

US EPA ARCHIVE DOCUMENT

In this section recommendations are made for prioritizing sites for housing development. These recommendations are based on each site's infrastructure and environmental assessments as well as comments from community members.

E.1 Recommendations

This section contains a description of the recommended housing sites as shown in Exhibit 13. The sites are evaluated according to their suitability as potential housing areas. A number of areas were looked at in the chapter. Much of the Tribal Trust land within the Churchrock Chapter is unsuitable for housing development due to a number of factors including the rough topography of the area, two major gas pipelines running across the Chapter, and mine contamination. There is suitable land within the Chapter boundaries owned by the BLM, which has already marked the lands for disposal.

E.1.1 Recommended Housing Sites

This subsection presents summary information about each recommended site. Each description is followed by site map on the next page.

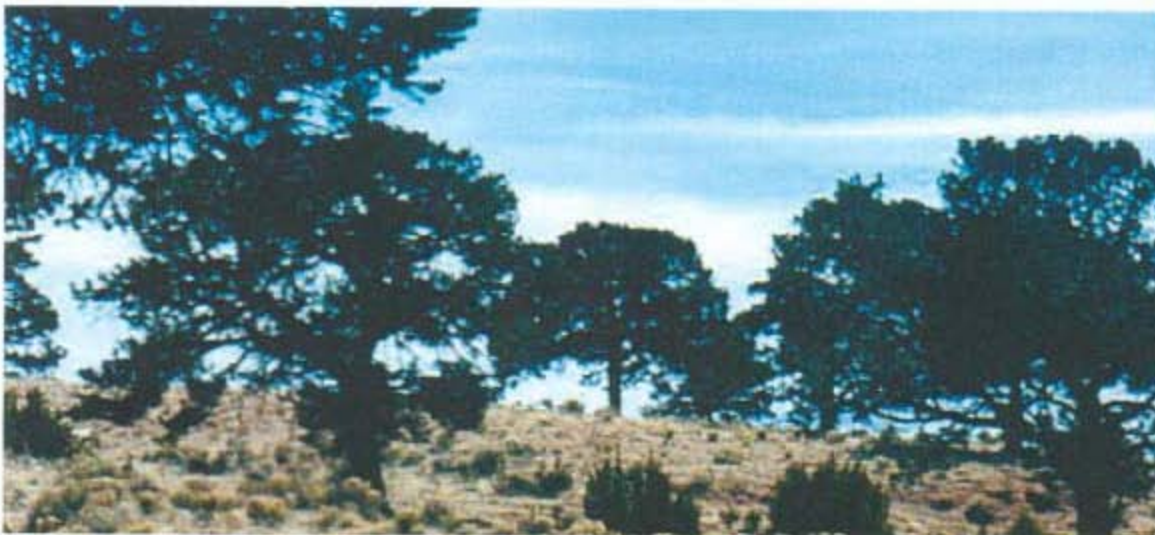
First-ranked Site: Site 1

Land Status: Bureau of Land Management

Acreage: 158 acres

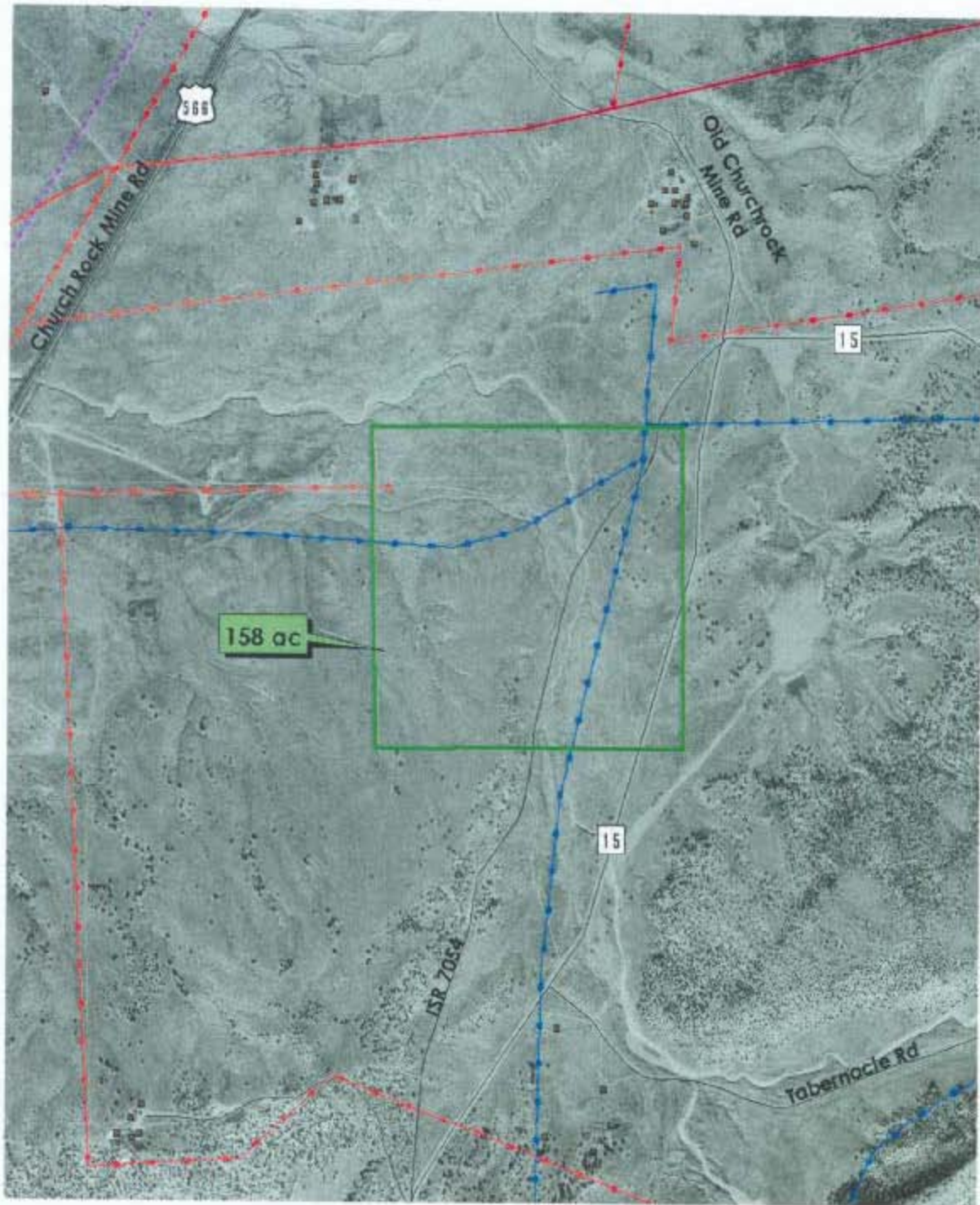
This site appears to be well suited for housing development, with minimal environmental impacts. Development will depend, however, on the results of tests being conducted on possible uranium contamination of groundwater in the area. There are utilities available on or close-by the site, and the site has good accessibility (McKinley County Road 15, a graded dirt road, runs through the eastern half of the site.

