

**RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
23rd Navajo Nation Council --- Fourth Year, 2018**

AN ACTION

**RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; CERTIFYING COVE
CHAPTER'S COMMUNITY-BASED LAND USE PLAN WHICH HAS REEVALUATED
AND READJUSTED COVE CHAPTER'S FIRST 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(D)(2), "Every five years the plan shall be reevaluated and readjusted to meet the needs of the changing community" and such readjustment is subject to the certification of the Resources and Development Committee of the Navajo Nation Council.
- C. 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. Pursuant to Cove Chapter Resolution COV-17-068, attached as **Exhibit B**, the Cove Chapter approved the Community-Based Land Use Plan which is attached as **Exhibit A**.
- B. The Resources and Development Committee of the Navajo Nation Council finds it in the best interest of the Navajo Nation to certify the Cove Chapter's Community-Based Land Use Plan which has been reevaluated and readjusted to meet the needs of the changing community.

SECTION THREE. CERTIFICATION OF COVE CHAPTER'S REEVALUATED AND READJUSTED COMMUNITY-BASED LAND USE PLAN

- A. The Resources and Development Committee of the Navajo Nation Council hereby certifies the reevaluated and readjusted Cove 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. Any chapter disputes rest solely with the Courts of the Navajo Nation.

CERTIFICATION

I, hereby certify that the following resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at the Cove Chapter, Cove, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained on this 21st day of February, 2018.



Benjamin Bennett, Vice Chairperson
Resources and Development Committee
of the 23rd Navajo Nation Council

Motion: Honorable Walter Phelps
Second: Honorable Jonathan Perry



COVE CHAPTER

COMMUNITY-BASED LAND USE PLAN



K'aabiizhíí Nasdłah

COVE, Arizona
2018

Project Title:

Cove Chapter Community-Based Land Use Plan

Project Description:

This Community-Based Land Use Plan updated through coordinated efforts of the Natural Arch Committee, Cove Chapter officials and Chapter Administration.

This Community-Based Land Use Plan was originally developed in 2004 by funding through Native American Housing Assistance and Self Determination Act (NAHASDA) through the Navajo Nation Office of Navajo Government Development for the community of Cove Chapter pursuant consistent with the requirements of 26 NNC § 2004 B and 103 (E) (1) and 2 NNC § 423 (C) (1) & (2) the project requirements. This based Community-Based Land Use Plan emphasizes includes infrastructure, housing, community and public facilities, open space, thoroughfares, agriculture, grazing and farming in accordance with the Native American Housing Assistance and Self Determination Act and the Navajo Nation Local Governance Act provisions the Land Use Planning requirements set forth in the LGA, pursuant to 26 NNC § 2004

Prepared by:

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ACKNOWLEDGEMENTS

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PREFACE

A Community-Based community land use plan is a continuous process that guides the preservation, development or redevelopment of a community. Its purpose is to create and maintain a desirable environment and to promote the public health, safety and welfare guided by the aims, goals and ambitions of its residents. An approved land use plan helps the community and its leaders to make decisions. Planning is the first step in the preparation of development regulations, which put into practice the goals stated in the Community-Based community's land use plan.



The purpose of this document is to present a comprehensive community land use plan that includes infrastructure, housing, community and public facilities, open space, thoroughfares, agriculture, grazing and farming. This land use plan will serve as a general guide for the Cove Chapter, Chapter Administration, Natural Arch Land Use Planning Committee and the public regarding development in the community. It emphasizes goals and policies necessary to implement the housing concept, as well as responds to community-wide needs. It is not intended to be rigid. It is a flexible guide for achieving balanced growth and preserving the unique character of the community of Cove Chapter. The goals included in this land use plan may not be entirely achievable; however, they are meant to provide direction. As a policy plan, this document provides general guidance for more detailed decisions.

Much of this Community-Based land use plan is written in non-technical language. This is to facilitate ownership of the land use plan among community members and its use as a practical working plan.

This land use plan is organized into four parts. Part I addresses key components forming the foundation of this land use plan. Part II covers the future. Part III covers proposed housing, community and public facilities. Part IV covers the implementation recommendations. The parts are organized hierarchically to illustrate the incremental components in the development of the land use plan.

Numerous tables and figures are used throughout the document to enhance the effectiveness of the discussions. An extensive reference is presented at the end of the document. Useful appendixes are also provided.

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PART 1 - THE FOUNDATION OF OUR LAND USE PLAN

1. INTRODUCTION

This community-based land use plan is the official guide for actions and decisions on the use of land in the community of Cove Chapter. We believe that a land use plan is necessary to achieve a higher quality of life, better homes, and economic improvement. The land use plan encompasses the planning area for Cove Chapter and emphasizes housing, community and public facilities.



The land use plan was developed over a period of one year with extensive public participation, assessment, study and consultation. As a planning team, the Natural Arch Land Use Planning Committee led the development of the land use plan under the direction of the Cove Chapter Officials, Chapter Administration, and ASC/CPMD. Community members were invited to participate in every step of the planning process. Comments, opinions, and ideas voiced at work sessions, land use planning meetings and public hearings were used to develop the guiding principles of this document.

The designation of future land uses is based on the vision and guiding principles as articulated by the community, as well as, information revealed in inventories and assessments of the natural, cultural and human resources, and the existing community infrastructure. This information has been compiled into this land use plan document. Throughout this document several terms that have special meaning in planning are referred to. These terms are defined in **TABLE 1** (pg. 7).

The land use plan is designed to fulfill several mandated requirements and needs. First, because the project was funded under the Native American Housing Assistance and Self Determination Act (NAHASDA - **APPENDIX A**, pg. 76), the land use plan emphasizes residential land use.

Second, the land use plan offers an opportunity for community members of Cove Chapter to document and address issues that are unique to their community. The process used in the development of this land use plan provided community members with the opportunity to articulate their vision of the future character and form of their community. They all want a healthy and safe place to live with good schools, job opportunities and affordable housing, along with preservation and continuance of current cultural activities. Basically, they want a desirable and livable community.

Finally, preparation of the land use plan was guided by relevant provisions of the Navajo Nation Local Governance Act (LGA), which requires adoption of a land use plan.

TABLE 1 - DEFINITIONS

| | |
|-----------------------------------|---|
| <u>Vision Statement:</u> | A concise statement articulating your dreams and hopes for your business. It describes what you are trying to build and serves as a touchstone for your future actions. A vision statement expresses broad community values. |
| <u>Guiding Principles:</u> | A set of ideals that apply to the land use plan and the planning process. |
| <u>Goals:</u> | Broad long-range plan (aims). |
| <u>Objectives:</u> | Often used interchangeably with the word "goals", an objective is defined here as a measurable and verifiable method of achieving a goal. |
| <u>Strategies:</u> | Specifications that identify what will be accomplished, by whom, when and how. If the goal sets a general direction for action, the strategy specifies exactly how to get there. |
| <u>Policy:</u> | A brief, direct statement of what you intend to do to implement your goals and objectives. Ideally, policy formulation is the result of group identification of goals and objectives, represents group consensus and sets criteria for decision-making. |

TABLE 2 - WHAT A LAND USE PLAN CAN AND CAN NOT DO

| | |
|--------------------------------------|---|
| A LAND USE PLAN CAN... | |
| ➤ | Identify proposed housing locations and other land uses. |
| ➤ | Improve the economic base by providing a climate for business creation and expansion. |
| ➤ | Identify resources, opportunities and constraints. |
| ➤ | Provide a forum for action. |
| A LAND USE PLAN CAN NOT DO... | |
| ➤ | Correct all past mistakes. |
| ➤ | Be successful unless supported by policy and an action-oriented program. |
| ➤ | Be used to advance or promote special interests. |
| ➤ | Be used to exclude others from the community. |

HISTORY OF LAND USE PLANNING

Traditionally, families within the community of Cove Chapter moved between summer and winter homes, a practice that continues today. This seasonal migration allowed winter grazing areas as well as summer farm lands to recover and replenish. Such moves were not completed instantaneously and required some planning by the families.

Land use planning as we know it today, where things are put into writing and combined with associated maps is an updated version of yesterday's planning process. The community of Cove Chapter does not have a written and formal land use plan such as that required by the Local Governance Act, but they all know and share a community vision. This land use plan documents the vision of the community members so that their children and grandchildren will have a pleasant and livable community complete with infrastructure to call home.

This land use plan combines relevant information from previous reports with new ideas, desires and goals expressed by community members during the land use planning process for this project.

WHAT A LAND USE PLAN CAN AND CAN NOT DO

A land use plan is a powerful tool to guide communities in making planning decisions that will shape their community over the next decade and beyond. TABLE 2 (pg.7) summarizes some key functions of a good land use plan as well as what it cannot or should not do.

DIFFERENCE BETWEEN A LAND USE PLAN AND A ZONING ORDINANCE

There is often confusion between the role of the land use plan and the role of a zoning ordinance. The land use plan is a general policy document that guides growth and development decisions. The zoning ordinance and associated zoning maps are legal instruments that precisely define the permitted land uses and associated performance standards. After the approval of the Land Use Plan, the Chapter will be working on zoning ordinances.

2. NAVAJO NATION LOCAL GOVERNANCE ACT [LGA]

In 1998, the Navajo Nation Council adopted the Local Governance Act (LGA) by Council Resolution CAP-34-98. Former President Thomas Atcitty signed the LGA and it became Navajo Nation Law under Title 26 of the Navajo Nation Code. FIGURE 1 (pg. 10) graphically illustrates the major elements of the LGA in a flowchart. This law grants governmental authority to decide on local matters to the Navajo Nation Chapters. Many of these Chapters are currently in the process of acquiring LGA certification.

There are basically two fundamental requirements for LGA certification as stated in Section 101; the adoption of a five management system and a community-based land use plan. Section 2004, Parts B, C, D and E clearly delineate the requirements of a Community-Based land use plan. These provisions (Section 2004) are included in APPENDIX B (pg. 82).

Section 102 Part C explains the procedural requirement for getting the land use plan approved by the appropriate Navajo Nation sub-committee.

Cove Chapter has received their LGA certification, May 5, 2015. Upon LGA certification, Section 103 (D) (1) states that all Chapters, by resolution, may issue home and business site leases. The resolution may also designate a duly established committee or task force to review and approve such leases.

3. NATIVE AMERICAN HOUSING ASSISTANCE AND SELF DETERMINATION ACT OF 1996 [NAHASDA]

The Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) simplifies and reorganizes the system of providing housing assistance to federally recognized Native American tribes to help improve their housing and other infrastructure. It reduced the regulatory strictures that burdened tribes and essentially provided for block grants so that they could apply funds to building or renovating housing as they saw fit. This was in line with other federal programs that recognized the sovereignty of tribes and allowed them to manage the funds according to their own priorities. A new program division was established at the Department of Housing and Urban Development (HUD) that combined several previous programs into one block grant program committed to the goal of tribal housing. The legislation has been reauthorized and amended several times since its passage.

4. NATURAL ARCH LAND USE PLANNING COMMITTEE

The Natural Arch Land Use Planning Committee is a duly established Chapter committee responsible for developing, approving and overseeing local land use planning activities.

The Natural Arch Land Use Planning Committee for the Cove Chapter is comprised of community members who worked closely with the Chapter Officials, Chapter Administration, the Consultants and the community members in the development of community planning goals and this land use plan.

The Natural Arch Land Use Planning Committee with the Chapter Officials and Chapter Administration adopted a set format and procedure for conducting meetings and hearings to ensure public input and open communication with the community throughout the development of the land use plan.

The Natural Arch Land Use Planning Committee, in collaboration with the Chapter Officials and Chapter Administration, may recommend changes to the land use plan and will require members to have a working knowledge of the Chapter development controls. Once standards for development have been established, they should not be changed without substantial cause. All housing and commercial developers should be treated equally. Granting exceptions may lead others to expect exceptions and may cause the Natural Arch Land Use Planning Committee, Chapter Administration and the Chapter Officials to be accused of favoritism.

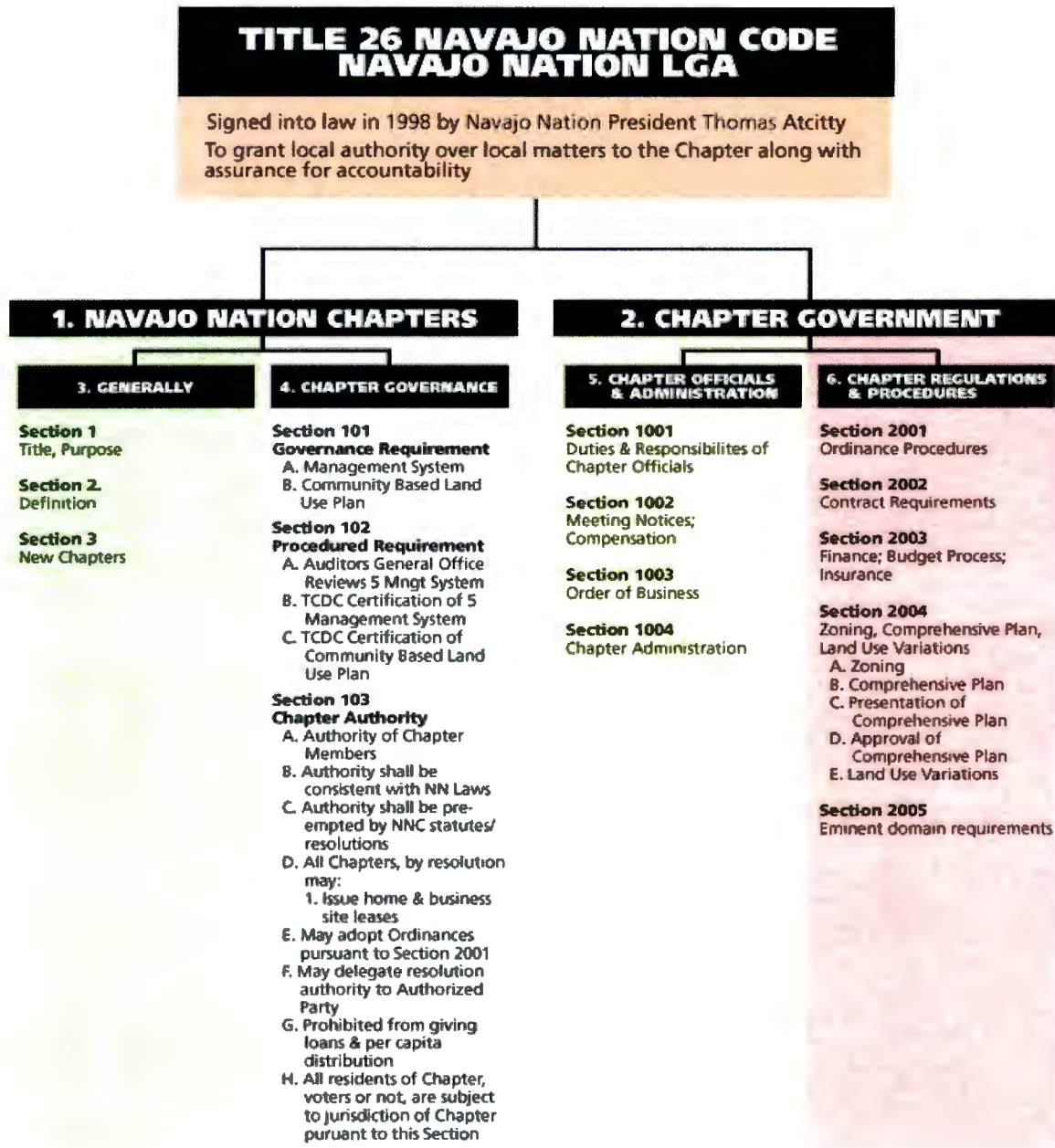


FIGURE 1 - NAVAJO NATION LGA FLOWCHART

5. COMMUNITY PARTICIPATION PLAN

The participation of community members is a key factor in the development of a land use plan. The community must be able to participate throughout the entire planning process. This community participation plan provides the opportunity for community members to have input and voice their ideas, opinions and/or concerns throughout the planning process.

The Natural Arch Land Use Planning Committee developed a community participation plan specifically for the development of this land use plan.

COMMUNITY PARTICIPATION TOOLS

Participation tools play an important role in community-based land use planning. The tools used in the development of the land use plan are listed, along with their objectives, in **TABLE 3**. These tools are the instruments to access local knowledge, help foster efficient communication among local community members and document results of various meetings

NATURAL ARCH LAND USE PLANNING COMMITTEE MEETINGS

Natural Arch Land Use Planning Committee (NALUPC) meetings were held at least once a month. These meetings were organized and conducted by the Natural Arch Land Use Planning committee and were open to the public. Community members were encouraged to attend and participate. In many cases, these meetings provided the first opportunity for people to listen to each other and to understand their respective viewpoints. This was the first step toward community planning. Meeting minutes were kept and maintained by the Natural Arch Land Use Planning Committee.

WORK SESSIONS

Public work sessions were conducted by the NALUPC to educate the community and encourage active community participation in the land use planning process. Numerous public work sessions were held to develop this Community-Based Land Use Plan. The Cove Chapter and the Natural Arch Land Use Planning Committee scheduled other work sessions on an as-needed basis.

TABLE 3 - COMMUNITY PARTICIPATION TOOLS

Natural Arch Land Use Planning Committee Meetings:

To discuss the developments and implementations of the land use plan, to approve the process for planning and to oversee planning activities.

Work Sessions:

To come to a common understanding and agreement on the situation in general, the views of different groups, the perceived needs, etc.

Questionnaires, Surveys, Interviews with local land users:

To identify their needs and perceptions.

Workshops:

To review basic principles.

Public Meetings, Planning and Chapter Meetings:

To inform and provide an update on the planning activities of the land use plan at each of the meetings.

Public Hearings:

To obtain the views and comments of the community members regarding the land use plan.

QUESTIONNAIRES, SURVEYS & INTERVIEWS

A questionnaire and a survey were used to identify the needs and perspectives of the community members in the following areas:

- General information;
- Socio-economic conditions, demographic trends and housing situations;
- Grazing and agricultural information;
- Community and public facilities information; and
- Commercial and industrial development information.

The questionnaire and survey forms were developed and conducted by the Natural Arch Land Use Planning Committee members and the Chapter Administration. Results are presented in Part II of this document. Copies of the questionnaires are included in **Appendix C** (pg. 90).

PUBLIC MEETINGS & PUBLIC HEARINGS

Public meetings were held on a monthly basis. A public hearing was also conducted to obtain formal views and comments from community members. The public hearing was conducted after the goals and objectives were identified, and after many drafted land use plans were completed the final land use plan was presented.

Notifications were made via all of the media listed in the methods of notifications. The final public hearing was announced 30-days prior to the scheduled date. These notification periods were necessary to allow community members enough time to prepare and voice their comments in writing or in testimony at the hearing. The drafts or plans to be discussed at the public hearings were available for public review during the notification period.

Overall, the public response was generally positive. Attendance at the public meetings and hearings ranged from 20 to 25 people, including the Chapter Officials & Natural Arch Land Use Planning Committee members.

METHODS OF NOTIFICATION

Adequate public notification was given for all meetings, work sessions, workshops and public hearings.

Methods of notification included:

- Letters;
- Radio announcements;
- Newspaper;
- Flyers;
- Chapter planning meetings;
- Chapter regular meetings;
- Chapter committee meetings;
- Other interest group meetings;
- Social Media;
- E-mail;
- Chapter Website

6. THE PLANNING PROCESS

The planning process consisted of several steps starting with setting goals and objectives through plan adoption. Public input and participation was crucial to every step in the process. **FIGURE 2** (pg. 14) presents these steps.

SET GOALS AND OBJECTIVES

Setting the goals and objectives was an important step in the planning process. It was the stage where the wants, needs and desires of the community were identified. A goals and objectives visioning work session were conducted by the Consultants to determine how the community members envision the future character and form of their community. What the community members said set the tone for the entire planning process. To ensure the ideas and opinions were accurately transformed into written goals and objectives, a public hearing was conducted to adopt the goals and objectives. These goals and objectives are the basis for this land use plan. Upon adoption of the goals and objectives, a formal vision statement and guiding principles were developed.

SITE INVENTORY AND ANALYSIS

Site inventory and analysis encompassed a general community assessment, infrastructure analysis and a land suitability analysis. Site visits were made and available information, local knowledge and official data were compiled and analyzed. The objective was to get an accurate evaluation of the physical elements and resources of the community. Gaining an understanding of the culture was equally important. Various existing maps were gathered and working maps were developed to aid in the analysis.

DRAFT LAND USE PLAN

This phase began with a hands-on public work session that allowed the community members to actually build a map. Large topographic maps of the community were provided and the people in attendance were divided into groups. Each group worked on the map and built their community in the way that they envisioned to be consistent with the adopted goals and objectives. The maps from each group were reviewed and synthesized with information obtained from the site inventory and analysis phase. One composite map was developed illustrating various land uses, and was presented at a public hearing.

REFINE AND FINALIZE LAND USE PLAN

Refining and finalizing the land use plan was the last stage of the planning process. The finalization of a land use plan is as important as its initiation. A public work session was conducted to incorporate changes based on community input from the draft land use plan and any new information gathered after preparation of the draft land use plan. After changes were made to the land use plan, another public hearing was conducted. At this public hearing the Natural Arch Land Use Planning Committee accepted the land use plan for adoption by the Chapter. The conclusion of this activity is viewed as the completion of the land use plan. Arrangements may be made for follow-up activities that implement the plan.

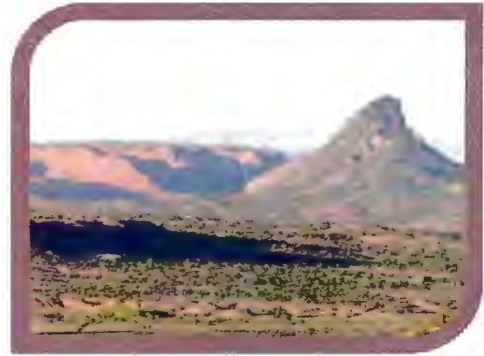


FIGURE 2.
LAND USE PLANNING PROCESS

PART 2 - VISION, GOALS AND OPINIONS OF OUR COMMUNITY

7. COMMUNITY VISION

Our vision for the community of Cove Chapter is simple. Cove will be recognized as a safe and desirable community that preserves its uniqueness and special qualities consistent with our Navajo way of life. We cherish our people and the land that we live on. We share a sense of place and take great pride in our established and emerging family clustered homesteads. We are proud of our heritage and culture.



Our community enjoys a scenic valley and woodland areas, interwoven with an abundance of environmental resources, grazing, open space and the vast mountains, all representing a heritage of natural beauty. Our Community-Based land use plan is nothing less than the best of the past, merged with the future, creating a community where we can lead healthy productive lives in harmony with our beliefs and environment. This Community-Based land use plan holds true to the values of our community.

8. GOALS AND OBJECTIVES

In accordance with the scope of work for the development of the Community-Based based land use plan, the community assessments included, ascertaining the needs, wants, and desires of the community members. The CLUP Committee conducted a goals and objectives visioning work session at the Chapter house on in the spring of 2015 to identify the needs, desires, and opportunities. These goals and objectives were presented at a subsequent public hearing whereby the Natural Arch Land Use Planning Committee formally adopted the goals and objectives.

A. ISSUE: LAND USE PLANNING

Goal: Create a Community-Based land use plan based on community involvement to fulfill the needs and desires of the community as a whole.

Objectives:

- a. Hold regular public meetings, work sessions & public hearings
- b. Coordinate all decision making with the Natural Arch Land Use Planning Committee
- c. Create a final plan that is recommended by Natural Arch Land Use Planning Committee and approved by the community and Resource Development Committee (RDC).

B. ISSUE: HOUSING

Goal: Provide adequate housing tracts for future developments

Objectives:

- a. Provide areas for housing and mobile homes (plots).
- b. Respect archeological sites
- c. Respect areas designated for preservation by the community
- d. Provide Veteran's housing
- e. Provide shelters of children's homes
- f. Promote energy efficiency in new homes/renovation in older homes.

C. ISSUE: INFRASTRUCTURE

Goal: Provide infrastructure to meet the community's needs

Objectives:

- a. Provide infrastructure (water, electricity, natural gas, sewer, cable TV, lagoon/waste water, solid waste, broadband) for community and economic development
- b. Provide reliable cellular, internet services and telephone, phone services.

- c. Provide and improve roads conditions (paved and unpaved).

D. ISSUE: COMMUNITY DEVELOPMENT

Goal: Promote community development

Objectives:

- a. Provide area for commercial development (i.e., restaurant, laundry, gas/convenience store, KOA Campgrounds).
- b. Provide areas for community services (police substation, fire department, ambulance, emergency aid station and helipad).
- c. Provide areas for health services (clinic, veteran's center, and veterinarian).
- d. Provide area for community cemetery
- e. Provide area for cultural/Visitor center and arts & craft vending spaces.

E. ISSUE: NATURAL RESOURCES

Goal: Respect and utilize natural resources

Objectives:

- a. Identify adequate land for grazing
- b. identify adequate land for agriculture
- c. Preserve the Identify areas
- d. Identify range management and conservation programs to help achieve goals (range, and conservation goals).
- e. Identify areas suitable for "eco-tourism."
- f. Plan for irrigation system & earth dams.

F. ISSUE: THE ENVIRONMENT

Goal: Have a healthy environment in which to live and work

Objectives:

- a. Ensure public and livestock water quality.
- b. Clean up environmentally contaminated sites.
- c. Provide for proper solid waste and recycling practices.

