

2015 Tolikan Chapter Comprehensive Land Use Plan

UPDATED FROM 2004



2015

“Planning for our community.”

This Plan is a guideline and an instrument to be used by community leaders who make the decisions regarding physical development. It is based on the community’s needs and desires.

PROJECT TITLE:

TOLIKAN CHAPTER COMPREHENSIVE LAND USE PLAN (REVISED)

ADOPTED BY TOLIKAN CHAPTER MEMBERSHIP

RESOLUTION:

CHAPTER OFFICIALS:

LENA CLARK, PRESIDENT

LOVENA LEE, VICE PRESIDENT

LOUISE SCOTT, SECRETARY

DAVID TSOSIE, GRAZING OFFICER

COMMUNITY LAND USE PLANNING COMMITTEE:

HOWARD YAZZIE, PRESIDENT/COMMANDER

CHAPTER ADMINISTRATION:

SARAH LEE, CHAPTER MANAGER

CONSULTANT:

EUNICE TSO, ETD, INC.

FLAGSTAFF, ARIZONA

Table of Contents

PART 1 INTRODUCTION

1.1 OVERVIEW..... 1

1.2 VISION STATEMENT 2

1.3 PURPOSE 2

1.4 CONTENTS..... 2

1.5 AUTHORITY TO REGULATE LAND..... 2

1.6 PUBLIC INVOLVEMENT 3

PART 2 COMMUNITY ASSESSMENT

2.1 REGIONAL SETTING 4

2.2 DEMOGRAPHICS 4

2.3 ECONOMIC INDICATORS 5

 Unemployment.....5

 Median Household Income6

 Poverty6

 Education.....7

2.4 CHAPTER BOUNDARY 7

2.5 EXISTING LAND USES 7

 Residential.....7

 Commercial and Industrial Developments..... 10

 Public/Community and Health Care Facilities 10

 Schools 10

 Churches 10

 Agriculture..... 10

2.6 INFRASTRUCTURE SYSTEMS 11

 Water 11

 Electric..... 11

 Telecommunications 11

 Transportation 12

PART 3. THE PLAN

3.1 INTRODUCTION 14

3.2 LAND USE 14

 Goals:..... 14

 Objectives: 14

3.3 RESIDENTIAL..... 16

Goals:..... 16
 Objectives: 16

3.4 PUBLIC AND COMMUNITY FACILITIES 17
 Goals:..... 17
 Objectives 17

3.5 TRANSPORTATION AND UTILITIES 18
 Goals..... 18
 Objectives: 18

ECONOMIC DEVELOPMENT 19
 Goals:..... 19
 Objectives: 19

3.6 OPEN SPACE/RANGELAND..... 19
 Goals:..... 20
 Objectives: 20

PART 4 RECOMMENDATIONS FOR IMPLEMENTING THE PLAN

4.1 ZONING ORDINANCES 21

4.2 ADMINISTRATION AND ENFORCEMENT OF ORDINANCES 21

4.3 ZONING ORDINANCE PROCEDURE..... 22

4.4 CONCLUSION 22

MAPS

- Figure 1. Tolikan Chapter Location Map**
- Figure 2. Tolikan Chapter Boundaries and Roads Map**
- Figure 3. Tolikan Chapter Existing Land Use Map**
- Figure 4. Tolikan Chapter Infrastructure Map**
- Figure 5. Tolikan Chapter Future Land Use Map**

APPENDICES

- A. Chapter Resolution**
- B. Public Meeting Minutes**
- C. EPA Map Showing Contaminated Wells and Spring**

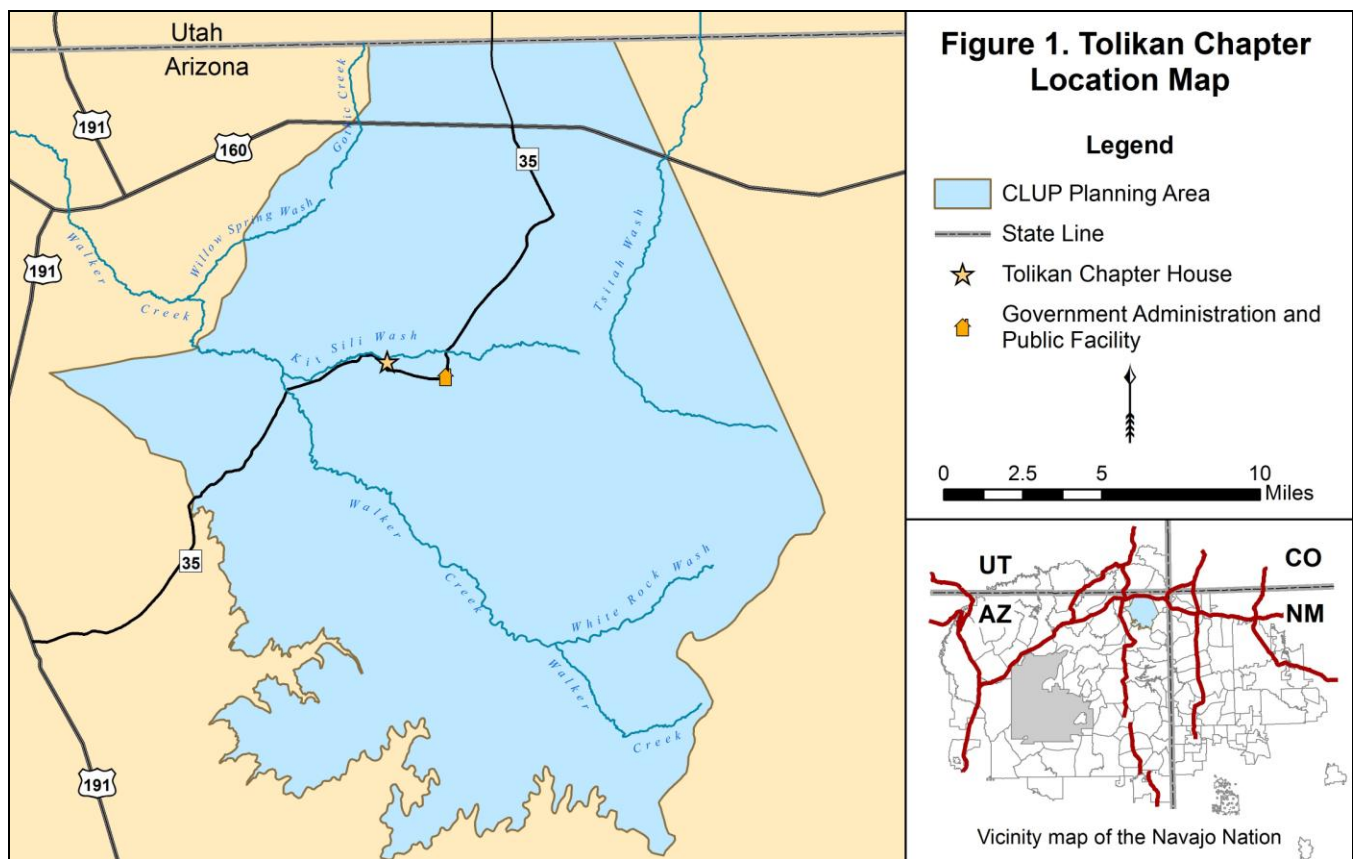
Part 1. Introduction

WHY DEVELOP A LAND USE PLAN?

1.1 OVERVIEW

Tolikan Chapter Comprehensive Plan is a tool to help guide the future growth of Tolikan community. Comprehensive plans are referred to as land use plans because they deal with issues related to land use. Comprehensive land use plans can address land use compatibility issues, preservation of natural resources and environmentally-significant areas, and needs for housing, public facilities, and infrastructure. This plan is a community-based plan, meaning that it identifies goals and objectives that reflect the community's ideas, dreams, and concerns.

The original *Tolikan Chapter Comprehensive Land Use Plan* was adopted on October 12, 2004 by the Chapter membership. This *Plan* has been updated and revised herein. It has been adopted by the Chapter membership under Resolution #TC-0597-05-15. The resolution is presented in **Appendix A**. ETD, Inc. of Flagstaff, Arizona assisted with the preparation of both plans. **Figure 1** illustrates the location of Tolikan Chapter.



1.2 VISION STATEMENT

The Tolikan Chapter community's vision is to have a well-planned community that is safe for its residents. "We desire a healthy, clean, and safe environment for our children. We want to encourage the wise use of land. And, we desire public health and safety facilities, adequate housing, parks and recreation, and economic development."

1.3 PURPOSE

The purpose of the *Tolikan Chapter Comprehensive Land Use Plan (2014)* is to establish guidelines for the future growth of a community. It is a document that sets forth current and proposed land uses within Tolikan Chapter boundaries, and illustrates such uses via map or plan. It sets forth recommendations in the form of goals and objectives for housing, public and community facilities, commercial development, infrastructure, and open space/rangeland. It is a manual to be used by community leaders, who establish policies and make the decisions regarding future development. It will help to create continuity and maintain priorities even as the Chapter Administration changes from time to time.

"An old saying amongst those in the planning profession is that if you fail to plan, what you are doing in reality is planning to fail." John Conglose, Ohio State University

1.4 CONTENTS

This comprehensive plan contains four parts. Part 1 presents an overview of the land use planning purpose and approach. Part 2 presents the results of a community assessment that describes the regional setting, existing land uses, population and trends, economic indicators, and infrastructure systems. Part 3 is heart of the plan. It sets forth recommendations for land uses and presents them in the form of goals and objectives. Part 4 discusses the process to fully implement the plan, including adopting and administering zoning ordinances.

1.5 AUTHORITY TO REGULATE LAND

Chapters are political subdivisions of the Navajo Nation. They are subject to Navajo Nation laws, regulations, rules, and policies, but are not necessarily under any branch of the Navajo Nation central government. The authority to regulate land is delegated to Navajo Chapters under the Local Governance Act (LGA), codified under Title 26 of the Navajo Nation Code (26 N.N.C.), as amended. LGA authorities must be managed in conjunction with the federal Navajo Grazing Regulations (25 CFR Part 167) and the Navajo Nation Grazing Regulations (3 NNC § 5).

There are opportunities for Chapters to implement a land regulatory system. The basic components of a land regulatory system are a land use plan and zoning ordinance(s). Under LGA, a comprehensive land use plan (CLUP) means "a document adopted by Chapter Resolution setting forth current and proposed uses of land within Chapter boundaries, illustrating such uses by map or plat" (26 N.N.C. Section 2004). It should "be based upon guiding principles and visions as articulated by the community with consideration for the land carrying capacity; along with information revealed in the inventories and assessments of the natural, cultural, human resources" (26 N.N.C. Section 2004).

