for facility expansion
- Visibility, screening options, and need or suitability of buffer zones
- Prevailing wind, availability of natural wind breaks or other measures to help with smell and minimizing material loss
- Ingress, egress, turn-around areas, parking, access to transportation
- Site security and accessibility

Developing a regional transfer station would allow members from Manuelito and surrounding chapters to drop off trash and recyclables. The chapter could keep hazardous household waste out of the environment, should they choose to collect batteries, paint, appliances, tires, oil, and various textiles, which would require special permits and the ability to dispose of hazardous waste safely. A regional transfer station could provide for the community in various ways. Bins could collect discarded clothing to be redistributed. The transfer station could offer a location for bulky items like furniture, fixtures, and appliances that are in reasonable condition. People could then take the items from this location for free and reuse them.

11.3C | LITTER & GARBAGE

The CLUPC and chapter officials expressed that the prevalence of litter and garbage in the chapter area has been an issue that deters from the natural beauty of the place, undermines community pride, and is becoming a potential health and safety matter.

The Manuelito community is an integral part of the chapter's solid waste solution.

Regulatory measures are one strategy for curbing littering and illegal dumping, but require significant resources and political will in order to produce results. Finding violators and issuing citations at minimum require resources. Additional resources and political will are required to secure and maintain collaborative efforts from local law enforcement and fire officials to understand the regulation and enforce compliance. Enforcing compliance also requires resources and cooperation from the courts to litigate the regulation. The chapter would also need to designate staff for official management of cases—by representatives of either the community, the police, or the courts—to track cases and initiate the follow-through as needed to collect fines and enforce penalties.

Transfer Station:

Include public input practice transparency in the decision-making process especially in determining priority services and selecting a site to develop.

"Waste Transfer Stations: A Manual for Decision-Making" published by the EPA provides an excellent preliminary overview and step by step calculations for the process of reviewing options for solid waste transfer station design and development. It is available online* and will be included in the digital library.

** https://www.epa.gov/sites/default/files/2016-03/documents/r02002.pdf*

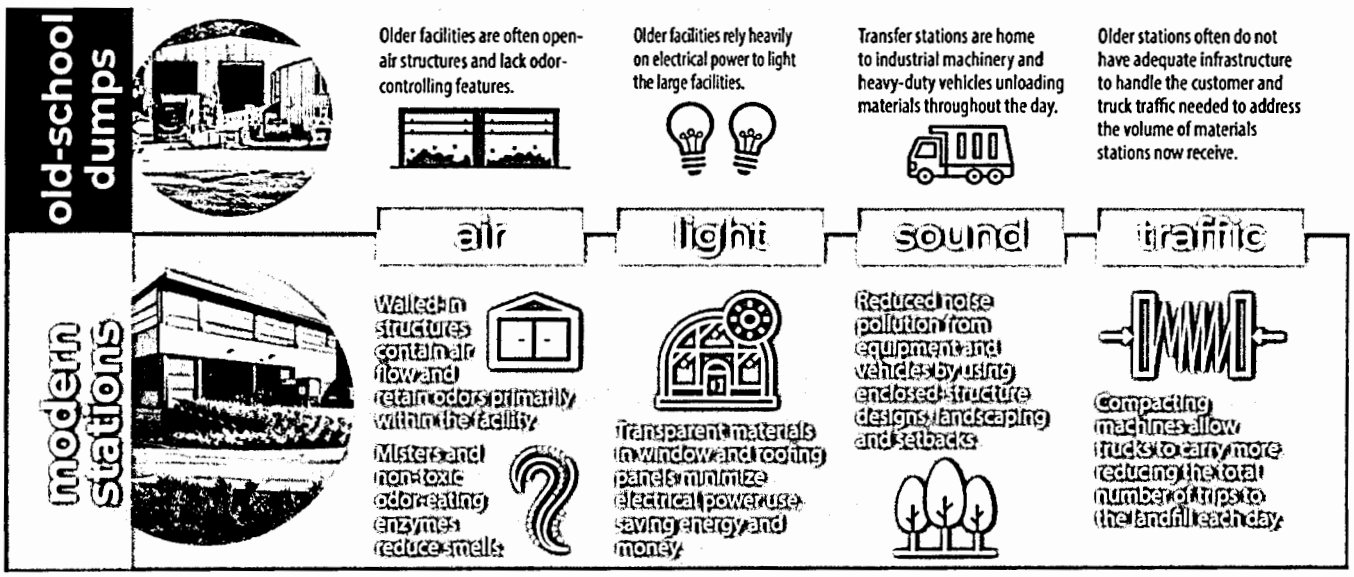
Community Cleanups: Including local role models such as elders, police and firemen, chapter officials, or even community volunteers to participate with youth in clean-ups also shows young people that the community cares about them and works to integrate them into the community more while strengthening community pride for everyone who is involved and for everyone who sees the results in a cleaner, more beautiful community.

Cleanup Drives that involve area youth can work to instill in young people a sense of ownership and pride in the community.

The Recycling and Illegal Dumping (RAID) grant provides funding for the prevention and abatement of illegal dumpsites and promoting environmentally sound methods for reuse and recycling. The RAID grant is open for funding and should be considered by the chapter.

The most productive strategies for the chapter to acheive a desirable outcome are promoting proper sceptic system management, educating the community, and implementing assistance from the community.

Possible incentivizing events could be community pride campaigns and organized volunteer cleanup events supported with accessible, secure, well-maintained trash receptacles. Organizing cleanup drives and providing trash bags, gloves, and schedules can provide momentum and help address the hurdles in catalyzing effective cleanup efforts. The chapter could offer rides as needed and snacks to encourage participation. The chapter could also consider conducting publicity for the event and reaching out to nearby schools and other organizations to build support and recruit volunteers.



11.4 | INTERNET SERVICE

Internet service comes in a variety of forms. Broadband or high-speed Internet refers to any type of constant Internet connection, as opposed to the dial-up access that many people used through services such as America Online. The four most common types of broadband connection vehicles are DSL, cable, fiber, and satellite. Cable and DSL both require hard connections to a main source, and satellite can be expensive and requires a satellite dish. Fiber, shorthand for fiber optic cable internet service, is the fastest of the four and the focus of many efforts to expand Internet services across the country.

11.4A | WIRELESS INTERNET

New technology expanded internet accessibility and now includes radio wave spectrum, technology-based connectivity known collectively as LTE—which includes the technology's later generation 4G and the newest generation, 5G. A modem distributes the qireless network service and links to a network tower, which then links to the worldwide web, allowing the customer to access the Internet. LTE is often much faster than traditional broadband Internet, and monthly costs are comparable. AT&T, Verizon, and T-Mobile provide the service in the Manuelito area, each with different coverage areas (see Exhibit 54). Though the coverage areas tend to be somewhat smaller than voice coverage, high-speed Internet is available in most of the chapter, except some of the canyons and a fair share of Manuelito Canyon.

Like traditional broadband infrastructure, the LTE network is expanding. Full coverage, even in the canyon, may become available in the future.

11.4B | TRADITIONAL BROADBAND/ FIBER SERVICE

Fiber optic cable delivers high-speed Internet to customers through cables laid and connected between the customer and the service provider's network, enabling the customer to connect to the Internet from home. The primary broadband service provider in the chapter is Sacred Wind Communications, Incorporated—a New Mexican telecommunications contractor specializing in communications and serving rural and tribal customers in western New Mexico.

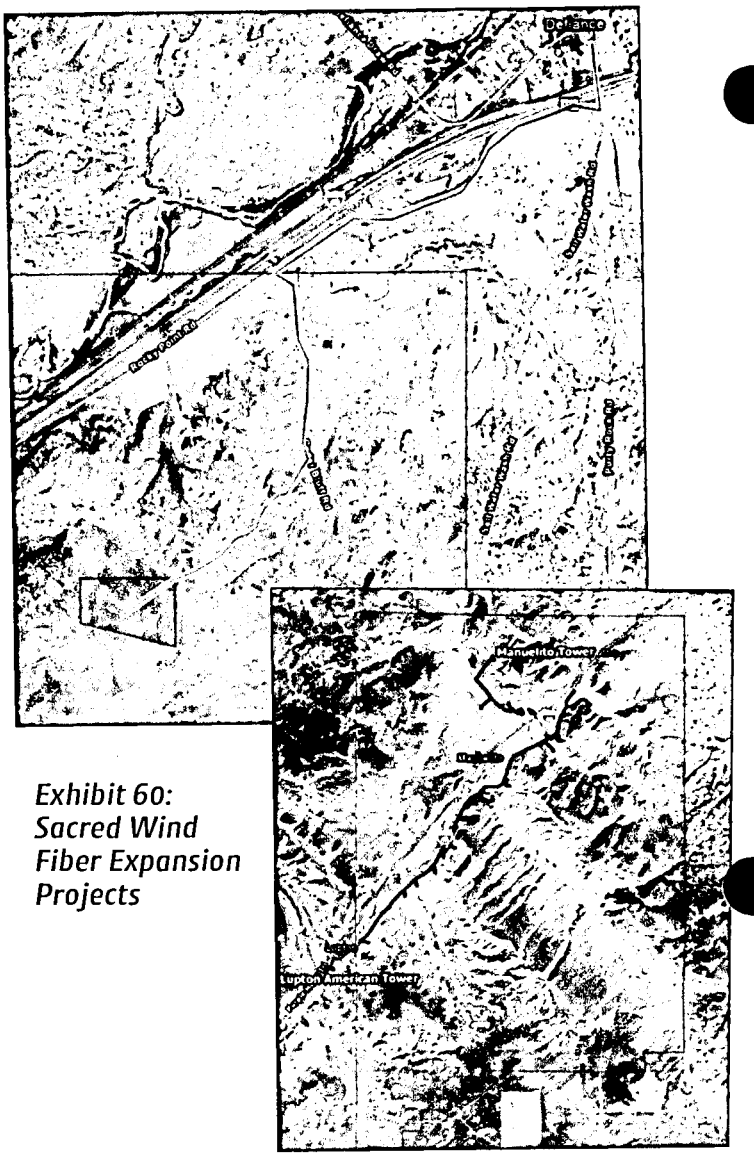


Exhibit 60: Sacred Wind Fiber Expansion Projects

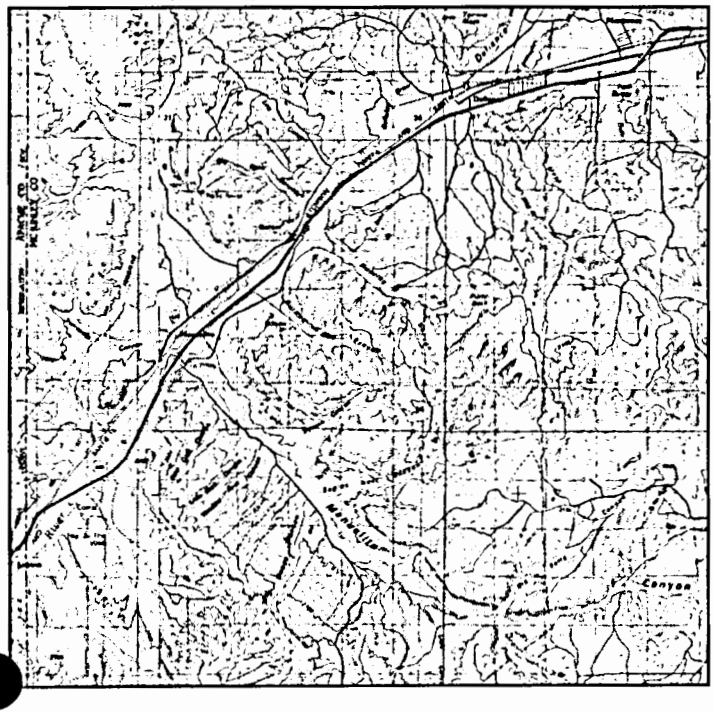
The company is undertaking a fiber broadband expansion project in Manuelito. To date, their plan includes a number of steps, which are at various stages in the process of being reviewed, finalized, and funded. The project includes extending fiber optic lines to the Manuelito chapter house, Manuelito Tower, and Twin Tower with fiber available to homes along those routes.

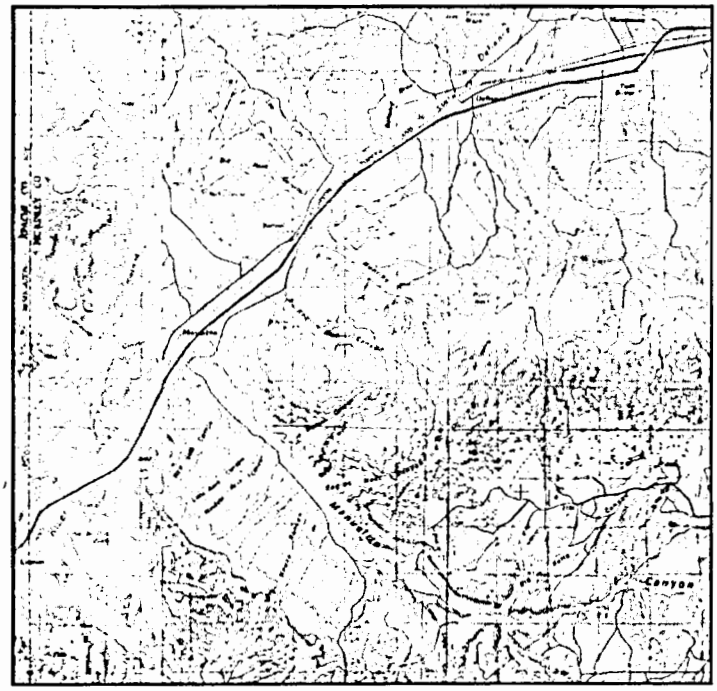
Other projects in the works include improvements to services for existing customers with a line of sight to the Manuelito Tower.

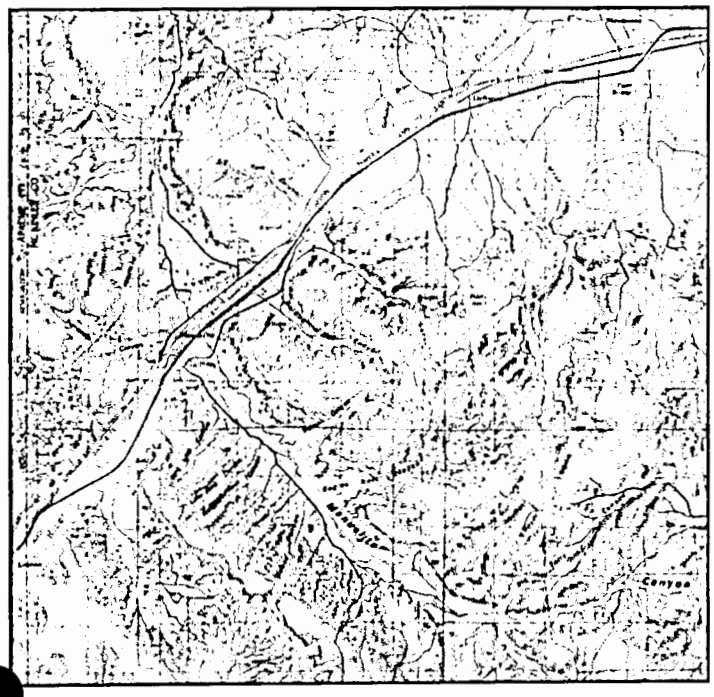
Policy Recommendation

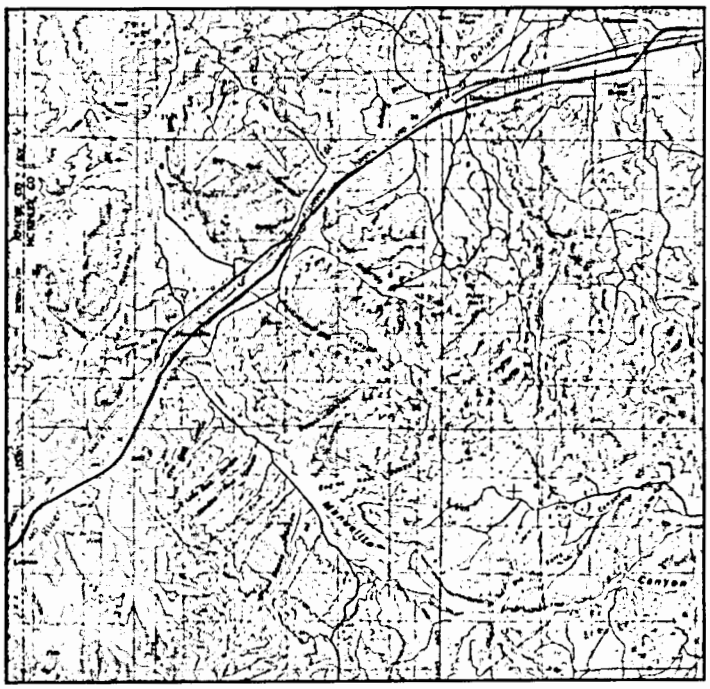
Efforts and support of the continued expansion of access to high-speed Internet remains a top priority and essential measure for improving economic and educational opportunities in the Manuelito chapter.

Exhibit 61: LTE Coverage Areas by Provider (clockwise from left) Manuelito Area Base Map, T-Mobile, AT&T, and Verizon









11.5 | ELECTRIC UTILITY SERVICE

Electric utility service in Manuelito is provided by Continental Divide Electric Cooperative (CDEC), which is a nonprofit, consumer-owned organization providing service and electric distribution to about 23,000 customers throughout Cibola and parts of McKinley, Sandoval, Bernalillo and Valencia counties, including Manuelito.

The adjacent map shows existing electric lines as dashed red and address points as blue squares.

Extrapolating the results from the community survey, roughly 86% of chapter dwelling units have electrical utility service.

At 14%, the share of chapter residents without electric utility service is astronomical in the US, considering that the US has reported 100% access to electricity for decades.

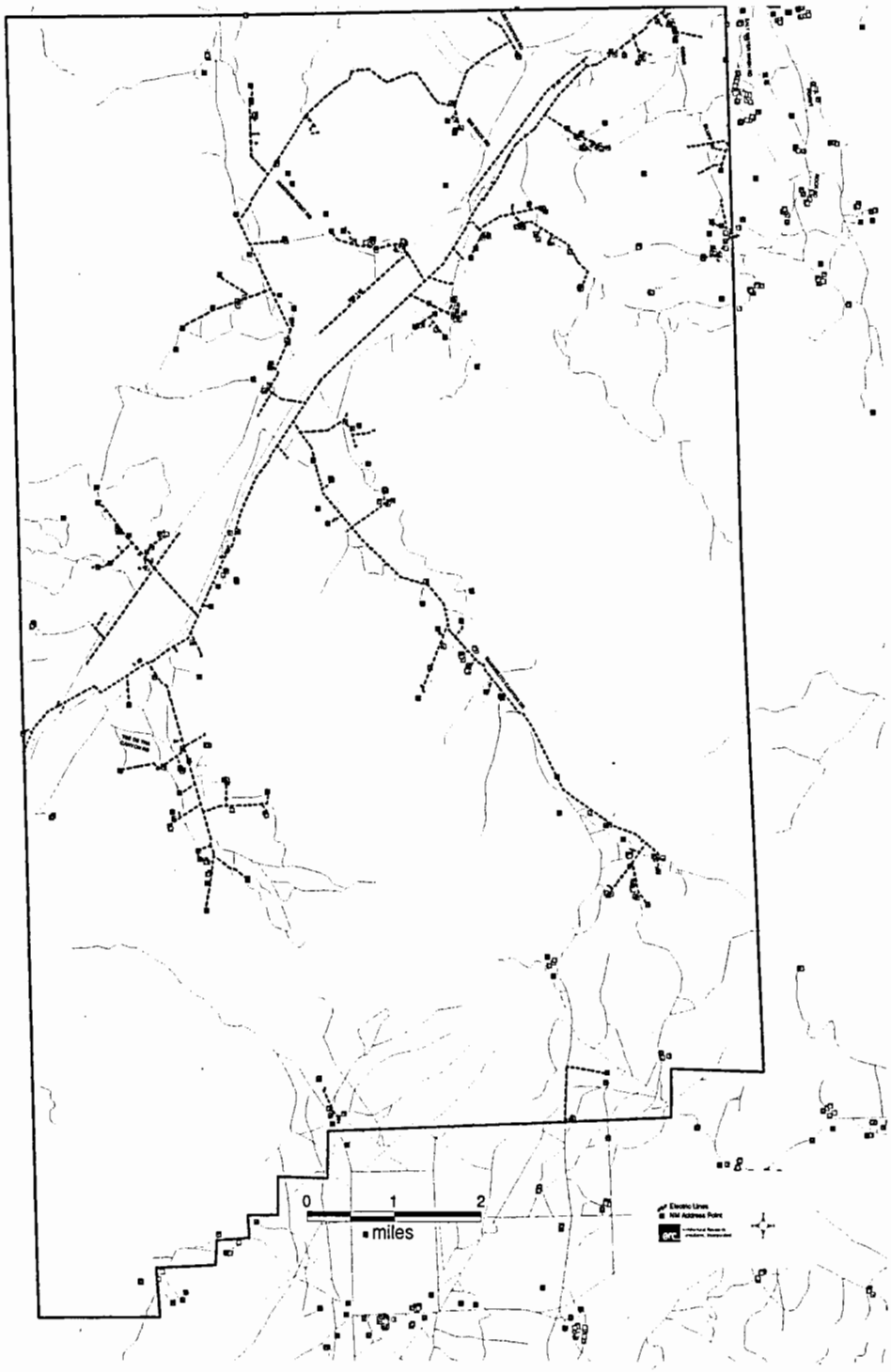
Recommendation

Remain in contact with the NTUA and CDEC to understand, needs, requirements, options, and opportunities to expand access to electrical service in the chapter.

While four of that 14% report having other electrical sources, likely solar power, the need to expand access to the utility service to all residents will remain a priority for the chapter until all residents have the option of the service.

CARES Act funds in 2020 enabled partnerships between the Navajo Nation Tribal Utility Authority (NTUA) and local electric utilities such as the CDEC on projects to expand traditional and solar power access in the nation.

Exhibit 62: Continental Divide Electric Co-op Lines



11.6 | ROW UTILITIES

Utilities require rights-of-way (ROW) or easements, and acquisition of ROW can be highly complex and difficult to complete. ROW issues can stall or derail efforts to extend utility lines and are a barrier to development, especially in areas with complex land ownership, administration, or use restrictions. The chapter prioritized the need for electricity and high-speed Internet; to facilitate those efforts, the chapter continues working to secure utility ROWs.

Complex ROW issues require great effort and coordination. For example, a summit resolved the replacement of a bridge dating to the Korean War in a neighboring chapter to the south; the summit included top-ranking representatives of the BIA, Navajo Nation, chapter, and local congressional representatives. A congressionally negotiated agreement secured all various signatures required for the project to move forward. There is a history of some cross-agency coordination on ROWs between CDEC, BIA, and the Navajo Nation.

ROW access on allotments that the Navajo Nation owns, including land acquired in recent buy-back efforts, will be greatly simplified.

Additional discussion of ROW can be found in the Thoroughfare section.

This represents another of the many bureaucrat impediments on the Navajo Nation that greatly hinder the nation's ability to build opportunities and improve conditions.

As of November 2019, two million people living in the U.S. were without access to running water, indoor plumbing, or wastewater services. The [US] government must not ignore the lack of access to an essential resource...
Source: https://uswateralliance.org/

11.7 | INFRASTRUCTURE & HOUSING

Access to utility services is necessary and paramount to the health and well-being of a community. The infrastructure to provide these services on the Navajo Nation faces hurdles set by long-standing deficiencies of funding and political agency, as well as the practical difficulties and expenses of extending infrastructure across vast distances in a sparcely populated region.

The housing often lacks the infrastructure to receive utilities and consists of makeshift solutions, like storage units. Once the chapter extends utility lines, it will need to upgrade the housing with plumbing, facilities, electrical wiring, or septic systems to make use of the utilities.

Extending service to the home from the main line compounds extraordinary costs to the homeowner. At times complex, lengthy, and/or expensive, the process of securing official permissions or assistance can be an insurmountable task.

These systemic and individual impediments to accessing utility services in the chapter serve as a significant barrier to the health and well being of the community, to the educational and economic opportunities available to residents, and to the capacity of the community to attract and retain chapter-member population.

An upsurge appeared during the pandemic, when children returned en masse to live with parents and grandparents. This made the need for housing for the next generation a pressing matter in Manuelito and across the Navajo Nation.

The chapter needs the capacity to provide housing for returning youth looking to begin families and start careers in order to maintain its population base, preserve its culture and traditions, and pass down language and teachings to generations in their homeland.

There has been recent progress in overcoming barriers to development in the chapter, as evidenced by the expansion of water access throughout the community and the development of a new water line and tank. However, many residences still lack services.

Expanding electrical and internet service are ongoing efforts and remain a high priority for the chapter.

11.7 A | HOUSING

Housing, included here as the most basic infrastructure needed to support a community, poses a unique challenge in Manuelito, as it does for many Navajo Nation communities.

Housing relies on the functional implementation of utilities for development but faces similar impediments posed by land use, ownership complexities, and bureaucratic inefficiencies and regulation.

Likely due to the aforementioned barriers, housing remains a limiting factor for people: young people hoping to return home after college, retirees returning to the chapter, those hoping to expand their family, or the elderly in need of more modern conveniences in their homes. Improving housing conditions and considering other options will remain a top priority for the chapter.

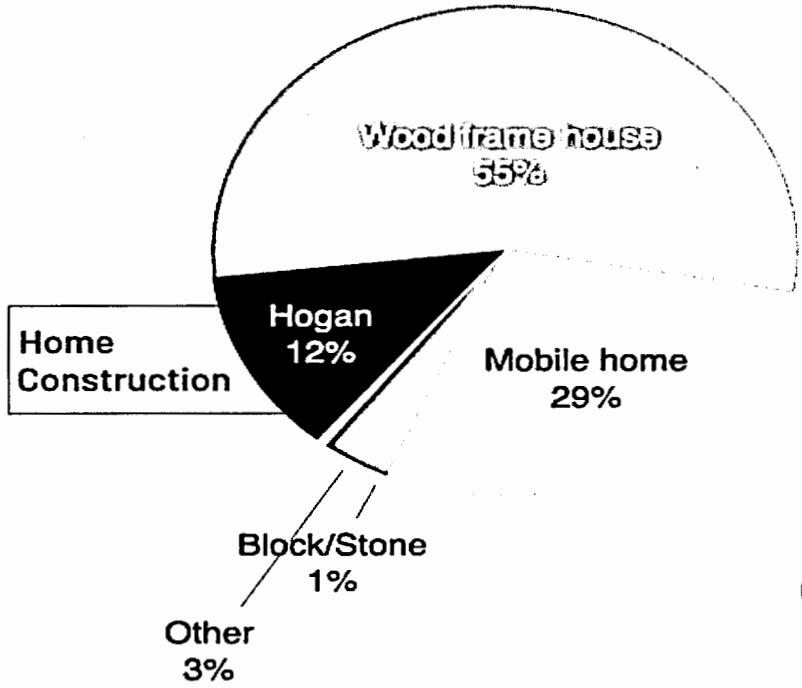
As noted previously, housing conditions and access to utility services is an area of significant concern, and the need for safe and appropriate housing continues to constrain the ability of tribal members to live in their homeland.

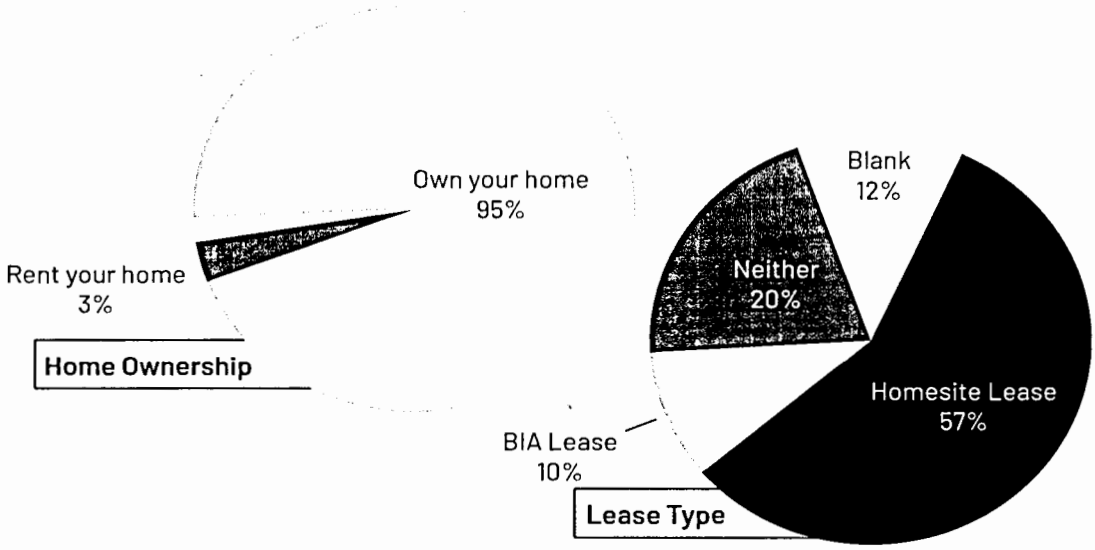
Persistent work in assisting residents in finding funding for home improvements will continue to expand and improve the housing stock over time, but working to develop new housing will be a paramount element in accumulating enough housing to meet the demand in the chapter.

Recommendation

Continue improving housing and access to housing as a priority for the chapter. Continue assisting residents and members in achieving their housing goals.

Exhibit 63: Housing Type and Ownership Survey Results





11.7B | LEASES

HOMESITE LEASES

In the Navajo Nation, there are various rights, agreements, historic factors, and regulations shaping the state of housing that are unique to the nation. These result in homeownership shares well above the national average but also makes getting to that point a difficult process.

In the Navajo Nation, obtaining permission to build a home and a space to do it is a complex matter.

The Navajo Land Department assists clients in obtaining a one-acre homesite lease for 75 years that provides an opportunity for families to build a home. A lessee has an option to renew, assign or terminate the lease. Before obtaining a homesite lease (HSL), the lessee must comply with all federal and Navajo environmental laws to obtain clearances to build a home on the Navajo Nation.

These clearances are a significant hurdle. The process is outlined in the graphic on the following page. The process is complex and comes with considerable cost.

Providing assistance in navigating the process, considering options to fund, and finding funding options could all be part of a successful strategy for the chapter to complete requirements needed to secure a HSL. This plan recommends covering the first of those tasks, which is providing technical assistance in navigating the process. The task only requires the cost of man-hours in understanding the process, and it develops contacts and connections within the various agencies and entities involved, and then sharing that in consultation and advisement. Working with the housing entities tasked with approval and development of housing will be essential.

Beyond individual homesite leases, public housing is a significant source of housing in many chapters. The Navajo Nation requires the Navajo Housing Authority to provide public housing assistance. The NHA receives an annual Indian Housing Block Grant averaging $80 to $90 million per year. The US Department of Housing and Urban Development administers and oversees the funding.

BIA RESIDENTIAL LEASES

Residential leases on trust or restricted land must be approved by the BIA with jurisdiction over the land to be leased. Unlike other types of leases, the BIA does not require a lease bond or insurance to approve residential leases. Residential leases may be for single-family residences or public housing projects and may be on developed or undeveloped land.

Lessors and lessees should contact the BIA agency with jurisdiction over the land to be leased for more information about what documents are required for lease approval. Most residential lease packages will include the documents below:

- Copy of the lease, including duration of the lease, rental price, and payment schedule.
- Tribal authorization, if the lease is on tribal land.
- Valuation of the lease.
- Statement from the appropriate tribal authority that the lease complies with Tribal law.
- Reports, surveys, or assessments to show that the lease complies with Federal and Tribal land use requirements.
- Preliminary site plan identifying the proposed location of residential development, roads, and utilities.
- Legal description of the land.
- For restricted land, additional documentation is necessary to satisfy the factors stated in 25 U.S.C. 415.

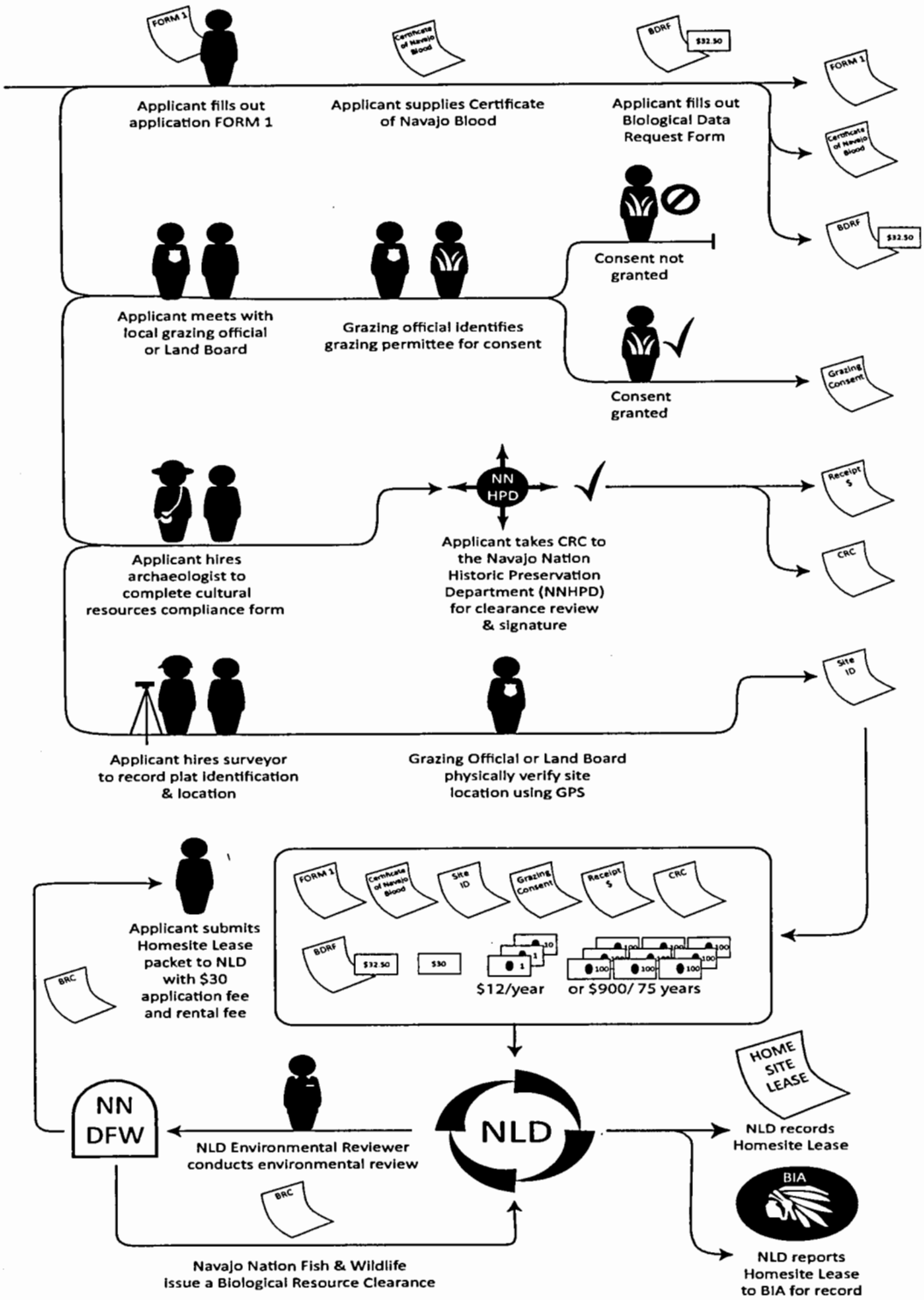
(Source: https://www.bia.gov/service/leasing/residential-leases)

Recommendation

The Navajo Nation Land Department issues homesite leases and the BIA Realty Division issues residential leases; the chapter will need to develop a strategy for improving cooperation and collaboration with these entities to improve outcomes for residents seeking homes in the community.

Exhibit 64: Homesite Lease Application Process

Homesite Lease Application Process



11.7C | NHA HOUSING

NHA housing developments are often single family and feature owner and renter homes. The NHA underwent a significant amount of work in determining housing type and development styles appropriate for each chapter. These generally feature the standards outlined in the graphic on the adjacent page; they work to compromise between traditional scattered housing preference and the costs of extended utility lines to do so through hybrid designs and layouts.

The design of any NHA site is likely not a matter of immediate concern, but the work should be kept in mind as a reference when the time does come. The work is summarized in the NHA Planning Manual, available online.

The process for allocating funding for such projects is long and complex, but the NHA offers technical assistance to aid chapters in completing the process (see following page).

As the general timeline for housing projects on that same page illustrates, the process is a lengthy one. The chapter has not yet been able to proceed past the first two initial steps, noted in the NHA graphic as the most challenging, but are working diligently and closely with NHA to do so.

The following graphics and information boxes outline NHA funding programs, processes, responsibilities, and challenges. That is followed by discussion of the current proposed NHA housing site in Manuelito chapter

NHA Programs:

Homeownership Programs

- Mutual Help Homeownership Program
- In-house NHA financed homeownership

Public Rental Program

- Low Income Rental Program
- Section 8 Voucher Program

NAVAJO HOUSING PLAN: FUNDING ELIGIBLE ACTIVITIES

Indian Housing Assistance

a. Subsidy - rent/ utility

b. Homeownership down payment assistance

Housing Development Assistance

a. Land Acquisition - (Technical assistance to identify feasible land for development through chapter land withdrawal process)

b. Design and Construction

c. Modernization /Rehabilitation

3. Housing Services (resident services)

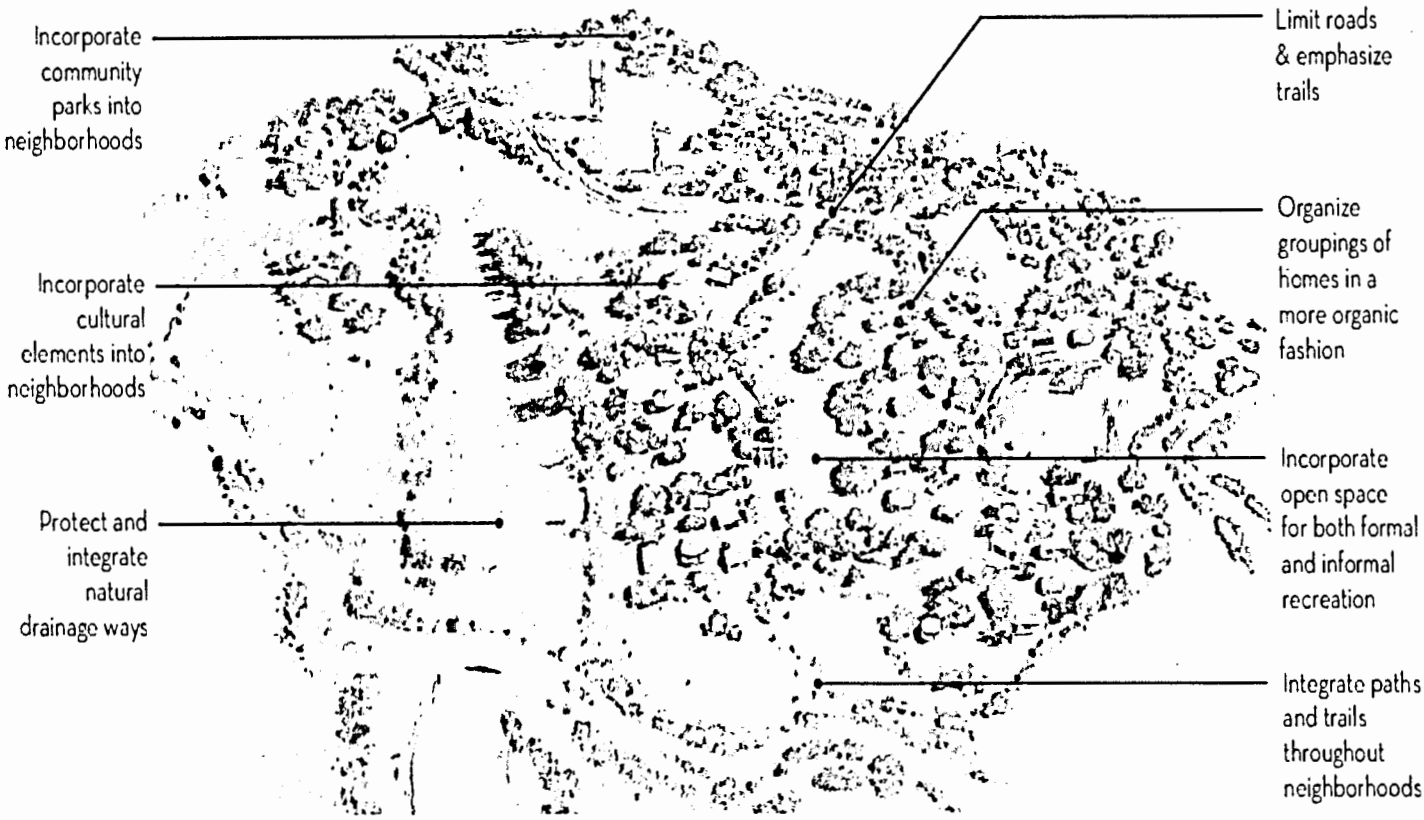
4. Housing Management Services

5. Crime Prevention Services

6. Model Activities (Requires HUD Approval)

Scenery in Manuelito

Exhibit 65: Steps for NHA Funding



CHAPTER STEPS TO SECURING NHA FUNDING ALLOCATION

Pass and submit a resolution to NHA requesting technical assistance to identify a feasible site for housing development and at least three potential areas to study.

Prioritize the proposed areas and work with NHA to identify the preferred site.

Process the land withdrawal documents for the preferred site.

Pass and submit a resolution supporting NHA in proceeding with land withdraw for housing development.

Participate in the development of the design for the housing development.

Stakeholder involvement is key in the process

Chapter Community Stakeholders:

Chapter Officials

CLUP Committee

Land Board

Tribal & Federal Stakeholders:

Navajo Land Department

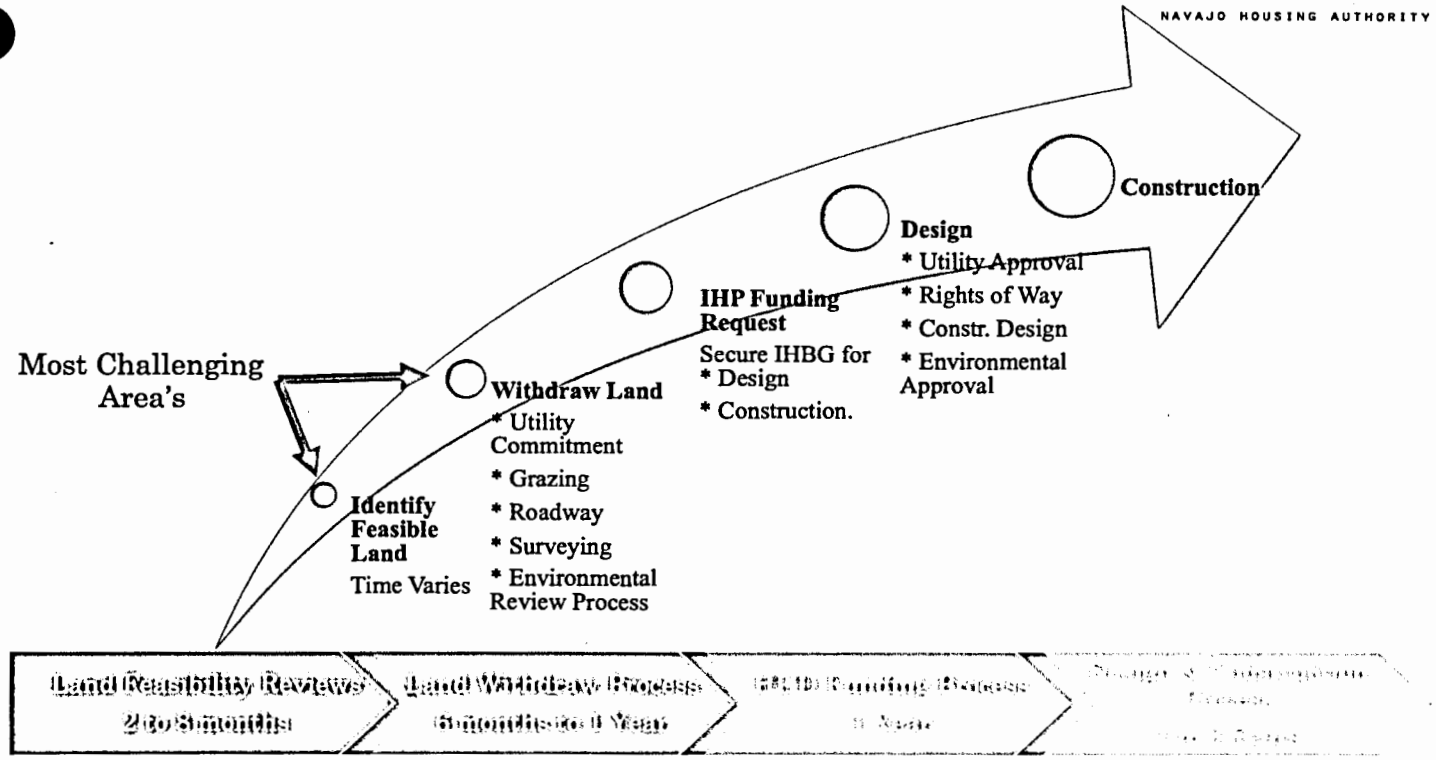
Navajo Tribal Utility Authority

Indian Health Service

Bureau of Indian Affairs

Navajo Nation Programs

Exhibit 66: Land Feasibility Process



TECHNICAL ASSISTANCE PROVIDED BY NHA

- *Assist in determining feasibility of potential sites by preforming prefeasibility site visits and providing reports to the chapter.*
- *Provide guidance to chapters requesting assistance for prioritizing sites and select one to proceed with into planning.*
- *Provide guidance for coordination with other stake holders such as NNLD, NNDCD, NTUA, NNEPA, etc.*
- *Request utility capacity analysis from utility provider.*
- *Identify legal description of proposed site for chapter land withdrawal.*
- *Provide guidance on archaeological and environmental clearances requirements.*
- *Provide guidance in preparation of resolution to submit for land withdrawal.*
- *NHA will request IHP funds for the planning and design of feasible sites.*
- *NHA will procure a design consultant.*
- *NHA will coordinate with consultant, chapter, and stakeholders for preparation of construction documents.*
- *NHA will request IHP funds for construction.*
- *NHA will procure contractor.*
- *NHA will construct project.*
- *Accept project and start warranty period.*

Developing NHA housing is a long and complex process preferential to certified chapters. The steps and considerations for site selection, funding allocation, and housing development are outlined on the proceeding pages. But due to the complexity of the matter, the chapter should always work directly with NHA throughout the process from as early as possible to pursue NHA housing development.

PLANNING & DEVELOPMENT DEPARTMENT FEASIBILITY DETERMINATION FACTORS:

- *Terrain, landscape*
- *Soil type*
- *Arroyos*
- *Steep slopes*
- *Rock outcrops*
- *Flood hazard areas*
- *Localized flooding*
- *E/A observations*
- *Biological sensitivity areas*
- *Land status (trust, fee, etc)*
- *Grazing Ppermit holders*
- *Utility service*
- *Capacity*
  - *Wastewater*
  - *Water*
  - *Electrical*
  - *Natural gas*
- *Access*
- *Distance to maintained road*
- *Other issues as identified*
- *Illegal dump sites*
- *Protected forest*
- *Protected farmland*

COMMON SITE CHALLENGES

- *Outdated infrastructure for water, power, gas, sewer*
- *Grazing issues for ROW or housing development*
- *Redundant service requirements like surveying*
- *Land status/ ownership and restrictions*

11.7D | PROPOSED NHA HOUSING SITE

Manuelito has worked with the NHA for some time and is the authority's second top partner chapter in working to develop housing.

The first step is to identify land for withdrawal. Sites should have access to utilities in place before beginning the process with NHA. Because HUD funds the NHA, the NHA cannot fund infrastructure projects and will not be able to assist a chapter in developing them.

The chapter and the NHA identified a site in Manuelito, and both entities have supported the site for some time. However, several challenges face the site, holding up designation and withdraw of the land to complete the process.

ACCESS

Site requirements include the availability of two access roads to a site, for emergency access. As noted previously, the NHA cannot assist with funding infrastructural aspects of a project as a HUD-funded entity. The current site has only one access road. The chapter is working with the State of New Mexico and other transportation agencies to solve the challenges in meeting the requirements and continued support for the development of an additional access road as needed for the NHA housing site development. This will remain a priority for the chapter.

WATER

Though previous indications pointed to the approval of the available utility infrastructure, including the new water line and storage tank that will eventually feed NGWS to the site, recent NHA evaluations indicate that the existing water supply is insufficient.

As the chapter works out the details and traverses roadblocks with the NHA, the policy will remain in support of seeking to develop NHA housing in the chapter as a vital strategy in expanding housing options and providing for future generations in Manuelito.

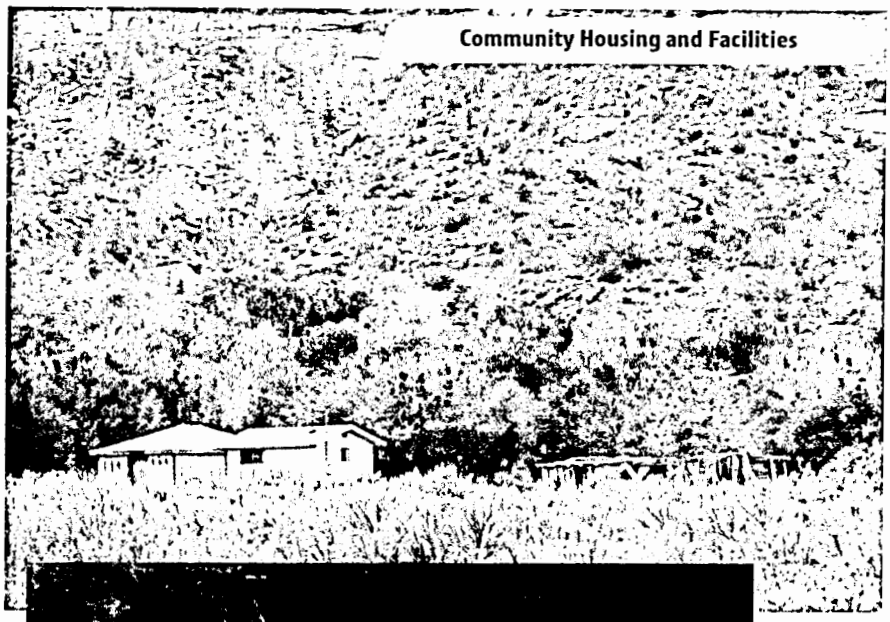
11.7E | ALTERNATIVE APPROACHES

NHA housing may be the primary avenue, but there are other for developing housing. The chapter should consider all potential strategies for improving housing.

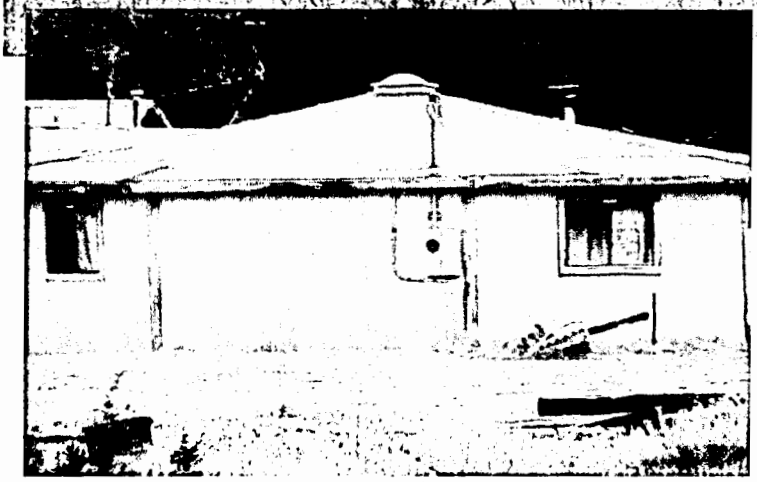
A regional housing program might pool resources for identifying and attracting housing projects and assistance to the area.

The chapter may consider working with neighboring chapters or the chapters of Navajo Nation Council District 6 to develop a multichapter housing program. A regional approach could allow individual chapters to pool planning and funding resources to develop low-income housing or attract housing assistance programs.

As with other pressing issues, the chapter may also consider lobbying its council delegate to fund designated staff to focus on housing for the region.



Community Housing and Facilities

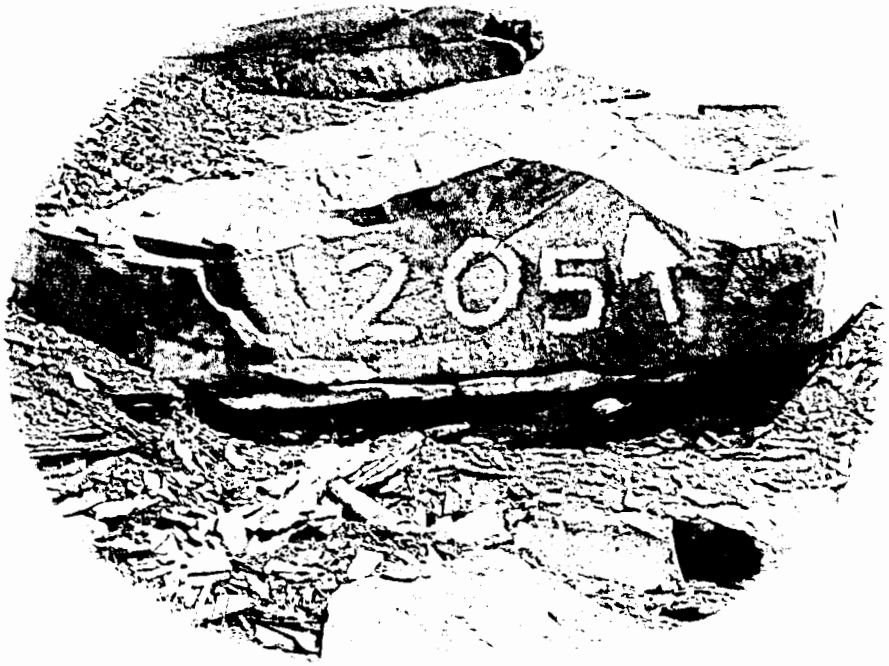


Recommendation

Continue working with the NHA to ensure that the current NHA housing site option can meet NHA requirements and the project proceeds to completion. Remain willing to consider alternative sites, doing so may expedite the process or produce a more favorable outcome.

IMPORTANT NOTE

Several families are facing displacement and need relocation. The state alerted these families that they were living on state-owned land, and these families should be prioritized for housing.



11.8 | ECONOMIC DEVELOPMENT

As the basic building block of prosperity and source of goods and services, the local economy composes the scaffolding of the community infrastructure beyond those fundamental necessities, housing and utilities. .

11.8A | CONDITIONS

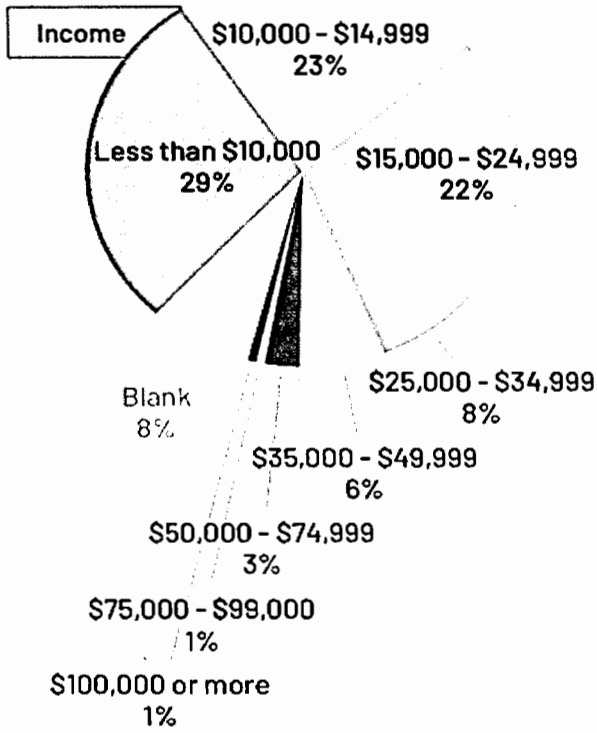
In Manuelito there is no formal local economy. No services are available in Manuelito. No formal employers, retail, or manufacturers provide private sector jobs. No schools or government offices offer public sector jobs.

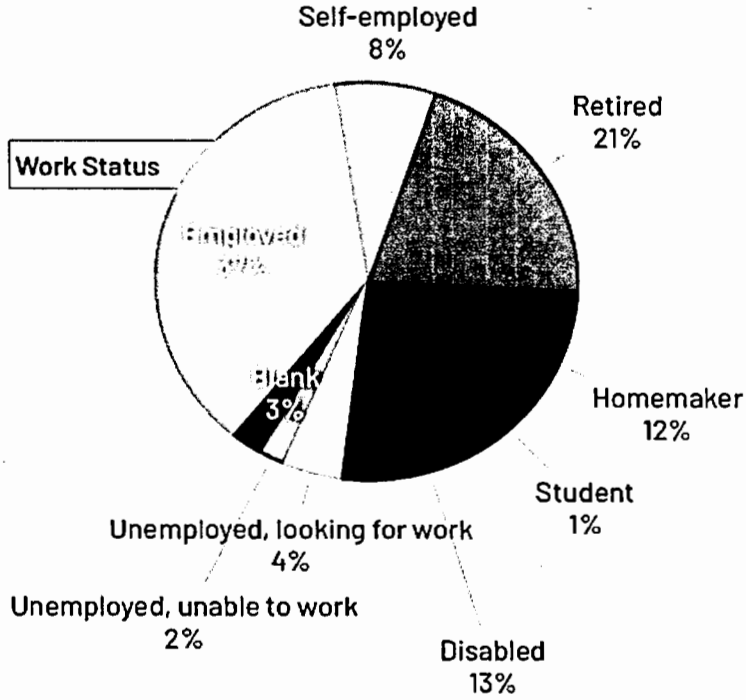
The Manuelito area has an employment rate of just 39%, a median household income of $21,500, and a poverty rate of 62%. The average commute to work for workers living in Manuelito is nearly 40 minutes long.

11.8B | OPPORTUNITIES & CONSTRAINTS

The lack of existing economic activity in the chapter may represent a vacuum on the supply side of goods and services, but opportunities are available to fill the gap with local ventures. A closer look reveals that certain limitations constrained the market and dissuaded investment in the area to this point.

Exhibit 67: Economic Survey Responses





11.8C | TRAVEL & TRANSPORTATION

MARKET SATURATION

The chapter occupies the opening stretch of I-40 entering the state from the west, and an average of over 200,000 vehicles pass by each day (NMDOT, 2017). However, established competition constrains opportunities in travel services like gas stations, RV parks, or transportation. These established businesses come with better interstate access surrounding the chapter bounds to the west, just over the New Mexico border in Arizona.

Transportation services face competition to the east with the trans-loading facility near Gallup. The chapter's access to the major east-west shipping route may still hold opportunity in distribution, allowing local manufacturers direct access to a main route.

INFRASTRUCTURE & DESIGN

This activity would currently face another of the limitations constraining Manuelito's economic potential overall: the current design and condition of the chapter's interstate access, exit 8. The exit is an older design: short, sharp, and not conducive to drawing travelers off the interstate. NMDOT is currently reviewing the exchange and improvement projects—not rebuild—and will likely be added to the funding queue in the upcoming years.

It will be important that the chapter remains in close, working contact with the NMDOT to stay apprised of plans, contribute to design consideration discussions, and advocate for economic-friendly improvements at the exit. These could include amenities such as walking and biking trails, rest areas, shaded benches, or other improvements that could appeal as a stop-off for travelers.

AGRICULTURE

Agriculture reflects the chapter's traditional practices. It is an ongoing practice and may represent some economic development opportunity. However, agriculture is most valuable as a cultural asset and means of cultural preservation, conservation, and sustainable community building. Agriculture can also be an important strategy in the fight against diabetes and obesity in the Navajo Nation.

Opportunities to build the agricultural economy may be available by linking NMSU Extension Project to identify what is needed regionally in terms of training for sheepherding, gardening, and the work of raising quality beef. The latter would include range management and strategies for range restoration and conservation, especially for drought and erosion.

Business management, marketing, and other economic strategy training courses and workshops should go hand-in-hand.

Lack of available, affordable, fresh, healthy food options in the Navajo Nation is a contributor to alarmingly high rates of obesity and diabetes. Promoting community food gardens can be a way of combating the food desert, as well as a way to build community bonds and preserve traditional agricultural practices.

Economic Development Constraints

Developing economic projects like a travel center or other establishment requiring land and public supports or permissions is not be a simple process, considering the complexities of land status, permitting, access to capital, chapter authority in the Navajo Nation and the rural nature of the chapter itself.

Permitting Framework

The LGA enables Navajo chapters to obtain certification and delegates to certified chapters governmental authority with respect to certain local matters. The intent of the LGA is to give local chapters more authority over their own affairs. The act allows chapters to set land-use policy, establish a chapter sales tax (it appears that the sales tax may be set in the range of 2%), and determine what type of a chapter government structure chapter members prefer. The LGA also gives chapters the authority to make agreements or contracts with other chapters and county, city, and state governments.

For now, the Manuelito chapter is not certified, although the chapter is working towards certification. As a chapter without certification, economic development projects in Manuelito move through the Navajo Nation central government. Land for economic development or community projects must be withdrawn, and the Navajo Nation must approve business leases.

OUTDOOR RECREATION

Such a project could tie in nicely to one of the more promising avenues for development in the chapter that could boost chapter visibility, enhance collaborative working relationships with neighboring chapters and governments, promote the region overall, and provide the people of Manuelito with improved public spaces. These efforts would tie in open space and other outdoor recreation opportunities in Manuelito to the greater, region-wide outdoor recreational drive—which includes Gallup, Grants, and Farmington—in the outdoor recreation industry of New Mexico.

REGIONAL TRAIL NETWORKS

Interior walking paths and trails, currently unofficial and those that may be built in the future, should take advantage and link into the regional trail networks developing in the area including bike, equestrian, walking, and hiking trails.

TRAIN WATCHING

Visitors often stop on the side of the road to watch trains, a potential source of visitors and tourists for the chapter. By welcoming them and providing a space to watch trains, with benches and shade structures, these visitors may be attracted to the area. This also should be designed as an element of the larger trail network.

NATURAL ATTRACTIONS

The natural beauty of Manuelito is remarkable and can attract hikers or sightseers, especially the picturesque Manuelito Canyon. This aspect of trail building and visitor attraction carries an added consideration of privacy and access, which is discussed more in the Open Space section.

11.8D | CULTURAL AND RECREATIONAL TOURISM

Although there are no developed cultural attractions within the chapter to bring tourists, the chapter can use regional attractions and events to bring visitors in. Regional bike tours and hiking trails connecting to regional attractions can build on the region's growing recreational tourism economy. The community could consider developing festivals or art tours to attract visitors. The beautiful mountain setting and easy accessibility of Manuelito along the interstate could lead to successful hogan rentals and tours for those interested in the Navajo way of life.

Alhough there are no local attractions in Manuelito, there are several regional attractions that the chapter can link its own trails, tours, and services into.

Sceenery in Manuelito

The Artisan

AN IMPORTANT OCCUPATION IN NAVAJO SOCIETY AND CULTURE

The products created by Navajo artisans reflect native traditions living in the creative imagination and skill of the native artisans. The reflections of our culture are shared through the products that they create.

Artisans produce creative works that reflect the emotions, character and passions of the artist. The skills, love of the people for beautiful objects, decoration and daily use of the crafts are important to the craftspeople. They silently express their passions and love for life through their products.

From the initial vision they have to obtaining the raw materials and creating a beautiful finished product, the artisan must comply with good thoughts, visions, and respect for humanity. Our tradition implies that good things await those who take time to perform at their best.

Arts plays an important role in representing the culture and native traditions of our people. Creating these works of art is an important channel in preserving our culture, heritage, and tradition by means of self-defining work. Storyteller bracelets tell stories of the artist. Traditional rugs and sand paintings explain our traditions and the deities that our folklore define.

Artisans are vulnerable to exploitation and low wages. Artisans suffer from lack of organization, lack of education, low capital, poor exposure, limited marketability, and lack of overall support from the Navajo Nation.

We must evaluate the problems and obstacles the Artisans face in completing their fine work. How can we best support them? How can we market their finished products? How can we enable our Navajo people to become self-sufficient? We as local leaders need to step forward and assist our people to become self-supporting for their families and livelihood.

TRADITIONAL ARTS & PRODUCTS

Currently the most active, although still in an informal capacity, the traditional arts market is the most promising development as a viable industry in Manuelito.

Manuelito has a strong tradition of fine arts, including weaving, silversmithing, rug making, painting, and others. Traditional artisans and the goods they create form a central cultural and economic identity for the chapter.

ACTIONS CAN CREATE A RIPPLE EFFECT AND MAKE A DIFFERENCE IN OUR LOCAL ARTISANS LIVES.

THE ARTISAN

The arts reflect Native tradition, which still lives in the creative imagination and skill of artisans.

Designs, forms, and colors evolved slowly through the disciplined efforts of generations of artisans.

These works of art reflect the refined taste of makers, but also the love of the people for beautiful objects, decoration, and of daily use. From the choice of the raw materials to the final finishing touch, at every stage, artisans have a set of standards to create the best.

The specific objective of this portion in the plan is to evaluate the obstacles artisans face in their work.

Arts play an important role in representing the culture and traditions of Native people and preserving the rich art of the traditions, heritage, culture, and the traditional skills associated with native lifestyle and history.

Artisans/artists are vulnerable to exploitation and low wages. Artisans suffer from a lot due to being unorganized, lack of education, low capital, poor exposure, absence of market, and lack of support from the tribe.

Problems for the Artisan Community:

- Payment of wages (Paying yourself)
- Lack of quality raw materials
- Regular orders for different artwork/crafts
- Need for financial assistance in form of loans/Lack of funding/ credit opportunities
- Ability to market the products
- Information to understand market needs
- Limited market opportunities
- Outdated production methods/lack of modernization efforts
- Neglect/lack of acknowledgement by Navajo Nation
- Lack of proper guidance and encouragement
- Lack of interest by second generation
- High production cost
- Competition from outside with foreign made items
- Lack of exposure and poor work environment
- Dominance of middlemen

How To Improve

- Technological know-how
- Infrastructure for support-craft/vendor village
- Participation of artisans
- Demonstration workshops
- Local shops for raw materials supported by the NN
- Quality control for crafts and art: rugs, silver jewelry, sheep wool.

Training

- Lack of training and awareness in artisans
- Training center/workshops
- Lack of professional training opportunities
- To set up craft schools and training
- Adequate training to artisans for sustained self-employment
- NN arrange workshop for craft persons for design development and make new products

Design

- Lack of knowledge
- Design registration
- To organize design and technical development workshop
- NN set up strong rule and heavy penalties for fraud (Federal crime)

Marketing

- Poor marketing strategies
- Developing partnerships
- To open websites and advertisements
- Organized marketing
- Involvement of private and corporate for market promotion
- To provide direct marketing facilities throughout the year

Finance

- Wage structure
- To increase the capital base of crafts/artwork
- Lack of financial assistance and credit
- Pension to artisans
- Loan given at low interest rate
- To increase the capital base of handicrafts
- Financial assistance for export promotion activities
- Marketing power weak at both selling and buying levels
- Less exposure to information and technology
- Lack of formal training
- Lack of policy
- Marketing support
- Unable to thrive competition

Lack of Rural Development

- There is lack of rural development for the artists. As a result, improving the quality of life of rural people remains poor.

