Hardrock Chapter

Community Land Use Plan 2017

COMMUNITY LAND USE PLAN COMMITTEE

SPECIAL THANKS TO THE FOLLOWING CLUPC MEMBERS AND CHAPTER OFFICIALS

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Percy Deal, CLUPC Vice President
Leta Fatt, CLUPC Secretary
Larry Yazzie, Member
Matilda Howard, Member
Lonnie Clah, Member
Thomas Tso, Member
Jay Begay Jr., Member

Timothy Johnson, Chapter President
Byron Wesley, Chapter Vice President
Aaron Simonson, District Grazing Committee Member
Dwight Witherspoon, Council Delegate

Produced By Alexandria M. Wright Ph.D.

HARDROCK CHAPTER

COMMUNITY LAND USE PLAN 2016

The Hardrock Chapter's vision for their community is to promote sustainable and organized growth, while maintaining a clean, safe and healthy environment and enhancing rich and strong Dine' traditions. The Chapter's priorities are to: (1) assert the Chapter government's authority under LGA, (2) create a more stable and self-sufficient social and economic environment, (3) improve the range lands and encourage farming, and (4) establish more involvement and cooperation among the members of the community. Priorities envelope and reflect the Navajo philosophy "Water is Life" and the Chapter's definition of Sustainable Development.

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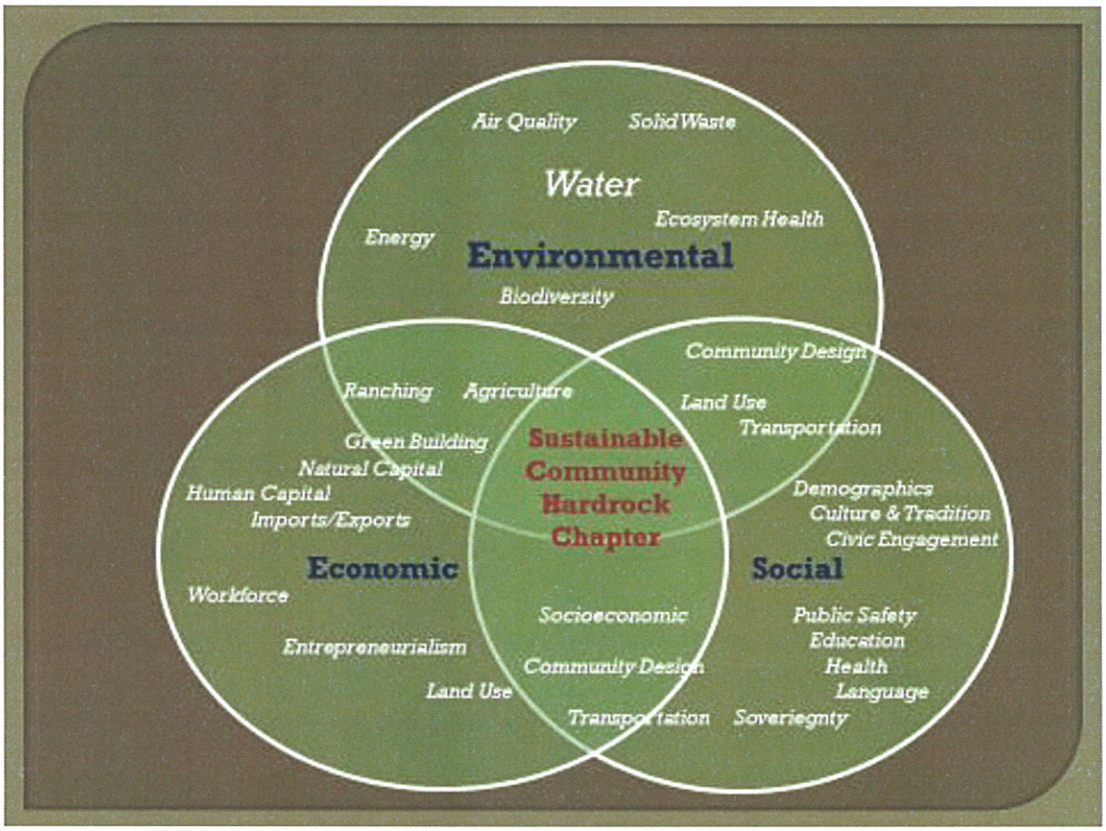
"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs."
U.N. World Commission on Environment and Development

Guiding Principles:

- Conservation of water resources
- Self-governance under title 26
- Social and community health
- Cultural preservation
- Preservation of heritage resources through grazing rights and agricultural development
- Economic opportunity
- Preservation of sacred sites and gathering grounds, historical importance

The purposes and needs of the Hardrock Chapter Community Land Use Plan are listed below:

- Address issues confronting the community
- Coordinate the public health, safety and welfare of the residents
- Meet the requirements and purposes of the Local Governance Act (LGA); Title 26 of the Navajo Nation Code (26 N.N.C.)
- Provide for efficient expenditure of public funds
- Provide for a continual citizen involvement on community development



BACKGROUND

December, 2008, Hardrock Chapter membership passed a resolution (HR-120108) establishing the Comprehensive Land Use Planning (CLUP) Committee. The resolution identified nine individuals to serve on the Committee. From May 2016 to February 2017, the CLUP Committee and the Consultant held monthly workshops as the draft CLUP was developing. There were typically a number of community visitors at CLUPC meetings. From November 2016 to February 2017, the Committee held a number of public meetings to present the draft CLUP and receive comments. The Consultant continued to refine the CLUP based on the public comments. On January 10, 2017, the Chapter membership approved and adopted the CLUP through Resolution HR-01047. *Alexandria Wright Ph.D.* was hired to facilitate the policy process and prepare the final document.



AUTHORITY

The authority to develop and implement a CLUP is granted under the LGA (26 NNC) passed by the Navajo Nation Council on April 20, 1998 (Resolution CAP-34-98). The LGA enables chapters to develop a local government that meets their needs. There are a broad range of benefits associated with this authority, including the right to enter into direct governmental agreements with Federal, State, Navajo Nation, and Hopi Tribal agencies and to generate revenue through a local taxation ordinance established by the chapter. The LGA also calls for chapters to govern with responsibility and

accountability. Where land is concerned, chapter governments will be able to issue homesite and business-site leases, develop a local grazing management plan, and acquire or sell properties of the chapter. Chapter governments, however, will find it necessary to adopt zoning ordinances consistent with this plan, including language that spells out the procedures for amending the land use plan.

COMMUNITY PRIORITIES

During the initial planning efforts, the Community Land Use Plan Committee (CLUPC) identified a list of issues that greatly concern the community. These issues later became the focus of the plan:

- The Chapter lacks water delivery systems for domestic and wells for livestock uses, especially during drought
- There are land use conflicts among residents such as local livestock owners and sponsors of projects seeking land withdrawals
- The Chapter road system is inadequate, including unfinished Turquoise Trail and unpaved dirt roads
- Many families lack housing or have not had their housing construction completed, and many homes need improvements
- The Chapter lacks a legal solid waste disposal mechanism for the community
- The rangelands are deteriorating and there are no approved grazing regulations
- There are a number of issues concerning unfulfilled agreements with the Federal Office of Navajo Relocation Commission, the Navajo Gospel Mission and other leases
- The telecommunication system is inadequate, especially for emergency purposes
- The Chapter lacks economic development, which translates to lack of basic goods and services, local jobs and local tax revenues
- There is a need for community healing (mental and physical healing programs) due to the Federal relocation policy and subsequent related policies
- Many homes lack electric utilities and alternative energy sources
- There is a need to upgrade the existing school facility at Rocky Ridge
- There is a need to improve relationship with Hopi Tribe to address the needs on the HPL

PLANNING PROCESS

The land use planning process involved the development and completion of six steps (Figure 1-1):

1. *Community Participation Plan*
2. *Community Assessment* – Survey and identified community needs
3. *Land Suitability Analysis*
4. *Utility Infrastructure Analysis*
5. *Comprehensive Policy Elements & Strategies for Implementation*
6. *Ratification*

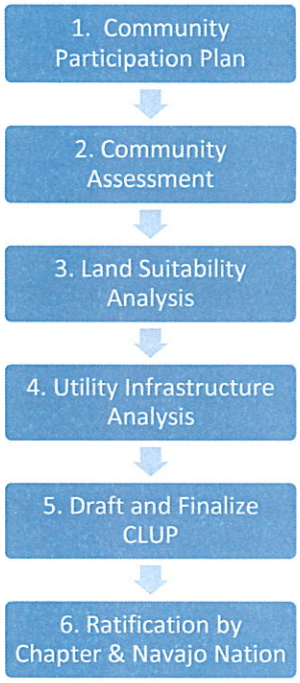


Figure 1-1 General Land Use Planning Process

These steps did not necessarily follow the order presented. Some steps were rechecked and reworked as additional information became available.

Public Engagement

The community at large was engaged in the CLUP process during the Community Survey in May of 2016. This survey included 59 questions pertaining to demographics, housing, water, economic development, transportation, ranching, and farming. The survey garnered responses from 11.3% of the community population. The results of the survey have been used throughout the process of policy writing to ensure that community demands are included in policy goals. The Community Land Use Plan Committee is made up of diverse Chapter members who have participated in the review of existing policy and made recommendations for new policy based on community needs.

Over a 60 day public comment period was included in the policy process beginning November 2016 and ending March 2017. Throughout the planning process, the Committee provided a number of presentations at Chapter meetings and public meetings. These meetings were announced in the Community Calendar section of the Navajo Times and KTNN, KAFF, KUYI, and KFLX radio stations. The CLUP Committee boosted attendance to these meetings by sponsoring hot meals donated by Committee members. Other community education efforts involved flyers highlighting project status, issues, goals and policies, and proposed land use design. Meeting dates and topics are summarized in Table 1.

Table 1 Schedule of Public Meetings

November 2, 2016	Hardrock Chapter
November 19, 2016	Hardrock Chapter

December 28, 2016	Hardrock Chapter
January 4, 2016	Hardrock Chapter
March 9, 2017	Hardrock Chapter

IMPLEMENTATION

The Hardrock Chapter Community Land Use Plan presents a comprehensive review of the region in the Community Assessment and the Land and Natural Resources Assessment sections. Following these data sections are the ten policy elements included in the plan. Implementation of the CLUP policy objectives will involve becoming Certified and converting policies presented into a strategic plan for economic development, grant applications, sustainable grazing and agricultural strategies, local regulations or zoning ordinances. The policies provide the framework for community investment in infrastructure and education to create and maintain social and environmental health, and economic opportunities for future generations.

Community Assessment

Hardrock Chapter lies within the Chinle Agency of the Navajo Nation, in Navajo County of northeastern Arizona (Figure 2-1). The Chapter's planning area is 78,100 acres, or about 122 square miles. Prior to the *Navajo-Hopi Land Settlement Act* of 1974 (P.L. 93-531), the Hardrock Chapter had three times its current land base, approximately 305,000 acres . Neighboring Chapters include Forest Lake and Pinon located north and east of the Chapter.