Tolikan Chapter received LGA-Certification on November 29, 2010 which means it is eligible to enact zoning ordinances. LGA gives Chapter authority to exercise certain governmental authorities that were previously

only exercised by the central government. The LGA-Certification process approved the *Tolikan Chapter's Five Management System* that establishes policies, and procedures for operating the government. It covers fiscal accountability, procurement, records, personnel, and property management. Tolikan Chapter plans to enact zoning ordinances to support this plan.

1.6 PUBLIC INVOLVEMENT

Land use planning is a publicly-driven process that requires citizen input and participation. There are a number of ways to obtain citizen input, such as holding open forums or public meetings. During the development of the original, 135 households participated in door-to-door survey. This represents about one-quarter of total households in Tolikan Chapter. The survey results provided a good understanding of the land use issues, concerns, and attitudes of the local residents.

During the process of updating the plan, Eunice Tso attended a series of meetings to inform the citizens of the efforts to update the CLUP and to get their input. This information was very valuable in the development of this plan.

Below is a list of public meetings that held discussions about land use planning. Meeting minutes, prepared by the Chapter Secretary, are presented in **Appendix B**.

1. Chapter Planning Meeting held on April 2, 2012.
2. Regular Chapter Meeting held on December 2, 2012.
3. Livestock Owners Meeting held on March 22, 2013.
4. Community Development Public Hearing held on January 19, 2014.
5. Public Hearing regarding land uses held on February 22, 2014.



Part 2. Community Assessment

UNDERSTANDING THE COMMUNITY OF TOLIKAN CHAPTER

2.1 REGIONAL SETTING

Tolikan Chapter is situated on the northwest slopes of the Carrizo Mountains and lower elevations of the Chinle and San Juan River Valleys in northeast Arizona. The mountains rise as high as 9,823 feet. The high elevation forces air up the side of the mountain where the air mass cools and condenses, producing precipitation that flows into the valleys below. Many streams originate on the mountains. Intrusive igneous rocks make up most of the Carrizo Mountain mass and Mesozoic sedimentary rocks are exposed on its flanks (Stokes 1951).

The regional drainage pattern is to the north toward the San Juan River. The northwest side of the Carrizo Mountains is drained by Walker Creek and its tributaries. These streams are “intermittent”, meaning that they flow generally in response to intense precipitation events. Approximately one-half of the annual precipitation occurs from July through October, generally in the form of localized, short-duration, high-intensity thunderstorms. These storms may create large flows, which are commonly of limited duration and extent.

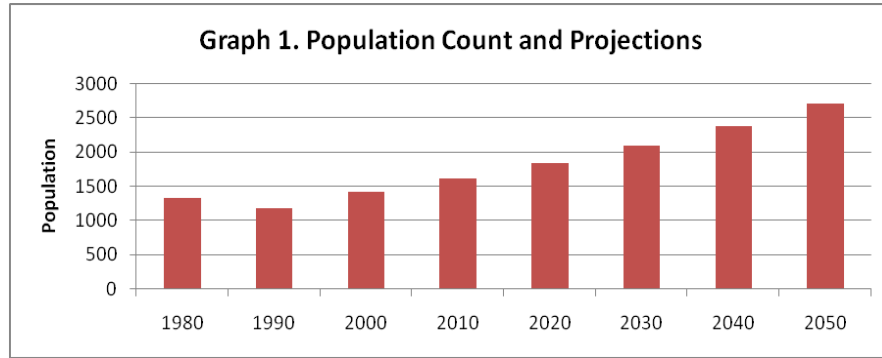
The higher elevations of the Carrizo Mountains contain the *Petrane Montane Conifer Forest* biological community that is dominated by ponderosa pine, Southwestern white pine, Douglas fir, white fir, and numerous grasses. The lower elevations of the Carrizo Mountains contain the *Great Basin Conifer Woodland* biological community that is dominated by various grasses, shrubs, sagebrush, and cacti. The valley areas are part of the *Great Basin Desertscrub* and *Plains and Great Basin Grassland* community that is dominated by sage brush, shadscale, grasses, blackbrush, shrubs, and cacti (Brown 1982). The mountains can receive as much as 30 inches of rain per year and the valleys as little as seven inches per year.

Tolikan Chapter is part of the original treaty reservation established in the Treaty of 1868 between the U.S. and the Navajo Tribe of Indians. Farming and sheep/goat herding represented the traditional economic base. Today, farming and sheep/goat herding still provide food and income for many families (LSR Innovations 2004).

2.2 DEMOGRAPHICS

The U.S. Census Bureau has experienced a number of unique problems in counting the American Indian population since it first began such population counts in the 1800s. Many of those problems center on political, cultural, and geographical considerations (U.S. Census Bureau 2012).

Since 1980, the U.S. Census Bureau has worked on improving the way it counts people on reservations. The latest census count revealed American Indians were undercounted by an estimated 4.88% during the 2010 census count (U.S. Census Bureau 2012). The census data reveals there has been a steady rise in population since 1980, with a small decline between 1980 and 1990. In 1980, the population of Tolikan Chapter was 1,332 and declined in 1990 to 1,171. Since then, there has been a steady increase in population as shown in **Graph 1**.



In 2010 the census data reveals the population in Tolikan Chapter was 1,535. In order to address the undercount, the population count, the Chapter population count was adjusted by 4.88%. The adjusted population for 2010 is 1,610.

A growth rate of 1.3% was used to derive population projections for Tolikan Chapter in Table 3-1. This growth rate was used in a recent water supply study for the Navajo Nation conducted by the U.S. Bureau of Reclamation (2013). Based on this growth rate, the population of Tolikan Chapter will be 2,699 in 40 years, more than double the current population. **Table 1** presents the census data for the past 40 years, and the future population for the next 40 years.

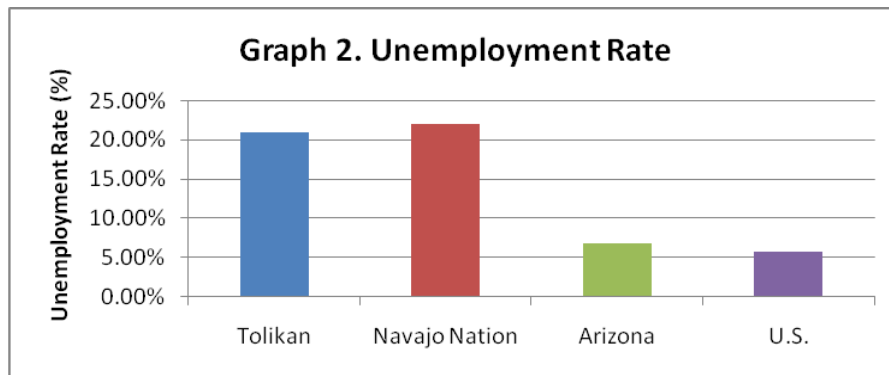
Table 1. Population Count (1980-2010) and Population Projections using 1.3% Annual Growth Rate.								
Year	1980	1990	2000	2010	2020	2030	2040	2050
Population	1332	1172	1413	1610	1832	2084	2372	2699

2.3 ECONOMIC INDICATORS

This section describes the following key economic indicators in Tolikan Chapter: unemployment rate, median household income, poverty, and education levels. This information is based on the U.S. Census Bureau 2010 data. These economic indicators, however, do not account for a strong underground economy that exists on the Navajo Nation from unreported sales of livestock, arts and crafts, roadside stands, and flea markets. This is an industry that contributes about \$6 million a year to a \$1.3 billion economy; though the jobs are not counted in the tribe's employment statistics (Fonseca 2009).

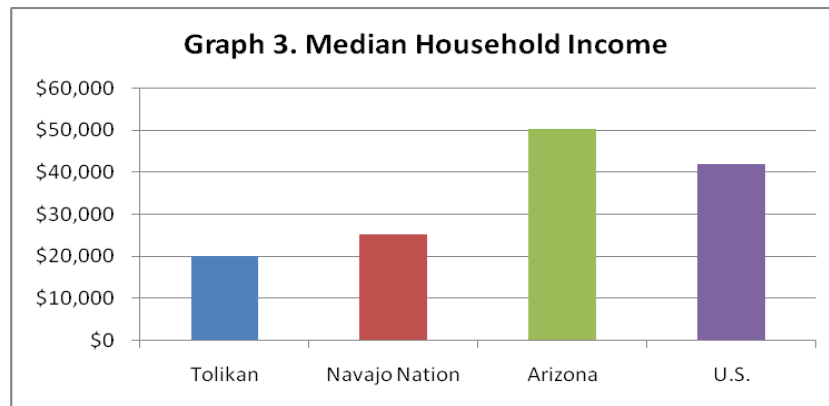
Unemployment

Unemployment is defined as the number of unemployed civilians who are looking for jobs divided by the total labor force. In 2010, the unemployment rate in Tolikan Chapter was 20.9%. In comparison, the Navajo Nation was 21.9%; the State of Arizona was 6.8%; and the U.S. was 5.7%. **Graph 2** shows a comparison of the unemployment rates.



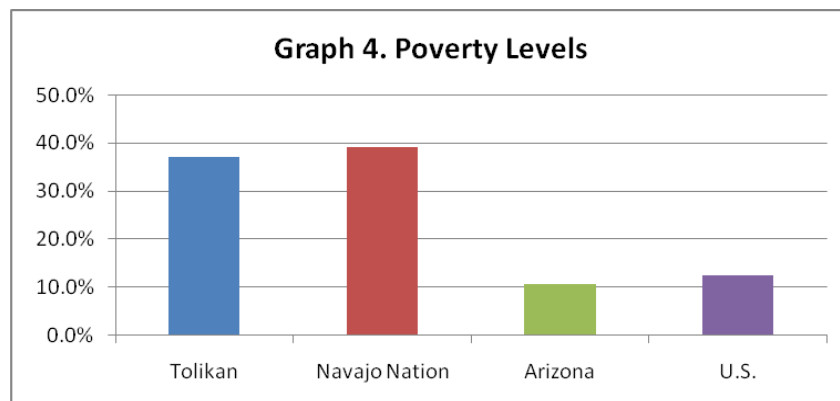
Median Household Income

The median household income in Tolikan Chapter was \$19,821. By comparison, the Navajo Nation was \$25,166; the State of Arizona was \$50,296; and the U.S. was \$41,994. **Graph 3** shows these income level comparisons.



Poverty

The poverty level for Tolikan Chapter was 37.1%. In comparison, the Navajo Nation was 39.1%; the State of Arizona was 10.5%; and the U.S. was 12.4%. **Graph 4** illustrates a comparison of the poverty levels.