Site 1



Churchrock Chapter Land Use Plan
Final - 11/02

Exhibit 34: Site 1



Proposed Sites
Homes

Utility Lines
Elec./Inc.
Water
Telephone

Churchrock
Site 1

500 0 500 Feet



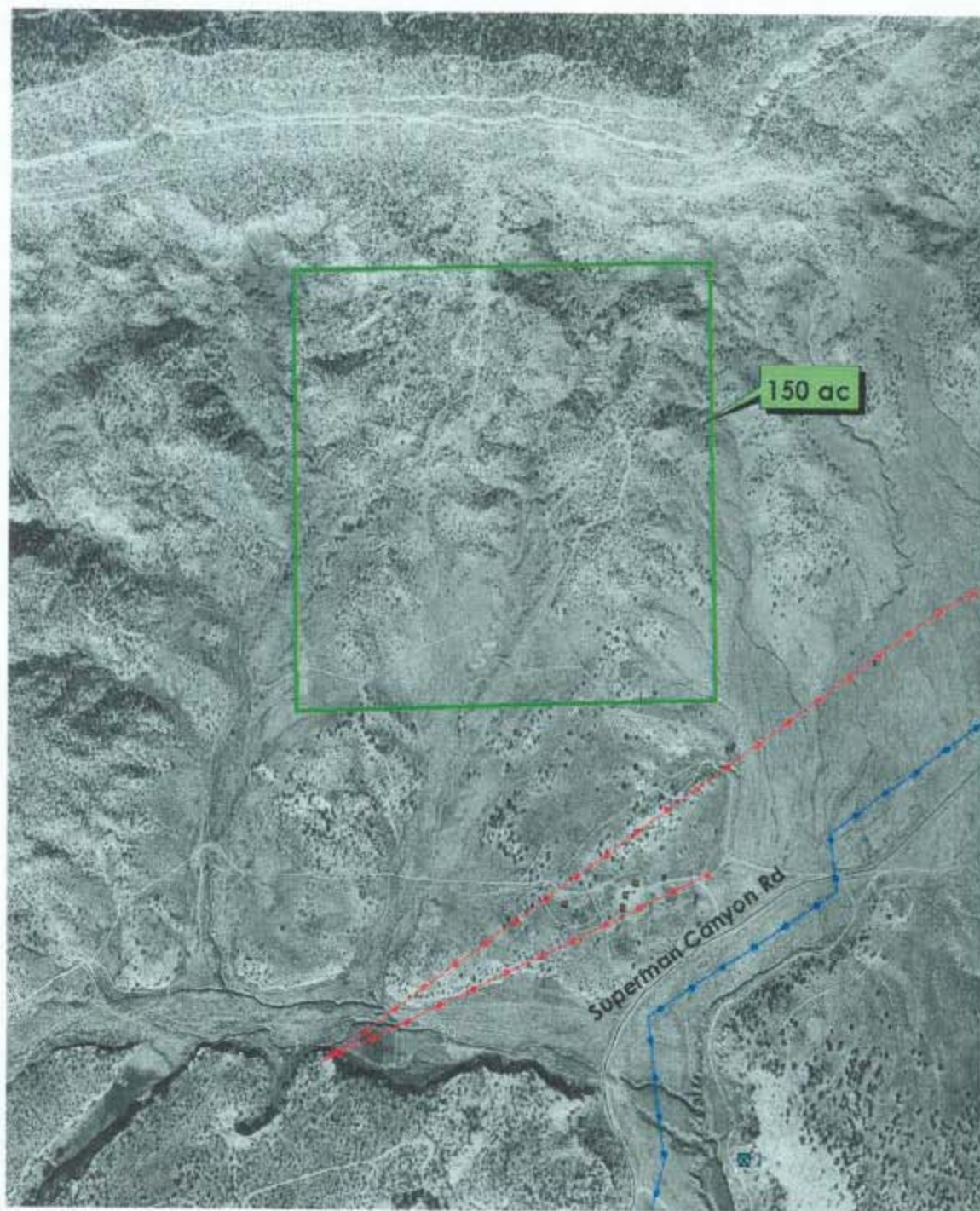
Second-ranked Site: Site 2

Land Status: Bureau of Land Management

Acreage: 150 acres

This site is currently managed by the BLM, which has it slated for disposal. The property would have to be acquired from the BLM for use by the Chapter. Due to the land status and rough terrain that exists here, it is recommended that this site be removed from consideration as a housing area at this time; however, it should be reserved for possible future use by the Churchrock Chapter, which should coordinate with the BLM on long-term planning for the site.