G. ISSUE: RECREATION

Goal: Provide a variety of community recreational opportunities

Objectives:

- a. Provide indoor recreation center
- b. Provide parks and play fields
- c. Provide hiking and riding trails
- d. Provide golf course, race track, rodeo grounds

H. ISSUE: NON-TOURISM ECONOMIC DEVELOPMENT

Goal: Address non-tourism based economic development opportunities

Objectives:

- a. Develop a Business Management Plan
- b. Identify area for commercial center for retail and services develop gravel pit mining
- c. Explore applicable revenue generating activities/businesses

I. ISSUE: TOURISM

Goal: Address eco-tourism as economic development opportunities.

Objectives:

- a. Focus on natural aesthetic beauty of area.
- b. Identify areas for hiking and biking trails.
- c. Promote bed and breakfast services.
- d. Provide permitted access to features like the Natural Arch and archeological ruins.

- e. Address transportation (airport, shuttles, improved roads, etc.)
- f. Address other possible tourist attractions (hunting guides, trail guides, ski areas, hot springs, golf course, etc.)

J. ISSUE: EDUCATION

Goal: Provide community members of Cove Chapter the opportunity to receive the education needed to enhance their "quality of life"

Objectives:

- a. Provide health fitness center.
- b. Encourage mentoring programs for youth
- c. Establish youth programs & facilities (boys & girls clubs)
- d. Identify sites for new schools - high schools, pre-school, elementary and trade school.

9. GENERAL COMMUNITY OPINION

Community members were randomly surveyed to gain a better understanding of the importance of land use issues related to this land use planning project. **TABLE 4** (pg. 18) presents the results of this survey.

According to the survey results, concerns about having housing nearby for children received the highest ratings at 82 percent. This indicates that community members want their children to have a place near their extended families. About 88 percent indicated that they live in a house of their own while 6 percent indicated they do not. This could indicate that there is need to provide housing for 6 percent of the Chapter population.

Over three quarters of the respondents, 77 percent, were concerned about land and how it is used. Concerns about grazing and keeping special places also received high ratings at 46 and 53 percent, respectively. The high percentages indicate a definite sign that the community want to preserve, protect and use the land in the most effective and efficient manner.

Both personally, and at the Chapter level, 63 percent of the respondents indicated land use planning would be beneficial.

Economic development and preserving open space generally had high ratings with 65 and 52 percent, respectively, indicating an important element to the community.

About half of the respondents indicated not knowing about LGA. This shows that the community needs more education about LGA.

TABLE 4 - QUESTIONNAIRE RESULTS - COMMUNITY ASSESSMENT QUESTIONS
(SOURCE: LAND USE PLAN RESULTS)

| | Questions | Yes | Sort of | No | No opinion |
|-----|--|-----|---------|-----|------------|
| 1. | Are you concerned about where houses are placed? | 53% | 18% | 24% | 5% |
| 2. | Are you concerned about keeping land open for grazing? | 46% | 26% | 21% | 8% |
| 3. | Are you concerned about economic development? If we build a store or laundromat will you support it? | 65% | 25% | 10% | 0% |
| 4. | Are you concerned about keeping special places? | 53% | 28% | 16% | 3% |
| 5. | Are you concerned about preserving open spaces? | 52% | 24% | 21% | 2% |
| 6. | Is the land and how it is used important to you? | 77% | 21% | 2% | 0% |
| 7. | Is having a house near you for your children important to you? | 82% | 10% | 5% | 4% |
| 8. | Do you think you could benefit from land use planning? | 63% | 22% | 10% | 5% |
| 9. | Do you think your chapter could benefit from land use planning? | 58% | 18% | 12% | 12% |
| 10. | Do you understand land use planning? | 56% | 27% | 15% | 1% |
| 11. | Do you know what LGA is? | 40% | 26% | 32% | 2% |
| 12. | Do you currently live in a house of your own? | 88% | 7% | 6% | 0% |
| 13. | Do you think the community needs a community cemetery? | 67% | 10% | 14% | 9% |

PART 3 - INVENTORY, ASSESSMENT & ANALYSIS

10. OUR LAND

Cove community was named for its location. The community is surrounded between the Carrizo, Lukachukai, and Beautiful mountains in the northeastern part of Arizona. Likewise, K'aabiizhii Nasdl'ah, Cactus Plant, is its Navajo name.



Many of the landforms in the community of Cove Chapter are named after significant historical events. These events are told by families and passed on from generation to generation through the Navajo language. For instance, it is said that in the early 1700's, conflicts existed between the Navajos, other roaming Indian tribes and the Mexicans. These conflicts might have been related to livestock stealing, land ownership or bounty hunting. As a result, on one occasion, Navajos ambushed Mexican fighters approximately six miles west of the Cove Chapter house. The Navajos were atop a high mesa where they rolled boulders down onto the enemies. Struggling for survival, the Mexican fighters yelled and retreated under a big narrow canyon rock wall overhang. Today these locations are known as Mexican Cry Mesa and Mexican Cry Canyon. (Sorrelhorse, 2001).

There is a place, approximately eight miles northwest of the Cove Chapter house, known as Wounded Knee. This is the location where a Navajo person was fleeing from the oncoming enemies and just as he was approaching safety at the top of the hill, he got shot in the knee. (Sorrelhorse, 2001).

The Natural Arch also has many stories. One of these stories pertains to a fortified mesa adjacent to the Natural Arch. This mesa was accessible only from the east and the Navajos spent many months in hiding at this location. The only time the Navajos came out was to gather food or hunt small game when the enemies moved away to reinforce provisions. The Navajo men carefully guarded the entrance to this mesa day and night. Rock boulders were stacked along the edge of the mesa entrance. Every time the enemies attempted to climb the man-made steps in the rock wall, a boulder was rolled off the mesa preventing them from reaching the mesa top (Sorrelhorse, 2001).

One night the Navajo guards fell asleep and the enemies sneaked up to the top of the mesa and attacked. Fortunately, the Navajos kept a long braided rope made out of yucca plant hidden in the dirt (also to keep it from drying out). Some of the Navajos were able to scale down the mesa wall about 100 feet using this rope and safely escaped into the night (Sorrelhorse, 2001).

During another night raid, a 12-year-old Navajo boy named Tsii Yish Bizhii (Braided Hair) hid himself under a thick tree or bush foliage and narrowly escaped captivity. All other family members were captured and endured the treacherous Long Walk to Fort Sumner, NM. The young boy spent more than four long years moving around the Cove mesas and mountains depending on the seasons. Cove mesas have a lot of rock erosion fit for refuge. He survived using his homemade knife, and bow and arrows. After four years, (too much disbelief) to everyone's amazement, Tsii Yish Bizhii was reunited with his family. The lone survivor lived until the 1930s (Sorrelhorse, 2001).

The mountains provide natural resources to the community. One of the most significant findings was mining of vanadium and uranium. In fact, Cove is attributed with the place where mining started on the Navajo Nation (Office of Navajo Uranium Workers, 1993). As early as 1918, vanadium was mined. The ore played a significant role fueling weapons during World War II; hence, the community of Cove Chapter prides itself in helping America win the war. Later, after World War II, the value of uranium was discovered and mining intensified. Uranium mining in this area of the reservation started around 1946 and continued into the 1960's. In the process of mining the ore, radioactive contaminated rock was removed and left in places like

Beclabito Trading Post, along road sides and in piles around the community. Not knowing the health hazards, many people used the rock for foundations and other uses in the home.

In early 1981, the community members decided it was time to form their own Chapter government and took their case to the advisory committee of the Navajo Tribal Council. The reasons given for justifying their own Chapter included having enough residents in the Red Valley Chapter (1,460 members, 1980 census) to support the split; the community of Cove Chapter was a separate and distinct entity within the Red Valley Chapter; and the terrain of the region made it difficult for them to travel to Red Valley for meetings (Eck, 1982). The advisory committee voted 12-0 to support their position and the Navajo Tribal Council subsequently granted their request. Cove was certified as the 108th Chapter in late 1981.

HISTORY OF THE COVE CHAPTER LEADERSHIP

Leaders were not voted in “They were appointed based on their speaking skills and character.” Many elders said, “Our leaders would gather people and stand outside the old Red Rock Trading Post to conduct community meetings.” After separating from Red Valley Chapter, the earliest meetings were held at the Cove Day School Gymnasium. Waiting for the land to be cleared and given to the Chapter the 1st ground breaking meeting was held by the existing cattle guard. Later the official Chapter meetings were held in the blue warehouse building after it was built in 1981.

In 1981, the Navajo Tribal Council Certified the Cove Chapter. In 1985, Cove Chapter separated from Red Valley Chapter to form their own Chapter Government and elected their first set of Chapter officials **FIGURE 3**. Since that time, Cove Chapter has had a Chapter President, Chapter Vice-President, Chapter Secretary/Treasurer and a Council Delegate.

FIGURE 3 - HISTORY OF COVE CHAPTER ELECTED OFFICIALS

| Year | Council Delegate: | President: | Vice President | Secretary/Treasurer: |
|------|--|--------------------|----------------------|----------------------|
| 1979 | Harry Tome | John Joe | Robert Harrison | Larry Tsosie |
| 1983 | Harry Tome | Elwood Tsosie | Jerry Tsosie | Larry Tsosie |
| 1987 | Lee B. Roy, Sr. | James Aloysuis | Dennis Hosteen | Larry Tsosie |
| 1992 | Lee B. Roy, Sr. | Dennis Hosteen | Irvin Tsosie, Sr. | Evelyn J. Yazzie |
| 1996 | Lee B. Roy, Sr. | Thomas Young, Sr. | Arthur Yazzie | James Sorrelhorse |
| 2000 | J. C. Begay | Irvin Tsosie, Sr. | Harrison Dick, Sr. | Charlotte Hosteen |
| 2002 | Willie W. Johnson, Sr. | Irvin Tsosie, Sr. | Harrison Dick, Sr. | Donovan T. Andy |
| 2004 | Willie W. Johnson, Sr. | Irvin Tsosie, Sr. | Harrison Dick, Sr. | Donovan T. Andy |
| 2006 | Phillip Harrison, Jr. | | | |
| 2008 | Phillip Harrison, Jr. | Harrison Dick, Sr. | Lorraine Johnson-Roy | Jasper Joe |
| 2010 | David L. Tom (<i>NOTE: beginning of 24 NNC Delegate appointment</i>) | | | |
| 2012 | David L. Tom | James Benally | Thomas Young, Sr. | Harrison Dick, Sr. |
| 2014 | Amber Kanazbah Crotty | James Benally | Thomas Young, Sr. | Charlotte Yazzie |
| 2016 | Amber Kanazbah Crotty | James Benally | Thomas Young, Sr. | Charlotte Yazzie |

LOCATION

Cove Chapter lies on the northern foothills of the Chuska mountain range in the Red rock valley located in the Northern Navajo Agency, forty-two miles west of Shiprock, New Mexico and 13 miles west of the Arizona-New Mexico border as shown in **FIGURE 4** (pg. 22). The Chapter is surrounded between the Carrizo, Lukachukai, and Beautiful mountains in the northwestern part of Arizona within Apache County. **TABLE 5** (pg. 21) summarizes location information for the community.

The community of Cove Chapter adjoins seven other Navajo Nation Chapters which are Red Valley, Beclabito, Teec Nos Pos, Sweetwater, Round Rock, Rock Point and Lukachukai.

PLANNING AREA

Planning area is an area of land identified for planning purposes while boundaries are a form of jurisdiction. The community of Cove Chapter identified a planning area which may not coincide directly with their Chapter boundaries. The establishment of the planning area is based upon the areas of land that the community members indicated they use, hold permits to, or consider as their customary use area. The established planning area is shown in **FIGURE 5** (pg. 23). The planning area is referred to as the community of Cove Chapter in this document.

LAND STATUS

The land within the community of Cove Chapter is designated as tribal trust land. The total land acreage is estimated at 50,585 acres. According to the community survey conducted for this project, the community of Cove Chapter identifies the majority, approximately 42,091 acres, for grazing, 517.320 acres for farming.

The grazing and farming acreages are divided into smaller areas. Permits for grazing, land use and farming are issued to community members for these areas. Most permits have been in place for years and continue today. Approval from respective permit holders is required for land withdrawals including home site leases. Much of the grazing area in the mountains, 30,832 acres, is identified as woodland by the Navajo Nation Forestry Department.

There are existing home site leases within the grazing areas. These home site leases are one-acre sites designated for residential use only.

ACCESSIBILITY

The community of Cove Chapter is easily accessible from the east via Navajo Route 33 (N33). Other accesses into the community from other directions are restricted to mountain dirt and logging roads.

TABLE 5 - Location Information

Navajo Nation Chapter
Government:
Cove
Navajo Nation Agency:
Northern Navajo
Navajo Nation Grazing District:
12
County:
Apache County
State:
Arizona



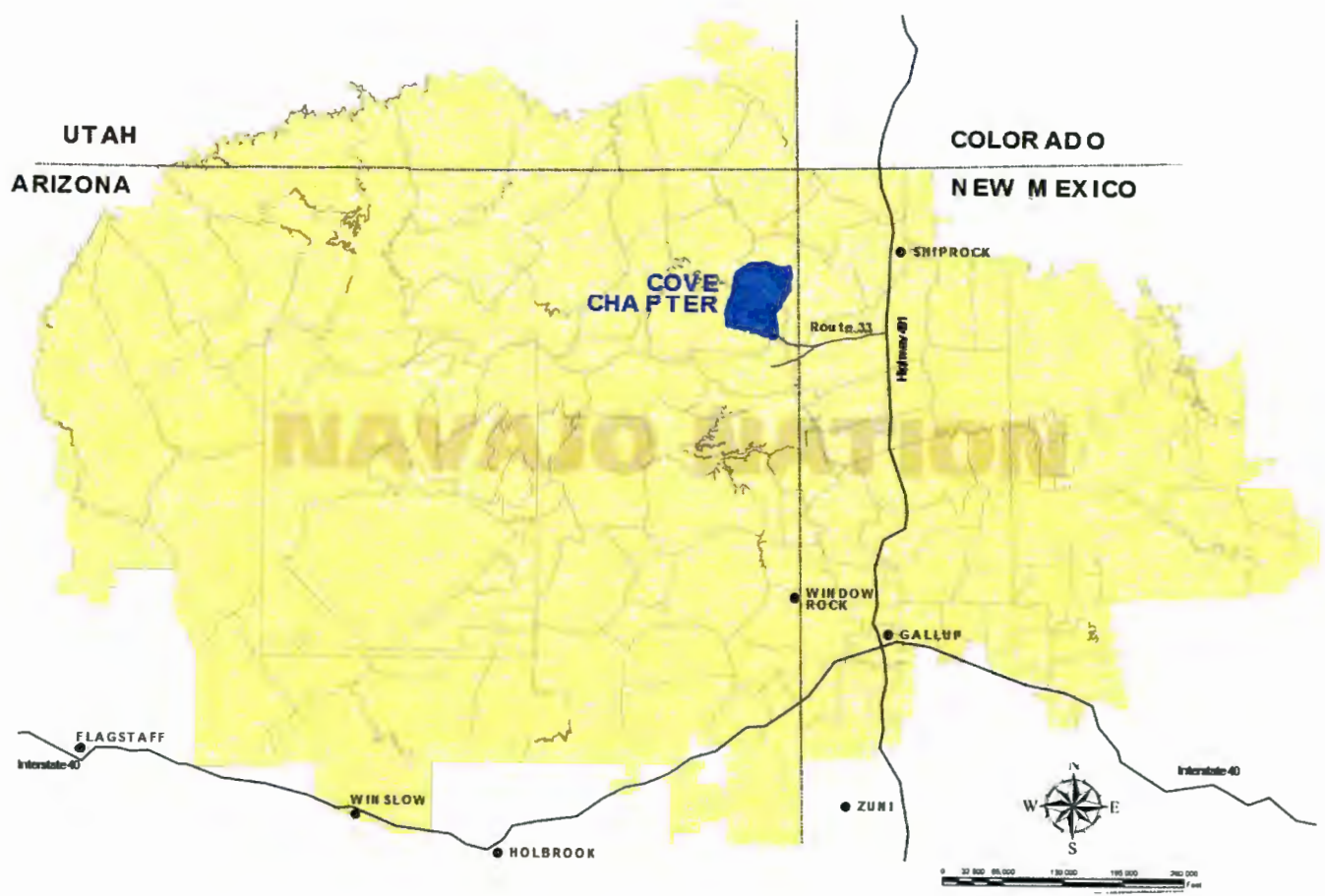


FIGURE 4
LOCATION OF THE COMMUNITY OF COVE CHAPTER
COVE CHAPTER COMMUNITY-BASED LAND USE
Base Map Source: Navajo Nation Land Department

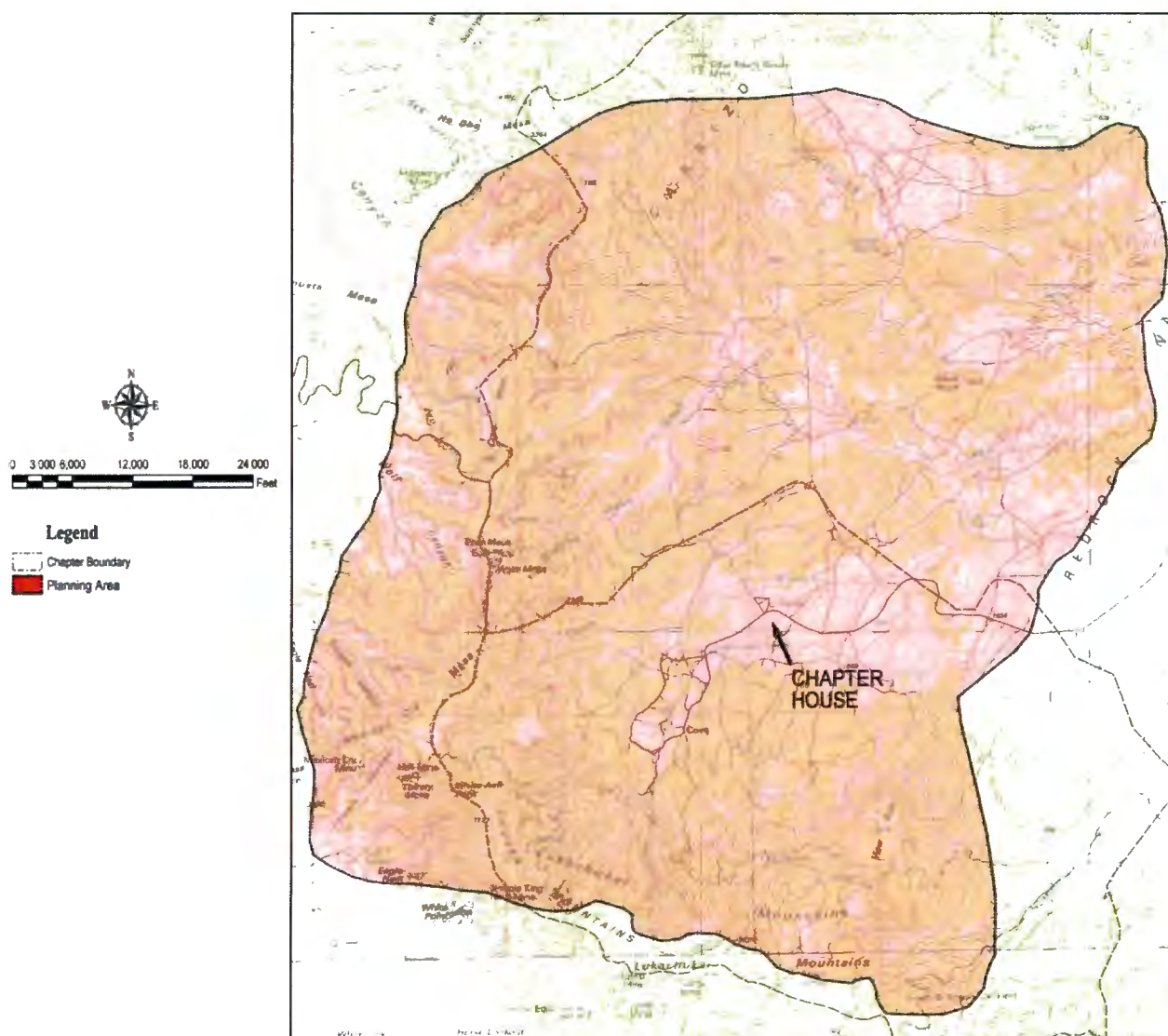


FIGURE 5
PLANNING AREA

COVE CHAPTER COMMUNITY-BASED LAND USE PLAN

Base Map Source: U.S. Geological Survey • Chapter Planning Source: Navajo Nation
Land Department

TOPOGRAPHY

Topography describes the physical features of the land. A topographic map graphically illustrates the topography of an area of land. This map shows the shape and elevation of the surface of the earth, natural and man-made, at a specific scale. This map is useful to planners in the evaluation of land.

The community of Cove Chapter lies in the Red Rock Valley between the Carrizo and Lukachukai mountains of the Chuska Range as illustrated in **FIGURE 6** (pg. 25). The valley exhibits extreme topographic variation, largely facilitated by erosional forces subsequent to the uplifting of the Defiance Plateau. The region is characterized by arid open lowland averaging an altitude of 5,800 feet bounded by massive Wingate formation sandstone cliffs and ridges reaching over 6,700 feet. A high wooded ridge isolates the region from the Chinle Valley to the west. Exposed high along this ridge is the Natural Arch. Several igneous plugs, the most notable of which is Black Rock, occur within the valley. Low badland escarpments of eroded Chinle formation sediments overlook Cove Wash. A series of wide, gentle north-aspect alluvial fans originate on the slopes of the Lukachukai mountains (Hovezak, Fuller. 1991).

SLOPES

The slopes of land are determined from a topographic map. Slopes are calculations based on the relationship between vertical elevations and horizontal distances. These slope calculations are expressed in percent. A slope map shows several ranges of slope calculations. Topographic maps and slope maps are basic tools for planning.

The inventory of slopes in an area is a critical tool to use while planning placement of buildings, roads or other development. The feasibility of a project may be strongly dependent upon the degree of slope in a particular area. Steep slopes typically have fewer plant species and shallower soils than surrounding areas and are more sensitive to active uses. Sewage disposal systems may be adversely affected by steep slope conditions. In general, they are poor locations for extensive development due to high risk of erosion and elevated expense in construction and maintenance (Sargent, 1991).

Slopes throughout the community of Cove Chapter were defined by the Consultants as gentle (0-5 percent grade), moderate (5-15 percent grade) or steep (greater than 15 percent grade) as illustrated in **FIGURE 7** (pg. 26). Sixteen percent of the planning area has gentle slopes, mostly in Cove proper and Red Rock Valley to the north. Slopes in these areas would not restrict any development or land use. Moderate slopes make up 15 percent of the planning area and the prevailing slope could limit land use in these areas, such as farming and development. Steep slopes make up the majority or 69 percent of the total planning area. These areas are suitable only for grazing and/or open space.

VIEWS

Major views for the community of Cove Chapter are represented in **FIGURE 8** (pg. 27). As you enter the community from N33, the views are dramatic from the road. The mountains, valleys, Natural Arch and Black Rock are clearly visible and astonishing. In central Cove, around the loop area, the views of the distant mountains to the north and west, valleys, and the Natural Arch are stunning. From the northern part of Cove, the views include the hills and valleys to the south. The views are incredibly beautiful during the winter with the mountains snowcapped.

The community of Cove Chapter intends to preserve the beauty of the landscape thus most of the development is centralized along N33 including the loop area.

