



## 23<sup>rd</sup> NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Walter Phelps, Primary  
Sponsor of proposed legislation hereby withdraw my  
sponsorship of the proposed legislation. The legislation  
tracking number is 0013-16.

If there are any co-sponsors, they may re-sponsor the same  
bill by beginning a new legislation.

SPONSOR SIGNATURE:

[Signature]

DATE:

4-20-16

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0013-16

**DATE:** January 8, 2016

**TITLE OF RESOLUTION:** PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$2,000,000.00 FOR WEST LEUPP WATERLINE EXTENSION PROJECT; WAIVING 12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

**PURPOSE:** This resolution, if approved, will approve supplemental funding from the unreserved, undesignated fund balance (UUFB) in the amount of \$2,000,000.00 for the West Leupp Waterline Extension Project, waiving 12 N.N.C. § 820(I) and § 860(C) relating to the Capital Improvement Process.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: None  
Website Posting Time/Date: 9:00pm 1/8/16  
Posting End Date: 1/13/2016  
Eligible for Action: 1/14/2016

Resources & Development Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bik'íyáti' Committee

THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23<sup>rd</sup> NAVAJO NATION COUNCIL—Second Year, 2016

INTRODUCED BY

  
Primary Sponsor

TRACKING NO. 0013-16

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND  
FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO  
NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE  
UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF  
\$2,000,000.00 FOR WEST LEUPP WATERLINE EXTENSION PROJECT; WAIVING  
12 N.N.C. §§ 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT  
PROCESS

BE IT ENACTED:

SECTION 1. FINDINGS

A. Pursuant to 12 N.N.C. § 820 (L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)."

B. Pursuant to 2 N.N.C. § 164 (A)(9), a proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee before it is heard by the Navajo Nation Council.

1 C. Pursuant to 2 N.N.C. § 300 (C)(1)(3) and (4) the Budget and Finance Committee is  
2 authorized to recommend adoption of resolutions related to the expenditure of the  
3 Nation's financial resources.

4 D. Pursuant to 2 N.N.C. § 501 (C)(1), the Resources and Development Committee is  
5 the oversight committee for the Division of Community Development, Capital  
6 Improvement Office.

7 E. The Title 12 Finance Act Supplemental Appropriation requirements include:

8 1. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and  
9 supplemental funds shall be submitted to the Office of Management and  
10 Budget ("OMB") for budget impact analysis. On December 29, 2015, the  
11 Office of Management and Budget presented its memorandum with regard  
12 to this supplemental request for appropriation. The memorandum is  
13 attached as **Exhibit A**.

14 2. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional  
15 sources of revenues above and beyond the initial or current revenue  
16 projections, supplemental appropriations may be allocated by the Navajo  
17 Nation Council. The attached memorandum, **Exhibit B**, dated December 2,  
18 2015 from the Office of the Controller has identified the additional  
19 revenues.

20 F. The Title 12 Capital Improvement Process includes:

21 1. Pursuant to 12 N.N.C. § 810(F), "Capital Improvement" means a major  
22 project undertaken by the Navajo Nation that is generally not recurring on  
23 an annual basis and which fits within one or more of the following  
24 categories:

25 (1) All projects requiring debt obligation or borrowing;

26 (2) Any acquisition or lease of land;

27 (3) Purchase of major equipment or vehicles, with a life expectancy of five  
28 years or more, valued in excess of an amount to be established by the  
29 Controller;  
30

- (4) Major building improvements that are not routine maintenance expenses and that substantially enhance the value or extend the useful life of a structure;
  - (5) Construction of new buildings or facilities including engineering, design, and other pre-construction costs with an estimated cost in excess of an amount to be determined by the Controller; and/or
  - (6) Major equipment or furnishing required to furnish new buildings or other projects, the cost of which is above a certain amount to be established by the Controller.
2. Pursuant to 12 N.N.C. § 820 (I), the “[d]evelopment of the Capital Budget shall be coordinated with development of the Operating Budget. All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan.”
3. Pursuant to 12 N.N.C. § 820 (M), the Office of Management and Budget shall coordinate the overall preparation, adoption and implementation of both the annual operating and capital budgets of the Navajo Nation. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis and other appropriate action.
4. Pursuant to 2 N.N.C. § 501 (B)(4)(c), the Resources and Development Committee is to review and recommend to the Navajo Nation Council through the appropriate process supplemental appropriations to the capital improvement projects annual budget to fund necessary additional capital improvement projects.
5. Pursuant to 12 N.N.C. § 860 (C)(2) “[t]he appropriation portion of the Capital Improvement Plan is subject to approval of the Navajo Nation Council upon recommendation of the Budget and Finance Committee. Any modification or amendment affecting the approved Capital Improvement Plan is subject to review and concurrence by the Resources and

1 Development Committee prior to consideration by the Navajo Nation  
2 Council.”

3 G. The West Leupp Waterline Extension Project is not included in the Title 12 Capital  
4 Improvement Plan as approved by Navajo Nation Council Resolution CAP-18-14.

5 H. Any modification or amendment affecting the approved Capital Improvement Plan  
6 is subject to review and concurrence by the Resources and Development Committee  
7 prior to consideration by the Navajo Nation Council. 12 N.N.C. § 860.

8 I. The purpose of this request is to fund a waterline extension to serve 36 homes in the  
9 North Grand Falls and Round Cedar community within the Leupp Chapter. The  
10 Navajo Nation Budget Forms are attached as **Exhibit C**. The Preliminary  
11 Engineering Report for West Leupp Waterline Extension Phase 1A prepared by the  
12 U.S. Public Health Service, Indian Health Service is attached as **Exhibit D**. The  
13 Environmental Protection Agency, Region 9, Drinking Water Tribal Set-Aside  
14 Grant, Project Proposal Form Draft is attached as **Exhibit E**.

15 J. The Navajo Nation finds it in the best interest to waive 12 N.N.C. §§ 820(I) and 860  
16 (C) regarding the Capital Improvement for the West Leupp Waterline Extension  
17 Project.

18 K. The Navajo Nation finds it in the best interest to approve Supplemental  
19 Appropriation for the West Leupp Waterline Extension Project.

20  
21 **SECTION 2. WAIVING 12 N.N.C. §§ 820(I) 1 AND 860 (C) REGARDING**  
22 **THE WEST LEUPP WATERLINE EXTENSION PROJECT**

23  
24 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(I) and 860(C) with  
25 regard to the West Leupp Waterline Extension Project.

26  
27 **SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE**  
28 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**  
29 **\$2,000,000.00 FOR THE WEST LEUPP WATERLINE EXTENSION PROJECT**  
30

- 1 A. The Navajo Nation Council, having received certification by the Office of the  
2 Controller of the availability of certain funds from the Unreserved, Undesignated  
3 Fund Balance (UUFb) for supplemental appropriation hereby approves the  
4 supplemental appropriation of \$2,000,000.00 for the West Leupp Waterline  
5 Extension Project as further described in budget documents attached as **Exhibit C**.  
6 B. This supplemental appropriation of \$2,000,000.00 shall be to a new Business Unit  
7 Number and from that amount of funds that exceeds the minimum fund balance of  
8 the UUFb.



# THE NAVAJO NATION

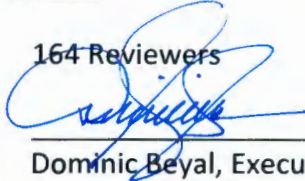
RUSSELL BEGAYE PR  
JONATHAN NEZ VIC



## The Office of Management and Budget

### Memorandum

To: 164 Reviewers

From:   
Dominic Beyer, Executive Director

Date: December 29, 2015

Subject: 164 Document #005157, West Leupp Waterline Extension, \$2,000,000.00,  
Supplemental Funding Proposal

The Office of Management and Budget has reviewed the above referenced document. Upon review of the proposed supplemental funding proposal, OMB notes the following:

1. The attached copy of the Navajo Nation Capital Improvement Plan 2013-2018, which was approved by resolution CAP-18-14, does not show or list West Leupp Waterline Extension as an approved project in the amount of \$2,000,000.00. The Appropriations Act, Section 820 (I), addresses the Capital Budget requirements in the following language: "All budget requests for capital improvements shall be in compliance with an adopted Capital Improvement Plan and shall not be approved unless in compliance with the Plan."
2. West Leupp is requesting \$2,000,000.00 from the UUFB for a Waterline Extension. The total cost is \$2,675,340.00 with \$256,340.00 being contributed by NTUA for Operation and Maintenance costs and the rest through an EPA grant that the chapter submitted on November 13, 2015.
3. The Office of the Controller says the UUFB has an amount of \$14,400,000 available. OMB recently compiled the Fiscal Year 2015 unmet needs list which was submitted by the oversight committees and Leupp Chapter is not on the list. There were over a \$100,000,000 in unmet needs requests which need to be considered for funding from the UUFB or other sources. These unmet needs should be considered before other requests.
4. The capital project budget is incomplete. The Capital Project Budget Summary in Part IV. Project Information, is blank and does not list the date in Part II., Appropriation End Date. In addition to the same form, Part III. Budget at LOD 4 and the Amount(s) as well as the Total are all blank. These spaces should be completed with the appropriate information.
5. In Part III. of The Navajo Nation Capital Project Budget Schedule page, each Fiscal Year needs to be filled in the blank Fiscal Year(s) spaces.
6. In accordance with the FY 2016 Budget Instructions Manual, the appropriate budget forms for capital projects should be used. This includes the Project Budget Summary, Capital Project Budget Schedule, and the Detailed Line Item Budget and Justification.