Needs from Rural Artisans

- Neglect, lack of support from Navajo Nation
- Lack of rural developmental programs
- Lack of skill improvement and technology
- Lack of specialized markets
- Nonexistent infrastructural facilities
- Unavailability of quality raw materials
- Weak financial power
- Inability to get bank loans
- Poor access to information
- Lack of linkages with different developmental institutions
- Need of social security mechanism

ARTISAN SWOT (STRENGTH, WEAKNESS, OPPORTUNITY, THREATS) ANALYSIS:

STRENGTH:

Potential market locally and internationally

Provides potential sources of employment (self-employment.)

Talent and experience

WEAKNESSES:

No infrastructure and facilities

Artisans may not know about international requirements, new technology and development, and current market trends

Lack of product promotion

OPPORTUNITIES:

Emerging demand for products

Rising demand and usage of handicrafts products in fashion industry

Developing tourism

E-commerce and Internet are emerging to market and sell products

THREATS:

Competition in the market

Fraud resulting in foreign or machine-made items

Recommendation

Identifying a visible, accessible area that can serve as regular artisan vendor village. By securing the space, organizing regular events with artisans, and marketing those events, the reputation of the area as a reliable space for finding these goods will build. As this builds, the chapter should maintain marketing efforts while reaching out to neighboring communities to

- **Identify a permanent vendor village space that is highly visible and accessible from the interstate, pleasant, secure, obtainable, and free of hazards such as flooding.**
- **Secure and develop the site as a permanent village for regional artisans.**
- **Include musicians, food vending, performances, classes, and other attractions to draw attention and crowds.**
- **Develop, maintain, and expand marketing and branding to publicize the space.**
- **Support artisans with legal, marketing, technical, and transportation assistance as needed. This may include providing group studio space, apprenticeship programs, design workshops, and other nonconventional approaches.**

ADDITIONAL STRATEGIES

There are several trading posts in the region that sell fine jewelry, rugs, and other traditional arts from the area and from the Zuni Pueblo. The chapter would like to encourage and promote local artisans and their products.

The chapter may consider offering the chapter house as a meeting space for artisan groups to gather and possibly offer classes to broaden the base of artisans and extend the culture to youth.

Artisans can also pool resources to develop branding and marketing to promote Manuelito products. The chapter can also help artisan groups in recruiting talent to build an attractive online store for promoting and selling Manuelito wares worldwide.

11.9 | INFRASTRUCTURE & INDUSTRY

11.9A | BROADBAND, E-COMMERCE, AND SHIPPING SERVICES

Manuelito's rural location creates a few obstacles in regards to the chapter's economic development. Manuelito does not have an ideal on-off access to I-40. Services are 20 minutes away from the chapter house, towards the east and west. Hence, establishing successful roadside commercial services will be a difficult goal to achieve in Manuelito. Considering the remote nature and scattered population of Manuelito, e-commerce is a viable option. Installing broadband Internet and establishing shipping services in Manuelito would be the most sensible direction for the chapter's economic development. The prioritization of these two projects would encourage the development of e-commerce as a sustainable source of income for the chapter.

Some advantages of developing e-commerce include

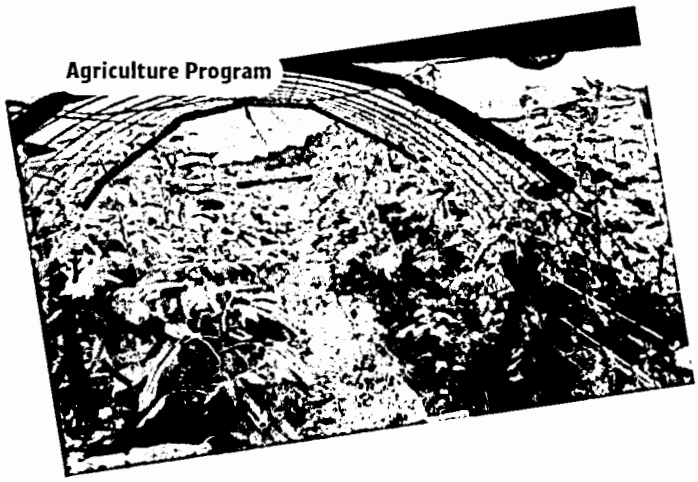
- » Home-based businesses or a localized Internet hub (requires a building)
- » No physical storefronts
- » Shorter building processes
- » Land withdrawal would only be necessary for infrastructure ROWs to run fiber
- » Lower upfront capital requirements
- » Potential nationwide and worldwide customer bases

In order to establish reliable e-commerce, the first priority is creating access to broadband Internet. Ideally, high-speed Internet would become available to every household. However, the primary concern is making broadband available in strategic locations for community members to access the high-speed Internet services. Making these services available could help people in the chapter do a number of things. Members could create websites to promote their services and goods. Chapter members would be able to work remotely, as has become common for a number of businesses in the

past few years, creating more employment options. The chapter and its members could establish social media channels to promote the community, tourism, recreation, and Navajo culture. Examples of web-based businesses and services:

- **Web stores to sell (Etsy, eBay, RedBubble, Wix, Shopify, Squarespace, Square Online, BigCommerce, Big Cartel, Amazon, etc.)**
  - paintings
  - jewelry
  - pottery
  - weaving
  - carvings
  - clothing
  - ingredients
  - art and craft supplies
  - photographs
  - music and musical instruments
  - tools
- **Services (Zoom, Teams, Google, etc.):**
  - language lessons
  - art and craft lessons
  - natural healing
  - Navajo cuisine cooking lessons
  - music lessons
  - dance lessons.
- **Social Media (YouTube, TikTok, Instagram, etc.):**
  - traditional lifestyle
  - arts and crafts
  - cooking
  - music and instruments
  - dance
  - ceremonies
  - traditional and ceremonial dress
  - traditional healing
  - spirituality
  - folklore and oral tradition
  - hunting/ fishing/ trapping
  - local adventure and recreation
  - athletics
  - farming and herding

Online sellers in Manuelito would need to ship from the most convenient post office, United Parcel Service (UPS), or FedEx service. There is a post office, UPS store, and FedEx drop box in Gallup. Transportation and shipping are available between 16 and 20 miles east of Manuelito. Once the chapter's e-commerce has progressed and possesses a strong basis, Manuelito could use the number of goods shipped from Gallup to demonstrate that a shipping center in Manuelito would be profitable. The develpoment of e-commerce might appeal to the USPS or UPS. A UPS store provides both their services and postal services, offering help with packaging goods and providing options for fast, reliable shipping.



Agriculture Program

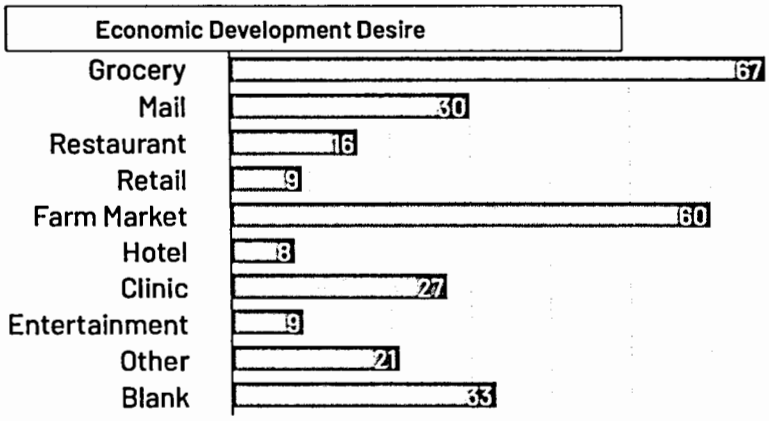
Artisans Selling Goods

11.10 | ECONOMIC DEVELOPMENT STRATEGIES

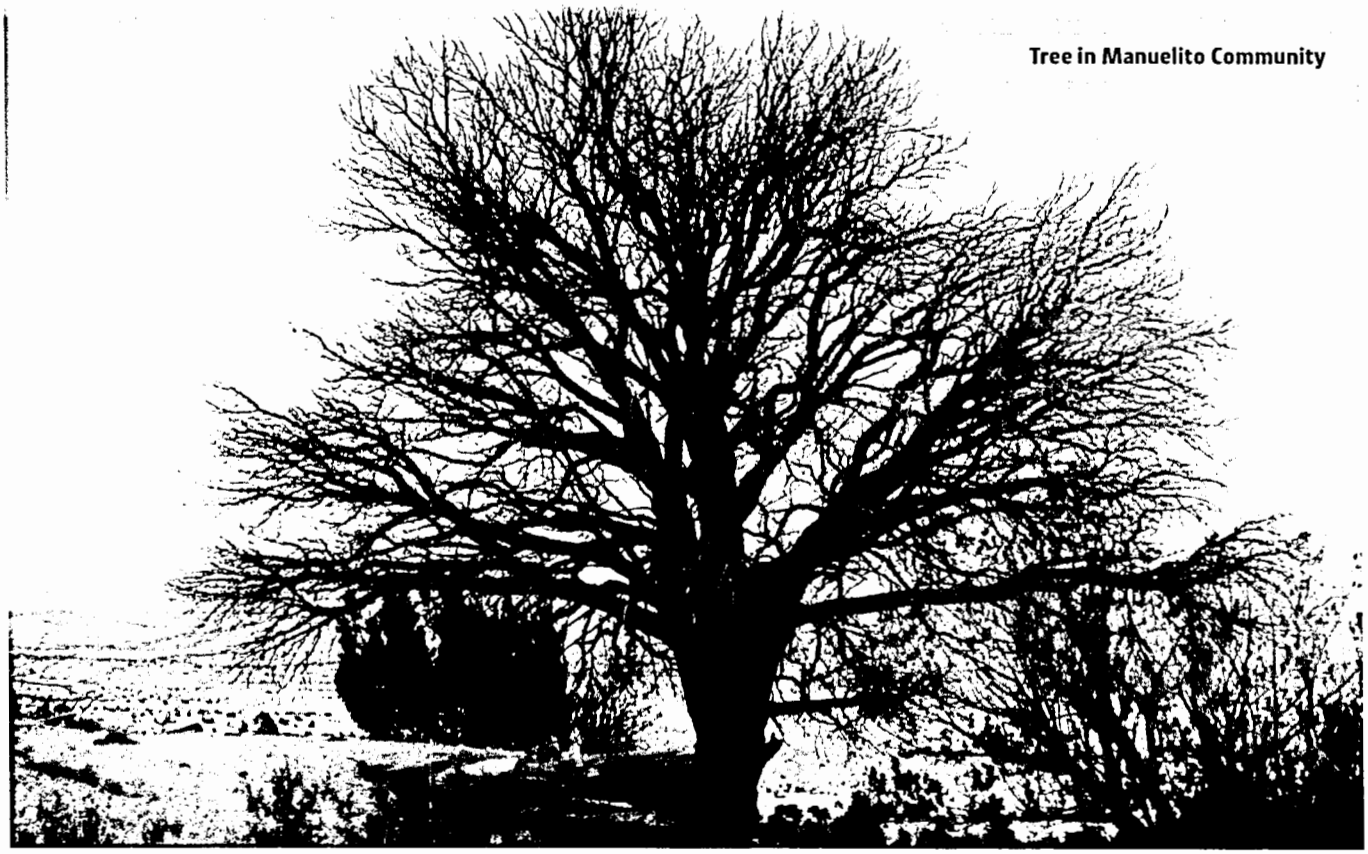
The classic economic development strategy of supporting land development for economic interests faces many barriers in Manuelito, as noted previously in this section. These barriers should not dissuade the chapter from pursuing any opportunities.

The community provided a list of priority projects that may serve as a guide for identifying projects to support, although the chapter should consider all viable options. Additional tools and strategies, that many communities in the state use to seek and attract economic development projects, are included in the Appendix of this plan and may serve as a reference for future efforts to build economic momentum in the chapter.

Exhibit 68: Desired Economic Development

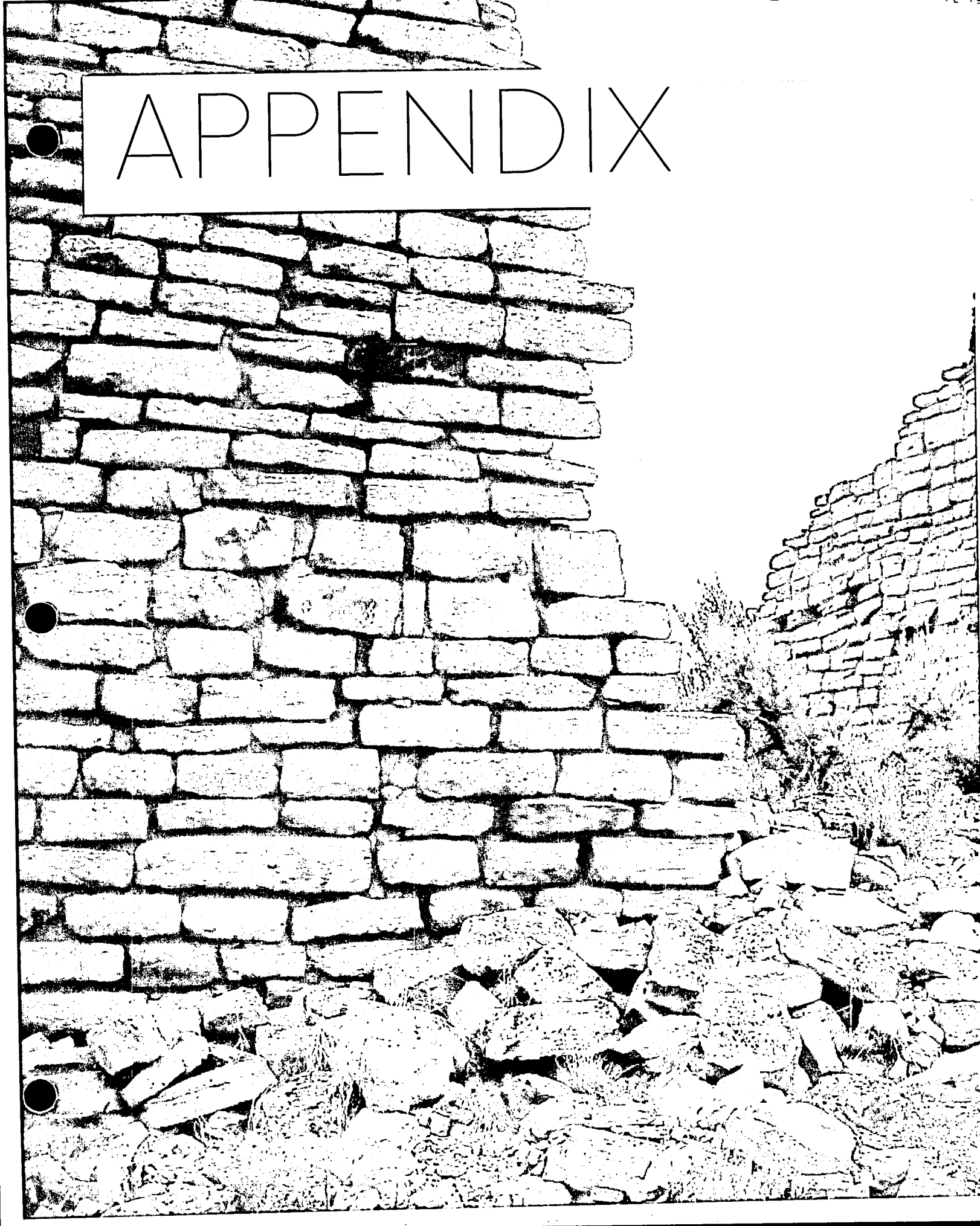


Economic tools discussed in the Appendix include: Local Employment Development Act (LEDA); funding mechanisms; marketing strategies; and regulatory protections for film, oil, and gas activity.



Tree in Manuelito Community

APPENDIX



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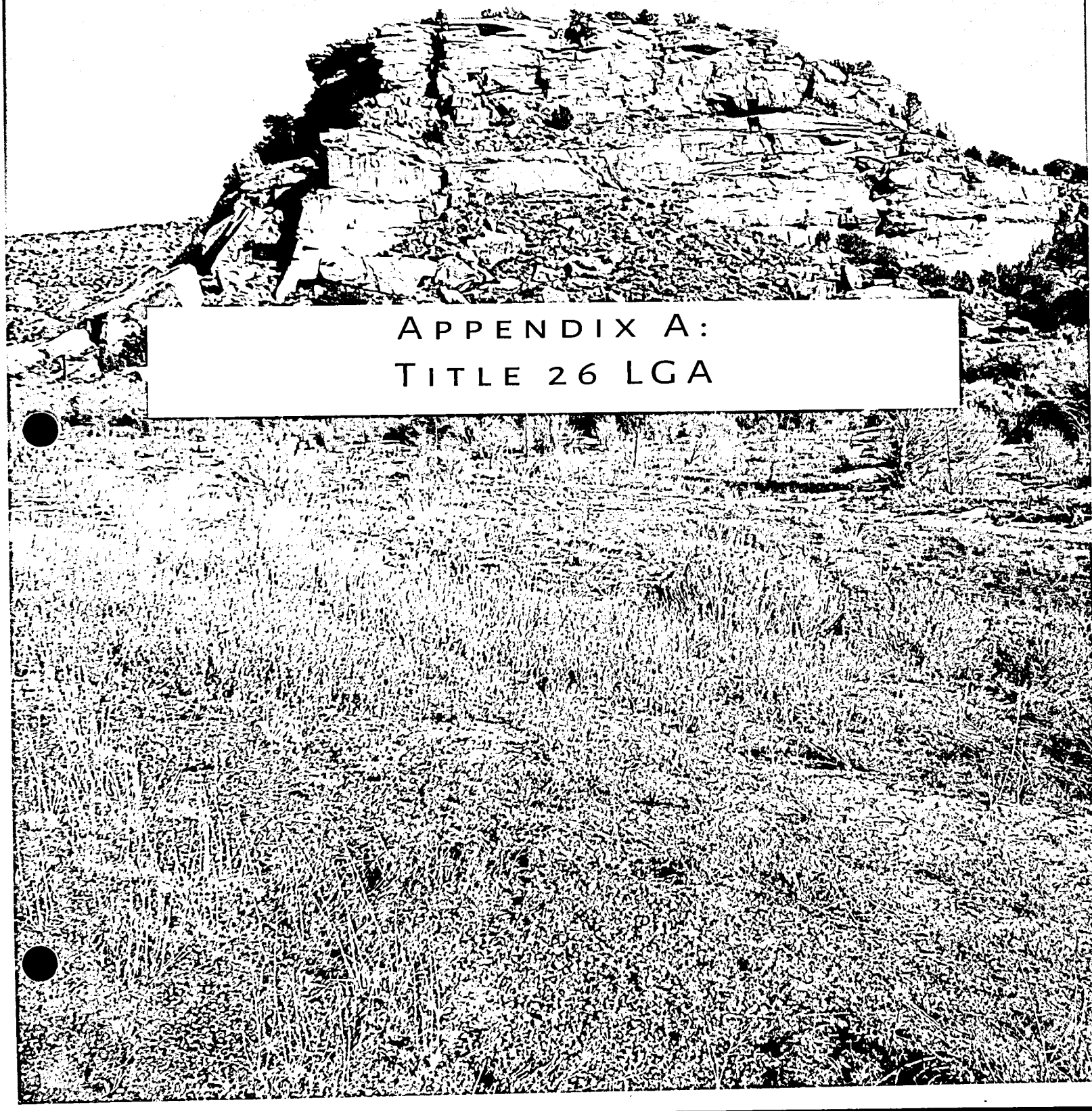

Appendix A: Title 26 LGA

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NAVAJO NATION CODE: TITLE 26
Navajo Nation Local Governance Act

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Chapter 1
NAVAJO NATION CHAPTERS

Subchapter 1. Generally

Section 1. Title; Purpose; Authorization; Prior Inconsistent Law Superseded; Amendment

A. Title

This Act shall be cited as the "Navajo Nation Local Governance Act" and herein codified in Title Twenty Six (26) of the Navajo Nation Code.

B. Purpose

1. The purpose of the Local Governance Act is to recognize governance at the local level. Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition. This Act clearly defines the executive and legislative functions of the Chapter as well as the duties and responsibilities of Chapter officials and administrators consistent with the Navajo Nation's policy of "separation of powers" and "checks and balances."

2. Enactment of the Local Governance Act allows Chapters to make decisions over local matters. This authority, in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Through adoption of this Act, Chapters are compelled to govern with responsibility and accountability to the local citizens.

C. Authorization

The Navajo Nation Council, by Resolution CAP-34-98, hereby approves the Navajo Nation Local Governance Act.

D. Prior Inconsistent Law Superseded

Upon the effective date of the Navajo Nation Local Governance Act, all inconsistent enactments, laws, rules, policies, ordinances and regulations of the Navajo Nation and all branches, divisions, departments, offices and political subdivisions thereof are superseded hereby and/or amended to comply herewith.

E. Amendment

This Act may be amended by the Navajo Nation Council subject to approval of a majority of all Chapters of the Navajo Nation; or this Act may be amended by referendum vote of a majority of all Chapters as set forth in 11 N.N.C., Navajo Nation Election Code.

Section 2. Definitions

The language contained in this Section applies generally to all Chapters except as otherwise provided in this Act.

1. "Accounting system" means the methods and records established and maintained to identify, assemble, analyze, classify, record and report a Chapter's financial transactions and to maintain accountability, in accordance with generally accepted governmental accounting principles (GAGAP), or another comprehensive basis of accounting, other than GAGAP, of such transactions and for the related assets and liabilities.

2. "Administrative functions" are those activities of the Chapter government which are non-legislative, and involve the conduct of programs.

3. "Allotment" means a parcel of land either owned by the United States in trust for an Indian (trust allotment) or owned by an Indian subject to restriction imposed by the United States against alienation (restricted fee allotment).

4. "Alternative form of Chapter governance" means to give a new design, function or organization to the existing Chapter government.

5. "Attendance" means to be present.

6. "Chapters" are units of local government which are political subdivisions of the Navajo Nation.

7. "Chapter Certification" means the process required of a community group, pursuant to Section 3, seeking to establish a certified Chapter of the Navajo Nation Government.

8. "Chapter employee" means any person or entity working for, or rendering or exchanging any services or performing any act for or on behalf of the Chapter in return for any form of payment or other compensation or thing of value received or to be received at any time temporarily, permanently or indefinitely, in any capacity; whether as agent, servant, representative, consultant, advisor, independent contractor or otherwise.

9. "Chapter meeting minutes" means the record of all action taken at a duly called meeting of the Chapter or those representing such voters pursuant to governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to this Act.

10. "Chapter membership" means:

    a. for voting purposes and participation in the Chapter government, all registered voters of the Chapter, or those representing such voters pursuant to governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to this Act.

    b. for purposes of services and benefits, all tribal members, young and old, who either reside within or are registered in the Chapter. An individual may not be a member of more than one Chapter.

11. "Chapter official" - The President, Vice-President, and Secretary-Treasurer of the certified chapter, or, for purposes of the Election Code, other officials who may be locally elected based upon governing models adopted by the Transportation and Community Development Committee of the Navajo Nation Council pursuant to this Act.

12. "Chapter ballot measure" means the official action of a Chapter's registered voters on a proposed resolution or ordinance pursuant to Section 1003 (B) and 2001(H) et seq. of this Act.

13. "Chapter resident" means one who dwells permanently or continuously within the boundaries of a Chapter.

14. "Chapter resolution" means the document recording the official action taken by the Chapter membership at a duly call Chapter meeting.

15. "Community Based Land Use Plan" means a document adopted by Chapter resolution setting forth current and proposed uses of land within Chapter boundaries, illustrating such uses by map or plat.

16. "Contracting" means the act of entering into written agreements which impose legal obligations on the parties who are signatories to the agreement.

17. "Custodian" means having day to day charge of official books, records, documents, equipment, property and funds of the Chapter.

18. "Eminent domain" means the taking of land used by an individual, or legal person or entity, in which an individual, or legal person or entity, has an interest for a governmental purpose. "Just compensation" must be paid to the user for taking of such as prescribed by Navajo law.

19. "Filing System" means the system by which all Chapter documents are maintained.

20. "Five Management System" means a management system which includes: accounting, procurement, filing, personnel and property management.

21. "Governance Procedure Requirements" means the process Chapters must complete pursuant to Section 102 to begin exercising authorities pursuant to this Act.

22 "Governmental purposes" means activities carried out by the Chapter for the general health, safety and welfare of the Chapter membership.

23. "Local governance" means governance by and through Chapter governmental bodies as set forth by this Act.

24. "Manager" means the individual who is responsible for administering the Five Management System and the administration of the Chapter

25. "Navajo Nation law" means Navajo statutes, administrative regulations and Navajo common law.

26. "Ordinance" means a local law, rule or regulation enacted by a Chapter pursuant to this Act.

27. "Oversight" means the general supervision of administrative functions by the Chapter officials and/or the manager to ensure accountability.

28. "Personal property" is all supplies, materials, equipment and other property, including expendable and nonexpendable property, capitalized and non-capitalized, but does not include real property or fixtures. Capitalized property is nonexpendable property having acquisition value of $1,000.00 or more.

29. "Personnel management" means the system by which recruitment, retention and termination of employees is administered at the Chapter.

30. "Property management" means the system by which the Chapter administers accounts for real and personal property obtained or controlled as a result of past transactions, events or circumstances.

31. "Real property" is any interest in land, together with the improvements, structures and fixtures located thereon.

32. "Registered voter" means having one's name officially placed on a list of eligible voters.

33. "Sub-contract" means the act of entering into a written agreement between a Navajo Nation Chapter and a Navajo Nation division, program or entity.

34. "Technical assistance" means services rendered by the central Navajo Nation government with respect to the authority to be exercised by Chapters as described herein.

Section 3. Chapter Certification

A. There shall be certified at least one Chapter organization in each Chapter precinct which elects delegates to the Navajo Nation Council. The list of certified Chapters is at 11 N.N.C. Part 1 Section 10.

B. Until increased by certification by the Navajo Nation Council, the number of certified Chapters shall not exceed one hundred and ten (110).

C. Additional Chapters may be certified only if all of the following are met:

1. Upon presentation of evidence to the Navajo Nation Council that the proposed Chapter represents a community group which has existed and functioned as a community for four (4) continuous years.

2. Upon presentation of evidence that the population of the area exceeds 1,000 persons for each of the existing Chapters and that there is a need to establish others.

3. Upon presentation of evidence that the topography or the unique demography of the Chapter area makes it necessary to have more than one Chapter to allow residents access to Chapter meetings.

Subchapter 3. Navajo Nation Chapter Governance

Section 101. Chapter Government Requirements

A. To ensure accountability, all Chapters are required to adopt and operate under a Five Management System. Chapters shall develop policies and procedures for the Five Management System consistent with applicable Navajo Nation law.

B. Chapters wanting to administer land, pursuant to this Act, are required to develop a community based land use plan based upon results of a community assessment.

Section 102. Governance Procedure Requirements

A. The Navajo Nation Auditor General's office shall review the Chapter's Five Management System policies and procedures and recommend governance certification of the policies and procedures to the Transportation and Community Development Committee.

B. Upon review and recommendation by the Auditor General's office, the Transportation and Community Development Committee of the Navajo Nation Council shall certify the Five Management System policies and procedures. Also, the committee shall review, if applicable, the Chapter's community based land use plan. Upon governance certification by the Transportation and Community Development Committee, the Chapter may exercise authorities pursuant to Section 103 of this Act.

C. Chapters subsequently approving a community based land use plan must receive certification from the Transportation and Community Development Committee. Certification by the Transportation and Community Development Committee authorizes Chapters to administer land pursuant to Section 103(D)(1).

Section 103. Chapter Authority

A. The members of each Chapter, at a duly called meeting, are authorized to oversee the authority delegated to the Chapter pursuant to this Act.

B. All authority exercised by a Chapter shall be consistent with Navajo Nation law.

C. All authority exercised by a Chapter, pursuant to this Act, may be preempted by Navajo Nation Council statutes and/or resolutions.

D. All Chapters, by Chapter resolution, may exercise the following authorities, including, but not limited to:

1. Issue home and business site leases or permits. The issuance of leases and permits shall be done in accordance with uniform rules and regulations promulgated by the Resources Committee and the Economic Development Committee of the Navajo Nation Council. This provision shall not apply to allotments.

2. Acquire, sell or lease property of the Chapter.

3. Enter into agreements for the provision of goods and services.

4. Enter into agreements with other Chapters to undertake a common goal or interest which will benefit the Chapters.

5. Enter into intergovernmental agreements with federal, state, tribal entities and/or their agencies, subject to the approval of the Intergovernmental Relations Committee of the Navajo Nation Council.

6. Enter into contracts or sub-contracts with the Navajo Nation for federal, state, county and other funds, subject to the approval of the Intergovernmental Relations Committee. This provision is not intended to alter federal contracts between Chapters and the United States which pre-date the enactment of this Act.

7. Enter into contracts or sub-contracts for Navajo Nation general funds, with appropriate Navajo Nation divisions, programs or agencies for service delivery programs.

8. Appropriate funds, according to conditions set forth by the Navajo Nation Council, divisions, departments or other funding sources, including Chapter claims funds and Chapter scholarship funds.

9. Retain legal counsel.

10. Establish a peacemaking system or administrative procedure for resolving disputes arising from Chapter resolutions, ordinances, or administrative action; including matters arising from personal disputes. The peacemaking system should emphasize Navajo custom for resolving disputes not otherwise contrary to Navajo law and/or custom.

11. Generate revenue through means established by the Chapter consistent with this Act.

E. Chapters may adopt the following ordinances pursuant to Section 2001 of this Act.

1. Amend the land use plan to meet the changing needs of the community.

2. Acquire property by eminent domain, pursuant to Section 2005 of this Act. This provision shall not apply to allotments.

3. Acquire and administer capital improvement project funds.

4. Zoning ordinances consistent with the Chapter's community based land use plan.

5. Regulatory ordinances for governmental purposes, enforcement of which shall be by the Chapter, for the general health, safety and welfare of the Chapter membership, consistent with Navajo Nation law.

6. An alternative form of Chapter governance based upon models provided by the Transportation and Community Development Committee of the Navajo Nation Council.

7. A municipal form of government or Chapter sub-units based upon models provided by the Transportation and Community Development Committee of the Navajo Nation Council.

8. Local taxes pursuant to a local tax code developed by the Navajo Tax Commission and approved by the Navajo Nation Council.

9. Local fees based upon guidelines established by the Navajo Nation Council.

10. Issue community bonds.

11. Compensate the Chapter President, the Vice President, and the Secretary/Treasurer.

12. Others, subject to the approval of the Transportation and Community Development Committee of the Navajo Nation Council.

F. Chapter members may delegate the resolution authority to the Chapter administration through the Chapter ordinance process. The delegation of authority specifically applies to: the issuance of home, business and other site leases, contracting, the authority to acquire, sell or lease personal property of the Chapter, and to appropriate funds.

G. The Chapter Officials and/or the Chapter membership are prohibited from granting monetary loans and approving per capita distribution of Chapter funds to the Chapter membership.

H. All residents of the Chapter, whether registered voters or not, are subject to the jurisdiction of the Chapter pursuant to this Section.

Chapter 2

CHAPTER GOVERNMENT

Subchapter 5. Navajo Nation Chapters, Officials and Administration - Generally

Section 1001. Duties and Responsibilities of Chapter Officials

A. Chapter officials are elected by the Chapter membership to facilitate the conduct of Chapter meetings and guide policy making within the Chapter. The administrative functions of the Chapter government are to be left to the Chapter employees. An individual may not serve as both a Chapter official and Chapter employee at the same time.

B. The duties and responsibilities of the Chapter officials are as follows:

1. The Chapter President shall:

a. Consult with the Chapter Vice President, Secretary/Treasurer, Council Delegate(s), and Chapter staff in preparation of the agenda for each Chapter meeting. If applicable, the President shall also consider proposed agenda items from the planning meeting.

b. Preside and maintain order over Chapter meetings. All Chapter meetings shall be conducted according to the standard order of business pursuant to Section 1003 of this Act.

c. Provide all residents of the community with equal opportunity to speak on issues before the Chapter.

d. Recommend the establishment of and appointment to the standing and special committees of the Chapter to the membership for approval.

e. Adjourn or postpone a Chapter meeting in the event of:

1. A lack of quorum;

2. Disorder at the meeting;

3. Unforeseen emergency;

4. When a Chapter meeting is adjourned or postponed, the Chapter President shall provide notice to the Chapter members as to the time and place of the next or continued Chapter meeting.

f. Vote in case of a tie.

g. Call emergency or special Chapter meetings.

h. Coordinate, plan and organize to improve Chapter functions and activities.

i. Ensure that the duties and responsibilities of the Vice President and the Secretary/Treasurer are carried out in the best interest of the Chapter community.

j. Work closely with the Vice President, and Secretary/Treasurer, to ensure that the Chapter administration is adequately meeting the Chapter's directives and expending funds according to conditions of the Navajo Nation Council and/or the Chapter's annual budgetary objectives; and shall report to the Chapter membership.

k. Follow-up with Tribal, Federal and State governments or their agencies on resolutions, ordinances, recommendations, proposals and projects of the Chapter.

l. Take action to protect the life and property of the members of the Chapter in case of an emergency or other crisis.

m. Carry out the decisions of the Chapter and not frustrate those decisions in any way.

n. Work closely with Council members, Chapter elected officials, committees and other concerned groups or agencies.

o. Encourage and promote community participation in planning and development.

p. Mediate disputes, if appropriate, of families residing within the Chapter and/or refer such family disputes to appropriate social service or law enforcement authorities, as the circumstances may require.

q. Represent the Chapter at meetings which the Chapter has interest.

r. Keep informed of all Chapter related activities and acts to advance the interests of the community in all matters.

s. Have authority to sign all contracts, leases and all other official documents of the Chapter, unless otherwise stated.

t. Delegate to the Vice President certain duties and a responsibility of the presidency, when the President is otherwise incapacitated or is unavailable to perform his duties.

2. The Chapter Vice President shall:

a. Automatically assume the duties and responsibilities of the Chapter President, in the absence of the President during Chapter meetings.

b. In the event of an unforeseen situation, assume delegated duties and responsibilities of the Chapter President for a reasonable time period.

c. Assist the President and Secretary/Treasurer with their duties and responsibilities.

d. Work closely with Chapter elected officials, committees and other concerned groups or agencies.

e. Monitor community projects.

f. Represent the Chapter at meetings of which the Chapter has interest.

g. Support and assist the President and Secretary/Treasurer in carrying out the decisions of the Chapter and not act to frustrate those decisions.

3. The Chapter Secretary/Treasurer shall:

a. Maintain complete and accurate records of all Chapter activities and provide written information when called upon.

b. Assist the President and Vice President in preparing the agenda.

c. Prepare and finalize all resolutions, proposals, letters and other important documents for distribution to appropriate agencies.

d. Take the minutes of Chapter meetings and record in detail all resolutions, votes and other official actions of the Chapter. Discussion of all action items shall be recorded with a tape recording machine.

e. Follow up with the Chapter President and Vice President on all referrals of resolutions, proposals, correspondence and other related matters.

f. Represent the Chapter at meetings of which the Chapter has an interest.

g. Work closely with the Chapter President, Vice President, and other Chapter committees.

h. Monitor the maintenance of an adequate accounting system to ensure accountability of all funds and expenditures; and shall report to the Chapter President and membership.

i. Shall, in consultation with the Chapter President and Vice President, ensure that the administration prepares monthly financial reports of all transactions and expenditures of the Chapter by categories. The Secretary/Treasurer is responsible for providing all financial reports to the Chapter membership at duly called Chapter meetings.

j. Keep records of meeting claims, attendance and payment of Chapter officials.

k. Turn over, to the Chapter manager, within 10 working days of the official action, all resolutions, minutes and other official documents finalized by the Secretary/Treasurer.

l. Co-sign all Chapter checks along with the Chapter manager. In the event that the Secretary/Treasurer is unavailable, the Chapter President or the Vice President may co-sign Chapter checks.

C. Elected officials of the Navajo Nation Chapters shall serve for a term of four (4) years and shall not be limited to the number of terms he or she may serve.

D. Elected officials of the Navajo Nation Chapters shall take the oath of office before assuming official duties.

E. Elected officials are prohibited from direct involvement in the management and operations of the Chapter administration.

F. Elected officials, immediately upon resignation, removal or expiration of the term of office, shall turn over to the duly certified successor, all books, records, and property in his/her possession belonging to the Chapter.

G. Elected officials shall comply with all Navajo Nation laws, Chapter ordinances and resolutions. These officials shall perform the duties enumerated above, and such other duties as may be consistent with Navajo law, including this Act and applicable plans of operation enacted by the Chapter membership.

H. Elected officials of the Navajo Nation Chapters shall attend, upon taking the oath of office, a training session on Ethics in Government sponsored by the Ethics and Rules Office of the Navajo Nation. Chapter officials shall maintain a high standard of conduct in all Chapter business consistent with Navajo law, including this law, and the Navajo Nation Ethics and Government law. Chapter officials are prohibited from rendering opinions, directions or decisions contrary to the sound practice of leadership or contrary to the best interest of the Chapter.

Section 1002. Meetings; Meeting Notice Requirement; Compensation of Chapter Officials

A. Number of meetings. Each Chapter shall determine the number of meetings to be held each month and the time and place for such meetings (subject to the right of the Chapter President to call special or emergency meetings when necessary).

B. Meeting Notice. The Chapter officials shall post all Chapter meeting agendas within the Chapter boundaries at least 48 hours prior to the meeting.

C. Compensation of Chapter Officials

1. Chapter officials shall be compensated for only the number of meetings provided for in the Navajo Nation approved budget. It is nonetheless the obligation of Chapter officials to be present at all Chapter meetings.

2. A Chapter meeting claim form signed only by the claimant shall be attached to each of the regularly scheduled Chapter meeting reports filed by the Chapter Secretary/Treasurer with the Chapter Government Development Department, Division of Community Development, or if applicable, by the Chapter administration.

a. Each regularly scheduled Chapter meeting report and claim form shall be correctly filled out before it will be accepted and processed for payment by the Chapter Government Development Department, Division of Community Development, or if applicable, by the Chapter administration;

b. Each Chapter President, Vice President, Secretary/Treasurer (the appointed acting Secretary and/or the Chapter President Pro-Tempore) shall be paid in accordance with the approved fiscal year budget;

c. No Chapter official shall be compensated for a Chapter meeting unless he or she was in official attendance at that meeting; and

d. Reports will be furnished for all Chapter meetings, regular or special, and state whether or not Chapter officials are to be compensated for attendance at such meetings.

Section 1003. Order of Business

A. The Chapter President or in the absence of the President, the Vice President shall chair all regular or special Chapter meetings. In the absence of the President and Vice President, the Chapter members present may select a Chairperson Pro Tempore for that meeting only.

B. All Chapter meetings require a quorum of 25 registered Chapter members to conduct official Chapter business. Chapters, whether governance certified or not, may amend the quorum requirement, based upon models and procedural regulations adopted by the Transportation and Community Development Committee of the Navajo Nation Council. Adoption of an amended quorum requirement requires approval of chapter ballot measure in accordance with 11 N.N.C. §§401-408.

C. Chapters may adopt standard rules for conducting Chapter meetings.

D. Procedural Rules for Motions.

1. The approval or amendments to the agenda, minutes, report(s) and resolution(s) under old and new business of the agenda shall be done in the following manner:

a. Upon presenting the agenda, minutes, report(s), resolution(s) and/or issue(s) of the agenda, the Chapter President shall request a motion to accept the matter before the Chapter membership and recognize a second to the main motion.

b. Upon receiving a motion and a second to the main motion, the Chapter President shall provide an opportunity to members of the Chapter to address the matter before the Chapter membership.

c. Any member of the Chapter may propose an amendment to the main motion which would require a second. The Chapter membership shall vote on the proposed amendment motion. If the amendment motion passes,

it shall take precedence over the part of the main motion subject to a proposed amendment. Only one motion to amend the main motion shall be on the floor.

d. Any member of the Chapter may propose a substitute motion and if it passes, it shall take the place of the main motion. The substitute motion shall be seconded and voted on.

e. Any member of the Chapter may propose to table the legislation or issue before the Chapter. The motion to table the matter shall be seconded and voted on. If the tabling motion passes, it shall take precedence over other motions.

2. The Chapter President, Vice President, and Secretary/Treasurer, at a duly called Chapter meeting, are prohibited from making main motions and second motions on substantive and administrative matters. They may make motions and second motions during planning meetings.

Section 1004. Chapter Administration

A. The Chapter shall enact, by resolution, plans of operation for all executive functions and administrative policies of the Chapter, including but not limited to: record-keeping, accounting, personnel, payroll, property management, contracting procurement and program management. The Five Management system shall be the basis of enacting the plans of operation and administrative policies. The Chapter administration shall follow the duties and responsibilities prescribed in the plans of operation and shall comply with all administrative policies and procedures enacted by the Chapter.

B. The Chapter manager shall co-sign all Chapter checks.

C. The Chapter manager shall be the custodian of all official books, records, documents, and funds of the Chapter. Failure of the manager to safeguard these items is cause for removal and assessment of applicable penalties pursuant to Navajo Nation law.

D. Members of the Chapter, individually, are prohibited from direct involvement in the management and operations of the government or administration.

Subchapter 7. Navajo Nation Chapter Regulations and Procedure

Section 2001. Chapter Ordinance Procedure

A. All proposed ordinance(s) shall contain the following:

1. an ordinance number;

2. a title which indicates the nature of the subject matter of the ordinance;

3. a preamble which states the intent, need or reason for the ordinance;

4. the subject of the ordinance;

5. rules and regulations governing the enforcement of the ordinance, budgetary information, and where applicable, a statement indicating the penalty for violation of the ordinance;

6. a statement indicating the date when the ordinance shall become effective;

7. the signature of the Chapter President to make an official recording of the transaction or writing.

B. The proposed ordinance shall be read into the record at two consecutive Chapter meetings, of which one may be designated a special meeting, to provide information and an opportunity to discuss and comment on the proposed ordinance(s).

C. All proposed ordinances shall be read in both English and Navajo.

D. After the final reading, the proposed ordinance shall be posted at public places within the Chapter boundaries a minimum of fourteen (14) days prior to the vote. The date of the vote shall be decided upon at this time.

E. Passage of all ordinance(s), except those listed in subsection H, requires a majority of the votes cast, by the Chapter membership during a regular or special meeting.

F. All ordinances shall be compiled and maintained at the Chapter for public information. Copies of ordinances shall be filed with the central Records Management Department of the Navajo Nation.

G. Ordinances shall be amended or rescinded by the process provided in this Section. All ordinances proposing amendments shall clearly indicate new language by underscoring and deletions by overstriking.

H. A Chapter ballot measure shall be used for the adoption of an alternative form of Chapter governance, a municipal form of government, Chapter sub-units, local taxes and fees, issuance of community bonds and compensation of Chapter officials. Adoption of a chapter ballot measure shall be in accordance with 11 N.N.C. §§401-408.

I. Challenges to ordinances shall be pursuant to 1 N.N.C., Chapter 5, Subchapter 1, section 501 et. seq.

Section 2002. Chapter Contract Requirements

A. Except as otherwise provided in this Act, all contracts authorized to be executed on behalf of a Chapter, and utilizing Navajo Nation funds shall:

1. expressly state the liability of the Chapter under the contract;

2. be approved by the Chapter membership, before being executed on behalf of the Chapter;

3. have sufficient funds appropriated and available;

4. comply with the Business Procurement Act, 12 N.N.C. Section 1501 et seq., the Employment Preference Act, 15 N.N.C. Section 601 et seq., the Business Preference Act, 5 N.N.C. Section 201 et seq., and rules and regulations promulgated thereto;

5. be awarded only after public advertisement and bidding;

6. not waive the sovereign immunity of the Navajo Nation;

7. provide access to all contracts or papers to the public; and, if applicable

8. not exceed 10% of the accepted bid. If the 10% cap is exceeded by change orders, modifications or amendments, such change orders, modifications or amendments shall be subject to the provisions of Section 2002(A)(5) above.

B. All executed contracts and papers, and any modifications thereof, shall be filed at the Chapter.

Section 2003. Chapter Accounting System; Chapter Appropriations; Budget Process; Chapter Insurance

A. The Chapter shall adopt an accounting system deemed acceptable by the Auditor General.

B. In accordance with the exception provided in 12 N.N.C. §820 (N), funds appropriated to the chapters by the Navajo Nation Council shall not be subject to a lapse of appropriation at the end of the fiscal year provided that chapters shall budget those funds in the subsequent fiscal year in accordance with the purposes and conditions originally set forth by the Navajo Nation Council in its appropriations.

C. Budget Process

1. At least one month before the end of the Navajo Nation fiscal year, the manager, in consultation with the Chapter officials, shall prepare, schedule and explain the annual Chapter budget to the membership. Chapters are required to follow the annual budget instruction of the Navajo Nation Office of Management and Budget when formulating the annual Chapter budget and when the budget concerns Navajo general funds. At a duly called planning meeting, the manager shall present a proposed annual budget for the ensuing fiscal year. The manager shall, to the extent allowed by law, include the objectives of the membership in the proposed budget.

2. The budget shall consist of financial information, including but not limited to: a statement on prior financial expenditures; capital improvement funds; debts; encumbrances; and budget objectives from the current year and the status of those objectives.

3. The manager, in consultation with the Chapter officials, shall finalize the budget for approval by the Chapter membership. The Chapter membership shall vote upon the budget at a duly called Chapter meeting in which reasonable notice has been given to the Chapter membership that said meeting will include approval of the annual budget. The budget expenditures shall not exceed the total of the estimated income for the fiscal year. No payments shall be made or obligated except in accordance with the appropriation duly enacted by the Chapter or adopted by the Navajo Nation Council.

D. To protect the interests of the Chapter, the Chapter shall participate in the Navajo Nation's insurance and employee benefit programs, subject to the terms and conditions of such programs. In the event that a Chapter elects not to participate in the Navajo Nation's programs, the Chapter shall establish adequate coverage through the creation of a self-insurance program or the procurement of appropriate policies.

E. Chapter funds shall not be used for personal, business or other forms of loans. Per capita distribution of funds by the Chapter is prohibited.

F. Any person, agent, or Chapter official misappropriating or misusing Chapter funds or property shall be subject to prosecution under the applicable laws of the Navajo Nation, and, if appropriate, under the laws of the United States federal government.

Section 2004. Zoning; Community Based Land Use Plan; Land Use Variations

A. Zoning

1. Chapters may enact zoning ordinances provided that the membership adopt and implement a community based land use plan pursuant to Section 2004(B).

2 Adoption of all local zoning ordinances shall be done pursuant to Section 103(E)(4) of this Act.

3. The Chapter shall be responsible for the enforcement of all zoning ordinances adopted by the membership. The Chapter shall provide and maintain information relative to all matters arising from adopted zoning ordinances.

4. All proposed amendments to zoning ordinances shall first be reviewed by the Community Land Use Planning Committee (CLUPC), and shall require approval by the Chapter membership before becoming effective.

B. Community Based Land Use Plan

The Chapter, at a meeting duly-called chapter meeting, shall by resolution, vote to implement a community based land use plan, after the CLUPC has educated the community on the concepts, needs, and process for planning and implementing a community based land use plan. The community based land use plan shall project future community land needs, shown by location and extent, of areas identified for residential, commercial, industrial, and public purposes. The land use plan shall be based upon the guiding principles and vision as articulated by the community; along with information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure; and, finally with consideration for the land-carrying capacity. Such a plan may also include, the following:

1. An open space plan which preserves for the people certain areas to be retained in their natural state or developed for recreational purposes.

2. A thoroughfare plan which provides information about the existing and proposed road network in relation to the land use of the surrounding area.

3. A community facilities plan which shows the location, type, capacity, and area served, of present and projected or required community facilities including, but not limited to, recreation areas, schools, libraries, and other public buildings. It will also show related public utilities and services and indicate how these services are associated with future land use.

C. Establishment and Duties of the Community Land Use Planning Committee

1. Upon approval and passage of a Chapter resolution stating the Chapter's desire to develop and implement a comprehensive community based land use plan, the Chapter shall establish a Community Land Use Planning Committee (CLUPC) to approve the processes for planning and to oversee planning activities. The CLUPC shall be comprised of voting members of the Chapter that have expertise to provide valuable contributions to the overall land planning process. Subcommittees such as technical, and public advisory committees, comprising of voting and non-voting members may be established to assist the CLUPC.

2. The CLUPC may hire a planner, subject to availability of funds, to be responsible for preparing the community based land use plan. At a minimum, the planner shall exhibit leadership qualities and organizational abilities along with experience or education in the discipline of land planning.

3. The planner shall work under the supervision of the CLUPC and with the community residents. The duties and responsibilities of the planner shall include:

   a) Coordinating all land planning activities.

   b) Developing a community education and participation plan describing methods that will foster public education and participation through public hearings, newspaper and radio. Chapter members will be periodically informed on the progress of the land planning activities. All information pertaining to the plan shall be available to the public. The CLUPC shall approve the community participation plan.

   c) Developing and implementing a community assessment ascertaining the goals, priorities, and vision for the future of the community.

   d) Inventorying and assessing pertinent data. The planner shall request data and seek technical assistance when necessary for compilation of all available date from tribal, federal, and state agencies for inventorying and assessing natural, cultural, and human resources, as well as community infrastructure. In addition, Chapters may hire consultants to assist with the inventory and assessments.

   e). In the event a chapter lacks the resources to hire a planner, the CLUPC shall be responsible for conducting the duties described in this subsection.

D. Presentation and Approval of Community Based Land Use Plan by the Chapter and Certification by the Transportation and Community Development committee

1. Upon completion of the resource inventory, assessments, and community assessment, , the CLUPC shall prepare a community based land use plan as described in Section 101. Local planning and zoning ordinances may also be presented at this time. The community based land use plan shall be presented to the local residents in one or more public meetings and through the various multimedia. The community members shall have 60 days to comment in writing or in testimony at a final public hearing. Upon compliance with the notice requirements, the chapter, at a duly called chapter meeting, shall by resolution, vote to adopt the community based land use plan.

2. The CLUPC shall make necessary adjustments, as approved by the chapter membership, and shall submit the plan to the Transportation and Community Development Committee of the Navajo Nation Council. The Transportation and Community Development Committee by resolution shall certify the community based land use plan. Every five years the plan shall be reevaluated and readjusted to meet the needs of the changing community.

E. Land Use Variations

The utilization of all withdrawn lands of the community as defined by the adopted Community Based Land Use Plan shall be in accordance with applicable Navajo Nation and federal law, and the provisions of said plan; variations to said plan must be consistent with Section 103(E)(4).

Section 2005. Eminent Domain Requirements

A. Damages to Improvements of Individual Navajo Indians

1. Whenever a Navajo Nation Chapter disposes of land containing anyimprovement belonging to a Navajo Indian who will not donate the same, whether the disposition is made by surface lease, permit, consent to grant of right-of-way or consent to commencement of construction on a proposed right-of-way, or in any other manner that gives the grantee or proposed grantee exclusive use of the surface of the land containing such improvement, or authorizes the grantee or proposed grantee to use the surface of the land in such manner that said improvement or improvements must be removed, damaged, or destroyed, the Chapter will pay damages to the rightful claimant of such improvement or improvements.

2. As used in this Section "improvement" means house, hogans, sunshade, stables, storage sheds, dugouts, and sweathouses; sheep and horse corrals, and pens, and fences lawfully maintained; irrigation ditches, dams, development work on springs, and other water supply developments; any and all structures used for lawful purposes and other things having economic value. Where any improvement of a Navajo Indian is readily removable and such person has an opportunity to remove the same, damages payable on account of said improvement shall be limited to the reasonable cost of removal, if any, even though the claimant thereof may have failed to remove such improvement and it may have been destroyed or damaged in the authorized course of use of the land on which it is located.

3. No damages shall be paid to any person for any improvement, when such person at the time of building or acquiring said improvement knew or with reasonable diligence ought to have known that the area in which it was located was proposed to be disposed of by the Chapter adversely to such person's interest.

4. Damages to be paid to individual Navajo Indians under this Section shall be fixed by negotiation and consent between the Chapter President of the Chapter or his or her authorized representative and the individual involved. If no agreement satisfactory to the Chapter President or his or her representative can be reached within a reasonable time, the Chapter President shall appoint one appraiser, the individual shall appoint one appraiser, and the two appraisers so appointed shall appoint a third appraiser; but if they cannot agree upon the third appraiser within 10 days, the Chapter President may appoint him or her. The three appraisers shall examine the improvement alleged to be damaged and shall appraise and determine the damages. Their determination shall be submitted to the Natural Resources Committee of the Navajo Nation Council and when, if, and as approved by said Committee the amount thereof shall be final. The Chapter shall pay the fees of said appraisers, except where they are regular Navajo Nation employees, in which case they shall not be entitled to any fees. In addition the Chapter shall pay the reasonable and necessary expenses of said appraisers, whether or not such appraisers are Navajo Nation employees.

B. Economic Damage to Intangible Interests of Navajo Indians

1. Whenever as a result of a Navajo Nation Chapter granting any lease or permit embracing Navajo Nation land, or granting permission by the Chapter for the use of Navajo Nation land, or as a result of the use of Navajo Nation land under such lease, permit or permission, the value of any part of such land for its customary use by any Navajo Indian formally lawfully using the same is destroyed or diminished, the Chapter will compensate the former Navajo Indian user in the manner hereinafter specified.

2. When the livelihood of the former Navajo Indian user is gravely affected by the new use, such user shall have first priority in resettling on other lands acquired by the Navajo Nation, except the area acquired pursuant to the Act of September 2, 1958 (72 Stat. 1686); and the Chapter shall pay the expense of removing said person, his or her family, and property to any newland made available for his or her use, and such shall constitute full compensation to such Navajo.

3. In all other cases involving damages under this paragraph, the amount thereof shall be fixed and determined in the manner specified in 26 N.N.C. Section 2005(A)(4) above.

4. Whereby reseeding, irrigation, or otherwise, the remaining land in the customary use area of any individual damaged by the governmental exercise of eminent domain is within a reasonable time made able to provide the same economic return as his or her former entire customary use area, no damages shall be payable to such person, except for the period, if any, between adverse disposition of the land in the customary use area and the time when the productivity of the remaining land achieves equality with the entire former customary use area.

5. Only lawful and authorized use shall be compensated under this Section. Thus, no person shall be compensated for loss of use of land for grazing animals in excess of his or her permitted number, or without a permit.

6. Every person otherwise entitled to damages under subsection (3) of this Section shall not be entitled to receive any payment thereof until that person has surrendered for cancellation that person's grazing permit as to all animal units in excess of the carrying capacity of the land remaining in that person's customary use area. Persons so surrendering their grazing permits shall be entitled to an immediate lump sum payment based on the current market value for each sheep unit canceled.

C. Adverse Disposition of Navajo Nation Land Not to be Made Until Individual Damages are Estimated

Neither lessee, permittee, or the grantee of a right-of-way or other interest in or right to use Navajo Nation lands shall commence any construction thereon, nor make any change in the grade or contour thereof or remove any surface vegetation thereon until the damages to the improvements thereon or the customary use rights of all the individuals affected thereby have been estimated by the Office of Navajo Land Administration of the Navajo Nation. Unless the Chapter membership has previously authorized the payment of such damages from nonreimbursable funds of the Chapter, the Chapter President shall require the applicant for such lease, permit or grant of a right-of-way or other interest in or right to use Navajo Nation lands to deposit with the Chapter Secretary/Treasurer an amount equal to at least double the estimate of damage made by the Office of Navajo Land Administration. After the lease, permit, or grant of right-of-way or user has become final and the damages have been determined, either by appraisal, estimate or by consent as hereinbefore provided, the Chapter President shall cause the Secretary/Treasurer to pay, from and out of this deposit, to the person or persons damaged thereby such sum as he, she or they may be entitled to under the terms of this Section, and to return to the applicant the excess thereof, except that where the individual damaged has not consented to the determination of the amount thereof, it shall be withheld in order to satisfy the excess amount, if any, determined under 26 N.N.C. Section 2005(A)(4). Such disbursements shall be made without further appropriation of the Navajo Nation Chapter membership. All sums held by the Secretary/Treasurer of the Navajo

Nation Chapter, pursuant to the terms of this Section, for a period of more than 30 days shall be deposited in a Federal Savings and Loan Association or invested in the bonds of the United States until needed for disbursement.

Section 2006. [Reserved]
Section 2007. [Reserved]
Section 2008. [Reserved]
Subchapter 9. [Reserved]
Subchapter 11. [Reserved]
Subchapter 13. [Reserved]

ONGD: Revised December 10, 2008

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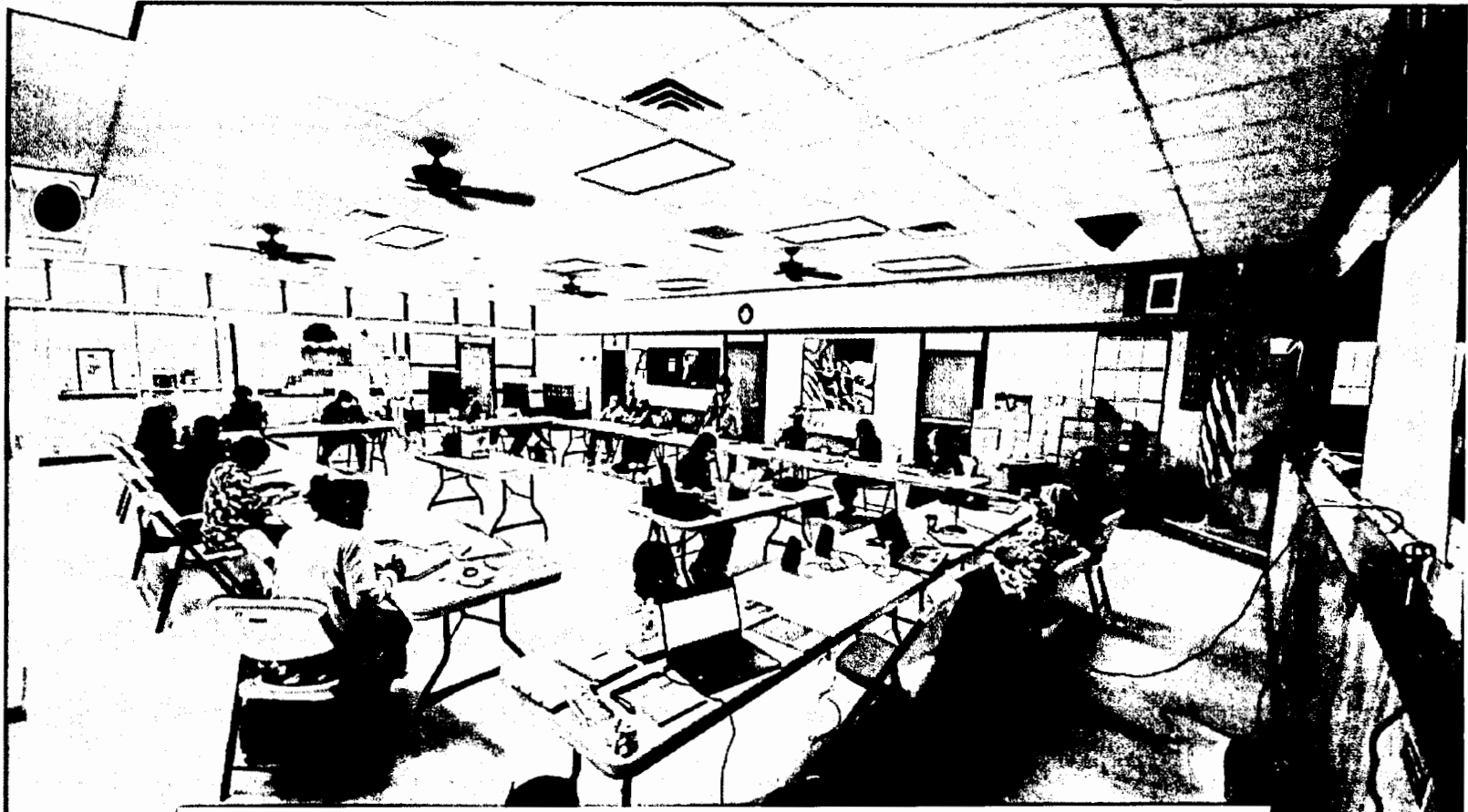
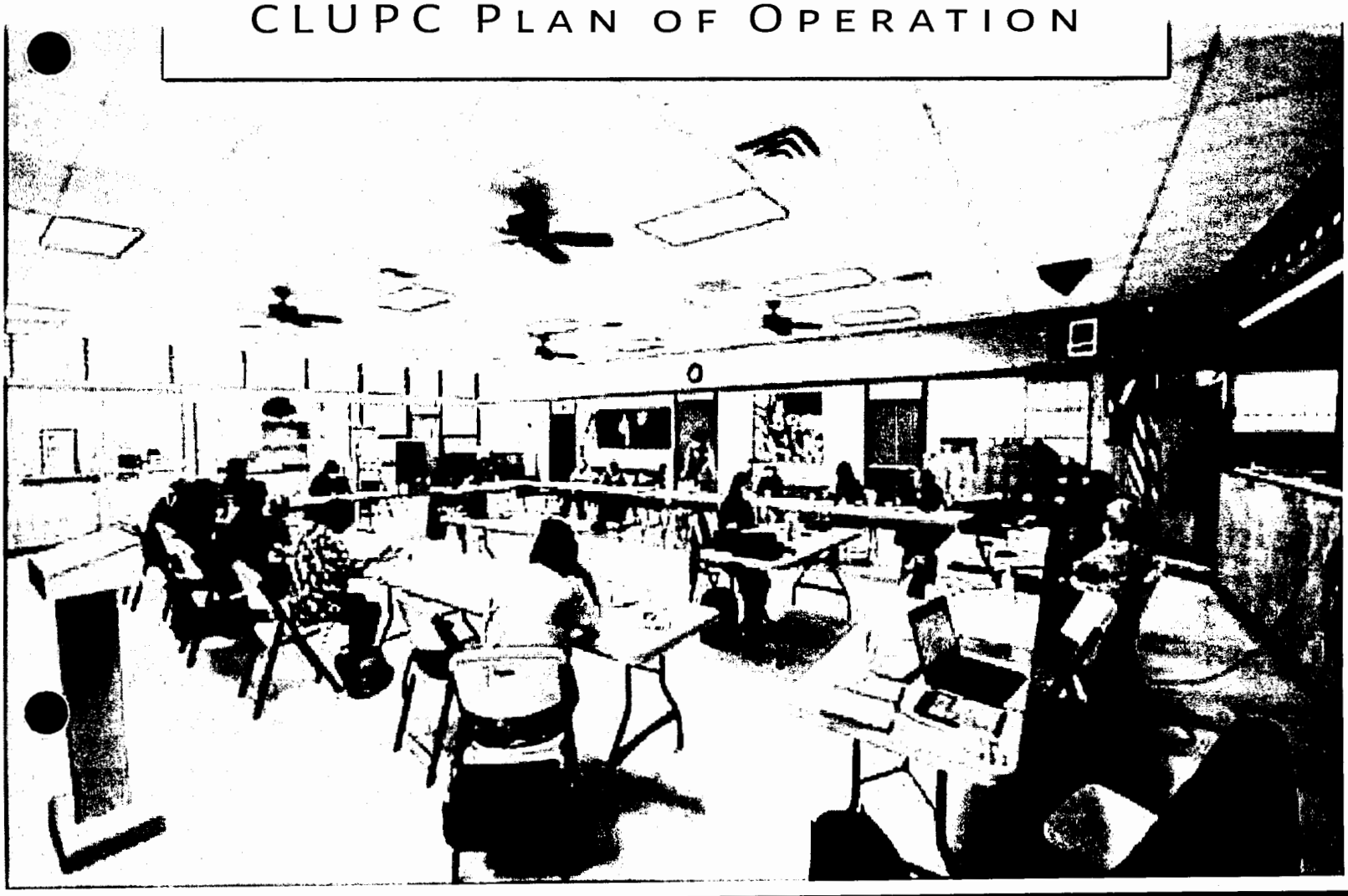


Appendix B: CLUPC Plan of Operation



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Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

THE MANUELITO CHAPTER COMMUNITY LAND USE PLANNING COMMITTEE (CLUPC) PLAN OF OPERATION

SECTION I. ESTABLISHMENT

The Manuelito Chapter community hereby establishes the Manuelito Chapter Community Land Use Planning Committee (CLUPC) to work for and in the best interests of Manuelito Chapter community in matters of community/economic planning to protect human lives and property for an improved quality of life, as approved by community membership.

SECTION II. PURPOSE

The purpose of the CLUPC is to develop and approve the process for local land use plan by review, recommend and oversee land use planning activities. After thorough review and analysis, approve policies/procedures to enhance the Master Plan on a five-year update. The CLUPC will present a sound and viable Master Community Land Use Plan through Public Participation.

The CLUPC will work cooperatively with policies and procedures on Local Rural Addressing and Emergency Operation Plan to develop, implement, and maintain for residents and facilities.

SECTION III. COMMITTEE SELECTION AND MEMBERSHIP

The CLUPC shall exercise the following duties and responsibilities consistent with the Navajo Nation Local Governance Act (LGA), Navajo Nation Code, Title 26, Section 2004.

A. The selection of members of the CLUPC shall be by the membership at a duly called Chapter Meeting at which a quorum is present. The selection of the members shall be set forth in a certified chapter resolution at which a quorum is present.
B. The membership shall serve for one fiscal year (October to September) and elect new officers whenever a vacancy occurs. A member may resign from their position through a memorandum to the CLUPC chairperson.
C. The members of the CLUPC shall be composed of four (4) members and selected based on their interest, knowledge, experience and capacity to implement the Plan. The Community Services Coordinator (CSC) shall serve as liaison to conduct an official meeting to provide valuable contributions to the overall land use planning process. In the absence of the CSC, the Accounts Maintenance Specialist (AMS) shall assist CLUPC.
D. Upon availability of funds, the Chapter may hire a Land Use Planner to assist with development of a quality land use plan. Hiring and supervision of the Planner shall be

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

consistent with 26 NNC, Section 2004 C (2). Employment of the Planner shall be based on their qualifications for the position and in accordance with Navajo Nation Preference and Procurement laws and requirements.

E. Ensure the Land Use Plan is based on principles, priorities, input and goals articulated by members of Chapter community through public participation meetings. Work in coordination with chapter officials, chapter staff, land board official and other established committees.
F. Upon Approval of the Land Use Plan by the Chapter membership, the CLUPC will seek approval and certification of the Plan by the Navajo Nation Council Resources & Development Committee pursuant to 26 N.N.C. Section 102 C (2).
G. Upon Certification of the Land Use Plan by the Navajo Nation Council Resources & Development Committee, the CLUPC shall develop plans, guidelines, and policies for implementation of the Manuelito Land Use Plan.

