LEGISLATIVE SUMMARY SHEET
Tracking No. 0269-21

DATE: October 5, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $68,025,000 IN SÍHASIN FUNDS FOR THE NAVAJO NATION DEPARTMENT OF WATER RESOURCES TO COMPLETE TWELVE (12) WATER CONNECTION PROJECTS ACROSS THE NAVAJO NATION; AND APPROVING THE "2021 WATER CONNECTION PROJECTS EXPENDITURE PLAN" PURSUANT TO 12 N.N.C §§2501 – 2508

PURPOSE: This resolution, if approved, will allocate $68,025,000 in Sihasín Funds to the Department of Water Resources to complete 12 water connection projects.

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

5-DAY BILL HOLD PERIOD: WAIVED
Website Posting Time/Date: October 6, 2021 5:05PM
Posting End Date: October 11, 2021
Eligible for Action: October 12, 2021

Budget & Finance Committee
Thence
Resources & Development 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. 0219-21

AN ACTION

RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $68,025,000 IN SÍHASIN FUNDS FOR THE NAVAJO NATION DEPARTMENT OF WATER RESOURCES TO COMPLETE TWELVE (12) WATER CONNECTION PROJECTS ACROSS THE NAVAJO NATION; AND APPROVING THE "2021 WATER CONNECTION PROJECTS EXPENDITURE PLAN" PURSUANT TO 12 N.N.C §§2501 – 2508

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility 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).

B. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the authority to oversee all matters involving water, land, the environment, community development, and public utilities. 2 N.N.C. §500(C).

C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions 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 Code (at 12 N.N.C. §2502, as amended by Resolution No. CJA-03-18) provides that the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") is as follows:

§2502 Purpose

A. The purposes of this Fund are to provide financial support and/or financing for:

1. The planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation; . . .

B. For the Purpose in §2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. §1310(F) or TCDCJY-77-99.

C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in §2502(A)(1), shall be favored over direct funding in whole.

F. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Síhasin Fund Income shall be deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is duly approved. 12 N.N.C. §2504 and §2505(C).

G. The Síhasin Fund provides that "Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in §2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council." 12 N.N.C. §2505(A).

SECTION TWO. FINDINGS

A. The Navajo Nation Department of Water Resources is requesting funding assistance of sixty-eight million, and twenty-five thousand dollars ($68,025,000) from the Síhasin Fund

for twelve (12) water connection projects throughout the Navajo Nation. Summary project information is provided in the project list attached as **Exhibit A.** The list of water connection projects are as follows:

1. Sanostee Connection Phase 1
2. Rock Ridge/Mitten Rock (Sanostee) Connection Phase 2
3. Newcomb Connection Phase 1
4. Two Grey Hills Connection Phase 2
5. Sheep Springs Connecton Phase 1
6. Narbona Pass (Sheep Springs) Connection Phase 2
7. Naschitti Connection
8. Tohatchi Connection Phase 1
9. Mexican Springs Connection 2
10. Rock Springs/Tsayatoh Connection
11. Standing Rock Connection
12. Tohajiilee – Albuquerque Project and 10-year Assistance

B. The water connection projects will provide much needed water to the Navajo Chapters and communities and are in the best interest of the Navajo Nation.

SECTION THREE. ALLOCATION OF SÍHASIN FUNDING AND APPROVAL OF EXPENDITURE PLAN

A. In accordance with 12 N.N.C. §2505(A), the Navajo Nation hereby allocates **$68,025,000** in Síhasin funds for the twelve (12) water connection projects as explained and proposed herein.

B. The Navajo Nation hereby approves the "2021 Water Connection Expenditure Plan" attached hereto as **Exhibit B**.

C. The Síhasin Funds allocated for the "2021 Water Connection Expenditure Plan" may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act (12 N.N.C. §1300 *et seq.*, as amended) using Síhasin Fund earnings for repayment and financing costs, upon approval of the Budget and Finance Committee and further approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

SECTION FOUR. APPROVAL OF EXPENDITURE PLAN ADMINISTRATION

The Navajo Nation hereby approves the implementation and administration of the "2021 Water Connection Projects Expenditure Plan" with certain provisos and restrictions, as follows:

A. The Navajo Nation Controller shall determine whether the source of the annual allocations for the total amount of **$68,025,000** approved herein will be Síhasin Fund Principal or Síhasin Fund Income, or a combination of both.

B. The Síhasin funding for the "2021 Water Connection Projects Expenditure Plan" shall be disbursed to the Navajo Nation Division of Natural Resources, Department of Water Resources ("DWR") within thirty (30) days after the effective date of this legislation. The DWR shall then disburse the Síhasin Funds according to specific drawdown requests and instructions submitted to DWR.

C. DWR shall be responsible for carrying out and implementing its proposed twelve (12) water connection projects, in accordance with its Expenditure Plan approved herein. The Síhasin funding shall be used solely to design, plan, construct, install, or purchase equipment for the twelve (12) water connections projects, as described in **Exhibit B**, attached hereto.

D. Any and all savings of funds shall be returned to the Síhasin Fund Principal once all twelve (12) water connection projects have been completed or upon the reversion deadline in Section 4(E) below.

E. The Síhasin funding allocated for the twelve (12) water connection projects shall not lapse on an annual basis pursuant to 12 N.N.C. §820(N); however, any Síhasin funds not spent or encumbered within thirty-six (36) months of the date that funds are provided to DWR shall revert to the Síhasin Fund Principal, unless otherwise approved by both the Resources and Development and the Naabik'íyáti' Committees of the Navajo Nation Council.

F. The twelve (12) water connection projects shall be designed, planned, constructed, installed, or purchased by DWR, and continuously thereafter the operation, maintenance, and repairs for the twelve (12) water connection projects shall be performed by DWR, except for certain equipment that will become the property and responsibility of the homeowner once construction or installation is completed.

G. A utility right-of-way may be necessary for some of the twelve (12) water connection

projects. In such cases, the applicable responsible party will apply for and hold the right-of-way, which will be granted by the Navajo Nation in accordance with all applicable laws and regulations pertaining thereto.

SECTION FIVE. DIRECTIVES

A. At least once per Navajo Nation Fiscal Year quarter, DWR in cooperation with the Navajo Nation Division of Natural Resources (DNR) shall provide a written report (with an oral presentation, if requested) to both the Resources and Development and Naabik'íyáti' Committees, explaining the current status of all activities pursuant to the "2021 Water Connection Projects Expenditure Plan" and the responsibilities of DWR and DNR as authorized and directed in this legislation.

B. The Síhasin Fund shall be reimbursed, in the $68,025,000 amount allocated in this legislation, from prospective funds available to the Navajo Nation from any and all state and federal sources, including Congressional appropriations under the American Rescue Plan Act of 2021, other COVID-19 related relief and other applicable federal laws or appropriations.

SECTION SIX. EFFECTIVE DATE

This legislation and the "2021 Water Connection Projects Expenditure Plan" approved herein shall become effective pursuant to 12 N.N.C. §2505.

SECTION SEVEN. SAVINGS CLAUSE

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

	NGWSP Connections	Cost Estimate	25% Contingency	Total Request
1a.	**Sanostee Connection Phase 1**	$ 9,060,000.00	$ 2,265,000.00	**$ 11,325,000.00**
1b	**Rock Ridge/Mitten Rock (Sanostee) Connection Phase 2**	$ 5,550,000.00	$ 1,387,500.00	**$ 6,937,500.00**
2a.	**Newcomb Connection Phase 1**	$ 3,520,000.00	$ 880,000.00	**$ 4,400,000.00**
2b	**Two Grey Hills Connection Phase 2**	$ 9,360,000.00	$ 2,340,000.00	**$ 11,700,000.00**
3a.	**Sheep Springs Connection Phase 1**	$ 2,580,000.00	$ 645,000.00	**$ 3,225,000.00**
3b	**Narbona Pass (Sheep Springs) Connection Phase 2**	$ 3,200,000.00	$ 800,000.00	**$ 4,000,000.00**
4a.	**Naschitti Connection**	$ 2,090,000.00	$ 522,500.00	**$ 2,612,500.00**
5a.	**Tohatchi Connection Phase 1**	$ 9,480,000.00	$ 2,370,000.00	**$ 11,850,000.00**
5b	**Mexican Springs Connection Phase 2**	$ 2,020,000.00	$ 505,000.00	**$ 2,525,000.00**
6a.	**Rock Springs/Tsayatoh Connection**	$ 2,590,000.00	$ 647,500.00	**$ 3,237,500.00**
7a.	**Standing Rock Connection**	$ 3,470,000.00	$ 867,500.00	**$ 4,337,500.00**
8a.	**Tohajiilee - Albuquerque Project and 10-year Assistance**	$ 1,500,000.00	$ 375,000.00	**$ 1,875,000.00**
	Totals	$ 54,420,000.00	$ 13,605,000.00	**$ 68,025,000.00**



SIHASÍN FUND

2021 WATER CONNECTION EXPENDITURE PLAN

Navajo Nation Department of Water Resources



Navajo-Gallup Water Supply Project
Sanostee Connection – Phase 1

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Sanostee Connection – Phase 1 ($9,060,000.00)**
  The Sanostee Connection – Phase 1 (Figure 1) includes a scope, budget, and schedule to design and construct a dedicated 9.65-mile, 10-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Sanostee South Tank (see green line in Figure 2), a 450,000-gallon water storage tank, a 700 gallon per minute pump station, hydropneumatic surge tanks, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit. This connection would allow approximately 661 gallons per minute of project water from the San Juan River.

  A dedicated Sanostee Connection will provide Project water to approximately 2,200 residents of Sanostee Chapter. Currently, Sanostee Chapter relies on groundwater wells that are in violation of the Safe Drinking Water Act Primary MCL for Arsenic. According the Navajo Tribal Utility Authority's (NTUA) 2018 Consumer Confidence Report (CCR), the arsenic concentration in the Sanostee water supply is 17.8 ppb, which is 78% above the violation limit. According to U.S. EPA, prolonged exposure to elevated arsenic concentrations can lead to skin lesions, blood disorders, and increased risk of cancer. The preferred solution to this issue is to connect the existing Sanostee water distribution system to the San Juan Lateral.

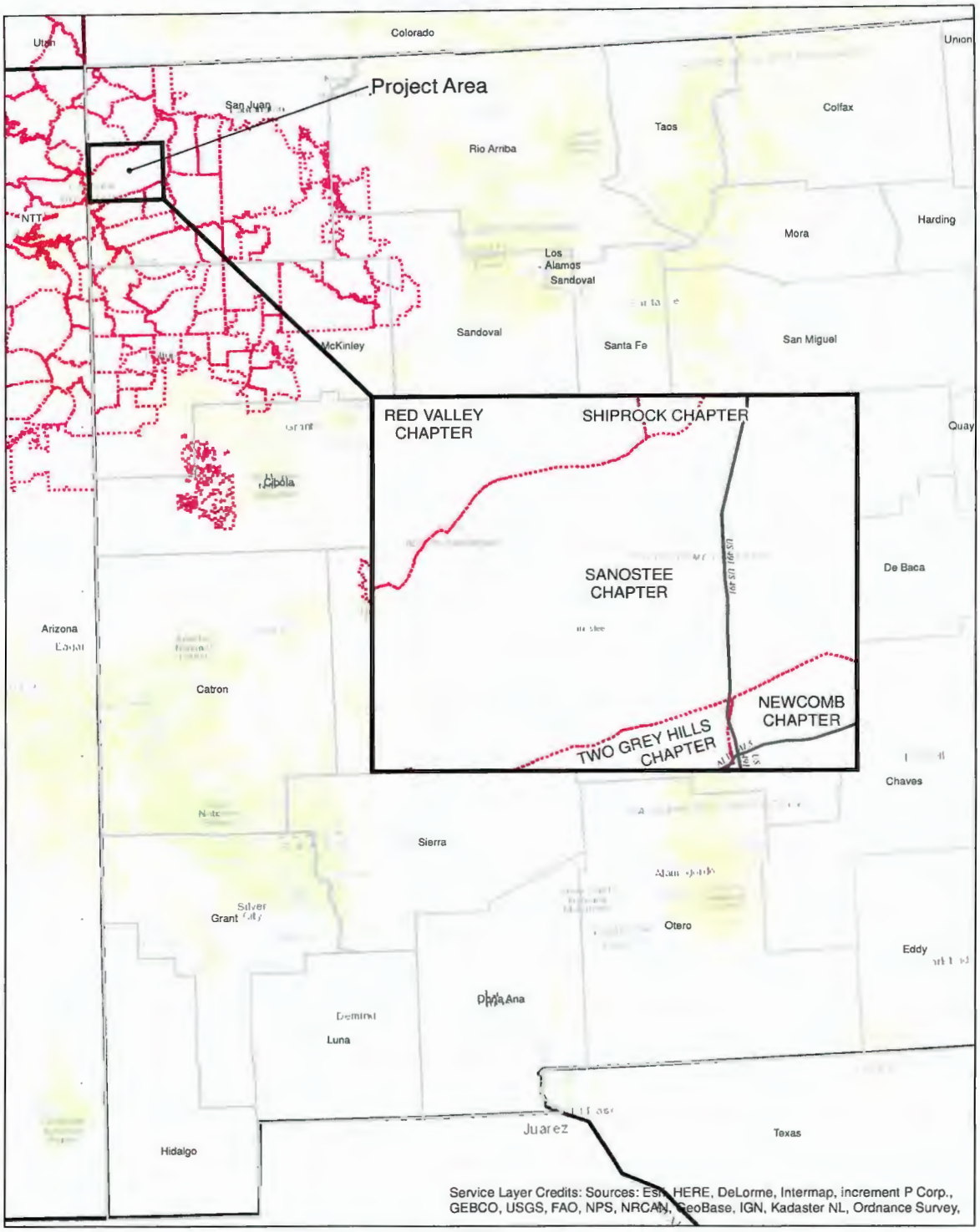
  Since 2020, the Sanostee Chapter has prioritized this project as No. 1 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (Appendix A). As a result, the Sanostee Chapter has been awarded funding through 2019 & 2020 New Mexico Capital Outlay ($590,000), 2020 Tribal Infrastructure Fund ($203,935), and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Sanostee Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs	$2,578,349.00
Cost-share contributions	($ 893,935.00)
Remaining Costs for Design	$1,684,414.00
Total Construction Costs	$7,375,586.00
TOTAL FUNDING SHORTFALL	**$9,060,000.00**

TIMELINE:

2020-2028



San Juan Lateral Connection Plan - Sanostee Chapter

Figure 1: Project Location Map

0 12.5 25 50 75 100 Miles

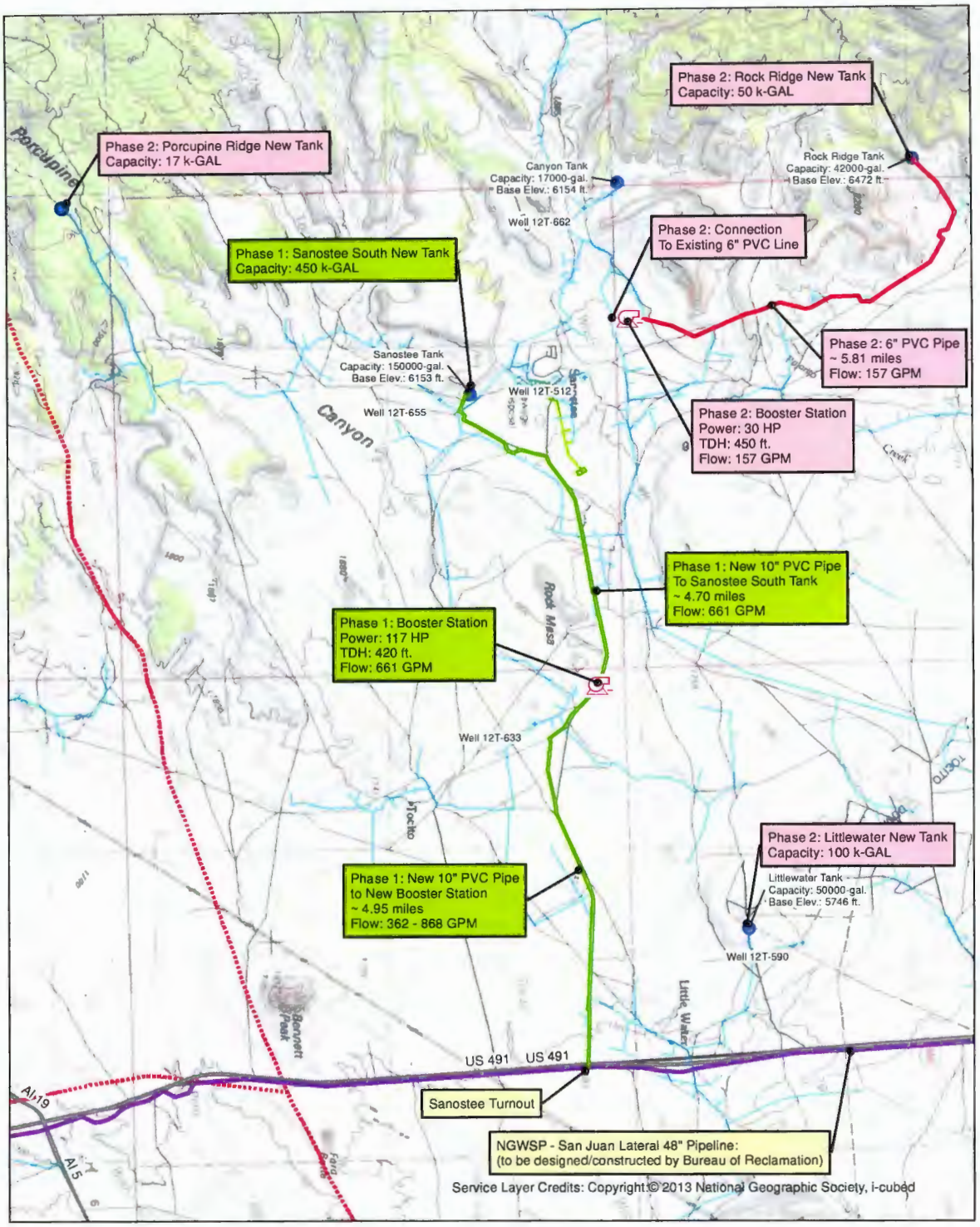
Legend

- State Roads
- Chapter Boundaries
- County Boundaries

N

Note: Alignments are preliminary and are subject to change

Souder, Miller & Associates
Engineering • Environmental • Surveying



San Juan Lateral Connection Plan - Sanostee Chapter

Figure 2: Alternative #3 - Dedicated Transmission Line (Phase 1, and Phase 2) Map

Legend

- Roads
- Existing NTUA Storage Tank
- Existing NTUA Well
- Existing NTUA Waterlines
- Existing NTUA Sewer Lines
- NGWSP - San Juan Lateral 48" Pipeline (Planned)
- Phase 1: New 10" PVC Transmission Line to Sanostee South Tank
- Phase 2: New 6" PVC Transmission Line to Rock Ridge Tank
- Chapter Boundaries

0 0.5 1 1.5 2 Miles

N

Note: Alignments are preliminary and are subject to change

SMA Souder, Miller & Associates Engineering • Environmental • Surveying

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



July 18, 2019

TRANSMITTAL

TO : *James Adakai, Acting Department Manager III*
Capital Project Management Department/Division of Community Development

FROM : for C. Shorty 7/24/19
Cordell Shorter, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : ***K193048 TSE ALNOAZT'II WATER LINE***

I. Information on Contract (per Original Award):

Title of Contract	Funding Agency	CFDA No. - Federal
Tse Alnoazt'ii Water Line	NM Indian Affairs Department	NM

Grant No.	Amount	Fiscal Year	Term - Begin and End Date
609-19-D2654	$90,000.00	2019	May 28, 2019-June 30, 2023

II. Data Entered in FMIS Regarding:

☑ New Contract or Grant Company No. 4706 Business Unit (K#) K193048

☐ Contract Mod No. _____

☐ Amt of Award _____ (AMOUNT) _____ (FROM) _____ to _____ (TO)

☐ Budget Period - Extend End Date: From _____ To _____

☐ Other, specify: _____

Authorizing Document - Attached:

☑ Contract / Agreement - Date executed 05/28/19

☐ NNC / Committee Resolution - No. & Date _____

☐ Other, specify: _____

III. Comments by CGS:

Capital Appropriation Project (Fund 93100) Pursuant to FY 2019 NN BIM Appendix L, Section V.E., the subject grant award is authorized for implementation.

Attachment
Copy: Contract files
Contract Accounting / DPM / Division Director

Revised April 2018

Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

COPY

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

July 16, 2021

TRANSMITTAL

TO : *James Adakai, Program Manager II*
Capital Project Management Department (CPMD) / DCD

FROM : *for C.Shorty 7/16/21*
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : *Sanostee Chapter Regional San Juan Lateral Water Project K213020*

I. **Information on Contract (per Original Award):**

Sanostee Chapter Regional San Juan Lateral Water Project		*NM IAD*	*State of NM*
		Funding Agency	CFDA No. - Federal
609-20-TF12	*$ 203,935.33*	*2021*	*7/13/21 - 7/13/24*
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

II. **Data Entered in FMIS Regarding:**

✓ New Contract or Grant Company No. *4995* Business Unit (K#) *K213020*

Contract Mod No. _____

Amt of Award _____ (AMOUNT) _____ (FROM) to _____ (TO)

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

✓ Contract / Agreement - Date executed 07/13/21

NNC / Committee Resolution - No. & Date _____

Other, specify: _____

III. **Comments by CGS:**

Pursuant to FY 2021 NN BIM, Appendix L, Section VII.C. and D., Grant Agreement (Award) is sufficient therefore authorized for implementation. The award continues to be subject to the requirements to monitor award to ensure compliance and expenditures. CPMD needs to ensure appropriate action to submit award and budget in a timely manner as required. Documents must be properly completed and have all the required signatures.

RECEIVED
JUL 20 2021
CPMD

Attachment
Copy Contract files
Contract Accounting / DPM / Division Director

Revised April 2018

TSE ALNAOZTI'I' CHAPTER REGIONAL
SAN JUAN LATERAL WATER PROJECT

IGA# 609-21-F4055

APPROPRIATION REVERSION DATE: 6/30/2024

Laws 2021, Chapter 139, Section 57, FIVE HUNDRED THOUSAND DOLLARS (500,000) The agency for the department of environment project originally authorized in Subsection 86 of Section 26 of Chapter 81 of Laws 2020 to acquire easements and rights of way and to plan, design and construct, including surveying and archaeological and environmental studies, water system improvements for the regional San Juan lateral water project in the Tse Alnaozti'i' chapter of the Navajo Nation in San Juan county is changed to the Indian affairs department.

The Grantee's total reimbursements under this Agreement shall not exceed FIVE HUNDRED THOUSAND DOLLARS (500,000) which is hereinafter referred to as "Appropriation Amount."

B. In the event the Appropriation Amount in this Agreement is greater than the amount stated in the laws cited in Article I.A. above, the Grantee acknowledges and agrees that the amount stated in those laws is the maximum amount available to it under this Agreement.

In the event of a conflict between the Reversion Date and/or the purpose of the Project and/or the Reversion Date as set forth in this Agreement, and the corresponding appropriation language in the laws cited herein Article I. A., the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I. A. is referred to collectively throughout the remainder of this Agreement as the "Project Description" The Project Description includes Attachment A to this Agreement, which is incorporated by this reference as if fully set forth herein. In the event of an irreconcilable conflict between the terms of Attachment A and the other terms of this Agreement, the other terms of this Agreement shall prevail over the terms in Attachment A; provided, however, that Attachment A may limit allowable expenditures to a subset of the expenditures that would otherwise be permissible under the appropriation language.

Attachment B sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Attachment B imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment B shall prevail, in the event of irreconcilable conflict.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A AGREEMENT NUMBER	1B MOD NUMBER	2 TYPE OF AGREEMENT	3 CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4 ISSUING OFFICE

Bureau of Reclamation
Upper Colorado Region
125 South State Street. Room 8100
Salt Lake City, UT 84138-1147

5 RECIPIENT

The Navajo Nation Tribal Government
2 Miles N. of HWY 264
Window Rock, AZ 86515-0000

EIN #:	860092335	County:	01
DUNS #:	009001702	Congress Dist:	06

6 RECIPIENT PROJECT MANAGER

Jason John
Director
Navajo Nation, Department of Water Resources.
PO BOX 678
Fort Defiance, AZ 86504
(928) 729-4501 jasonjohn@navajo-nsn.gov

7A INITIAL AGREEMENT EFFECTIVE DATE:

May 6, 2015

7B. MODIFICATION EFFECTIVE DATE:

See Block 13a.

8. COMPLETION DATE

September 30, 2020

9A PROGRAM STATUTORY AUTHORITY

Public Law 108-7 Consolidated Appropriations Resolution 2003

9B CFDA Number

15.519

10 FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11 PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient

BY: ***No Signature Required***

DATE: _____

13a. Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation

BY Heidi Hansen

DATE 9/17/2019

12b NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER

N/A

13b NAME OF GRANTS OFFICER

Heidi Hansen
801-524-3760
heidihansen@usbr.gov

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Rock Ridge/Mitten Rock Connection – Phase 2

Project Descriptions:

The Connection Plan Projects include design and construction of (continued):

- **Rock Ridge/Mitten Rock (Sanostee) Connection – Phase 2 ($5,550,000.00)**
  The Rock Ridge/Mitten Rock Connection is the second phase of the Sanostee Connection – Phase 1 project (see Figure 1). The Rock Ridge/Mitten Rock Connection includes a scope, budget, and schedule to design and construct a dedicated 5.8-mile, 6-inch diameter PVC pipeline from an existing 6-inch PVC line to a new proposed Rock Ridge water storage tank (see red line in Figure 2). This project will include the construction of one new 50,000-gallon and two 17,000-gallon water storage tanks within service zones named Rock Ridge, Littlewater, and Porcupine, respectively. Other additional features include a pump station to convey water to the Rock Ridge water storage tank, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit.

  The Rock Ridge/Mitten Rock Connection will provide Project water to approximately 600 of the 2,200 residents within the Sanostee Connection Project – Phase 1. Currently, the residents who live within the Rock Ridge and Mitten Rock service areas rely on the same groundwater wells that Sanostee Chapter utilizes. These wells are in violation of the Safe Drinking Water Act Primary MCL for Arsenic. The preferred solution to this issue is to connect these smaller service areas to the San Juan Lateral through the Sanostee Connection – Phase 1.

  No funding has been secured for the design and construction of the Phase 2 Project. However, the Department of Water Resources – Water Management Branch will continue to assist these communities with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs	$1,423,975.00
Cost-share contributions	- 0 -
Total Construction Costs	$4,126,025.00
TOTAL FUNDING SHORTFALL	**$5,550,000.00**

TIMELINE:

2020-2028

Navajo-Gallup Water Supply Project
Newcomb Connection – Phase 1

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Newcomb Connection – Phase 1 ($3,520,000.00)**
  The Newcomb Connection – Phase 1 (see Figure 3) includes a scope, budget, and schedule to design and construct a dedicated 3.4-mile, 6-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Newcomb Proper Tanks and Newcomb West Tank, construct a new 104,000-gallon water storage tank, gas chlorination facility, a hydropneumatic surge tank, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see green line on Figure 4). This connection would allow a flow rate of approximately 831-1,023 gallons per minute of project water from the San Juan River. The flow rate would depend on whether the Navajo-Gallup pipeline pumping plant is active or not. Part of this flow rate will be utilized in the Phase 2 of this Project, which will convey Project water to the Two Grey Hills Chapter.

  A dedicated Newcomb Connection will provide Project water to approximately 650 residents of Newcomb Chapter. Currently, Newcomb Chapter relies on groundwater wells that are producing approximately 18% less water than when originally constructed. The water production decline in the wells is due to aquifer depletion or well fatigue. This connection will also provide water the approximately 1,000 residents of Two Grey Hills Chapter with the Phase 2 project, who currently have arsenic in their water supply. Refer to the Two Grey Hills Chapter Connection Plan Proposal for Phase 2 of this project. The preferred solution to this issue is to connect the existing Newcomb water distribution system to the San Juan Lateral.

  Since 2020, the Newcomb Chapter has prioritized this project as No. 2 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (Appendix A). As a result, the Newcomb Chapter has been awarded funding through the 2021 Tribal Infrastructure Fund ($369,528) and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Newcomb Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs	$1,339,301.00
Cost-share contributions	($469,528.00)
Remaining Costs for Design	$869,773.00
Total Construction Costs	$2,650,227.00
TOTAL FUNDING SHORTFALL	**$3,520,000.00**

TIMELINE:

2020-2028

Navajo-Gallup Water Supply Project
Two Grey Hills Connection – Phase 2

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Two Grey Hills Connection – Phase 2 ($9,360,000.00)**
  The Two Grey Hills Connection – Phase 2 (see Figure 3) includes a scope, budget, and schedule to design and construct a dedicated 12.1-mile, 6-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Two Grey Hills South Tanks, construct new 80,000-gallon and 87,000-gallon water storage tanks, two (2) 300 gallon per minute pump stations, gas chlorination treatment facility, hydropneumatic surge tanks, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see red line on Figure 4). The 6-inch pipeline will tap off of the Newcomb Connection – Phase 1.

  A dedicated Two Grey Hills Connection will provide Project water to approximately 1,000 residents of Two Grey Hills Chapter. The Two Grey Hills Chapter relies on groundwater wells that are currently in violation of the Safe Drinking Water Act Primary MCL for Arsenic. According to the Navajo Tribal Utility Authority's (NTUA) 2018 Consumer Confidence Report (CCR), the arsenic concentration in the Two Grey Hills water supply is 15.6 ppb, which is 56% above the violation limit. According to U.S. EPA, prolonged exposure to elevated arsenic concentrations can lead to skin lesions, blood disorders, and increased risk of cancer. The preferred solution to this issue is to connect the existing Two Grey Hills water distribution system to the San Juan Lateral.