Hardrock Chapter shares its boundaries with the Hopi Tribe, Pinon Chapter and Forest Lake Chapter. The geographic scope of the CLUP includes all areas within the boundaries of the Hardrock Chapter including former areas of the Chapter now known as the Hopi Partition Lands (HPL). While the Navajo Nation and the Chapter lack jurisdiction for some civil actions on HPL, this plan provides recommendations for the HPL area since a number of Chapter members continue to reside there. The CLUP planning range is 10 years. However, the plan will need to be adjusted every five years to meet the changing political, social and economic conditions.

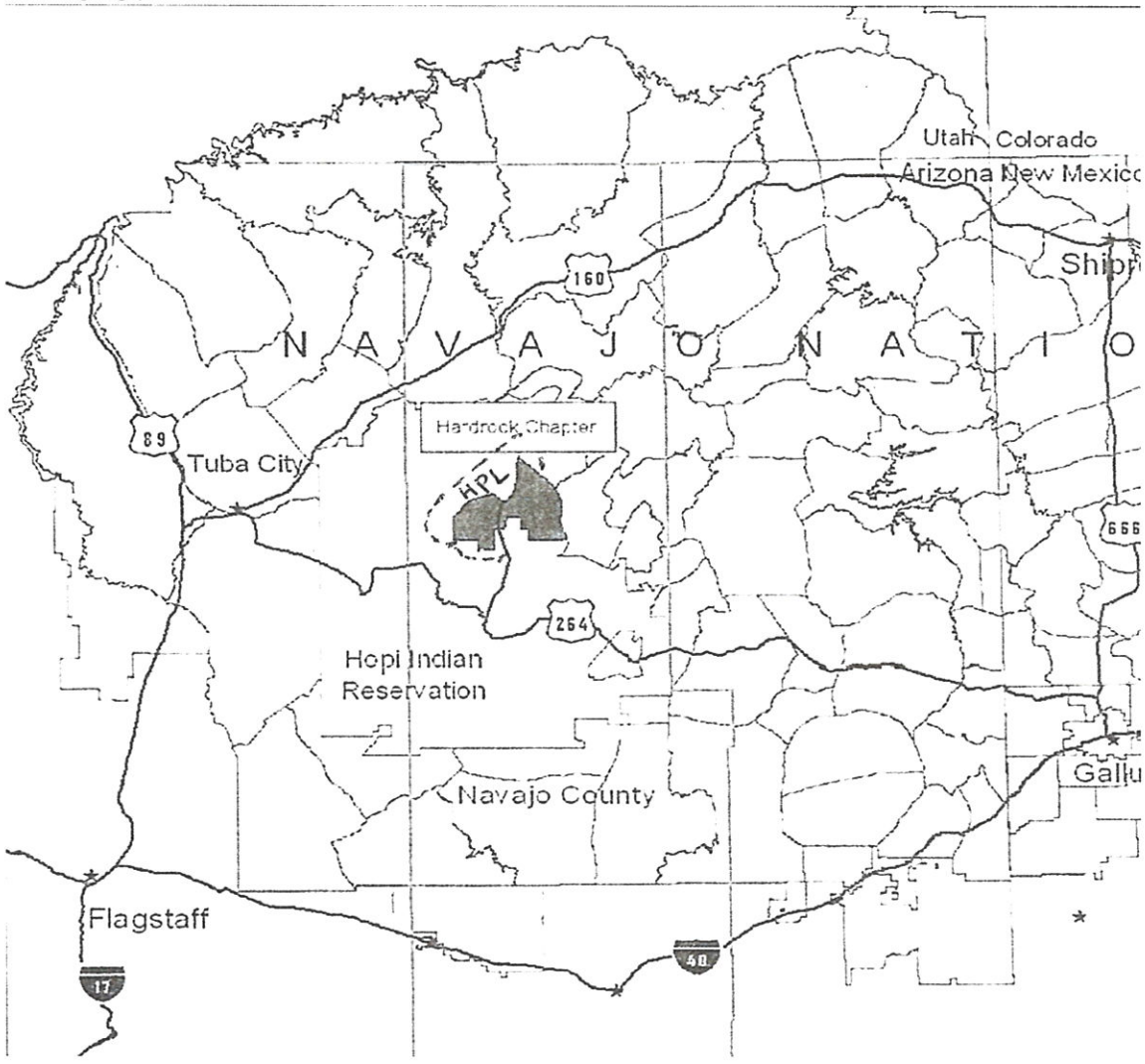


Figure 2-1. Hardrock Chapter location map. Dotted line represents Hopi Partition Land that was originally allocated to the Hardrock Chapter.

LAND USE

For nearly 50 years, the Chapter experienced various land development restrictions and land reductions. In the early 1960s, the Federal District Court effectively halted all forms of community development in the former Joint Use Area (JUA) until the Navajos and Hopis could resolve their land disputes. As a result, no homes, roads and public facilities projects were built for nearly 27 years. Indirectly, the U.S. Government placed social and economic sanctions on the entire Chapter.

In 1974, the greatest impact began when the federal government partitioned the former JUA into the Navajo Partition Lands (NPL) and the HPL as a result of the *Navajo-Hopi Land Settlement Act* of 1974 (P.L. 93-531). Approximately 10,000 Navajos were relocated from the HPL. On top of the Chapter losing nearly three-fourths of its original land base, about 200 families were relocated to NPL portion of Hardrock Chapter. This resulted in a number of problems, including less grazing lands for those who were accustomed to larger herds and grazing areas. Today twenty-six families continue to reside on the HPL through Accommodation Agreements between the Hopi Tribe and individual families.

Land use categories in Hardrock Chapter include residential developments, public/government facilities, a single commercial establishment and open spaces managed as rangelands. The primary thoroughfare is Turquoise Trail, which extends from the Hopi reservation at Highway 264 south of the Chapter to the center of the Chapter. Secondary roads include a number of Bureau of Indian Affairs (BIA) service routes (N-8031, 8027, 8060,8061, and 8029) that provide access to most areas of the Chapter. BIA maintains these roads for bus service. N-8027 is scheduled to be paved by BIA in the future.

The Chapter House and other public facilities (i.e., administration building, senior center, pre- school, warehouse and storage building) are located near the southern end of the Chapter compound. Adjacent to the Chapter compound is the 23-acre Navajo Gospel Mission site. The lease agreement between the Nation and the Mission is a contentious issue among local residents because they feel the Mission did not live up to their agreement, which identified community services that have not come to fruition. Other developments include the Rocky Ridge School, Rocky Ridge General Store and about 375 scattered homesites. Land withdrawal information is summarized in Table 2-1.

Table 2 Summary of land Withdrawals

LAND WITHDRAWAL	APPROXIMATE ACREAGE	LEASEE
Chapter House Complex	6	Chapter
Rocky Ridge School	10	BIA
Hardrock Gospel Mission	23	Ameritribes, Inc.
Churches (4):	2 ea.	Private individual
Rocky Ridge Store	5.5	Private individual
Homesite leases[1]	375 (based on number of homes)	Private individual
Roads	5 (primary roads only)	BIA

[1] Many residents have homes without homesite leases due to the 1964 federal court moratorium on all leases in Navajo Nation. The community survey identified "homesteaders" as those without a homesite lease.

DEMOGRAPHICS

Hardrock Chapter lies in the heart of the Navajo Nation. The population of the Chapter in 2010 was 1,161 according to the U.S. Census Bureau. Ninety-eight percent of the population was Native American. About 52% of the population was 29 years or younger.

According to the 2010 census data, there were about 340 households with an average household size of 3.4 persons. The Chapter believes that the current number of homes is about 375 housing units based on the information from the *Hardrock Chapter Housing Plan* (Southwest Marketing 1993) and housing construction information for the past 10 years.

The median household income was $21,136 in 2000 and the per capita income was $7,578. The unemployed workforce was 25.2 percent. The major employers were and continue to be the Rocky Ridge School and the Navajo Nation Government.

Education levels were lower than the national standards. Sixteen percent of adults 25 years- and-older had no formal education. Eighteen percent of the population 25 years-and-older had a high school diploma. About 2.5% had a college degree. Tables 2-2 through 2-8 provide detailed demographic data based on the 2000 census data.

Table 3 U.S. Census Population Trends

1980	1,220
1990	1,065
2000	1,256
2010	1,161

Table 4 U.S. Census 2010 Population Composition

RACE	PERCENT
American Indian	97.8
White	0.5%
Other	<0.1

Table 5 U.S. Census 2010 Employment and Income

Unemployment Rate, Navajo Nation	42%
Percapita income	$7,578
Median household Income	$21,136
Median family income	$23,992

Table 6 Occupied Housing Units

Total occupied housing units	331
Owner occupied housing units	315
Renter occupied housing unit	16
Average household size	3.79
Households with people 18 years and under	177
Households with 65+	94

*Actual Occupied housing units

Table 7 U.S. Census 2010 Education Levels for 25 Years of Age and Older

Educational Attainment	Quantity
None	99
K-12 no diploma	203
H.S. Diploma	138
Associates Degree	28
Master's Degree	6
Doctoral Degree	0

*Approximately six registered chapter members with doctorates unaccounted for by the U.S. Census

Table 8 U.S. Census 2010 Demographics

Subject	Number	Percent
SEX AND AGE		
Total Population	1,161	100.00
Under 5 years	91	7.8
5 to 9 years	85	7.3
10 to 14 years	110	9.5
15 to 19 years	127	10.9
20 to 24 years	117	10.1
25 to 29 years	78	6.7
30 to 34 years	55	4.7
35 to 39 years	47	4.0
40 to 44 years	54	4.7
45 to 49 years	95	8.2
50 to 54 years	60	5.2
55 to 59 years	50	4.3
60 to 64 years	45	3.9
65 to 69 years	35	3.0
70 to 74 years	35	3.0
75 to 79 years	33	2.8
85 years and over	23	2.0

HOUSING

The housing stock in 1993 consisted of 355 housing units (258 modern homes, 13 mobile homes and 84 traditional homes) according to the *Hardrock Chapter Housing Plan (Southwest Planning and Marketing* 1993). Since the housing plan was completed, about 20 additional homes were built. Forty percent of the housing units in Hardrock Chapter were built by the Office of Navajo Hopi Indian Relocation Program between 1981 and 1990.

The majority of the homes evaluated in *Hardrock Chapter Housing Plan* were considered to be substandard. About 47% of these homes needed weatherization; 39.5% needed minor repairs; 21.1% needed major rehabilitation; 20.8% needed replacement; and 3.7% posed an immediate hazard. Many of these homes lacked water, sewer, electricity, and adequate insulation. Only 45% of the homes had both water and electricity; 14% had only electricity; 10% had running water; and 31% had no utilities. On the HPL, there are 27 occupied homes, many of which are traditional homes in need of repair.

According to responses from the Community Survey, 40.5% of respondents have a homesite lease, 83% of respondents state that their home is in need of repair (answers from most referenced to least are windows, doors, interior walls, floors, exterior walls, plumbing, and electrical), 53% of respondents stated their home is not large enough to accommodate their family, and 77% of respondents stated they do not have utility services from NTUA.