SECTION IV. MEETING, COMPENSATION AND REMOVAL

A. The Manuelito Chapter CLUPC shall hold one monthly meeting or a public participation meeting to accomplish the overall purposes of the committee.
B. Upon availability of funds within the Chapter Fiscal Year budget, each member of the CLUPC may receive $125.00 per meeting as stipend.
C. And within the annual Chapter budget, CLUPC may hold twelve (12) meetings per year, an official regular meeting is compensable (or) public participation to solicit comments is not an official meeting and no official action is taken.
D. Each member must attend the duration of meeting to receive full stipend. The Committee will consider and decide on justified absence.
E. Any member of CLUPC shall be absent three (3) consecutive meetings, and is justified for removal.
F. The CLUPC may hold their monthly meeting on the the second Friday of each month at the Manuelito Chapter House commencing at 9:00 A.M.
G. Three (3) members of the CLUPC will constitute a quorum to conduct official business.

SECTION V COMMITTEE OFFICERS DUTIES AND RESPONSIBILITIES

A. The members of CLUPC shall, at a duly called meeting, elect a Chairperson, Vice Chairperson and Secretary of the Committee.
B. The CLUPC Chairperson will preside over all duly called meetings and verify agenda and documents on behalf of the Manuelito CLUPC; and make monthly CLUPC report to the community membership at regular chapter meeting.
C. In the absence of the CLUPC Chairperson, the Vice Chairperson shall assume the duties and responsibilities of the Chair, for meeting purposes only, or as may be duly assigned (i.e. signatures on claim forms, resolutions and correspondences).

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Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

D. The CLUPC Secretary will take roll call, record and transcribe all minutes of committee meetings and maintain all accurate records and documentation of the CLUPC.
E. The Secretary will submit meeting minutes to the Manuelito Chapter Administration within five (5) working days after adjournment.

SECTION VI COMMUNITY ASSESSMENT AND ANALYSIS

A. Contingent upon availability of funds, a Planner may be hired to coordinate all land use planning activities and ensure CLUPC is meeting their goals and objectives.
B. Develop a community education and participation plan describing methods that will foster public education, solicit input through public hearings, announcements through media such as radio, newspaper and publication.
C. Develop and conduct community assessments on aspects, relevancy, profiles and demographics of the community to help determine feasible, realistic and achievable goals and objectives for the future of the community.
D. Inventory and assess pertinent 2020 Census data. The plan shall request data and seek technical assistance when necessary for compilation of all available data from Navajo Nation, federal and state agencies for inventorying and assessing natural, cultural, and human resources, and community infrastructures.
E. Provide a five-year update to include community assessment, land suitability analysis and infrastructure development on a Master Plan template.
F. Conduct road assessment on geographical map and complete Rural Addressing system for community roads and implement a consistent road signage.
G. Consult with local county, state and federal agencies to gather information on local residents within the Manuelito community.

SECTION VII TECHNICAL ASSISTANCE

A. The CLUPC shall seek technical assistance from the Manuelito Chapter staff and officials, Navajo Nation, Federal, State and County Governments, or other agencies, as needed. Technical assistance may be provided by the Division of Community Development/Administrative Service Center (ASC) and Project Managers with Capital Projects Management Department (CPMD).

SECTION VIII CODE OF ETHICAL CONDUCT

All CLUPC members shall comply with applicable statutes of the Navajo Nation Ethics in Government Law and shall not have been convicted of a felony crime.

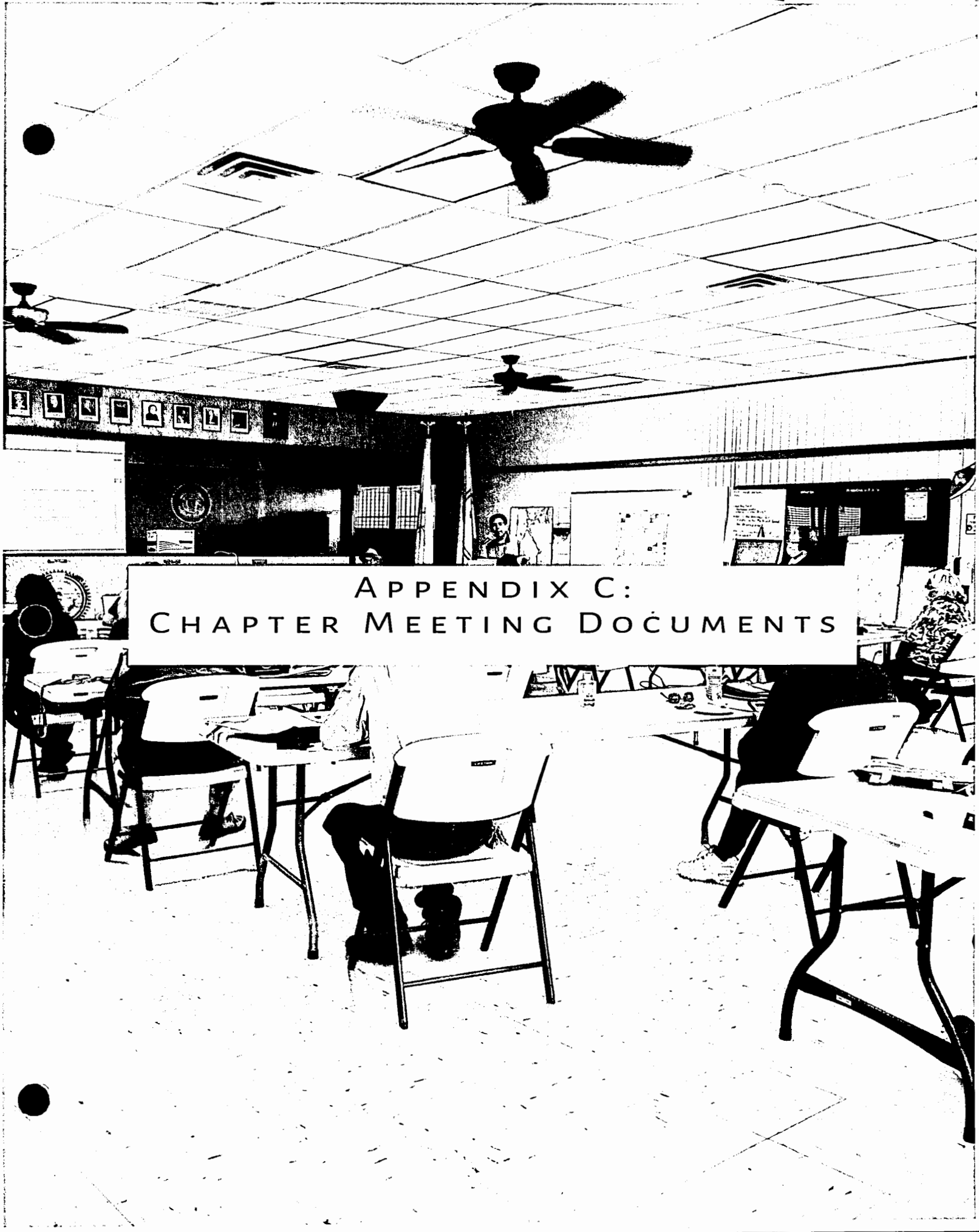
SECTION IX AMENDMENTS

Resolution No. MANU11-22-22-042

Members: Julia Ellison, Chairperson; Daniel Lee, Vice-Chair; Bertha Dahozy, Secretary; Paulene McCabe, Member

The Manuelito Chapter Community Land Use Plan Committee Plan of Operation may be amended as appropriate by the Manuelito Chapter CLUPC and approved by chapter membership at a duly called chapter meeting with a simple majority vote.

4 of 4



Appendix C: Chapter Meeting Documents

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THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Manuelito Chapter Master Land Use Plan Project
Kick-Off Meeting via ZOOM
January 14, 2022, 10:00 AM
AGENDA

I.	Kick Off Meeting Called to Session	Marlene Hoskie, CPMD
	A. Welcome/Introduction of CLUPC Chapter Officials, and Administration	Milton Davidson, President
	1. Hubert Smith, President, CLUPC	*Milton Davidson, President*
	2. Julia Ellison, Vice-President, CLUPC	*Deborah Nelson, Vice-President*
	3. Bertha Dahozy, Secretary, CLUPC	*Percy B. Anderson, Secretary*
	4. Paulene McCabe, Member, CLUPC	*Angie McCray, CSC*
	5. Kathleen Arviso, Land Board Member	
	6. Seth Damon, Navajo Nation Council Delegate/Speaker	
	7. Lester Yazzie, Legislative District Assistant	
	B. Project History/Vision	Paulene McCabe, CLUPC
II.	Introduction of all participants	Marlene Hoskie, CPMD
III.	**Manuelito Chapter Master Land Use Plan Project: Document #017073 – CO15063**	
IV.	NM Indian Affairs Department Presentation Presentation	Lawrence John, Administrator Capital Outlay & Tribal Infrastructure Fund (TIF)
V.	Architectural Research Consultants, Inc (ARC) Presentation	John Petronis, CEO, ARC
VI.	Capital Projects Management Department Process	Regina Eltsocie, AMS
VII.	Question & Answers / Closing Remarks	

Participants:
- Navajo Housing Authority
- Navajo Division of Transportation
- Navajo Division of Economic Development
- Navajo Gallup/Water Project
- NMNWCOG
- Navajo Eastern Land Commission
- Navajo Division of Community Development
- Bahaali Chapter
- Chichiltah Chapter

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
POST OFFICE BOX 1510 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6211 · FAX: (928) 871-7189

ORIGINAL

COMMUNITY LAND USE PLANNING COMMITTEE
Teleconference Meeting
January 14, 2022 – 9:00 A.M.

ATTENDANCE SHEET

1. Marlene Hoskie, Project Manager, CPMD
2. Hubert Smith, President, CLUP-C
3. Julia Ellison, Vice-Chair CLUP-C
4. Bertha Dahozy, Secretary, CLUP-C
5. Percy Anderson, Chapter Secretary-Treasurer

*

6. Lavon Yazzie, Development Coordinator, NHA
7. Paulene McCabe, Member 1/20/22

NOTE: Chapter Officials are schedule for Eastern Agency Council Special Meeting today, January 14, 2022 at 10:00 a.m. *

CLUP-C Kick-off Meeting is schedule today at 10:00 a.m., Zoom/teleconference meeting.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Manuelito Chapter Master Land Use Plan Project
Kick-Off Meeting via ZOOM
January 14, 2022, 10:00 AM
AGENDA

I. Kick Off Meeting Called to Session — Marlene Hoskie, CPMD

A. Welcome/Introduction of CLUPC Chapter Officials, and Administration — Milton Davidson, President

1. *Hubert Smith, President, CLUPC* — *Milton Davidson, President*
2. *Julia Ellison, Vice-President, CLUPC* — *Deborah Nelson, Vice-President*
3. *Bertha Dahozy, Secretary, CLUPC* — *Percy B. Anderson, Secretary*
4. *Paulene McCabe, Member, CLUPC* — *Angie McCray, CSC*
5. *Kathleen Arviso, Land Board Member*
6. *Seth Damon, Navajo Nation Council Delegate/Speaker*
7. *Lester Yazzie, Legislative District Assistant*

B. Project History/Vision — Paulene McCabe, CLUPC

II. Introduction of all participants — Marlene Hoskie, CPMD

III. Manuelito Chapter Master Land Use Plan Project: Document #017073 – CO15063

IV. NM Indian Affairs Department Presentation — Lawrence John, Administrator
Presentation — Capital Outlay & Tribal Infrastructure Fund (TIF)

V. Architectural Research Consultants, Inc (ARC) Presentation — John Petronis, CEO, ARC

VI. Capital Projects Management Department Process — Regina Eltsocie, AMS

VII. Question & Answers / Closing Remarks

Participants:
- Navajo Housing Authority
- Navajo Division of Transportation
- Navajo Division of Economic Development
- Navajo Gallup/Water Project
- NMNWCOG
- Navajo Eastern Land Commission
- Navajo Division of Community Development
- Bahaali Chapter
- Chichiltah Chapter

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
POST OFFICE BOX 1510 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6211 · FAX: (928) 871-7189

ORIGINAL

COMMUNITY LAND USE PLANNING COMMITTEE
Teleconference Meeting
January 14, 2022 – 9:00 A.M.

ATTENDANCE SHEET

1. Marlene Hoskie, Project Manager, CPMD
2. Hubert Smith, President, CLUP-C
3. Julia Ellison, Vice-Chair CLUP-C
4. Bertha Dahozy, Secretary, CLUP-C
5. Percy Anderson, Chapter Secretary-Treasurer

*

6. Lavon Yazzie, Development Coordinator, NHA
7. Paulene McCabe, Member 1/20/22

NOTE: Chapter Officials are schedule for Eastern Agency Council Special Meeting today, January 14, 2022 at 10:00 a.m. *

CLUP-C Kick-off Meeting is schedule today at 10:00 a.m., Zoom/teleconference meeting.

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

NN Speaker - Seth Dan
24th Navajo Nation Counc

Vacant
Community Services Coordina

Kathleen Arviso
Land Board Member

Manuelito Chapter Community Land Use Plan Committee

Project Update

Friday, January 21, 2022, 9:15 AM

AGENDA

I. Preliminary
   a. Invocation
   b. Sign In
   c. Welcome
   d. Purpose

II. Project Follow – post kick off meeting

III. ARC

IV. Questions/Answers

V. Adjournment
   Next CLUPC meeting: _____

1/21/22

By Zoom 9:15 - 11:30 a.m.

Milton Davidson
Percy Byron Anderson
Paulene McCabe
Julia Ellison
Bertha Dahozy
Rose James
Marlene Hoskie

Dolores Anderson, ARC
Francine Pacheco, ARC
Regina Eltsocie, Finance
CPMD

Agenda - February 11, 2022

COMMUNITY ELEMENT

1. Community Profile
   - How do we get an accurate population and household count?
   - Previously it had been mentioned that there was a survey conducted by the Chapter that may have more accurate information?

2. Community Survey

3. Title 26 Requirements
   - Inventory existing community resources - how would Chapter like to approach this? Would asset mapping be appropriate for this?
   - Community Participation plan - will Community Survey count towards this requirement?
   - Education and Participation Plan
   - Public hearings and dissemination of progress and content of CLUP

ECONOMIC DEVELOPMENT

1. What are key concerns of ED in Manuelito?

2. How would community like to see these concerns addressed/remedied?

3. Discuss ED opportunities
   - Transfer station? How can this be utilized?
   - Tourism?
   - Local artists and trades?
   - Farm and produce?
   - Grocery stores?
   - Retail?
   - Professional services?
   - Any other ED ideas that are not listed here?

Manuelito CLUP-C

Sign In Sheet

February 11, 2022
Date

No.	Print Name	Title	Phone No.	Email Address
1.	Milton Daulsy	Chapter president		—
2.	Bertha Dahosy	Secretary CLUP-C		
3.	Marlene Hoise cpm	Proj Manager		
4.	Pauline McCabe	Member		
5.	Percy B. Anderson	Sec./Treas.		
6.	Julia Ellison	VP CLUP		
7.	Ross Jones	CSC		
8.	Deborah Nelson	Vice Pres.		—
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Architectural Research Consultants, Incorporated
4906-A Alameda Blvd, NE, Albuquerque, NM 87113 (505) 842-1254 https://arcplanning.com

Manuelito Chapter CLUP Meeting

Open Space and Natural Resource Session via Zoom
March 4, 2022, 10:00am – 12:30pm

Agenda

1. Recap CLUP-C Meeting – Community and Economic Development Sessions on 2/11/22
   a. Tasks to be completed by CLUP-C
   b. Tasks to be completed by ARC
2. Follow up on **FRA Corridor Identification and Development Program** Listening Session
   a. What is the **FRA Corridor Identification and Development Program**? "[A program] to create a new framework to facilitate the development of new, enhanced, and restored *intercity passenger rail corridors* throughout the country."
   b. Manuelito qualifications
      i. Location – rural
      ii. Activity required for a passenger rail
3. Begin session on Open Space and Natural Resources
   a. Open Space
      i. Definition of Open Space
      ii. Current concerns on Open Space
      iii. Review previous input on Open Space
      iv. Gather further comments/input on issues, concerns, and remedies, and recommendations.
   b. Natural Resources
      i. Current concerns on Natural Resources
      ii. Review previous input on Natural Resources
      iii. Gather further comments/input on issues, concerns, and remedies, and recommendations.
4. Set topics for next two sessions in March
   a. Dates?

Manuelito CLUP-C

Sign In Sheet

March 04 - 2022
Date

No.	Print Name	Title	Phone No.	Email Address
1.	[illegible]	Chapter President	[illegible]	N/A
2.	Julia Ellison	CLUP	[illegible]	[illegible]
3.	Marlene Hardie	CLUP MD	[illegible]	[illegible] org
4.	Faylene McCabe	CLUP Mbr	[illegible]	[illegible]
5.	Lilias Anderson	ARC	[illegible]	[illegible]
6.	Bertha Dahozy	CLUP Sec	[illegible]	[illegible]
7.	Francine Pacheco	ARC	[illegible]	[illegible]
8.	Rose [illegible]	CSC	[illegible]	[illegible] org
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Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email. manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Planning Committee
Meeting – April 8, 2022
Agenda

Call Meeting to order

Welcome Address

Roll Call

Recognition of Guest and/or Officials

Review and Adopt Agenda

Review and Approve Meeting Minutes

Presentation

A. Navajo Engineering & Construction Authority/NTUA

Old Business

A. Fiber Optic Line Installation & Maps, Sacred Winds Communication

New Business

A. Community Assessment
B. Master Land Use Plan, Marlene Hoskie, Project Manager, DCD
C. District 6 Transportation Road Meeting
D. Long Term Care Senior Center Plan/Design

Announcement

Adjournment

Next Meeting Date

Manuelito Community Land Use Planning Committee
Meeting – April 8, 2022
Attendance Sheet

1. Julia Ellison, CLUP-C Chair
2. Bertha Dahozy, CLUP-C Secretary-Treasurer
3. Paulene McCabe, CLUP-C Committee
4. Milton Davidson, Chapter President
5. Deborah Nelson, Chapter Vice-President
6. Percy Anderson, Chapter Secretary Treasurer
7. Marlene Hoskie, Project Manager, DCD
8. Robert Chee, Community Resident
9. Alice Dodson, Community Resident
10. Francine Pacheco, Planning Section, ARC
11. Jefferey Etsitty, NECA
12. NECA/NTUA Assistanta

Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

Community Services Coordinator

NN Speaker - Seth Damon
24th Navajo Nation Council

Kathleen Arviso
Land Board Member

Community Land Use Planning Meeting
June 10,2022 9:00 A.M. MDST
Propose Agenda Teleconference # 508-924 3094

I. Call Meeting to Order

A. Invocation - Volunteer

II. Roll Call: CLUP-Committee

III. Recognition of Guests and/or Officials

IV. Review and Adopt Agenda

V. Review and Approve Meeting Minutes May 13, 2022

VI. Presentation/Workshop(s): (3-minute limit for questions from community members)

A. McKinley County Rural Addressing System (Tentative)
B. Land Purchase Research Information, Michael Mazel
C. Land Status, Henry Hudson, Tsayatoh Resident
D. Master Land Use Plan, Marlene Hoskie, Project Manager/DCD
1. Manuelito Community Land Use Plan Survey
2. Complete Cultural Preservation (ARC)

VII. Old Business:
A.

VIII. New Business:
A. Housing Development Complying with 5-year Plan NAHASDA Funds for 40 acres land withdrawal (final) due in May June 2022. NHA/Chapter

IX. Reports:
A. Update Access Road/Application Chapter Administration
B. Update Old Senior Center (Demolition) Chapter Administration
C. Update Vacant Position for Community Service Coordinator Chapter Officials

X. Announcement

XI. Adjournment

XII Next CLUP C Meeting: July 8, 2022

Manuelito CLUP-C

Sign In Sheet

June 10, 2022
Date

No.	Print Name	Title	Phone No.	Email Address
1.	Milton Davidson	Chapter president	[illegible]	
2.	Julia Ellison	CLUPS-P	[illegible]	
3.	Marlene Hoskie	PM	[illegible]	[illegible]
4.	Percy B. Anderson	Chptr Sec/Treas	[illegible]	[illegible]
5.	Paulene McCabe	CLUP-C Mbr	[illegible]	[illegible]
6.	Alice Dodson	Resident	[illegible]	Tele-Conference
7.	Hubert Smith	Out-of-Town Traveling	[illegible]	San Antonio, Tx - Vet Service Tray
8.	Bertha Dahozy	CLUP-C Sec.	[illegible]	[illegible]
9.	Francine Pachuca	ARC-Planner	Tele Conference	
10.	Dolores Anderson	ARC-Consultant	Tele-Conference	
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THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Manuelito Chapter Land Use Master Plan
Project Meeting with Manuelito Chapter Officials and CLUPC
Agenda
June 29, 2022, 11:30 AM

This special project meeting will focus on the SURVEY and MAPS

I. Meeting Call to Order at _____
   A. Welcome
   B. Invocation:
   C. Sign In
   D. Review agenda

II. Community Survey
   A. Issues and concerns
   B. Assigned Regions
   C. Timeline
   D. Coordination
   E. Forms and Maps

III. Maps
   A. Burials sites
   B.

IV. Adjournment

Thank you for your participation. Have a safe trip home!

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
POST OFFICE BOX 1510 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6211 · FAX: (928) 871-7189

.NUELITO (KIN HOZHONI) CHAPTER ADMINITRA
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Update on Manuelito Community Assesment Form- CLUPC member, Chapter Officials, and Marlene Hoskie

DATE: June 29, 2022 11:00:30 AM

Name PLEASE PRINT

1. Percy B. Anderson Sec Treas
2. [illegible]
3. Milton Etson Pres
4. Alice Nelson
5. Marlene Hoskie cpmd
6. Julia Ellison
7. Deborah Nelson; VP
8. [illegible] NAOES
9. Dolores Anderson
10.

Milton Davidson
President

Debra Nelson
Vice President

Percy Anderson
Secretary Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT

HCR 57 BOX 9069 GALLUP, NEW MEXICO 87730
PHONE (505) 905-3075 FAX (505) 905-1616
Email manuelito@navajochapters.org

Community Service Coordinator

NN Speaker Seth Damon
24th Navajo Nation Council

Kathleen Arviso
Land Board Member

Community Land Use Plan Meeting
July 8, 2022 – 9:00 A.M. MDST
Agenda

I. Call Meeting to Order
   A Invocation-Volunteer

II. Roll Call: CLUP Committee

   ✓ Julia Ellison, President/Chair
   ✓ Hubert Smith, Vice-Chair
   ✓ Bertha Dahozy, Secretary-Treasurer
   ✓ Paulene McCabe, Member

III. Recognition of Guest and/or Govt. Official

IV. Review and Adopt Agenda

V. Review and Approve Meeting Minutes June 10, 2022

VI Presentation/Workshop(s): (3 minutes limit for question from community members)

   A. Master Land Use Plan Update, Marlene Hoskie, Project Manager, DCD/NN
      1. Status of Community Survey (CLUP Committee)
      2. Outgoing Correspondence for June 21st Meeting with Government Officials
      3. Public Hearing, July 30th (time?)

   B. Other

VII Old Business
   A.

VIII New Business
   A. Acceptance-Resignation Letter-Hubertsmith

IX. Report
   A Demolition/Old Senior Center - Administrative Service Center
   B. Other

X. Announcement

   July 30, 2022 Master Land Use Plan Community Public Hearing (time will be announce)

XI Next CLUP-C Meeting: August 12, 2022

XII Adjournment

Sign In Sheet

JULY 08, 22
Date

No.	Print Name	Title	Phone No.	Email Address
1.	Julia Ellison	Chap Chairp		
2.	Betty [illegible]	C.L.U.P.C Sec.	[illegible]126	
3.	Milton [illegible]	Chapter president		
4.	Percy B. [illegible]	Sec./Treas.		
5.	Pauline McCabe	Member		
6.	Marlene Hoskie	Project Mgr	Tele. Conference	
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Milton Davidson
President

Deborah Nelson
Vice-President

Percy R. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HC# 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905 0606
Email: manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Manuelito Chapter
Community Land Use Planning Committee (CLUPC)
July 25, 2022; 9:00 AM

AGENDA

I. Preparation Meeting called to order

II. Purpose of the meeting

III. Resources Meeting

IV. Public Hearing

V. Community Survey

VI. Adjournment

JELITO (KIN HOZHONI) CHAPTER ADMINITRAT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Ema l: manuelito@navajochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Meeting with CLUPC, Chapter Officials, and 1 community member Preparation for Upcoming Meetings

DATE: July 25, 2022 9:24:21 AM

Name PLEASE PRINT

1. Julia Ellison Clupe - CP
2. [illegible]
3. Pauline McGhee
4. Deborah Nelson, VP
5. Percy B. Coleman
6. Marlond [illegible]
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Revised May 24, 2012 dmc

Manuelito Chapter Community

Community Land Use Planning Committee (CLUPC)

AGENDA
July 28, 2022
9 a.m. - 12 noon

The purpose for this meeting is to provide recommendations to CLUPC and to answer questions from CLUPC and Chapte Officials that will benefit the master land use planning efforts now taking place with Manuelito's contractor, Architectura Research Consultants (ARC). Manuelito CLUPC will be hosting its first public forum on land status, agriculture, grazing public facilities, roads & bridges, commercial, and residential on July 30, 2022 (flyer attached).

I. Welcome - Julia Ellison, CLUPC Chairperson

II. Invocation - Milton Davidson, Chapter President

III. Land status, agriculture (livestock), and grazing

(The following will show up in-person or by phone/computer 9:00 a.m. to 10:30 a.m.)

- Navajo Nation Land Department
- Navajo Nation Department of Agriculture
- Navajo Nation Fish & Wildlife
- Navajo Nation Heritage & Historic Preservation Office
- Eastern Navajo Land Commission Office (NELI - Navajo Exchange Land Initiative)
- BIA Eastern Navajo / Real Estate
- BIA Natural Resources

IV. Public facilities, roads & bridges, commercial, and residential

(The following will show up in-person or by phone/computer 10:30 a.m. to 12 noon)

- Navajo Nation Water Resources
- Navajo Department of Transportation
- Navajo Nation Division of Economic Development / Eastern Navajo Rural Business Dvlpmnt Ofc
- BIA Transportation/Roads
- New Mexico Dept of Transportation / District 6
- McKinley County Roads Department
- Indian Health Service / Office of Environmental Health
- Continental Divide Electric Cooperative
- Sacred Wind Communications
- BNSF Railway

V. Announcements / Adjournment

contacts
jellison51@gmail.com
mhoskie@nndde.org

MANUELITO (KIN HOZHONI) CHAPTER ADMINITRATION
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Manuelito Resource Meeting with CLUP-C and Chapter Officials

DATE: July 28, 2022

PLEASE PRINT	PLEASE PRINT
1. Paulene McCabe, CLUPC Mbr	21. Thomas Thomas
2. Dolores Quinn Anderson, ARC	22. Ferdinand Notah
3. Julie Allison CLUPC RP	23. Olsen John NNHHPD
4. Mitch Thomas Chapter Pres	24.
5. Marlene Hoskie cpmd	25.
6. Deborah Nelson VP	26.
7. Daniel Lee	27.
8. Jerry DeGroat, BIA	28.
9. Percy B. Anderson	29.
10. Priscilla Lee NDOT	30.
11. R Haley NDOT	31.
12. TERESA Hopkins SACRED WIND	32.
13. Alice Todson	33.
14. Harriett X Begay	34.
15. Ann Daniels	35.
16. Brenda Velez	36.
17. Mike Thomas	37.
18. Michelle Thomas	38.
19. Ella Yazzie	39.
20. [illegible]	40.

MANUELITO CHAPTER

Community Land Use Master Plan Public Hearing

Vision/Mission

Land Status

Agriculture

Grazing

Public Facilities

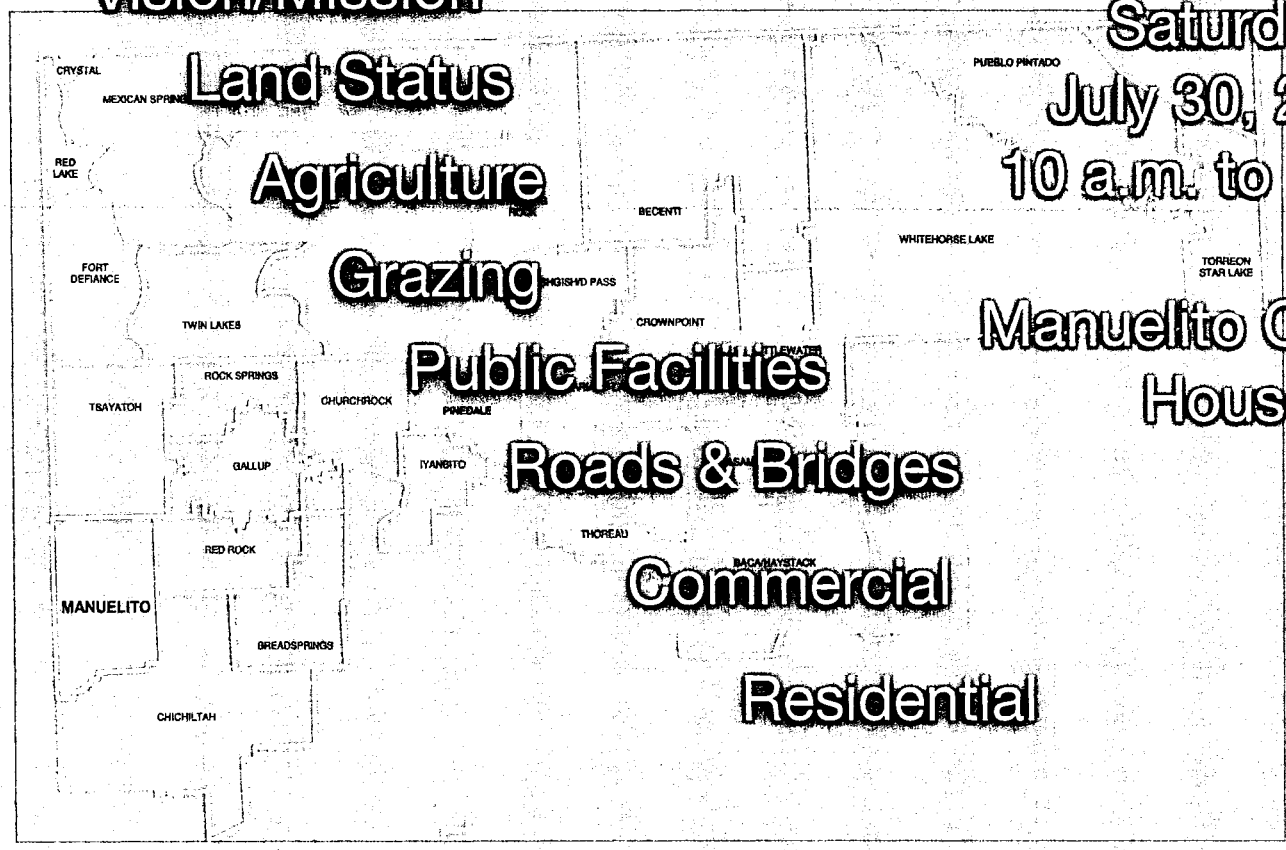
Roads & Bridges

Commercial

Residential

Saturday
July 30, 2022
10 a.m. to 2 p.m.

Manuelito Chapter House



Manuelito Chapter
Community Land Use Master Plan Update Public Hearing

1st Public Hearing Agenda

July 30, 2022

Public Hearing

MANUELITO COMMUNITY LAND USE PLAN MANUAL UPDATE

Time	Description
	Introduction of Event: _____, Master of Ceremony
10:00 AM	Invocation: _____ Welcome/Purpose: _____ Introduction: Manuelito Community Land Use Planning Committee (CLUPC), Chapter Officials, and Guests • **Topic 1: Brief community history and the vision/mission of the community** _____ • **Topic 2: Community Participation Plan and Community Demographics** _____ • **Topic 3: Identification of Existing Land Status, Existing and Future Grazing/Agricultural Information** _____ • **Topic 4: Existing Future Residential Needs and Community/Public Facilities/Infrastructure Information** _____ • **Topic 5: Roads and bridges – Thoroughfare Plan** _____ • **Topic 6: Existing and Future Commercial Development Information** _____
12:00 PM	**Lunch Break**
	Open to the Public
01:00 PM	• Comments/Discussions – Public Input • Conclusion/Closing Remarks _____
02:00 PM	• Benediction _____

Thank you and have a safe trip home! ☺

7/30/22

First Public Hearing

Julia Ellison
Paulene McCabe
Bertha Dahozy
Daniel Lee
Milton Davidson
Percy Byron Anderson
Deborah Nelson
Marlene Hoskie

Former Chapter Official

Dolores Anderson, ARC
Karyme Tapia-Flores, ARC

Had 9 commentaries — no names

Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

Community Services Coordinator

NN Speaker - Seth Damon
24th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Plan Meeting
August 12, 2022 – 9 A.M. (MDST)
Agenda

I. Call Meeting to Order
   A. Invocation
   B. Welcome Address

II. Roll Call – CLUP Committee: Chair, Vice-Chair, Secretary and Committee

III. Recognition of Guest and/or Official

IV. Review and Adopt Agenda

V. Review and Approve July 8, 2022 Meeting Minutes

VI. Presentation/Workshop(s): (3-minutes limit for question from community members)

   Master Land Use Plan - Project Manager, Marlene Hoskie, NNDCD
   A. Update Community Survey
   B. Review First Public Hearing & Comments
   C. CLUPC Prepare and Set Date for Second Public Hearing
   D. Continue the Invitation for three (3) Missed Resource Agencies

   Architectural Research Consultants – Dolores Anderson, Director/Computer, Admin. Services
   A. Project Update with Draft Over View of Manual

VII. Old Business

VIII. New Business
   A. Accepting New CLUP Committee Member, Mr. Daniel Lee.

IX. Report
   A. Status of Application for Access Road – Percy Anderson, Chapter Secretary Treasurer
   B. Update on Land Purchase with N.N. Land Commission Office
   C. What's the status on Community Service Coordinator for Manuelito Chapter?
   D. Other

X. Announcement(s)
XI. Next CLUP-C Meeting
XII. Adjournment

8-12-22

CLUP Mtg - Sign in Sheet

Julia Ellison CLUP-CP
Chapter President
Marlene Holm CPond
Community member
Community member - Voter
Community member - Voter
CLUP-C. Sec
Deborah Nelson Chapter-Vice
Pauline McCabe CLUPC Mbr
Justin Addoy Community Member

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Plan Meeting
September 2, 2022 – 9 A.M. (MDST)
Agenda

I. Meeting call to order by CLUP-C Chair
   A. Invocation
   B. Welcome Address

II. Roll Call – CLUP Committee: Chair, Vice-Chair, Secretary & Member

III. Recognition of Guest and/or Government Official

IV. Review & Adopt Agenda

V. Approving August 12, 2022 Meeting Minutes

VI. Presentation/Workshop(s): (3-minute limit for question/answer)

   A. Master Land Use Plan, Marlene Hoskie, Project Manager/DCD

   B. Review Community Survey Tally

   C. Other – Tourism - Rose Morgan

VII. Old Business

   A. Review Invitation Letter – Second Resource Meeting 9-15-22
   (Host, meal, refreshment, laptop/mic set-up)

VIII. New Business

   A. Update Plan of Operation CLUP-C FY-2023

IX. Reports

   A. Chapter Administration/Chapter Officials

      1. Request for Update on FY 2023 Operating Chapter Budget
      2. Status of NM Capital Outlay Projects
      3. Other Pending Request(s): access road, demolition etc.

X. Announcement

   September 15, 2022 Second Resource Meeting at 9:00 A.M. (MDST)

XI. Adjournment

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905 3073 • FAX (505) 905 0606
Email manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC MEETING
SIGN – IN SHEET

TYPE OF MEETING: CLUPC Meeting

DATE: September 02, 2022

CLUPC PRESIDENT: Julia Ellison

CLUPC VICE-PRESIDENT: Daniel Lee

CLUPC SECRETARY: Bertha Dahozy

CLUPC MEMBER:

PLEASE PRINT

1. Rose T. Morgan Div Econ Dev-Tourism Dept
2. Paulene McCabe, member CLUPC
3. Alice Dodson, Comm. Member
4.
5. Chee
6. Justin Arviso
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Manuelito
Community Land Use Planning Committee (CLUPC)

AGENDA
Resources meeting
Master Land Use Planning
September 15, 2022
9 a.m. - 1 p.m.

The purpose for this meeting is to provide recommendations to CLUPC on the master land use planning efforts now taking place with Manuelito's contractor, Architectural Research Consultants (ARC). Manuelito CLUPC will be hosting a second public forum on land use planning; date to be determined.

I. **Welcome** - Julia Ellison, CLUPC Chairperson

II. **Invocation** - Milton Davidson, Chapter President

III. **Invited government and non-governmental offices**

- Navajo Nation Land Department
- Eastern Navajo Rural Business Development Office
- Eastern Navajo Land Commission Office (NELI - Navajo Exchange Land Initiative)
- BIA Transportation/Roads
- Continental Divide Electric Cooperative
- DePauli Engineering

IV. **Lunch**

V. **Announcements / Adjournment**

Join by Google meet: meet.google.com/ajq-mvdj-dtq

By phone: 1-352-561-8069 // PIN # 295558448

9/15/22

Julia Ellison
Paulene McCabe
Bertha Dahozy
Daniel Lee
Milton Davidson
Percy Byron Anderson
Deborah Nelson
Marlene Hoskie

John Largo, RBDO
Liza Baca Diaz, DePauli Engineering
Debbie Oliver, Continental Divide
Jeremy DeGroat, Eastern Land Commission
Daniel Largo, BIA Roads - Crownpoint
Mike Halona, Navajo Land Department

Dolores Anderson, ARC
Tim Price, ARC

This is the meeting where the Chapter lost their internet, so most of the meeting was inaccessible to those not physically present.

Manuelito Chapter
Community Land Use Planning Committee

November 14, 2022, 10:00 AM
AGENDA
Meeting: Kathleen Arviso, Land Board Member

Facilitator: Paulene McCabe, CLUPC Member

Purpose: Milton Davidson, President

I. Land status:

A. Maps
1. Land Statuses
2. Trust Lands after the Land Buy Back
3. Others: private, state, BLM, mission leases

B. Land Status (Potential areas for development)
1. Housing
   a. Road Access
2. Solid Waste
3. Economic Development
4. Cemetery
5. Exit 8
6. Old School
7. Others

C. Land Status: Recreation/Health
1. Walk and Bike Trail
2. Hiking Trail
3. RV Park
4. Others

D. Possible Joint Projects with Neighboring Chapters
1. Tsayatoh Chapter
2. Chichiltah Chapter
3. Tse'li'chii Chapter

II. Action Items to refer to the Regular CLUPC meeting;
1.. Set Dates for Artisan Meeting
2.. Set Date for NWNM COG
2.. Discussion with Al Chacon, State representative
3..Set Date for meeting with Neighboring Chapter
4..Others

III. Adjournment: Next Meeting: November 18, 2022, 9:00 AM

11/14/22
CLUP-C Meeting

Julia Ellison
Paulene McCabe
Bertha Dahozy
Daniel Lee
Milton Davidson
Percy Byron Anderson
Deborah Nelson
Marlene Hoskie

Kathleen Arviso
Henry Hudson

Dolores Anderson, ARC
Andy Aguilar, ARC

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905 3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Planning Committee (CLUPC)
Regular Meeting
November 18, 2022, 9:00 AM
Agenda

I. Meeting Called to Order
   A. Roll Call
   B. Invocation
   C. Recognition of Guest/Officials
      1. Chapter Officials
      2. Tsayatoh Chapter Officials
      3. Others

II. Meeting logistics
   A. Review and Adoption of Agenda
   B. Reading/Approval of October 14, 2022 Meeting Minutes

III. Old Business

   A. Master Land Use Plan – Second Draft

   B. Land Statuses
      1. BLM – Regional District- Farmington, NM
         a. What is the process?
   C. Navajo Exchange Legislative Initiative (NELI)
      1. WHAT? "According to ENLC, a recent request was made to add acreage to regain original Navajo territories that were designated as private or BLM lands. The initiative to add acreage began over 10 years ago and the goal with the recent request will turn most of private and BLM lands near Eastern Agency into Navajo Trust Lands.
      2. Who do we meet with for an Update?

   D. Mission Lease/Permits (Map)
   E. Traditional/Ceremonial sites
      1. Issues: Trash, Dead animals

   F. Schedule Meeting with Jeremy DeGroat. Land Buy Back for an Update

IV. New Business

   A. Schedule Public Hearing (December 7 is OUT- need to reschedule)

   B. Set Date for Meeting with Artisans

   C. Access Road to NHA Housing

D. State Office forms for Access Road
   1. Centerline Survey by DePauli Engineering
   2. Obtain Maps from DePauli Engineering (Milton & Paulene)
   3. Schedule Meeting for Technical Assistance (if needed)

E. Road Extending Beyond the NHA Housing
   1. County Road
   2. Maintenance of the Road
   3. Schedule Meeting with Anthony Dimas and Doug Decker and Walt Eddy

F. Exit 8 – Private Land for Sale
   1. What is the process?

G. Solid Waste Discussion with Tsayatoh — LUCY ANTON Ellen Young Horses VP

H. Cemetery Location Discussion with Tsayatoh

I. Schedule Meetings with neighbors: Chichiltah and Tselichii
   1. Chichiltah:
   2. Tselichii:

J. Rural Addressing Update
   1. Schedule Meeting with Nate Peters/Tim Larson
   2. E911 Project
   3. How and when do we restart?

K. Schedule meeting with Al Chacon and Chapter Officials

V. Announcements

VI. Adjournment: Next Meeting: December 9, 2022, 9:00 AM

Thank you for your participation and have a safe trip home!

Milton Davidson
President

Deborah Nelson
Vice President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

NN Speaker - Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC MEETING
SIGN – IN SHEET

TYPE OF MEETING: CLUPC Meeting

DATE: November 18, 2022

CLUPC PRESIDENT: [illegible]

CLUPC VICE-PRESIDENT: [illegible]

CLUPC SECRETARY: [illegible]

CLUPC MEMBER: Pauline McCabe

PLEASE PRINT

1. ANDY AGUILAR - ARC
2. [illegible]
3. [illegible] Danielle
4. Ellen Yazzie Thomas Tsinajinnie
5. Percy B. [illegible]
6. [illegible]
7. Deborah Nelson, VP
8. Lucy Antone Tsinajinnie
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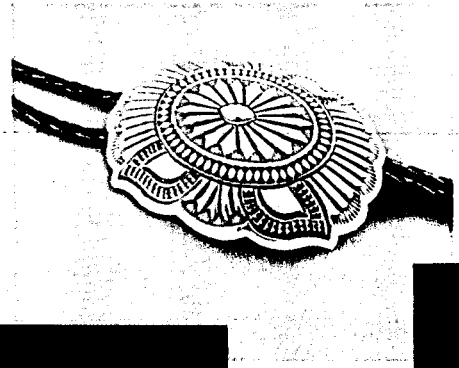
MANUELITO CHAPTER

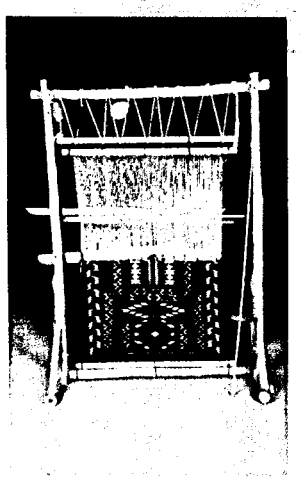
The Chapter Land Use Planning Committee cordially invite all artists for a discussion on your needs.

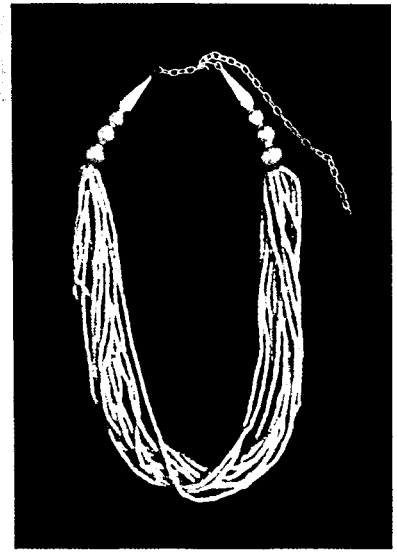
Artisan Meeting

Wednesday
December 7, 2022
10 a.m. to 2 p.m.

Manuelito Chapter House







Please tell the committee what would be helpful for you to grow your business and show off your wares.

Manuelito Artisan Meeting
CLUPC
December 7, 2022, 10 a.m.
AGENDA

- **Welcome**

- **What are some of the current ways to market artwork, craftware, and other forms of home cottage products like prepared food and home grown produce?**

- **What can be from a community level?**

  - Wireless broadband / fiber optic
  - Marketing from home
  - Shipping and delivery from homesite
  - Vending marketing site
  - Vending signs along Interstate 40
    Example I-40 sign: "Community Indigenous artistry, craftware, and food."

- **Encourage community members to start an artisan group to promote products to Interstate 40 traffic.**

  - Home marketing training / worksessions
    UNM/Small Business Development
  - Locate a site to start a vending marketing village
  - Large signs to place along Interstate-40

- **Adjournment**

12/07/22
Artisan Meeting

Julia Ellison
Paulene McCabe
Bertha Dahozy
Daniel Lee
Milton Davidson
Percy Byron Anderson
Deborah Nelson
Marlene Hoskie

Sharon Grey
Geraldine
Jimmie Shortie, Jr.

Zoom:
Dolores Anderson, ARC
Andy Aguilar, ARC

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9060 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606

Seth Damon
24th Navajo Nation Council

Community Service Coordinator

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Plan Meeting
December 9, 2022 – 9:00 A.M.
Agendo

I. Call Meeting to Order
   A. Invocation
   B. Roll Call
   C. Recognition of Guest/Official

II. Review Agenda

III. Approve Meeting Minutes – 11-22-2022 (handed out)

IV. Presentation:
   A. New Mexico State University Tribal Extension, Bud Lopez
   B. Navajo Division of Transportation, Priscilla Lee
   C. McKinley County Commissioner, Walt Eddy
   D. New Mexico State Transportation/District 6, Charles Lundstrom
   E. Jeremy DeGroat, Eastern Land Buy Back

V. Old Business:
   A. Master Land Use Plan, Marlene Hoskie, Project Mgr./NDCD
   B. Architectural Research Consultants, Dolores Andersen/Planner
   C. Other

VI. New Business:
   A. Public Hearing #2, ARC
   B. Other Amend P.O.S.

VII. Announcement

VIII. Next Meeting Date: January 13, 2023

IX. Adjournment

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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Email: manuelito@navajochapters.org

Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC
SIGN – IN SHEET

TYPE OF MEETING: CLUP-C Meeting

DATE: December 9, 2022

CLUPC PRESIDENT: Julia Ellison

CLUPC VICE-PRESIDENT: [illegible]

CLUPC SECRETARY: [illegible]

CLUPC MEMBER: Darlene McCabe

GUEST PART

1. Justin Acabar
2. [illegible]
3. Andy L. Aguilar - ARC
4. Dolores Anderson - ARC
5. Deborah Nelson VP
6. Marlene Hoskie - Project Mgr. Tele - Call
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Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0806
Email: manuelito@navajochapters.org

Community Services Coordinator
NN Speaker - Seth Damon
24th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Plan Meeting
January 13, 2023 – 9:00 A.M. MST (In-person)
Agenda

I. Call Meeting to Order CLUPC President
   A. Invocation - Volunteer

II. Roll Call – CLUP Committee: Julia Ellison, Daniel Lee, Bertha Dahozy & Paulene McCabe.

III. Recognition of Guest and/or Government Official

IV. Review/Adopt Agenda

V. Approve Meeting Minutes of December 9, 2022 (prior to meeting copy hand out)

VI. Presentation

   A. Navajo Housing Authority, Edison Johnson, Project Development Office
      1. Update of Rocky View Housing Development NAHASDA 5 yr Plan/Design
      2. Obtaining Approval for Access Road - Center Line Survey (DePauli Engineering)
   B. Capital Project Management Office, Sony Franklin, Project Planner/DCD
      1. Propose Trash Disposal Facility, Tsayatoh/Manuelito Chapters
      2. Propose Community Cemetery, Tsayatoh/Manuelito Chapters

VII. Old Business
   A. Update – Master Land Use Plan Manual, ARC & DCD
   B. Preparing for Public Hearing #2, Jan. 18, 2023 @ 10 a.m. – 1p.m. ARC Sponsor

VIII. New Business: CLUP-C Work Session (12pm to 2pm)
   1. ARPA Projects
   2. New Mexico Capital Outlay Projects
   3. NELI Update-Land Status
   4. Other

cannot be @ the same time @ CLUP-C meeting

IX. Announcement

   January 17, 2023 Regular Chapter Meeting @ 10 a.m.

   January 18, 2023 MLUP Public Hearing @ 10 a.m. to 1 p.m.

X. Next Meeting Date: February 10, 2023, 9 A.M.

XI. Adjournment

DePauli

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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Email: manuelito@navajochapters.org

Seth Damon
24th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC
SIGN – IN SHEET

TYPE OF MEETING: CLUP-C Meeting

DATE: January 13, 2023

CLUPC PRESIDENT: Julia Ellison

CLUPC VICE-PRESIDENT: Diane Lee

CLUPC SECRETARY: [illegible]

CLUPC MEMBER: Paulene McCabe, mbr

PLEASE PRINT

1. Milton Ellison, Pres
2. Andy L. Aguilar
3. DOLORES ANDERSON
4. Paulene McCabe, Member (Sorry)
5. Percy B. Anderson, Sec
6. Deborah Nelson, VP
7. Marlene Noble cpmd
8. Ellen Jones Thomas - Tsayatoh
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Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary/Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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Email: manuelito@navajochapters.org

Community Services
Coordinator,

NN Speaker - Seth Damon
25th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Planning Committee (CLUPC) Meeting
February 10, 2023 - 9:00 AM (In-person)
Agenda

Join Zoom Meeting
https://us06web.zoom.us/j/81943412336?pwd=Z0Y4c1VmelBsWWZ6eDM1YUVNYzlDdz09
Meeting ID: 819 4341 2336
Passcode: 719241

I. Call Meeting to Order- CLUPC President
Invocation - Volunteer

Roll Call - CLUP Committee:
____ Julia Ellison, President ____ Daniel Lee, Vice-President
____ Bertha Dahozy, Secretary ____ Paulene McCabe, Member

II. Recognition of Guests/Visitors

III. Review/Adopt Agenda

IV. Approve Meeting Minutes of January 13, 2023
(Printed copy available prior to meeting)

V. Presentations

VI. Old Business
A. Land Use Master Plan – Project Update
1. Final Draft of the Plan
2. Public Hearing (Second)
3. Work Session/Retreat Arrangements
B. ARPA Projects
C. NM Capital Outlay Projects
D. NHA Housing Status
1. Update
2. Land Withdrawal
3. Access Road
a. Center Line Survey
4. Water Pressure Assessment
E. Solid Waste Management-Manuelito & Tsayatoh
F. Community Cemetery- Manuelito & Tsayatoh

VII. New Business
A. Manuelito Chapter Work session – March 7-8, 2023
1. Finalize Agenda
2. Off Reservation Travel (Staff)

VIII. Announcements
Regular Chapter Meeting @ _____10:00 AM
MLUP Public Hearing@ _____10:00 AM

IX. ADJOURNMENT
Next Meeting Date: March 10, 2023, 9:00 AM

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

Seth Damon
25th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC
SIGN – IN SHEET

TYPE OF MEETING: CLUP-C Meeting

DATE: February 10, 2023

CLUPC PRESIDENT: Julia Ellison

CLUPC VICE-PRESIDENT: Dance Lee

CLUPC SECRETARY: Bertha Pahoy

CLUPC MEMBER: Pauline Meabe absent

PLEASE PRINT

1. DOLORES ANDERSON ARC
2. ANDY AGUILAR - ARC
3. Roselyn John, Chuchultah CSC
4. Bertha Pahoy - CLUPC Sec
5. Milton Davidson Chapter President
6. Deborah Nelson, VP
7. Percy B. Anderson
8. Chee
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MANUELITO CHAPTER

Please come and join us at
the Community Land Use
Master Plan
Public Hearing at the
Manuelito Chapter House

Tuesday
February 28, 2023
10 a.m. to 2 p.m.

Bring your ideas and appetite
Lunch will be provided

Grazing
Agriculture
Residential
Land Status
Commercial
Infrastructure
Demographics
Vision/Mission
Roads & Bridges
Community Facilities
Solid Waste Collection

Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary/Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
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PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

Community Services
Coordinator,

NN Speaker - Seth Damon
25th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Chapter Land Use Master Plan Update

Public Hearing #2

February 28, 2023 – 10:00 a.m. - 2:00 p.m. (In-person)

Join Zoom Meeting
https://us06web.zoom.us/j/84203895255?pwd=aFZrVUVvN29JQ0hXdjFiL0g4aGMrQT09
Meeting ID: 842 0389 5255
Passcode: 741170
+1 720 707 2699 US (Denver)

AGENDA

I. Call hearing to order- CLUPC President – Julia Ellison
Invocation – Volunteer

II. Recognition of Guests/Visitors

III. Overview of Land Use Master Plans (presentation by ARC)

IV. Lunch

V. Open discussion and comment period

VI. ADJOURNMENT

MANUELITO (KIN HOZHONI) CHAPTER ADMINITRATION
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Manuelito Chapter CLUPC Public Hearing

DATE: February 28, 2023

PLEASE PRINT	PLEASE PRINT
1. Milton Davidson Pres.	21. Mary H. Chee
2. Julia Ellison	22. Herbert Haley
3. Deborah Nelson. VP	23.
4. Daniel Lee - Vice Chair (clupc)	24.
5. Alice Dodson – Member	25.
6. Marlene Hoskie - CPMD	26.
7. Bertha Dahozy - CLUP. Sec	27.
8. Anita Shirleson - Member	28.
9. Geraldine Bowie	29.
10. Dolores Anderson (ARC)	30.
11. Anny Aguilar (ARC)	31.
12. Elsie Nelwoot	32.
13. Melody Nelwoot	33.
14. Mary W. Lee	34.
15. Percy B. Anderson	35.
16. Paulene McCabe. Mbr	36.
17. Ena Jon	37.
18. Tracy [illegible] - Peshlakai	38.
19. Dezu Smith	39.
20. Helena Laughter	40.

Day One

Welcome & Introductions / Invocation (8 am to 8:30 am)

Session 1: What is an Implementation Plan? (8:30 am to 9:45) <15 minute break>
- Best practices
- Plan structure & elements
- Milestones & maintenance
- A Plan for Manuelito: applying these strategies into a plan for Manuelito

Session 2: Implementation Assessment (10 am to noon)
- Who is on the implementation team
- Accomplishing goals & projects
- Pitfalls
- Strengths
- Gaps
- Finalizing the implementation plan format for Manuelito

Lunch (12 noon to 1:15 pm)
Virtual tour of Albuquerque transfer station

Session 3: Visioning Workshop (1:30 to 4:30)
- Review plan elements & overall goals to identify a vision statement and priority goals

Day Two

Welcome back & brief review of yesterday's material: where are we now? (8:00 am to 8:45 am)

Review vision statement & plan format & finalize (8:45 am to 9:30 am)

Session 4: Preliminary goals & vision by topic (9:45 am to 11:00 am)
- Review recommendations, guidelines, and appendix material already included in the plan
- Develop preliminary goals & actions for each topic

Session 5: Implementation Plan (11:00 am to 2:00 pm) (break at half for lunch)
- Refine goals & identify priority projects
- Identify pathway to achieving each goal & fill in the implementation plan for each
- Build timeline
- Build review / monitoring procedure
- Identify funding sources
- Identify partners & responsible parties
- Identify source for any missing appendix materials
- Develop strategy for implementing the plan

Session 6: Guest Speaker (2:00 pm to 3:00 pm)
- Focus on refining the CLUP-C's Mission and Vision Statement

Adjourn: 3 pm

MANUELITO I IMPLEMENTATION WORKSHOP
SIGN IN SHEET

MARCH 7, 2002

NAME	ORGANIZATION	EMAIL	PHONE
Daniel Lee	CLUP-C-Vice Chair		
[illegible]	[illegible]		
Percy B. Anderson	Manuelito		
[illegible]	Manuelito CLUP Sec.		
[illegible]	Manuelito Chap-Pres		
[illegible]	Manuelito Chapter President		
Valerie McCabe	Manuelito Chap		
Deborah Nelson VP	Manuelito Chpt.		
Alice Dodson	Manuelito - Community member		
Liza Miller	ARC		
Erma Sedillo			
Dolores Anderson			

MANUELITO CHAPTER

Implementation Workshop

MARCH 8, 2023

NAME	ORGANIZATION	EMAIL	PHONE
Milton Dullen	Chapter president		[illegible]
Daniel Lee	CLUPC Vice-Chair	[illegible]	[illegible]
Deborah Nelson-VP	Manuelito Chapt.	[illegible]	[illegible]
Marlene Hoskie	NN CPMD	[illegible]	[illegible]
Percy B Anderson	Manuelito Sec/Treas.	[illegible]	[illegible]
Bertha Dahozy	CLUPC Secretary	[illegible]	[illegible]
Alice Dodson	Manuelito - Comm Member	[illegible]	[illegible]
Julia Ellison	Manuelito CLUPC Chairperson	[illegible]	[illegible]
Evaleva Atcity	ASL-Gallup	[illegible]	[illegible]
Paulene McCabe	Manuelito	[illegible]	[illegible]
Chenoa Bah Stilwell-Jensen	First Nations Community HealthSource	[illegible]	[illegible]
Liza Miller	ARC		
Dolores Anderson	"		

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

Seth Damon
25th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Planning Committee
MLUP Binder Review Session
March 31, 2023

AGENDA

A. Welcome Participants

- CLUP Committee, Chapter Officials, Project Manager, Architectural Research Consultants and Community Members.

B. Collection of Missing Documents

- Update from Architectural Research Consultants, Dolores Anderson

C. Concerns for Missing Data Noted for Table of Contents (as listed below):

- Open Space
- Land Use
- Thoroughfare (road)
- Infrastructure
- Economic Development

D. Review Draft Copy Master Land Use Plan – Architectural Research Consultants, Dolores Anderson

E. End of Session

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

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Seth Damon
25th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

SIGN-IN SHEET

TYPE OF MEETING: CLUPC Work Session

DATE: March 31, 2023

Name PLEASE PRINT

1. Julia Ellison CLUPC-CP
2. Daniel Lee Vice Chair (CLUPC)
3. Dolores Anderson ARC
4. Milt Davidson Chapter President
5. Percy B. Anderson Sec./Treas
6. Deborah Nelson, Vice Pres
7. Alice Dodson
8. Beverly Parks
9. Paulene McCabe, Mbr
10. Marlene Hoskie
11.
12.
13.
14.
15.

Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary-Treasurer

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Community Services Coordinat

NN Speaker - Seth Damon
24th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Community Land Use Planning Committee
Meeting
April 14, 2023 @ 9:00 A.M. (MDST)

Agenda

I. Call Meeting to Order
   A. Invocation – Guest
   B. Welcome Address: CLUP-C Chair

II. Roll Call: President, Vice-President, Secretary & Committee

III. Recognition of Guests and/or Officials

IV. Review and Adopt Agenda

V. Review and Approve Minutes of March 10, 2023

VI. Old Business

   A. Master Land Use Plan – Final Draft Review/ARC

VII. New Business

   A. Scheduling Manual for Approval Process by Resource Development Committee/Marlene Hoskie, Project Mgr.
   B. Chapter Tested for Family Burial Plot by Member (no guideline in place) Julia Ellison, CLUP-C President

VIII. Reports

   A. Project Update, Paulene McCabe, Project Mgr./Chapter

IX. Announcement(s)

X. Next CLUP-C Meeting: May 12, 2023, 9:00 A.M. (MDST)

XI. Adjournment

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

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PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

Seth Damon
25th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

CLUPC
SIGN – IN SHEET

TYPE OF MEETING: CLUP-C Meeting

DATE: April 14, 2023

CLUPC PRESIDENT: [signature]

CLUPC VICE-PRESIDENT: [signature]

CLUPC SECRETARY: [signature]

CLUPC MEMBER: [signature]

PLEASE PRINT

1. Milton Davidson Pres.
2. Deborah Nelson VP
3. LIZA MILLER, ARC PLANNING
4. DOLORES ANDERSON, "
5. Marlene Huskie, Cpmd.
6. ~~Paul~~ Percy B. Anderson
7.
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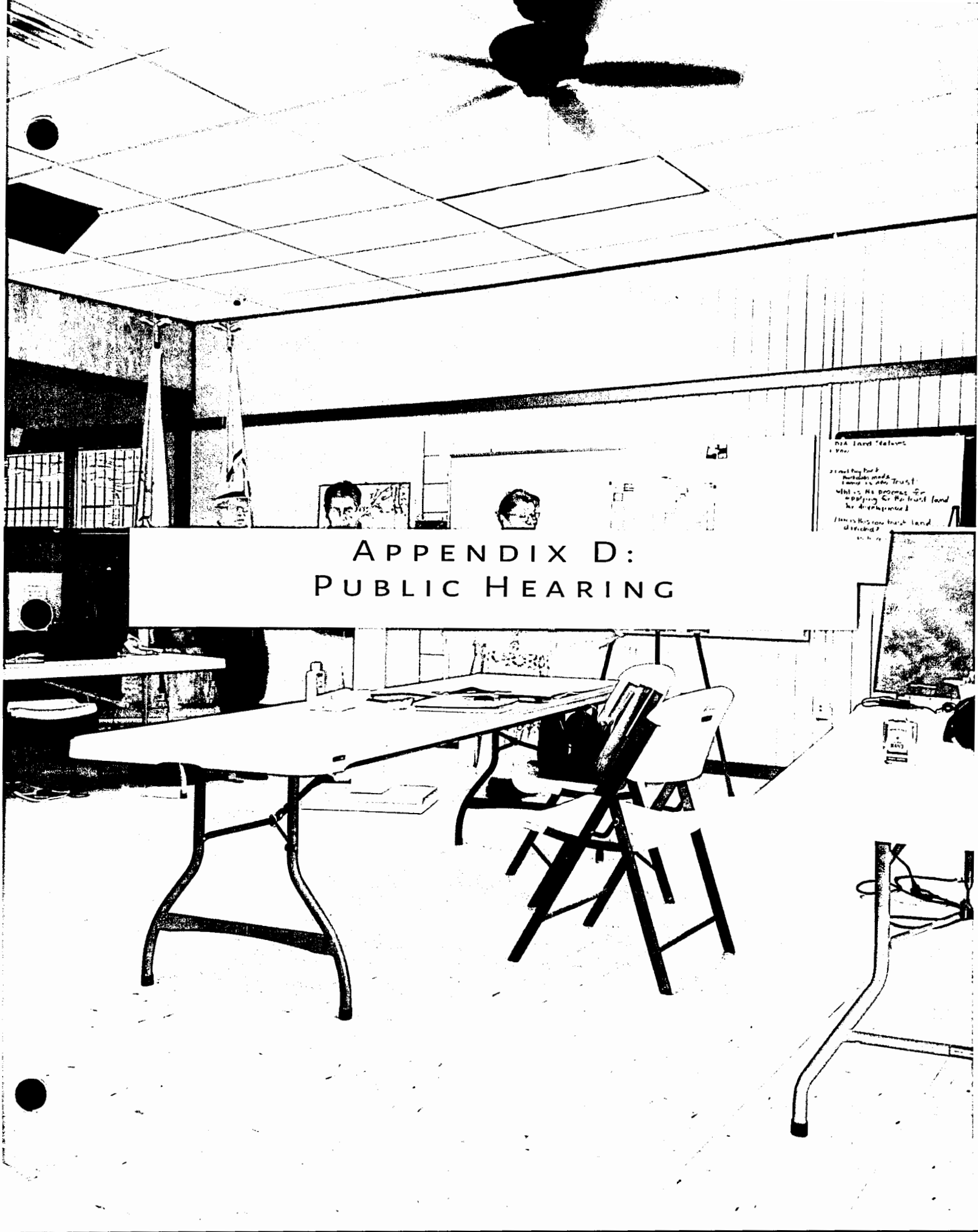


Appendix D: Public Hearing

7/30/22

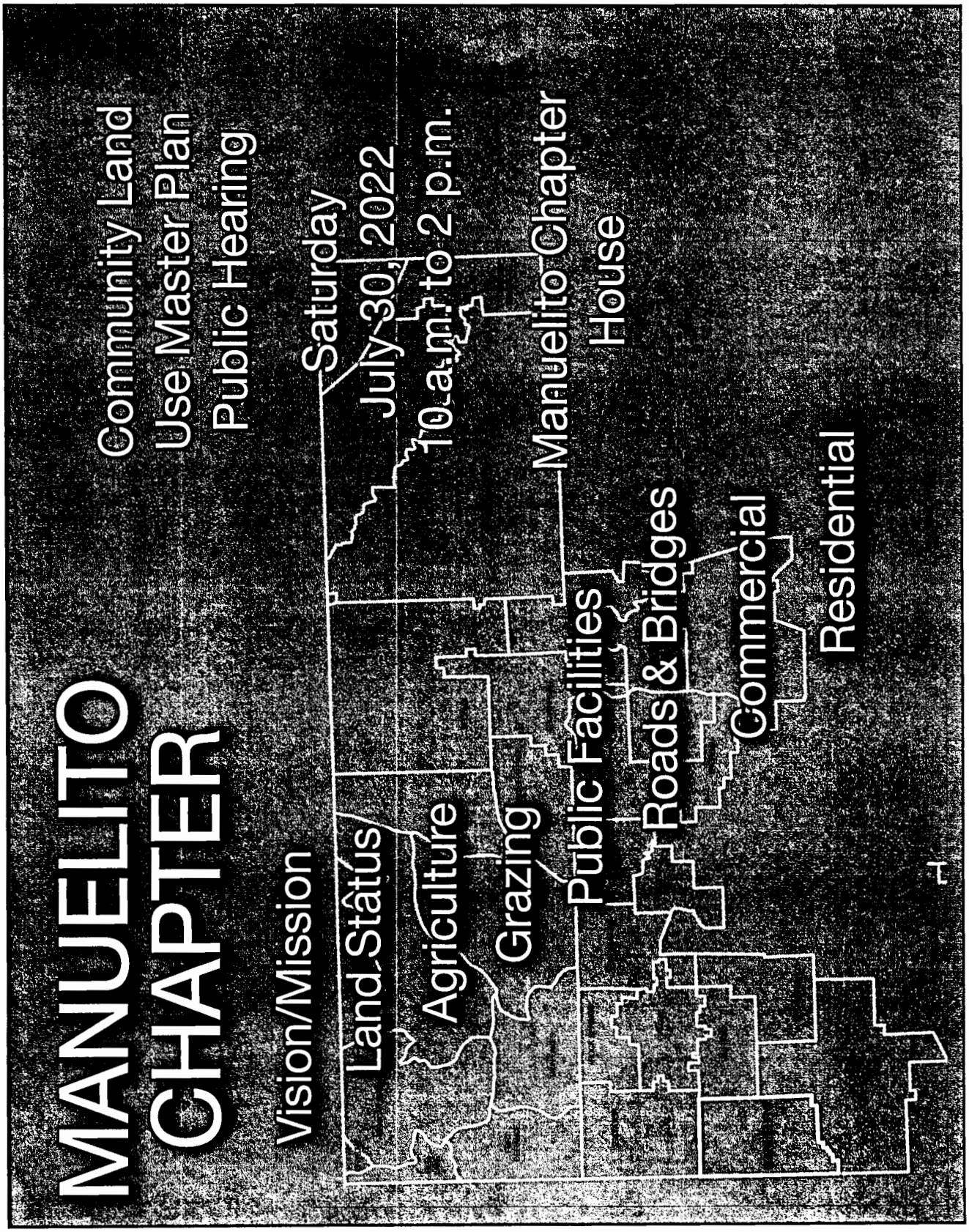
First Public Hearing

Julia Ellison
Paulene McCabe
Bertha Dahozy
Daniel Lee
Milton Davidson
Percy Byron Anderson
Deborah Nelson
Marlene Hoskie

Former Chapter Official

Dolores Anderson, ARC
Karyme Tapia-Flores, ARC

Had 9 commentaries — no names


MANUELITO CHAPTER
Community Land Use Master Plan Public Hearing
Saturday July 30, 2022 10 a.m. to 2 p.m.
Manuelito Chapter House
Vision/Mission
Land Status
Agriculture
Grazing
Public Facilities
Roads & Bridges
Commercial
Residential

Manuelito Chapter
Community Land Use Master Plan Update Public Hearing

1st Public Hearing Agenda

July 30, 2022

Public Hearing

MANUELITO COMMUNITY LAND USE PLAN MANUAL UPDATE

Time	Description
	Introduction of Event: _____, Master of Ceremony
	Invocation: _____
10:00 AM	Welcome/Purpose: _____ Introduction: Manuelito Community Land Use Planning Committee (CLUPC), Chapter Officials, and Guests
	• **Topic 1: Brief community history and the vision/mission of the community** _____
	• **Topic 2: Community Participation Plan and Community Demographics** _____
	• **Topic 3: Identification of Existing Land Status, Existing and Future Grazing/Agricultural Information** _____
	• **Topic 4: Existing Future Residential Needs and Community/Public Facilities/Infrastructure Information** _____
	• **Topic 5: Roads and bridges – Thoroughfare Plan** _____
	• **Topic 6: Existing and Future Commercial Development Information** _____
12:00 PM	**Lunch Break**
	Open to the Public
01:00 PM	• Comments/Discussions – Public Input • Conclusion/Closing Remarks _____
02:00 PM	• Benediction _____

Thank you and have a safe trip home! ☺

Manuelito Chapter Community

Community Land Use Planning Committee (CLUPC)

AGENDA
July 28, 2022
9 a.m. - 12 noon

The purpose for this meeting is to provide recommendations to CLUPC and to answer questions from CLUPC and Chapte Officials that will benefit the master land use planning efforts now taking place with Manuelito's contractor, Architectura Research Consultants (ARC). Manuelito CLUPC will be hosting its first public forum on land status, agriculture, grazing public facilities, roads & bridges, commercial, and residential on July 30, 2022 (flyer attached).

