



Community Based Land Use Plan

BACA/PREWITT CHAPTER
COMMUNITY LAND USE PLANNING COMMITTEE

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1. Introduction

The Introduction Section provides a brief history of the Baca/Prewitt Chapter, an analysis of the current and future population, and the needs and goals related to housing, economic development and community facilities.

Purpose of Chapter Planning Initiative

The purpose of the Land Use Plan for Housing is to provide a guide for future housing and other development in the Baca/Prewitt Chapter. This document will provide long-range guidance to the Baca/Prewitt Chapter through the identification of the most suitable sites for housing development, as well as sites for other community needs. The recommendations provided in this document are based on a careful assessment of the housing, community development and facility needs of the Chapter, an assessment of infrastructure needs of the Chapter, an assessment of infrastructure needs and capabilities and the suitability of the sites for development. It is intended to function as a working resource of the Chapter Land Use Planning Committee (CLUPC) in their efforts to plan effectively and appropriately for the future. While future development of housing and commercial activities should comply with the recommendations of the plan, the nature of this document is one of flexibility and adaptability to local and regional changes.

The development of the Baca/Prewitt Chapter Land Use Plan for Housing is driven by the 1996 Native American Housing Authority Self-Determination Act (NAHASDA) legislation, which has provided the funding for this plan for housing, and by the Local Governance Act, which sets a process by which, through the development of a land use plan, local chapters are given authority to administer their land.

Local Governance Act

The 1998 Navajo Nation Local Governance Act (LGA) grants chapters authority over local issues relating to economic development, taxation and revenues generation, infrastructure development, and land use planning. By assisting chapters to become self-governing entities, the LGA creates opportunities for the improvement of the chapter member's quality of life by:

- Developing opportunities for economic development

- Conservation of natural resources and preservation of Navajo heritage and culture
- Ensuring government accountability
- Creating an atmosphere of experimentation and learning
- Developing experienced, professional administrators

The LGA sets forth a process by which local chapters are granted power over local issues. As part of this process, chapters must adopt a Five Management System which sets up policies and procedures for chapter administration of 1) personnel, 2) property, 3) procurement, 4) accounting and 5) record keeping.

Chapters must also develop and adopt a comprehensive, community-based land use plan which provides chapters with tools to administer their land on a local level. This comprehensive plan, according to the LGA, section 2005 (B), is based on “the guiding principles and vision as articulated by the community; along with information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure.” The LGA also states that such a plan shall include “a land use plan which projects future community needs, shown by location and extent, areas to be used for residential, commercial, industrial, and public purposes.” While the main intention of this plan is to develop a land use plan specific to housing, the information presented in this plan will also provide technical and informational support to the Baca/Prewitt Chapter in the development of their comprehensive land use plan.

Contents of the Plan

The Baca/Prewitt Chapter Comprehensive Land Use Plan contains (10) sections as listed below:

- Part 1 Community Participation Plan
- Part 2 Community Assessment
- Part 3 Community Facility Plan
- Part 4 Land Suitability Plan
- Part 5 Land Use Plan
- Part 6 Ordinance/Zoning Plan
- Part 7 Thoroughfare Plan
- Part 8 Open Space Plan
- Part 9 Infrastructure Plan

- Part 10 Implementation Plan



Figure/Picture 1

Vision Statement

The vision of Baca/Prewitt community is to foster a strong, self-sustaining, and self-governing community rooted in faith, stewardship, and unity, where residents work together to support the local governance, promote responsible land use planning, expand infrastructure and opportunities, and build an independent, thriving future for generations to come.

Mission Statement

The Baca/Prewitt Chapter is to promote responsible land use planning and community development through strategic planning, infrastructure improvements, and effective governance that support roads, water, sewer, housing, public safety, education, and economic opportunities. The community is to foster small businesses, promoting home ownership, supporting future development such as commercial services and community facilities, preserving culture and land stewardship, and building an independent, healthy, and sustainable community for future generations.

Chapter Planning Goals

Using the information gathered during the work session with the CLUPC Committee, the following were identified as desirable goals for the Baca/Prewitt Chapter.



Short Term Goals (1 – 5 years)

1. Completion of CLUP Manual
 - a. Creating strategic planning
 - b. Work session
 - c. Project timeline
2. Preschool Building (Haystack)
 - a. Renovation
 - b. Working with NN HeadStart program
 - c. Georgia Church group assisting with renovations
3. Right-a-way for roads/infrastructure
 - a. Working with McKinley County, NDOT, & BIA
 - b. Coordination plan
4. Heavy Equipment – Skid steer/Dump Truck/Mini Excavator/Motor Grater
 - a. Request for funding
 - b. New Mexico Capital Outlay & Sihaasin Funding

- c. ARPA/RRR
- 5. Phase 1 East Bluewater Waterline Project IGA #25TF24 K253050
 - a. TIFF Funding \$524,500.00
 - b. Planning and Design only
- 6. Baca Chapter Waterline Extension IGA #H2545
 - a. NM Capital Outlay \$1,300,000
 - b. Plan and design
- 7. Baca Chapter Water System Improvement 22TF03 K223053
 - a. Project completed at 98%
- 8. Expansion of Chapter Tract
 - a. Legally withdrawing additional ~10 acres
- 9. Seewald Estate Powerline Extension
 - a. Finding a sponsor for legislation
 - b. The funding has been allocated
- 10. Community is planning to create a safe space for traditional healing practice like talking circles and mental health counseling service.

Long Term Goals (5 – 10 years)

- 1. New Chapter House
 - a. Working with *Parsons Corporation* with the pre-designing phase
 - b. Construction of the new building
 - c. Preliminary planning phase completed
- 2. Expansion of Chapter Tract
 - a. Legally withdrawing additional ~10 acres
 - b. Remove the rodeo ground and add build the new chapter
 - c. Relocate the rodeo ground to Pillow Crest Arena
- 3. New Chapter Warehouse
 - a. Seek funding from New Mexico, NN Council, and additional funding sources
 - b. Land already established and withdrawn
- 4. Activity Hall
 - a. Seek funding from New Mexico, NN Council, and additional funding sources
 - b. Land already established and withdrawn
- 5. Land Purchase and Consolidation
 - a. Request for land acquisition from Navajo Nation

- b. Title Search
- 6. Ceremonial Site(s) in Haystack, Baca, South Chavez,
 - a. Consent from landowners & legally withdrawal land
 - b. Arch and survey clearance
- 7. Truck Stop & Convenience Store/Fast Food restaurant
 - a. Land withdrawal, arch and survey
- 8. 371BBN9 Waterline Extension - Cutter Lateral
 - a. Multichapter project, waterline extension to Baca to Haystack
 - b. Funding allocated, project moving forward
 - c. Multidepartment coordination
- 9. Road Improvement
 - a. Right-of-way clearances
 - b. Seek funding
 - c. Road inventory, numbers, and conditions
 - d. Create a thoroughfare plan
- 10. Public Safety
 - a. Helipad development
 - b. Initiate coordination plan – reestablish partnerships
 - c. Public safety improvement plan

Chapter Background



The Baca/Prewitt Chapter House is located in Prewitt, a small community approximately 20 miles west of Grants and about 43 miles east of Gallup, New Mexico. The chapter community service area includes the communities of Prewitt, Haystack, South Chavez,

and Bluewater. It is located in the southeast area of the Eastern Navajo Agency. The southern Navajo Sacred Mountain, Tsoodzil (Mount Taylor), looms in the East. Haystack Mountain and other formations make up a dramatic panorama and foreground to Tsoodzil. The Baca/Prewitt Chapter was officially certified as a chapter by the Navajo Nation on December 5, 1955, and officially became LGA certified in 2015 to be self-governing.



Baca/Prewitt Community History and Storytelling Summary

Focus Group Meeting – June 11, 2026

On June 11, 2026, community members gathered at the Baca/Prewitt Chapter House to share stories, memories, and historical knowledge of the community. Elders and local historians came together to preserve the history of Baca for future generations, recalling the people, places, and events that helped shape the community we know today.

The elders shared that one of the earliest landmarks in Baca was a white trading store located along the main road. Nearby stood a small two-room public school during the 1950s. Because the store building was painted white, the area became known as "**Kin Ligai**", meaning "White House." Tragically, the original store later burned down, but its memory remains an important part of the community's history.

Following the fire, a new trading post was established that included a post office, café, motel, gas station, and the well-known Justin Western Store. The trading post became a center of commerce and community activity. Justin LaFont, known by many community members as the "Eyeglass Man," (Nák'eesinilí Hastiin) owned the store and provided goods and services that supported local families. Many community members found employment there, including seamstresses, waitresses, cashiers, and other workers whose contributions helped sustain the local economy.

The stories also highlighted the importance of education in the community. Elders recalled a public school that existed as early as the 1920s, complete with classrooms, dormitories, a cafeteria, and employee housing. Students lived in dormitories and participated in daily chores, including maintaining coal supplies used to heat the buildings. Bus drivers, dorm aides, teachers, and school staff played important roles in supporting students and families. The school buildings, like many structures of that era, were painted white and became familiar landmarks within the community.

Community members remembered the early days of local governance, when chapter meetings were first held beneath a large tree at a place known as Pillow Rock. Before there was a chapter house, residents gathered outdoors to discuss community concerns and make decisions together. Through community determination and volunteer labor, the first chapter house was eventually constructed using surplus military ammunition boxes transported from Ft. Wingate Army Depot. Community members worked together to plaster, cement, and paint the structure, demonstrating the strength and unity that continue to define the community today.

{Enter Picture of Ammunition Chapter}

The elders also shared stories of the railroad era and nearby industrial development. The area known as Kin Nineezi (South Chavez) served as a refueling location for steam locomotives and included a small store operated by local workers. Community members recalled employment opportunities at the local refinery

and nearby trading posts, which contributed to the growth and economic development of the region.

Several families, business owners, and community leaders were remembered for their contributions. Stories were shared about the Prewitt family, the Bowlin and Tietjen trading posts, the Zuni Mountain Trading Post, and local residents who helped establish schools, businesses, and community services. Elders also recalled the establishment of the local post office in 1947, which remains in operation today and continues to serve the community.

These stories reflect the resilience, hard work, and vision of the people of Baca/Prewitt. From early schools and trading posts to chapter government and community development, the memories shared by the elders provide an invaluable record of the community's past. Preserving these stories ensures that future generations will understand the foundations laid by their ancestors and continue building upon their legacy.





2. Community Participation Plan

The Committee members met monthly and at specific work session to work on the land use plan. In the table below, it lists all the meetings held, what kind of meeting is held, and where it was conducted.

Community Participation Plan			
Date	Meeting	Meeting Type	Location
March 06, 2026	DNR/BIA/CDEC	Coordination Meeting	Fire Rock Navajo Casino
April 09, 2026	CLUPC Meeting	CLUPC	Baca/Prewitt Chapter
April 13, 2026	CLUPC Resolution #BPC/26/04/58	Chapter Meeting	Baca/Prewitt Chapter Meeting
April 14, 2026	CLUPC Orientation	Orientation	Baca/Prewitt Chapter
April 27 – 29, 2026	DNR EXPO/Wood workshop	Conference/work shop	Twin Arrows Navajo Casino Resort & Flagstaff, Arizona
May 28 & 29, 2026	Work session 01	CLUPC Meeting	ABQ – Drury Inn & Suites
June 11, 2026	History Meeting CLUPC Meeting	CLUPC Meeting	Baca/Prewitt Chapter
June 18, 2026	Zoning/ Ordinance	Orientation	Baca/Prewitt Chapter
June 25 & 26 2026	Work session 02	CLUPC Meeting	ABQ – Drury Inn & Suites
July 9, 2026	CLUPC Meeting	CLUPC Meeting	Baca/Prewitt Chapter
July 31, 2026	CLUPC Zoning Meeting	CLUPC meeting	Baca/Prewitt Chapter
August 6 & 7, 2026	Work Session 03	CLUPC Meeting	Hilton Garden Inn - Gallup
August 25, 2026	Work Session 04	CLUCP Meeting	Fire Rock Casino
August 27, 2026	CLUPC Meeting	CLUPC Meeting	Baca/Prewitt Chapter
September 22, 2026	Public Hearing #1	Public Hearing	Baca/Prewitt Chapter

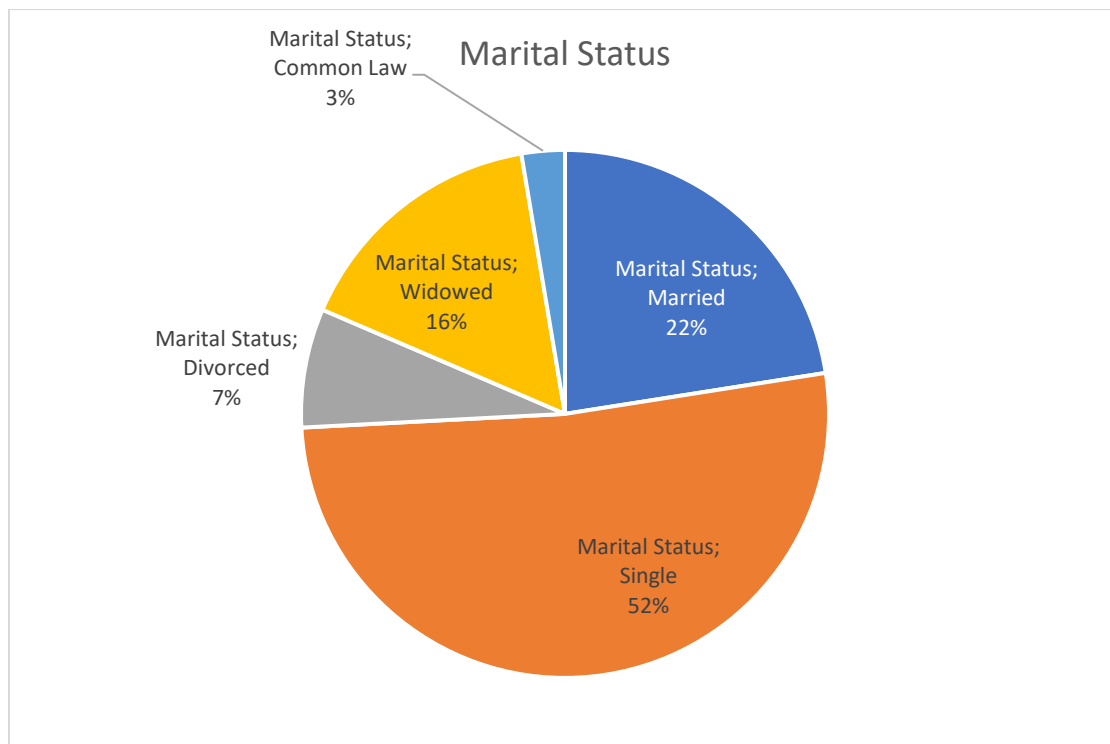


3. Community Assessment/Profile

The Baca/Prewitt Survey: What the Community Tells us

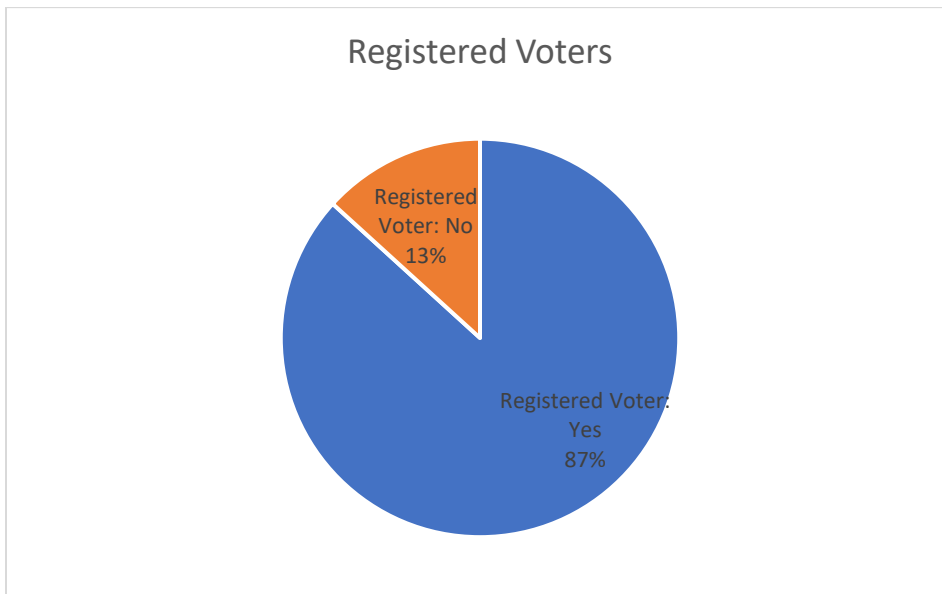
During the Summer of 2024, C.L.U.P.C., conducted a survey of assessment information Baca/Prewitt Chapter members to gain information about Chapter members, their lives/living conditions and their opinions on what is needed to improve the quality of life in Baca/Prewitt. One-hundred fifty-nine surveys were completed and analyzed. This number reflects approximately 87%, of the Chapter's households as reported in the 2024 Census, which lists 183 occupied year-round houses.

The Surveyed Households: Demographics Marital Status



This figure depicts that there are more single individuals than married couples within the community.

Number of Registered Voters



The pie chart depicts 87% are registered voters of the Navajo Nation in the community and 13% are not registered voters with the Navajo Nation.

Household members and their age groups

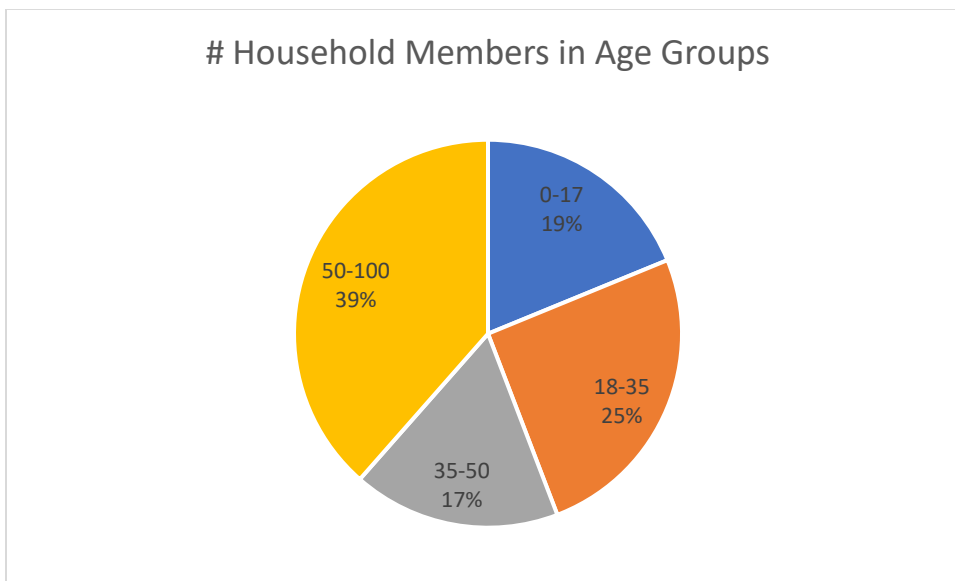


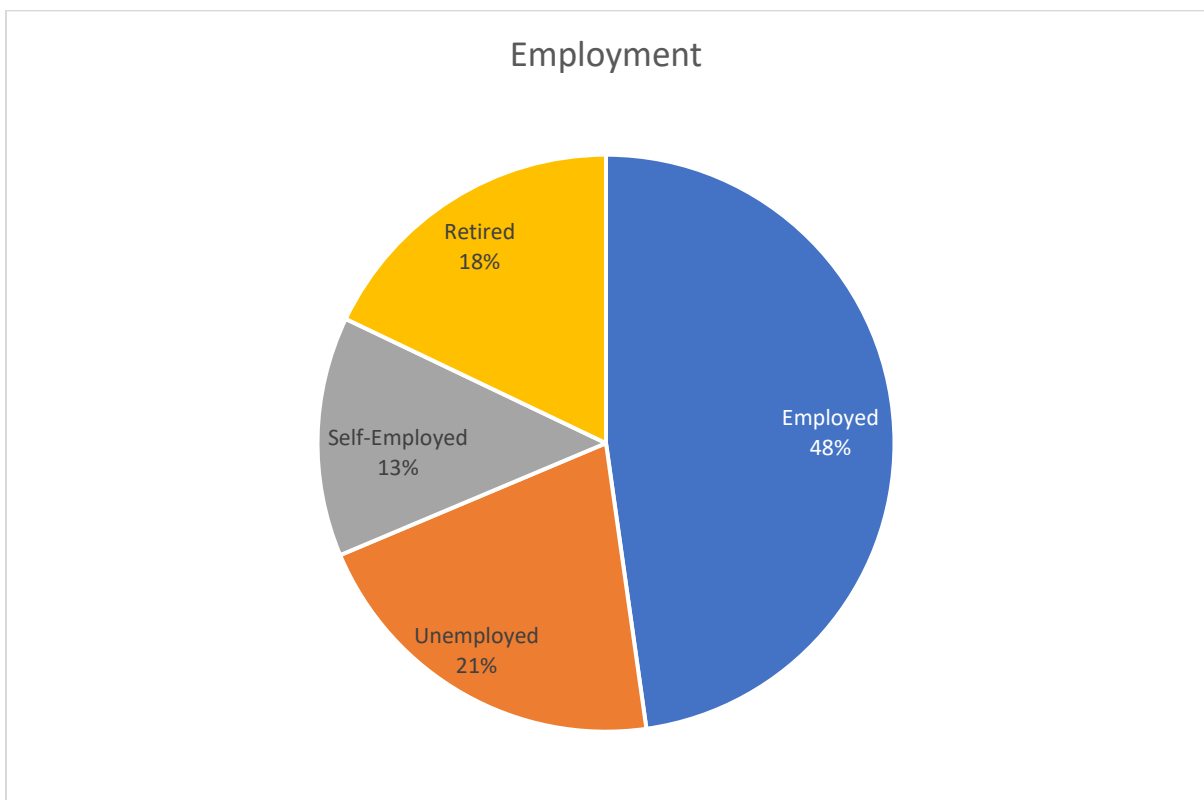
Figure depicts that there are 39% of the community are elders following 25% of the population are young adults ranging from 18-35 year olds.

Disability



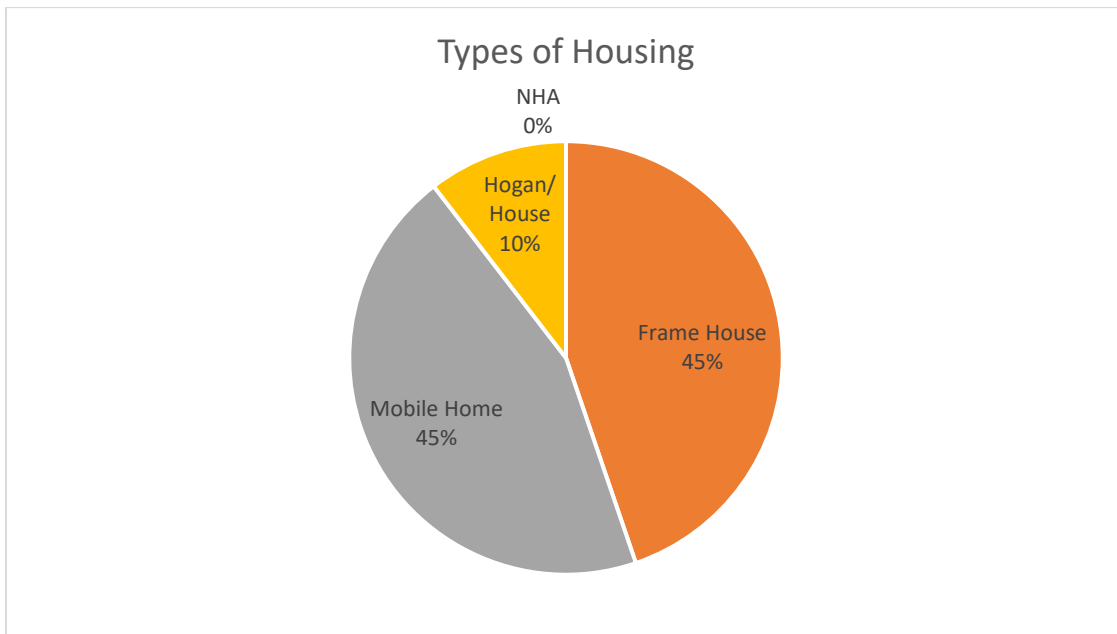
Out of 158 surveys, 9 reported that they have a disability per the American Disabilities Act (ADA).

Employment



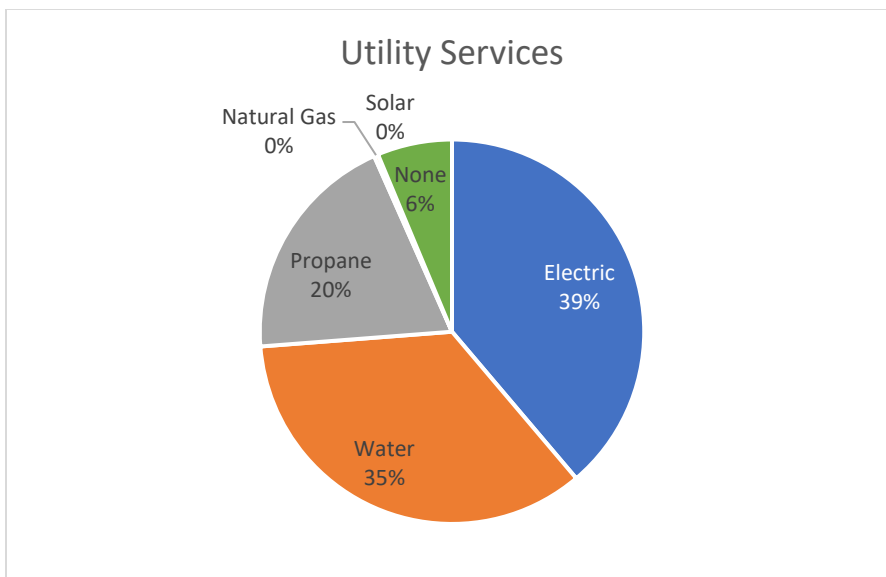
Respondents reported that 48% of the community members are employed, followed by 21% are unemployed, 18% are retired, and 13% are self-employed. Overall, combining employed and self-employed respondents show that 61% of the community are in the workforce and self-sufficient.

Types of Housing



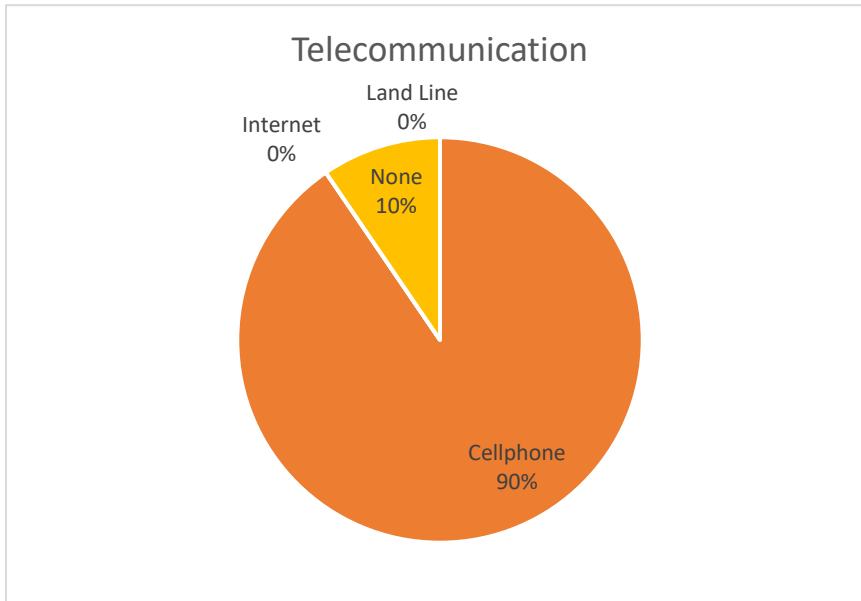
This graph shows that a majority of the community live in either mobile homes or frame house. Following 10% hogan/house. There are no Navajo Housing Authority (NHA) subdivisions.

Utility Services



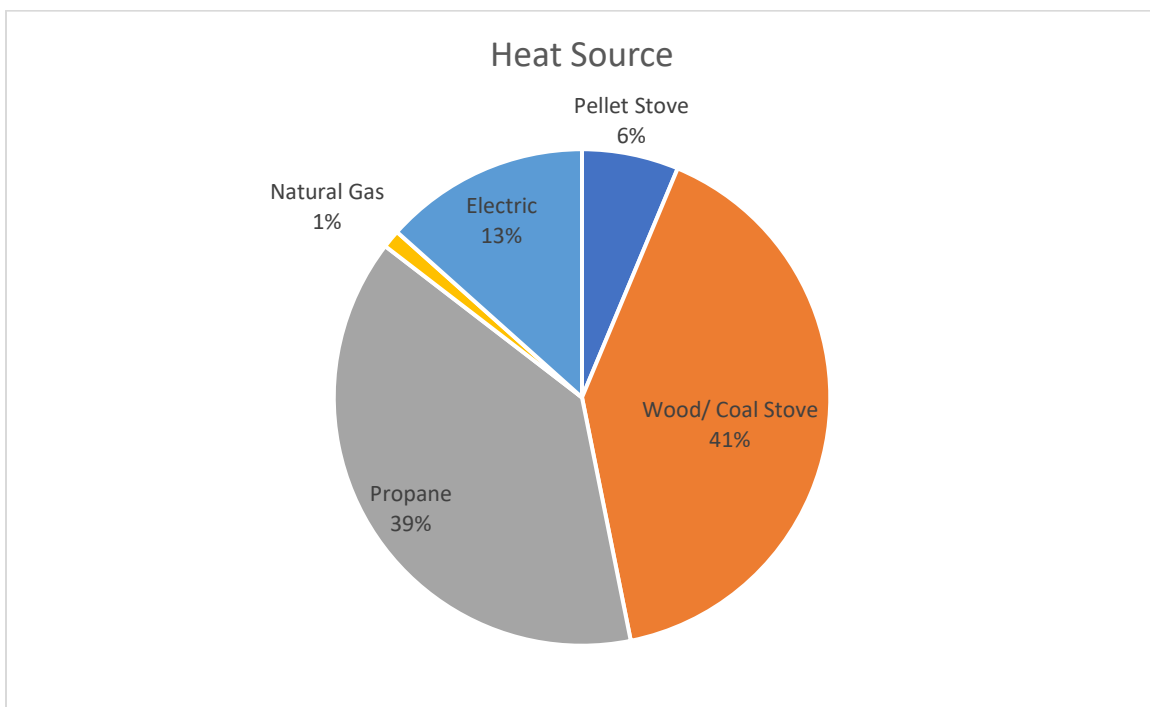
Graphic shows that 39% have electricity and 35% have running water following 20% of the community use propane for heating and cooking. 6% do not have any utilities.