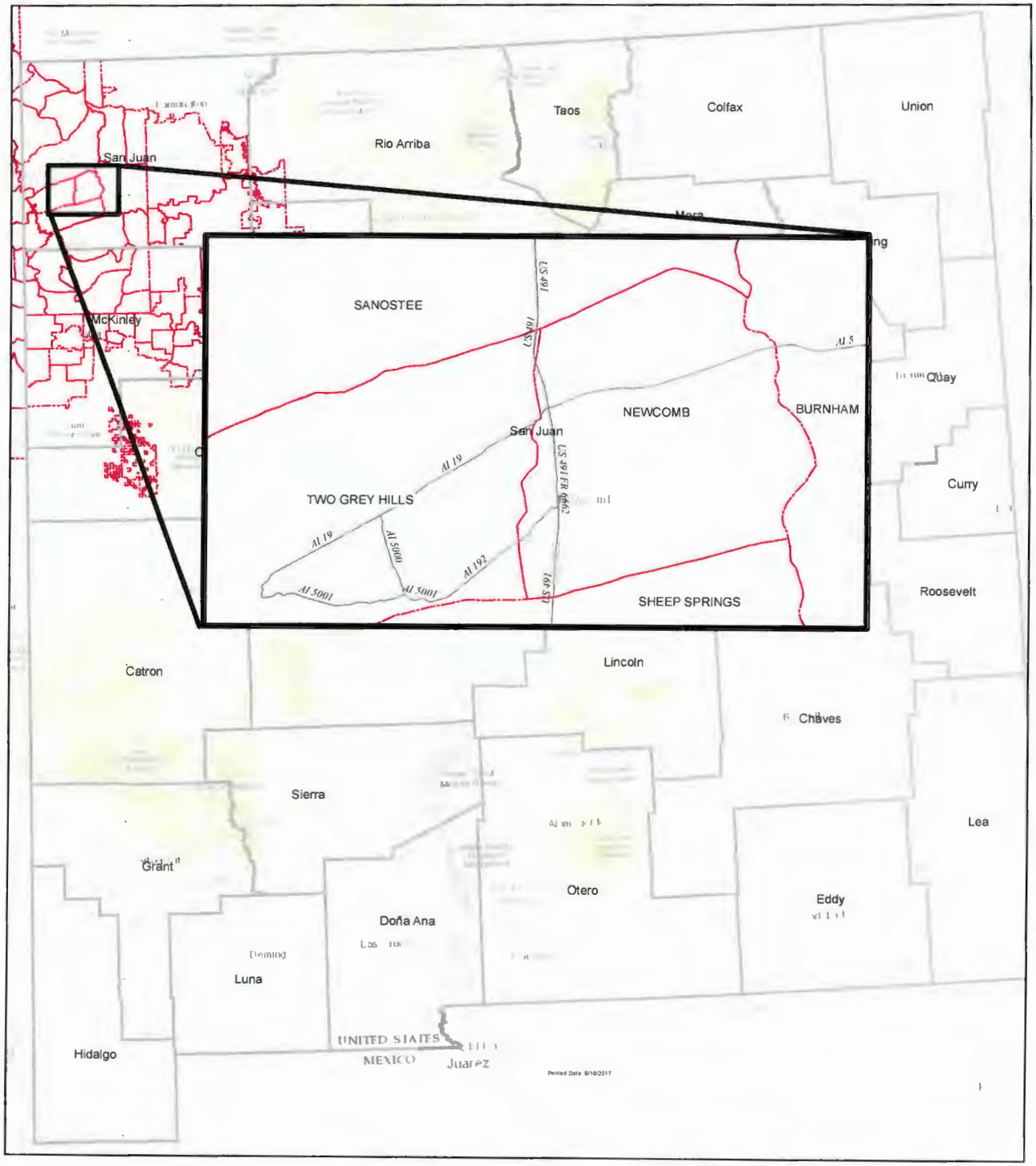
  Since 2020, the Two Grey Hills Chapter has prioritized this project as No. 1 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (Appendix A). As a result, the Two Grey Hills Chapter has been awarded funding through 2020 New Mexico Capital Outlay ($100,000), 2020 Tribal Infrastructure Fund ($289,550), and the 2003 Federal Consolidation Appropriations (included with the Newcomb PER). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Two Grey Hills Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$2,263,621.00
Cost-share contributions	($389,550.00)
Remaining Costs for Design	$1,874,071.00
Total Construction Costs	$7,485,929.00
TOTAL FUNDING SHORTFALL	**$9,360,000.00**

TIMELINE:

2020-2028



San Juan Lateral Connection Plan:
Newcomb and Toadlena/Two Grey Hills Chapters
Figure 3. Project Location Map

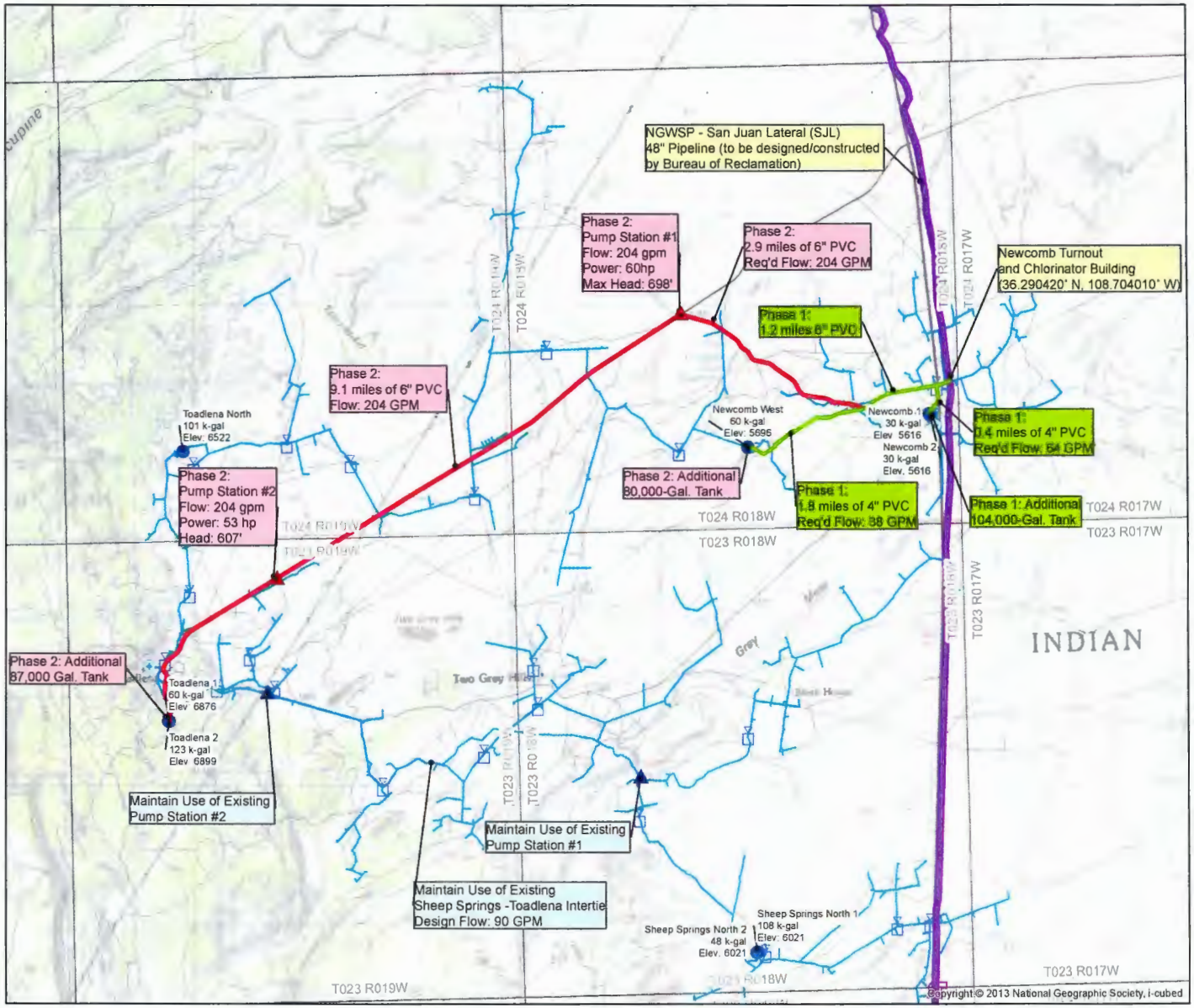
Legend

- State Roads
- Chapter Boundaries
- County Boundaries

N

0 12.5 25 50 75 100 Miles

Souder, Miller & Associates



San Juan Lateral Connection Plan:

Newcomb and Toadlena/Two Grey Hills Chapters

Figure 4.
Alternative #3 - Utilize Dedicated Newcomb Turnout

N

0 0.5 1 1.5 2 Miles

Note: Alignments are preliminary and subject to change.

Legend

- San Juan Lateral
- Existing NTUA Waterlines
- NTUA Storage Tank
- NTUA Well/Pumphouse
- Phase 1
- Phase 2
- New Pump Station

From: Kahawai, Chandler, IAD
To: Jonathan Nez
Cc: Pearl Yellowman; James Adakai; Arlene L. Calamity; Tammy Tso; Marie R. Begay
Subject: 2021 TIF Project Presentations
Date: Friday, June 4, 2021 6:19:22 PM
Attachments: 4. Coyote Canyon Chapter.pptx
Draft TIF Mtg Agenda June 18 2021.pdf
Importance: High

Good afternoon President Nez,

On behalf of the Tribal Infrastructure Board I am inviting the Navajo Nation to present on projects submitted during the 2021 TIF Application period.

The TIF Board Meeting will be Friday, June 18, 2021 @ 9:00am via Zoom Video Conference (See below)

Project Managers:

Please provide me with any presentation materials (PowerPoint, Word Doc, PDF, excel, etc.) by no later than Wednesday, June 16, 2021

I have included a sample PowerPoint presentation from last year for reference if you so choose to utilize this format (see attached).

Please include in your presentation, contingency plans, options, functional phases, etc. should total funding requested not be available for your project as the total amount of funds is limited.

Projects will be presented in the order they are listed on the attached draft agenda

Below are the following projects:

#	Tribe	Project Name	Project Type	Funds Requesting
1	Standing Rock Chapter	Tse'ii'ahi' Waterline Extensions	Design	$467,865.00
2	Newcomb Chapter	Regional San Juan Lateral Water Project – Newcomb Chapter Connection	Design	$369,528.00
3	Sheep Springs Chapter	Regional San Juan Lateral Water Project	Design	$315,078.00
4	Tohajiilee Chapter	Tohaiilee - Albuqerque water supply line	Construction	$3,994,619.10
5	Rock Springs Chapter	Rock Spring Chapter Navajo Code Talkers Lateral	Design	$281,516.00
6	Crownpoint Chapter	Regional Beacon Bisti N9 Lateral Water Supply Project, aka NGWSP Reach 10.1/2/3	Construction	$2,613,482.00

Indian Affairs is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://zoom.us/j/97255102635?pwd=U3RlM3M4SWV3OEgxVGEwczZveHptZz09

Meeting ID: 972 5510 2635
Passcode: 455029
One tap mobile
+12532158782,,97255102635# US (Tacoma)
+13462487799,,97255102635# US (Houston)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
Meeting ID: 972 5510 2635
Find your local number: https://zoom.us/u/af1glN4IS

Thank you,

Chandler Kahawai, CPO
Chief Financial Officer
Acting ASD/HR Manager
Capital Outlay & TIF Administrator
New Mexico Indian Affairs Department
2600 Cerrillos Road | Santa Fe, NM 87505
Phone: (505) 476-1600
Email: chandler.kahawai@state.nm.us
Website: www.iad.state.nm.us

Service - Respect - Community

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THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 3, 2021

TRANSMITTAL

TO : *James Adakai, Program Manager II*
Capital Project Management Department (CPMD) / DCD

FROM : _____
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : *Two Grey Hills-Toadlena Chapter Regional Water Project K203041*

I. Information on Contract (per Original Award):

Two Grey Hills-Toadlena Chapter Regional Water Project		*NM IAD* Funding Agency	*State of NM* CFDA No - Federal
609-20-TF07 Grant No.	*$ 289,550.00* Amount	*2020* Fiscal Year	*1/12/21 - 1/12/24 (36 mos.)* Term - Begin and End Date

II. Data Entered in FMIS Regarding:

✔ New Contract or Grant Company No. *4962* Business Unit (K#) *K203041*
Contract Mod No. _____

Amt of Award _____ _____ (AMOUNT) _____ (FROM) to _____ (TO)

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

✔ Contract / Agreement - Date executed 01/12/21
NNC / Committee Resolution - No. & Date _____
Other, specify: _____

III. Comments by CGS:

Pursuant to FY 2021 NN BIM, Appendix L, Section VII.C. and D., Grant Agreement (Award) is sufficient therefore authorized for implementation. The award continues to be subject to the requirements to monitor award to ensure compliance and expenidltures. CPMD needs to take appropiate action to submit award and budget in a timely manner. CPMD submittal at hand is very untimely. The 164 (B) Review on Doc. No. 015391 was initiated by Division on 10/28/20 and final surname on 4/15/21 by DOJ.

RECEIVED
MAY - 4 2021
CPMD

Attachment
Copy: Contract files
Contract Accounting / DPM / Division Director

Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

TWO GREY HILLS CHAPTER REGIONAL
SAN JUAN LATERAL WATER PROJECT

IGA# 609-21-F4056

APPROPRIATION REVERSION DATE: 6/30/2024

Laws 2021, Chapter 139, Section 58, ONE HUNDRED THOUSAND DOLLARS (100,000) The agency for the department of environment project originally authorized in Subsection 90 of Section 26 of Chapter 81 of Laws 2020 to acquire easements and rights of way, to perform surveying, archaeological and environmental studies and to plan, design and construct water system improvements for the regional San Juan lateral water project in the Two Grey Hills chapter of the Navajo Nation in San Juan county is changed to the Indian affairs department.

The Grantee's total reimbursements under this Agreement shall not exceed ONE HUNDRED THOUSAND DOLLARS (100,000) which is hereinafter referred to as "Appropriation Amount."

B. In the event the Appropriation Amount in this Agreement is greater than the amount stated in the laws cited in Article I.A. above, the Grantee acknowledges and agrees that the amount stated in those laws is the maximum amount available to it under this Agreement.

In the event of a conflict between the Reversion Date and/or the purpose of the Project and/or the Reversion Date as set forth in this Agreement, and the corresponding appropriation language in the laws cited herein Article I. A., the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I. A. is referred to collectively throughout the remainder of this Agreement as the "Project Description" The Project Description includes Attachment A to this Agreement, which is incorporated by this reference as if fully set forth herein. In the event of an irreconcilable conflict between the terms of Attachment A and the other terms of this Agreement, the other terms of this Agreement shall prevail over the terms in Attachment A; provided, however, that Attachment A may limit allowable expenditures to a subset of the expenditures that would otherwise be permissible under the appropriation language.

Attachment B sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Attachment B imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment B shall prevail, in the event of irreconcilable conflict.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A AGREEMENT NUMBER	1B MOD NUMBER	2 TYPE OF AGREEMENT	3 CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4 ISSUING OFFICE	5 RECIPIENT
Bureau of Reclamation Upper Colorado Region 125 South State Street. Room 8100 Salt Lake City, UT 84138-1147	The Navajo Nation Tribal Government 2 Miles N. of HWY 264 Window Rock, AZ 86515-0000

EIN #	860092335	County:	01
DUNS #	009001702	Congress Dist:	06

6 RECIPIENT PROJECT MANAGER	7A INITIAL AGREEMENT EFFECTIVE DATE	7B. MODIFICATION EFFECTIVE DATE:
Jason John Director Navajo Nation, Department of Water Resources. PO BOX 678 Fort Defiance, AZ 86504 (928) 729-4501 jasonjohn@navajo-nsn.gov	May 6, 2015	See Block 13a.

8 COMPLETION DATE

September 30, 2020

9A PROGRAM STATUTORY AUTHORITY	9B CFDA Number
Public Law 108-7 Consolidated Appropriations Resolution 2003	15.519

10 FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11 PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient	13a Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation
BY ***No Signature Required***	BY Heidi Hansen
DATE	DATE 9/17/2019
12b NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER N/A	13b NAME OF GRANTS OFFICER Heidi Hansen 801-524-3760 heidihansen@usbr.gov

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Sheep Springs Connection - Phase 1

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Sheep Springs Connection – Phase 1 ($2,580,000.00)**
  The Sheep Springs Connection Phase 1 (see Figure 5) includes a scope, budget, and schedule to design and construct a dedicated 3.45-mile, 6-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Sheep Springs North Tank, construct a new 60,000-gallon water storage tank to allow approximately 373-532 gallons per minute of project water from the San Juan River, a gas chlorination facility, a hydropneumatic surge tank, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see green line on Figure 6).

  A dedicated Sheep Springs Connection will provide Project water to approximately 1,000 residents of Sheep Springs Chapter. Currently, Sheep Springs Chapter relies on groundwater wells that are producing approximately 13% less water than when originally constructed. The water production decline in the wells is due to aquifer depletion or well fatigue. The wells have reported to have issues with silt in the wells causing the wells to be shut down and requiring maintenance. The preferred solution to these issues is to connect the existing Sheep Springs water distribution system to the San Juan Lateral.

