LEGISLATION SUMMARY SHEET

TRACKING NO. 0252-21

DATE: November 19, 2021

TITLE OF LEGISLATION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $1,962,149 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE NAVAJO NATION DIVISION OF NATURAL RESOURCES FOR DROUGHT MITIGATION FOR THE NAVAJO NATION'S COLORADO RANCHES

PURPOSE OF THIS LEGISLATION: to approve $1,962,149 out of the UUFB for the Division of Natural Resources for drought mitigation efforts at the Navajo Nation's Colorado ranches.

OLC No. 21-350-1

5-DAY BILL HOLD PERIOD: Waived
Website Posting Time/Date: Nov. 22, 2021 @ 5:51pm
Posting End Date: November 27, 2021
Eligible for Action: November 28, 2021

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL - Third Year, 2021

Introduced by:

(Prime Sponsor)

Tracking No. 0252-21

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $1,962,149 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE NAVAJO NATION DIVISION OF NATURAL RESOURCES FOR DROUGHT MITIGATION FOR THE NAVAJO NATION'S COLORADO RANCHES

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the authority to oversee all matters involving water, land, environment, agriculture, livestock, economic and community development, among other responsibilities. 2 N.N.C. §500(C).

B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council that is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §301(B)(2).

C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that is responsible for reviewing proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. §164(A)(9).

D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).

E. The Navajo Nation Council has the authority to approve supplemental appropriations. "The 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)." 12 N.N.C. §820(L).

F. The restrictions on supplemental appropriations include:

1. Supplemental appropriations from non-recurring revenues shall be approved only for non-recurring expenses. 12 N.N.C. §820(F). The Controller designates which revenues are recurring and which are non-recurring. 12 N.N.C. §820(L).
2. The Navajo Nation shall budget all recurring operating expenses, including capital maintenance costs, from recurring revenues only. Long-term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).
3. The Navajo Nation Code further provides, ". . . non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund Balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. §820(F).
4. All requests for supplemental funding shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis. 12 N.N.C. §820(M).

SECTION TWO. FINDINGS

A. The Navajo Nation Division of Natural Resources ("DNR") has prepared a Supplemental Funding Proposal Summary (Appendix K) dated June 21, 2021. DNR seeks $1,962,149 out of the Unreserved, Undesignated Fund Balance to address drought conditions at the Navajo Nation's Colorado ranches in Huerfano and Custer counties, where the Boyer Ranch and the Wolf Springs Ranch are located. **EXHIBIT A.**

B. The DNR has also submitted Budget Forms 1, 2, and 4. **EXHIBIT B**. A detailed description of the need for drought mitigation efforts at the two ranches is included in all supporting documents at Exhibit A and Exhibit B.

C. This supplemental funding request has been submitted through the Navajo Nation's Section 164 Review process, and the Office of Management and Budget, the Office of the Controller, and the Department of Justice, have all determined that this request is proper and legally sufficient. **EXHIBIT C**.

D. The Office of the Controller has also issued a memorandum dated July 27, 2021, satisfy the requirements under 12 N.N.C. § 820(L). **EXHIBIT D**. The Controller has identified the proposed expenditures by DNR as NON-RECURRING.

E. In accordance with 12 N.N.C. § 820(M), the Office of Management and Budget did review this funding proposal during the Section 164 Review process, as shown in Exhibit C.

SECTION THREE. APPROVING $1,962,149 IN UUFB SUPPLEMENTAL FUNDING TO THE NNDNR FOR DROUGHT MITIGATION AT THE COLORADO RANCHES

A. The Navajo Nation hereby approves $1,962,149 in supplemental funding from the Unreserved, Undesignated Fund Balance to the Division of Natural Resources for drought mitigation efforts at the Navajo Nation's Boyer Ranch and Wolf Springs Ranch in Colorado.

B. This supplemental appropriation of $1,962,149 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller.

C. This supplemental appropriation of $1,962,149 shall be available until fully expended and shall not lapse on September 30, 2022.

SECTION FOUR. EFFECTIVE DATE

This legislation shall become effective in accordance with 2 N.N.C. §221(B) and 2 N.N.C. §164(A)(17).

SECTION FIVE. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Supreme Court of the Navajo

Nation, or by the Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this legislation shall remain valid as the law of the Navajo Nation.