Telecommunications



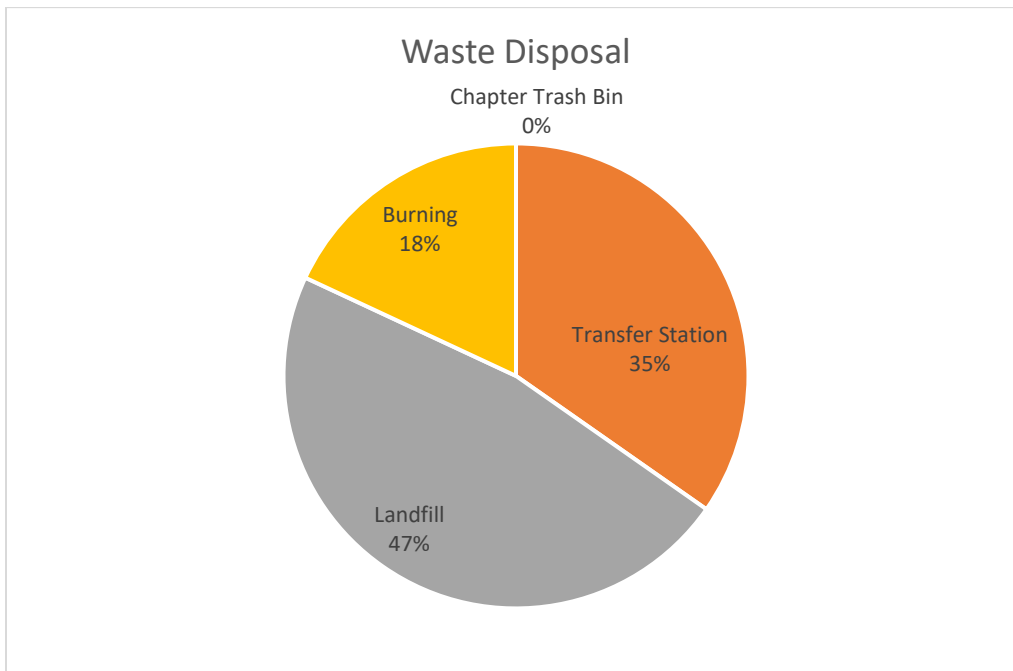
The pie chart depicts that 90% of the respondents have a cellphone and 10% do not have any land lines. Internet, or phone service.

Heating Sources



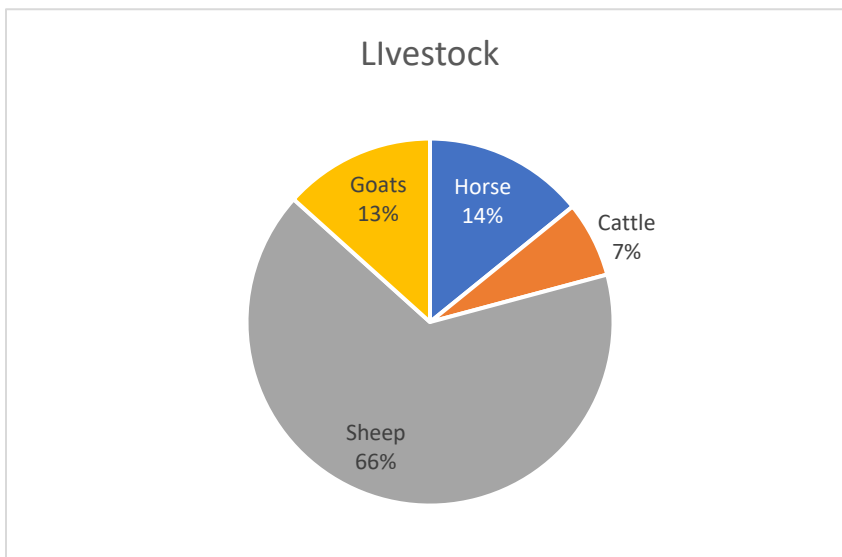
Respondents reported that the top two types of heating sources are 41% have wood/coal stove, and 39% have propane.

Waste Disposal



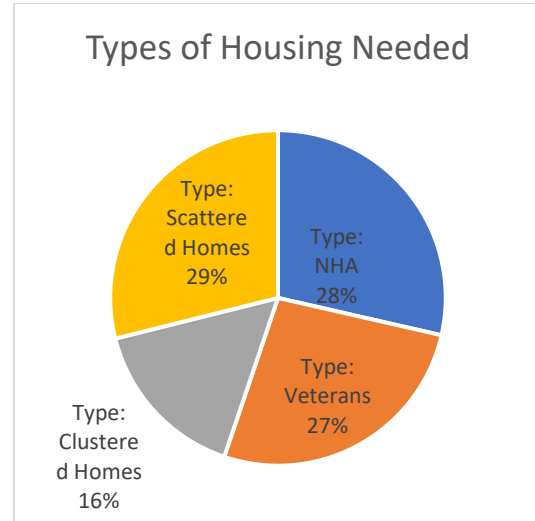
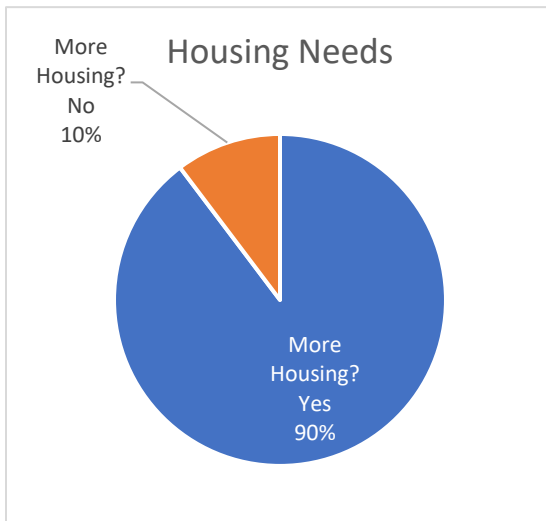
This graph shows a majority of the respondents reported they take household waste to the Northwest Regional Solid Waste Authority located in Thoreau, NM and 47% take the household waste to the Waste Management Transfer Station in Milan, NM. And 18% burn their trash.

Grazing/Livestock



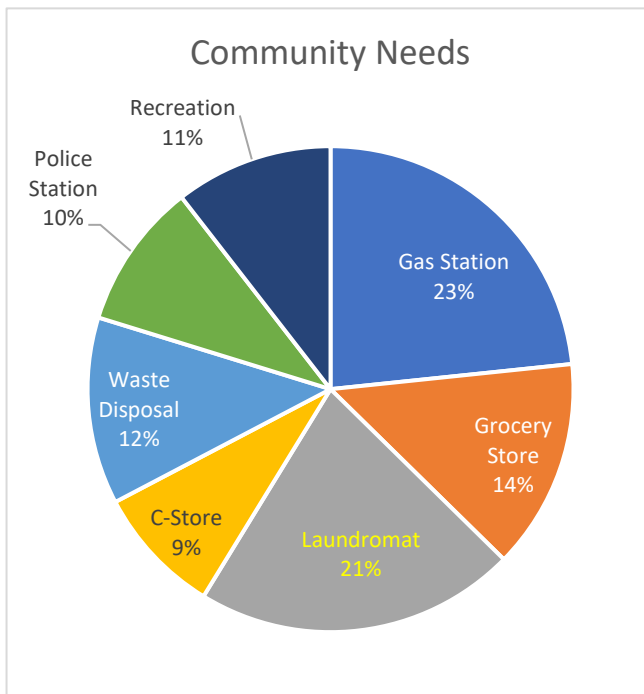
Majority of the livestock owners in the survey collection reported that 64% have sheep following horse, goats and cattle.

Housing Needs and Types



90% respondents are stating there is a need for more housing. The graph shows that 29% are requesting scattered homes, 28% are requesting NHA housing development, 27% are requesting veteran's housing, and 16% are requesting clustered homes.

Community Needs



The graph below shows the most needed are gas station (convenience store) and laundromat.

4. Community Facilities Plan

Community Facilities

1. Chapter House



After a propane explosion destroyed the former structure, a new chapter house was built and opened in November 2000. Services provided from the chapter house include:

- Community Health Worker (CHW)
- Veterans
- Community Land Use Planning (CLUPC)
- Chapter Planning and Regular Meetings
- Land Board
- Community Center

Old Chapter House

Old Chapter House is condemned and will need to be demolished in the future. The building is contaminated with asbestos

2. Senior Center

Existing

The Senior Center serves the elderly population as a gathering place for socializing and eating healthy meals. The center serves lunch and is open Monday through Friday, 8:00 am – 4 pm, except observed holidays. The center has a Local Senior Advisory Council committee.

Proposed

There are several unmet needs of the seniors at Baca/Prewitt Chapter that could be provided by additions to the Senior Center. There are showers for both men and women, an exercise room, and a larger dining area. Sweat lodges near the Senior Center for the elders to use, where they could share and pass down the tradition to the younger generation, are also desired by community members.

3. Warehouse



Existing

The Chapter has a warehouse that it uses to store equipment, building materials for renovations and additions and livestock feed.

4. Head Start

The chapter does not currently have a head start program, however the Haystack Head Start building is currently being renovated to reestablish the head start program.

5. Baca/Dlo'ay azhi Community School



The Bureau of Indian Education has consolidated the Baca and Thoreau Community Schools, now known as the Baca/Dlo'ayazhi Community School. Students are now attending the school. The school offers Families and Childhood Education (FACE) program to 6th grade.



6. Former Head Start Building

Existing

The building is currently water damaged and will need to be repaired. After the assessment was completed, the building has floor damage and will need to be replaced.

Future plans are to move the building in the chapter track and renovate the interior building to be utilized for chapter veterans center, emergency command center or other use.

Educational – Public schools, BIE, and Colleges/Universities

Existing

Pre K to 12th Grade Schools:

- Baca/Dlo'ay azhi Community School (K-6), BIE, Baca
- Wingate Elementary (K-8), BIE, Fort Wingate
- Bluewater Elementary (K-6), Public, Bluewater
- Thoreau Elementary School (K-5), Public, Thoreau
- St. Bonaventure School (Pre K – 8), Private, Thoreau
- Mt. Taylor Elementary (Pre K - 6), Public, Grants
- Mesa View Elementary (Pre K - 6), Pubic, Grants
- Milan Elementary (Pre K – 6), Public, Grants
- Borrego Pass (Dibe Yazhi' Habit'iin) (Pre K – 8) BIE, Borrego Pass
- Rehoboth Christian School (Pre K – 12), Private, Rehoboth

- Los Alamos Middle School (7-8), Public, Grants
- Thoreau Middle School (6-8), Public, Grants
- Wingate High School (9-12), BIE, Fort Wingate
- Grants High School (9-12) Public, Grants
- Thoreau High School (9-12), Public, Thoreau

Colleges/Universities

- New Mexico State University, Grants Branch/Las Cruces Main
- University of New Mexico, Gallup Branch/Albuquerque Main
- Navajo Technical University, Crownpoint Main
- Dine College, Crownpoint Branch/Tsaile Main

Public Safety – Law Enforcement, EMS, Fire Department

Existing

- Police services are currently provided by the Navajo Nation Police from Crownpoint, and there are no officers assigned to the Baca/Prewitt Chapter. There is a joint-powers agreement with the McKinley County Sheriff's Department and New Mexico State Police, which gives them the authority to enforce laws on Navajo lands in the Chapter.
- Fire protection is provided by fire department locations at Bluewater, Prewitt, and Thoreau. Bluewater is the main fire station.
- Emergency services are currently provided by Thoreau Ambulance Service and Bluewater Fire Department ambulance. While Prewitt Fire Department will respond to emergencies, they do not have an ambulance.
- Water storage tanks are installed specifically used to fight fires.

Proposed

- Add additional water storage tanks for the fire department to use to fight fires

Health Care

Existing

- Crownpoint Indian Health Care Facility, Crownpoint
- Gallup Indian Medical Center, Gallup
- Rehoboth McKinley Christian Hospital, Gallup
- Thoreau Health Clinic, Thoreau
- Presbyterian Medical Services, Thoreau, Grants

- Cibola General Hospital, Grants
- Cibola Dialysis Center, Grants
- Cibola Family Health Center, Grants
- Red Rock Dialysis Center, Crownpoint
- Military Medical Unit (MMU), Mobile Unit
- Four Corners Rehabilitation, Mobile Unit

Proposed

Community is planning to create a safe space for traditional healing practice like talking circles and mental health counseling service.

Churches

Existing

There are several churches that serve the Baca/Prewitt Chapter, including Anointment Church (managed by a Navajo family) which was formerly Prewitt Presbyterian Church which was built in 1958.

The Oasis Church in Prewitt was formerly known as Assembly of God initially built in Prewitt in 1969 which branched off Milan Ministries established in 1960.

Churches in the Baca/Prewitt

- Lighthouse Church
- Oasis Church
- Anointment Church

Proposed

- There are no new churches at this time

5. Land Suitability Analysis



Overview of Resources

This section provides an overview of natural and cultural resources in the Chapter.

Natural Resources

Geology/Soils

The Baca/Prewitt Chapter area lies within Navajo Reservation land in McKinley and Cibola counties, in northwestern New Mexico. It is located in the upper San Jose River valley, a western tributary of the Rio Puerco of the East and the Rio Grande drainage system. The general area is known as the Red Mesa Valley after the high red cliffs of Entrada sandstone capped with Todlito limestone which occur along the north side of the valley. Sites identified as potential housing areas are located on the southern edge of an open valley floor near the northern base of the Zuni Mountains. The geology of the general area consists of alluvium at the surface underlain by three sandstone formations: the Chinle, which

consists of pale yellowish-orange sandstone and grayish-purple, slightly calcareous mudstone; the San Andreas which consists of a lower calcareous dolomite unit, a middle cross bedded sandstone unit, and an upper dolomitic to calcareous dolomite unit; and the Glorieta, which is a pale orange to grayish pink and consists of medium subrounded to rounded strong well-sorted quartz grains.

The Continental Divide lies just to the west of the Chapter. The area south of the Chapter is Cibola National Forest land located in the Zuni Mountains. The Malpais lies to the southeast and east of the Chapter area. Haystack Mountain is a dominant visual feature.

Groundwater

Water Quality

The Prewitt, New Mexico area relies on a mix of shallow alluvial and deep bedrock sandstone aquifers, including the **Sonsela Aquifer**, the **Dakota-Zuni-Bluff aquifer**, and the **Westwater Canyon Member**. These aquifers supply nearby domestic, stock, and industrial water needs.

Surface Water

Floodplain/Flood Hazard/Drainage/NPDES

Executive Order 11088, Floodplain Management, requires that any potential impacts to floodplain areas be studied, assessed, and identified to reduce the risk of flood loss; to minimize the impact of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains. Therefore, project planning must ensure that any proposed construction will be compatible with the floodplain areas by identifying potential impacts and ways to mitigate them. Unincorporated areas of McKinley and Cibola counties have been mapped by the U.S. Department of Housing and Urban Development (HUD) on Flood Hazard.

Surface runoff within the area is primarily ephemeral and comes as runoff from storm water, most of which is provided by summer thunderstorms. Most of the water sources are limited to small, intermittent arroyos/drainages traverse the Chapter lands north of I-40. These arroyos/drainages are tributary to a main drainage basin and appear to convey substantial storm water flows. These arroyos and others located east of I-40 are considered Waters of the United States, thereby requiring a clearance and type of Clean

Water Act (CWA). Section 404 permit issued by the U.S. Army Corps of Engineers (COE).

The Baca-Prewitt area (part of the Navajo Nation in McKinley County, NM) receives an average annual precipitation of about 10.7 to 11.1 inches of rain.

Wetlands

Wetland systems and classes are based on criteria set forth in the Clean Water Act (CWA) of 1977, Executive Order 11990, and other regulatory materials. The only known wetlands exist around the Bluewater Lake area. Potential wetland areas can be found near the Baca Community School and some areas adjacent to culverts under I-40.

Vegetation

The soil in the area supports a fair to good cover of native grass and shrubs, including pinyon pine and juniper trees. A few ponderosa pines also grow on the north and east slopes at higher elevations. Blue gama, side oats grama, galleta, sand dropseed, and three-awns are some of the more common grasses. Shrubs include oak brush, mountain mahogany, bitterbrush, four-winged saltbush, serviceberry, snakeweed, and rabbitbrush. Also found are various scattered cacti species. The vegetative biomes are classified as Great Basin Desert Scrub, Great Basin Conifer Woodlands, and Juniper Savanna.

Wildlife

The following is a list of some of the animals that are known to occur in the vegetative biomes listed above:

Amphibians

Great Basin Spadefoot Toad

Reptiles

Sagebrush Lizard, Leopard Lizard, Collard Lizard, Northern Side-blotched Lizard, Northern Whiptail Lizard, Plateau Whiptail Lizard, Bullsnae, Wandering Garter Snake, and Hopi Rattlesnake.

Birds

Sage Thrasher, Sage Sparrow, Sage Grouse, Pinyon Jay, Gray Flycatcher, Gray Vireo, Black-throated Gray Warbler, Roadrunner, Eagles, Hawks, Crows, and Scott's Oriole.

Mammals

Merriam's Shrew, Great Basin Pocket Mouse, Ord's Kangaroo Rat, Montane Vole, Pinyon Mouse, Bushy-tailed Woodrat, Coyote, Black-tailed Jackrabbit, Pronghorn Muledeer, Elk and Black Bear.

Threatened and Endangered Species

Threatened and Endangered Species/Species of Concern, Federal and Navajo threatened or endangered species are protected by law. Species of those currently listed by the U.S Fish and Wildlife Service (USFWS) as proposed threatened, and endangered, and by the Navajo Fish and Wildlife Department (NF&WD) as candidate, threatened, endangered and extirpated – were reviewed during this planning study.

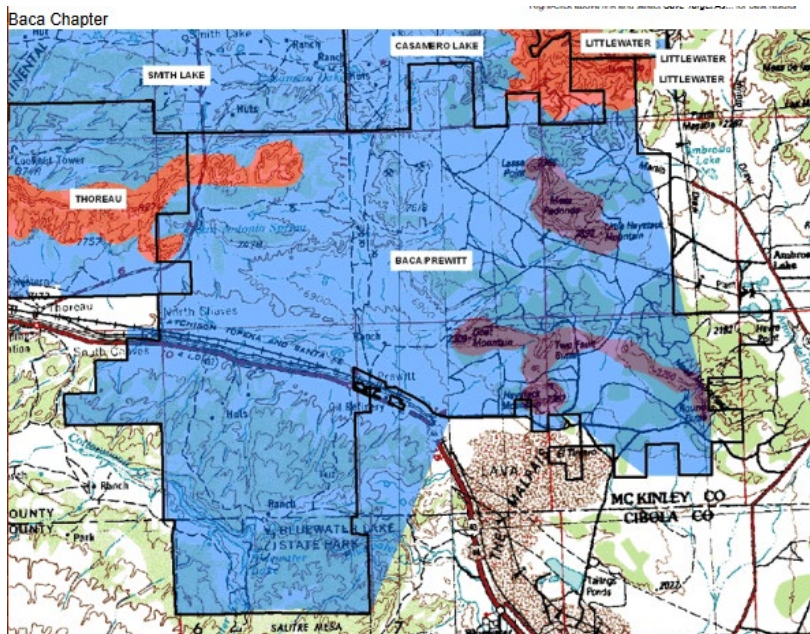
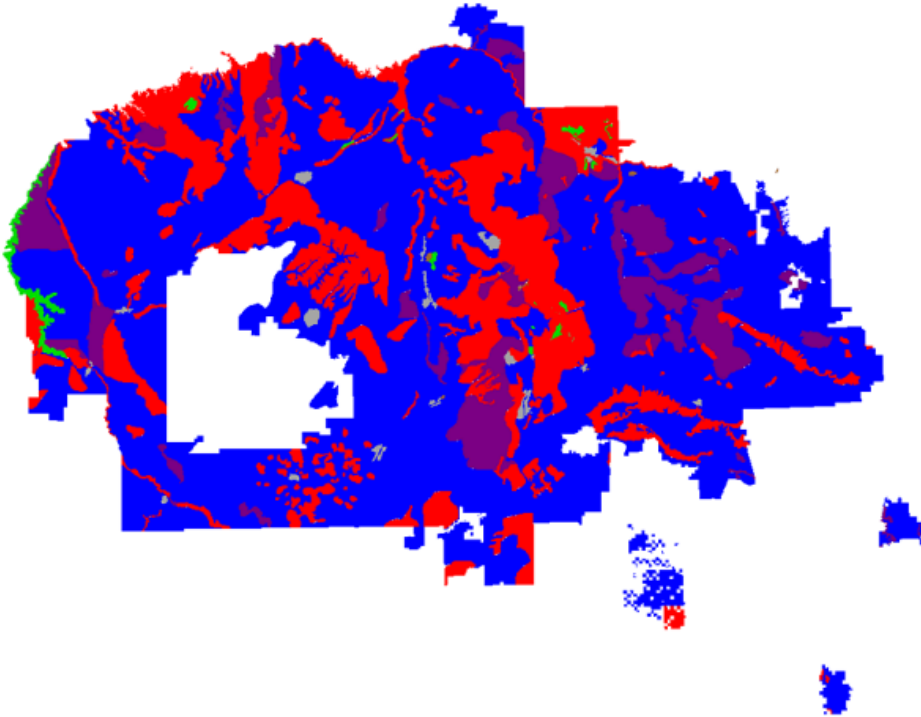
No federal or Navajo listed plant, animal or bird species were seen during a general reconnaissance of the **potential housing sites**, and few are likely to occur within the project limits. However, due to the presence of suitable habitat and/or foraging area within the general area, some federal species of concern and Navajo candidate and threatened species could potentially occur.

The figures below depict the Biological Resource Land Use Clearance Policies and Procedures, referred to on the Navajo Nation Fish and Wildlife website. The first figure shows the Navajo Nation and the meanings of each color type, and the figure below shows a map of Baca/Prewitt Chapter specifically.

RCP Navajo Nation Overview

Area 1 (Red) High Sensitivity
Area 2 (Purple) Moderate Sensitivity
Area 3 (Blue) Low Sensitivity

Area 4 (Gray) Community Development
Area 5 (Green) Biological Preserves
Area 6 (Brown) Recreational Areas



Cultural Resources

A cultural resources inventory, including previous research and site files check, was completed for the potential housing areas. No archaeological, architectural, or ethnographic resources were

identified for these areas. However, when a particular site is chosen, a Class III intensive pedestrian survey and ethnographic research must be completed.

Environmental Issues and Recommendations

The Baca/Prewitt Chapter has a number of significant environmental issues that are impacting the community. There are two major gas pipelines running through the Chapter, a number of old uranium mines producing radiation, and an old petroleum refinery site that has been declared a Superfund site by the EPA.

Gas Pipelines

El Paso Natural gas pipeline was built in 1957 and passes through the Chapter south of Interstate 40. The other pipeline in the Chapter is the Transwestern Pipeline that passes through the area north of Interstate 40. There is a right-of-way of 30 feet on either side of each pipeline.

Uranium Mines and Waste

There is a legacy of radioactive land in the Haystack area from the mining operations of the later years of the last century. The Brown Vandever Mine is identified as an EPA Superfund site.

As time passes, many people have become ambivalent about the contaminate land and are living close to it and grazing cattle on it. Signs warning of contaminated land are old and the lettering is worn.

In the Baca/Prewitt area of New Mexico, USEPA's abandoned uranium mine (AUM) cleanup efforts primarily target the Eastern Abandoned Uranium Mine Region, which includes chapters like Baca/Prewitt and Church Rock. Major regulated sites here include the Haystack Mines Site and the Section 32/33 Mines (Tronox).

Specific details for the main USEPA-tracked sites in this vicinity include:

- Haystack Mines Site (Near Prewitt):
 - Status: Ongoing cleanup and removal actions managed under agreements with potentially responsible parties like BNSF Railway.
 - Details: Located near Red Mountain and Haystack Road, this 174-acre site comprises three former mines. The EPA mandated site assessments, fencing, and waste

consolidation to secure the area and protect local water and grazing lands.

- Section 32 & 33 Mines Site:
 - Status: The EPA signed an Action Memorandum to clear over 70,000 cubic yards of uranium waste rock from the site.
 - Details: Located near Casamero Lake, this site's waste is being relocated to off-site repositories like the Red Rocks Landfill property east of Thoreau.
- Regional Context:
 - Challenges: Due to the large volume of historical extraction (30 million tons of ore), many sites lack identifiable corporate entities to foot the bill, meaning federal Superfund and state funding is highly critical.
 - Resources: Comprehensive data and response actions for this area are actively tracked by the [USEPA Navajo Nation Uranium Cleanup Dashboard](#) and the [New Mexico Environment Department Former Mines and Mills Bureau](#).

Recommendations

Gas Pipelines

If there is to be construction where large numbers of people will be concentrated (housing, for example), the minimum distance used for safety should be 200 to 300 feet on either side from the center of a pipeline. Two-hundred twenty feet is a standard often used. Unfortunately, many people have built homes within this distance from the pipelines and could be in danger if an explosion occurred. A fire-break in the form of a berm or wall should be constructed to protect them from a fire if one should occur.

Uranium Mines and Waste

Some of the mines were left physically open, making it possible for people and livestock to enter these dangerous areas. These mines need to be sealed, and better reclamation efforts should be taken on some sites in the Chapter. Signs warning of contamination, on which the lettering is worn-off, need to be replaced with new

signs in both Navajo and English. Chapter will continue to work with Navajo Abandoned Mines, NNEPA and USEPA.

Prewitt Abandoned Refinery Superfund Site

The Prewitt Abandoned Refinery Superfund Site is a former 70-acre crude oil refinery in McKinley County, New Mexico, that operated from 1938 to 1957. Surface soil cleanup is complete, but the subsurface and groundwater remain contaminated with petroleum hydrocarbons and are actively managed under ongoing cleanup and monitoring programs.

The Environmental Protection Agency (EPA) and the New Mexico Environment Department (NMED) completed the latest Five-Year Review for the site, verifying that short-term human health and environmental protections remain in place.

Current Status and Actions

- **Surface Remediation:** The surface cleanup of contaminated soil and asbestos was completed, and the surface area was deleted from the Superfund National Priorities List (NPL) in 1998.
- **Groundwater and Subsurface:** The subsurface remains on the NPL. Contaminants of concern—including lead, benzene, and toluene—are monitored in the shallow groundwater. [1, 2]
- **Protective Measures:** There are no known exposures to contaminated groundwater based on data from monitoring networks. Institutional controls (restrictions) prohibit the drilling of water wells in the affected area, and residential drinking water treatment units continue to be operated and maintained.

Site Management and Documents

- **Ongoing Oversight:** The NMED and EPA regularly test the groundwater to prevent migration and assess the effectiveness of the ongoing remedial actions.
- **Document Access:** To review reports and sampling data, consult the official EPA Prewitt Abandoned Refinery Site Profile or the New Mexico Environment Department Superfund Oversight page.

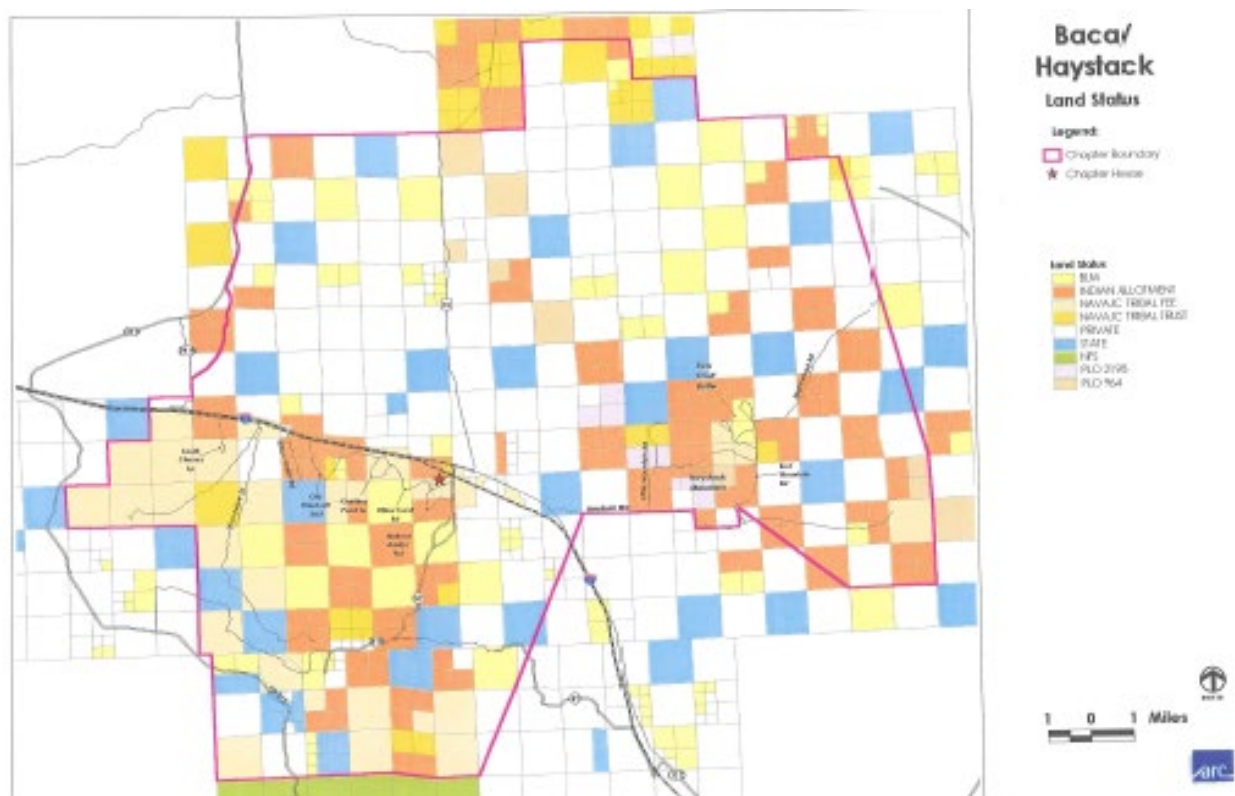
6. Land Use Plan

Baca/Prewitt Chapter has included their project plans into this section.

Land Status

The total Chapter area is approximately 1,131,069.21 acres.

- Trust: 3,566 acres
- Fee: 13,474.24 acres
- PLO 2198: 2082.14 acres
- PLO 964: 2,678 acres
- Indian Allotment: 15,617.17 acres
- BLM: 13,831.24 acres
- Private: 58,707 acres



New Mexico ICIP Projects

According to the 2027-2030 New Mexico ICIP listing for the Baca/Prewitt Chapter. The Chapter currently has 17 projects listed. The projects consist of public facilities, infrastructure, heavy equipment, and transportation projects. Some projects are partially

funded and will continue to request for funding until each project is completed. Projects are to be completed in phases, for example: pre-planning, planning and design, site preparation, construction, furnish and equip, and implementation.