Table 9 2010 U.S. Census Housing Statistics

HOUSING OCCUPANCY		
Total housing units	489	100.0
Occupied housing units	340	69.5
Vacant housing units	149	30.5
For rent	2	0.4
Rented, not occupied	0	0.0
For sale only	0	0.0
Sold, not occupied	0	0.0
For seasonal, recreational, or occasional use	104	21.3
All other vacant	43	8.8
Homeowner vacancy rate (percent) [8]	0.0	(x)
Rental vacancy rate (percent) [9]	5.9	(x)
HOUSING TENURE		
Occupied housing units	340	100.0
Owner-occupied housing units	308	90.6
Population in owner-occupied housing units	1,062	(x)
Average household size of owner-occupied units	3.45	(x)
Renter-occupied housing units	32	9.4
Population in renter-occupied housing units	99	(x)
Average household size of renter-occupied units	3.09	(x)

*The Housing Statistics form U.S. Census do not match actuals recorded by the Chapter in 2017

AGRICULTURE

Grazing

Unsettled land ownership of the Joint Use Area (JUA) in the1960's, prompted the U.S. District Court to order the Bureau of Indian Affairs (BIA) to cancel and seize all livestock permits. This federal livestock reduction policy removed approximately 80% to 90% of all livestock in the years between 1970 and 1990. These permits were never reissued. Most families in Hardrock Chapter, however, continue to raise livestock, since this is the only lifestyle they know. The Chapter's Grazing Officer estimates 3,000 animal units currently graze within the Chapter's NPL and HPL area.

The NPL areas of the Chapter extend into all or parts of four grazing units (303, 305, 306 and 307). NPL grazing regulations have been promulgated by BIA and recently published in the Federal Register. When formally adopted, these regulations will identify the process to be used by BIA for reissuing permits and monitoring grazing activities. Ranchers within the NPL believe these new regulations will not allow all current livestock owners to have livestock permits, and it will greatly limit the number of

animal units currently grazing in NPL. As a result, these regulations will have a significant social and economic impact on the community.

Hopi Partition Land areas include four grazing units (257, 258, 259, and 262), which are regulated by the Hopi Tribe's grazing ordinance (Ordinance 43). Navajo families located on HPL may apply for grazing permits under the Hopi Tribe's Ordinance 43. Up to 2,800 sheep units yearlong (SUYL) are allowed to graze in the entire HPL under Ordinance 43.

The community survey revealed 61% of the households from both NPL and HPL areas raise livestock, and 30% indicated their livestock provides or supplements their household income. When asked about problems associated with livestock and grazing most identified, overgrazing and poor range conditions, lack of education about proper range management and current drought conditions. Ninety-four percent indicated support for stricter livestock management controls.

Farming

No large farming or irrigated farming activities occur within the Chapter; however, there are many families that have small farms. According to the survey, about half of the Chapter residents have a small farm where they grow primarily corn, squash, melon, apricots, sunflower seeds, wheat, peaches, potatoes, and asparagus. Other residents have expressed an interest in farming, but their job, current land conditions and land restrictions were their most frequently cited reasons for not establishing a farm.

ECONOMIC DEVELOPMENT

Commercial

The Rocky Ridge General Store is the only commercial establishment in Hardrock Chapter; yet the community survey revealed that Chapter residents desire additional commercial developments. Eighty-three percent of the households surveyed want commercial establishments, such as a laundromat, auto parts and repair shop, gas station, grocery store, vendor center/visitor center, office space, and restaurant. The survey also indicated support for a child care center, feed store, green house service, building supply store, and natural wool product factory.

The 2002 Community Survey reflected the community sentiment on the number of acres that should be designated for commercial development; 30% desire 100 acres or more; 26% desire about 50 acres; 39% desire about 10 acres; and 4% desire about 2.5 acres. Thirty seven percent want commercial establishments located near the Chapter House; 55% want commercial establishments located along the Turquoise Trail; and 8% were unsure.

At present, reservation border towns, such as Flagstaff, Arizona, and Gallup, New Mexico, benefit from taxes paid by Navajo residents when they leave the reservation to buy groceries, gas, clothes, car repairs and other daily needs. Future economic development can bring money back to the Chapter in the form of tax revenues and employment opportunities.

The survey revealed that over half of the households have at least one member who desires employment. Their jobs skills include clerical, secretarial, commercial driving, carpentry, computer technology, cashier, child care, elderly care, construction labor, artisan, social work, Navajo rug weaving, and auto repair.

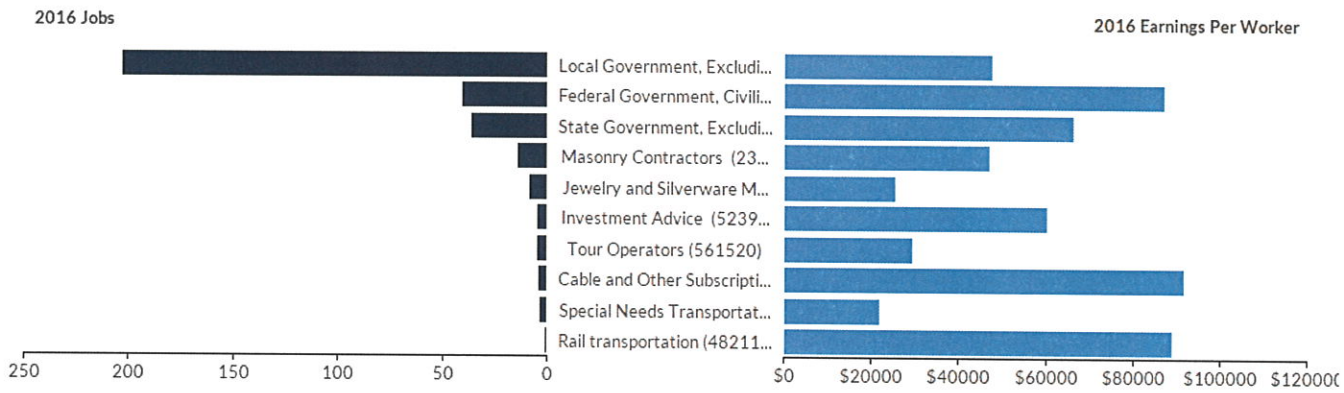
Industrial

There are no industrial developments within Hardrock Chapter. However, the community survey revealed that Chapter residents support future clean-industries, such as water bottling, wool products, and tool shop and herb nurseries.

Economic Data

The following economic data is for zip code 86030 derived from Arizona Office of Administration, Employment and Population Statistics, Quarterly Census on Employment and Wages. Statistics are unable to directly reflect the Hardrock Chapter economy due to the fact that the Chapter has not been granted it's individual zip code.

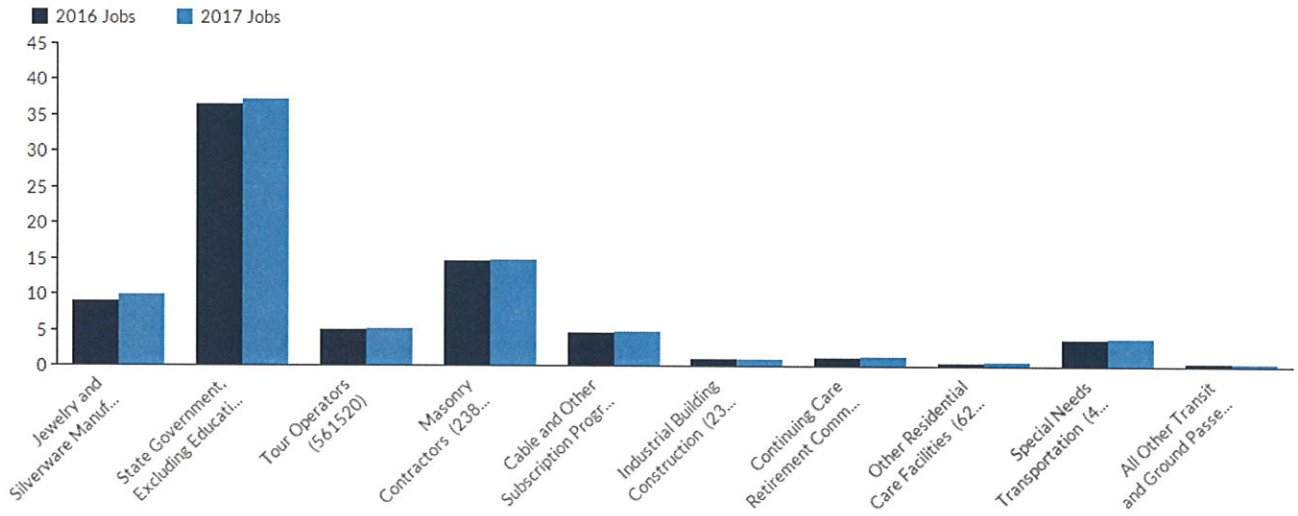
Largest Industries



Industry	2016 Jobs	2017 Jobs	Change in Jobs (2016-2017)	% Change	2016 Earnings Per Worker
Local Government, Excluding Education and Hospitals	203	202	-1	-1%	$47,703
Federal Government, Civilian, Excluding Postal Service	41	41	0	0%	$87,385
State Government, Excluding Education and Hospitals	37	37	1	2%	$66,525
Masonry Contractors	14	15	0	2%	$47,107
Jewelry and Silverware Manufacturing	9	10	1	10%	$25,812
Investment Advice	5	5	0	1%	$60,513
Tour Operators	5	5	0	6%	$29,600
Cable and Other Subscription Programming	5	5	0	4%	$91,955

Industry	2016 Jobs	2017 Jobs	Change in Jobs (2016-2017)	% Change	2016 Earnings Per Worker
Special Needs Transportation	4	4	0	1%	$22,175
Rail transportation	2	2	0	-2%	$89,253
Continuing Care Retirement Communities	1	1	0	6%	$29,943
US Postal Service	1	1	0	-4%	$56,539
Industrial Building Construction	1	1	0	12%	$58,265
Other Residential Care Facilities	0	0	0	13%	$21,416
Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)	0	0	0	4%	$44,785
All Other Transit and Ground Passenger Transportation	0	0	0	17%	$58,743
Department Stores (except Discount Department Stores)	0	0	0	-8%	$21,780
Other Support Activities for Air Transportation	0	0	0	15%	$88,946
Nonscheduled Chartered Passenger Air Transportation	0	0	0	11%	$80,876
Payroll Services	0	0	0	15%	$55,888