JUN 29 2021
Office of Management & Budget

Appendix K

EXHIBIT A

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	Colorado Ranches Enterprise/Fish and Wildlife		
Division/Branch:	Natural Resources/Exec.	**Amount Requested:**	$1,962,149.00	**Prepared By:**	Samuel Diswood
Phone No.:	(928) 871-7062	**Email Address:**	sdiswood@nndfw.org		

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Boyer and Wolf Springs Ranches are located in Huerfano and Custer Counties. Both counties are in the D3 Extreme Drought & D4 Exceptional Drought designations by the National Drought Mitigation Center. With Livestock operations consisting of 314 bison and 274 cattle, the drought has significantly impacted production. This has lead to no holdbacks to increase herd and the sale of animals to reduce stress on the landscape. The lack of precipitation and water lead to no hay production and has also limited the grazing use of the pastures. Due to the drought and COVID 19 impacts, the Colorado Ranch Enterprise is in need of hay, range cake, mineral mix, herd health & COVID monitoring program and infrastructure development to improve production, protect the investment and begin development of food sovereignty for the Navajo Nation. Replace the old antiquated equipment & vehicles (20-25 years old) to improve production and minimize cost to repair existing equipment, and to improve agricultural production and supplemental feeding at both ranches. The additional equipment i.e.cake bins, gas tanks, tractor and baler will ensure improved hay production and eliminate the borrowing of equipment and transportation (roading) of farm equipment between Wolf Springs and Boyer Ranches.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The COVID pandemic impacted the collaborative effort with external agencies and academia in cost shared programs, natural resources development and research. CRE will pursue funding with the Navajo Nation drought insurance program and USDA, NRCS programs in Colorado. Colorado Ranch Enterprise is planned to be managed under the Holistic Management concept of land/environmental stewardship, social wellness and financial returns. The cattle numbers have been reduced by 27% and the bison by 33% respectively. If not funded, further reduction is numbers is anticipated. This will impact future revenues and impact the calving success of both herds. The funding request will greatly improve ranch operations, provided needed hay, improve range management and protect the Navajo Nation investment.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

6-21-2021

REVIEWED BY: Division Director's Signature / Date

RECOMMEND SUPLEMENTAL: Branch Chief's Signature / Date

Received
JUN 29 2021
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

FY 2021

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Colorado Ranch Enterprise Division/Branch: Natural Resources/Exec.

Prepared By: Samuel F. Diswood Phone No.: (928) 871-7062 Email Address: sdiswood@nndfw.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
UUFB	10/1/20-9/30/21	1,962,149.00	100%
	TOTAL:	$1,962,149.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies			334,531	334,531
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance			46,000	46,000
6500 Contractual Services			154,600	154,600
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			1,427,018	1,427,018
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		0	V 1,962,149	1,962,149

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		17

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

SUBMITTED BY: Gloria M. Tom, Department Manager III
Program Manager's Printed Name
6/21/21
Program Manager's Signature and Date

APPROVED BY: Dr. Rudolph Shebala, Division Director
Division Director / Branch Chief's Printed Name
6.21.2021
Division Director / Branch Chief's Signature and Date

EXHIBIT B

New BPJ Submitted 7.12.21

Received
JUL 12 2021
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

FY 2021

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW **Program Name/Title:** Colorado Ranch Enterprise

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

Resolution Number: BFJA-02-18: is for the use by the Department of Fish and Wildlife in carrying out the mandated responsibilities to manage, conserve, and protect fish, wildlife, agricultural products and plant resources and their habitats on land owned in Colorado.

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
Purchase 800 tons of hay, 75 tons range cubes and 4,500 lbs. of minerals.								
Program Performance Measure:								
Supplemental winter feeding, range cubes & Mineral program for Livestock							4,500	
2. Goal Statement:								
Purchase 10, 2-3 year old replacement black angus bull with PAP<41								
Program Performance Measure:								
Herd Health and Production Performance							10	
3. Goal Statement:								
Ensure the health of herds & provide surveillance and epidemiology work with Colorado State University								
Program Performance Measure:								
Herd Health, Veterinarian Services and COVID Surveillance							2	
4. Goal Statement:								
upgrade to 5 existing wells, maintenance of Hudson Ditch								
Program Performance Measure:								
Natural Resources Development-Grazing/Range							2	
5. Goal Statement:								
120 acres of cover crop and 1,600 acres of fertilization of hay fields								
Program Performance Measure:								
Natural Resources Development-Agricultural/Range							1,600	

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Gloria M. Tom, Department Manager III
Program Manager's Printed Name