Project Name	Project Type	Activity	Funding
1. Bathroom Addition	Facilities - Health-Related Cap Infrastructure	Active	Funded
2. Public Facility	Facilities - Administrative Facilities	Active	No Funding
3. Powerline Extension	Other - Utilities (publicly owned)	Not Active	No Funding
4. Demolish old Baca/Prewitt Chapter House	Other - Solid Waste Facilities	Not Active	No Funding
5. Housing	Facilities - Health-Related Cap	Not Active	No Funding
6. Motor Grader	Equipment	Active	Funded
7. Sewer Lagoon	Water - Water Supply	Active	Funded
8. Chapter House Parking Lot	Facilities - Other	Completed	Funded
9. House wiring	Facilities - Health-Related Cap Infrastructure	Not Active	No Funding
10. Transfer Station	Other - Solid Waste	Not Active	No Funding
11. County Road Improvements	Transportation - Highways/Roads/	Active	No Funding
12. Community Cemetery	Other - Other	Active	Funded
13. Multi-purpose building	Facilities - Other	Active	No Funding
14. Chapter Kitchen equipment (Senior)	Equipment - Other	Not Active	No Funding
15. Waterline Extension – South Chavez	Water - Water Supply Construction	Active	Funded

16. Waterline Extension – South Chavez	Water - Water Supply Pre-planning	Active	Funded
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Navajo Nation Capital Improvement Plan (CIP)

The Baca/Prewitt Chapter has a Capital Improvement Plan listed under the Navajo Nation that incorporates the New Mexico State projects, Sihasiin projects, RRR Projects, and Chapter funded projects.

1. NMCO - Bluewater Lake Water/Wastewater
2. NMCO - Multi-Purpose Building
3. NMCO - Purchase & Equip Motor Grader
4. NMCO - 371 NNB9? Water Supply Project
5. NMCO - New Powerline Project
6. NMCO - Chapter House Kitchen Equipment
7. NMCO - Residential Road Improvements
8. NMCO - Chapter Parking Lot Improvements
9. NMCO - Housing Development Land Acquisition
10. NMCO - Solid Waste Transfer Station
11. NMCO - Multi-Purpose Building Expansion
12. NMCO - New House Wiring
13. NMCO - Residential Lagoon
14. NMCO - Bathroom Addition Project
15. NMCO - Cemetery/Road Improvement
16. NMCO - Corner Mesa Road Improvement
17. NMCO - Hazardous Waste Removal
18. Sihasiin - Dan Martinez Seewald Estate Powerline Extension
19. Sihasiin - Baca/Thoreau Water Wells (3) Connection
20. RRR - Dump truck
21. RRR - Electric Upgrade
22. RRR - Pro-panel Project
23. RRR - Siding Project
24. RRR - Small Home Project
25. Chapter - Pro-panel Project
26. Chapter - Wood Project
27. Chapter - Water Hauling Project

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2027 - 2032

Baca-Prewitt

CHAPTER PROJECT SUMMARY

Id	Year Rank	Project Title	Category	Amount Secured	2027	2028	2029	2030	2031	2032	Total Project Cost	Amount Not Yet Funded
BPCBLWWW13415-004193	2027 - 1	Baca/Prewitt Chip Bluewater Lake Water/Waste Water	Water System	\$0	\$10,250,000	\$10,000,000	\$11,000,000	\$10,000,000	\$0	\$0	\$41,250,000	\$41,250,000
BPMWPBYC13415-002733	2027 - 2	Baca/Prewitt Multi-Purpose Bldg	Multi-Purpose Bldg	\$0	\$250,000	\$2,450,000	\$0	\$0	\$0	\$0	\$2,700,000	\$2,700,000
PAEMG13415-004262	2027 - 3	Purchase and Equip Motor Grader	Heavy Equipment	\$0	\$0	\$0	\$0	\$0	\$500,000	\$0	\$500,000	\$500,000
WSP13415-004194	2027 - 3	371 Water Supply Project	Water System	\$0	\$4,429,199	\$0	\$0	\$0	\$0	\$0	\$4,429,199	\$4,429,199
NPP13415-000705	2027 - 4	Baca/Prewitt New Powerline Project	Single Phase	\$0	\$266,000	\$900,000	\$0	\$0	\$0	\$0	\$1,166,000	\$1,166,000
BPOHKE13415-002736	2027 - 5	Baca/Prewitt Chapter House Kitchen Equipment	Other	\$0	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	\$200,000
BPRRU13415-002729	2028 - 1	Baca/Prewitt Residential Road Improvements	Roads/Streets	\$0	\$0	\$120,000	\$1,080,000	\$0	\$0	\$0	\$1,200,000	\$1,200,000
BCPLU13415-002654	2028 - 2	Baca/Prewitt Chapter Parking Lot Improvements	Parking Lot	\$3,000	\$0	\$800,000	\$0	\$0	\$0	\$0	\$803,000	\$800,000
HDLA13415-000364	2028 - 3	Baca/Prewitt Housing Development Land Acquisition	Sub-Division	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	\$100,000
BPNISWTS13415-002726	2028 - 4	Baca/Prewitt New Solid Waste Transfer Station	Solid Waste Transfer Station	\$0	\$0	\$100,000	\$780,000	\$0	\$0	\$0	\$880,000	\$880,000
MPBEI13415-000447	2029 - 1	Baca/Prewitt Multi-Purpose Building Expansion	Multi-Purpose Bldg	\$0	\$0	\$0	\$160,000	\$1,750,000	\$0	\$0	\$1,910,000	\$1,910,000
NBBAP13415-000494	2029 - 2	Baca/Prewitt New Bathroom Additions Project	Bathroom Additions	\$0	\$0	\$0	\$650,000	\$400,000	\$0	\$0	\$1,050,000	\$1,050,000
BPHW13415-002724	2029 - 3	Baca/Prewitt House Wiring	Housing Wiring	\$0	\$0	\$0	\$7,000,000	\$0	\$0	\$0	\$7,000,000	\$7,000,000
BCRL13415-001921	2029 - 4	Baca/Prewitt Community Residential Lagoon	Wastewater	\$0	\$0	\$0	\$150,000	\$500,000	\$0	\$0	\$650,000	\$650,000
BPCCRU13415-002730	2029 - 5	Baca/Prewitt Chip Cemetery/Road Improvement	Cemetery Tract	\$0	\$0	\$0	\$850,000	\$0	\$0	\$0	\$850,000	\$850,000
CNRR13415-000233	2031 - 1	Baca/Prewitt Corner Mesa Road Improvement	Roads/Streets	\$0	\$0	\$0	\$65,000	\$800,000	\$0	\$0	\$865,000	\$865,000

Friday, June 26, 2026

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2027 - 2032

Baca-Prewitt

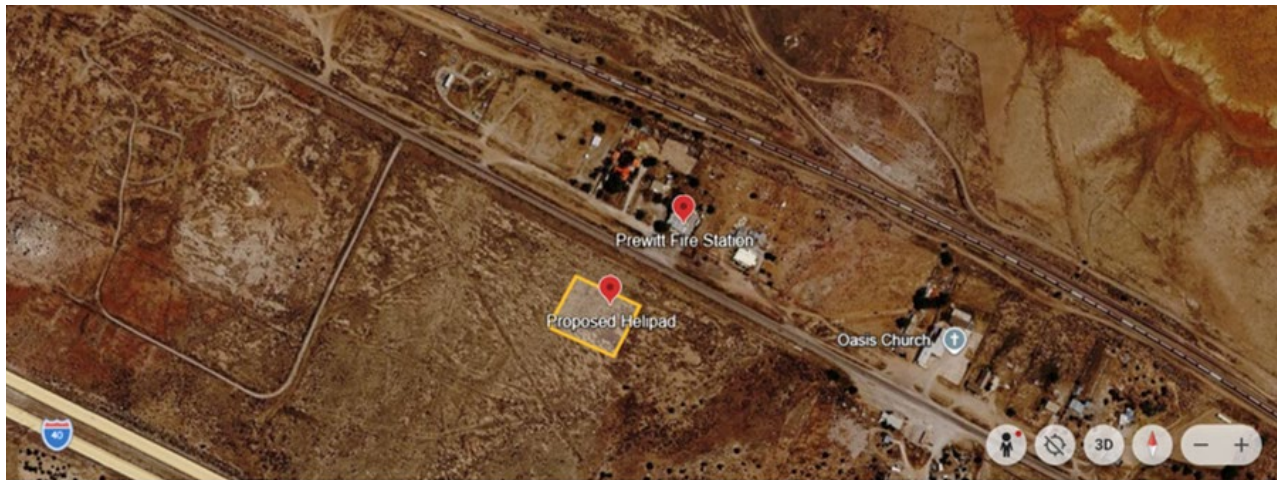
CHAPTER PROJECT SUMMARY

HNRI3415-000346	2031 - 2	Baca-Prewitt Hazardous Waste Removal	Head Start	\$0	\$0	\$0	\$310,000	\$0	\$0	\$0	\$310,000	\$310,000
TOTAL				\$3,000	\$15,395,199	\$14,470,000	\$22,045,000	\$13,450,000	\$500,000	\$0	\$65,863,199	\$65,860,199

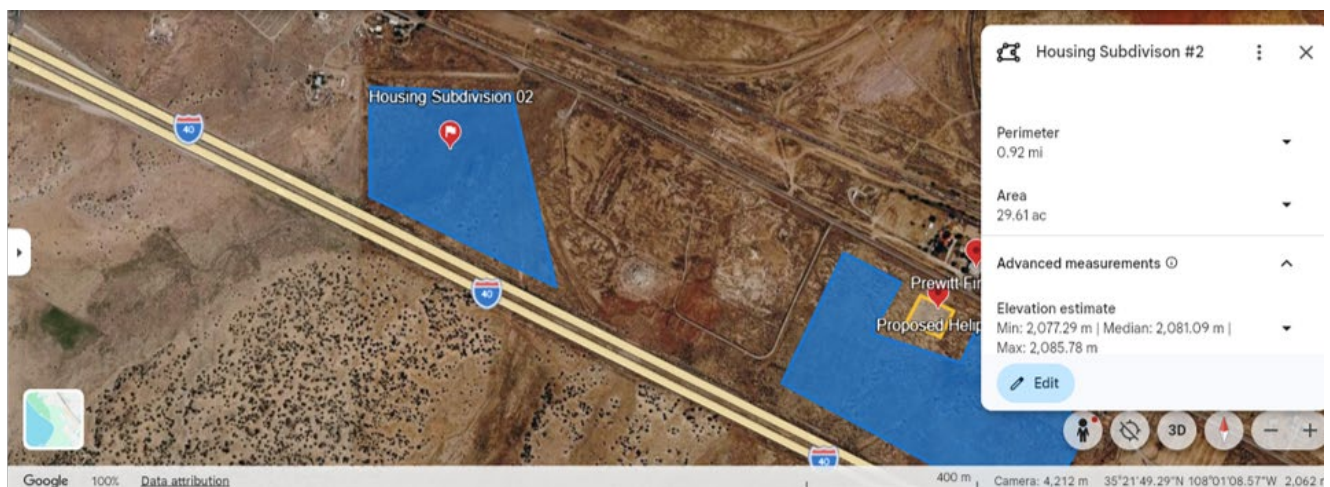
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Proposed Projects

1. Helipad – the project will serve as an emergency air medical evacuation. The helipad will serve the community and surrounding areas. There is a high number of fatal accidents along Interstate 40, according to the New Mexico Department of Highway Transportation within the area. The proposed project will be 100 ft by 100 ft with lighting, drainage, windsock, fencing and other features. The estimated cost will be \$300,000.00 to \$500,000.00

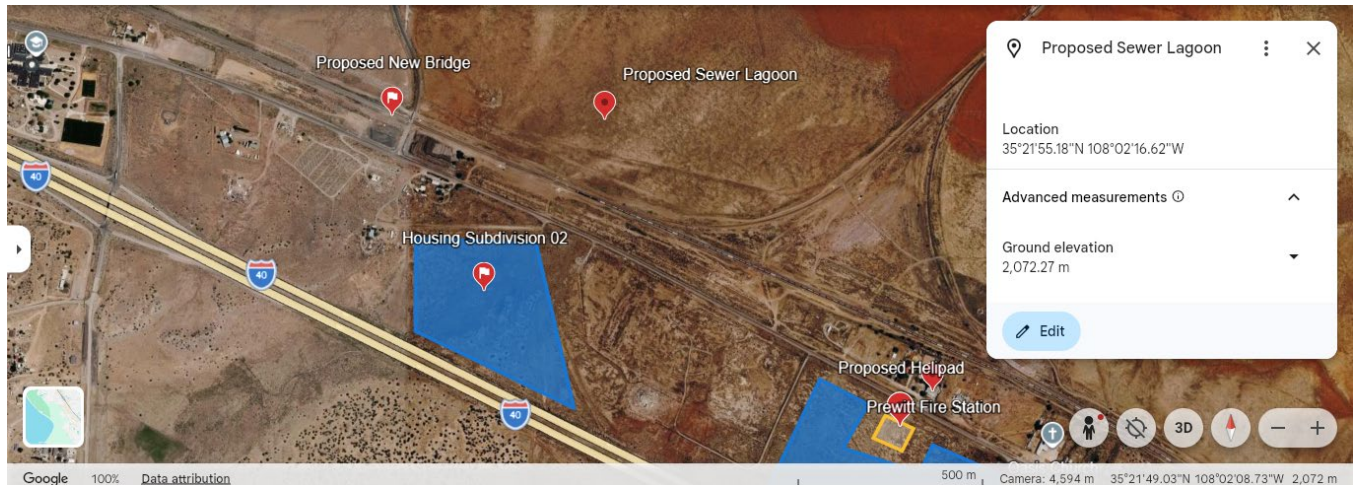


2. NHA Housing Subdivision - Zone and development a specific location for a homeownership only housing subdivision.



3. Sewer Lagoon – the proposed development site will be on the north side of the railroad track. The approximate size of the

lagoon will be determined by the number of housing units in the subdivision.



4. Gas Station – to build a convenience store with gas station by State Highway 412 and Pillow Crest Road

Existing Projects??

- Escalante Solar Facility

The Plains Escalante Generating Station in Prewitt, NM, was a 253-megawatt coal-fired power plant that operated from 1984 to 2020. The plant closed two decades ahead of schedule in August 2020 as part of Tri-State's transition to cleaner energy. Following its closure, the physical footprint of the coal plant has been repurposed to generate renewable energy.

The massive footprint of the former coal plant was transitioned into the 200 MW Escalante Solar facility. Developed by Origis Energy and Tri-State, the 1,714-acre solar array became fully operational in June 2024, utilizing over 500,000 solar panels to serve the region's cooperative members

Zoning: Industrial



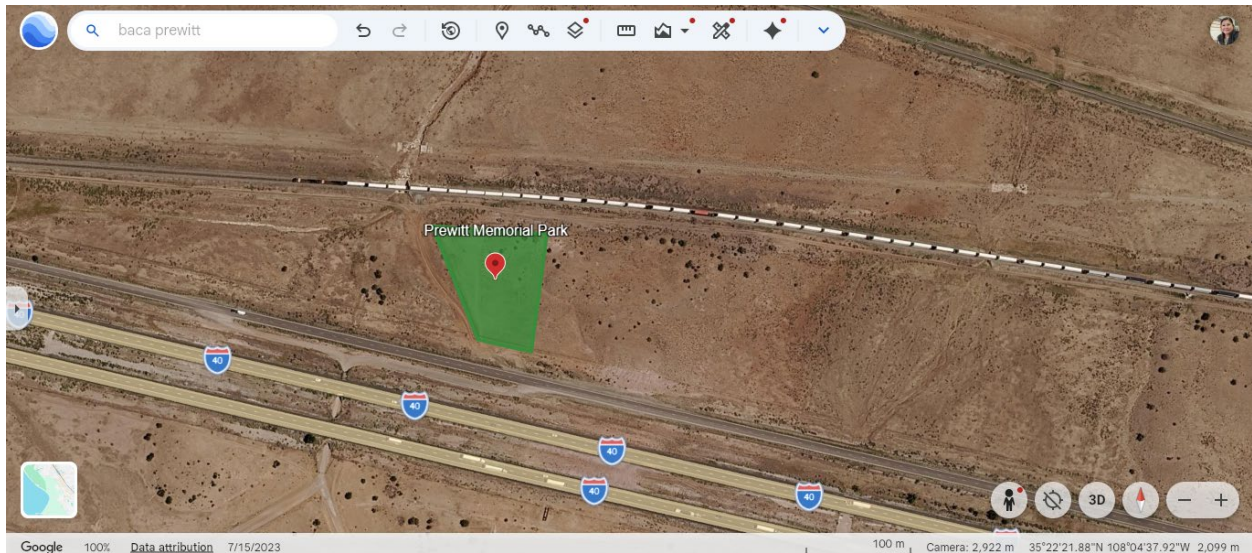
- **McKinley Paper Company Mill**
 McKinley Paper Company Mill is a recycled linerboard mill located outside Prewitt, New Mexico. The McKinley Paper Company Mill converts cardboard and other fiber materials into varying grades of linerboard. Then the linerboard is used in new cardboard boxes and other products.

The McKinley County Paper Company Mill is owned by Grupo Industrial Durango, S.A., Latin American's largest integrated packaging company. The 200,000 ton per year mill ships lightweight high-performance linerboard to California and Southwestern convertors. Both the McKinley Paper Company and Mill and its parent company expect to expand their market share during the next several years.

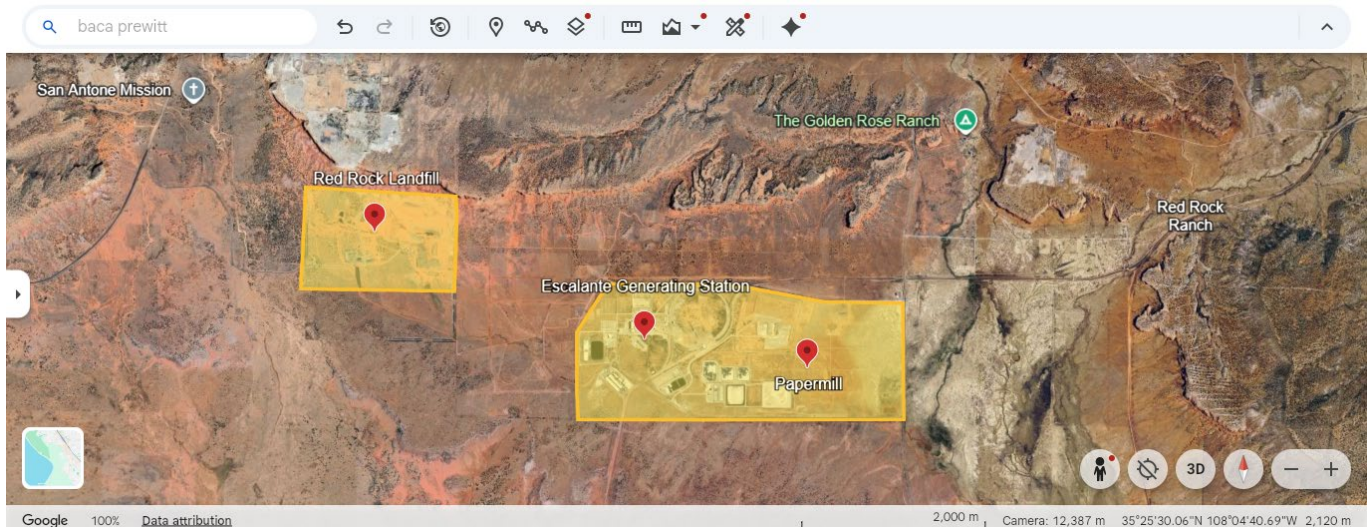
Zoning: Industrial

- **Prewitt Memorial Park (Cemetery)**
 Is primarily known as a designated cemetery and final resting place located in Prewitt, McKinley County, New Mexico. The memorial park sits within chapter service area.

Zoning: Open Space



- Red Rocks Landfill – The Northwest New Mexico Regional Solid Waste Authority (NWNMRSWA) operates the Red Rock Regional Landfill, located at 101 Red Mesa Bluffs Dr. in Thoreau, New Mexico, roughly 140 miles west of Albuquerque. The facility handles residential and commercial waste for McKinley County and surrounding municipalities. Zoning: Industrial



Tourism

- Bluewater Lake State Park
The Baca/Haystack Chapter surrounds Bluewater Lake, Pinion and junior woodland cover surrounds the area around the land,

which is stocked with trout and catfish. In addition to fishing, popular activities at the state park include boating, camping, and hiking. Situated in the Zuni Mountains just east of the Continental Divide, this high-elevation park has good ice fishing and also attracts occasional ice-skaters in winter. Facilities developed on Chapter land for tourists enroute to the lake could capture additional revenue for the Chapter. Access to the lake itself is restricted at the State Park to paying visitors, including Chapter members. There is Tribal Fee land owned by the Navajo Nation along the shoreline of the lake that is used by Chapter members for various purposes.

- Cibola National Forest, Mount Taylor Ranger District
Zuni mountains, Bluewater Creek Riparian Area over the past 10 to 15 years, the District has restored the vitality of the Bluewater Creek drainage and the quality of riparian habitat. Overgrazing by cattle had severely degraded the stream. In the 1980s the District supplemented a comprehensive management effort to allow the area to heal. As a result of this effort, Bluewater creek once again supports perennial water flow, is considered a fishery, has vigorous and continuous vegetative cover (it is even now considered quality Southwest Willow Flyswatters habitat), supports a beaver population, and is a destination for recreationists. This area lies south of Bluewater Lake and the Chapter. Baca/Prewitt Chapter may be able to take advantage of tourism opportunities in the area.



7. Zoning and Ordinance Process

Zoning Ordinances

The basic components of a land use regulatory system include zoning ordinances and a comprehensive plan (Kelly and Becker, 2000). This system regulates the types of uses that may be applied to parcels of land. For example, a zoning ordinance can stipulate where the uses may be located; how the uses may be conducted; and can place restrictions on uses of land to further the public health, safety and general welfare of the community (Kelly and Becker, 2000).

Navajo Chapters may enact zoning ordinances if the membership adopts and implements a community land use plan. In fact, part of the tasks involved in the actual implementation of the Baca/Prewitt Chapter Comprehensive Land Use Plan will involve translating the goals into ordinances as necessary. However, local ordinances meet the specific needs of the local government, such as illegal dumping and tax ordinances and so forth. Ordinances must provide equal treatment and due process for all individuals, including non-tribal members.

Administration/Enforcement

Once a zoning ordinance is adopted, it requires the following: (1) daily administration; (2) monitoring; (3) a quasi-judicial permit process; (4) legislative amendments; (5) allowances for variance; and (6) enforcement mechanisms (Kelly and Becker, 2000). A Planning and Zoning Enforcement Officer (or the Community Land Use Planning Committee) will be responsible for reviewing all proposed ordinance drafts to ensure their compatibility with the Comprehensive Plan and the zoning ordinances.

Other ordinances, such as a subdivision ordinance, can further define the quality of new developments. This includes the specifications regarding lots, blocks, streets, utilities, and other improvements within the subdivision (Kelly and Becker, 2000).

Ordinance Procedure

At the Navajo Nation chapter level, an ordinance is a formal law adopted by the local chapter to regulate or manage matters within a community, but its legal authority depends on the Navajo Nation law and the chapter's delegated powers.

A chapter might adopt an ordinance addressing things such as:

Land use development where certain types of development should or should not occur. Building and zoning requirements, grazing or livestock management, illegal dumping, littering, or environmental concerns, roads and community infrastructure, and conservation or protection of community resources.

Chapter Ordinance

Per Navajo Nation Department of Justice Chapter Unit, the following ordinances will be required for its support. Chapter will use resources available from departments within the Navajo Nation to enforce the ordinances, and if necessary, the Chapter will enter into Intergovernmental Agreements.

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

- a. An ordinance number
- b. A title that indicates the nature of the subject matter of the ordinance.
- c. A preamble that states the intent, need, or reason for the ordinance.
- d. Rules and regulations governing the enforcement of the ordinance, budgetary information, and where applicable, a statement indicating the penalty for violation of the ordinance.
- e. A statement indicating the date when the ordinance shall become effective.
- f. The signature of the Chapter President; thus, officially recording the transaction or writing.
- g. The proposed ordinance shall be read into the record at two consecutive Chapter meetings, of which one may be designated a special meeting, in order to provide information and an opportunity to discuss and comment on the proposed ordinance(s).
- h. All ordinances shall be read in both English and Navajo. After the final reading, the proposed ordinance shall be posted at public places within the Chapter boundaries at least 14 calendar days prior to the vote. The date of the vote shall be decided upon by the Chapter elected officials.

- i. All ordinances shall be compiled and maintained by the Chapter for public record. Copies of ordinances shall be filed in accordance with the Chapters record management system.

§2001: Ordinance Procedure (For Zoning)

- Draft Ordinances have seven (7) requirements such as having a number, title, preamble, rules and regulations governing enforcement of the ordinance, etc.
- Ordinance is read in both English + Navajo at two (2) consecutive chapter meetings.
- Voting on the zoning ordinance occurs at the 3rd Chapter Meeting.
- Ordinance must be posted for a minimum of fourteen (14 calendar days) prior to the vote.
- Approval requires a simple majority of the votes cast at a regular or special chapter meeting.
- Some ordinances require a ballot vote, but zoning ordinances do not require a ballot vote.

Community Ordinance

1. Cannabis Prohibition Ordinance

The proposed ordinance would prohibit commercial cannabis activities within the Chapter, including cannabis farming or cultivation, manufacturing, distribution, wholesale, retail sales, dispensaries, and commercial storage. The ordinance is intended to protect the community's health, safety, land, water, agricultural resources, and quality of life while ensuring that cannabis-related businesses are not approved as permitted land users within the Chapter.

The cannabis prohibition ordinance is attached in the land use plan template.

Conclusion

Upon adoption of a zoning ordinance by the Chapter membership, the Chapter government must be prepared to monitor and enforce the ordinance. The Chapter government will need to develop both an administrative process and staff position for monitoring and

enforcing zoning; an example of this would be a Planning and Zoning Office and board.

Zoning

Zoning in a rural community is a method of identifying areas that are used for a specific purpose. The goal that zoning provides is to preserve open space areas and to regulate how the land is used.

What is Zoning?

Per the Navajo Nation Department of Justice Chapter Unit, in 1998, the tribal government authorized local Chapters to establish their own zoning regulations through *§2004 of the Navajo Nation Local Governance Act*.

It is a process by which local governments create local laws, called zoning ordinances, to regulate how land and property can be used and developed within a specific geographic area.