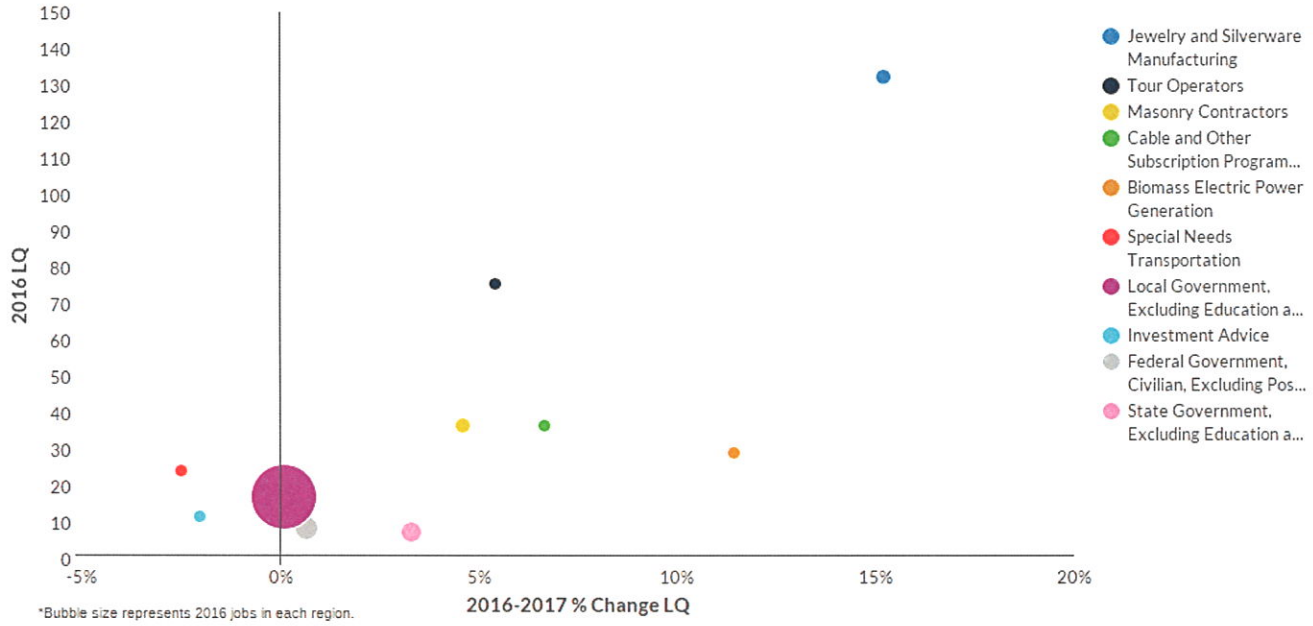
Fastest Growing Industries



Industry	2016 Jobs	2017 Jobs	Change in Jobs (2016-2017)	% Change	2016 Earnings Per Worker
Jewelry and Silverware Manufacturing	9	10	1	10%	$25,812
State Government, Excluding Education and Hospitals	37	37	1	2%	$66,525
Tour Operators	5	5	0	6%	$29,600
Masonry Contractors	14	15	0	2%	$47,107
Cable and Other Subscription Programming	5	5	0	4%	$91,955
Industrial Building Construction	1	1	0	12%	$58,265
Continuing Care Retirement Communities	1	1	0	6%	$29,943
Other Residential Care Facilities	0	0	0	13%	$21,416
Special Needs Transportation	4	4	0	1%	$22,175
All Other Transit and Ground Passenger Transportation	0	0	0	17%	$58,743
Investment Advice	5	5	0	1%	$60,513
Other Support Activities for Air Transportation	0	0	0	15%	$88,946
Payroll Services	0	0	0	15%	$55,888
Biomass Electric Power	0	0	0	17%	$87,905

Industry	2016 Jobs	2017 Jobs	Change in Jobs (2016-2017)	% Change	2016 Earnings Per Worker
Generation					
Nonscheduled Chartered Passenger Air Transportation	0	0	0	11%	$80,876
Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)	0	0	0	4%	$44,785
Unclassified Industry	0	0	0	12%	$22,034
Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing	0	0	0	18%	$20,132
Other Support Activities for Road Transportation	0	0	0	16%	$26,648
Sales Financing	0	0	0	20%	$33,934

Highest Industry Location Quotient



Region Exports

$122,019,634

Exports (2016)

98% of Supply

NAICS	Industry	Exports (2016)
11	Crop and Animal Production	$11,061
21	Mining, Quarrying, and Oil and Gas Extraction	$4,524
22	Utilities	$40,862
23	Construction	$1,855,276
31	Manufacturing	$1,306,996
42	Wholesale Trade	$36,441
44	Retail Trade	$137
48	Transportation and Warehousing	$866,062
51	Information	$2,883,983
52	Finance and Insurance	$3,360,161
53	Real Estate and Rental and Leasing	$16,389
54	Professional, Scientific, and Technical Services	$28,533
55	Management of Companies and Enterprises	$0
56	Administrative and Support and Waste Management and Remediation Services	$523,243
61	Educational Services	$3,488
62	Health Care and Social Assistance	$71,094
71	Arts, Entertainment, and Recreation	$1,924
72	Accommodation and Food Services	$3,372
81	Other Services (except Public Administration)	$35,637
90	Government	$110,970,450

Region Imports

$101,871,088	$2,508,845
Imports (2016)	**Locally Produced & Consumed (2016)**
98% of Demand	2% of Demand

NAICS	Industry	Imports (2016)
11	Crop and Animal Production	$2,685,039
21	Mining, Quarrying, and Oil and Gas Extraction	$299,220
22	Utilities	$578,800
23	Construction	$5,900,895
31	Manufacturing	$6,801,052
42	Wholesale Trade	$1,892,248
44	Retail Trade	$2,929,740
48	Transportation and Warehousing	$3,707,842
51	Information	$3,779,236
52	Finance and Insurance	$3,314,842
53	Real Estate and Rental and Leasing	$3,006,292
54	Professional, Scientific, and Technical Services	$3,699,295
55	Management of Companies and Enterprises	$333,139
56	Administrative and Support and Waste Management and Remediation Services	$930,864
61	Educational Services	$704,497
62	Health Care and Social Assistance	$4,837,152
71	Arts, Entertainment, and Recreation	$644,553
72	Accommodation and Food Services	$1,691,897
81	Other Services (except Public Administration)	$984,932
90	Government	$53,149,553

COMMUNITY FACILITIES

The Chapter House and nearby buildings are the hub of local public service programs. Such programs include food distribution, senior care, relocation services, substance abuse and preschool education. Other community facilities include Rocky Ridge School and local churches. There are plans underway to develop a recreation area in and around the Chapter House complex that will be tied to a new diabetes program. In addition, the Rocky Ridge School is discussing future recreational amenities within the school compound.

According to the community survey, the current community facilities in Hardrock Chapter are insufficient to meet the needs of the community. The Chapter lacks a public safety facility and an emergency medical establishment. The nearest police station is located 65 miles away in Chinle, Arizona and the nearest medical facility is 25 miles away in Polacca, Arizona.

A new multipurpose facility is needed to provide adequate space for Chapter meetings and existing service programs, as well as new public programs. Residents have also expressed their desire for additional public facilities including an emergency medical facility, youth center, long-term senior care center, park and recreation area, and rodeo/pow-wow grounds. Table 10 summarizes the current public facilities and programs within the Chapter.

Table 10 Existing Community Facilities

FACILITY	SIZE AND CAPACITY	OPERATOR	PROGRAM(S)
Wellness Center	2,400 sq. ft.	Navajo Special Diabetes Program	Closed until further notice
Administration Building	1,500 sq. ft.	Hardrock Chapter	Office Administration and Computer Lab
Modular Building #1 and #2	1,900 sq. ft.	Hardrock Chapter	Meeting and conference rooms
Head Start	3,350 sq. ft.	Navajo Dept. of Head Start	Preschool education
Senior Center	4,032 sq. ft.	Navajo Dept. of Aging	Meals/Transportation/Health
Churches	6 facilities	Private operators	Private
Rocky Ridge School	40,000 sq. ft.	BIA	K-8

Land & Natural Resources Assessment

A land suitability analysis was conducted to direct future development to the most suitable areas of the Chapter. This analysis was based on the physical characteristics of the Chapter's land base including slopes, soils, vegetation, water resources, and environmentally sensitive areas shown in Plates 1 through 5. In addition, Federal and Tribal laws, rules and policies that protect various resources were considered in the analysis that restricts areas from development. Areas with physical or legal restrictions were removed from consideration during the development of future land use map.

Two future community development sites within the Chapter boundary are envisioned: (1) a 30-acre parcel for commercial, public facilities and residential located adjacent to the Rocky Ridge School along N-8031: and (2) a 10-acre tract to be used for an upgraded sewer lagoon and a solid waste transfer station. The ten-acre tract is already being used as for a sewer lagoon and there is a nearby unregulated solid waste dump site. The Chapter is also proposing a Chapter house/multipurpose facility within the existing Chapter house complex which has already been withdrawn.

In addition, the Chapter is considering future commercial development outside the Chapter's boundary on HPL along the Turquoise Trail, which would require a lease agreement with the Hopi Tribe. These future community development areas are considered optimal growth areas according to Plate 6-optimal Growth Model.

Future scattered housing are not specifically identified in this CCBLUP, but the scattered housing policies presented in Chapter 5 encourage that future scattered housing developments occur along the main roads and utility right-of-ways and away from environmentally sensitive areas.

Land Slopes

The western and eastern parts of the Chapter have steep slopes defined by ridges, mesas and dramatic canyons, while the central area is characterized by gently sloping valleys. Slopes are important considerations when planning for housing and other developments. Slopes ranging between zero to five percent are considered ideal for most developments. Future community development sites are located within this slope range (see **Plate 1- Slopes**). Slopes in excess of 15% can create construction problems and drive up the cost of site preparation, construction and management. These areas have been eliminated from consideration for future development. Slopes ranging between 5% to 15% are not as restrictive and can support a limited amount of development.

Soils

The characteristics and distribution of soil types in the planning area affect the use and management of the land and the quality of the surface water, air, and forage. Soil characteristics are important considerations when siting construction activities, since some soils pose limitations.

Soils in the planning area are divided into two main associations shown in **Plate 2-Soils.** Soils in elevations above 6,000 feet are classified as the *Lithic Torriorthents Lithic Halpargids Rock Outcrop* association (Hendricks 1985). This association contains soils that are shallow, gravelly and cobbly, moderately coarse-to-fine in texture and/or soils located on rock outcrops and moderately sloping to very steep hills and mountains. Factors limiting the potential of these soils for community development areas are steep slopes, shallow depth, and bedrock and rock fragments on the surface. While these soil conditions pose limitations for construction of community facilities and homes, certain areas can be suitable for campgrounds and hiking trails.

Soils in elevations below 6,000 feet are part of the *Fruitland-Camborthids-Torrifluvents* association. This association is characterized by soils that are shallow to deep-and-moderately coarse to moderately-fine

in texture and consists of well-drained soils on the hilly upland plains. The plains are broken by occasional steep-sided drainageways and scattered buttes. These soils have good potential for homesites and community development. With proper range management techniques, this association can also sustain low-to-fair forage production for livestock. Precipitation, and not soil condition, is the major factor limiting forage production in the area.

Vegetation

Hardrock Chapter is divided into three distinct native vegetation areas and biotic communities shown in **Plate 3-Vegetation:** the *Great Basin Conifer Woodland* community, *Plains and Great Basin Grassland* and the *Great Basin Desertscrub* communities (Brown 1982).

The highest elevations of the Chapter are part of the *Great Basin Conifer Woodland* community where the average precipitation is above eight inches per year. This cold-adapted evergreen woodland is characterized by the dominance of juniper and pinyon pines. Other vegetation includes various grasses, sagebrush, shrubs, and cacti.

