



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

I, Dwight Witherspoon, Primary  
Sponsor of proposed legislation hereby withdraw my  
sponsorship of the proposed legislation. The legislation  
tracking number is 0308-15.

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

SPONSOR SIGNATURE:

Dwight Witherspoon

DATE:

9/11/15

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0308-15

**DATE:** September 2, 2015

**TITLE OF RESOLUTION:** PROPOSED NAVAJO NATION COUNCIL RESOLUTION RESOLUTION; AN ACTION RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,017,020.00 FOR LONG-TERM IMPACT STUDIES AND MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE WATERS OF THE NAVAJO NATION

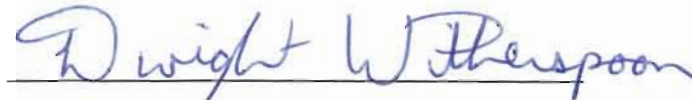
**PURPOSE:** This resolution, if approved, will show provide supplemental funding in the amount of \$1,017,020.00 to the Navajo Department of Health, the Navajo Environmental Protection Agency, the Navajo Division of Natural Resources for long-term impact studies and monitoring of the Gold King Mine toxic waste spill into the waters of the Navajo Nation.

**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.**

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23<sup>rd</sup> NAVAJO NATION COUNCIL—First Year, 2015

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0308-15

AN ACTION

RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING  
FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE  
AMOUNT OF \$1,017,020.00 FOR LONG-TERM IMPACT STUDIES AND  
MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE  
WATERS OF THE NAVAJO NATION

BE IT ENACTED:

**SECTION 1. FINDINGS**

- A. 2 N.N.C. § 164(16) provides, in part, that an emergency is limited to matters such as disaster relief services and that such emergency matter must arise due to the pressing public need for such resolution and must be a matter requiring final action by the Council.
- B. On August 5, 2015, the United States Environmental Protection Agency ("USEPA") caused the Gold King Mine toxic spill that released over 3 million gallons of toxic waste into the Cement Creek that reached the San Juan River on August 8, 2015.
- C. On August 9, 2015, the Navajo Nation Commission on Emergency Management with the concurrence of the Navajo Nation President, pursuant to 2 N.N.C. §884(B)(1), issued a Declaration of a State of Emergency in response to the toxic waste spill. Resolution of the Commission on Emergency Management, CEM 15-08-09, attached as Exhibit I.

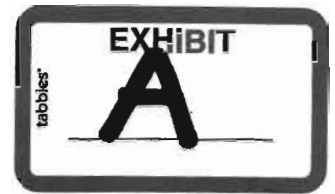
- 1 D. On August 21, 2015, the Navajo Environmental Protection Agency (“NNEPA”)  
2 declared the San Juan River to meet the water quality standards for the Navajo  
3 Nation.
- 4 E. The Navajo population within the affected areas is of different opinions as to whether  
5 the irrigation canals should be re-opened for irrigation. Some Navajo citizens are  
6 concerned about the impact of the water on their farms, livestock, sheep, wildlife and  
7 humans and are highly reluctant to re-open the irrigation canals. News Release from  
8 the Navajo Nation President attached as Exhibit J.
- 9 F. Other Navajo citizens, including the District 13 Council which is comprised of the  
10 four Chapters of Tiis Tsoh Sikaad, San Juan, Upper Fruitland, and Nenahnezad,  
11 requested the President of the Navajo Nation and the Navajo Nation Irrigation Office  
12 to release the water from the San Juan River to irrigate crops and provide water for  
13 livestock. District 13 Council of August 24, 2015 attached as Exhibit K.
- 14 G. The USEPA notified the Navajo Nation that the remediation of the San Juan River  
15 will take decades; it was then determined that the Navajo Nation will need to not only  
16 address the immediate needs but start developing a long-term plan.
- 17 H. There were many impacts from this spill that need to be immediately analyzed  
18 including, impacts to wildlife, amphibians, livestock, crops, land, water, and humans.  
19 To develop this Plan, the monitoring, testing and studies must start immediately.  
20 There have been samples taken within the irrigation canals, only, but there is lack of  
21 funds to be able to fully carry out this Plan.
- 22 I. The health and welfare of the Navajo people is important to the Navajo Nation, and  
23 the impacts from this toxic spill are unknown and may be unknown for many years.  
24 This Plan is very important to be able to mitigate those future impacts and prepare for  
25 the consequences of this contamination.
- 26 J. The Navajo Nation Division of Natural Resources has developed a plan to study  
27 immediate impacts and long-term monitoring for wildlife, livestock and crops.
- 28 K. The Navajo Nation Division of Health is proposing to develop a study for the future  
29 health of the Navajo people.  
30

- 1 L. The Navajo Nation Environmental Protection Agency must continue monitoring and  
2 testing of the waters, canals, soil and sediment, not only for the immediate term but in  
3 the future.
- 4 M. There are many concerns, questions and fears expressed by our Navajo people on the  
5 impacts from this spill; this funding will allow for the Navajo Nation to be able to  
6 bring peace to our Navajo people.
- 7 N. The attached Executive Summary, Exhibit C, states the need for emergency  
8 legislation.
- 9 O. Pursuant to 12 N.N.C. § 820(L), the Navajo Nation Council may adopt and approve  
10 supplemental appropriations to the Annual Comprehensive Budget during the fiscal  
11 year. Supplemental appropriations of General Funds within the current fiscal year are  
12 permitted, (1) if and when additional sources of revenues above and beyond the initial  
13 or current revenue projections are projected and which are also in excess of the  
14 reserve amount set for in § 820(J) or (2) when the Unreserved, Undesignated Fund  
15 balance is in excess of the reserve amount set forth at § 820(J).
- 16 P. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and  
17 supplemental funds shall be submitted to the Office of Management and Budget  
18 (“OMB”) for budget impact analysis. See Memorandum from OMB attached as  
19 Exhibit A.
- 20 Q. Pursuant to 12 N.N.C. § 820(M), when the Controller identifies additional sources of  
21 revenues above and beyond the initial or current revenue projections, supplemental  
22 appropriations may be allocated by the Navajo Nation Council. The attached  
23 memorandum, Exhibit B, from the Controller has identified the additional revenues.
- 24 R. The Navajo Nation finds the need for supplemental funding of \$1,017,020.00 for  
25 long-term impact studies and monitoring of the Gold King Mine toxic waste spill into  
26 the waters of the Navajo Nation is an emergency which affect disaster relief services  
27 and it requires final action by the Navajo Nation Council.
- 28 S. The Navajo Nation finds it in the best interest to approve a Supplemental  
29 Appropriation because it is necessary to be able to start helping the Navajo people  
30 impacted by the Gold King Mine toxic spill.

1  
2 **SECTION 2. APPROVING SUPPLEMENTAL FUNDING FROM THE**  
3 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**  
4 **\$1,017,020.00 FOR LONG-TERM IMPACT STUDIES AND MONITORING OF**  
5 **THE GOLD KING MINE TOXIC WASTE SPILL INTO THE WATERS OF THE**  
6 **NAVAJO NATION**  
7

- 8 A. The Navajo Nation Council, having received certification by the Office of the  
9 Controller, attached as Exhibit B, of the availability of certain funds from the  
10 Unreserved, Undesignated Fund Balance (UUFb) for supplemental appropriation  
11 hereby approves the supplemental appropriation of \$1,017,020.00 for long-term  
12 impact studies and monitoring of the Gold King Mine toxic waste spill, as further  
13 described in Navajo Epidemiology Center (Navajo Department of Health) budget  
14 documents attached as Exhibit D, San Juan River Environmental Sampling (Navajo  
15 Environmental Protection Agency) budget documents, attached as Exhibit E, Natural  
16 Heritage Program (Navajo Division of Natural Resources) budget documents,  
17 attached as Exhibits F and G, and Veterinary Services-Farmers and Ranchers  
18 (Division of Natural Resources) budget documents, attached as Exhibit H.
- 19 B. This supplemental appropriation of \$1,017,020.00 shall be to the Business Units  
20 identified in the above listed exhibits and to new Business Unit Numbers and from  
21 that amount of funds that exceeds the minimum fund balance of the UUFb.  
22  
23  
24  
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TO : OPVP – Karis Begaye  
Brittany Smith

FROM : Dominic Beyer, OMB

*DBeyer 9-1-15*

SUBJECT : Review of Emergency Budgets

Yesterday at noon time we were sent five budgets to review for possible emergency supplemental funding. Three of the budgets were missing pages and two of the affected programs submitted the pages just before 5:00. Comments on each budget follow.