Zoning: Community Based Land Use Plan; Land Use Variations

1. Chapters may enact zoning ordinances provided that the membership adopt and implement a community-based land use plan pursuant to § 2004(B).
2. Adoption of all local zoning ordinances shall be done pursuant to § 103(E)(4) of this Act.
3. The Chapter shall be responsible for the enforcement of all zoning ordinances adopted by the membership. The Chapter shall provide and maintain information relative to all matters arising from adopted zoning ordinances.
4. All proposed amendments to zoning ordinances shall first be reviewed by the Community Land Use Planning Committee (CLUPC), and shall require approval by the Chapter membership before becoming effective

Baca/Prewitt Common Zoning Districts		
Zoning District	Purpose	Color Code
Residential	Homes and related residents	Yellow
Commercial	Stores, offices, restaurants, and businesses	Red
Industrial	Manufacturing, heavy equipment, storage, and other industrial activities	Grey
Agricultural	Farming, livestock, and agricultural activities	Brown
Institutional/Public	Chapter houses, schools, government buildings, and public facilities	Light Blue
Open space/conservation	Parks, natural areas, cultural resources, and environmentally sensitive areas	Green
Mixed-Used	Combination of compatible residential, commercial, and community uses.	Purple or Violet
Open space	Ceremonial Areas	Green with a thick border
Infrastructure	utilities	Dark Blue

Zoned Area Maps

There are nine sections of zoning areas known as

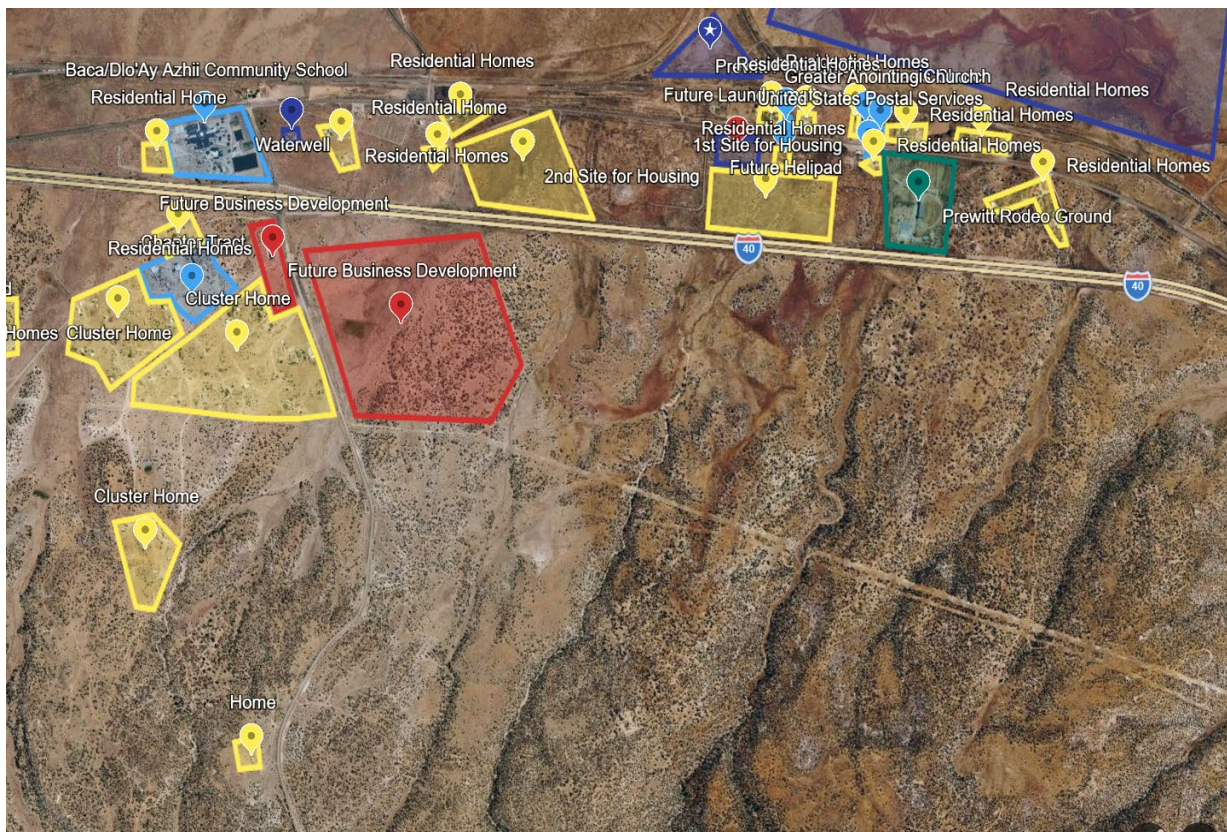
1. Baca
2. Pillow Crest

3. Old Windmill Trail
4. Blackwater
5. South Chavez
6. Blue Water West
7. Blue Water East
8. Haystack West (Little Mountain)
9. Haystack East (Red Mountain)

Each regional zoning area are described with each map:

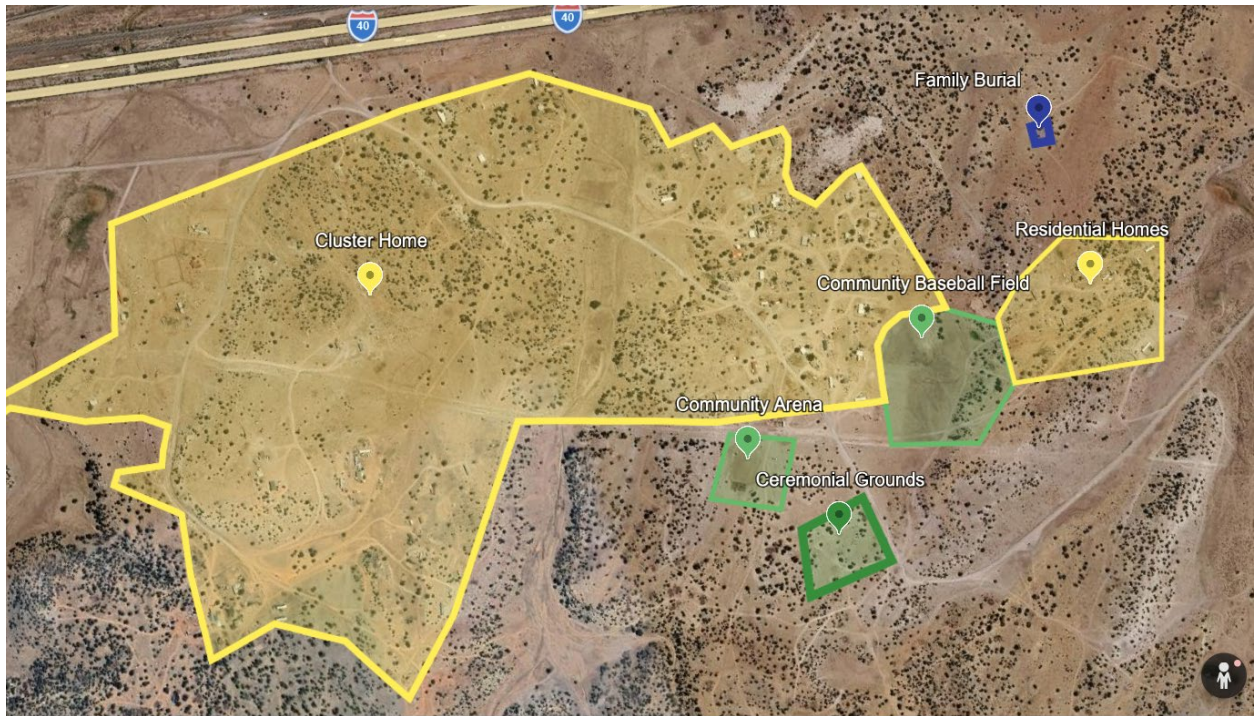
1. Baca

Within the Baca Zoned Area, a majority of the sites are residential (yellow), with a few areas on institutional (light blue), planned commercial sites (red), recreational (rodeo) site (green), and infrastructure (dark blue)



2. Pillow Crest

The Pillow Crest area has a majority of residential (yellow) sites, followed by 1 known family burial site (dark blue), two recreational sites (light green), and one ceremonial ground (dark green)



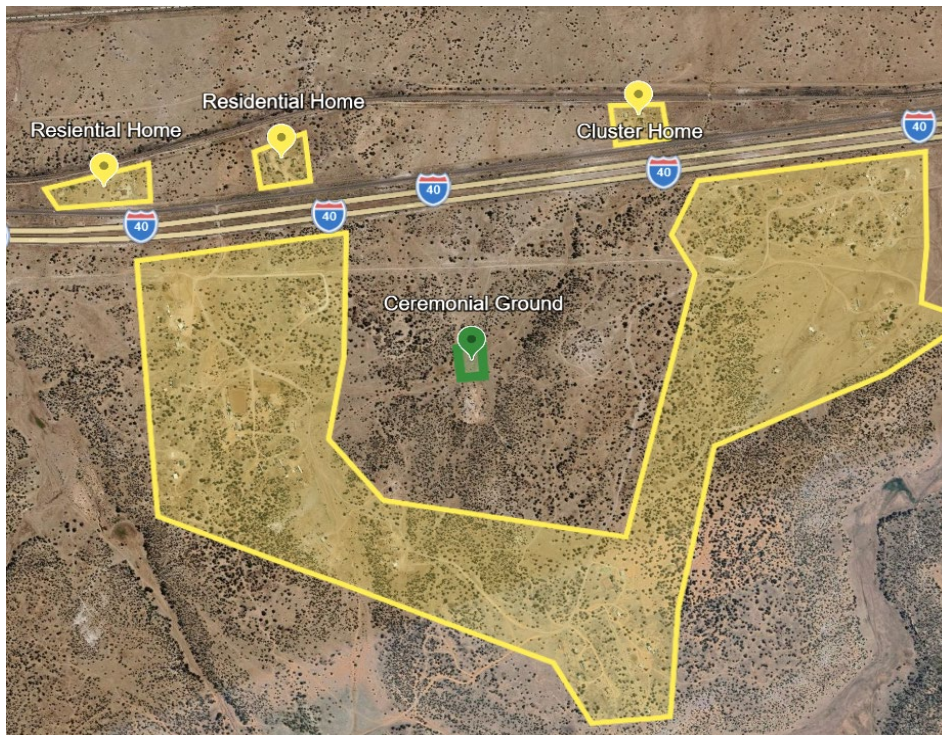
3. Blackwater

Blackwater is identified with two residential clusters.



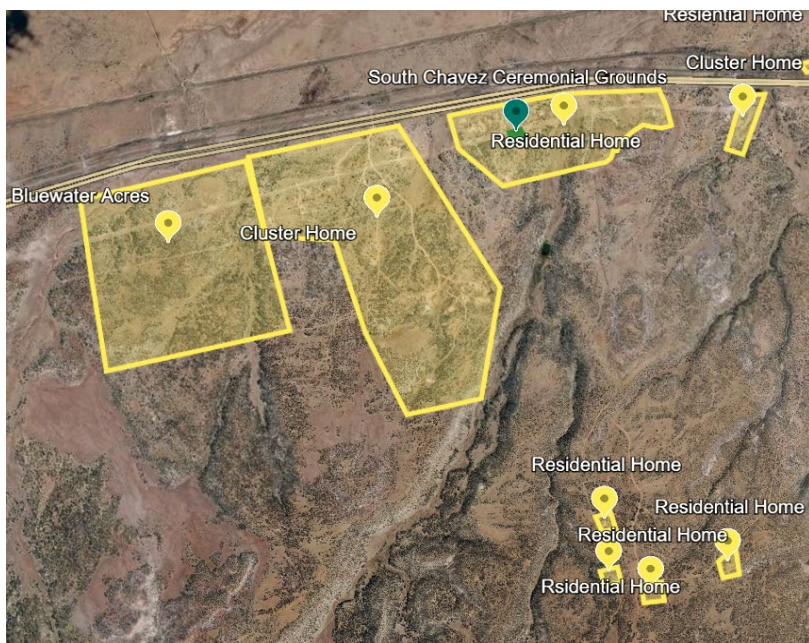
4. Old Windmill Trail

Old Windmill Trail consists primarily of residential areas (yellow) and only one ceremonial ground area (dark green)



5. South Chavez

South Chavez has residential clusters (yellow) and one ceremonial ground (dark green).

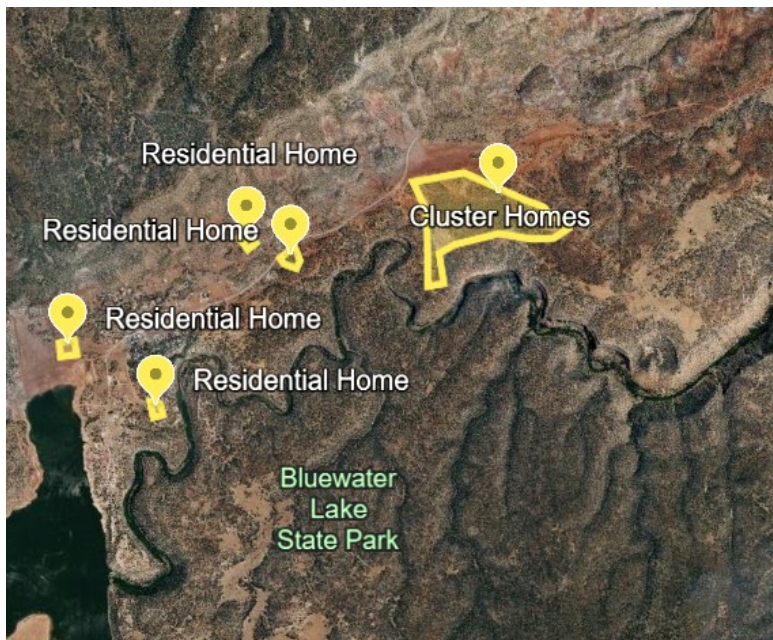


6. Blue Water West



Blue Water West is mostly residential areas around the lake area.

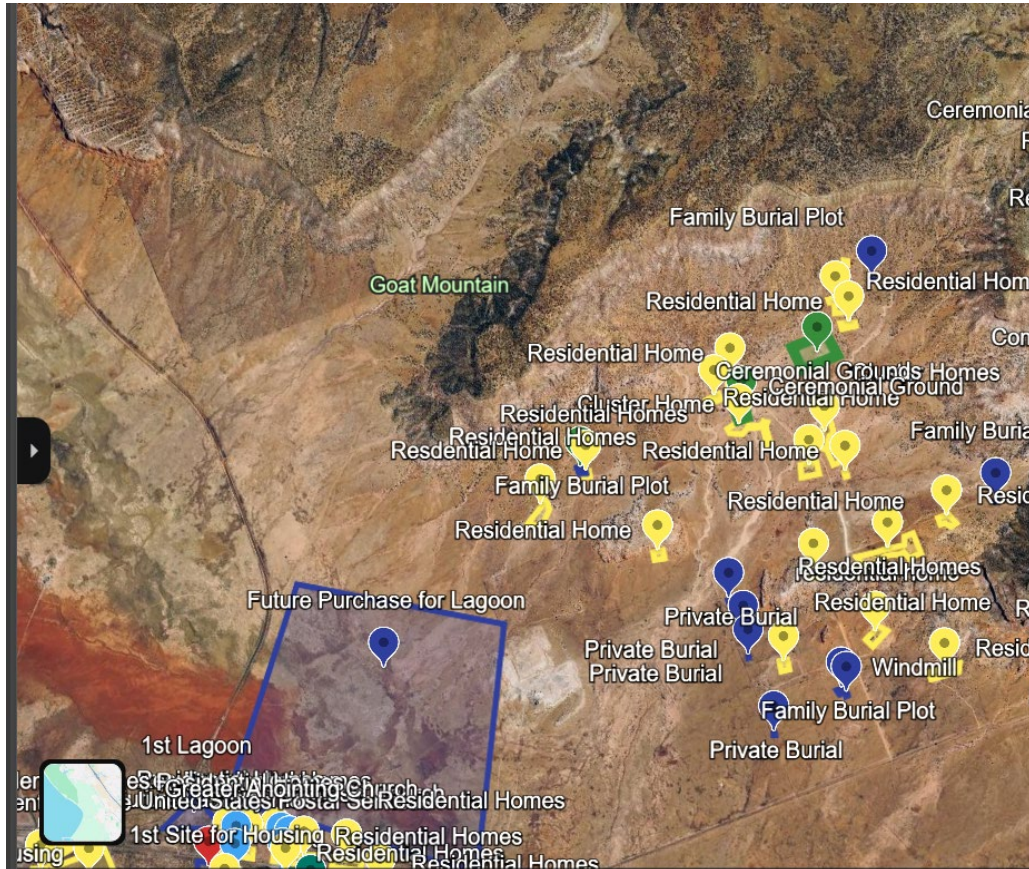
7. Blue Water East



Blue Water East is located north of the Bluewater Lake State Park and consists of residential homes.

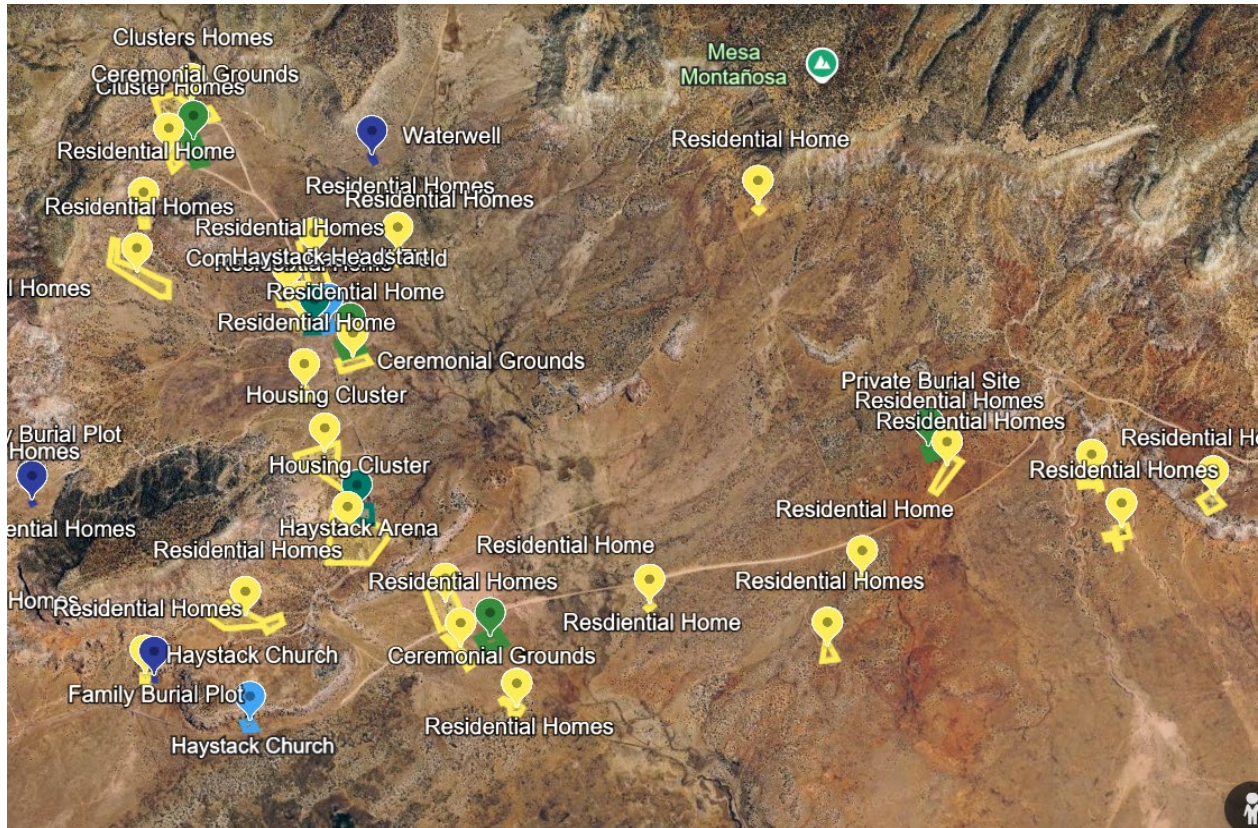
8. Haystack West (Little Mountain)

Haystack West, otherwise known as Little Mountain, consists of residential (yellow), infrastructure (dark blue), and ceremonial ground (dark green) areas. Also located in this area are family burial plots (dark blue)



9. Haystack East (Red Mountain)

Haystack East, otherwise known as Red Mountain, consists of residential (yellow), infrastructure (dark blue), Institutional (light blue) and infrastructure (dark blue) areas. Also included are family burial plots (dark blue).



8. Thoroughfare Plan

Rural Transportation Plan

Rural Transportation Planning is the process of identifying current and future transportation needs in rural communities to provide safe, reliable, and efficient access to homes, schools, healthcare, employment, and community services. The plan evaluates existing roads, bridges, drainage, transit options, and pedestrian routes while prioritizing projects that improve safety, connectivity, and economic development. Community input is essential to ensure transportation improvements reflect local needs, protect natural and cultural resources, and support long-term growth.

Key Elements of a Rural Transportation Plan:

- Inventory of existing roads and transportation infrastructure
- Identification of safety concerns and maintenance needs
- Access to schools, healthcare, businesses, and emergency services
- Road improvement and paving priorities
- Bridge and drainage assessments
- Pedestrian, bicycle, and transit opportunities
- Coordination with state, tribal, and federal transportation agencies
- Funding strategies and implementation schedule

A well-developed Rural Transportation Plan helps communities prioritize infrastructure investments, improve mobility, enhance public safety, and support sustainable economic development while preserving the character and culture of the community.

Transportation

Interstate 40 and NM 122 run parallel with each other and bisect the Chapter into the three main areas of Baca, Blue Water, and Haystack. All roads in the Baca Haystack area require updated Right of Ways to proceed to any maintenance and construction of roadways.

System Roads

Existing

An inventory of existing roads is as follows:

Federal Roads:

- US Interstate 40 - paved

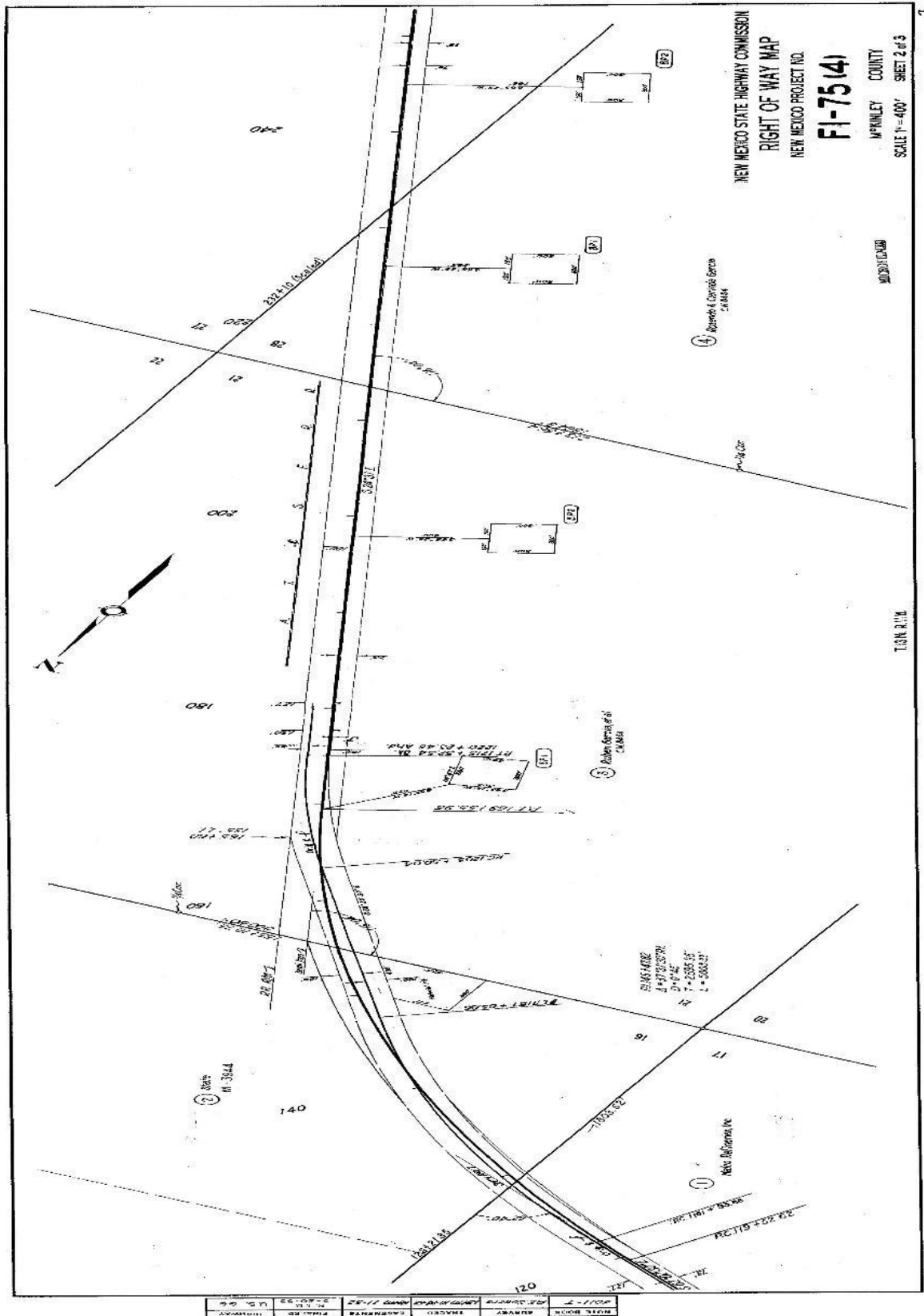
State Roads:

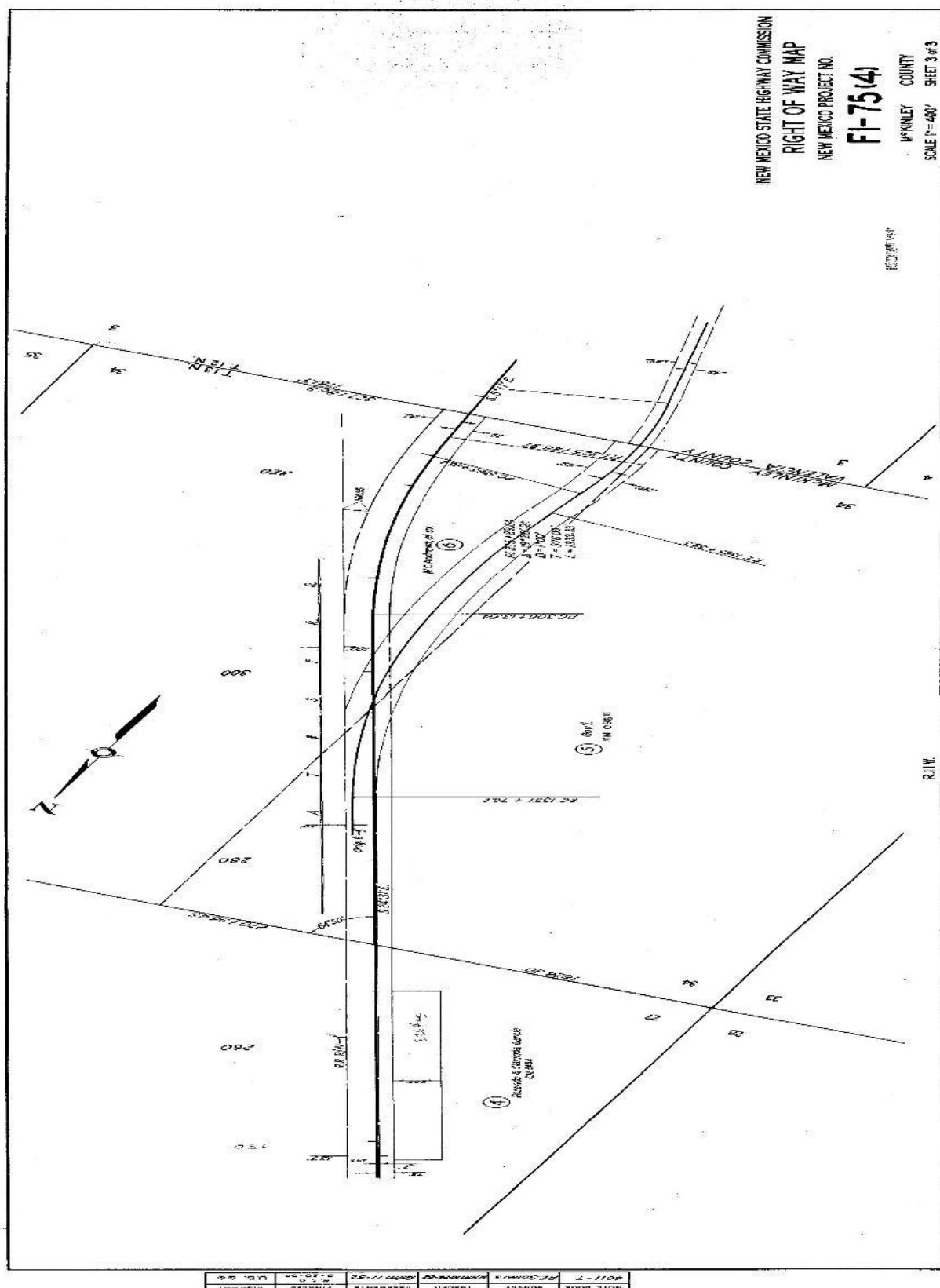
- NM 122 (old U.S. Route 66) – paved, Frontage Road, parallel to I-40.
- NM 371 – paved, Thoreau going toward Crownpoint.
- NM Highway 412 – paved, North and South Baca to Blue Water State Park.
- NM Highway 612 – paved, North and South Thoreau to Blue Water.
- NM Highway 605/509 – paved, Milan to Whitehorse

County Roads:

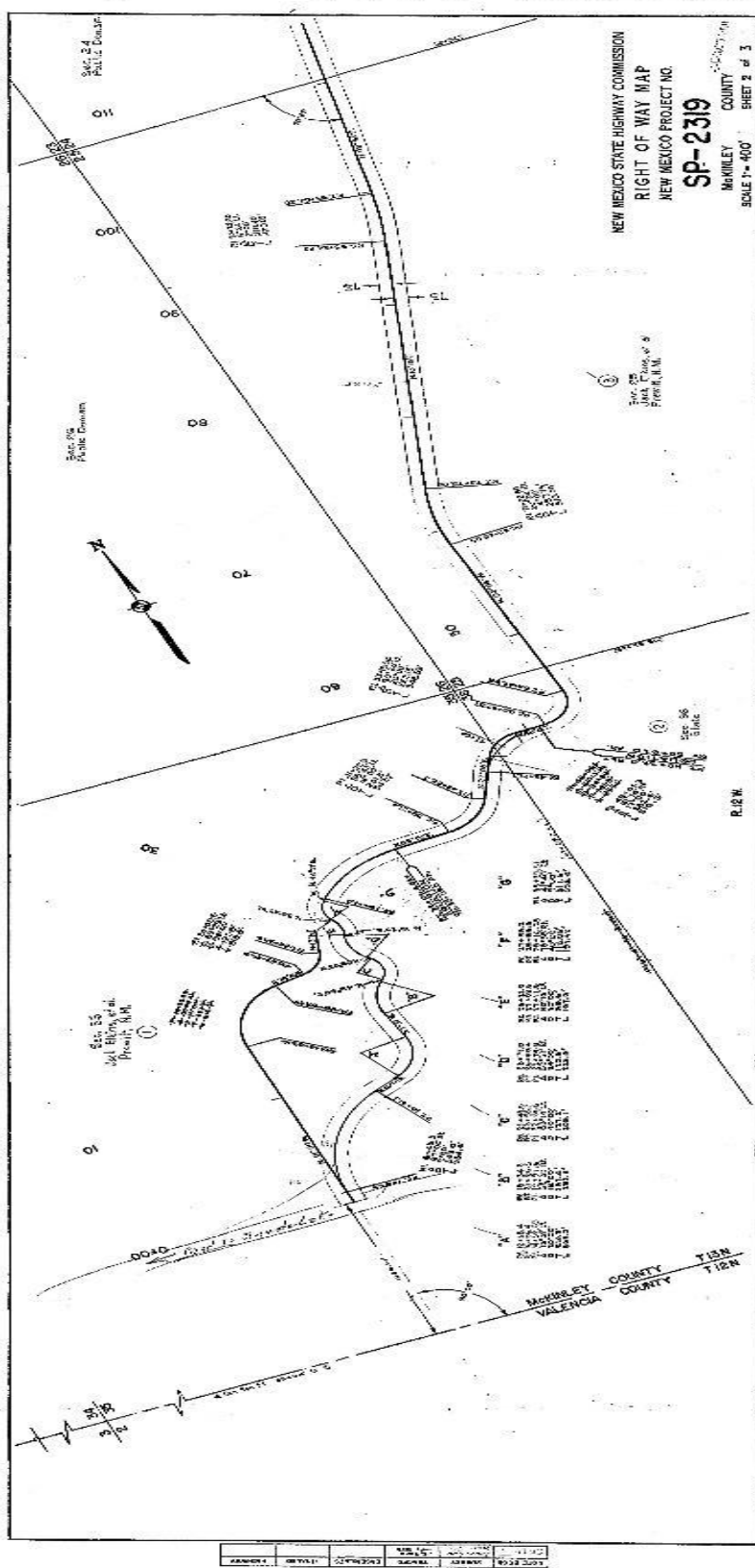
- McKinley County Road 19 – paved/chipped seal to Casamero Lake.
- McKinley County Road 23 (Haystack Road) – Chipped seal/gravel/dirt, connects to state road 605 including Little Mountain Road.
- McKinley County Road 41 (Red Mountain Road) – paved up to the preschool and the rest is gravel/dirt and connects to state road 509.













