



THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

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Gerald Moore
Grazing Official

Nathan Notah
Council Delegate

TOHATCHI CHAPTER COMMUNITY LAND USE PLANNING COMMITTEE Regular Monthly Meeting Agenda April 17, 2023

Call in Number: 17207409789, password 4254032#

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- I. **CALL TO ORDER: 6:04pm**
- II. **ROLL CALL: Bryon Bitsoie, Larry Rodgers, Delphine Bitsilly, Deon Ben, Sonny Moore, Gerald Moore, Maria Allison, Jean Crawford, Absent: Fern Spencer**
- III. **INVOCATION: President Moore**
- IV. **INTRODUCTION OF GUESTS: Charlene Curley, Alice Francisco, Arlene, Bertha Deste, Denise Deste, Dennis Becenti, Sharon Becenti, Marlene Yazzie, Charlene Curley, Ansley Curley, Alvis Bitsilly, Joey Klein, Ty Tsinniginne, Sam Woods, Scott Nydam, Andrew Hardy, Carletta Hardy.**
- V. **APPROVAL OF AGENDA: M: Approved and read on own M: Deon Ben 2nd: Delphine Bitsilly VOTE: 3-0-1**
- VI. **APPROVAL OF MINUTES: M: Larry Rodgers 2nd: Delphine Bitsilly VOTE: 3-0-1**
- VII. **OLD BUSINESS**
 - A. Kevin Mitchell and Bike Club- Bike Path Project: Larry Rodgers did a walk through with Scott and Joey around the Nahki Park and began to identify the park as a beginning stage bike trail. This location could include a park revitalization. The second place Larry walked with Joey and Scott was behind the Christian Reform Church up to the water tanks, this location was a preliminary idea that it could stay a walking trail. The third location walked was from the Post Office to the Picnic Grounds south of the clinic, this could be a considerable bike trail. The fourth location, the canal by the mountain in which there is already a foot trail that exist this could be considered another bike trail. The fifth location walked was at Chuska Boarding School, there was consideration for a lake bike trail. There are some concerns from residents north of the high school regarding a bike path around their residence, with this concern a trail connection system needs to be revisited for the bike path and residence concerns.
Alice Francisco: We were informed a chapter resolution was passed that included our area for a bike trail. This path that was presented is going to turn into a place where drugs and misuse will occur. Don't consider our area. We were never notified as land users. Please, Mr. Mitchel don't consider our area, what about down in the flats? There is a lot of violence that occurs after school events, and we are concerned this will carry on with this trail through our area. Consider the lake

for recreation, build around there. There is a ceremonial ground in our area, so respect that and respect our family.

Charlene Curley: Build the bike trail around the park and around the community.

Kevin Mitchell: There has been a misunderstanding on a bike trail location. The only specific location that is really considered is the park and the community trail that already exists. There has been no resolution that includes the area near the families homestead north of the high school.

Larry Rodgers: A chapter resolution isn't to identify the land locations, it's just to begin the process of getting a bike trail.

President Sonny Moore: The chapter resolution is just to study and survey possibilities around the chapter, it's not just to designate a land. We are only planning right now, and the intent isn't to go behind the local residences back.

Joey Klein: Provided a presentation (Presentation can be located in recording link below) The bike path isn't a paved path, this trail is to get people outdoors Mr. Klein presented a map of a proposed idea areas which included an area around Tohatchi High School. The maps are only conceptual, nothing has been identified in the chapter's resolution. There is also another location of land considered by the football field. Another thing to consider is people's safety, do the people feel safe on these trails, considering rez dogs, invasive species, etc.

Arlene Yazzie: Thank you Mr. Klein for helping get our children off the couch. But our family lives east of Tohatchi High School and we don't want a bike trail in our area. Consider across the highway, bike riders can drive and unload on the other side of the highway to the trail heads.

Kevin Mitchell: The main purpose for a bike trail is Tohatchi Middle School has a bike club, and the bike club is looking to be associated with a competition at the Middle School level.

Deon Ben: I can completely relate and understand the family's concerns and I think it is important to have these concerns heard. It is important for us CLUPC members to honor our residents' concerns and personally I stand with the family's concern and would like the families to know that we will not pass any chapter recommendations that they don't support.