Education

High school equivalency was achieved by almost 44% of the population that was 25-years and older. About 23% had some college; and 5% had a Bachelor's degree or higher. The residents of Tolikan express that they would like to see additional education opportunities within the Chapter.

2.4 CHAPTER BOUNDARY

Navajo chapters serve as political subdivisions, yet their boundaries originate from grazing districts established by the Bureau of Indian Affairs (BIA). In the 1930s, the BIA attempted to establish "Chapters of a Livestock Association," (Linford 2000) for each grazing unit across the Navajo Nation. Since the 1950s, one by one, chapters became acknowledged political subdivisions with boundaries resembling the grazing units. Today, there are 110 Navajo chapters.

Several versions of chapter boundaries are used by various agencies. **Figure 2** illustrates the chapter boundaries used by the Navajo Nation Land Department (NNLD), U.S. Census Bureau, and Tolikan Chapter. It also shows the road network. The planning area encompasses 315 square miles.

2.5 EXISTING LAND USES

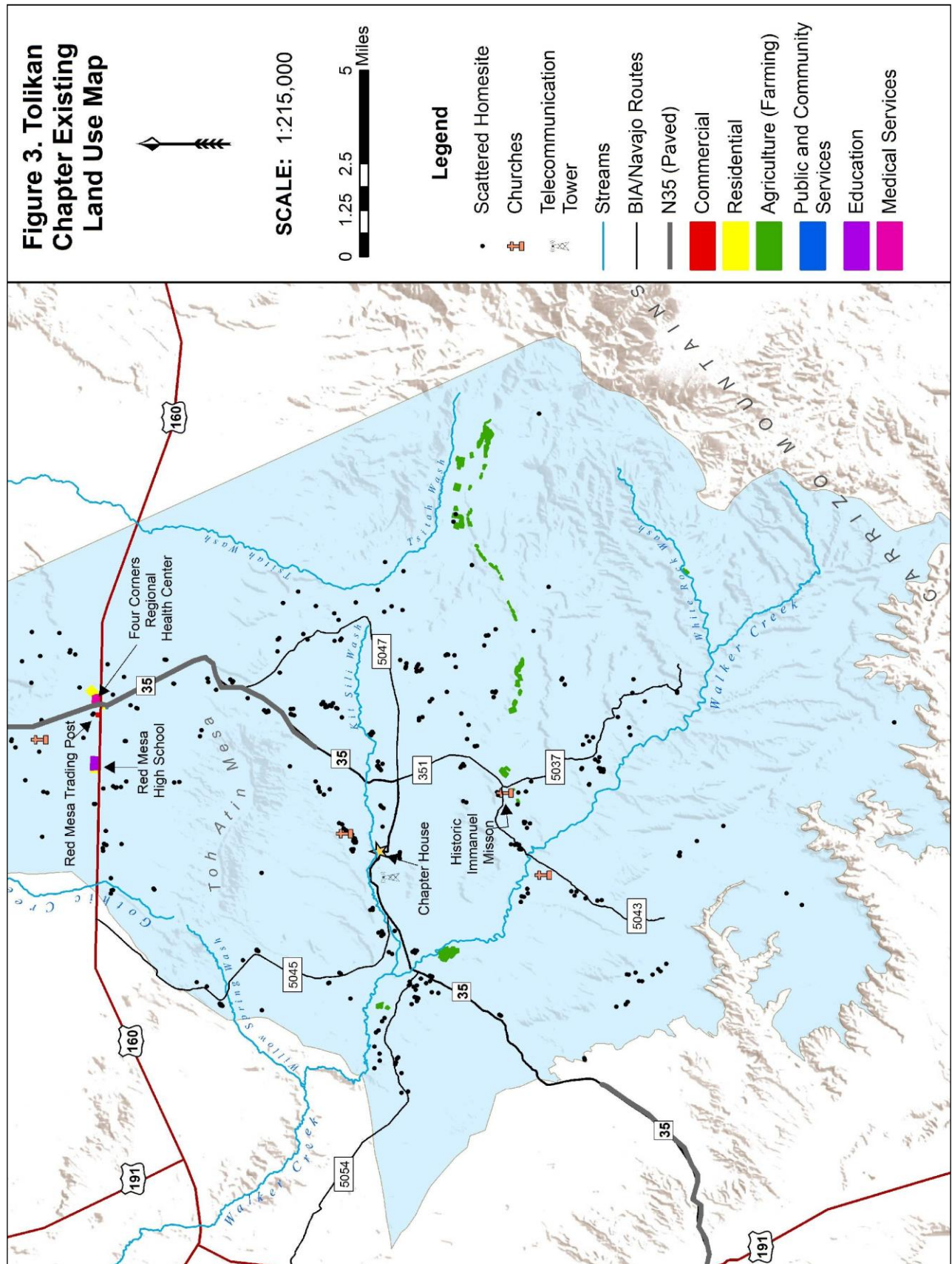
The community development pattern is concentrated along the major highways and roads that are mainly unpaved. These areas are surrounded by open rangeland dotted with scattered housing units and dirt roads. Developments along Highway 264 include Red Mesa (K-12) School, Red Mesa Trading Post, Four Corners Regional Health Care Facility, and a Navajo Housing Authority (NHA) subdivision. The Chapter House is located 10 miles south of Highway 160 along Navajo Route 35 (N35). N35 is the other main roadway; it is currently being paved in segments. **Figure 3** depicts the existing land uses and the development pattern.

Residential

The U.S. Census Bureau reported, there were 485 occupied homes in Tolikan Chapter with an average household size of 3.16 in 2010 (Census Bureau 2015). Of these housing units, 179 units are located in three subdivisions owned by the NHA, Red Mesa Unified School District, and the Four Corners Regional Health Care Center. The remaining 306 housing units are located in scattered-style-pattern and cluster-style pattern.

Many homes are in substandard conditions. The Chapter administration keeps a list of families who have requested housing assistance for renovations, home additions, weatherization, and bathroom additions. However, the Chapter is unable to assistance all housing requests.

Recently, the Chapter participated in a Rural Addressing Program under the Navajo Nation Division of Community Development. The purpose of the program us to enhance 911 program and response time. The project involved door to door information gathering efforts. The information was more comprehensive than just getting location points and numbering homes. The survey requested information about the household such as, number of residents, students, elderly, medical condition of elders, those that require medical transportation, seniors who are delivered meals on regular basis, veterans, etc. It also obtained information about the housing condition and utilities. Over 90% of the homes in Tolikan have been put into the rural address program. Following completion of all the homes, the data will be compiled and released. It will supersede the census data.



Commercial and Industrial Developments

The first trading post opened sometime between 1911 and 1915 (Linford 2000) in Kit Sili Wash canyon. Building remnants are still present in the canyon near the Chapter House. Another trading post was established in the early 1900s about two miles to the east. It was later purchased by missionaries and became part of the Immanuel Mission post in 1924. This historic mission is still in operation today. Today, the only commercial establishment is Red Mesa Trading Post. It is located on a 6.25-acre tract.

The only industrial developments are a regional power transmission line and an underground petroleum pipeline that crosses the northern part of the Chapter. Oil exploration from the late 1800s into the 1900s, and uranium mining have left imprints on this community. High levels of naturally-occurring uranium have contaminated several wells and springs (See Appendix C).

Public/Community and Health Care Facilities

Public and Community facilities in Tolikan Chapter include the Chapter House, Chapter administration building, senior citizens center, and preschool. These facilities are located inside the Chapter House tract, which encompasses 11 acres. The Chapter House was originally built in the 1960s. A new Chapter House facility that is planned for construction will be located on higher ground, outside the canyon about two miles eastward. It is being referred to as the Chapter Multipurpose Facility (MPF). Design plans have been completed and construction funds are being sought.

Tolikan Chapter hosts the Four Corners Regional Health Center. The health center is part of the Shiprock Service Unit and opened in January 2007. It provides emergency care, family medicine, internal medicine, mental health, physical therapy, optometry, dental, social services, pharmacy, x-ray, laboratory, public health nursing, diabetes education, health promotion/disease prevention. The Health Center serves approximately 7,000 Native Americans, of which the majority are members of the Navajo Nation. The total acreage for that medical facility is 27 acres, which also includes the employee housing subdivision.

The local cemetery is located next to Immanuel Mission. It is in need of expansion and maintenance. According to Navajo Nation law, Navajo chapters are required to establish cemeteries in order to eliminate burial sites in undesignated places.

Schools

Red Mesa Unified School District, Number 27 (K-12), Immanuel Mission School, and a Head Start preschool are the only educational facilities. The school site encompasses about 40 acres, including their residential area.

Churches

The Chapter has four churches, including the Immanuel Navajo Chapel, Water Fall Bible Church, Red Mesa Navajo Christian Church, and the Church of God. Approximately 15 acres of land is used by churches.

Agriculture

The majority of the Chapter land base is in rangeland status. The Chapter lies in District 9, Grazing Unit 4, of the Shiprock Agency. Grazing activities are regulated according to the Navajo Grazing Regulations set forth under 25 CFR Part 167 and Title 3 of the Navajo Nation Code, Chapter 5 (3 NNC § 5). The Navajo Nation Department of Agriculture (NNDA) is the agency that regulates the agricultural activities on Navajo land.

According to the NNDA, the rangeland carrying capacity is near 52 acres per sheep unit. Its latest tally count reveals that livestock grazing in Tolikan Chapter equals 2,785 sheep units.

Farming activities still occur within the Chapter. Approximately 261 acres of land is farmed along Walker Creek, Toh Chin Lini Canyon, White Rock Wash, and near Immanuel Mission, based on aerial photos from Google Earth (2014).

2.6 INFRASTRUCTURE SYSTEMS

This section describes infrastructure systems in Tolikan Chapter, which are illustrated in **Figure 4**.

Water

The Indian Health Service (IHS) constructed most of the water system in Tolikan Chapter; it is their mandate to provide sanitary water and wastewater systems in Indian Country. Upon completion of any water project, IHS turns the system over to the Navajo Tribal Utility Authority (NTUA) for operation and maintenance. NTUA installs a meter for every home, and charges a set rate to pay for operation and maintenance of the project. IHS policy is to provide water line extensions for up to 1,500 feet at no cost. An extension of more than 1,500 feet requires the homeowner to pay for the additional footage.

The domestic water supply stems from two wells located near Highway 160 and N-35. These wells pump water from the Navajo Sandstone and the Lukachukai Sandstone. Immanuel Mission and Red Mesa Unified School District are not on the community system, they have their own wells. The domestic water source for Tolikan Chapter is regularly tested by NTUA to ensure it meets the Navajo Nation Safe Drinking Water regulations.