VICINITY MAP	TITLE SHEET	LENGTH OF PROJECT MILES
STATE OF NEW MEXICO COUNTY OF MCKINLEY L. L. HUGHES, BEING DULY SWORN, SAYS HE IS THE ACTING CHIEF HIGHWAY ENGINEER OF THE STATE OF NEW MEXICO, HEREINAFTER DESIGNATED THE APPLICANT, THAT THE SURVEY OF SP-2319 NORTHERLY IN THE COUNTY OF MCKINLEY WAS MADE UNDER HIS DIRECTION AND UNDER THE AUTHORITY OF THE STATE HIGHWAY COMMISSION OF THE STATE OF NEW MEXICO, AND THAT SUCH SURVEY IS ACCURATELY REPRESENTED ON THIS MAP, WHICH CONSISTS OF THREE (3) SHEETS.		
NEW MEXICO STATE HIGHWAY COMMISSION BY <u>L. L. Hughes</u> ACTING CHIEF HIGHWAY ENGINEER		
SWORN AND SUBSCRIBED TO ME ON THIS 12 DAY OF April 1923.		
MY COMMISSION EXPIRES: July 1, 1923		
NOTARY PUBLIC IN AND FOR THE COUNTY OF SANTA FE		
NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO.		
SP-2319 McKINLEY COUNTY SHEET 1 of 3		

Private Roads

- Private Road 57 – dirt, terrain (Road from Bluewater Lake to Bluewater Village)
- Seewald Estate Road – Chipped seal/dirt road to Bluewater Lake, and branches off at Woodview Drive.
- Cedar Canyon Road- dirt, terrain, and it branches off Old Windmill Trail

Chapter (Residential) Roads:

- Natural Bridge Road – dirt, Baca area
- Pillow Crest Road – Chipped seal to bus stop and dirt.
- Oakling Pond Loop – dirt, Baca area
- Old Windmill Trail – dirt, Baca area
- Black Water Road – dirt, South Chavez area
- South Chavez Loop – dirt, South Chavez area
- Blackwood Road – millings/dirt, Haystack area
- Woodview Drive – chipped seal, South Chavez

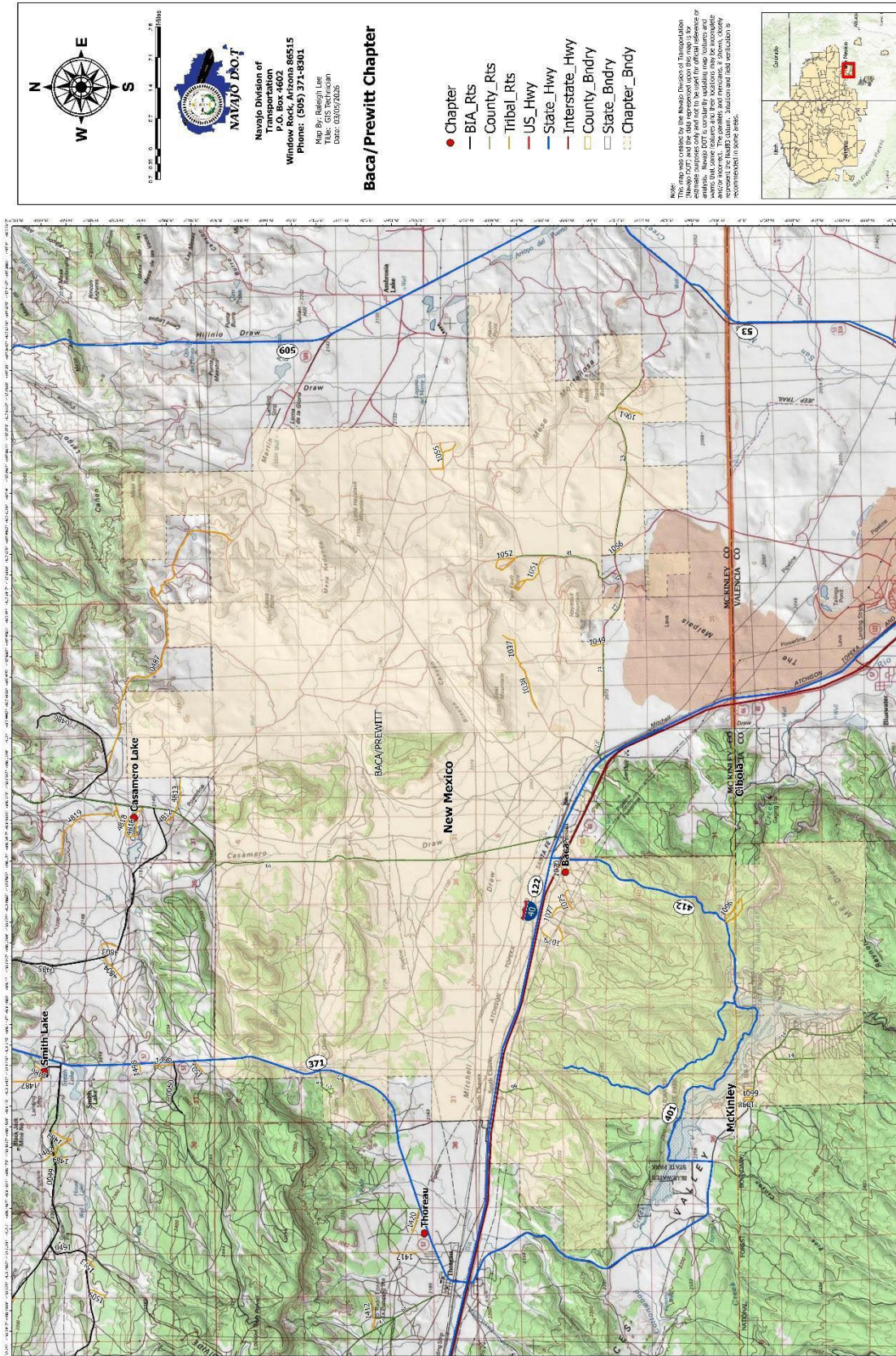
Underpass (water drainage) for access to roads

- The community has 5 underpasses used by community members to access the State Road 122, Frontage Road. The underpass was intended to be used for water drainage. Haystack road railroad underpass is also frequently used by community members and it was intended for a water drainage system.
- The Chapter proposes an underpass improvement project to enhance transportation access through the underpass.

Proposed

The following are projects needed to improve the roads in the Baca/Prewitt Chapter. The projects are listed in order of their importance to the Chapter.

- McKinley County Road 23, Haystack Road, is to be paved by the County with State funding including Little Mountain Road. Little Mountain Road needs Right Of Ways.
- The road from Pillow Crest Road to Black Water Road needs paving so that it can be used safely by buses and emergency vehicles. Currently a priority project for the community.
- An underpass over Interstate 40 is needed to the South Chavez area from Frontage Road (old Route 66) in order to provide access for school buses and emergency vehicles. This would end the presently dangerous situation where they must now go through an underpass that is intended for drainage from the interstate. The plan for the next couple years is to collaborate with the New Mexico Transportation Department to plan and design an “underpass” that is feasible for all emergency vehicles and large transportation buses.



Transit

Existing

Senior Center Van

As well as providing transportation to the Senior Center, the Senior Center has a van it uses to take seniors shopping in Grants for groceries and for other goods and services.

Proposed

No improvements or changes are planned at this time.

Existing

Public School Buses

The Cibola-Grants, Gallup-McKinley, and BIE school bus route through the community to pick up students

Existing

Non-Emergency Transportation Services are provided to community members in order to make it to medical appointments.

BNSF Railroad

Existing

A main line runs east to west across the chapter. A spur runs from the main line up to the generating plant to deliver coal. The other line is from Prewitt to El Segundo, and Floyd Lee Ranch to transport and deliver coal.

Proposed

No improvements or changes are planned at this time.

Airport

Existing

Grants-Milan Municipal Airport is located near the Chapter; however, it has no commercial passenger service. The closest airport providing passenger service is the Albuquerque International Airport. Gallup Municipal Airport

Proposed

No services are proposed at this time.



9. Open Space Plan

The open space plan includes recreational sites, grazing areas, family/burial sites, ceremonial grounds, and the Blue Water State Park.



Recreational/Open Space

Existing – Roping / Rodeo Arena

- Pillow Crest Arena is a roping arena established by community roping club



- The Martinez Roping Arena is a family-based arena
- The Platero rodeo arena was established by the chapter in coordination with the Platero family in the 1900s within the chapter tract. The future to remove it to make room to establish a new chapter and headstart center.



- Bi-County Fair Grounds owned by Cibola and McKinley Counties and managed by board members where annual Labor Day Bi-County Fair; events are held. Community members also use the space for recreational activities.

Existing – Baseball fields

- The baseball field (Clansmen Field) is used for community recreational games that include volleyball tournaments
- Haystack Baseball field is used for community recreational games



Open Space Area – Recreational Area

- Bluewater Lake State Park
The Baca/Prewitt Chapter has an interest in a portion of park on the west side of Bluewater Lake



The only recreational facilities in the Baca area are a ballfield and a privately-owned roping arena. The arena is owned by a family that charges a fee for its use. Its continued existence is in question as it appears that the arena was built on Chapter land. Chapter officials have asked for the arena from the family or its removal from the property. The family wants payment for the arena. No solution has been reached at this time between the two parties.

Bluewater Lake is the only officially designated open space within the Chapter.

Proposed

A recreation center for the youth of the community is being planned for an area of three acres near the present softball fields in the Haystack area. At the time of completion of this document, the Chapter has not applied for funding for this project, however, they are putting together a proposal for a multi-purpose recreation center.

A similar area has also been set aside for a recreation center in the Baca area.

The Chapter proposes to develop a commercial campground. The area is heavily forested and designating it as open space will help keep it attractive to visitors.

Community Cemetery / Family Burial Sites

Baca/Prewitt Community Cemetery



The Baca/Prewitt Community Cemetery is located on Section 11, Township 13 North, Range 12 West, along State Road 122; it consists of eight (8) acres for the Baca/Prewitt Community. The Chapter oversees the cemetery, which has approximately 50 individuals laid to rest. There is a Plan of Operation that is followed by the Chapter Community.

Family Plots and Ancestral Sites

The Baca/Prewitt Chapter has family plots and ancestral sites.

- There are family plots identified by the chapter.
- Archeological Site – 1 along County Road 19

Ceremonial Spaces

The Baca/Prewitt Chapter has ceremonial grounds designated for ceremonial purposes.

- Old Windmill Trail Ceremonial Ground used for Nidaa (Enemy Way Ceremony) purposes
- Pillowcrest Ceremonial Ground used for Nidaa (Enemy Way Ceremony) purposes

- South Chavez Ceremonial Grounds used for Nidaa (Enemy Way Ceremony)
- Little Mountain Ceremonial Ground used for Nidaa (Enemy Way Ceremony) purposes
- Little Mountain Native American Church Convention Ground and Yei Bi Chei Ceremony used for ceremonial purposes
- Red Mountain Road/Martinez Ceremonial Ground used for Nidaa Yei Bi Chei, Fire Dance, and any other traditional Navajo ceremonies.
- Haystack Road/ Barbone Ceremonial Ground used for Nidaa, Yei Bi Chei, Fire Dance and any other traditional Navajo Ceremonies

10. Infrastructure Analysis

Existing and Needed Infrastructure

This section describes the existing and needed infrastructure in the Baca/Prewitt community.

Utilities

Gas

Existing

Two 30" natural gas pipelines from the Albuquerque area run through the Chapter. No connections servicing the Chapter exist. All existing buildings are fueled by individual liquid propane (LP) gas units.

Proposed

According to the Navajo Tribal Utility Authority (NTUA), a major gas line taps costs approximately \$60,000 and installation of gas lines form a tap cost approximately \$35.00 per foot. Although the gas price for domestic use costs one third less than liquid propane costs, the initial cost to install the natural gas system is often cost-prohibitive. Therefore, NTUA only supplies natural gas to areas with high number of community homes, and commercial and industrial buildings.

If new industries located in the chapter and receive natural gas service, the chapter should use this opportunity to extend gas lines throughout the Chapter.

Electric

Existing

Baca/Prewitt Chapter is served by Continental Divide Electric Cooperative. The following information concerns their requirements and services within the chapter:

- Overhead Power Regulations for a Permanent Home/Hogan
All new service agreements require a \$35 deposit that is fully refundable after 12 months with 9% interest, plus an additional \$21.36 service fee for a connection, which is not refundable.

When a homeowner is ready to connect electricity to a home, the Continental Divide Electric Cooperative will prepare an estimate on the total cost connection. The homeowner will receive a \$1,600 credit. Anything beyond that credit must be paid by the homeowner. If the home is within 600-700 feet from the power pole, it is likely that no additional connection fee will be required.

The fees are applicable only if the line does not have to cross a road or another structure. If a line must cross a road or another structure, construction will be required and the cost of the connection increases. When this happens, the homeowner will, again, be responsible for any cost over \$1,600.

If lines are longer than one mile and crosses different land statuses, a right of way is required.

If the home is on Tribal Trust Land or Allotted Land, the homeowner is required to have a Homesite Lease or a Residential Lease, respectively, before any connections can be made. The homeowner must also have a letter of compliance from the electrician who will wire the home. Once the letter of compliance is received, the power company will then pole the line.

- Overhead Power Regulations for a Manufactured or Mobile Home

All new service agreements require a \$35 deposit that is fully refundable after 12 months, with 9% interest, plus an additional \$50 service fee for a connection, which is not refundable.

The mobile/manufactured home must be within 150 feet of the power pole to accrue no additional fees. If the mobile/manufactured home is farther than 150 feet, the homeowner must pay \$3.50 per foot from foot-one to the take-off point. The fees are applicable only if the line does not have to cross a road or another structure.

If the homeowner makes the mobile/manufactured home a permanent structure within a five-year period, they can receive up to \$1,600 of the setup costs back. For a mobile/manufactured home to be considered permanent, the wheels, tow, and axle must be removed and the home must be

skirted with a permanent fixture from the bottom of the home to the ground. A crawl space can be left open.

Proposed

A powerline extension is planned, which will run along Woodview Drive in the South Chavez area. This may be a powerline extension, perhaps from Seewald Estates, or be in the form of solar-powered systems. There is \$67,000 available for this project from the Navajo Nation Capital Improvements Office.

Water

Existing

The water system in the Baca area is served by NTUA. NTUA customers pay from \$35 to \$50 per month for water.

The water supply is for community household use only. Customers using water for livestock must pay extra for it. The storage tanks Capacity) are designed to accommodate a household using 100-150 gallons per day, and to serve 400-1,000 households per day.

The Haystack Community Water System serves homes in the Haystack area. Residents not on the system currently obtain their water from watering points, local stock wells, or a chapter operated watering point in Baca, New Mexico, which derives its water from a shallow well at the site. The existing water system is served by the NTUA. NTUA customers pay from \$35 to \$50 per month for water.

Proposed

Phase 3, South Chavez water system is in process. It is being surveyed at the time of this writing. Funding has been approved, although not yet received, for hiring a hydrologist and completion of the project.

The Navajo Nation applied for a grant to the EPA for an upgrade of the community well at Prewitt. This well currently services approximately 200 residents in the Chapter. This is a community watering point; customers haul water in containers. The well has an unsafe, inadequate water supply (potential microbial contamination); however, batch chlorination is done monthly to

help protect the health of the users. The overall system lacks manpower, materials, equipment, and funding to meet IHS/SDWA requirements.

The proposed project includes the installation of a pre-cast pump house with chemical feeder equipment, electrical controls, flow sensors, an 50,000-gallon steel storage tank, a meter vault for water measurement, and an altitude valve to control flow into storage tank.

The project was submitted for approval in 1999 and again in 2000. Both times it was turned down by the EPA for funding as the water is tested once monthly and meets minimum standards. It is hoped that eventually NTUA will take over administration of the well and make the upgrades necessary.

The current water supply in Haystack is adequate to serve the community, which is currently operated and maintained by NTUA. It is proposed to be tied into the BBN9 Water Project.

Sewer

Existing

There are no sewer systems in the Chapter. All homes are on individual septic systems or pit privies (outhouse). There is a sewer lagoon which serves the Baca Community School.

Proposed

Approved individual septic tanks and drain field liquid waste disposal systems should be installed.

There is a proposed sewer lagoon considered for the South Chavez area.

Bathroom additions would also be beneficial for homes that are too small to have plumbing facilities installed inside. A 6" by 12' frame addition with bathroom, sink and commode in the addition, and a hot water heater and kitchen sink on one wall of the existing home, has been proven effective in improving sanitary conditions. Bathroom additions are funded with Navajo Nation Capital Improvement Funds.

Telecommunications

Telephone

Existing

Currently Qwest is providing telephone service within the Chapter. According to Quest, 85 to 90 percent of households in the United States, including Pueblos in New Mexico, have telephones. By contrast, only 12 to 15 percent of people in the Navajo Nation have telephones.

Proposed

Qwest is offering discounted phone rates through its Tribal Lifeline/Tribal Link-up program. Under the plan, the Navajo Nation has approved a blanket right-of-way for Qwest to run phone lines across tribal lands. Baca/Prewitt Chapter passes a resolution approving the plan on July 16, 2001.

The Tribal Lifeline provides reduced monthly charges to telephone customers who qualify under low income guidelines (service is being offered at \$1.00, \$4.00, or \$7.00 per month).

Tribal Link-Up provides reduced connection charges to telephone customers who qualify. Up to \$5,000 per house is available to get service for homes that are close to existing service line. Beyond that distance, the customer is required to pay any additional costs. There is additional money available in the Rural Extension Fund, which can essentially supplement the \$5,000 up to \$10,000 to \$15,000.

With new copper service lines to homes, additional technology is available to the customer including voice dial-up, 56K data transmission, and T-1 lines to facilities. Fiber optic cables are being laid within the Eastern Agency chapters as the backbone to the copper service lines.

Once work begins, it will take approximately 18 to months for Quest to complete the project.

*Solid Waste**Existing*

A solid waste transfer station bins are located on the west side of the Chapter House compound.

Proposed

Nothing new is proposed at this time.

11. Implementation

Overall Implementation Approach

The Chapter should implement these projects through a phased approach, beginning with projects that address immediate health, safety, water, wastewater, housing, transportation, and utility needs. Each project should proceed through project prioritization, funding identification, site assessment, environmental and archaeological review, engineering/design, permitting and approvals, construction or procurement, and project closeout. The Chapter should coordinate with NMCO, Navajo Nation departments, utility providers, funding agencies, and community members to ensure projects are properly planned, funded, and implemented. Progress should be tracked annually and updated as funding, project priorities, and community needs change.

#	Project	Implementation Steps	Anticipated Outcome
1	NMCO – Bluewater Lake Water/Wastewater	Conduct feasibility studies, engineering/design, environmental review, funding coordination, and construction.	Improved water and wastewater services for the community.
2	NMCO – Multi-Purpose Building	Identify site, complete design and environmental requirements, secure funding, and construct facility.	New community facility for meetings, programs, and public services.
3	NMCO – Purchase & Equip Motor Grader	Secure funding, purchase equipment, and establish maintenance procedures.	Improved ability to maintain and grade

			community roads.
4	NMCO – 371 Water Supply Project	Complete planning, engineering, water source assessment, funding, and construction.	Increased access to reliable water service.
5	NMCO – New Powerline Project	Coordinate with utility providers, conduct engineering and environmental reviews, secure easements, and construct powerline.	Expanded and improved electrical service.
6	NMCO – Chapter House Kitchen Equipment	Assess existing equipment, identify needs, purchase equipment, and install.	Improved kitchen facilities for community functions.
7	NMCO – Residential Road Improvements	Assess road conditions, prioritize roads, complete design, secure funding, and conduct improvements.	Safer and more reliable residential roads.
8	NMCO – Chapter Parking Lot Improvements	Survey existing parking area, develop design, identify funding, and construct improvements.	Improved parking capacity, safety, drainage, and accessibility.

9	NMCO – Housing Development Land Acquisition	Identify suitable land, conduct land and environmental assessments, secure funding, and complete acquisition.	Additional land available for future community housing.
10	NMCO – Solid Waste Transfer Station	Complete site selection, environmental and archaeological reviews, engineering/design, permitting, funding, and construction.	Improved solid waste collection and disposal services.
11	NMCO – Multi-Purpose Building Expansion	Assess facility needs, develop expansion plans, secure funding, and construct improvements.	Increased capacity for community programs and activities.
12	NMCO – New House Wiring	Identify homes requiring upgrades, conduct electrical assessments, secure funding, and complete wiring improvements.	Safer and more reliable residential electrical systems.
13	NMCO – Residential Lagoon	Conduct site assessment, engineering, environmental review, permitting, funding, and construction.	Improved residential wastewater management.

14	NMCO – Bathroom Addition Project	Identify eligible homes, conduct assessments, develop designs, secure funding, and complete construction.	Improved sanitation, health, and housing conditions.
15	NMCO – Cemetery/Road Improvement	Assess cemetery and road conditions, develop improvement plans, secure funding, and complete construction.	Improved access, safety, and maintenance of the cemetery.
16	NMCO – Corner Mesa Road Improvement	Conduct road assessment, engineering/design, environmental review, funding coordination, and construction.	Improved transportation access and road safety.
17	NMCO – Hazardous Waste Removal	Identify hazardous waste sites, conduct environmental assessments, coordinate with appropriate agencies, and remove/dispose of waste properly.	Reduced environmental and public health hazards.
18	Sihasiin – Dan Martinez Seewald Estate Powerline Extension	Coordinate utility planning, obtain required easements and approvals, complete engineering, secure funding, and construct extension.	Expanded electrical service to the identified area.

19	Sihasiin – Baca/Thoreau Water Wells (3) Connection	Assess wells, complete engineering and water quality testing, coordinate connections, secure funding, and construct infrastructure.	Increased access to reliable water resources.
20	RRR – Dump Truck	Secure funding, purchase equipment, and establish maintenance and operating procedures.	Improved capacity for road maintenance, hauling, and community projects.
21	RRR – Electric Upgrade	Conduct electrical assessment, develop design, secure funding, and complete upgrades.	Safer and more reliable electrical service.
22	RRR – Pro-panel Project	Assess structures, develop installation plan, purchase materials, and complete propane system improvements.	Improved residential or facility heating and energy access.
23	RRR – Siding Project	Identify homes or facilities needing improvements, purchase materials, and complete siding installation.	Improved building protection, energy efficiency, and appearance.

- | | | | |
|----|--|--|---|
| 24 | RRR – Small Home Project | Identify housing needs, conduct site and infrastructure assessments, develop designs, secure funding, and construct homes. | Increased housing availability for community residents. |
| 25 | Chapter – Pro-panel Project | Assess pro-panel needs, develop project scope, secure funding, and install or upgrade roofing. | Improved heating and energy access. |
| 26 | Chapter – Wood Project | Identify households or facilities in need, secure materials/funding, and coordinate delivery or construction. | Improved access to wood resources for community needs. |
| 27 | Chapter – Water Hauling Project | Identify households requiring water, establish hauling schedules, secure equipment/funding, and coordinate water deliveries. | Improved access to potable water for residents. |



12. Appendix

- A. June 11, 2026 9 am – Focus Group (Public Hearing #1), agenda, sign in, meeting notes
- B. Public Hearing #2: Agenda/sign in sheet/meeting notes (September)
- C. CLUPC Plan of Operation with resolution
- D. CLUPC Membership (Chapter Resolution)
- E. Community Assessment Survey Form
- F. Title 26 Section 2004 – Land Use Planning
- G. Community Land Use Plan Requirements
- H. Planning Definitions
- I. Acronyms and Abbreviations
- J. Past Leaders of Baca/Prewitt Chapter
- K. ICIP Listing with Chapter Resolutions
- L. Project specific (supporting documents)
- M. Emergency Response Plan
- N. Proposed Solid Waste Management Plan
- O. Community Cemetery Plan of Operation
- P. Land Based Classification Zoning Standards

Appendix A: Focus Group (Public Hearing #1)

Had focus group on the history part of the community. Supposed to take pictures of the landscape

Chapter Projects

Public purposes

Grazing

Zoning/Ordinance

Community Demographics Survey

History

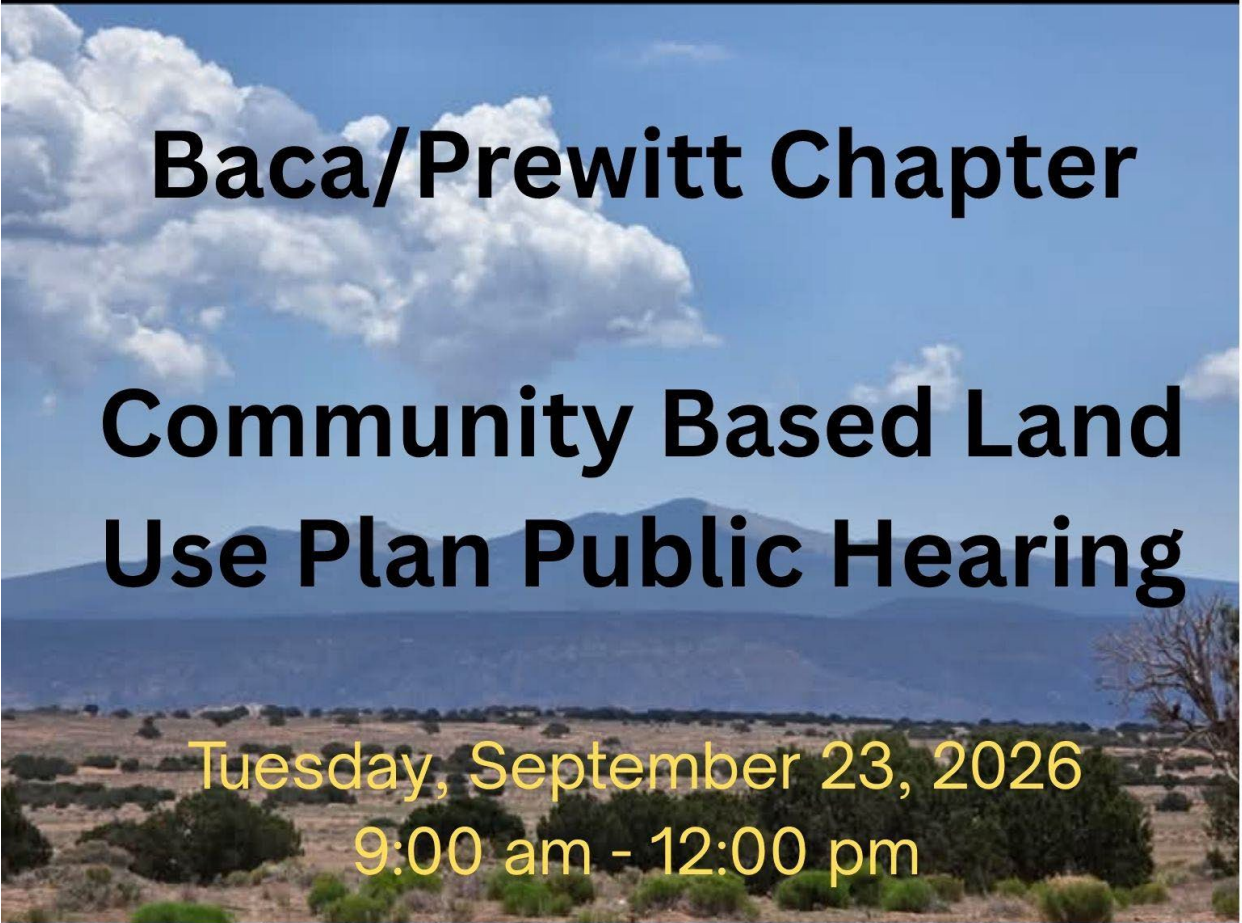
- June 11 2026 Focus Group was Initiated with community members at the chapter house.
- Next to the store, there was also a small tow room public school in the 1950s. It was located on the south side of the road. The store building was white and that's how kin ligai was established and know as "Whitehouse", eventually burned down
- Following the devastation of fire burning down the first store, the trading post was established with a little post office on the west side following trading post, little café and long motel. Inside the store had a "Justin Western Store". Dresses were also made by Jennie Begay, and Emma Begaye was a dishwasher. Jennie was the seamstress. Justin Lafont was the store owner. His Navajo name was eye glass man
- Gladys Whitman made clothing and sisters helped her at the trading post at the Baca area. She was also a waitress. Donna key, Roy Navajo Wife was also employed there as a waitress same as rose Peralto. Jennie Nez was the cashier at the store.
- Then afterwards the gas station on the east end of the village
- Store owner LaFont had two boys attending the school. He had a family there.
- LAFONT also sold goods and services to the community like self ammo to the community
- Roy Vandever father little charley Vandever worked there
- Gladys Whitman was a waitress at the restaurant and a teacher at the local school.
- Etta Morgan attended boarding school. Christine Henio and Eddie Hosteen were the dorm aids. Louise Platero also assisted.
- Tom Rafael was nominated at Iyanbito for District 16 and elected as the Council Delegate as representative from Baca to be the first Navajo nation council delegate.
- The school was built in 1925 or around that time. Two connecting hogans were on the south side of the classroom and cafeteria. The public school also consisted of boys and girls dorm, classroom and a cafeteria. The dorm was one room with multiple beds set up.

-
- They had a coal set up on the back side of the school and the students did chores like cleaning up the coal.
 - "Sitting Butt" was the bus driver, known as Grover Etsitty. Martin Martinez was the bus driver that lived in the Hogan living at the employee housing. Elle Monroe was also the bus driver. Eddie Hosteen was the bus driver and dorm aide.
 - The buildings were white. As part of the dressing, the girls wore red and white dresses as a dress code at the school
 - The dorm aides were known as dorm matron. They all wore sky blue color and they wore dress type uniforms. White rounded short sleeves.
 - Nellie Kee was also employed and the boiler exploded, and suffered severe burns and later passed on the way to the hospital.
 - 1940's the elders congregated under the tree to meet as meeting space. The chapter meeting was first held under a tree. The location was known as "Pillow Rock" and Janice Nez was the 1st secretary. Patty Martinez and Woody Navajo Willetto was the first to establish as a chapter.
 - Then the first chapter house was built by community effort, community members who brought the military ammo boxes by truck. Ammo boxes came from Ft. Wingate Army Depot. That is what the chapter was made from. The building was casted plastered with cement and painted white. It was a 10-day project and it took a couple to complete the project.
 - "Kin Nineezi" known as South Chavez is the section "gang house" used for refueling water for locomotives for trains. There was also little store that sold snack.
 - The person at the store was called "pay masters" and the old man working there was an old man names "Baca"
 - The first store that burned down was owned by Mr. and Mrs. Hazel Prewitt.
 - The Navajo tribe purchased the Trust Land from Prewitt couple to establish the current chapter house
 - Olsen Jake's father "Big Head" known as "Bitsilits'in Nitsaai" donated and for Baca Day School
 - Right there at Baca there was a Refinery. Some members of the community were employed there
 - Blake Bowlin Trading Post by the refinery. They used to call him "limping man". That's where they establish the Bowlin chain of store.. Wallace Berryhill wife was Fred Tietjen.
 - The trading post was started by Joe Tietjen.
 - The new establishment where David Ortega established a trading post, gas station, a café, and a motel at the current post office. The Zuni Mountain Training Post
 - The store also has a US Postal Service. The post office started in 1947. As of today, the post office is still open for business.

Community Assessments/Profile

- Summer of 2024
 - Marital Status-More single than married
 - Married-22%
 - Single-52%
 - Divorced-7%
 - Widowed-16%
-

Appendix B: Public Hearing #2: Information



Baca/Prewitt Chapter

Community Based Land Use Plan Public Hearing

Tuesday, September 23, 2026
9:00 am - 12:00 pm

Purpose:
Review the Land Use Plan for
comments and recommendations

Questions contact Baca Chapter at
505-972-9917

Appendix C: CLUPC Plan of Operation



Baca-Prewitt Chapter

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Ruth Barbone, Vice President
Abram Chapo, Secretary-Treasurer
George Tolth, Council Delegate
Robert Delgarito, Land Board
Sharon Loley, Chapter Manager
Rochelle Vandever, Administration Assistant

Buu Nygren, Navajo Nation President

Richelle Montoya, Navajo Nation Vice President

RESOLUTION OF THE BACA/PREWITT CHAPTER BPC/26/04/058

Approving the Land Use Plan for the Baca-Prewitt Chapter Community Land Use Planning Committee (CLUPC) for Fiscal Year 2026.