  Since 2020, the Sheep Springs Chapter has prioritized this project as No. 2 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (Appendix A). As a result, the Sheep Springs Chapter has been awarded funding through 2021 Tribal Infrastructure Fund ($315,078) and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Sheep Springs Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$781,386.00
Cost-share contributions	($415,078.00)
Remaining Costs for Design	$366,308.00
Total Construction Costs	$2,213,692.00
TOTAL FUNDING SHORTFALL	**$2,580,000.00**

TIMELINE:

2020-2028

Navajo-Gallup Water Supply Project
Narbona Pass (Sheep Springs) Connection - Phase 2

Project Descriptions:

The Connection Plan Projects include design and construction of (continued):

- **Narbona Pass (Sheep Springs) Connection – Phase 2 ($3,200,000.00)**
  The Narbona Pass Connection Phase 2 (see Figure 5) includes a scope, budget, and schedule to design and construct a dedicated 3.94-mile, 4-inch diameter PVC pipeline from the Sheep Springs South Tank to the Narbona Pass (Washington Pass) Tank, construct a new 108,000-gallon water storage tank to allow approximately 70 gallons per minute of project water, two (2) 70 gallon per minute pump stations, hydropneumatic surge tanks, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see red line on Figure 6).

  A dedicated Narbona Pass Connection will provide Project water to approximately 200 residents of the Narbona Pass service area. Currently, Narbona relies on a groundwater well that is currently producing approximately 41% less water than when originally constructed. The water production decline in the wells is due to aquifer depletion or well fatigue. The wells have reported to have issues with silt in the wells causing the wells to be shut down and requiring maintenance. The preferred solution to this issue is to connect the existing Narbona Pass service area system to the main Sheep Springs water distribution system.

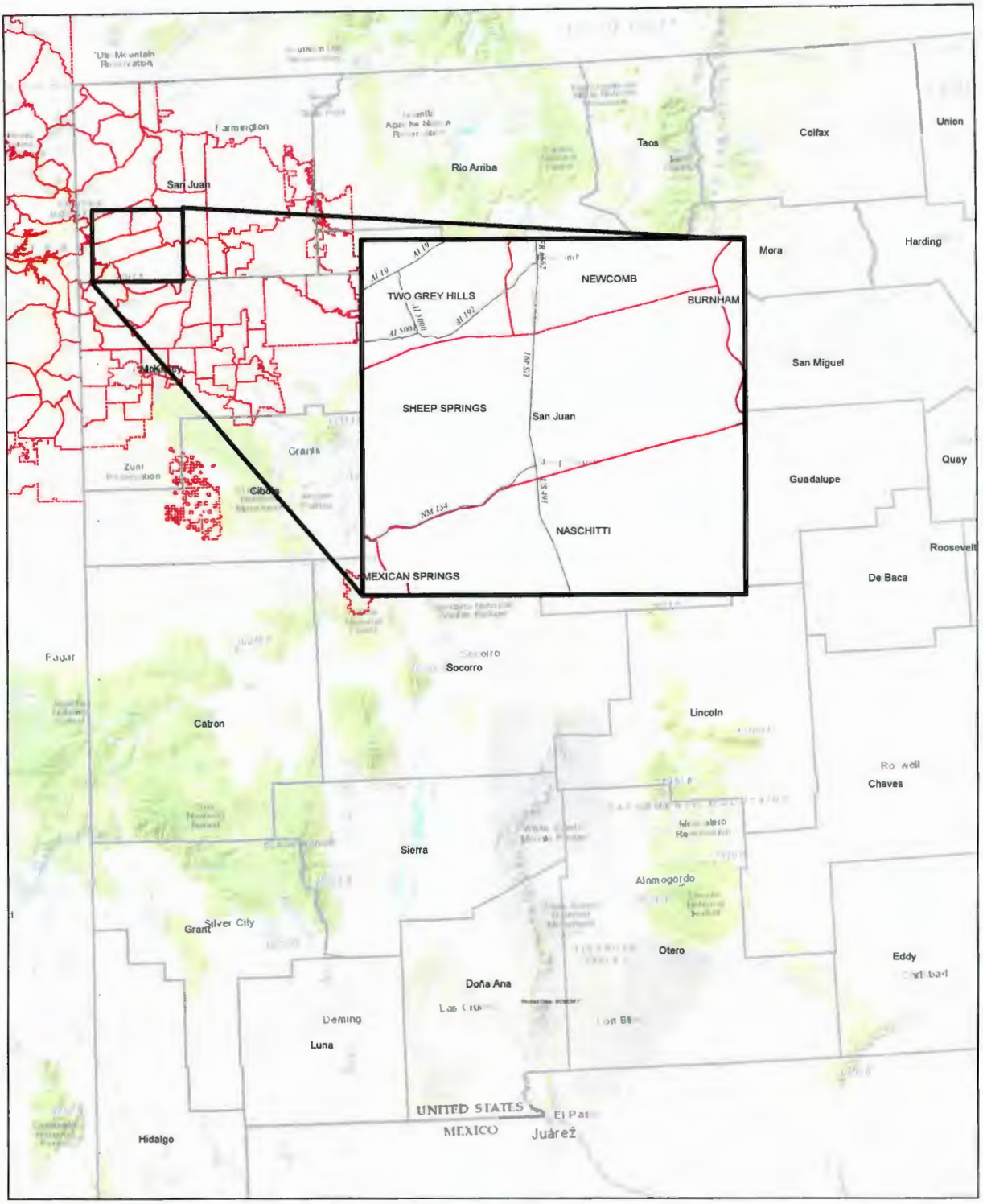
  No funding has been secured for the design and construction of the Phase 2 Project. However, the Department of Water Resources – Water Management Branch will continue to assist these communities with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$859,838.00
Cost-share contributions	- 0 -
Remaining Costs for Design	$859,838.00
Total Construction Costs	$2,340,162.00
TOTAL FUNDING SHORTFALL	**$3,200,000.00**

TIMELINE:

2020-2028



San Juan Lateral Connection Plan: Sheep Springs Chapter

Figure 5: Project Location Map

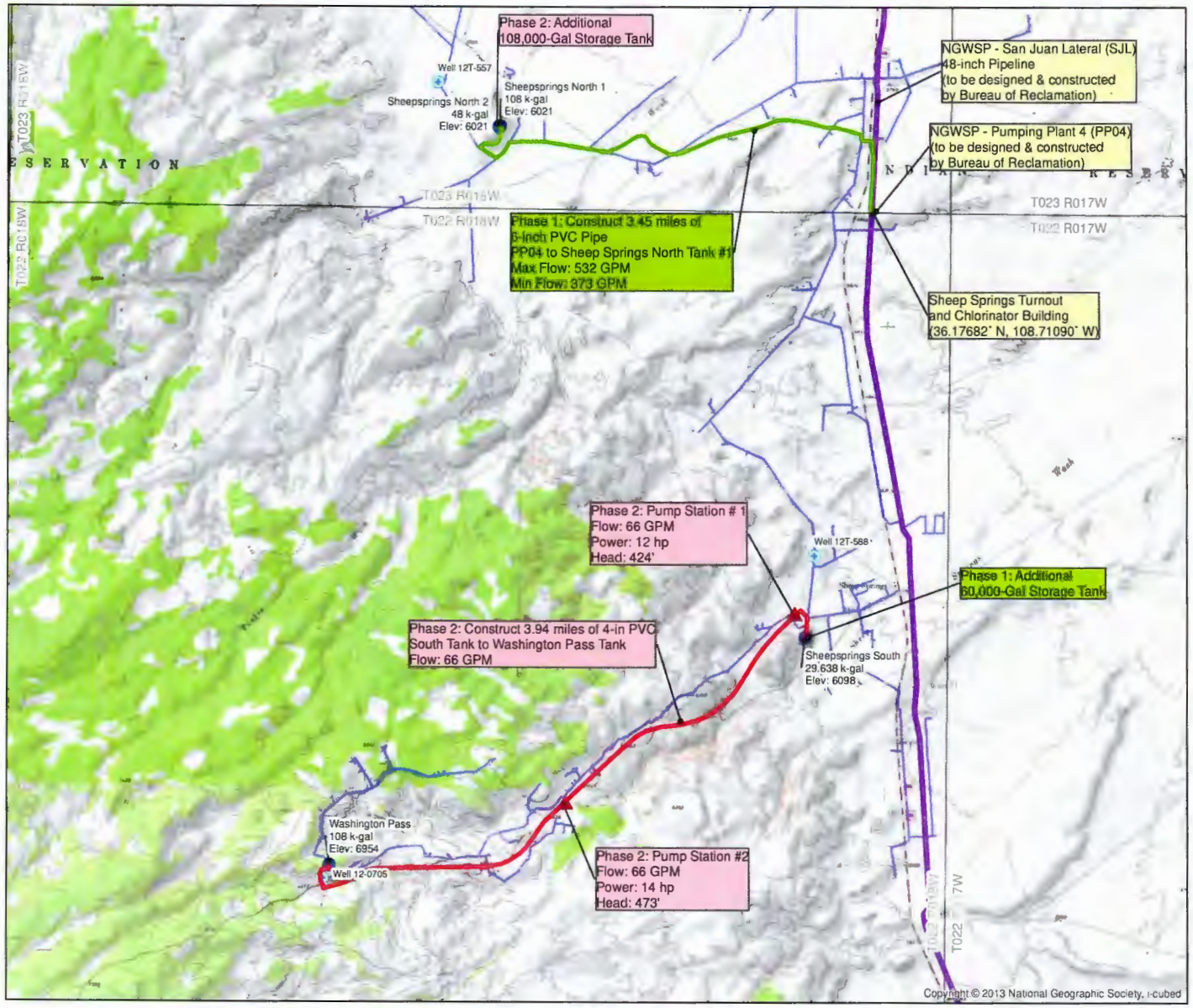
Legend

- State Roads
- Chapter Boundaries
- County Boundaries

N

0 12.5 25 50 Miles

Souder, Miller & Associates
Engineering • Environmental • Surveying



SMA
Souder, Miller & Associates

San Juan Lateral Connection Plan:

Sheep Springs Chapter

Figure 6.
Alternative #3 - Dedicated 6-in Transmission Pipeline for Sheep Springs North

N

0 0.5 1 1.5 Miles

Note: Alignments are preliminary and are subject to change

Legend

- Phase 1
- Phase 2
- New Pump Station
- San Juan Lateral
- NTUA Storage Tank
- NTUA Well/Pumphouse
- Existing NTUA Waterlines

From: Kahawai, Chandler, IAD
To: Jonathan Nez
Cc: Pearl Yellowman; James Adakai; Arlene L. Calamity; Tammy Tso; Marie R. Begay
Subject: 2021 TIF Project Presentations
Date: Friday, June 4, 2021 6:19:22 PM
Attachments: 4. Coyote Canyon Chapter.pptx
Draft TIF Mtg Agenda June 18 2021.pdf
Importance: High

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Project Managers:

Please provide me with any presentation materials (PowerPoint, Word Doc, PDF, excel, etc.) by no later than Wednesday, June 16, 2021

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Below are the following projects:

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2	Newcomb Chapter	Regional San Juan Lateral Water Project – Newcomb Chapter Connection	Design	$369,528.00
3	Sheep Springs Chapter	Regional San Juan Lateral Water Project	Design	$315,078.00
4	Tohajiilee Chapter	Tohajiilee - Albuqorque water supply line	Construction	$3,994,619.10
5	Rock Springs Chapter	Rock Spring Chapter Navajo Code Talkers Lateral	Design	$281,516.00
6	Crownpoint Chapter	Regional Beacon Bisti N9 Lateral Water Supply Project, aka NGWSP Reach 10.1/2/3	Construction	$2,613,482.00

Indian Affairs is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://zoom.us/j/97255102635?pwd=U3RlM3M4SWV3OEgxVGEwczZveHptZz09

Meeting ID: 972 5510 2635
Passcode: 455029
One tap mobile
+12532158782,,97255102635# US (Tacoma)
+13462487799,,97255102635# US (Houston)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
Meeting ID: 972 5510 2635
Find your local number: https://zoom.us/u/af1gIN4IS

Thank you,

Chandler Kahawai, CPO
Chief Financial Officer
Acting ASD/HR Manager
Capital Outlay & TIF Administrator
New Mexico Indian Affairs Department
2600 Cerrillos Road | Santa Fe, NM 87505
Phone: (505) 476-1600
Email: chandler.kahawai@state.nm.us
Website: www.iad.state.nm.us

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Facebook: New Mexico Indian Affairs Department

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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A. AGREEMENT NUMBER	1B. MOD NUMBER	2. TYPE OF AGREEMENT	3. CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4. ISSUING OFFICE

Bureau of Reclamation
Upper Colorado Region
125 South State Street. Room 8100
Salt Lake City, UT 84138-1147

5. RECIPIENT

The Navajo Nation Tribal Government
2 Miles N. of HWY 264
Window Rock, AZ 86515-0000

EIN #:	860092335	County:	01
DUNS #:	009001702	Congress Dist:	06

6. RECIPIENT PROJECT MANAGER

Jason John
Director
Navajo Nation, Department of Water Resources.
PO BOX 678
Fort Defiance, AZ 86504
(928) 729-4501 jasonjohn@navajo-nsn.gov

7A. INITIAL AGREEMENT EFFECTIVE DATE: May 6, 2015

7B. MODIFICATION EFFECTIVE DATE: See Block 13a.

8. COMPLETION DATE

September 30, 2020

9A. PROGRAM STATUTORY AUTHORITY

Public Law 108-7 Consolidated Appropriations Resolution 2003

9B. CFDA Number

15.519

10. FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11. PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient

BY ***No Signature Required***

DATE: _____

13a. Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation

BY Heidi Hansen

DATE 9/17/2019

12b. NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER

N/A

13b. NAME OF GRANTS OFFICER

Heidi Hansen
801-524-3760
heidihansen@usbr.gov

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Naschitti Connection

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Naschitti Connection – ($2,090,000.00)**
  The Naschitti Connection (see Figure 7) includes a scope, budget, and schedule to design and construct a dedicated 2.11-mile, 8-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Naschitti Tank #1, a chlorination treatment building, a hydropneumatic surge tank, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see Figure 8). This connection would allow a flow rate of approximately 463-808 gallons per minute of project water from the San Juan River. The water would be transmitted by gravity flow. The flow rate would depend on whether the Navajo-Gallup pipeline pumping plant is active or not.

  A dedicated Naschitti Connection will provide Project water to approximately 1,300 residents of Naschitti Chapter. Currently, Naschitti Chapter relies on groundwater wells that are currently producing approximately 27% less water than when originally constructed. The water production decline in the wells is due to aquifer depletion or well fatigue. The preferred solution to this issue is to connect the existing Naschitti water distribution system to the San Juan Lateral.