According to NTUA, the supply of water is adequate for the future development described in this *Plan*. However, water and power lines would need to be extended to areas proposed for commercial and public facilities. This *Plan* promotes cluster-patterned housing developments located along the main road in order to share the cost of infrastructure and preserve the outlying rangeland.

Other wells within the community are used for livestock watering. They are pumped by windmills. The U.S. and Navajo Nation Environmental Protection Agencies (U.S. EPA and Navajo Nation EPA) conducted studies across the Navajo Nation and identified wells that contain uranium. Uranium in water comes from different sources. Most of it stems from water running through uranium bearing rocks and soil (U.S. EPA 2006). Several wells in Tolikan Chapter have higher risk levels of uranium, which U.S. EPA considers to be unsafe for long term exposure. These wells are shown in **Figure 3** based on a report from U.S. EPA (2001). A map from the U.S. EPA report is presented in **Appendix B**.

Electric

Electric power utilities are owned and maintained by the NTUA. This system includes a three-phase line that extends from areas north of the Chapter. From this main line, many single-phase lines extend to scattered homesites. Power lines run near Highway 160 and along N35; therefore, electric service is available for future developments in areas identified for future public facilities and commercial development zones.

Telecommunications

Telecommunication service includes hardwire and wireless infrastructure. For many years, the Chapter House did not have telecommunication service. Recently, a new cell tower was constructed near the Chapter House to provide this much needed service.

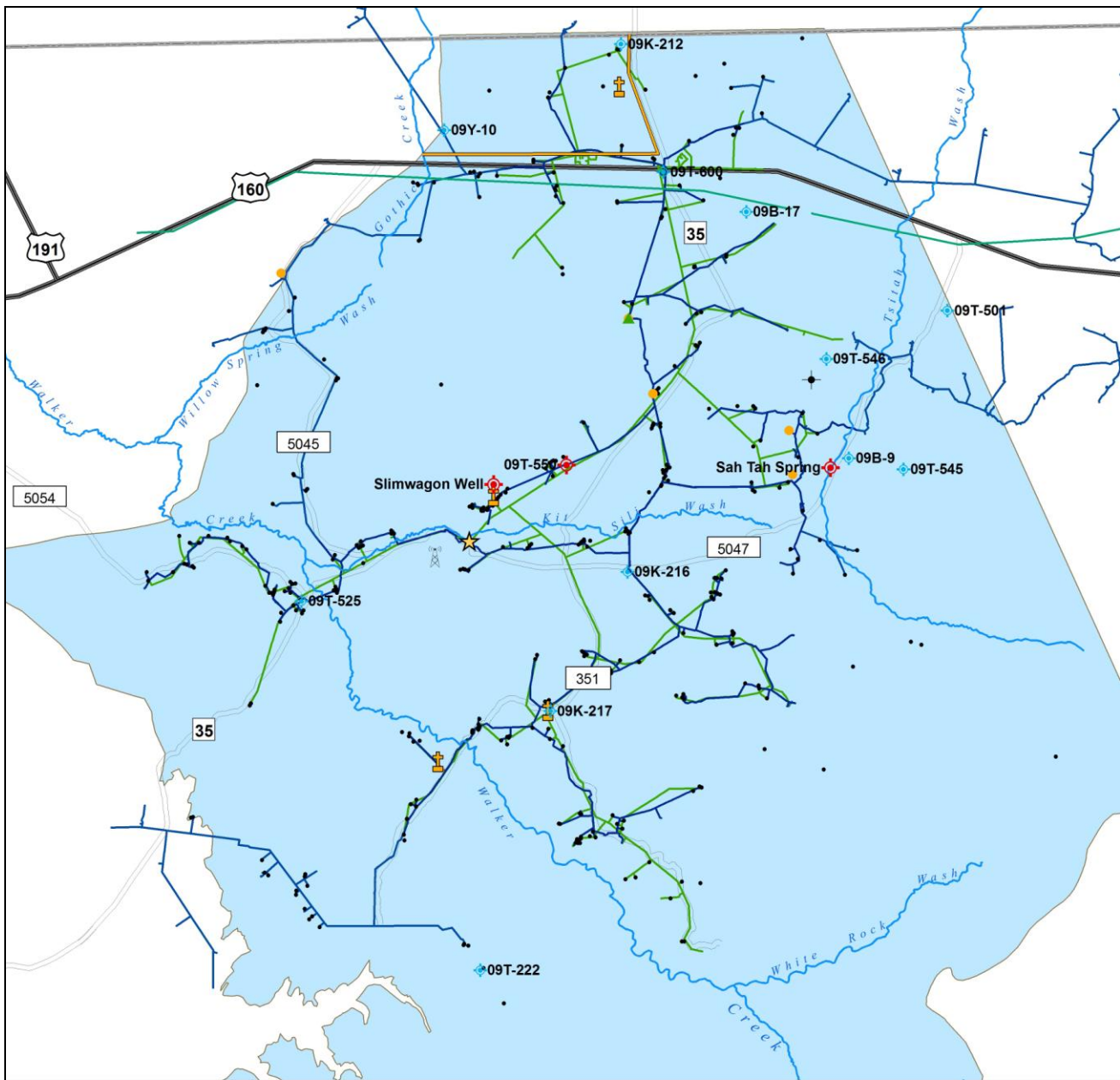


Figure 4. Tolikan Chapter Infrastructure Map

Legend

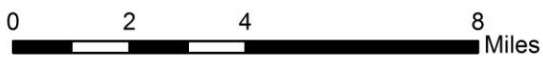
- State Line
- Roads
- ★ Chapter House
- ✚ Church
- Scattered Homesites

Infrastructure

- ◆ Water Wells/Springs
- ◆ Contaminated Water Sources
- ✚ Oil Well
- ⊠ Telecommunication Tower
- ▲ Water Booster Station
- Water Storage Tank
- Natural Gas Line
- Electric Line
- Waterline



SCALE: 1:190,000



Transportation

The road system in Tolikan Chapter include two major highways, including Highway 160 and N-35. In addition, there are many unpaved secondary roadways and single-track roads leading to scattered home sites. Highway 160 extends east to west across the northern part of the Chapter. N35 extends across the chapter in roughly a north-to-southwest alignment. The BIA is currently paving parts of N35; thus far they have paved 6.82 miles starting from Highway 160.. Already paved is the southern end of N35 that extends from Rock Point Chapter. The 14-mile middle section is currently in the design phase.

From N35, a network of BIA roads provides access to most areas of the Chapter. BIA service routes include N351, 5045, 5054, 5037, 5043, N-5047, 5048, and 5036. The Navajo Department of Transportation (NDOT) maintains 15 miles of the total 98 miles of BIA roadways. These roads are used in part for bus routes. In addition, Apache County maintains County Road # 477, 534, 480, 536, 537. The Chapter's priority road projects are:

- Road 351 - four mile road improvement to from N35 to 5043
- Road 5037 - culvert maintenance and new culvert installation (under task agreement with Apache County)
- Road 054 - culverts replacement
- Road 5043 - Aunt Springs low water crossing bridge
- Road 5045 - road realignment

It is anticipated that N35 will have increased traffic, as it serves as a shortcut for travelers that are headed south on Highway 191 from Highway 160.

Part 3. The Plan

GOALS, OBJECTIVES, AND LAND DESIGNATION

3.1 INTRODUCTION

The *Tolikan Chapter Comprehensive Land Use Plan* includes a set of recommendations regarding the physical development of the community. These recommendations are presented in the form of goals and objectives. They are based on the community's input; therefore, they reflect the community's ideas, dreams, needs, and concerns.

The goals and objectives cover six areas: 1) Land Use, 2) Residential, 3) Public and Community Facilities, 4) Commercial Development, 5) Transportation and Utilities, and 6) Open Space/Rangeland. They are presented below.

3.2 LAND USE

Future land use zones have been identified for residential, commercial, and recreational developments. **Figure 5** illustrates the future land use zones. The goals and objectives for that land use zones are as follows:

Goals:

- Support efforts to improve the rangeland.
- Preserve environmentally-sensitive areas.
- Direct developments to zones along the main roads as shown in Figure 5 in order to preserve the outlying rangelands and minimize the cost of infrastructure.
- Promote a clean and safe environment for all residents.

Objectives:

- Adopt zoning ordinance(s) to regulate land use zones.
- Discourage overgrazing practices and encourage ranchers to practice best management practices
- Educate citizens about best manage practices to control invasive and noxious plant species.
- Enhance public safety by working with telecommunication service providers to enhance wireless service, complete rural addressing program, and demand local presence of Navajo police.
- Work with Navajo Nation EPA to identify and clean up dumpsites across the Chapter.
- Work with the community to withdraw zones for housing, public facilities, and business development in accordance with this plan in order to facilitate projects.
- Close existing dirt roads that are unnecessary; plant natural grass seeds to reclaim these areas; and educate people about ways to minimize impacts to the rangelands.