WHEREAS:

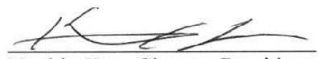
1. Pursuant to Navajo Tribal Council Resolution BPC 05/02/065, and reaffirmed by Resolution CAP-34-98, the Council certifies and authorizes the Baca-Prewitt Chapter as a Navajo Chapter; and
2. Pursuant to 26 N.N.C., Section 1, (B) (1)(2) and Section 103, the Baca-Prewitt Chapter is recognized as a local government entity and delegated certain authorities and responsibilities with respect to local matters consistent with Navajo Nation Laws; and
3. Pursuant to 26 N.N.C. Section 2004, (C)(I), the Baca-Prewitt Chapter established and certified by resolution the Baca-Prewitt Community Land Use Planning Committee; and
4. The CLUPC Land Use Plan governs its performance and duties in accordance with 26 N.N.C., Section 2004, and to inform the public/community members of the nature of the nature of the CLUPC's organization, operation and other matters; and
5. The Baca-Prewitt CLUPC approved and made a retroactive to April 13, 2026, a Land Use Plan at a duly called regular CLUPC meeting, Prewitt, New Mexico, on April 13, 2026 (**EXHIBIT A**).

NOW THEREFORE BE IT RESOLVED THAT:

1. The Baca-Prewitt Chapter hereby approves the Land Use Plan for the community Land Use Planning Committee for Fiscal Year 2026.

CERTIFICATION

WE HEREBY certify that this foregoing resolution was duly discussed and considered at a duly called Baca-Prewitt Chapter meeting and adopted by Steve James, seconded by Stephanie Nez and that same passed by a vote of 18 in favor, 0 opposed and 2 abstained on this 13th day of April, 2026.


Hoskie Kee, Chapter President


Ruth Barbone, Chapter Vice-President


Abram Chapo, Chapter Secretary/Treasurer



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BACA/PREWITT CHAPTER CLUPC Plan of Operations

I. ESTABLISHMENT

- A. In accordance with the Navajo Nation Local Governance Act, 26 N.N.C. § 2004, the Baca/Prewitt Chapter Community Land Use Planning Committee (CLUPC) is hereby established by Chapter Resolution #_____, at a duly called regular Chapter meeting on at which a valid quorum was present.
- B. The CLUPC will also be known as the Baca/Prewitt Chapter Land Use Planning Committee.
- C. The Navajo Nation Department of Justice (NNDJ) created this Plan template and if unaltered, the CLUPC may begin using it upon approval of the Chapter membership.
- D. Hereinafter, the Baca/Prewitt Chapter will be referred to as "Chapter."

II. PURPOSE

- A. The CLUPC is a standing committee of the Chapter and is an advisory committee of the Chapter.
- B. This Plan serves as the main guide for activities related to the operation of the CLUPC.
- C. The original primary purpose of the CLUPC is to prepare and finalize a Community-Based Land Use Plan (CLUP) that meets the needs of the community. After the public hearings, the CLUP shall be submitted for community approval at a duly called Regular Chapter Meeting. Thereafter, the CLUP will be presented to the Resources and Development Committee of the Navajo Nation Council for approval.
- D. After certification of the CLUP, the CLUPC of a Governance Certified Chapter shall review all zoning ordinances to ensure compliance with the CLUP.

III. COMMITTEE AUTHORITY

- A. The CLUPC shall exercise the applicable duties and responsibilities outlined in the Navajo Nation Local Governance Act, 26 N.N.C. § 2004.
- B. The CLUPC will develop and oversee the implementation of a Comprehensive Plan, managed in 5-year increments, for the Chapter by making decisions and recommendations about its planning and administrative process and land use development.
- C. The CLUPC may recommend the selection of a Planner to assist in the development and update of the CLUP. The contracting of a Planner shall be done in compliance with the Chapter Five Management System and subject to Chapter fund availability.



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BACA/PREWITT CHAPTER CLUPC Plan of Operations

- D. The CLUPC may coordinate with various entities, including Universities and Colleges, to assist in data collection, analysis, and implementation of the planning process.
- E. The people of the Chapter, in a duly called meeting, will have the authority to review all development-related matters recommended by the CLUPC which may require further review by the Navajo Nation.
- F. CLUPC will not formulate budgets or monitor chapter assets, projects and programs.
- G. CLUPC members may provide recommendations to the Chapter and will not overstep the boundaries of the Chapter Administration. See 26 N.N.C. § 1004 et seq.
- H. CLUPC does not have the power to grant grazing privileges to community members. However, CLUPC can communicate with the appropriate grazing permit granting authority to ensure permits are granted in keeping with the community's larger plan for land use.
- I. The CLUPC has no implied authority to enforce other Navajo Nation laws and policies such as the Resource Grazing and Livestock Management Regulations.
- J. CLUPC has no implied authority to assist the Land Board with mediation of any land disputes.
- K. All resolutions approved by the CLUPC shall be set forth in writing and certified; copies of certified resolutions shall be provided to the Chapter Administration.

IV. MEMBERSHIP

- A. CLUPC shall consist of five (5) members.
- B. CLUPC Members shall serve a four (4) year term that runs concurrently with Chapter officials.
- C. Selections:
 - 1. Generally:
 - a. Interested Individuals shall submit their letter of interest to the Chapter President.
 - b. Upon a favorable review, the Chapter President appoints all CLUPC Members; and
 - c. The Chapter President's selection shall be approved by the community at a duly called Regular Chapter Meeting. See 26 N.N.C. § 2004 (C)(1).
 - 2. Alternative Selection Procedure:



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- a. Interested Individuals shall submit their letter of interest to the CLUPC.
- b. Upon a favorable review, the CLUPC shall submit their nominee(s) to the Chapter.
- c. The nominee(s) shall be approved by the community at a duly called Regular Chapter Meeting.
- D. Chapter Officials are eligible to serve as CLUPC Members but will need to avoid any conflicts of interest.

V. QUALIFICATIONS

- A. Must be at least 18 years of age.
- B. Registered member of the Chapter.
- C. Have experience, expertise, or knowledge of land use planning and development principles.

VI. CLUPC OFFICERS

A. CHAIRPERSON

1. The CLUPC Membership shall select all CLUPC Officers.
2. The Chairperson shall preside over all CLUPC meetings. The Chairperson shall call special meetings of the CLUPC with prior notice to the membership, when necessary.
3. The Chairperson maintains order at all CLUPC meetings and has the authority to suspend or adjourn a CLUPC meeting in the event of:
 - a) Disorderly conduct
 - b) Lack of decorum including, but not limited to, rudeness
 - c) Unforeseen emergency
4. The Chairperson provides all representatives of the community with an equal opportunity to speak on concerns before the CLUPC.
5. The Chairperson shall work closely with the Chapter officials, Chapter Administration staff, and other concerned groups or agencies.
6. The Chairperson encourages and promotes community participation in planning and development.
7. The Chairperson shall advance the interest of the community in all matters.



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B. VICE-CHAIRPERSON

1. Presides and performs the duties of the Chairperson in the absence of the Chairperson and shall perform all other duties that may be assigned by the Chairperson.
2. Assist with preparing the CLUPC meeting agendas.
3. Assist with meeting minutes in the absence of the Secretary.

C. SECRETARY

1. Electronically record and write CLUPC meeting minutes and keep record of all adopted resolutions, records, and minutes of each meeting.
2. Assist the Chairperson and Vice-Chairperson in preparing the agenda for CLUPC meetings and ensuring the agenda is posted at least forty-eight (48) hours in advance of the start of the meeting.
3. Submit all CLUPC records to the Chapter Administration within ten (10) working days.
4. Secretary shall return all CLUPC records and property upon the end of the tenure from office.

VII. MEETING AND QUORUM

- A. CLUPC members may conduct one (1) meeting per month, on the _____ of each month. All CLUPC meetings shall be open to the community. However, any portion of the meeting may need to go into Executive Session upon approval majority vote of the CLUPC.
- B. All CLUPC actions shall be recorded through a certified resolutions or written memorandum setting forth the action taken and filed with the CLUPC Secretary and Chapter Administration.
- C. Each meeting will be held in person and each CLUPC official is required to appear in person for each duly called meeting. However, if the Chapter has authorized virtual-hybrid meetings, the Chapter may also extend virtual-hybrid meetings for the CLUPC. The CLUPC may need to contact the Department of Justice for further guidance.
- D. A quorum is established when three (3) CLUPC members are present at a duly called meeting.
 1. Special Meetings may be called by the Chairperson.



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2. Special Emergency meetings and Work sessions also require adherence to the forty-eight (48) hour notice requirement.

VIII. REMOVAL, RESIGNATION OR VACANCIES

A. Removal

1. There is no entitlement to the membership of the CLUPC. Any CLUPC member(s) may be removed for any reason such as failure to attend three (3) consecutive meetings.
2. Removal of a CLUPC member before the term ending date requires minimal due process. The following steps should be followed when removing a CLUPC member with due process:
 - a) The Chairperson shall provide notice to the affected member by providing written notice that the member is being recommended for removal. If the Chairperson is being recommended for removal, the Chapter President shall issue notice to the CLUPC Chairperson. The Notice shall inform the member that he/she will have an opportunity to speak at the upcoming Regular Chapter Meeting to explain why he/she should not be removed.
 - b) At the Regular Chapter Meeting, the member will have an opportunity to be heard. Thereafter, the Chapter membership will vote in favor or opposed to the removal.
 - c) The decision by the community is final. Also, separate or individual removal resolutions are required for each member being recommended for removal.

B. Resignation

1. A CLUPC member may resign at any time.
2. The CLUPC member shall provide their resignation in writing.
3. Failure to provide a resignation in writing will trigger the removal process in subsection (A) herein.

C. Abandonment. When a majority of the CLUPC abandons their position resulting in the inability of the CLUPC to operate and/or the CLUPC has not operated for a significant amount of time, the Chapter President shall inform the community at a Regular Chapter Meeting of the need to replace the CLUPC membership using the appointment procedure in Section IV.



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- D. Vacancies. When a member is removed or resigns, a registered community member within the Chapter can be appointed or nominated in accordance with Section IV.
- IX. RULES
 - A. The CLUPC shall conduct its meetings according to applicable portions of the Parliamentary Rules of Order.
 - B. Meetings shall be conducted with *K'e* principles.
- X. COMPENSATION
 - A. Eligible CLUPC members shall be compensated upon submittal of a claim form to the Chapter Administration.
 - B. Committee members may receive a stipend of \$125.00 for each monthly meeting in accordance with the approved Chapter budget. Additional meetings may be compensated depending on the availability of funds and any necessary budget modifications.
 - C. Reports shall be furnished for all CLUPC meetings, regular or special, on CLUPC member's attendance to ensure proper compensation for said meetings.
 - D. Chapter shall pay stipends for CLUPC members selected in accordance with Section IV. There shall be no compensation for *pro tempore* members.
 - E. CLUPC members are not entitled to travel reimbursement. However, when properly approved, CLUPC members may receive allowable travel expenditure reimbursements per the Chapter's approved budget for the attendant fiscal year, and in accordance with all applicable Navajo Nation laws and regulations including the Navajo Nation Employee Travel Policies and Procedures Handbook.
 - F. A Chapter Employee serving as a CLUPC member shall be on authorized leave prior to performing CLUPC duties. This includes attendance of CLUPC meetings. Accordingly, such employees may earn a stipend in accordance with the rules herein.
- XI. ETHICS
 - A. Appointment. The Navajo Nation Ethics in Government Law 2 N.N.C. Sections 3751-3761 to Section 3751(A), requires accountability to the people of the Navajo Nation by their elected, appointed, and assigned public officials and employees in exercising the authority rested or to be rested with them as a matter of public trust.



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- B. Conflict of Interest. Generally, there is no inherent conflict of interest for a Chapter Official or Chapter Employee to serve on the CLUPC. However, there is always a potential for a conflict of interest to arise requiring the CLUPC member to recuse (disqualify) themselves from the particular action being considered by the CLUPC. A CLUPC member serving in both capacities has the duty and responsibility to know about conflicts of interests.

XII. LOCATION

The principal location of CLUPC meetings shall be at the Chapter house.

XIII. CHAPTER OVERSIGHT

The CLUPC committee shall operate under the oversight of the Chapter.

XIV. DEFINITIONS

- A. Conflict of interest – means the reasonable foreseeability that any personal or economic interest of a public official, or employee, will be affected in any materially different manner from the interest of the general public, but any decision, enactment, agreement, award or other official action or function of any governmental body or political obligation of the Navajo Nation. See 2 N.N.C. § 3743(G).
- B. Reaffirmation resolution – means every year, at the beginning of each fiscal year the committee membership will be reaffirmed by the Chapter membership through a Chapter resolution.



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XV. AMENDMENTS

This CLUPC Plan of Operation can be amended at the recommendation of the Chapter Administration, Chapter Officials, and CLUPC Committee members. All amendments proposing new language will be underlined and any amendments being deleted will be overstricken. The draft containing the underlines and strikeouts will be presented by the CLUPC at a Planning meeting. The CLUPC will thereafter present the amendments at a Regular Chapter meeting. The Chapter shall approve or disapprove the amendments at a regularly duly called chapter meeting.

Appendix D: CLUPC Membership Resolution



Baca-Prewitt Chapter

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RESOLUTION OF THE BACA/PREWITT CHAPTER BPC/26/04/058

Approving the Land Use Plan for the Baca-Prewitt Chapter Community Land Use Planning Committee (CLUPC) for Fiscal Year 2026.

WHEREAS:

1. Pursuant to Navajo Tribal Council Resolution BPC 05/02/065, and reaffirmed by Resolution CAP-34-98, the Council certifies and authorizes the Baca-Prewitt Chapter as a Navajo Chapter; and
2. Pursuant to 26 N.N.C., Section 1, (B) (1)(2) and Section 103, the Baca-Prewitt Chapter is recognized as a local government entity and delegated certain authorities and responsibilities with respect to local matters consistent with Navajo Nation Laws; and
3. Pursuant to 26 N.N.C. Section 2004, (C)(I), the Baca-Prewitt Chapter established and certified by resolution the Baca-Prewitt Community Land Use Planning Committee; and
4. The CLUPC Land Use Plan governs its performance and duties in accordance with 26 N.N.C., Section 2004, and to inform the public/community members of the nature of the nature of the CLUPC's organization, operation and other matters; and
5. The Baca-Prewitt CLUPC approved and made a retroactive to April 13, 2026, a Land Use Plan at a duly called regular CLUPC meeting, Prewitt, New Mexico, on April 13, 2026 (**EXHIBIT A**).

NOW THEREFORE BE IT RESOLVED THAT:

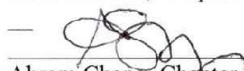
1. The Baca-Prewitt Chapter hereby approves the Land Use Plan for the community Land Use Planning Committee for Fiscal Year 2026.

CERTIFICATION

WE HEREBY certify that this foregoing resolution was duly discussed and considered at a duly called Baca-Prewitt Chapter meeting and adopted by Steve James, seconded by Stephanie Nez and that same passed by a vote of 18 in favor, 0 opposed and 2 abstained on this 13th day of April, 2026.


Hoskie Kee, Chapter President


Ruth Barbone, Chapter Vice-President


Abram Chapo, Chapter Secretary/Treasurer

Appendix E: Community Assessment Form

COMMUNITY ASSESSMENT

Community Based Land Use Planning Committee use only

1. **Head of Household:** _____ Age: _____
 Marital Status: _____ Married: _____ Single: _____ Divorced: _____ Widowed
 Source of Income: _____
 2. **Mailing Address:** _____
Physical Address: _____

Home Phone: _____ **Cell Phone:** _____
Message: _____
Are you a Registered Voter of Baca/Prewitt Chapter? _____ Yes _____ No
 3. **Spouse:** _____ Age: _____
 Spouse Cell Phone Number: _____
 Source of Income: _____
Are you a Registered Voter of Baca/Prewitt Chapter? _____ Yes _____ No
 4. **How far do you live from The BACA/PREWITT CHAPTER?** _____
How far off the main road to your resident do you live? _____
 5. **Does the road to your resident have a name?** _____ Yes _____ No
 Name of road to your resident: _____
 6. **Road condition to your resident:**
 a. Comments: _____

 7. **What kind of structure do you live in?**
 _____ Frame House, _____ Hogan, _____ NHA Housing, _____ Mobile Home,
 _____ Other: _____
 8. **Is your structure on a lot?** _____ Yes _____ No Status: _____
 9. **How long have you lived in present home?** _____
 10. **Do you have Electricity in your home?** _____ Yes _____ No
 If yes, how far away is the electric pole from your home? _____
 11. **Do you have Water in your home?** _____ Yes _____ No
 If yes, how far away from your home is your water line connected to your home? _____
 Is your water installed by DIG Deep? _____ Yes _____ No
 Is there a water tank installed? _____ Yes _____ No
 Do you have a Leech Line? _____ Yes _____ No
- Comments: _____

12. **What do you use to cook with:** _____
 13. **What do you use to heat your home:** _____
 14. **Head of Household:**
 Are you a Military Veteran? _____ Yes _____ No
 Disabled? _____ Yes _____ No Branch: _____ Years Served? _____
 If No, are there any Military Veterans in your home? _____ Yes _____ No
 If Yes, is the individual Disabled? _____ Yes _____
 No Member Name: _____
 Branch: _____ Years Served: _____

15. Do you own any Livestock? ____ Yes ____ No
 a. ____ Horses ____ Cows ____ Sheep ____ Goats ____ Other: _____

16. Do you have a Grazing Permit? ____ Yes ____ No

17. Are your livestock branded? ____ Yes ____ No

18. Where do you dispose your trash? _____
 a. Comments: _____

19. Do you think our community has a trash problem? ____ Yes ____ No
 a. Comments: _____

20. What do you think of our road condition in the community?
 a. Comments: _____

21. Do you think the community needs more housing? ____ Yes ____ No
 ____ NHA ____ Veterans Housing ____ Clustered Homes ____ Scattered Homes ____ Others: _____
 a. Comments: _____

22. What do you think is most needed in the community?
 1. _____
 2. _____
 3. _____
 4. _____
 5. _____

23. Is Head of Household in need of:
 a. Bathroom Addition? ____ Yes ____ No
 b. In Need of Pro Panels? ____ Yes ____ No
 c. Materials For Home Renovation? ____ Yes ____ No
 d. Other: _____

24. Assessment and Observation Done by: _____
 Date: _____
 Submitted to Baca/Prewitt Chapter On: _____
 Submitted Assessment form of individual to: _____
 Signature of person receiving the Assessment Form by: _____

25. Please check register log to see if all individuals over the age of 18 are registered to vote.

Appendix F: Title 26 – Local Governance Act

[Reserved]

Title 26

Navajo Nation Local Governance Act

Chapter 1. Navajo Nation Chapters

Subchapter 1. Generally

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

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

B. Purpose.

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

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

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

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

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

History

CAP-34-98, April 20, 1998.

Cross Reference

Navajo Election Code of 1990, apportionment, see 11 N.N.C. § 9.

§ 2. Definitions

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

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

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

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

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

5. "Attendance" means to be present.

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

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

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

9. "Chapter meeting minutes" means the record of all action taken at a duly called meeting of the chapter.

10. "Chapter membership" means:

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

to this Act.

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

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

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

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

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

15. "Community based land use plan" means a document adopted by chapter resolution setting forth current and proposed uses of land within chapter boundaries, illustrating such uses by map or plat.

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

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

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

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

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

21. "Governance procedure requirements" means the process chapters must complete pursuant to § 102 to begin exercising authorities pursuant to this Act.

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

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

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

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

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

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

28. "Personal property" is all supplies, materials, equipment and other property, including expendable and nonexpendable property, capitalized and non-capitalized, but does not include real property or fixtures. Capitalized property is nonexpendable property having acquisition value of one thousand dollars (\$1,000) or more.

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

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

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

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

33. "Subcontract" means the act of entering into a written agreement between a Navajo Nation chapter and a Navajo Nation division, program or entity.

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

History

CO-51-04, October 18, 2004. Amended subsections 10(a) "Chapter membership," 11 "Chapter officials," and 12 "Chapter ballot measure." Majority chapter approval of Resolution CO-51-04 obtained on August 26, 2007.

CJY-42-04, July 23, 2004. Majority chapter approval of Resolution CJY-42-04 obtained on October 7, 2004.

CAP-34-98, April 20, 1998.

Annotations

1. Chapter employee

"It is clear to this Court, then, that the CSC position is an administrative position, and that the duties of the position fall within the definition of 'chapter employee' in 26 N.N.C. § 2(8). Whether the chapter receiving those services is certified pursuant to the LGA or not does not change the nature of the services nor the position of the employee. A CSC is a chapter employee." *In the Matter of the Termination of: Yazzie and Barney v. Division of Community Development, Local Governance Support Center*, No. SC-CV-37-05 and No. SC-CV-42-05, slip op. at 5 (Nav. Sup. Ct. June 14, 2007).

§ 3. Chapter certification

A. There shall be certified at least one chapter organization in each chapter precinct which elects delegates to the Navajo Nation Council. The list of certified chapters is at 11 N.N.C. § 10.

B. Until increased by certification by the Navajo Nation Council, the number of certified chapters shall not exceed 110.

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

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

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

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

History

CAP-34-98, April 20, 1998.

Subchapter 3. Navajo Nation Chapter Governance

§ 101. Chapter government requirements

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

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

community assessment.

History

CAP-34-98, April 20, 1998.

§ 102. Governance procedure requirements

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

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

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

History

CAP-34-98, April 20, 1998.

§ 103. Chapter authority

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

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

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

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

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

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

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

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

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

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

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

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

9. Retain legal counsel.

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

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

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

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

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

3. Acquire and administer capital improvement project funds.

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

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

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

7. A municipal form of government or chapter subunits based upon models provided by the Transportation and Community Development Committee of the Navajo Nation Council.

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

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

10. Issue community bonds.

11. Compensate the chapter president, the vice president, and the secretary/treasurer.

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

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

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

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

History

CJY-42-04, July 23, 2004. Majority chapter approval of Resolution CJY-42-04 obtained on October 7, 2004.

CAP-34-98, April 20, 1998.

Cross References

Navajo Election Code, referendum, see 11 N.N.C. § 401 et seq.

Chapter 2. Chapter Government

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

§ 1001. Duties and responsibilities of chapter officials

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

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

1. The chapter president shall:

a. Consult with the chapter vice president, secretary/treasurer, council delegate(s), and chapter staff in preparation of the agenda for each chapter meeting. If applicable, the president shall also consider proposed agenda items from the planning meeting.

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

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

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

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

(1) A lack of quorum;

(2) Disorder at the meeting;

(3) Unforeseen emergency;

(4) When a chapter meeting is adjourned or postponed, the chapter president shall provide notice to the chapter members as to the time and place of the next or continued chapter meeting.

f. Vote in case of a tie.

g. Call emergency or special chapter meetings.

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

i. Ensure that the duties and responsibilities of the vice president and the secretary/treasurer are carried out in the best interest of the chapter community.

j. Work closely with the vice president, and secretary/treasurer, to ensure that the chapter administration is adequately meeting the chapter's directives and expending funds according to conditions of the Navajo Nation Council and/or the chapter's annual budgetary objectives; and shall report to the chapter membership.

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

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

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

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

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

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

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

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

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

t. Delegate to the vice president certain duties and responsibilities of the presidency, when the president is otherwise incapacitated or is unavailable to perform his duties.

2. The chapter vice president shall:

a. Automatically assume the duties and responsibilities of the chapter president, in the absence of the president during chapter meetings.

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

c. Assist the president and secretary/treasurer with their duties and responsibilities.

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

e. Monitor community projects.

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

g. Support and assist the president and secretary/treasurer in carrying out the decisions of the chapter and not act to frustrate

those decisions.

3. The chapter secretary/treasurer shall:

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

b. Assist the president and vice president in preparing the agenda.

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

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

e. Follow up with the chapter president and vice president on all referrals of resolutions, proposals, correspondence and other related matters.

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

g. Work closely with the chapter president, vice president, and other chapter committees.

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

i. Shall, in consultation with the chapter president and vice president, ensure that the administration prepares monthly financial reports of all transactions and expenditures of the chapter by categories. The secretary/treasurer is responsible for providing all financial reports to the chapter membership at duly called chapter meetings.

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

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

l. Co-sign all chapter checks along with the chapter manager. In the event that the secretary/treasurer is unavailable, the chapter president or the vice president may co-sign chapter checks.

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

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

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

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

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

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

History

CJY-43-04, July 23, 2004. Majority chapter approval of Resolution CJY-43-04 obtained on October 7, 2004.

CAP-34-98, April 20, 1998.

Annotations

1. Construction and application

"In this case, the law is clear and unambiguous. The Local Governance Act, 26 N.N.C. § 1001(A) prohibits an individual from serving both as a chapter official and chapter employee at the same time. A general provision within the personnel manual cannot supersede provisions in the Code appropriately considered and approved by the Council. Therefore, a CSC is a chapter employee, and that position cannot be held simultaneously with that of a chapter official." *In the Matter of the Termination of: Yazzie and Barney v. Division of Community Development, Local Governance Support Center*, No. SC-CV-37-05 and No. SC-CV-42-05, slip op. at 4 (Nav. Sup. Ct. June 14, 2007).

"The Local Governance Act, 26 N.N.C. § 1001(A) is clear and unambiguous, and will be held to mean what it says. 'An individual may not serve as both a chapter official and chapter employee at the same time.' 26 N.N.C. § 1001(A). There are no conditions precedent to the implementation of that prohibition. A CSC is a chapter employee. Therefore, all appellees were simultaneously serving as both chapter employees and as chapter officials. That is prohibited by law." *In the Matter of the Termination of: Yazzie and Barney v. Division of Community Development, Local Governance Support Center*, No. SC-CV-37-05 and No. SC-CV-42-05, slip op. at 5 (Nav. Sup. Ct. June 14, 2007).

§ 1002. Meetings; Meeting notice requirement; Compensation of chapter officials

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

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

C. Compensation of chapter officials

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

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

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

b. Each chapter president, vice president, secretary/treasurer (the appointed acting secretary and/or the chapter president pro-tempore) shall be paid in accordance with the approved fiscal year budget;

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

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

History

CAP-34-98, April 20, 1998.

§ 1003. Order of business

A. The chapter president or in the absence of the president, the vice president shall chair all regular or special chapter meetings. In the absence of the president and vice president, the chapter members present may select a chairperson pro tempore for that meeting only.

B. All chapter meetings require a quorum of twenty-five (25) registered chapter members to conduct official chapter business. Chapters, whether governance-certified or not, may amend the quorum requirement, based upon models and procedural regulations adopted by the Transportation and Community Development Committee of the Navajo Nation Council. Adoption of an amended quorum requirement requires approval by chapter ballot measure in accordance with 11 N.N.C. §§ 401-408.

C. Chapters may adopt standard rules for conducting chapter meetings.

D. Procedural Rules for Motions.

1. The approval or amendments to the agenda, minutes, report(s) and resolution(s) under old and new business of the agenda shall be done in the following manner:

a. Upon presenting the agenda, minutes, report(s), resolution(s) and/or issue(s) of the agenda, the chapter president shall request a motion to accept the matter before the chapter membership and recognize a second to the main motion.

b. Upon receiving a motion and a second to the main motion, the chapter president shall provide an opportunity to members of the chapter to address the matter before the chapter membership.

c. Any member of the chapter may propose an amendment to the main motion which would require a second. The chapter membership shall vote on the proposed amendment motion. If the amendment motion passes, it shall take precedence over the part of the main motion subject to a proposed amendment. Only one motion to amend the main motion shall be on the floor.

d. Any member of the chapter may propose a substitute motion and if it passes, it shall take the place of the main motion. The substitute motion shall be seconded and voted on.

e. Any member of the chapter may propose to table the legislation or issue before the chapter. The motion to table the matter shall be seconded and voted on. If the tabling motion passes, it shall take precedence over other motions.

2. The chapter president, vice president, and secretary/treasurer, at a duly called chapter meeting, are prohibited from making main motions and second motions on substantive and administrative matters. They may make motions and second motions during planning meetings.

History

CO-51-04, October 18, 2004. Amended subsection B. Majority chapter approval of Resolution CO-51-04 obtained on August 26, 2007.

CAP-34-98, April 20, 1998.

Cross References

Navajo Election Code, referendum, see 11 N.N.C. § 401 *et seq.*

§ 1004. Chapter administration

A. The chapter shall enact, by resolution, plans of operation for all executive functions and administrative policies of the chapter, including but not limited to: record keeping, accounting, personnel, payroll, property management, contracting procurement and program management. The Five Management System shall be the basis of enacting the plans of operation and administrative policies. The chapter administration shall follow the duties and responsibilities prescribed in the plans of operation and shall comply with all administrative policies and procedures enacted by the chapter.

B. The chapter manager shall co-sign all chapter checks.

C. The chapter manager shall be the custodian of all official books, records, documents, and funds of the chapter. Failure of the manager to safeguard these items is cause for removal and assessment of applicable penalties pursuant to Navajo Nation law.

D. Members of the chapter, individually, are prohibited from direct involvement in the management and operations of the government or administration.

History

CAP-34-98, April 20, 1998.

Subchapter 7. Navajo Nation Chapter Regulations and Procedure

§ 2001. Chapter ordinance procedure

A. All proposed ordinance(s) shall contain the following:

1. An ordinance number;
2. A title which indicates the nature of the subject matter of the ordinance;
3. A preamble which states the intent, need or reason for the ordinance;
4. The subject of the ordinance;
5. Rules and regulations governing the enforcement of the ordinance, budgetary information, and where applicable, a statement indicating the penalty for violation of the ordinance;
6. A statement indicating the date when the ordinance shall become effective;
7. The signature of the chapter president to make an official

recording of the transaction or writing.

B. The proposed ordinance shall be read into the record at two consecutive chapter meetings, of which one may be designated a special meeting, to provide information and an opportunity to discuss and comment on the proposed ordinance(s).

C. All proposed ordinances shall be read in both English and Navajo.

D. After the final reading, the proposed ordinance shall be posted at public places within the chapter boundaries a minimum of 14 days prior to the vote. The date of the vote shall be decided upon at this time.

E. Passage of all ordinance(s), except those listed in subsection H, requires a majority of the votes cast, by the chapter membership during a regular or special meeting.

F. All ordinances shall be compiled and maintained at the chapter for public information. Copies of ordinances shall be filed with the central Records Management Department of the Navajo Nation.

G. Ordinances shall be amended or rescinded by the process provided in this Section. All ordinances proposing amendments shall clearly indicate new language by underscoring and deletions by overstriking.

H. A chapter ballot measure shall be used for the adoption of an alternative form of chapter governance, a municipal form of government, chapter subunits, local taxes and fees, issuance of community bonds and compensation of chapter officials. Adoption of a chapter ballot measure shall be in accordance with 11 N.N.C. §§ 401-408.

I. Challenges to ordinances shall be pursuant to 1 N.N.C. § 501 *et seq.*

History

CO-51-04, October 18, 2004. Amended subsections E and H. Majority chapter approval of Resolution CO-51-04 obtained on August 26, 2007.

CAP-34-98, April 20, 1998.