7/12/21
Program Manager's Signature and Date

Dr. Rudolph Shebala, Division Director
Division Director/Branch Chief's Printed Name

7/12/21
Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:

Program Name/Title: Colorado Ranch Enterprise **Business Unit No.:** NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)		(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	4000 SUPPLIES			334,531
	Winter Supplement feeding for Bison and Cattle to maintain health of cows during gestation, calving and weaning. To purchase and replace bulls for both Angus cattle and bison. Fertilization of agricultural fields.			
4410	Operating Supplies		328,215	
	.4420 General Operating Supplies			
	Delivery of 800 tons of hay @ $200/ton	$160,000.00		
	Mileage $4.50/mile x 33 loads x 200 loaded miles	$29,700.00		
	75 tons of 20% range cubes @ $350/ton	$26,250.00		
	Redmond Mineral 4,500 lbs @ $2.00/lbs	$9,000.00		
	Purchase of replacement bulls @ $3,000 each	$30,000.00		
	Cover Crop @ $28.39/acre x 270 acres	$7,665.30		
	Fertilization @ $41.00/acre x 1600 acres	$65,600.00		
		$328,215.30		
	.4510 Veterinarian Supplies		6,316	
	RFID tags: $2.85/tag x 725	$2,066.25		
	Readers @ $1,500.00 each x 2	$3,000.00		
	Blood sampling viles @ $1.00 x 1250	$1,250.00		
		$6,316.25		
	6000 REPAIRS AND MAINTENANCE			46,000
	Repair and maintenance on specialized vehicles - Heavy equipment, dozer, backhoe and tractors on the ranch.			
6410	Vehicle R&M - External		26,000	
	6430 Specialized Vehicles			
	D5H Dozer Oil Pan repair	$6,000.00		
	Cat Backhoe New Engine/Repair	$20,000.00		
		TOTAL	360,531	380,531

PART I. PROGRAM INFORMATION:

Program Name/Title: Colorado Ranch Enterprise Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)		(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
6410	Vehicle R&M - External		20,000	
	6430 Specialized Vehicles			
	7710 Transmission Repair	$20,000.00		
	6500 CONTRACTUAL SERVICES			154,600
	Veterinarian services for bison, horses and angus cattle on Wolf Springs and Boyer ranches. Contract water development services for livestock water and irrigation.			
6910	Other Contractual Services		154,600	
	.6921 Other Services			
	Veterinarian services @ $150/hr. x 220 hours	$33,000.00		
	Veterinarian assistant @ $25/hr. x 160 =	$4,000.00		
	Pregnant check cattle @ $3.00/head x 300	$900.00		
	Pregnant check bison @ $3.00/head x 400	$1,200.00		
	Vehicle mileage @ $3.00/mile x 1000 miles	$3,000.00		
	2 tire drinkers, pump and water line to Boyer	$6,500.00		
	Solar pump @ 1000 acres pasture, Boyer	$3,000.00		
	Solar pump north pasture, Boyer	$3,000.00		
	Doc Watkins panel, pump and drinker, WSR	$6,500.00		
	Road ditch diversion & head gate, WSR	$12,000.00		
	Solar pump Wolf Springs, WSR	$6,000.00		
	Hudson Ditch maintenance, WSR	$20,000.00		
	Painting services for 6 ranch cabins @ $9,250.00/ea.	$55,500.00		
		$154,600.00		
		TOTAL	174,600	154,600

PART I. PROGRAM INFORMATION:

Program Name/Title: Colorado Ranch Enterprise **Business Unit No.:** NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)		(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	9000 CAPITAL OUTLAY			559,000
	Capital Outlay for: building improvements, farming equipment, tractors and trucks for ranch needs. Construction of a traditional hogan for cultural/holistic purposes used by visitors. Repair of the apartments for use by students in the externship programs.			
9050	Building			
	9052 Building		10,000	
	Traditional Hogan Kit	$10,000.00		
	9054 Building Improvements		21,000	
	Apartment repairs	$21,000.00		
9140	Equipment		238,000	
	9142 Equipment			
	2 Hay buster tub grinder @ $75,000/ea.	$150,000.00		
	V Ditcher	$12,000.00		
	2 - 16 ton cake bins @ $12,000/ea.	$24,000.00		
	Set fuel tanks gas/diesel	$16,000.00		
	2 Gooseneck trailers 30 feet @ $11,500/ea.	$23,000.00		
	Utility trailer 16 feet	$4,000.00		
	Dump trailer 12 feet	$9,000.00		
		$238,000.00		
9160	Vehicles		290,000	
	9162 Automobile			
	2 - 3/4 ton trucks - gas @ $55,000/ea.	$110,000.00		
	3 - 3/4 ton trucks - diesel @ $60,000/ea.	$180,000.00		
		TOTAL	559,000	559,000