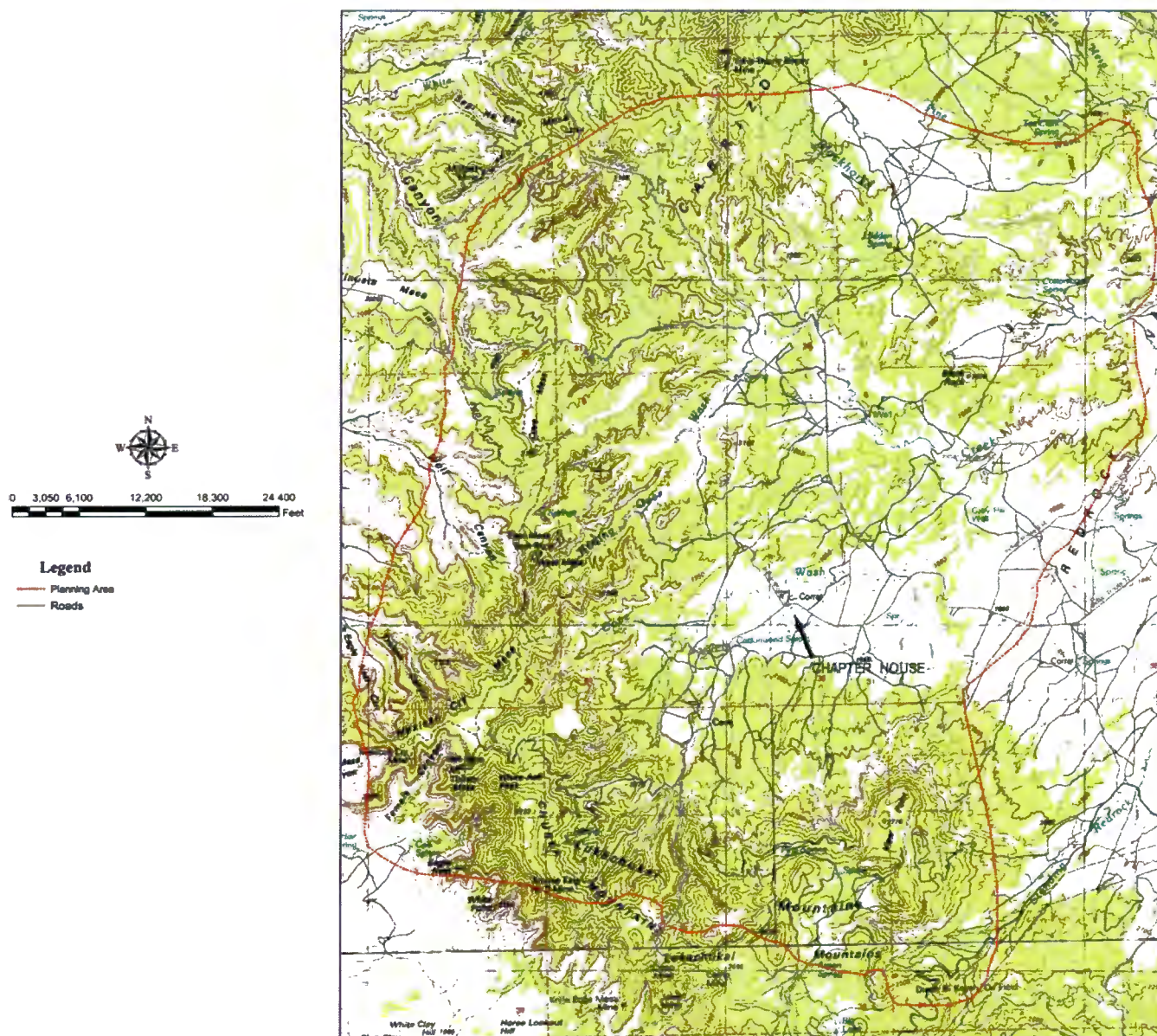


FIGURE 6
TOPOGRAPHY
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

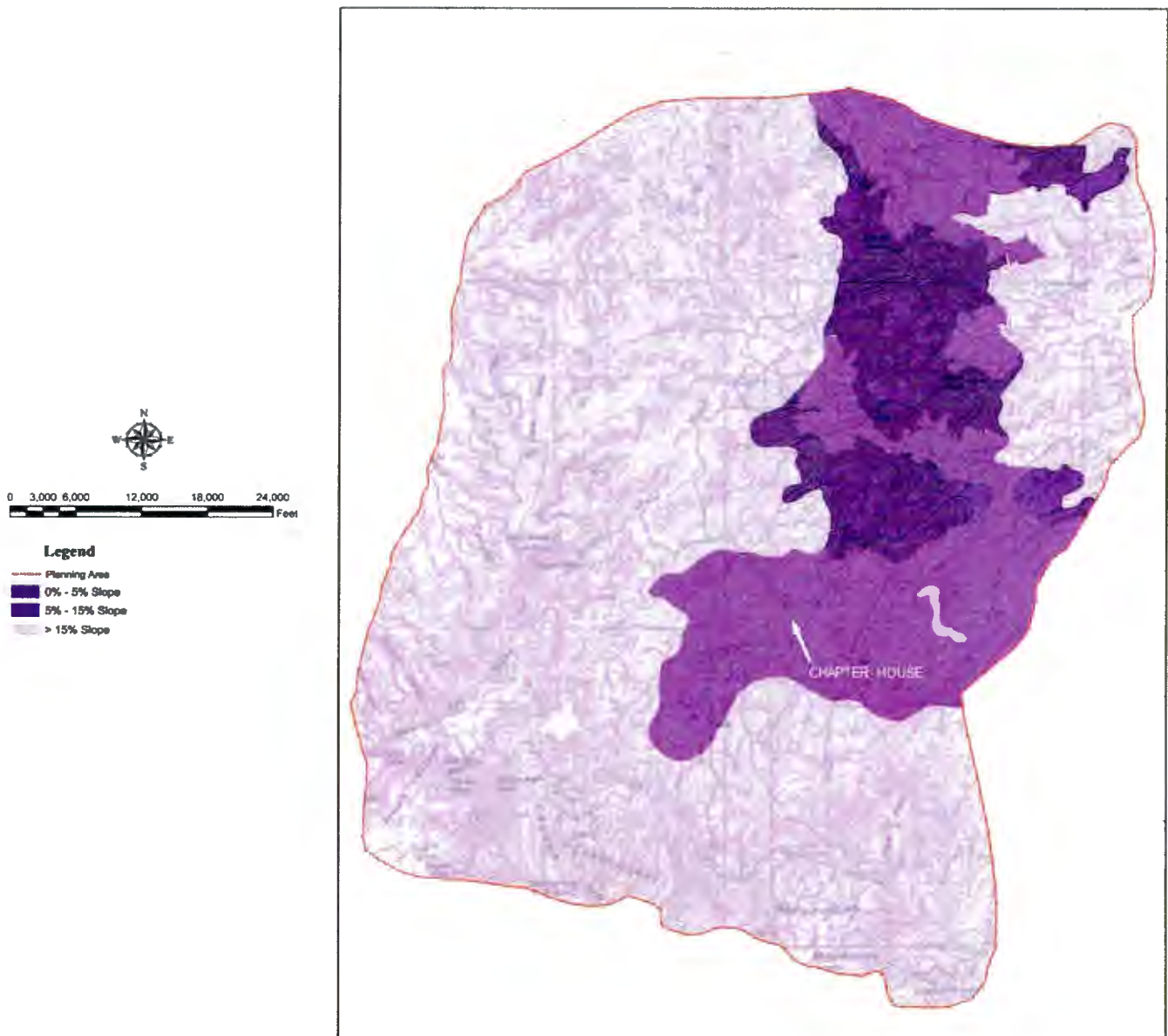


FIGURE 7
SLOPE ANALYSIS
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

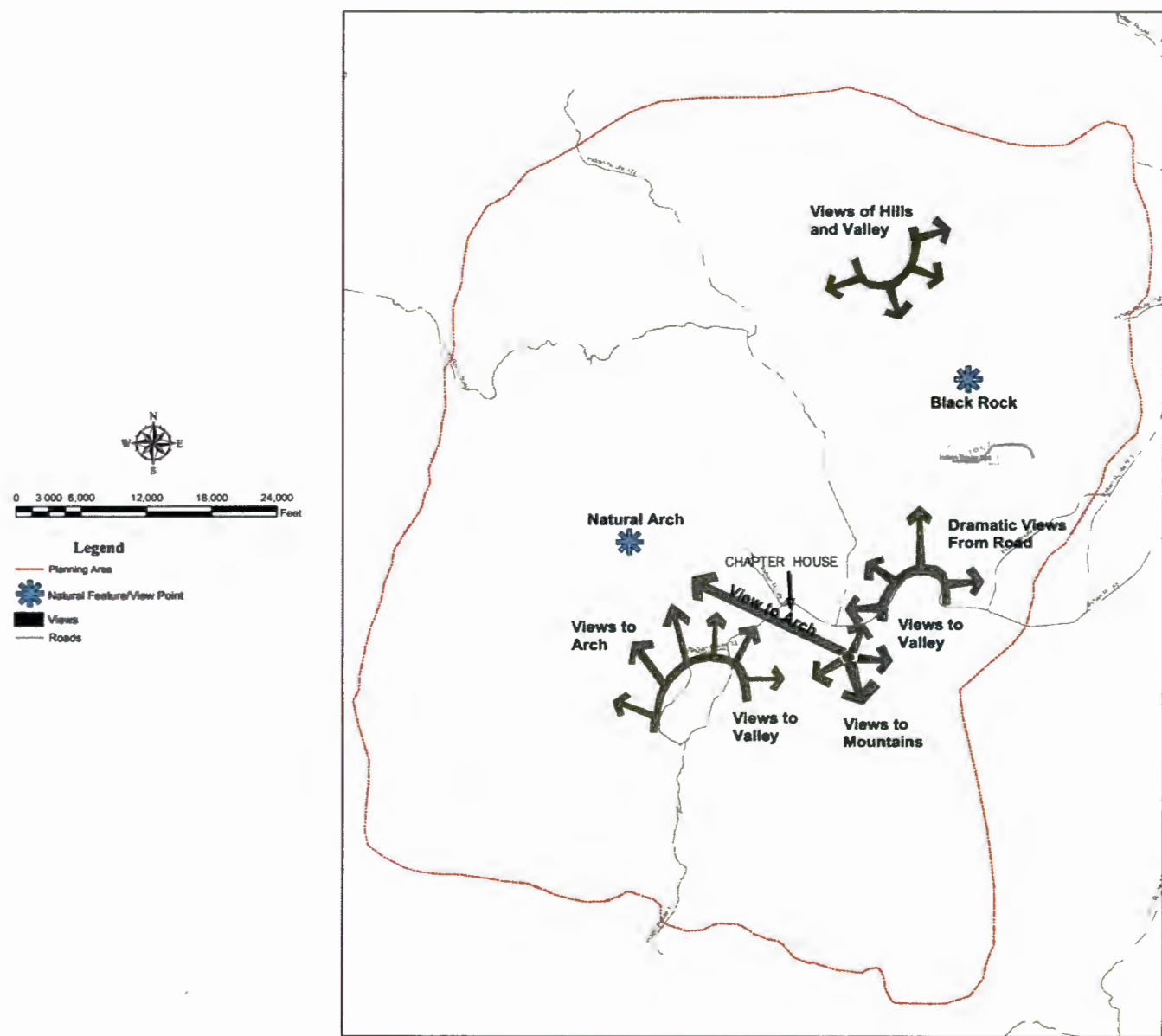


FIGURE 8
VIEWS AND VISUAL RESOURCES
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

GROUND AND SURFACE WATER

Ground water is the water contained in rocks below the earth's surface. This water moves through the rocks in cracks, crevices, and small interconnected pore spaces between the mineral grains of the rock (Pennsylvania Geological Survey, 1972). Surface water is fresh water that flows in rivers, streams, tributaries, lakes and ponds. The US Geological Survey has defined the northwestern portion of New Mexico as the Colorado Plateau hydroclimate province. In general, this semi-arid region contains very few perennial streams and the average annual precipitation ranges from 10 inches at lower elevations to 25 inches in the mountains (USGS, 1989).

The community of Cove Chapter lies on the northern flanks of the Chuska and Lukachukai mountains in the Middle San Juan watershed. The watershed has a drainage area of 7240 square miles and spans across Arizona, Colorado and New Mexico (EPA, 2001). There are no perennial rivers or major lakes within the planning area but the mountains are a primary domestic water source and contain the headwaters for many ephemeral washes that flow in response to rain and braid across the community.

Major water uses on the Navajo Nation include irrigation for agriculture crops, industry and coal mining, with a relatively small portion consumed for domestic use. Water supply is obtained generally from ground water wells or springs with a small portion from surface streams. The Cove Chapter shallow wells, windmills and stock ponds supply water for rural residents and grazing animals.

Updated ground and surface water resource information is being collected by EPA from 2016 to 2018. Surveys being conducted under the Cove Wash Watershed Assessment and Abandoned Uranium Mine (AUM) Removal Assessment actions will provide more specific information about these community resources.

Through a grant from EPA, Dine College will provide support to the Cove community to interpret EPA survey data, and incorporate this information and community needs into watershed management plans.

SOILS

Soils describe the upper layer of the earth's surface. A soils map graphically illustrates the types of soil present in a certain area of land. Knowledge of the types of soil present is important in land use planning. The design of foundations for buildings is largely dependent upon the type of soil. Soil studies may eliminate possible fatalities, failures, and added maintenance costs (Pennsylvania Geological Survey, 1972).

The community of Cove Chapter has soil formation of three general types. The first is the alluvial deposits occurring on the flood plains of Cove wash, Blackhorse creek and the unnamed tributaries; second, are the loess deposits occurring in the dunal formations; and lastly, the soils derived from decomposing parent rock on colluvial or alluvial pediments. Soils most suitable for agricultural purposes are the silty sands occurring on wash flood plains and the fine eolian sandy loam deposits (Hovezak, Fuller, 1991).

The Carrizo Mountain Herbarium will be completing a report on the Geology of the Cove region in 2017. Through a grant from EPA, Dine College will provide support to the Cove community to interpret EPA updated soils information, and incorporate this information and community needs into watershed management plans.

VEGETATION

Vegetation describes and classifies plant life or plant coverage of an area of land. A vegetation map graphically illustrates the types of vegetation present in a certain area of land. Knowledge of the types of

vegetation present is important in land use planning. Natural occurrence and human influence directly and indirectly affect plant growth. Naturally occurring conditions might include climatic variations, topography, soil type, drainage and wildlife, to name a few. Human influence on vegetation might include construction, development, pollutants, livestock, and recreational activities. Plants are also culturally, and traditionally important to the Navajo people.

A map showing the vegetation for the community of Cove Chapter is presented in **FIGURE 9** (pg. 30). The lower elevations are located in cold-temperate desert lands and the biotic community can be classified as Great Basin Desert scrub or Great Basin Grasslands (Brown, 1994). The dominant vegetation on desert scrub of the community is bud sagebrush (*Artemisia spinescens*), a small shrub growing to an average height of one foot. This is a valuable browse plant for sheep and recovers quickly from over grazing.

Sagebrush is also browsed by cattle and wildlife. At this elevation, small, one-seed juniper (*Juniperus monosperma*) can also be found along drainage ways and intermixed with sagebrush. The grasslands, characteristically dry and windy, consist of short-grasses that have been much altered in the past century by grazing.

Along ephemeral washes and springs there is enough water for bunch grasses and a scattering of Fremont Cottonwoods (*Populus fremontii*), vegetation typical of that found in warm-temperate riparian strands throughout the southwestern United States. These riparian strands offer good habitat for a variety of birds (i.e. meadowlark, quail and killdeer) and small mammals (i.e. cottontail and skunk).

Vegetation density and diversity increases with elevation. Yuccas and bunch grass begin to appear and big sagebrush (*Artemisia tridentates*) covers vast areas, averaging in height to five feet with a three inch trunk. In the Chuska and Lukachukai mountains the sagebrush gives way to Great Basin Conifer Woodland. This is a pinyon-juniper vegetation community with some oak association (*Pinus* sp., *Juniperus* sp. and *Quercus* sp.) (Brown, 1995). This vegetation community is widely spaced with an average height of 25-30 feet. This provides good forage and cover for wildlife.

The Carrizo Mountain Herbarium will be completing a Biological Baseline Data report, containing descriptions of plant communities and zones found in Cove. Culturally significant plants found in Cove will be described in this report, which is expected to be completed in 2017.

Through a grant from EPA, Dine College will provide support to the Cove community to interpret EPA updated vegetation information, and incorporate this information and community needs into watershed management plans.

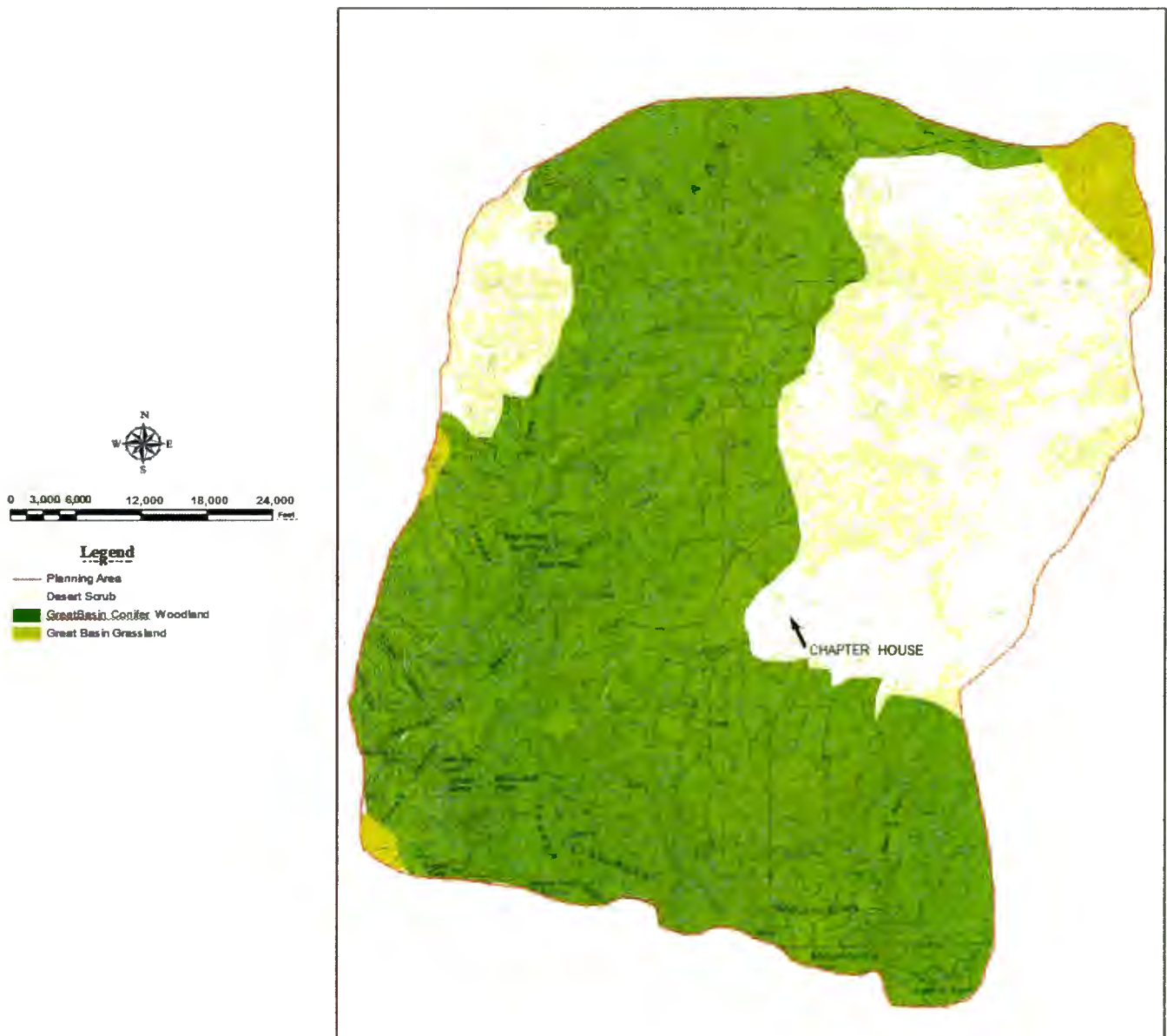


FIGURE 9
VEGETATION ANALYSIS
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

WILDLIFE

Wildlife is culturally and traditionally important to the Navajo people, thus it is crucial to protect and preserve wildlife and their habitat. Legislative mandates include the Navajo Nation Code (Titles 17 and 23), the Endangered Species Act, the National Environmental Policy Act, Lacey Act and Airborne Hunting Act and others as related to wildlife.

The Navajo Nation Department of Fish and Wildlife (NNDFWL) designate wildlife areas throughout the Nation. Wildlife areas are rated as high, medium, or low sensitivity with associated recommendations and criteria for development in these areas. A biological evaluation is required for development in these areas and NNDFWL has set guidelines on the process for planning and approval for development.

Wildlife area 1 is designated as a highly sensitive area and the general rule for this area is no development. Designated Wildlife area 1 contains the best habitat for known endangered and rare flora and fauna species. Wildlife area 2 is designated as a moderately sensitive area with high concentration of rare, and endangered, game specie occurrences, or has a high potential for these species to occur. The suggested general rule for this area is that all development be placed to avoid species and their habitat, including buffers to minimize impacts. Wildlife area 3 is designated as a low sensitivity area containing fragmented or unknown concentrations of species of concern.

Due to the presence of threatened species in the canyons and mesas surrounding Cove, EPA has initiated consultation with the US Fish and Wildlife Service (USFWS) and the Navajo Nation Department of Fish and Wildlife (NNDFW). These agencies assist with the determination of any necessary protective measures to reduce impacts to sensitive species during EPA's assessment, construction, and removal phases for AUM remediation projects. The consultation process is expected to be completed prior to each project phase.

Protective measures and highly sensitive areas identified during EPA projects will be useful for the Cove community to incorporate into planning for future development in the mesa and canyon areas. Depending on the nature of future development, the Cove community may also need to consult with the NNDFW to determine specific requirements for proposed development projects.

The Carrizo Mountain Herbarium will be completing a Biological Baseline Data report, containing descriptions of wildlife species found in Cove. This report is expected to be completed in 2017.

CULTURALLY SIGNIFICANT AREAS

Culturally significant areas include prehistoric and historic period sites as well as traditional cultural properties such as objects, structures, locations or natural features. Cultural resource compliance on the Navajo Nation is mandated by the National Environmental Policy Act and by the National Historic Preservation Act (Sections 106 and 110).

The National Environmental Policy Act of 1969 (NEPA) requires an environmental assessment on cultural as well as natural resources affected by the proposed project(s). The National Historic Preservation Act of 1966 (NHPA), as amended, is one of the most important pieces of cultural resource legislation passed by Congress (Tucker, 2000). This act provides protection and preservation of significant properties.

Other relevant cultural resource legislations includes the Antiquities Act of 1906, the Historic Sites Act of 1935, the Archaeological Resource Protection Act of 1979 (ARPA), the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), and Executive Order 13007 (Indian Sacred Sites [1996]).

The cultural history of the Red Rock Valley which constitutes the community of Cove Chapter is documented in a cultural resource inventory report prepared by Mary Errickson (2000). She reports no Paleoindians and very limited evidence of archaic occupation has been recovered during previous archaeological investigations in the Red Rock Valley. Habitation sites from the Basket maker II and early Basket maker III periods have been found in overhangs and caves. Exceptionally rich material cultural assemblages and macro-botanical remains were recovered from the dry cave settings. Errickson further reports that open pit structure habitation and special use sites dating to the late Basket maker III - middle Pueblo I period are numerous throughout the Red Rock Valley. Few sites dating to the late Pueblo I through early Pueblo II periods have been documented in the Red Rock Valley. Major reoccupation of the area occurred during the middle-late Pueblo II period through the early Pueblo III period, with subsequent depopulation and abandonment after the middle-late Pueblo III period. Finally, Errickson reports the Navajo occupation of the Red Rock Valley has been documented to the early eighteenth century, although the majority of recorded Navajo components date to just after Bosque Redondo (post A.D. 1868).

Mexican Cry Mesa, Wounded Knee and other historic Indian war sites located in the southwestern portion of the planning area, are culturally significant areas. These areas should be protected from intrusion or development. A predominate, distinctive land feature is the Natural Arch. Standing 1,100 feet high and to the northwest of the Chapter house. It can be seen from many locations around the community. The Arch and surrounding area is a culturally and traditionally sensitive area to the community and should be protected from intrusion or development and left as natural open space.

Burial sites are also culturally significant areas. There are scattered burial sites in the western portion of the community of Cove Chapter that should be respected with no encroachment or development.

EPA will be conducting cultural resource surveys for the assessment, construction, and removal phases of AUM remediation projects being planned for 2017 and 2018. The surveys may identify any culturally significant areas in the canyons and mesas surrounding Cove. Surveys are expected to be completed prior to each project phase.

The Cove community will need to contact the Navajo Historic Preservation Department to identify any relevant policies, procedures, and requirements prior to future development plan

TRADITIONAL SENSITIVE AREAS

Residents of the community of Cove Chapter live close to the land, herding sheep, farming and gathering ceremonial sacred herbs. Because of this connection to the land, there are areas located throughout the areas that are important to the people and culturally and traditionally sensitive such as herb gathering sites and ceremonial areas. It is of widespread opinion that these culturally and traditionally sensitive areas should not be encroached upon, therefore they were identified on area maps by local residents and have been withdrawn from development.

Sheep camps, habitations, sweat lodges, check dams and ceremonial sites are recorded with the Navajo Nation Historic Preservation Department. In addition, a review of Van Valkenburgh (1974) indicates Roof Butte (Dzil daneezlinii—Mountain Went Out on Top) as a Navajo sacred site.

EPA will be conducting cultural resource surveys for the assessment, construction, and removal phases of AUM remediation projects being planned for 2017 and 2018. The surveys may identify any traditionally significant areas in the canyons and mesas surrounding Cove. Surveys are expected to be completed prior to each project phase.

The Cove community may need to contact the Navajo Historic Preservation Department to identify any relevant policies, procedures, and requirements prior to future development plans

ENVIRONMENTAL SENSITIVE AREAS

Environmentally sensitive areas include areas as designated as habitats for threatened and endangered species, these are important wildlife, areas or corridors, riparian, areas and protected plant populations areas. Environmental compliance on the Navajo Nation is mandated by the National Environmental Policy Act of 1969 (NEPA). The NEPA requires environmental assessment impact statements on the cultural as well as natural resources affected by proposed projects.

North of N 33(2)4 in the vicinity of Cove wash there are many signs of accelerated surface erosion. A vast amount of soil in the sagebrush flats of this area has been removed by both wind and rain, leaving only that which is at the bases of existing, sparse vegetation, thus creating erosion pedestals. In addition, water erosion has caused head cutting and gully erosion along Cove wash, causing the channel to become incised in this area.

Due to the presence of threatened species in the canyons and mesas surrounding Cove, EPA has initiated consultation with the US Fish and Wildlife Service (USFWS) and the Navajo Nation Department of Fish and Wildlife (NNDFW). These agencies assist with the determination of any necessary protective measures to reduce impacts to sensitive species habitat during EPA's assessment, construction, and removal phases for AUM remediation projects. The consultation process is expected to be completed prior to each project phase.

Protective measures and environmentally sensitive areas identified during EPA projects will be useful for the Cove community to incorporate into planning for future development in the mesa and canyon areas. Depending on the nature of future development, the Cove community may also need to consult with the NNDFW to determine specific requirements for proposed development projects.