Cross References

Navajo Election Code, referendum, see 11 N.N.C. § 401 *et seq.*

§ 2002. Chapter contract requirements

A. Except as otherwise provided in this Act, all contracts authorized to be executed on behalf of a chapter, and utilizing Navajo Nation funds shall:

1. Expressly state the liability of the chapter under the contract;
2. Be approved by the chapter membership, before being executed on behalf of the Chapter;

3. Have sufficient funds appropriated and available;

4. Comply with the Navajo Business and Procurement Act, 12 N.N.C. § 1501 et seq., the Navajo Preference in Employment Act, 15 N.N.C. § 601 et seq., the Navajo Nation Business Opportunity Act, 5 N.N.C. § 201 et seq. and rules and regulations promulgated thereto;

5. Be awarded only after public advertisement and bidding;

6. Not waive the sovereign immunity of the Navajo Nation;

7. Provide access to all contracts or papers to the public; and, if applicable

8. Not exceed ten percent (10%) of the accepted bid. If the ten percent (10%) cap is exceeded by change orders, modifications or amendments, such change orders, modifications or amendments shall be subject to the provisions of § 2002(A)(5) above.

B. All executed contracts and papers, and any modifications thereof, shall be filed at the chapter.

History

Note (2005). Reference to "Business Preference Act" at Subsection(A)(4) changed to "Navajo Nation Business Opportunity Act" pursuant to CAP-37-02, April 19, 2002.

CAP-34-98, April 20, 1998.

§ 2003. Chapter Accounting System; Chapter Appropriations; Budget Process; Chapter Insurance

A. The chapter shall adopt an accounting system deemed acceptable by the Auditor General.

B. In accordance with the exception provided in 12 N.N.C. § 820(N), funds appropriated to the chapters by the Navajo Nation Council shall not be subject to a lapse of appropriation at the end of the fiscal year provided that chapters shall budget those funds in the subsequent fiscal year in accordance with the purposes and conditions originally set forth by the Navajo Nation Council in its appropriations.

C. Budget Process

1. At least one month before the end of the Navajo Nation fiscal year, the manager, in consultation with the chapter officials, shall prepare, schedule and explain the annual chapter budget to the membership. Chapters are required to follow the annual budget instruction of the Navajo Nation Office of Management and Budget when formulating the annual chapter budget and when the budget concerns Navajo general funds. At a duly called planning meeting, the manager shall present a proposed annual budget for the ensuing fiscal year. The manager shall, to the extent allowed by law, include the objectives of the membership in the

proposed budget.

2. The budget shall consist of financial information, including but not limited to: a statement on prior financial expenditures; capital improvement funds; debts; encumbrances; and budget objectives from the current year and the status of those objectives.

3. The manager, in consultation with the chapter officials, shall finalize the budget for approval by the chapter membership. The chapter membership shall vote upon the budget at a duly called chapter meeting in which reasonable notice has been given to the chapter membership that said meeting will include approval of the annual budget. The budget expenditures shall not exceed the total of the estimated income for the fiscal year. No payments shall be made or obligated except in accordance with the appropriation duly enacted by the chapter or adopted by the Navajo Nation Council.

D. To protect the interests of the chapter, the chapter shall participate in the Navajo Nation's insurance and employee benefit programs, subject to the terms and conditions of such programs. In the event that a chapter elects not to participate in the Navajo Nation's programs, the chapter shall establish adequate coverage through the creation of a self-insurance program or the procurement of appropriate policies.

E. Chapter funds shall not be used for personal, business or other forms of loans. Per capita distribution of funds by the chapter is prohibited.

F. Any person, agent, or chapter official misappropriating or misusing chapter funds or property shall be subject to prosecution under the applicable laws of the Navajo Nation, and, if appropriate, under the laws of the United States federal government.

History

CJY-42-04, July 23, 2004. Majority chapter approval of Resolution CJY-42-04 obtained on October 7, 2004.

CJY-43-04, July 23, 2004. Majority chapter approval of Resolution CJY-43-04 obtained on October 7, 2004.

CAP-34-98, April 20, 1998.

§ 2004. Zoning; Community Based Land Use Plan; Land Use Variations

A. Zoning

1. Chapters may enact zoning ordinances provided that the membership adopt and implement a community based land use plan pursuant to § 2004(B).

2. Adoption of all local zoning ordinances shall be done pursuant to § 103(E)(4) of this Act.

3. The chapter shall be responsible for the enforcement of all

zoning ordinances adopted by the membership. The chapter shall provide and maintain information relative to all matters arising from adopted zoning ordinances.

4. All proposed amendments to zoning ordinances shall first be reviewed by the Community Land Use Planning Committee (CLUPC), and shall require approval by the chapter membership before becoming effective.

B. Community Based Land Use Plan. The chapter, at a duly-called chapter meeting shall by resolution, vote to implement a community based land use plan, after the CLUPC has educated the community on the concepts, needs, and process for planning and implementing a community based land use plan. The community based land use plan shall project future community land needs, shown by location and extent, of areas identified for residential, commercial, industrial, and public purposes. The land use plan shall be based upon the guiding principles and vision as articulated by the community; along with information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure; and, finally with consideration for the land-carrying capacity. Such a plan may also include the following:

1. An open space plan which preserves for the people certain areas to be retained in their natural state or developed for recreational purposes.

2. A thoroughfare plan which provides information about the existing and proposed road network in relation to the land use of the surrounding area.

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

C. Establishment and Duties of the Community Land Use Planning Committee.

1. Upon approval and passage of a chapter resolution stating the chapter's desire to develop and implement a community based land use plan, the chapter shall establish a Community Land Use Planning Committee (CLUPC) to approve the processes for planning and to oversee planning activities. The CLUPC shall be comprised of voting members of the chapter that have expertise to provide valuable contributions to the overall land planning process. Subcommittees such as technical, and public advisory committees, comprising of voting and non-voting members may be established to assist the CLUPC.

2. The CLUPC may hire a planner, subject to availability of funds, to be responsible for preparing the community based land use plan. At a minimum, the planner shall exhibit leadership qualities and organizational abilities along with experience or education in the discipline of land planning.

3. The planner shall work under the supervision of the CLUPC and

with the community residents. The duties and responsibilities of the planner shall include the following:

- a. Coordinating all land planning activities.
- b. Developing a community education and participation plan describing methods that will foster public education and participation through public hearings, newspaper and radio. Chapter members will be informed periodically on the progress of the land planning activities. All information pertaining to the plan shall be available to the public. The CLUPC shall approve the community participation plan.
- c. Developing and implementing a community assessment ascertaining the goals, priorities, and vision for the future of the community.
- d. Inventorying and assessing pertinent data. The planner shall request data and seek technical assistance when necessary for compilation of all available data from tribal, federal, and state agencies for inventorying and assessing natural, cultural, and human resources, as well as community infrastructure. In addition, chapters may hire consultants to assist with the inventory and assessments.
- e. In the event a chapter lacks the resources to hire a planner, the CLUPC shall be responsible for conducting the duties described in this Subsection.

D. Presentation and Approval of the Community Based Land Use Plan by the Chapter and Certification by the Transportation and Community Development Committee

1. Upon completion of the resource inventory, assessments, and community assessment, the CLUPC shall prepare a community based land use plan as described in § 101. Local planning and zoning ordinances may also be presented at this time. The community based land plan shall be presented to the local residents in one or more public meetings and through various multimedia. The community members shall have 60 days to comment in writing or in testimony at a final public hearing. Upon compliance with the notice requirements, the chapter, at a duly-called chapter meeting, shall by resolution, vote to adopt the community based land use plan.

2. The CLUPC shall make necessary adjustments, as approved by the chapter membership, and shall submit the plan to the Transportation and Community Development Committee of the Navajo Nation Council. The Transportation and Community Development Committee by resolution shall certify the community based land use plan. Every five years the plan shall be reevaluated and readjusted to meet the needs of the changing community.

E. Land Use Variations. The utilization of all withdrawn lands of the community as defined by the adopted Community Based Land Use Plan shall be in accordance with applicable Navajo Nation and federal law, and the provisions of said plan; variations to said plan must be consistent with § 103(E) (4).

History

CJY-41-04, July 23, 2004. Majority chapter approval of Resolution CJY-41-04 obtained on October 4, 2004.

CAP-34-98, April 20, 1998.

Cross Reference

Regarding zoning and land use, see also 6 N.N.C. § 1051 *et seq.*, and 16 N.N.C. § 1 *et seq.*

§ 2005. Eminent domain requirements

A. Damages to Improvements of Individual Navajo Indians

1. Whenever a Navajo Nation chapter disposes of land containing any improvement belonging to a Navajo Indian who will not donate the same, whether the disposition is made by surface lease, permit, consent to grant of right-of-way or consent to commencement of construction on a proposed right-of-way, or in any other manner that gives the grantee or proposed grantee exclusive use of the surface of the land containing such improvement, or authorizes the grantee or proposed grantee to use the surface of the land in such manner that said improvement or improvements must be removed, damaged, or destroyed, the chapter will pay damages to the rightful claimant of such improvement or improvements.

2. As used in this Section, "improvement" means houses, hogans, sunshades, stables, storage sheds, dugouts, and sweathouses; sheep and horse corrals, and pens, and fences lawfully maintained; irrigation ditches, dams, development work on springs, and other water supply developments; any and all structures used for lawful purposes and other things having economic value. Where any improvement by a Navajo Indian is readily removable and such person has an opportunity to remove the same, damages payable on account of said improvement shall be limited to the reasonable cost of removal, if any, even though the claimant thereof may have failed to remove such improvement and it may have been destroyed or damaged in the authorized course of use of the land on which it is located.

3. No damages shall be paid to any person for any improvement, when such person at the time of building or acquiring said improvement knew or with reasonable diligence ought to have known that the area in which it was located was proposed to be disposed of by the chapter adversely to such person's interest.

4. Damages to be paid to individual Navajo Indians under this Section shall be fixed by negotiation and consent between the chapter president of the chapter or his or her authorized representative and the individual involved. If no agreement satisfactory to the chapter president or his or her representative can be reached within a reasonable time, the chapter president shall appoint one appraiser, the individual shall appoint one appraiser, and the two appraisers so appointed shall

appoint a third appraiser; but if they cannot agree upon the third appraiser within 10 days, the chapter president may appoint him or her. The three appraisers shall examine the improvement alleged to be damaged and shall appraise and determine the damages. Their determination shall be submitted to the Resources Committee of the Navajo Nation Council and when, if, and as approved by said Committee the amount thereof shall be final. The chapter shall pay the fees of said appraisers, except where they are regular Navajo Nation employees, in which case they shall not be entitled to any fees. In addition, the chapter shall pay the reasonable and necessary expenses of said appraisers, whether or not such appraisers are Navajo Nation employees.

B. Economic Damage to Intangible Interests of Navajo Indians

1. Whenever as a result of a Navajo Nation chapter granting any lease or permit embracing Navajo Nation land, or granting permission by the chapter for the use of Navajo Nation land, or as a result of the use of Navajo Nation land under such lease, permit or permission, the value of any part of such land for its customary use by any Navajo Indian formally lawfully using the same is destroyed or diminished, the chapter will compensate the former Navajo Indian user in the manner hereinafter specified.

2. When the livelihood of the former Navajo Indian user is gravely affected by the new use, such user shall have first priority in resettling on other lands acquired by the Navajo Nation, except the area acquired pursuant to the Act of September 2, 1958 (72 Stat. 1686); and the chapter shall pay the expense of removing said person, his or her family, and property to any new land made available for his or her use, and such shall constitute full compensation to such Navajo.

3. In all other cases involving damages under this Paragraph, the amount thereof shall be fixed and determined in the manner specified in 26 N.N.C. § 2005(A) (4) above.

4. Whereby reseeding, irrigation, or otherwise, the remaining land in the customary use area of any individual damaged by the governmental exercise of eminent domain is within a reasonable time made able to provide the same economic return as his or her former entire customary use area, no damages shall be payable to such person, except for the period, if any, between adverse disposition of the land in the customary use area and the time when the productivity of the remaining land achieves equality with the entire former customary use area.

5. Only lawful and authorized use shall be compensated under this Section. Thus, no person shall be compensated for loss of use of land for grazing animals in excess of his or her permitted number, or without a permit.

6. Every person otherwise entitled to damages under Subsection (3) of this Section shall not be entitled to receive any payment thereof until that person has surrendered for cancellation that person's grazing permit as to all animal units in excess of the carrying capacity of the land remaining in that person's customary use area. Persons so

surrendering their grazing permits shall be entitled to an immediate lump sum payment based on the current market value for each sheep unit canceled.

C. Adverse Disposition of Navajo Nation Land Not to be Made Until Individual Damages are Estimated. Neither lessee, permittee, or the grantee of a right-of-way or other interest in or right to use Navajo Nation lands shall commence any construction thereon, nor make any change in the grade or contour thereof or remove any surface vegetation thereon until the damages to the improvements thereon or the customary use rights of all the individuals affected thereby have been estimated by the Navajo Land Department of the Navajo Nation. Unless the chapter membership has previously authorized the payment of such damages from nonreimbursable funds of the chapter, the chapter president shall require the applicant for such lease, permit or grant of a right-of-way or other interest in or right to use Navajo Nation lands to deposit with the chapter secretary/treasurer an amount equal to at least double the estimate of damage made by the Navajo Land Department. After the lease, permit, or grant of right-of-way or user has become final and the damages have been determined, either by appraisal, estimate or by consent as hereinbefore provided, the chapter president shall cause the secretary/treasurer to pay, from and out of this deposit, to the person or persons damaged thereby such sum as he, she or they may be entitled to under the terms of this Section, and to return to the applicant the excess thereof, except that where the individual damaged has not consented to the determination of the amount thereof, it shall be withheld in order to satisfy the excess amount, if any, determined under 26 N.N.C. § 2005(A)(4). Such disbursements shall be made without further appropriation of the Navajo Nation chapter membership. All sums held by the secretary/treasurer of the Navajo Nation chapter, pursuant to the terms of this Section, for a period of more than 30 days shall be deposited in a Federal Savings and Loan Association or invested in the bonds of the United States until needed for disbursement.

History

CAP-34-98, April 20, 1998.

Note: Slightly reworded for clarity.

§§ 2006 to 2008. [Reserved]

Subchapter 9. [Reserved]

Subchapter 11. [Reserved]

Subchapter 13. [Reserved]

Appendix

Intergovernmental Relations

TREATY OF 1850

TREATY of 1868

Appendix G: Land Use Planning Requirements



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
 Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

COMMUNITY-BASED LAND USE PLAN

REQUIREMENTS COMPLIANCE COVER SHEET

Chapter: Baca/Prewitt Chapter

Date: 09/21/2026

RE: Compliance with Navajo Nation Code Title 26, § 2004

This cover sheet certifies that the **Community-Based Land Use Plan (CLUP)** for the **Baca Prewitt Chapter** has been reviewed for compliance with the requirements established under **Navajo Nation Code, Title 26, § 2004 – Zoning: Community-Based Land Use Plan; Land Use Variations**.

Based on the documentation submitted and the attached **Community-Based Land Use Plan Requirements Checklist**, the required planning components, community participation activities, public hearings, adoption procedures, and applicable review and certification requirements have been addressed.

The Community-Based Land Use Plan includes, as applicable:

- CLUPC Plan of Operation and Chapter Resolution establishing CLUPC membership;
- Community Education and Participation Plan;
- Community Assessment, including demographics and community needs;
- Community vision, mission, goals, and project priorities;
- Open Space Plan and identification of areas for natural, recreational, and other community purposes;
- Land Use Plan and identification of future residential, commercial, industrial, agricultural, public, and community needs;
- Chapter projects and Capital Improvement Plan;
- Land Suitability Inventory and Assessment;
- Natural, cultural, and human resources;
- Land carrying capacity;
- Community Infrastructure Plan;
- Thoroughfare/Transportation Plan and corresponding maps;
- Community Facilities Plan;
- Corresponding land use, transportation, facilities, and infrastructure maps;
- Zoning/Ordinance provisions, when applicable to LGA-certified Chapters;
- First Public Hearing;
- Sixty (60)-Day Community/Public Comment Period;

- Second Public Hearing and additional public hearings, when necessary;
- Chapter Resolution adopting and approving the Community-Based Land Use Plan;
- Council Delegate review, legislation, and required five-day comment period; and
- RDC Committee review and certification/recertification, as applicable.

CERTIFICATION OF COMPLETION

The attached checklist documents that the applicable requirements for development, review, community participation, adoption, and certification of the Community-Based Land Use Plan have been completed.

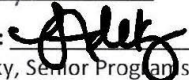
Therefore, the Community-Based Land Use Plan is submitted as having met the applicable requirements of Navajo Nation Code Title 26, § 2004, subject to final review and certification by the appropriate Navajo Nation authorities.

This cover sheet and checklist are intended to provide a clear record of compliance and to accompany the Community-Based Land Use Plan throughout the review, approval, legislative, and certification process.

Reviewed By: 

Title: *Senior Planner, Division Director, Division of Community Development*

Date: 9/21/26

Concurred by: 

Guarena Adeky, Senior Programs Projects Specialist, Administrative Services Center (ASC),
Division of Community Development

Community - Based Land Use Plan (CLUP) Requirements

Chapter: *Baca / Prewitt*

Date: *9/21/2026*

Please check the documents that were received.

- ☒ CLUPC Plan of Operation: Chapter Resolution on the CLUPC membership names of CLUPC members.
- ☒ Community Education Participation Plan (on going process)
- ☒ Community Assessment:
 - ☒ *Community Demographics/Census (working on the section)*
 - ☒ *Goals/Projects Priorities*
 - ☒ *Vision and Mission Statement*
- ☒ *Open Space Place and the Identification of Certain Areas of Land of:
 - ☒ *Maintaining its Natural State*
 - ☒ *Recreational Purposes*
- ☒ Land Use Plan:
 - ☒ *Chapter projects – Capital improvement plan*
 - ☒ *Identification of Future Community Needs*
 - ☒ *Residential, Commercial, and Industrial*
 - ☒ *Public Purposes: cemetery, agriculture, farming*
 - ☒ *Corresponding maps*
 - ☒ *Zoning/Ordinance (LGA Certified Chapters only)*
- ☒ Land Suitability - Inventory and Assessment of Pertinent Existing Data:
 - ☒ *Natural, Cultural, and Human Resources*
 - ☒ *Land Carrying Capacity*
 - ☒ *Community Infrastructure*
- ☒ *Thoroughfare Plan – System of and Design for:
 - ☒ *Existing and Proposed Major Streets*
 - ☒ *Distinguishing Between:*
 - ☒ *Limited Access Routes*
 - ☒ *Primary and Secondary Thoroughfares; and*
 - ☒ *Relation Major Thoroughfare to the Road Network and Land Use of the Surrounding Area.*
 - ☒ *Road related; bridges, low water crossings, sidewalks, streetlights, pedestrian traffic*
 - ☒ *Corresponding Maps*
- ☒ Community Facilities Plan:
 - ☒ *Recreational Areas/Trails*

2025 P.1

- ☒ *Schools*
- ☒ *Libraries*
- ☒ *Other Public Buildings*
- ☒ *Community Infrastructure Plan
 - ☒ *Powerline*
 - ☒ *Waterline*
 - ☒ *Sewer Lagoon*
 - ☒ *Solid Waste*
 - ☒ *Telephone Services*
- ☒ First Public Hearing on the updates.
- ☐ 60 Day Community/Public Comment Period
- ☐ Second Public Hearing. Additional public hearing if needed.
- ☐ Chapter Resolution Adopting and Approving the Community Based Land Use Plan
- ☐ Council Delegate for Legislation, Review, and Five-Day Comment Period
- ☐ RDC Committee Resolution Granting Certification/Recertification

Appendix H: 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.
CLUPC 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 statue. 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. This Law was passed by the 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
- Rural Addressing

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 facility.

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.'

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

Appendix I: Acronyms and Abbreviations

ADT	Average Daily Traffic
AHP	Affordable Housing Program
ARPA	American Rescue Plan Act
ASC	Administrative Services Center
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
CDEC	Continental Divide Electric Cooperative, Inc.
CPMD	Community Projects Management Development
EPA	U.S. or Navajo Environmental Protection Agency
EPA	Eagle Protection Act
ESA	Endangered Species Act
FNLB	Federal Home Loan Bank
FRF	Fiscal Recovery Funds
GED	General Education Degree
HIP	Housing Improvement Program
HUD	U.S. Department of Housing and Urban Development
IAD	Indian Affairs Department
I.H.S	Indian Health Service
IHP	Indian Housing Plan
ISR	Indian Service Route
LGA	Local Governance Act
LIHTC	Low Income Housing Tax Credit
MELP	Micro Enterprise Lending Program
MBTA	Migration, Bird Treaty Act
NCC	Navajo Communications Company
NDOT	Navajo Department of Transportation
NEPA	National Environmental Protection Agency
NESL	Navajo Endangered Species List
NHA	Navajo Housing Authority
NHS	Navajo Housing Services

NMCO	New Mexico Capital Outlay
NMDOT	New Mexico Department of Transportation
NNFW	Navajo Nation Fish and Wildlife
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
RCP	Biological Resource Land Use Clearance Policies and Procedures
RMCH	Rehoboth McKinley County Hospital
RRR	Revenue Recovery Reserve Fund
SBA	Small Business Administration
TDHE	Tribal Designated Housing Entity
TNT	Tribal Navajo Trust Land
USDA	US Department of Agriculture

Appendix J: Past Leaders of Baca/Prewitt Chapter

CHAPTER:	Baca/Prewitt, #062	AGENCY:	Eastern Navajo Agency	Updated:	013017.ky
CERTIFIED:	December 05, 1955	DISTRICT:	#15		
YEAR	COUNCIL DELEGATE	PRESIDENT	VICE-PRESIDENT	SECRETARY/TREASURER	
1955	Tom Rafael	Frank Peralto	Percieanio Martinez	Jennie Nez	
040856		Frank Peralto	Paddy Martinez	Ethel M. Mortenson	
1959	Tom Rafael	Frank Peralto	Jim Willie	Eddie Peralto	
031159		Johnnie Desiderio	Frank Peralto	Eddie Peralto	
042560		Joe Vandever	Lillian Peralto	Nallie Vandever	
1963	Tom Rafael	Fred James	Frank Peralto	Jennie Nez	
012862		Fred James	Ramon Platero	Ray Vandever	
1967	Tom Rafael	Fred James	Roy Vandever	Eunice Lewis	
1971	Tom Rafael	Fred James	Roy Vandever	Janet Dale	
1975	Charley Long	Harold Gaddy	Joe Garcia	Betty Platero	
1979	Hoskie Largo	Harold Gaddy	Joe Garcia	Betty Platero	
070180		Jimmie Tulley	Olson Jake	Betty A. Platero	
1983	Roy Vandever	Jimmie Tulley	Olsen Jake	Betty Platero	
1983		Hoskie Largo	Raymond B. Chapo	Jimmy Tully	
1987	Roy Vandever	Fred James	Scotty R. Platero, Sr.	Sarah H. Begay	
1992	Roy Vandever	Hoskie Kee	Olsen Nez	Verdie J. Bennett	
1996	Roy Vandever	Cecil Lewis, Jr.	Nelson Loretto	Cassandra Calladitto	
2000	George H. Tolth	Cecil Lewis, Jr.	Betty A. Platero	Cindy Vandever Howe	
2002	Tim C. Morgan	Cecil Lewis, Sr.	Betty A. Platero	Cindy Vandever Howe	
2004	Tim C. Morgan	Gary Vandever	Louie Desidero	Cindy Vandever Howe	
2006	Hoskie Kee				
2008	Hoskie Kee	Cecil Lewis, Jr.	Hoskie R. Largo	Cindy Vandever Howe	
2010	Leonard Tsosie (NOTE: beginning of 24 NNC Delegate apportionment)				
2012	Leonard Tsosie	Hoskie R. Largo	Betty Ann Platero	Cindy Vandever Howe	
2014	Leonard Tsosie				
2016	Leonard Tsosie	Cecil Lewis, Jr.	Norma James	Cindy Vandever-Howe	

2018 Daniel Tso

2020 Daniel Tso Cecil Lewis Jr Cindy Vandever-Howe Geneva Werito

2022 George Tolth

2026 George Tolth Hoskie Kee Ruth Barbone
Abram Chapo

Appendix K: ICIP Listing with Chapter Resolutions

Appendix L: Project specific supporting documents

Appendix M: Emergency Response Plan

BACA PREWITT CHAPTER HOUSE

AUTHORIZED LOCAL
EMERGENCY
RESPONSE TEAM
(A.L.E.R.T.) PLAN OF
ACTION

Baca/Prewitt Chapter
2-9-2024

I. ESTABLISHMENT

The Authorized Local Emergency Response Team (A.L.E.R.T.) is hereby established as an emergency response unit within the local chapter government

II. PURPOSE

To coordinate available resources for effective and efficient response to all emergencies. To save lives, avoid injuries, and minimize economic loss by implementing a comprehensive emergency management plan at the local level.

III. OBJECTIVE

To develop an organized, comprehensive emergency management system capable of efficient and effective treatment of potential and actual emergency situations.

IV. MEMBERSHIP

- A. The Authorized Local Emergency Response Team may consist of seven members
 - i. The Chapter President, Chapter Manager, and/or delegated representative
 - ii. Community Health Representative
 - iii. Emergency Management Team
 - iv. Local Fire Department
 - v. Professional members or the community (2 people)
- B. Selection of membership will be made through local chapter procedures with a certified chapter resolution.
- C. The Authorized Local Emergency Response Team shall consist of seven members.
- D. Term of membership will be on a staggered four (4) year term.
- E. Members of ALERT shall be certified in Cardiopulmonary Resuscitation (CPR) and First Aid. Must attend mandatory training that will be made available to them
- F. Three consecutive unexcused absences will be caused for removal.

V. DUTIES AND RESPONSIBILITIES OF A.L.E.R.T.

The primary responsibility of the A.L.E.R.T. is to ensure the local emergency response plan is in place at their chapter, which consist:

A. MITIGATION

- 1. Conduct community assessments, establish coordination of resource, develop plan of actions for preventive programs, develop policies to govern local response procedures.
- 2. Determine the community's vulnerability to disasters.
- 3. Identify facilities, agencies, personnel, and resources to support A.L.E.R.T. activities.

4. Survey communications and auxiliary power needs; Identify and provide facilities and equipment to meet the needs.
5. Analyze Emergency Operation Center (E.O.C) location in relations to potential hazards and disaster conditions select and equip alternate E.O.C.
6. Develop a public information program
7. Develop a basic plan to implement in case of emergency.
8. Review Navajo Nation and County ordinances and regulations.
9. Review funding sources and recommend funding usage for emergency management activities and ensure accountability of all funds.

B. PREPAREDNESS

1. Planning to ensure that most effective, efficient response efforts are in place to minimize damages and prevent crisis.
2. Prepare plans and standard operating procedures for emergencies.
3. Arrange training programs for crisis management personnel and support staff.
4. Stock food and water supplies
5. Stock administrative supplies and equipment.
6. Develop and maintain schedule of testing, maintenance and repair of equipment
7. Establish media and rumor control program.
8. Develop a set of general guidelines for activities the E.O.C.

C. RESPONSE

1. Response to any type of emergencies, human-caused, and natural disasters by implementing emergency operations as applicable to the type of incident.
2. Activate E.O.C. as required or dictated by disaster condition.
3. Coordinate all operations.
4. Establish contact with higher levels of government.
5. Implement mutual and agreement

6. Inform resources and emergency services.

D. RECOVERY

1. Return all operations back to normal through an active recovery program
2. Prepare necessary damage assessment report
3. Consult appropriate agencies for information about disaster assistance.
4. Seek all necessary medical care at the nearest hospital.
5. Initiate clean-up activities.

VI. ORDER OF BUSINESS

- A. The designated chairperson shall chair all regular or special meetings. Meetings will be held once a month, special meetings will be at the discretion of A.L.E.R.T.

B. Standard Meeting Agenda:

1. Roll call and call meeting to order
2. Minutes read by secretary
3. Review and approval of agenda
4. Reports on emergency related activities
5. Consideration of all business/new business
6. Adjournment of meeting.

VII. TRAINING AND TECHNICAL ASSISTANCE

- A. Training programs will be made available through applicable Navajo Nation and other offices to A.L.E.R.T. when deemed necessary or requested by the chapter.

VIII. AMENDMENT AND REVISION

This Plan of Operation may, as deemed necessary, be amended by the local chapter and recommended to the Government Services Committee of the Navajo Nation Council.

ADDRESSES AND TELEPHONE NUMBER LISTING FOR ALERT COMMITTEE**OFFICIALS:**

Cecil Lewis, Jr.
Post Office Box 331
Prewitt, New Mexico 87045
505-972-1018

Cindy Howe
Post Office Box 606
Prewitt, New Mexico 87045
505-879-2366

Geneva Werito
Post Office Box 251
Prewitt, New Mexico 87045
505-870-2990

Sharon Loley
Post Office Box 563
Prewitt, New Mexico 87045
505-972-9917

COMMUNITY HEALTH REPRESENTATIVE

Ruby Hunter
Post Office Box 65
Prewitt, New Mexico 87045
505-876-2367

ADULT IN HOME CARE

Kirby Hunter
Post Office Box
Prewitt, New Mexico 87045
505-876-2335

SENIOR CENTER

Cassandra Calladitto
Post Office Box 455
505-287-7315



Baca/Prewitt Chapter

Cecil Lewis, Jr., President
 Cindy V. Howe, Vice President
 Geneva Werito, Secretary-Treasurer
 George Tolth, Council Delegate
 Sharon Loley, Chapter Manager
Vacant, Administrative Assistant
 Kevin Long, Land Board



Buu Nygren
 Navajo Nation President

Richelle Montoya
 Navajo Nation Vice-President

RESOLUTION OF THE BACA/PREWITT CHAPTER BPC/24/02/15

ACCEPTING AND APPROVING THE MEMBERSHIP AND PLAN OF OPERATION TO
 ESTABLISH THE AUTHORIZED LOCAL EMERGENCY RESPONSE TEAM (A.L.E.R.T.) FOR
 THE BACA/PREWITT CHAPTER

WHEREAS:

1. Pursuant to 2 N.N.C. Section 4001, the Baca/Prewitt Chapter is established and certified as a Navajo Chapter; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Baca/Prewitt Chapter is vested with the authority to review a matter affecting the community and make appropriate recommendation to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. Pursuant to the Plan of Operation for Navajo Nation Chapters and chapter officials, section III. (A.) (4.). The Chapter President acclaims the establishment of and appointment to the Standing and Special Committees of the Chapter to the membership for approval; and
4. In a duly called meeting on February 05, 2024 the Chapter President and chapter officials following individuals to the community membership and approval of the establishment of the Authorized Local Emergency Response Team (A.L.E.R.T.), and to rescind any other resolutions which may state different.