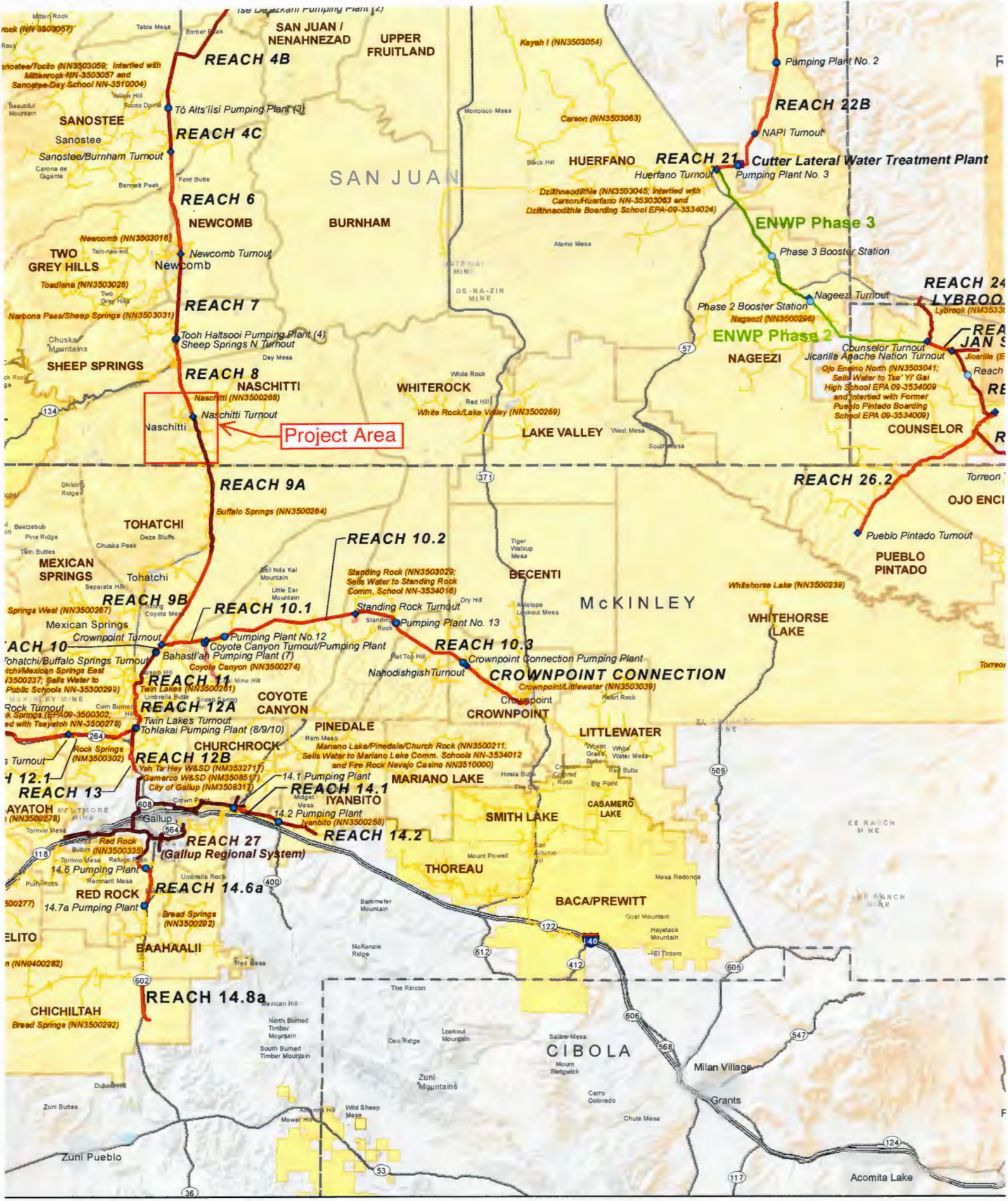
  Since 2020, the Naschitti Chapter has prioritized this project as No. 2 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (Appendix A). Since their participation, the Naschitti Chapter has been awarded funding through 2020 New Mexico Capital Outlay ($599,000) and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Naschitti Chapter with their efforts.

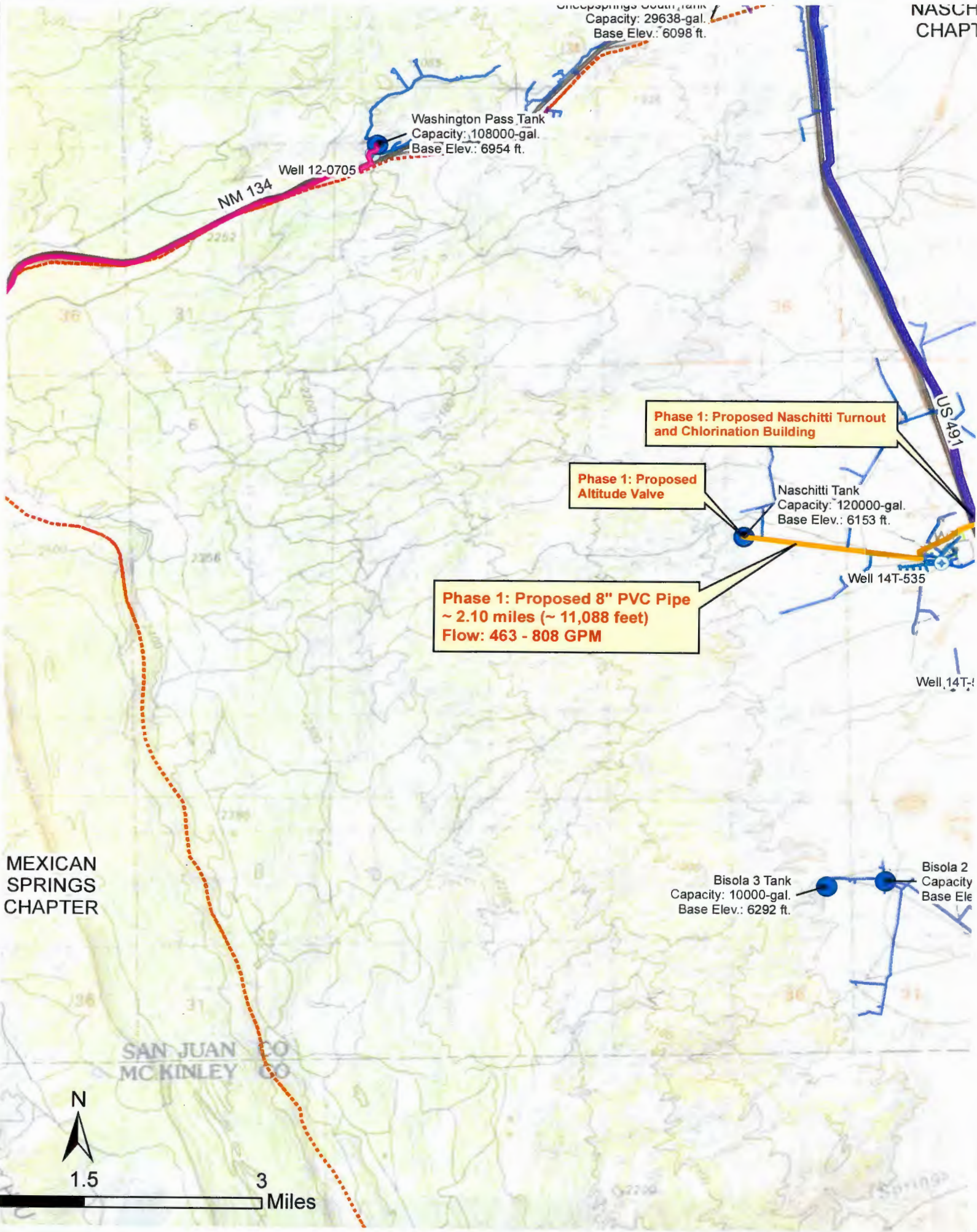
FUNDING AND COST ESTIMATE:

Total Design Costs -	$699,000.00
Cost-share contributions	($699,000.00)
Remaining Costs for Design	$0.00
Total Construction Costs	$2,090,000.00
TOTAL FUNDING SHORTFALL	**$2,090,000.00**

TIMELINE:

2020-2028


SAN JUAN / NENAHNEZAD
UPPER FRUITLAND
REACH 4B
Tó Alts'iisi Pumping Plant (3)
SANOSTEE
Sanostee
Sanostee/Burnham Turnout
REACH 4C
SAN JUAN
REACH 6
NEWCOMB
BURNHAM
Newcomb (NN3503016)
Newcomb Turnout
Newcomb
TWO GREY HILLS
Toadlena (NN3503028)
Narbona Pass/Sheep Springs (NN3503031)
REACH 7
Tooh Haltsooi Pumping Plant (4)
Sheep Springs N Turnout
SHEEP SPRINGS
REACH 8
NASCHITTI
Naschitti (NN3500268)
Naschitti Turnout
Naschitti
Project Area
WHITEROCK
White Rock/Lake Valley (NN3500269)
LAKE VALLEY
REACH 9A
Buffalo Springs (NN3500264)
TOHATCHI
MEXICAN SPRINGS
Tohatchi
REACH 9B
Springs West (NN3500267)
Mexican Springs
Crownpoint Turnout
REACH 10.2
Standing Rock (NN3503029; Sells Water to Standing Rock Comm. School NN-3534018)
Standing Rock Turnout
REACH 10.1
Pumping Plant No.12
Coyote Canyon Turnout/Pumping Plant
Bahastl'ah Pumping Plant (7)
Coyote Canyon (NN3500274)
REACH 10
Tohatchi/Buffalo Springs Turnout
Tohatchi/Mexican Springs East (NN3500237; Sells Water to Public Schools NN-35300299)
REACH 11
Twin Lakes (NN3500261)
Twin Lakes Turnout
Tohlakai Pumping Plant (8/9/10)
COYOTE CANYON
REACH 12A
Rock Springs (NM3500302)
CHURCHROCK
REACH 12B
Yah Ta Hey W&SD (NM3532717)
Gamerco W&SD (NM3508517)
City of Gallup (NM3508311)
REACH 13
Gallup
REACH 27
(Gallup Regional System)
Red Rock (NN3500335)
14.6 Pumping Plant
REACH 14.6a
RED ROCK
14.7a Pumping Plant
Bread Springs (NN3500292)
BAAHAALII
CHICHILTAH
REACH 14.8a
Bread Springs (NN3500292)
Pumping Plant No. 13
REACH 10.3
Crownpoint Connection Pumping Plant
Nahodishgish Turnout
CROWNPOINT CONNECTION
Crownpoint/Littlewater (NN3503039)
Crownpoint
CROWNPOINT
PINEDALE
Mariano Lake/Pinedale/Church Rock (NN3500211; Sells Water to Mariano Lake Comm. Schools NN-3534012 and Fire Rock Navajo Casino NN3510000)
14.1 Pumping Plant
REACH 14.1
IYANBITO
14.2 Pumping Plant
Iyanbito (NN3500258)
REACH 14.2
MARIANO LAKE
SMITH LAKE
THOREAU
BECENTI
McKINLEY
LITTLEWATER
CASAMERO LAKE
WHITEHORSE LAKE
BACA/PREWITT
CIBOLA
Milan Village
Grants
Zuni Pueblo
Acomita Lake
Kayah I (NN3503054)
Carson (NN3503063)
Huerfano Turnout
HUERFANO
Dzilthnaodithle (NN3503045; Interfied with Carson/Huerfano NN-35303063 and Dzilthnaodithle Boarding School EPA-09-3534024)
Pumping Plant No. 2
REACH 22B
NAPI Turnout
REACH 21
Cutter Lateral Water Treatment Plant
Pumping Plant No. 3
ENWP Phase 3
Phase 3 Booster Station
Nageezi Turnout
Phase 2 Booster Station
Nageezi (NN3500296)
ENWP Phase 2
NAGEEZI
Counselor Turnout
Jicarilla Apache Nation Turnout
Ojo Encino North (NN3503041; Sells Water to Tse' Yi' Gai High School EPA 09-3534009 and Interfied with Former Pueblo Pintado Boarding School EPA 09-3534009)
COUNSELOR
REACH 26.2
Pueblo Pintado Turnout
PUEBLO PINTADO
Whitehorse Lake (NN3500238)
OJO ENCI
Torreon
Reach
Jicarilla (E
LYBROOK
Lybrook (NM353
Navajo Gallup Water Suppl
RECLA


Capacity: 29638-gal.
Base Elev.: 6098 ft.
Washington Pass Tank
Capacity: 108000-gal.
Base Elev.: 6954 ft.
Well 12-0705
NM 134
US 491
Phase 1: Proposed Naschitti Turnout and Chlorination Building
Phase 1: Proposed Altitude Valve
Naschitti Tank
Capacity: 120000-gal.
Base Elev.: 6153 ft.
Well 14T-535
Phase 1: Proposed 8" PVC Pipe
~ 2.10 miles (~ 11,088 feet)
Flow: 463 - 808 GPM
Bisola 3 Tank
Capacity: 10000-gal.
Base Elev.: 6292 ft.
MEXICAN SPRINGS CHAPTER
SAN JUAN CO
MC KINLEY CO
N
1.5
3
Miles

NASCHITTI CHAPTER REGIONAL SAN JUAN
LATERAL WATER PROJECT CONSTRUCTION

IGA# 609-21-F4059

APPROPRIATION REVERSION DATE: 6/30/2024

Laws 2021, Chapter 139, Section 61, FIVE HUNDRED NINETY-NINE THOUSAND DOLLARS (599,000) The agency for the department of environment project in Subsection 84 of Section 26 of Chapter 81 of Laws 2020 to acquire easements and rights of way and to plan, design and construct, including surveying and archaeological and environmental studies, water system improvements for the regional San Juan lateral water project in the Naschitti chapter of the Navajo Nation in San Juan county is changed to the Indian affairs department.

The Grantee's total reimbursements under this Agreement shall not exceed FIVE HUNDRED NINETY-NINE THOUSAND DOLLARS (599,000) which is hereinafter referred to as "Appropriation Amount."

B. In the event the Appropriation Amount in this Agreement is greater than the amount stated in the laws cited in Article I.A. above, the Grantee acknowledges and agrees that the amount stated in those laws is the maximum amount available to it under this Agreement.

In the event of a conflict between the Reversion Date and/or the purpose of the Project and/or the Reversion Date as set forth in this Agreement, and the corresponding appropriation language in the laws cited herein Article I. A., the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I. A. is referred to collectively throughout the remainder of this Agreement as the "Project Description" The Project Description includes Attachment A to this Agreement, which is incorporated by this reference as if fully set forth herein. In the event of an irreconcilable conflict between the terms of Attachment A and the other terms of this Agreement, the other terms of this Agreement shall prevail over the terms in Attachment A; provided, however, that Attachment A may limit allowable expenditures to a subset of the expenditures that would otherwise be permissible under the appropriation language.

Attachment B sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Attachment B imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment B shall prevail, in the event of irreconcilable conflict.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A AGREEMENT NUMBER	1B MOD NUMBER	2 TYPE OF AGREEMENT	3 CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4 ISSUING OFFICE

Bureau of Reclamation
Upper Colorado Region
125 South State Street. Room 8100
Salt Lake City, UT 84138-1147

5 RECIPIENT

The Navajo Nation Tribal Government
2 Miles N. of HWY 264
Window Rock, AZ 86515-0000

EIN #:	860092335	County:	01
DUNS #:	009001702	Congress Dist:	06

6 RECIPIENT PROJECT MANAGER

Jason John
Director
Navajo Nation, Department of Water Resources.
PO BOX 678
Fort Defiance, AZ 86504
(928) 729-4501 jasonjohn@navajo-nsn.gov

7A. INITIAL AGREEMENT EFFECTIVE DATE:

May 6, 2015

7B. MODIFICATION EFFECTIVE DATE:

See Block 13a.

8 COMPLETION DATE

September 30, 2020

9A PROGRAM STATUTORY AUTHORITY

Public Law 108-7 Consolidated Appropriations Resolution 2003

9B CFDA Number

15.519

10 FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11 PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient

BY: ***No Signature Required***

DATE:

13a. Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation

BY: Heidi Hansen

DATE: 9/17/2019

12b NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER

N/A

13b. NAME OF GRANTS OFFICER

Heidi Hansen
801-524-3760
heidihansen@usbr.gov

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Tohatchi Connection – Phase 1

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Tohatchi Connection – Phase 1 ($9,480,000.00)**

  The Tohatchi Connection – Phase 1 (see Figure 9) includes a scope, budget, and schedule to design and construct a dedicated 11.28-mile, 10-inch diameter PVC pipeline from the discharge side of Pumping Plant No. 7 of the Navajo-Gallup Supply transmission pipeline to the existing Tohatchi Tank (see red line on Figure 10). This project also includes a chlorination building and a flow control valve. The flow control valve will limit the flow impacts to users downstream if the connection line were to break. The pipeline will parallel NSR 9 west until it reaches Highway 491. The pipeline will then parallel Highway 491 north for approximately 7.6 miles, then head northwest to the Tohatchi tank. At the end of the pipeline where it connects into the Tohatchi tank, an altitude valve would be installed to control the tank level.