11. WHO WE ARE - DEMOGRAPHICS

POPULATION

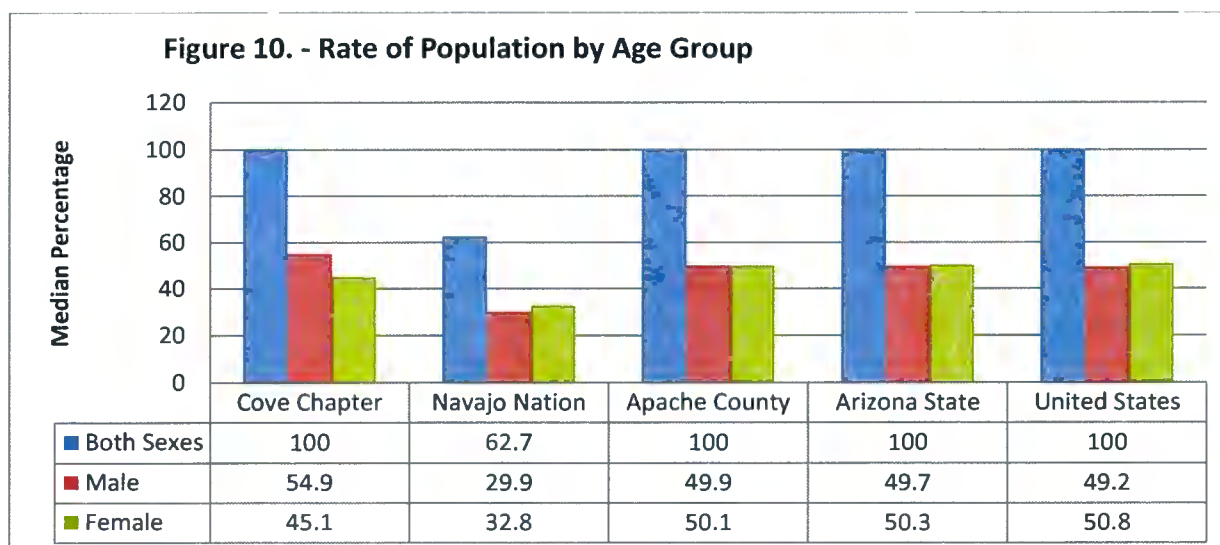
The current population is estimated to be 430 as presented in TABLE 6. This number was reported by the 2010 U.S. Census database. According to the Navajo Nation Election Office (Shiprock Branch), Cove Chapter has 632 registered voters. The community experienced a decline in population from 2000 to 2010.

According to recent U.S. Census numbers, an estimated 176,302 people reside on the Navajo Nation, 71,518 in Apache County, 6.3 million in Arizona and 308 million in the United States. Breaking down these populations into three age groups reveals the workforce age range of 18 to 59 comprises the greatest number of people. Children under the age 18 years are the next largest age group followed by the elders, 60 years old and over. These percentages are presented in FIGURE 10 (pg. 34). Half of the population in Cove Chapter is in the workforce age group consistent with the Navajo Nation and Apache County.

TABLE 6 - POPULATION

| | <u>1990</u> | <u>2000</u> | <u>2010</u> |
|----------|-------------|-------------|-------------|
| FEMALE | N/A | 254 | 194 |
| MALE | N/A | 263 | 236 |
| TOTAL | | | |
| PERSONS: | 442 | 517 | 430 |

SOURCE: CHAPTER IMAGES, 1996 & U.S. CENSUS, 2000/2010



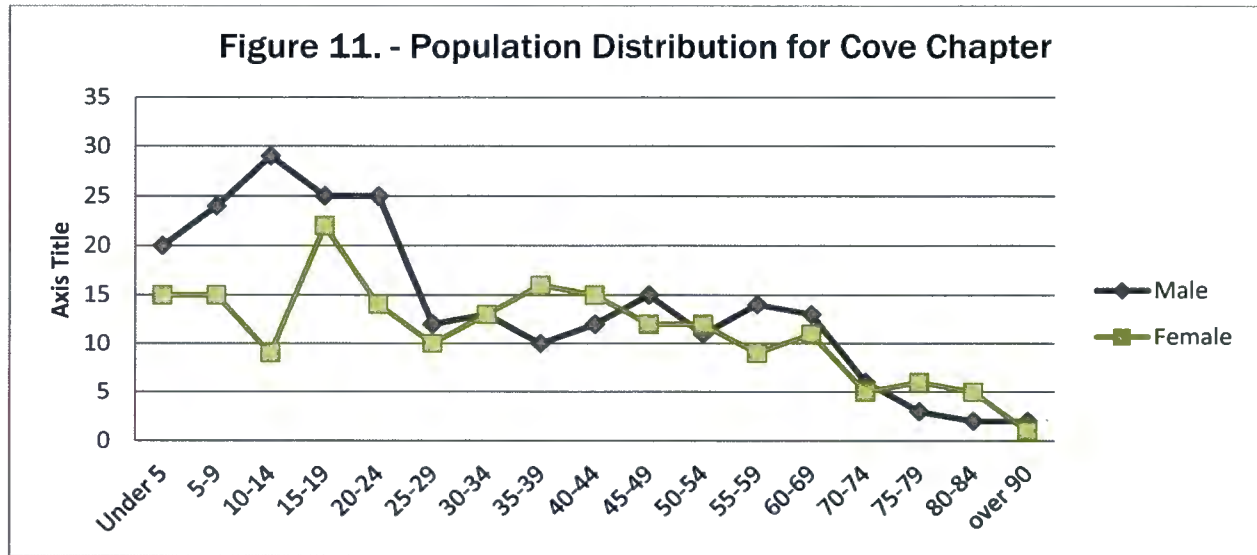
MEDIAN AGE

TABLE 7 shows the median age of the female population to be slightly higher than the male population in all geographical areas shown. The median age difference, however, for Cove is much greater. Cove has a 6 percent difference between males and females while the other areas have about a 2 percent difference. The median age (27.9) for both sexes for Cove is consistent with Apache County and about 6.5 percent lower than the national and state averages.

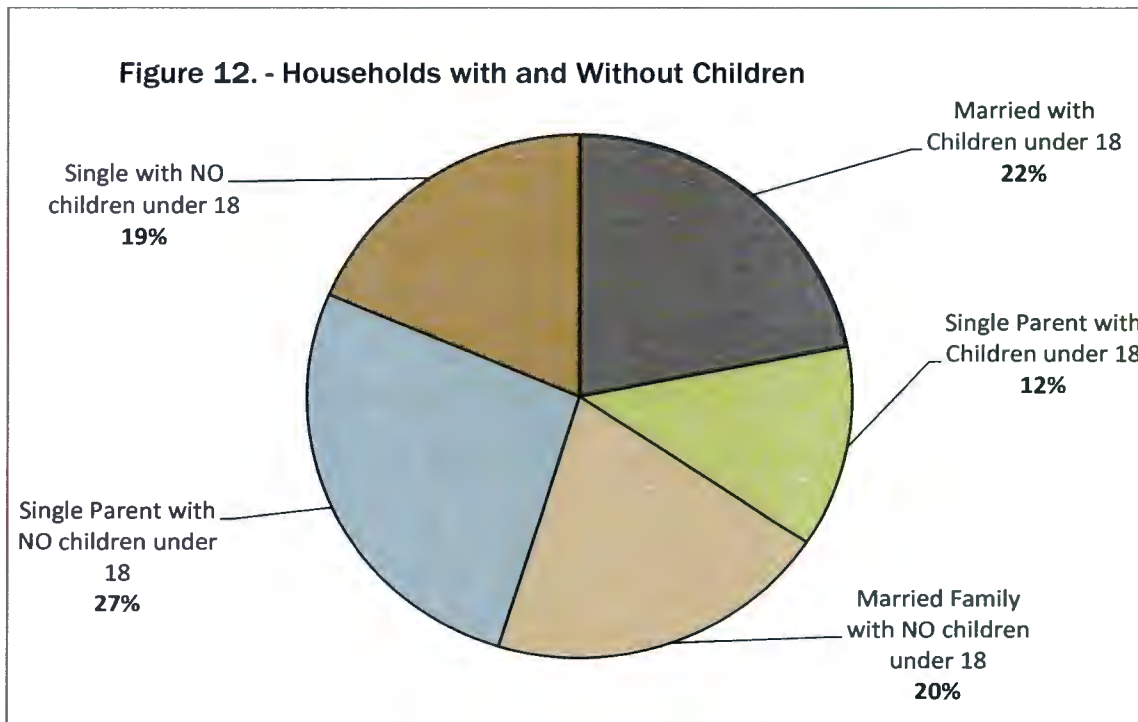
| Table 7. - Median Age by Gender | | | | | |
|---------------------------------|--------------|---------------|---------------|---------------|---------------|
| | Cove Chapter | Navajo Nation | Apache County | Arizona State | United States |
| Both Sexes | 28.9 | 31.4 | 32.4 | 35.9 | 37.2 |
| Male | 23.6 | 29.9 | 31.3 | 34.8 | 35.8 |
| Female | 34.7 | 32.8 | 33.7 | 37.2 | 38.5 |

AGE DISTRIBUTION

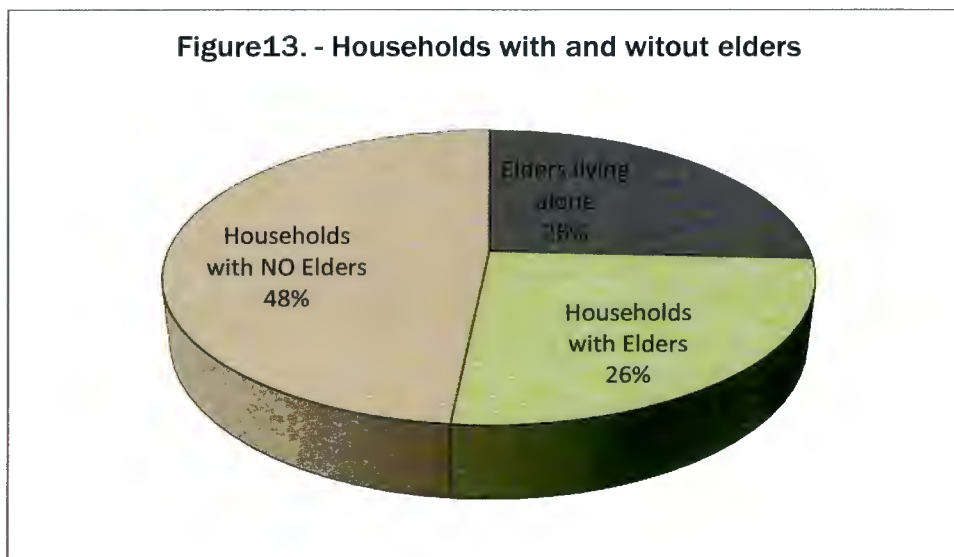
According to the US Census 2010, Profile of the General Population and Housing Characteristics the current age distribution by age group for Cove Chapter is presented in **FIGURE 11** (pg. 35). Children between the ages of 10 and 14 represent the largest population group for the Cove community. Children between the ages of 5 and 9 represent the second largest population group. Among the adults, the groups from 35 to 39 represent the largest adult population followed by the 40 to 44 age range. The gender distribution in each age ranges is fairly even across the difference age groups.



U.S. Census reported 154 households for the Cove Chapter in the year 2010. Approximately a quarter of these households (34 percent) reported children under 18 living in the home. A closer look reveals married family households comprise 22 percent and single parent households make up 12 percent as shown in **FIGURE 12**. Also shown, are households with no children under the age of 18. Single persons comprise 19 percent, single parent families make up 48 percent and married couple families represent 42 percent of the households.



About a third of the total households have an elder 60 years and over in the household as illustrated in **FIGURE 13**. Almost 26 percent of these elders live alone and 26 percent live with 2 or more persons in the household. The remaining 48 percent of all households do not have an elder 60 years and over in the home.



EDUCATION LEVEL

According to the survey conducted as part of this planning project, the education level ranged from no formal education to graduates with master degrees. The median grade level of the respondents is 12th grade. Nearly half of the respondents, approximately 48.9 percent, reported completing 12 or more years of school. The 1990 US Census data reported 46.8 percent of Navajos in Arizona (51.0 percent for Navajos in all states) completed high school or higher.

MAJOR EMPLOYERS AND MEDIAN INCOME

Most residents work outside of the community, Shiprock, NM, being the nearest town providing employment opportunities. Major employers include, the Bureau of Indian Affairs, Navajo Nation, Navajo Enterprises (i.e., NTUA, NECA), Indian Health Service-Northern Navajo Medical Center, San Juan County and other employers in Farmington, NM. Additionally and nearby power plants also serve, as major regional employers. **TABLE 8** presents the national, state, county, and Navajo Nation median income levels. Cove Chapter is estimated to be the same as the Navajo Nation which is at \$10,958. This is 29 percent lower than the county average. The national average is almost three times as much as the Navajo Nation. In 1999, the Navajo Nation Division of Economic Development reported a per capita income of \$6,217 for the Navajo Nation. From 1990 to 1999, the per capita income grew by nearly 25 percent (DED, 1999).

| TABLE 8. Median Income (SOURCE: U.S. CENSUS, 2000, DED) | | | | | |
|---|---------------|----------|---------------|---------------|--------------|
| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
| Median Income | \$39,021 | \$27,540 | \$14,100 | 10,958 | 10,958 |

UNEMPLOYMENT RATE

In 1999, the Navajo Nation Division of Economic Development (DED) reported that the unemployment rate for the Navajo Nation was 43.65 percent while Apache County and Arizona averaged about 37 percent. The unemployment rate for Cove almost doubles that of the State and County rates at 82.41 percent (DED, 1999). These rates are presented in TABLE 9. According to 1990 U.S. Census, 47.3 percent of Navajo families live below federal poverty levels compared to 12 percent of the national population.

TABLE 9.
Unemployment Rate

(SOURCE: U.S. CENSUS, 2000, DED)

| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
|-------------------|---------------|---------|---------------|---------------|--------------|
| Unemployment Rate | 11.8% | 39.00% | 33.77% | 43.65% | 82.41% |

12. RESIDENTIAL HOUSING DATA

HOUSING COUNT

The total residential units housing count for Cove is 271. TABLE 10 shows that over half, (56.8 percent or 154) of the residential units in the community are occupied. Cove Chapter ranks very high in owner occupied units (88.0 percent) versus renter occupied units (12.0 percent) as shown in TABLE 11. The high owner occupancy rate reflects the remote rural character and the fact that families tend to live in their homes for very long periods of time. TABLE 12 shows the factors contributing to the vacant housing count for Cove Chapter as well as the Navajo Nation, Apache County, State of Arizona, and the U.S. About 39.9 percent of the vacant housing units in Cove Chapter are attributed to seasonal, recreational or occasional use. These numbers are relatively consistent with other areas listed in the table however reasons for vacancies in Cove Chapter are very different from other areas. Many Cove residents still maintain summer camps in the surrounding mountains and move seasonally between their winter and summer homes.

TABLE 10.
Number of Housing Units

(SOURCE: U.S. CENSUS)

| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
|----------|---------------|---------|---------------|---------------|--------------|
| Total | 115 M | 2.19 M | 31,621 | 68,744 | 271 |
| Percent | 100% | 100% | 100% | 100% | 100% |
| Occupied | 105 M | 1.9 M | 19,971 | 47,603 | 154 |
| Percent | 91% | 86.9% | 63.2% | 69.2% | 56.8% |
| Vacant | 10.4 M | .29 M | 11,650 | 21,141 | 117 |
| Percent | 9% | 13.1% | 36.8% | 30.8% | 43.2% |

TABLE 11.
Occupied Housing Units

(SOURCE: U.S. CENSUS)

| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
|---------|---------------|---------|---------------|---------------|--------------|
| Owner | 69.8 M | 13 M | 14,846 | 36,092 | 456 |
| Percent | 66.2% | 68.0% | 74.3% | 75.8% | 88.0% |
| Renter | 35.7 M | 0.6 M | 5,125 | 11,511 | 62 |
| Percent | 33.8% | 32.0% | 25.7% | 24.2% | 12.0% |

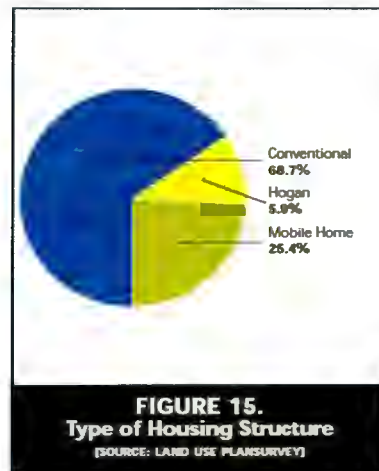
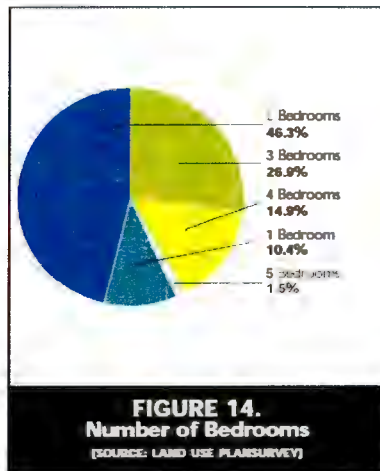
TABLE 12.
Vacant Housing Units

(SOURCE: U.S. CENSUS)

| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
|---|---------------|---------|---------------|---------------|--------------|
| For rent | 25.1% | 21.5% | 6.9% | 3.2% | 0.5% |
| For sale only | 11.6% | 9.7% | 2.6% | 1.7% | 0.8% |
| Rented or sold, not occupied | 6.7% | 4.4% | 1.3% | 1.3% | 0.0% |
| For seasonal, recreational, or occasional use | 34.3% | 49.3% | 56.1% | 52.6% | 39.9% |
| For migrant workers | 0.2% | 0.2% | 0.1% | 0.1% | 0.0% |
| Other vacant | 22.1% | 15.0% | 33.1% | 41.1% | 58.9% |

TYPE OF HOUSING STRUCTURE

FIGURES 14 and 15 (pg. 38) shows the type of housing Cove residents live in. According to the survey conducted as part of the project, a majority of the homes in the Cove Chapter have 2 and 3 bedrooms, 46.3 percent and 26.9 percent respectively. More than two thirds of residents live in conventional built homes while 25.4 percent live in mobile homes and 6 percent live in hogans.



| | United States | Arizona | Apache County | Navajo Nation | Cove Chapter |
|-----------|---------------|---------|---------------|---------------|--------------|
| 1-person | 25.8% | 24.8% | 21.2% | 18.6% | 21.6% |
| 2-person | 32.6% | 35.0% | 22.4% | 17.2% | 21.0% |
| 3-person | 16.5% | 14.8% | 14.3% | 14.6% | 15.4% |
| 4-person | 14.2% | 13.0% | 13.9% | 15.0% | 14.5% |
| 5-person | 6.6% | 6.9% | 11.5% | 13.4% | 13.1% |
| 6-person | 2.5% | 3.1% | 7.5% | 9.2% | 6.4% |
| 7-or-more | 1.8% | 2.5% | 9.1% | 12.0% | 7.9% |
| Average | 2.59 | 2.64 | 3.41 | 3.77 | 3.41 |

HOUSEHOLD SIZE

Household size is compared in TABLE 13. Numbers are somewhat consistent for small households (1 to 4 persons) in all areas. Cove Chapter and the Navajo Nation, however, show a higher rate of households with 5 to 7 persons. Consistent with Apache County, the average household size for Cove Chapter occupied housing is 3.41. This is slightly lower than the average household size for the Navajo Nation, but is greater than the national and state averages. The majority of household members are between the ages of 45 and 54 years for the community of Cove Chapter.

13. RESIDENTIAL HOUSING NEEDS

The housing needs are significant. A number of community members need help with renovations, utilities, roads, and in some cases, new homes. Some of the homes are inadequate in square footage and do not meet national building standards and codes, remain occupied because there is no other housing alternative. The need for new housing is influenced by the growth of families, job generation, and residents moving back "home". The community of Cove has been growing at a steady rate. As stated in Section 11, the average annual growth rate is estimated at 1.4 percent compared to the Navajo Nation average of 1.2 percent. Based on, an annualized growth factor of 1.4 percent, the population will grow from 517 to 605 in 2010.

Cove Chapter has a waiting list of 38 community members requesting renovations or new homes. The community of Cove has many housing-related problems or obstacles, including low and moderate income housing opportunities, type and price of new housing, and the existing difficulties of home ownership.

Population increases are expected to create the greatest demand for new housing units followed by families wanting to move back to the community. Based on the projected population increases, the number of families wanting to move back to the community, and an assumed decrease in the average household size, the housing need for new units is 87 over the next ten years.

New housing, in keeping with the scattered or family oriented concept, will have to be built to meet residential housing needs. Particular attention must be paid to special needs of the elderly, disabled, large

families, and households with low to moderate incomes. In addition, housing will have to be planned, to enhance unique family oriented complexes.

Community and public facilities are needed to support the population of the community of Cove Chapter. Cove is a rural and remote community with nearest nursing or group home in Farmington, NM. Community residents prefer to have their elderlies nearby and the elderlies want to stay in the place they know as home. Fourteen percent of the total community populations are elderlies, and 10 percent of all households, are elderlies who live alone. This means that about 75 people are elderlies and 15 of them live alone. Ten years from now these numbers will significantly increase.

PART 4 - LAND USE PLAN

14. LAND USE CATEGORIES AND PLAN DESCRIPTIONS

The land use categories reflect the goals and objectives and provide guidance for determining appropriate land uses. The following descriptions provide information about on each land use element and the land use plan map is presented in FIGURE 16 (pg. 40). The map indicates the intended predominate future function, density, and characteristic use of land. It does not reflect the intended zoning of individual areas, but rather generalizes desired future land uses. The map suggests an overall mix of densities and should not be read as tying individual projects to density designations. To achieve appropriate balances among the goals promoted by the land use plan, flexibility on specific decisions is required.



RESIDENTIAL HOUSING

Residential land use includes scattered, family oriented complexes and subdivisions. Scattered home sites are one acre sites. Family oriented complexes and subdivisions on the other hand, provide more houses per acre. Typically subdivisions on the reservation, include housing built by the Bureau of Indians Affairs (BIA), Navajo Housing Authority (NHA) or other housing entities.

Existing Residential Housing:

Residents of the community of Cove Chapter live predominately in small family clusters spread across the lower elevation of the community. Some families maintain summer camps in the mountains of which they move to during the summer months. In addition to the scattered housing, the Cove Day School provides employee housing within its site. Currently there are 4 units located within the Cove Day School site. The first housing subdivision is currently under construction by (NHA). The 44 unit NHA subdivision is projected to be completed by 2003.

Proposed Future Residential Housing:

It is envisioned that scattered housing will be widely spread as shown on the land use plan map, giving it the feel and appearance, of the preferred arrangement of homes, rather than that of a 'subdivision'. This arrangement is more conducive to the lifestyles of the community members, especially those whose livelihood is farming or grazing. Small clusters of scattered housing may make up a family area and share utility lines. Within these clusters, homes may or may not be close together.

Cove Chapter provides housing discretionary assistance for the community and its Veterans. The assistance requests, range from door or window replacements, re-roofing, plumbing repairs, new fixtures, bathroom additions, and minor renovations or new homes. The list was reviewed and those requesting new homes were selected for study in this land use plan. Refer to Part V for complete infrastructure and land suitability analysis.

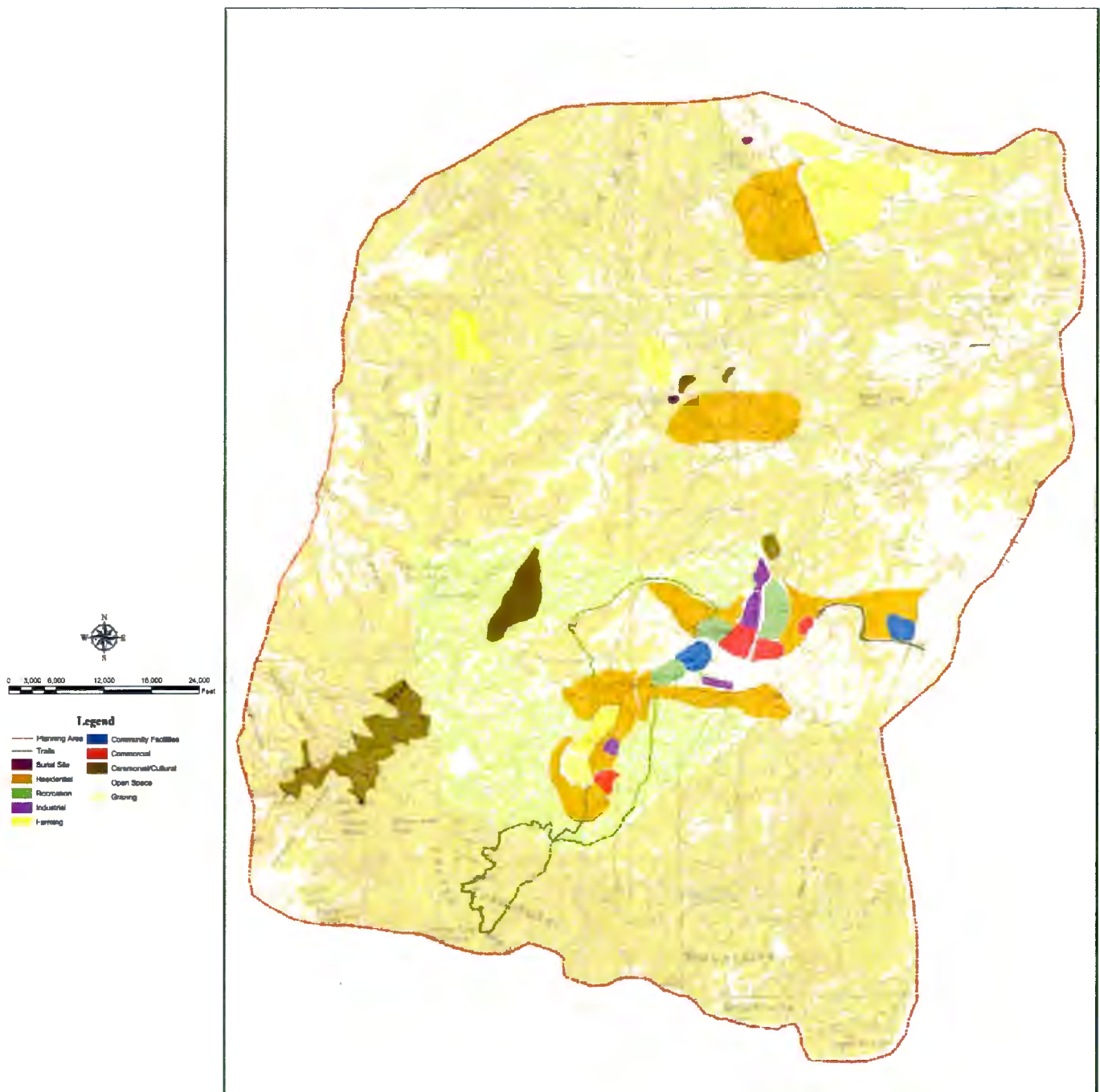


FIGURE 16
LAND USE PLAN
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

COMMERCIAL

The commercial categories are established to provide areas in which business may be conducted, goods sold and distributed, and services rendered, and to provide for public activities and other activities which support retail and business functions. These may include such uses as grocery stores, trading posts, or even areas for local vendors and artists to sell their wares to tourists. This land use is important to the economic development of the community as it provides places for businesses. Businesses which provide jobs and create an economic base, and potential revenue for the Chapter through sales tax or business leases. Local businesses also let Chapter residents spend money "locally" rather than in other communities. Commercial land use does not include more industrial business such as heavy manufacturing or mining.