I. Welcome - Julia Ellison, CLUPC Chairperson

II. Invocation - Milton Davidson, Chapter President

III. Land status, agriculture (livestock), and grazing

(The following will show up in-person or by phone/computer 9:00 a.m. to 10:30 a.m.)

- Navajo Nation Land Department
- Navajo Nation Department of Agriculture
- Navajo Nation Fish & Wildlife
- Navajo Nation Heritage & Historic Preservation Office
- Eastern Navajo Land Commission Office (NELI - Navajo Exchange Land Initiative)
- BIA Eastern Navajo / Real Estate
- BIA Natural Resources

IV. Public facilities, roads & bridges, commercial, and residential

(The following will show up in-person or by phone/computer 10:30 a.m. to 12 noon)

- Navajo Nation Water Resources
- Navajo Department of Transportation
- Navajo Nation Division of Economic Development / Eastern Navajo Rural Business Dvlpmnt Ofc
- BIA Transportation/Roads
- New Mexico Dept of Transportation / District 6
- McKinley County Roads Department
- Indian Health Service / Office of Environmental Health
- Continental Divide Electric Cooperative
- Sacred Wind Communications
- BNSF Railway

V. Announcements / Adjournment

Contacts:
jellison51@gmail.com
mhoskie@nndcd.org

MANUELITO (KIN HOZHONI) CHAPTER ADMINITRATION
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuel to@nava;ochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Manuelito Resource Meeting with CLUP-C and Chapter Officials

DATE: July 28, 2022

PLEASE PRINT	PLEASE PRINT
1. Paulene McCabe, CLUPC Mbr	21. Thomas Thomas
2. Dolores Eline Anderson, ARC	22. Ferdinand Notah
3. Julie Allison CLUPC RP	23. Olson John NNHHPD
4. Mitch Chapter Pres	24.
5. Marlene Heskie cpmd	25.
6. Deborah Nelson VP	26.
7. Daniel Lee	27.
8. Jerry DeGroat, BIA	28.
9. Percy B. Anderson	29.
10. Priscilla Lee NDOT	30.
11. R Haley NDOT	31.
12. TERESA Hopkins SACRED WIND	32.
13. Alice Dodson	33.
14. Harold X Begay	34.
15. Amen Daniels	35.
16. Brenda Velez	36.
17. Mike Thomas	37.
18. Michelle Thomas	38.
19. Ella Yazzie	39.
20. [illegible]	40.

MANUELITO CHAPTER

Please come and join us at
the Community Land Use
Master Plan
Public Hearing at the
Manuelito Chapter House

Tuesday
February 28, 2023
10 a.m. to 2 p.m.

Bring your ideas and appetite
Lunch will be provided

Milton Davidson
President

Debra Nelson
Vice-President

Percy Anderson
Secretary/Treasurer

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Community Services
Coordinator,

NN Speaker - Seth Damon
25th Navajo Nation Council

Kathleen Arviso
Land Board Member

Manuelito Chapter Land Use Master Plan Update

Public Hearing #2

February 28, 2023 – 10:00 a.m. - 2:00 p.m. (In-person)

Join Zoom Meeting
https://us06web.zoom.us/j/84203895255?pwd=aFZrVUVvN29JQ0hXdjFiL0g4aGMrQT09
Meeting ID: 842 0389 5255
Passcode: 741170
+1 720 707 2699 US (Denver)

AGENDA

I. Call hearing to order- CLUPC President – Julia Ellison
Invocation – Volunteer

II. Recognition of Guests/Visitors

III. Overview of Land Use Master Plans (presentation by ARC)

IV. Lunch

V. Open discussion and comment period

VI. ADJOURNMENT

MANUELITO (KIN HOZHONI) CHAPTER ADMINITRATION
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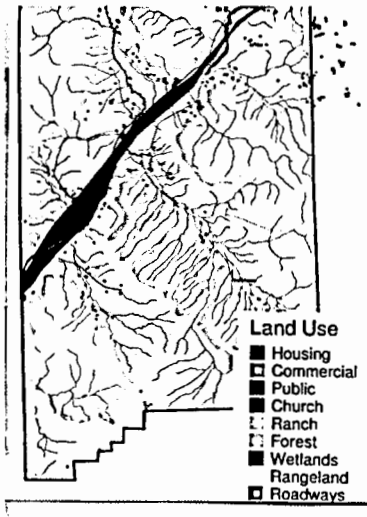
PHONE (505) 905-3073 FAX (505) 905-0606
Email: manuelito@navajochapters.org

SIGN-IN SHEET

TYPE OF MEETING: Manuelito Chapter CLUPC Public Hearing

DATE: February 28, 2023

PLEASE PRINT	PLEASE PRINT
1. Milton Davidson Pres.	21. Mary H. Chee
2. Julia Ellison	22. Herbert Haley
3. Deborah Nelson. VP	23.
4. Daniel Lee - Vice Chair (clupc)	24.
5. Alice Dodson – Member	25.
6. Marlene Hoskie - CPMD	26.
7. Bertha Dahozy - CLUP. Sec	27.
8. Anita. Shirleson - Member	28.
9. Geraldine Bowie	29.
10. Dolores Anderson (ARC)	30.
11. ANDY Aguilar (ARC)	31.
12. Elsie Nelwoot	32.
13. Melody Nelwoot	33.
14. Mary W. Lee	34.
15. Percy B. Anderson	35.
16. Paulene McCabe, Mbr	36.
17. Ena Jon	37.
18. Tracy [illegible] - Peshlakai,	38.
19. Dean Smith	39.
20. Helena Laughter	40.



WHAT IS A LAND USE MASTER PLAN?

A POLICY GUIDE

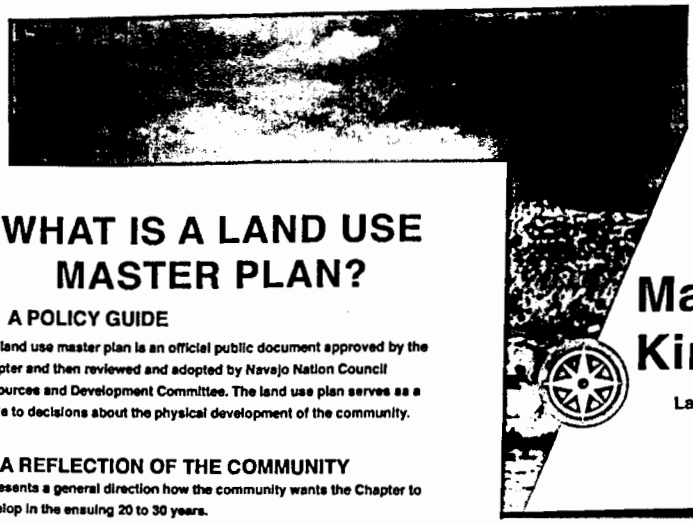
The land use master plan is an official public document approved by the Chapter and then reviewed and adopted by Navajo Nation Council Resources and Development Committee. The land use plan serves as a guide to decisions about the physical development of the community.

A REFLECTION OF THE COMMUNITY

It presents a general direction how the community wants the Chapter to develop in the ensuing 20 to 30 years.

A RESOURCE

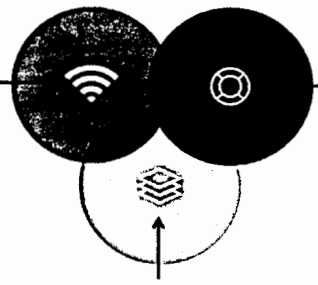
The plan will set policies that anticipate change, maximize strengths and minimize weaknesses and address critical issues, achieve community goals, and coordinate efforts.



Manuelito Kin Hozoni

Land Use Master Plans

PLAN INPUT



PUBLIC

Community input
Goals identification
Priority verification

CHAPTER LAND USE PLANNING COMMITTEE (CLUP-C)

Planning Process Guidance
Priority identification
Plan Review

OTHER PLANS

Align goals & policies
Understand previous efforts
Expand community understanding

Community Education and Participation Plan

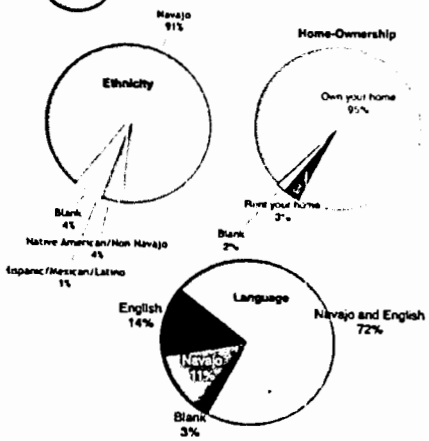
The Chapter Land Use Planning Committee (CLUP-C) are members of the community and developed this aspect of the planning process.
Other members of the community were invited to each of the CLUP-C meetings to voice their desires and concerns on a variety of topics.

Input was also gathered via these activities:

- Designated Focus Groups
- Community Survey
- Public Hearings

Community Assessment

A Demographics



B Goals and Project Priorities

Improve roads and bridges
Build senior center
Build housing subdivision
Build solid waste center (or coordinate with another chapter)

C Vision and Mission Statement

Overall community: high quality of life, cohesive community, tourism, and historic preservation

Inventory and Assessment of Pertinent Existing Data

A Natural, Cultural, and Human Resources

- Chapter has 104 square miles
- Significant cultural sites
- Artisans

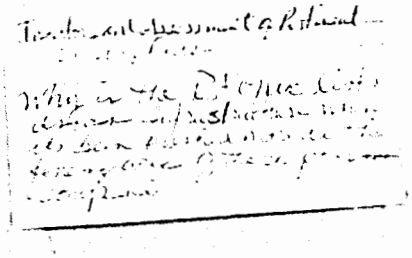
B Land Carrying Capacity

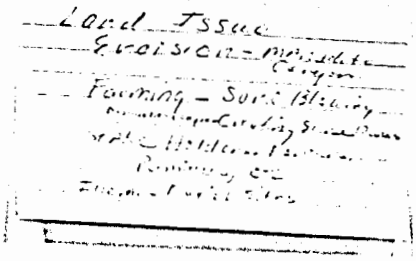
- Availability of Infrastructure
- Availability of natural resources, such as water

C Community Infrastructure

Existing facilities

- Chapter House
- Veteran's Center
- Warehouse
- Administrative Bullidng
- Work Center
- Sewer Lagoon
- US Postal Mailboxes





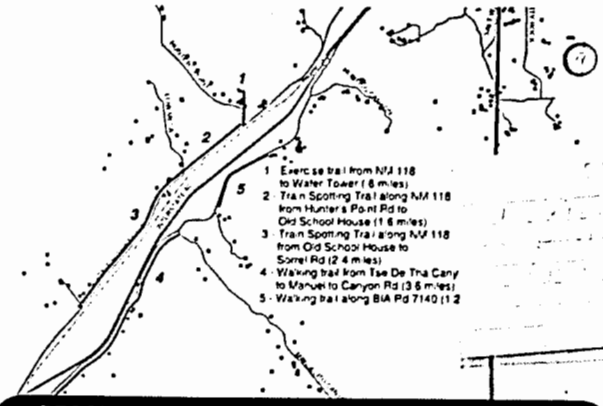
Open Space Plan

A Maintaining Its Natural State

B Recreational Purposes

- Walking Trails
- Train-spotting Paths / Observation Decks

1 - Exercise trail from NM 118 to Water Tower (.6 miles)
2 - Train Spotting Trail along NM 118 from Hunter's Point Rd to Old School House (1.6 miles)
3 - Train Spotting Trail along NM 118 from Old School House to Sorrel Rd (2.4 miles)
4 - Walking trail from Tse De Tha Canyon Rd to Manuelito Canyon Rd (3.6 miles)
5 - Walking trail along BIA Rd 7140 (1.25 miles)



RECOMMENDATION

- Adopt a resolution advocating that the Chapter purchase all available land as it becomes available
- Adopt a resolution prioritizing Chapter purchase of all sites identified for protection
- Continue to review locations for protection in prioritizing development projects to support
- Identify portions of potential trails to prioritize for development

All historic maps of Manuelito and reconstructed maps of the lands Manuelito Community

RECOMMENDATION
Continue improving housing access to housing as a priority for the Chapter. Continue assisting residents and members with their housing goals.

Land Use Plan

RECOMMENDATION
The Navajo Nation is recommending that land for private cemeteries be withdrawn, and fenced, with policies identifying maintenance responsibilities. The chapter could adopt policy measures outlining procedures and responsibilities.

A Identification of Future Community Needs/Desires

- Senior Center
- Old School House
- Outdoor Amphitheater
- Sewer Lagoon

B Residential

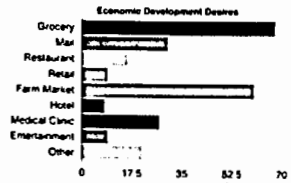
- Housing subdivision

C Commercial

- Vendor Village
- Outdoor Amphitheater
- Livestock Auction Site

D Industrial

- Solid Waste & Recycling Collection Center



E Public Purposes

- Community Cemetery
- Agriculture / Livestock
- Gardening
- Childcare/Head Start
- Community Center

F Corresponding Maps

- Existing land ownership
- Chapter boundaries
- Identified public land for sale
- Agriculture / Livestock
- Gardening
- Utilities
- Housing subdivision site
- Land Buy Back
- Navajo Exchange Legislative Initiative

Architectural Research Consultants, Incorporated
Show land status full map

Architectural Research Consultants, Incorporated
RV Park

Architectural Research Consultants, Incorporated
Map (also) Private land sections

RECOMMENDATION
The Chapter should track and record the status of homesite leases to assist chapter members with lease issues.

RECOMMENDATION
Continue supporting and working with NHA and other developers to realize efforts to develop new housing in Manuelito as a primary strategy for expanding housing options to meet the needs of chapter members living in the Chapter as well as those currently living outside the Chapter who may want to return.

RECOMMENDATION
Continue working with NHA to ensure that the current NHA housing site option can meet NHA requirements and the project proceeds to completion, and be willing to consider alternative sites when doing so may expedite the process or produce a more favorable outcome.

RECOMMENDATION
With respect to a community cemetery, local cultural consultants should be engaged to advise in site selection, development, and design, including who may use the plots and how, and in the definition of acceptable activities and behavior at the site.

Adequate resources and commitments for operations, maintenance, and upkeep should be identified in initial steps of any project. Ideally, a permanent fund should be set up to ensure responsibilities can be met in the future.

RECOMMENDATION
Consider developing, implementing and enforcing a land use code and development regulations in the future to protect Chapter assets, ensure ecological sustainability, and encourage beneficial development.

RECOMMENDATION
Develop and conduct public education campaigns to educate the Chapter community about septic maintenance and funding opportunities.

Recommendation

- Identify a visible, accessible area that can serve as regular artisan vender and special event area. By securing the space, organizing regular events with artisans, and marketing those events, the reputation of the area as a reliable space for finding these goods will build. As this builds, the Chapter should maintain marketing efforts while reaching out to neighboring communities to:
  - Identify a permanent vender/event space that is highly visible and accessible from the interstate, secure, obtainable, attractive, and free of hazards such as flooding
  - Work to secure and develop the site as a permanent site for regional artisans
  - Include musicians and food vending, performances, classes, and other attractions to draw attention and crowds
  - Develop, maintain and expand marketing and branding to publicize the space
  - Support artisans with legal, marketing, technical, and transportation assistance as needed. This may include providing group studio space, apprenticeship programs, design workshops, and other innovative approaches.

BEST PRACTICES
Joint facility agreements should be carefully negotiated and formalized as soon as possible and should include: development, operations, maintenance and repair cost and responsibility sharing structure, maintenance schedules, use and fee agreements, payment schedule, designation of partner representatives, decision-making chain-of-command and communication protocols, schedule for regular communication, meetings, collaborative efforts, and information-sharing, procedures for implementing agreement changes and managing disputes while maintaining facility operations and the [illegible]

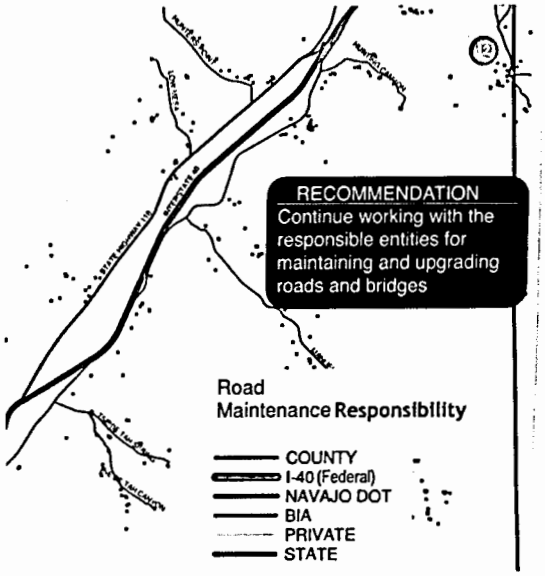
ECONOMIC DEVELOPMENT STRATEGIES
Much of the work to understand the needs and potential of the artisan industry in Manuelito has already been done. This work will serve as the basis for the development of strategies for building, strengthening, and growing the industry in the future. The Chapter should identify specific strategies for building artisan capacity that are within its reach financially and in terms of human capacity and focus directly on implementing and accomplishing those

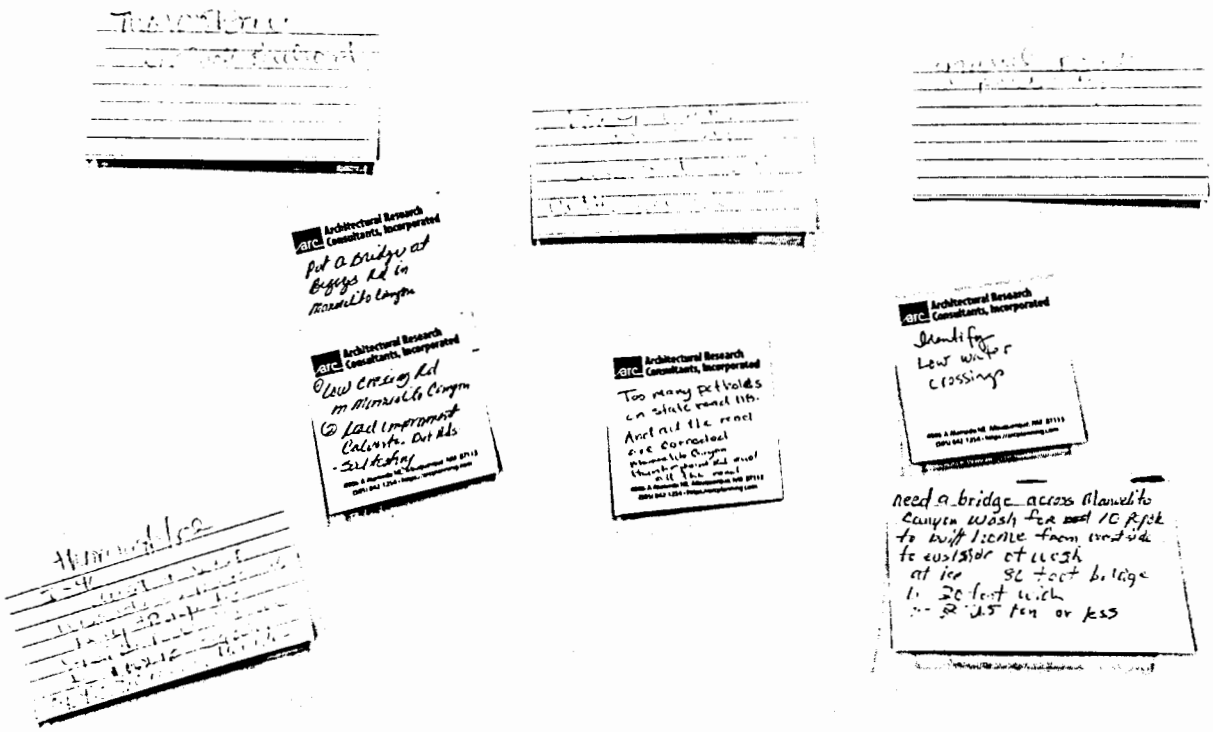
Thoroughfare Plan

A Existing and Proposed Major Streets

B Distinguishing Between:

- Limited access routes
- Primary and secondary thoroughfares
- Major thoroughfare to the road network and land use of surrounding area
- Road related:
  - bridges
  - low water crossing
  - sidewalks
  - streetlights
  - pedestrian traffic

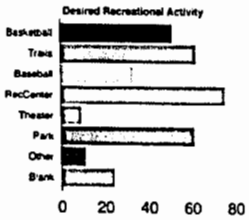




Community Facilities Plan

A Recreational Areas

- No currently Chapter-owned areas are defined; however, the chart below shows what is desired

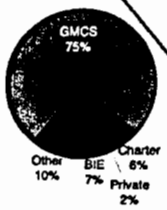


B Schools

- Manuelito students are assigned to attend Gallup-McKinley County Schools (GMCS):
  - Tobe Turpin Elementary
  - Chief Manuelito Middle
  - Gallup High
- Some attend other educational institutions
  - Hozho Charter
  - Private preschool
  - Institute of American Indian Art (Santa Fe)
  - Jones Ranch Community School

C Other Public Buildings

- Chapter House
- Veterans Center
- Senior Center
- Administration
- Conference
- Warehouse



Architectural Research Consultants, Incorporated

build a big Gym for tournaments like Basketball, Baseball field -

State Funding

State of N.M. approved funding for

A-1 2014 $ 39,000 electrical line NNEC

B-1 2019 Media Land use plan $ 100K - ongoing

B-2 2019 Manuelito Campground $ 150K Fund Ex Tor

B-3 2019 Tse-Bi-Tah Campus $ 75K (@ balance)

C-1 2020 Senior Citizen $ 110K

2020 Electrical power line/Home wiring $ 100K

D-1 2021 Bath room addition $ 150K

D-2 2021 Electrical power line $ 100K

E-1 2022 Manuelito $ 160K Blacktop All

E-2 2022 Harbor point Road $ 180K

E-3 2022 Administration building $ 75K

E-4 2022 Veterans Modular building $ 250K

FINANCIAL REPORTS

ARPA Funding

Approving the American Rescue Plan Act

Manuelito (Kin Hozhoni)

G - Fixed wireless broadband telecommunication. 2,035,000

H - Planning design warehouse building. 900,000

I - Chapter rural addressing project 300,000

J - planning design electrical wiring for homes 257,500

K - Home Septic tank/container (Tanks). 100,000

M - 53 portable bathroom units. 300,000

L - Renovation in side & out side of Home Weatherization, roof repair addition to home 200,000

DOJ

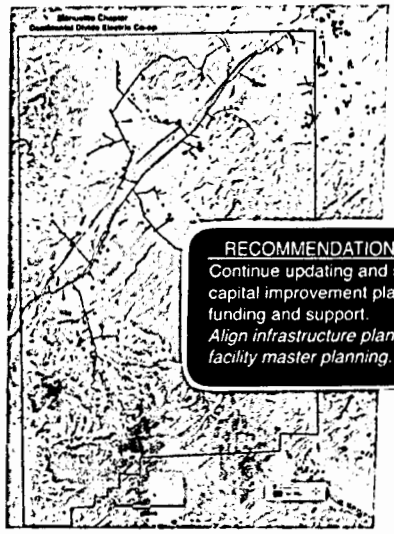
RECOMMENDATION
Identify potential recreational opportunities and explore funding options.

Restart the NN HeadStart @ Chapter.

Headstart to be re-established for Manuelito community. Tribal ... is there an ... Hdst.

Community Infrastructure Plan

1. Powerline
2. Waterline
3. Sewer Lagoon
4. Solid Waste
5. Telephone Services/ Digital Communication



RECOMMENDATION
Continue updating and supporting infrastructure and capital improvement planning to ensure project funding and support.
Align infrastructure planning with overall asset and facility master planning.

RECOMMENDATION
Remain in contact with the NTUA and CDEC to understand, needs, requirements, options, and opportunities to expand access to electrical service in the Chapter.

RECOMMENDATION
Support of efforts for the continued expansion of access to high speed internet should remain a top priority as an essential measure for improving economic and educational opportunities in Manuelito Chapter

BEST PRACTICES
Solid Waste Collection Site: Include public input and practice transparency in the decision-making process especially in determining priority services and selecting a site to develop.

NEXT STEPS

Public Hearing #2

February 28, 2023

Community Input

Chapter Resolution

Adopting & Approving Community-Based Land Use Master Plans

Council Delegate

Legislation, Review, and 5 Day Comment Period

RDC Committee

Resolution to Grant Certification

Land Use Planning Workshop
March 7th & 8th
at ARC
4906 Alameda Blvd NE

RECOMMENDATION

Future work to develop a full comprehensive plan should begin with an effort to bring together stakeholder agency and department representatives to discuss plans, issues, and collaborative opportunities in identifying and implementing potential and priority projects in the area.

RECOMMENDATION

Develop GIS capacity for Chapter management beginning with GIS software training for Chapter staff, and the development, maintenance, and management of GIS data regarding land use and other geographically specific data needed to manage development, protect assets, track changes, or aid in accomplishing chapter and community goals.

NOTE

Assistance with GIS training may be obtained, at no cost to the Chapter from the New Mexico Forestry and Watershed Institute at New Mexico Highlands University. The organization will provide multi-day training, including software and computers, to help the Chapter develop this essential asset.

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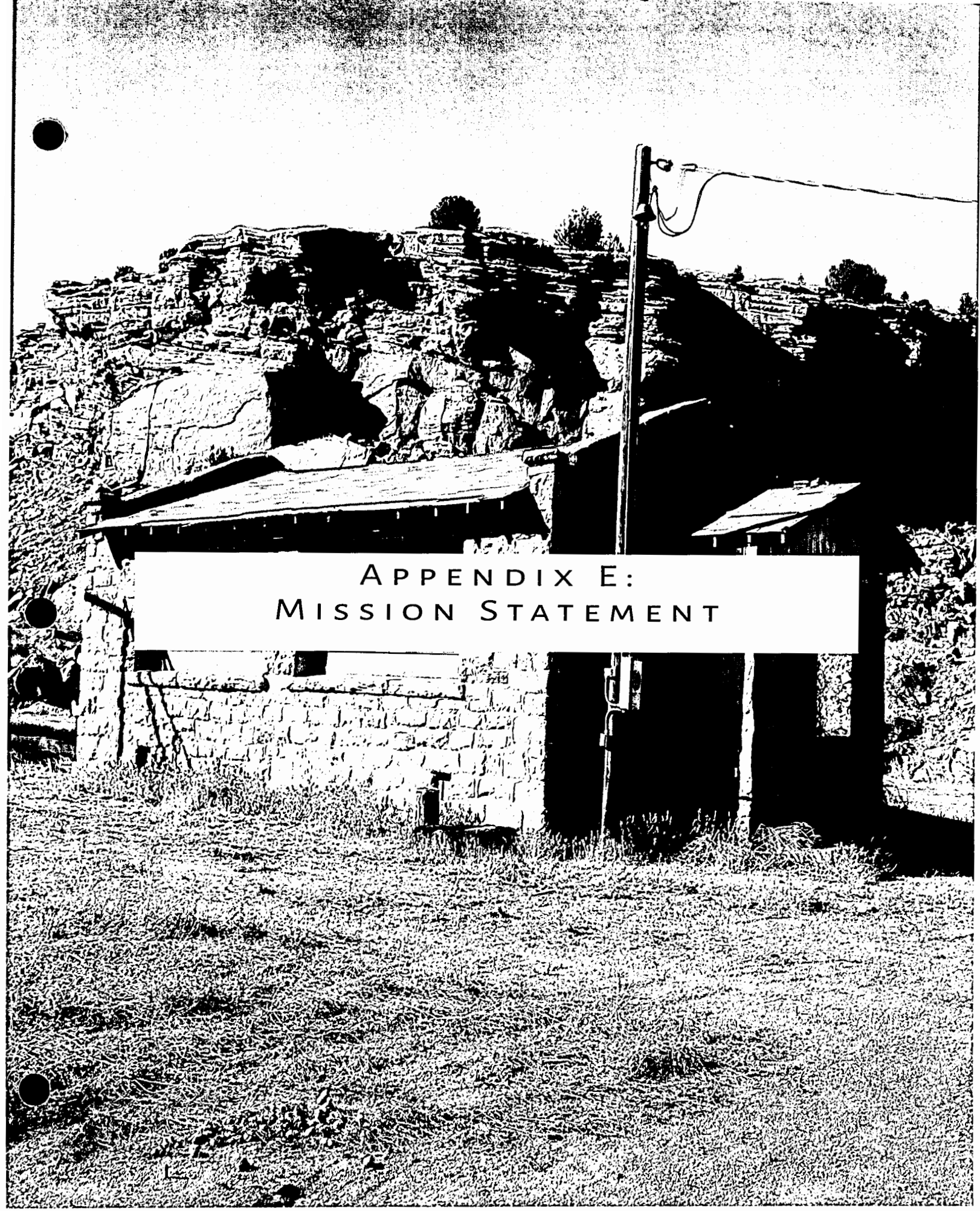

Appendix E: Mission Statement

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Mission

To realize a healthy community that promotes family, Diné language, history & Cultural knowledge while advocating for resources to build services & infrastructure while respecting Diné Fundamental Law and the enviroment we live in with land, water, air, animals, and plant life which is medicine and ~~spir~~ mental health for us.

Vision

To provide information & resources to the community to understand the processes to complete projects from home, to education, to community, & economic/cottage industry developme

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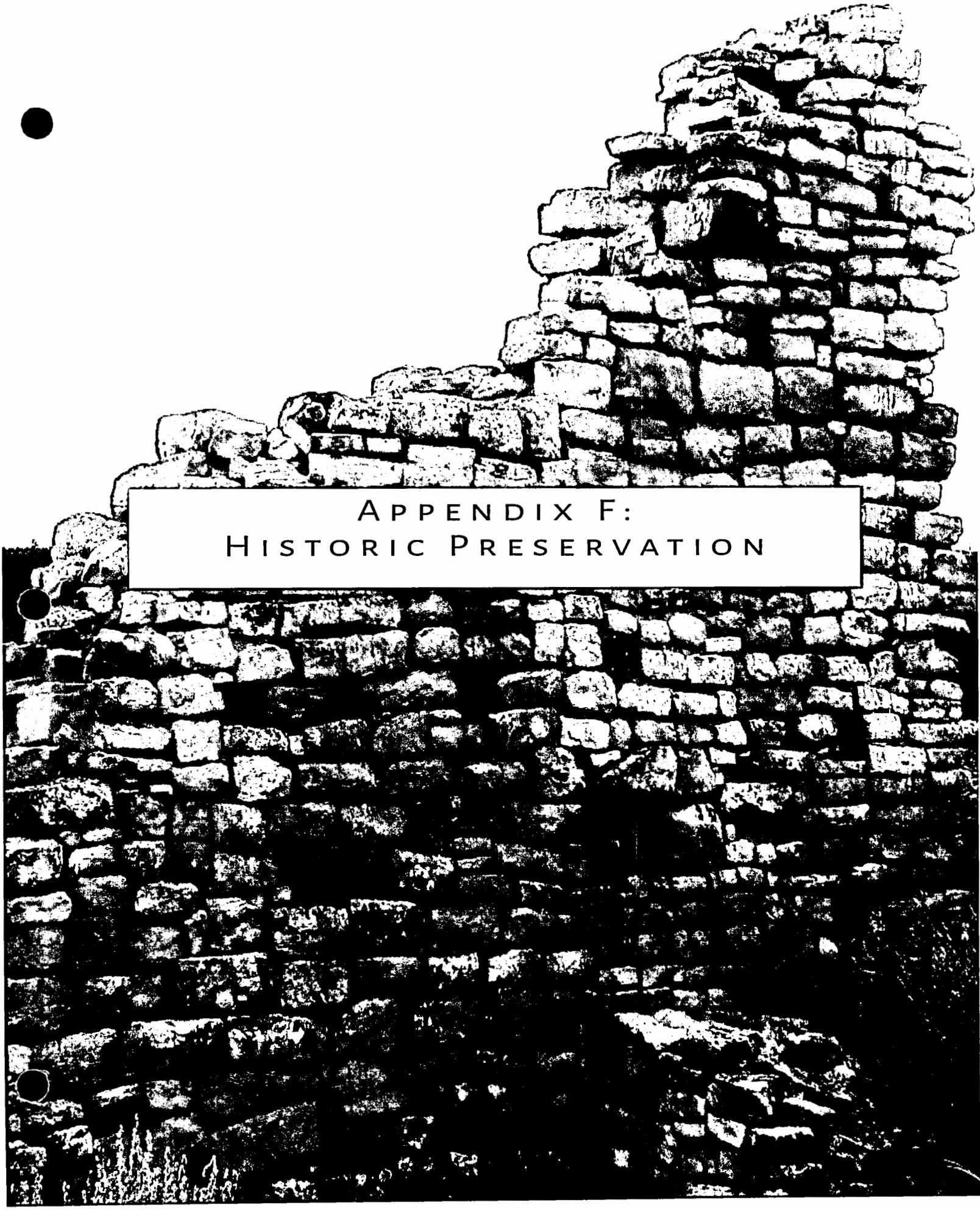

Appendix F: Historic Preservation

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DEPARTMENT HIGHLIGHTS

- Department was established pursuant to the Navajo Nation Cultural Resources Protection Act (CRPA; CMY-19-1988); CRPA Covers all Navajo Nation lands including Individual Indian Allotments.
- HHPD received Tribal Historic Preservation Office status by the National Park Service THPO Program on July 31, 1996, and all cultural resource compliance no longer needs concurrence by the State Historic Preservation Officers (SHPO) from Arizona, New Mexico, and Utah.
- HHPD also has a P.L. 93-638 with the Navajo Region of the Bureau of Indian Affairs (BIA). HHPD also has an agreement with Bureau of Reclamation (BOR) for funding to participate in the Glen Canyon Adaptive Management Program.
- In 2018, HHPD CRCS reviewed 1,352 cultural resources inventory reports for compliance on Navajo Nation lands, and over 1,000 consultations for projects off the Navajo Nation.

Shiprock and other natural landmarks are sacred places to the Navajo and are protected.

For additional information about the NNHHPD programs contact:

NNHHPD Administration
Window Rock Office

Richard M. Begay, Department Manager III
Tribal Historic Preservation Officer
Linda Laughing, ASO
(928) 871-7198

Cultural Resources Compliance Section

Tamara Billie, Senior Archaeologist
(928) 871-7880

Traditional Culture Program

Tim Begay, Navajo Cultural Specialists
Melinda Arviso-Ciocco, GCAMP
(928) 871-7152/7153

GIS Section

Ryan James, GIS Analyst
(928) 871-6511

Heritage Management Services
Shiprock, NM Office

Elaine Cleveland-Mason, Program Manager
(Archaeologist)
PO Box 580
Shiprock, NM 87420
(505) 368-1507 / 1214
(Fax No.) 505-368-1215

www.hpd.navajo-nsn.gov

NAVAJO NATION

HERITAGE & HISTORIC PRESERVATION DEPARTMENT
NAVAJO BLVD. W008-247, BLDG. 4
PO BOX 4950
WINDOW ROCK, AZ 86515
GENERAL INFO: (928) 871-7198
FAX NO.: (928) 871-7886

WWW.HPD.NAVAJO-NSN.GOV

The NNHHPD is within the Division of Natural Resources and is the Navajo Nation's agency responsible for the protection, preservation, and management planning for the Nation's cultural resources.

The Navajo Nation Heritage & Historic Preservation Department (NNHHPD) exists to promote the sovereignty of the Navajo Nation by:

- *Promoting respect for and encouraging Navajo heritage and tradition.*
- *Seeking the guidance and support of the Navajo people in developing and implementing programs to preserve protect, and manage the cultural resources of the Navajo Nation and its people.*
- *Meeting the community and economic development needs of the Navajo people by ensuring the harmonious co-existence of the Navajo Way with "present world."*

DEPARTMENT PROGRAMS

TRADITIONAL CULTURE PROGRAM (TCP)

Traditional Culture Program advances the goals and mission of NNHHPD through consultation with traditional Navajo people; leads repatriation efforts for the Navajo Nation; coordinates with Hataalii in caring for sacred ceremonial items' and educates the general public and NNHHPD staff on cultural issues through outreach programs. TCP also works with the framework of various Navajo Nation and federal laws and policies to preserve historic and traditional cultural places (sacred places) on and off the Navajo Nation.

coordinating consultations involving cultural resources on the Navajo Reservation. Program staff facilitates compliance and tribal and federal preservation laws. CRCS provides technical support in cultural resource preservation to tribal members, also issues permits to conduct cultural resource investigations and collect ethnographic information.

GEOGRAPHICAL INFORMATION SYSTEM (GIS) PLANNING AND DEVELOPMENT SECTION

The GIS Planning and Development Section works directly with CRCS to build "NihiDatabase" a digital database to manager our CRCS records using high-end GIS equipment (computer, software, scanners, etc.). CRCS records date back to the late 1970s. Each year HHPD acquires more reports and site records. NihiDatabase is comprised of two components: FileMaker Pro and ArcGIS.

CHACO PROTECTION SITES PROGRAM (CPSP)

The mission of the Program is to manage Chacoan Outlier sites on behalf of the Navajo Nation. Program staff works with tribal, state, and federal officials in the identification, documentation, development, interpretation, protection, stabilization, and enhancement of protected sites located on tribal land.

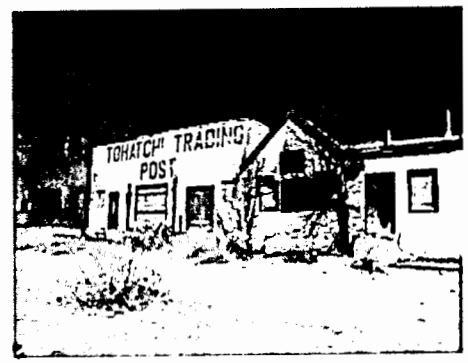
HERITAGE MANAGEMENT SERVICES (HMS)

HMS performs a wide-range of cultural resource inventories and ethnographic assessments on behalf of BIA Navajo Regional Office, including evaluating and assessing historical and architectural significance of historic buildings and schools.

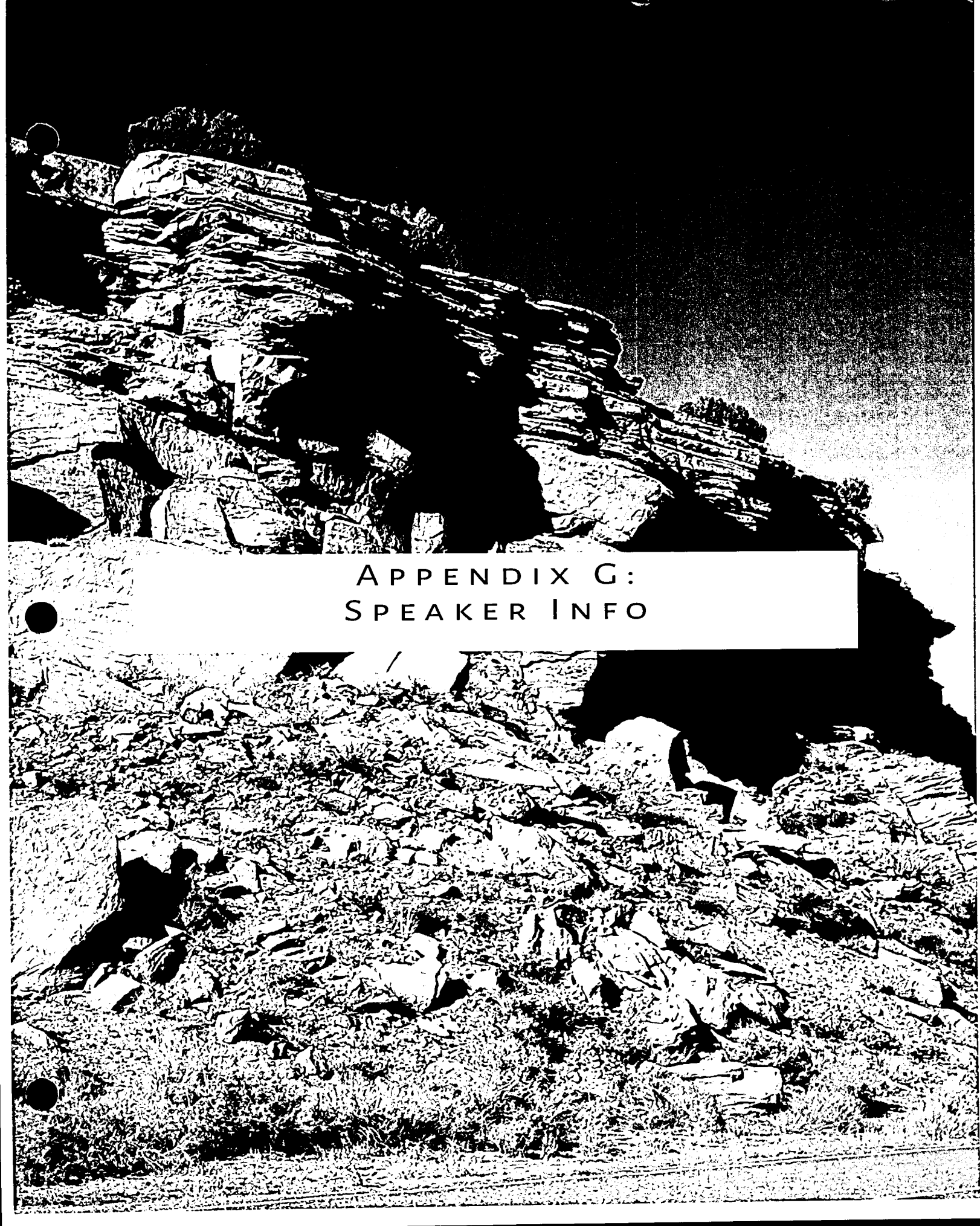
and regulations. HMS is located on the north campus of Dine College in Shiprock, NM

GLEN CANYON ADAPTIVE MANAGEMENT PROGRAM

"G-Camp" under the Traditional Culture Program and working with the U.S. Bureau of Reclamation (BOR) since April of 1992, have been working together to develop and implement a long-term monitoring and scientific research program to assess the effects of Glen Canyon Dam on the natural, recreational, and socio-cultural resources of the Colorado River ecosystem. The Navajo Nation's Glen Canyon Adaptive Management Program is funded through a Cooperative Agreement with the BOR to address Navajo Nation concerns such as protection and preservation of historic and sacred prosperities in the canyon corridor.



Buildings are part of a community's history, and can tell us about the development of the Navajo Nation.



Appendix G: Speaker Info

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Mission Statement

The mission of the Division of Human Resources is to maximize the integrity of the Navajo Nation Government with our Customers and Constituents by providing technological solutions and services, and setting standards of world-class performance.

Vision Statement

Division of Human Resources strives to be the premier growth Division by providing total Solutions and Services to the Navajo Nation, which enhances the safety, stability, comfort, and productivity of the environment where we live, work, and travel within or outside of the Navajo Nation.

Core Values

- Trustful
- Respectful
- Ethical
- Positive
- Safety
- Safeguard
- Growth

Strategic Goals

To provide quality Customer Service to our Internal/External clients to provide best practices to our Navajo People; and

To continue Policy Enforcement by updating Plans of Operation, Title Amendments, and other enforcement/development of policies and procedures documents; and

To maintain adequate funding to ensure continuity of department direct services within DHR for our Navajo People; and

To develop effective means of communication between all departments with DHR whether it is written, verbal or electronic; and

To support and implement the Nygren/Montoya Administration's Priorities Statement in creating solutions for positive changes for our Dine people and families.

Navajo Nation Human Rights Commission

Home | About Us | News Desk | NNHRC's Work | Campaigns | United Nations | Multimedia | Vehicle Sales | Contact Us

Mission / Vision

Mission Statement

"To protect and promote the human rights of Navajo Nation citizens by advocating human equality at the local, state, national and international levels based on the Diné principles of Sa'a Naaghai Bik'e Hozhoo, Hashkéejí, Hózhóójí and K'é."

*** The Diné principles translate to being resilient, content, disciplined and maintaining peaceful relationships with all creation.

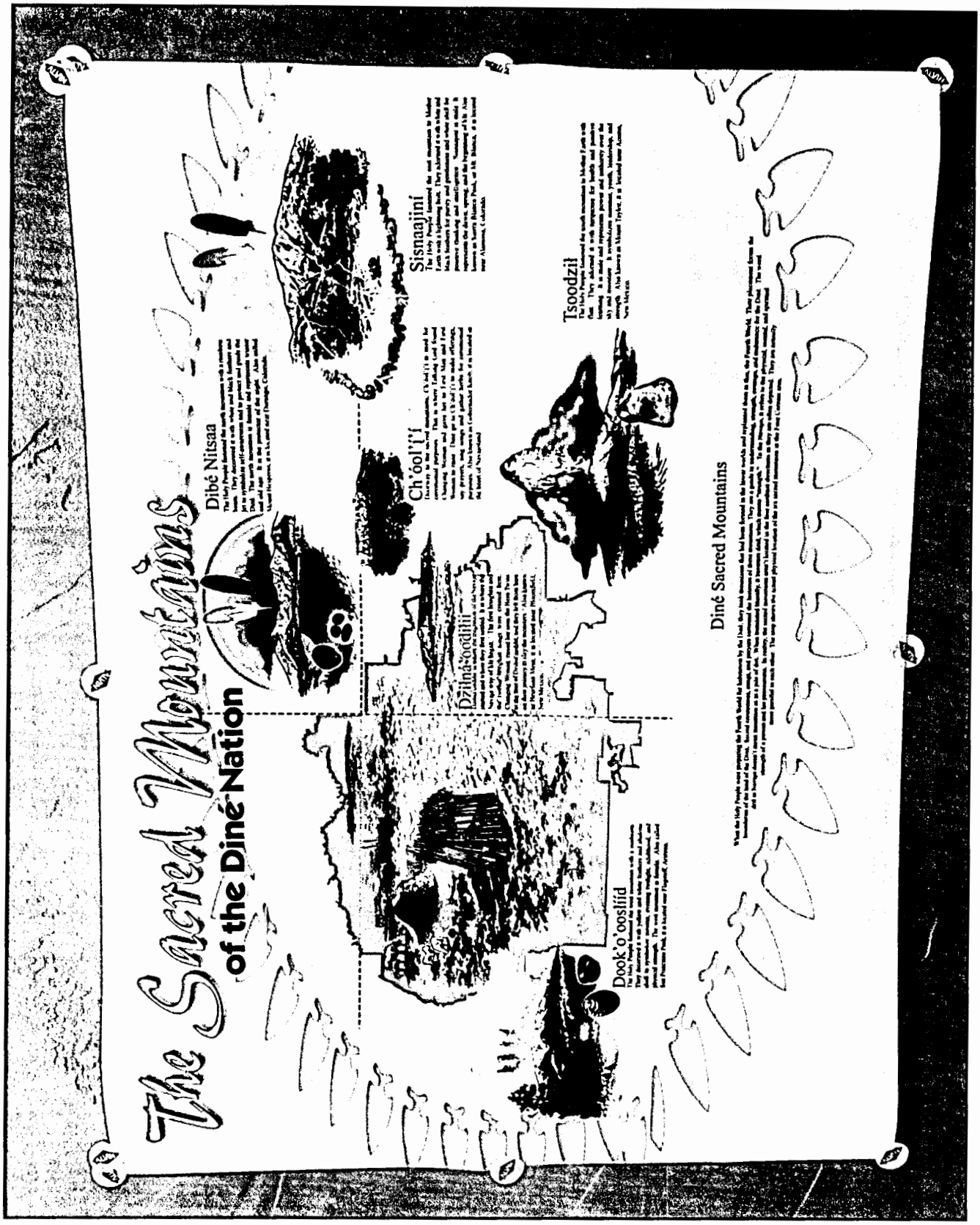
Vision Statement

"The Navajo Nation Human Rights Commission shall serve as a forum to provide information and education, with the intention of empowering Navajo Nation citizens on human rights."

Statement of Principle

"The Navajo Nation Human Rights Commission commits to honor the Diné guiding principles of yínídíłyinee and áłíłee k'ehgo and to be guided by the Diné principles of Sa'a Naaghai Bik'e Hozhoo, Hashkéejí, Hózhóójí and K'é.

*** The Diné grounding principles translate to being humble and to preserve and honor our beliefs.


The Sacred Mountains
of the Diné Nation
Dibé Nitsaa
Sisnaajiní
Ch'ool'ii
Tsoodzil
Dził Náoodilii
Dook'o'oosliid
Diné Sacred Mountains

Diné Kót'áó Nanise' Chodayóóli

The Navajo People Use Plants This Way

Rabbitbrush

Medicinal uses. A tea made from stems and leaves can be used to treat coughs colds fever, headache, and menstrual discomfort. Also used for ceremonial healing

Cliffrose

Traditional uses. A tea made with twigs and leaves treats stomach discomfort & nausea. Leaves boiled down as a syrup soothe a cough. Parts of the bush are used for ceremonial purposes. Branches and twigs make a gold orange dye. Branches are used in making prayer sticks. Absorbent, shredded bark was used to line cradleboards

Piñon pine

Traditional uses. Salve for skin irritations and sunburn is made from pine sap & red clay. Sap (pitch) is used to coat traditional pottery and to waterproof baskets. Nutritious nuts add protein and fat to the diet. Sap is mixed with charcoal to make black dye. Wood is used for fuel & construction. Products from this tree have been a staple for SW cultures for thousands of years.

Three-leaf Sumac

Traditional uses. Berries are eaten raw, dried, or made into a stew called chilchen. Berries are ground and added to dried meat. Berries make a refreshing drink. Berries make an orange dye. Branches (rods) provide the construction materials for ceremonial baskets.

Greenthread

Medicinal uses. Boiling flowers, stems and leaves makes a delicious and healthful tea. A rich, golden-orange dye can also be made from boiling plant parts.

Gambel Oak

Traditional uses. Root bark is a life-medicine. The dense wood is fashioned into excellent bows, arrows, handles, & tools. Boiled oak bark makes a rich tan dye. Acorns could be processed & eaten when necessary. Wood from a lightning-struck tree is carved into "bull-roarers." Wood used for fuel for ceremony.

Sagebrush

Traditional uses. Boil stems and leaves for a tea that relieves headaches, fever, and respiratory ailments. Tea also helps during childbirth & with indigestion. Pounded leaves make a poultice for bruising and swelling. The strong scent also reduces headache pain. Yellow, green, & gold dyes can be made from boiled plant parts.

Narrowleaf/Soapweed Yucca

Traditional uses. Yucca roots soaked in water provide pain relief during and after childbirth. Sudsy soap is made from pounded roots & used for bathing, washing hair, & cleaning wool. Long ago yucca fibers were used to weave baskets, mats, and sandals. Yucca leaves are used as Shoe Game counting sticks. Fruit from broad-leaf yucca is roasted and eaten.

Utah juniper

Traditional uses. Boiling needles and twigs produces a tea for treating headache, stomach trouble, nausea, spider bites, skin inflammation. Juniper tea is also used for ceremonial cleansing. Berries can be eaten fresh. Seeds from berries are strung for children to wear as preachers. Ash from burned juniper is used as baking powder and to preserve the color of blue corn mush.

Utah serviceberry

Traditional uses. Leaves boiled in water induce vomiting for ceremonial cleansing. This treatment is used in certain ceremonies to address illness, stomach problems, insect and animal bites, and skin irritations. The sturdiest berries taste like blueberries and can be eaten, fresh or dried.

Desert four o'clock

Traditional uses. Treats mouth sores and swollen gums, rheumatism, and other inflammations. There is also reported use as a treatment for fractured human and animal bones. A tea can be made from plant parts. A light red dye is made by carefully boiling the petals.

Big joint fir/Mormon tea

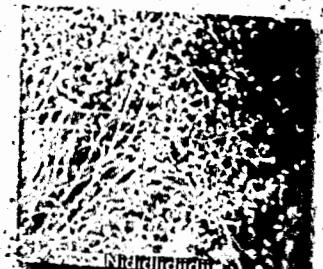
Traditional uses. The stems and leaves of this ephedra bush are boiled to make a tea to treat bladder and kidney infections. Roasting the branches prior to boiling reduces the bitter taste of the leaves. Leaf stems make a refreshing and energizing drink.

Prince's plume

Traditional use. This plant is used to treat glandular swelling and to reduce sweating during ceremonial treatments. Following the patient, it is one of the Life Medicine plants. It is reported to have, at least, been used as a food source.

Mountain mahogany

Traditional uses. The red dust is one of the Life Medicines and is also prepared as a red dye for making the design on ceremonial baskets. Tea made from the plants aids the recovery after childbirth. Ceremonially, plant parts are used to treat a depressive condition. Red wooden bowls, such as buttons and necklaces, are made from the hard wood.

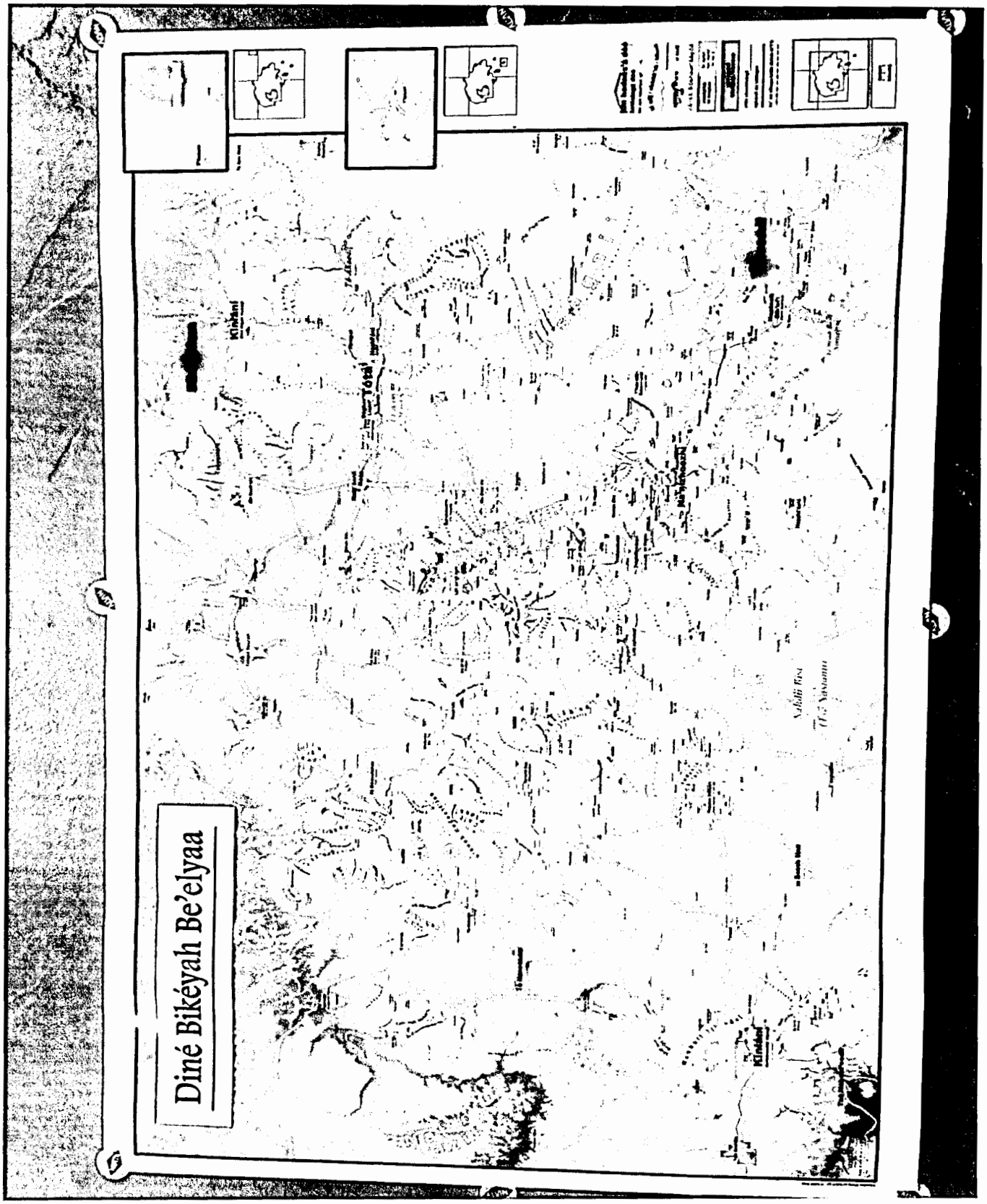


Rice grass

Traditional use. Rice grass provides tiny seeds that can be ground and eaten. It was once a survival food. The chaff was burned away, releasing the fractured seeds, which were then cleaned and processed into meal, a time-consuming preparation. Rice grass stems, twisted together with yucca fibers, were once used to fashion a "fabric" for grain and bedding.

Prickly pear cactus

Traditional uses. The juicy cactus pad can be peeled and pressed over a wound to stop bleeding. The plant is used in ceremonies. Sticky juice can be used as a glue when mending with hide. Red fruit and buds can be eaten fresh, dried, or cooked with grain. Wood dye is made from fruit and flowers. A warfare bladder was made for arrow projectiles from a mixture of cactus juice and other substances.


Diné Bikéyah Be'elyaa
Kinlichii
Tódii
Sáníli Bii'
Tó'ii Yáníłtsoii
Kinlichii

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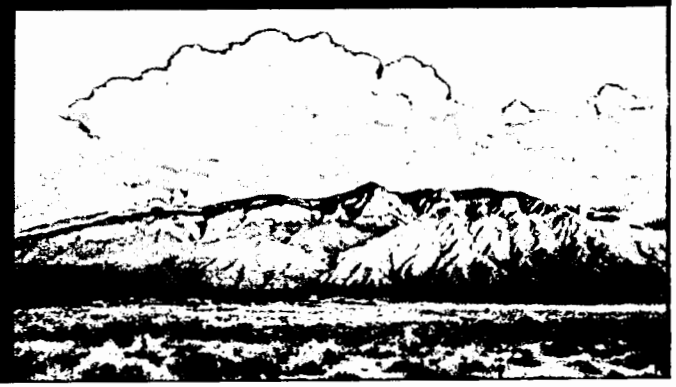
KIN HOZHONI MANUELITO CHAPTER COMMUNITY

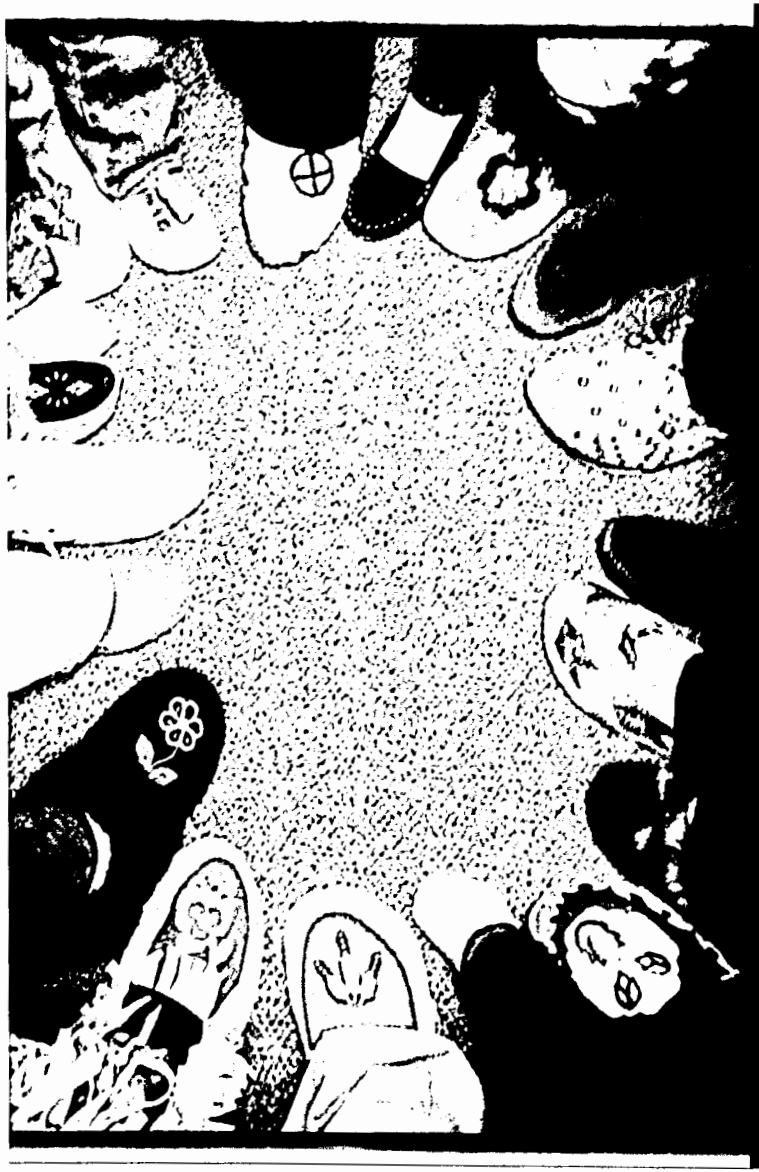
March 8, 2023

Chenoa Bah-Stilwell-Jensen, PhD

Honoring the traditional lands of Isleta Pueblo, Sandia Pueblo, Santa Ana Pueblo, Zia Pueblo, Jemez Pueblo, Dine and Indigenous communities who speak the languages of the Tiwa, Keres, Tewa, Towa, Zuni, Apache and Dine this sacred home place

Honoring the ancestral territories of our communities: https://native-land.ca/

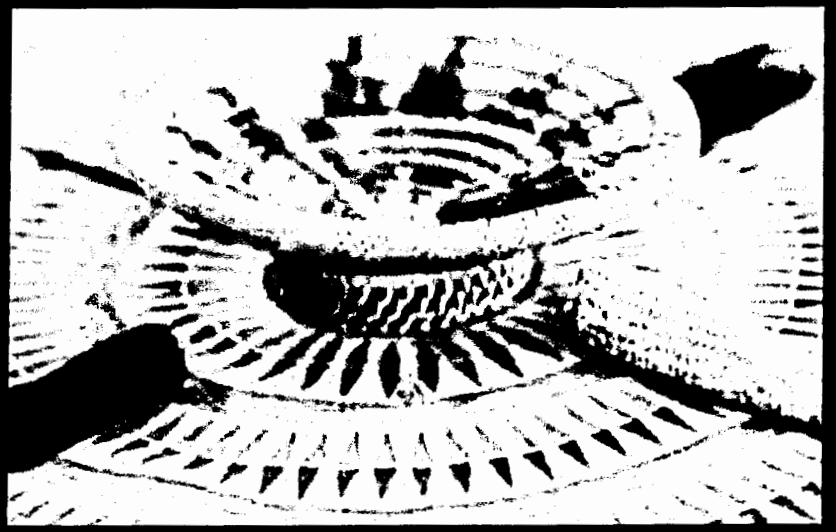




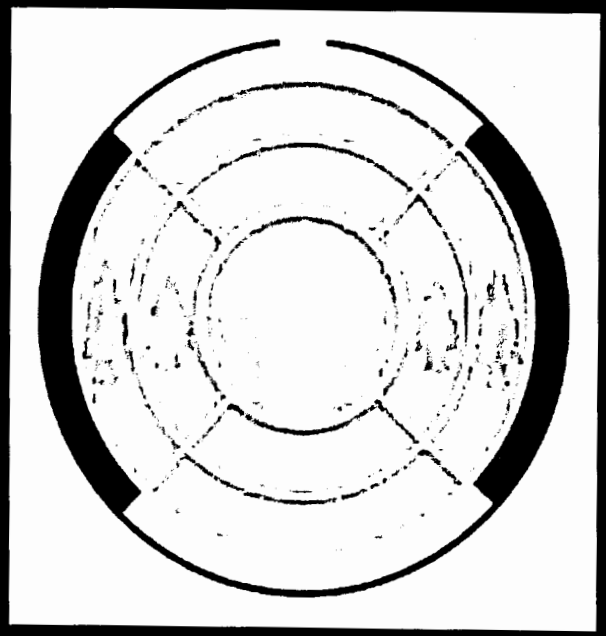
WALKING TOGETHER ON A JOURNEY...