The other budget forms are for operating budget requests, not capital projects budget requests.

7. In accordance with the FY 2016 budget resolution, the 2016 Budget Instructions Manual, and the Appropriations Act, the Branch Chiefs have the responsibility to prioritize budget requests from their respective Branches. This has not been done.

OMB recommends that the above mentioned findings be addressed before final approval of the budget. If you have any questions, contact Raquel Tenille, Senior Budget Analyst at (928) 871-6575.

# NAVAJO NATION CAPITAL IMPROVEMENT PLAN 2013 - 2018

Chapter	Agency/Proposal Number	Project Description	Funds	STATUS										Phase Request				Anticipated source of funds	Requested Amount	Inventory				Anticipated Capital Cost	Anticipated Annual Operating Cost	Estimated Completion Date	Lead Agency	Adopted Plan or Policy	Classification of Project	Recommended Year of Appropriation			
				Planning (Chapter)							% Completed	Design A/E		Construction Documents		% Completed	Planning			Design	Construction	Renewal/Renovation	Replacement								Expansion	Retirement	
				Chapter Resolution	Land Survey	Land User Consent	Environmental Assessment	Archaeology	Legal Survey	Rights of way Land withdrawal		Conceptual	Schematic	Design	Plans and Specs																		Blueprint
Leupp	W/98	Long Thompson Power Line Project	106															X	\$234,441.53														
Birdsprings	W/99	North Birdsprings Powerline Extension	96	X	X	X			X	X			X	X	X			X	X	\$1,746,382.00													
Inscription House	W/100	To hajichi li Power Line Project	152																\$250,000.00														
Thoreau	E/101	Powerline Extension - To hualapai																															
Whitehorse	E/102	New Powerline Extension	138	X	X	X	X	X	X	X		60%	X		X			X	X	\$350,000.00													
Baca/Prewitt	E/103	New Powerline Extension - To hualapai																															
Dennehotto	W/109	Scattered P/L Extension	50	X	X	X	X	X	X	X				X	X			X		\$252,000.00													
Nageezi	E/9	Scattered/Chaco Powerline (55)		X	X	X	X	X	X	X		50%	X					X		\$773,000.00													
Counselor	E/113	Alamos Ridge Powerline	128	X	X	X	X	X	X	X		100%	X		X			X		\$455,871.00													
Ojo Encino	E/127	Scattered/Chaco Powerline	176	X	X	X	X					80%	X				X	X		\$72,630.00													
Kayenta	W/36	Halls Burns P/L	162	X	X	X	X	X	X	X				X				X		\$881,869.49													
																			\$15,150,015.74														

## Water/Waste Water Projects

Tsiam-Cottonwood	C/104	Cottonwood NW Waterline Extension	1	200	X	X	X	X	X	X	X	X	100%	X	X	X	X		100%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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## Sewer Line

Red Rock	E/115	Sewer Lagoon Upgrade	1	108	X	X	X	X				80%			X		30%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															</
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### LEGEND

\* = Project Sponser Requesting Funds X = On file N/A = Not Applicable  
None = Not on file NA = Not Available

L = Local Govt. Impvt. Project  
C = Capital



**THE NAVAJO NATION**

**RUSSELL BEGAYE PRESIDENT**  
**JONATHAN NEZ VICE-PRESIDENT**



**MEMORANDUM:**

TO : 2 NNC § 164 Reviewers  
Delegates & 2 NNC '164 Reviewers  
Navajo Nation Government

FROM : *Robert Willie*  
Robert Willie, Accounting Manager  
Office of the Controller

DATE : December 2, 2015

SUBJECT : 164 Review-005157- Supplemental Appropriation Request for West Leupp  
Waterline Extension Phase 1A.

The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$14,407,443 as of November 30, 2015.
2. The requested supplemental request is for Waterline Extension Projects for Leupp.  
requested amount is \$2,000,000.
3. Budget forms attached have "new" for business unit and the responsible branch being  
Legislative.

If you should have any questions you can contact me at tribal extension X6125.

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 3

2016

EXHIBIT

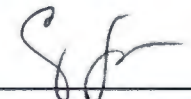
tabbles

PART I. Business Unit No.:         New         Program Title:         West Leuppe Wateline Extension Phase 1A         Division/Branch:         Legislative          
Prepared By:         Walter Phelps         Phone No.:         (505) 906-1721         Email Address:         nakaidinee@yahoo.com        

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY				
					(A)	(B)	(C)	
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
UUFB Funds	10/1/15 - 09/30/18	2,000,000.00	100%	2001 Personnel Expenses	1	0	0	0
				3000 Travel Expenses	1	0	0	0
				3500 Meeting Expenses	1	0	0	0
				4000 Supplies	1	0	0	0
				5000 Lease and Rental	1	0	0	0
				5500 Communications and Utilities	1	0	0	0
				6000 Repairs and Maintenance	1	0	0	0
				6500 Contractual Services	1	0	0	0
				7000 Special Transactions	1	0	0	0
				8000 Public Assistance	1	0	0	0
				9000 Capital Outlay	1	0	2,000,000	2,000,000
				9500 Matching Funds	1	0	0	0
				9500 Indirect Cost	1	0	0	0
				<b>TOTAL</b>		<b>\$0.00</b>	<b>2,000,000.00</b>	<b>2,000,000</b>
				PART IV. POSITIONS AND VEHICLES				
					(D)	(E)		
				Total # of Positions Budgeted:	0	0		
				Total # of Permanently Assigned Vehicles:	0	0		
<b>TOTAL:</b>		<b>\$2,000,000.00</b>	<b>100%</b>					

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

  
SUBMITTED BY: Walter Phelps, Council Delegate Signature / Date

 11/16/2014  
APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

**PART I. PROGRAM INFORMATION:**Business Unit No.:           New          Program Name/Title:                                 West Leuppe Waterline Extension Phase 1A                                **PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:****PART III. PROGRAM PERFORMANCE CRITERIA:**

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

## 1. Program Performance Area:

Install waterline extension to 36 families.

Goal Statement:

To provide waterline extension to 36 families.

9		9		9		9	
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## 2. Program Performance Area:

Goal Statement:

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## 3. Program Performance Area:

Goal Statement:

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## 4. Program Performance Area:

Goal Statement:

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## 5. Program Performance Area:

Goal Statement:

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**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**
  
 Walter Phelps, Council Delegate

  
 Division Director/Branch Chief's Printed Name and Signature / Date

THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>West Leuppe Waterline Extension Phase 1A</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
9020	Infrastructure 9038 WATERLINE - To provide waterline extension to 36 families in the Round Cedar & North Grand Falls community of Leuppe Chapter	2,000,000	2,000,000
TOTAL		2,000,000	2,000,000

**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.:           New           Program Title:           West Leupp Waterline Extension Phase 1A            
Division/Branch:           Legislative           Amount Requested:           \$2,000,000           Phone No.:           928-505-906-1721            
Prepared By:           Walter Phelps, Council Delegate           Email Address:           nakaidinee@yahoo.com          

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

The Leupp Chapter is requesting waterline extension to serve 36 homes in the North Grand Falls and Round Cedar community. There is a dire need to provide waterline services to the 36 families who need safe drinking water.

**PART III. SCOPE OF WORK/METHODOLOGY**

The scope of work are as follows:

1. Develop a contract with I.H.S. for waterline project.
2. Execute Contract.
3. Project Implementation
4. Serve 36 families with waterline extension.
- 5 End of Project
7. Termination of Contract

**PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

           11/9/15            
REVIEWED BY: Division Director's Signature / Date

  
RECOMMEND APPROVAL: Branch Chief's Signature / Date

# THE NAVAJO NATION

## PROJECT BUDGET SUMMARY

**PART I.** Business Unit No.: New Project Title: West Leuppe Waterline Extension Phase 1A  
 Division/Branch: Legislative Chapter: Leuppe Chapter Agency: Western  
 Prepared By: Walter Phelps, Council Delegate Phone No.: (505) 906-1721

**PART II.** Check one: ☒ Original ☐ Revision ☐ Reallocation ☐ Modification

Project Funds/Source(s)	Appropriation End Date	Amount	% of Total
UUFB Funds	10/01/16 - 09/30/18	2,000,000.00	\$0.00
<b>TOTAL:</b>		2,000,000.00	\$0.00

PART III. Budget at LOD 4	Amount
<b>TOTAL</b>	

PART IV. Project Information	
Project Type:	
Planned Start Date:	
Planned End Date:	
Project Manager:	
FOR OMB USE ONLY	
Resolution No.:	
FMIS Set Up Date:	
Company No.:	
OMB Analyst:	

**PART V. ACKNOWLEDGEMENT:**  
 I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE AND ACCURATE.

  
 SUBMITTED BY: Dept. Director Signature / Date

  
 VERIFIED BY: Div. Director Signature / Date





**DRAFT**

# **Preliminary Engineering Report**

for

## **West Leupp Waterline Extension Phase 1A**

Prepared by

U.S. Public Health Service  
Indian Health Service



November 2015

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## APPENDICES

Appendix A	Maps
Appendix B	SDS Data – Leupp Chapter
Appendix C	Waterline Sub-Phases
Appendix D	Y88 Test Well Documents
Appendix E	El Paso/Leupp Chapter Watering Point

## EXECUTIVE SUMMARY

This report recommends construction of approximately 7.5 miles of water distribution line, one booster station with electrical power extension, and a (2) 125,000-gallon water storage tanks in the western community of Leupp, Arizona. The total construction cost of the project is estimated at \$2,419,000. Upon funding approval, the IHS will manage the construction of this project under the authority of Public Law 86-121.