1. NEPA San Juan River Environmental Sampling : \$389,245
  - No fund term/period is provided.
  - The budget detail needs corrections, as marked.
  - Form One should be corrected.
  - Need Appendix J (FY 15) or K (FY 16) form – supplemental funding request.
2. NDOH Navajo Epidemiology Center : \$194,120
  - Correct signatures needed. Manager and Division Director.
  - There is no Form 2, Performance Criteria.
  - Corrections on Form 3 needed. This changes the calculations on Form 4.
  - Need Appendix J or K form – supplemental funding request.
3. DNR Veterinary Services – Farmers/Ranchers : \$243,315
  - Form 2 is incomplete.
  - Form 4 needs corrections.
  - Need Appendix J or K form- supplemental funding request.
4. DNR Natural Heritage Program : \$131,680
  - Fund Source is not identified.
  - All funds appear to be for Consulting. If yes, Form 5 should be blank (meaning no employees).
  - Need Appendix J or K form- supplemental funding request.
5. DNR Natural Heritage Program : \$58,660
  - Fund Source not identified.
  - Budget Form 4 needs corrections.
  - Need Appendix J or K form- supplemental funding request.
  - Why is this budget separate from the other budget (#4 above)?

Other:

- The grand total is \$1,017,020. If the fund source is the UUFB, there is \$4,706,679 available.
- The budgets that list dates show FY 2016, starting October 1. Consideration could be given to starting August 8, the day the state of emergency was formally declared. If this is the choice, the legislation should have a carryover provision.
- Budgets could be done with "New" in the Business Unit space. Then OMB/OOC can decide what business unit to assign. If the "1xxxxx" accounts are used, then the budgets are tied to specific programs and are subject to lapse, etc.
- Consideration should be given to designate these funds be put into the Operation Yellow Water Emergency account, NO1320, which was set up with the \$363,000 contribution from the law firm. The Department of Emergency Management would then manage the funds.



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, Acting Controller  
Office of the Controller

DATE : August 27, 2015

SUBJECT : Updated: UUFB balance

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

1. The balance of the UUFB is \$4,706,679 as of August 27, 2015.

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





# THE NAVAJO NATION

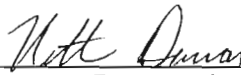
RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE-PRESIDENT

## MEMORANDUM:

TO : Honorable Russell Begaye, President  
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker  
Navajo Nation Council

Honorable Allen Sloan, Acting Chief Justice  
Judicial Branch

FROM :   
Natasha Damon, Senior Accountant  
General Accounting, Office of the Controller

DATE : August 17, 2015

SUBJECT : Financial Update-(General Fund Revenue, Expenditures, UUFB)

The following is the financial data from the General Fund for FY 2015. The total year to date gross General Fund Revenues, see Exhibit "A", as of August 17, 2015 is \$217,613,621 and the total set asides is \$55,870,452. The Net Revenue for the General Fund is \$161,743,169 which is 93.68% of the projection. The total expenditures by branch are shown on Exhibit "B". The Legislative Branch has actual expenditures of \$11,500,707, encumbrances of \$811,671, with a remaining budget of \$6,550,809. The Executive Branch actual expenditures are \$162,647,637, encumbrances of \$11,866,675, with a remaining budget of \$52,298,785. The Judicial Branch actual expenditures are \$11,268,902, encumbrances of \$84,014 and remaining budget of \$4,288,786. Total General Fund expenditures are \$185,417,247; total encumbrances are \$12,762,360 leaving an overall remaining General Fund budget of \$63,138,380. The updated UUFB as of August 17, 2015 is \$4,706,679, attached Exhibit "C."

Thank you, if you should have any question please feel free to call me at tribal extension X6125.



THE NAVAJO NATION  
Revenue Schedule (Unaudited)  
August 17, 2015

FY 2015

Account Range	Original Budget	Revised Budget	Actuals	Budget Available	% Revenue of	
					Total	
107001 TNN: ROYAL; GAS; OIL	(50,567,000)	(50,567,000)	(30,629,837)	(19,937,163)	60.57	
107002 TNN: COAL REVENUES	(54,683,000)	(54,683,000)	(48,391,540)	(6,291,460)	88.49	
107003 TNN:OTR MINERALS REV			(46,677)	46,677		
107004 TNN: LAND REVENUES	(57,918,000)	(57,918,000)	(63,725,130)	5,807,130	110.03	
107005 TNN: BUSINESS FEES			(58,496)	58,496		
107006 TNN: INTEREST INCOME	(800,000)	(800,000)	(1,010,322)	210,322	126.29	
107007 TNN: TAX REVENUES	(66,052,000)	(66,052,000)	(73,288,089)	7,236,089	110.96	
107008 COURT FINES + FEES	(400,000)	(400,000)	(375,434)	(24,566)	93.86	
107009 TNN: OTHER REVENUES	(500,000)	(500,000)	2,218	(502,218)	-0.44	
107010 BIA: ROYAL; GAS; OIL			(89,855)	89,855		
107011 BIA: COAL REVENUES			(459)	459		
<b>TOTAL REVENUE</b>	<b>(230,920,000)</b>	<b>(230,920,000)</b>	<b>(217,613,621)</b>	<b>(13,306,379)</b>		<b>94.24</b>
107017 CAPITAL OUTLAY MATCH	2,000,000	2,000,000	2,000,000	-	100.00	
107018 LAND FUND TRANSFER	4,618,000	4,618,000	4,352,272	265,728	94.25	
107019 PERMANENT FUND TRNSF	27,710,000	27,710,000	26,113,634	(1)	94.24	
107028 WATER RIGHTS CLAIM FU	2,000,000	2,000,000	2,000,000	-	100.00	
107029 DINE' HIGHER EDUCATIO	11,200,000	11,200,000	11,200,000	-	100.00	
107030 HISTORICAL TRUST ASSE	1,500,000	1,500,000	1,500,000	-	100.00	
107031 VETERANS TRUST FUND S	9,237,000	9,237,000	8,704,545	532,455	94.24	
<b>TOTAL SET ASIDE</b>	<b>58,265,000</b>	<b>58,265,000</b>	<b>55,870,452</b>	<b>2,394,548</b>		<b>95.89</b>
<b>SUBTOTAL</b>	<b>(172,655,000)</b>	<b>(172,655,000)</b>	<b>(161,743,169)</b>	<b>(10,911,831)</b>		<b>93.68</b>

(1)- Based upon CS-46-14 Paragraph E which authorizes the use of Set Aside for debt service of \$10,000,000. \$10,000,000 has been deposited into N01305.