- A. Cecil Lewis Jr, – Chapter President
- B. Cindy V. Howe – Chapter Vice President
- C. Geneva Werito – Chapter Secretary/Treasurer
- D. Sharon Loley – Baca Prewitt Chapter Manager
- E. Ruby Hunter – Community Health Representative
- F. Kirby Hunter – Adult in Home Care
- G. Cassandra Calladitto – Baca Prewitt Senior Center Manager
- H. Prewitt Fire & Rescue Department
- I. Thoreau Emergency Management Services
- J. Delbert Begay – PEP

Post Office Box 563 Prewitt, New Mexico 87045,
 Phone: (505) 972-9917 Fax: (505) 972-4221



Baca/Prewitt Chapter

Cecil Lewis, Jr., President
Cindy V. Howe, Vice President
Geneva Werito, Secretary-Treasurer
George Tolth, Council Delegate
Sharon Loley, Chapter Manager
Vacant, Administrative Assistant
Kevin Long, Land Board



Buu Nygren
Navajo Nation President

Richelle Montoya
Navajo Nation Vice-President

5. The Baca/Prewitt Chapter has developed its Plan of Operation which will describe the organization, assign responsibilities and provide planning guidance for the community for Mitigation, Preparedness, Response and Recovery and
6. The Baca/Prewitt Chapter deems it necessary and in the best interest of the community in time of emergency that this recommendation to adopt the A.L.E.R.T. Plan of Operation be approved.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Baca/Prewitt Chapter hereby approves the membership and Plan of Operation to establish the Authorized Local Emergency Response Team (A.L.E.R.T) for the communities of Baca Prewitt, Blackwater, Bluewater Lake, and Haystack.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Baca/Prewitt Chapter of the Navajo Nation, (New Mexico), at which a quorum was present and that same was passed by a vote of 20 in favor and 0 abstained and 0 opposed this 5th day of February 2024.

Cecil Lewis Jr., Chapter President

Sharon Loley, Chapter Manager

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Appendix N: Proposed Solid Waste Management Plan

Solid Waste Management Plan

Prepared by <Name> Chapter

1. Overview - Summary

Provide a brief overview of the purpose, vision, and key recommendations of the plan. Referencing laws and regulations of Solid Waste. Title 4 - § 124. <https://www.nnols.org/navajo-nation-code/> Open Dumping - All open dumping shall be prohibited. § 153. Judicial Enforcement: (Pg 486-494)

Navajo Nation Solid Waste Act at 4 N.N.C. §101 – 162

[Navajo Nation Environmental Protection Agency](#)

www.navajoepa.org

2. Introduction

Describe the chapter, its location, governance structure/type/etc., and the need for a waste management plan. When describing the need for a Waste Management Plan, please include relevant regulations that your plan will be addressing and building compliance towards. Also describe the Roles of Division of Community Development and Resource and Recovery Program (NNEPA) in your waste management plan. If you are LGA certified, please note which form of local government you are under.

3. Community Profile

Include demographics, housing types (do you also need a count here?), infrastructure, economic activities, and Illegal dumping. Also describe your communities Voluntarily Environmental Compliance to address illegal dumping that will be in your Waste Management Plan.

4. Existing Waste Management System

Detail your current collection, transfer, facilities, recycling, and hazardous waste efforts and systems. Include a current map of the dump sites in your geographic area.

5. Waste Characterization and Volume

Estimate types and volumes of waste generated by source. Describe your Joint role with EPA to ensure system standards are being met to regulation standards and there is a Point of Contact within the plans to facilitate continued adherence and growth. Create a template that can be renewed every 3 years or 5 years.

6. Goals and Objectives

List specific targets such as increasing diversion rates, reducing illegal dumping, solid waste data collection or new metrics, and identifying what type of grant applications your system would need to

go for - studies, purchases, education needs, etc. Please include short term (Within next 18-36 months) and long-term goals with any potential partnerships.

7. Community Involvement

Explain outreach methods used and summarize key input from the community. The methods should include holding regular community meetings to give the community a place to discuss waste issues and learn how to take an active role in the plan. Methods should also include the use of sign-in sheets, surveys, and outreach tools. Discuss how you plan to engage and encourage both you and elder participation in your awareness efforts. Describe any health or environmental impacts that you may specifically address based on your community's needs.

8. Action Plan & Implementation Timeline

Guide the discussion, into appropriate responses.

This table will outline planned actions, responsible parties, timelines, and costs. You will also identify specific roles and funding opportunities (EPA or other grants, as well as any chapter allocations you have available for waste management efforts). This table will better enable you to prioritize **quick wins** (cleanups, signage) while planning for **long-term goals** (transfer station, recycling).

9. Financial Plan

Outline funding sources, budget needs, and sustainability options. Guide the discussion into appropriate responses.

Identify **current funding sources**: Chapter general funds, DCD allocations, EPA/USDA/IHS/ADEQ grants, cost-sharing with nearby chapters.

Estimate **annual waste management costs** (hauling, bin rental, cleanups, staff). Fee rate for trash disposal. How much funds collected from waste disposal. How are funds being utilized at chapter after collection.

10. Monitoring, Reporting, and Evaluation

Define performance metrics, EPA and review schedules. Provide more guidance frameworks, prompts, structure to get more appropriate responses.

11. Implementation

How are you going to implement the process? How is the process going to be initiated? Guidance plan for CLUPC what type of solid waste can be included in the solid waste portion.

Provide a dump site inventory of how many dumps are within the surrounding area. The inventory should record how big the sites are, and whether the site is a family, community, or illegal dump site. Also provide your roadless management plan for after a dump site has been cleaned and how you will work with the grazing rep.

Provide a dump site inventory of how many dumps are within the surrounding area. The inventory should be developed in many site materials and whether the site is family, community, or illegal dump site.

12. Appendices

Include chapter resolutions, maps, photos, surveys, policies, and meeting documentation.

Appendix O: Community Cemetery Plan of Operation



Baca/Prewitt Chapter

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 Norma James, Vice President
 Cindy V. Howe, Secretary-Treasurer
 Daniel Tso, Council Delegate
 Tina Bccenti, Chapter Manager
 Vacant, Administrative Assistant
 Bobby Delgarito, Land Board



Jonathan Nez
 President

Myron Lizer
 Vice-President

THE BACA/PREWITT CHAPTER COMMUNITY CEMETERY PLAN OF OPERATION

This Plan of Operation is developed for the eight (8) acres of the Baca/Prewitt Community Cemetery.

1. GENEAL DESCRIPTION OF THE BACA/PREWITT COMMUNITY CEMETERY:

The Baca/Prewitt Community Cemetery is located on Section 11, Township 13 North, Range 12 West, along State Road 122; it consist of eight (8) acres for the Baca/Prewitt Community. It will be constructed and operated in accordance with Federal and Navajo Nation Regulations, Laws, and/or Statutes.

2. OBJECTIVES:

- To provide an ongoing public facility for the community as a cemetery
- To provide the public with related information
- To provide a planned and organized cemetery
- Implement layout for burial plots
- Provide and continue safety awareness
- To responsibly provide a safe and secure burial ground that permits a sustainable environment for present and future generations

3. DAILY OPERATION:

The cemetery hours of operation will be Monday, Wednesday and Thursday, 9:00 a.m. to 3:00 p.m. with the exclusion of Saturday and Sunday. It shall be secured on weekend, starting at 5:00 p.m., Friday through Monday, 8:00 a.m., with the exception of prior notice of pending interment(s). Immediate notices shall be given to Baca/Prewitt Chapter Manager if interment is to be performed on weekends. A sign posting hours of operation shall be installed at the access road turn off adjacent to State Road 122.

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4. SITE PERSONNEL

The Baca/Prewitt Chapter Manager or his/her designee will oversee the operation of the cemetery. If any additional personnel are required to maintain the cemetery, it shall be at the discretion of the Chapter Manager to hire, dependent on the availability of funds.

- a. The Baca/Prewitt Chapter Manager may designate a Chapter employee to make burial plot assignments.
- b. The designee shall have the responsibility for assigning interment site(s), and to maintain order and efficiently using all available space.
- c. The Baca/Prewitt Chapter does not have a backhoe and operator, therefore, relatives of the deceased person shall seek private contractors and be responsible for the cost of the excavation.

5. FEES:

To maintain the operational costs of a self-supporting cemetery, burial fees shall be established at \$75.00 per interment for any individual registered with the Navajo Nation. Payment must be made by a money order, made payable to Baca/Prewitt Chapter. The monies generated from the burial fees shall be used for maintenance, repairs and operating cost according to the Five Management System of the Baca/Prewitt Chapter.

6. LAYOUT:

The cemetery shall have a layout of graves in straight line incorporated into a grid system. The entrance shall be an impression gateway with a central drive for the funeral hearse. The central drive shall consist of gravel road that will be maintained throughout the year by the Baca/Prewitt Chapter.

Ground Layout:

A margin of three (03) feet inside the boundary wall of each burial ground must be allowed. There shall be a passageway of three (03) feet in width between rows of graves spaces for pedestrian travel.

Burial Plot Layout:

Grave spaces must be clearly and permanently marked, such as with number, to facilitate the location of an individual grave at any time.

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Grace spaces have to be at least nine (09) feet long by four (04) feet wide for adults and at least six (06) feet long by three (03) feet wide in the case of children less than twelve years of age.

Family interments shall be established in grace space only. At the time of first interment or burial at a grave space, it should be sunk to a depth of at least six (06) feet or to a lesser depth.

7. PRACTICES:

The Baca/Prewitt Chapter will strictly adhere to the provisions of the Navajo Nation and Federal Laws, Regulations, and Statutes related to burials.

- a. Request(s) shall be made to Baca/Prewitt Chapter for interment site(s) and shall be assigned accordingly.
- b. The interment fee shall be paid before plot assignment.
- c. The Chapter Manager or his/her designee shall record the description and location of each assigned plot. The purpose of this practice will be to ensure proper identification of the deceased's burial is record for present and future reference.
- d. Person(s) visiting the cemetery shall use walkway provided.
- e. Every quarter garbage and funerary debris shall be removed and disposed in proper containers located at the front entrance of Cemetery.
- f. The community shall be provided with the protocols set forth in this plan of operation.

Indigent's Grace:

If someone dies without the means to pay for burial and has no traceable next of kin, it is the responsibility of the Baca/Prewitt Chapter, to ensure that he/she is buried in a dignified manner that does not impinge on public health or public decency. The Baca/Prewitt Chapter will also be liable for the interment and related costs.

It is in strict circumstances that exhumation shall occur. Some examples of situation where an exhumation of interred remains from a burial ground might be required or take place include:

- a. Family reasons, if the family of the deceased person requested that the remains be moved to another burial ground, another part of the country, etc. The family shall pay for all expense related to disinterment.

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 President

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- b. For public health reasons, (i.e. if a graveyard or cemetery is being moved).
- c. When a court orders an exhumation as a part of a criminal investigation. At all times during the process, due regard for respect to the deceased person, other interred remains in the burial grounds/graveyard and privacy of the family and friends of the deceased person is protected.

8. APPEARANCE:

The landscape of the cemetery shall be closely maintained in its natural original appearance.

- a. NATIVE VEGETATIVE - Remnants of native vegetable will be retained wherever possible.
- b. WEED REMOVAL – Through a regular maintenance program, undesired weed will be removed through use of bio gradable herbicide or hand tools.
- c. FENCING AND GATES – The eight (08) acres cemetery will be enclosed with a wrought iron fence and gates.
- d. SIGNAGE – Original signs, section markers, etc. should be conserved and retained wherever practicable. Even if most be replaced, at least some should be retained reference to original fabric.
- e. PATHS – Paths will be retained and conserved. No private vehicle with the exception of a funeral hearse will be allowed within the cemetery boundaries.
- f. ROADS – Gravel road shall be established and maintained to permit all weather access to the cemetery from State Road 122 to the cemetery. Parking lot maintenance and repair shall be maintained by the Chapter.

9. FUNERARY ITEMS:

The Baca/Prewitt Chapter adopted the following policy regarding floral and headstone placements.

- a. Fresh cut flowers are encouraged throughout the year.
- b. Artificial floral arrangement, may be placed during winter months, November through March.
- c. Artificial flowers arrangement shall be removed once every month. The removal shall be done without the notification of the family.

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- d. Non-floral, stand-alone decorations shall be limited to three (03) per interment (i.e. balloons, pinwheels, etc.) this shall be observed by all community members to reduce the amount of buildup of garbage and debris.
- e. Attaching (gluing, taping, wiring, etc.) trinkets or decorations to markers or monuments is prohibited.
- f. Flat headstones will be subjected to maximum of three (03) feet high and three (03) feet wide. Headstones shall compliment to overall presence of the cemetery layout.

10. DEAD LIVESTOCK:

The cultural and traditional practice of killing a livestock (i.e. Horse) for afterlife travel shall not be permitted at the cemetery.

11. PERFORMANCE MEASURE:

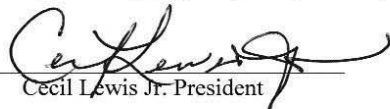
To maintain an orderly appearance, the Baca/Prewitt Chapter Manager will conduct evaluations of the cemetery two (2) times a year to review the area, ensure the safety of the cemetery and repair any damages.

12. AMENDMENT:

The Plan of Operation shall be amended once a year at the recommendation of Chapter Administration, Chapter Officials, Community Land Use Planning Members and Community Members. The amendments will be forwarded to the Planning Meeting than to the Regular Chapter Meeting as an agenda item. The Community membership present shall than approve the amendments as regularly duly called Baca/Prewitt Chapter Meeting.

CERTIFICATION

It is hereby certified that the foregoing COMMUNITY CEMETARY POLICY AND PROCEDURE was considered and approved at a duly called Regular Chapter Meeting, at which a quorum was present and moved for adoption by Geneva Werito and seconded by James Martin and that the same was passed by a vote of 12 in favor, 0 opposed, and 9 abstained, on this 12th day of February, 2019.


 Cecil Lewis Jr. President

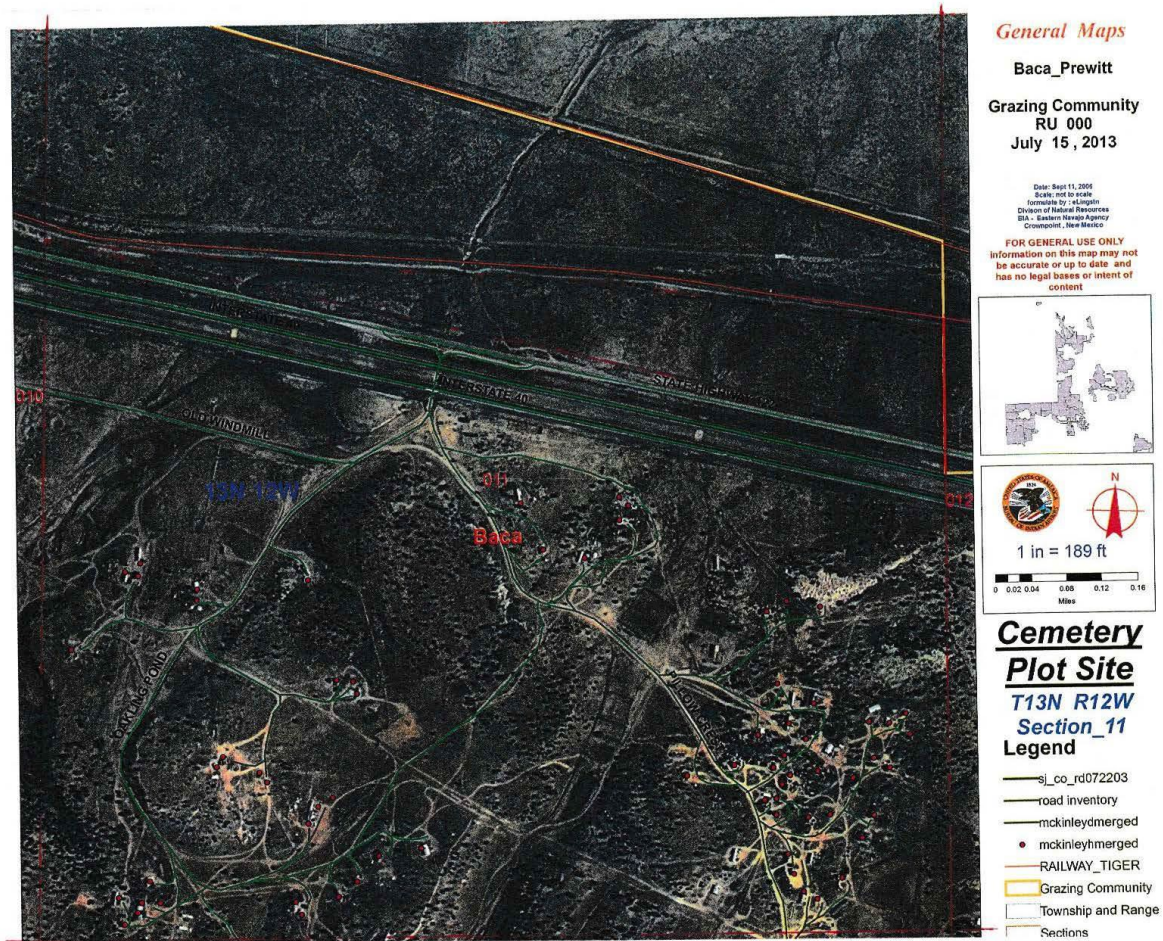

 Tina Becenti, Chapter Manager

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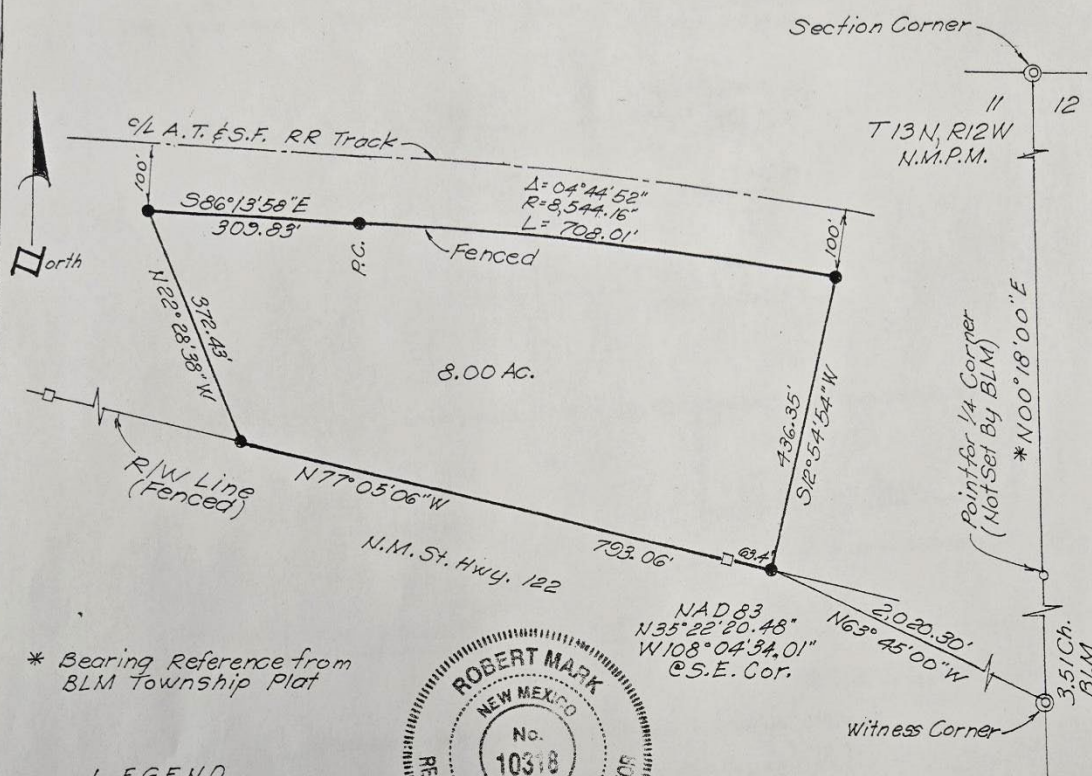
BACA/PREWITT CHAPTER
PUBLIC HEARING ON THE CEMETERY
SIGN IN SHEET
JULY 23, 2018
9:00 A.M.



NAME:		NAME:		NAME:	
1	<u>Mae Long</u>	31		62	
2	<u>Jimmy Wilson</u>	32		63	
3	<u>John W. Brown</u>	33		64	
4	<u>Betty Platers</u>	34		65	
5	<u>Harry Van Housen</u>	35		66	
6	<u>James A. Martin</u>	36		67	
7	<u>Edith King</u>	37		68	
8	<u>Edith King</u>	38		69	
9	<u>Donald Chaffin</u>	39		70	
10	<u>John W. Brown</u>	40		71	
11	<u>John W. Brown</u>	41		72	
12	<u>Samuel G. Gage</u>	42		73	
13	<u>Bessie Gage</u>	43		74	
14	<u>Anna C. Platers</u>	44		75	
15	<u>Alice Calladillo</u>	45		76	
16	<u>Jones David</u>	46		77	
17	<u>Wesley Charley</u>	47		78	
18	<u>Bernice Martin</u>	48		79	
19	<u>Larry Rodgers</u>	49		80	
20	<u>Seandall</u>	50		81	
21	<u>Mary King</u>	51		82	
22	<u>Dancy R. Moxie</u>	52		83	
23	<u>Dora Livingston</u>	53		84	
24	<u>Edlie Hooten</u>	54		85	
25	<u>Jason Wright</u>	55		86	
26	<u>Kathleen Arwin</u>	56		87	
27	<u>Rose Hernandez</u>	57		88	
28	<u>Mike Galarza</u>	58		89	
29	<u>E. Charles Baez</u>	59		90	
30	<u>Frank Trujillo</u>	60		91	
31	<u>Edith King</u>	61		92	



Containing 8.00 acres more or less; and being subject to any and all existing easements. This parcel is a portion of Real Estate described in a Deed filed in the Office of the McKinley County Clerk D.B. 15, Pgs. 192-195, 1/19/60 and is a Navajo Nation Fee Land. Flood Hazard Boundary Map, Community Panel No. 35031C2425E, Effective Date: 2-17-2010 shows this parcel does NOT lie in designated special flood hazard zone.



* Bearing Reference from
BLM Township Plat

LEGEND

- Set 1/2" Rebar w/ Cap
- ◎ Found BLM Brass Cap
- Found Hwy. R/W Marker



Robert Mark. PLS
Land Surveyor & Mapper
Gamerco, NM

I hereby certify that this Plat is prepared from an actual field survey performed by me and that the survey meets the minimum requirements of the Standard for Land Surveys in New Mexico; and that the survey is true and correct to the best of my knowledge and belief.

Robert Mark 5-21-14
Robert Mark, NMPLS # 10318 Date

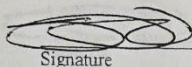
BOUNDARY SURVEY PLAT

For

BACA-PREWITT CEMETERY SITE
BACA-PREWITT CHAPTER COMMUNITY
PREWITT, NM

Surveyed By: RM 5-16-14 Drawing No.: NEQ-08
Drawn By: RM 5-21-14 Scale: 1" = 200'

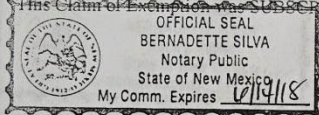
I further certify that the information provided by me in this Claim of Exemption is true and correct and that all documents attached to or enclosed with this Claim of Exemption are originals or true, complete and correct copies of the originals.

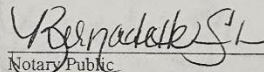

Signature

SHARON FRANCISCO
Print your name here

PO Box 563 PREWITT NM 87045
Address (City, State, and Zip code)

(505) 972-9917
Telephone number(s)

This Claim of Exemption was SUBSCRIBED AND SWORN to before me on 27th of September 2017

BERNADETTE SILVA
Notary Public
State of New Mexico
My Comm. Expires 12/14/18


Notary Public

My commission expires: June 14, 2018

(LEGAL DESCRIPTION OF PROPERTY MUST BE ATTACHED AS EXHIBIT "A")

FOR OFFICIAL USE ONLY

- ☒ The fee for processing the foregoing Claim of Exemption was received on _____.
- ☒ The foregoing Claim of Exemption has been approved. _____
- ☐ The foregoing Claim of Exemption is incomplete. Please provide us with the following information and/or documents so that we can process your claim: _____
- ☐ The foregoing Claim of Exemption is hereby denied for the following reason: _____

11-29-17
Date

G. Z. M.
Name
County Manager
Title

Appendix P: Land Based Classification Zoning Standards

Land-Based Classification Standards

01-Apr-2001

LBCS Color Codes for 1-Digit Level Coding

Activity

Red, Green, Blue Values	Color*	LBCS Code	Activity
RGB(255,255,0) RGBHex(FF00FF)	yellow	1000	Residential activities
RGB(255,0,0) RGBHex(FF0000)	red	2000	Shopping, business, or trade activities
RGB(160,32,240) RGBHex(A0F020)	purple	3000	Industrial, manufacturing, and waste-related activities
RGB(0,0,255) RGBHex(00FF00)	blue	4000	Social, institutional, or infrastructure-related activities
RGB(190,190,190) RGBHex(BEBEBE)	gray	5000	Travel or movement activities
RGB(47,79,79) RGBHex(2F4F4F)	dark slate gray	6000	Mass assembly of people
RGB(144,238,144) RGBHex(90903E)	light green	7000	Leisure activities
RGB(34,139,34) RGBHex(22238B)	forest green	8000	Natural resources-related activities
RGB(255,255,255) RGBHex(FFFFFF)	white	9000	No human activity or unclassifiable activity

*Specify the RGB (red, green, blue) values, instead of relying on color names, for consistent reproduction of colors on a printer, plotter, or computer screen. Using RGB values can sometimes avoid differences in how software and hardware render colors. Some colors, no matter what, differ how they look on screen from their printed version. Also, if you are reviewing this document on a computer screen, note that some software (web browsers, for example) limit the number of colors displayed. If your software can only accept hexadecimal values, as many GIS and plotting software do, then use the corresponding RGBHex value. For CMYK values and other color coding details, check the LBCS website.

Land-Based Classification Standards

LBCS Activity Dimension

Activity is one of five dimensions in land-based classifications. Each dimension is an attribute that takes the appropriate four-digit code. Only by using all five dimensions can one fully represent all land uses and describe their characteristics. See the other dimensions before applying LBCS.

Activity Code	Activity Description	01-Apr-2001
1000	Residential activities	
1100	Household activities	
1200	Transient living	
1300	Institutional living	
2000	Shopping, business, or trade activities	
2100	Shopping	
2110	Goods-oriented shopping	
2120	Service-oriented shopping	
2200	Restaurant-type activity	
2210	Restaurant-type activity with drive-through	
2300	Office activities	
2310	Office activities with high turnover of people	
2320	Office activities with high turnover of automobiles	
3000	Industrial, manufacturing, and waste-related activities	
3100	Plant, factory, or heavy goods storage or handling activities	
3110	Primarily plant or factory-type activities	
3120	Primarily goods storage or handling activities	
3200	Solid waste management activities	
3210	Solid waste collection and storage	
3220	Landfilling or dumping	
3230	Waste processing or recycling	
3300	Construction activities (grading, digging, etc.)	
4000	Social, institutional, or infrastructure-related activities	
4100	School or library activities	
4110	Classroom type activities	
4120	Training or instructional activities outside classrooms	
4130	Other instructional activities including those that occur in libraries	
4200	Emergency response or public-safety-related activities	
4210	Fire and rescue-related activities	
4220	Police, security, and protection-related activities	
4230	Emergency or disaster-response-related activities	
4300	Activities associated with utilities (water, sewer, power, etc.)	
4310	Water-supply-related activities	
4311	Water storing, pumping, or piping	
4312	Water purification and filtration activities	
4313	Irrigation water storage and distribution activities	
4314	Flood control, dams, and other large irrigation activities	

Activity

Activity Code	Activity Description	01-Apr-2001
4320	Sewer-related control, monitor, or distribution activities	
4321	Sewage storing, pumping, or piping	
4322	Sewer treatment and processing	
4330	Power generation, control, monitor, or distribution activities	
4331	Power transmission lines or control activities	
4332	Power generation, storage, or processing activities	
4340	Telecommunications-related control, monitor, or distribution activities	
4350	Natural gas or fuels-related control, monitor, or distribution activities	
4400	Mass storage, inactive	
4410	Water storage	
4420	Storage of natural gas, fuels, etc.	
4430	Storage of chemical, nuclear, or other materials	
4500	Health care, medical, or treatment activities	
4600	Interment, cremation, or grave digging activities	
4700	Military base activities	
4710	Ordnance storage	
4720	Range and test activities	
5000	Travel or movement activities	
5100	Pedestrian movement	
5200	Vehicular movement	
5210	Vehicular parking, storage, etc.	
5220	Drive-in, drive through, stop-n-go, etc.	
5400	Trains or other rail movement	
5410	Rail maintenance, storage, or related activities	
5500	Sailing, boating, and other port, marine and water-based activities	
5510	Boat mooring, docking, or servicing	
5520	Port, ship-building, and related activities	
5600	Aircraft takeoff, landing, taxiing, and parking	
5700	Spacecraft launching and related activities	
6000	Mass assembly of people	
6100	Passenger assembly	
6200	Spectator sports assembly	
6300	Movies, concerts, or entertainment shows	
6400	Gatherings at fairs and exhibitions	
6500	Mass training, drills, etc.	
6600	Social, cultural, or religious assembly	
6700	Gatherings at galleries, museums, aquariums, zoological parks, etc.	
6800	Historical or cultural celebrations, parades, reenactments, etc.	
7000	Leisure activities	
7100	Active leisure sports and related activities	
7110	Running, jogging, bicycling, aerobics, exercising, etc.	
7120	Equestrian sporting activities	
7130	Hockey, ice skating, etc.	
7140	Skiing, snowboarding, etc.	
7150	Automobile and motorbike racing	

Activity

Activity Code	Activity Description	01-Apr-2001
7160	Golf	
7180	Tennis	
7190	Track and field, team sports (baseball, basketball, etc.), or other sports	
7200	Passive leisure activity	
7210	Camping	
7220	Gambling	
7230	Hunting	
7240	Promenading and other activities in parks	
7250	Shooting	
7260	Trapping	
7300	Flying or air-related sports	
7400	Water sports and related leisure activities	
7410	Boating, sailing, etc.	
7420	Canoeing, kayaking, etc.	
7430	Swimming, diving, etc.	
7440	Fishing, angling, etc.	
7450	Scuba diving, snorkeling, etc.	
7460	Water-skiing	
8000	Natural resources-related activities	
8100	Farming, tilling, plowing, harvesting, or related activities	
8200	Livestock related activities	
8300	Pasturing, grazing, etc.	
8400	Logging	
8500	Quarrying or stone cutting	
8600	Mining including surface and subsurface strip mining	
8700	Drilling, dredging, etc.	
9000	No human activity or unclassifiable activity	
9100	Not applicable to this dimension	
9200	Unclassifiable activity	
9300	Subsurface activity	
9900	To be determined	
9990	To be determined	
9999	To be determined	