Due to the lack of a community water distribution system in most of the Leupp Chapter, over 200 residences on this part of the reservation resort to hauling water from a variety of water sources, including regulated watering point sources in the town of Leupp, Black Falls and the city of Flagstaff, Arizona, but also from unregulated sources such as springs and livestock water sources. Within this part of the reservation there are many unregulated water sources, including Box Spring, and further north Badger Spring, Tohatchi Spring, and Paddock Well, that all have uranium concentrations exceeding the Safe Drinking Water Act's Maximum Contaminant Level (MCL). There are also many livestock wells in the project area (more than 15 windmills and cattle troughs) that pose other health risk, primarily microbial, when used for domestic human consumption. See Appendix A, Figure 1.

Five alternatives are considered in this report to bring safe water to parts of the Leupp Chapter:

1. No Action: If no waterline extensions are constructed, the community members will continue to haul water from both regulated and unregulated water sources.
2. New Water System utilizing the EPA Test Well (IHS Project NA-10-Y88): This alternative was eliminated due to water quality issues in this well; primarily, high total dissolved solids nearly three times the recommended drinking water limit.
3. New Water System utilizing the El Paso/Navajo Nation Watering Point Well: This alternative is not recommended at this time; however, it is still under investigation. There are concerns about water quality and operation and maintenance responsibilities, especially since the community relies heavily on this well as a livestock watering point.
4. Extend the Leupp CWS West, Phase 1 (SDS Project AZ03108-1602): This alternative is the complete waterline extension proposed in the SDS project Phase 1 (see Appendix B for complete details). It includes approximately 23 miles of waterline, a booster station with electrical power, two 125,000-gallon water storage tanks, and service connections to 60 homes. The total cost of the just water facilities is estimated at over \$6.7 million. This alternative is not considered fiscally viable and therefore is not recommended due to the high capital cost.
5. Extend the Leupp CWS West, Phase 1A: This alternative recommends a waterline extension from the Leupp community water system (PWSID# NN0403033), which is operated by the Navajo Tribal Utility Authority (NTUA) and monitored for all constituents defined in the primary drinking water standards. This alternative includes constructing 7.5 miles of water distribution line, one booster station with electrical power extension, and two 125,000-gallon water storage tanks. See Appendix A, Figure 3.

The total construction cost for Alternative #5 waterline extension project is \$2,419,000. A summary of the life cycle cost analysis is provided in the table below. The analysis converts all costs to present day dollars as the net present value. The analysis is based on a planning period of 20 years and a discount (interest rate) of 3.6% based on current OMB published values).

**Table. Life Cycle Cost Analysis**

Description	One-Time Cost	Annual Recurring Cost	Net Present Value
Capital Cost	\$2,419,000.00	\$0.00	\$2,419,000.00
O&M Cost		18,200.00	\$256,340.00
Salvage Value	\$0.00	\$0.00	\$0.00
<b>Total</b>			<b>\$2,675,340.00</b>

## 1.0 INTRODUCTION

In early 2008, the U.S. Environmental Protection Agency (EPA), in cooperation with the Navajo Nation Environmental Protection Agency (NNEPA), conducted a water sampling and testing program of numerous unregulated water sources on the Navajo Reservation that were suspected of having uranium levels exceeding the national drinking water standard of 30 micrograms per liter (parts per billion). Several of these unregulated sources are along the far western border of the reservation, in the Tolani Lake, Leupp and Coalmine Mesa Chapters.

One of these unregulated sources, Box Spring, was tested as having 35 parts per billion (ppb) uranium, thus exceeding the drinking water limit for uranium. See Appendix A, Figure 2, for water quality results. Box Spring, which is located in Leupp Chapter in a remote canyon on the east side of the Little Colorado River north of Grand Falls, is operated by the tribe's Department of Water Resources (DWR) as a livestock water source. It is also reported to be used as a domestic water source for many Navajo families in that area that lack piped water facilities. In the summer of 2008, the NNEPA, with assistance from the Diné Network for Environmental Health (DiNEH) Project and EPA, conducted an outreach program at chapter meetings and through the news media, and installed warning signs at the Box Spring site to warn people not to use the water for domestic use or human consumption. The signs have deteriorated and very little monitoring of usage is done.

The Indian Health Service (IHS) Sanitation Deficiency System (SDS) indicates there are over 200 Navajo homes in the Leupp Chapter that do not have safe (piped) water or sewage disposal facilities. Of these 200 homes, approximately 127 are located in the area directly west of Leupp along about a 13-mile corridor of Indian Route 15 to the reservation boundary, and north to the Little Colorado River (Grand Falls) towards Box Spring. The current SDS proposes 4 project phases to serve these 137 homes, beginning with SDS# AZ03108-1602, West Leupp Phase 1 Waterline Extension to serve the first 60 homes with both water and sewer facilities. The total cost for this Phase 1 project is estimated at over \$6.7 million, and is considered economically infeasible for IHS funding due to the high unit cost. See Appendix B for a summary of all SDS projects in the Leupp Chapter, plus the detailed SDS narratives, name lists and maps for these 4 project phases.

In October 2009, the IHS, with the concurrence of the NTUA and NNEPA, submitted a project proposal on behalf of the Navajo Nation for exploratory well drilling west of Leupp, Arizona, to EPA Region 9. This well drilling effort was proposed as a potential alternative to the expensive Phase 1 waterline extension from Leupp. The EPA approved the test drilling for one well in the West Leupp area, and as a result contributed \$450,000 to the IHS under project NA-10-Y88. The project was approved in August 2010, and the Memorandum of Agreement approved in September 2010.

Well drilling commenced in January 2013, and was completed in April 2013. The results of the drilling were mixed, with a well capable of producing more than 100 gallons per minute (gpm); however, with secondary drinking water standards high in total dissolved solids (TDS), at a level of approximately 1,420 milligrams per liter (mg/L), and elevated levels of chloride, iron and sulfate. The EPA secondary drinking water standard for TDS is 500 mg/L. Secondary standards are not associated with health effects, but more for palatability of drinking water.

In November 2013, the IHS, with the concurrence of the NNEPA and DWR, submitted another project proposal on behalf of the Navajo Nation for a follow-up project to the NA-10-Y88 test drilling project called West Leupp Watering Point. This proposal was the next step to convert the test well into a water source for a new community water system for the West Leupp community. However, in their letter dated December 18, 2013 (see Appendix D), the EPA did not rank this proposal because it was not considered a viable project due to the water quality issues, primarily the high TDS. Treatment of the water was not considered a viable option for NTUA. Therefore, this alternative (Alternative #2) is not considered practical or feasible. The NA-10-Y88 test well has since been capped and will be transferred to the tribe's Department of Water Resources as a potential future livestock well.

Several other alternatives are reviewed in this report; however, this proposal recommends Alternative #5, the West Leupp Waterline Extension Phase 1A, a 7.5-mile waterline extension from the Leupp community water system, including a booster station and two 125,000-gallon water storage tanks. No homes will be served in this preliminary phase. This alternative is a bare-bones minimum requirement of SDS project AZ03108-1602, West Leupp Phase 1 Waterline Extension, in that it is only for the transmission pipeline and infrastructure necessary to extend the existing Leupp system to the proposed water storage tank. It does not include the multiple lateral waterlines and waste disposal systems in the original Phase 1 SDS project. The purpose of Phase 1A is to reduce the initial waterline cost to a manageable funding level, \$2.4 million, and install the critical infrastructure needed for future sub-phases. By doing so, the cost of the remaining facilities to the homes is reduced, making the majority of those sub-projects (1B, 1C and 1E) feasible for future IHS and tribal funding. See Figure 2 in Appendix A and detailed costs of each sub-phase in Appendix C. This alternative also provides an additional step towards the development SDS Phases 2, 3 & 4 to provide safe, potable water for the Grand Falls area.

## **2.0 PROJECT PLANNING**

### **2.1 Location**

Leupp is a small, unincorporated community consisting of a chapter house, preschools, trading post, primary and secondary schools, and Navajo Housing Authority (NHA) housing developments. Leupp is located approximately 30 miles north of Interstate 40 on State Highway 99. This chapter is in the southwestern portion of the Navajo Indian Reservation.

The District 5 regional water system serves Leupp as well as the other adjacent chapters of Tolani Lake, and Birdsprings. It is an area of numerous cinder cones, high mesas, and alluvial valleys. Soil horizons in the area are generally a shallow sandy silt layer atop sedimentary or volcanic rock.

Vegetation in the project area consists primarily of bitter brush, sagebrush, pinion, and juniper trees. Various cacti and grasses, common to the northeastern Arizona plateau, are also found here. Elevations in the area range from 4,500 to 6,000 feet above sea level and annual precipitation averages eight inches.

Employment opportunities on this portion of the Navajo Reservation are extremely limited; with self-employed ranching and native arts and crafts (such as traditional Navajo rug weaving, and jewelry crafts) being the major local resources. The cities of Winslow, Holbrook, and Flagstaff do offer a source of work for those able to commute. Some residents of the proposed project area practice a subsistence type of lifestyle raising moderately sized herds of sheep and cattle. Some residents of the project area practice a subsistence type of lifestyle, raising moderately sized herds of sheep and cattle.

The structural condition of the existing homes on this project ranges from below average wooden structures, to good conventional frame and mobile homes. Growth potential for this area is considered average for the Navajo Indian Reservation.