The lower elevations are part of the *Plains and Great Basin Grassland* and the *Great Basin Desertscrub* communities (Brown 1982). Precipitation averages below eight inches per year. The vegetative community of the *Plains and Great Basin Grassland* is dominated by various grasses, shrubs and cacti. The *Great Basin Desertscrub community* is dominated by various sagebrush, shadscale, grasses, and blackbrush plants. These vegetative communities do not restrict community development. However, in the Little Spot Mountain area, the woodland community provides vital habitat for many animal species, including threatened and endangered or sensitive (TES) species protected by law.

Water Resources

Water resources are sacred to the Navajo People who hold the philosophy that "water is life," which has deep cultural and religious significance. Teachings, culture and philosophy of life for the Navajo People are based on four elements, including water. Offerings are made to natural water sources (e.g., springs, rivers, oceans) to ensure continued existence, health and sustainability of life. Prayers and songs concerning water are conducted and kept in trust by elders and medicine people for the health, well-being, and longevity of the people and future generations. The livelihood of the Navajo People, including but not limited to farming, raising livestock, and hunting are dependent on reliable sources of water. Water resources are generally protected by Federal and Tribal laws, rules and policies. These requirements include buffer zones along streams and surrounding wells.

Surface Water

Hardrock Chapter rests on the southern flank of Black Mesa, a large moderately dissected highland that occupies the structural center of Black Mesa basin (Cooley et al. 1969). The Chapter is drained by Dinnebito Wash and Oraibi Wash as shown in **Plate 4-Surface Water and Wells**. These washes flow southwestwardly toward the Little Colorado River. These steams are intermittent, meaning that they generally flow only in response to intense precipitation events. Perennial waters, or water that flow year around, consist of several small, isolated springs in the eastern part of the Chapter.

Clearing and shaping of the land during construction or development activities can alter the natural surface drainage patterns. This can result in soil erosion, stream siltation, water quality degradation in nearby streams and drainages, and alter critical habitat of TES species. The *Navajo Nation Aquatic Resource Protection Program* (NNARPP) recommends protective buffer zones along each stream bank to protect against such adverse impacts, ranging from 25 to 200 feet, depending upon the stream category. Dinnebito and Oraibi washes are Category II Streams entitled to 100-foot protective buffer zones on each bank. Future developments shall meet this requirement according to this plan.

Ground Water Resources

While surface water is relatively scarce in this region, sufficient ground water resources occur in this area, which are available for community development. Ground water resources are protected by the Safe Drinking Water Act (P.L. 93-523), which prohibits federal agencies from funding projects that may contaminate a sole-source aquifer. The Navajo aquifer is the main aquifer in the region and the sole-source aquifer for Hardrock Chapter. Consequently, Chapter members would like to see it protected as a sole-source aquifer. To this end, members of the Chapter passed resolutions in June 2001 and April 2002 requesting the Navajo Nation to end the pumping of the aquifer for coal-slurring activities conducted by the nearby Peabody Coal Mining Company. Chapter members feel that such use of the aquifer is unwise as it depletes the sole-source aquifer and immoral as it goes against the " Toh bee iiná" philosophy.

There are about 13 wells in Hardrock Chapter according to the Navajo Nation's Water Management Branch. Well locations are shown in **Plate 4-Surface Water and Wells** and well data is presented in Table 3-1. While this data has been shown to be somewhat outdated, it does illustrate that several underlying sandstone units host ground water resources within the Chapter. The *Navajo Nation Wellhead Protection Policy* and *Navajo Nation Grazing Regulation* protect ground water resources by recommending 1,000 feet and 2,500 feet buffer zones surrounding all wells. These buffer zones were considered during the development of the CCBLUP.

Table 11 Well Data for Hardrock Chapter

WELL NO.	OPERATOR	ELEVATION	DEPTH	AQUIFER CODE
04-0580	NTUA	6195	2677	220 NVJO
04K-377	BIA/HPL	6198	315	211 WEPO
04M-128B	UNKNOWN	6020	239	211 TORV
04T-378	BIA/HPL	5925	284	211 TORV
04T-394	BIA/HPL	6251	650	211 TORV
04T-506	UNKNOWN	6136	566	211 TORV
D4T-509	NPL	6306	647	211 TORV
04T-525	PHS	0	1903	220 NVJO
04T·551	NTUA	5979	1880	231 CHNL
BM-6	USGS	6340	2507	220 NVJO
ROCKY	BIA	5995	1805	220 NVJO
ROCKY PM1	UNKNOWN	6000	1500	221 CSPG
ROCKY PM2	UNKNOWN	5985	1780	220 NVJO

*There are two wells run by BLM not included in the table

Navajo Generating Station History

The Navajo Tribe in 1969 approved a 50 year Lease Agreement with Bureau of Reclamations, Salt River Project, Los Angeles Department of Water and Power, Arizona Public Service Co., Nevada Energy and Tucson Electric Power for Navajo Generating Station (NGS) and the Navajo and Hopi tribes agreed to a 50 year Lease Agreement for Peabody Western Coal Company to mine coal and water in Black Mesa. NGS produce energy using coal from Black Mesa to pump water from Colorado River and provide electrical source to southern Arizona and to California. The 50 year Lease will end in December, 2019 and on February 13, 2017 the partners operating the plant decided to shut the plant down in 2019.

The Navajo and Hopi Tribes have met with the partners and Department of Interior urging them to continue the operation until 2044 for another 25 years and more recently the President of Navajo Nation offered a new proposal to continue the operation to 2030 (11 year extension).

During the 50 year period the Lease allowed NGS to use up to 34,100 AFY of water from Colorado River to support the operation and Peabody Lease allowed up to 6,100 AFY of the N-Aquifer to support the operation of the mine. Residents in the area been denied use of these waters for 50 years, the operation of both industries also had adverse environmental impacts and increasing health disparities in the communities.

Should the parties agree to an extension whether 11 or 25 years it will continue deny water for surrounding communities and health of people and environment will only worsen. The chapter will do all things necessary and proper to gain their water right and protect the health of the community. Enjoying clean water and healthy environment are human rights.

TRADITIONAL AND CULTURAL AREAS

Cultural Resource Protection Laws

A variety of laws, resolutions, policies and procedures enacted by the Federal Government and the Navajo Nation require the location, identification, assessment, and protection of cultural resources that may be impacted by development involving tribal land, federal funding, or federal licensing. These legal responsibilities are mandated by the *National Historic Preservation Act* of 1966 (Public Law 89-655, as amended); the *National Environmental Policy Act* (Public Law 91-190); the *Archaeological and Historical Preservation Act* (Public Law 93-291); the *Archaeological Resources Protection Act* (Public Law 96-95; the *American Indian Religious Freedom Act* (Public Law 95-341); the *Native American Graves Protection and Repatriation Act* (Public Law 101-601); the *Navajo Nation Cultural Resources Protection Act* (NNC Resolution CMY-19-88); the *Navajo Nation Policy of Protection of Jishchaa': Graves, Human remains, and Funerary Items*; and the *Navajo Nation Policy to Protect Traditional Cultural Properties*.

The Navajo Historic Preservation Department (NHPD) is the Navajo Nation's lead agency for cultural resource preservation, protection, and management planning. Compliance with cultural resource protection laws requires field surveys and ethnographic interviews with local residents.

Records Search

A records search conducted at NHPD revealed that several large and small-scale cultural and ethnographic investigations were conducted within the Chapter; however, only one site was identified within 0.5 miles of the proposed community development site near Rocky Ridge School. These records further revealed that ethnographic interviews identified at least three traditional cultural sites within the Chapter boundary. The first site consists of a prayer offering place where precious stones and/or com pollen are offered. The second site consists of a place where dirt is gathered for religious purposes.

The third is a plant gathering area. The exact locations of these sites are not identified in this CCBLUP due to the need to protect the sites. However, they are not located near the future community development sites.

Site-specific cultural and ethnographic surveys will be required when individual land withdrawals are sought. Depending upon the findings of these surveys, NHPD may stipulate conditions of compliance that will require project sponsors to avoid cultural resources on or near the site, or mitigate the effects of disturbance by recovering the data associated with the site.

ENVIRONMENTALLY SENSITIVE AREAS

Environmentally sensitive areas include wetlands, floodplains, faults, earthquake hazard areas, habitats of threatened and endangered species and scenic areas. Under Federal and Tribal laws, these areas may pose certain restrictions concerning development. However, this analysis did not find such restrictions associated with areas identified for future community development.

Wetland Protection

Wetlands are those areas that are inundated by surface water or groundwater that is sufficient to support vegetative or aquatic life requiring saturated or seasonally saturated soil conditions. Impacts to wetlands are regulated by Section 404 of the CWA. In addition, Navajo Nation policies requires up to 200-foot buffer zones to adequately protect these natural systems. Vegetation that distinguishes wetlands is not found on or near the future community development sites.

Floodplains

Typical floodplains include low lands along rivers and flat areas in which storm water accumulates due to clay or other non-porious soils during high precipitation events that result in flash floods. The U.S. Housing and Urban Development (HUD) policy recognizes that floodplains have unique and significant public value and calls for the protection of these resources. Floodplains can also pose a danger and result in the loss of life and property. The Federal Emergency Management Agency (FEMA) provides 100-year floodplain maps for all counties in the State of Arizona, except for areas on the Navajo Nation.

Proposed future community development areas near Rocky Ridge are likely to be outside of the floodplain of the Dinnebito wash due to the site's distance (one mile) and elevation from the wash.

Earthquakes Hazards

An earthquake is a sudden rapid shaking of the earth caused by the breaking and shifting of rock beneath the earth's surface, which can collapse buildings and bridges, disrupt gas, electric, and phone services, and sometimes trigger landslides and fires. The risk of earthquakes are measured as peak ground acceleration (PGA), where ten percent PGA is the approximate threshold of damage to older or other dwellings not made to sustain earthquakes. The U.S. Geological Survey has mapped the earthquake potential for the U.S. PGA contours for this region are shown to be near five percent, which is below the ten percent threshold. Therefore, the Hardrock Chapter is considered to have a low earthquake potential.

Threatened and Endangered Species

Threatened, endangered, and sensitive (TES) species are protected under the *Endangered Species Act* (ESA), the *Eagle Protection Act*, the *Migratory Bird Act* and the *Navajo Endangered Species List* (NESL). Project sponsors involved in earthmoving activities must ensure that TES species are adequately protected. Potential impacts to TES species are determined through the preparation of a Biological

Evaluation (BE). This evaluation focuses on a list of TES species provided by the Navajo Natural Heritage Program (NNHP). Nine species are listed as potentially occurring within the Hardrock Chapter (See Table 3-2).

Evaluation of the proposed development areas against habitat requirements of TES species reveals there is potential habitat for three TES species including the Ferruginous Hawk; Mountain plover; and the Black footed ferret. However, these areas are also considered Type 3-low sensitive areas under the Navajo Nation's *Biological Resource Land Clearance Policy* (BRLCP). Under this policy, *Type 3-low sensitive* areas have the least restrictions for development. Therefore, the future community development areas will likely not have restrictions concerning TES species.