  A dedicated Tohatchi Connection will provide Project water to approximately 2,500 residents of Tohatchi and Mexican Springs Chapters. Water consumption in the Tohatchi Area is expected to increase. Therefore, an additional reliable source is required to meet future water demands due to population growth and economic development. Currently, the Tohatchi and Mexican Springs Chapters rely on only four groundwater wells that continue to decline in production since their construction in 1959 to 1985. The preferred solution to this issue is to connect the existing Tohatchi and Mexican Water systems to the San Juan Lateral.

  Since 2020, the Tohatchi Chapter has prioritized this project as No. 4 on their New Mexico ICIP as the Regional San Juan Lateral Water Project. As a result, the Tohatchi Chapter has been awarded funding through 2020 Tribal Infrastructure Fund ($593,245) and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Sanostee Chapter with their efforts.

  FUNDING AND COST ESTIMATE:

Total Design Costs -	$2,595,621.00
Cost-share contributions	($ 693,245.00)
Remaining Costs for Design	$1,902,376.00
Total Construction Costs	$7,577,624.00
TOTAL FUNDING SHORTFALL	**$9,480,000.00**

  TIMELINE:

  2020-2028

Navajo-Gallup Water Supply Project
Mexican Springs Connection – Phase 2

Project Descriptions:

The Connection Plan Projects include design and construction of (continued):

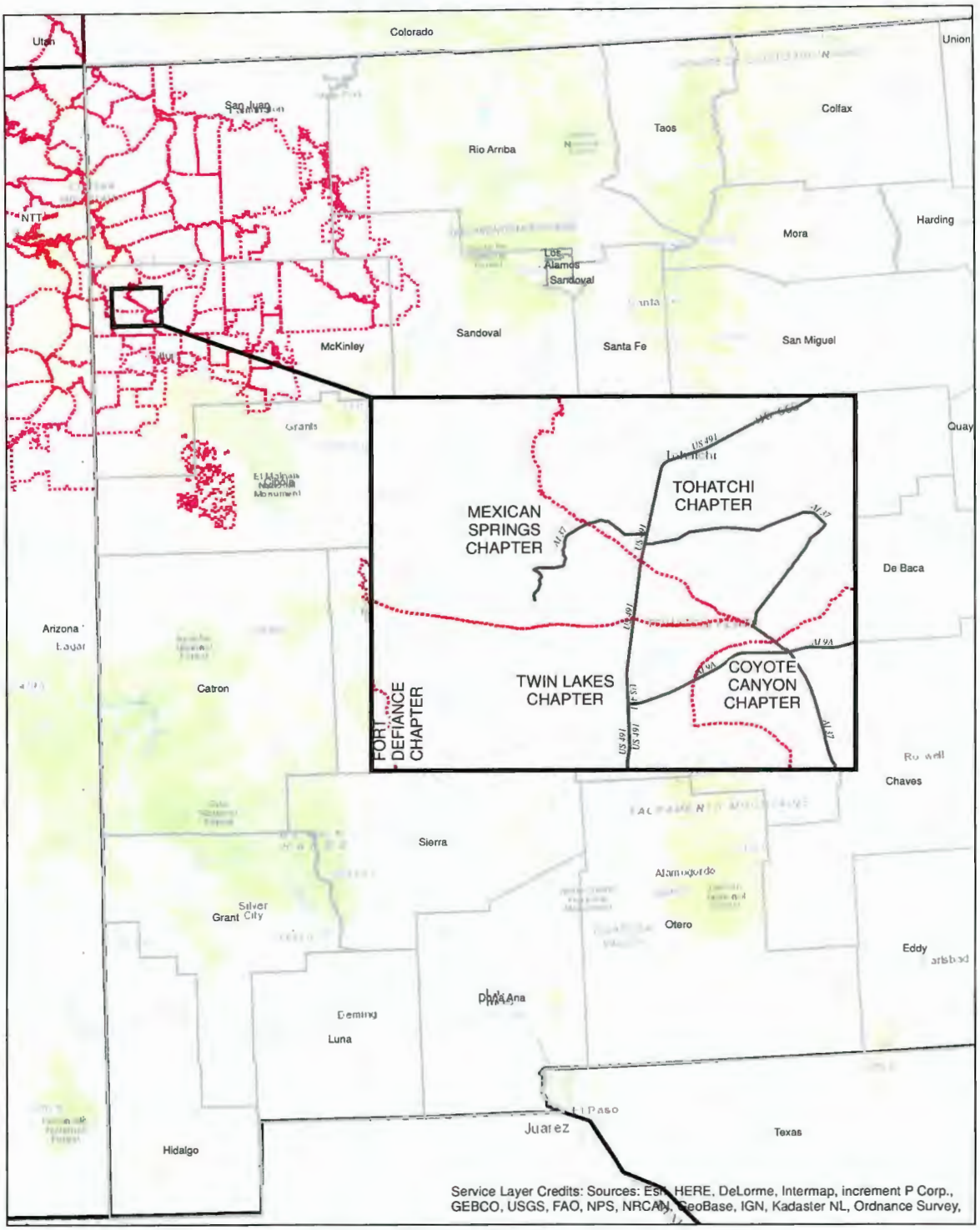
- **Mexican Springs Connection – Phase 2 ($2,020,000.00)**
  The Mexican Springs Connection (see Figure 9) is the second phase of the Tohatchi Connection – Phase 1 project. The Mexican Springs Connection includes a scope, budget, and schedule to design and construct a dedicated 3.81-mile, 8-inch diameter PVC pipeline (see orange line on Figure 10). The transmission line would begin by teeing off the Phase 1 Connection pipeline to Tohatchi tank at the NSR 30 and Highway 491 intersection. The pipeline will parallel the NSR 30, ISR 9503, and NSR 37 roads westward to the Mexican Springs East tank. At the end of the pipeline where it connects into the Tohatchi Tank, an altitude valve would be installed to control the tank level. A Supervisory Control and Data Acquisition (SCADA) and telemetry system to monitor tank level, flow meters, and chlorine gas scales.
  Since 2020, the Mexican Springs Chapter has prioritized this project as No. 5 on their New Mexico ICIP as the Regional San Juan Lateral Water Project (See Appendix A). As a result, the Mexican Springs Chapter has been awarded funding through 2020 Capital Outlay ($799,000) and a shared funding with Tohatchi Chapter through the 2003 Federal Consolidation Appropriations. See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Mexican Springs Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$ 775,833.00
Cost-share contributions	($799,000.00)
Remaining Costs for Design	- 0 -
Total Construction Costs	$2,020,000.00
TOTAL FUNDING SHORTFALL	**$2,020,000.00**

TIMELINE:

2020-2028



San Juan Lateral Connection Plan - Tohatchi and Mexican Springs Chapters

Figure 9: Project Location Map

0 12.5 25 50 75 100 Miles

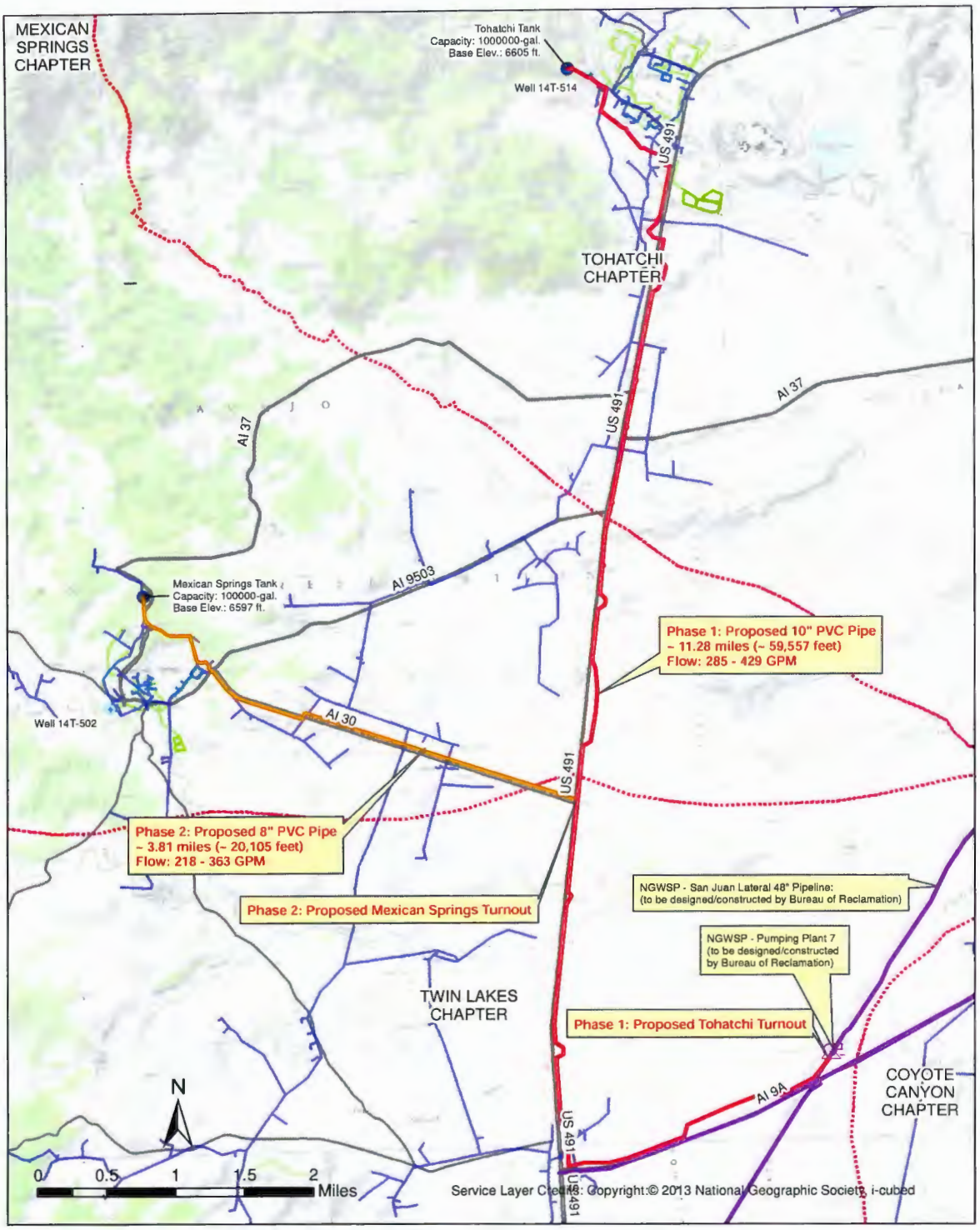
Legend

- State Roads
- Chapter Boundaries
- County Boundaries

N

Note: Alignments are preliminary and are subject to change

Souder, Miller & Associates
Engineering • Environmental • Surveying



San Juan Lateral Connection Plan - Tohatchi and Mexican Springs Chapters

Figure 10: Alternative #3 - Non-Urban Pipeline Alignment
(Phase 1 and Phase 2) Map

Legend

- Roads
- Existing NTUA Storage Tank
- Existing NTUA Well
- Existing NTUA Waterlines
- Existing NTUA Sewer Lines
- NGWSP - San Juan Lateral 48" Pipeline (Planned)
- Phase 1: New 10" PVC Transmission Line to Tohatchi Tank
- Phase 2: New 8" PVC Transmission Line to Mexican Springs Tank

Note: Alignments are preliminary and are subject to change

Souder, Miller & Associates
Engineering • Environmental • Surveying

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 3, 2021

TRANSMITTAL

TO : *James Adakai, Program Manager II*
Capital Project Management Department (CPMD) / DCD

FROM : _____
Cordell Shortey / Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : *Tohatchi Chapter Regional Water Project K203038*

I. **Information on Contract (per Original Award):**

Tohatchi Chapter Regional Water Project		NM IAD Funding Agency	State of NM CFDA No. - Federal
609-20-TF02 Grant No.	*$ 593,245.00* Amount	*2020* Fiscal Year	*1/12/21 - 1/12/24 (36 mos.)* Term - Begin and End Date

II. **Data Entered in FMIS Regarding:**

✔ New Contract or Grant Company No. *4959* Business Unit (K#) *K203038*
Contract Mod No. _____

Amt of Award _____ _____ (AMOUNT) _____ (FROM) to _____ (TO)

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

✔ Contract / Agreement - Date executed 01/12/21
NNC / Committee Resolution - No. & Date _____
Other, specify: _____

III. **Comments by CGS:**

Pursuant to FY 2021 NN BIM, Appendix L, Section VII.C. and D., Grant Agreement (Award) is sufficient therefore authorized for implementation. The award continues to be subject to the requirements to monitor award to ensure compliance and expeniditures. CPMD needs to take appropiate action to submit award and budget in a timely manner. CPMD submittal at hand is very untimely. The 164 (B) Review on Doc. No. 015387 was initiated by Division on 10/28/20 and final surname on 4/15/21 by DOJ.

RECEIVED
MAY - 4 2021
CPMD

Attachment
Copy: Contract files
Contract Accounting / DPM / Division Director

Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

MEXICAN SPRINGS CHAPTER REGIONAL
SAN JUAN LATERAL WATER PROJECT

IGA# 609-21-F4037

APPROPRIATION REVERSION DATE: 6/30/2024

Laws 2021, Chapter 139, Section 39, SEVEN HUNDRED SEVENTY-NINE THOUSAND DOLLARS (779,000). The agency for the department of environment project originally authorized in Subsection 12 of Section 66 of Chapter 81 of Laws 2020 to acquire easements and rights of way and to plan, design and construct water system improvements, including surveying and archaeological and environmental studies, for the regional San Juan lateral water project for the Mexican Springs chapter of the Navajo Nation in McKinley county is changed to the Indian affairs department.

The Grantee's total reimbursements under this Agreement shall not exceed SEVEN HUNDRED SEVENTY-NINE THOUSAND DOLLARS (779,000) which is hereinafter referred to as "Appropriation Amount."

B. In the event the Appropriation Amount in this Agreement is greater than the amount stated in the laws cited in Article I.A. above, the Grantee acknowledges and agrees that the amount stated in those laws is the maximum amount available to it under this Agreement.

In the event of a conflict between the Reversion Date and/or the purpose of the Project and/or the Reversion Date as set forth in this Agreement, and the corresponding appropriation language in the laws cited herein Article I. A., the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I. A. is referred to collectively throughout the remainder of this Agreement as the "Project Description" The Project Description includes Attachment A to this Agreement, which is incorporated by this reference as if fully set forth herein. In the event of an irreconcilable conflict between the terms of Attachment A and the other terms of this Agreement, the other terms of this Agreement shall prevail over the terms in Attachment A; provided, however, that Attachment A may limit allowable expenditures to a subset of the expenditures that would otherwise be permissible under the appropriation language.

Attachment B sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Attachment B imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment B shall prevail, in the event of irreconcilable conflict.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A AGREEMENT NUMBER	1B MOD NUMBER	2 TYPE OF AGREEMENT	3 CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4 ISSUING OFFICE

Bureau of Reclamation
Upper Colorado Region
125 South State Street. Room 8100
Salt Lake City, UT 84138-1147

5 RECIPIENT

The Navajo Nation Tribal Government
2 Miles N. of HWY 264
Window Rock, AZ 86515-0000

EIN #	860092335	County:	01
DUNS #	009001702	Congress Dist.	06

6 RECIPIENT PROJECT MANAGER

Jason John
Director
Navajo Nation, Department of Water Resources.
PO BOX 678
Fort Defiance, AZ 86504
(928) 729-4501 jasonjohn@navajo-nsn.gov

7A INITIAL AGREEMENT EFFECTIVE DATE

May 6, 2015

7B. MODIFICATION EFFECTIVE DATE:

See Block 13a.