Existing Commercial Development:

There are no commercial developments within the community of Cove Chapter.

Proposed Future Commercial Development:

The community of Cove Chapter intends to develop limited areas for tourism and commerce while preserving its uniqueness and special qualities. The proposed commercial development is located primarily along the main road, N33, into the community. This location allows for easy access and high visibility for commercial businesses. Because much of the commercial development will be geared toward serving both local residents, as well as tourists, it is located away from the primary housing areas to discourage tourist traffic.

The first commercial area encountered upon entering the community has been suggested as the visitor's center and cultural center. This prominent location would be easy for visitors to find and could serve as a first stop for tourists at the visitor's center to gather information and/or hiking permits, etc. and/or as a last stop for shopping at the cultural center on their way out.

Additional commercial development is located at the intersection of N33 (main road) and N332 (the road that heads north toward Hidden Springs). This intersection serves as central location for the commercial development outside of the residential areas. The commercial development suggested for these areas include lodging for tourists/visitors, which may include hotels, resorts, RV camping, tent camp sites, or other lodging options. Also suggested for this area is retail development such as a grocery store, laundromat, gas station, or other retail services. This is a partial list of suggested retail uses, and in no way limits the use of the commercial development to only these uses.

INDUSTRIAL

Industrial development typically facilitates businesses connected with the production, manufacture, or construction of a product or a range of products. Typical industrial development may include mining, manufacturing or warehousing. Industrial land use may also include uses needed for providing public utilities, such as water treatment, power lines or power plants, and other utilities, industrial development provides jobs for the community and can bring revenue from user fees, sales tax, or other mechanisms.

Existing Industrial Development:

There are no active industrial developments within the community. There are however several abandoned mines located in the mountains. A few have been reclaimed while others are still in the process.

Proposed Industrial Development:

To meet the goal of providing water treatment, an area for a water treatment plant has been located near the NHA housing sites in the area of the current sewer ponds. This location was selected because it currently serves as the waste water treatment area and existing sewers are constructed to deliver waste water to this area.

A regional solid waste transfer station is currently located in Red Valley on N13. This location allows relatively easy access to the station for solid waste disposal.

COMMUNITY FACILITIES

This category is used to designate public land uses, including schools, colleges, libraries, fire stations, police stations, convention centers, museums, governmental offices, utility stations, and hospitals. Community facilities provide valuable services to the community.

Existing Community Facilities:

Chapter Compound: The Chapter is located within the Chapter house compound which comprises of 15.1 acres. Built in 1987, the Chapter house is in fair condition with some minor structural deficiencies.

Educational Facilities:

Cove BIA Day School began in the late 1950s by serving kindergarten through second grade. Today, the Cove Day school serves kindergarten through sixth grade. The present building was built in 1959-60 and occupancy began in 1960. It is located on approximately 15 acres of land still operated and managed by the BIA. Current enrollment is shown in TABLE 14.

| Grade Level | # Students |
|-------------|------------|
| K | 8 |
| 1 | 9 |
| 2 | 14 |
| 3 | 9 |
| 4 | 12 |
| 5 | 8 |
| 6 | 12 |
| Total: | 72 |

Senior Citizens Center:

The senior citizen program currently operates from the Chapter house. An existing building, the old Chapter house, has been designated for use by the senior citizen program. The building is currently boarded and awaits new construction funds.

Memorial Park:

A memorial park honoring uranium workers and veterans is located to the south of the Chapter house.

Church Facilities:

There are several churches in the community of Cove Chapter. The Miracle Faith Center Church is approximately 45 years old. The Navajo Nation Land Department does not have any record of land withdrawal for this purpose. The Cove Christian Church is 25 years old and is situated on 3 acres of land. An application for the withdrawal of the 3 acres is on file with the Navajo Nation Land Department. The New Testament of Holiness is approximately 11 years old and is situated on half an acre of land. The Native American Church of Navajo land is established in the community and is presently in the process of identifying a community prayer site near the Young residence. The Seventh Day Adventist is working on identifying a site.

Public Safety:

Police, fire and emergency services are provided by Shiprock District Public Safety, Emergency Medical Services, and San Juan County. These services are located 38 miles west of cove.

Health Care:

The Northern Navajo Medical Center located in Shiprock, NM, is the nearest hospital providing medical and health care. The Community Health Representative (CHR) provides services to clients in Cove and Red Valley communities. CHR's office is located at the Red Valley Chapter. These services are located 40 miles west of cove.

Proposed Community Facilities:

Proposed community facilities will be located in centralized and easily accessible locations throughout the community. The primary areas designated for community facilities are along N33 surrounding the Chapter compound. Locating additional community facilities near the Chapter compound provides a centralized area for these facilities

RECREATION

The areas designated for recreational areas in this Community-Based land use plan are intended, to be more structured recreational facilities. These facilities may include both indoor and outdoor facilities. Outdoor facilities may include parks, playgrounds, ballfields, golf courses, rodeo or equestrian facilities. Indoor facilities include gymnasiums and multi-use fitness centers.

Existing Recreation:

There is an unmarked mountain bike trail traversing the Chuska Mountain and its foothills. The community hosts a scenery competitive mountain bike race for the public annually during the summer months. There is also unmarked ATV trails through White Ash Peak, Chuska Mountain and its foothills. The community hosts a scenery trail annually tour during the summer.

Proposed Recreation:

The land use plan provides these areas for recreational facilities. The largest is located just north of N33, and east of N332. This area has been suggested for a golf course but could also easily accommodate other recreational facilities. The golf course has been suggested as a way to not only provide entertainment and fitness opportunities to members of the community, but also as an attraction for tourists who would come to the community to play golf surrounded by the natural beauty of the area. This area is easily accessible on an existing road and is centrally located within the community. A second recreational facility area is located just north of N133 near the Chapter house. This area has been suggested for rodeo grounds because it is near a commercial development area and may attract tourists or other visitors to the area during rodeos. This area is also well suited to provide a location for any of the other suggested recreational facilities as well. The third area designated for recreational facilities, just west of the Chapter house, has been suggested as the area for a park and recreation center. The close proximity of this area to the Chapter house makes it a desirable location for this type of recreation as it is easily accessible, visible from the road, and near other community facilities. It is also located away from commercial development sites, giving this area a more relaxing, residential feel than the other recreational facility areas.

OPEN SPACE

Areas designated as open space are those areas that the community has identified as having special significance, and are areas that should be preserved in their natural state without development. The designation as open space does not mean that people cannot use the space for limited grazing, hiking, or other low impact activities, but it does protect the area from mining, building or other forms of development. Grazing in open space areas should not be intensive and should be carefully monitored to ensure that overgrazing does not occur in these areas. The intent of open space is to preserve areas of particular beauty, natural, cultural or traditional significance for future generations to enjoy and respect.

Existing Open Space:

Because of the community's incredible natural beauty, the community recognizes the importance of preserving areas of special significance from development. The community also recognizes the potential to attract tourists by offering them the opportunity to enjoy the magnificent scenery the area has to offer. By preserving areas as open space, the community will preserve this valuable resource, while also respecting the natural beauty and importance of the natural land.

Three large areas of open space have been identified on the land use plan map. It should also be noted that those areas designated as ceremonial or cultural sites should also remain undeveloped and should be offered the same respect and protection as open space sites.

Two of the identified open space sites are near the boundary between the communities of Cove and Red Valley Chapters on the east side of the community of Cove Chapter. One of these areas is the area known as the Deer Tracks, the other is just south of the Deer Tracks. Preserving these areas as open space not only preserves areas of special significance to the members of the community, but also ensures that the initial views visitors have of the community of Cove Chapter remain welcoming and undeveloped in their natural beauty.

The third area designated as open space is a large area west and north of the residential area of the community, near the Natural Arch and Mexican Cry Canyon. It has been suggested that hiking and biking trails could be developed in this area, providing an opportunity for eco-tourism. This area may provide a place for guided and/or unguided hiking, as well as a mountain bike trail to accommodate recreational riding and/or a sponsored bike race. Preserving this area will also help to protect and preserve the culturally important Natural Arch and Mexican Cry Canyon from nearby development.

GRAZING

The suitability of land for grazing is dependent on various factors including the amount of annual precipitation, soil conditions, and the degree of slope on the land. The type of vegetation that will grow on the land is also affected by these factors. Land where the degree of slope is steep is suitable for grazing and/or open space. As open space areas, grazing lands possess scenic values except when overgrazed. Areas designated for grazing should remain primarily undeveloped to ensure that grazing rights in these areas are protected. The grazing areas will likely be managed by a grazing committee and should be regulated by a grazing management plan. Areas designated for grazing should not limit the use of these areas for other non-development related activities like recreation or hunting, however the primary managed land use on this land is grazing.

Traditionally home sites and family clusters of homes are located within a grazing lease area. This type of home site development is compatible with areas designated for grazing.

Existing Grazing:

Ranching and sheepherding have been a major occupation and, more importantly, a way of life in the community of Cove Chapter for many years. A majority of the land in the community are now grazed. An estimated 42,091 acres of land in the community are now grazed. Based on the survey conducted as part of this planning project, there are 33 grazing permit holders. The average number of acres per permit is 3.9. The highest number of grazing animals owned by any one permit holder is 89. The grazing animals include sheep, goats, horses and cattle. The valleys in the central and northern part of the community are showing signs of overgrazing.

Proposed Grazing:

The community voiced a desire to preserve and protect these lands from encroachment by other uses since they are valued for the cultural, economic and aesthetic values they offer. The majority of the community is dedicated to grazing. Because people often want to live near to the area they graze, grazing and scattered housing are found together in many areas. In these areas, widely scattered housing is acceptable, but subdivisions or high density housing developments are not encouraged.

Large tracts of land in the north, south and west portions of the community have been designated as grazing land. Included in these areas are the summer sheep camps in the mountains, and lower elevation grazing lands.

GRAZING PERMITS:

Between 1937 and 1938, The BIA issued grazing permits based on the units' capacities, and although the district boundaries have never legally surveyed, they had many uses over the years. The number of sheep units were authorized and based upon the carrying capacities set by the Soil Conservation Service. The district issued the permits to the head of household.

Generations of herding and grazing on the Navajo Nation led the federal government to form grazing districts over 70 years ago. The Bureau of Land Management (BLM) and the Bureau of Indian Affairs (BIA) developed Navajo Nation grazing districts in 1935.

They based the districts on the soil and range inventories, which they sue to determine unit's capacities. As these agencies performed their studies, they also kept tract of their research areas with what they called grazing district lines. Those were based on natural topography such as mountain ranges and washes.

One created the BIA grouped three individual grazing districts into Shiprock Agency 9, 12, and 13. The Cove/Red Valley Chapter is mostly within Grazing District 12.

To date, Cove Chapter has 12 grazing permits, since these grazing areas were never surveyed, some maps overlap.

FARMING

Land that has been designated for farming should be used for raising crops, either for subsistence or for market. Soils and location are prime factors in determining the suitability of land for farming. Water is also a serious consideration and limits the amount of land capable of being brought into cultivation. Farming land is typically relatively flat with healthy, rich soils, and near a natural or irrigated water source.

Existing Farming:

Farming is an important way of life for some community members, though on a smaller scale than grazing. The cultivation of land for crops also has a long history in the community of Cove Chapter. The survey conducted for this planning project revealed 52 residents with farm plots ranging from 1 to 206 acres and a median of 5 acres. Only 8 of these farmers hold a farming permit. Crops grown for food or to provide feed for livestock are the major farming enterprises in the area. Crops of the community include squash, corn, melons, and alfalfa. Presently all farms use rain, runoff water or hauled water as the source for farm water.

Proposed Farming:

There are 4 specific areas designated for farming. However, this does not mean that small plots of land cannot be used for growing crops outside of these areas. If a family wants to grow a corn field or a garden near their home, this would be acceptable within the plan. However, large tracts of farmland should be confined to those areas designated as farm land.

There is an area of farming located within the loop road through the more residential area of the community. This area is centrally located too much of the housing and easily accessible by road. A second large area of farming is located just east of N332 near the northern boundary of the community. This site is also near a road and easily accessible. A large housing area is located across the road.

There are two smaller, more remote farming areas in the North West area of the community. These areas are less easily accessible and are surrounded by grazing rather than near any housing.

CEREMONIAL/CULTURALLY SENSITIVE SITES

Ceremonial/culturally sensitive sites are defined as those areas that have been designated by community members as areas that are either used for ceremonies, or have some cultural significance. These areas may be areas where herbs are gathered, areas of archeological importance, or they may be areas that hold other historic or cultural significance for members of the community. The actual use or significance of these areas is not shown on the land use plan to protect these areas.

These areas should be treated with the greatest of respect and should not be subject to any sort of development (with the exception of building ceremonial structures, etc.). The purpose of designating these areas is to protect them for the use and respect of community members and future generations.

Existing Sensitive Sites:

Ceremonial/cultural sites are scattered throughout the community. The areas shown on the land use plan map are likely not the only sites in the community, however; all ceremonial/cultural sites should be respected equally, regardless of if they are shown on the land use plan map.

Those areas shown on the land use plan map include an area on the north side of N33 near the east boundary of the community, small sites along N332, and large areas surrounding the Natural Arch and Mexican Cry Canyon. Other areas on the land use plan map show where some ceremonial/cultural sites may accommodate future ceremonial grounds.

Proposed Sensitive Sites:

The community voiced a desire to preserve and protect these lands from encroachment by other uses.

BURIAL SITES

The areas shown on the land use plan as burial sites have been identified by community members. These sites should not be disturbed by development, and recreational trails, etc. should not lead to these areas. The burial sites shown on this land use plan map are not the only sites in the community, however; all burial sites should be respected equally, regardless of if they are shown on the land use plan map. In 2016 Cove Chapter withdrew 30 acres of land for the Community & Veterans cemetery.

Existing Burial Sites:

There are two current burial sites shown on the land use plan map, both in the northern area of the community. There are several small burial sites scattered throughout the community. Several of these have been located on the land use plan map, but there are many that were not specifically located. There are many burial sites in the areas designated for farming and all of these should remain undisturbed. The local community members are aware of the locations of these burial sites and have respected them. Each individual site is not located on the land use plan map in an attempt to further protect these sites.

Proposed Burial Sites:

One goal of this land use plan was to identify an area for a community cemetery; however consensus could not be reached on a location so a cemetery is not shown on this land use plan map. Identifying an area for this use should be accomplished and added to the land use plan as an amendment.

PART V. PROPOSED HOUSING, COMMUNITY AND PUBLIC FACILITIES

This section builds on the groundwork established in the planning process in order to conceive and implement individual housing projects that respond directly to local conditions and context and are consistent with the future vision of the community. The explicit goal is to give physical form to the housing possibilities that were identified in the planning process.



The following sections present a framework for residential housing development by taking 17 proposed scattered housing requests from the community of Cove Chapter. The framework is based on infrastructure and land suitability analyses.

The goal of infrastructure and land suitability analyses is to explicitly identify constraints and opportunities for proposed residential housing development. This is accomplished by determining the fitness of a given tract of land for the intended use (Steiner, et al., 1999).

15. PROPOSED HOUSING SITES

Seventeen proposed home sites encompassing one-acre or less have been identified, at various locations, for the construction and development of new residential homes including associated facilities. The locations of the proposed home sites are shown on **FIGURES 17** (pg. 48), **18** (pg. 49) and **19** (pg. 50). Infrastructure and land suitability analyses have been conducted for each home site and are presented herein.

INFRASTRUCTURE ANALYSIS: ELECTRIC

Electric power is presently provided to the community by the Navajo Tribal Utility Authority (NTUA).

HOME SITE 1: There is an existing single-phase power line located on the home site.

HOME SITE 2: There is an existing single-phase power line crossing the northeast corner of the home site.

HOME SITE 3: There is an existing single-phase power line located on the proposed home site.

HOME SITE 4: There is an existing single-phase power line servicing an adjacent home site, approximately 300-feet to the east of this proposed home site.

HOME SITE 5: There is an existing single-phase power line crossing the western half of the proposed home site.

HOME SITE 6: There is an existing single-phase power line on the proposed home site.

HOME SITE 7: There is an existing single-phase power line located along the outside western edge of this proposed home site.

HOME SITE 8: There is no power line on this site but there is an existing single phase power line just across the dirt road south of this proposed home site.

HOME SITE 9: There is an existing single-phase power line on the northwestern quadrant of this proposed home site.

HOME SITE 10: There is an existing single-phase power line located at a point on the western edge of this proposed home site.

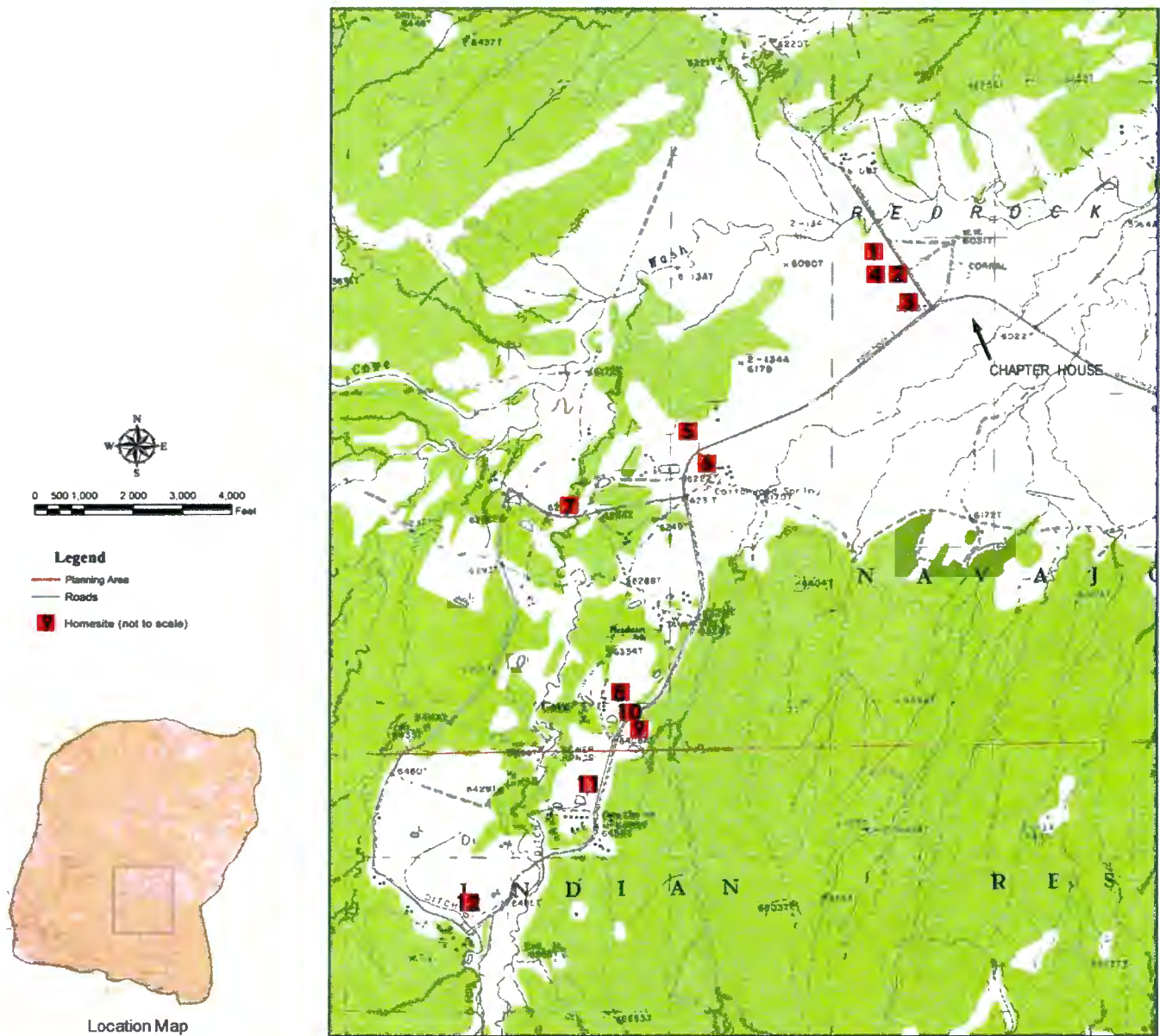


FIGURE 17
PROPOSED HOUSING GROUP 1
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

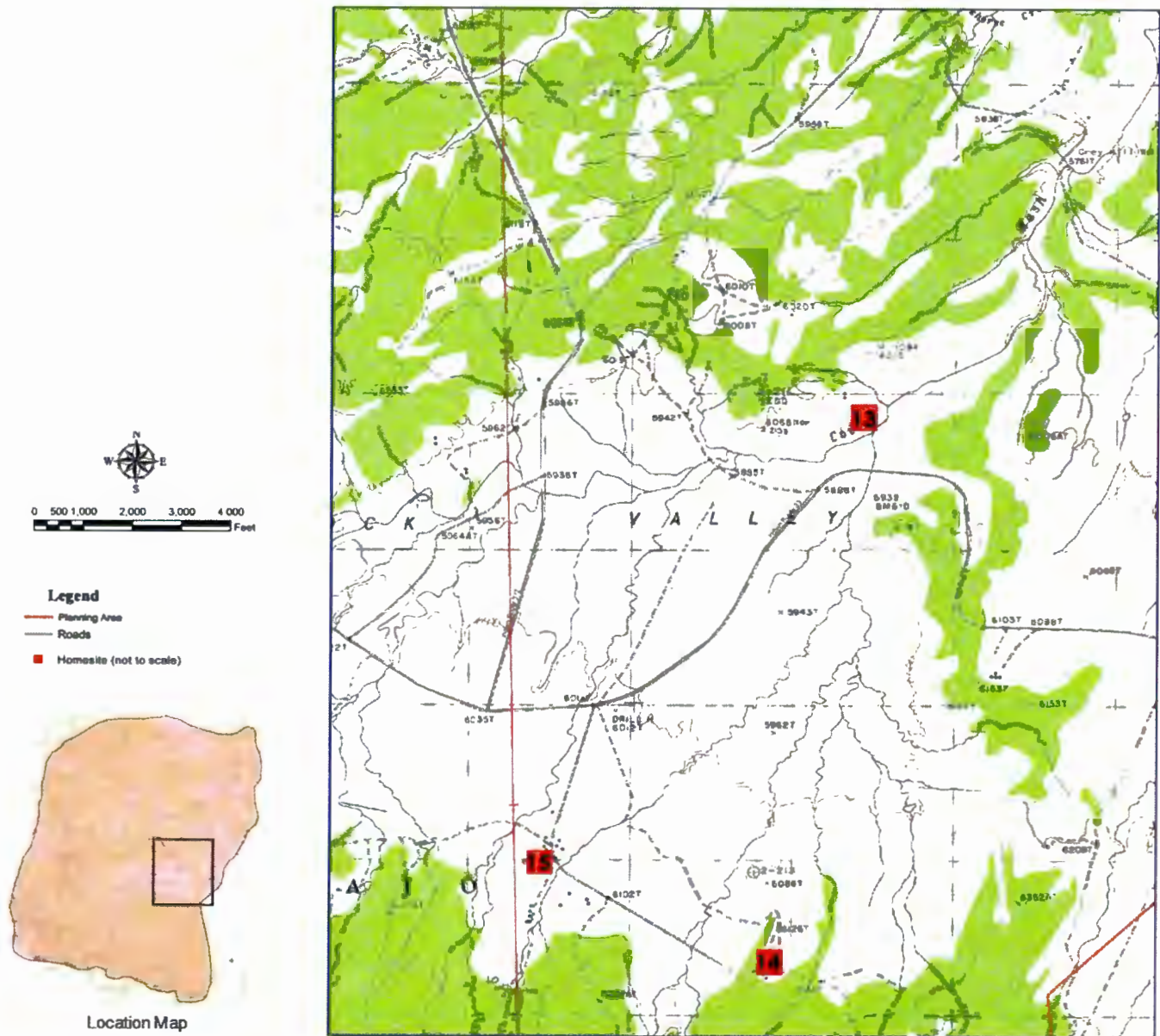


FIGURE 18
PROPOSED HOUSING GROUP 2
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