Hardrock Chapter also contains a *Type* 1- *highly sensitive* area: a kidney shaped area in the eastern part of the Chapter, including Little Black Spot Mountain and a number of springs and tributaries. No development is recommended in this area under the BPLCP. However, if development is necessary and there are no alternatives, a BE would be required and a plan to mitigate impacts to TES species would be necessary.

Table 12 Threatened, Endangered, and Sensitive Species and Habitat Requirements

NAME	SCIENTIFIC NAME	STATUS	HABITAT REQUIREMENT
Golden Eagle	*Aquail chrysaetos*	NESL G3/EPA/MBTA	Steep diffs directly adjacent to foraging habitat of desert grasslands or desertscrub.
Ferruginous Hawk.	*Buteo regalis*	NESL G3	Badlands, flat or rolling desert grasslands, and desertscrub.
Mountain plover	*Charadrius montanus*	NESL G4	Flat to slightly rolling expanses of grassland, semidesert, or badland, in an area with short, sparse vegetation.
Southwest willow flycatcher	*Empidonax traiilii extimus*	NESL G2	Dense riparian vegetation near surface water or saturated soil.
Black-footed ferret	*Mustcla nigipes*	NESL G2	Plain and desert grasslands and desertscrubs adjacent to active prairie dog towns.
Peregrine falcon	*Falco peregrinus*	NESL G4	Steep diffs with quality foraging in extensive wetland and/or forest habitat.
Northern leopard frog	*Rene pipiens*	NESL G2	Wetlands usually with permanent water and aquatic vegetation.
Western seep fritillary	*Speyeria nokomus*	NESL G3	Perennially wet meadows associated with seeps, springs dominated with by grasses and few shrubs.
Mexican spotted owl	Strix *occidentalis lucida*	NESL G3	Three distinct types; mixed-conifer stands dominated by Douglas-fir, steep-walled narrow canyons with riparian vegetation, and

			moderately sloped drainages in the pinon-juniper woodlands.

Scenic Areas or Unique Natural Features

Hardrock Chapter is rich in natural beauty and scenery; however, such areas have not been formally designated by Hardrock Chapter, Tribal Departments or Federal agencies. Therefore, no restrictions apply to the future community development sites concerning scenic areas or natural features.

Conclusion

This land suitability analysis was based on data gathered from published reports, maps, government data bases, and field investigations. *Archview 8.0* mapping software was used to identify areas of the Chapter that are more suitable for development by eliminating areas with physical or legal restrictions. The most optimal growth areas are shown in **Plate 6- Optimal Growth Model.** Future community development sites are located within optimal growth areas according to model. However, future site specific archaeological and cultural resource surveys required for land withdrawal may reveal unidentified cultural resources, which may be eligible for protection. If such areas can't be avoided, then a plan to mitigate the impact of development, including data recovery, may be required.

Infrastructure Analysis

Determining a site's feasibility for future housing or other developments involves an evaluation of the available infrastructure. Infrastructure systems in Hardrock Chapter include water, wastewater, electric, and telecommunications and roads. This infrastructure analysis assesses the availability of utilities and accessibility of future community developments. **Plate 7- Infrastructure** shows the location and extent of the infrastructure systems within the Chapter

WATER

Existing

The water delivery system in Hardrock Chapter was designed and constructed by Indian Health Service (IHS) and later turned over to the Navajo Tribal Utility Authority (NTUA) for operation and maintenance. Hardrock Chapter's domestic water supply system includes two wells (04-0580 and 4T-551) and three tanks. The wells are located north of the Chapter House. They pump water from the N-aquifer to three storage tanks located on Many Bobcat Hill, Rocky Ridge and Little Black Spot Mountain. Waterlines extend from these tanks to over 150 homesites. Nearly 45 of the existing homes, however, lack running water, or about 190 homes.

Future

According to NTUA, the current water delivery system would accommodate future community developments described in this plan. The main waterlines are located within 1,500 feet of the 30-acre site. Future scattered homesite developments would also have access to waterlines if the housing policies are followed that require housing developments to be sited along utility corridors.

Future IHS waterline projects are planned and referred to as the Sleepy Mountain/Goy and White Valley waterline extensions. These projects will provide water to the northeastern and eastern parts of the

Chapter for up to 76 homes. Additional waterline projects need to be developed to provide water to scattered homes not included in these projects. The Chapter would need to coordinate with IHS and Hopi Tribe to develop such projects and support related projects, such as bathroom additions that make homes eligible for service.

WASTEWATER

Existing

The current wastewater system in the Chapter includes sewer lagoons located east of the Chapter House complex and south of Rocky Ridge School. The lagoon near the Chapter compound is used by facilities within the complex and to nearby homesites and the Navajo Gospel Mission. The lagoon near Rocky Ridge is used by the school and the local store. Individual scattered homesites utilize septic tanks.

Projects within the Chapter house complex, such as the proposed new Chapter house/multipurpose facility, would have access to the existing sewer system. Future community developments near Rocky Ridge School would require upgrades to the nearby sewer lagoons to accommodate the developments. The Chapter could begin a wastewater project by collaborating with NTUA and having a feasibility study conducted. This information could then be used to develop grant applications. Possible funding sources include the Navajo Capitol Improvement Office, the Navajo Community Block Development Grant Program and the U.S. Rural Development program.

ELECTRIC UTILITIES

Existing

The electrical system within the Chapter includes a three phase line (24Kv) that extends from Forest Lake Chapter. This system is owned and operated by NTUA. From the main line, there are numerous single phase lines (12.4Kv) that branch out to the community including homes along Rocky Ridge, White Valley and Little Black Spot Mountain.

Future

According to NTUA, the current electrical system would accommodate future developments identified in this plan. Future community development sites are located within 1,500 feet of the existing utility lines. Future scattered homesite developments would also have access to electric utilities if the policies in Chapter 5 are followed that require such developments to be sited along existing utility corridors.

Nearly 41% of homes in Hardrock Chapter, however, lack electric utilities. According to the Community Survey, 87% of respondents showed a desire to have solar or wind energy at their homes. Therefore, future infrastructure projects should include utility line extensions to these homes or the development of renewable energy sources. The Chapter would need to collaborate with NTUA to conduct a feasibility study. The information could be used to develop grant applications. Possible funding sources include the Navajo Capitol Improvement Office, the Navajo Community Block Development Grant Program and the U.S. Rural Development program.

TELECOMMUNICATION

Existing

Telephone service is available only to the Chapter House compound and the Rocky Ridge School through satellite transmission owned by Navajo Communication Company. Residents primarily utilize cellular/wireless phones for their telecommunication service.

Future

No plans are underway to expand the internet and wireless service at this time. However, there is a need for additional wireless infrastructure (cell towers) to increase the signal strength to all areas of the Chapter.

ROADS

Existing

The existing primary thoroughfare is Turquoise Trail, which extends from Highway 264 south of the Chapter to the center of the Chapter. Existing secondary roads include a number of Bureau of Indian Affairs (BIA) service routes (N-8031, 8027, 8060,8061, and 8029) that provide access to most areas of the Chapter. BIA maintains these roads for bus service. N-8031 is scheduled to be paved by BIA in the future.

Future

Upon analysis of the road system, the CLUPC identified a new road system. Primary roads were identified as roads that sustain the most use and require paving. Secondary roads were identified as roads that experience less use and should at least be graveled and regularly maintained. To accomplish these objectives the CLUPC discussed the need to establish partnerships with BIA, Navajo Hopi Indian Relocation Office, Navajo Department of Transportation (NDOT), Pinon School District, Hopi Tribe, adjoining Chapters and Navajo County.

The Hardrock Chapter has access to State Rt. 264, which creates opportunity for economic development including tourism activity and transportation routes for increased exports.

Conclusion

Areas proposed for future community developments near Rocky Ridge School are situated in locations that are accessible to water and electricity utilities, telecommunication systems, and paved roads. A nearby sewer lagoon is also available; however, it would need to be upgraded to meet future community developments identified in this plan. Community preference would be to invest in a water/waste water treatment plant to serve the needs of the area.

Policy Section

The policy section of the Community Land Use Plan contains ten primary elements under which policy objectives and strategies are outlined. These policies represent democratically derived community goals that are intended to guide the direction of Chapter governance through 2027. The policy found in the CLUP corresponds to existing land use and infrastructure plans for the Chapter.

Policy Elements:

- Land Use
- Facilities, Infrastructure, Water & Energy Element
- Thoroughfare & Roads Element
- Open Space & Rangeland Element
- Housing Element
- Natural Resource Protection Element
- Community Health
- Education & Workforce Development Element
- Economic Development Element
- Responsive Government & Civic Engagement

Land Use Element

Goal: Promote organization in future development and create land use efficiency for the benefit of all community members.

LU1 The Hard Rock community promotes dense development including infill development, and encourages scattered homesite development be located along utility corridors.

LU2 The Hard Rock Community requires the following conditions to be met for homesite leases requested for lands outside the planned Community Complex, though the preferred approach is for new leases to be located near an existing Community Complex due to accessible infrastructure.

1. The primary applicant must be a voting member of the Hard Rock Chapter.

2. The site requested must have been occupied or is currently being used by a family member.

3. The request allows the applicant to be closer to resources needed for their livelihood, such as rangeland or farmland.

4. The applicant will provide alternative forms of energy and water resources for the site if utilities are not available or within a feasible range.

5. Applications may be accessed at the Chinle Land Department

6. The Chapter will allow additional structures on homesite lease lands including traditional Hogan, shade structures, gardens, and storage units.

LU3 Encourage efficiency of land use by conducting regular reviews of current commercial leases.

1. Request Navajo Nation Department of Justice and the Regional Business Development Office to review all lease agreements with Navajo Gospel Mission, Rocky Ridge Store, El Nathan, ROCK Ministries Inc., and Rocky Ridge School to ensure that the original intent of the land is

utilized accordingly. Should the lessee be unable to fulfill the agreement, then the lease should be adjusted accordingly and brought into accordance with current tribal lease policies.

2. Every five years there will be a review of all current commercial leases beginning in 2017.

a. The review will entail determining if the lessee is using the land according to the intent of the initial agreement. All changes in use must be submitted in formal record and approved by the Chapter.

3. A report to Chapter Members including updates or status of current land leases will be delivered to Chapter Membership by the Grazing Official in coordination with the Land Administrator every five years beginning in 2017.

LU4 The Hard Rock Community promotes the conservation and preservation of environmentally sensitive lands.

1. Prior to any activity or development beginning in the Hard Chapter Community, an inventory of the site for sensitive natural environments, including medicinal plants, sacred sites and gathering grounds, grazing territory, and endangered species, must be completed for the Chapter CLUPC and the Grazing Official to review. (see Environmentally Sensitive Lands Section)

2. Environmentally sensitive areas will not be labeled as parks or recreational areas. Parks and recreational areas include passive and active recreational use and are considered distinct from environmentally sensitive lands.

LU5 The Hard Rock Chapter requires preservation and conservation of sacred sites and gathering grounds.

1. All development projects must be reviewed by the Chapter CLUPC to determine impact on lands.

LU6 Protect, preserve, and improve the quality of watershed areas and surface water, groundwater and aquifers, and reclaimed water in the Hard Rock community by investing funds for monitoring of lagoons and wetland areas, rainwater harvesting and renewable energy.