## **2.2 Environmental Resources Present**

Based on site reconnaissance, consultation with the Tribe, and record reviews of previous IHS and other agency projects in the area (e.g. housing, roads, etc.), there appears to be no significant environmental resources that would be impacted by the proposed activities in the project planning area. There are historic properties within the Reservation; however, sites have not been previously located within the project planning area.

## **2.3 Population Trends**

The West Leupp community is located in northeastern Arizona, Coconino County, along Indian Route 15 between Leupp and the reservation boundary. It encompasses most of the Leupp Chapter in the far southwest corner of the Navajo Reservation, an area of approximately 475 square miles. Tribal administration offices are located in the town of Leupp. El Paso Natural Gas and the Transwestern Pipeline have facilities here, and Tooh Diné Industries manufactures circuit boards. The Navajo Nation 2010 Census for Leupp Chapter has the population at 951.

## **2.4 Community Engagement**

The Indian Health Service, Office of Environmental Health & Engineering (OEHE), provides sanitation facilities construction support to the reservation at no cost to the Tribe. This includes planning, design, and construction support for all aspects of water, sewer, and solid waste facilities.

In addition, each year, the Federal government appropriates money to the IHS for construction of water, sewer, and solid waste projects on Native American lands. Projects within each IHS Area are then selected for funding based on the SDS, which is a prioritized list of all recorded sanitation deficiencies and their respective corrective measures. Projects providing the greatest health improvement to the highest number of people are consistently ranked at the top of the list.

SDS project AZ03108-1602 and all subsequent SDS phases, are currently economically infeasible for IHS funding and therefore ranks very low on the priority list. See Appendix B for detailed SDS data. The project will require significant outside contributions to raise it to a higher SDS priority.

The IHS OEHE has participated in community meetings at the request of the Leupp community members to discuss the need of water and funding options for the waterline extension. Tribal officials such as the council delegates are in support of IHS's effort to provide the water and individual wastewater facilities to the West Leupp community. The local Tribal government has assisted in the planning for the waterline extension.

Upon funding, the Navajo Nation, through its construction enterprise, the Navajo Engineering and Construction Authority (NECA), will provide the standard materials, labor, and equipment, required to install the proposed sanitation facilities on a non-profit basis. The IHS will make monetary contribution to the NECA for all of the non-profit construction cost performed by NECA

Sanitation facilities procured and constructed by the NECA with IHS contributed funds are at all times the property of the Navajo Nation. The IHS will assist the Navajo Nation in the preparation of a transfer document. This document will assign operation, maintenance, and repair responsibilities for the community facilities to the NTUA, and transfer the NECA procured and constructed individual on-site facilities to the individual homeowners.

### **3.0 EXISTING FACILITIES**

#### **3.1 Location Map**

Figure 1 in Appendix A shows the Leupp Chapter on the Navajo Reservation and the proposed project area for Phase 1A. Figure 3 in Appendix A specifically shows the location of the proposed waterline extension and all the sub-phases of Phase 1.

#### **3.2 History**

The IHS constructed a large regional water system to deliver potable water to meet the needs of the people in Navajo Reservation's District 5 area. The system is operated and maintained by the Navajo Tribal Utility Authority. Multiple IHS projects funded the various portions of the District 5 regional water system. The projects include NA-65-347b, NA-73-928, NA-74-542a, NA-75-562, NA-77-194, NA-79-323, NA-80-217, NA-80-253, NA-86-418, NA-87-975, NA-88-602W, NA-89-448, NA-91-648, NA-91-673, NA-92-773, NA-92-785, NA-93-A38W, NA-93-A20, NA-95-697, NA-98-B01, NA-00-N09, NA-02-C04, NA-02-N81 and NA-01-B97.

The District 5 water system consists of three wells near Leupp, Arizona: well 5T-505, well 5T-510 (manually operated), and well 5T-547. Combined, the wells produce 302 gallons per minute. Radio telemetry between wells 5T-505 and 5T-547 and the Birdsprings storage tanks (two 100,000-gallon tanks) control the water wells and the resulting level in these tanks. The Birdsprings booster pump, drawing water from the Birdsprings tanks, fills the Ives Mesa tanks

(one 60,000-gallon tank and one 45,000-gallon tank). The booster pump is controlled by radio telemetry from the Ives Mesa tanks.

The Tolani Lake booster pumps are also fed from the Birdsprings and Leupp water tanks. The Tolani Lake booster pumps operate in lead/lag fashion by the radio telemetry signal received from the Newberry Mesa tank (100,000-gallon tank). The Newberry Mesa tank provides storage for the homes in Tolani Lake Chapter.

There are also two 26,000-gallon tanks in Leupp that are gravity fed from the Birdsprings tanks with their water level controlled by an altitude valve. These tanks insure that the community of Leupp has water available at adequate pressure and sufficient storage on the west side of the Little Colorado River in the event the waterline from the Birdsprings tank is out of service.

### **3.3 Conditions of Exiting Facilities**

Almost all of the residences of West Leupp (approximately 200 homes) do not have piped water or individual sewer facilities. Community homeowners without water services haul water from watering points (Leupp Chapter and City of Flagstaff are regulated), or from livestock wells, including the El Paso/Leupp watering point, all of which are unregulated. The dual utilization of the livestock wells, for both livestock and domestic watering points, creates potential for unhealthy conditions.

The Leupp community has limited community sewer systems. Homes with water service in the town of Leupp are served by community sewer, but many have individual septic tank/drainfield systems. Residents without community water use pit privies for human waste disposal.

The project site area is served with graded BIA roads, which are often rocky due to the natural terrain. When hauling water regularly, the rocky road terrain is conducive to premature vehicle wear.

### **3.4 Water Audits**

All homes associated with this proposal have been visited and assessed to ensure they are eligible for services. The criteria for eligibility include the homes being occupied year-round and are structurally feasible.

A community water system design analysis was also conducted to ensure the existing water infrastructure can support the proposed water extension for the initial 50 homes in SDS project AZ03108-1602. The design analysis sheets are provided in Appendix G to confirm the existing capacity can support the new waterline extension.

## **4.0 NEED FOR PROJECT**

### **4.1 Health and Sanitation Considerations**

The primary purpose of the waterline extension is to protect the health and safety of the residents of the West Leupp community. In addition, the waterline extension will be constructed and operated in a manner that protects the environment, including the health of nearby water resources, plants, and animals.

Currently, families without water services are forced to get their water from the community chapter house, livestock wells or places as far away as Flagstaff, Arizona, about 25 miles one way from the reservation boundary.

Many of homeowners on this project are elderly and need close monitoring with their health care while some members have health conditions that limit their physical activities. To complicate matters, some family members who provide the physical labor in hauling water are not always available to assist when needed. Also, there is the issue of lack of reliable transportation; some families literally have no means of transportation to obtain water and other sustenance.

### **4.2 Uranium Contamination**

Due to the lack of safe potable water in the project area, some residences resort to utilizing the local livestock wells as their water source. Figure 1 in Appendix A shows many of the livestock wells available in this area, including the uranium contaminated wells further north (shown with circles representing a 10-mile radius). The Box Spring livestock water source had a uranium concentration of 35 ug/L when last tested in 2008, exceeding the MCL of 30 ug/L.

Avoiding livestock wells may prove difficult when considering the commute to the safest drinking water source due to the rough road conditions from the homes. For the majority of the residences, their primary vehicles prematurely wear due to water hauling from either the livestock wells or the watering stations.

### **4.3 Reasonable Growth**

The IHS design standards assume a 50% growth in population in any community on the Navajo reservation. Pumps and water storage tanks are sized based on the current population plus 50%.

## **5.0 ALTERNATIVES CONSIDERED**

The following alternatives were considered:

1. No Action: If no waterline extensions are constructed, the community members will continue to haul water from both regulated and unregulated water sources.
2. New Water System utilizing the EPA Test Well (IHS Project NA-10-Y88): This alternative was eliminated due to water quality issues in this well; primarily, high total dissolved solids nearly three times the recommended drinking water limit.

3. New Water System utilizing the El Paso/Navajo Nation Watering Point Well: This alternative is not recommended at this time; however, it is still under investigation. There are concerns about water quality and operation and maintenance responsibilities, especially since the community relies heavily on this well as a livestock watering point.
4. Extend the Leupp CWS West, Phase 1 (SDS Project AZ03108-1602): This alternative is the complete waterline extension proposed in the SDS project Phase 1 (see Appendix B for complete details). It includes approximately 26.7 miles of waterline, a booster station with electrical power, two 125,000-gallon water storage tanks, and service connections to 50 homes. The total cost of the just water facilities is estimated at over \$5.7 million. This alternative is not considered fiscally viable and therefore is not recommended due to the high capital cost.
5. Extend the Leupp CWS West, Phase 1A: This alternative recommends a waterline extension from the Leupp community water system (PWSID# NN0403033), which is operated by the Navajo Tribal Utility Authority (NTUA) and monitored for all constituents defined in the primary drinking water standards. This alternative includes constructing 7.5 miles of water distribution line, one booster station with electrical power extension, and two 125,000-gallon water storage tanks. See Appendix A, Figure 3.

## 5.1 Design Criteria

The following criteria were considered when designing the proposed water extension system:

1. The booster pump must operate less than 12 hours per 24 hours.
2. The booster station will be constructed to have two identical pumps.
3. Only one pump will operate at any one time while the other serves as a back-up.
4. The selected pump will have at least a 10-horsepower motor, which will require a 3-phase power source.
5. The pumping rate of the existing community wells serving as the water supply shall not exceed 12 hours per day when this extension is completed.
6. The water demand of the new system shall be assumed to be 150% of the present population.
7. The water storage tank must be sized to store three days of water in case the water system fails.
8. Each home (future connection) consumes 200 gallons per day.