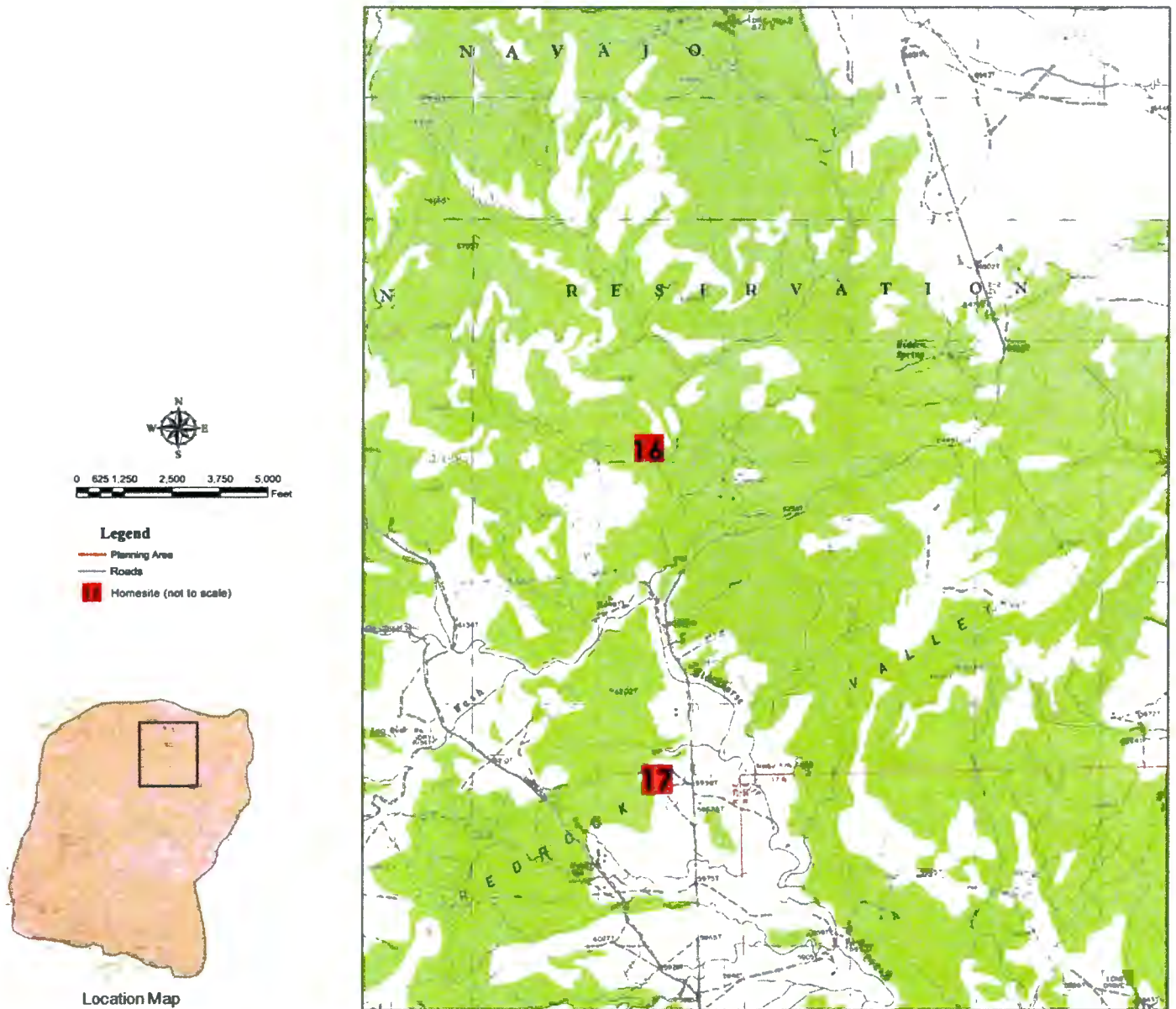


FIGURE 19
PROPOSED HOUSING GROUP 3
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

HOME SITE 11: There is no power line on this proposed home site. There is however, an existing power line that parallels N33 which is located approximately 400 feet to the east of the proposed home site.

HOME SITE 12: There is an existing power line located just southwest of this proposed home site.

HOME SITE 13: There is an existing single-phase power line located 200 feet north of this proposed home site.

HOME SITE 14: There is an existing power line located in the southwest corner of this proposed home site.

HOME SITE 15: There is an existing single-phase power line on this proposed home site.

HOME SITE 16: There is no power line on this proposed home site.

HOME SITE 17: There is an existing power line located on this proposed home site.

WATER

Potable water is available to home sites only from well water or may be transported from an off-site source. The entire community depends on water drawn from Colorado Plateau Aquifers (USGS, Principal Aquifers of the 48 Contiguous United States 1998). These sandstone aquifers cover an area of 1,119 square miles. A regional water system for the community is currently operated and maintained by the NTUA.

HOME SITE 1: There is an existing water distribution line located northwest of the proposed home site.

HOME SITE 2: At the time of the site visit to this proposed home site no water lines were observed on or near this proposed home site.

HOME SITE 3: There is an existing water distribution line located on this proposed home site.

HOME SITE 4: At the time of the site visit to this proposed home site no water lines were observed on or near this proposed home site.

HOME SITE 5: There is an existing water distribution line crossing the middle of this proposed home site.

HOME SITE 6: There is an existing water distribution line located along the western edge of the proposed home site.

HOME SITE 7: There is no water line to this proposed home site but there is an existing water line just across the road south of this proposed home site.

HOME SITE 8: There is no water to this site but there is an existing water line just across the road south of this proposed home site.

HOME SITE 9: There is an existing water distribution line located on this proposed home site.

HOME SITE 10: There is an existing water line to the western boundary of this proposed home site.

HOME SITE 11: At the time of the site visit to this proposed home site no water lines were observed on this proposed home site. There is however, an existing water line that runs along N33 which is located approximately 500-feet to the east of this proposed home site.

HOME SITE 12: At the time of the site visit to this proposed home site no water lines were observed on this proposed home site. There is however, an existing water line located just southwest of this proposed home site.

HOME SITE 13: At the time of the site visit to this proposed home site no water lines were observed on this proposed home site. There is however, an existing water line located 200 feet north of this proposed home site.

HOME SITE 14: At the time of the site visit to this proposed home site no water lines were observed on this proposed home site. There is however, an existing water line located just southwest of this proposed home site.

HOME SITE 15: There is an existing water distribution line located on this proposed home site. The line enters the home site from the east.

HOME SITE 16: At the time of the site visit to this proposed home site no water lines were observed on or near this proposed home site.

HOME SITE 17: There is an existing water distribution line located on this proposed home site. The line enters the home site from the east.

SEWER

There is no existing sewer system within the community at this time. However, the community currently uses underground septic systems. The proposed home sites would have to use septic systems because there are no plans in the immediate future for a community-wide sewer system. The proposed home sites are scattered and do not justify a sewer system.

NATURAL GAS

There is no natural gas service currently available in the community and there are no immediate plans for future service. The potential homeowner has the option of selecting propane or electric for heating and other appliances requiring natural gas.

COMMUNICATION

Citizens Communications provides service to some areas of the community. There are existing telephone land lines in certain areas. New services near the existing land lines are possible provided land suitability conditions are feasible. Of the 17 proposed home sites, only home sites 8 and 10 have existing land lines nearby. There are no existing land lines in the general vicinity of the remaining 15 proposed home sites.

LAND SUITABILITY ANALYSIS: ACCESSIBILITY

HOME SITE 1: This home site is accessible via N331, a graded, two-lane gravel road. It is located less than one mile northwest of the junction of N33 and N331.

HOME SITE 2: This home site is accessible via N331, a graded, two-lane gravel road. It is located just off N331, less than one mile northwest of the junction of N33 and N331.

HOME SITE 3: This home site is accessible via N331, a graded, two-lane gravel road. It is located just off N331 less than one mile northwest of the junction of N33 and N331.

HOME SITE 4: This home site is accessible via N331, a graded, two-lane gravel road. It is located 300-feet west of home site 2, just off N331.

HOME SITE 5: This home site is located just north Indian Route N33, a two-lane paved road. Access to this site is via a dirt road connected to N33.

HOME SITE 6: This home site is located just south of Indian Route N33, a two-lane paved road. Access to this site is via a dirt road connected to N33.

HOME SITE 7: This home site is located approximately one mile west of N33, a two-lane paved road. Access to this proposed home site is via N335 a two-lane gravel road connected to N33.

HOME SITE 8: This home site is located approximately one-half mile north of N33, a two-lane paved road. Access to the site is via a dirt road that connects to N33.

HOME SITE 9: This home site is located just west of N33, a two-lane paved road. Access to this proposed home site is via N33.

HOME SITE 10: This home site is located just west of N33, a two-lane paved road. Access to this proposed home site is via N33.

HOME SITE 11: Access to this proposed home site is via N33. It is located approximately 500-feet west of N33, a two-lane paved road.

HOME SITE 12: This home site is located in the town of Cove, south of Cove Day school. Access to this site is via N33. Route N33 changes from a paved road to a hard-packed, well-traveled road south of Cove Day school.

HOME SITE 13: This home site is located just north of N33 east of the town of Cove. Access to this site is via a dirt road connected to N33, a paved, two-lane road.

HOME SITE 14: This home site is located two miles south of N33 east of the town of Cove. Access to this site is via N333, a gravel road connected to N33, a paved, two-lane road.

HOME SITE 15: This home site is located less than one mile south of N33 east of the town of Cove. Access to this site is via N333, a gravel road connected to N33, a paved, two-lane road.

HOME SITE 16: This home site is located approximately one-mile north of N332 in the northern portion of Cove. Access to this site is via a dirt road connected to N332, a two-lane gravel road.

HOME SITE 17: This home site is located just west of N332. Access to this site is via a dirt road connected to N332, a two-lane gravel road.

SLOPES AND TOPOGRAPHY

HOME SITE 1: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the eastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the east, southeast. No well-defined drainages were noted on this proposed home site during the site visit.

HOME SITE 2: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the eastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the east, southeast.

HOME SITE 3: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the eastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the east, southeast.

HOME SITE 4: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the eastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the east, southeast.

HOME SITE 5: This home site is located on gently sloping land, less than a 5 percent slope. The central part of the community lies directly to the southwest of this site and the Chuska Mountains rise high above to the west and the south. The site elevation is approximately 6,200 feet above mean sea level and it tilts down towards the east, northeast.

HOME SITE 6: This home site is located on gently sloping land, less than a 5 percent slope. The central part of the community lies directly to the southwest of this site and the Chuska Mountains rise high above to the west and the south. The site elevation is approximately 6,200 feet above mean sea level and it tilts down towards the east, northeast. A small hill lies inside this proposed home site and an arroyo lies outside the home site to the south, neither of which will affect development on this site.

HOME SITE 7: This home site is located on gently sloping land, less than a 5 percent slope. The central part of the community lies directly to the south of this site and the Chuska Mountains rise high above to the west and the south. The site elevation is approximately 6,200 feet above mean sea level and it tilts down towards the east, northeast.

HOME SITE 8: This home site is located on gently sloping land, less than a 5 percent slope. The Chuska Mountains rise high above to the west, south and east. The site elevation is approximately 6,400 feet above mean sea level and it tilts down towards the north.

HOME SITE 9: This home site is located on gently sloping land, less than a 5 percent slope. The Chuska Mountains rise high above to the west, south and east. The site elevation is approximately 6,400 feet above mean sea level and it tilts down towards the north.

HOME SITE 10: This home site is located on gently sloping land, less than a 5 percent slope. The Chuska Mountains rise high above to the west, south and east. The site elevation is approximately 6,400 feet above mean sea level and it tilts down towards the north.

HOME SITE 11: This home site is located on gently sloping land, less than a 5 percent slope. The Chuska Mountains rise high above to the west, south and east. The site elevation is approximately 6,450 feet above mean sea level and it tilts down towards the north.

HOME SITE 12: This home site is located on gently sloping land, less than a 5 percent slope. The Chuska Mountains rise high above to the west, south and east. The site elevation is approximately 6,600 feet above mean sea level and it tilts down towards the north.

HOME SITE 13: This home site is located in Red Rock Valley on gently sloping land, less than a

5 percent slope off the eastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the northeast.

HOME SITE 14: This home site is located at the base of the Chuska Mountains on northeasterly sloping land with slopes of approximately 5 percent. The site elevation is an average of 6,200 feet above mean sea level and it tilts down towards the north.

HOME SITE 15: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the northeastern flank of the Chuska Mountains. The site elevation is approximately 6,100 feet above mean sea level and it tilts down towards the north, northeast.

HOME SITE 16: This home site is located north of Red Rock Valley on the eastern flank of the Carrizo Mountains. The site has a slope of approximately 5 percent and has an arroyo in the southern portion. The elevation is approximately 6,100 feet above mean sea level and it tilts down towards the south to Red Rock Valley.

HOME SITE 17: This home site is located in Red Rock Valley on gently sloping land, less than a 5 percent slope off the northeastern flank of the Chuska Mountains. The site elevation is approximately 6,000 feet above mean sea level and it tilts down towards the southeast.

GROUND AND SURFACE WATER

The entire community depends on water drawn from Colorado Plateau Aquifers (USGS, Principal Aquifers of the 48 Contiguous United States 1998). These sandstone aquifers cover an area of 1,119 square miles. No perennial surface water is available to any of the proposed home sites.

There are 2 existing large water storage tanks (Indian Health Services). Tank #1 is 15,000 gallons and tank #3 is 100,000 gallons. The pump house and well #12T-666 is 1,120 feet deep and has a static water level of 112 feet. The second well (St. Mary Perish Well) is a depth of 3,774 feet with a static water level of 148 feet. Also, there is a water storage tank located about 2 miles to the south, tank #2 with 21,000 gallon storage capacity. In addition, a 70,000 gallon tank is proposed for the same area.

HOME SITE 1: This site lies approximately one mile from two existing wells and northeast from the storage tanks #1 and #3. The pump house and well #12T-666 are located due east of the proposed home site. The second well (St. Mary Perish Well) is located south and east of the proposed home site.

HOME SITE 2: This site lies approximately one mile from two existing wells and is in close proximity to water storage tanks #1 and #3. The pump house and well #12T-666 are located due east of this proposed home site. The St. Mary Perish Well is located south and east of the home site.

HOME SITE 3: This site lies approximately one mile from two existing wells and is in close proximity to water storage tanks #1 and #3. A pump house and well #12T-666 are located due east of this proposed home site. The St. Mary Perish Well is located south and east of the home site. The two water storage tanks are located southwest of this proposed home site.

HOME SITE 4: This site lies approximately one mile from two existing wells and is in close proximity to water storage tanks #1 and #3. The pump house and well #12T-666 are located due east of this proposed home site. The St. Mary Perish Well is located south and east of this proposed home site. The two water storage tanks are located southwest of this proposed home site.

HOME SITE 5: This site lies approximately two miles from two existing wells and is in close proximity to water storage tanks #1 and #3. The pump house and well #12T-666, located northeast of this proposed home site. The St. Mary Perish Well is located east of this proposed home site. The two water storage tanks are located approximately one mile south of this proposed home site. The nearest drainage is an unnamed tributary of Cove Wash, which flows approximately 1200 feet east of the home site area.

HOME SITE 6: This site lies approximately two miles from two existing wells and is in close proximity to water storage tanks #1 and #3. The pump house and well #12T-666 are located northeast of this proposed home site number. The St. Mary Perish Well is located east, northeast of this proposed home site. The two water storage tanks are located approximately one mile south of this proposed

home site. The nearest drainage is an unnamed tributary of Cove Wash, which flows approximately 1200 feet east of the home site area.

HOME SITE 7: This site lies approximately three miles from an existing well and is in close proximity to water storage tanks #1 and #3. The St. Mary Perish Well is located east, northeast of this proposed home site. The two water storage tanks are located less than one mile southeast of this proposed home site.

HOME SITE 8: This site lies approximately less than one mile from water storage tanks #1 and #3. The two water storage tanks are located just southeast of this proposed home site. Also, there is a water storage tank located about 2 miles to the south, tank #2.

HOME SITE 9: This site is less than one mile from water storage tanks #1 and #3. The two water storage tanks are located just southeast of this proposed home site. Also, water storage tank #2 is located about 2 miles to the south.

HOME SITE 10: This site lies approximately less than one mile from water storage tanks #1 and #3. The two water storage tanks are located just southeast of this proposed home site. Also, water storage tank #2 is located about 2 miles to the south.

HOME SITE 11: This site lies within close proximity to three water storage tanks. Tank #2 is located approximately one mile southwest of the site. Tanks #1 and #3 are located less than 2 miles to the northwest.

HOME SITE 12: This site lies within close proximity to three water storage tanks. The closest tank, tank #2 is located just southwest of the site. Tanks #1 and #3 are located less than two miles to the northwest.

HOME SITE 13: This site lies approximately two mile east of two existing wells. The pump house and well #12T-666 is located west of the home site. The St. Mary Perish Well is located south and west of the home site.

HOME SITE 14: This site lies approximately two mile southeast of the pump house and well #12T-666 and the St. Mary Perish Well.

HOME SITE 15: This site lays less than one mile southeast of well #12T-666 and the St. Mary Perish Well.

HOME SITE 16: This site lays approximately two-miles west of Hidden Springs booster station. A 24,000 gallon water storage tank is located at the booster station.

HOME SITE 17: This site lays approximately three-miles southwest of Hidden Springs Booster Station. A 24,000 gallon water storage tank is located at the booster station.

SOILS INFORMATION

The soils across the community including the proposed 17 home sites, for the most part, consist of Aeolian sand, colluvium, and alluvial silt. Dunes are characterized by Aeolian sand deposits, as are many of the ridges and slopes. The deposits vary greatly in depth, with sandstone bedrock and alluvial gravel deposits present in some areas. (Yazzie, 1997).

VEGETATION AND WILDLIFE

HOME SITE 1: The desired location of a new home on this proposed home site is currently void of any significant vegetative habitat. There are some juniper trees (approximately 10- feet tall) on the perimeter; however, these will not be disturbed by the proposed new home.

HOME SITE 2: The desired location of a new home on this proposed home site is where an existing mobile home is located. Therefore, there is no existing vegetation that will be disturbed due to this proposed new home.

HOME SITE 3: The desired location of a new home on this proposed home site is where an old home currently exists. There is currently no significant vegetative habitat surrounding the old home, therefore there would be no vegetation disturbed due to rebuilding a new home.

HOME SITE 4: The desired location of a new home on this proposed home site is in an area that has not been previously disturbed by man. Existing vegetation consist of widely spaced, low-lying desert scrub.

HOME SITE 5: The desired location of a new home on this proposed home site is in an area that has not been previously disturbed by man. Existing vegetation consist of widely spaced, low-lying desert scrub including sagebrush, Russian thistle, prickly pear and cholla cacti.

HOME SITE 6: As of this date, the draft map of wildlife areas reveals this proposed home site falls within NNDFWL wildlife area 3. Wildlife area 3 has a low, fragmented or unknown concentration of species of concern. Species in this area may be locally abundant on 'islands' of habitat, but islands are few and far between. Small-scale development to serve the needs of individual, such as home sites and utilities can proceed without concern for significant impacts to biological resources. They shall however, provide documentation of the development to the NNDFWL for its files. No approval is required (NNDFWL, 2002). The desired location of a new home on this proposed home site is currently void of vegetation, therefore there would be no vegetation disturbed due to building a new home.

HOME SITE 7: As of this date, the draft map of wildlife areas reveals this proposed home site falls within NNDFWL wildlife area 3. They shall however, provide documentation of the development to the NNDFWL for its files. No approval is required (NNDFWL, 2002).

The desired location of a new home on this proposed home site is currently void of vegetation, therefore there would be no vegetation disturbed due to building a new home.

HOME SITE 8: The desired location of a new home on this proposed home site currently contains only sparse invasive vegetation, therefore there would be no significant vegetative habitat disturbed due to building a new home.

HOME SITE 9: As of this date, the draft map of wildlife areas reveals this proposed home site falls within NNDFWL wildlife area 3. The desired location of the new home on this proposed home site is currently void of any vegetation. There is some significant vegetative habitat along the fence line; however, the proposed new home will not disturb any vegetation.

HOME SITE 10: The location of the proposed new home on this proposed home site is currently void of any vegetation. There is some significant vegetative habitat along the fence line; however, the proposed new home will not disturb any vegetation.

HOME SITE 11: The location of this proposed home site will not affect any existing significant vegetative habitat.

HOME SITE 12: The location of the proposed home on this proposed home site is on land that has been previously disturbed by grazing. Some scattered trees exist; however, they can easily be avoided during construction.

HOME SITE 13: The location of the proposed home on this proposed home site is on land that has been previously disturbed and is void of vegetation. Some scattered trees exist; however, they can easily be avoided during construction.

HOME SITE 14: The location of the proposed home on this proposed home site is on land that has been previously disturbed and contains only low-lying, sparse vegetation. Some scattered trees are currently around an existing home and in the northern portion of the site; however, they can easily be avoided during construction.

HOME SITE 15: Some scattered trees currently occur around an existing home on a portion of the site; however, they can easily be avoided during construction.

HOME SITE 16: The proposed location of a new home on this proposed home site is where a home currently exists. A substantial area surrounding the existing house is void of any vegetation and the area is bound by natural vegetation. Some scattered trees currently occur around the existing home however, they can easily be preserved in place.

HOME SITE 17: The proposed location of a new home on this proposed home site is currently void of vegetation. Some scattered trees occur around an existing home; however, they can easily be avoided during construction and preserved in place.

CULTURALLY SIGNIFICANT AREAS

A site file search was conducted at the Navajo Nation Historic Preservation Department (NHPD) in Window Rock, Arizona to identify recorded sites located within or near the proposed home site areas. Results are presented herein. This assessment of previous cultural resources surveys provides a

summary of current information only, and additional cultural survey requirements may be required for development on these proposed home sites.

HOME SITE 1: This proposed home site is located south of a recorded archeological site (SJC 1787). The community has identified no additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 2: This proposed home site is not located near any recorded archeological sites or community identified culturally sensitive areas.

HOME SITE 3: This home site is located just north of a recorded archeological site (SJC 1786). The community has identified no additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 4: This home site is not located near any recorded archeological sites or community identified culturally sensitive areas.

HOME SITE 5: This home site is located near two recorded archeological sites (AZ-I 26-44 and AZ-I 26-11). The community has identified no additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 6: This home site is located near two recorded archeological sites (AZ-I 26-44 and AZ-I 26-11). The community has identified no additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 7: This home site is located near a recorded archeological site (AZ-I 26-73). The community has identified no additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 8: This home site is not located near any recorded archeological sites nor has the community identified additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 9: This home site is located just north of a recorded archeological site, CA 98-37. The community has not identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 10: This home site is located just north of a recorded archeological site, CA 98-37. The community has not identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 11: This home site is located just east of a recorded archeological site, AZ I -26-16. The community has not identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 12: This home site is located just west of a recorded archeological site, AZ I -26-41. The community has not identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 13: This home site is not located near any recorded archeological sites, nor has the community identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 14: This home site is located just north of a recorded archeological site, AZ-I-26-12. The Cove community has not identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 15: This home site is not located near any recorded archeological sites, nor has the community identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 16: This home site is not located near any recorded archeological sites, nor has the community identified any additional culturally sensitive areas in the vicinity of this proposed home site.

HOME SITE 17: This home site is not located near any recorded archeological sites, nor has the community identified any additional culturally sensitive areas in the vicinity of this proposed home site.

TRADITIONALLY SENSITIVE AREAS

According to Van Valkenburg (1974), there are two sacred places nearby. The Shiprock pinnacle is 12 miles south of Cudeii, and Salt Creek Wash is 5 miles northwest of Shiprock. Neither of these sacred places is in the immediate vicinity of the proposed home site locations. However, in 1993, an ethnographic assessment conducted by Butler, et al., revealed a sacred place (E-7) just southeast of home site 13. The sacred place has been identified as an herb gathering site and further analysis is necessary to determine the impact, if any. The analysis of traditionally sensitive areas is based on interviews with community members. This assessment provides a summary of current information only, and additional survey requirements may be required for development on these home sites.

ENVIRONMENTALLY SENSITIVE AREAS

A list of Threatened, Endangered, and Sensitive (TES) species potentially occurring within the Navajo Nation was obtained from the Navajo Nation Department of Fish and Wildlife (NNDFWL) and used in the assessment for environmentally sensitive areas. The list is presented in APPENDIX D. A general evaluation of the home sites revealed no environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered, but not likely to occur (NNDFWL, 2002). This assessment provides a summary of current data only and may not satisfy all requirements necessary prior to development on any of these home sites.

HOME SITE 1: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur. (NNDFWL, 2002).

HOME SITE 2: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 3: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 4: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 5: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 6: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 7: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 8: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 9: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 10: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 11: Proposed home site does not have any environmentally sensitive areas other than the sensitivity to erosion.

HOME SITE 12: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 13: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 14: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 15: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 16: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. The home site lies within a highly sensitive wildlife resource area and sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

HOME SITE 17: This home site does not have any environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biologically resources may be encountered on this site, but are not likely to occur (NNDFWL, 2002).