LU7 The Chapter will proceed to investigate method by which the cemetery will be expanded and support necessary administration to acquire additional land. Community members shall use only the Community Cemetery or a properly withdrawn family plot for burial proposes.

1. Identify section for community members who have provided military service

Facilities, Infrastructure, Water & Energy Element

(5.3.1 Community Facilities)

Goals: Ensure that public facilities and infrastructure are fiscally and environmentally sustainable, adequate for health and wellness, and meet the needs of the community members; and encourage self-sustaining resource development across the Chapter for energy and water.

Policies:

CF 1 Support a youth recreation facility that will provide adequate space for youth service programs (technical training, career counseling, entrepreneurial activities, and athletic programs). The facility may be located within the Chapter house complex or adjacent land.

CF2 Support the building of a permanent space for ceremonial activities.

CF3 Support the building of a maintenance and facilities garage.

Strategies:

a. Perform research necessary to provide development specs for new space, or identify existing space that can be updated and reused.

b. Withdraw land and obtain conceptual designs and preliminary cost estimates for each proposed project if new land is needed.

c. Identify and/or pursue planning funds (i.e., land survey, site plan, architectural design, environmental assessment and archaeological survey).

d. Use the planning information to develop grant applications. Pursue construction funds from various sources, including the Navajo Nation Sales Tax revenue, Navajo Nation Local Governance Trust Fund, Navajo Nation Permanent Trust Funds, grants from various Navajo Nation and Federal programs and private sources. If feasible, hire a grant writer to develop construction grant applications. Add other federal resources (USDA, Americore, etc.)

e. Investigate current Wellness Center authority so that Hardrock Chapter may gain oversight over facility and transition the space for priority uses (Navajo Nation Head Start; within Chapter track you have option to lease out or rent it, Jerome Town - Health Education Pinon Health).

CF4 Build a public safety facility to house a police station and fire station. The site may be located next to the Rocky Ridge School. The conceptual size of the public safety facility is 20,000 square feet to adequately accommodate a staff of eight.

Strategies:

a. The Chapter shall review the Navajo Gospel Mission lease and other sites for the purpose of allocating land for public safety.

b. The Chapter shall withdraw land in 2017.

c. Develop partnerships with the Navajo Nation Department of Public Safety, BIA, Navajo County and higher education institutions to collaborate on a mutually, beneficial public safety facility project.

(5.3.2 Utilities)

Policies:

U1. Develop a coordinated system of water, waste water treatment plants, and reclaimed water utility service facilities and resources at the Chapter level and identify funding to pay for new resources.

U2. Expand the community's water system to provide all residents, including HPL residents, with safe drinking water.

Strategies:

a. Work with the Hopi Tribe and IHS on waterline projects for HPL residents.

b. Apply for grants to build bathroom additions for homes without running water, in order to qualify them for IHS water service.

U3. Develop more water supplies for livestock

Strategies:

a. Large storage tank needed alongside washes to be used throughout the year, reestablish Dinnebito Dam using modern conservation practices –to be funded through USDA and the Tribe

b. Collaborate with Hopi Tribe, BIA-Keams Canyon to improve and/or fix existing livestock wells.

U4. Support the use of the N-aquifer for community development

Strategies:

a. Support commercial water development for tributaries to both Dinnebito and Oraibi washes for irrigation.

U5. Provide all residents with water and power, including those on HPL.

Strategies:

a. Encourage scattered homesites to be located along water utility line corridors in order to share infrastructure costs.

b. Identify residents without power and request feasibility studies as first step to developing power line projects.

c. Work with Hopi Tribe on power line projects to HPL areas and seek partnerships and funding sources for power line construction.

U6. Encourage community members to utilize alternative energy sources, particularly those in remote areas.

Strategies:

a. Encourage alternative technologies to meet water delivery needs.

b. Educate residents on various alternative energy sources

c. Identify vendors who can build and maintain alternative energy systems

U7. Provide telecommunication systems for residents, schools, businesses and public safety services.

Strategies:

a. Inform cellular service providers about the need to improve the service for Chapter residents and work with these service providers to identify suitable cell tower sites

b. Require cell tower and other large standing utility structures to be painted to blend in with surrounding environment

c. Ensure that Chapter is entitled to proceeds from cell tower lease agreements

d. Research and attract wireless communications providers

U8. Address updating existing lagoons for potential development.

U9. Satisfy current and future human water demands and the needs of the natural environment through sustainable and renewable water resources and strategic conservation measures.

Strategies:

a. Support the reduction of N-aquifer water use for industrial purposes (e.g. Peabody Coal slurry) by creating a regional consortium Forest lake, Black Mesa, Shonto, Kayenta, Chilchinbito and Hopi Tribe to development a proposal prohibiting the use of N-aquifer water for industrial purposes.

b. Collaborate with regional coalitions in the four-corner area; Navajo Water Rights negotiating team, Navajo water commission, San Juan water settlement, Little Colorado River and other water entitlement groups.

U10. Protect, preserve, and improve the quality of surface water, groundwater, and reclaimed water in the region.

Strategies:

a. Reduce potential for contamination by ensuring all commercial, industrial and private projects abide by Navajo Nation Natural Resources policy, and all U.S. EPA legislation.

U11. Support community and individual efforts for rainwater harvesting.

Strategies:

a. Identify funding for Chapter to purchase rainwater barrels that may be leased by community members

(5.3.3 Solid Waste Management)

Goal: Preserve natural resources and the environment through conscious planning efforts. Develop solid waste disposal mechanism that meets the requirement of Subtitle D of the Resource Conservation and Recovery Act (RCRA).

Policies:

SW1. Work with Navajo EPA to characterize the Chapter's solid waste stream and select the most appropriate option for solid waste disposal.

SW2. Close and eliminate all illegal dumping

Strategies:

a. Once certified, the Chapter shall impose regulatory requirements on the Hopi landfill site to limit solid waste to their property or a fine will be implemented

SW3. Remediate all existing illegal dump sites (add detail from Division of Community Development, Navajo Nation Solid Waste Regulation)

SW4. Educate the public about the need to properly dispose of waste.

Strategies:

a. Research opportunity for funding an Americore position, or other funded position

SW5. Work with surrounding Chapters on a larger solid waste disposal effort.

SW6. Support recycling efforts through education and recycling centers throughout the chapter

Strategies:

a. Support programming for reusable grocery bags

b. Support efforts to use reusable water bottles to replace plastic bottles

c. Education on separation on waste (aluminum cans, electronics, glass, cardboard, plastics, biodegradable waste)

SW7. Encourage Navajo Nation leaders to develop a regional solid waste disposal system.

SW8. Support the development of a Convenience Station for trash compaction.

Strategies:

a. Invest in the long term goal of a transfer station in coordination with Navajo County, Hopi Tribe and Navajo Nation. (Transfer station defined as a separation and recycling waste)

Thoroughfare & Roads Element

Goals: Improve the road system within the Chapter to provide public safety and access for community health and economic development opportunities.

Policies:

R1. Continue to pave and maintain all primary thoroughfares as identified in Plate 8.

Strategies:

a. Identify priority road projects by 2017.

b. Seek outside funding that will match Chapter funds to conduct the necessary environmental review requirements in order to move up road projects on BIA's priority list, since the cost of environmental requirements has stifled past road projects.

R2. Continue to gravel and maintain all secondary roads as identified in Plate 8.

R3. Invest in culverts or low crossing bridges for all needed roadways with washes

R4. Require all commonly used roads between Hopi Tribe and Hardrock Chapter to be maintained for safety of both communities.

Strategies:

a. Create community coalition for roads that will create a plan of action for road safety for submission to Navajo Nation and U.S. BIA Transportation Department, and to provide clarity with Hopi Tribal counterparts common safety issues.

b. Due to safety issues on commonly used roads under the authority of Hopi Tribe, once certified, Hardrock Chapter will investigate and identify opportunities for increased road safety in collaboration neighboring communities.

R5. Develop partnerships with Chinle BIA Roads Department, Navajo Hopi Indian Relocation Office, Navajo Department of Transportation (NDOT), Pinon School District, Hopi Tribe, adjoining Chapters, and Navajo County to develop the road improvement projects.

R6. Identify roads that are no longer being used and close and reclaim them for environmental protection and grazing land.

Strategies:

a. Work with Grazing Official to reduce environmental impacts of unnecessary roads.

R7. Identify and develop a plan for school bus turn outs across the Chapter by 2018.

Open Space & Rangeland Element

Goals: Encourage centralized and dense development to preserve and improve open space for farmland and rangelands, and to protect and maintain wildlife corridors, biodiversity and sensitive ecosystems.

Policies:

OSR1. Educate community on rangeland conditions and appropriate range, livestock and ecology management practices. Establish partnerships with USDA, Natural Resource Conservation Service and BIA to conduct education workshops on proper range management practices.

OSR2. Acquire off-reservation rangelands either through leasing agreements or land acquisition to offset overgrazing in Hardrock Chapter.

OSR3. Preserve and maintain sacred sites and gathering grounds for use by Chapter members.

OSR4. Maintain and support local land users committee (Rangeland Committee) to develop holistic land management practices for range land and the ecosystem, and provide education throughout the community.

Strategies:

a. The Range Unit Committee will develop a manual for holistic land management for Hardrock Chapter range units by 2018.

b. The Range Unit Committee will develop a cohesive position on Navajo Partition Land policy and submit comments to the appropriate agency. The Chapter reserves the right to challenge the NPL policy.

c. Invest in animal control and human society services

Housing Element

Goals: Ensure equal housing opportunity for all current and future Chapter residents

Policies:

H1. Withdraw identified parcels (for example, Rocky Ridge parcel and other feasible sites) of land for future housing complexes.

Strategies:

a. Follow guidelines for land withdraw (place protocol here)

b. The Develop a partnership with Navajo Housing Authority, HUD, Veteran Housing, and Senior Group Home and other housing organizations to identify land for modular homes and plan for future housing complexes.

H2. Encourage homesite leases to be located along existing utility corridors, those who build outside existing infrastructure might be responsible for their own energy and water resources, Hardrock Chapter will assist in identifying funding resources and any needed applications for funding. Current protocol for home site lease approval includes the following:

1. Approval through Grazing Official
2. Navajo Nation Land Department

Strategies:

a. The Hardrock Chapter will require that any future scattered and clustered homesites must meet the following criteria:
(a) have access to roads and utility connections;
(b) obtain necessary archaeological clearance;
(c) have suitable land characteristics including slopes at 15% or less and suitable soils;
(d) have adequate distances from streams, wetlands and wells, based on Navajo Nation policies;
(e) locate outside highly-sensitive and moderately- sensitive biological zones set forth by Navajo Fish and Wildlife Department; and
(f) locate along existing roads and utility corridors.

b. Chapter administration shall evaluate each homesite application according to the criteria and prepare a review for CLUPC for recommendation.

H3. Develop parks and recreation sites in cluster housing areas for families.

Strategies:

a. Identify land for parks near existing housing clusters
b. Identify and build trail system for hiking and cycling

H4. Encourage family cluster (Clan Pods) housing developments.