Exhibit 35: Site 2



Third-ranked Site: Springstead

Land Status: Private

Acreage: 626 acres

The relatively level area of the site, available utilities, and access make it one of the more suitable areas for housing development in the Churchrock Chapter. This will depend, however, on the results of tests being conducted on possible uranium contamination of groundwater in the area. The site is located on private land, which is being developed by the Fort Defiance Housing Corporation. They plan to provide affordable housing to Churchrock Chapter members as part of the development.

Site 3: Springstead

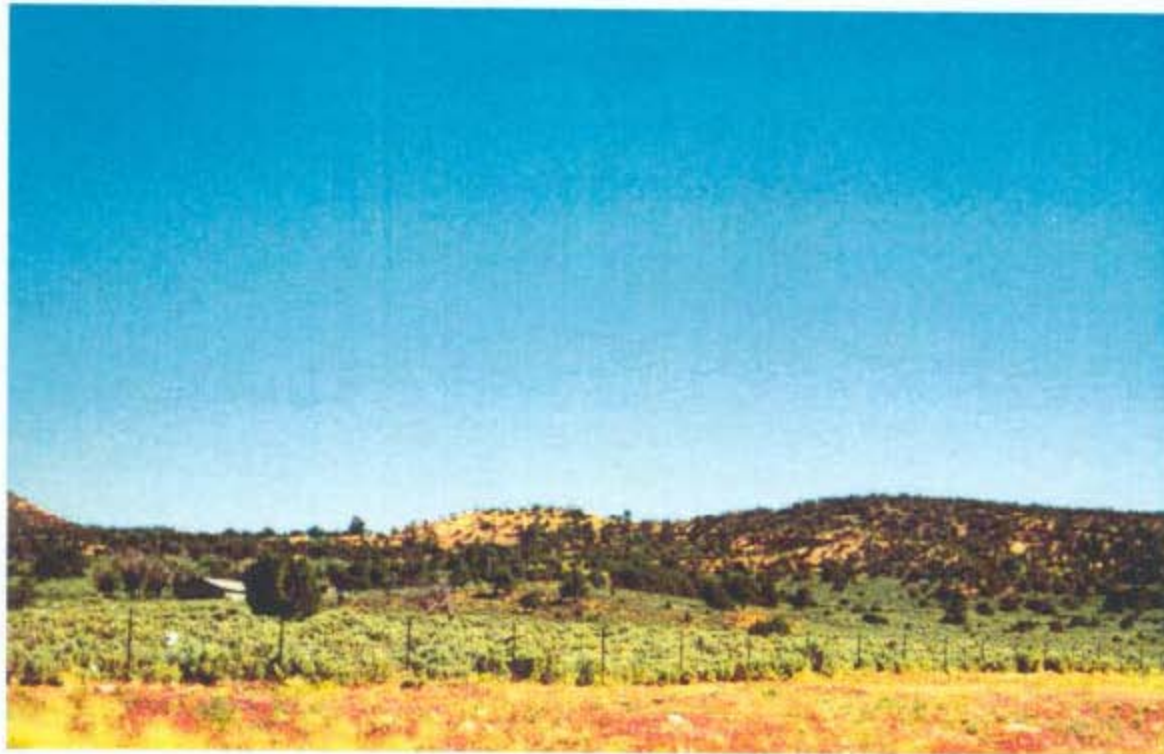
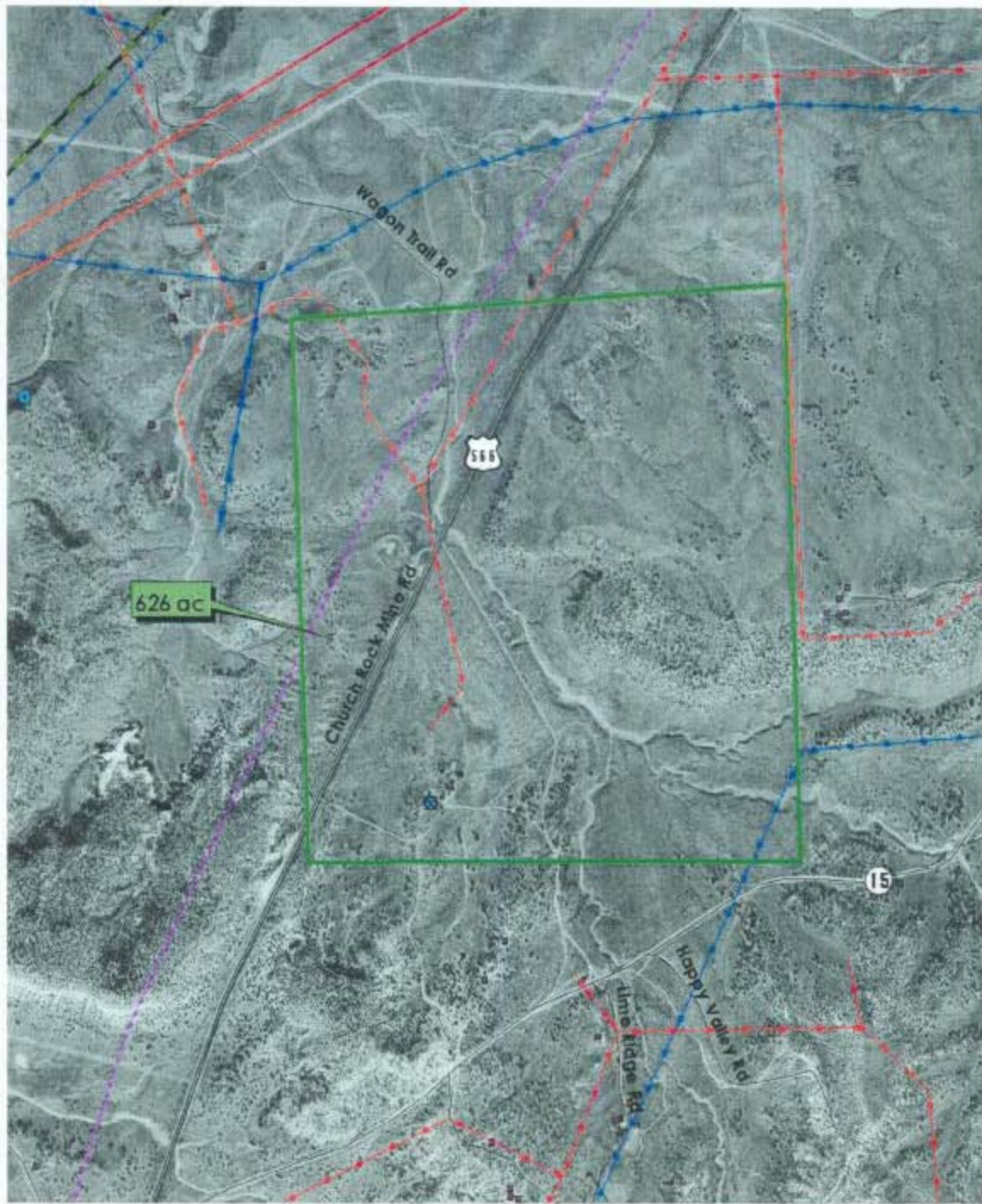