PART I. PROGRAM INFORMATION:

Program Name/Title: Colorado Ranch Enterprise **Business Unit No.:** NEW

PART II. DETAILED BUDGET:

(A)	(B)		(C)	(D)
Object Code (LOD 6)	**Object Code Description and Justification (LOD 7)**		**Total by DETAILED Object Code (LOD 6)**	**Total by MAJOR Object Code (LOD 4)**
9160	Vehicles		868,018	868,018
	9164 Specialized Vehicles			
	4 All Terrain Vehicles (ATVs) @ $7,000/ea.	$28,000.00		
	3 Utility Terrrain Vehicles (UTV) @ $18,500/ea.	$55,500.00		
	JD 6155M cab tractor - 172hp	$134,618.00		
	JD 6145M cab tractor - 161hp	$134,000.00		
	JD 5090E Utility tractor - 90hp	$59,000.00		
	JD520M Loader	$7,400.00		
	JD 330G Skid Steer	$65,500.00		
	JD L341 Large Baler	$157,000.00		
	JD410L Backhoe tractor	$187,000.00		
	Tedder Rake-Kubuta-RA2076	$30,000.00		
	Tedder-Kubuta-RA1042T	$10,000.00		
		$868,018.00		
		TOTAL	868,018	868,018

Document No. 016685 Date Issued: _____

EXHIBIT C

SECTION 164 REVIEW FORM

Title of Document: Supplemental Funding for Colorado Ranch Contact Name: COLE, JEFFREY A

Program/Division: DIVISION OF NATURAL RESOURCES

Email: jcole@nndfw.org Phone Number: 9288716595

Division Director Approval for 164A: [signature]

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

				Sufficient	Insufficient
☐	**Statement of Policy or Positive Law:**				
	1. OAG:	_____	Date: _____	☐	☐
☐	**IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**				
	1. OMB:	[signature]	Date: 7/15/21	☑	☐
	2. OOC:	[signature]	Date: 7/28/21	☑	☐
	3. OAG:	[signature]	Date: 8/6/21	☒	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☑	**Grant/Funding Agreement or amendment:**				
	1. Division:	[signature]	Date: 6-28-2021	☒	☐
	2. OMB:	_____	Date: _____	☐	☐
	3. OOC:	_____	Date: _____	☐	☐
	4. OAG:	_____	Date: _____	☐	☐
☐	**Subcontract/Contract expending or receiving funds or amendment:**				
	1. Division:	_____	Date: _____	☐	☐
	2. BRD:	_____	Date: _____	☐	☐
	3. OMB:	_____	Date: _____	☐	☐
	4. OOC:	_____	Date: _____	☐	☐
	5. OAG:	_____	Date: _____	☐	☐
☐	**Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**				
	1. Division:	_____	Date: _____	☐	☐
	2. OAG:	_____	Date: _____	☐	☐
☐	**M.O.A. or Letter of Assurance expending or receiving funds or amendment:**				
	1. Division:	_____	Date: _____	☐	☐
	2. OMB:	_____	Date: _____	☐	☐
	3. OOC:	_____	Date: _____	☐	☐
	4. OAG:	_____	Date: _____	☐	☐

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL

RECEIVED
JUL 30 2021
DEPARTMENT OF JUSTICE
ADMINISTRATION

DOJ
7/30/21 @ 927a
DATE / TIME
☑ 7 Day Deadline
DOC #: 16685
SAS #:
UNIT: Nrm

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 7/30/21
ENTITY/DIVISION: Natural Resources
CONTACT NAME: Francelia Nataabah
DEPARTMENT: Fish & Wildlife
PHONE NUMBER: (928) 871-7062
E-MAIL: fjohnson@nndfw.org

TITLE OF DOCUMENT: 164 - Supplemental Funding for Colorado Ranches Ext.

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 7.30.21 10:41 AM EMAIL
REVIEWING ATTORNEY/ADVOCATE: Brian Curley Chambers 8.09.21

DATE/TIME OUT OF UNIT: 8.6.21 4:10p

DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient.