Natural Resource Protection Element

Goal: Protect, preserve, and conserve water resources to sustain community and ecosystem health for future generations. The Dine' Fundamental Law (1 NNC, Section 205) declares in part the following; The four sacred elements of life, air, light/fire, water and earth/pollen in all their forms must be respected, honored and protected for they sustain life. And Mother Earth and Father Sky; is part of us as the Dine' and the Dine' is part of Mother Earth and Father Sky. The Dine' must treat this sacred bond with love and respect without exerting dominance for we do not own our Mother or Father.

Policies:

NR1. Protect and restore natural springs, riparian areas, watershed areas.

Strategies:

a. Measure quantity of water loss in washes (USGS)

b. Restore water capture facilities

c. Identify priority areas for restoration

d. Cross-reference Little Colorado research to analyze existing conditions and identify priority projects.

NR2. To the extent possible re-vegetate and restore construction areas with native species.

NR3. Economic development efforts should focus on clean tech industries and low-intensity water use.

NR4. Support efforts to pursue renewable energy production alternatives such as wood biomass energy facilities, solar electricity, wind power, and other alternative energy technologies.

Strategies:

a. Investigate and provide alternative energy educational programming for community members

b. Once certified, identify funding opportunities for alternative energy development for community and individual use.

NR5. Encourage and support efforts of local organizations, developers and individual residents to utilize sustainable building technologies, including energy efficiency, in the development projects.

Strategies:

a. Encourage use of Straw Housing, Earthship Housing, LEED building technologies

NR6. Conduct a watershed analysis to identify areas where top soil is prone to erosion and work toward projects that stabilize the soil.

NR7. Encourage Navajo Nation policy that protects the N-, C- and D-aquifers from industrial use.

NR8. Establish recharging effort for N-, C-, and D-aquifers

Strategies:

a. Identify the different aquifers and their current uses on Tribal Lands (e.g. potable, livestock, grey, etc.)

b. Consult with hydrologist to create plan of action

c. Develop a water bank

NR9. Preserve wildlife corridors and habitat from residential, commercial, and infrastructure development by requiring all projects to adhere to the Natural Resources Department regulation for protection of critical habitat.

NR10. Preserve and protect gathering grounds and traditional medicines from all future development

NR11. Establish plan for drought contingency

Strategies:

a. Establish committee to review current water issues and develop plan of action for drought circumstances.

NR12. Reduce invasive species and noxious weeds population through remediation techniques (BIA branch of Natural Resources).

NR13. Preserve historical sites

NR14. Grazing must adhere to conservation and preservation techniques established in the CLUP.

NR15. Lands purchased in New Mexico and around the city of Winslow with the Office of Navajo Hopi Indian RelocationTrust Funds should be beneficial to NPL residents in the Hardrock Chapter.

Local History and Unmet Obligations

The prosperity and health of the community of Hardrock Chapter has been negatively impacted by the passage of Public Law 93-531, The Navajo Hopi Land Settlement Act of 1974, and various federal court decisions dating back to the 1950's that placed moratoriums on development and grazing rights. This legislation awarded approximately 3/4 of the chapter land base to the Hopi Tribe forcing thousands of families to relocated elsewhere. The legislation apportioned already allocated resources for the Hardrock Chapter, to the Hopi Tribe. The legislation acknowledged the necessity for federal investment into the region in order to provide adequate resources for the increased population due to the placement of the Hopi Tribe on these lands that had been designated to the Hardrock Chapter. Federal investment in resources outlined in the law included, but was not limited to, reestablishment of grazing rights for Hard Rock Chapter residents, development of utility infrastructure (energy, communications, and water), and investment in paved roads and thoroughfares. The law also implied the delivery of economic health and educational opportunities for Hardrock Chapter community members in the form of government employment and access to Tribally-owned resources such as water rights.

The Office of Navajo/Hopi Indian Relocation was established under PL 93-531 and charged with administering policy included in the Act along with monitoring and evaluating progress. Over the 42 year period following the passage of PL 93-531, the Office of Navajo/Hopi Indian Relocation has not implemented any recommendations for investment into Hardrock Chapter. The ONHIR has been remiss in its fiduciary responsibility to the Hardrock Chapter due to the lack of effective oversight and management of monetary investment into the aforementioned resources for the Hardrock Chapter community.

The negligence of the ONHIR has additionally impacted the ability of the Chapter to successfully negotiate an adequate LCR Water Settlement Agreement. This has severely impacted the ability of the community to thrive economically and socially.

Due to these issues, the Hardrock Chapter has included policy objectives and concomitant strategies in the Community Land Use Plan that will seek to alleviate the problems caused by the unmet obligations in PL93-531 and the mismanagement of federal funds intended for investment into Hardrock Chapter by the Office of Navajo/Hopi Indian Relocation. The Hardrock Chapter is questioning the Navajo and Hopi Land Dispute Commission of the Navajo Nation Council regarding how the rehabilitation funds appropriated under PL 93-531, as Amended, were spent and why minimal resources were allocated to the Hardrock Chapter. It is imperative that the Chapter recuperate their share of resources for recovery.

The Hardrock community is empowered to address the social, economic, and environmental ills caused by the negligent management of federal funds allocated for investment in the Hardrock Chapter. As evidenced in the Community Land Use Plan, the Hardrock Chapter residents will continue to request the investment into resources required by law.

Community Health

Goal: Build a strong support system to foster a healthy living environment and lifestyle for Chapter members.

Policies:

CH1 Support the expansion of the Wellness Facilities to provide services to all Chapter members regardless of diabetes status.

CH2 Promote the development of a local medical clinic with staffing and vehicles.

Strategies:

1. Update and rehabilitate Rocky Ridge School Clinic for local emergency medical center.
2. Clarify boundaries for health services.
3. Clarify Hopi Clinic Services – why are they sending people to Tuba City.
4. Rural addressing map should be implemented by local medical clinic.

CH3 Support the development health and recreation opportunities for adults and elders.

CH4 Promote the development of youth recreational opportunities.

Strategies:

1. Procure funding for a BMX Park
2. Develop area for cycling clinic

CH5 Provide access to local, fresh foods.

Education & Workforce Development Element

Goal: Support and encourage an excellent educational system that promotes traditional entrepreneurial spirit, self-determination, critical thinking and vocational and technical training programs at all levels integrating both traditional and western educational approaches.

Policies:

EWD1 Support collaborative entrepreneurial and workforce training efforts to build capacity in Hard Rock Chapter, through secondary schools, Dine College, Navajo Technical College, Coconino Community College, Northland Pioneer College, Northern Arizona University, and regional workforce development partners.

EWD2 Encourage efforts to provide a full range of high-quality educational opportunities for life-long learning for all residents including bringing short-term training and traditional style educational services to the Dzil Yi Jiin region.

EWD Promote science, technology, engineering, mathematics, arts & culture, heritage, Navajo language, and entrepreneurship education at all levels.

Strategies:

1. Develop workshop on how to handle misdimeanors or felonies when applying for jobs.
2. Support investment in distance learning for on-line classes and web-based education.

Priority Education & Short-term Training Programs

Construction Trades
Residential building
Machine mechanics
HVAC technicians
Electrician
Plumbing
Law enforcement
EMT/paramedics
Auto mechanics
Small business development
Caregiving
Medical Assistant
Nursing
Renewable energy technician
Hortaculture
Animal Husbandry
Computer literacy
Microsoft Office
Computer systems and applications technicians
GED/ABE

Economic Development Element

Goal: Foster economic development that will provide economic opportunity to benefit Chapter residents (including goods and services, jobs and tax revenue to benefit the Chapter residents.)

Policies:

ED1 Develop incentives to local livestock owners who provide and consent to land withdrawals for economic development.

ED2 Work with the Hopi Tribe to lease land along the Turquoise Trail for commercial development.

ED3 Work with the Navajo Nation and non-Tribal entities to secure off reservation commercial activities particularly along 1-40 corridors.

ED4 Work with neighboring Chapters, Navajo Nation and Hopi Tribe, U.S. Office of Surface Mining (OSM) to cease mining and the use of the N-aquifer to slurry coal and replace this sector with environmentally friendlier initiatives.

ED5 Work with Navajo Nation Regional Business Development Office, USDA Rural Economic Development Agency and the Small Business Administration to provide education and training opportunities for small business development.

ED6 Identify successful cooperative programs in other chapters that engage in wool products industry and livestock sales on the Internet to learn more about their programs.

ED7 Support small business owners and entrepreneurs that want to establish needed services as identified in the community assessment (survey) (for example: convenience store, feed store, laundromat, gas station, and cafe).

ED8 Encourage home-based businesses and assist those who are seeking a business site lease.

Strategies:

1. Provide local technical assistance for business licensing, marketing, social media marketing, sales, bookkeeping, and financing.
2. Possible in-demand and traditional industries include: Silver smithing, rug weaving, canning, beadwork, food preservation, mechanics, fresh foods and herbs, moccasin production, value-added products.
3. Foster entrepreneurialism and start-up businesses by investing in and leveraging resources for small business technical assistance, and incubator programs in industries that demonstrate considerable growth potential.

ED9 Support planning, design, and development that positively, creatively, and flexibly contribute to the community image.

ED10 Leverage the region's assets of history, culture, and natural environment as an economic development tool.

ED11 Invest in attractive community gateways, main corridors, and public spaces to draw the business and tourism the region desires.

ED12 Support southwest culture in the visual and performing arts (for example: Song and Dance, Pow Wow). Encourage cultural tourism with the advancement of heritage sites and special events.

ED13 Support and promote the diversification and specialization of the tourism sector, with heritage, eco-, and adventure tourism.

ED14 Steadily improve access to easily understandable public information for leasing and development.

ED15 Develop infrastructure so that the community has access to high-speed internet and telecommunications.

ED16 Support and invest in youth entrepreneurship programs.

ED17 Encourage low-impact water usage for all future business development.

Responsive Government & Civic Engagement

This policy element was added to the Hardrock Chapter Community Land Use Plan in order to provide a framework from which the Chapter may attend to community needs for information and engagement, work with other government agencies, and address unmet obligations by the federal government under the Navajo Hopi Land Settlement Act.

Goal: Create a healthy environment by ensuring transparent, accountable, expeditious, and predictable government processes.

Policies:

RG1 Steadily improve access to easily understandable public information.

Rg2 Use economic best practices to promote quality and fiscally sound projects.

RG3 Encourage regional governments to collaborate on mutually beneficial economic development initiatives.

RG4 Work cooperatively as a region towards developing a redundant telecommunications system.

RG5 Actively recruit diverse representation for all committee vacancies.

RG6 Establish policy and tools to consider the impacts of development on local residents.

RG7 Encourage civic engagement in youth and adults populations through community awareness events, Chapter meetings, and educational forums.

Strategies:

1. Support regular evaluation of registered voters in the chapter and voter turnout.
2. Require Navajo Nation election administration to provide annual updates on registered (pull US Census population count).

RG8 Hard Rock Chapter will continue to pursue legal entitlements and unmet obligations provided under the Navajo Hopi Relocation Act Section 13, such as roads and infrastructure (see Thoroughway element and Utilities)


GREAT SEAL OF THE NAVAJO NATION