Figure 5. Tolikan Chapter Future Land Use Map

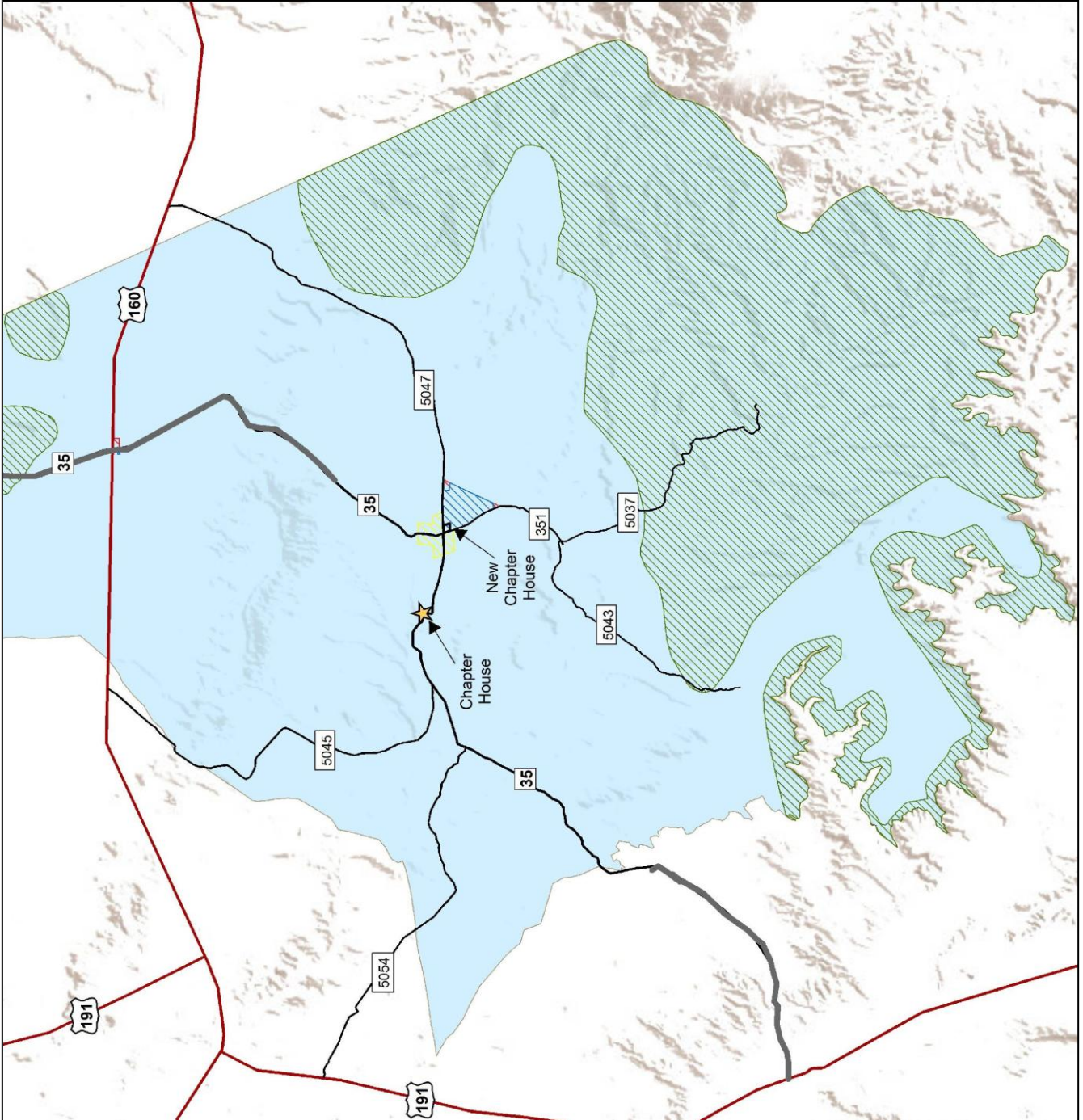


SCALE: 1:220,000



Legend

- ★ Existing Chapter House
- BIA/Navajo Routes
- N35 (Existing Paved Segments)
- Environmentally Sensitive Areas (diagonal hatching)
- Future Residential (yellow hatching)
- Future Commercial (red hatching)
- Future Public and Community Services (blue hatching)



3.3 RESIDENTIAL

Housing developments in the chapter are in a cluster-style pattern, scattered-style pattern, and subdivisions. During public meetings, residents expressed their preference for scattered-pattern style or cluster-patterned style of housing developments; since scattered housing is the traditional style of the Navajo People. They feel that housing subdivisions promote social problems; yet, they understand that housing subdivisions are a more efficient type of housing development.

Many residents commute to off-reservation towns and cities for employment. Some have moved away to seek employment. Due to the lack of employment opportunities, it is difficult to estimate the number of families that will require housing. It is anticipated that improvements to N-35 and more access to infrastructure, many residents will desire to move back to Tolikan Chapter.

There are two main barriers to housing development planning: 1) Families do not meet minimum income or credit requirements to qualify for public housing or homeownership programs under the NHA; and 2) livestock permit holders are reluctant to give their consent for homesite leases within their grazing areas. In spite of the latter issue, the CLUP Committee and Chapter leaders felt it was important to identify potential housing areas and work with the land users to obtain their approval.

A one-half mile by one-quarter mile strips near the junction of N-35 and N-351 has been designated as the housing zone as shown in **Figure 5**. By promoting development in one central area, the outlying rangelands are protected.

Goals:

- Direct housing to zones along N-35 as shown on **Figure 5** in order to preserve the rangeland.
- Promote housing developments that provide more space; less-density housing is preferred.
- Promote housing for various income levels.
- Promote a positive, healthy, safe, and clean environment for all residents.

Objectives:

- Work with the community and land users to withdraw land designated as housing zones.
- Work with NHA to initiate housing projects in housing zones; pass a Chapter resolution to support this effort.
- Work with the Navajo Nation Department of Public Safety (NNDPS) to increase the presence of the Navajo Police; pass a Chapter resolution to support this effort.
- Work with NHA to improve the physical surroundings at existing NHA subdivisions; such as for playgrounds, trees, skate park, and lights; pass a Chapter resolution to support this effort.
- Complete the Rural Addressing Program. If necessary, identify funds and hire part-time personnel to assist with community projects; e.g., the rural addressing program.

3.4 PUBLIC AND COMMUNITY FACILITIES

A new multi-purpose facility project is underway that will house the chapter administration staff, meeting areas, senior center, pre-school, and other programs. Building pPlans and designs have been prepared by DM Architects, of Albuquerque. However, the Chapter lacks construction money. The new facility will be known as the Tolikan Chapter Multipurpose Purpose Facility (MPF). It will be constructed two miles east of the current Chapter House. The MPF will be located in the zone designated for Public and Community Facilities located near the N-35 and N-352 junction. Plans are also underway for a new solid waste transfer station that will be shared with the neighboring Teec Nos Pos Chapter. The Chapter also desires an upgraded and expand the community cemetery located at Immanuel Mission. **Figure 5.** identifies areas that have been identified for public and community facilities including future parks and recreation.

Goals:

- Direct Public and Community Facilities to zones shown in **Figure 5.**
- Seek grants and funding sources in the amount of \$5.9 million for construction of the new MPF.
- Increase efforts for public safety.
- Establish local parks that provide shaded picnic areas, playgrounds, etc.
- Establish a youth center and youth program.
- Expand the senior and veterans programs when the new MCF is constructed.

Objectives:

- Develop and submit construction grant applications to the Navajo Capital Improvement Program (CIP), the Navajo Community Development Block Grant (NCBDG) Program, and other Navajo offices for the new MPF.
- Work with the NNDPS to increase the presence of the local Navajo police, while collaborating with neighboring chapters such as Red Mesa and/or Teec Nos Pos to plan construction of a regional public safety facility.
- Develop programs for youth, seniors, and veterans that will be housed in the new Chapter House; e.g., an after-school program, and programs for child care, physical exercise, mental health, and recreation. Identify funding sources for these types of programs and develop grant applications.
- Withdraw 2-3 acres of land surrounding the existing cemetery and prepare plans to upgrade the cemetery with new fence and organized plots, and provide public education on illegal burial activities.
- Hire part-time help to assist with the rural addressing program.
- Hire a design firm to develop a parks and recreation development plan.

3.5 TRANSPORTATION AND UTILITIES

Transportation and utility systems in the Chapter require continuous improvements as systems age and as population increases. In order to meet the community's needs, Tolikan Chapter needs to increase its participation and coordination with BIA, NDOT, Apache County, NTUA and IHS, which are the primary agencies responsibilities for building, operating and maintaining these systems.

Presently, a three-phase power line extension is needed to power for the new Chapter MCF. Some homes still lack power and running water. NDOT and BIA are working on N-35 road, but other roads need improvements. Paving of N-35 road will increase traffic through the community and possibly spur development. The remaining roads cannot be forgotten. The issues regarding these roads include, but are not limited to old bridges, unsafe turns, lack of signs, and lack of school bus stops.

Goals:

- Improve road conditions and increase traffic safety on non-paved roads.
- Work with BIA, NDOT, and Apache County for road projects.
- Work with IHS and NTUA for water and power line projects

Objectives:

- Meet regularly with the BIA, NDOT, and Apache County to discuss the Chapter's transportation needs.
- Continue to work on the following road projects:
 - 351 - four mile road improvement to 5043
 - 5037 - culvert maintenance and new culvert installation (under task agreement with Apache County)
 - 5054 - culverts replacement
 - 5043 - low water crossing bridge at Aunt Springs
 - 5045 - road realignment
 - Warning signs for roads with sharp curves and limited view of oncoming traffic.
- Meet regularly with NTUA to work on utility infrastructure needs; coordinate planning efforts with the NTUA to build a three-phase electrical line to power the new Chapter MCF site.
- Seek CDBG and other tribal program funding for a three-phase electric line for the new Chapter MCF.

ECONOMIC DEVELOPMENT

Economic development generally refers to the concerted actions of policymakers and communities to promote the standard of living and economic health of a specific area. Many towns and cities rely on economic development to create jobs and tax revenue to help fund government services. Presently, border towns like Farmington, New Mexico benefit from taxes paid by Navajo residents when they buy groceries, gas, clothes, car repairs, and other staples.

Based on public input, the community desires economic development to provide local goods and services, jobs, sales tax revenue that will go to the Chapter programs. Reportedly, sales arts and crafts, roadside stands, and flea markets is an industry that contributes about \$6 million a year to the Navajos' \$1.3 billion economy (Fonseca 2009). Therefore, the Chapter wants to build on what's working and build a flea market/vendor area. **Figure 5** depicts locations of future commercial development along Highway 160 and near the junction of N-35 and N-351.

Goals:

- Direct economic development to zones identified for commercial development.
- Promote businesses that provide local goods and services, such as a grocery store, gas station, auto repair shop, livestock supply outlet, and Laundromat.
- Develop a local flea market/vendor area for the exchange of local goods.
- Promote services and businesses that are aimed toward tourism.
- Promote a positive and business-friendly environment for commercial and economic development.

Objectives:

- Withdraw land for zone identified as commercial development as shown in **Figure 5**.
- Begin plans for a local flea market vendor area with booths, designated parking, and bathrooms.
- Hire a consultant to conduct market research and additional economic development opportunities.
- Develop workshops aimed at educating residents about how to start small businesses.
- Create a tax ordinance in order to generate tax revenue for Chapter programs.

3.6 OPEN SPACE/RANGELAND

“Open space” lacks a consistent definition, but the phrase generally refers to land that is undeveloped, or lightly-developed for residential, commercial, industrial or institutional use. Open space can serve many purposes, including agricultural (farms and rangeland), undeveloped scenic lands, public parks and/or recreational areas. On the Navajo Nation, open space is synonymous with rangeland, since such lands cannot be developed unless it has been formally “withdrawn” from rangeland status.

The majority of the Chapter’s residents believe there is a need for rangeland improvements. There are many issues such as over grazing, and ferrell horses. The NNDA and the BIA are responsible for grazing activities; yet they lack sufficient funding and personnel to fully assist the Chapter with their rangeland needs.