REVIEWED BY: (*PRINT*)	DATE / TIME	SURNAMED BY: (*PRINT*)	DATE / TIME
Brian Curley-Chambers	8/6/21 1:40pm	V Blackhat	8/6/21 2:15pm

DOJ Secretary Called: Jodie for Document Pick Up on 8.6.21 at 4pm By: BJ

PICKED UP BY: (*PRINT*) DATE / TIME:

NNDOJ/DRRF-July 2013

COMPLETED

EXHIBIT D

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Memorandum:

To: 2 NNC § 164 Reviewers

Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

From: Elizabeth Begay, Acting Controller
Office of the Controller

Date: July 27, 2021

Subject: 016685-0164-Supplemental Funding Request Colorado Ranch

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

1. The balance of the UUFB is $25,786,238 as of June 24, 2021.

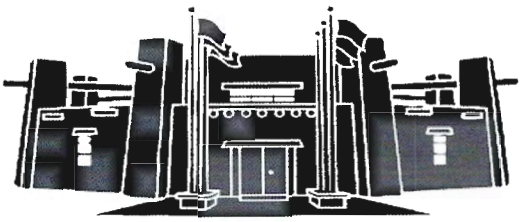
2. This request is for a total of $1,962,149 to Colorado Ranch. This is for drought conditions in Huerfano and Custer Counties where Boyer and Wolf Springs Ranches are located.

3. Colorado Ranch is an enterprise fund within the Navajo Nation. The amount available within the fund balance for this fund is $579,777 as of June 30, 2021. The budget available in the Colorado Ranch is $ 148,988 as of June 30, 2021. If this legislation is approved a new business unit in the General Fund will need to be established to fund this need. All the goals in Form 2 are for the 4th Quarter of FY 21.

4. This request would be considered **NON-RECURRING** for unmet needs of the program.

If you should have any questions, you can contact me at tribal extension X6308.

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax Number: (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Hon. Delegate Raymond Smith, Jr., Vice-Chairman
Budget and Finance Committee
24th Navajo Nation Council

FROM: Luralene D. Tapahe
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

DATE: November 19, 2021

SUBJECT: **AN ACTION AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $1,962,149 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE TO THE NAVAJO NATION DIVISION OF NATURAL RESOURCES FOR DROUGHT MITIGATION FOR THE NAVAJO NATION'S COLORADO RANCHES**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to review by the Navajo Nation courts in the event of proper legal challenge.

Please ensure that this legislation is precisely what you want. You are encouraged to review this proposed legislation to ensure that it is drafted to your satisfaction.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. Nevertheless, the Speaker of the Navajo Nation Council may assign this legislation to committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find this document unacceptable for any reason, please immediately contact me at the Office of Legislative Counsel (at extension 7166) and advise me of the changes you would like made to this proposed legislation. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0252-21__ **SPONSOR: Raymond Smith, Jr.**

TITLE: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $1,962,149 from the Unreserved, Undesignated Fund Balance to the Navajo Nation Division of Natural Resources for Drought Mitigation for the Navajo Nation's Colorado Ranches

***Date posted*: November 22, 2021 at 5:57PM**

Digital comments may be e-mailed to 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) 871-7586

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.: 0252-21

SPONSOR: Honorable Raymond Smith, Jr.

TITLE: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $1,962,149 from the Unreserved, Undesignated Fund Balance to the Navajo Nation Division of Natural Resources for Drought Mitigation for the Navajo Nation's Colorado Ranches

Posted: November 22, 2021 at 5:57 PM

5 DAY Comment Period Ended: November 27, 2021

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	**1) Ramona Begay** **2) Lester Begay**
Comments/Recommendations	*None*

Legislative Tracking Secretary
Office of Legislative Services

11/29/21 9:10AM
Date/Time

Legislation 0252-21

R Begay <begay413@yahoo.com>

Sat 11/27/2021 10:57 PM

To:comments <comments@navajo-nsn.gov>;

Greetings,

I am an enrolled member of The Navajo Nation and a registered voter of White Rock Chapter, Eastern Navajo Agency.
I am submitting my comment in opposition of this Legislation 0252-21.
These are monies that belong to the Navajo people and therefore, we have a say in these financial issues and how our money should be spent.
There are enormous number of our own people who are farmers and ranchers on the Navajo Nation and they, too, are dealing with drought on the Navajo Nation land but yet there isn't this type of money being spent on them. Why should money be appropriated to non natives operating supposedly a ranch that was purchased or leased by the Navajo Nation. If it's not going to make a return of revenue why even have it, Get rid of it.
We, as Navajo people are not benefitting from it. As bad as it already is, our Navajo people are dealing with broken windmills, dried up windmills and dams here on the Navajo land along with many other lack of infrastructures but yet our leaders are not readily offering help to their own people on Navajo Land.