Exhibit 36: Springstead Site



- Proposed Sites
- Home
- Well
- Well - Not Operational

- Utility Lines
- Electric
- Water
- Telephone
- Gas

Churchrock Springstead Site

500 0 500 Feet



Planning policies have been identified to implement the land use plan:

Policy 1: Encourage people to live in the tradition of the beauty way.

Policy 2: Encourage healthy and productive land conditions and promote sustainable farming and grazing in the Chapter.

Policy 3: Preserve and protect the environment in the Chapter.

Policy 4: Preserve existing natural resources and ensure availability for future use.

Policy 5: Preserve and protect historical and cultural features in the Chapter.

Policy 6: Create and promote business and industry in the Chapter.

Policy 7: Provide services to Chapter members including health, safety, educational and recreation services.

Policy 8: Ensure quality, safe housing for both new construction and for housing renovations.

Policy 9: Develop and maintain reliable utilities and roads within the Chapter.

Policy 10: Develop a form of local government that promotes local autonomy.

Policy 11: Seek funding to create a land administration staff.

E.2 Implementation

The following list contains guidelines and information to assist the Churchrock Chapter in the implementation of the Land Use Plan for Housing.

Policy 1. Encourage people to live once more in the tradition of the beauty way.

- a. Respect themselves and others.
- b. Take responsibility as citizens of the Chapter.

Policy 2. Encourage healthy and productive land conditions and promote sustainable farming and grazing in the Chapter.

- a. Ensure land becomes, and remains, healthy and productive.
- b. Limit vehicle use to established roads to reduce erosion.
- c. Seek funding sources for erosion control projects, farm equipment, and irrigation hardware.
- d. Ensure there is adequate land for grazing and agriculture by seeking funds for land acquisition.
- e. Locate additional sources of water for agriculture.
- f. Develop better methods of livestock management with the help of the Land Board, especially in matters of enforcement.

Policy 3. Preserve and protect the environment in the Chapter.

- a. Make Churchrock a healthy, clean place for people to live.
- b. Clean up and reclaim mines and land contaminated by mining activities.
- c. Clean up and restore areas used for sheep-dipping vats.
- d. Organize clean-up days to pick up trash,

- and create an adopt-a-highway litter clean-up program.
- e. Start a house-to-house trash pick-up service.

Policy 4. Preserve existing natural resources and ensure availability for future use.

- a. Mitigate negative impacts of past, current, and future use, and manage resources wisely.
- b. Protect significant natural features from development including the Red Rocks, Churchrock (the rock formation), and the Pyramid.

Policy 5. Preserve and protect historical and cultural features in the Chapter.

- a. Preserve historical places including Kit Carson Cave, Outlaw Trading Post, and various Anasazi ruins.
- b. Encourage continued cultural practices such as song and dance, pow wows, the Intertribal Ceremonial, and the use of the Navajo language.

Policy 6. Create and promote business and industry in the Chapter.

- a. Provide businesses, goods, and services to meet Chapter needs.
- b. Create jobs in the Chapter.
- c. Develop cooperative business associations between Churchrock community members and with others beyond the Chapter.
- d. Develop tourism sites and services.

Policy 7. Provide services to Chapter members including health, safety, educational and recreation services.

- a. Promote educational opportunities for people of all ages.
- b. Improve health care services and facilities.
- c. Provide adequate police and fire protection including residential fire protection.
- d. Involve community members in neighborhood watches and awareness.
- e. Provide facilities that improve the quality of life, including a recreation center/ community gymnasium and a senior day care center.

Policy 8. Ensure quality, safe housing for both new construction and for housing renovations.

- a. Disperse housing sites to ensure a better quality of life, working to promote construction of smaller clustered subdivisions.
- b. Work with NHA, BIA, IHS and other housing providers to secure sources of funding for new housing and renovations.

Policy 9. Develop and maintain reliable utilities and roads within the Chapter.

- a. Extend basic utilities of water, sewer, gas, power, and telephone to the entire community.
- b. Use alternative sources of energy including solar, wind, and sustainable wood cutting.
- c. Where feasible, use constructed wetlands instead of sewer lagoons.
- e. Widen the frontage road (old Route 66) through the Chapter.
- f. Build a freeway interchange within the Chapter.

Policy 10. Develop a form of government that promotes local authority.

- a. Institute a township or municipal style of government.
- b. Elect local government officials to represent geographic areas, such as districts.