# FY 2015 EXHIBIT "B"

## The Navajo Nation Budget Status\_Income Statement As of August 17, 2015

Branch / Object Account	Original Budget	Revised Budget	Actuals	Encumbrances	Budget Remaining	% Remaining
<b>LEGISLATIVE BRANCH</b>						
2001 - Personnel Expenses	10,146,535	11,630,036	7,909,885		3,720,151	31.99
3000 - Travel Expenses	1,669,815	1,859,441	1,329,219	28,116	502,106	27.00
3500 - Meeting Expenses	377,399	519,252	388,431	-	130,821	25.19
4000 - Supplies	555,594	1,015,231	494,315	10,286	510,630	50.30
5000 - Lease & Rental	280,550	298,902	181,255	41,000	76,647	25.64
5500 - Communications & Utilities	235,969	276,876	171,229	-	105,646	38.16
6000 - Repairs & Maintenance	93,050	181,319	109,928	8,898	62,493	34.47
6500 - Contractual Services	549,234	1,791,791	564,278	685,447	542,066	30.25
7000 - Special Transactions	472,981	646,282	345,224	31,641	269,417	41.69
8000 - Assistance	-	551	404	-	147	26.72
9000 - Capital Outlay	730,368	643,508	6,541	6,283	630,684	98.01
9500 - Matching & Indirect Cost	-	-	-	-	-	-
<b>Total LEGISLATIVE BRANCH</b>	<b>15,111,495</b>	<b>18,863,188</b>	<b>11,500,707</b>	<b>811,671</b>	<b>6,550,809</b>	<b>34.73</b>
<b>EXECUTIVE BRANCH</b>						
2001 - Personnel Expenses	80,059,332	86,172,351	62,387,509	-	23,784,842	27.60
3000 - Travel Expenses	11,703,111	11,519,081	8,750,838	17,121	2,751,122	23.88
3500 - Meeting Expenses	1,093,830	2,662,273	1,747,786	-	914,487	34.35
4000 - Supplies	5,500,493	7,611,744	3,881,887	891,557	2,838,301	37.29
5000 - Lease & Rental	1,897,790	2,334,647	1,487,349	60,994	786,304	33.68
5500 - Communications & Utilities	7,890,698	8,752,080	5,828,570	895,836	2,027,674	23.17
6000 - Repairs & Maintenance	6,666,744	6,152,484	3,072,905	1,456,605	1,622,973	26.38
6500 - Contractual Services	4,781,901	12,214,792	5,316,099	5,065,671	1,833,022	15.01
7000 - Special Transactions	18,435,873	19,624,286	17,469,379	224,717	1,930,190	9.84
8000 - Assistance	46,184,477	58,320,611	49,218,145	2,363,623	6,738,843	11.55
9000 - Capital Outlay	1,758,850	3,391,072	710,469	890,551	1,790,052	52.79
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	4,498,820	8,057,676	2,776,703	-	5,280,973	65.54
<b>Total EXECUTIVE BRANCH</b>	<b>190,471,919</b>	<b>226,813,097</b>	<b>162,647,637</b>	<b>11,866,675</b>	<b>52,298,785</b>	<b>23.06</b>
<b>JUDICIAL BRANCH</b>						
2001 - Personnel Expenses	12,730,707	13,144,337	9,792,531		3,351,805	25.50
3000 - Travel Expenses	670,491	712,801	501,481	-	211,320	29.65
3500 - Meeting Expenses	112,000	114,780	14,901	-	99,879	87.02
4000 - Supplies	373,978	523,039	252,670	31,026	239,342	45.76
5000 - Lease & Rental	94,175	98,437	48,806	-	49,631	50.42
5500 - Communications & Utilities	269,475	181,686	68,753	-	112,932	62.16
6000 - Repairs & Maintenance	245,541	158,159	57,406	-	100,753	63.70
6500 - Contractual Services	36,334	47,229	14,759	6,884	25,586	54.17
7000 - Special Transactions	248,024	227,978	134,189	653	93,137	40.85
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	433,256	383,405	45,451	4,399	1.02
9300 - Other Income and Expense	-	-	-	-	-	-
<b>Total JUDICIAL BRANCH</b>	<b>14,780,725</b>	<b>15,641,702</b>	<b>11,268,902</b>	<b>84,014</b>	<b>4,288,786</b>	<b>27.42</b>
<b>GRAND TOTAL:</b>	<b>220,364,139</b>	<b>261,317,987</b>	<b>185,417,247</b>	<b>12,762,360</b>	<b>63,138,380</b>	<b>24.16</b>



**Undesignated, Unreserved, Fund Balance (UUFB)**  
**August 17, 2015**  
**(Unaudited)**

09-30-14 Balance	47,939,125
Min Fund Balance-CJA-07-06	17,592,800

UUFB 10-01-13	30,346,325
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**Supplementals**

CN-53-14 Phoenix Indian Center	148,325
CD-69-14 - Cameron Chapter	180,120
CD-71-14 - Nahatadzil Shopping Center, Oljato Chapter	5,500,000
CD-72-14- Navajo Transit	600,000
CD-73-14-Grazing, Farm Boards,ENavajoLand Board	1,559,250
CD-75-14-Tonalea/Red Lake Chapter	500,000
CD-70-14- Headstart Matching	3,558,856
CMA-06-15-Navajo Election Admin	317,891
CAP-12-15-Powerline Projects, Cap Improvement , Zoo	13,075,204
CJY-35-15-Navajo community dvlpmnt financial institution	200,000

UUFB 08-17-15	4,706,679
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**THE NAVAJO NATION**

**RUSSELL BEGAYE PH**  
**JONATHAN NEZ VIC**



## **Executive Summary**

On August 5, 2015, the Gold King Mine released over three million gallons of toxic waste into Cement Creek that spilled into the water of the Navajo Nation on August 8, 2015. The Navajo Nation President immediately issued a State of Emergency to mobilize the Navajo Nation Divisions to respond to this disaster. The Navajo Tribal Utility Authority, Navajo Nation Water Resources, Navajo Nation Emergency Management, Navajo Nation Environmental Protection Agency ("NNEPA") and the Bureau of Indian Affairs joined efforts to address the impact to the Navajo people.

While the Navajo Nation with BIA is addressing the immediate impact, we must also consider the long-term impact and monitoring. This long-term plan will be for the testing of crops, traditional herbs, soils, livestock and the San Juan River monitoring and testing. In addition, there is a need for a long-term health plan as well. For a successful monitoring plan to be in place, the monitoring must occur today. The impact to the Navajo people from this spill will be decades. The health and welfare of our people is first and foremost is most important to the Navajo Nation. Another area of importance is to bring trust back into all Navajo farm products and the Navajo livestock industry. The need to demonstrate that our markets have wholesome products and need to promote the livelihood of our farmers and ranchers along the river is critical at this time.

The Division of Natural Resources, NNEPA and Division of Health have collectively put together a long-term plan. The attached budgets will be able to give the Divisions funding to immediately begin the monitoring that needs to take place for those impacted. The immediate need for funding is in the amount of \$1,017,020 however, to continue this monitoring will require further funding in the future. We seek your support and favorable consideration.

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

A

-5299874

PART I. Business Unit No.: NEW Program Title: Navajo Epidemiology Center

Division/Branch: DOH/Executive

Prepared By: Ramona Antonio-Nez Phone No.: (928)871-6350

Email Address:

PART II. FUNDING SOURCE(S) Fiscal Year Term Amount % of Total

Supplemental Funds 10/01/15-09/30/16 194,120.00 100%

## PART III. BUDGET SUMMARY

	Fund Type Code	(A) NMC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
2001 Personnel Expenses	1		71,385	71,385
3000 Travel Expenses	1		81,522	81,522
3500 Meeting Expenses				
4000 Supplies	1		14,213	14,213
5000 Lease and Rental				
5500 Communications and Utilities	1		6,000	6,000
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions	1		21,000	21,000
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
<b>TOTAL</b>		\$0.00	194,120.00	194,120

## PART IV. POSITIONS AND VEHICLES

	(D) Total # of Positions Budgeted:	(E) Total # of Permanently Assigned Vehicles:
	12	6

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

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

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

Ramona Antonio-Nez 9/12/15

[Signature] 9/6/2015



# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**

Business Unit No. \_\_\_\_\_

NEW

Program Name/Title: \_\_\_\_\_

Navajo Epidemiology Center

**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:**

GSCMN-46-01; Navajo Nation Environmental Protection Agency Plan of Operation. CAP 47-98; Approving the Amendment of Enabling Legislation 2 NTC, Sec. 3401, Management and oversee Division, Departments and Programs. To implement goals and accomplishments for Navajo Nation Environmental Protection Agency and support departments and programs through the GAP program.