Gilbert Curley: I suggest looking at district #14 at large and maybe considering existing roads that can connect the communities as bike trails.

M: Continue working with Joey, Scott, Kevin Mitchell to brainstorm further trail systems and consider doing these trails in phases the first being Nahkai Park, and community trails that already exist and not include a trail on the northside of Tohatchi High School.

M: Deon Ben 2nd: Larry Rodgers VOTE: 3-0-1

- B. San Juan Lateral Updates- Ty Tsinniginnie: Mr. Tsinniginnie shared the proposed route of the San Juan lateral (route can be located at the Chapter for future reference) as it runs through Tohatchi. Mr. Tsinniginnie explained that right now his assignment is to work with the chapter, Bureau of Reclamation, and NN Department of Water Resources to get residence inform of the route, especially the residence with homesites and grazing permits along the route. President Moore and Ty Tsinniginne are working to get letters to residences and permit holders to attend a community information session to explain the pipeline route and get their thoughts.

Ansley Curley: Council Delegate Notah has been getting notification of Tohatchi grazing permittees that are opposing the pipeline route. Ty Tsinniginne said Tohatchi permits have voiced their concerns only relating to the water quality not the pipeline route. Mr. Tsinniginne, mentioned all the information can get worked out during the community public work session.

Jean Crawford: I don't think the permittees would support the current pipeline route so is there an alternative route?

Ty Tsinniginne: There is possibly another re-routing option, but it may cost more and take longer to process the route and be ready for the pipeline.

Sonny Moore: The Chapter and Ty Tsinniginne will send out letters to residence and permit holders to get the communities thoughts and move from there.

M: Approve a community presentation for community involvement in May 2023.

M: Deon Ben 2nd: Delphine Bitsilly VOTE:3-0-1

C. Tosidoh, LLC Updates - Sam Woods: Mr. Woods presented a Tosidoh LLC update (Presentation can be found on recording link below and chapter has hard copy of presentation Mr. Woods presented). Mr. Woods indicated that Tosidoh LLC has been working with the chapter since 2018 and has been working with the CO school of mines who completed a report of the Hot Springs. This report return providing suggestions of a project that has a capacity to include a greenhouse utilizing water and geoheat from the hot springs. Tosido LLC, has requested a chapter resolution to withdraw 650 acres of the Hot Springs area to conduct future studies. Mr. Woods indicated his partnership with the National Science Foundation to help support the hot springs project which will be a nexus project including, food, energy, and water. Tosido LLC worked with the land department and Mr. Halona from Division of Natural Resources to get a 650 acres land withdraw which was completed in September 2020. Mr. Woods indicated his work with the US Department of Energy and others to continue processing this project. Mr. Woods indicated Tosido LLC has had numerous meetings with the community to keep the community informed of the project. Mr. Woods also explained this project works with obtaining funding from NM Indian Affairs through their renewable energy systems which includes 2 million dollars. This also includes work with Navajo Nation President through his solar initiatives that the Navajo Nation is processing. Mr. Woods also explained a partnership with Senator Benny Shendo from New Mexico to extend financial support of 2 million dollars for a 3 year extension of the project planning. Mr. Woods indicated that the contract between Tosido LLC and partners will have to be between the developer and Navajo Nation.

Deon Ben: I have questions regarding the presentation. First there was only one Tohatchi community public session done in February 2018. Since this presentation the project has had many changes and since has not been presented back to the community and residence in the hot springs valley. Why is Mr. Woods indicating he presented to the community numerous times? Secondly, could Mr. Woods come in-person to the CLUPC and present it to new CLUPC members, so they are informed of the project? The current CLUPC members are not updated on the evolution of the project. Third, the chapter resolution withdrawing 650 acres was not a land withdraw from a chapter resolution it was a resolution designating 650 acres to be part of project study to see if the proposed area is suitable for the project. This needs to be addressed and be presented correctly, could we get a copy of that resolution, so we are all on one page? Fourth, the community and chapter need to update on why the developer has changed names from Tosido LLC to Redstreak LLC and how that change impacts the project and resolutions that have been passed.