NITSAHAKEES DOO NIHIZAAD

- Our thinking and our speech
- Collective thought process and communication
- Holistic language



NAVAJO NATION HUMAN RIGHTS COMMISSION



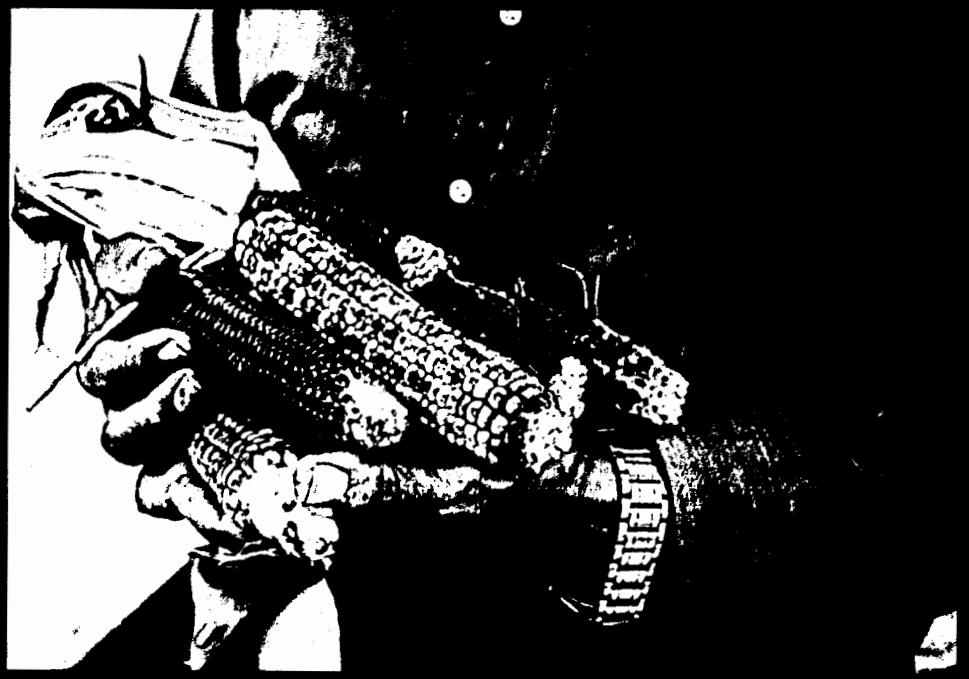
- https://nnhrc.navajo-nsn.gov/mission_vision.html

NAVAJO NATION GOVERNMENT

- https://www.navajo-nsn.gov/
- https://dhr.navajo-nsn.gov/
- Mission Statement
- The mission of the Division of Human Resources is to maximize the integrity of the Navajo Nation Government with our Customers and Constituents by providing technological solutions and services, and setting standards of world-class performance.
- Vision Statement
- Division of Human Resources strives to be the premier growth Division by providing total Solutions and Services to the Navajo Nation, which enhances the safety, stability, comfort, and productivity of the environment where we live, work, and travel within or outside of the Navajo Nation.
- Core Values
- Trustful
- Respectful
- Ethical
- Positive
- Safety
- Safeguard
- Growth

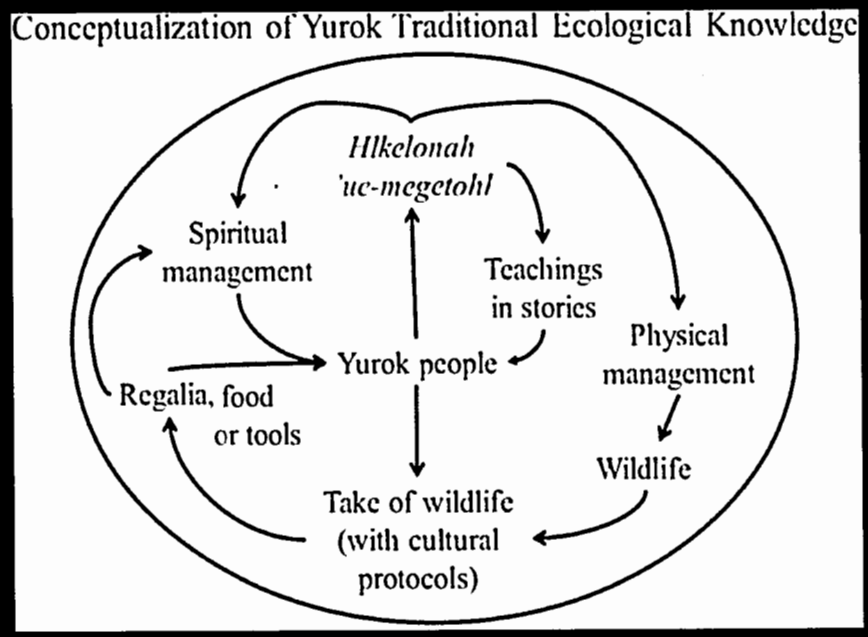
GROUP ACTIVITY

- Share your feelings or values about your community



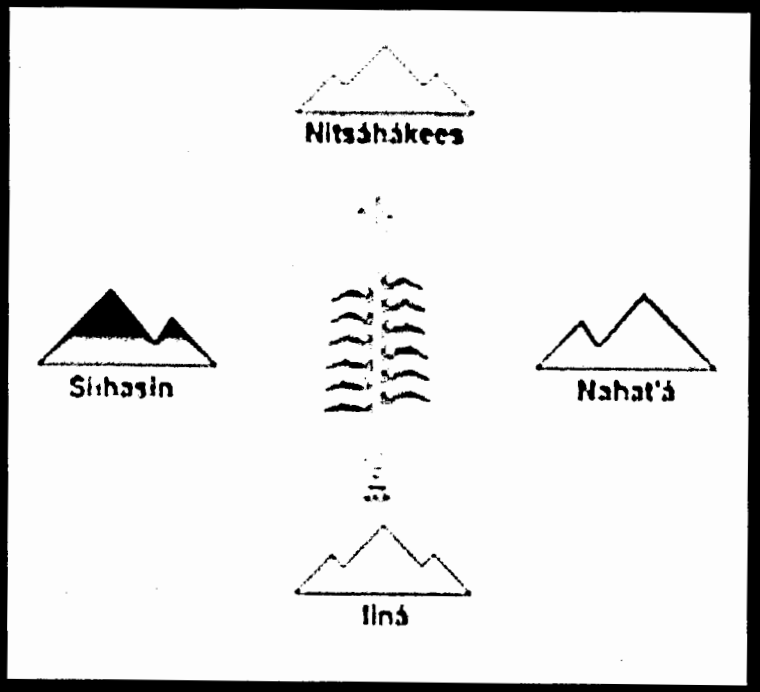
OUR LIFEWAYS

Traditional Ecological Knowledge (TEK), place based throughout Indigenous homelands



Nistahakees – Thinking
East

Siihasin-
Knowledge
Reflection
North



Nahata –
Planning
South

Iina-Life/Action
West

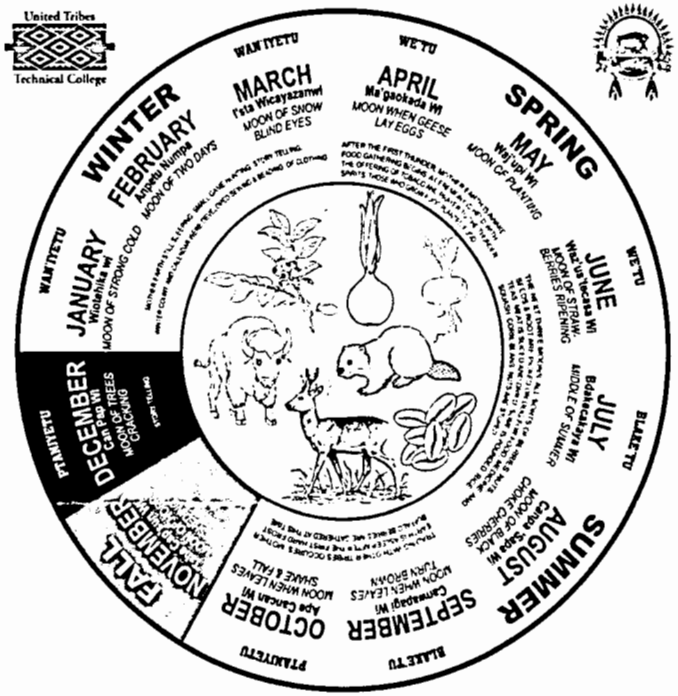
Dine Philosophy of Learning

Yasnił t'ees (January) - The Thawing of Snow
Atsábiyáázh (February) - Birth of Eaglets
Wóózhch'ijid (March) - First Cry of Eaglets
T'ąąchil (April) - Growth of Early Plant Life
T'ąątsoh (May) - Big Leaves
Ya'iishjááshchilí (June) - Planting of Early Crops
Ya'iishjáástsoh (July) - Planting of Late Crops
Bini'ant'áátsózí (August) - Ripening of Early Crops
Bini'ant'áátsoh (September) -Ripening of Late Crops
Ghąąjí' (October) - Separation of Seasons
Nił ch'its'ósí (November) - Small Wind
Nił ch'itsoh (December) - Big Wind

LAKOTA

Nomadic

United Tribes Technical College



"In 1994 the US Congress passed legislation establishing the Tribal College Land Grant program with funds available through the U.S Department of Agriculture (USDA) National Institute of Food and Agriculture (NIFA). Land Grant program resources support food and agriculture teaching, research and extension programs. United Tribes Technical College offers programs and facilities to all persons regardless of race, color, national origin, religion, sex, disability, age, Vietnam era veteran status, or sexual orientation, and are an equal opportunity employer."

"Food System Circles are designed for educational discussion. Design is based on individual sharing of memories, practices, and traditions. UTTC Land Grant appreciates that sharing and recognizes the Circles are not reflective of food systems or words for all tribes, families, or time periods."

https://www.cdc.gov/diabetes/projects/ndwp/pdf/part_ii_good_food_is_power-508.pdf

Salish Calendar

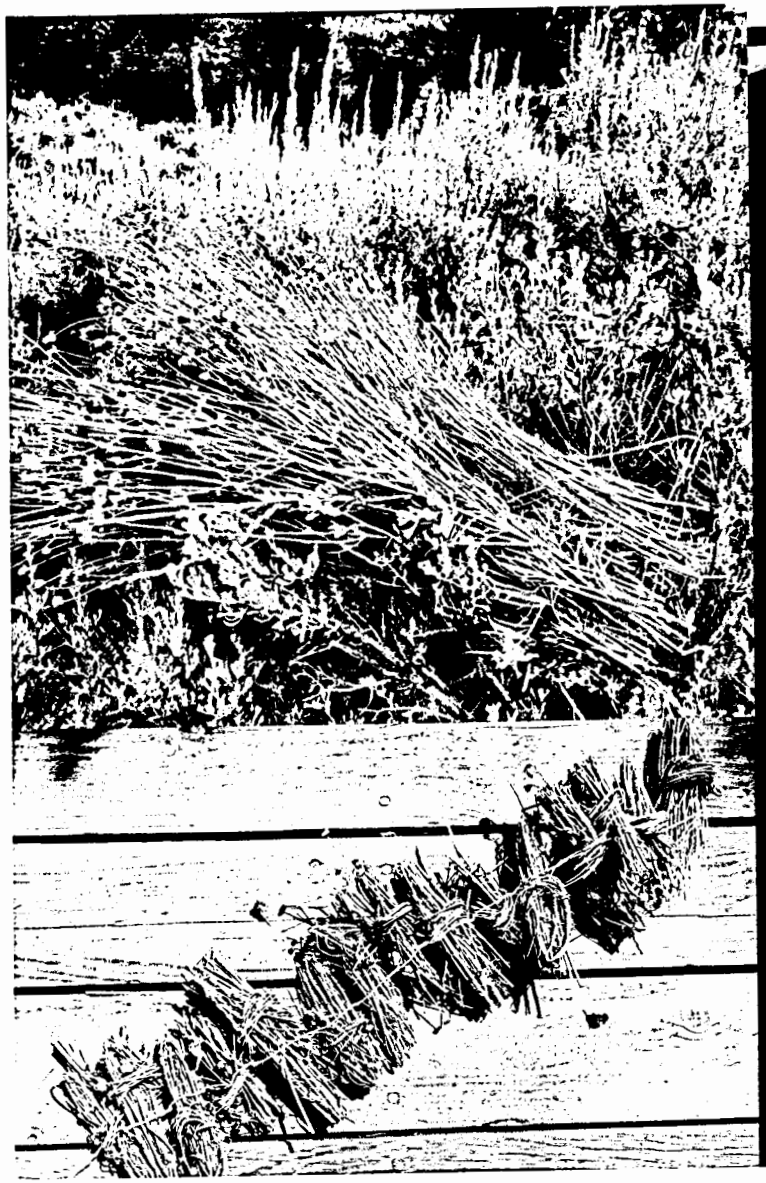
January	Sn̓čnu Spqnı̓	The Shake Hands Month
February	čq̓owqn Spqnı̓	The Coldest Month
March	K̓ut̓ Spqnı̓	Month of the Geese
April	Sʕyalma Spqnı̓	The Buttercup Month
May	Spełm Spqnı̓	Month of the Bitterroot
June	Sx̓eli Spqnı̓	Month of the Camas
July	čulav Spqnı̓	The Celebration Month
August	Słłi Spqnı̓	The Huckleberry Month
September	Łx̓łi Spqnı̓	The Chokecherry Month
October	Sčłp Spqnı̓	The Hunting Month
November	Sq̓łlü Spqnı̓	The Storytelling Month
December	Łx̓ʔacmi Spqnı̓	The Trapping Month

HONORING THE GIFTS FROM NATURE

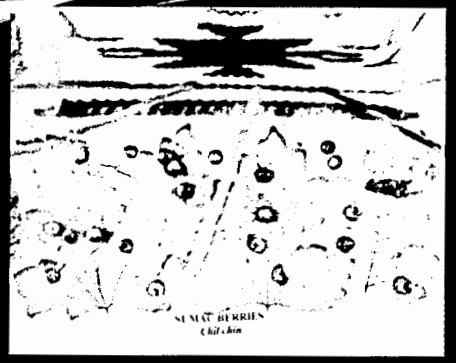
WE TASTE THE LAND

MANY USES OF PINE SAP

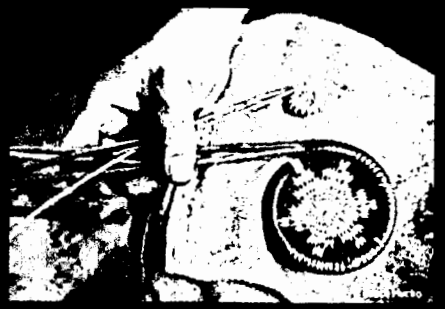
- Self aid – treat wounds, treat skin rashes, antiseptic, anti-inflammatory and antibacterial, treat burns
- Glue/Epoxy – pine pitch, waterproof baskets, patch holes in tents and tarps
- Candle – makeshift candle

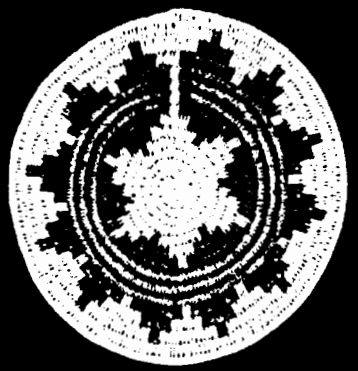


CH'IL AWHE'/GREENTHREAD



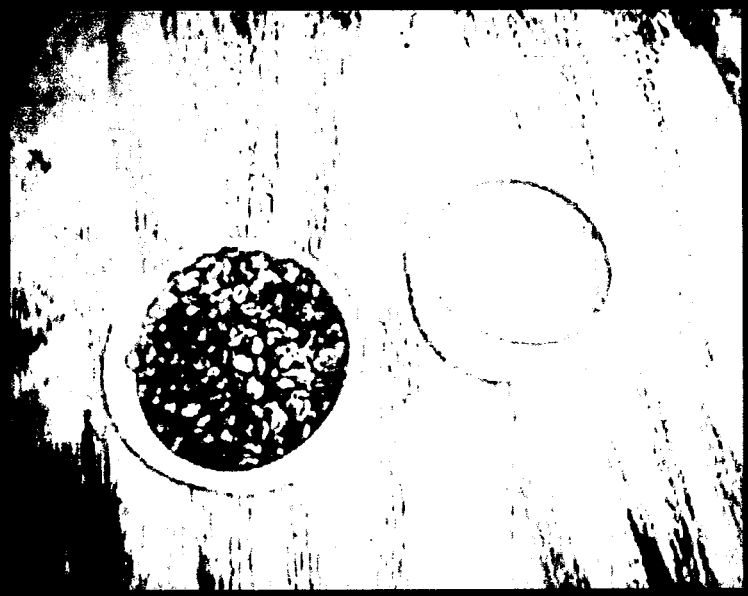
DINE BASKET





Mary Holiday Black, Basket Weaver
Diné

CHIL CHIN (SUMAC BERRY)

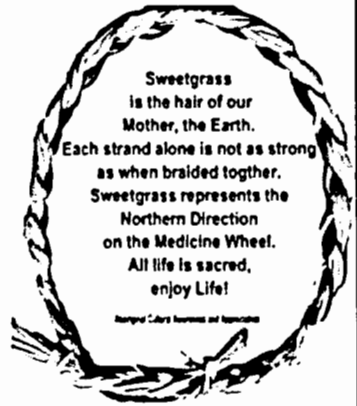


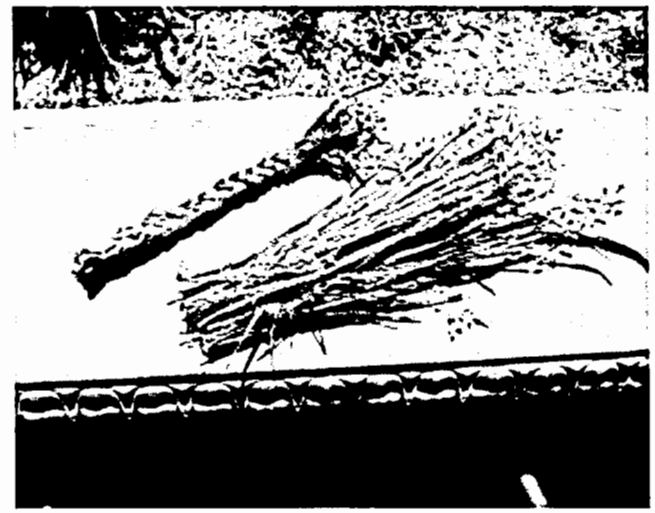
- https://www.youtube.com/watch?v=PeU-cQxqbeE

BRAIDING THE SWEETGRASS

ROLE IN ABORIGINAL CULTURE

- Sweet grass is usually braided.
  - Three sections represent:
    - Mind, body and soul.
    - Love, kindness, and honesty.
- The 3 sections of the braid have 7 strands of grass per section of braid.



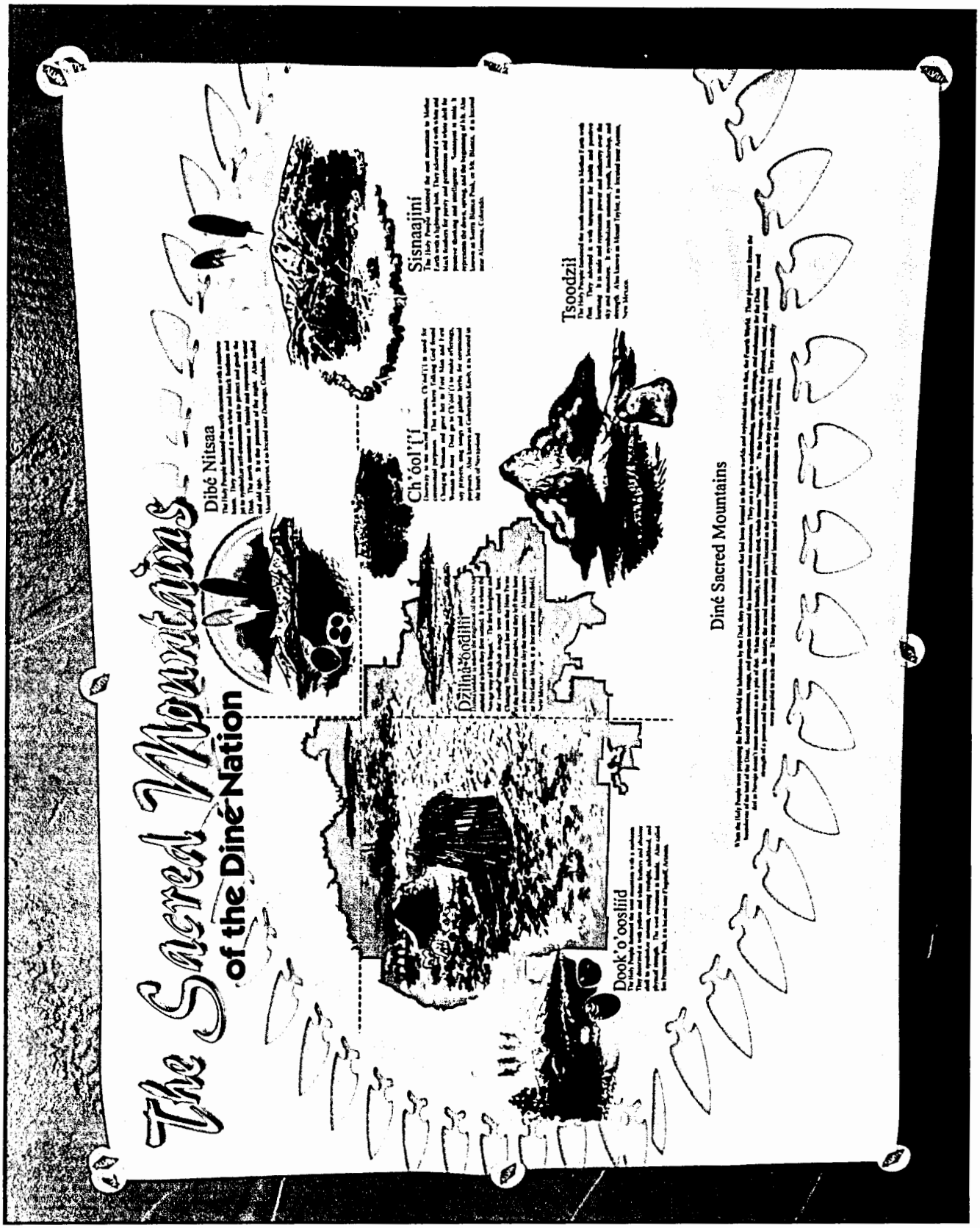


REFLECTION

- Focus on:
  - Gifts from nature
  - Kinship with food and plants
  - Honor the value of food for our heart, mind and body
- Think of a plant that has nourished you and your family
- Take a moment now to think about the cedar, juniper and pine trees and the gifts they give to us and all life

Ahe'he'e, thank you

Chenoa Bah Stilwell-Jensen, PhD
Chenoabah@gmail.com
Chenoabah.Jensen@fnch.org


The Sacred Mountains
of the Diné Nation
Dibé Nitsaa
Sisnaajiní
Ch'ool'ii
Tsoodzil
Dził Náhodzáán
Dook'o'oosliid
Diné Sacred Mountains

Diné Kót'áó Nanise' Chodayóółi

The Navajo People Use Plants This Way

Rabbitbrush

Medicinal uses. A tea made from stems and leaves can be used to treat coughs colds fever headache and menstrual discomfort. Also used for ceremonial healing

Cliffrose

Traditional uses. A tea made with twigs and leaves treats stomach discomfort & nausea. Leaves boiled down as a syrup soothe a cough. Parts of the bush are used for ceremonial purposes. Branches and twigs make a gold-orange dye. Branches are used in making prayer sticks. Absorbent, shredded bark was used to line cradleboards

Piñon pine

Traditional uses. Salve for skin irritations and sunburn is made from pine sap & red clay. Sap (pitch) is used to coat traditional pottery and to waterproof baskets. Nutritious nuts add protein and fat to the diet. Sap is mixed with charcoal to make black dye. Wood is used for fuel & construction. Products from this tree have been a staple for SW cultures for thousands of years.

Three-leaf Sumac

Traditional uses. Berries are eaten raw, dried, or made into a stew called chilchin. Berries are ground and added to dried meat. Berries make a refreshing drink. Berries make an orange dye. Branches (rods) provide the construction materials for ceremonial baskets.

Greenthread

Medicinal uses. Boiling flowers, stems and leaves makes a delicious and healthful tea. A rich, golden-orange dye can also be made from boiling plant parts.

Gambel Oak

Traditional uses. Root bark is a life-medicine. The dense wood is fashioned into ceremonial bowls, arrows, handles, & bows. Boiled bark makes a rich tan dye. Acorns could be processed & eaten when necessary. Wood from a lightning-struck tree is crafted into "bull-roarers." Wood used for fuel for ceremony.

Sagebrush

Traditional uses. Boil stems and leaves for a tea that relieves headaches, fever and respiratory ailments. Tea also helps during childbirth & with indigestion. Pounded leaves make a poultice for bruising and swelling. The strong scent also reduces headache pain. Yellow, green, & gold dyes can be made from boiled plant parts.

Narrowleaf/Soapweed Yucca

Traditional uses. Yucca roots soaked in water provide pain relief during and after childbirth. Sudsy soap is made from pounded roots & used for bathing, washing hair, & cleaning wool. Long ago, yucca fibers were used to weave baskets, mats, and sandals. Yucca leaves are used as Shoe Game counting sticks. Fruit from broad-leaf yucca is roasted and eaten.

Utah juniper

Traditional uses. Boiling needles and twigs produces a tea for treating headache, stomach trouble, nausea, bladder ailments, & inflammation. Juniper tea is also used for ceremonial cleansing. Berries can be eaten fresh. Seeds from berries are strung for chokers to wear as protection. Ash from burned juniper is used as baking powder and to preserve the color of blue corn mush.

Utah serviceberry

Traditional uses. Leaves boiled in water induce vomiting for ceremonial cleansing. This treatment is used in certain ceremonies to address nausea, stomach problems, insect and animal bites, and skin irritations. The nutritious berries taste like blueberries and can be eaten, fresh or dried.

Desert four o'clock

Traditional uses. Treats mouth sores and swollen gums, rheumatism, and other inflammations. Tea is also reported used as a treatment for fractured human and animal bones. A tea can be made from plant parts. A light red dye is made by carefully boiling the petals.

Big joint ephedra/Mormon tea

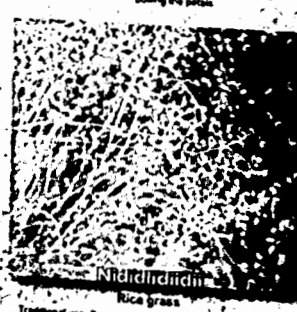
Traditional uses. The stems and leaves of this ephedra bush are boiled to make a tea to treat bladder and kidney infections. Roasting the branches prior to boiling reduces the bitter taste of the leaves. Leaf stems make a refreshing and energizing drink.

Prince's plume

Traditional use. The plant is used to treat glandular swelling and to reduce swelling during ceremonial treatments, cleansing the patient. It is one of the Life Medicine plants. It is reported to have once been used as a food source.

Mountain mahogany

Traditional uses. The red root is one of the Life Medicines and is dried, prepared as a red dye for making the dodgers for ceremonial gatherings. Ceremonial plant parts are used to induce diarrhea. Dry remaining leaves, the bottom and sapling, are made from the hard wood.

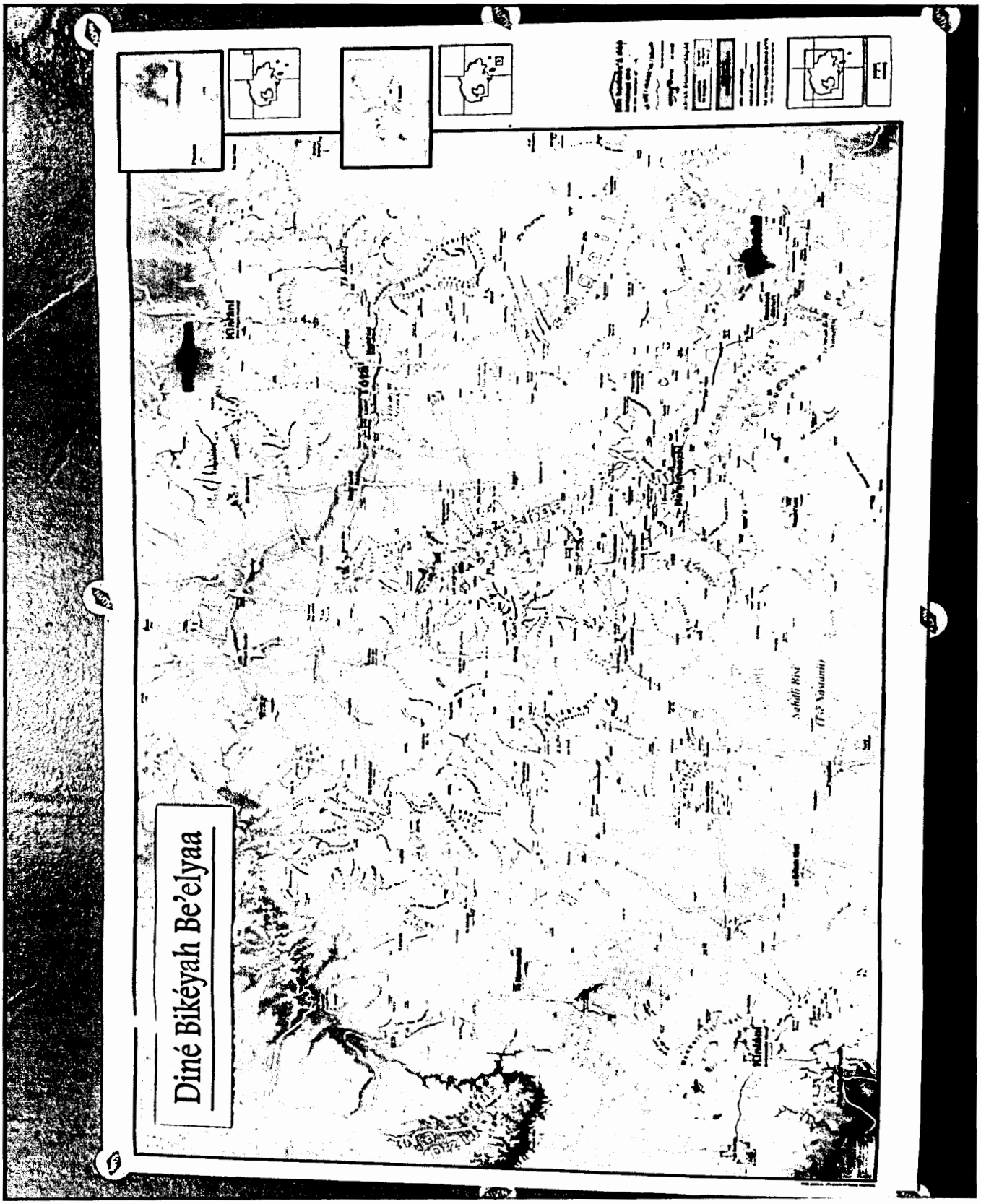


Rice grass

Traditional use. Rice grass provides tiny seeds that can be ground and eaten. It was once a seasonal food. The chaff was burned away, releasing the scorched seeds, which were then ground and processed into meal, a time-consuming preparation. Rice grass stems, twisted together with yucca fibers, were once used to fashion a "fabric" for quiver and clothing.

Prickly pear cactus

Traditional uses. The juicy cactus pad can be peeled and pressed over a wound to stop bleeding. The plant is used in ceremonies. Sticky juice can be used as a glue when working with hide. Red fruit and buds can be eaten fresh, dried, or cooked with stew. Wool dye is made from fruit and flowers. A warfare basin was made for arrow protection from a mixture of cactus juice and other substances.


Diné Bikéyah Be'elyaa
Kinlichee
Teec Nos Pos
Kinlichee
Sahdii Bizi
(Tse Nastanii)
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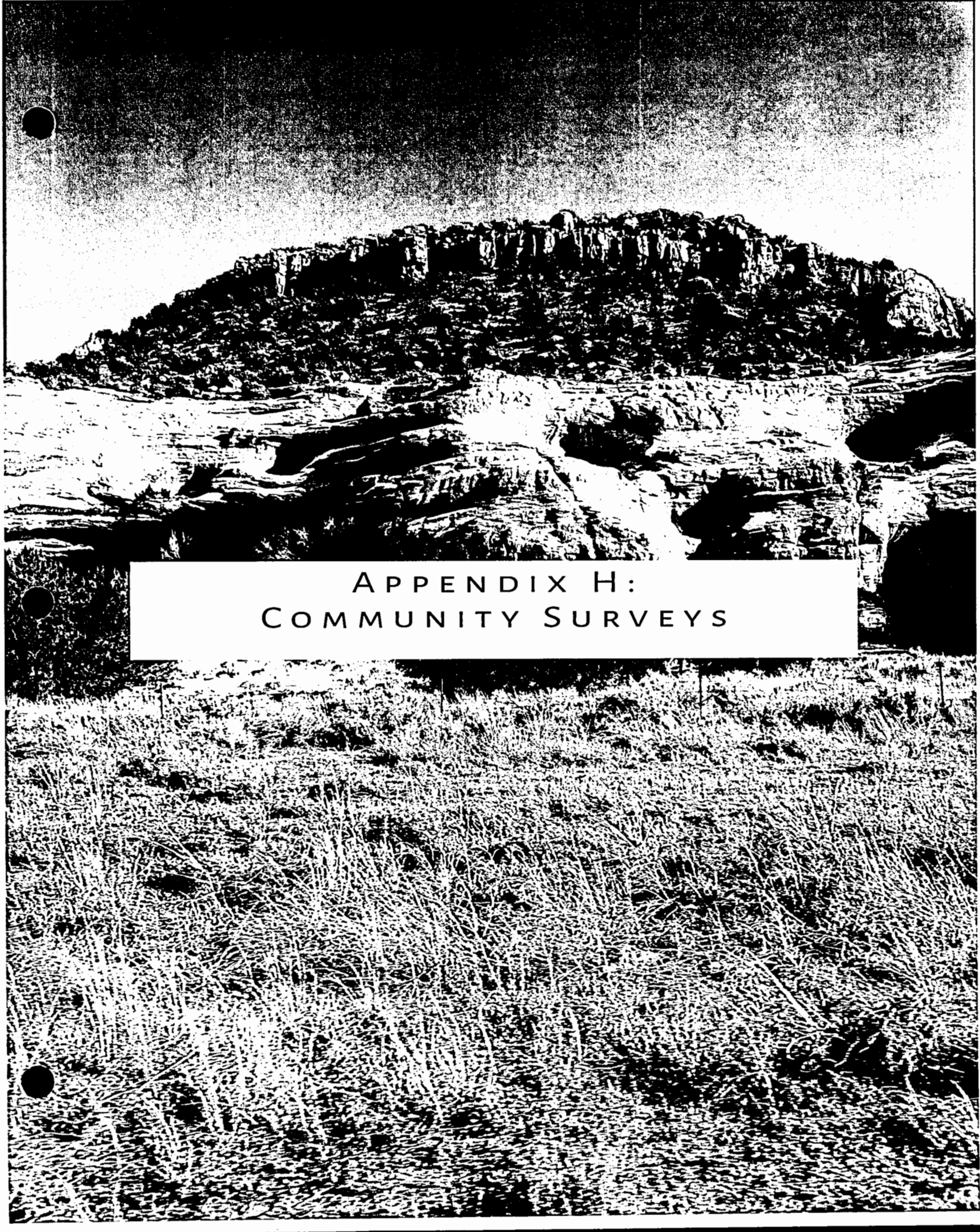

Appendix H: Community Surveys

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Manuelito Community Land Use Plan Survey

The purpose of this survey is to ensure community input helps guide the development and updating of Manuelito's new Community Land Use Plan.

PART 1. GENERAL INFORMATION

1. Gender: ☐ Male ☐ Female ☐ Non-Binary ☐ Prefer not to answer

2. Marital Status: ☐ Single/Never Married ☐ Divorced ☐ Widowed

3. Race Ethnicity ☐ Navajo ☐ Native American/ Non-Navajo ☐ White/Non-Hispanic ☐ Hispanic/Mexican/ Latino ☐ Other

4. Education ☐ No Schooling ☐ Some Schooling ☐ High School Diploma/GED ☐ Some college ☐ Associate's Degree ☐ Bachelor's Degree ☐ Master's Degree ☐ PhD/Doctorate/ Postgraduate

PART 2. HOUSEHOLD AND INCOME

5. How many individuals are in your household? _____

6. How many generations are in your household? _____

7. How many school aged children are in your household? _____

a. If you do have school aged children in your household, what school will/are they attending? _____

8. What is the primary language in your housedhold?

☐ Navajo ☐ English ☐ Both - Navajo and English ☐ Other

9. What is your total household income?

☐ Less than $10,000 ☐ $10,000 - 14,999 ☐ $15,000 - $24,999 ☐ $25,000 - $34,999 ☐ $35,000 - $49,999 ☐ $50,000 - $74,999 ☐ $75,000 - $99,000 ☐ $100,00 or more

10. Which best describes your employment status?

☐ Employed ☐ Homemaker ☐ Unemployed, looking for work ☐ Self-employed ☐ Student ☐ Unemployed, not looking for ☐ Retired ☐ Disabled ☐ Unemployed, unable to work

11. Are you or anyone in your household a veteran? ☐ Yes ☐ No

PART 3. HOUSING

12. Do you currently ☐ Rent your home ☐ Own your home

13. Is your home ☐ Homesite Lease ☐ BIA Lease ☐ Neither

14. What type of structure is your home?

☐ Hogan ☐ Wood frame house ☐ Mobile Home ☐ Block/Stone

☐ Other

15. Does your home currently have the following: ☐ Fully functional kitchen ☐ Fully functional bathroom

16. Does your home have the following utilities and/or heating source?

☐ Gas ☐ Electric ☐ Water ☐ Propane

☐ Other

PART 4. AGRICULTURE

17. Do you have an existing agricultural crop? ☐ Yes ☐ No

a. If yes, what type(s)? _____

18. Do you currently have a garden that cultivates food? ☐ Yes ☐ No

a. If no, would this be some of interest for your household? ☐ Yes ☐ No

b. If a garden would be of interest, are there any barriers preventing you from growing a small garden?

_____

19. Do you currently have livestock? ☐ Yes ☐ No

20. Do you or your family have a grazing permit? ☐ Yes ☐ No

a. If yes, who holds the permit? ☐ Self ☐ Parent ☐ Grandparent

☐ Other

PART 5. ECONOMIC DEVELOPMENT

21. What commercial services would you like to see in Manuelito?

- ☐ Grocery store
- ☐ Shipping/Mailing Services (Like UPS Store)
- ☐ Restaurants
- ☐ More retail
- ☐ Farmers Market
- ☐ Lodging (hotels)
- ☐ Local clinic
- ☐ Entertainment (movie theater, etc.)
- ☐ Other _____

22. Where are currently accessing shopping services? _____

23. How far do you have to travel for commercial/shopping/retail? _____

PART 6. RECREATION

24. What types of activities do you engage in for recreation/fun/during your downtime?

_____

25. What would you like to see in Manuelito?

- ☐ Basketball courts
- ☐ Hiking/walking trails
- ☐ Baseball fields
- ☐ Recreation Centers
- ☐ Movie theaters
- ☐ Parks
- ☐ Other _____

a. If a walking trail was built, would you use it? ☐ Yes ☐ No

b. Why or why not? _____

PART 7. CULTURAL PRESERVATION

26. If Manuelito provided a community cemetary that encouraged traditional burial practices, would you use?

☐ Yes ☐ No If no, why not? _____

27. Would a support a cultural center in Manuelito that offered space/classes/programs focused on cultural preservation?

☐ Yes ☐ No

PART 7 CONT'D - CULTURAL PRESERVATION

27. If a cultural center was established in Manuelito, what types of cultural practices/traditions would like to see in the programs?

- ☐ Cooking
- ☐ Language
- ☐ Story telling
- ☐ Agriculture
- ☐ Ceremonial practices
- ☐ Other _____

28. What do you feel is a tradition, practice, or teaching that needs to be preserved?

_____

_____

_____

PART 8. PANDEMIC IMPACTS ON CULTURAL AND TRADITIONAL PRACTICES

29. Do you feel the COVID-19 pandemic impacted your ability to use land for cultural and traditional practices?

- ☐ Yes
- ☐ No

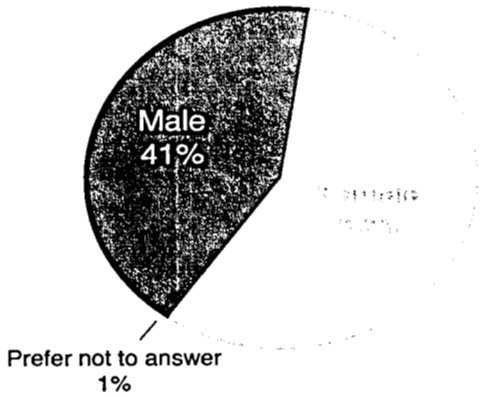
If yes, how? Please explain: _____

30. Do you feel the COVID-19 pandemic has impacted your long term ability to use land (private or community) for cultural or traditional practices? If yes, how?

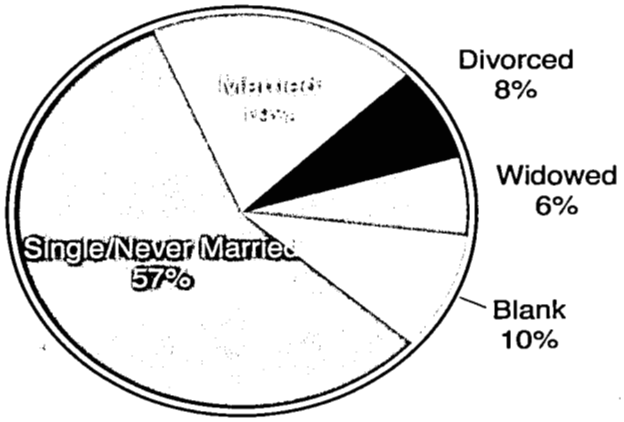
_____

_____

DEMOGRAPHICS

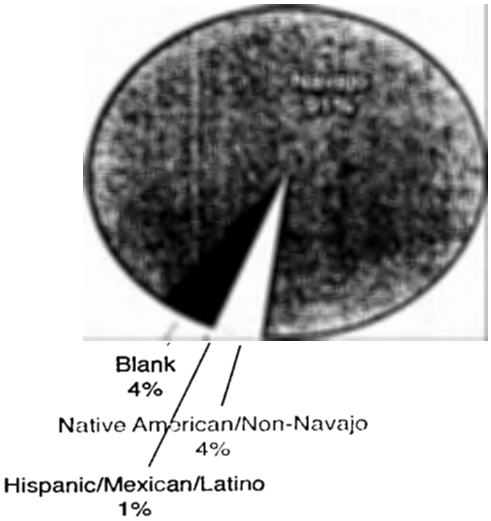


Gender



Marriage Status

DEMOGRAPHICS



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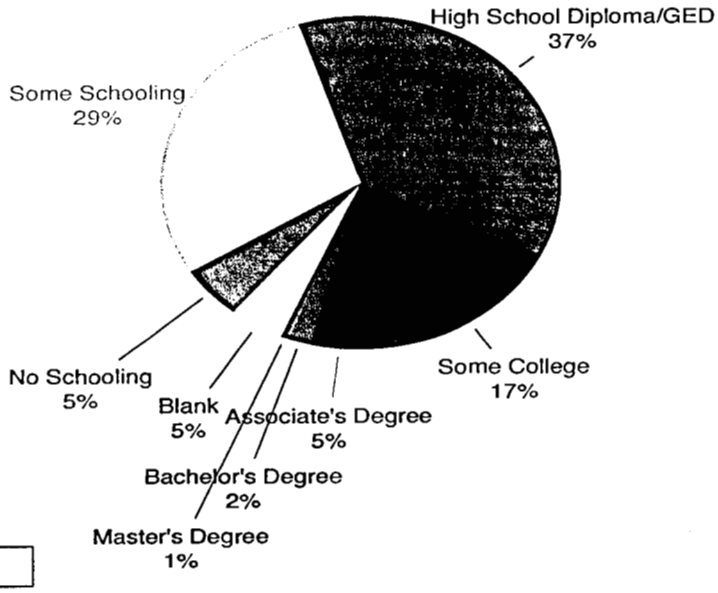

Education

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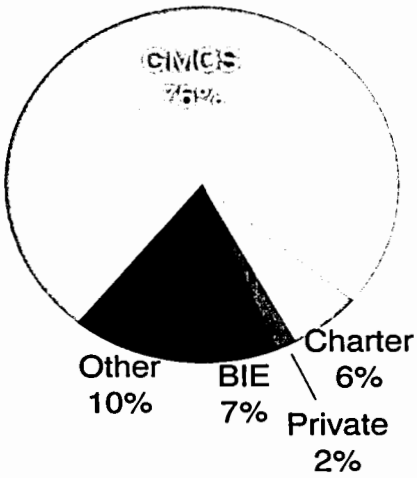
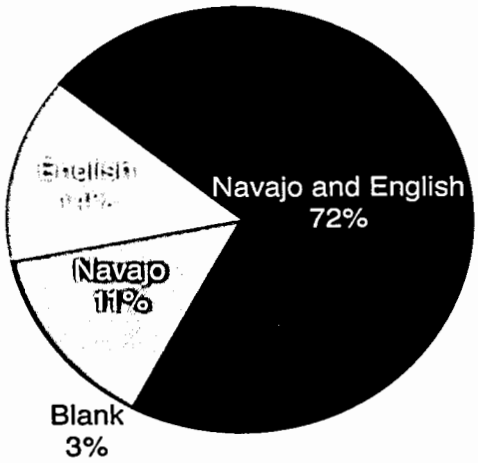
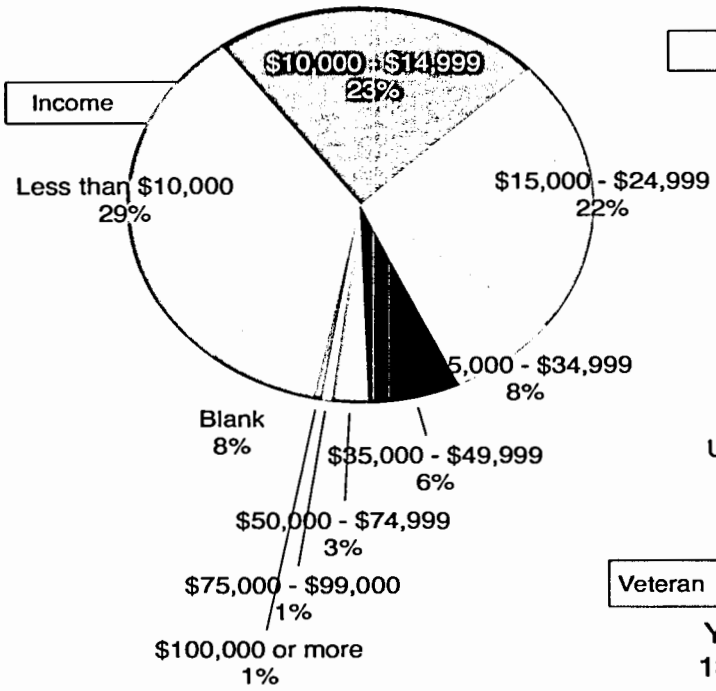


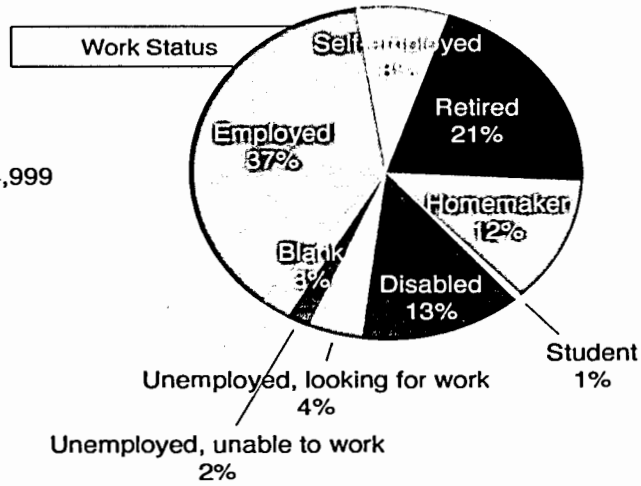
School Attendance

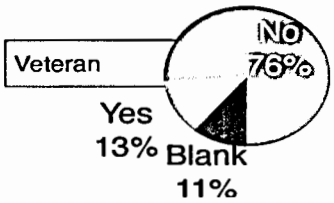


Language Spoken

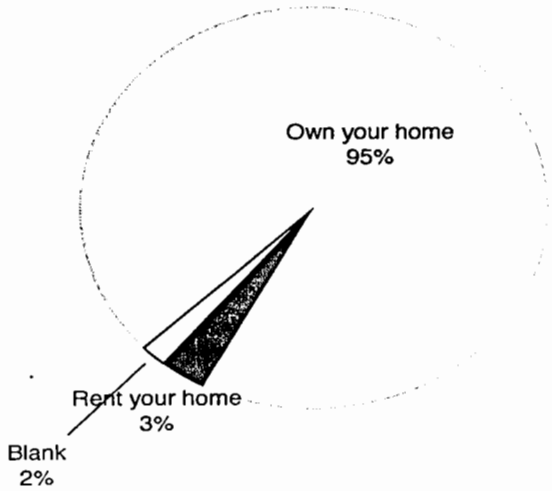
INCOME

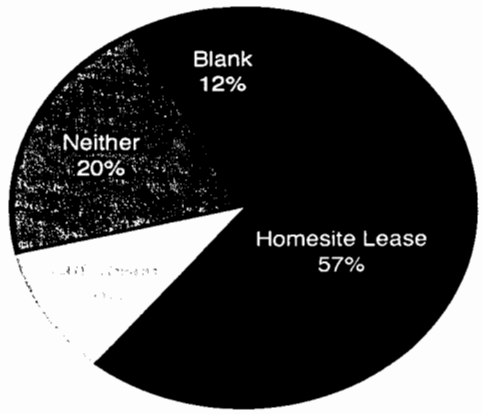






HOUSING





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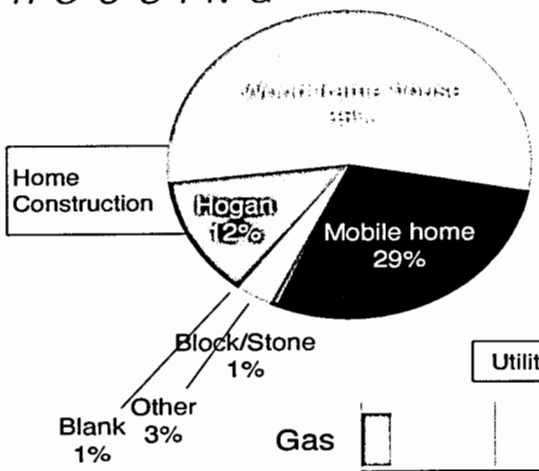

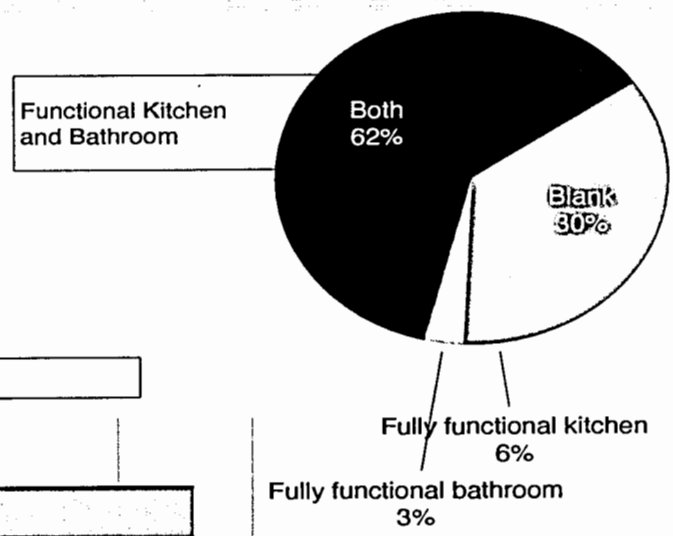

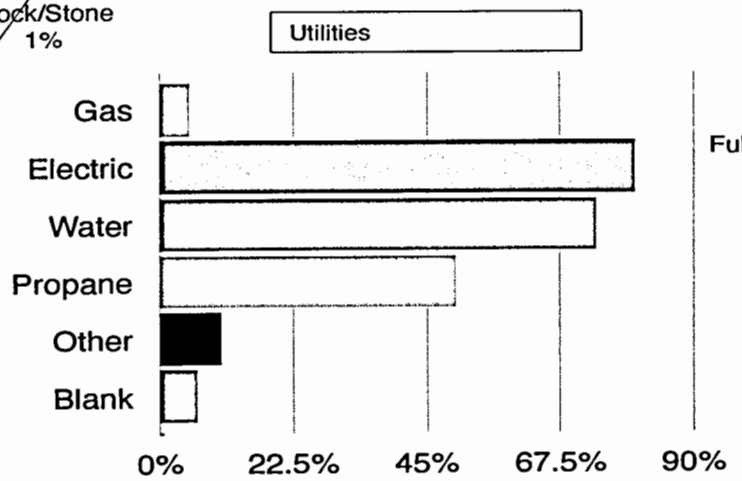

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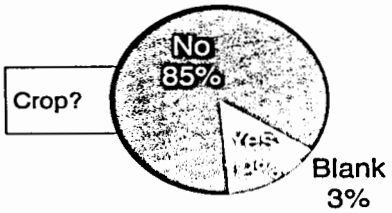

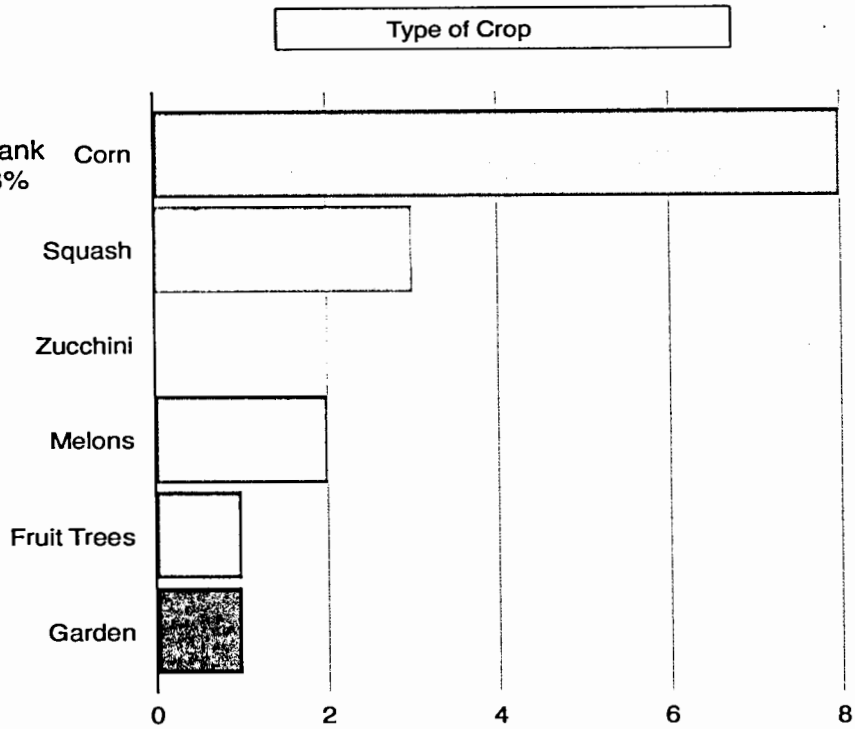

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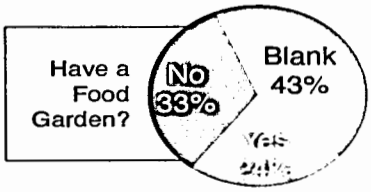
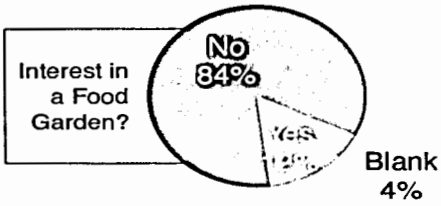
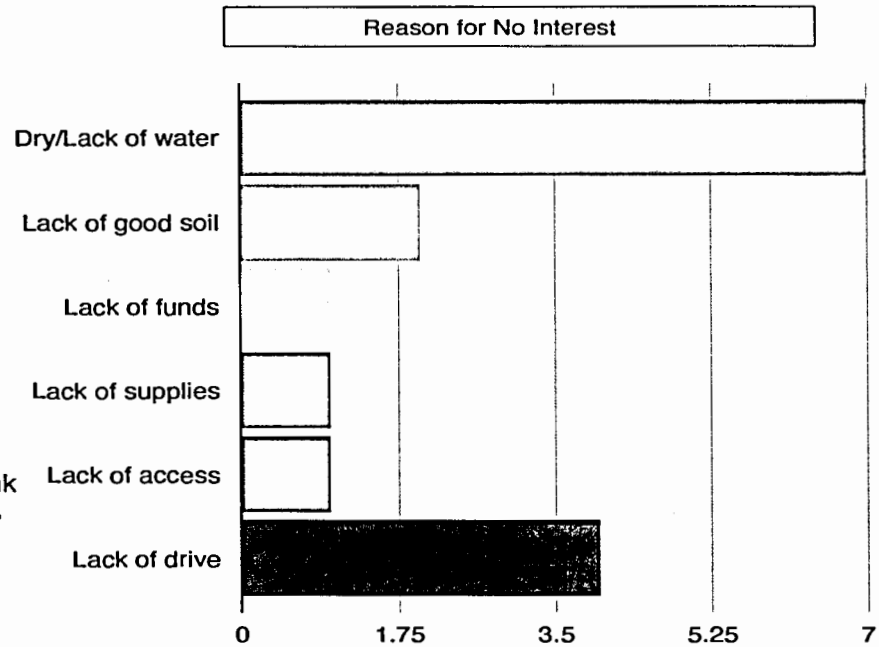
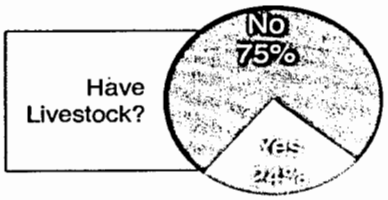
AGRICULTURE

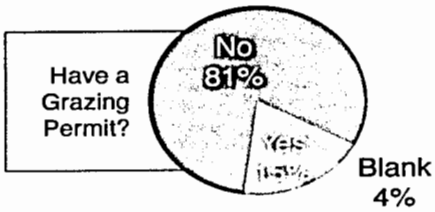


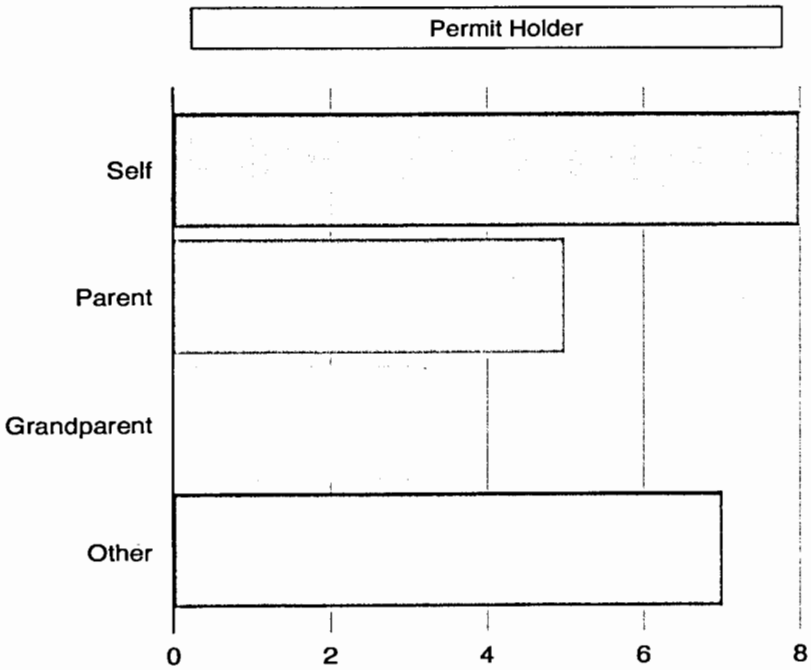




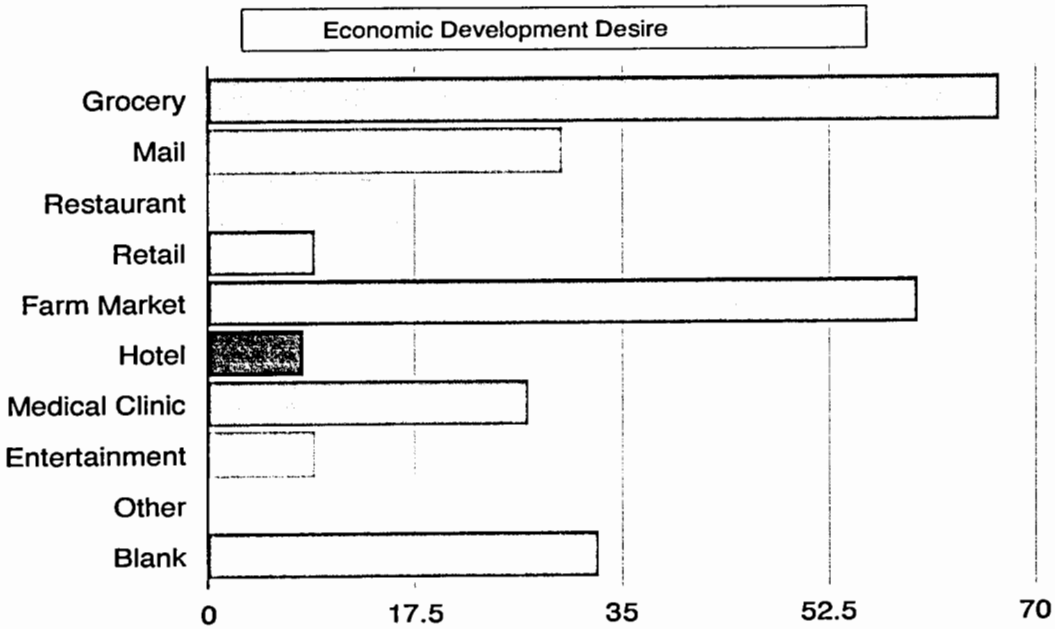
AGRICULTURE



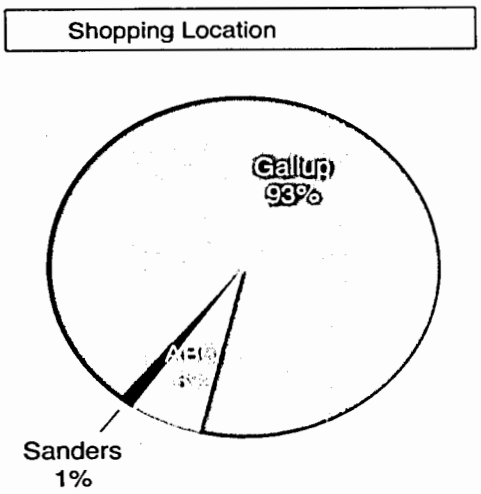


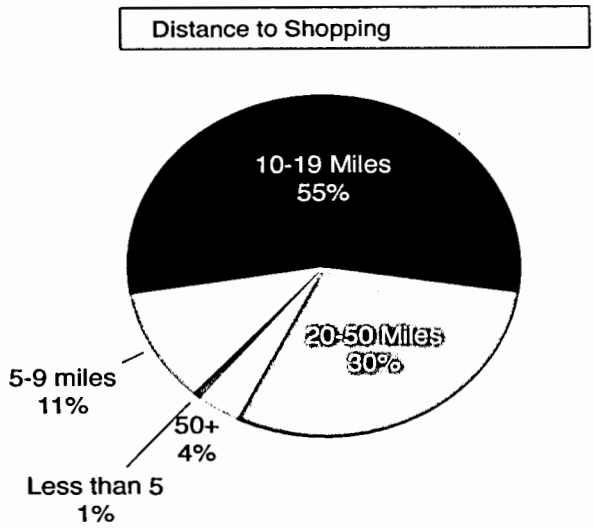


ECONOMIC DEVELOPMENT



ECONOMIC DEVELOPMENT





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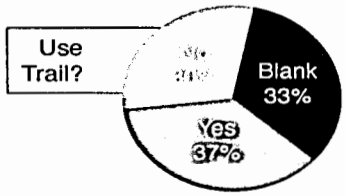
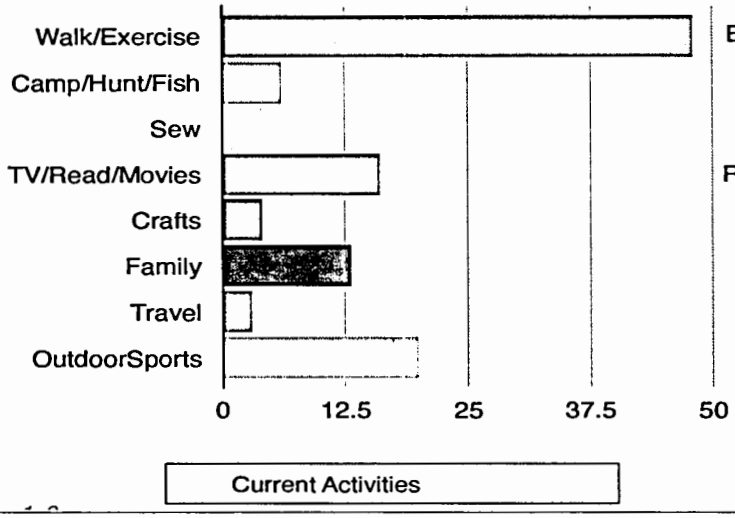
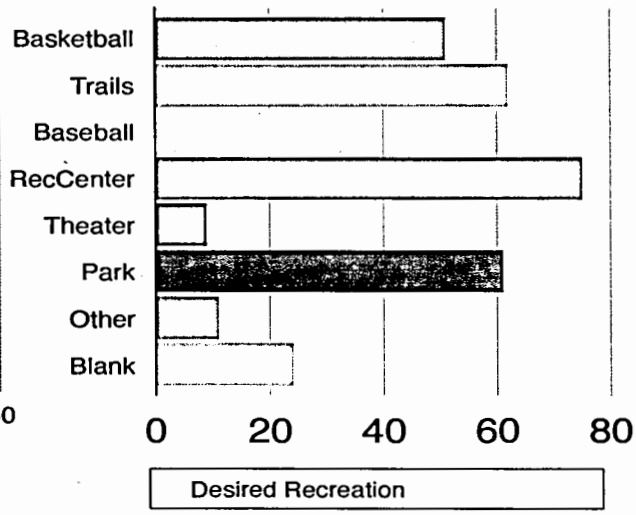
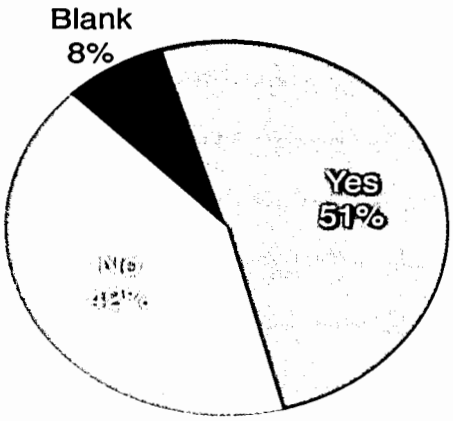