## 5.2 Map

Figure 3, Appendix A, shows the detailed location of the waterline from the Leupp water system alternative.

## 5.3 Environmental Impacts

If the proposed project is funded, a biological survey will be requested and it is anticipated that a "no effect" determination would be made. However, IHS will comply with any of the Navajo Nation's request in order to avoid impacting the biology of the project area.

1 E 1C 1B w/ Leupp  
36 homes.

## **5.4 Land Requirements**

The entire proposed water main is on land that is in tribal trust status. No Road crossings.

In addition, an archaeological survey, Tribal Cultural Properties review, and Right-of-Way survey must be conducted and cleared prior to any construction. Land that has archaeological and/or cultural significance is generally off limits to development and alternative routes or locations must be sought for proposed utilities.

## **5.5 Potential Construction Problems**

The local utility agency has been contacted for the proposed waterline services and they do not anticipate any likely special requirements that would impact the budget or schedule. One Gas Crossing, Transwestern.

## **6.0 SELECTION OF AN ALTERNATIVE**

The analysis and evaluation of alternatives was based primarily on considerations to economically address the system deficiencies and reduce the public health risk. While life cycle costs and non-monetary factors are generally important considerations in selecting alternatives, they were not used in the overall decision making process in this particular case because there are only several viable alternatives, one of which is no action.

Alternative 1, the no-action alternative, would continue the existing conditions with no waterline extensions. If a project to correct system deficiencies is not implemented, safe and reliable water supply service to the homes will continue to be not provided. The residences in the project site may continue to utilize the local livestock wells as their water source, which have high uranium concentrations. Furthermore, a no-action alternative would not address the immediate deficiency nor would it create the infrastructure for future service. The only advantage of the no-action alternative is there would be no capital costs needed for the project. Based on these considerations, the no-action alternative is not recommended.

Alternative 2, to construct a new waterline extension is recommended because it would address the unsafe water supplies. A summary of the life cycle cost analysis is provided in the table below.

Alternative 3, to construct a new waterline extension is recommended because it would address the unsafe water supplies. A summary of the life cycle cost analysis is provided in the table below.

Alternative 4, to construct a new waterline extension is recommended because it would address the unsafe water supplies. A summary of the life cycle cost analysis is provided in the table below.

Alternative 5, to construct a new waterline extension is recommended because it would address the unsafe water supplies. A summary of the life cycle cost analysis is provided in the table below.

## **6.1 Life Cycle Cost Analysis**

The Life Cycle Analysis is based on the estimated cost for construction of the water main as well as estimate cost of repairs that may occur over a 20 year period. A summary of the life cycle cost analysis is provided in the table below. The analysis converts all costs to present day dollars as the net present value. The analysis is based on a planning period of 20 years and a discount (interest rate) of 3.6% based on current OMB published values).

**Table. Life Cycle Cost Analysis**

<b>Description</b>	<b>One-Time Cost</b>	<b>Annual Recurring Cost</b>	<b>Net Present Value</b>
Capital Cost	\$2,419,000.00	\$0.00	\$2,419,000.00
O&M Cost		18,200.00	\$256,340.00
<b>Salvage Value</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total</b>			<b>\$2,675,340.00</b>

## **7.0 PROPOSED PROJECT (RECOMMENDED ALTERNATIVE)**

### **7.1 Preliminary Project Design**

The proposed project will construct 38,500 feet of 6-inch water main, one booster station, one water storage tank, and 1 gas crossing. 4 Wash Crossings. The booster station will require a power-line extension from the existing three-phase power source, which is located at approximate one mile away. The road crossings would be installed by open-cut trenching methods after obtaining the road crossing permit from the BIA.

#### **7.1.1 Water Supply**

The existing District 5 community water system has adequate capacity to provide the necessary water supply.

#### **7.1.2. Sewage Disposal**

No sewage disposal facilities will be constructed under this proposed project.

#### **7.1.3 Interior Plumbing**

No interior plumbing facilities will be constructed under this project.

#### **7.1.4 Solid Waste Disposal**

No solid waste facilities are recommended for this project proposal.

## 7.2 Project Schedule

Although the report is developed in advance of potential funding, the table below provides anticipated dates for critical events.

**Table. Project Implementation Schedule**

<b>Task</b>	<b>Target Completion</b>	
R-O-W	April	2018
Design	August	2018
Construction Start	October	2018
Construction Completion	May	2019
As-Built	October	2019
Transfer	September	2019
Final Report	May	2020

## 7.3 Permit Requirement

The following permits will be obtained prior to any construction activities:

1. Permission to (water) Tap Permit into the existing waterline.
2. ROW-Permission to Construct (PTC)

The following documents will be obtained prior to any construction activities:

1. Threatened and Endangered (T&E) Species Clearance
2. Archaeological Clearance
3. Approved Storm Water Pollution Prevention Plan (SWPPP)
4. Environmental Review (ER)
5. Reviewed/Approved construction drawing set from the utility, NTUA.
6. Reviewed/Approved hydraulic analysis report from the utility, NTUA.

## 7.4 Total Project Cost Estimate (Engineer's Opinion of Probably Cost)

The table below provides cost estimates of the facilities recommended in this report.

**Table. Total Project Cost Estimate**

<b>WATER SUPPLY FACILITIES</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Cost</b>	<b>Total Cost</b>
Lineal Survey & Drafting	39,500	LF	\$ 0.10	\$ 3,950
Area Surveying & Drafting	5	AC	245.00	1,225
Archaeological Clearance	99	AC	60.00	5,940
Endangered Species Survey	1	JB	5,000.00	5,000
Stormwater Pollution Prevention	1	JB	2,738.00	2,738
6" PVC Waterline (Complete)	38,500	LF	6.19	238,315
Pipeline Crossing	1	EA	11,092.00	11,092
Wash Crossing (Open Cut)	800	LF	23.76	19,008
Rock Excavation	25	WK	8,800.00	220,000
Electric Power Extension	0.7	MI	250,000.00	175,000
Booster Station-Complete	1	JB	59,507.00	59,507
Water Tank-At-Grade-Complete	2	EA	326,750.00	653,500
Tank Painting Inspection	1	LS	20,000.00	20,000
Electrical & Telemetric Controls	1	LS	60,000.00	60,000
NECA Mgmt. & Crew Support	1	JB	323,592.00	323,592
<b>TOTAL-WATER SUPPLY FACILITIES</b>				\$ 1,798,867
+10% Contingencies				179,887
Subtotal				\$ 1,978,754
+Support Services (15% of Subtotal)				296,813
<b>PROJECT COST</b>				\$ 2,275,567
+ Navajo Nation Tax (5% of of Total-Water Supply Facilities)				89,943
+ Regulatory Review (3% of of Total-Water Supply Facilities)				53,966
<b>TOTAL COST</b>				\$ 2,419,476
<b>TOTAL PROJECT COST (Rounded )</b>				<b>\$ 2,419,000</b>

## 7.5 Annual Operating Budget

### 7.5.1 Income

Upon transfer of the community water supply facilities, the Navajo Tribe will assign the operation and maintenance (O&M) responsibilities for these facilities to NTUA. Future individual homeowners will pay a monthly NTUA charge for water service. The NTUA monthly charge for residential water service consists of a \$7.60 service charge plus a commodity charge of \$3.00 per 1,000-gallons for the first 3,000 gallons and \$4.65 per 1,000 gallons thereafter. For a typical household using 250 gallons per day, the monthly NTUA water service charges would be about \$38. Homeowners will also be required to pay to the NTUA a \$10 non-refundable connection fee for initial water service and \$25 refundable fee to establish an account, if applicable.

The primary purpose of the waterline extension is to protect the health and safety of the residents of the West Leupp community. The analysis and evaluation of alternatives was based primarily on considerations to economically address the system deficiencies and reduce the public health risk.

### 7.5.2 Annual O&M Costs

An itemized annual estimated budget is provided below and reflects the requirements for the proposed waterline extension system. The budget is based in a projected (or typical) costs based on similar facilities operated by other tribal and local communities.

**Table. Annual O&M Costs**

<b>Item</b>	<b>Annual Cost/Budget</b>
Labor	\$7,000.00
Office Operations	\$1,000.00
Vehicle	\$200.00
Water Quality Test	\$2,000.00
Parts and Supplies	\$3,000.00
Chemical	\$1,000.00
Electrical Power	\$2,000.00
Small Equipment/Tools	\$2,000.00
<b>TOTAL</b>	<b>\$18,200.00</b>

## 8.0 CONCLUSIONS AND RECOMMENDATIONS

This proposal recommends installing approximately 7.5 miles of water distribution line, a booster station, and 250,000 gallons of water storage in the western community of Leupp, Arizona. The primary purpose of the waterline extension is to protect the health and safety of the residents of the West Leupp community. This new waterline will also address the water consumption from local livestock wells, some that have uranium concentrations exceeding the MCL of 30 ug/L.