**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:

Conduct the Community Assessment for Public Health Emergency Response (CASPER).

Goal Statement:

Plan the CASPER.

## 2. Program Performance Area:

Conduct the Community Assessment for Public Health Emergency Response (CASPER).

Goal Statement:

Administer CASPER with a training center.

## 3. Program Performance Area:

Conduct the Community Assessment for Public Health Emergency Response (CASPER).

Goal Statement:

Collect 200 questionnaires from randomly selected households.

## 4. Program Performance Area:

Conduct the Community Assessment for Public Health Emergency Response (CASPER).

Goal Statement:

Data entry into EpiInfo and data analysis on collected questionnaires.

## 5. Program Performance Area:

Conduct the Community Assessment for Public Health Emergency Response (CASPER).

Goal Statement:

Generate report and disseminate to Tribal leaders.

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

Program Manager's Printed Name and Signature/Date

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

**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS**

[illegible]

**THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: _____		Navajo Epidemiology Center	
Business Unit No.: _____		NEW	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
2001 PERSONNEL EXPENSES			71,385
12 Part-time; Salary + Fringe Benefits for Operation To Uliso.			
2110 REGULAR		65,587	
Temp: \$9,76/hr x 560 x 12 = \$65,587			
2900 FRINGE BENEFITS		5,798	
Temp: \$65,587 x 8.84% = \$5,798			
3000 TRAVEL EXPENSES			81,522
GSA vehicle leasing is more cost effective and insured travel to remote locations to reach randomly selected households to conduct for CASPER.			
Per Diem, lodging for travel costs to assist in Operation To Uliso.			
3140 GSA		31,794	
3141 Flat Rate @ \$2,600/mo x 3 mos = \$7,800			
3143 Fuel Cost \$1,333 x 6 veh x 3 mos = \$23,994			
3230 PERSONAL TRAVEL		49,728	
3240 Per Diem Meals \$48/day x 3 days x 14 wks x 8 staff = \$16,128			
3250 Lodging \$100/night x 3 nights x 14 wks x 8 = \$53,600			
<b>TOTAL</b>		152,907	152,907

**THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: _____		Navajo Epidemiology Center	
Business Unit No.: _____		NEW	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
4000 SUPPLIES	Office Supplies such as USB, folders, Xerox paper, writing tablets, pens, batteries, binders, highlighters, tape and etc. Geographical Positioning Systems and Two-way radios units; Operating Supplies. Duplication services for the Casper instruments and public health reports.		14,213
4120 OFFICE SUPPLIES	4130 General Operating Supplies \$2,313	2,313	
4200 NON-CAP ASSETS	4220 Non Cap Analytical Equip	10,700	
4410 OPERATING SUPPLIES	4430 Printing/Binding @\$400/mo x 3 = \$1,200	1,200	
	5500 COMMUNICATION & UTILITIES		6,000
	Mobile phones and hot spot wireless connection devices		
5610 WIRELESS	5620 Cellular	6,000	
	5630 Two way Radio		
	7000 SPECIAL TRANSACTIONS		21,000
	Media Services - weekly public service announcements.		
7410 MEDIA	7450 Radio Ad @ \$750/p spot x 2/mk x 14 wks	21,000	
<b>TOTAL</b>		41,213	41,213

**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.:	Program Title:	Navajo Epidemiology Center	
Division/Branch:	NDOH	Amount Requested:	\$197,120.00
		Phone No.:	928-871-6350
Prepared By:	Ramona Antone Nez	Email Address:	<a href="mailto:ramona.nez@nndoh.org">ramona.nez@nndoh.org</a>

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

The Navajo cultural principle of hozoh was disrupted as the blowout impacted our water, air, land, and fire. Currently, we do not know the long term impact or the exposure risk from any of the elements released from the Gold King Mine Blowout 2015. Therefore it is important to establish reliable data to protect our Navajo citizens, natural resources, the Navajo way of life and most importantly our future generations. The data has to be Navajo specific. The data should be supported by Navajo Nation funds to alleviate reports to the federal agencies.

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

The Navajo Nation Environmental Protection Agency, Division of Natural Resources, and Department of Health proposes to conduct a series of studies rooted in the scientific method. The short-term six-month study objectives include:

- 1) To gain knowledge of the needs of community affected by the blowout;
- 2) To determine baseline measures and information;
  - a. Total metals (water, sediments)
  - b. Dissolved metals (water, sediments)
  - c. Toxicity
  - i. Human
  - ii. Animal (fish, insects, livestock, wildlife)
  - iii. Plants (herbs, crops)
- 3) To have data for the current and future planning on the impact of the blowout disaster;
- 4) To gain knowledge of areas of interest for the biological and ecological assessment; and,
- 5) To design a long-term investigation and surveillance.

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

Ramona Antone Nez

REVIEWED BY: Division Director's Signature / Date

RECOMMEND APPROVAL: Branch Chief's Signature / Date

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

319999

PART I. Business Unit No.:

new

Program Title: San Juan River Environmental Sampling

Division/Branch:

EPA/Executive

Prepared By:

P. Antonio

Phone No.:

928-871-7185

Email Address:

[patrickantonio@navajo-nsn.gov](mailto:patrickantonio@navajo-nsn.gov)

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
NN Supplemental General Funds		389,245.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	NC Approved Original Budget	Proposed Budget	Difference (Column B - A)
2001 Personnel Expenses	1		52,599	52,599
3000 Travel Expenses	1		9,576	9,576
3500 Meeting Expenses				0
4000 Supplies	1		82,046	82,046
5000 Lease and Rental				0
5500 Communications and Utilities				0
6000 Repairs and Maintenance				0
6500 Contractual Services	1		215,973	215,973
7000 Special Transactions	1		5,807	5,807
8000 Public Assistance				0
9000 Capital Outlay	1		23,244	23,244
9500 Matching Funds				0
9500 Indirect Cost				0
<b>TOTAL</b>		\$0.00	389,245.00	389,245

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		4 (Temp TF)
Total # of Permanently Assigned Vehicles:		2 (6 months)

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

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

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.: newProgram Name/Title: San Juan River Environmental Sampling**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:**

GSCMY-46-01: Established for the purpose of protecting the public health and the environment of the Navajo Nation through legislative proposals, obtaining funding, monitoring and data collection, permitting, and rulemaking as authorized by Navajo Nation law, public education and other means.

**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:

To report the number of WQ samples collected per quarter from 8 SJR sites plus QA/QC samples

Goal Statement: [1 sample/week at 9 locations for 26 weeks]

To collect a minimum of 117 WQ samples per quarter at 8 SJR sites including QA/QC samples

117		117					
-----	--	-----	--	--	--	--	--

## 2. Program Performance Area:

To report the number of sediment samples collected per quarter from 8 SJR sites plus QA/QC samples

Goal Statement: [1 sample/week at 9 locations for 26 weeks]

To collect a minimum of 117 sediment samples per quarter at 8 SJR sites including QA/QC samples

117		117					
-----	--	-----	--	--	--	--	--

## 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.**

*Patrick H. Brown*  
*Patrick H. Brown*  
 8-27-15

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

**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS**

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE		FY 2015 ACTUAL		FY 2016 PROPOSED	
					CODE		G/S	SALARY	HOURS	BUDGET
1001		3035	Environmental Technician		SRN		AB580A		1040	12,064.00
1002		3035	Environmental Technician		SRN		AB580A		1040	12,064.00
1003		3035	Environmental Technician		SRN		AB580A		1040	12,064.00
1004		3035	Environmental Technician		SRN		AB580A		1040	12,064.00
<b>TOTAL</b>										<u>48,256.00</u>