CULTURAL

Interest in Community Cemetery



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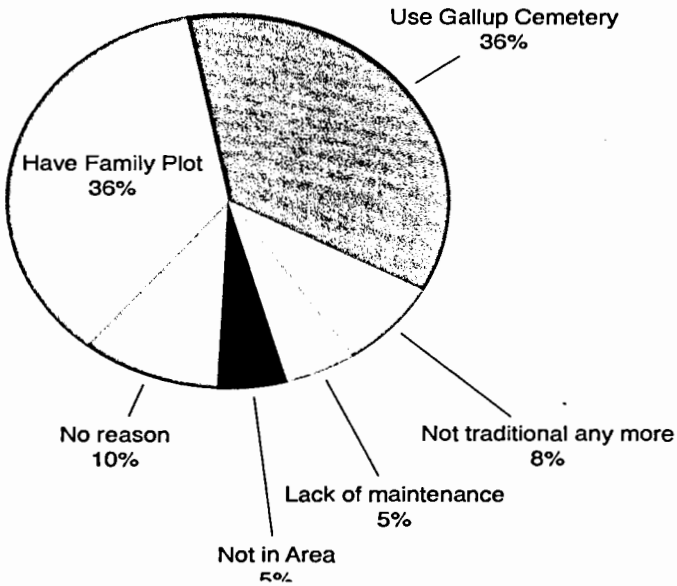

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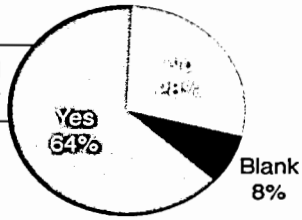
CULTURAL

Cultural Center



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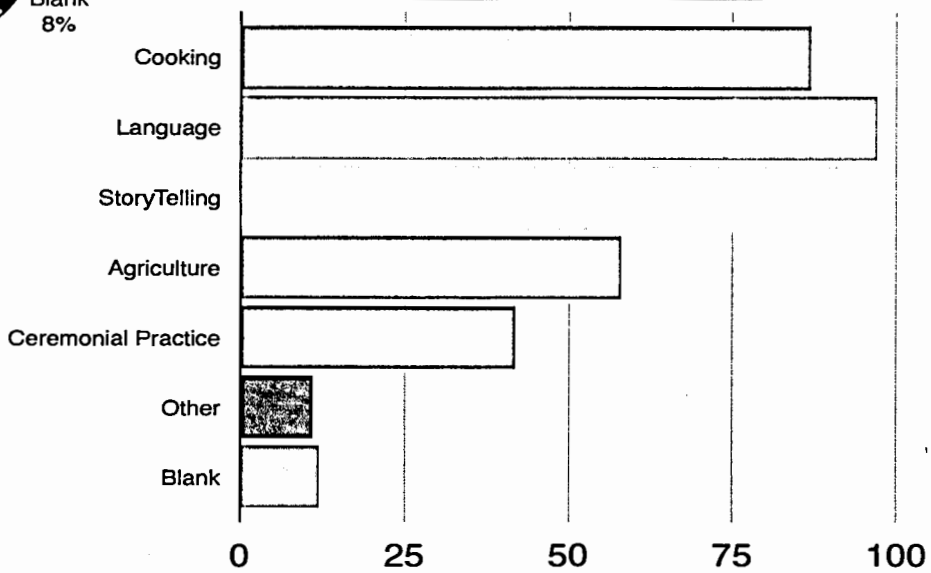

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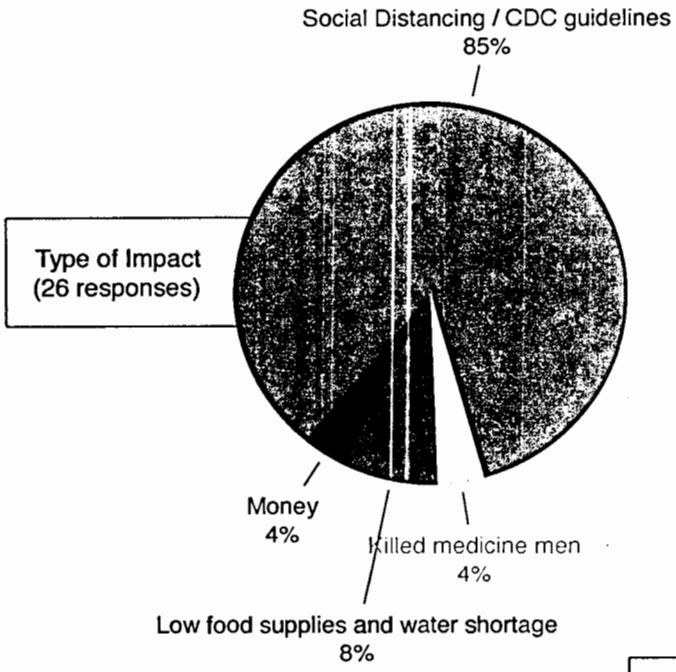
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Type of Impact
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Money
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Killed medicine men
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Low food supplies and water shortage
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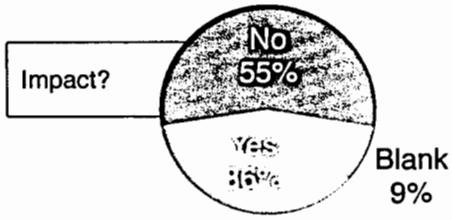
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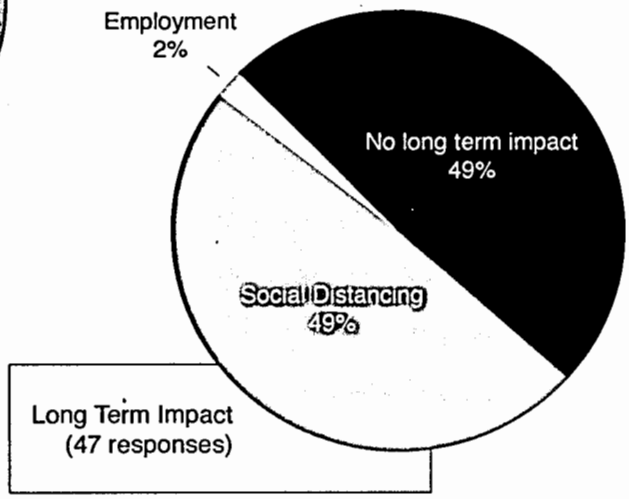
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Social Distancing
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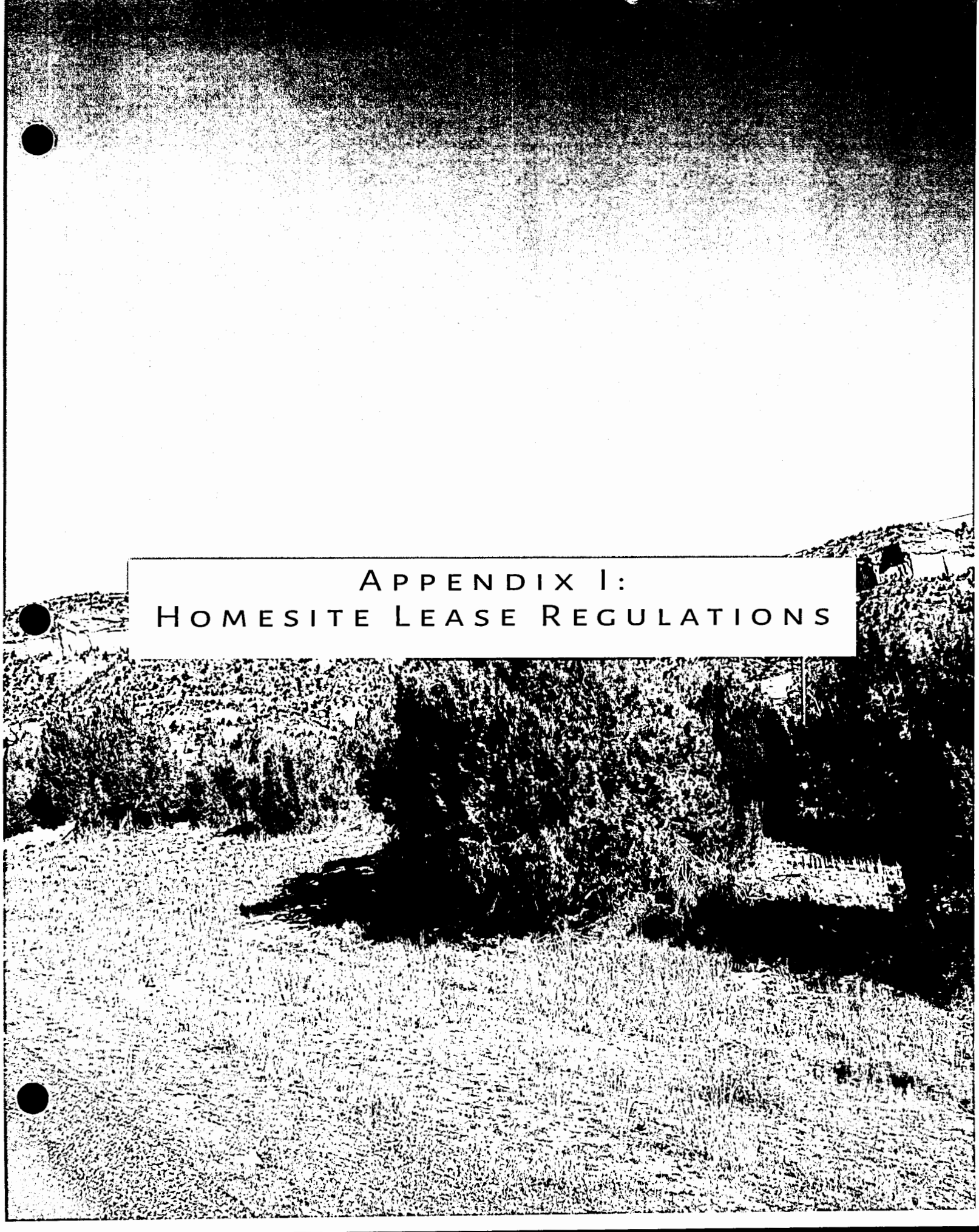
Long Term Impact
(47 responses)

Appendix I: Homesite Lease Regulations



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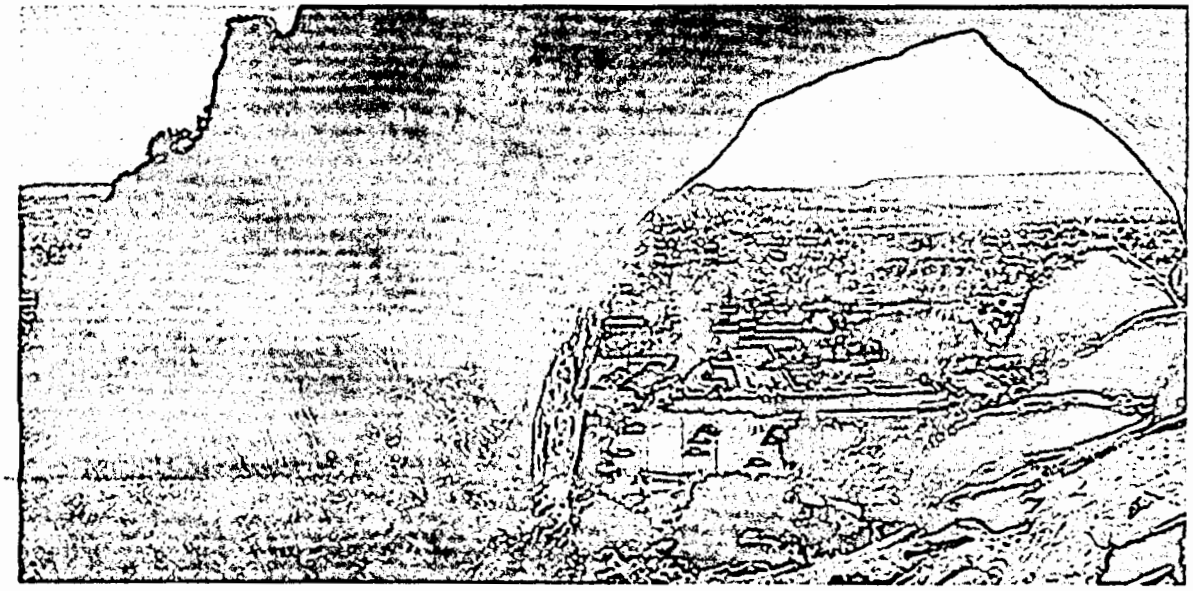
DINÉ BIKÉYAH NAVAJO LAND DEPARTMENT

HOMESITE LEASE REGULATIONS 2016

Approved: October 4, 2016

PREPARED BY:
NAVAJO LAND DEPARTMENT
DIVISION OF NATURAL RESCOURCES
DEPARTMENT OF JUSTICE



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POLICY AND PROCEDURES

SECTION 1.00// AUTHORITY

1.01 Pursuant to 2 N.N.C. § 501 (B) (3), the Resources and Development Committee has authority to delegate its authority to approve homesite and residential leases to the Navajo Land Department by approving rules and regulations implementing the delegation of authority. Pursuant to Resources Committee Resolution No. RCD-289-93, the Resources Committee of the Navajo Nation Council delegated its authority to the Department Manager, NLD, to review and grant homesite leases. With the approval of the Navajo Nation General Leasing Regulations of 2013 by the Secretary of Interior pursuant to the Navajo Nation Trust Land Leasing Act of 2000, 25 U.S.C. § 415(e), the Navajo Nation is authorized to unilaterally issue Leases, except mineral Leases and Rights-of-Way, without the approval of the Secretary. These amendments to the Homesite Lease Regulations shall supersede the previous procedures approved by RCD-289-93 and implement the Navajo Nation General Leasing Regulations of 2013 as they relate to Homesite Leases. The Homesite Lease Regulations may be amended by the NLD consistent with applicable laws.

SECTION 2.00// PURPOSE

2.01 To implement the Navajo Nation General Leasing Regulations of 2013, which authorizes the Navajo Nation to issue Leases, except mineral Leases and Rights-of-way, without the approval of the Secretary.

2.02 To regulate the issuance of Homesite Lease amendments: assignment, termination, and modification of leases on Navajo Nation trust and fee lands.

2.03 To promote home ownership for qualified Navajo, Navajo with spouse, and beneficial non-Navajo applicants by providing for the encumbrance of the Lessee's interest in the leasehold to secure capital for development of a private dwelling.

2.04 To promote and encourage housing for public purposes by the Navajo Nation or Navajo Nation Tribally Designated Housing Entity (TDHE) and housing subdivisions by public, private, and/or non-profit entities.

SECTION 3.00// SCOPE

3.01 The Homesite Lease Regulations shall apply to Navajo Nation trust and fee lands, which are within the boundaries of the Navajo Nation, as well as any allotments held by the Navajo Nation government.

SECTION 4.00// APPLICANT ELIGIBILITY REQUIREMENTS

4.01 An applicant must be an enrolled member of the Navajo Nation; however, a non-member of the Navajo Nation who is legally married to an enrolled member of the Navajo Nation may be eligible through joint husband-wife application. There must be proof of such legal marriage, by issuance of a valid marriage license or Navajo Nation Court Order validating a marriage under the laws or jurisdiction of the Navajo Nation or any State. A non-member is also eligible if such individual's presence within the Navajo Nation's territorial jurisdiction is of indefinite duration and beneficial to the Navajo Nation. Non-member eligibility can be determined in the following instance and manner:

A. Non-member eligibility will be determined by the approval of a Housing Subdivision Master Lease which pre-approves the issuance of individual homesite leases, subleases, or assignments, to non-members that meet certain well defined requirements, documenting skills beneficial to the Navajo Nation, and whose presence is of indefinite duration.

B. Homesite lease applications that are not within a Housing Subdivision Master Lease or housing for public purpose lease will be determined on a case-by-case basis by the NLD.

4.02 An applicant must be eighteen (18) years of age or older.

SECTION 5.00// AMOUNT OF LAND AVAILABLE

5.01 An applicant can apply for only one Homesite Lease, with the lease premises generally limited to one (1) acre or less of tribal trust or fee land, excluding withdrawals of lands for residential subdivisions and other types of withdrawals.

SECTION 6.00// ANNUAL RENTAL FEE

6.01 Lessee shall pay the Navajo Nation, in lawful money of the United States, a monthly rental of One Dollar ($1.00), or $12.00 per year. Lessee agrees that no refund or reimbursement of money paid in advance shall be made in the event of early termination or partial condemnation.

6.02 Rental payments are due and payable on or before the effective date of the Lease and thereafter on or before each anniversary date of the Lease. Lessee may pay the annual rent fee in advance at any time prior to the expiration of the Lease. Rental payments shall be made by money order made out to "Navajo Nation," and shall be paid at the local agency NLD Office. Failure to make rental payments when due shall constitute a default under the Lease.

6.03 On a housing for public purpose Master Lease or housing subdivision Master Lease, an annual rental fee shall not be assessed by NLD until an individual homesite lease is issued to an applicant.

SECTION 7.00// TERM

7.01 Lessee shall have and hold the leased premises for a term of seventy-five (75) years, beginning on the date of approval of the Lease by the Navajo Nation. Lessee shall give written notice of intent to renew this Lease to the Director of the NLD, or its successor at least six (6) months, but no more than twelve (12) months, prior to the expiration date of the lease. Renewal of the Lease is subject to the approval of the Navajo Nation and to the provisions of Navajo Nation law and these regulations.

SECTION 8.00// APPLICATION PROCEDURES AND REQUIREMENTS

8.01 APPLICATION PROCEDURES: Homesite Lease Applications will be made available at the NLD or its agency sub-offices. Homesite Lease Applications are also available on the NLD Website: www.dinehbikeyah.org. A complete Homesite Lease Application package consists of:

A. Homesite Lease Application - FORM 1. An applicant must fill out the Homesite lease application using black or blue ink, or must type the application. If the applicant is unable to sign the application, a thumb print is required for acknowledgement. The thumb print must be provided in the presence of an NLD staff member with one (1) witness from NLD attesting to the thumbprint.

1. Type of Tenancy: An applicant should specify how they want to receive the grant of a lease: as a Single Person, or co-tenants—joint tenants with the right of survivorship, tenants in common, or community property. Future property disposition will be determined by this status in cases of divorce, death of a Lessee, or probate of a Lessee's estate. If applicants want to file as "Joint Tenants with Right of Survivorship" or "Community Property", a copy of the marriage license or validating Court Order is required, if applicable.

The following information shall be attached to the application before submission for processing at the Navajo Land Agency offices:

2. Certificate of Navajo Indian Blood/Tribal Enrollment Identification Card: The applicant(s) must attach an original Certificate of Navajo Indian Blood. Copies of Certificates of Indian Blood can be obtained from the Agency Vital Records Office. All personal data must correspond with the Certificate of Navajo Indian Blood such as: Name(s), age(s), census number(s) and signature(s).

3. Archaeological Clearance: A receipt showing the applicant paid for an Archaeologist to conduct a survey must be attached to the application, if applicable, before the application will be processed.

4. Cultural Resources Compliance Form: Applicant shall attach the Cultural Resources Compliance Form, reviewed and signed by the Historic Preservation Department, to the homesite lease application. This form must be attached to the application before the application will be processed.

5. Non-refundable Application Fee: Applicant must submit a $30.00 money order payable to: The Navajo Nation, P.O. Box 2249, Window Rock, Arizona, 86515. Upon review and acceptance of the home site application, the NLD will issue a receipt for the filing fee.

B. Homesite Lease Application FORM 1 – Section 2: The applicant shall ensure that the Grazing Official (GO) or Land Board Official, as applicable (LBO) (collectively GO/LBO) physically verifies and acknowledges the proposed home site location utilizing a hand-held Global Positioning System (GPS) unit by reading the Latitude/Longitude coordinates in North American Datum 1983 (NAD83), identifying the center point of the proposed home site location, and write the coordinates onto the Homesite Lease Application. If the homesite location is changed after acknowledgement is made by the GO/LBO, it will render the Homesite Lease Application invalid.

C. GO/LBO must complete the Field Clearance Certification Form 2.

D. Homesite Lease Consent FORM 3: The GO/LBO shall complete the Field Clearance Certification before the applicant(s) can obtain written consent from the individual(s) who has/have been identified by the GO/LBO on the Field Clearance Certification as valid grazing permittees within the proposed homesite lease area. Thereafter, the applicant shall obtain written consent from affected permittees listed on the Field Clearance Certification, if required.

1.Navajo Partitioned Lands: No Consent is required from a Grazing permittee within the Navajo Partitioned Lands until grazing permits are reissued.

2. Acknowledgement: After the applicant obtains written consent from the permittees listed on the Field Clearance Certification, the GO/LBO must acknowledge the signatures on the consent form.

3. Only the Valid Grazing Permittee that will be affected within a half (½) mile radius of the propose homesite lease location shall consent.

E. Land Survey Plat: Certified land surveys must be conducted by a private land surveyor who is licensed and registered with any State within the United States. Private licensed land surveyors must register with the Navajo Nation Business Regulatory Department. Private land surveyors must obtain permission to survey from the NLD.

Certified land survey plats must contain a United States Geological Survey (USGS) Quadrangle Topographic Map of the location of the legal land survey and must have the Latitude and Longitude at the Survey Tie Points and Point of Beginning (POB) on the survey plat. The survey plat shall be drawn on a legal size (8½ in x 14 in) document. All corrections of land surveys must be completed by a registered land surveyor.

1. Re-Surveys: Certain circumstances may occur that require the NLD or private land surveyor to re-survey. These include, but are not limited to, shifting the homesite location and re-identifying the corners (rebars). The NLD may re-survey only if the NLD conducted the original certified land survey plat. If the survey that needs to be redone was conducted by a private land surveyor, that surveyor or another private surveyor must redo the survey.

F. Biological Data Request Form for Biological Resource Clearance: The applicant shall complete the Biological Data Request Form and submit it with a money order or cashier's check payable to the Navajo Nation for Biological Resource Clearance with the processing fee of $32.50.

8.02 Environmental Review Form: The applicant shall complete the environmental review form and submit it to the Navajo Land Department for review by the Environmental Reviewer.

8.03 Forestry Compliance letter, as applicable: If the homesite lease application is for a location in the Navajo Nation Commercial Forest or restricted Woodlands, Section 8.05(A) shall apply to the homesite lease application.

8.04 Upon verification for quality assurance by the NLD Agency Offices, the Homesite Lease Application package will be submitted to the NLD Manager or authorized designee who will give final approval on behalf of the Navajo Nation. The NLD will submit the following appropriate approved documents to the respective Bureau of Indian Affairs, Agency Real Estate Services, for recording.

A. Navajo Nation Department of Fish & Wildlife (Biological Resources Compliance Form).

B. Historic Preservation Department (Cultural Resources Compliance Form)/Archaeology (Archaeology Inventory Report);

C. Navajo Forestry Department (Forestry Compliance Letter), as applicable – see Section 8.05 (A).

D. Registered surveyor (certified land survey plat).

8.05 Additional Application Requirements

A.Forest or Woodland: If the proposed homesite is within the Navajo forest or woodlands, the GO shall advise the applicant(s) to contact the Navajo Forestry Department. The Navajo Forestry Department shall determine whether the proposed homesite will impact the Navajo Nation forest or woodland pursuant to RCJY-142-92. The Forestry Department may issue a letter stating requirements and conditions to proceed with the proposed home site lease application.

B. Highway Access: If access to a highway is required for ingress and egress, the proposed homesite lease applicant must contact the appropriate Navajo or State Department of Transportation for Highway access clearance.

C. All applicants and lessees shall provide NLD with a current valid address or any changes at all times.

8.06 Conveyance within Housing Subdivision: When an applicant applies for a conveyance of a lot within a subdivision, the applicant will be responsible for all costs associated with the conveyance.

A. A Housing Subdivision which is subject to a Master Lease for Single-family residential development or housing for public purpose, where development has taken place and which is ready for conveyance of individual lots to applicants, shall be classified as a "developed area."

B. Within a "developed area" only this Section 8.06 shall be used and the other application procedures and requirements of Sections 8.0 and 9.0 shall not apply. A Housing Subdivision may develop and use its own application form subject to the approval of the NLD.

C. A Homesite Lease within a subdivision shall be limited to the term of the Housing Subdivision Master lease. Upon renewal of the Housing Subdivision Master Lease, all of the eligible individual Homesite Leases will be renewed for a corresponding period.

D. Where there are rules and regulations related to the Housing Subdivision, special conditions or changes for the occupation of Homesite Leases within the subdivision, or a Declaration of Covenants, Conditions and Restrictions, the applicant will be provided with a copy of these documents by the Housing Subdivision Developer or TDHE, and the existence of these restrictions will be referenced on the individual Homesite Lease.

E. The holder of a Housing Subdivision Master Lease shall be the Housing Subdivision Developer or TDHE. The Housing Subdivision Developer, the TDHE, or the governing body of the Home Owners Association specified in the governing documents for the Housing Subdivision identified in Section D above, and not the NLD, shall be responsible for monitoring enforcement of these restrictions.

SECTION 9.00// ENVIRONMENTAL REVIEW PROCESS

9.01 Environmental Reviewer: The Environmental Reviewer ("ER") insures and conducts the ER required under these regulations. The ER is responsible for carrying out the Environmental Review Process ("ERP") for homesite leases pursuant to the Navajo Nation General Leasing Regulations of 2013. The ER will consult with the relevant Navajo Nation agencies and determine which agency is responsible for making compliance findings for each of the areas and/or laws identified in these regulations and 2 N.N.C. § 2384 of the General Leasing Regulations.

9.02 Action on Leasing Decisions Subject to Completion of ERP.

A. Each homesite lease must go through the biological and archaeological review.

B. Review must be conducted of all laws listed at 16 N.N.C §2384 (CO-53-13), as well as, any other relevant laws as applicable.

9.03 Environmental Review Process Exemptions

A. The department conducting biological or archaeological clearance shall develop an internal procedure that exempts proposed homesite leases from thorough review if the area meets exclusion criteria.

B. The departments may work with individual Chapters to identify land withdrawal designation areas for residential development. A Chapter, at their expense, will conduct environmental studies as required within a tract of land before any development occurs.

9.04 Conditional Compliance Determination Summary

A.Compliance Determination Summary issued with a requirement of mitigation or a "conditional approval" requires the lessee to comply with the conditions stated. If these conditions are not met, the homesite lessee is in violation of the lease, and the lease may be terminated at the Nation's discretion.

9.05 Compliance Determinations from Earlier Environmental Review Documents

A. If an existing homesite lease underwent an environmental review pursuant to these regulations, prior Homesite Lease Regulations, or other applicable law, or constructed dwellings prior to 1974, those review determinations may be utilized to meet compliance requirements.

B. The ER shall review the previous environmental review documents to determine whether a new review is necessary, or whether the previous environmental review adequately assesses the impacts of the prior leasing decision.

SECTION 10.00// INCOMPLETE PENDING APPLICATION

10.01 PENDING APPLICATION: A homesite lease application that is incomplete for one or more of the following reasons shall be returned to the applicant as an incomplete application within two (2) years from the date of submission:

A. Lack of Land Use Consent;

B. Lack or disapproval of Biological Resource Clearance;

C. Lack or disapproval of Environmental Compliance Determination Summary;

D. Lack or disapproval of Cultural Resource Compliance/Archaeological Survey Clearance; and

E. Lack of a land survey.

SECTION 11.00// NAVAJO NATION FEE LAND

11.01 An applicant may apply for a homesite lease (FORM 200UL) on Navajo Nation fee land with the understanding and agreement that they are responsible for paying any and all property taxes, assessments, fees or liens directly to the local county tax assessor's office.

11.02 The Title Section will record the approved homesite lease on fee land with the County Recorder's Office.

SECTION 12.00// HOMESITE LEASE ABANDONMENT

12.01 Lessee shall develop the leased premises within two (2) years of the effective date of the homesite lease. Prior to the expiration of said period, lessee may request in writing from the Nation an extension of the development period for a period not to exceed two (2) additional years. Failure to develop the leased premises according to this provision shall constitute abandonment.

12.02 The GO/LBO or NLD compliance officer shall be responsible for notifying the NLD Manager to make recommendations to cancel a homesite lease that has been abandoned. All such recommendations shall be supported by a field visit and written report verifying that the home site lease premises has been abandoned.

12.03 A homesite lease that has been abandoned shall be processed for termination by the NLD according to the following procedures:

A. NLD shall provide notice of intent to cancel by certified mail to the respective lessee's address on file with NLD. In situations where the address of the lessee is unknown, the notice shall be posted at the nearest chapter house.

1. Lessee has thirty (30) days to respond to the notice of cancellation. If the lessee does not desire to develop the homesite lease, the lessee shall have the first option to assign the homesite lease to a qualified applicant for a fee to recover cost and expenses for the original application or voluntarily terminate the homesite lease.

2. If the lessee fails to respond within thirty (30) days, the NLD will terminate the homesite lease.

12.04 The NLD Manager shall have the authority to terminate the abandoned homesite lease, as required by these regulations.

12.05 For termination of homesite leases issued prior to these regulations, any termination action shall be consistent with the requirements of Navajo Nation and applicable Federal laws.

12.06 If the abandoned homesite lease is terminated, it shall revert back to the Navajo Nation.

SECTION 13.00// ASSIGNMENT, AMENDMENT, MODIFICATION, OR TERMINATION OF HOMESITE LEASES

13.01 A homesite lease may be assigned, amended, modified or terminated through the NLD by application of the lessee or through a court order. To verify the intent of the lessees, the lessees will have to make their application in person at the Agency NLD offices. The applicant shall provide a copy of an approved homesite lease issued by the NLD or BIA, in order to amend the lease document. A non-refundable application processing fee will be assessed. (Refer to Fee Schedule). In the event the homesite lease or any interest therein is mortgaged or pledged as security for a loan, separate approval may be required by the lender, sureties, or loan guarantors.

13.02 Assignment: To assign an approved homesite lease to another eligible person, the Lessee/Assignor and proposed Assignee shall submit a new homesite lease application FORM 1 with the following documents attached to the application:

A. Certificate of Indian Blood.

B. Certified Legal Survey Plat utilizing a BLM Cadastral monument, if applicable.

C. A Cultural Resource Compliance Form with Archaeological Survey Clearance Form, as may be applicable, issued by the Navajo Historic Preservation Department.

D. Biological Resource Compliance Form approved by the Navajo Fish and Wildlife Department, if applicable.

E. Title Status Report (TSR) to verify and check for any outstanding encumbrances, liens, etc.

13.03 No assignment of a homesite lease shall be made during the two (2) year development period without a court order or an extension of the development period not to exceed two (2) additional years, unless there is a collateral assignment of interests to a creditor to finalize construction of improvements.

13.04 Upon verification of the application by NLD, the requests for amendments, modifications and terminations shall be packaged and submitted to the NLD Manager who shall give final approval on behalf of the Navajo Nation. The approved lease amendment, modification, or termination shall be recorded with the Agency Bureau of Indian Affairs and Navajo Land Title Data System.

13.05 In the event one of the Lessees dies with a Joint Tenancy with Right of Survivorship tenure in effect, all rights to occupy the land and leasehold interests shall go directly to the Surviving Tenant, if he or she is an enrolled member of the Navajo Nation without the need of assignment of the deceased co-tenant's interest in the home site lease. The death certificate of the deceased co-tenant should be recorded.

13.06 Modification: Modifications are non-material amendments to a homesite lease, including such matters as technical corrections, implementation of Navajo Nation court order(s), legal name changes, and changes in marital status, legal land description changes, and any corrections needed to a homesite lease.

13.07 In a probate proceeding, the Navajo Nation Courts may distribute the leasehold interest including attached improvements of an established homesite lease to beneficiaries under a will or to the heirs at law according to Navajo law.

13.08 In the event of divorce, the Navajo Nation Court shall have jurisdiction to redistribute the leasehold interest of a homesite lease pursuant to Navajo Nation law. The Homesite lease and attached improvements must not be separated in such Court Order. All field clearance(s) shall be recognized and will remain in effect. This regulation will also apply to Tenancy in Common and Community Property tenures. The involved parties shall notify the NLD of any such disposition by a court of competent jurisdiction.

13.09 Termination: The lessee(s) may voluntarily terminate his/her/their interest in a homesite lease by signing a Termination of Homesite Lease Form. However, the applicant must pay a non-refundable termination fee and must have paid in full all rent due before the lease can be terminated. (Refer to Fee Schedule). If the lessee is in default or less than good standing, then the lessee must cure all matters constituting such default or lack of good standing; unless, NLD waives such requirements and lessee surrenders the lease premises, subject to equitable consideration of lessee's private property, if applicable.

13.10 A finalized homesite lease may be terminated or revert back to the Navajo Nation for further assignment. If there are no improvements on the approved homesite lease premises within two years, the GO/LBO can recommend termination of the lease and/or assignment to another qualified individual after payment of fair market value of the lease premises with attached improvement (if any) to the lessee (See Section 12.00 ABANDONMENT. 12.03: A. 1 & 2 for procedures).

13.11 In no instance will NLD terminate a homesite lease for a lessee if the request is made by a third party, regardless of the surrounding circumstances. The only exception to this rule is if a Navajo Nation Court issues an Order requiring NLD to terminate a homesite lease.

13.12 If the Navajo Nation acquires an Allotment upon which a resident has a valid Residential Lease issued by the BIA, the Navajo will honor the Residential Lease for the duration of its term, so long as it complies with Section 4.0 of these Regulations. The holder of the residential Lease must submit a copy of the valid Residential Lease to the NLD. Within 6 months the expiration of the valid Residential Lease, the resident must begin the process of acquiring a Homesite Lease in accordance of these Regulations.

SECTION 14.00// MORTAGES AND DEFAULT

14.01 A finalized home site lease authorizes lessee(s) to encumber the leasehold interest of a home site to finance construction of building improvements. The leasehold can be mortgaged, pledged, or encumbered as security to finance a debt or loan. The lessee(s) may transfer all or part of the leasehold interest to the Mortgagee or Deed Trustee with the understanding that the Mortgagee or Deed Trustee will release all security interests in the leasehold when the loan or note has been paid in full.

14.02 The mortgage or Deed of Trust document must be recorded with the Bureau of Indian Affairs, Real Estate Services; it is recommended that the mortgagee or lender also record the aforementioned indenture with the Recorder's Office of the county in which the real estate is located. The NLD will receive copies of the mortgage or Deed of Trust documents from the Bureau of Indian Affairs Real Estate Services and record it in the Navajo Land Title Data System.

14.03 In the event the Lessee/Borrower (Mortgagor/Trustor) defaults on the Mortgage or loan secured by the Deed of Trust, the Mortgagee or Deed Trustee has the authority to foreclose on the secured Homesite lease through the Navajo Nation Courts or as provided by the Navajo Nation Deed of Trust Act. The Mortgagee or the Deed Trustee may have the right to possession of improvements on the leased premises and rents collected as provided by Navajo Nation law and the loan document or agreement.

14.04 Any and all permanent buildings and improvements on the leased property shall remain on the premises and shall be subject to the Navajo Nation's Right-of-First Refusal to purchase the leased premises with improvements prior to any resale of the premises.

14.05 Default: Should Lessee default in any payment of monies when due under the Lease or be in violation of any other provisions of the lease, said violation may be acted upon by the Navajo Nation pursuant to applicable law.

14.06 Lease hold interest of a homesite lease can be sold at a fair market value to a qualified applicant. If there are no improvements on the premises, the lessee can retrieve expenses and fees incurred for lease encumbrance such as archaeological and legal survey expenses. The lessee must record the lease and insure all required lease documents are recorded with the Navajo Land Title Data Systems (NLTDS).

SECTION 15.00// GRAZING OFFICIAL AND LAND BOARD OFFICIAL RESPONSIBILITIES

15.01 Home Site Lease Application FORM 1 – Section 2: See Section 8.01. B. for compliance.

15.02 Field Clearance Certification FORM 2: The GO/LBO shall be responsible for identifying and acknowledging all valid grazing permittees who have interests within one-half (½) mile of the proposed homesite lease location, which is directly affected and impacted by the proposed Homesite identified in Section 2 of the Field Clearance Certification FORM 2.

15.03 It is the responsibility of the GO/LBO to write-in the name of the valid Permit holder(s) and Permit number(s) on the Field Clearance Certification FORM 2 for the applicant to obtain signatures from the permittees.

15.04 Homesite Lease Consent FORM 3: After the applicant obtains written consents from the permittees listed by GO/LBO on the Field Clearance Certification FORM 2, the GO/LBO must acknowledge the Form, certifying to the best of their knowledge the truth and accuracy of the approval of consenting permittees before the application is submitted to NLD for processing.

15.05 Conflict of Interest: The homesite applicant may request the Navajo Nation Grazing Management Office to appoint an alternate GO/LBO to perform the duties described herein when the designated GO/LBO cannot perform his or her duty because of a conflict of interest, including actions involving relatives, or for any other legitimate reason.

15.06 The GO/LBO additional responsibilities: The GO/LBO shall also verify whether the proposed homesite is within the Navajo Nation Forest or woodlands. If the proposed homesite is within the Navajo Nation Forest or woodlands, the GO/LBO shall advise the applicant(s) to contact the Navajo Forestry Department. The Navajo Forestry Department shall determine whether the proposed home site will impact the forest or woodlands within the forestry moratorium as set forth by Resolution RCJY-142-92. The resolution established a Moratorium on New Structures, New Homesites, and Range Units within the Navajo Commercial Forest pending development and approval of a new Forest Management Plan. The Forestry Department may issue a letter stating further requirements which must be satisfied to proceed with the proposed homesite lease application.

A. The GO/LBO shall verify that the proposed homesite lease is not within an area withdrawn or otherwise designated for community development purposes, large or small irrigation farming projects, agricultural land use area, or if the proposed homesite would interfere with local land use plans and/or ordinances. No homesite shall be approved within lands that are withdrawn or designated for another purpose. If the proposed lease area is within a withdrawn area, the applicant must select another location for their proposed homesite lease.

B. The GO/LBO shall verify the proposed homesite lease is not within 750 feet of a major highway right-of-way by actual inspection of the site and coordinating with NLD. If the proposed homesite is within 750 feet of a major highway right-of-way, the GO/LBO shall inform the applicant to move beyond the 750 feet corridor or find an alternate site pursuant to 14 NNC § 1200. Chapter: Zoning Sides of Highways and NNC Resolution CM-9-50.

C. The GO/LBO shall verify that the proposed homesite is not within one-half (½) mile of Navajo Nation government developed permanent livestock waters. If the proposed homesite is within a half mile of the structures, the GO/LBO shall inform the applicant to move the proposed homesite or relocate to an alternate site or request a written authorization from the District Grazing Committee allowing the proposed homesite through an approved resolution of the District Grazing Committee (See 3 N.N.C. § 714).

SECTION 16.00// GRAZING DISPUTES TO DEPARTMENT OF AGRICULTURE

16.01 NLD shall refer grazing and consent disputes relating to a pending homesite lease application to the GO/LBO, as applicable, for adjudication or settlement. For example, NLD shall refer to the GO/LBO, when a grazing permittee revokes consent after the Field Clearance Certification is submitted. NLD shall not place the application on hold unless the GO/LBO, as applicable, recommends in writing that there is an active dispute.

SECTION 17.00// HOMESITE LEASE COMPLIANCE AND RESTRICTIONS

17.01 Applicants shall comply with Navajo Nation environmental laws and other compliance requirements when applying for a homesite lease on Navajo Trust and Fee Lands:

A. Sanitation: Lessee shall comply with all applicable sanitation laws, regulations or other requirements of the United States and the Navajo Nation. Lessee shall also dispose of all solid waste in compliance with applicable federal and Navajo Nation laws either in an approved sanitary landfill, transfer station, or other commercial sanitary collection service. Lessee shall maintain the entire leased premises in a safe and sanitary condition, presenting a good appearance both inside and outside of the leased premises. Septic systems and leach/drain fields shall be situated within the lease premises.

B. Hazardous Substances: Lessee shall not dispose of hazardous substances or materials on or in the leased premises.

C. Environmental Hazards: All non-operational vehicles must be removed and cleared from the homesite lease premises. For failure to comply with Navajo Nation environmental laws, the Navajo Nation EPA shall impose environmental sanctions for non-compliance in accordance with Navajo EPA regulations.

17.02 Minerals: All minerals, including sand and gravel, contained in or on the leased premises are reserved for the use of Lessor. Lessor also reserves the right to enter upon the leased premises and search for and remove minerals located on the property, paying just compensation for any damage or injury caused to Lessee's personal property or improvements constructed by Lessee.

17.03 Navajo Nation Forestry Moratorium (Restriction): If a homesite lease is approved by the Navajo Forestry Department in a forested or wooded area, and tree removal is to occur, the homesite applicant will follow Navajo Forest and Woodland Regulations. The homesite applicant will comply with the Navajo Nation Forestry Department requirements and the Forest Management Plan approved by Resolution No. RCJY-133-01.

17.04 Canyon De Chelly National Monument Moratorium: A Protection Buffer Zone was established within the boundaries of Canyon De Chelly National Monument; therefore, there are restrictions on development and use of land in the vicinity of the Monument (Resolution RCS-51-85).

17.05 Biological Resource Land Clearance Policy and Procedures (RCP): No homesite lease shall be approved within Area 1: Highly Sensitive Area; and Area 2: Moderately Sensitive Area which are protected under the Federal and Navajo Nation laws, wildlife resources, including plants, and their habitat resulting in an expedited land use clearance process in accordance with Resolution No. RCMA-34-03, subject to prior approvals or exceptions granted by the Navajo Nation Council or its duly authorized Committee.

17.06 Farm Plots and Land Use Permits: Navajo Nation trust or fee lands withdrawn for agricultural uses (i.e., farm permit, agricultural lease, irrigation projects, and farm projects) cannot be used for homesite leases. Administrative Reserve Areas [BIA], Navajo Nation trust, or federal lands that are withdrawn for administrative purposes or governmental use cannot be used for home site leases.

17.07 Navajo Nation Parks and Recreational areas – No homesite leases shall be issued within land designated for tribal parks and recreational use areas. The Navajo Nation Parks, monuments, and Recreational areas are protected and preserved for the perpetual enjoyment and benefit of the Navajo Nation, subject to prior approvals granted by the Navajo Nation Council or its duly authorized Committee.

17.08 Homesite Lease Residential Use Restriction: A homesite lease is intended for residential purposes primarily a Single-family residence; lessee shall not use any part of the homesite lease premises for any unlawful conduct or illegal activities.

A. Applicants shall not disturb or commence construction activities on the proposed site until the applicant receives an approved homesite lease.

B. A homesite lease shall not be issued if it is to be located within the boundaries of a mission site lease, other homesite lease, business site lease or area designated for business development, or other land withdrawals intended for community development or other purposes.

C. A homesite lease shall not be issued if it is located within 750 feet of a major highway right-of-way (14 NNC §1200. Chapter: Zoning Sides of Highways and NNC Resolution CM-9-50).

D. A homesite lease is required prior to transporting mobile homes or any other structures intended for use as a home onto the Navajo Nation. A transportation permit must be obtained from the NLD before any mobile home or other structure enters Navajo Trust or Fee Lands (See Fee schedule). Failure to obtain a permit will result in a civil violation and fees will be assessed.

E. The homesite lease premises may be fenced to avoid land disputes, control animals, ingress/egress, and define boundaries.

F. Homesite lease premises shall not be used for any unlawful conduct or purpose, including but not limited to bootlegging, illegal fund raising activities such as gaming (Bingo hall), dance hall, and other illegal drug activities. Any and all illegal activities conducted on the homesite lease premises shall be considered a breach of the terms of the homesite lease.

G. Lessee is prohibited from establishing a mobile home park or renting structures not designed as the primary residence within a homesite lease.

H. Lessee is prohibited from establishing more than one home building improvement as the primary residential structure, or mobile home within the leased premises. Lessee shall prohibit family members or others from establishing additional homes or mobile homes within the leased premises regardless of whether the premises is within a subdivision or a rural area.

I. The land encumbered by a homesite lease cannot be sold but the lease can be transferred or assigned to another qualified homesite lease applicant through the NLD upon payment to lessee for expenses incurred to establish the prior lease. For such transfers or assignments, the permanent improvements may be sold to the transferee or assignee at fair market value, or subject to the terms of any mortgages(s) or Deed of Trust or purchase agreement.

J. Modern burial sites and graves are prohibited within the homesite lease premises. All burial sites should be in a community approved cemetery. See Resources Resolution No. RCD-216-99.

K. Livestock and corrals are prohibited within the homesite lease premises, except as properly permitted by the District Grazing Committee or Land Board.

L. Lessee may operate a home based business on lease premises; however, the Lessee shall obtain a permit from the Division of Economic Development Business Regulatory Department to do business on an approved homesite lease. The Lessee shall adhere to the Navajo Nation environmental laws and other compliance requirements under 23 N.N.C. §§ 2384 (A), (B), and (C) (Resolution CO-53-13) and shall not be disruptive to the adjacent residence(s).

M. Lessee shall not place a store front signage on the homesite lease and no hiring of employees to operate a home based business.

SECTION 18.00// HOMESITE LEASE ENFORCEMENT

18.01 Purpose: NLD shall have at least one Compliance Officer per Agency to enforce the provisions of these Homesite Lease Regulations. The Compliance Officer is authorized to conduct investigations, draft findings, coordinate with Navajo Nation departments and programs, including the Department of Agriculture, Rangers, Forestry, EPA, Police, Department of Justice, Fish & Wildlife, and BIA, and make disposition recommendations to the NLD Manager. It is the policy of the NLD to work collaboratively with homesite lessee(s) to resolve compliance issues prior to resorting to litigation and termination of the lease.

18.02 Homesite Lease Request for Investigation: Written requests for investigation of homesite lease compliance matters can be submitted to the appropriate NLD Agency Office. All complete and valid requests for investigation of homesite lease compliance matters shall be forwarded to the Compliance Officer. Within thirty (30) days of receipt, the Compliance Officer will review the request and determine whether it warrants investigation. The Compliance Officer shall provide written notice to the requesting party indicating whether the request for investigation will be granted.

18.03 Investigations: All investigations performed by the Compliance Officer shall be completed within ninety (90) days from the date of submission of the Homesite Lease Investigation Form. The NLD Compliance Officer will conduct an investigation based on the information contained in the Request for Investigation submitted to NLD. The Compliance Officer shall interview individuals, conduct research, and collect all pertinent documentation. The Compliance Officer is authorized to obtain the assistance of other Navajo Nation Departments, Bureau of Indian Affairs, and/or other governmental entities while conducting an investigation.

18.04 The Compliance Officer shall submit a detailed written investigation report containing the findings from the investigation. The Compliance Officer shall submit this report to the NLD Manager with any recommendations.

18.05 The NLD Manager shall review the Compliance Officer's report and take appropriate action based on the information and recommendation of the Compliance Officer within thirty (30) days. NLD shall keep official records of all documents.

18.06 Where the designated Compliance Officer cannot perform his or her duty due to conflict of interest, another Compliance Officer from a different NLD Agency Office will be assigned to investigate. Conflicts of interest can be defined as any situation in which the Compliance Officer is in a position to exploit a professional or official capacity in some way for his/her personal or occupational benefit.

18.07 There are many actual homesites with improvements (corrals and buildings) that exceed the one (1) acre size limitation. To gain compliance, enforcement actions may authorize the enlargement of an existing Homesite Lease, not to exceed an additional one (1) acre, to bring existing residential improvements within the bounds of the lease premises. Additional lease adjustment fees or rent or both will apply to enlarged Homesite Leases as set forth in the Fee Schedule.

SECTION 19.00// PRIOR APPROVED HOMESITE LEASE

19.01 All previously approved leases with active terms shall remain valid, provided that the lease is in good standing. These lease agreements include the following homesite lease forms: 1) 201-65 [July 1962]; 2) 200A [May 1979]; 3) 200C [May 1994]; 4) 200C [April 1996]; 5) 200RL [April 2000]; 6) 200UL; and 7) 200NL [May 2001].

SECTION 20.00// HOUSING FOR PUBLIC PURPOSES MASTER LEASE

20.01 Application Procedures. A Housing for Public Purposes Master Lease application shall be submitted to the NLD or at one of its agency sub-offices. A completed Housing for Public Purposes Master Lease application shall consist of the following:

A. Housing for Public Purpose Master Lease Application. The TDHE or Housing Subdivision Developer applicant must complete and submit a Housing Subdivision Master Lease Application with the following information attached to the application.

1. Certification of Compliance: The TDHE or Housing Subdivision Developer shall submit a Certificate of Compliance stating that all of the requirements of the Land Withdrawal Designation Regulations have been completed.

2. Key documents: Copies of key documents listed in the Land Withdrawal Designation Procedures.

B. Environmental Review Clearance: The TDHE or Housing Subdivision Developer shall conduct the necessary environmental reviews to ensure compliance with federal and tribal environmental requirements for the following:

1. New Homesite Lease Application for TDHE or Housing Subdivision Developer Clients, as applicable;

2. New Subdivision Master Lease Application for TDHE or Housing Subdivision Developer; and

3. Existing Subdivision Master Lease for TDHE or Housing Subdivision Developer, as applicable.

20.02 FINAL APPROVAL.

Upon verification for quality assurance by the NLD Agency Offices, the Housing for Public Purposes Master Lease Application package will be submitted to the NLD Manager or authorized designee who will give final approval on behalf of the Navajo Nation. The NLD will submit the appropriate approved documents to the respective Bureau of Indian Affairs, Agency Real Estate Services, for recording.

20.03 Homesite Lease issuance within existing Housing Subdivision:

A. A Housing Subdivision which is subject to a Master Lease for housing for public purposes, where development has taken place and which is ready for issuance of individual homesite leases to applicant(s), shall be classified as a "developed area."

B. Within a "developed area" only this Section 20 shall be used and the other application procedures and requirements of this regulation shall not apply. A Housing Subdivision for public purposes may develop and use its own application form subject to the approval of the NLD.

C. The TDHE or Housing Subdivision Developer, as applicable, shall

assist its homebuyers and ensure compliance with the lease application requirements for the issuance of individual homesite leases to applicant(s) within the housing subdivision. The TDHE or Housing Subdivision Developer, as applicable, will prepare and submit the individual homesite lease applications to the NLD for its final approval. PROVIDED, however, that existing Housing Subdivisions or developed areas subject to existing homesite leases or assignments of lease for developed lots shall continue to be encumbered by the provisions and covenants of the existing homesite lease or assignment of lease for the residential improvement and lot.

D. An individual homesite lease within a subdivision shall start a new term from the date of issuance by the NLD. The term of the Housing Subdivision Master Lease shall be separate and independent of any individual homesite lease issued by the NLD within the housing subdivision.

E. Where there are rules and regulations related to the Housing Subdivision, special conditions or charges for the occupation of Homesite Leases within the subdivision, Land Use Restrictions, or a Declaration of Covenants, Conditions and Restrictions, the individual applicant(s) will be provided with a copy of those documents by the TDHE or Housing Subdivision Developer, as applicable, and the existence of the restrictions will be referenced on the individual Homesite Lease.

F. The holder of a Housing Subdivision Master Lease shall be the TDHE or Housing Subdivision Developer, as applicable. The TDHE or Housing Subdivision Developer, as applicable, specified in the governing documents for the Housing Subdivision identified in Section D above, and not the NLD, shall be responsible for monitoring and enforcement of the restrictions in the housing unit.

20.04 Additional Application Requirements.
A. Highway Access: If access to a highway is required for ingress and egress, the proposed master lease applicant will contact the appropriate office or the Department of Transportation for highway access clearance.

SECTION 21.00// PRIVACY ACT

21.01 NLD shall not disclose any personal records or information which are contained in any system of records by any means of communication to any person, or to another agency, except pursuant to authorized disclosures, Conditions of Disclosure, and Privacy Exemptions of the Privacy Act of 1974 (Public Law 93-579), 5 U.S.C. § 552(A), and the Navajo Nation Privacy Act, Resolution No. CAP-48-99.

SECTION 22.00// DEFINITIONS

22.01 ABANDONMENT: The failure to develop the leased premises for a two (2) year period or one (1) year period for vacant lots within a subdivision. The failure to develop means, the failure to construct or establish a dwelling or other improvements (fencing, landscaping, laying a foundation).

22.02 ACRE: A tract of land that measures 43,560 square feet.

22.03 ADULT: A person who is 18 years of age or older.

22.04 AGRICULTURAL LAND USE PERMIT: A permit for farming purposes on Navajo Nation trust land.

22.05 APPEAL BOND: A bond posted upon filing of an appeal. A guarantee of a certain sum of money sufficient to protect the financial interest of the Navajo Nation pending the outcome of any appeals provided for under the General Leasing Regulations.

22.06 APPROVING OR APPROVAL: The final action taken by the Navajo Nation to issue the homesite lease (Written authorization by the Secretary, Land Department or a delegated official or, where applicable, the "deemed approved" authorization of an amendment or sublease).

22.07 APPROVED ENCUMBRANCE: An encumbrance approved in writing by the Lessor.

22.08 ASSIGNMENT: An agreement between a lessee and an assignee, whereby the assignee acquires all of the lessee's rights, and assumes all of the lessee's obligations under a lease.

22.09 ASSIGNEE: The person to whom the homesite lease is assigned.

22.10 ASSIGNOR: The person who is assigning his/her homesite lease.

22.11 BIA: The Bureau of Indian Affairs (BIA) within the Department of the Interior and any tribe acting on behalf of the Secretary of the Department of Interior or Bureau of Indian Affairs under 25 CFR § 162.018.

22.12 CANCELLATION: Action to end a lease.

22.13 CERTIFICATE OF NAVAJO INDIAN BLOOD: Valid and up-to-date document issued by the Navajo Nation Vital Records Office evidencing enrollment in the Navajo Nation.

22.14 COGNIZANT AGENCY: For purposes of environmental review: the Navajo Nation Environmental Protection Agency and the Navajo Nation Departments of Historic Preservation and Fish and Wildlife; and in some instances Forestry, Minerals, Parks and Recreation; and any successor or equivalent Navajo Nation agencies with authority for environmental compliance review.

22.15 COLLATERAL ASSIGNMENT: An assignment of leasehold interests to secure a loan, mortgage, or deed of trust to finance development of the homesite or to purchase an existing house situated on a homesite lease.

22.16 COMMUNITY PROPERTY: Any property that is acquired by husband or wife during a marriage that is not separate or gift property to either the husband or wife. Community property principles will govern the distribution of the marital property upon dissolution of marriage in a fair and just manner, and may govern distribution of property upon the death of one spouse in accordance with 9 N.N.C. § 205.

22.17 COMPLIANCE DETERMINATION: The final action determination of the Environmental Reviewer that the proposed leasing action complies or does not comply with the Environmental Review Process set forth in sub-chapter 8 of the Navajo Nation General Leasing Regulations of 2013.

22.18 CONFLICT OF INTEREST: A conflict between public obligation and private interest that will not allow the pertinent official to discharge their duty in an unbiased manner.

22.19 CONSENT OR CONSENTING: The act of written authorization by a person empowered to agree, permit and approve the grant of a homesite lease within their grazing pasture or area by the Grazing Official and Grazing Permittee(s).

22.20 DAY: A calendar day, unless otherwise specified.

22.21 DEED OF TRUST: A deed conveying the leasehold interest of lessee (trustor) to a trustee as security until the lender (beneficiary) is repaid a loan. In the event of breach in repayment of the loan, the deed trustee is empowered to foreclose on the lease hold interests and improvements and resell the property in a commercially reasonable manner.

22.22 DELEGATION OF AUTHORITY: Where, upon approval of the Resources and Development Committee of the Navajo Nation Council, or its successor, authority of the Committee is delegated to a subdivision of Navajo Nation government to approve grants of homesite leases, and their assignment, transfer, or other lawful disposition. Said authority may also be delegable pursuant to the Local Governance Act, 26 N.N.C. §§ 1- 2005, as amended, or other relevant Navajo Nation law.

22.23 IMPROVEMENT: Any structure; home, building, or fencing of sur-

veyed tract, such as building a shack, ramada, storage shed, foundation constructed for a residential purpose.

22.24 EGRESS: The act of going out or leaving; exit.

22.25 ENCUMBRANCE: Any indenture or proper court order that restricts the ability of lessee to freely, unilaterally further dispose of the leasehold, such as with a collateral assignment of lease under a mortgage, deed of trust or other instrument, which secures a debt or burdens the lease by restriction of uses or alters use rights of lessee or lessor.

22.26 ENCUMBRANCER: The owner or holder of an approved encumbrance.

22.27 ENVIRONMENTAL ASSESSMENT: The study of environmental and social impact upon the quality of the human environment as required by Federal laws.

22.28 EMINENT DOMAIN: The power of a sovereign government to take property for public use with notice and payment of fair and just compensation to the permittee or lessee.

22.29 FAIR MARKET RENTAL: The amount of rental income that a leased tract of Indian land would return to the Lessor as an investment in an open and competitive market, or as determined by competitive bidding.

22.30 FEE INTEREST: An interest in land that is owned in unrestricted fee status, and is thus freely alienable by the fee owner.

22.31 FEE LAND: Unrestricted lands owned by the Navajo Nation in fee simple, which are subject to taxation by the state government.

22.32 FIELD CLEARANCE: Identification of the affected grazing permittees within a proposed homesite location by the Grazing Committee Member, and consent by permittee to the use of land for a homesite.

22.33 GRAZING OFFICIAL (GO) OR LAND BOARD OFFICIAL (LBO): The elected Navajo Nation Official responsible for grazing or farming and land matters within their assigned respective district unit boundary. Such grazing official shall mean the District Grazing Committee Member, Eastern Navajo Land Board Member, or Farm Board Member.

22.34 GRAZING PERMIT: All livestock grazed on Navajo lands must be covered by an authorized grazing permit issued by the Superintendent or BIA based upon the recommendation of the District Grazing Committee. A Grazing Permit does not grant fee simple land ownership of the real estate, but, rather authorizes grazing use.

22.35 HOLDOVER: Circumstances in which a lessee remains in possession of the leased premises after the lease term expires.

22.36 HOMESITE LEASE APPLICANT: Eligible individual(s) who applied for a homesite lease on Navajo Nation trust or fee land but have not yet received approval of a grant of a homesite lease.

22.37 HOMESITE LEASE: A written document that grants a property interest in the use and disposition of the surface of real estate by lessee, and a bilateral contract with lessor that is approved by the Navajo Nation to lease one (1) acre or less of Navajo Nation trust or fee land for residential purposes for 75 years.

22.38 HOUSING FOR PUBLIC PURPOSES: Multi-family developments, single-family residential developments, and single-family residences, administered by a tribe or a tribally designated housing entity; or substantially financed using tribal, federal, or state housing assistance program funds.

22.39 HOUSING SUBDIVISION: A lease area for which a Master Lease is issued for multi-family development, single-family residential development, or housing for public purposes. It is an area where individual lots have been so designated, and where infrastructure (streets, electricity, sewer and water) have been provided in anticipation of issuing homesite leases to individual applicants within the Subdivision."

22.40 INFRASTRUCTURE: The basic improvements, facilities and utilities needed for the functioning of a home or dwelling; such as waterline, power line, telephone, sidewalks, housing subdivision parks or playgrounds, and roads.

22.41 INGRESS: The act of going in or entering, the right to enter; a means of entering; entrance.

22.42 INTEREST: When used with respect to Indian land: An ownership right to the surface estate of Indian land.

22.43 JOINT TENANCY WITH RIGHT OF SURVIVORSHIP: Property held by two or more persons jointly, with equal rights to possession and enjoyment during their lives. Under the doctrine of survivorship, the entire estate, upon the death of one of the joint tenants, goes to the survivor without the need to probate the descendant's estate. This shall not apply to married couples involving a Non-Navajo spouse.

22.44 LAND STATUS: The current type of land or disposition or management of the real estate and surface use rights.

22.45 LEASE: A written agreement between the lessor and a lessee, issued under these Regulations as authorized by 25 U.S.C §§ 415 (a) or (e). The lessee is granted a right to possess Navajo Nation Trust Land for a specific purpose and limited duration.

22.46 LEASING DECISION: In the context of the environmental review process; means the following types of lease transactions that will be acted upon by the Navajo Nation or its delegated political subdivision: 1) Issuance of a lease; 2) Amendment or modification of a lease; 3) Assignment or transfer of a lease; and 4) Granting of a Sublease as applicable.

22.47 LEASE DOCUMENT: A lease, amendment, assignment, sublease, or leasehold mortgage.

22.48 LEASEHOLD INTEREST: Claim or right to enjoy the exclusive possession and use of an asset or property for a stated definite period, as created by a written lease.

22.49 LEASEHOLD MORTGAGE: A mortgage, deed of trust, or other instrument that pledges a lessee's leasehold interest as security for a debt or other obligation owed by the lessee to a lender or other mortgagee.

22.50 LESSEE: An individual or individuals who has or have a finalized homesite lease approved by the Navajo Nation.

22.51 LESSOR: The Navajo Nation or its duly authorized designee, the Navajo Land Department (NLD) Manager.

22.52 LIFE ESTATE: An interest in property held only for the duration of a designated person's life. A life estate may be created by a conveyance document or by operation of law.

22.53 LTRO: Land Titles and Records Office of the BIA. This office records all title to types of surface estates granted on the Navajo Nation.

22.54 MORTGAGEE: The holder of a leasehold mortgage.

22.55 NAVAJO: Any person who is an enrolled member of the Navajo Nation.

22.56 NAVAJO LAND: All lands held in trust for the Navajo Nation; land title which is restricted in favor of the Navajo Nation; Navajo controlled lands (when NN approves use of the property); and Navajo Fee lands.

22.57 NAVAJO NATION: The Navajo Nation Government.

22.58 NAVAJO NATION TRUST LAND: The surface estate of land or any

interest therein held by the United States in trust for the Navajo Nation; land held by the Navajo Nation and subject to federal restrictions against alienation or encumbrance; land held by the United States in trust for a Navajo Nation corporation chartered under Section 17 of the Indian Reorganization Act.

22.59 NON-NAVAJO: A person who is not an enrolled member of the Navajo Nation.

22.60 NAVAJO FOREST: All Navajo Nation controlled lands supporting specific species of trees with a specific density or crown closure, as defined in 17 N.N.C. § 520 (H).

22.61 NAVAJO WOODLAND: All Navajo controlled lands supporting specific species of trees with a specific density or crown closure, as described in 17 N.N.C. § 520 (I).

22.62 NEPA: The National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq.

22.63 PERMANENT IMPROVEMENTS: Buildings, structures, and associated infrastructure attached to the leased premises.

22.64 PERMIT: A written authorization or license granted by the Navajo Nation whereby the permittee is granted a use or revocable use privilege to use Navajo Nation Trust Land for a specified purpose and limited duration.

22.65 PERMITTEE: A person or entity who has acquired a privilege to use Navajo land or federal land by a permit.

22.66 PETITION: A written request submitted to the Secretary for the review of an action or inaction of the Navajo Nation that is claimed to be in violation of these Regulations. Petition may only be submitted within thirty (30) days after exhausting all remedies available on the Navajo Nation.

22.67 PROFESSIONAL SURVEYOR: A surveyor who engages in the practice of land surveying and is qualified to undertake such practice as confirmed by legal certification registration and licensure as a professional surveyor. The Surveyor must be registered with the respective state where he/she practices land surveying (Arizona, New Mexico, and/or Utah).

22.68 PROBATE: The legal action by a court of competent jurisdiction of distributing property of the decedent and the closing of his or her estate.

22.69 REGULATIONS: Homesite Leasing Regulations Amendments of 2015.

22.70 RELATIVE: A father, mother, son, daughter, brother, sister, grandmother, grandfather, uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half-brother, half-sister or legally adopted persons by court order.

22.71 RESTRICTED LAND: Land where the beneficial title to which is held by the Nation or an Individual Indian, that can only be alienated or encumbered by the beneficial owner; or, if encumbered by a homesite lease, by the lessee, with the approval of the Navajo Nation.

22.72 RIGHT-OF-WAY: A property right which may or may not be attached to the land, to use for a purpose unrelated to residential use, such as strips of land for roadways, railroads, power line, oil and natural gas lines, telephone lines, waterlines, and other utility distribution service lines.

22.73 SECRETARY: The Secretary of the Interior or his duly authorized representative or successor.

22.74 SIGNIFICANT IMPACT: A determination that an action will have a significant effect on the quality of the human environment after considering the following:

1) Effects on public health and safety;
2) Effects on the unique characteristics of the geographic areas, including its historic or cultural resources, park lands or ecologically critical areas;
3) Highly controversial effects on the human environment;
4) Highly uncertain or unknown effects on the human environment;
5) Effects in terms of precedent for future actions with significant effects;
6) Effects that may be individually insignificant, but when considered with other projects, have a significant impact on the environment;
7) Effects that cause loss or destruction of scientific, cultural, or historical resources; and
8) Effects on endangered or threatened species or habitat protected under Navajo Nation or federal law.

22.75 SINGLE-FAMILY RESIDENCE: A building with one dwelling unit on a tract of land under a single residential lease, or as defined by applicable tribal law or other tribal authorization.

22.76 SINGLE-FAMILY RESIDENTIAL DEVELOPMENT: Two or more single-family residences owned, managed, or developed by a single entity.

22.77 SUBLEASE: A written agreement by which the lessee grants a right of possession no greater than that held by the lessee under the Lease.

22.78 SURETY: One who guarantees the performance of another's performance of an undertaking, for example payment of a debt.

22.79 SURFACE USE: The right or privilege to utilize the external layer of land for various types of land use.

22.80 SURVEYOR: The Navajo Nation Official responsible for providing a legal land description of the leased premises by drafting a survey plat from data concerning a portion of the earth's surface by length, direction of boundary lines, and contour of the surface. This person is a professional and licensed surveyor.

22.81 TRIBALLY DESIGNATED HOUSING ENTITY (TDHE): A TDHE is a tribally-sponsored or tribally sanctioned not-for-profit entity, or limited partnership or other entity organized for the purpose of developing or improving low-income housing utilizing tax credits pursuant to 25 U.S.C. 4103(22).

22.82 TENURE: The time of holding real estate.

22.83 TENANCY IN COMMON: Property held by two or more persons jointly, with equal rights to possession and enjoyment during their lives. However, unlike joint tenancy, when one co-tenant dies, the surviving co-tenant does not succeed to the decedent's interest. Rather, the decedent's fractional interest in the property must be probated.

22.84 TERMINATION: To end one's interest in a Homesite Lease by default or mutual consent or valid court order and allowing such interest to revert back to the Navajo Nation.

22.85 TRESPASS: Unauthorized possession, occupancy or use of Navajo Nation Trust Land as defined by Navajo Nation or federal law.

22.86 UNRESTRICTED LAND: Lands where title is held by the Navajo Nation in fee simple absolute status, and the Nation is not required to obtain the approval of the Federal government to render further disposition or use of the land.

22.87 VIOLATION: A failure by Lessee to comply with an obligation created by the Lessee agreement to take an action, including payment of compensation, or to fail to comply with a term of the lease.