# APPENDIX A

## Maps

- Figure 1: Vicinity Map
- Figure 2: Box Spring Water Quality Test Results
- Figure 3: West Leupp Waterline Extension Phase 1A – 1G

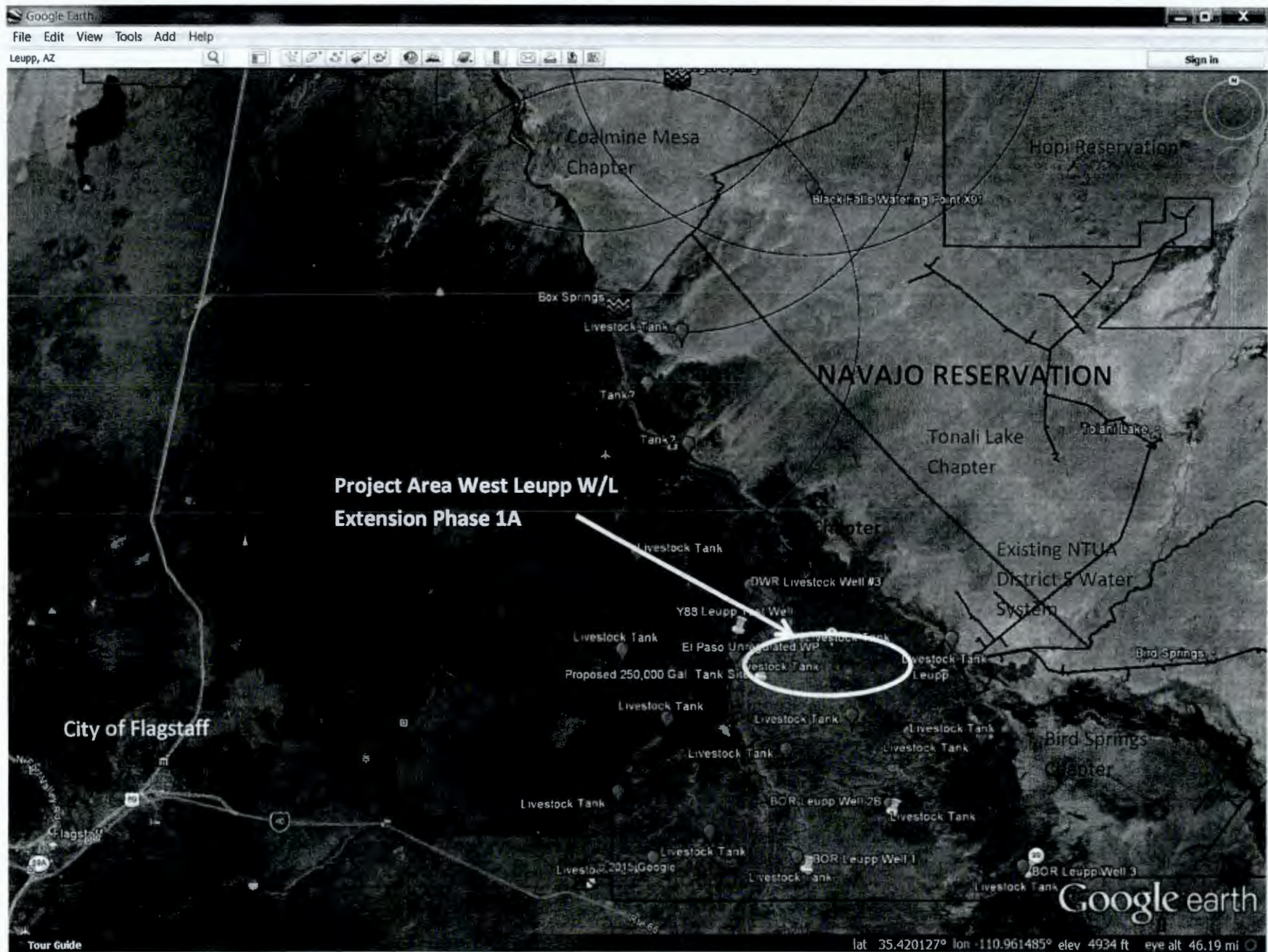


Figure 1: Vicinity Map: Project Area. Includes location of Uranium contamination (with 10-mile radius shown in red)

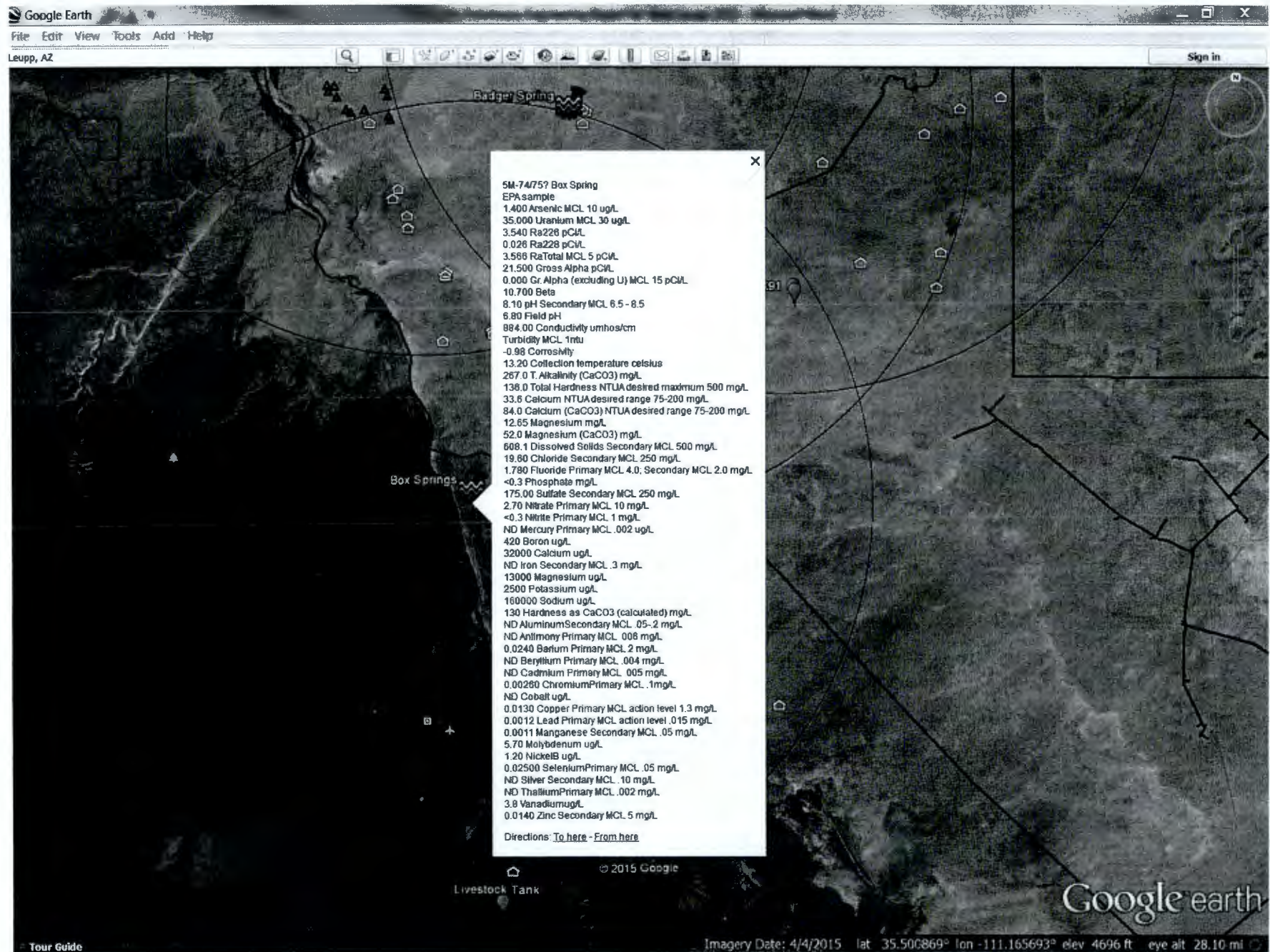


Figure 2: Box Spring Water Quality Test Results (2008). Uranium concentrations above MCL.