Therefore, this legislation is not benefitting the Navajo Prople and should not be approved.

Thank you
Ramona Begay
begay413@yahoo.com

Sent from Yahoo Mail on Android
WARNING: External email. Please verify sender before opening attachments or clicking on links.

Oppose Legislation 0252-21

Lester Begay <lesterb43@gmail.com>

Sat 11/27/2021 11:21 PM

To:comments <comments@navajo-nsn.gov>;

Tribal leaders should not support any tribal businesses that are in the red just like they scrutinized Winter Emergency Assistance that assist Navajo elders.

Navajo Nation collected over 170 million dollars in royalties from oil and gas, coal, power plants and other natural resources .., this is all Navajo People's money but tribal leaders think otherwise.., 85% is spend on Navajo central government and what ever tribal Enterprises needs, it don't matter if these tribal Enterprises are in the red.

If the ranch can't make enough income to support itself, it should start selling the buffalo herd and the cattle to pay its bills.

I don't want my Navajo elders money use to bail-out money-losing tribal Enterprises that have no benefits to my elders..,

Lester Begay.

WARNING: External email. Please verify sender before opening attachments or clicking on links.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

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Posted: November 22, 2021 at 5:57 PM

5 DAY Comment Period Ended: November 27, 2021

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Comments/Recommendations	**1.) Dominic Beyal**

VSRedhorse
Legislative Tracking Secretary
Office of Legislative Services

December 7, 2021; 9:00 AM
Date/Time

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Navajo Nation Council/Committees

FROM : _____
Dominic Beyal, Executive Director
Office of Management and Budget

DATE : December 02, 2021

SUBJECT : **Legislation No. 0252-21**: UUFB Supplemental Funding Request for $1,962,149.00 for DNR/Colorado Ranch Drought Mitigation

The Office of Management and Budget/Budget Section reviewed the proposed legislation and provides the following:

1. The FY 2022 Budget Instructions Manual, Section XII (the Supplemental Funding Request Procedures), states the Navajo Nation Leadership should carefully weigh the laws, priorities and any extenuating circumstances before consideration of supplemental funding requests. Further, the Nation is to consider court mandates, required matching funds, the health and safety of the general public, emergency situations, unmet needs, and other extenuating circumstances, which may arise during the fiscal year.
2. During the Fiscal Year 2022 Budget Process, there was approximately $24 million in Unmet Needs supported by the Legislative Oversight Committees by resolutions. The DNR F&W/Colorado Ranch was part of the Unmet Needs for $167,000 to address drought conditions. $100,000 of the Unmet Need was funded per the FY 2022 Budget Resolution CS-49-21, Exhibit G. Business Unit No. 115044 was assigned. The budget includes $69,700 for operating supplies to purchase hay and feed, and $30,300 for consulting fees for water distribution, range and habitat improvements. To date, $49,524.05 was spent for operating supplies. The consulting fees remains unspent.
3. Note, the supplemental funding request from June is for $1.9 million. The Unmet Need request from July is for $167,000 of which $100,000 was funded.
4. The FY 2022 Budget Instructions Manual, Section XII, B. states if a supplemental request is not funded in a previous fiscal year, the proposal must be revised and resubmitted for the current fiscal year.
   a. The budget forms attached to the legislation are FY 2021 Budget Forms and dated June 2021. In accordance with the '22 BIM, the forms need to be updated.
   b. Further, the budget forms need to be updated to reflect the current need since a portion was already funded.

5. According to the Controller's Report dated October 13, 2021 the UUFB (Undesignated, Unreserved Fund Balance) is $25,786,238 as of September 30, 2021. During the 2021 Fall Session, the Navajo Nation Council appropriated $1,819,950 as follows:
    a. $258,512 for Tohatchi Area of Opportunity and Services, Inc. (TAOS) per CO-54-21.
    b. $1,561,438 for Judicial Branch ($961,438) and Election Office ($600,000) per CO-55-21.

    Thus reducing the UUFB to $23,966,288.

Contact D.Sam, Senior Budget Analyst at (928) 871-6029/6470 if there are any questions and/or concerns regarding this memorandum.

xc: Rudy Shebala, Division Director – Div. of Natural Resources