TABLE 15.
Infrastructure Potential Constraints

| Home Site | Power | Water | Sewer | Natural Gas | Telephone |
|-----------|-------|-------|-------|-------------|-----------|
| 1 | | | | | |
| 2 | | xp | | | |
| 3 | | | | | |
| 4 | | x | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | x | | | | x |
| 9 | | | | | |
| 10 | | | | | x |
| 11 | x | x | | | |
| 12 | | x | | | |
| 13 | | x | | | |
| 14 | | x | | | |
| 15 | | | | | |
| 16 | x | x | | | |
| 17 | | | | | |

16. CONCLUSIONS FOR PROPOSED HOME SITES

TABLES 15 and 16 summarize the potential constraints for infrastructure and land suitability for the proposed home sites. According to the infrastructure analysis, there are no power lines within the vicinity of home sites 8, 11 and 16. The other home sites have existing power lines within or very near the home sites. The power lines are single phase power lines and extension to serve the new residential homes should pose no problems.

Seven proposed home sites (2, 4, 11, 12, 13, 14, and 16) do not have existing water distribution lines nearby or in the general vicinity. No domestic water service poses a potential constraint for these locations. Home sites 7 and 8 need further analysis to

determine the actual distance to existing water lines. The other 8 home sites have water distribution lines nearby or on-site and service should be possible.

Septic systems are the best solution for sewer service to all proposed home sites at this time because the community does not have an existing sewer system.

Natural gas service is not available to the community. The alternatives are propane or electric for heating or other appliances that require natural gas. No problems are anticipated.

Of the 17 proposed home sites, only home sites 8 and 10 have an existing land line nearby. There are no existing land lines in the general vicinity of the remaining 15 proposed home sites. Although telephone service is not directly available to a majority of the proposed home sites, it should not create any land suitability constraints.

The accessibility to each proposed home site is good. All home sites are located within 1 mile of either N331, N33, N13, or N332. Two of these roads, N31 and N33 are 2-lane paved roads. The other 2 roads are well maintained 2-lane graveled roads.

All of the proposed home sites are located on generally flat terrain or gently sloping land with slopes less than 5 percent. No problems are anticipated with the slopes of each home site.

Soils, for the most part, consist of Aeolian sand, colluvium, and alluvial silt. Further analysis at each site is required to determine its suitability.

Generally, the proposed home sites areas are disturbed with little vegetative ground cover. No problems are anticipated, however, a biological evaluation is necessary to determine any impact on vegetation. The biological evaluation will also determine the impact on wildlife. Currently home sites 6, 7 and 9 appear to fall within Wildlife area 3.

A review of the records at the NHPD revealed that home sites 1, 3, 5, 6, 7, 9, 10, 11, 12, and 14 have previously recorded cultural sites nearby. A traditionally sensitive area is located near home site 13. A cultural resource survey should be conducted to determine any impact.

The findings of the infrastructure analysis indicate that the lack of water distribution

TABLE 16.
Land Suitability Potential Constraints

| Home Site | Access | Slope | Soil | Vegetation | Cultural Resources | Traditional Areas | Environmental Sensitivity |
|-----------|--------|-------|------|------------|--------------------|-------------------|---------------------------|
| 1 | | | | | x | | |
| 2 | | | | | | | |
| 3 | | | | | x | | |
| 4 | | | | | | | |
| 5 | | | | | x | | |
| 6 | | | | x | x | | |
| 7 | | | | x | x | | |
| 8 | | | | | | | |
| 9 | | | | x | x | | |
| 10 | | | | | x | | |
| 11 | | | | | x | | |
| 12 | | | | | x | | |
| 13 | | | | | | | |
| 14 | | | | | | x | |
| 15 | | | | | | | |
| 16 | | | | | | | |
| 17 | | | | | | | |

systems may present potential constraints for several of the home sites. No electricity also presents a potential constraint for 3 home sites.

The abundance of cultural resources in the community presents the greatest challenge for land suitability. Over half of the proposed home sites indicate a potential constraint for cultural resources. A complete cultural resource inventory and biological evaluation should answer any questions for the potential constraints.

17. PROPOSED COMMUNITY AND PUBLIC FACILITIES SITES

Four sites have been identified for community development. The locations of the proposed community development sites are shown on **FIGURE 20** (pg. 63). General infrastructure and land suitability analyses have been conducted and are presented herein.

INFRASTRUCTURE ANALYSIS:

ELECTRIC

Electric power is presently provided to the community by the NTUA and is available to the proposed sites.

WATER

Water is presently provided to the community by the NTUA. Existing water distribution lines are located near the proposed sites.

SEWER

There is no existing sewer system within the community at this time. However, the community currently uses underground septic systems. The proposed community development sites would have to use a septic system however, a sewer lagoon could be proposed with the new developments.

GAS

There is no natural gas service currently available in the community and there are no immediate plans for future service. The community development facilities have the option of using propane or electric for heating and other appliances requiring natural gas.

COMMUNICATION

Telephone service is available throughout the community by Frontier Communications. New services near existing lines are possible and no problems are anticipated. There is an existing telephone land line located within the designated area.

LAND SUITABILITY ANALYSIS:

ACCESSIBILITY

The proposed community development sites are located along major roads, N33 and N335. N33 is the main paved road entering the community from the east. N13 connects to N33 and loops around the area at the base of Lukachukai Mountains.

SLOPES AND TOPOGRAPHY

The proposed community development sites are located on flat terrain, on gently sloping land, approximately 5 percent slope or less. The site elevations are around 6000 feet above mean sea level. No well-defined drainages were noted on these sites.

GROUND AND SURFACE WATER

The entire community depends on water drawn from Colorado Plateau Aquifers (USGS, Principal Aquifers of the 48 Contiguous United States 1998). These sandstone aquifers cover an area of 1,119 square miles. No perennial surface water is available to any of the proposed home sites.

SOILS INFORMATION

The soils, for the most part, consist of Aeolian sand, colluvium, and alluvial silt. Dunes are characterized by Aeolian sand deposits, as are many of the ridges and slopes. The deposits vary greatly in depth, with sandstone bedrock and alluvial gravel deposits present in some areas. (Yazzie, 1997).

VEGETATION AND WILDLIFE

Existing vegetation consist of widely spaced, low-lying desert scrub including sagebrush, Russian thistle, prickly pear and cholla cacti. According to the preliminary draft map of NNDFWL designated wildlife areas, these sites do not fall within any wildlife area.

CULTURALLY SIGNIFICANT AREAS

A site file search was conducted at the Navajo Nation Historic Preservation Department (NHPD) in Window Rock, Arizona to identify recorded sites located within or near the proposed community development site area. A review of the records indicates there are scattered cultural sites located along N33 and N335. This assessment of previous cultural resources surveys provides a summary of current information only, and additional survey requirements may be required for development on this home site. The community has identified no additional culturally sensitive areas in the vicinity of this site.

TRADITIONALLY SENSITIVE AREAS

According to Van Valkenburg (1974), there are two sacred places nearby. The Shiprock pinnacle is 12 miles south of Gadii'ahi (Cudeii), and Salt Creek Wash is 5 miles northwest of Shiprock. Neither of these sacred places is in the immediate vicinity of the proposed sites. A records review at the NHPD, revealed a sacred place on the proposed site farthest east. Further analysis is necessary to determine the impact. This assessment provides a summary of current information only, and additional survey requirements may be required for development. No other sites were identified by community members.

ENVIRONMENTALLY SENSITIVE AREAS

A list of Threatened, Endangered, and Sensitive (TESL) species potentially occurring within the Navajo Nation was obtained from the Navajo Nation Department of Fish and Wildlife (NNDFWL). A general evaluation of the proposed sites revealed no environmentally sensitive areas other than the previously mentioned sensitivity to soil erosion. Sensitive biological resources may be encountered, but not likely to occur (NNDFWL, 2002). This assessment provides a summary of current data only and may not satisfy all requirements necessary prior to development on any of these sites.

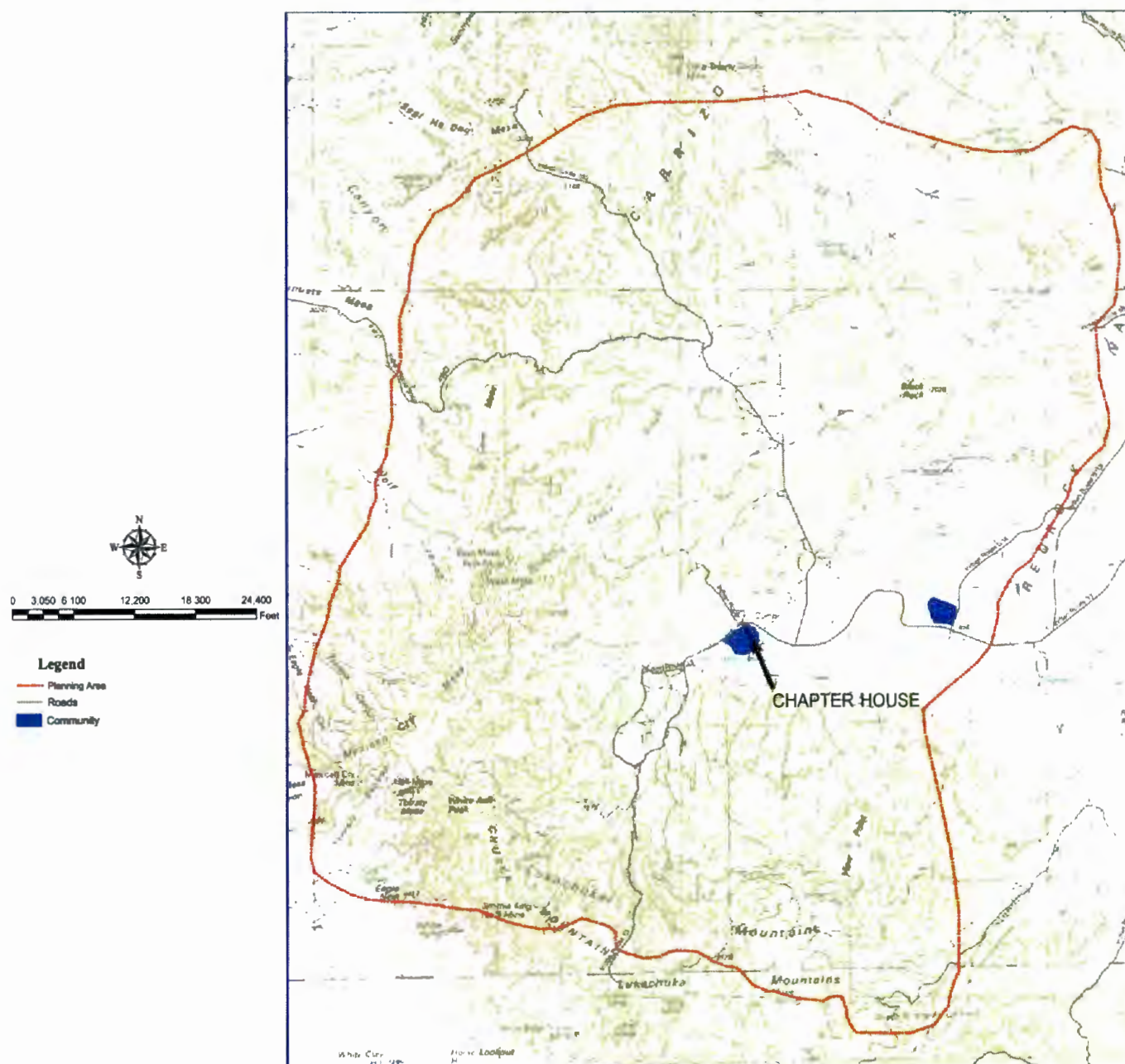


FIGURE 20
COMMUNITY & PUBLIC FACILITIES
COVE CHAPTER COMMUNITY-BASED LAND USE PLAN
Base Map Source: U.S. Geological Survey

18 . CONCLUSIONS FOR PROPOSED COMMUNITY AND PUBLIC FACILITIES SITES

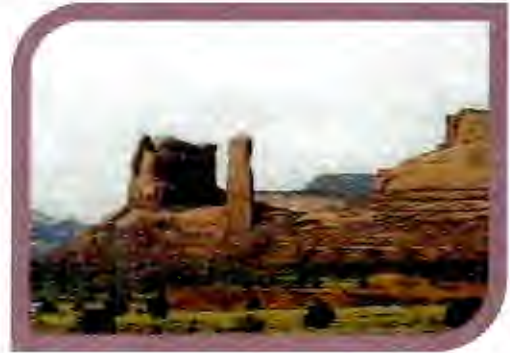
The site farthest east may present some problems with traditional and cultural sites. A complete cultural resources inventory and biological assessment is recommended.

The proposed sites at the existing Chapter house and across the road from the Chapter house are the most ideal for community facilities. This area is centrally located and easily assessable. Locating additional community facilities near the Chapter house provides a centralized area for these facilities which are highly visible and easily accessible. Each community facility area located on the land use plan map would be suitable for any of the suggested community facilities named in the goals and objectives, or for other facilities that may be needed in the future. A cultural resources survey and environmental assessment may also reveal other findings not found in this analysis.

The proposed sites located on either side of the loop road were suggested as alternatives for the new high school. These locations are too far into the community for students traveling from the Red Valley community. These sites could be used for other types of community facilities that the surrounding families could utilize.

PART VI - IMPLEMENTATION RECOMMENDATIONS

This land use plan shall serve as a guide for actions and decisions on the use of the land in the community of Cove Chapter. The following sections present recommendations to implement this land use plan.



19 . GUIDING PRINCIPLES

The goals and objectives were synthesized into guiding principles, which represent the overall framework for developing, interpreting and implementing the land use plan. These principles shall be carried out with the application of common standards for land use development, infrastructure and resource management, as appropriate or applicable. The principles implement the vision for Cove, which is intended to sustain and enhance the quality of life and well-being of its residents.

LAND USE PLANNING

Guideline 1: Community participation must be a part of achieving a greater community

Intent:

- To provide clear, understandable information to encourage more community involvement in the planning process
- To provide opportunities for the community to become involved in planning decisions
- To ensure diverse values and visions are heard

Policies:

1. Flyers: Use flyers as official notice for meetings and public hearings; make them informative, easy to read and understand, and use a public notice posting procedure
2. Radio/Newspaper: Use radio to announce meetings and public hearings
3. Land Use Planning Meetings: The Natural Arch Land Use Planning Committee will meet at least once a month to foster strong communication
4. Chapter Meetings: Make periodic reports at the Chapter meetings about the land use plan
5. Five Year Review: At five-year intervals beginning 2001, initiate a comprehensive review and update of the land use plan

HOUSING

Guideline 2: Provide housing opportunities that define a strong sense of community and individual identity unique to the community of Cove Chapter while recognizing the affordability and quality of homes for current and future residents

Intent:

- To identify locations for new housing within the community
- To identify scattered housing sites that include home site leases of one acre or more; small clusters of these home sites may make up a family area, and share utility lines; within these clusters, homes may or may not be close together, depending on the preferences of the family
- To ensure that all types of housing needs are addressed

Policies:

1. Archeological or Burial Sites: Do not locate housing sites on archeological or burial sites (Goal B, Objective b)
2. Grazing: Do not locate housing sites where they will interfere with prime grazing areas (Goal B, Objective c)
3. Special Areas: Locate home sites in areas that are not designated for preservation by the community (Goal B, Objective d)
4. Elderly Group: Promote group housing with appropriate services for the elderly (Goal B, Objective e)
5. Shelters: Promote shelters or children's home with appropriate services (Goal B, Objective f)
6. Energy Efficiency: Promote energy efficiency in new homes and the renovation of older homes (Goal B, Objective g)

INFRASTRUCTURE

Guideline 3: Improve, maintain, and expand public infrastructure to meet current and future demands of the community while preserving the environment

Intent:

- To meet the infrastructure needs of the community. Infrastructure such as roads, water, electricity, gas, sewer and cable TV
- To ensure that the carrying capacity of the land and infrastructure is not exceeded
- To coordinate location of new developments with the provision of adequate infrastructure

Policies:

1. Adequate Utility Service: Locate housing, economic or other developments in areas served by existing utilities or planned for utilities (Goal C, Objectives a, b and c)
2. Utility Easements: Design and locate utility easements to provide access for maintenance and repair and to minimize negative visual impacts (Goal C, Objective b)
3. Cellular Phone Service: Promote cellular phone services; cellular phone towers should be designed to minimize impact on the character of the area (Goal C, Objective d)
4. Roads: Provide roads, both paved and unpaved roads where needed (Goal C, Objective e)

COMMUNITY DEVELOPMENT

Guideline 4: Provide public services and facilities that serve the present population and future growth efficiently and reliably

Intent:

- To locate and design community facilities to ensure the highest quality design and compatibility with nearby existing development
- To ensure that community facilities are located where they provide a valuable service to benefit and serve the community today and tomorrow

Policies:

1. Community Services: Promote the adequate availability, as needed, of community services such as police, post office, fire department, ambulance service, emergency response team and animal pound (Goal D, Objective b)
2. Community Facilities: Locate or expand community facilities in areas with a demonstrated need for the facility and ensure that they provide conveniently accessible (Goal D, Objective b)
3. Health Services: Establish health care services to support community needs. Ensure that they are located in accessible locations (Goal D, Objective c)
4. Health Facilities: Locate healthcare facilities and clinics in highly accessible locations and in relation to the areas they are intended to serve (Goal D, Objective c)
5. Community Cemetery: Locate a community cemetery in conjunction with the Red Valley community (Goal D, Objective d)
6. Cultural Center: Promote a cultural center (Goal D, Objective c)

NATURAL RESOURCES

Guideline 5: Protect natural areas, natural features and important cultural and scenic resources

Intent:

- To preserve the natural resources and use only what is necessary to the benefit of the community

Policies:

1. Conservation of Grazing: Respect prime grazing areas for the livelihood and way of life for many residents. Locate and design development to minimize the impact on grazing lands (Goal B, Objective c)
2. Grazing Requirement: Maintain and respect adequate areas identified for grazing (Goal E, Objective a)
3. Agriculture Requirement: Maintain and respect adequate areas identified for agriculture (Goal E, Objective b)
4. Special Places: Develop standards and regulations for special places to reserve sites and areas that have designated natural, traditional, cultural and historic features and resources that are important to the community and ensure that new land uses do not have a negative impact on these areas (Goal E, Objective c)
5. Management Programs: Adopt range and forestry management plans that reinforce the community's unique character and identity (Goal E, Objective d)
6. Eco-tourism: Encourage eco-tourism development that supports the distinctiveness of the locality and region as well as the special characteristics of the existing surroundings (Goal E, Objective e)
7. Irrigation System & Earth Dams: Plan for an irrigation system and earth dams where appropriate (Goal E, Objective f)

ENVIRONMENT

Guideline 6: Enhance the quality of life through a healthy environment

Intent:

- To ensure that the environment is clean and safe.

Policies:

1. Water Quality: Increase the water quality (Goal F, Objective a)
2. Uranium Clean-up: Support the reclamation of abandoned mines and promote the education of the effects on the community (Goal F, Objective b)
3. Solid Waste: Locate solid waste disposal station in an area that has adequate access and is screened from public view (Goal F, Objective c)

4. Recycling: Encourage and promote recycling through the adoption of a recycling program (Goal F, Objective c)
5. Conservation Plan: Adopt a conservation plan (Goal F, Objective d)

RECREATION

Guideline 7: Provide adequate recreation programs and facilities for play, relaxation and fitness

Intent:

- To identify and provide places for play, relaxation and fitness; these facilities may include both indoor and outdoor facilities; outdoor facilities may include parks, playgrounds, ball fields, rodeo or equestrian facilities, or golf courses, and may include hiking and biking trails. Indoor facilities may include gymnasiums, fitness centers, or a multi-use recreation center which may include several recreational elements

Policies:

1. Recreation facilities: Promote the establishment of an indoor recreational center that will support the population distribution (Goal G, Objective a)
2. Parks and Play Fields: Plan and locate parks and play fields where they will best serve the community; provide a range of park types, sizes, and uses to accommodate recreational and leisure activities; adopt common standards for development of parks and fields (Goal G, Objective b)
3. Trails: Preserve and enhance bike trail.; locate new hiking and riding trails where they will best serve the community and limit access to features like the Natural Arch and archeological ruins (Goal G, Objective c)
4. Other Recreation Opportunities: Conduct feasibility studies to determine the viability of recreation opportunities such as golf course, race track, and rodeo grounds (Goal G, Objective d)
5. Location of Recreation Facilities: Focus on the natural beauty of the area and the location should not have a negative impact upon views or any areas designated as open space in this plan (Goal I, Objective a)
6. Land Management Plan: All recreation facilities shall respect and address any land management plans (Goal I, Objective d)

NON-TOURISM ECONOMIC DEVELOPMENT

Guideline 8: Promote economic vitality to serve community needs and provide jobs, revenues and opportunities

Intent:

- To provide opportunities for new businesses to come into the community
- To provide jobs and create an economic base, and potential revenue, for the community through sales tax or business leases
- To ensure the availability of necessary usable land to facilitate commercial, industrial, and residential development
- To let community residents spend money "locally" rather than in communities farther away

Policies:

1. Commercial Center: Recruit new businesses to provide retail and other services, and employment and other opportunities for residents and visitors.; locate commercial center on a major road with good access and at a location where nuisances and activities of the proposed use will not adversely affect adjacent areas (Goal H, Objective a) (Goal D, Objective a)
2. Cultural Center: Support the establishment of a cultural center in harmony with the surroundings; promote sales of local arts and crafts (Goal D, Objective e)

3. Location: All commercial development should respect the natural beauty of the area and should not block views of the surrounding area or occur in any highly visible or environmentally sensitive areas (Goal I, Objective a)

TOURISM

Guideline 9: Target tourism as it contributes to the economic vitality of the community by providing jobs, revenues and opportunities

Intent:

- To provide opportunities for tourism related businesses to come into the community
- To provide jobs and create an economic base, and potential revenue, for the community through sales tax or business leases
- To ensure the availability of necessary usable land to facilitate tourism development

Policies:

1. Natural Beauty: Attract and provide businesses that preserve, respect and care for the natural beauty of the area (Goal I, Objective a)
2. Trails: Encourage targeted development of existing bike and hiking trails (Goal I, Objective c)
3. Centers: Create opportunities for new employment and job training opportunities suitable for to the existing and potential skill levels of community residents; also create opportunities for local artisans to sell their arts and crafts (Goal I, Objective b, f and g)
4. Tourist attractions: Explore tourist attracts such as guided hunting, guided hiking, ski areas, hot springs, golf courses, etc. (Goal I, Objective k)
5. Transportation: Provide needed road improvements, as well as investigate the possibilities of providing shuttles to Gallup and Shiprock for tourists, providing an airport, or any other necessary transportation (Goal I, Objective j)

EDUCATION

Guideline 10: Work to ensure the development of adequate facilities and programs to serve the needs and achieve a greater quality of life

Intent:

- To provide opportunities for local students

Policies:

1. Health Education: Provide healthy lifestyle information via classes or health center (Goal J, Objective a)
2. Mentoring Programs: Encourage a mentoring program for youth (Goal J, Objective b)
3. Youth Programs: Encourage youth programs and facilities such as the boys and girls clubs to come to Cove and promote a healthy community (Goal J, Objective c)
4. Schools: Coordinate with Red Valley in locating and designing schools with a safe access and with adequate space (Goal J, Objective d)

20. DEVELOPMENT OF RESIDENTIAL HOUSING

The sites for proposed residential housing have been identified in Part V. This section provides the necessary steps needed to actually realize the development of these sites. TABLE 17 (pg. 69) presents the steps in a table form. Each potential homeowner must have a home site lease. If the potential homeowner does not hold a current home site lease, they must apply and secure a home site lease.

The potential homeowners may choose any developer to build their house. A list of a few tribally designated home providers within the Navajo Nation is presented in TABLE 18 (pg. 69). The listing was obtained from Navajo Housing Authority and does not purport to be a comprehensive list. Individuals may approach any one of these home providers, but to increase the feasibility a collective group proposal is recommended.

To grow in the direction of the community vision, the community should establish a housing design. The form, character and details of the housing design should be compatible with existing conditions, respectful of the physical and cultural context.

TABLE 17. Recommended Action Plan for Development of Residential Housing

| ACTION | TIME FRAME | | | RESPONSIBILITY |
|--|----------------------|----------------------|-----------------------|--|
| | 0-1 Years | 1-2 Years | 2-3+ Years | |
| Obtain home site lease | X | X | X | Potential Homeowner |
| Select housing provider | X | X | X | Potential Homeowner |
| Identify a collective group ready for houses | X | X | X | Potential Homeowner and Chapter |
| Prepare and submit | X | X | X | Chapter housing proposal |
| Establish housing design | | X | | Land Use Committee and Chapter Officials |

**TABLE 18.
List of Housing Providers**

Navajo Housing Authority

P.O. Box 1579
Window Rock, AZ 86515
(928) 871-2600

Navajo Housing Services

P.O. Box 2396
Window Rock, AZ 86515
(928) 871-6493

Fort Defiance Housing Corporation

P.O. Box 579
Window Rock, AZ 86515
(928) 729-5210

**Department of Navajo
Veterans Affairs**

P.O. Box 430
Window Rock, AZ 86515
(928) 871-6413

Navajo Partnership for Housing

P.O. Box 1370
St. Michaels, AZ 86511
(928) 810-3112

Twilight Dawn, Inc.

P.O. Box 4097
St. Michaels, AZ 86515
(505) 371-5595

21. PLAN AMENDMENTS AND UPDATES

The land use plan constitutes a land use policy statement that was created based upon public input, needs of the community, existing conditions, man-made and natural constraints and environmentally sensitive lands. Over a period of time, any of these variables are subject to change. Consequently, the land use plan must periodically be reviewed and amended if it is to remain effective.

However, amendments to the land use plan should never be allowed to occur in a haphazard manner. Amendments to the land use plan should only occur after careful review of the request, finding of facts in support of the amendment, and holding public hearing(s). The process that guided the adoption of the land use plan shall be followed for all amendments, including public hearings etc. All decisions should be based on the adopted visions, guiding principles, goals and objectives. The term amendment applies to both text and map revisions.