Policy 11. Seek funding to create a land administration staff that will:

- a. Seek grants and funds for government operations and capital projects.
- b. Implement the land use plan.
- c. Provide legal expertise on land issues.

E.3 Future Land Use Map

The map on the following page summarizes all land use recommendations for the Churchrock Chapter. A large-sized version of this map is located in the inner pocket of the back cover.

CHURCHROCK CHAPTER

Open Space Plan

The following areas have been set aside by the Navajo Environmental Protection Agency for Scenic areas and Wildlife Habitat in the Churchrock Chapter going from North to South:

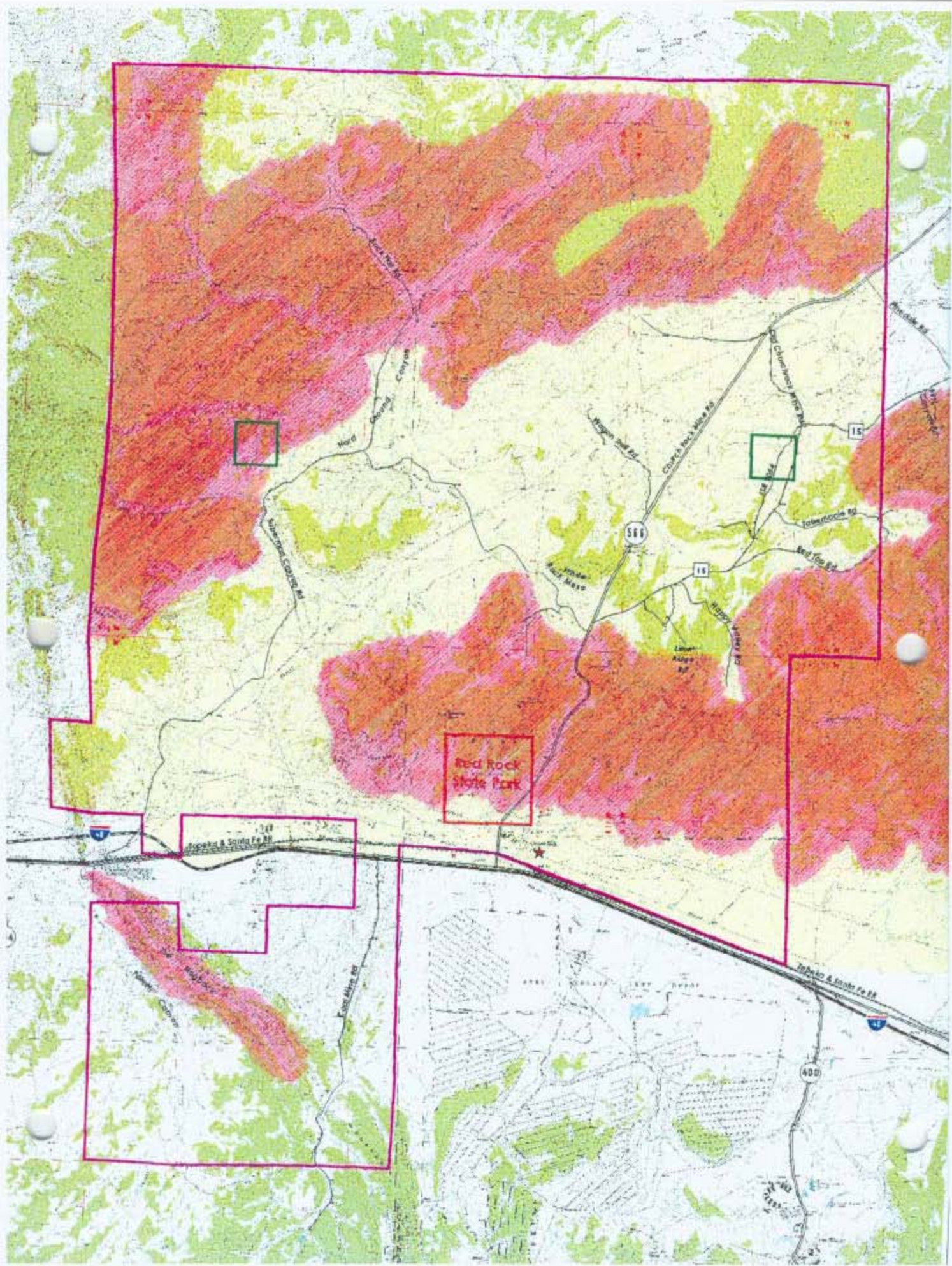
1. Ram Ridge to Hard Ground Canyon, including Nose Rock.
2. Rocky Flats West along Superman Canyon to White Cliffs North of Gallup City Limits.
3. Red Rock Ridge from the Pinedale and Iyanbito Chapter Boundaries, west including Churchrock and Pyramid Rock to Tse'yanic'cii'.
4. Hogback from Whit Cliffs to Rio Puerco.
5. Hogback from Hogan Station to Peretti Canyon.
6. Hogback from Indian Hills East to Sundance Road.