# THE NAVAJO NATION

## DETAILED LINE ITEM BUDGET AND JUSTIFICATION

**PART I. PROGRAM INFORMATION:**

gram Name/Title: San Juan River Environmental Sampling

Business Unit No.: new

**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
2310	<b>2001 PERSONNEL EXPENSES</b> Employee Salary, Fringe Benefits.		52,599
	Temporary .2320 Four (04) Temporary Full-Time positions per Budget Form 3	48,256	
	Fringe Benefits .2900 Temporary \$48,256.00 x 9.00% = Fringe overall total: \$4,343.04	4,343	
2900	<b>3000 TRAVEL EXPENSES</b> Monthly mileage and fleet rental.		9,576
	Fleet 3110 3111 Monthly/Perm: (Group B, Class II Pickup Truck 4WD) \$460/mo x 2 vehicles x 6 months = 3113 Mileage: (Group B, Class II PU Truck 4WD) \$0.30/mi x 2 vehs x 6,000 mi =	5% NN Sales Tax 5,520 276 3,600 180 Total 5,796 3,780	9,576
4200	<b>4000 SUPPLIES</b> Water meter & test kits. Pump to filter water samples. Supplies for collecting samples and equipment calibration & decontamination. Shipping samples to contract lab.		82,046
	Non Capital Assets 4220 Non Capital Analytical Equipment Two (02) YSI meter kits @ \$3,395.70 Two (02) HACH test kits @ \$3,968.02 Two (02) Geopump kits @ \$1,159.20	17,046	
4410	Operating Supplies		
	4420 General Operating Supplies: sampling, calibration and decon supplies 4450 Postage, Courier Shipping, FedEx samples to contract lab	15,000 50,000	65,000
<b>TOTAL</b>		144,221	144,221

# THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
gram Name/Title: San Juan River Environmental Sampling		Business Unit No.: NEW	
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
6830	6800 CONTRACTUAL SERVICES Professional Services for various program initiatives. Contractual services for specialized services.		215,973
6830	Other Technical Services	215,973	
.6850	Diagnostic, Testing, Evaluation: lab analyses of water & sediment samples Water samples = \$165.00      Sediment samples = \$50.973		
7000 SPECIAL TRANSACTIONS	Required insurance premiums.		
7710	Insurance Premiums	5,807	
.7740	Vehicle - Auto Liability: 2 vehicles x \$106.12 =	112	
.7750	Vehicle - Auto Physical Damage: 2 vehicles x \$125.96 =	252	
.7765	Policy Payment (General Liability): \$52,599/100 x 0.19 =	100	
.7766	Deductible: 2 vehicles x \$500 =	1,000	
.7776	Workers' Comp: \$48,256 x 0.66/\$100 =	4,343	
	Total	5,807	
9000 CAPITAL OUTLAY			23,244
9140	Equipment	23,244	
.9144	Analytical Equipment - Purchase meter for real-time analysis of metals in sediment/soil samples.	23,244	
TOTAL		245,024	239,217



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY



PART I. Business Unit No.:		Program Title: Natural Heritage Program		Division/Branch: Natural Resources	
Prepared By: Samuel F Diskwood		Phone No.: 871-7062		Email Address: sdiskwood@nndfw.org	

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
	01/2015 to 9/30/201	58,660.00	100%	2001 Personnel Expenses				0
				3000 Travel Expenses				0
				3500 Meeting Expenses				0
				4000 Supplies				0
				5000 Lease and Rental				0
				5500 Communications and Utilities				0
				6000 Repairs and Maintenance				0
				6500 Contractual Services			58,660	58,660
				7000 Special Transactions				0
				8000 Public Assistance				0
				9000 Capital Outlay				0
				9500 Matching Funds				0
				9500 Indirect Cost				0
TOTAL:						\$0.00	58,660	58,660

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

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

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

Gloria M. Tom *[Signature]* 8/31/15

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

Bridah N Becker, Executive Director, DNR *[Signature]* 8/31/15



# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**

Business Unit No.: \_\_\_\_\_

Program Name/Title: \_\_\_\_\_

Natural Heritage Program

**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:****PART III. PROGRAM PERFORMANCE CRITERIA:**

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

## 1. Program Performance Area:

Aerial Flight Monitoring on Navajo Nation lands on the San Juan River

## Goal Statement:

Initiate First year aerial surveys to establish baseline and monitor changes in abundance and distribution

58,660

## 2. Program Performance Area:

Analysis of data collected from the aerial surveys

## Goal Statement:

Compile Big game herd composition, waterfowl and raptor population abundance and distribution

160

## 3. Program Performance Area:

## Goal Statement:

## 4. Program Performance Area:

## Goal Statement:

## 5. Program Performance Area:

## Goal Statement:

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

Gloria M. Tom

Program Manager's Printed Name and Signature/Date

Bidiah N Becker

Division Director/Branch Chiefs Printed Name and Signature / Date

LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2016 PROPOSED			
						G/S	SALARY	HOURS	BUDGET

Total 0





## THE NAVAJO NATION

### SUMMARY OF CHANGES TO BUDGETED POSITIONS

**PART I. PROGRAM INFORMATION:**

Program Name/Title: Natural Heritage Program

Business Unit No.: \_\_\_\_\_

**PART II. PERSONNEL/POSITION CHANGES:**

[illegible]

## PART I. PROGRAM INFORMATION:

Program Name/Title: Natural Heritage Program

Funding Period: \_\_\_\_\_

K #: \_\_\_\_\_

Contract/Grant No.: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Samuel F Diswood

## PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT

## PART III. BUDGET INFORMATION:

(A) Major Object Code and Description	(B) Current Award Fiscal Year ____	(C) Anticipated Funding Fiscal Year ____	(D) Difference Columns (C) - (B)
2001 Personnel Expenses			-
3000 Travel Expenses			-
3500 Meeting Expenses			-
4000 Supplies			-
5000 Lease and Rental			-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services		58,660	58,660.00
7000 Special Transaction			-
8000 Assistance			-
9000 Capital Outlay			-
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation			-
<b>TOTALS:</b>	-	58,660	58,660.00

## PART IV. FTEs/MATCH FUNDS:

No. of Positions/ FTEs:

## MATCHING FUND REQUIRED:

Required GF Cash Match:

## CONCURRED BY:

Required GF In - Kind Match:

Contracting Officer's Signature / Date: \_\_\_\_\_

Required GF % Match: \_\_\_\_\_

## PART V. ACKNOWLEDGEMENT:

Submitted by (print): Gloria M. Tom

Approved by (print): \_\_\_\_\_

Bidtah N Becker

Signature/Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_





# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**

Business Unit No.:

Program Name/Title:

Natural Heritage Program

**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:

Hire Personnel for Project work

Goal Statement:

Initiate monitoring of the program for all Navajo Nation lands on the San Juan River

131,680		920		820		520	
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## 2. Program Performance Area:

Collect data on nesting occupancy and success for endangered birds

Goal Statement:

Complete aerial flights during occupancy and incubation periods

920		820		560		520	
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## 3. Program Performance Area:

Establish monitoring and control sites for amphibians

Goal Statement:

Select 10 monitoring sites within the flood plain and 10 control sites outside of the flood plain.