Certain areas of the Chapter contain habitats for threatened and endangered species, as well as cultural and archaeological sites that are off limits to development. The Navajo Department of Fish and Wildlife has developed biological zones. Areas depicted as environmentally-sensitive in **Figure 5** contain the most sensitive and vulnerable wildlife; thus, are unavailable for development.

Goals:

- Encourage efforts to improve the range land and enhance the natural beauty of the Chapter.
- Ensure livestock owners are in compliance with permitting requirements, and manage stray horses and mules.
- Support ferrell horse round up projects.
- Preserve environmentally sensitive areas.
- Identify areas that have strong community history and document information.

Objectives:

- Meet with grazing permit holders to discuss range land improvements and protection ideas, concerns and future efforts.
- Develop a historic record for the Chapter that includes interviews with elders, old photographs, and maps showing cultural and historic sites. Preserve records digitally and in safe areas.

4.0 Recommendations for Implementing the Plan

COMPONENTS OF A LAND REGULATORY SYSTEM INCLUDE A LAND USE PLAN AND ZONING ORDINANCE(S)

4.1 ZONING ORDINANCES

Zoning is a system, which regulates the kinds of uses that may be applied to parcels of land. For example, a zoning ordinance can stipulate where the uses may be located, how the uses may be conducted, and restrictions on uses of land to further the public health, safety and general welfare of the community (Kelly and Becker 2000).

Navajo Chapters may enact zoning ordinances provided that the membership adopt and implement a community land use plan. In fact, the basic components of a land use regulatory system include zoning ordinances and a comprehensive plan (Kelly and Becker 2000). The effort to implement a land use plan involves translating land use goals into zoning ordinances.

In adopting any type of ordinances, chapter governments cannot exceed the authority of the Navajo Nation. They can develop ordinances that build upon the Navajo Nation codes in order to meet the specific needs of the local government. These ordinances must provide equal treatment and due process for all individuals.

An “Ordinance” means a local law, rule, or regulation enacted by an LGA-Certified Chapter pursuant to this Act (26 N.N.C. Section 2).

4.2 ADMINISTRATION AND ENFORCEMENT OF ORDINANCES

Once a zoning ordinance is adopted, it requires: 1) daily administration, 2) monitoring, 3) a quasi-judicial permit process, 4) legislative amendments, 5) allowances for variance, and 6) enforcement mechanisms (Kelly and Becker 2000). The designated planner or zoning enforcement officer is responsible for reviewing all proposed developments to ensure their compatibility with the comprehensive plan and the zoning ordinances, and making recommendations to the zoning commission. Enforcement is vital for the effectiveness of the ordinances.

Zoning ordinances can also be supported by other ordinances, such as a subdivision ordinance or a building ordinance to further define the quality of new developments; including the specifications regarding lots, blocks, streets, utilities and other improvements within the subdivision (Kelly and Becker 2000). Building codes can regulate factors like building height, materials, size, and other design criteria to ensure a building is visually-appropriate in the existing physical fabric of the community.

4.3 ZONING ORDINANCE PROCEDURE

According to LGA Section 2001, all proposed ordinances of LGA-certified chapters shall contain the following:

- An ordinance number.
- A title that indicates the nature of the subject matter of the ordinance.
- A preamble that states the intent, need or reason for the ordinance.
- Rules and regulations governing the enforcement of the ordinance, budgetary information, and where applicable, a statement indicating the penalty for violation of the ordinance.
- A statement indicating the date when the ordinance shall become effective.
- The signature of the Chapter President to make an official recording of the transaction or writing.

Further, LGA states the proposed ordinance shall be read into the record at two consecutive Chapter meetings, of which one may be designated a special meeting, to provide information and an opportunity to discuss and comment of the proposed ordinance(s). All ordinances shall be read in both English and Navajo. After the final reading, the proposed ordinance shall be posted at public places within the chapter boundaries a minimum of 14 calendar days prior to the vote. The date of the vote shall be decided upon by the Chapter elected officials. All ordinances shall be compiled and maintained at the Chapter office for public information. Copies of ordinances shall be filed with the central Records Management Department of the Navajo Nation.

4.4 CONCLUSION

The basic components of a land regulatory system include a land use plan and zoning ordinance(s). Following adoption of the ***Tolikan Chapter Comprehensive Land Use Plan***, the Chapter officials and administrative staff will begin working on the goals in Part 3 of this plan.

The goals and objectives include the adoption of ordinances by the Chapter membership. However, the Chapter government must be prepared to monitor and enforce the ordinance. This will involve developing an administrative process and staffing position(s) for monitoring and enforcing zoning, such as a planning and zoning office and board.

At a minimum, Chapter officials must meet with grazing permit holders to obtain their approval for future zoned areas, compile and organize all records related to land withdrawals, leases, and rights-of-way (ROW), hire legal counsel to develop land use ordinances to give authority to the Chapter to regulate the land uses plan; and establish a local planning and zoning committee to review proposed developments and make recommendations to the Chapter.

References Cited

- ETD, Inc. 2004. Sweetwater Comprehensive Land Use Plan. Prepared for Sweetwater Chapter, the Office of Navajo Government Development and the Navajo Housing Authority.
- Fonseca, F. 2009. Navajos Largely Unscathed by Recession. Associated Press: May 17, 2009.
- HDR Engineering 2003. Western Navajo-Hopi Water Supply Needs, Alternatives, and Impacts.
- Kelly and Becker 2000. Community Planning: An Introduction To The Comprehensive Land Use Plan. Copyright © 2000 by Island Press, Washington, DC.
- Linford 2000. Navajo Places, History, Legend, Landscape. University of Utah Press, Salt Lake City, Utah.
- LSR Innovations. 2004. Chapter Images: Profiles of 110 Navajo Nation Chapters. Prepared for the Navajo Nation Division of Community Development, Window Rock, Arizona.
- U.S. Bureau of Reclamation 2013. Southwestern Navajo Rural Water Supply Program Appraisal Investigation Study.
- U.S. Census Bureau [Internet]. 2014. Washington, D.C. U.S. Census Bureau. Accessed on January 2014. Available from: www.census.gov.
- U.S. Environmental Protection Agency, 2006. "Abandoned Uranium Mines (AUM) and the Navajo Nation: Northern AUM Region Screening Assessment Report." Report prepared for U.S. Environmental Protection Agency, Region 9, March 2006. 61 p. (S07150701)

TABLE OF CONTENTS — APPENDICES

- A. CHAPTER RESOLUTION**

- B. PUBLIC MEETING MINUTES**

- C. EPA MAP SHOWING CONTAMINATED WELLS & SPRINGS**

A. CHAPTER RESOLUTION



Tólikan Chapter

P. O. Box 105 • TeecNosPos, Arizona 86514

Resolution # TC-094 – 11/08/2015

APPROVING RESOLUTION TO RESOURCES AND DEVELOPMENT COMMITTEE OF THE 23RD NAVAJO NATION COUNCIL FOR COMPREHENSIVE COMMUNITY LAND USE PLAN FOR FIVE-YEAR RECERTIFICATION ON DECEMBER 8, 2015 AT TOLIKAN CHAPTER.

WHEREAS:


1. The Tolikan Chapter is officially recognized as a Local Governance Act certified Chapter of the Navajo Nation pursuant to 26 Navajo Nation Code Section 103 to exercise authorities to review all matter affecting the community and make appropriate recommendation to the Navajo Nation, Federal, State and Local agencies, as who may have the responsibility for consideration and approving such actions; and
2. The Tolikan Chapter officials and membership approved to forward a resolution to Resources and Development Committee of the 23rd Navajo Nation Council. The Tolikan chapter has completed comprehensive Land Uses Plan compiled for review and request for five (5) years recertification as a guide for community establishment and future development; and
3. The Tolikan Chapter by resolution set aside fund to hire a consultant to complete and update the Land Use Plan with ETD, Inc. (Eunice Tso Dotson, Inc.) to assist with developing comprehensive land uses plan and development.

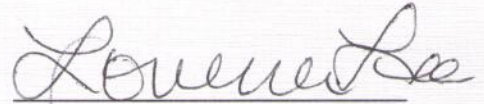
NOW, THEREFORE, BE IT RESOLVED THAT:

The Tolikan Chapter respectfully forwards this resolution to Resources and Development Committee of the 23rd Navajo Nation Council to recertify the five (5) years Comprehensive Land Use Plan, the celebration is scheduled December 8, 2015 with a feast.

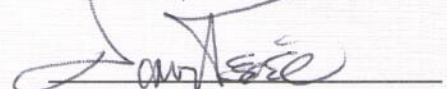
CERTIFICATION

The Tolikan Chapter hereby certify that the foregoing resolution was considered by the Tolikan Chapter (Dine Nation) at a duly called meeting at which a quorum was present and was motioned by Vina M. Paul; seconded by Pearl Ben and that same was passed by a vote of 21 in favor, 02 opposed, 06 abstained, this 8th day of November 2015.


Lena Clark, President


Lovena Lee, Vice President

Louise Scott, Secretary/Treasurer


David Tsosie, Grazing Committee

Davis Filfred, Council Delegate

Tólikan Chapter

Received 11-23-15

B. PUBLIC MEETING MINUTES

TOLIKAN CHAPTER
Planning Meeting [] Regular Meeting [X] Special Meeting []

MINUTES
April 6, 2012

Kenneth Maryboy, Council Delegate, reported:

Here are issues and projects that our Nation is addressing that affects our chapters; NHA gave a report to the Nabikiyatik Committee on NASHADA Indian. It appears that NHA has a plan to spend there funds and the committee expressed its views and encouraged NHA to build homes for the needy and veterans. As you all know that clustered housing are not very favorable and NHA is considering other options.

Housing Block Grant awarded to develop housing plans at chapters. Chapter officials and chapter CLUP members are encouraged to attend and participate in various meetings.

Tolikan Chapter
Community Livestock information Meeting

MINUTES
April 26, 2013

Jean Begay stated that a lot of the community members that have livestock are not here. And the ones present are keeping their livestock in corrals and feeding them.

Mr. Tsosie explained that Tolikan Chapter is LGA certified and are working with the Five Mgmt System. This gives them the opportunity to issue livestock ordinances, make decisions, etc.

Timothy Begay stated that we are allowed so many horses, sheep, etc. Where he lives there are a lot of them either strayed and/or unclaimed. We don't have community corrals. We have branding during the summer. Portable corrals are needed to carry out a lot of activities with the livestock. We have strayed horses. In the past, buyers were invited during branding who bought horses and cattle.

Dan Paul stated that we need to concentrate on the right-a-way for business site on fencing land to avoid over grazing, etc.