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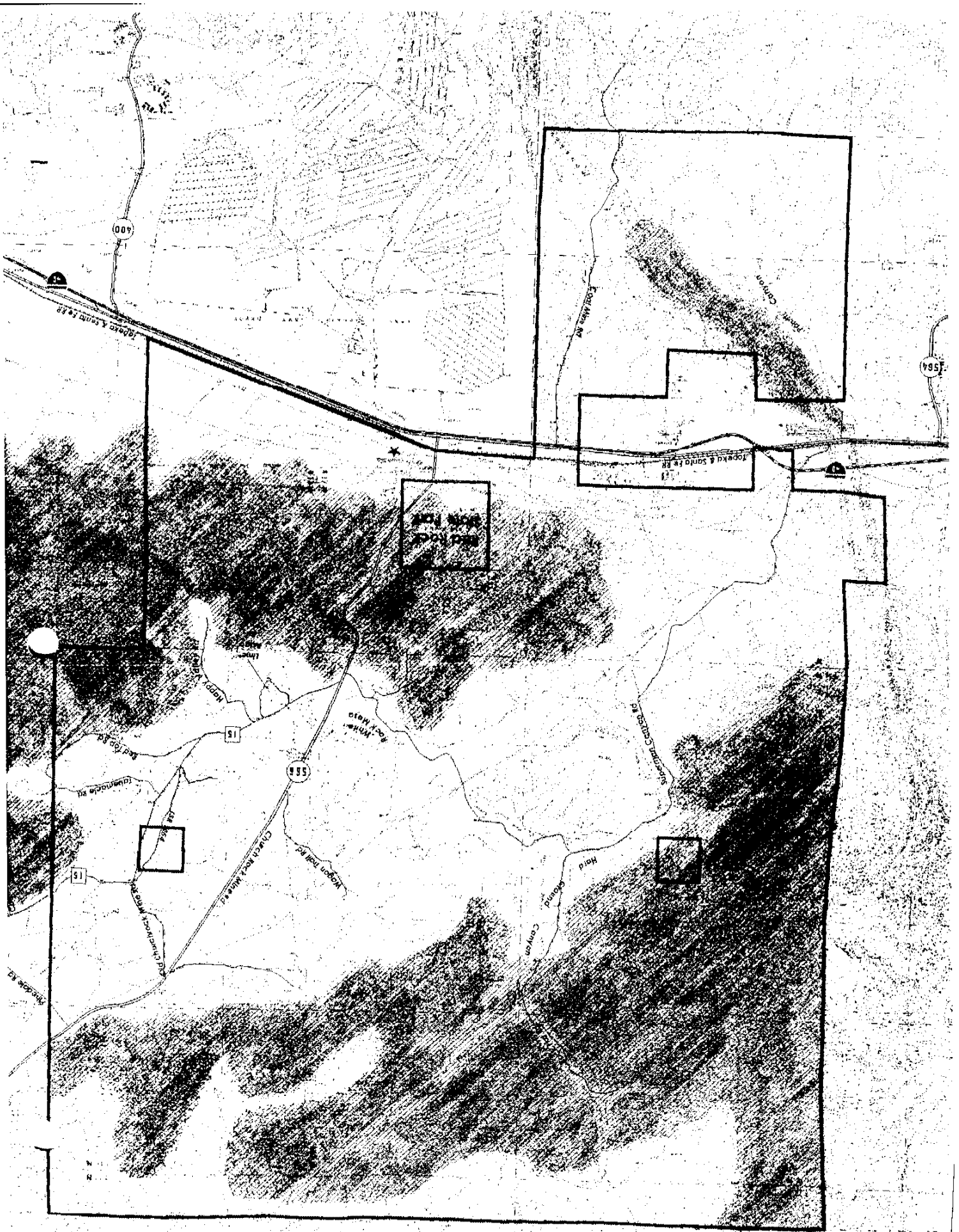