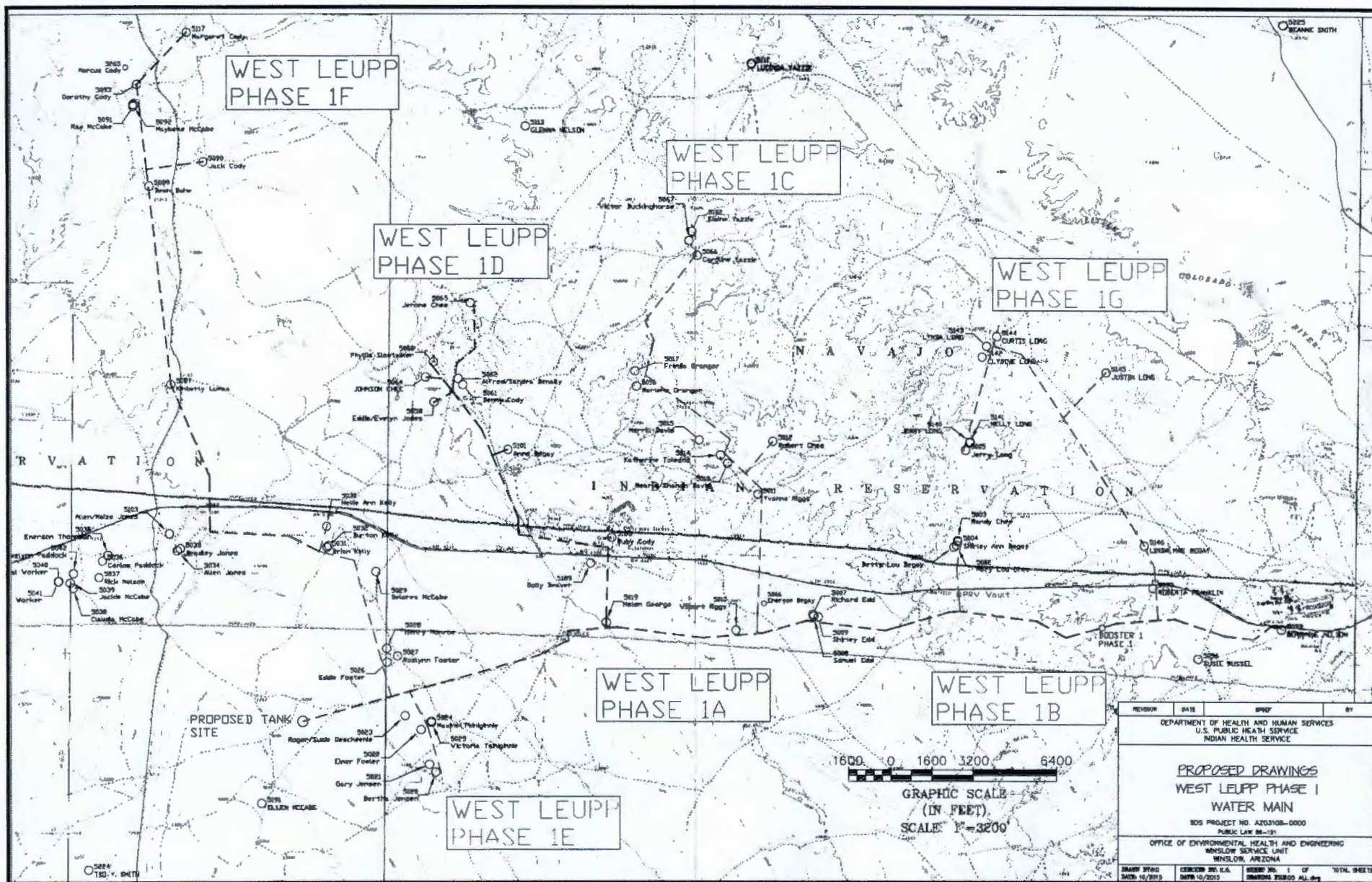


Figure 3: West Leupp Waterline Extension Phase 1: Sub-Phase 1A shown in blue (this PER), and future Sub-Phases 1B, 1C, 1D, 1E, 1F and 1G.

**Environmental Protection Agency, Region 9  
Drinking Water Tribal Set-Aside Grant**



**Project Proposal Form DRAFT**

**Directions: See Section IV.B of the Guidelines**

<b>Project Name</b>	<b>West Leupp Waterline Extension Phase 1A</b>
<b>Applicant Information</b>	Tribe Submitting Proposal: <u>Navajo Nation</u> Did you receive Drinking Water Tribal Set-Aside money for this project this year? <u>No</u> Did you receive drinking water state revolving fund money for this project this year? <u>No</u>
<b>Contact Information</b>	Name: <u>Roger Slape, PE</u> Title: <u>Director, Div. Sanitation Facilities Construction</u> Email: <u>roger.slape@ihs.gov</u> Address: <u>Navajo Area IHS, PO Box 9020</u> Fax Number: <u>(928) 871-1462</u> <u>Window Rock, AZ 86515</u> Phone Number: <u>(928) 871-5857</u>
<b>Service Area Information</b> <b>(Leupp CWS PWSID# NN0403033)</b>	Total Population Served: <u>Approx. 2,043</u> Total number of connections: <u>532 (residential)</u> Number of meters: <u>532</u> Percent of connections metered: <u>100%</u> Is billing based on meter readings?: <u>Yes</u> Number of tribal people served by project(s): <u>100%</u> Number of non-tribal people served by project(s): <u>0%</u>
<b>Water Utility Information</b>	Project Location: <u>Leupp, Arizona (Navajo Nation)</u> Water System Owner: <u>Navajo Tribal Utility Authority (NTUA)</u> Will the proposed project be owned by a different entity? If yes, please explain: <u>No</u> Is this a Public Water System? <u>Yes</u> If Yes: What is the Public Water System ID Number? <u>NN0403033</u> Is this a Community or non-Community Water System? <u>Community</u> Is this a For-Profit or Non-Profit Water System? <u>Non-Profit</u> Does this system have a certified water operator? <u>Yes</u>
<b>Water Supply Information</b>	How many storage tanks are connected to the system? <u>9 (District 5 water system)</u> What is the capacity of each tank (in gallons)? <u>Birdsprings Tanks (2) - 200,000 Gal</u> <u>Ives Mesa Tanks (2) - 105,000 Gal</u> <u>Tolani Lk Tanks (2) - 55,000 Gal</u> <u>Newberry Tank - 100,000 Gal</u> <u>Leupp Tanks (2) - 52,000 Gal</u> How many wells are connected to the system? <u>3 wells</u> What is the maximum capacity of each well (in gpm)? <u>5T-505 = 160 GPM</u> <u>5T-510 = 120 GPM</u> <u>5T-547 = 500 GPM (NTUA primary well)</u> How many pressure zones are in the system? <u>3 zones</u> Describe each pressure zone (i.e. which tanks are used for each zone). <u>Tolani Lake</u> <u>Booster pumps to Newberry Tank (96 GPM); Birdsprings Booster pumps to Ives Mesa</u> <u>Tanks (56 GPM).</u> Are there water outages? <u>No</u> If so, how often? <u>N/A</u>

Other Background Information	<p>Describe any existing water conservation measures: <u>NTUA's Public Relations conducts community training on water. NTUA also provides tips on their web site <a href="http://www.ntua.com/customerservice.html">http://www.ntua.com/customerservice.html</a></u></p> <p>Does the Tribe and/or water utility have a source or wellhead protection program? <u>Yes</u></p> <p>Is the Tribe or system in the process of implementing one of the above programs? <u>Yes</u></p> <p>Is the proposed project a consolidation project? <u>No, an extension project.</u> If so, how many systems will be consolidated? <u>N/A</u> What are their populations? <u>N/A</u></p> <p>What is the per capita, per day water consumption in gallons/person/day of treated water for the water system? <u>Design 250 gal/house/day</u></p>																									
Project Need	<p>Describe why this project is necessary: <u>For Phase 1, approximately 60 homes west of Leupp do not have access to piped water. These homes haul water from various sources, both regulated and non-regulated. There are unregulated livestock wells in this area that have uranium contamination levels exceeding the MCL of 30 ppb. This proposal is for Phase 1A only that will provide the initial water infrastructure needed for the Phase 1 system.</u></p>																									
Project Description	<p>Description of Proposed Project: <u>This project proposes to extend the existing Leupp (District 5) community water system operated by NTUA to the west to serve approximately 60 Navajo homes in future projects. This Phase 1A project will construct approximately 7.5 miles of waterline, one booster station, and a 250,000 gallon water storage tank. The project proposes to combine EPA funds (\$1.419M) with tribal funds for the Phase 1A water line. The Navajo Nation proposes to contribute \$1 million.</u></p>																									
Project Cost	<p>Estimated Total Project Cost \$2,419,000</p> <p>Cost Breakdown by Health Category:</p> <table border="1"> <thead> <tr> <th>Health Category</th><th>Corresponding Project Component</th><th>Estimated Component Cost</th><th># Connections Benefiting</th><th>Population Served.....</th></tr> </thead> <tbody> <tr> <td>1) 7B</td><td><u>Waterline Extension - EPA</u></td><td><u>\$1,419,000</u></td><td><u>60 (future)</u></td><td><u>300</u></td></tr> <tr> <td>2) 7B</td><td><u>Waterline Extension - Tribe</u></td><td><u>\$1,000,000</u></td><td></td><td></td></tr> <tr> <td>3)</td><td></td><td>\$</td><td></td><td></td></tr> <tr> <td>4)</td><td></td><td>\$</td><td></td><td></td></tr> </tbody> </table>	Health Category	Corresponding Project Component	Estimated Component Cost	# Connections Benefiting	Population Served.....	1) 7B	<u>Waterline Extension - EPA</u>	<u>\$1,419,000</u>	<u>60 (future)</u>	<u>300</u>	2) 7B	<u>Waterline Extension - Tribe</u>	<u>\$1,000,000</u>			3)		\$			4)		\$		
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2) 7B	<u>Waterline Extension - Tribe</u>	<u>\$1,000,000</u>																								
3)		\$																								
4)		\$																								
Committed Funding	<p>Have other entities committed to contribute funding for this project? <u>Yes.</u></p> <p>If so, describe commitment: <u>Navajo Nation verbal commitment of \$1 million, Council Delegate Walter Phelps.</u></p> <p>Have you applied for funding from other agencies? <u>No</u></p> <p>If so, which agencies? _____</p>																									
Project Status	<table> <tr> <td>Feasibility Study Complete?</td> <td><input checked="" type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> <td>If Yes, please attach</td> </tr> <tr> <td>Environmental Information Document Complete?</td> <td><input checked="" type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> <td>If Yes, please attach</td> </tr> <tr> <td>Design Complete</td> <td><input checked="" type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> <td>If Yes, please attach</td> </tr> </table>	Feasibility Study Complete?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach	Environmental Information Document Complete?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach	Design Complete	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach													
Feasibility Study Complete?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach																							
Environmental Information Document Complete?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach																							
Design Complete	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, please attach																							

Signature of Person Certifying this information is accurate \_\_\_\_\_

Title of Above Person: Chief TSS, Division Sanitation Facilities Construction, NAIHS Date \_\_\_\_\_