Homesite Lease

David Tsosie explained that applications for homesite lease are available at Land Department. All Grazing Permit holders should own a homesite lease. If two families get into a quarrel, a police has to be contacted. The grazing official will just acknowledge the permit holder. The consent form is signed by land owners.

If there are water Lines and power Lines needed in the area of a permit, the permit holder will sign a consent form authorizing the person to get the services. The homesite lease is for one acre of land. If there are two persons, they will both get ½ acre of the land. This is the new policy with the Land Department and NTUA. The rest will go through the whole process of getting a homesite lease.

Sweetwater Community has 21 permit holders.

Right-A-Way/Business Site

They are considering the squaw dance, church, pow wow sites for right-a-way and business site lease. The main reason for this is trash. Mr. Tsosie promised that he will get the policy on this and share it with everyone. The right-a-way for a road or water line construction is to avoid disputes. The same with business site lease where consent forms are signed. If you are being asked to sign after the fact where the homesite lease and business site lease are signed, don't sign it. Make sure you are informed about everything. Negotiation is involved in the homesite and business site leases.

Timothy Begay asked that the land withdrawal was done for Tolikan Chapter. It is how many years ago now and there is nothing up yet. Is that going to be another chapter? This chapter is certified.

Mr. Tsosie explained if nothing happens on the land, the homesite lease is cancelled. We can request to use these buildings (the present chapter house, administration office building and head start program building) to be used for grazing permit holders. We could start a 4-H Club, etc.

Fencing

Mr. Tsosie explained a grazing permit holder will consider fencing. He will meet with local relatives. Some may disagree. They have to follow procedure and policy. He has to consult with the Soil Conservation, Land Department, Range Management Department, Water Development, USDA, Environmental Protection Agency and the Survey Crew to follow the procedure. What about rotation? Fencing is possible and will be allowed where 10% of the work you have to do and 90% of the work will be the help you get. If you follow the policy, there will be no violation involved. When you have fencing, you can still move to the mountain in summer for grazing.

John Yazzie stated that water is getting scarce. If a fence is placed in the way to the water, what can be done? This is spring water. Mr. Tsosie acknowledged that some of the problems reported were not reported to the previous grazing official. But today is a meeting on the current management and procedure.

Howard Yazzie displayed a map that the Community Land Use Plan works with. The streets will be organized for rotating land. I am telling you because we are talking about fencing and for your information. Rural addressing and mapping is in the plan for the chapter. The scope of work is being done on the new chapter. The conceptual drawing is completed. The map is available for your view. The plan is taking time and the paper trail takes time. They have to do a lot of study on the soil, etc. The Aneth, TeecNosPos, Mexican Water and Red Mesa have the regional plan on how we will name our streets. The map is available.

TOLIKAN CHAPTER
Comprehensive Land Use Plan
Public Hearing
MINUTES
February 23, 2014

Rosalinda Nelson elaborated on the Navajo Housing Authority (NHA). She reported the NHA housings have electrical lines, right-of-way, etc. There is a lot of information on NHA. Our chapter boundary involves housings as well as business development, roads, recreation, cemetery, hospital and air carrier.

Navajo Housing Authority gets funding from Washington, D.C. They want us to allocate land for housings to be built. There are also scattered homes available. This is why we are including this information in today's hearing.

Sarah Lee spoke on the Land Use Plan—this is not anything that will be completed in one day or overnight. We will continue with zoning, etc. Before we got LGA certified, our Land Use Plan was certified in 2004. It goes through a long process before it is certified. The final approval is done by the Navajo Nation Council during their session. There is a clause in the Land Use Plan: “Community growth, newborns, more housing, economic development, etc.” When it was first certified, the plan on new chapter was not included as well as the N35 highway construction. Eunice Tso, ETD, Inc. worked on the Land Use Plan and got it certified in 2004. She is revising it again now. It is over five years old but it is in existence and it is now being amended.

NHA—we have information that there are funds available. To get more funds, we have to use what is available now. Only three chapters have land for housings to be built. Questions are how will these housing be built—two stories, building on own homesite leases, etc. All this is considered before the master plan is done. How many rooms, etc. is considered. Today, we want to hear where and which land can be used for NHA housing. We need some recommendations on where we have some land available. This is why we are doing today’s public hearing.

Eunice Tso introduced herself and explained today we are talking about Land Use Plan. She developed the Tolikan Chapter Comprehensive Land Use Plan 10 years ago. She went to door to door for statistical information on the population, roads and businesses and she went around showing the map of where the plan is being covered.

Ms. Tso reported David Tsosie’s daughter assisted her gathering the statistic. There were issues on roads not being maintained, lack of police force, poor range land, no running water, adult vocational program, senior center (long term care), auto part store, chapter house, lack of youth center, picnic tables, playground, etc. some of these were mentioned 10 years ago.

Howard Yazzie elaborated that by the home visits made we were able to have the plan completed. There are a lot to be concerned about, hauling water for livestock, some residential homes have a lot of problems with their set up involving water, electricity and living arrangements. People are concerned about commercial sites, store, tax revenue to gain from stores, park and recreational areas.

Wilfred Yazzie reported he came to Tolikan Community from Sanostee over 50 years ago. This Senior Citizen Center is going to be included in the new chapter compound. Our elders are taken far away to receive home care. We need a local nursing home so they can be local.

Howard Yazzie reviewed the drawing of the new chapter compound on power point, the location of the new chapter house, other buildings, septic, parking lot, generator, single phase and three phase electrical line, right-of-way on the entrances, drop off area and the master plan of the whole area. Dyron Murphy is doing the master plan for the chapter. We had been meeting with them. And, there are future plan for economic development, etc.

Pauline Yazzie stated there has to be another land plot for Senior Nursing Home. Ms. Tso and Lena Clark, Chapter President both responded that there has to be another land plot for Senior Nursing Home. A Transfer station is also needed with an attendant. Otherwise people will throw trash around. Pauline expressed she is going along with the plan.

Howard Yazzie said he is interested in developing the transfer station by Immanuel Mission. We are local government here. The government can control employment. We need a highway bad.

President Clark reported a transfer station is being planned near Highway 64 on Tse Tah Road in TeecNosPos. She gave the plan to TeecNosPos Chapter, but it is just sitting there. We voted on it a year ago from Tolikan Chapter. It takes a lot of planning which involves Navajo Nation Fish and Wildlife. We were working on this with James Benally with Fish and Wildlife. We could develop one here, but we need a land. We were advised to work on the transfer station by the Navajo Nation Council Resources Development Committee. We could do government to government with local chapters.

Ms. Tso asked the people what they want for a recreation center. This is in the plan as it was illustrated in the master plan for the new chapter on power point.

Howard Yazzie reported what will all be included in the new chapter area and the building. We will have storage room to secure equipment, etc. We will have a well for water hauling where money will be collected. Ms. Tso wants ideas and recommendations for a youth recreation center.

Howard Yazzie explained that a road management plan is being developed and our regional house plan has not been done. I have been telling you about rural addressing. We need the tool to complete this.

Ms. Tso asked for recommendations on rural addressing and what other things are needed with the roads? Where do you want to see housings built?

Sarah Lee reminded everyone that we are doing a public hearing for our Land Use Plan. We are not collecting consent forms today. John Benally gave us authorization for gravel pit near his residence. We can continue with the plan if he still remembers and approves. NHA got a land, but it was too rocky past the mission about 18-20 years ago. And across from store would be a police station. I do not know if that is scratched off. Lee Clark approved this but he is in nursing home.

TOLIKAN CHAPTER
Comprehensive Land Use Plan
Public Hearing

Minutes
November 16, 2014

Howard Yazzie, Chairperson of the Tolikan Community Development Committee, called the meeting to order at 11:00 a.m. He announced that this is a public hearing on Tolikan Chapter Comprehensive Land Use Plan. The plan is being revised by Eunice Tso, Consultant. The plan involves demographics, economic indicators (unemployment, median household income and poverty), chapter boundary, existing land uses (housing, commercial and industrial developments, public/community and health care facilities, schools, churches and agriculture), infrastructure systems (water, electric, telecommunications and Roads and Accessibility), Land Uses (goals and objectives), housing (goals and objectives), public and community facilities (goals and objectives), Economic Development (goals and objectives), Open Space/Rangeland

(goals and objectives), recommendations for implementing the plan, adopting zoning ordinances, administration and enforcement of ordinances and zoning ordinance procedure are needed. Mr. Yazzie told the audience we want everyone to understand our Land Use Plan. We need objectives. We have to discuss each item inclusive of the Land Use Plan. Our vision Statement is included in the book. We are looking ahead for our children.

Mr. Yazzie read the Vision Statement out loud. We want to maintain safety for our community and our children. We want our children to progress in life and education. We want to have our community as other established communities. We need fire station, emergency support center, adequate housing (a lot of people do not have housing). Adequate housing consist of electricity, running water, we need parks, swimming pool, baseball field, etc. We need to have a place to exercise. Economic development—what can we do to develop economic.

The purpose of the comprehensive plan—read: The purpose of the Tolikan Chapter Comprehensive Land Use Plan (2014) is to establish guidelines for the future growth of a community. It is a document that sets forth current and proposed land uses within Tolikan Chapter boundary, and illustrates such uses via map or plan. It sets forth recommendations in the form of goals and objectives for housing, public and community facilities, commercial development, infrastructures, and open space/rangeland. It is a manual to be used by community leaders, who establish policies and make the decisions regarding future development.

Howard Yazzie said we started this book needing objectives. We will use this comprehensive plan as our guidance. We do not need a full house to have a public hearing. It is official if only 10 people showed up. A power point presentation is requested. We will do more hearings on this. Title 26 says community Land Use Plan has to be developed. Everything that we do will be included in the Land use Plan binder. I talked about Vision and Purpose.

Howard Yazzie went over the ordinance objectives. This will be here to work with rules and ordinance. This is how we will take care of our land. It will be an authority to regulate the land. Under Local Government Act (LGA) the Community Land Use Plan (CLUP) will be our guiding principles.

Lovena Lee reported that the chapter got certified with Five Management System (FMS), Finance, Records, Personnel (PEP), and Property Management. Tolilkan Chapter's Land Use Plan is how we management our land involving cultural, human resources, rangeland, etc. We sponsor the public hearing to notify community members and to get their input. All comments made are recorded. Home visits were made to collect statistics. Land use issues were collected. The Land Use Plan is reviewed and revised every five years. The Land Use Plan covers the land on the north to south, east to west, Walker Creek, etc. that run into San Juan River. July through Oct, we get rain in the higher elevations. We have various plants, trees, etc. About 30 inches of rain, some areas get only 7 inches. Some of us still have sheep, goats, etc. Demographic—Census Bureau went around counting people in 1800 when it started. Census Count recently done was low. Ms. Lee reviewed the total count for 1980, 1990 and 2012 and reported that Kayenta, Chinle and Shiprock have faster growing populations. Economic indicator—there are quite a few workers, puberty, and census bureau wanted information on this.