820		820		560		520	
-----	--	-----	--	-----	--	-----	--

## 4. Program Performance Area:

Assess data collection

Goal Statement:

Submit amphibian tissue samples to laboratory, analyze nesting and diet data

				260			
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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.**

Gloria M. Tom

Program Manager's Printed Name and Signature/Date

 8/31/15

Bridian N Becker

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

 8/31/15

LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE		FY 2016 PROPOSED	
					CODE		G/S	SALARY

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Natural Heritage Program	
Business Unit No.:			
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
6520	6500 Contractual Services		131,680
	Consulting		
	6530-1. Wildlife Biologist- \$50/hr x 1,300 hours=\$65,000	65,000	
	6530-3.Employees x 1,000 hrs x \$15.00/Hr.=\$45,000	45,000	
	6540-Vehicle Mileage- 20,000 miles x .55/mile=\$11,000	11,000	
	6540-Laboratory fees to test tissue samples collected from amphibian monitoring-\$4,000	4,000	
	6540-Supplies for field and biological sampling supplies- 3,000	3,000	
	6540-Personnel Travel for field work, meals for 4 staffx 46/dayx 20 days= \$3,680	3,680	
TOTAL		131,680	131,680



THE NAVAJO NATION  
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

<b>PART I. PROGRAM INFORMATION:</b>  Program Name/Title: <u>Natural Heritage Program</u>  Contract/Grant No.: _____		Funding Period: _____  K #: _____  Prepared by: <u>Samuel F Diswood</u>		
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>				
<b>PART III. BUDGET INFORMATION:</b>				
	(A)	(B)	(C)	(D)
<b>Major Object Code and Description</b>	<b>Current Award Fiscal Year __</b>	<b>Anticipated Funding Fiscal Year __</b>	<b>Difference Columns (C) - (B)</b>	
2001 Personnel Expenses				-
3000 Travel Expenses				-
3500 Meeting Expenses				-
4000 Supplies				-
5000 Lease and Rental				-
5500 Communication and Utilities				-
6000 Repairs and Maintenance				-
6500 Contractual Services		131,680		131,680.00
7000 Special Transaction				-
8000 Assistance				-
9000 Capital Outlay				-
9510 Matching - Cash				-
9610 Matching - In - Kind				-
9710 Indirect Cost (Overhead) Allocation				-
<b>TOTALS:</b>	-	131,680		131,680.00
<b>PART IV. FTES/MATCH FUNDS:</b>				
		No. of Positions/ FTES:		
<b>MATCHING FUND REQUIRED:</b>		Required GF Cash Match:		
<b>CONCURRED BY:</b>		Required GF In - Kind Match:		
		Required GF % Match:		
<b>PART V. ACKNOWLEDGEMENT:</b>				
		Submitted by (print): <u>Gloria M. Tom</u>		
		Approved by (print): <u>Bidtah N Becker</u>		
		Signature/Date: _____		

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

-esiqqet

PART I. Business Unit No.:

No Acct

Program Title: Veterinary Services - Farmers and Ranchers

Division/Branch:

DNRE/Executive

Prepared By:

Glenda Davis

Phone No.:

505.371.5218

Email Address:

[glendadavis@navajo-nsn.gov](mailto:glendadavis@navajo-nsn.gov)

PART II. FUNDING SOURCE(S)

Fiscal Year Term

Amount

% of Total

General Fund UUFB

09/01/15-12/30/15

243,315.00

100%

PART III. BUDGET SUMMARY

Fund Type

Code

(A)

(B)

(C)

NDC Approved

Proposed Budget

Difference  
(Column B - A)

2001 Personnel Expenses

1

54,640

54,640

3000 Travel Expenses

1

63,240

63,240

3500 Meeting Expenses

4000 Supplies

1

10,000

10,000

5000 Lease and Rental

5500 Communications and Utilities

6000 Repairs and Maintenance

6500 Contractual Services

1

115,000

115,000

7000 Special Transactions

1

435

435

8000 Public Assistance

9000 Capital Outlay

9500 Matching Funds

9500 Indirect Cost

TOTAL

\$0.00

243,315.00

243,315

PART IV. POSITIONS AND VEHICLES

(D)

(E)

Total # of Positions Budgeted:

5

Total # of Permanently Assigned Vehicles:

0

TOTAL: \$243,315.00

100%

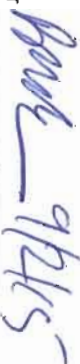
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Leo Watchman, Department Manager



SUBMITTED BY: Program Manager's Printed Name and Signature / Date

Bidiah Becker, Executive Director



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.: \_\_\_\_\_ No Acct \_\_\_\_\_

Program Name/Title: \_\_\_\_\_

Veterinary Services - Farmers and Ranchers \_\_\_\_\_

**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:**

GS CAP-12-09: To provide comprehensive veterinary services at low cost; reproductive efficiency, herd services; lead in disease investigations and surveillance response in accordance with the Emergency Response To A Foreign Animal Disease (RCAP-43-04) and the Livestock & Foreign Animal Disease Response Act of 2006 (CMV-27-06); voice for the NN Veterinary & Livestock Program at WSLHA, USAHA and USDA APHIS functions

**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:

To determine the amount of chemical uptake occurred to crops from the San Juan River toxic spill

Goal Statement:

Number of plant tissue samples set to certified laboratories for testing

3,500								
-------	--	--	--	--	--	--	--	--

## 2. Program Performance Area:

To determine the amount of chemical uptake occurred to traditional herbs from the San Juan River toxic spill

Goal Statement:

Number of plant tissue samples set to certified laboratories for testing

200								
-----	--	--	--	--	--	--	--	--

## 3. Program Performance Area:

To determine the amount of chemical uptake occurred to crop soils from the San Juan River toxic spill

Goal Statement:

Number of crop soil samples set to certified laboratories for testing

300								
-----	--	--	--	--	--	--	--	--

## 4. Program Performance Area:

To assist farmers and ranchers in the documentation of their inventories

Goal Statement:

Number of forms completed to document agricultural inventories

500								
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## 5. Program Performance Area:

To collaborate with chapter grazing officials and farms board members on location of farmers &amp; ranchers

Goal Statement:

Coordination meetings to areas targeted for site visits

6								
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**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**Leo Waitman, Department Manager  
Program Manager's Printed Name and Signature/Date

9/2/15

Bidiah Becker, Executive Director  
Division Director/Branch Chiefs Printed Name and Signature / Date

BMC 9/4/15



## THE NAVAJO NATION

## LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2015 ACTUAL		FY 2016 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
							93,080.00		28,640.00

# THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Veterinary Services - Farmers and Ranchers _____	
		Business Unit No.: _____	
		No Acct _____	
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
	2001 PERSONNEL EXPENSES		54,640
	5 Part-time; Salary + Fringe Benefits for Operation To U'liso.		
2310	TEMPORARY Temp: \$8.95/hr x 640 x 5	28,640	
2510	OVERTIME 2530 Overtime: \$13.43/hr x 20 hrs x 5 temp = \$1,342.50/wk x 16wks = \$ 21,488	21,488	
2900	FRINGE BENEFITS Temp + OT: \$50,128 x 9% = \$4,512	4,512	
	3000 TRAVEL EXPENSES Short term vehicle rental, Per Diem Meals, Lodging, misc expenses for Travel related Operation To U'liso.		63,240
3110	FLEET 3112 Daily/Temp Group C XV Vehicle Class rental 120 days x \$32.00/day = \$3,840 3113 Mileage rental 6,000 miles x .30/mile = \$1,800	5,640	
3230	PERSONAL TRAVEL 3240 Per Diem Meals \$46/day x 60 days x 5 wrks = \$13,800; \$66/day x 60 days x 5 wrks = \$19,800 3250 Lodging \$80/night x 60 days = \$4,800 x 5 = \$24,000	57,600	
TOTAL		117,880	117,880

# THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

**PART I. PROGRAM INFORMATION:**

Program Name/Title: \_\_\_\_\_

Veterinary Services - Farmers and Ranchers

Business Unit No.: \_\_\_\_\_

No Acct \_\_\_\_\_

**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
4410	<b>4000 SUPPLIES</b> Tacks, Ropes, paddles, other bulk paper, printing/binding and photocopying, subscription, books, periodicals.  <b>OPERATING SUPPLIES</b> 4420 General Operating Supplies: \$5,000 4450 Postage, UPS, FedEx, other: \$5,000  <b>6500 CONTRACTUAL SERVICES</b> The testing of crops, traditional herbs along the San Juan River	10,000	115,000
6830	<b>OTHER TECHNICAL SERVICES</b> 6850 Diagnostics/Testing/Evaluation	115,000	
7710	<b>7000 INSURANCE PREMIUMS</b> Insurance for temp positions  <b>INSURANCE</b> 7765 General Liability \$24,640/100 X .19 = \$103.82 7767 Workman's Comp \$50,128/100 X .66 = \$330.84	435	435
	<b>TOTAL</b>	125,435	125,435