22.88 WATERING POINT: All tribally developed and maintained springs, wells, and dirt tanks, charcos or deep reservoirs.

FEES AND PENALTIES

HOMESITE LEASE APPLICATION FEE; PENALTIES AND FINES FEE SCHEDULE

1. HOME SITE LEASE APPLICATION FILING FEE:	$30
a. Assignment	$45
b. Amendment	$45
c. Termination	$45
2. ANNUAL FEE	$12
3. HOME SITE LAND USE ADJUSTMENT FEE	
One (1) acre	**$2,000** (one time payment)
Half ½ acre	**$1,000** (one time payment)
4. ADDITIONAL LAND USE PLUS RENT FEE	
One (1) acre — $27 + $12 = $39 x 75 years =	$2,925
Half ½ acre — $13 + $12 = $25 x 75 years =	$1,875
5. ARCHAEOLOGICAL SURVEY (Fees to be established by services provider).	
6. RESURVEY FEE	$350
7. RE-TIE SURVEY FEE	$350
8. HOME SITE APPLICATION DISPUTE FILING FEE	$65
9. TRANSPORTATION PERMITS FEE	$30
10. LAND SURVEYOR PERMIT FEE	$30

PENALTIES AND FINES

• Warning citation	(No fee)
• 2nd Citation	$100
• 3rd Citation (Penalties with trespassing)	$200
• 4th Citation	$500
1. Illegal Parking of Trailer/Mobile Home (Fees will apply until the Tenant comes into compliance)	$200 per month
2. Storage Sheds, corrals, etc., without a lease/permit (Fees will apply until the Tenant comes into compliance)	$200 per month
3. Illegal burial open range locations (Fees will apply annually until the illegal burial sites comes into compliance)	$500 per incident

4. Environmental Valuation is enforced by Navajo EPA (Junk cars/household trash).

SUB-OFFICES DIRECTORY

Navajo Land Department Homesite Lease Sub-Offices Directory

MAIN OFFICE

W. MIKE HALONA, DEPARTMENT MANAGER III
NAVAJO LAND DEPARTMENT
PO BOX 2249
WINDOW ROCK, AZ 86515
(928) 871-6401 FAX: (928) 871-7039

CROWNPOINT LAND OFFICE

PO BOX 948
CROWNPOINT, NM 87313
(505) 786-2376 FAX: (505) 786-2380

SHIPROCK LAND OFFICE

PO BOX 208
SHIPROCK, NM 87420
(505) 368-1120 FAX: (505) 368-1123

CHINLE LAND OFFICE

PO BOX 2179
CHINLE, AZ 86503
(928) 674-2056 FAX: (928) 674-2059

FT. DEFIANCE LAND OFFICE

PO BOX 2249
WINDOW ROCK, AZ 86515
(928) 871-6523 FAX: (928) 871-7039

TUBA CITY LAND OFFICE

PO BOX 3309
TUBA CITY, AZ 86045
(928) 283-3194 FAX: (928) 283-3197

CHECKLIST FOR HOMESITE LEASE (HSL) APPLICATION

Application that lacks any required information will be considered incomplete and will NOT BE ACCEPTED.

Homesite Lease Application Requirements

- ☐ 1. Please read the Eligibility Requirements before filling out the HSL Application. Applicant(s) must use blue or black ink to complete all application forms. NO WHITE OUT.
- ☐ 2. Original and up-to-date **Certificate of Navajo Indian Blood,** which can be obtained from the Agency Vital Records. Name(s), Date of Birth, census number(s) and signature(s) must correspond with the information shown on the Certificate of Navajo Indian Blood.
- ☐ 3 For joint applicants, valid **marriage license**.
- ☐ 4 **HSL Application**: Applicant must read and acknowledge Page 2 of HSL Application; **FORM 1**: Applicant must complete Page 4, Sections 1 and Coordinate with Grazing Officer/Land Board Member to complete Section 2 of **FORM 1** on page 4.
- ☐ 5 **FORM 2 - Consent Form(s):** Coordinate with grazing permittee(s) listed on the **"Field Clearance Certification"** to complete the "Consent Form(s)", if required. Obtain Grazing Official/Land Board Member signature after the grazing permittee(s) have completed the consent form.
- ☐ 6 **Receipt** showing payment for an Archaeology Inventory Report to be performed by a private archaeologist contractor.
- ☐ 7 **Receipt** showing payment for a certified land survey plat to be performed by a private registered land surveyor contractor.
- ☐ 8 **Submit** to Agency Navajo Land Offices for **Environmental Review Form.**
- ☐ 9 **$30.00** money order payable to the Navajo Nation for HSL Application non-refundable application fee.
- ☐ 10 Complete the Biological Data Request Form at the Agency Land Sub-Offices to be submitted to Dept. of Fish & Wildlife electronically.

Grazing Official/Land Board Member Responsibilities

- ☐ 1 **FORM 1 - HSL Application**: Complete Section 2 of HSL Application on Page 4. Physically verify the proposed Homesite location utilizing a hand-held Global Positioning System (GPS) unit by reading the Latitude/Longitude coordinates [North American Datum 1983 (NAD83)] identifying the center point of the proposed homesite location. Verify the biological map area/zone.
- ☐ 2 **FORM 2 - Field Clearance Certification:** Identify all grazing permittees who are directly affected and impacted by the proposed homesite location identified in Section 2 of the HSL Application. Complete Field Clearance Certification before applicant can obtain written consent from the individuals identified on the Field Clearance Certification. Verify whether proposed homesite is within Navajo forest or woodlands, an area withdrawn for community development or conflicting land use plan, within a designated 750 feet corridor of highway right-of-way, a half mile of a Navajo Nation or other permanent livestock waters.
- ☐ 3 **FORM 3 - Consent Form:** After the applicant obtains written consent from the permittees listed on the Field Clearance Certification, applicant shall provide the signed Consent Form(s) to the GO for verification of signature.

Submit Completed Application to the Navajo Land Sub-Office

Navajo Land Office, Post Office Box 2179, Chinle, AZ 86503	caroldale@frontiernet.net	(928) 674-2056
Navajo Land Office, Post Office Box 948, Crownpoint, NM. 87313	annawillie@dinebikeyah.org	(505) 786-2376
Navajo Land Office, Post Office Box 208, Shiprock, NM 87420	toniasam@dinebikeyah.org	(505) 368-1120
Navajo Land Office, Post Office Box 3309,Tuba City, AZ 86045		(928) 283-3194
Navajo Land Office, Post Office Box 2249, Window Rock, AZ 86515	suzannenos@dinebikeyah.org	(928) 871-6523

Homesite Lease Regulations and HSL Application can be downloaded *FREE* from Navajo Land Department website: www.dinehbikeyah.org. Hard copies are available at Navajo Nation Records Management Office (264 Highway), Tse Bonito, NM. (505) 371-5113.

HOMESITE APPLICATION FORM

ELIGIBILITY REQUIREMENTS

1 The Navajo Nation shall not deny an application for a homesite lease based on the applicant's sex, religious association, clan membership, political philosophy, personal grudges, chapter affiliation, income, education, public or private status, or tribal affiliation so long as the applicant meets all requirements required by law.

2 Applicant(s) must be over 18 years of age.

3 An applicant can apply for only one homesite lease, with such withdrawal limited to one (1) acre or less of tribal trust or fee land, excluding withdrawals of lands for residential subdivisions and other types of withdrawals, pursuant to 2 N.N.C. § 501.

4 Applicant must be an enrolled member of the Navajo Nation, however, a non-member of the Navajo Nation who is legally married to an enrolled member of the Navajo Nation may be eligible through joint husband-wife application, with proof of such legal marriage, by issuance of a valid marriage license under the laws or jurisdiction of the Navajo Nation or any State.

ACKNOWLEDGEMENT

I, (We), acknowledge and understand the homesite lease restrictions and conditions set forth by

1. A Homesite Lease is intended for residential purposes only. All other non-residential uses are prohibited.
2. Homesite lease area shall not be used as a business site, mission site, grazing permit, bingo hall, dance hall, abandoned vehicle storage, or any fund raising activities. Lessee may not charge rent, sublease, lease or act as a landlord within a homesite lease premises.
3. Applicants shall not disturb or commence construction activities on the proposed site until the applicant receives an approved homesite lease. Be advised the Federal Laws may restrict or null application.
4. Homesite lease may be fenced to avoid disputes; animal control; and for ingress and egress.
5. A finalized homesite lease is required prior to transporting mobile homes onto the Navajo Nation and a transportation permit must be obtained from the Navajo Land Department for a fee before any mobile homes enter the Navajo Trust or Fee Land.
6. Lessee shall maintain the lease premises in a safe and sanitary condition. All solid waste, hazardous waste materials such as non-operational vehicles, barrels, etc., must be disposed at approved sanitary landfill or transfer station. Lessee shall present a good appearance both inside and outside of the lease premises.
7. The Lessee's finalized Homesite Lease shall be available upon full payment of one (1) year ($12 annual payment) payable in money order to the Navajo Nation and shall be paid at the Navajo Land Department.
8. A homesite application is not a homesite lease, therefore, it is not transferable by assignment or court order.
9. Lessee shall not use or cause to be used any part of the homesite lease premises for any unlawful conduct or purpose, including but not limited to bootlegging, gaming, and other illegal drug activities. Any illegal activities conducted on the homesite lease premises shall be considered a breach of the terms of the homesite lease.
10. Burials sites are prohibited within the homesite lease premises. See Resources Resolution No. RCD-216-99.
11. Livestock and corrals are prohibited within the homesite lease premises.
12. Homesite leases cannot be sold, but may be transferred or assigned to another qualified homesite lease applicant through the NLD For such transfers or assignments, the permanent improvements must be sold to the transferee or assignee at fair market value, subject to the terms of any mortgage(s). For the sale of permanent improvements located on a homesite lease, such sales must also include the transfer or assignment of the homesite lease where the improvement is located.
13. Is the proposed homesite lease within a designated 750 feet corridor of a highway from the Right-of-Way.

Applicant	Date
Applicant	Date

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HOMESITE APPLICATION FORM

FOR JOINT APPLICANTS ONLY (CHOOSE ONLY ONE)

_____ **Joint Tenancy with Right of Survivorship:**
Initial Property held by two persons jointly, with equal rights to possession and enjoyment during their lives. Under the doctrine of survivorship, the entire estate, upon the death of one of the joint tenants, goes to the survivor without the need to probate the descendant's estate. This shall not apply to married couples involving a Non-Navajo spouse. **NO PROBATE REQUIRED, HOMESITE GOES TO SURVIVING PERSON.**

_____ **Tenancy in Common:**
Initial Property held by two persons jointly, with equal rights to possession and enjoyment during their lives. However, unlike joint tenancy, when one co-tenant dies, the surviving co-tenant does not succeed to the decedent's interest. Rather, the decedent's fractional interest in the property must be probated. **PROBATE REQUIRED, COURT WILL MAKE DECISION, ATTORNEY FEES INVOLVED.**

_____ **Community Property:**
Initial Any property that is acquired by husband or wife during a marriage that is not separate or gift property to either the husband or wife. Community property principles will govern the distribution of the marital property upon dissolution of marriage in a fair and just manner, and may govern distribution of property upon the death of one spouse in accordance with 9 N.N.C. § 205. **PROBATE REQUIRED, COURT WILL MAKE DECISION, ATTORNEY FEES INVOLVED.**

The above mentioned cotenancy has been explained to us. We acknowledge and understand the difference.

Signed this _____ day of _____, 20____.

_____ Applicant Signature

_____ Census Number

_____ Applicant Signature

_____ Census Number

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FORM 1

HOMESITE APPLICATION FORM
NAVAJO LAND DEPARTMENT

Page 4 of 6
EXHIBIT "C"

FOR OFFICE USE ONLY

HSL Application Form	☐	Consent Form (s)	☐	Cultural Resources Compliance Form	☐
Certificate of Indian Blood / ID	☐	GPS/UTM Coordinates	☐	Environmental Review Letter	☐
Marriage License	☐	Certified Land Survey Plat	☐	Biological Resource Clearance Form	☐
Non-Refundable $30.00 Filing Fee	☐	Topographic Map	☐	Reviewed by: _____	
Field Clearance Certification	☐	Archaeology Inventory Report	☐	Date: _____	

SECTION 1

I, (We) hereby apply for one (1) acre or less of Navajo Tribal Land for a homesite lease from the Navajo Nation for the purpose of developing a private dwelling for the term of seventy-five (75) years with option of renewal.

(Pursuant to CIB)

NAME: _____ CENSUS NO. _____ DOB: _____

NAME: _____ CENSUS NO. _____ DOB: _____

ADDRESS: _____

TELEPHONE NO.: ( ) _____ CELL: ( ) _____

MESSAGE: ( ) _____ EMAIL ADDRESS: _____

CHAPTER: _____ AGENCY: _____

COUNTY: _____ STATE: _____

GRAZING DISTRICT: _____

SECTION 2 - Grazing Officer/Land Board Member Responsibilities

Draw detailed map showing the location and direction to the proposed homesite. EXAMPLE: Milepost; State/County/Navajo Route #'s; Chapter House; Neighbors House/Hogan; Color of Structure(s), etc.

Biologicial Map Zone:	
BLUE/Area 3	☐
GRAY/Area 4	☐

Datum: NAD 83

Latitude: N Degree:_____ Minutes:_____ Second(s):_____

Longitude: W Degree:_____ Minutes:_____ Second(s):_____

N ↑

ACKNOWLEDGEMENT

_____ Grazing Official / Land Board Member

_____ Date

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FORM 2

FIELD CLEARANCE CERTIFICATION
To be completed by the Grazing Official / Land Board Member
(THIS IS NOT A CONSENT FORM)

SECTION 1 - Grazing Officer/Land Board Member Responsibilities

I, _____,Grazing Official / Land Board Member of Grazing Management District, _____ community of _____ Chapter have identified the following individuals as land use or grazing permittee(s) who directly affected by the proposed homesite development as illustrated and proposed by the following homesite applicant(s):

_____ Homesite Applicant (Print Name)

_____ Homesite Applicant (Print Name)

SECTION 2 - Grazing Officer/Land Board Member Responsibilities

According to my records and to the best of my knowledge, the list of the affected permittee(s) referenced includes all of the permitted land users who are directly affected / impacted by the proposed homesite development and reside within a 1/2 mile of the proposed site.

	NAME	CENSUS NO.	GRAZING PERMIT NO.
1.			
2.			
3.			
4.			
5.			

SECTION 3 - Grazing Officer/Land Board Member Responsibilities

1 Proposed Homesite is within the Navajo Partition Land (NPL): ☐

2 Proposed Homesite is within Navajo fee land: ☐

3 Are there any improvements(s) on the proposed homesite?
Roads: ☐ Trails: ☐ Power Line: ☐ Waterline: ☐ Others: _____

4 Is there a permanent structure on the proposed site (*House*)? YES ☐ NO ☐

5 If yes, when was the house built? _____ (*Year*)

6 Does the applicant now live in the house? YES ☐ NO ☐

7 Is the proposed homesite within a designated 750 feet corridor of the highway from the right-of-way? If yes, applicant must select a new site.

8 Is the proposed homesite within an area withdrawn or otherwise obligated for community development purposes or otherwise in conflict with a local land use plan and/or ordinance? If yes, applicant must select a new site.

9 Is the proposed homesite within the Navajo forest or woodlands? If yes applicant to contact the Navajo Nation Forestry Department and obtain an approval letter.

10 Is the proposed homesite within a half mile of a Navajo Nation or other government developed permanent livestock water? If yes applicant to select a new site or request written authorization from District Grazing Committee.

11 Is the proposed homesite within a farm plot or areas with Agricultural Land Use Permits? If yes, applicant must select a new site.

_____ Grazing Official / Land Board Member

_____ Date

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FORM 3 **CONSENT FORM** **Page 6 of 6**
EXHIBIT "E"

CONSENT FORM FOR NAVAJO TRUST / FEE LAND

I, _____hereby grant consent to the Navajo Nation to

_____ and _____ to lease one (1) acre or less of Navajo Tribal Land within my permitted grazing land use area for residential and infrastructure (*waterline, electrical powerline extension, gas line, sewer, telephone)* development, including ingress and egress, purposes as illustrated and acknowledged by the Grazing Official/Land Board Member on Section 2 of the Homesite Lease Application FORM 1.

I, further waive any rights I have to be compensated for the diminishment in value of my permitted grazing land use rights as a result of the proposed homesite, ingress and egress, easements and rights-of-way for infrastructure services line development. I further waive any rights I may have to contest my consent.

Signed this _____ day of _____, 20____.

X _____
Permit Holder's Signature

Census #: _____

Thumbprint

Grazing Permit No.: _____

Date of Issue: _____

☐ Right
☐ Left

WITNESS: _____

ACKNOWLEDGED:

_____ Grazing Official / Land Board Member

_____ Date

_____ Chapter

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NNHP

HOME SITE BIOLOGICAL CLEARANCE FORM (HSBCF)
- REQUEST FORM -

*** IMPORTANT: PLEASE SUBMIT REQUESTS THRU YOUR AGENCY HSL OFFICE ***

HOMESITE LEASEE INFORMATION

FIRST NAME/LAST NAME:

MAILING ADDRESS:

CITY, STATE, ZIP:

PHONE NUMBER and/or Email:

CHAPTER NAME:	COUNTY & STATE OF HOMESITE:	AGENCY:

*** IMPORTANT: PLEASE SUBMIT REQUESTS THRU YOUR AGENCY HSL OFFICE ***

PLEASE CHECK MARK ONE OF THE FOLLOWING:

☐ **NEW HOMESITE LEASE.** Site is currently un-occupied by resident.

☐ **OCCUPIED HOMESITE LEASE.** Site is currently occupied by resident. Date occupancy began (Month/Year): _____

☐ **OTHER** (*this item filled in by HSL Office*): _____

- NLD OFFICE PLEASE COMPLETE -

PREPARED BY:

☐ CHINLE NLD

☐ CROWNPOINT NLD

☐ SHIPROCK NLD

☐ TUBA CITY NLD

☐ WINDOW ROCK NLD

☐ OTHER: _____

INDICATE RCP AREA #_____

FORM VERIFIED BY: (PLEASE INITIAL & DATE):

_____

- NNHP USE ONLY -

FILE#_____

RECEIVED BY:
☐ EMAIL ☐ DROP-OFF by: _____

DATE RECEIVED @ NNHP:

**** FORM CREATED BY NNHP updated 01/02/18 ****

CULTURAL RESOURCE CONSULTANTS-ARCHAEOLOGISTS

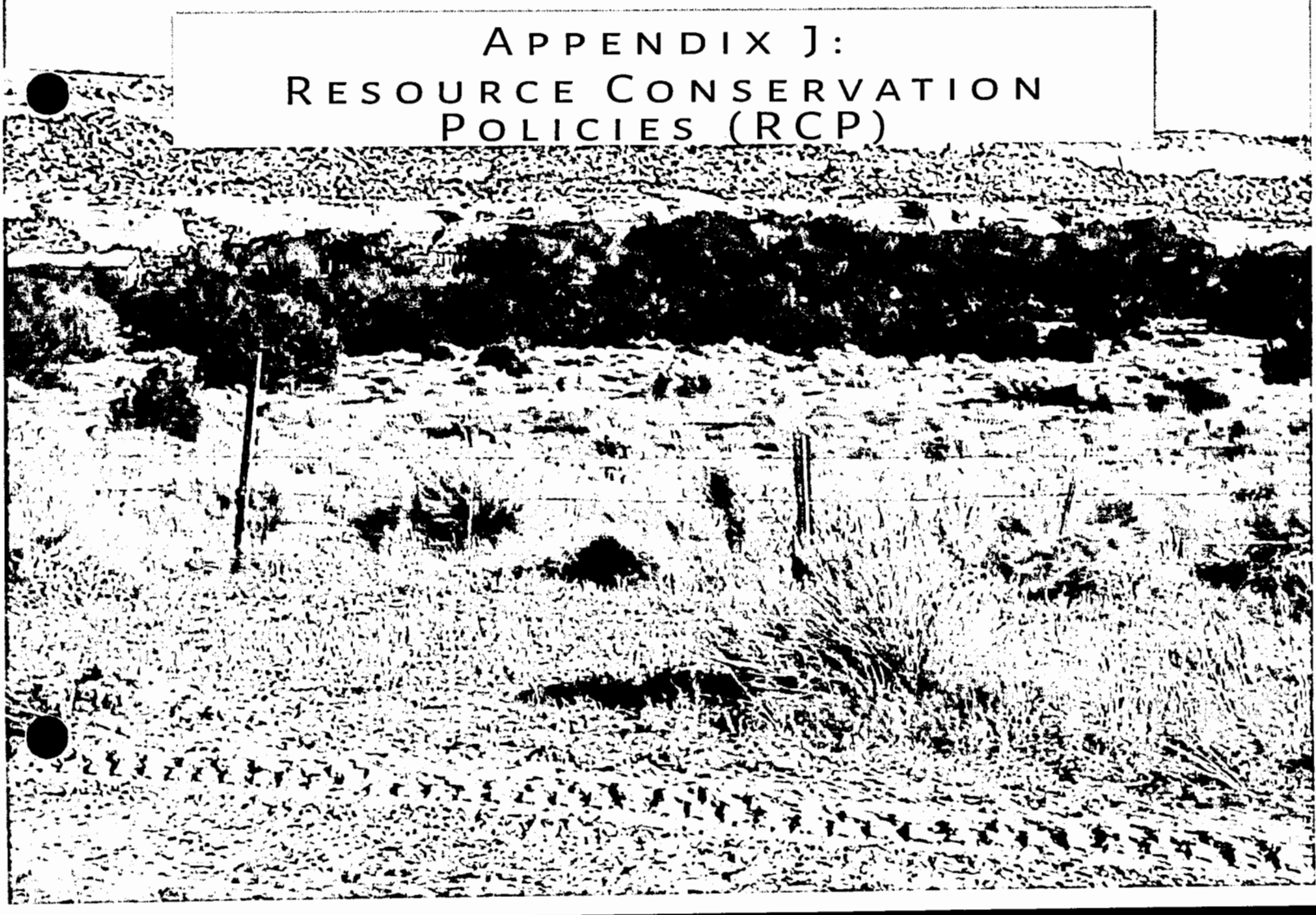
Cornell Pat PO Box 4007 Gallup, NM 87305 505-879-9667	**CSWTA, Inc.,** Environmental Consultants PO Box 790 Tuba City, AZ 86045 928-283-4804	**Dinetahdoo Cultural Resource Management (DCRM), LLC** PO Box 2012 Farmington, NM 87499 505-960-9478 FX: 505-960-9485 (Navajo Preference)	**Genevieve Pino** PO Box 6235 Gallup, NM 87301 505-495-9488	**Iris S. Begaye** PO Box 3777 Window Rock, AZ 86515 928-206-9600
Judy A. Begay-Taylor 2931 W. Avenida De Las Flores Tucson, AZ 85746 520-990-9626	**Julia M. Chavez** PO Box 3606 Farmington, NM 87499 505-686-4111	**Karen A. Tilden** PO Box 2605 Window, AZ 86515 928-245-3541	**Sheep Camp Archaeology** HCR 79 Box 1216 Cuba, NM 505-507-7340	**Evolution Archaeology** Lyneve M. Begaye PO Box 515 Window Rock, AZ 86515 405-839-6170

PRIVATE SURVEYORS

Falcon Land Surveyors Lonnie Bitsoi, Owner PO Box 1572 Gallup, NM 87305 623-680-8716 falconlandsurveyors@hotmail.com	**Red Valley Survey** Henry Thomas, RLS Shiprock, NM 87420 505-320-0479 rvsurvey@yahoo.com	**Robert Marks, NMPS** PO Box 219 Gamerco, NM 87317 505-879-0644 robt_mark@yahoo.com	**Hummingbird Survey LLC** Del Jones, President PO Box 416 Montezuma Creek, UT 84534 970-570-5108 del@hummingbirdsurveyllc.com
Absolute Surveying & Mapping, Inc. Harold Baldwin, RLS PO Box 972 Snowflake, AZ 85937 928-205-7378 hb_one@yahoo.com	**Extreme Measures Land Surveys, Inc.** Alisa J. Templeton, RLS 10800 Nighthawk Lane Flagstaff, AZ 86004 928-853-3661 extrememeasures@q.com	**Goldtooth Precision Solutions, Inc.** Halbert O. Goldtooth, RLS PO Box 640 Tuba City, AZ 86045 928-283-4652 Fx: 928-283-5073 halbert@goldtoothsurveying.com	

Updated 8/11/17, reference NN Heritage & Historic Preservation Department (5/12/17)

Appendix J:
Resource Conservation Policies (RCP)



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Biological Resource Land Use Clearance Policies and Procedures (RCP)

RCS-44-08
Approved September 10, 2008

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 Policies and Procedures formerly referred to as the BRLC. The purpose of the RCP is to assist the Navajo Nation government and chapters ensure compliance with federal and Navajo laws which protect, wildlife resources, including plants, and their habitat resulting in an expedited land use clearance process.

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 RCP Policies and Procedures will help direct development to areas where impacts to wildlife and/or their habitat will be less significant. Development includes but is not limited to human activities that result in permanent structures, temporary, long term, or repetitive disturbance to wildlife or habitat as defined by Navajo Nation Code 17 NNC § 500 et. Seq. 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 RCP Policies and Procedures explains 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 no development with few exceptions.

2. Moderately Sensitive Area – moderate restrictions on development to avoid sensitive species/habitats.
3. Less Sensitive Area – fewest restrictions on development.
4. Community Development Area – areas in and around towns with few or no restrictions on development.
5. Biological Preserve – no development unless compatible with the purpose of this area.
6. Recreation Area – no development unless compatible with the purpose of this area.

Preparation of a Biological Evaluation (BE) is required for development in any area, except in Area 4, and for certain exceptions (see below). A 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;
- 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);
- Must contain a copy of the Data Response received from Navajo Natural Heritage Program specific to the project.

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.

EXCEPTIONS – Projects that do not require preparation of a BE

1. CHAPTER TRACTS (project completely within existing tract)

2. RENEWAL OF EXISTING BUSINESS SITE LEASES and NPDES Permits (not including expansion of lease area)

3. NHA RENOVATIONS/RECONSTRUCTIONS (project within previously withdrawn areas)

4. Installation of new equipment on existing communications towers.

5. Transfer of federal lands.

6. Installation of highway signs, pavement markings, traffic signals, railroad warning devices, small passenger shelters, where there will be minimal ground disturbance within an existing right-of-way.

7. Maintenance of an existing utility pump house and substation (not including expansion of right-of-way or lease area).

8. Alterations to facilities to make them accessible to elderly and handicapped persons.

9. Maintenance and improvements to track and rail beds when carried out within the existing right-of-way.

10. Modernization of existing paved roads & highways including resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes, except in the areas below where puccinellia parishiii must be addressed:

    - US 89 & US 89A
    - US 491 (from Naschitti to Colorado state line),
    - US 160 (from HWY 89 to Tuba City and from Red Mesa to 4 Corners Monument)
    - US 64 (from Teec Nos Pos to Hogback)
    - NM SR 134 (from Sheepsprings to 10 miles west of jct US 491)
    - AZ SR 64 (from US 89 to NN boundary)
    - Navajo Rte 5 (from US 491 to Chaco River bridge)
    - Navajo Rte 12 (from Window Rock to Tsaile)
    - Navajo Rte 13 (from Red Valley to 491)
    - Navajo Rte 19 (from US 491 to Toadlena)
    - Navajo Rte 36 (from 491 east to Hogback)

11. Any other agreements with NNDFW and outside entities for expediting project approval.

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, Bald and Golden_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.

Process for planning and approval of development:

A. Project Sponsor requests information on biological resources, 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 biological resources are accurately assessed, impacts that can not be avoided are reasonably mitigated, and that no other reasonable alternatives exist
D. Department issues a biological resource compliance form to the Project Sponsor, either concurring or not concurring with the BE based on the review
E. The Biological Resource Compliance form must be part of any project approval application package

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 with respect to wildlife resources.

AREA 1: HIGHLY SENSITIVE AREA.

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 activity or development that is going to result in significant impact to wildlife resources. 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; 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

AREA 2: MODERATELY SENSITIVE AREA.

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, 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. Follow the Process for planning and approval of development, Page 4.

AREA 3: LESS SENSITIVE AREA.

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. However, the Department recognizes that lands within Area 3 may be not be completely surveyed for the potential occurrence of sensitive species or habitat.

Follow the Process for planning and approval of development, Page 4. If the NNHP provides a Data Response for a project in Area 3 that states that there are no known or potential species of concern for a specific project, then a BE does not need to be drafted. The project is in compliance with the Endangered Species Act and the NESL. The project sponsor can receive a Biological Resource Compliance Form by requesting concurrence from the Director, Department of Fish and Wildlife that the project will not affect species of concern.

All developments requires preparation of a BE. Generally, the need to avoid sensitive habitats should be less frequent in this area; therefore, development in these areas is more likely to proceed as planned with proper and timely planning.

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. Whenever possible the NNDFW recommends that project sponsors attempt to locate their projects within

Community Development Areas.

For project approval of all developments that are completely contained within Area 4, submit documentation to Department Director, including (but note exceptions below):

a. Location plotted on a 7.5' USGS topographic quadrangle map or reasonable facsimile;
b. Brief description of project, including acreage.

Exceptions:

1. This applies to all development except that which may have significant impacts outside the community. An example of this is large-scale industrial development that may impact air or water quality. For projects of this type, follow the standard "Process for planning and approval of development" (Page 4).
2. For certain communities, there are exceptions where one species have the potential to occur. For these exceptions, the biological evaluation need only address that species, and be submitted to the Department for approval. These communities are:

   - Pinon (Mountain Plover)
   - Tuba City (Puccinellia parishii)

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 identified or designated, to date. Future areas will be identified on a case-by-case basis. A variety of 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.

No new activity or development is allowed within these Preserves, unless it is compatible with management goals for the area. For projects to develop Biological Preserves, the standard "Process for planning and approval of development" (Page 4) needs to be implemented. This does not include approved pre-existing activities.

AREA 6: RECREATION AREA.

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 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 the purpose, for example nature trails, interpretive displays and picnic areas.

No new development is allowed within Recreation Areas, unless it is compatible with management goals for the area. For projects to develop Recreation Areas, the standard "Process for planning and approval of development" (page 4) needs to be implemented.

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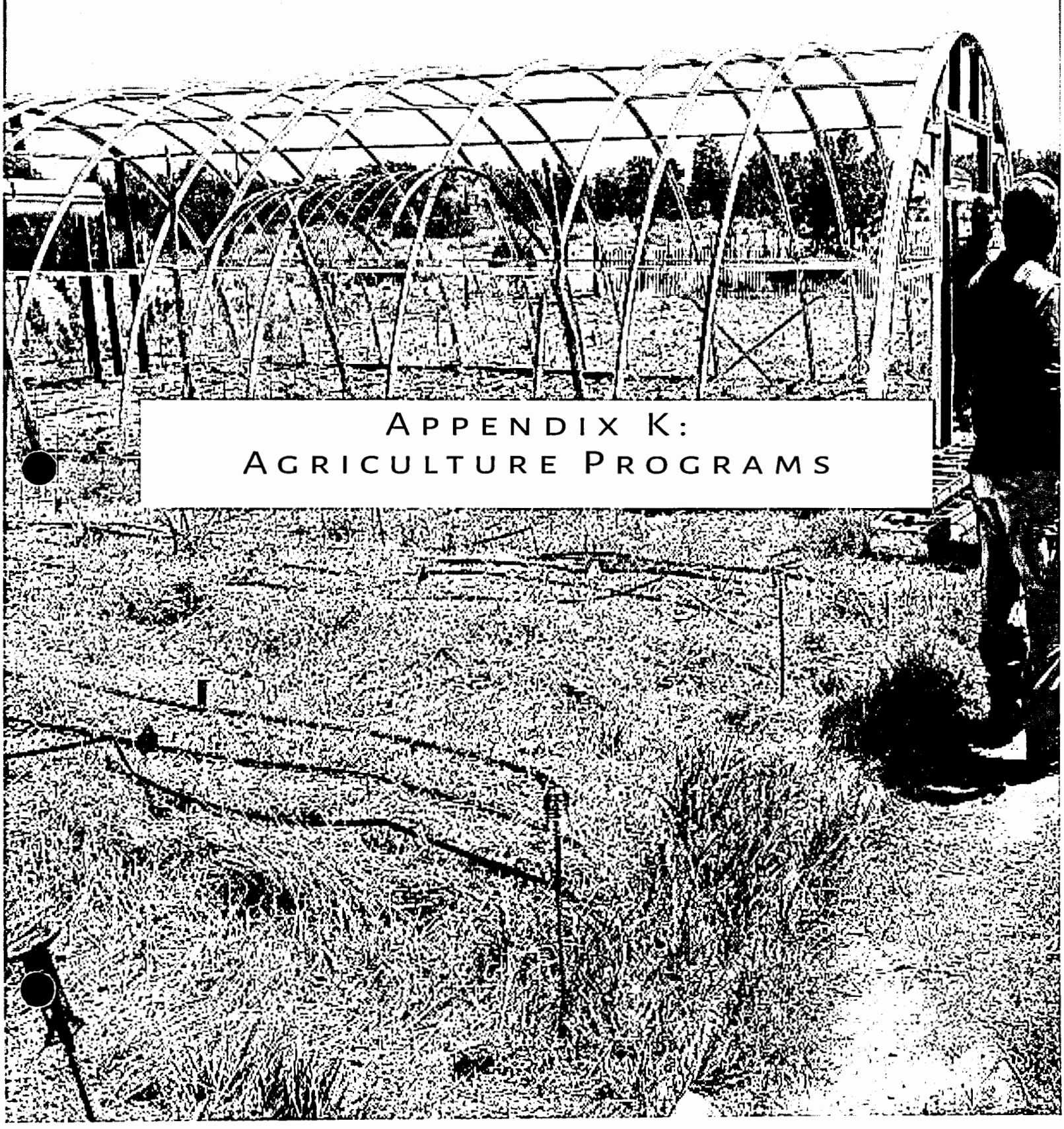

Appendix K: Agriculture Programs

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Application Process

Talk with your Grazing/Land/Farm Board Official

Project Application Packet

Rangeland Management	Farmland Management
•Copy of Conservation Plan (BIA or NRCS Format) •Map of Grazing area w/GPS Coordinates •Copy of Current Tally Sheet •Neighborhood Approval to Conduct Conservation Practices •Copy of Grazing Permit	•Copy of Conservation Plan (BIA or NRCS Format) •Map of farm area /w GPS Coordinates •Copy of Agriculture Land-Use Permit •Copy of Current Crop Inventory

All documents must be included with the application for approval at NNDA.

Applications are reviewed

Application approval and one day consulting

- ACC identifies the issues and sets up a day for one-on-one meeting
- ACC visits project site and identifies opportunities and recommendations
- It is up to the applicant to acquire the materials and take the recommendations
- ACC <u>will not</u> purchase any materials

After Consulting

ACC Labor and Permittee Engagement

- 30% is the permittee filling out the applications and gathering materials/tools.
- 50% is the ACC showing up to the project site, assisting, and educating permittee implementing project.
- 20% is the permittee continuing the Project Progression.
- **APPICANT MUST BE PRESENT OR APPOINT SOMEONE TO BE THERE DURING CONSULTING**

UT AZ NM

AG. Conservation Corps

Vision Statement

"Attain sustainability of Land, People, Water and Agricultural resources through conservation, protection and preservation."

AGRICULTURE CONSERVATION CORPS

Navajo Nation
Department of Agriculture
Division of Natural Resources

ACC_BROCH_REVISED 01/09/20

Agriculture Conservation Corps (ACC)

ACC is a Navajo Nation Department of Agriculture (NNDA) program that is funded thru the Agriculture Infrastructure Fund (AIF) to help Grazing/Land/Farm permittees with planning and developing of conservation practices, technical effort, and a solid labor force.

The ACC is made up of 5 groups of 3 individuals to cover the 5 agencies within the Navajo Nation.

Each group is trained to help with fencing, invasive tree/shrub removal (chainsaw/pesticide), farm mulching, farm drip irrigation, reseeding on controlled areas, soil erosions, and stream restoration (meandering).

The ACC will stay at each permittee site for approximately 1-3 days (and more, depending on project assignments) educating and encouraging permittee on conservation practices.

"Guiding principles of community, commitment, challenge, and integrity"

There are two types of the ACC Project Applications; **Farmland Management** and **Rangeland Management**. Both applications comprise of different documentation and application process vary with the project.

- Permittee and appointed helper, must be present during the times of the consulting and must be on site.
- Permittee is responsible for obtaining their own materials, equipment, and safety gear for their project.
- This program is not for financial assistance, money gain, or intended to acquire materials.

Project Progression

Homework is recommended to ensure permittees constructs the enhancements/improvements of their customary use area by the knowledge obtained by the ACC members. Homework is re-visited by the ACC to further progress land stewardship practices. This is to ensure the permittee continues to be successful and prosperous by the conservation of their land use area.

Mission Statement

"Provide guidance the Dine people in the stewardship of Mother Earth by providing leadership, knowledge, and technical assistance in the management and conservation of her resources, for the inheritance of generations to come."

Contact Us
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Web: www.agriculture@navajo-nsn.gov
E-mail:
dinebiconservation@gmail.com

HOME RANCH AND EASTERN LAND MANAGEMENT

RANGE AND FARM MANAGEMENT

WELCOME TO THE LIVESTOCK MANAGEMENT INCENTIVE PROGRAM

The Agriculture Infrastructure Fund was established by CO-57-16 to use any remaining indemnity payments in excess of the amount necessary to guarantee the subsequent Crop Year's insurance premiums to fund and implement agriculture infrastructure projects on the Navajo Nation.

The Livestock Management Incentive Program is designed to assist Navajo Ranchers during the ongoing drought long term drought, who are using the best management practices and to encourage ranchers to reduce and maintain their livestock herd numbers to permitted levels current range carrying capacity levels.

Best management practices may include: erosion control, brush/weed management, range restoration, soil/water conservation, reseeding, water collection and storage. In addition, the program can assist with supplemental feeds to provide needed nutritional feed ingredients for improved herd health and livestock reproductive cycles, which are absent in rangelands due to drought conditions.

HOME RANCH AND EASTERN LAND MANAGEMENT

RANGE AND FARM MANAGEMENT

WELCOME TO THE NAVAJO FARM & GARDEN INCENTIVE PROGRAM

The Agriculture Infrastructure Fund was established by CO-57-16 to use any remaining indemnity payments in excess of the amount necessary to guarantee the subsequent Crop Year's insurance premiums to fund and implement agriculture infrastructure projects on the Navajo Nation.

The Farm and Garden Incentive program is designed to promote the recovery of idle and inactive farm lands, promote crop production, horticulture and pollinator habitats. The goals of the program are to revitalize Navajo agriculture, increase food production, encourage agriculture reciprocity, encourage the implementation of new technology and best management practices and implement drought mitigation methods. Funds may be used for:

- Improve & install water systems
- Soil amendments
- Fertilizer treatments
- Innovative practices: Aquaponics, hydroponics
- Purchase seeds
- Invasive weed management

- Rodent Control
- Maintain fencing
- Erosion control
- Soil & Water Conservation
- Marketing
- Training/Workshops

The Farm & Garden Incentive program application intake is scheduled to go live on March 1 through March 31, 2022. The Farm & Garden Incentive program provides incentive in the form of financial award for the production of food, crop, pollinator habitats, apiaries. Required Documents: Identification, Social Security Card, Certificate of Indian Blood if available a copy of your Agriculture Land Use Permit (ALUP).

AIF Farm & Garden Crop Report (pdf)

2022 Navajo Farm & Garden Incentive Program (pdf)

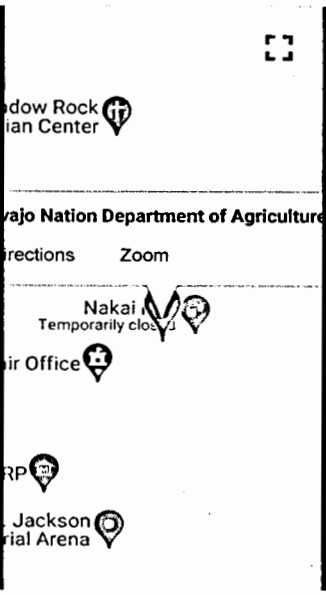
NAVAJO DEPARTMENT OF AGRICULTURE

P.O. BOX 4889

WINDOW ROCK, AZ

(928) 871-6605

(928) 871-6679



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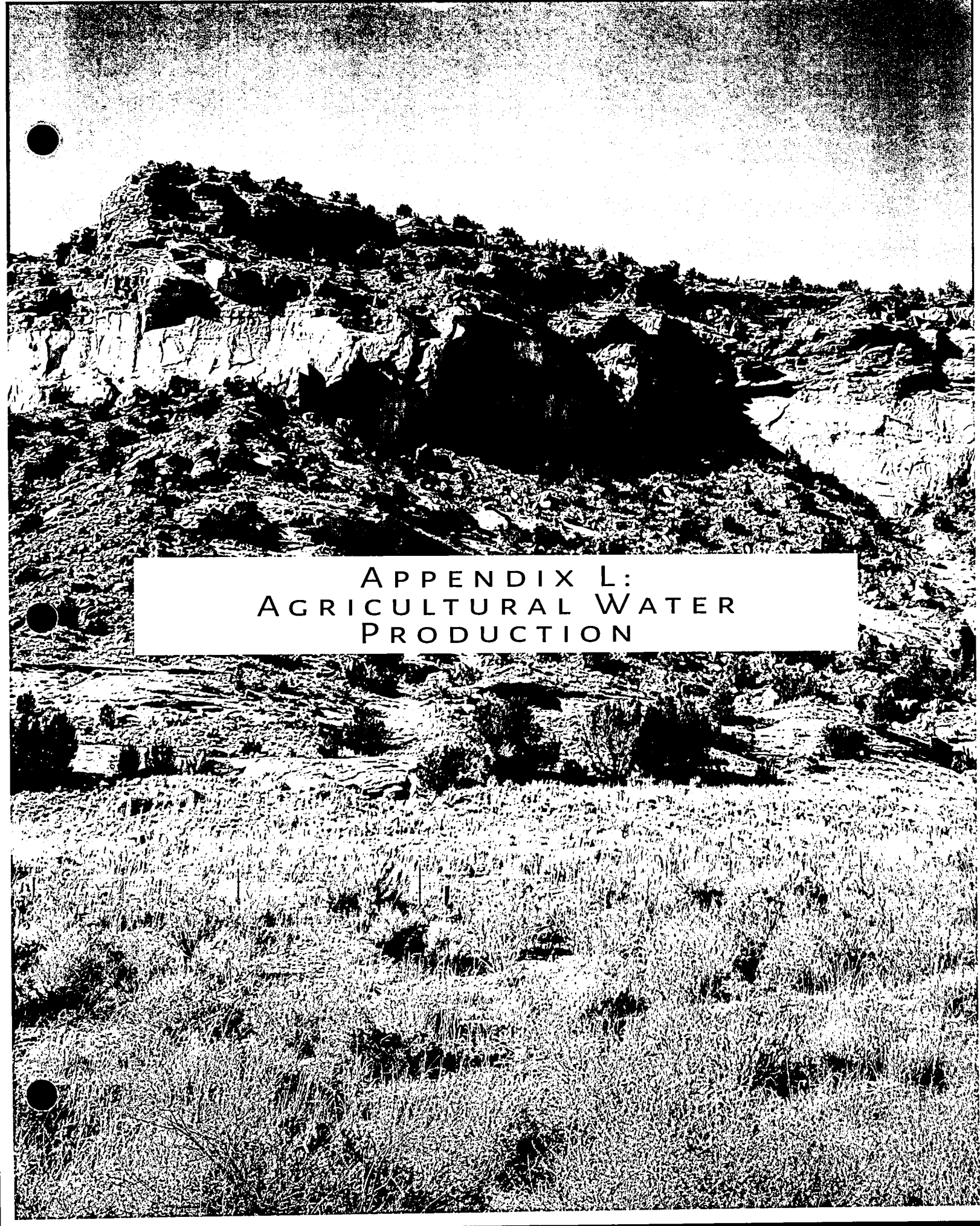

Appendix L: Agricultural Water Production

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Artesia Daily Press
Publication Date: 03/14/2023 Page Number: 001
Title: Cloudcroft businessman helps find
Author: By ADRIANA M. CHAVEZ NMSU
Size : 126 Inches Sq Artesia,NM Circulation: 3800
Keywords: Economic development

Cloudcroft businessman helps find solution to Navajo ranchers' water woes

By ADRIANA M. CHAVEZ
NMSU

Navajo Nation rancher George Tso has been involved with agriculture his entire life, from helping with his father's alfalfa crops to sell to ranchers to working on his own nine-square-mile ranch in Farmington, New Mexico.

While Tso has plenty of room to raise additional cattle other than the 51 head he currently maintains, his biggest obstacle is water. The only water source on his land is located on the southern side of his ranch, but the best grazing for his cattle is on the northern side.

"It's impossible to raise cattle with that one water drinker there," Tso said. "I kept nagging (the Navajo government) that I needed water, but I was told to reduce my cattle by 10 percent, so I reduced. There's a lot of grass in the northern part of the ranch, but my cattle don't want to go that far to graze."

If the cattle stay in one area, Tso said, the grass there is depleted, which causes the cattle to lose weight. Meanwhile, the grass grows plentifully in the other areas.

Mike Lisk, founder and CEO of Remote Well Solutions in Cloudcroft, New Mexico, decided to step in to help Navajo ranchers like Tso, who for years have had to travel miles just to haul water back to their ranches for their cattle. The company has designed and received both United States and international patents for an off-grid water production and distribution system that will replace old windmills with solar and solar/generator hybrid-powered systems that operate automatically off grid to electrically pump water from wells, then distribute the water to multiple watering points.

"I have a cattle ranch in Lincoln County with 125 animal units. When I visit a Navajo Nation tribal ranch, I find they have better land with more forage than mine, but only have about 20 to 30 animal units," Lisk said. "I have water distributed across my ranch, but they have one windmill and one water trough in one spot. Dramatic improvements in efficiency will result very quickly for the cattle, ranch and the rancher as the water challenges are solved. Quantifiable results will be almost immediate."

Lisk worked with Arrowhead Center at New Mexico State University on a 2018 study on the economic impacts of the installation of the Remote Well Solutions systems in McKinley County.

The study, written by Arrowhead Center Program Director Kramer Winingham, Enterprise Advisor Dale Spencer, and then-graduate

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County: Eddy
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Page:1

Artesia Daily Press
Publication Date: 03/14/2023 Page Number: 001

newz group

Title: Cloudcroft businessman helps find
Author: By ADRIANA M. CHAVEZ NMSU
Size : 126 Inches Sq Artesia,NM Circulation: 3800
Keywords: Economic development

student Ejiro Osiobe, used an economic modeling software and found carrying capacities on ranches in McKinley County are four animal units per section on average.

In a likely scenario, carrying capacities increase 100% to eight animal units per section with the installed Remote Well Solutions technology. While this is still lower than typical New Mexico ranches, the project will help support more than 200 additional jobs in the state annually, and annually contribute nearly $18 million to the state's economy.

"In terms of return on investment, this is one of the best economic development opportunities I've ever seen," Winingham said. "The technology can double or triple the revenue potential of ranches in the area. It's very exciting to see the Navajo Nation supporting the implementation of this new technology. The potential impact of Remote Well Solutions is significant in the Navajo Nation and beyond, as it can address challenges at similar ranches throughout the Southwest."

"This new water production and distribution project technology developed by Remote Well Solutions is a huge step in the right direction in support our local Navajo ranchers," said Myron Lizer, who was Navajo Nation vice president when the Remote Well Solutions project was first launched. "This system will increase our local ranchers' yield and improve the grazing lands, as cattle do not have to center around on one watering point."

Lizer said the project will also have a profound impact on the nation's economy, as well as help ranchers prolong their equipment, fuel and finances.

"In the many years we have worked with Mike Lisk, we have been very impressed with his inventiveness and persistence to bring this new technology to market," said Kathy Hansen, director and CEO of Arrowhead Center at NMSU. "We are excited to be able to help commercialize a New Mexico-developed technology that is solving real challenges in New Mexico."

Remote Well Solutions is working with the Navajo Nation Department of Agriculture to break ground ...

(See WATER, Page 5)

Artesia Daily Press
Publication Date: 03/14/2023 Page Number: 001
Title: Cloudcroft businessman helps find
Author: By ADRIANA M. CHAVEZ NMSU
Size : 126 Inches Sq Artesia,NM Circulation: 3800
Keywords: Economic development

Water

(Continued from Page 1)

on additional projects within the eastern region of the Navajo Nation, which consists of regions in Utah, Arizona and New Mexico. Last year, Remote Well Solutions received a $500,000 contract to build the wells after years of planning.

"This will allow better usage of range forage vegetation on our tribal ranches, distribute water away from primary ranch water sources, improve cattle weight gains, improve profits for our ranches and increase revenues to our ranch leasing program," said Ferdinand Notah, program and project specialist for the Navajo Department of Agriculture.

That comes as good news for ranchers like Tso, who hopes he can grow his ranch once the system is in place.

"It will benefit everybody. We can raise more cattle and get more money off of that, and in return buy the things we need to run a ranch," Tso said.

Photo Courtesy Eli Lezlie

From left, Ferdinand Notah and Larsen Uentillie from the Navajo Nation Department of Agriculture, rancher Gerald Tso, Brooke Becenti of the Navajo Nation Department of Agriculture, rancher Dean Gamble, former Navajo Nation Vice President Myron Lizer, Mike Lisk of Remote Well Solutions, rancher George Tso and Shaylene Paul of Remote Well Solutions discuss the construction of an off-grid water production system, which will benefit tribal ranchers and improve the tribe's economy.

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County: Eddy

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Appendix M: Drought Mitigation Workplan

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ENA, Branch of Natural Resource Work Plan

Prepared by: Approved: Revision 1) 05/23/2022 2) 3) 4)

This plan is a guide and planning tool to initiate short-term and long-range program planning. Quarterly reviews are necessary to maintain coordination and to make adjustments. Any changes in the plan will require amendments to the original plan.

Activities	Responsibil	Target Dates		Remarks
2. Identify range units with low carrying capacity	BNR	05/23/2022	/2022	the 75% of current capacity; less than 5 AUYL.
4. Determine available forage	BNR	05/23/2022	/2022	eline, 12/31/2022 laborate with District Land Board & Navajo Nation Department of Agriculture
5. Identify available range units not permitted and permit.	BNR	05/23/2022	/2022	nbine with other adjacent range units criteria, i.e., proactive permittee eline
7. Drought mitigation measures implementation	BNR	05/23/2022	/2023	erment uce carrying capacity ajo Nation enforcement measures
9. Develop a technical review analysis	BNR	06/23/2022	/2022	ntify options for the permit renewal by assessing deferment, livestock grazing rotation, ght impacts, and other important consideration.

NOTE: This checklist may need updates. Note new updates by entering date next to REVISION numbers.
Producers should not "feed" out of drought. However, producers can provide additional supplemental feed to offset the reduced forage production. Supplemental feeds provide additional protein and energy to animals; and familiarity with the nutritional value of these feeds is critical during the drought.
Water for livestock is critical, and during drought, more difficult to obtain. Several producers are currently hauling water for their animals. Additional sources of water (springs, seeps, water tanks, ponds, or reservoirs, and wells) should be repaired and developed.

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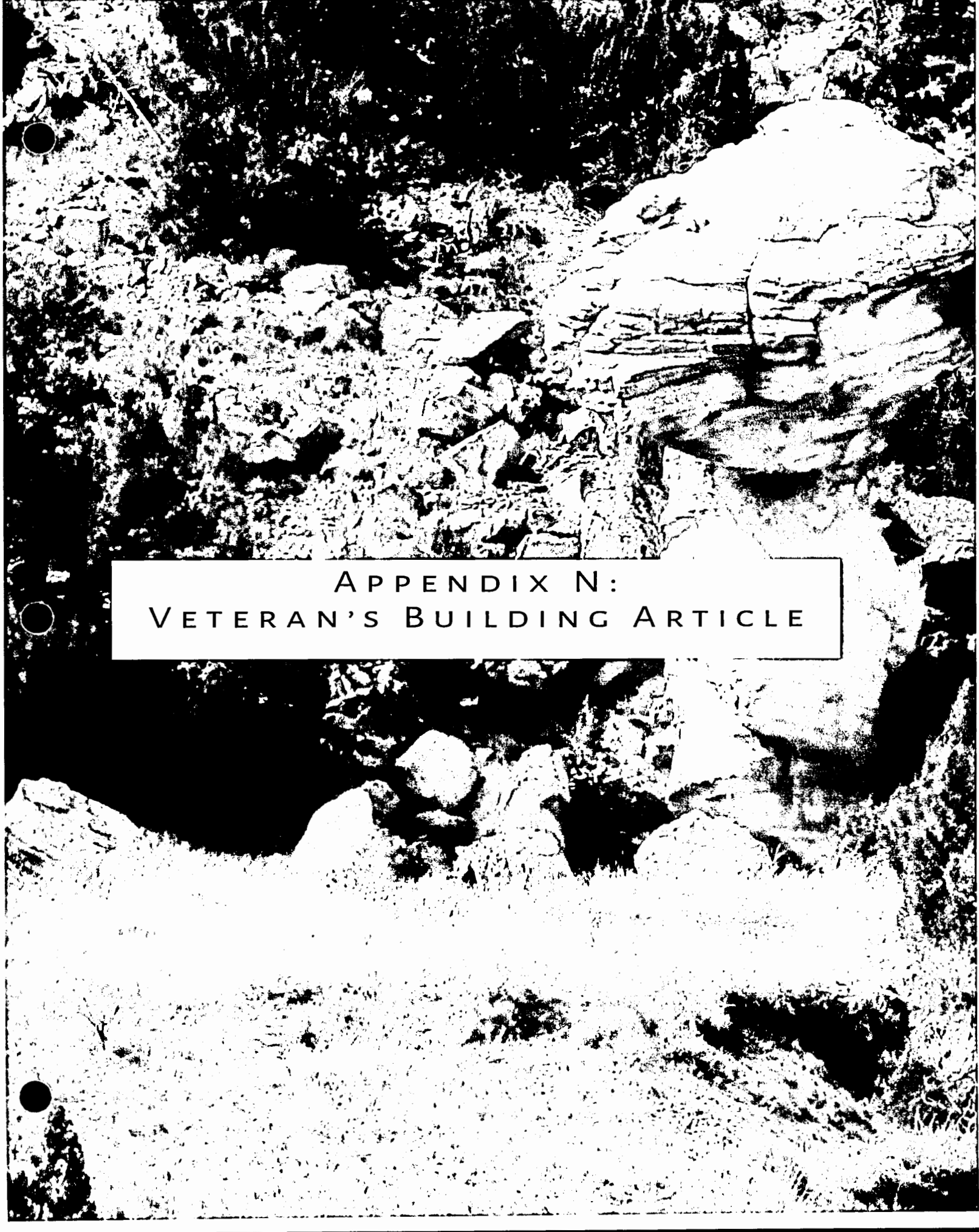

Appendix N: Veteran's Building Article

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25TH NAVAJO NATION COUNCIL
OFFICE OF THE SPEAKER

Media Contact:
nnlb.communications@gmail.com

FOR IMMEDIATE RELEASE
March 24, 2023

Delegate Damon receives report on capital outlay funding from the Deputy Secretary of New Mexico Indian Affairs

PHOTO: L-R Council Delegate Lomardo Aseret, Lee C. Jim, Bááháálí Chapter President, Milton Davidson, Manuelito Chapter Vice President, Lashawna Tso, New Mexico Indian Affairs Deputy Secretary, Percy Anderson, Manuelito Chapter Secretary, and Council Delegate Seth Damon at Manuelito, N.M. on March 23, 2023.

TSAYATOH, N.M. – On Wednesday, Council Delegate Seth Damon (Bááháálí, Chichiltah, Manuelito, Tsé Lichíí', Rock Springs, Tsayatoh) and the District Six Joint Council met with Lashawna Tso, Deputy Cabinet Secretary for New Mexico Indian Affairs at Manuelito Chapter, to receive updates regarding New Mexico Capital Outlay funding for chapters in the state of New Mexico. District Six consists of the chapters of Bááháálí, Chichiltah, Manuelito, Tsé Lichíí', Rock Springs, and Tsayatoh.

The report focused on capital outlay funding requests for District Six including $3 million for a new Chichiltah Headstart Building, $2 million for the renovation of the Bááháálí senior center,

and an additional $2 million for a new veterans building in Manuelito. Throughout the recent New Mexico State Legislative Session, members of the 25th Navajo Nation Council met with state legislators and the Governor to advocate for funding from the state for chapter initiatives.

Deputy Cabinet Secretary Tso said the Office of the Governor and Indian Affairs remain committed to investing in tribal communities and creating economic opportunities through comprehensive investments that benefit the Navajo Nation.

"I want to thank Ms. Lashawna Tso for coming out to Tsayatoh today, also to all the chapters, by submitting their priorities to the Indian Affairs and New Mexico legislators and advocating on behalf of the Navajo Nation. It's a blessing that the New Mexico Legislature authorized over $24 million this year to come to the Navajo Nation for capital projects." said Delegate Damon.

"This has been a historic investment in capital outlay this legislative session. Over $100 million in capital investments throughout the state is on the Governor's desk for consideration," said Deputy Cabinet Secretary Tso. "We identified various projects by the chapters, and it's our job to get support from the state level."

If signed into law by the New Mexico Governor, the projects will go a long way for community development. Council Delegate Seth Damon said he is confident that the Navajo Nation will continue to have strong advocacy to gain support for more capital outlay funding to fulfill the needs of its citizens.

The Chichiltah Headstart Building project will create a new, safe, and energy-efficient facility for the program to support early childhood learning. The Baahaali Senior Center renovations will improve accessibility and safety for seniors who frequent the center while providing much-needed updates to existing infrastructure and the veterans building in Manuelito will provide a place for veterans to gather and to eventually access health care, housing assistance, and employment counseling.

"The potential that these projects have to bring not only much-needed infrastructure improvements, but also job creation and economic development opportunities is possible through the partnerships that we have with the state and others. I thank my Council colleagues for their support for all capital outlay projects for the Navajo Nation," added Delegate Damon.

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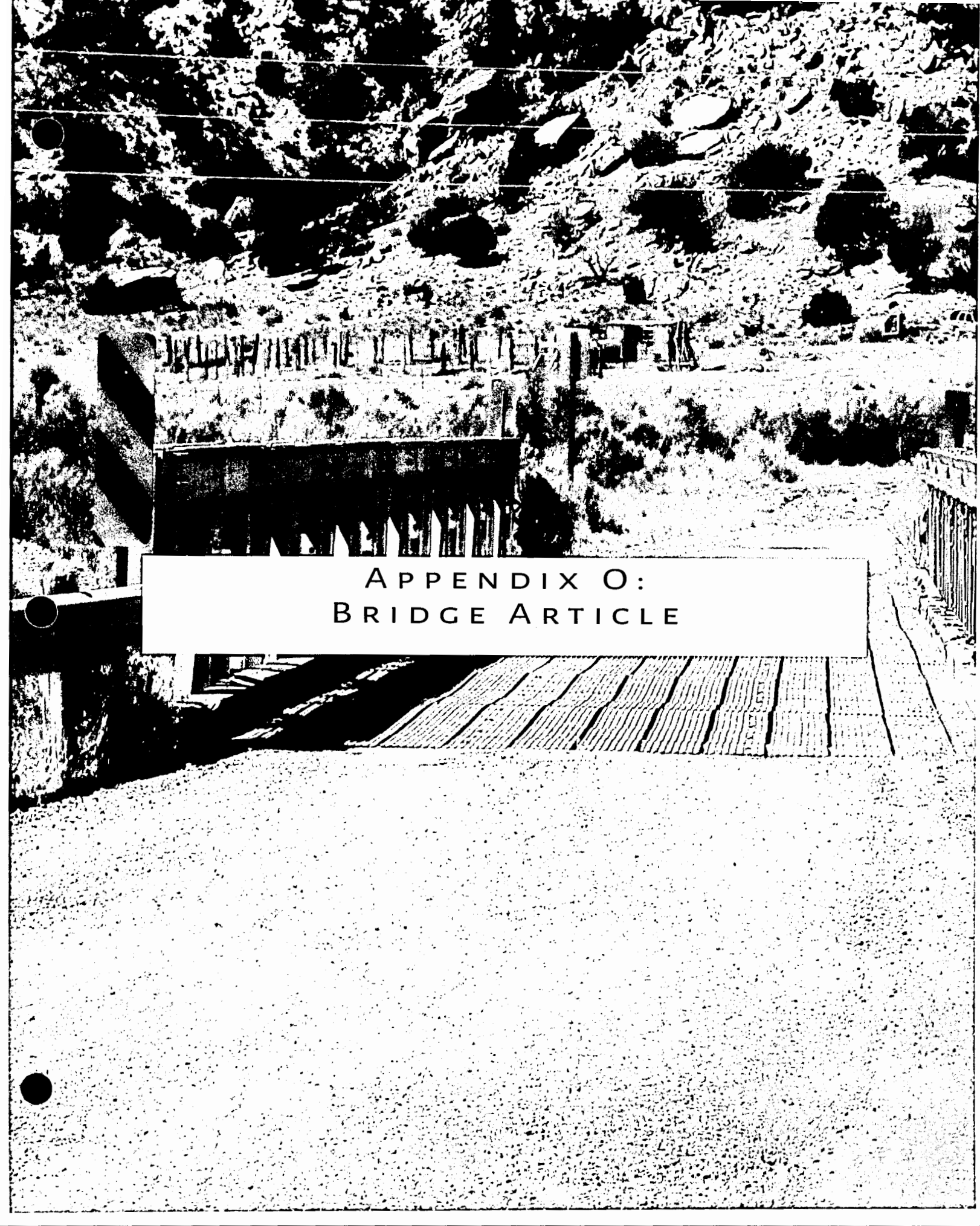
For the latest news from the Navajo Nation Council, please visit https://www.navajonationcouncil.org or search for "Navajo Nation Council" on social media.



Appendix O: Bridge Article

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Repeat offender has long record in 3 states

The Associated Press

ALBUQUERQUE — Police have arrested a suspect in a burglary at houses in northwest Albuquerque who has been arrested more than two dozen times on a variety of sex, fraud and burglary charges in New Mexico, Nevada and Washington state.

Police said Tuesday 30-year-old Morgan Fuller has been arrested in New Mexico six times since June 11. The the most recent was on Saturday on two counts each of burglary and larceny in connection with the theft of two electrical breakers removed from the two houses in Albuquerque.

Earlier this summer, he was arrested on battery, larceny, shoplifting charges in Bernalillo County, where he's been booked into the county jail a total of 17 times, including for multiple probation violations. He has 27 total arrests in the three states.

A judge hasn't yet set a hearing on the latest charges. It's not clear if Fuller has a lawyer or will be appointed one.

New Mexico

Positive cases: 237,889.
Deaths: 4,562.
Total Tests: 4,254,466.
Cibola County
Total cases: 3,118.
Deaths: 130.
McKinley County
Total cases: 13,358.
Deaths: 488.
San Juan County
Total cases: 17,402.
Deaths: 519.

Arizona

Positive cases: 1,034,790.
Deaths: 19,053.
Total tests: 12,018,411.
Apache County
Total cases: 12,684.
Deaths: 456.
Coconino County
Total cases: 20,199.
Deaths: 342.
Navajo County
Total cases: 18,826.
Deaths: 579.

BRIDGING COMMUNITIES

Jason John/For the Independent

Navajo Nation, New Mexico and McKinley County officials cut a ceremonial ribbon during the dedication of a new bridge in Manuelito Friday.

Manuelito Canyon Bridge completed after 11 years

Jason John/For the Independent

Navajo Nation President Jonathan Nez and U.S. Sen. Ben Ray Luján trade signed pieces of a ceremonial ribbon during the dedication of a new bridge in Manuelito Friday.

By Dana Martinez
Staff writer
dmartinez@gallupindependent.com

GALLUP — McKinley County officials were joined by Navajo Nation and New Mexico leaders Friday to announce the completion of Manuelito Canyon Bridge with a ribbon-cutting ceremony.

The new, direly needed bridge design and construction had a price tag of nearly $4 million that was covered by state, local and federal government funding, according to McKinley County Manager Anthony Dimas Jr. The bridge was completed near the end of July.

Dimas has been with the project since its inception. At the ribbon-cutting, he explained he was the county's homeland security and emergency manager when a flood washed out the bridge July 30, 2010. He called it a 500-year flood. The bridge was hit by another flood of the same power Aug. 2, 2010. The flooding wiped out two bridges in the area. The county closed the bridge that same month.

An emergency bypass was set up to help Manuelito residents avoid a 55-mile detour. Dimas acknowledged that the bypass made in the waterway was illegal, but he emphasized that

See Bridging communities, Page 5

Chinle's Temyra Bia takes 2nd at Peaks XC I

By Santiago Ramos Jr.

Bia posted a time of 21:17.20 for

sar Diaz ran away with top honors

Franklin who coasted to a winning time of 17:50 over the 5,000-meter

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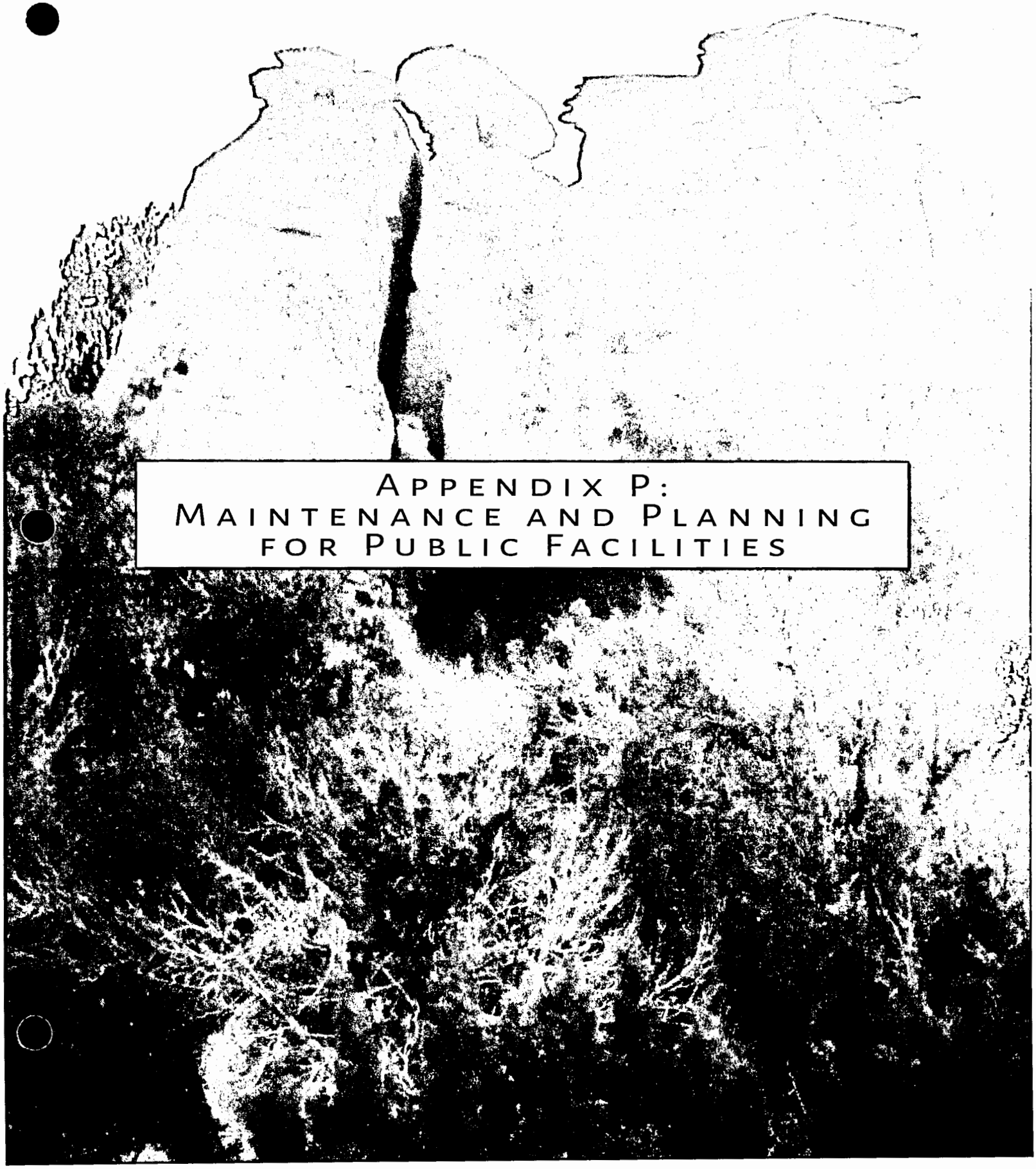

Appendix P: Maintenance and Planning for Public Facilities

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FACILITY PLANNING RECOMMENDATIONS

To determine prudent options regarding municipal facilities, including City Hall, commission a Facilities Needs Assessment Study and a Long-Range Strategic Facilities Master Plan to understand and strategically plan for long-range municipal facilities needs.