An assessment is done for electrical lines, water line, road, highway, how many miles are graveled, etc. How many children are going to school, elders, unemployment, demographic, housing (present housing), new housing, etc. Future planning and how we will implement the plan. Local government, LGA, certification comes with this. Tolikan was the first chapter certified.

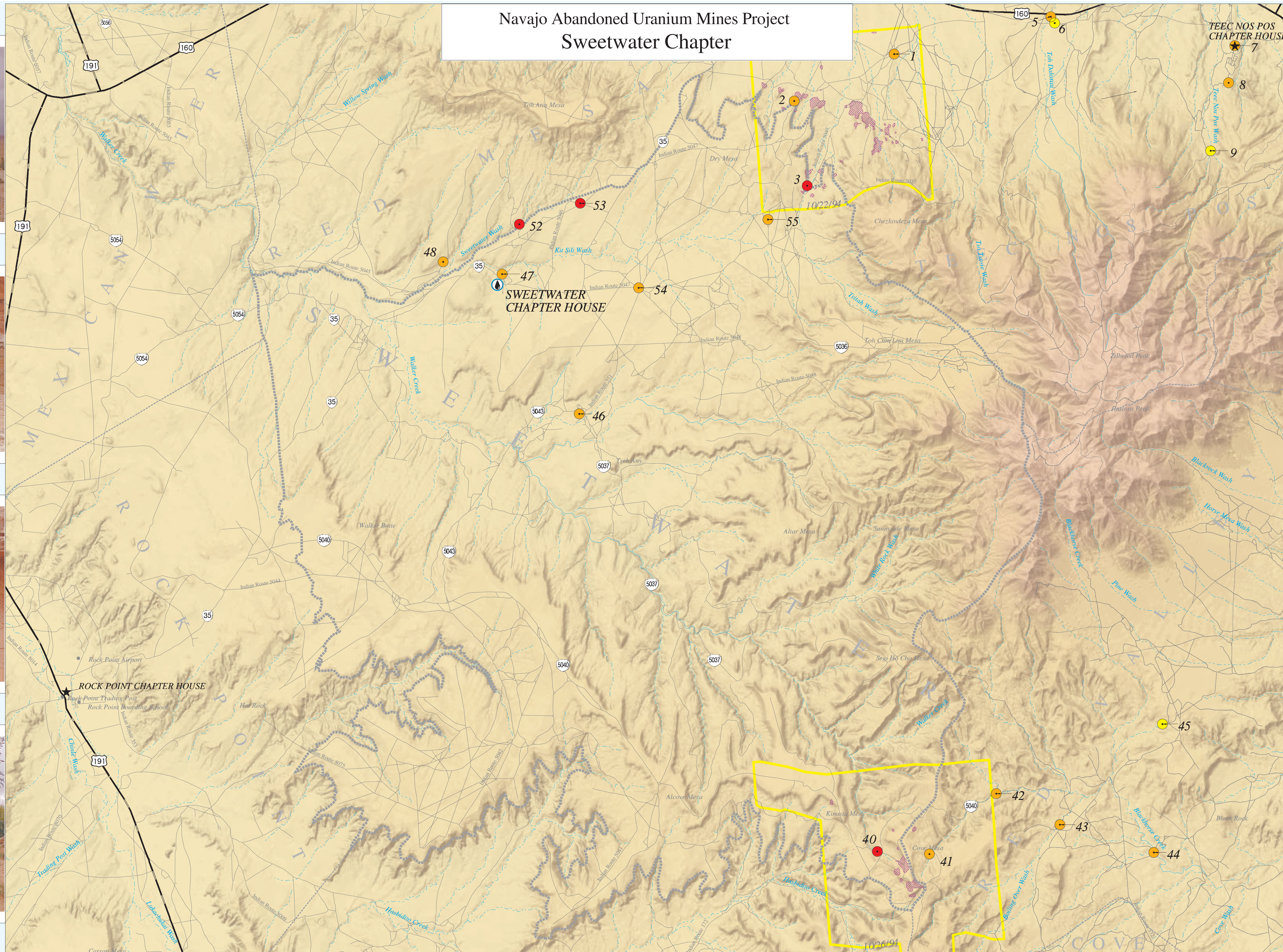
Infrastructure includes our roads. We have planned road maintenance. We need to decide in what order; and if they are in the Land Use Plan it will be an on-going project. We need to continue our Land Use Plan with newly elected officials. Where we build our buildings has to be planned. Archeological clearance has to be done.

David Tsosie elaborated on open spaces – land that is undeveloped for commercial, institutional usage, etc. We have livestock; we have land, grazing permit, farmers, etc. We need parks to rest, exercise, etc.

Kenneth Maryboy, Council Delegate, commented that this is coming from Dine Beholni. It is renewed and re-certified. This is the final Land Use Plan. It will be presented to the Resources and Development Committee of the Navajo Nation Council for re-certification. It will consist of population, statistics on elders, children, etc., short plan, mid goal, long term goal, etc. We are getting our road paved. We are looking at resources and how we will gain income. How much land is being used and how much is not being used. The school, store, clinic at Red Mesa are all considered in our Land Use Plan. The whole plan is being finalized as it is being presented today. Our Land Use Plan will be finalized and re-certified for Tolikan Chapter. It is good to have this public hearing.

**C. EPA MAP SHOWING CONTAMINATED WELLS &
SPRINGS**

Navajo Abandoned Uranium Mines Project Sweetwater Chapter



2 ● 9T-546 (Well)



3 ● Sah Tah Spring (Spring)



40 ● Alcove Canyon Springs (Spring)



46 ● Immanuel Mission (Spring)



47 ● Sweetwater Chapter House (Well)



52 ● Slimwagon Well (Well)



53 ● 9T550 (Well)



54 ● 9K216 (Well)

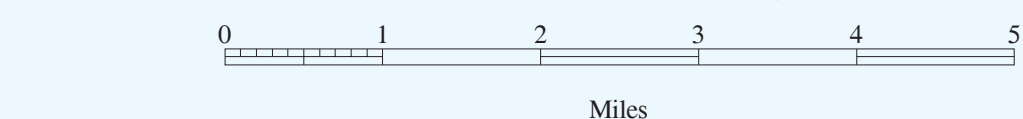


55 ● 9T586 (Well)

Drinking water should be taken from a public water system, such as the regularly tested NTUA system. You may be putting yourself and family at risk if you use water from an untested location. Only the locations on the map indicated by a water drop are tested and confirmed safe.

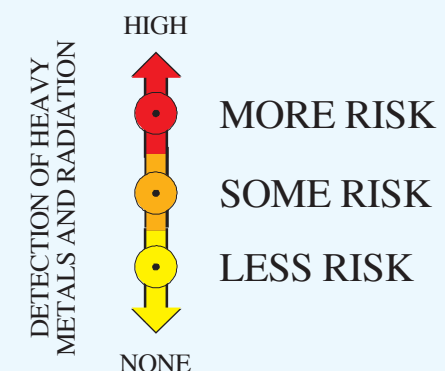
We are aware that because of cost and distance, many people choose to collect water from a nearby untested location. If you do so, be aware that the sources identified by the red dots show unsafe levels of heavy metals or radioactivity at the time they were tested. We will share your drinking water needs with the appropriate Tribal and Federal agencies.

Data notes:
MINES - Historic mine location data show known and possible uranium mines or occurrences. These are approximate and were compiled from various sources of varying accuracy.
WELLS - Only selected wells were tested, and not all livestock wells were tested.
CHAPTERS - Chapter boundaries represented here are based on existing maps from the Navajo Nation and may not depict actual, commonly recognized chapter boundaries.



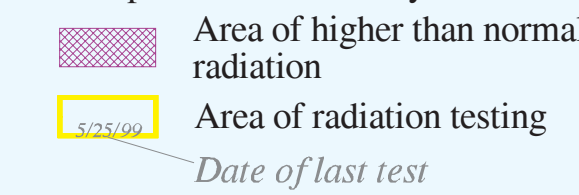
Watering location tested routinely tested and SAFE to drink

Water sampling locations and associated risk when consuming sampled water daily for 30 years or more



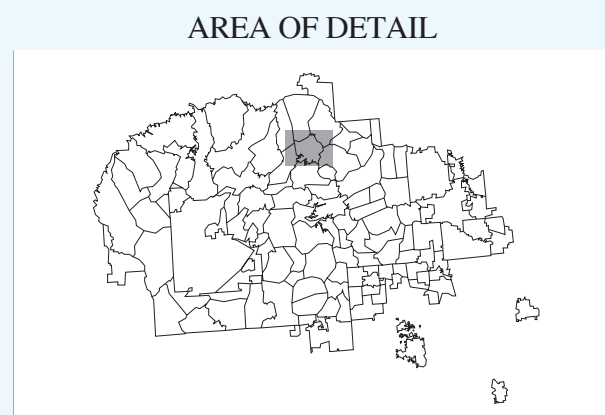
US EPA considers tested water at this risk level may be unsafe for long-term exposure.

Helicopter radiation surveys



Date of last test

- Chapter house
- Sweetwater Chapter boundaries
- Other chapter boundaries
- Historic mine locations
- Landmarks and locales
- County boundaries
- Interstates
- Highways
- Local Roads
- Perennial streams
- Intermittent streams and washes
- Lakes and washes



Data sources:
 Water sampling: US Army Corps of Engineers, sampled with GPS unit of 5-10m accuracy, 1999
 Hillshades: US EPA Region, 2000, from USGS Digital Elevation Models, 30m resolution, various years
 Survey flight areas and Radiation areas: US Department of Energy, 1999
 Mines: US Department of Energy, 1999, sources of varying accuracy. SEE NOTE ABOVE
 Chapter houses and boundaries: Francis M., Hoskie G., Begay J., Navajo Nation Land Department, 1997
 Roads: US Bureau of Census TIGER Line Files, 1:100k scale, 1995
 Streams: USGS Digital Line Graphs, US EPA, and Arizona State agencies, 1:100k scale, 1989
 Landmarks: USGS Geographic Names Information System, 1:24k scale, 1981
 Counties, Towns and some Roads: Environmental Systems Research Institute and GDT, Inc., 1998
 Site photography: Alsup G., US Army Corps of Engineers, 1999



October 2001