# THE NAVAJO NATION

## SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	No Acct	Program Title:	Veterinary Services - Farmers and Ranchers	
Division/Branch:	DNR/Executive	Amount Requested:	\$243,315.00	Phone No.: 505.371.5218
Prepared By:	Glenda Davis	Email Address:	<a href="mailto:glendadavis@navajo-nsn.gov">glendadavis@navajo-nsn.gov</a>	

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

The Navajo Department of Agriculture has developed a listing of needs and an impact of losses for a (90 day) short term period. The crops in Northern Agency; specifically the chapters impacted have 1.5 months to harvest their crops, all water for irrigation is from the San Juan River. Farmers in the area harvest their alfalfa four (4) times during the growing season. The final harvest of alfalfa will be loss due to no irrigation water from the river, farmers will have to salvage what they have now. The amount shown for Alfalfa Crop is what will be loss due to the spill. Navajo Corn takes 90 days of growth and is harvested in August and September, depending on when it was planted, in comparison sweet corn has a 60 day growing season and can be harvest in July. Derived from the Navajo Corn is; the raw, uncooked, fresh Corn; Steam Corn; Dry Corn used in Kilnaalda; Knee Down Bread; Fresh cut Corn sold by the quart freezer bag; Dry Corn (Nageezi); Corn Pollen; Corn Stalk and Husks. Garden produce is sold to the public and used for home consumption; Sweet Corn, Squash (acorn, kushaw, banana, butternut, zucchini, Hubbard, spring, crookneck and more), potatoes, pinto beans, green beans, peas, tomatoes, cucumbers (Several varieties), melons (cantaloupe, honeydew, watermelon, muskmelon etc.). It is also preserved and sold. Many gardeners use their fresh harvest to provide healthy foods to their families and supplement their income. **Based upon the losses identified above, \$11,453,400.00 is the amount loss by farmers in 3,667 acres impacted along the San Juan River. This budget is to assist with the recovery of the Navajo farmer's crops by the testing of crops, traditional herbs and the soils within farmer acreage, proving that these products are safe for consumption. There is a great need to ensure that Navajo products are wholesome to regain the trust and confidence in the Navajo market.**

### PART III. SCOPE OF WORK/METHODOLOGY

1. Hire additional staff to assist with testing of crop harvest. 2. Identify farmers and rancher along the San Juan river with the farm board and grazing official member. 3. Testing of harvest: crops, traditional herbs and soils with a certified laboratory. 4. Test results will assist with establishing the trust in each farmers products, as wholesome and gain confidence in the market. 5. Providing additional information for impacts to the Gold Mine Spill along the San Juan River. 6. Utilize certified toxicology specialists to analyze specimens and provide determination of toxicity back to the Navajo Nation. 7. Results will assist farmers with further planning and determine if additional testing will be required to monitor crops. 8. Provide needed results back to the farmers on their individual products.

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

Leo Watchman, Department Manager

Bidtah Becker, Executive Director

REVIEWED BY: Division Director's Signature / Date

RECOMMEND APPROVAL: Branch Chief's Signature / Date



THE NAVAJO NATION

RUSSELL BEGAYE  
JONATHAN NEZ VICE PRESIDENT



CEM 15-08-09

**RESOLUTION OF THE  
COMMISSION ON EMERGENCY MANAGEMENT**

**DECLARING A STATE OF EMERGENCY DUE TO AN UNEXPECTED RELEASE OF  
CONTAMINATED WASTEWATER FROM THE GOLD KING MINE NEAR SILVERTON,  
COLORADO**

**WHEREAS:**

1. Pursuant to 2 N.N.C., §§ 881 and 883 (A) (C), the Navajo Nation Council established the Navajo Nation Commission on Emergency Management to coordinate emergency and disaster relief service by Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management; and to recommend to the Navajo Nation Council legislation or other appropriate activity regarding natural and man-made emergencies; and
2. Pursuant to 2 N.N.C., § 884 (B) (1), the Navajo Nation Commission on Emergency Management is responsible for declaring a state of emergency with the concurrence of the President of the Navajo Nation; and
3. Pursuant to 2 N.N.C., § 884 (B) (2), the Navajo Nation Commission on Emergency Management will assist in seeking assistance from federal, state, and other tribal governments, local and private agencies to address emergency and disaster related situations; and
4. On August 5, 2015, an unexpected release of contaminants occurred from the Gold King Mine near Silverton, Colorado and entered the Animas River; and
5. Since August 5, 2015, the contaminants have entered into the San Juan River and the plume of contaminants continues to travel towards the Navajo Nation; and
6. The contaminants are comprised of several potentially harmful chemicals, such as heavy metals, with unknown risks to human health, environment and terrestrial wildlife; and
7. The contaminants from the release of mine wastewater has further caused risks to free roaming livestock, wildlife, irrigation practices and other uses by the Navajo people; and
8. The duration of future impacts to the Navajo Nation are still not fully known and as a result, there is a continued need for an increased level of multi-agency efforts to resolve all issues related to this release; and


**NOW, THEREFORE BE IT RESOLVED:**

1. That the Navajo Nation Commission on Emergency Management declares a State of Emergency due to an Unexpected Release of Contaminated Wastewater from the Gold King Mine Near Silverton, Colorado; and

2. The Navajo Nation Commission on Emergency Management finds it is necessary for appropriate Navajo Nation entities to continue and/or immediately begin and maintain coordination and collaboration with relevant agencies, e.g., Federal, State, Counties, and Municipalities, for use of resources to meet the needs of the Navajo Nation public. This includes, but not limited to, resources of personnel, equipment, monetary funding, and other resources as may be required to protect natural, cultural, historical natural resources as well as substantial human health, safety and welfare of the citizens of the Navajo Nation; and
3. The Navajo Nation shall activate available emergency resources such as community education, assistance, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

### CERTIFICATION

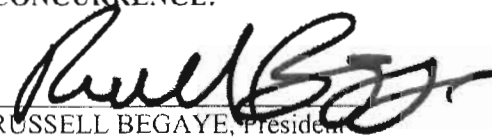
We hereby certify that the foregoing declaration was duly considered by the Navajo Nation Commission on Emergency Management at duly called meeting in Tse Bonito, Navajo Nation, New Mexico, at which a quorum was present that the same was passed by a vote of 4 in favor and 0 opposed and 0 abstained, this 9th day of August 2015.

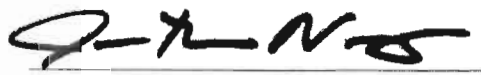
  
Herman Shorty, Chairperson  
Commission on Emergency Management  
Navajo Nation

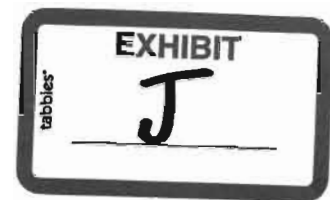
Motion: Dicky Bain

Second: Eugenia Quintana

### CONCURRENCE:

  
RUSSELL BEGAYE, President  
THE NAVAJO NATION

  
JONATHAN NEZ, Vice President  
THE NAVAJO NATION



NAVAJO NATION OFFICE OF THE  
PRESIDENT AND VICE PRESIDENT

RUSSELL BEGAYE | JONATHAN NEZ

**FOR IMMEDIATE RELEASE**

**CONTACT:** Navajo Nation Press Shop  
[press@operationyellowwater.com](mailto:press@operationyellowwater.com)

**August 24, 2015**

**Navajo Nation President Begaye keeps restrictions in place for San Juan River**

WINDOW ROCK – Navajo Nation President Russell Begaye has not lifted restrictions on opening the San Juan River for irrigation purposes.