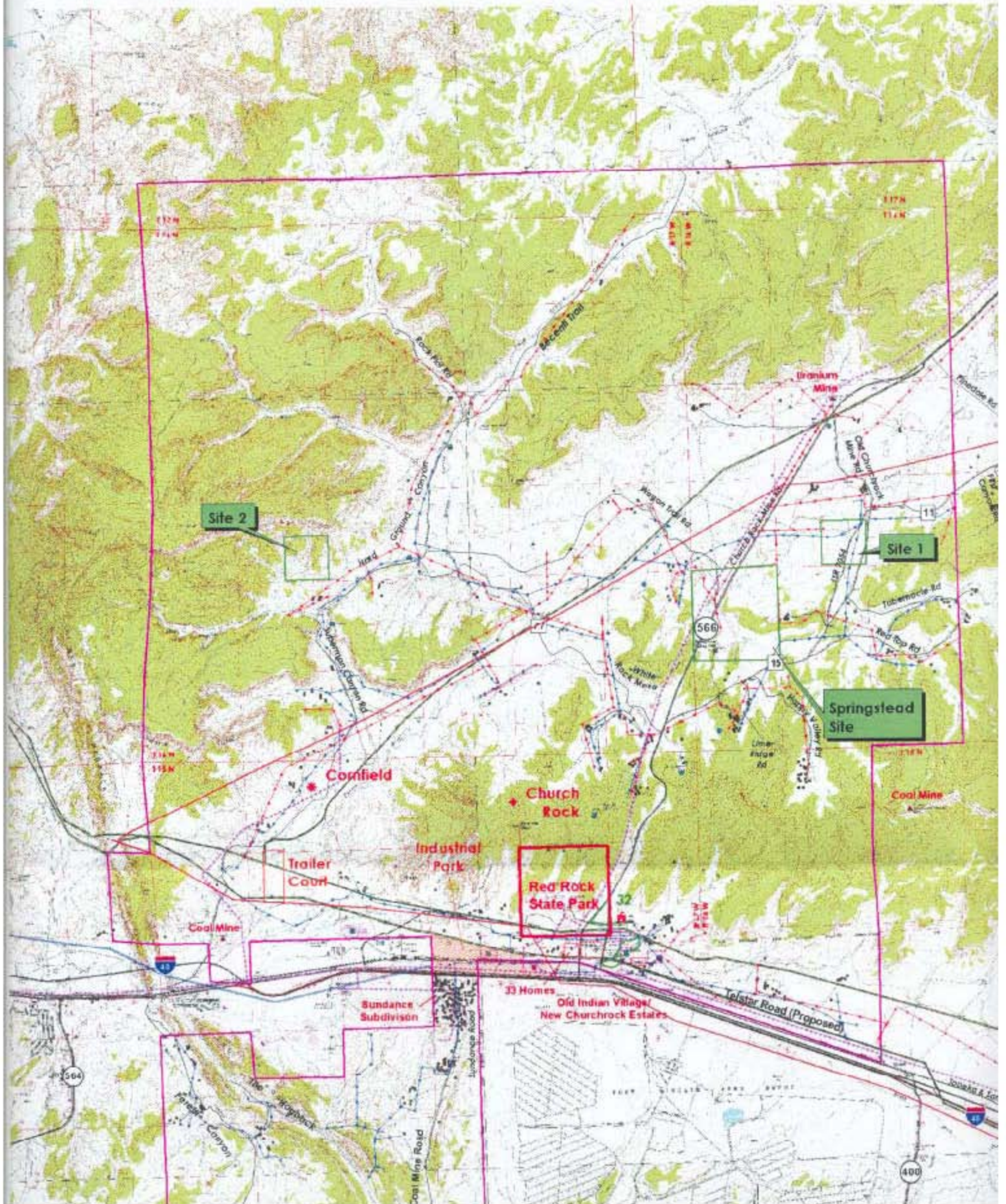
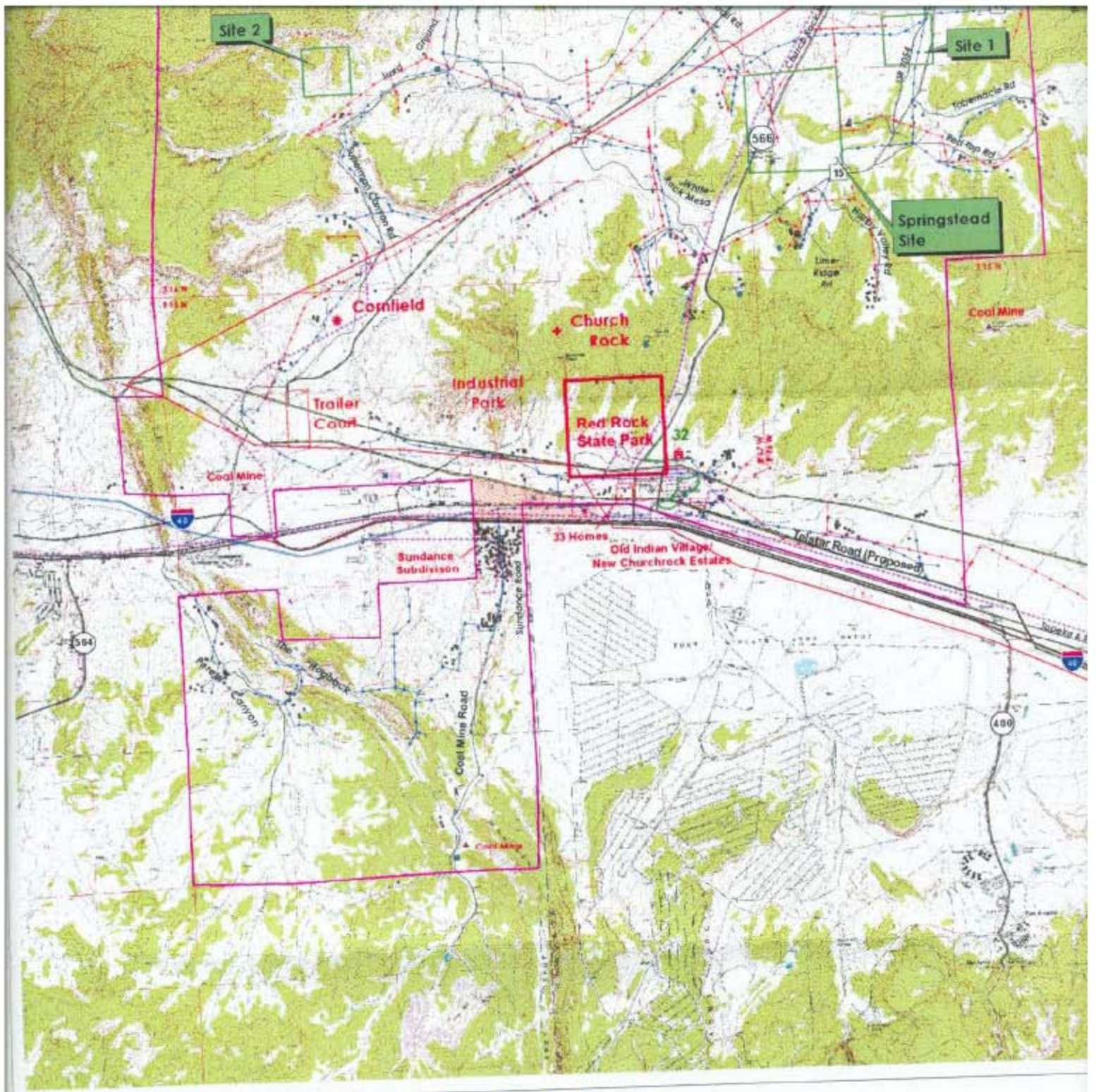