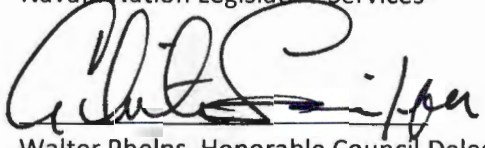
## 23rd Navajo Nation Council

LoRenzo C. Bates Kee Allen Begay, Jr. Mel R. Begay Norman M. Begay Nelson BeGaye  
Benjamin L. Bennett Nathaniel Brown Tom Chee Amber K. Crotty Seth Damon Davis Filfred  
Jonathan Hale Lee Jack, Sr. Jonathan Nez Jonathan Perry Leonard H. Pete Walter Phelps  
Alton Joe Shepherd Tuchoney Slim, Jr. Raymond Smith, Jr. Otto Tso Leonard Tsosie  
Dwight Witherspoon Edmund Yazzie

NOV 10 '15 AM 10:45

### MEMORANDUM

TO : Arbin Mitchell, Chief of Staff  
Navajo Nation Legislative Services

FROM :   
Walter Phelps, Honorable Council Delegate  
Navajo Nation Council

DATE : November 10, 2015

SUBJECT : SAS 164 Package for West Leupp Waterline Extension Phase 1A



This memorandum is respectfully requesting your assistance to package documents for West Leupp Waterline Phase 1A for SAS 164 process. Enclosed are all the documents to start the process. I've attach the draft copy of the EPA Project Proposal to start the process, the final proposal will be completed by Friday, November 13, 2015, we can switch out the draft and final proposals during the process. Purpose is to start the process as soon as possible. As Council Delegate for my district, I am pursing \$2,000,000 from UUFB for Waterline Extension Project for West Leupp to leverage funds for an EPA grant we will be submitting on November 13, 2015.

I spoke with Mr. Lorenzo Bates, Navajo Nation Speaker, and he recommended you will prepare the SAS 164 package with a speedy process. Your assistance is deeply appreciated. If you have any questions, please contact Christina Lewis, LDA, at 928-221-1917. Thank you.

Attachment:

Note: Nov. 16, 2015

Per my discussion w/ IHS Dave McDonnell, this project will have two funding. USEPA Drinking Water Tribal Set-Aside was submitted on Nov. 13, 2015. This supplement is for the remaining cost.

LEGISLATIVE BRANCH  
THE NAVAJO NATION  
POST OFFICE BOX 3390  
WINDOW ROCK, ARIZONA 86515

No. **5157**

**RECEIVED**

NOV 12 2015

DIVISION OF  
COMMUNITY  
DEVELOPMENT

## SECTION 164 REVIEW PROCESS

NAME: Walter Phelps, Council Delegate DEPT.: Legislative PHONE: 871-6380

DOCUMENT: Supplemental Appropriation Request for West Leupp DATE: 11-12-2015

Waterline Extension Phase 1A. (\$2,000,000)

GENERAL  
RECEIVED

NOV 16 2015

NN OOC  
Accounting

## SURNAME

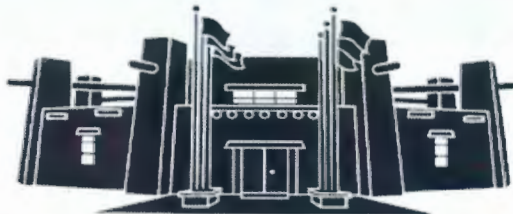
1. Div. of Community Dev:	<i>C. Phelps</i>	Date:	<u>11/16/2015</u>
2. Office of the Controller:	<i>Y. Krumm</i>	Date:	<u>12-2-15</u>
3. OMB:	<i>D. Byrd - See Memo/12-29-15</i>	Date:	<u>1-6-16</u>
4.		Date:	
5.		Date:	
6.		Date:	
7.		Date:	

Date Signed: \_\_\_\_\_ No. of Signatures: \_\_\_\_\_

Disposition: \_\_\_\_\_ Initial: \_\_\_\_\_

WHITE • Original

CANARY • Department



## MEMORANDUM

TO: Honorable Walter Phelps  
Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters

FROM: Mariana Kahn  
Mariana Kahn, Attorney  
Office of Legislative Counsel

DATE: January 8, 2016

SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$2,000,000.00 FOR WEST LEUPP WATERLINE EXTENSION PROJECT; WAIVING 12 N.N.C. § 820(I) AND 860(C) RELATING TO THE CAPITAL IMPROVEMENT PROCESS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

Thank you for your service to the Navajo Nation.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0013-16\_\_\_\_\_

SPONSOR: Walter Phelps

**TITLE: An Action Relating To Resources And Development; Budget And Finance Committee; Naabik'itayti' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of 2,000,000.00 For West Leupp Waterline Extension Project; Waiving 12 N.N.C. §§ 820(I) And 860© Relating To The Capital Improvement Process**

**Date posted: January 8, 2016 at 9:00pm**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0013-16

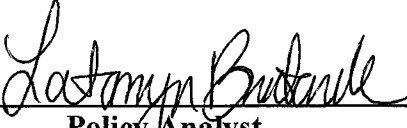
SPONSOR: Honorable Walter Phelps

TITLE: Relating To Resources And Development; Budget And Finance Committee; Naabik'itayti' Committee And The Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of 2,000,000.00 For West Leupp Waterline Extension Project; Waiving 12 N.N.C. §§ 820(I) And 860(C) Relating To The Capital Improvement Process.

Posted: January 8, 2016 at 9:00pm

5 DAY Comment Period Ended: January 13, 2015

Digital Comments received: *No comments received.*

  
\_\_\_\_\_  
Policy Analyst  
Office of Legislative Services

  
\_\_\_\_\_  
Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE  
OF THE 23rd NAVAJO NATION COUNCIL**

**SECOND YEAR 2016**

**COMMITTEE REPORT**

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned

**Legislation # 0013-16:** An Action Relating to Resources and Development Committee, the Budget and Finance Committee, Naabik'Iyati Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$2,000,000.00 for West Leupp Water Line Extension Project; Waiving 12 N.N.C. §§820 (I) and 860 (C) Relating to the Capital Improvement Process.  
*Sponsor: Honorable Walter Phelps.*

Has had it under consideration and report the same that the matter was approved with no amendment and thereafter respectfully referred the matter to the Budget and Finance Committee.

Respectfully submitted,



Benjamin Bennett, Vice-Chairperson  
Resources and Development Committee  
of the 23<sup>rd</sup> Navajo Nation Council

Date: January 15, 2016  
Main Motion: Davis Filfred  
Second: Leonard Pete  
Vote: 3-0-1

**23<sup>rd</sup> NAVAJO NATION COUNCIL**

Second Year 2016

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

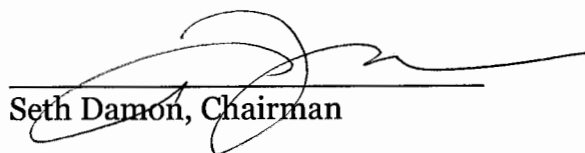
**NAVAJO LEGISLATIVE BILL # 0013-16:**

An Action Relating to Resources and Development Committee, Budget and Finance Committee and Naabikiyati Committee and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of \$2,000,000 for the West Leupp Waterline Extension Project; Waiving 12 N.N.C. §§820(I) and (C) relating to the Capital Improvement Process *Sponsored by Walter Phelps, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,

  
Seth Damon, Chairman

Adopted:   
Legislative Advisor

Not Adopted: \_\_\_\_\_  
Legislative Advisor

**20 January 2016**

The vote was **3** in favor **0** opposed  
Excused: Tom T. Chee, Dwight Witherspoon

**23<sup>rd</sup> NAVAJO NATION COUNCIL**  
**Naabik'iyáti' Committee**  
**Second Year 2016**

Mr. Speaker:

The **Naabik'iyáti' Committee** to whom has been assigned:

**NAVAJO LEGISLATIVE BILL #0013-16**

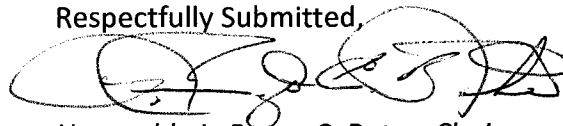
An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$2,000,000.00 for West Leupp Waterline Extension Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

*Sponsored by: Honorable Walter Phelps*

Has had it under consideration and reports the same with the recommendation that it was  
**REFERRED TO THE BUDGET AND FINANCE COMMITTEE**

And therefore, referred to the **BUDGET AND FINANCE COMMITTEE**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman*  
*Naabik'iyáti' Committee*

**21 JANUARY 2016**

**MOTION TO REFER TO THE BUDGET AND FINANCE COMMITTEE:**

*Motioned: Honorable Leonard Tsosie*

*Seconded: Honorable Leonard Pete*

**VOTE:** 08 in Favor and 05 Opposed (Chairman Bates not voting)

**MAIN MOTION:**

*Motioned: Honorable Nelson BeGaye*

*Seconded: Honorable Mel R. Begay*

**VOTE:**

# NAVAJO NATION

RCS# 273

Naa'bik'iyati Committee

1/21/2016

11:58:12 PM

Amd# to Amd#

Refer back to BFC

PASSED

MOT Tsosie

Legislation No. 0013-16

SEC Pete

**Yea : 8**

**Nay : 5**

**Not Voting : 11**

**Yea : 8**

Begay, K  
BeGaye, N

Brown  
Hale

Pete  
Slim

Tsosie  
Witherspoon

**Nay : 5**

Begay, M  
Chee

Crotty

Phelps

Smith

**Not Voting : 11**

Bates  
Begay, NM  
Bennett

Damon  
Daniels  
Filfred

Jack  
Perry  
Shepherd

Tso  
Yazzie