President Moore: Tohatchi Chapter has a meeting with NTUA on the 150 KV extension that is coming from Shiprock to Tohatchi and another line from Coalmine, NM to Tohatchi. This new extension will feed into Standing Rock and Nahodishgiizh, is there a connection Tohatchi Chapter can tap into with the solar and is there a chance the solar can be sold to Tohatchi Residence?

Mr. Sam Woods: I am happy to do a presentation to new CLUPC members individually to update them. I am also happy to provide a community update to members and residents. In 2020 a chapter resolution was in support of the project, but it doesn't give land withdraw clearance, which hasn't happened yet. The 1 mega watt solar project will be owned by Tohatchi Chapter not the developer. Mr. Woods explained Tosido, LLC still exists and is involved in other projects with Chris Deschene. Redstreak LLC 2019' uses that name for project management and to seek NMIAD funding.

Mr. Larry Rodgers: I would like Mr. Wood's presentation to be given to all CLUPC members at once, not individually. That's just good practice for CLUPC members.

Alvis Bitsilly: If this is going to be a business there hasn't been others from Navajo Nation that are not at the table here at Tohatchi. We have 2 million, let's get this project done. Also, we are not a certified chapter, and we don't have the capacity to run a business as a chapter, who will run this? Also, there has to be consideration that NTUA will be a competition. Who will be maintaining this project?

Mr. Sam Woods: The community is part of the Navajo Nation and that means NTUA will transpire to be the operator if that is what the community wants. All contracts between the developer and other will not be between the chapter it will have to go through the Navajo Nation.

M: Mr. Sam Woods needs to present an update in-person to new CLUPC members and have community public workshops for education on the development of this project.

M: Deon Ben 2nd: Larry Rodgers VOTE: 3-0-1

D. Chapter President Moore's Updates:

- Warehouse: President Moore indicated the chapter warehouse received \$900,000 that was reallocated for the chapter, with another \$290,000 that was reauthorized for the warehouse with the Navajo Nation. The project coordinator the chapter will be working with is Leonard Hardy and dirt moving may begin in August.

-Safety Complex: Tohatchi Chapter officials are working with the Navajo Nation to get this project moving with funding out looks at 1million dollars and \$190,000 with the coffers in Window Rock. Individuals from the Navajo Nation are telling the chapter to minimize the square feet to 7,000 square feet. But the Chapter still plans for the safety complex to be 15,000 square feet.

- East Flats: This project has funding of 2.5 million and Tohatchi Chapter is working on a budget plan with Mr. Daley on projects that are ready and ready for possibly construction this spring. There are some homesite issues with some of the residence in the east flats area, Maria and President Moore will be working with the families to get some technical assistance for them with GPS markings.

-ARPA: Tohatchi Officials are working to meet with NTUA, Rex Kontz for funding that was originally allocated under former Delegate Halona's term. There was \$1.7 million allocated under ARPA that the chapter put together cost for the chapter's projects that qualify under ARPA.

Jean Crawford: The residence of the east flats, what will happen if the residence can't get their homesite leases in time, is there a back up plan? Especially if homesites are probated.

Byron Bitsoie: Right now, there is 3-4 months to get homesite leases under the land department. This week the land department will be working with NN Division of Natural Resources to help with a new program that can help streamline homesites. But probate will still be an issue.

-District #14 Conservation Initiative: President Moore would like Tohatchi Chapter to begin initiating a D#14 conservation initiative and planning which will be led by the chapter and Denis Becenti.

Denis Becenti: Explained his ideas on conservation for the region and provided background on his previous work in conservation.

Transfer Station Expansion: President Moore asked Byron if he can provide a map of the transfer station, to see where the expansion will going and how that will impact the community.

-Highway 491 Lighting: President Moore wrote a letter to Patty Lunstrom for the highway lighting with the chapter resolution. Since Patty Lunstrom was removed and the chapter hasn't received an update.

-Professional Housing: President Moore will be following up with the NTU student that has been helping with the land designation.

Kevin Mitchel: Who is the individual that is telling us how big to build the safety complex?