CONSIDERATIONS

The information that should be required before making a decision on an amendment should include, but is not limited to:

- What is the request and who will be impacted (positively and negatively) by the amendment?
- Is the request supported by the recommendations of the land use plan when all visions, goals, objectives, and other policies are evaluated?
- Ensure that the amendment is not detrimental to the community of Cove as a whole.
- Amendments to the land use plan may be initiated or requested by the Cove Chapter Officials, or requested by a community member on a regularly-scheduled basis. However, the Natural Arch Land Use Planning Committee and the Chapter
- Officials may, by an affirmative vote, direct the initiation of a plan amendment process at any time if an opportunity for the community of Cove Chapter appears to exist.
- Conduct a yearly monitoring review of the plan to evaluate:
 - If the plan is adequately addressing growth in the Chapter
 - If policies are being implemented, and development is occurring as directed in the land use elements

PROCESS FOR AMENDING THE LAND USE PLAN

Requests for amendments should be in writing to the attention of the Cove Chapter and the Natural Arch Land Use Planning Committee. Each request shall be evaluated by the Natural Arch Land Use Planning Committee and presented to the community of Cove Chapter at an advertised public hearing. The Natural Arch Land Use Planning Committee will hear comments from the public on the issue, and then make a recommendation for or against approval of the amendment to the Cove Chapter Officials. The amendment request shall be officially adopted or rejected at a duly called Cove Chapter meeting.

If the amendment is adopted, a formal amendment shall be added to plan and included with the land use plan document.

To ensure and preserve the integrity of the land use plan that was adopted through significant public input and participation, it is extremely important that this process be followed for each amendment to the land use plan.

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APPENDIXES

A - NAHASDA TITLE II SECTION 202

B - LGA SECTION 2004, PART B, C, D AND E

C - COMMUNITY ASSESSMENT SURVEY FORMS

D - ENDANGERED SPECIES LIST

APPENDIX A - NAHASDA TITLE II SECTION 2002

NAHASDA GUIDANCE 01-02 tribe

NAHASDA AFFORDABLE HOUSING

Section 202. Eligible Affordable Housing Activities

Affordable housing activities under this title [title II of NAHASDA] are activities, in accordance with the requirements of this title, to develop or to support affordable housing for rental or homeownership, or to provide housing services with respect to affordable housing, through the following activities:

- Affordable housing is housing that meet the requirements of title II of NAHASDA:
 - Housing units developed under the United States Housing Act of 1937 (low rent, Mutual Help and Turnkey housing units) are considered to be and must be maintained as affordable housing for purposes of NAHASDA
 - Housing units developed under NAHASDA are required to meet NAHASDA requirements
 - Other housing units that are not assisted under NAHASDA, but which meet the requirements of title II of NAHASDA, qualify as affordable housing
- “Housing” includes
 - Rental housing that may be single family units, multifamily units, Single Room Occupancy units, attached units such as duplex, triplex
 - Homeownership housing
 - Group homes for persons with special needs such as the elderly/disabled
 - Congregate housing
 - Transitional housing
 - Halfway housing
 - Domestic violence shelters
 - Homeless emergency shelters

(1) Indian Housing Assistance – The provision of modernization or operating assistance for housing previously developed or operated pursuant to a contract between the Secretary and an Indian housing authority.

Eligible activities include, but not limited to:

- Modernization of 1937 Act Housing
- Operating assistance for 1937 Act Housing
 - Maintenance
 - Rent and participants’ utility subsidies

NAHASDA GUIDANCE 01-02 tribe

(2) Development – The acquisition, new construction, reconstruction, or moderate or substantial rehabilitation of affordable housing, which may include real property acquisition, site improvement, development of utilities and utility services, conversion, demolition, financing, administration and planning, and other related activities.

Eligible activities include, but not limited to:

- Acquisition of affordable housing
 - Financing acquisition of affordable housing by homebuyers
 - Down payment assistance
 - closing costs assistance
 - direct lending
 - interest subsidies or other financial assistance
- New construction of affordable housing
- Reconstruction of affordable housing
- Moderate rehabilitation of affordable housing, including but not limited to:
 - lead-based paint hazards elimination or reduction
 - improvements to provide physical accessibility for disabled persons
 - energy-related improvements
- Substantial rehabilitation of affordable housing, including but not limited to:
 - lead-based paint hazards elimination or reduction
 - improvements to provide physical accessibility for disabled persons
 - energy-related improvements
- Conversion of building into affordable housing
- Activities related to the affordable housing include but not limited to:
 - Site improvements
 - Recreational area and playgrounds for use by residents of affordable housing
 - On-site streets and sidewalks
 - Development of utilities and utility services
 - Acquisition of real property
 - Demolition
 - Relocation
 - Environmental review of the affordable housing project
 - Administration and planning of the affordable housing project
 - Architectural and engineering plans

(3) Housing Services – The provision of housing-related services for affordable housing, such as housing counseling in connection with rental or homeownership assistance, establishment and support of resident organizations and resident management corporations, energy auditing, activities related to the provision of self-sufficiency and other services, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in other housing activities assisted pursuant to this section.

NAHASDA GUIDANCE 01-02 tribe

Eligible activities include, but not limited to:

- Housing counseling in connection with affordable rental or homeownership housing
- Establishment and support of resident organizations in affordable housing
- Establishment of resident management corporations in affordable housing
- Energy auditing of affordable housing
- Activities related to the provision of self-sufficiency,
 - Child care costs – subsidies to residents of affordable housing or operating costs of a facility [but not construction or rehabilitation of a facility] for residents of affordable housing
 - Transportation costs – subsidies to residents of affordable housing or rental of car, van, or bus for residents of affordable housing to attend training
 - Job placement and job training for residents of affordable housing
 - Assistance to residents of affordable housing in obtaining other Federal, state and local assistance
- Homeless prevention activities, which are short-term subsidies to defray rent and utility bills that families have received.
- Security deposits and/or first month's rent to permit family to move into an apartment
- Payments to prevent foreclosure on a home
- Tenant-based rental assistance payments, including
 - College housing vouchers
- Youth activities for residents of affordable housing that reduce or eliminate the use of drugs
 - Salaries and expenses for staff of youth sports program
 - Educational programs relating to drug abuse
 - Boys and Girls Clubs
 - Sports and recreation equipment

(4) Housing Management Services – The provision of management services for affordable housing, including preparation of work specifications, loan processing, inspections, tenant selection, management of tenant-based rental assistance, and management of affordable housing projects.

Eligible activities include, but not limited to:

- Preparation of work specifications for affordable housing
- Loan processing for affordable housing
- Inspections for affordable housing
- Tenant selection for affordable housing
- Management of tenant-based rental assistance
- Mediation programs for landlord-tenant disputes for affordable housing

(5) Crime Prevention and Safety Activities – The provision of safety, security, and law enforcement measures and activities appropriate to protect residents of affordable housing from crime.

Eligible activities include, but not limited to:

- Physical improvements for affordable housing to enhance security such as fences, speed bumps, monitors, locks, additional lighting
- Employment of security personnel for affordable housing
 - Equipment for patrols

NAHASDA GUIDANCE 01-02 tribe

(6) Model Activities – Housing activities under model programs that are designed to carry out the purposes of this Act and are specifically approved by the Secretary as appropriate for such purpose.

Eligible activities include, but not limited to:

- Construction of an office building for the recipient's administration of NAHASDA activities, including the rehabilitation of or additions to existing office spaces
- Construction of warehouse, maintenance and storage space for housing materials for housing assisted under NAHASDA, including the rehabilitation of or additions to existing structure.
- Construction of day care center, including the rehabilitation of existing facility to be used for day care, to the extent that the facility will be used by residents of affordable housing.
- Construction of a community building or center, including the rehabilitation of an existing facility, to the extent it will be used for affordable housing activities and by residents of affordable housing.
- Construction of college housing to the extent the facility will be used by eligible families.

Each model housing activity must be approved in accordance with the procedures in CFR Part 1000, Subpart B.

Section 101(h). Administrative Expenses – The Secretary shall, by regulation, authorize each recipient to use a percentage of any grant amounts received under this Act for any reasonable administrative and planning expenses of the recipient relating to carrying out this Act and activities assisted with such amounts, which may include costs for salaries of individuals engaged in administering and managing affordable housing activities assisted with grant amounts provided under this Act and expenses of preparing an Indian housing plan under section 102.

- Eligible administrative and planning expenses of the IHBG program include:
 - Costs of overall program and/or administrative management, including
 - Salaries and benefits of staff administering IHBG program
 - Costs of coordination, monitoring, and evaluation
 - Costs of preparing the Indian Housing Plan, including data collection
 - Costs of preparing the annual performance report
 - Challenge to and collection of data for purposes of challenging the formula.
- Staff and overhead costs directly related to carrying out affordable housing activities can be costs of the affordable housing activity or administration or planning at the discretion of the recipient.
- The recipient can use up to 20% of its grant for administration and planning and must identify the percentage of grant funds which will be used in the Indian Housing Plan.
- The recipient may request HUD approval to use more than 20% of its grant for administration and planning. HUD must consider any cost of preparing the Indian Housing Plan, challenges to and collection of data, the recipient's grant amount, approved cost allocation plans, and any other relevant information with special consideration given to the circumstances of recipients receiving minimal funding.

APENDIX B - LGA SECTION 2004, PART B, C, D AND E

NAVAJO NATION CODE: TITLE 26
Navajo Nation Local Governance Act

Chapter 1
NAVAJO NATION CHAPTERS

Subchapter 1. Generally

Section 1 Title; Purpose; Authorization; Prior Inconsistent Law Superseded; Amendment
Section 2 Definitions
Section 3 Chapter Certification

Subchapter 3. Navajo Nation Chapter Governance

Section 101 Chapter Government Requirements
Section 102 Governance Procedure Requirements
Section 103 Chapter Authority

Chapter 2
CHAPTER GOVERNMENT

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

Section 1001 Duties and Responsibilities of Chapter Officials
Section 1002 Meetings; Meeting Notice Requirement; Compensation of Chapter Officials
Section 1003 Order of Business
Section 1004 Chapter Administration

Subchapter 7. Navajo Nation Chapter Regulations and Procedure

Section 2001 Chapter Ordinance Procedure
Section 2002 Chapter Contract Requirements
Section 2003 Chapter Finance; Budget Process; Chapter Insurance
Section 2004 Zoning; Community-Based Plan; Land Use Variations
Section 2005 Eminent Domain Requirements
Section 2006 [Reserved]
Section 2007 [Reserved]
Section 2008 [Reserved]

Subchapter 9. [Reserved]
Subchapter 11. [Reserved]
Subchapter 13. [Reserved]

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 data 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 any improvement 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 sweatshouses; 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 new land 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 non-reimbursable 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.

APPENDIX C - COMMUNITY ASSESSMENT SURVEY FORMS

COMMUNITY ASSESSMENT QUESTIONS/SURVEY FORMS

| | Questions | Yes | Sort of | No | No opinion |
|-----|--|-----|---------|----|------------|
| 1. | Are you concerned about where houses are placed? | | | | |
| 2. | Are you concerned about keeping land open for grazing? | | | | |
| 3. | Are you concerned about economic development? If we build a store or laundromat will you support it? | | | | |
| 4. | Are you concerned about keeping special places? | | | | |
| 5. | Are you concerned about preserving open spaces? | | | | |
| 6. | Is the land and how it is used important to you? | | | | |
| 7. | Is having a house near you for your children important to you? | | | | |
| 8. | Do you think you could benefit from land use planning? | | | | |
| 9. | Do you think your chapter could benefit from land use planning? | | | | |
| 10. | Do you understand land use planning? | | | | |
| 11. | Do you know what LGA is? | | | | |
| 12. | Do you currently live in a house of your own? | | | | |
| 13. | Do you think the community needs a community cemetery? | | | | |

APPENDIX D - ENDANGERED SPECIES LIST

NAVAJO NATION
DIVISION OF NATURAL RESOURCES
DEPARTMENT OF FISH AND WILDLIFE

NAVAJO ENDANGERED SPECIES LIST
Resources Committee Resolution
No. RCS-41-08

September 10, 2008

GROUP 1: Those species or subspecies that no longer occur on the Navajo Nation.

GROUP 2 (G2) & GROUP 3 (G3): "Endangered" -- Any species or subspecies whose prospects of survival or recruitment within the Navajo Nation are in jeopardy or are likely within the foreseeable future to become so.

G2: A species or subspecies whose prospects of survival or recruitment are in jeopardy.

G3: A species or subspecies whose prospects of survival or recruitment are likely to be in jeopardy in the foreseeable future.

GROUP 4: Any species or subspecies for which the Navajo Nation Department of Fish and Wildlife NNDFW does not currently have sufficient information to support their being listed in G2 or G3 but has reason to consider them. The NNDFW will actively seek information on these species to determine if they warrant inclusion in a different group or removal from the list.

The NNDFW shall determine the appropriate group for listing a species or subspecies due to any of the following factors:

1. The present or threatened destruction, modification, or curtailment of its habitat;
2. Over-utilization for commercial, sporting or scientific purposes;
3. The effect of disease or predation;
4. Other natural or man-made factors affecting its prospects of survival or recruitment within the Navajo Nation; or
5. Any combination of the foregoing factors.

NAVAJO ENDANGERED SPECIES LIST – May 2008

| | <i>Scientific name</i> | <i>Common name</i> |
|-----------------|---|---|
| GROUP 1: | | |
| MAMMALS | <i>Canis lupus</i> <i>Lontra canadensis</i> <i>Ursus arctos</i> | Gray Wolf Northern River Otter Grizzly or Brown Bear |
| FISHES | <i>Gila elegans</i> | Bonytail |
| GROUP 2: | | |
| MAMMALS | <i>Mustela nigripes</i> | Black-footed Ferret |
| BIRDS | <i>Coccyzus americanus</i> <i>Empidonax traillii extimus</i> <i>Haliaeetus leucocephalus</i> | Yellow-billed Cuckoo Southwestern Willow Flycatcher Bald Eagle |
| AMPHIBIANS | <i>Lithobates pipiens</i> | Northern Leopard Frog |
| FISHES | <i>Gila cypha</i> <i>Gila robusta</i> <i>Ptychocheilus lucius</i> <i>Xyrauchen texanus</i> | Humpback Chub Roundtail Chub Colorado Pikeminnow Razorback Sucker |
| PLANTS | <i>Astragalus cutleri</i> <i>Astragalus humillimus</i> <i>Erigeron rhizomatus</i> <i>Pediocactus bradyi</i> <i>Sclerocactus mesae-verdae</i> | Cutler's Milk-vetch Mancos Milk-vetch Rhizome Fleabane Brady Pincushion Cactus Mesa Verde Cactus |
| GROUP 3: | | |
| MAMMALS | <i>Antilocapra americana</i> ¹ <i>Ovis canadensis</i> ² | Pronghorn ¹ Bighorn Sheep ² |
| BIRDS | <i>Aquila chrysaetos</i> <i>Buteo regalis</i> <i>Cinclus mexicanus</i> <i>Strix occidentalis lucida</i> | Golden Eagle Ferruginous Hawk American Dipper Mexican Spotted Owl |
| INVERTEBRATES | <i>Speyeria nokomis</i> | Western Seep Fritillary |
| PLANTS | <i>Allium gooddingii</i> <i>Asclepias welshii</i> <i>Astragalus cremnophyllax</i> var. <i>hevroni</i> <i>Astragalus cronquistii</i> <i>Astragalus naturitensis</i> <i>Carex speculicola</i> <i>Erigeron acomanus</i> <i>Errazurizia rotundata</i> <i>Lesquerella navajoensis</i> <i>Pediocactus peeblesianus</i> ssp. <i>fickelseniae</i> <i>Penstemon navajoa</i> <i>Perilyte speculicola</i> <i>Platanthera zothecina</i> <i>Zigadenus vaginatus</i> | Gooding's Onion Welsh's Milkweed Marble Canyon Milk-vetch Cronquist Milk-vetch Naturita Milk-vetch Navajo Sedge Acoma Fleabane Round Dunebroom Navajo Bladderpod Fickelsen Plains Cactus Navajo Penstemon Alcove Rock Daisy Alcove Bog-orchid Alcove Death Camas |

NAVAJO ENDANGERED SPECIES LIST – May 2008

| | Scientific name | Common name |
|---------------------|--|---|
| GROUP 4: MAMMALS | <i>Corynorhinus townsendii</i> | Townsend's Big-eared Bat |
| | <i>Dipodomys microps</i> | Chisel-toothed Kangaroo Rat |
| | <i>Dipodomys spectabilis</i> ³ | Banner-tailed Kangaroo Rat ³ |
| | <i>Microtus mogollonensis</i> | Navajo Mountain Vole |
| | <i>Perognathus amplius cineris</i> | Wupatki [Arizona] Pocket Mouse |
| | <i>Vulpes macrotis</i> | Kit Fox |
| BIRDS | <i>Accipiter gentilis</i> | Northern Goshawk |
| | <i>Aechmophorus clarkia</i> | Clark's Grebe |
| | <i>Aegolius acadicus</i> | Northern Saw-whet Owl |
| | <i>Athene cunicularia</i> | Burrowing Owl |
| | <i>Ceryle alcyon</i> | Belted Kingfisher |
| | <i>Charadrius montanus</i> | Mountain Plover |
| | <i>Dendragapus obscurus</i> | Dusky Grouse |
| | <i>Dendroica petechia</i> | Yellow Warbler |
| | <i>Empidonax hammondi</i> | Hammond's Flycatcher |
| | <i>Falco peregrinus</i> | Peregrine Falcon |
| | <i>Glaucidium gnoma</i> | Northern Pygmy-Owl |
| | <i>Gymnogyps californianus</i> | California Condor |
| | <i>Otus flammeolus</i> | Flammulated Owl |
| | <i>Patagioenas fasciata</i> | Band-tailed Pigeon |
| | <i>Picoides dorsalis</i> | American Three-toed Woodpecker |
| | <i>Porzana carolina</i> | Sora |
| REPTILES | <i>Lampropeltis triangulum</i> | Milk Snake |
| | <i>Sauromalus ater</i> | Chuckwalla |
| FISHES | <i>Catostomus discobolus</i> | Bluehead Sucker |
| | <i>Cottus bairdi</i> | Mottled Sculpin |
| INVERTEBRATES | <i>Oreohelix strigosa</i> | Rocky Mountainsnail |
| | <i>Oreohelix yavapai</i> | Yavapai Mountainsnail |
| | <i>Oxytoma kanabense</i> | Kanab Ambersnail |
| PLANTS | <i>Aliciella formosa</i> | Aztec Gilia |
| | <i>Amsonia peeblesii</i> | Peebles Blue-star |
| | <i>Asclepias sanjuanensis</i> | San Juan Milkweed |
| | <i>Astragalus beathii</i> | Beath Milk-vetch |
| | <i>Astragalus heilii</i> | Hell's Milk-vetch |
| | <i>Atriplex garrettii</i> var. <i>navajoensis</i> | Navajo Saltbush |
| | <i>Camissonia atwoodii</i> | Atwood's Camissonia |
| | <i>Cirsium rydbergii</i> | Rydberg's Thistle |
| | <i>Cypripedium parviflorum</i> var. <i>pubescens</i> | Yellow Lady's Slipper |
| | <i>Cystopteris utahensis</i> | Utah Bladder-fern |
| | <i>Ericameria arizonica</i> | Grand Canyon Goldenweed |
| | <i>Erigeron sylvinskii</i> | Sivinski's Fleabane |
| | <i>Eriogonum lachnogynum</i> var. <i>sarahiae</i> | Sarah's Buckwheat |
| | <i>Phacelia indecora</i> | Bluff Phacelia |
| | <i>Primula specuicola</i> | Cave Primrose |
| | <i>Psoralea arborescens</i> var. <i>pubescens</i> | Marble Canyon Dalea |
| | <i>Puccinella parishii</i> | Parish's Alkali Grass |
| | <i>Salvia pachyphylla</i> ssp. <i>eremopictus</i> | Arizona Rose Sage |
| | <i>Sclerocactus cloveriae brackii</i> | Brack Hardwall Cactus |
| | <i>Symphotrichum welshii</i> | Welsh's American-aster |

NAVAJO ENDANGERED SPECIES LIST – May 2008

Footnotes (Exclusions)

¹ G3 designation **excludes** NNDFW Management Unit 16 'New Lands', the boundaries of which are: From Sanders, AZ east along Unit 4 boundary to the Zuni boundary; south along the boundary past AZ Hwy 61 to the Navajo Nation/state boundary; west along the boundary past US Hwy 666 to the Navajo Nation/state boundary; north along Rd 2007 to Navajo, AZ; west to the north and south of Interstate 40 to the state/Petrified Forest National Park boundary; north along the boundary to the Unit 8 boundary; east along the boundary to US Hwy 191; south to Chambers and east to Sanders. For a Unit 16 map, contact NNDFW, P.O. Box 1480, Window Rock, AZ, 86515, 928 871-6451.

² Special hunts of *Ovis canadensis* may be conducted in Management Unit 11 for management purposes.

³ Group 4 status for this species pertains only to the populations in Arizona and Utah; populations in the New Mexico portion of the Navajo Nation are not considered for this designation.

James Benally, President
Thomas Young, Sr., Vice-President
Charlotte Yazzie, Secretary/Treasurer
Kee Y. Randall, Grazing Official
VACANT, Farm Board
Amber K. Crotty, Council Delegate



THE NAVAJO NATION CHAPTER GOVERNMENT ♦ COVE CHAPTER ♦



COV-17-068

RESOLUTION OF THE COVE CHAPTER OF THE NAVAJO NATION

APPROVING/ACCEPTING COVE CHAPTER COMPREHENSIVE COMMUNITY-BASED LAND USE PLAN.

WHEREAS:

1. Pursuant to the "Local Governance Act", Title 26 N.N.C. Chapter 1, Section 3 (s), the **COVE CHAPTER** was established as a Chapter of the Navajo Nation Government by the Navajo Nation Council Resolution Number CAP-34-98; and
2. Pursuant to Chapter 1, Sub Chapter 1, Section 131 (1) (2), of the Same "Act" The **COVE CHAPTER** has the responsibility and authority to promote, protect, and preserve the interest and general welfare including the safety of its community people, programs, property, and
3. **COVE CHAPTER** and the Community Land Use Plan Committee has educated the community on the concepts, needs and process for planning & Implements a community based land use plan. The Community Land Use Plan shall project future community land needs, shown by location and extent of area identified for residential, commercial, industrial and public purposes.
4. **COVE CHAPTER** is aware the open space, a thoroughfare plan and community facilities plan which shows location, type of capacity and areas served of present and projected of required of community facilities.
5. **Cove Chapter** had their Public hearing on June 22, 2017 at Cove Chapter, CLUPC went over each components and translated in Navajo, people made their comments and the started their 60 days comment from June 23, 2017 through August 21, 2017.

NOW THEREFORE BE IT RESOLVED THAT:

1. Approving/Accepting Cove Chapter Comprehensive Community Based Land Use Plan.

James Benally, President
Thomas Young, Sr., Vice-President
Charlotte Yazzie, Secretary/Treasurer
Kee Y. Randall, Grazing Official
VACANT, Farm Board
Amber K. Crotty, Council Delegate



THE NAVAJO NATION CHAPTER GOVERNMENT ♦ COVE CHAPTER ♦

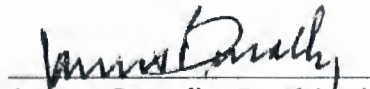
COV-17-068

CERTIFICATION

We, the undersigned certify the foregoing resolution was presented to the Cove Chapter at a duly called meeting at the Cove, Navajo Nation, Arizona and which a quorum was present and that same was passed by a vote 19 in favor 00 oppose 02 abstention, this 10th of September 2017.

Motioned: Rafvin Lee

Seconded: Tina Ulrich


James Benally, President
COVE CHAPTER

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting
February 21, 2018

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0024-18: An Action Relating to Resources And Development Committee, Certifying Cove Chapter's Community-Based Land Use Plan Which Has Reevaluated And Readjusted Cove Chapter's First Community-Based Land Use Plan. *Sponsor: Honorable Amber K. Crotty*

MAIN MOTION: Walter Phelps S: Jonathan Perry V: 3-0-1

ROLL CALL VOTE TALLY:

YEAS: Jonathan Perry; Leonard Pete and Walter Phelps

NAYS NONE

NOT VOTING: Benjamin Bennett (Presiding)

EXCUSED: Davis Filfred and Alton Joe Shepherd

AMENDMENT # 1: Delete attached Exhibit "A" and replace with a revised Community Based Land Used Plan as "Exhibit A"

Motion: Walter Phelps Second: Jonathan Perry Vote: 3-0-1 (CNV)

Yeas: Jonathan Perry, Leonard Pete and Walter Phelps

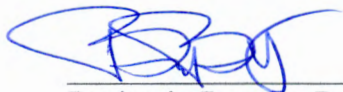
Nays: None

ROLL CALL VOTE TALLY:

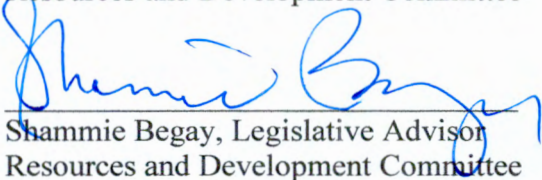
YEAS: Jonathan Perry; Leonard Pete and Walter Phelps

NAYS NONE

NOT VOTING: Benjamin Bennett (Presiding)



Benjamin Bennett, Presiding Vice-Chairman
Resources and Development Committee



Shammie Begay, Legislative Advisor
Resources and Development Committee