The **Facilities Needs Assessment Study** will identify the overall long-term facility needs of all city services and establish long-term goals for accommodating identified needs. The city can elect to limit the scope of the study to selected agencies, if desired.

The **Long-Range Strategic Facilities Master Plan** will provide a more detailed supply-and-demand analysis of the city's facility needs, and provide a road map to achieve the city's long-range facility goals. The study will examine inefficiencies and appropriateness of uses of existing facilities, and provide recommendations for consideration, including relocation options, reorganization, reprogramming, and/or rearrangement of city functions to improve organizational efficiencies and delivery of services to the public.

The **Long-Range Strategic Facilities Master Plan** should:

» Include facility condition assessments to evaluate and take into consideration the physical condition of existing facilities, and an ADA-compliance (Americans with Disabilities Act) evaluation. The condition assessments will identify needed repairs, renovations, and replacement, and will include preliminary capital improvement project (CIP) descriptions and costs for use in long-range city capital planning. A facility ADA evaluation is needed to understand improvements needed to bring city facilities into federal ADA compliance

» Include a clear strategy for transitioning to higher efficiency LEED (Leadership in Energy Efficiency in Design) buildings, which have 20% lower maintenance costs and a 10% greater asset value (U.S. Green Building Council, 2020)

» Include a comprehensive cost/benefit analysis and provide comparative scenarios of potential facility projects and phasing so the city can make an informed decision in selecting a preferred scenario to improve facilities

» Provide or inform a strategic facilities master plan implementation procedure to guide the city through a phased reorganization of facilities and assets to accomplish its preferred scenario

» Consider and accommodate the needs and recommendations listed by department in this Comprehensive Plan

» *Until a Strategic Facilities Master Plan is in place, the city should prioritize only critical maintenance funding for municipal facilities*

ASSET MANAGEMENT RECOMMENDATIONS

Develop and implement an Asset Management Plan to ensure efficient use and maintenance of city assets and to guide decision-making to appropriately allocate resources and limit waste.

The city may incorporate an Asset Management Plan into the Strategic Facilities Master Plan process, or develop it as a separate, stand-alone project.

The Asset Management Plan will establish regular maintenance and replacement cycles for equipment and systems, identify Infrastructure Capital Improvement Plan (ICIP) projects, house a regularly updated inventory of city assets, and create an orderly library of all facilities' documents such as warranties, receipts, repair history, equipment descriptions and budget information.

This is a strategic and proactive approach, based on data and collaboration, to develop a comprehensive long-term view of infrastructure and asset management.

The Asset Management Plan should:

» Cover all city assets, including facilities, streets, sidewalks, utilities, and other infrastructure, parks and open space, information technology infrastructure, and all city equipment, vehicles, and property

» Build on the city's recently completed Road Asset Management Plan

» Establish administrative, fiscal, and technical management strategies to ensure that city assets reach expected life cycles and are utilized efficiently and effectively to serve the public interest

» Establish preventive maintenance protocols and clearly identify the asset management responsibilities of staff and departments

» Identify future facility and infrastructure needs and coordinate with Capital Improvement Planning

» Establish protocols for recording and databasing repairs, modifications, and issues. These records should be integrated into the Asset Plan's facility document library

» Prioritize projects and goals that support the City's Comprehensive Plan, Facilities Master Plan, Metropolitan Redevelopment Area (MRA) Plan, and other city plans to coordinate and strategically implement projects and plan for expenditures

» Integrate digital record keeping and tracking tools to improve outcomes

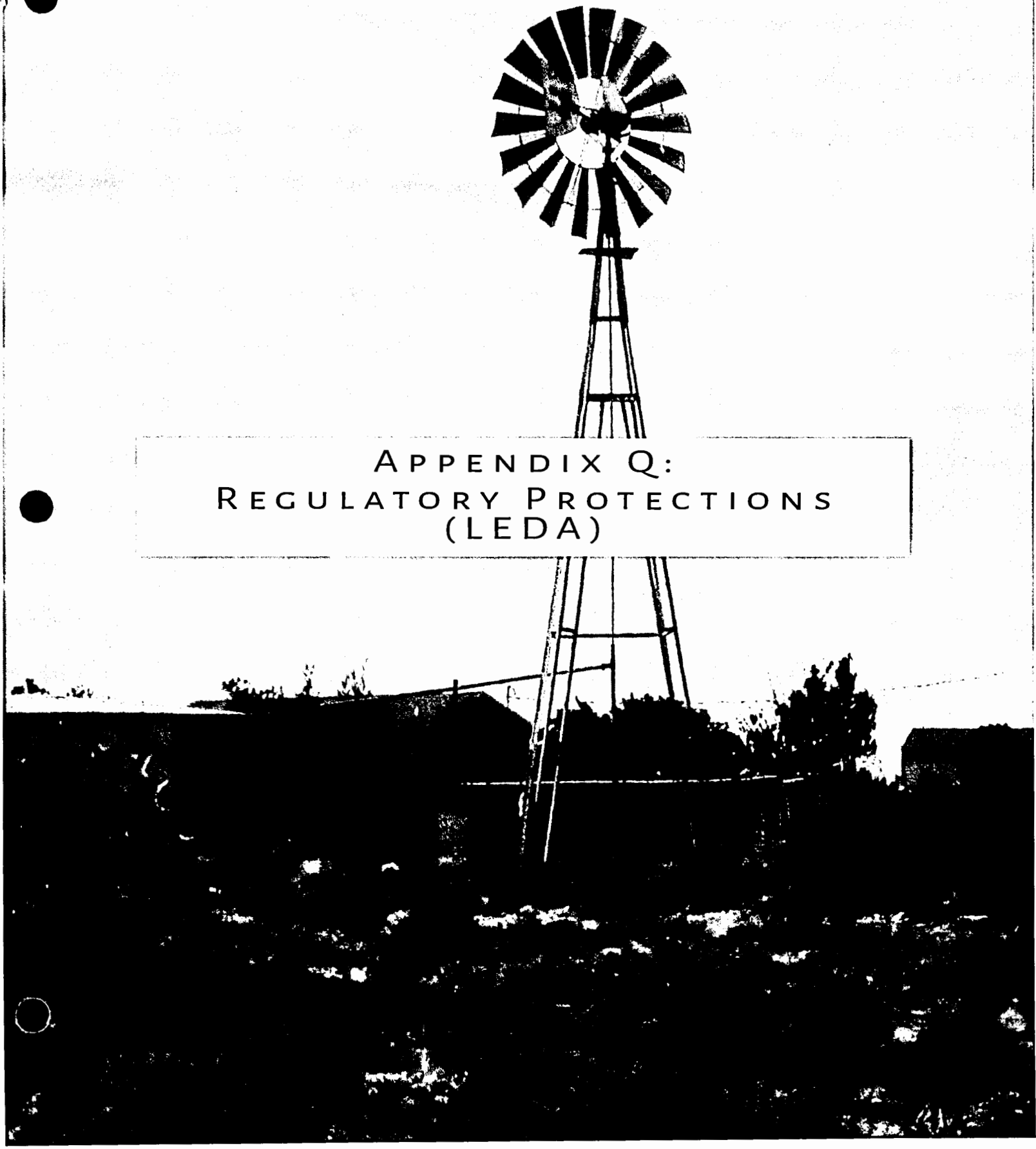
» Be regularly maintained and updated

To improve asset management and maintenance, the city should consider establishing and staffing a dedicated Maintenance Department to implement the Asset Management Plan, including regular fleet and equipment maintenance.

» A dedicated Maintenance Department could relieve other departments, minimize maintenance costs, and improve maintenance overall by ensuring scheduled repairs and upkeep is conducted and managed by properly trained professionals

City Hall Goals & Recommendations

» As part of the Facility Master Plan, consider options for relocation to a more adequate and appropriate location and facility for City Hall



Appendix Q: Regulatory Protections (LEDA)

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LOCAL ECONOMIC DEVELOPMENT ACT (LEDA) CAPACITIES & PROCESS

LEDA is the legal capacity to provide certain public investment and assistance for certain economic development projects in New Mexico. This section provides an overview of the law, including qualifying projects and assistance, recent state LEDA updates, LEDA process overview, and recommendations for enabling and promoting local use. This is meant to serve as a quick reference guide and is not intended as a legal reference.

Overview

New Mexico's Local Economic Development Act (LEDA) allows counties and municipalities to make public investments in certain, qualifying economic development projects. LEDA was adopted by the state in response to the Anti-Donation Clause in the state constitution, in order to promote economic development.

To enact and enable local LEDA investments, a community adopts an ordinance creating an economic development organization and a strategic plan.

This enables public support of certain economic development projects (essentially, public/private partnerships) that foster, promote, and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources.

"Qualifying Entities" are the recipients of public LEDA investments. The types of entities that qualify are limited in order to encourage locally sustainable economic development.

"Qualified Uses" define how the entity may use the investment and are also limited to protect the public interest.

The state (through the New Mexico Economic Development Department or NMEDD), as well as county and local governments may make LEDA investments. Local jurisdictions may enter joint powers agreements to both contribute to develop a project. The state may also participate, with additional public support, by agreement on certain local projects and infrastructure improvements (2020 Amendment).

Project criteria and public safeguards, also summarized here, define the LEDA application process, the criteria that applicants must meet, and the required agreement provisions for protecting public investment.

LEDA Qualified Uses

- Purchase, lease, grant, construction, improvement, or conveyance of land, buildings, or other infrastructure
- Rights-of-way infrastructure and broadband expansion
- Public works improvements or professional services contracts necessary to implement the plan or project
- Grants for public infrastructure supporting qualified expansion, and grants or subsidies to cultural facilities
  - Includes land purchase for public industrial park or cultural facility, and building construction for qualifying entity use, but does not include water rights
- Direct loans or grants for land, buildings, or infrastructure
- Technical assistance to cultural facilities
- Loan guarantees, by ordinance with limitations

Uses eligible for state participation vary

LEDA Qualifying Entities

- Manufacturing and assembly of manufactured or agricultural goods
- Commercial storage, warehousing, distribution of agricultural, mining, or industry not including goods to the public or most utilities
- Business supplying services to the public, government, or specific industry or customer, including restaurants but excepting retail
- Indian nation, tribe or pueblo
- Telecom with majority of customers out of state
- Farmer's markets
- Developer of MRA project
- Cultural facility*
- Retail business in municipalities with less than 15,000 population
  - *(At 2019 pop. 1,241, retail development and businesses in Loving would qualify)*
  - or, between 15,000 and 35,000 population, but only if the project will not compete with existing businesses, and does not involve state funding
  - *Note: the state may now participate in retail projects that meet non-compete provisions in municipalities of fewer than 15,000 people, which would include Loving*

**Cultural facility is defined as a facility owned by the public or a qualifying entity that:*

- *Preserves, educates, and promotes local arts and culture, including:*
  - *Theaters, museums, libraries, galleries, cultural compounds, educational organizations, performing and fine arts venues and organizations, studios, media labs, and live/work housing facilities*
- *Local economic development plans must include cultural economic development strategies and priority projects*

2020 & 2021 NM State LEDA Updates

In 2020 and 2021, the state expanded eligible projects, as well as the nature of support that may be provided under the law, including state support for local and joint-powers projects.

State expansions of LEDA capabilities through amendment **must** be adopted in local ordinances in order to be utilized in local LEDA projects.

2020 NM LEDA AMENDMENT

The state is enabled to participate in local economic development projects in the following categories:

- Traditional LEDA projects that create economic base jobs
- Retail projects for communities with fewer than 15,000 (increased by amendment from 10,000) in population, when the project does not substantially compete with existing businesses
- Rural site infrastructure to create "shovel-ready" places for businesses, including roads, rail, water, wastewater, power, broadband, and the like. The new infrastructure must be located on property owned by a local government.

The 2020 LEDA amendment enables state investment in land, buildings, and infrastructure that are not yet associated with a business expansion, to help rural communities overcome the lack of prepared buildings and sites that accelerate the time frame for business expansions

Communities the size of Loving that have adopted local LEDA ordinances are eligible for state participation in:

- Local LEDA projects, including retail projects that will not compete with existing businesses (non-compete clause only applies to state participation, not local support)
  - Investments in land, buildings, and infrastructure to attract and accelerate economic development

2021 NM LEDA AMENDMENT

In 2021, Senate Bill 1 expanded LEDA capacity to support large development projects. The bill allows 50 percent of the state and local gross receipts tax and compensating revenue from the construction phase of certain projects to be placed into a LEDA fund designated to assist the business with land, building and infrastructure costs.

» Qualifying projects must be expected to incur at least $350 million in expenses related to construction and infrastructure.

All local governments affected must agree to the revenue sharing and the money would be paid out in phases as the business reaches its job and economic development benchmarks, which would be established in a project agreement overseen by a local government and the new Mexico Economic Development Department (NMEDD).

The scale of oil and gas related development in the Laguna area means that this provision could make LEDA an even more powerful economic development tool for the community.

LEDA Process

OVERVIEW

A person or entity proposing a qualifying project submits an application for LEDA funds to the local governing body. The local governing body appoints an agency to receive and review the application. The reviewing agency will work with the applicant to identify incentives that the governing body can offer, and determine the appropriate level of public investment in direct relation to the project's demonstrated community benefit.

Projects must conform to an adopted municipal economic development plan. A municipality may have more than one economic development plan.

The reviewing agency then makes a recommendation to the municipality. The municipal council makes the final determination for approval.

Approval of a project application is based on the evaluation of the project's management and financial stability, demonstrated commitment to the community, and a cost-benefit analysis. Further metrics for evaluating project applications may be defined by local municipalities.

The governing body may choose to include NMEDD in advising the development of applications and projects.

Summary of LEDA Application Process for Project Developers

» Meet with Reviewing Agency to determine eligibility, discuss needs and available incentives, and come up with a preliminary plan of action

» Submit formal application to Reviewing Agency to qualify as viable business partner and quantify project's economic besnefits to the community. All of the information requested is required by law before any economic development incentives can be provided.

» Reviewing Agency will negotiate specific incentives to be provided; incentives will correlate directly to project's positive impact on the community

» Reviewing Agency will draw up formal Project Participation Agreements (PPA) outlining responsibilities, securities, goals, time limits, oversight and claw back provisions, to be approved by Reviewing Agency Board PPA then make a recommendation and provide any additional background information (e.g., Reviewing Agency report) to municipal council

» Council makes final determination on PPA at a public hearing

REQUIREMENTS & STEPS

PROJECT PARTICIPATION AGREEMENT

Local governing bodies enter into Project Participation Agreements (PPA) with qualified, approved projects. These agreements outline each party's respective contributions, security provisions for public investments, provisions for regular performance audits, goals and benchmarks against which the project can be evaluated, and a schedule of project development and evaluation.

APPLICATION PROCESS

A formalized application form will direct applicants to the proper agency, in the proper order, and will provide each agency and the municipality with the information necessary to properly evaluate the merits of the proposed project. The application process will be used to verify that all necessary criteria are met by the project. The application may follow the format of another recent New Mexico municipalities LEDA application form that has been vetted by NMEDD.

REVIEW & RECOMMENDATION

The LEDA funding application process serves many important functions. It provides a mechanism for prospective projects to work directly with local economic development organizations to identify available support, navigate the LEDA application process, and develop a business strategy. It also allows local economic developers an opportunity to identify potential partnerships, and opportunities for potential projects. The acting Review Agency should keep the municipality informed by providing a comprehensive report of each application process and its findings, along with its recommendation, on each LEDA application. The reporting responsibilities and mechanisms for the Reviewing Agency's application recommendations should be clearly outlined, and may be a stipulation for council's consideration of the recommendation.

PROJECT CRITERIA AND PUBLIC SAFEGUARDS

CRITERIA

While each project is unique and evaluation criteria may vary, it is important to develop standard guidelines against which the costs and benefits of projects can be measured. In addition to the municipality's economic development plan, across-the-board strategic planning and accountability would best position the municipality to invest in incentives that create jobs.

CLAW BACK PROVISIONS

"Claw Back" provisions for LEDA projects are required by law and must be secured in every PPA. Claw back provisions ensure that public investment is repaid if the beneficiary fails to meet agreed-upon targets for returns, such as jobs creation.

At minimum, PPAs must establish security for public support, a project schedule with measurable goals and time limits, provisions for public review, and actions to be triggered if conditions are not met.

EVALUATION CRITERIA

Standard guidelines for measuring project viability consider the long-term stability of the development and the quality, costs and benefits, and sustainability of the development; these guidelines are set locally. It is the qualifying entity's responsibility to demonstrate that criteria are met.

Loving Local LEDA Ordinance

The Village of Loving has not enacted a local LEDA ordinance. The capabilities enabled by LEDA continue to expand, and adopting and implementing LEDA represents a significant opportunity to enhance economic development capacity for the Village.

Priority LEDA Partner: Carlsbad Department of Development

The Carlsbad Department of Development would be an ideal partner and resource for developing and implementing LEDA for the Village of Loving and collaborating with the City of Carlsbad, Eddy County and others in a regional economic development strategy.

MUNICIPAL LEDA ORDINANCES

A local Economic Development Ordinance, in compliance with state requirements must be enacted to enable a municipality to provide public support for economic development projects through LEDA or access state LEDA participation.

The ordinance must establish qualifying entities and uses, officially adopt a strategic economic development plan, and authorize an economic development organization to act as a reviewing agent.

The local ordinance should also detail the project application process, requirements, and evaluation criteria, identify priority project categories, and clearly define partnership agreement requirements including claw back provisions.

The local LEDA ordinance defines local LEDA capacity and should be updated as needed to reflect any new state LEDA amendments.

Loving LEDA Recommendation

Work with the Carlsbad Department of Development to develop, adopt, and implement local LEDA ordinance creating or authorizing an economic development organization to act as a reviewing agent and adopting a strategic economic development plan to support local economic development projects in and around the Village of Loving.

Coordinate LEDA efforts with the New Mexico Economic Development Department's Community, Business and Rural Development Region 6 representative in Roswell.

Regional representatives of NMEDD can assist New Mexico cities and counties to update, utilize, and structure the use of LEDA for public private partnerships by:

- Preparing the ordinance or ordinance update
- Attending council meetings
- Being available for questions and answers
- Identifying and vetting potential LEDA projects and partnerships

With an adopted local LEDA ordinance, Loving can attract and support economic development through incentives, and with regional and state support enabled by LEDA.

MUNICIPAL INCENTIVES

The Village should continue working with regional economic partners to identify appropriate and desirable incentives and incentive packages to offer locally and regionally through LEDA including land, structures, infrastructure, professional services, loans, technical assistance, and partnerships.

The Village should maintain a list of potential incentives, especially those that are unique or specific to targeted industries for distribution and publication through regional partners' digital and print media outlets.

The Village may consider working with regional partners to form a special committee, including representatives from the village, county, state departments and agencies (including NMEDD), local economic development organizations, local institutions, business and industry, and community groups to develop a comprehensive list of potential incentives that the village alone, with regional partners, or with state and regional partnership, can offer.

Working with potential applicants to identify specific incentives should be standard.

STATE PARTICIPATION

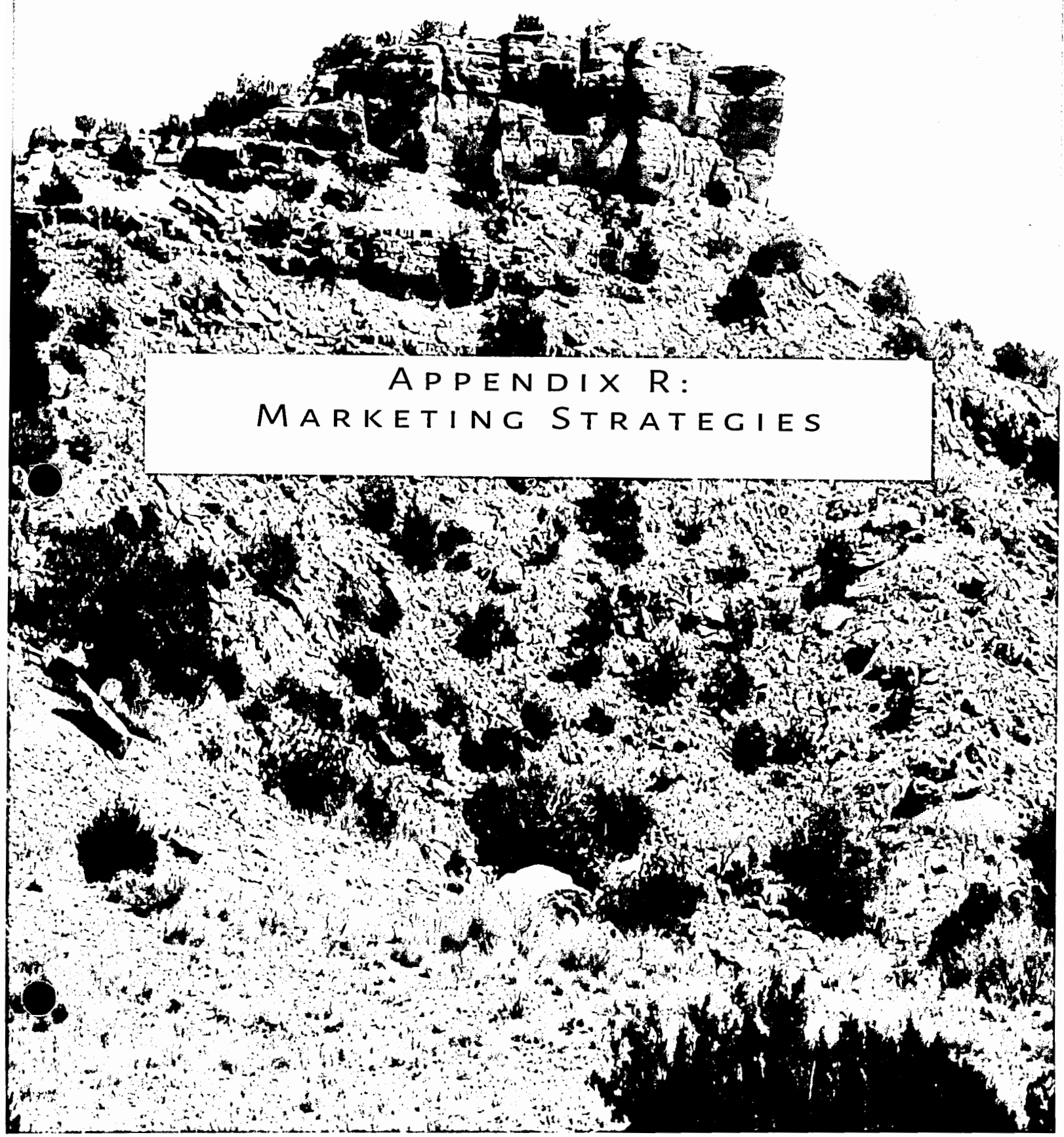
The Village should begin identifying projects for state participation. Begin by working with economic developers and the public sector to understand existing gaps in services or assets that may be limiting economic development. Work with state departments and NMEDD to identify potential projects for state participation that could address those gaps and improve the village's economic development potential.

LEDA Recommendations

- Implement an adopted local LEDA ordinance to support economic development
- Develop and publicize a list of potential local LEDA incentives
- Consider convening a special committee, including village, county, state departments and agencies (including NMEDD), local economic development organizations, local institutions, business and industry, and community groups to identify potential incentives and partnerships
- Identify improvement projects eligible for state participation, including investment in land, buildings, and infrastructure
- Identify gaps in services and assets that limit development projects and other potential improvement projects that may be eligible for state assistance
- Work with the state to develop and complete projects to improve the village's ability to attract development and investment

Additional Capabilities: Local Economic Development Act (LEDA)

There are several funding and partnership programs under the LEDA state statute. The **Local Option Gross Receipts Tax (LOGRT)** of LEDA provides a means of financing improvements in the downtown through an increase in gross receipts tax that is earmarked for public improvements, and arts and cultural facilities. The City can also set aside up to **5% of its general revenue for economic development projects** as identified in its Economic Development Plan. The New Mexico Economic Development Department also manages a LEDA **Capital Outlay Program** to administer grants to local governments (municipality and/or county) to assist expanding or relocating businesses that are qualified entities that will stimulate economic development and produce public benefits pursuant to LEDA. All grants are funded on a strictly reimbursement basis.



Appendix R: Marketing Strategies

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Appendices to Economic Development Element

Guidance for the Development of Film Permit Application Form

Once the City Council adopts an ordinance establishing a film permit process, City administration will develop the permit application form. The application form should be easy to understand and complete for the applicant.

To encourage film activity and serve as a recruiting tool, the City should make the permit application available on the City's web site, along with contact information for the City's film liaison. The City could include information and photos on its web site describing the highly attractive and interesting locations in Gallup, and various services in the city that are available to film crews.

Components of an Application Form

Filming Project Description

It is important for the City to know the nature of a proposed film project and the responsible parties. The permit application should require a description of the project, including:

- Production company name and contact information
- Production person in charge - name and contact information
- Name of the project
- Product type (feature film, documentary, educational film, commercial, short film, etc.)
- General statement about the nature of the proposed filming activity
- Locations of filming activity
- Dates and times of filming activity
- Duration of filming activity
- Description of any planned construction or modifications to buildings and plans for returning buildings and sites to their original state
- Expected noise level of filming activity
- Planned lighting, including type and expected times of use
- Number of personnel involved in the project
- Description of special effects
- Any special considerations such as:
  - » Animals involved in filming
  - » Special effects such as gun fire, explosions, low-flying aircraft or other disruptive or potentially alarming activity

Liability Requirements

It is standard practice to require indemnification and hold-harmless agreements from film productions. The City may require an insurance policy listing the City, its employees and representatives as additional insured parties. These liability protections can be included in the film permit application (by requiring copies of agreements, insurance policy number and a short description of the insurance requirements with the application) or in a separate license agreement detailing the

legal obligations of the production company, if the City chooses to develop one.

Departmental Review and Approval Requirements

The Community Services Coordinator should be responsible for processing applications. Depending on the planned film activity, certain City and State officials must approve film permits to avoid conflicting scheduling and assure interdepartmental and interagency coordination regarding film production activity.

Additional Considerations for Ordinance and Permit

The City should determine whether to create provisions in its film ordinance and permit process to address the following considerations to encourage a mutually beneficial relationship between the City, residents and the film industry:

- Public notification requirements: by mail to affected residents and businesses and/or by signage for large projects. Requirements may vary, depending on the threshold size or duration of the filming event.
- Scheduling guidelines: filming sometimes causes a level of traffic disruption that could be a burden if over a long duration. The City may consider adopting a maximum duration for filming by a single production. For instance, Las Vegas, NM imposes more stringent outreach and approval requirements for projects that wish to film more than 20 days in a three-month period. Alternately, productions that exceed a certain duration may be subject to additional fees or additional restrictions on disruption allowances.
- Responsible conduct requirements include post-filming clean-up, deadlines for trash removal, final clean-up and inspection, and additional protections for historic sites and/or identified cultural assets.
- Use of public property: to encourage and attract film productions to Gallup, the City may consider offering the use of certain City properties at no fee. Free use of city parking lots is common, but some communities offer additional incentives. For example, the State of California allows filming on state-owned and operated property at no fee, including buildings and roads.
- Use of public streets: filming often requires closures and intermittent traffic control measures. It is important to have an approval process for road closures and blockages, and to include stipulations for priority access for emergency routes and vehicles, and emergency maintenance. Crew parking can be an issue. Some communities prohibit "base camps" (consisting of other vehicles not essential to the actual filming, crew parking, portable bathrooms, star trailers, and catering tents) on the street, while others allow special consideration for illegal parking on a case-by-case basis.
- Hours of operation: due to noise and lighting at filming locations, limitation of regular production hours may be desirable. Generally, standard filming hours are between 7:00 AM and 10:00 PM, and filming beyond this time frame requires special permission.

Local Economic Development

To ensure that film production activity has a positive impact on the local economy, productions should be encouraged to use local businesses for catering, set construction and "prop sourcing" (creation of various objects used in a film), production crew and extra cast sourcing where appropriate. The City may offer incentives such as the use of public property, conditional on the use of local businesses and/or talent.

Attracting Film Production: Marketing

With an ordinance and permitting in place, the City can focus on attracting film projects to Gallup. A welcoming and informative City web site description of Gallup's cultural and scenic film assets, incentives and regulations will promote its film-friendly atmosphere and provide scouts with a way to contact the City. Gallup should also continue to make use of substantial state resources by working with the New Mexico Film Office and the New Mexico True campaign to attract new projects, develop services and establish a brand.

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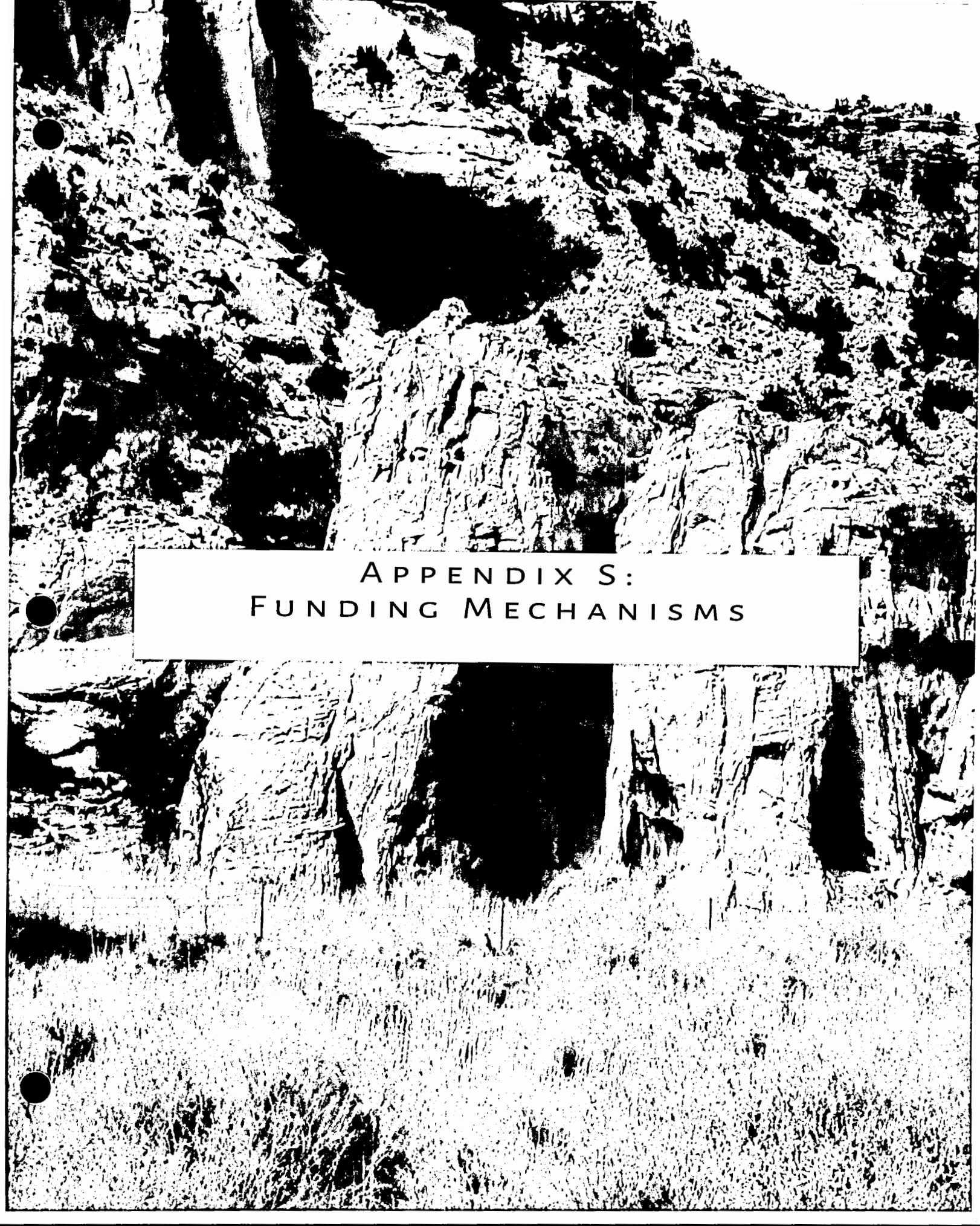

Appendix S: Funding Mechanisms

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NM FUNDIT

PUBLIC PROJECT FUNDS | FINANCE MATRIX

https://nmfundit.org/finance-matrix/

DFA | COMMUNITY DEVELOPMENT BLOCK GRANT	CDBG Economic Development Application available upon request CDBG Housing Application available upon request
EMNRD | ENERGY SAVINGS PERFORMANCE CONTRACTING	Energy Savings Performance Contracting (ESPC) is a process that facilitates facility improvements without the need of up front capital funding...
ENV | RURAL INFRASTRUCTURE REVOLVING LOAN PROGRAM	The Rural Infrastructure Act (Chapter 75, Article 1 NMSA 1978) created the Rural Infrastructure Revolving Loan Program (RIP) in 1988...
MANUFACTURING EXTENSION PARTNERSHIP	New Mexico MEP Partnership for Success is a no-cost technical assistance service that provides technical, business, research and information assistance...
MFA | COMMUNITY DEVELOPMENT HOUSING PROGRAMS	MFA's Community Development Department administers several housing programs that provide specialized housing for specific populations and that help preserve New...
NEW MEXICO FUNDIT	Communities are able to present their projects to an informal group of Federal and State funding agencies to receive feedback...
NEW MEXICO MAINSTREET PROGRAM	A program of the New Mexico Economic Development Department, New Mexico MainStreet works throughout the state that partners with designated...
NM SCORE	Ongoing business support, workshops, event, and free mentoring for business development. https://albuquerque.score.org/
NM SMALL BUSINESS ASSISTANCE PROGRAM	The New Mexico Small Business Assistance (NMSBA) Program allows New Mexico small businesses facing a technical challenge to access the...
NMFA | LOCAL GOVERNMENTAL PLANNING FUND	Created in 2003, the fund provides up-front capital necessary to allow for proper planning of vital water and wastewater projects...
NMFA | PUBLIC PROJECT REVOLVING LOAN FUND	The Public Project Revolving Fund (PPRF) is NMFA's flagship program. The PPRF is used to finance public projects such as...
NMFA LOCAL GOVERNMENTAL PLANNING FUND	Created in 2003, the fund provides up-front capital necessary to allow for proper planning of vital water and wastewater projects...
NMSU ARROWHEAD	Arrowhead delivers education and experiences to a wide range of aspiring and practicing entrepreneurs. Arrowhead also provides a variety of...
OPPORTUNITY ZONES	Public Law 115-97, also known as the Tax Cuts and Jobs Act of 2017, provides for the governor of each...
RCAC | COMMUNITY FACILITY LOANS	RCAC's Community Facilities Loan Program helps develop and improve essential community facilities in the rural West. This program offers short-term...
RESILIENT COMMUNITIES FUND	The Resilient Communities Fund is the flagship program of the New Mexico Resiliency Alliance. Created in 2014 in partnership with...
RURAL EFFICIENT BUSINESS PROGRAM	The Rural Efficient Business Program (REBP) offers assistance to small businesses and agricultural producers in New Mexico. We offer resources...
SMALL BUSINESS DEVELOPMENT CENTERS	The program provides no cost business consulting and low cost business training to entrepreneurs throughout the state. Strategically located in...
TOURISM | MARKETING COOP GRANT	In support of the Tourism Department's mission to make New Mexico the primary destination for venturesome travelers, the Cooperative Marketing...
TOURISM | NEW MEXICO TRUE	Understand and become part of the Tourism Department's successful "New Mexico True" advertising and branding campaign. You will find a link...
USDA | WATER & WASTEWATER DISPOSAL LOAN & GRANT PROGRAM	This program provides funding for clean and reliable drinking water systems, sanitary sewage disposal, sanitary solid waste disposal, and storm...
WESST	WESST is a statewide small business development and training organization committed to growing New Mexico's economy by cultivating entrepreneurship. Founded...

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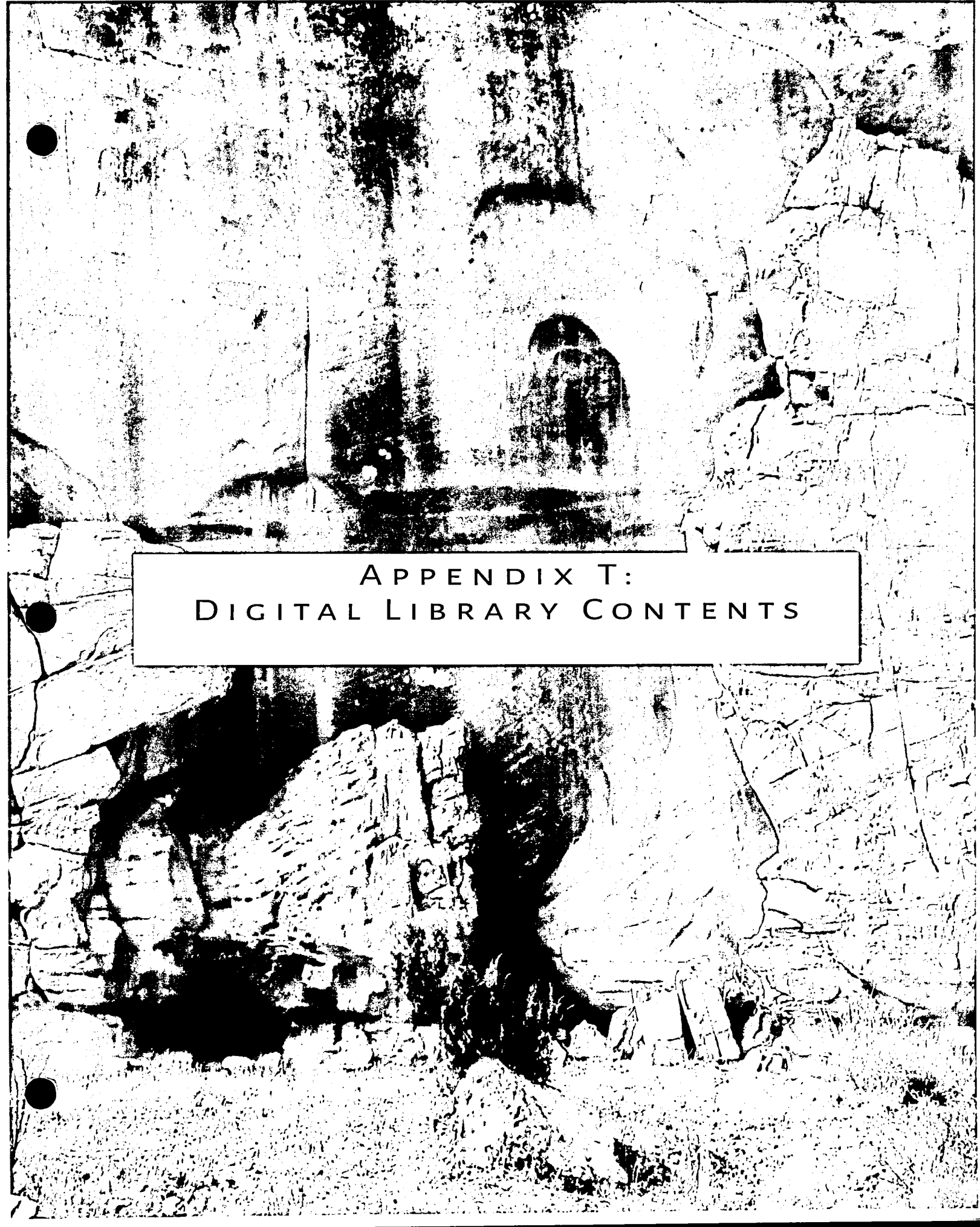

Appendix T: Digital Library Contents

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MANUELITO CHAPTER MASTER LAND USE PLAN 2023 – DIGITAL APPENDIX

APPENDIX FOLDER

ECONOMIC DEVELOPMENT

- Artisan Meeting CLUPC 120722
- Business Site Lease Form
- Chichiltah Chapter Commercial Dev. Feasibility Study 04/2017
- Chichiltah Chapter Strategies Diagram
- Manuelito Artisan Meeting concerns 12.17.22
- Manuelito Artisan Meeting 221207 (pdf)
- Manuelito Christmas Bazaar 221220 (pdf)
- Northwest New Mexico Council of Governments Set Plan

HOUSING

- 2023 Indian Housing Plan Public Hearing
- Best Practices in Tribal Housing Case Studies 2013
- Homesite Lease Application Process
- Indigenous Housing Justice Summit
- Newspaper list of regulations
- NHA Meeting letter
- Sustainable Journey for NHA

LAND USE

- 7 30 CPMD – Form – CLUP Requirements – Checklist format
- Cheyenne & Arapaho Tribes Comprehensive Plan 2011
- Land Buy Back Plan Write-up
- Manuelito Chapter Resolution
- **Chichiltah Chapter Plan**
  - Chichiltah Chapter Comprehensive Plan 2017
  - Chichiltah Land Use Plan Report Update 2015
    - **Chichiltah LUP 2005**
      - Chichiltah Chapter Land Use Plan Final Report June 2005
      - Chichiltah B-2 Land Status Maop
      - Chichiltah B-19 Grazing Map
      - Chichiltah D-1 Soils Map
      - Chichiltah D-2 Vegetation Map
      - Chichiltah D-5 Environmentally Sensitive Areas Map
      - Chichiltah E-4 Future Land Use Map
      - Chichiltah Final Acknowledgment
      - Chichiltah Final Document A
      - Chichiltah Final Document B
      - Chichiltah Final Document C
      - Chichiltah Final Document D
      - Chichiltah Final Document E
      - Chichiltah Final Document F
      - Chichiltah Final TOC

- **Home Site Lease Regulations**
  - Homesite Lease Flow Chart
  - Homesite Lease Check Sheet

- Homesite Lease Regulations 2016
- Homesite Lease Policies & Procedures
- Homesite Leases

Manuelito Land Use Plan

- Manuelito Chapter Land Use Master Plan 09152022 Notes
- Manuelito Chapter Land Use Master Plan List of Presenters 09152022
- Manuelito Chapter Master Land Use Plan Project Kick-off Agenda
- Land Use Plan 2003

Purty Rock Land

- Photos of the land
- Property Records
- Various screenshots of property records

LEGISLATION

- American Rescue Act Funds
- BIA Right-of-Way (ROW) checklist
- Cemetery Legislation
- Dine Policy Institute Local Governance Act 20 Review
- Dine Policy Institute Local Governance Title 26
- Indian Housing Block Grant Management Systems Policies and Procedures
- Local Governance Act
- Local Governance Act TITLE 26/2014
- Navajo Nation Code TITLE 26/Current
- Navajo Nation Report Covid-19 Recovery Laws and Policies
- Resource Conservation Policies
- Tribal Land and Ownership Statuses

OPEN SPACE/ENVIRONMENT

- Natural Resources Worksheet
- Open Space Guiding Principles

Agriculture

- Ag Conservation Brochure
- Agricultural Programs
- Agriculture Water Production Article
- Farm Incentive Program
- Farm Incentive Program Flyer
- Grazing
- Grazing Map Livestock
- Incentive Board

Archeology

- Archaeological Clearance Process

Cemetery

- Burial Grounds
- Burial Grounds Allotment
- Cemetery Resolution RCD
- Chapter Cemetery Designation Process Flyer
- Community Cemeteries RCD 216-99
- NNC Title 13-20 Burial – Cemeteries

Cultural/Conservation

- Casamero Lake Conservation Plan – Sample
- Indigenous Activism Navajo Support Sacred Stone
- Native American Trust Lands Explained

Native Determination Study
Significant Traditional Cultural Properties of the Navajo People
Drought
2021 Drought Tour RDC
Drought Mitigation Work Plan 05232022
Drought V2 Mitigation Work Plan 05232022
DWR Drought Contingency Plan 2003
Fish and Wildlife
RCP Policies
RCP Manuelito Image
RCP Manuelito Topo

PLAN PROCESS
ASU Data
ASU District 6 Visioning
ASU Technical Report Edits
Chichiltah Chapter
Chichiltah Chapter NTUA Community Connect Grant
Chichiltah Community Profile 2015
Chichiltah Infrastructure Capital Improvement Plan (ICIP) Priorities
Historic Preservation
Historic Preservation Flyer
HPD School Letter 220728
Navajo Heritage and Historic Preservation Flyer 1
Navajo Heritage and Historic Preservation Flyer 2
Newsletter
Indian Affairs Committee (IAC)
IAC Building Regenerative Communities
IAC Presentation Final 10042022
Land
Land Withdrawal Designation Flowchart
Land Allocation Reference
Land Status McKinley County Legend
Native American Trust Lands Explained
Tribal Land and Ownership Statuses
Manuelito Public Hearing
Manuelito 2nd Public Hearing Flyer V2
Manuelito 2nd Public Hearing V6
Public Hearing Agenda February 28, 2023
Public Hearing Charts Notes
Public Hearing Comments Summary
Manuelito Chapter
Chapter Compare
Chapter Compare (xlsx)
Funding
Manuelito Chapter Profile
Manuelito Chapter Profile Long
Manuelito Charts
Images of Boards
Manuelito Comments
Public Hearing Comments
Meetings

Various presentations, meeting notes, agenda, and sign-in sheets

Newspaper Articles

Baahaali, Chichiltah Collaborate to take on Solid Waste
Bridging Communities P1/P2
Broadband 221128
Crownpoint Hotel 220928
From Ugly to Beautiful Again
Housing Road ROW 220921
Manuelito Capital Improvement Project 230316
Nazlini Senior Center 220919

Reference

Chapter Officials (historical)
Cousins Community Profile CY 2015
D6 Joint Council Strategic Plan
District 6 Proposal
Forms for Grant Management Training
Funding Requests
Grant Management Training 1.14.2022
I-40 Presentation Final Web
Jamestown Tribal Comprehensive Plan
Jones Ranch Community Profile CY 2015
Manuelito Notebook
Manuelito Chapter Basic Web Search
NN Executive Branch Appointments
Red Lake Schedule Proposed

Speaker – Kin Hozhoni

Speaker – Kin Hozhoni
Speaker Mission Vision
Speaker Core Values
Speaker Example Human Rights Commission
Photographs

Survey

Manuelito-Chichiltah 2019 ACS Selected Characteristics
Manuelito Survey Results 221227

TRANSPORTATION

Road Maintenance
Road Bridges
Road Bridges Annotated
Road Bridges V2

NMDOT

Bridge Inspection Report

UTILITIES

Sacred Wind Fiber Transfer Station

Sacred Wind Presentation 220728

Transfer Station

City of Santa Rosa Transfer Station
OPVP Takes Steps Toward Solid Waste Management for the Nation
Transfer Station

Utility

Communications Tower

Electric Lines

Utility Maps – Hand Drawn

Neighborhood Blue
Neighborhood Green
Neighborhood LT Blue
Neighborhood LT Green
Neighborhood Red Hunters Pt
Neighborhood Red Manuelito
Neighborhood Red Purty Rock
Neighborhood Yellow
Utility List 1
Utility List 2

Water

Manuelito GRCWP Water Resource Committee Sept. 2022
Water Planned

GIS SHAPE FILES

Burial Sites
Land Use
Manuelito Continental Divide Electric Co-op
Manuelito Addresses
Rock Slide Bypass
Trails – Proposed

MAPS

Area Map
Burials
Burial Site
Burial Site Aerial
Chichiltah Chapter Environmentally Sensitive Areas
Chichiltah Solid Waste 230324
Communications Tower
Contours
Electric Lines
Grazing Map
Housing Road Aerial
Housing Road Potential
Land Ownership
Land Ownership Chapter House
Land Status McKinley County
Land Use Manuelito
Land Buy Back Program (LBBP) List
Land Buy Back Program (LBBP) Map
Land Buy Back Program (LBBP) Map 2019
Manuelito Base
Manuelito Borders Base
Manuelito Borders Community Land Use Plan (CLUP)
Manuelito Borders Community Land Use Plan 1 (CLUP)
Manuelito Borders Road
Manuelito Borders
Manuelito General Land Development Department (GLDD) Bound
Manuelito Bureau of Land Management (BLM), State 2198 Lands 0826021

Manuelito Chapter Land Status
Manuelito Chapter Land Status CLUP
Manuelito Chapter Land Status GLDD
Manuelito Chapter Facilities
Navajo Nation Chapter Boundaries
Navajo Land Department Map and Staff
Navajo Division of Transportation (NDOT)
State Land 2
State Land 3

Chapters

Chapter Compare
Chapter Compare CLUP Chapter
Compare GLDD
Chapter House Map
Chapter House Map Changes
Chapters House Sewer Lagoon

County

NN Chapter
School Board Districts 2005

Manuelito Fish Wildlife

RCP Manuelito Image
RCP Manuelito Topo
RCP Overview
Wildlife Areas Descriptions

Navajo Housing Authority (NHA)

NHA Housing New Road
NHA Location
Sustainable Community Plans Conceptual Planning Study
Sustainable Community Plans Eastern Agency Orientation
Sustainable Community Plans Influence Area
Sustainable Community Plans Land Management Strategies
Sustainable Community Plans Regional Analysis Framework

Navajo Nation Trust Land

Governmental Unit Reference Map 2021
Navajo Nation Reservation and Off Reservation Trust Land – page 89
Navajo Nation Reservation and Off Reservation Trust Land – page 101
Navajo Nation Reservation and Off Reservation Trust Land

Photo of Maps

Breadsprings/Chichiltah Transfer Station (BCTS)
BCTS close up
Exit 8 screenshot
Grazing
Images of Sate Land (2)
State-owned Land Plot 2
State-owned Land Plot 3
Weigh Station

Sacred Wind Fiber Optic

Manuelito Fiber to the Chapter House
Manuelito Fiber to the NHA
Manuelito Fixed Wireless Expansion
Manuelito FTTH and FTTT NTIA Complete
Manuelito FFTH and FTTT

SWC Manuelito FW Expansion Maps (5 total)

Survey Response

Survey Response Map

Survey Response Map 221231

Trails

Trails Proposed

Trails Proposed V2

Transfer Station (TS)

Kent Transfer Station

Manuelito TS All Sites Relief

Manuelito TS Area 1 Relief

Manuelito TS Area 2 Relief

Manuelita TS Area 3 Relief

Manuelito TS Area 4 Relief

Transfer Land Area

TS South of Exit 8

TS South of GPOE

Water

Navajo Gallup Water Supply Project Reclamation

Water Plan

Water Planned

Wetlands

PHOTOS

Old School Pictures

Various picture of the old school building on NM 118

PhotosAg

Farming pictures, meeting, and grazing

PhotosLandscape

Various landscape pictures along NM 118 and Lupton Rd.

PhotosMeetings

Various pictures at CLUPC and Artisan meetings

PhotosRuins

Various pictures obtained by Deb Nelson of the old ruins

Public Meeting #2

Presentation slides used at the 2nd public meeting

TransferStationPotential

Examples of potential transfer stations operations

Various

An old picture from 1953

A series of photos provided by Milton Davidson throughout the Chapter

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EXHIBIT B

4.4B | RESOLUTION

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email manuelito@navajochapters.org

Seth Damon
25th Navajo Nation Council

Vacant
Community Services Coordinator

Kathleen Arviso
Land Board Member

Resolution No. MANU04-19-23-023

APPROVING AND ADOPTING THE MANUELITO CHAPTER COMMUNITY MASTER LAND USE PLAN (CLUP) AND REQUESTING THE RESOURCE AND DEVELOPMENT COMMITTEE (RDC) OF THE NAVAJO NATION COUNCIL TO GRANT CERTIFICATION OF THE MASTER LAND USE PLAN

WHEREAS:

1. Pursuant to 26 N.N.C., Section 1 (B) Manuelito Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions; and

2. The Manuelito Chapter is a recognized Chapter of the Navajo Nation established as a foundation of the local government vested with authority to plan and implement projects in the best interests of the Manuelito community pursuant to 2 NNC §4021 et. seq. and 26 NNC et. seq.; and

3. Pursuant to Resolution MANU11-22-22-042 the Manuelito Chapter authorized and established the Manuelito Chapter Land Use Planning Committee (CLUPC) to conduct its meetings on all land use planning activities, including Manuelito Land Use Master Plan; and

4. The Manuelito CLUPC, in consultation with the Navajo Nation Division of Community Development Capital Projects Management Department (CPMD) and Architectural Resource Consultant, developed the Manuelito Land Use Master Plan in accordance with 26 N.N.C. Section 2004 (B); and

5. The Manuelito Chapter community members were given the opportunity to participate in the planning process through monthly public committee meetings and the Public hearings were completed on July 20, 2022, and February 28, 2023 at the Manuelito Chapter House; and

6. The Manuelito Chapter Community Land Use Master Plan (attached as Exhibit) was prepared in the best interest of the Chapter community members.

NOW THEREFORE BE IT RESOLVED:

1. The Manuelito Chapter hereby approves and adopts its Community Land Use Master Plan in accordance with the requirements of the Local Governance Act; 26 N.N.C. Section 2004, et. seq.

2. The Manuelito Chapter further hereby requests the Resources and Development Committee (RDC) of the Navajo Nation Council to grant certification of the Manuelito Community Land Use Master Plan.

CERTIFICATION

We hereby certify that the foregoing resolution was duly presented and considered by the Manuelito Navajo Chapter, located at Manuelito, New Mexico (Navajo Nation), at which a quorum was present and that same was passed with a vote of 18 in favor, 0 opposed, and 4 abstentions on this 19th day of April, 2023.

Motion by: Alice Dodson

Second by: Chester Nez

Milton Davidson, Manuelito Chapter President

EXHIBIT C

CAPITAL PROJECT MANAGEMENT DEPARTMENT
PROJECT PROPOSALS - CHECK-OFF LIST

COMMUNITY-BASED LAND USE PLAN (CLUP) REQUIREMENTS

It shall be the policy of the "Capital Project Management Department (CPMD) to utilize the following "Check-Off List" for review and acceptance of project proposals.

LOCATION: Manuelito Chapter DATE: 09/22/21

PERSON ASSIGNED: Marlene Hoskie

Please check of documents that were received.

- ✓ Application for Services
- ✓ CLUP Plan of Operation: *Chapter Resolution on the CLUPC membership with names of CLUPC members.*
- ✓ Community Education and Participation Plan
- ✓ Community Assessment:
  - A. *Community Demographics/Census*
  - B. *Goals/Project Priorities*
  - C. *Vision and Mission Statements*
- ✓ Inventory and Assessment of Pertinent Existing Data:
  - A. *Natural, Cultural, and Human Resources*
  - B. *Land Carrying Capacity*
  - C. *Community Infrastructure*
- ✓ Open Space Plan and the Identification of Certain Areas of Land for:
  - A. *Maintaining its Natural State*
  - B. *Recreational Purposes*
- ✓ Land Use Plan:
  - A. *Identification of Future Community Needs*
  - B. *Residential*
  - C. *Commercial*
  - D. *Industrial*
  - E. *Public Purposes; cemetery, agriculture, farming*
  - F. *Corresponding Maps*
- ✓ Thoroughfare Plan - System of and Design for:
  - A. *Existing and Proposed Major Streets*
  - B. *Distinguishing Between:*
    1. *Limited Access Routes*
    2. *Primary and Seconding Thoroughfares; and*
    3. *Relation Major Thoroughfare to the Road Network and Land Use of the Surrounding Area.*
    4. *Road related; bridges, low water crossings, sidewalks, streetlights, pedestrian traffic*
    5. *Corresponding Maps*

✓ Community Facilities Plan: *Will show the location, type, capacity, and area served, of present, and projected or required community facilities including, but not limited to:*

1. Recreational Areas
2. Schools
3. Libraries
4. Other Public Buildings

It will also show related public utilities and services and indicate how these service are associated with future land use.

✓ Community Infrastructure Plan:

1. Powerline
2. Waterline
3. Sewer Lagoon
4. Solid Waste
5. Telephone Services

✓ First Public Hearing on the updates.

✓ 60 Day Community/Public Comment Period

✓ Second Public Hearing. Additional Public Hearings if needed.

✓ Chapter Resolution Adopting & Approving the Community Based Land Use Plan

✓ Council Delegate for Legislation, Review, and Five Day Comment Period·

✓ RDC Committee Resolution Granting Certification/Recertification

Project Quality Assurance/Quality Control Acknowledgement ✓ Complete O Incomplete

Project Name: Manuelito Master Land Use Plan Project Type: Planning

The undersigned have read and concur with this Project Folder is complete with all necessary PPA's and is in adherence to the Capital Project Management Department Policies and Procedures and Gaming Fund Distribution and Policies and Allocations:

Marlene Robbie — 5/30/2023
Project Manager — Date

CPMD Department Manager — 5-30-23

Milton Davidson
President

Deborah Nelson
Vice-President

Percy B. Anderson
Secretary-Treasurer

MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT
HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301
PHONE (505) 905-3073 • FAX (505) 905-0606
Email: manuelito@navajochapters.org

Seth Damon
25th Navajo Nation Council

Alvin Billie
Community Services Coordinator

Kathleen Arviso
Land Board Member

MEMORANDUM

TO: Ms. Mariana Kahn, Principal Attorney
Office of Legislative Counsel
Window Rock, AZ 86515

FROM: Mr. Milton Davidson, Chapter President
Manuelito Chapter Government

DATE: September 12, 2023

SUBJECT: **MANUELITO MASTER LAND USE PLAN**

The Manuelito Chapter's Master Land Use Plan has been updated to address the concerns identified in a recent review by Mr. Rodgerick T. Begay, Navajo Nation Department of Justice (NNDOJ) Assistant Attorney General, Chapter Government Unit.

The following addresses the concerns noted:

Manuelito Chapter has identified a section of land for housing in the Rocky Point area. An assessment on the waterline has been completed and was cited that there is low pressure that may affect the water to the housing structure. The chapter has met with Navajo Housing Authority (NHA) and this housing project is ready for feasibility assessment.

Furthermore, the current chapter tract has been identified as an ideal area for economic development where there is infrastructure available.

The following were cited by Mr. Begay as suggested changes by the Community Land Use Planning Committee (CLUPC) prior to submission to the Resource and Development Committee (RDC) for consideration:

Section 1.2A:
The beginning sentence appears incomplete. This sentence has been corrected. Citations and quotations from section 2004(B) from the 1998 version of the Local Governance Act (LGA) have been corrected and included in the Appendix section under Title 26 LGA.

Section 1.2B:
The statement "With approval of this land use plan, the chapter may consider pursuing chapter certification as a local government," has been replaced with "Certification of the Five Management System empowers the Chapter to exercise most of the authorities listed in section 103(D) and (E). When the land use plan is also certified, a Chapter becomes eligible to administer land such as issuing business site leases and adopting zoning ordinances."

Section 1.3C:

The maps of the Manuelito area from sources are included. NNDOJ did not offer any edits to this section of the Land Use Plan, "since Chapter boundaries is an unresolved matter. Although, the statement, "the Chapter boundary section conflates political boundaries with Chapter boundaries."

Section 2.4B:

A section of downtown Gallup, comprising of 2.8 acres is identified as fee land. Although downtown Gallup is not within the Chapter boundary, the chapter is preparing the process to acquire the fee land.

Section 3.2:

This section mentions the fact that the Chapter remains to be a non-governance certified Chapter which is a major contributor to the added bureaucracy.

Section 3.3A:

The corrected section has been corrected to read, "the Manuelito Chapter is not currently certified, so economic development projects in Manuelito move through the Navajo Nation's central government."

Section 4.2A:

The three claimed purposes for a land use plan and the extent of the application of this section is simply meant to describe the community's belief about the authority of the CLUPC. Clarification on the claimed authority of the CLUPC to establish and adopt a regulatory policy is reflected in this section.

Section 4.3A:

The statement involving ARC has been removed from this section.

Section 7.2A:

Business Site Leases are administered by the Division of Economic Development, not the Navajo Land Department. This has been corrected.

Manuelito Chapter appreciates your time and consideration in reviewing of the revised Manuelito Master Land Use Plan manual. Please do not hesitate to contact Manuelito at (505) 905-3073 or email at manuelito@navajochapters.org for any further questions regarding this matter.

CONCURRENCE:

Honorable Seth Damon, Council Delegate
Baahaali, Chilchiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh
25th Navajo Nation Council

NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST FOR SERVICES

RECEIVED AUG - 1 2023 DEPARTMENT OF JUSTICE ADMINISTRATION

DOJ
8/1/23 @ 1:15p
DATE / TIME
RFS #: 23-1652
UNIT: CLU

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 8/1/2023 ENTITY/DIVISION: DCD

CONTACT NAME: ~~Tommy Tsosie, Leg. District Asst.~~ Marzana Kahn, OLC DEPARTMENT: Manuelito Chapter

PHONE NUMBER: E-MAIL:

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):
Update request of Manuelito Chapter Land Use Plan

DEADLINE: Click here to enter a date. REASON:

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 8-2-23 @ 9:15am REVIEWING ATTORNEY/ADVOCATE: Chapter Unit

DATE TIME OUT OF UNIT: 8-17-23 @ 2:58pm PREPARED BY *(initial)*: L Smith

DOJ ATTORNEY / ADVOCATE COMMENTS

Reviewed CLUP Manual and provided comments via email.
OK to close out RFS.

REVIEWED BY: *(PRINT)* Lori Begay DATE / TIME: 7-26-23 11:18 pm

DOJ Secretary Called: Email to: Tommy Tsosie for Document Pick Up on 7-26-23 at 11:18 pm By: RTB/LS

Email close-out to:

PICKED UP BY: *(PRINT)* Manuelito Chapter DATE / TIME: 8-17-23 @ 2:58 pm

NNDOJ/DRRF-July 2013

Wed 7/26/2023 11:18 PM
Rodgerick Begay [redacted]
RE: Update request of Manuelito Chapters Land Use Plan
To Tommy Tsosie [redacted]
Cc Manuelito Chapter <manuelito@navajochapters.org>; [redacted]; Seth Damon [redacted]; Guarena Adeky [redacted]; Mariana Kahn [redacted]

Good late evening,

As a courtesy, I accepted Ms. Kahn's request for review of Manuelito Chapter's land use plan. As you may know, the Chapter drafted a land use plan in 2003 but it was never certified. This new land use plan was different from the ones I've reviewed in the past. For example, when a land use plan determines an area to be used for housing, the land use plan identifies the area and "reserves" the area for that use. Similarly, an area may also be carved out on a map and identified as a good area for economic development.

Whereas, the Manuelito Chapter's land use plan does not identify an area for housing and other community development. Instead, the land use plan acknowledges that housing is necessary in the community. To be fair, it does vaguely describe two sites have been previously identified for NHA housing development. But where?

Having said that, there are likely no minimum standards for land use plans. In other words, there's no "open space plan" police to say what is adequate for an open space plan. The same goes for a thoroughfare plan. From that perspective, I began reviewing this particular land use plan and looked out for inaccuracies. Plus, the very first page expresses that the land use plan is a "policy guide" and it does not carry any "regulatory authority" which should be paramount whenever the Chapter and/or CLUPC refers to the land use plan. As such, the following inaccuracies are the ones that I feel should require changes by the CLUPC prior to presentment to the RDC:

Section 1.2A:
- Beginning sentence appears incomplete.
- Citations and quotations from section 2004(B) are from the 1998 version of the Local Governance Act. That section has since been amended. The quoted language should be corrected.

Section 1.2B:
- "With approval of this land use plan, the chapter may consider pursuing chapter certification as a local government." This is inaccurate. All 110 Chapters are certified as a local

government. When a Chapter has their five management system certified, the Chapter becomes governance certified with powers to exercise the authorities listed in section 103(D) and (E). Suggestion: "Certification of the Five Management System empowers the Chapter to exercise most of the authorities listed in section 103(D) and (E). When the land use plan is also certified, a Chapter becomes eligible to administer land such as issuing business site leases and adopting zoning ordinances."

Section 1.3C:
o The Chapter boundary section conflates political boundaries with Chapter boundaries. Since Chapter boundaries is an unresolved matter, DOJ will not offer any edits to this section of the land use plan.

Section 2.4B:
o Downtown Gallup is not within the Chapter boundary.

Section 3.2:
o This section ought to mention the fact that the Chapter remains to be a non-governance certified Chapter which is a major contributor to the added bureaucracy.

Section 3.3A:
o This is the second time the CLUP incorrectly states that the land use plan gets the Chapter closer to becoming governance certified. That is inaccurate. Many Chapters became governance certified prior to having their land use plans approved.

Section 4.2A:
o DOJ would not agree with the three claimed purposes for a land use plan. In other words, this section could not be relied upon to assert any CLUPC authority. However, if this section is simply meant to describe the community's belief about the authority of the CLUPC, then that would be the extent of the application of this section.
o DOJ would recommend clarification on the claimed authority of the CLUPC to establish and adopt a regulatory policy. This assertion appears to be overbroad. In fact, there are a few assertions made in this section that should require clarifications.

Section 4.3A:
o What is the ARC?

Section 7.2A:
o Business Site Leases are administered by the Division of Economic Development, not the NLD.

I would also like to disclaim that just because I mentioned a few areas above does not mean that DOJ endorses everything else in the land use plan. I tried to identify as many inaccuracies as I could. I did not review the adequacy of it. Clearly, the community and CPMD believe that

the land use plan is ready for presentment. I will have my staff return the land use plan to Ms. Kahn on Friday 7/28.

Rodgerick T. Begay, Assistant Attorney General
Navajo Nation Department of Justice, Chapter Unit
([redacted]
([redacted]

THIS EMAIL MAY CONTAIN CONFIDENTIAL INFORMATION AND/OR ATTORNEY-CLIENT PRIVILEGED COMMUNICATION. IF YOU RECEIVED THIS EMAIL IN ERROR, PLEASE CONTACT THE SENDER AND DELETE THIS EMAIL FROM YOUR SYSTEM.

RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL

FIRST YEAR 2023

ROLL CALL
VOTE TALLY SHEET

LEGISLATION #0224-23: AN ACTION RELATING TO THE RESOURCE AND DEVELOPMENT COMMITTEE, CERTIFYING MANUELITO CHAPTER'S COMMUNITY-BASED LAND USE PLAN. *Sponsor: Honorable Seth Damon Co-Sponsor: Honorable Danny Simpson*

Date: November 01, 2023 – Regular Meeting (Mentmore, New Mexico)
Location: Manuelito Chapter – 26 Hunters Point Road – Mentmore, New Mexico 87319

Main Motion:

M: Otto Tso **S:** Shawna Ann Claw **V:** 4-0-1 (CNV)
In Favor: Shawna Ann Claw; Rickie Nez; Danny Simpson; Otto Tso
Opposition: None
Excused: Casey Allen Johnson
Not Voting: Brenda Jesus, *Chairperson*

Honorable Brenda Jesus, *Chairperson*
Resources and Development Committee

Rodney L. Tahe

Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services