President Moore: NN Community Develop is the department that is telling chapter to build at 7,000 square feet. Redhorse with Public Safety is also telling the chapter to build at 7,000 square feet.

Ansley Curley: NN Community Development and Public Safety indicated that water and electricity is available when new buildings are established. However, there is a policy that limits safety building to 9,000 square feet due to sprinkler systems. There are also concerns about Right of Way to the building with NTUA's lines. NN Community Development also wants projects that are fully funded upfront to begin a project.

Jean Crawford: Window Rock needs to be made aware that the safety complex is not just for Tohatchi it will service the entire District and we have the support from other chapters in doing so. Mike Halona: Spoke with Division Directors on how they are making restrictions at the chapter level. The director indicated that the divisions don't have a place to making restrictions for the chapters and that will be addressed at the director's position.

M: Approving President Moore's update

M: Deon Ben 2nd: Delphine Bitsilly VOTE: 3-0-1

- E. Cemetery Expansion Update- President Moore indicated that he drafted a cover letter with cemetery extension details and sent that to NN land department. The next step is to locate money to fence the new extended area of the cemetery.
- F. Rural Addressing-Larry Rodgers: Meeting & Work Session Updates: Larry Rodger updated that Mr. Rodgers is working to set a meeting with Mr. Peters from McKinley County. Mr. Rodgers had a meeting with Mr. Slim with BIA and Mr. Slim indicated that NN has all the records and Mr. Rodgers called NDOT for a follow-up. Mr. Rodgers indicated that there is an issue with matching BIA and NDOT maps for district #14. This is concerning rural addressing for the district. Mr. Rodgers followed up with McKinley Country and met with a Wilfred Noble who is a special project manager, Mr. Noble will be working with the county supervisor to set a meeting with the chapter leadership on rural addressing. Mr. Noble informed Mr. Rodgers that the county has received a resolution from Tohatchi Chapter. This process would probably have to be done through a NN MOA and the county.

M: Approving report M: Delphine Bitsilly 2nd: Deon Ben VOTE: 2-0-2

VIII. NEW BUSINESS:

- A. District 14 Conservation Initiative Discussion: Presented Updates in President Moore's Update in Old Business
- B. Transfer Station Expansion: Presented Updates in President Moore's Update in Old Business
- C. US Highway 491 Lighting: Presented Updates in President Moore's Update in Old Business
- D. Professional Housing Project & Housing ARPA: Presented Updates in President Moore's Update in Old Business
- E. Farm Board Updates- Elvis Bitsilly & Geneva Begay: Mr. Bitsilly indicated that the spring runoff is flowing good from the Chuska Mountains to the valleys. Right now, the redirection channels are holding up directing runoff to the lake and any additional water is flowing through Red Willow Wash. Mr. Bitsilly thanked that chapter for clearing the canal and his farm team for cleaning the canal for water to flow. The farm board are also clearing trees along the canal and are about 90% complete. Red Willow will continue maintaining the canal going forward. Red Willow Farm board are working with departments to get readings on lake level and capacity of the dam, these readings have never been done so this will help us moving forward.

Motion: Approve Red Willow Farm Board's report

M: Deon Ben 2nd: Larry Rodgers VOTE: 3-0-1

- IX. SWCD- Mike Begay: Was not present to provide updates.

- X. PRESENTATIONS: Presentation can be found on the recorded link below
https://us02web.zoom.us/rec/play/AxbMKFXuJw3vhdBhMC-pe9kL8SRTEefwtipFH1RlweJetHINXAqWgrJb5bP0yAfYTNQjN5xNo9ikHYvY.G6wI01028t73xgpf?canPlayFromShare=true&from=share_recording_detail&continueMode=true&iet=PBUs0P

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- A. ANNOUNCEMENTS: Red Willow Farm Board Meeting April 18, 2023/ Grazing District
#14 Meeting May 3, 2023 @ 9am**
B. NEXT MEETING DATE & TIME: May 9, 2023 @ 6pm
C. AJOURNMENT/TIME: 10:39pm
M:Deon Ben 2nd: Delphine Bitsilly VOTE:3-0-1