Exhibit 37: Future Land Use





Churchrock Chapter Future Land Use

- Legend**
- Chapter Boundary
 - Chapter House
 - Proposed Development
 - Existing Development
 - Houses
 - + School
 - Storage Tanks
 - Wells
 - Wells - Not Operable
 - Lagoon
- Utilities**
- Electric Lines
 - Water Lines
 - Gas Pipelines
 - Sewer
 - Telephone Line
 - Nitrogen & High Water Supply Pipeline (Proposed)

0 0.5 1 Mile

F. Appendices

Planning Definitions

Average Daily Traffic: a measure of the average number of vehicles that pass through a location along a road in a day.

Candidate Species: a species being considered for listing as threatened or endangered.

Clustered Housing: housing developed in subdivisions or in a close-together pattern.

CLUP Committee: Comprehensive Land Use Planning Committee - committee designated under the LGA to oversee the development of a land use plan.

Community Facilities: schools, preschools, clinics, chapter houses, police/fire stations, recreation and senior centers, etc.

Development Plan: a site plan showing how the land will be developed: location of structures, parking, access, signs, utility connections, drainage, etc.

Economic Development: training programs, taxes or other incentives designed to retain existing businesses as well as create and/or attract new businesses.

Endangered Species: a species that is in danger of extinction throughout all or a significant portion of its range.

Extirpated Species: a species that has been eliminated from its range, usually in a specific geographic area.

Infrastructure: utilities (water, sewer, gas, electric, telephone, solid waste facilities), and roads.

Land Status: type of land ownership as identified below:

Allotment - Land in legal title of the U.S. held in trust for an individual Indian. The BIA has power over this land and the Tribe has no consent privilege. The land can be leased to non-Indians or sold to a tribe with the consent of an individual.

State Land - Lands in legal title of the State of New Mexico.

U.S. Purchase Lands - Lands purchased from 1915 to 1933 using tribal and government funds. Total purchase in New Mexico is 188,342 acres. These lands are held in trust by the Navajo tribe.

Public Domain - Lands owned by U.S. and administered by the BLM.

2198 Land - BLM land slated to be exchanged with individuals to consolidate Tribal lands.

Administrative Reserve - Lands specifically set aside by executive order or statute to be used as administrative sites for agency or school purposes. Lands in legal title of the U.S. conveyed into trust status. These lands are specifically set aside for administrative uses.

Private Land - Lands with legal title owned by a person or legal entity. These lands belong to individuals or legal entities and are taxable. The owner, who can be Indian, has power over the land.

Land Use Plan: a document identifying existing and future land use. It serves as a guide for the orderly development of a community. It generally contains information about current conditions and needs as well as goals, priorities, and vision for the future. Additionally, it identifies recommendations for implementing the plan. A land use plan is only one component of a **Comprehensive Plan** which may also include components on open space, community facilities, transportation, economic development, etc.

LGA: Navajo Nation Local Governance Act of 1998. Law passed by Navajo Nation that grants local authority over local issues related to:

- Economic development
- Taxation and Revenue Generation
- Bonds
- Infrastructure Development

- Land Use Planning/Zoning/Ordinances
- Federal, State and Tribal Contracts
- Public Safety/ Recreation

The LGA has two requirements:

- The adoption of the Five Management System accounting, personnel, property, procurement, and record keeping policies and procedures.
- If a chapter wants to “administer land,” it must develop and adopt a comprehensive, community-based land use plan.

NAHASDA: Native American Housing Assistance and Self Determination Act of 1996

NAHASDA reorganized the system of federal housing assistance to Native Americans by:

- Eliminating several separate programs and replacing them with a single program
- Recognizing the right of Indian self-determination and tribal self-governance
- NAHASDA provides for tribal governing bodies to name a tribally designated housing entity (TDHE) to prepare an Indian Housing Plan (IHP)

Participation Process: process adopted by the CLUP committee to ensure community participation and education during the preparation of the land use plan.

Performance-Based Zoning: developments are evaluated on a case-by-case basis to ensure that all of the potential impacts are addressed before approval. The land use plan serves as a guide to which uses are appropriate.

Planning Process: steps involved in preparing a land use plan.

Community Assessment - assess community needs for housing, economic development and community facilities.

Infrastructure Analysis - compile data on transportation and utilities needed for development to occur.

Suitability Analysis - examine the natural and cultural resources and environmental constraints to development.

Scattered Housing: housing developed in a spread-apart pattern.

Service Area: the planning area of a chapter encompassing all lands within it. Chapter members may live outside of this area and still be eligible for chapter programs.

Threatened Species: a species that is likely to become endangered in the foreseeable future.

Traditional Zoning: automatically permits and excludes certain types of uses and developments, without regard to how impacts are addressed. A proposed use not listed as permitted requires that the land be 'rezoned.'

Withdrawn Land: sites for which all clearances and approvals have been given.

Acronyms and Abbreviations

ADT – Average Daily Traffic
AHP – Affordable Housing Program
BIA – Bureau of Indian Affairs
BIDF – Business and Industrial Development Fund
BLM – Bureau of Land Management
CHR – Community Health Representative
CIP – Capital Improvement Program
CLUPC - Community Land Use Planning Committee
CR – County Route
CDBG – Community Development Block Grant
EPA – U.S. or Navajo Environmental Protection Agency
EPA – Eagle Protection Act
ESA – Endangered Species Act
FNLB – Federal Home Loan Bank
GED – General Education Degree
HIP – Housing Improvement Program
HUD – U.S. Department of Housing and Urban Development
I.H.S. – Indian Health Service
IHP – Indian Housing Plan
ISR – Indian Service Route
JMEC – Jemez Mountain Electric Cooperative
LGA – Local Governance Act
LIHTC – Low Income Housing Tax Credit
MELP – Micro Enterprise Lending Program
MBTA – Migratory Bird Treaty Act
NAHASDA – Native American Housing and Self Determination Act
NCC – Navajo Communications Company
NDOT – Navajo Department of Transportation
NEPA – National Environmental Protection Act
NESL – Navajo Endangered Species List
NHA – Navajo Housing Authority
NHS – Navajo Housing Services
NRCS – Natural Resource Conservation Service
NSR – Navajo Service Route
NTUA – Navajo Tribal Utility Authority
OEDP – Overall Economic Development Program
OEH – Office of Environmental Health
ONAP – Office of Native American Programs
RBDO – Regional Business Development Office
SBA – Small Business Administration
TDHE – Tribal Designated Housing Entity
USDA – US Department of Agriculture