“I am furious that the USEPA has placed the Navajo Nation into this position. Our farms will not last much longer without water and our resources are depleting,” said President Begaye. “These past few days I have visited with the farmers along the San Juan River because they are part of this decision.”

On Thursday, Aug. 20, Office of the President and Vice-President (OPVP) held a public meeting for the impacted chapters to give farmers and chapter officials a forum to express their concerns. During the meeting, five of seven San Juan River area chapter officials spoke against opening the river for irrigation.

The farmers were overwhelmingly concerned about contaminating their fields and crops.

“It was heartbreaking to hear farmer after farmer tell us they have said goodbye to their crops and made peace,” said Vice-President Jonathan Nez.

President Begaye asked community members to put a resolution before their respective chapters to vote on whether or not they want to open the river for irrigation.

On Friday, Aug. 21, through resolution, Shiprock Chapter voted 104 in favor, 0 opposed and 9 abstaining to keep the canals closed for a period of one year. Shiprock area farmers utilize the Hogback pump, which affects Tse Dah K’aan, Shiprock and Gadii’ahi chapters.

During this meeting a concerned farmer said he was against opening the irrigation. The farmer said he would instead save as many crops as he could by hauling water. Most of the crops on his 33 acres have not matured.



Having been raised a farmer himself, President Begaye realizes the impacts that keeping the water shut off will have to area farmers as they depend on crops for subsistence and income.

The Shiprock vote against opening the canals represents the community's concern to use precaution and not risk possible contamination to irrigation canals and crops.

The Navajo Nation Environmental Protection Agency (NNEPA) has reported that initial data from their water samples concurs with data from neighboring jurisdictions in supporting that water from the San Juan River is safe for irrigation purposes.

The USEPA has given initial reports on the soil, but the Navajo Nation will rely on the NNEPA for final test results. These soil samples are critical in identifying levels of metals that have settled along the river banks.

"I'm glad the water samples indicate the water is safe for irrigation use but I remain concerned over the soil and sediment that lines our river bank," said President Begaye. "Every time a heavy storm hits or the soil is disturbed it can recontaminate the water."

The NNEPA will have final results from their soil samples this week.

"The health of our Navajo people will always come first. As such, we must be diligent and cautious in making this decision," said Vice-President Nez.

President Begaye and Vice-President Nez remain firm in holding the USEPA accountable for releasing contaminants into the Animas and San Juan Rivers during the Gold King Mine spill.

While the river remains closed, the Navajo Nation will continue to work with the Bureau of Indian Affairs (BIA) to provide water for irrigation, livestock and drinking purposes.



## **DISTRICT 13 COUNCIL**

**RESOLUTION OF DISTRICT 13 COUNCIL OFFICIALS LIFTING THE DECLARATION OF EMERGENCY FOR WATER USE FOR IRRIGATION PURPOSES FOR FARMERS, AND ALL MEMBERS OF THE COMMUNITY RESIDENCE AND REQUESTING THE NAVAJO NATION PRESIDENT RUSSELL BEGAYE AND NAVAJO NATION IRRIGATION OFFICE, SHIPROCK, NEW MEXICO TO RELEASE THE SAN JUAN RIVER IMMEDIATELY TO IRRIGATE THE CROPS AND WATER FOR THEIR LIVESTOCK.**

### **WHEREAS:**

1. District 13 Council consist of Burnham, Upper Fruitland, Nenahnezad and San Juan Chapter Officials, Farm Board and Grazing Members; and

2. District 13 Community Chapters have been impacted by a man-made disaster which began on Wednesday, August 5, 2015 north of Silverton, Colorado when a significant hazardous waste spill occurred at Gold King Mine, causing unspecified contamination of the Animas River which has ultimately converged into San Juan River of San Juan County, New Mexico and the Navajo Nation; and

3. District 13 Council Chapters of the Navajo Nation communities depends upon the river for potable water, farming, ranching as well as many other domestic necessities; and

4. District 13 Council Chapters are aware that the State of New Mexico Environment Department, Speaker of the Navajo Nation and The San Juan County Executive Officer have address this same hazardous situation, initiating advocated precautions and San Juan County declared an emergency at that time; and

5. District 13 Council Chapters have been informed by Navajo Nation Environmental Protection Agency, State of New Mexico Environment Protection Agency and other independent scientist that have tested San Juan River that they are sure that the River is safe to use for irrigation and livestock, water test reports attached as Exhibits; and

6. District 13 Council Chapters have been approached by the community members, farmers and livestock owners that the Navajo Nation Irrigation Department of Shiprock, New Mexico and the Navajo Nation President Russell Begaye to release the irrigation water to them so they can irrigate once again, the crops are suffering from lack of water.

### **NOW THEREFORE BE IT RESOLVED THAT:**

1. District 13 Council officials hereby support the lifting the Declaration of Emergency for the farmers, and all members of the community residence and requesting the Navajo Nation President Russell Begaye and Navajo Nation Irrigation Office, Shiprock, New Mexico to release the San Juan River water immediately to irrigate the crops and water for their livestock.

## CERTIFICATION

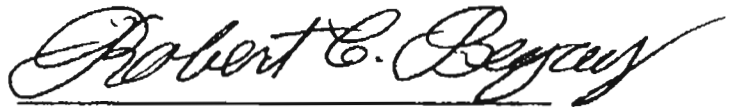
We hereby certify that the foregoing resolution was considered by the District 13 Council Chapters at a regularly called meeting at which a quorum was present at the Nenahnezad Chapter (Navajo Nation), New Mexico and that the same was passed by a vote of 9 in favor, 0 opposed, and 2 abstained, this 24<sup>th</sup> day of August, 2015

Motion: Norman Begaye

Second: Hubert Harwood



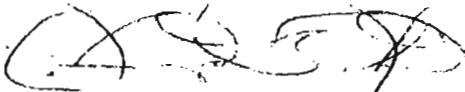
Rickie Nez, Chairperson



Robert C. Begay, Vice-Chairperson



Esther Keeswood-Begay, Secretary



LoRenzo C. Bates, Council Delegate



# NAVAJO NATION DEPARTMENT OF JUSTICE

## REQUEST FOR SERVICES



DOJ

8-27-15 4:39 PM  
DATE / TIME

RFS #: 15-1542

UNIT: 249

☐ RESUBMITTAL

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

### CLIENT TO COMPLETE

DATE OF REQUEST: 8/27/15 ENTITY/DIVISION: OPVP  
CONTACT NAME: Brittany Smith DEPARTMENT: OPVP  
PHONE NUMBER: X1004 E-MAIL: brittanysmith@navajo-nn.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (attach documents):  
Review of Budgets

DEADLINE: ASAP REASON: Legislation process

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: REVIEWING ATTORNEY/ADVOCATE:

DATE/TIME OUT OF UNIT: PREPARED BY (initial):

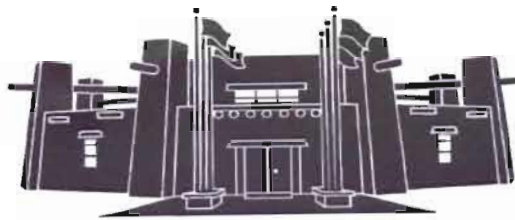
### DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient

REVIEWED BY: (PRINT) R. J. R. DATE / TIME 8-27-15 4:45 PM

DOJ Secretary Called: for Document Pick Up on at By:

PICKED UP BY: (PRINT) Brittany Smith DATE / TIME: 8/27/15 4:51



## MEMORANDUM

TO: Honorable Dwight Witherspoon  
Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill Chapters

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

DATE: September 2, 2015

SUBJECT: RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,017,020.00 FOR LONG-TERM IMPACT STUDIES AND MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE WATERS OF THE NAVAJO NATION

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. Ahéhee'.