8 COMPLETION DATE

September 30, 2020

9A PROGRAM STATUTORY AUTHORITY

Public Law 108-7 Consolidated Appropriations Resolution 2003

9B CFDA Number

15.519

10 FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11 PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient

BY ***No Signature Required***

DATE

13a Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation

BY Heidi Hansen

DATE 9/17/2019

12b NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER

N/A

13b NAME OF GRANTS OFFICER

Heidi Hansen
801-524-3760
heidihansen@usbr.gov

Modification Template
(03/2019)

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Coyote Canyon Connection

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Coyote Canyon Connection – ($3,470,000.00)**
  The Coyote Canyon Connection has been awarded through 2020 New Mexico Capital Outlay ($300,00) and the 2020 Tribal Infrastructure Fund ($2,786,781). See total Cost-share contributions below and ARPA funds are not required at this time. See Figure 13 for proposed project alignment.

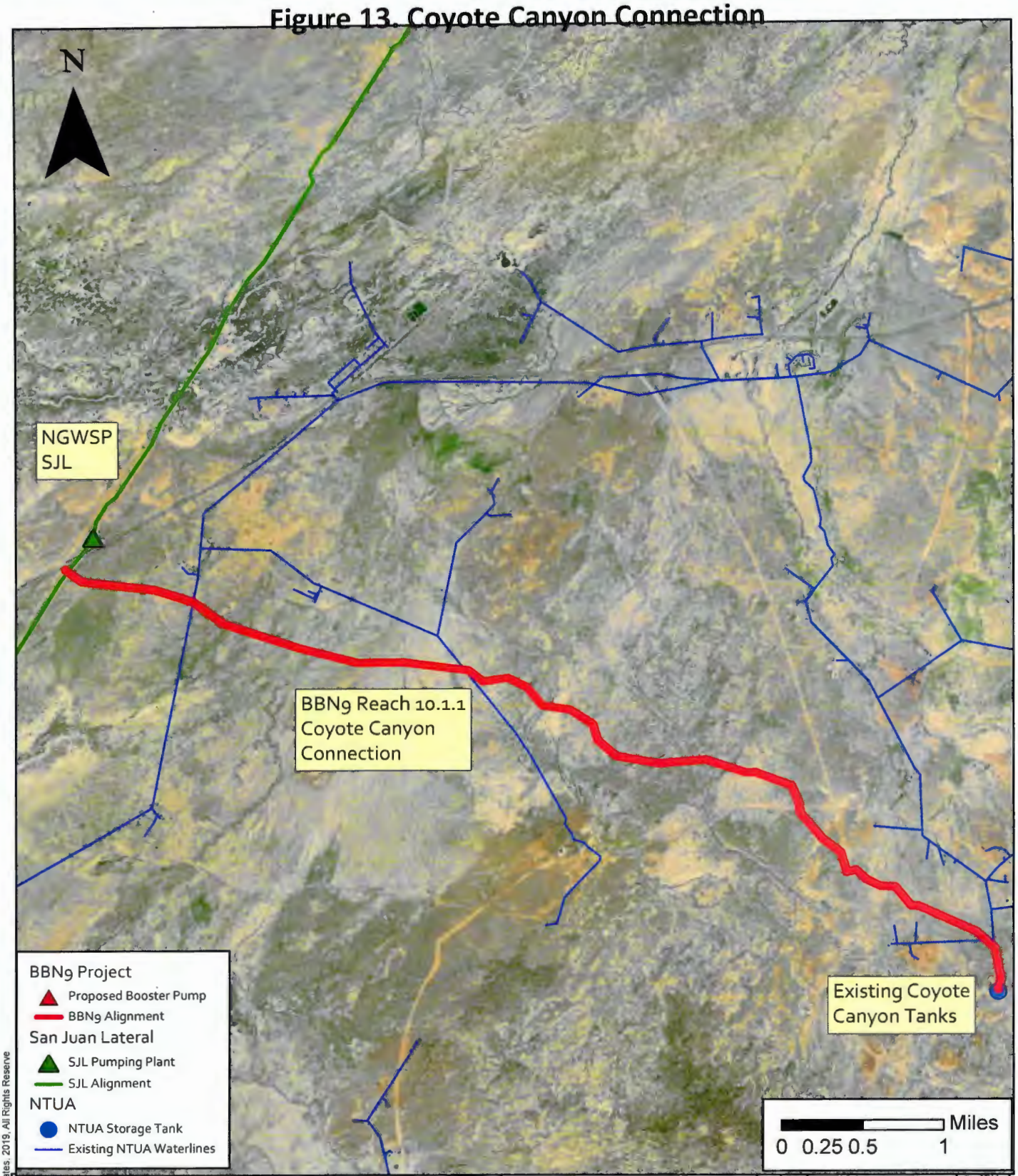
  FUNDING AND COST ESTIMATE:

Cost-share contributions	($3,086,781.00)
TOTAL FUNDING SHORTFALL	**-0-**

  TIMELINE:

  2020-2028

Figure 13. Coyote Canyon Connection



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Designed	Drawn	Checked
	EAS	

Date 2/12/2020

Scale: Horz - 1" = Vert -

Project No PRJ #

Sheet 1 of 1

PRELIMINARY

NOT FOR CONSTRUCTION

THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED.

Coyote CanyonNavajo Chapter

NGWSP BBN9 Reach 10.1.1
Coyote Canyon Chapter Connection

SMA
Souder, Miller & Associates
Serving the Southwest & Rocky Mountains
5454 Venice Ave NE Suite D,
Albuquerque, NM 87113
Phone: (505) 299-0942

Rev #	Date	Description	By	Chkd

Sources: ESRI, Souder, Miller & Associates

P:\6-Beacon Bisti N9 Water Line (6922268)\GIS\ArcGIS

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

March 25, 2021

TRANSMITTAL

TO : *James Adakai, Acting Program Manager II*
Capital Project Management Department (CPMD) / DCD

FROM : _____
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : *NM IAD Coyote Canyon Chapter Beacon-Bisti Water Project K203032*

I. Information on Contract (per Original Award):

Coyote Canyon Chapter Beacon-Bisti Water Project		NM IAD Funding Agency	State of NM CFDA No. - Federal
609-20-E3266 Grant No.	$ 300,000.00 Amount	2020 Fiscal Year	11/12/20 - 6/30/24 Term - Begin and End Date

II. Data Entered in FMIS Regarding:

☑ New Contract or Grant Company No. 4937 Business Unit (K#) K203032
☐ Contract Mod No. _____
☐ Amt of Award _____ (AMOUNT) _____ (FROM) to _____ (TO)
☐ Budget Period - Extend End Date: From _____ To _____
☐ Other, specify: _____

Authorizing Document - Attached:

☑ Contract / Agreement - Date executed 11/12/20
☐ NNC / Committee Resolution - No. & Date _____
☐ Other, specify: _____

III. Comments by CGS:

Pursuant to FY 2021 NN BIM, Appendix L, Section VII.C. and D., Grant Agreement (Award) is sufficient therefore authorized for implementation. The award continues to be subject to the requirements to monitor award to ensure compliance and expenditures. CPMD needs to take appropiate action to submit award and budget in a timely manner. CPMD submittal at hand is very untimely. The 164 (B) Review on Doc. No. 015285 was initiated by Division on 10/14/20 and final surname on 3/10/21 by DOJ.

RECEIVED
MAR 25 2021
CPMD

Attachment
Copy: Contract files
Contract Accounting / DPM / Division Director

Revised April 2018

Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

COPY

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 3, 2021

TRANSMITTAL

TO : *James Adakai, Program Manager II*
Capital Project Management Department (CPMD) / DCD

FROM : _____
Cordell Shortey, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : *Coyote Canyon Chapter Regional Water Project K203040*

I. Information on Contract (per Original Award):

Coyote Canyon Chapter Water Project		*NM IAD* Funding Agency	*State of NM* CFDA No. - Federal
609-20-TF04 Grant No.	*$ 2,786,781.00* Amount	*2020* Fiscal Year	*1/12/21 - 1/12/24 (36 mos.)* Term - Begin and End Date

II. Data Entered in FMIS Regarding:

✔ New Contract or Grant Company No. *4961* Business Unit (K#) *K203040*

Contract Mod No. _____

Amt of Award _____ (AMOUNT) _____ (FROM) to _____ (TO)

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

✔ Contract / Agreement - Date executed 01/12/21

NNC / Committee Resolution - No. & Date _____

Other, specify: _____

III. Comments by CGS:

Pursuant to FY 2021 NN BIM, Appendix L, Section VII.C. and D., Grant Agreement (Award) is sufficient therefore authorized for implementation. The award continues to be subject to the requirements to monitor award to ensure compliance and expeniditures. CPMD needs to take appropiate action to submit award and budget in a timely manner. CPMD submittal at hand is very untimely. The 164 (B) Review on Doc. No. 015475 was initiated by Division on 11/10/20 and final surname on 4/15/21 by DOJ.

RECEIVED
MAY – 4 2021
CPMD

Attachment
Copy: Contract files
Contract Accounting / DPM / Division Director

Revised April 2018

Navajo-Gallup Water Supply Project
Rock Springs & Tsayatoh Connection

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Rock Springs/Tsayatoh Connection – ($2,590,000.00)**
  The Rock Springs and Tsayatoh Connection (see Figure 13) includes a scope, budget, and schedule to design and construct a dedicated 1.22-mile, 8-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Rock Springs #1 and #2 Tanks, construct new 261,000-gallon and 206,000-gallon water storage tanks, a gas chlorination facility, a hydropneumatic surge tank, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see Figure 14). This connection would allow a flow rate of approximately 584 - 1,418 gallons per minute of project water from the San Juan River. The flow rate would depend on whether the Navajo-Gallup pipeline pumping plant is active or not. Project water will be conveyed to the Tsayatoh Chapter through the existing distribution pipelines.

  A dedicated Rock Springs and Tsayatoh Connection will provide Project water to approximately 1,620 and 920 residents of Rock Springs and Tsayatoh Chapters, respectively. The Rock Springs and Tsayatoh Chapters rely on groundwater wells that are currently producing approximately 14% less water than when originally constructed. The water production decline in the wells is due to aquifer depletion or well fatigue. It has been reported that the wells have issues with odors, which is suspected to be Hydrogen Sulfide. The preferred solution to this issue is to connect the existing Rock Springs water distribution system to the San Juan Lateral.

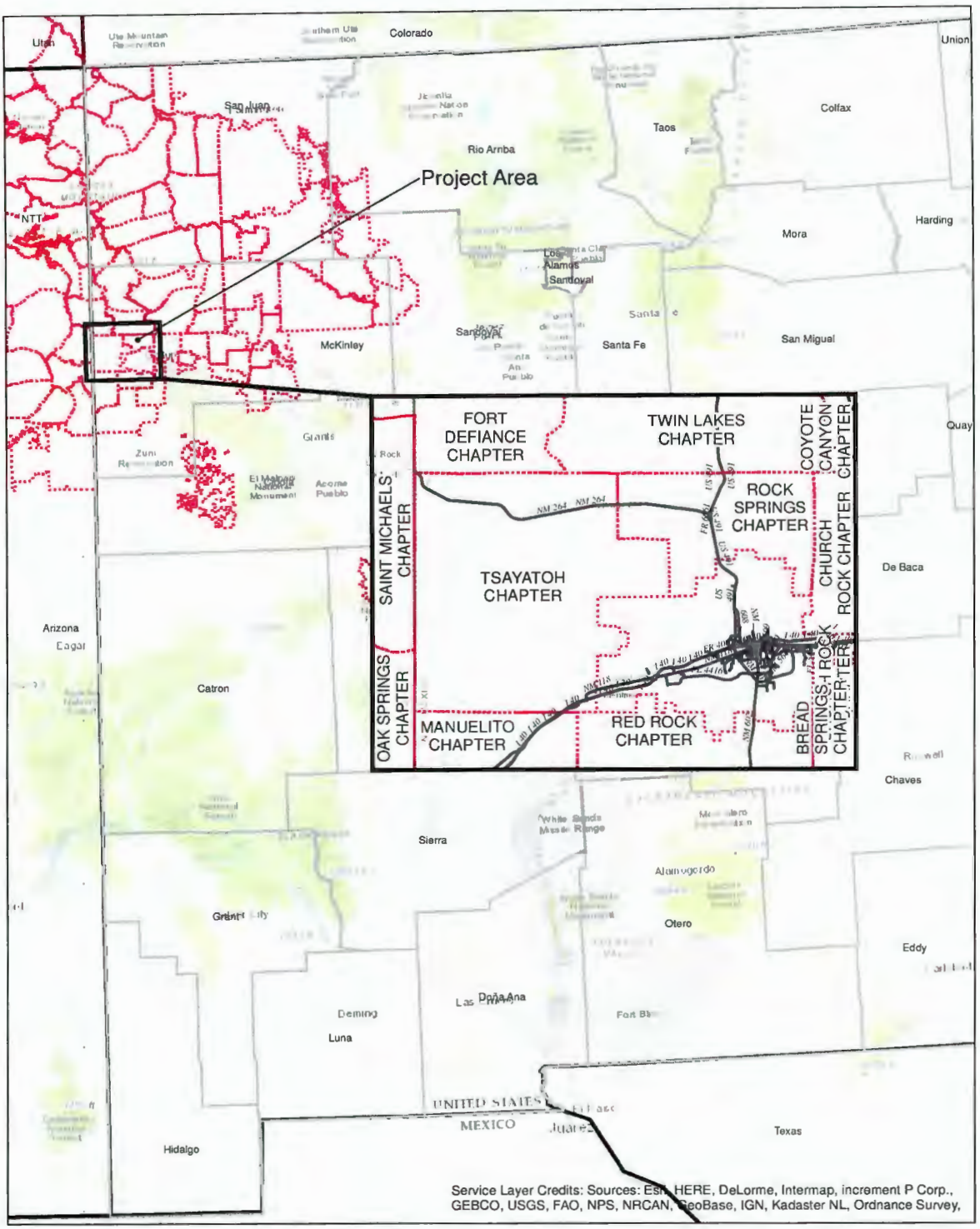
  Since 2020, the Rock Springs and Tsayatoh Chapters have prioritized this project as No. 3 on their New Mexico ICIP as the Regional Navajo Code Talker Lateral Water Project (Appendix A). Since their participation, the Rock Springs Chapter has been awarded funding through the 2021 Tribal Infrastructure Fund ($281,516) and the 2003 Federal Consolidation Appropriations ($100,000). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Rock Springs Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$764,989.00
Cost-share contributions	($381,516.00)
Remaining Costs for Design	$383,473.00
Total Construction Costs	$2,206,527.00
TOTAL FUNDING SHORTFALL	**$2,590,000.00**

TIMELINE:

2020-2028



San Juan Lateral Connection Plan - Rock Springs and Tsayatoh Chapters

Figure 13: Project Location Map

Legend

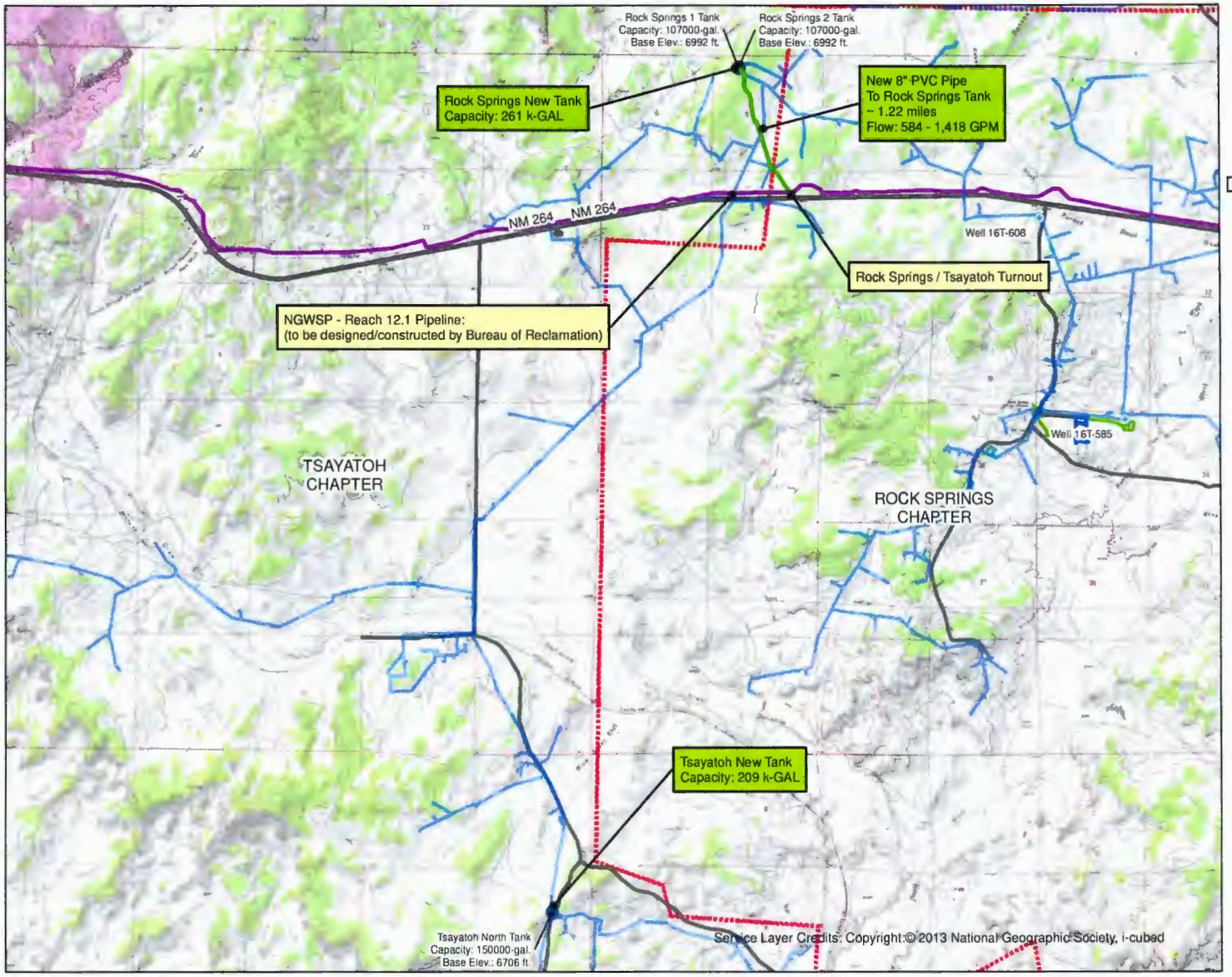
- State Roads
- Chapter Boundaries
- County Boundaries

0 12.5 25 50 75 100 Miles

N

Note: Alignments are preliminary and are subject to change

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San Juan Lateral Connection Plan
Rock Springs and Tsayatoh Chapters

Figure 14: Alternative #4
Dedicated Transmission Line Map

Legend

- Roads
- Existing NTUA Storage Tank
- Existing NTUA Well
- Existing NTUA Waterlines
- Existing NTUA Sewer Lines
- NGWSP - Reach 12.1 (Planned)
- New 8" PVC Transmission Line
- Chapter Boundaries

1 0 1 Miles

N

SMA
Souder, Miller & Associates
Engineering • Environmental • Surveying

Note: Alignments are preliminary and are subject to change

From: Kahawai, Chandler, IAD
To: Jonathan Nez
Cc: Pearl Yellowman; James Adakai; Arlene L. Calamity; Tammy Tso; Marie B. Begay
Subject: 2021 TIF Project Presentations
Date: Friday, June 4, 2021 6:19:22 PM
Attachments: 4. Coyote Canyon Chapter.pptx
Draft TIF Mtg Agenda June 18 2021.pdf
Importance: High

Good afternoon President Nez,

On behalf of the Tribal Infrastructure Board I am inviting the Navajo Nation to present on projects submitted during the 2021 TIF Application period.

The TIF Board Meeting will be Friday, June 18, 2021 @ 9:00am via Zoom Video Conference (See below)

Project Managers:

Please provide me with any presentation materials (PowerPoint, Word Doc, PDF, excel, etc.) by no later than Wednesday, June 16, 2021

I have included a sample PowerPoint presentation from last year for reference if you so choose to utilize this format (see attached).

Please include in your presentation, contingency plans, options, functional phases, etc. should total funding requested not be available for your project as the total amount of funds is limited.

Projects will be presented in the order they are listed on the attached draft agenda

Below are the following projects:

#	Tribe	Project Name	Project Type	Funds Requesting
1	Standing Rock Chapter	Tse'ii'ahi' Waterline Extensions	Design	$467,865.00
2	Newcomb Chapter	Regional San Juan Lateral Water Project – Newcomb Chapter Connection	Design	$369,528.00
3	Sheep Springs Chapter	Regional San Juan Lateral Water Project	Design	$315,078.00
4	Tohajiilee Chapter	Tohajiilee - Albuqerque water supply line	Construction	$3,994,619.10
5	Rock Springs Chapter	Rock Spring Chapter Navajo Code Talkers Lateral	Design	$281,516.00
6	Crownpoint Chapter	Regional Beacon Rock NM Lateral Water Supply Project., aka NRWSP Reach 10.1/2/3	Construction	$2,613,482.00

Indian Affairs is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://zoom.us/j/97255102635?pwd=U3RIM3M4SWV3OFgxVGEwczZveHptZz09

Meeting ID: 972 5510 2635
Passcode: 455029
One tap mobile
+12532158782,,97255102635# US (Tacoma)
+13462487799,,97255102635# US (Houston)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
Meeting ID: 972 5510 2635
Find your local number: https://zoom.us/u/af1giN4IS

Thank you,

Chandler Kahawai, CPO
Chief Financial Officer
Acting ASD/HR Manager
Capital Outlay & TIF Administrator
New Mexico Indian Affairs Department
2600 Cerrillos Road | Santa Fe, NM 87505
Phone: (505) 476-1600
Email: chandler.kahawai@state.nm.us
Website: www.iad.state.nm.us

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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT

1A AGREEMENT NUMBER	1B MOD NUMBER	2 TYPE OF AGREEMENT	3 CLASS OF RECIPIENT
R15AC00001	005	☐ GRANT ☒ COOPERATIVE AGREEMENT	Tribal Government

4 ISSUING OFFICE	5 RECIPIENT
Bureau of Reclamation Upper Colorado Region 125 South State Street. Room 8100 Salt Lake City, UT 84138-1147	The Navajo Nation Tribal Government 2 Miles N. of HWY 264 Window Rock, AZ 86515-0000

EIN #:	860092335	County:	01
DUNS #:	009001702	Congress Dist.	06

6 RECIPIENT PROJECT MANAGER	7A INITIAL AGREEMENT EFFECTIVE DATE:	7B. MODIFICATION EFFECTIVE DATE:
Jason John Director Navajo Nation, Department of Water Resources. PO BOX 678 Fort Defiance, AZ 86504 (928) 729-4501 jasonjohn@navajo-nsn.gov	May 6, 2015	See Block 13a.

8 COMPLETION DATE

September 30, 2020

9A PROGRAM STATUTORY AUTHORITY	9B CFDA Number
Public Law 108-7 Consolidated Appropriations Resolution 2003	15.519

10 FUNDING INFORMATION	NON-FEDERAL	RECLAMATION	TOTAL PROJECT COSTS
Total Estimated Amount of Agreement	$0.00	$999,983.00	$999,983.00
This Obligation	$0.00	$0.00	$0.00
Previous Obligation	$0.00	$0.00	$0.00
Total Obligation	$0.00	$999,983.00	$999,983.00

11 PROJECT TITLE

Development of Preliminary Engineering Reports (PERS) for Selected Connection Plans Associated with Navajo-Gallup Water Supply Project (NGWSP)

12a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient	13a. Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Department of the Interior, Bureau of Reclamation
BY ***No Signature Required***	BY Heidi Hansen
DATE	DATE 9/17/2019
12b. NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER N/A	13b. NAME OF GRANTS OFFICER Heidi Hansen 801-524-3760 heidihansen@usbr.gov

A. PURPOSE OF THIS MODIFICATION:

Extend the completion date of the agreement from September 30, 2019 to September 30, 2020. The recipient requested an extension to the agreement to allow completion of reviews and comments from outside agencies (such as Indian Health Services and the Bureau of Reclamation) in order to finalize all Preliminary Engineering Reports and Water Age Models.

This shall be the last time extension approved under this agreement and will not extend past September 30,2020.

This is a unilateral administrative action and does not require a signature from the recipient.

All other terms and conditions remain unchanged.

B. ADJUSTMENT TO COMPLETION DATE:

As a result of this modification, the period of performance is changed from May 6, 2015 through September 30, 2019 to May 6, 2015 through September 30, 2020.

Navajo-Gallup Water Supply Project
Standing Rock Connection

Project Descriptions:

The Connection Plan Projects include design and construction of:

- **Standing Rock Connection – ($3,470,000.00)**
  The Standing Rock Connection (see Figure 11) includes a scope, budget, and schedule to design and construct a dedicated 4.12-mile, 6-inch diameter PVC pipeline from the Navajo-Gallup Supply transmission pipeline to the Standing Rock South and North Tank sites, a gas chlorination facility, a 150 gallon per minute pump station, and a Supervisory Control and Data Acquisition (SCADA) remote telemetry unit (see Figure 12). The system is designed to run by gravity to the Standing Rock North Tank at a design flowrate of 225 gallons per minute. The system will require a pump station to convey 150 gallons per minute of water to the Standing Rock South Tank.

  A dedicated Standing Rock Connection will provide Project water to approximately 833 residents of Standing Rock Chapter. Currently, Standing Rock Chapter relies on a sole groundwater well within the Chapter boundaries that produces enough water to meet the Chapter's demands. The Standing Rock Chapter water system is not inter-tied to neighboring water systems which means that there is no backup water source. In the event that the Standing Rock well goes down, the Chapter will be without water. The preferred solution to this issue is to connect the existing Standing Rock water distribution system to the Beacon Bisti N9 lateral of the Navajo-Gallup Supply project.

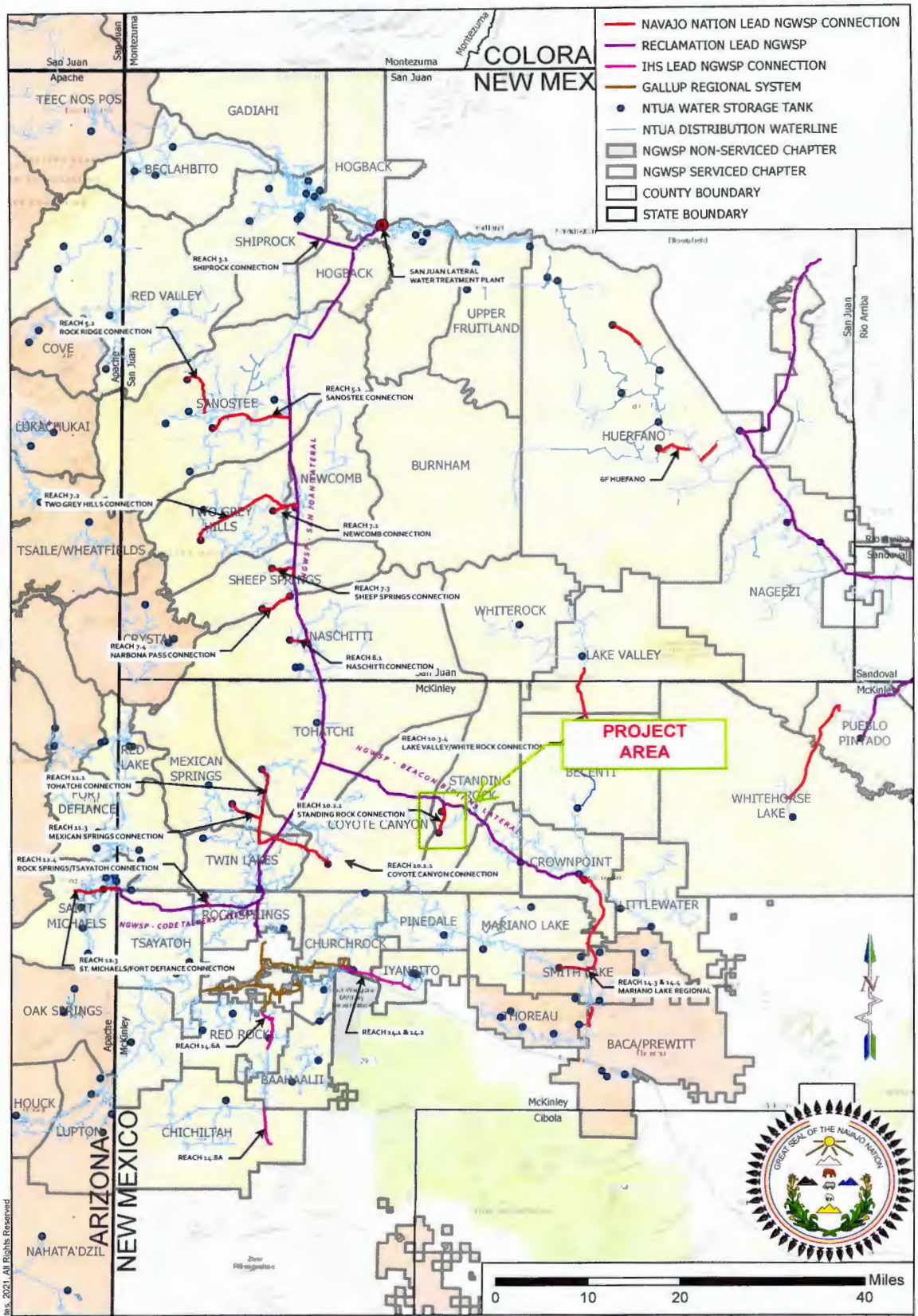
  Since 2020, the Standing Rock Chapter has placed this project on their New Mexico ICIP as priority 1, titled the Regional Beacon Bisti N9 Lateral Water Project (see Appendix A). Since their participation, the Coyote Canyon Chapter has been awarded through 2020 New Mexico Capital Outlay ($275,000) and the Federal Consolidation Appropriations 2018 (see total Cost-share contributions below). See total Cost-share contributions below. The Department of Water Resources – Water Management Branch is the lead agent and continues to assist Sanostee Chapter with their efforts.

FUNDING AND COST ESTIMATE:

Total Design Costs -	$862,114.00
Cost-share contributions	($585,125.00)
Remaining Costs for Design	$276,989.00
Total Construction Costs	$3,193,011.00
TOTAL FUNDING SHORTFALL	**$3,470,000.00**

TIMELINE:

2020-2028



Designed	Drawn: TT	Checked
Date: 8/23/2021		
Scale: 1" = 10 Miles (11x17)		
Project No: PR.#		
Sheet: 1 OF 1		

PRELIMINARY
NOT FOR CONSTRUCTION
THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED SIGNED AND DATED

NAVAJO NATION NAVAJO NATION

FIGURE 11:
NAVAJO CHAPTERS CONNECTION PLANS
NAVAJO GALLUP WATER SUPPLY PROJECT

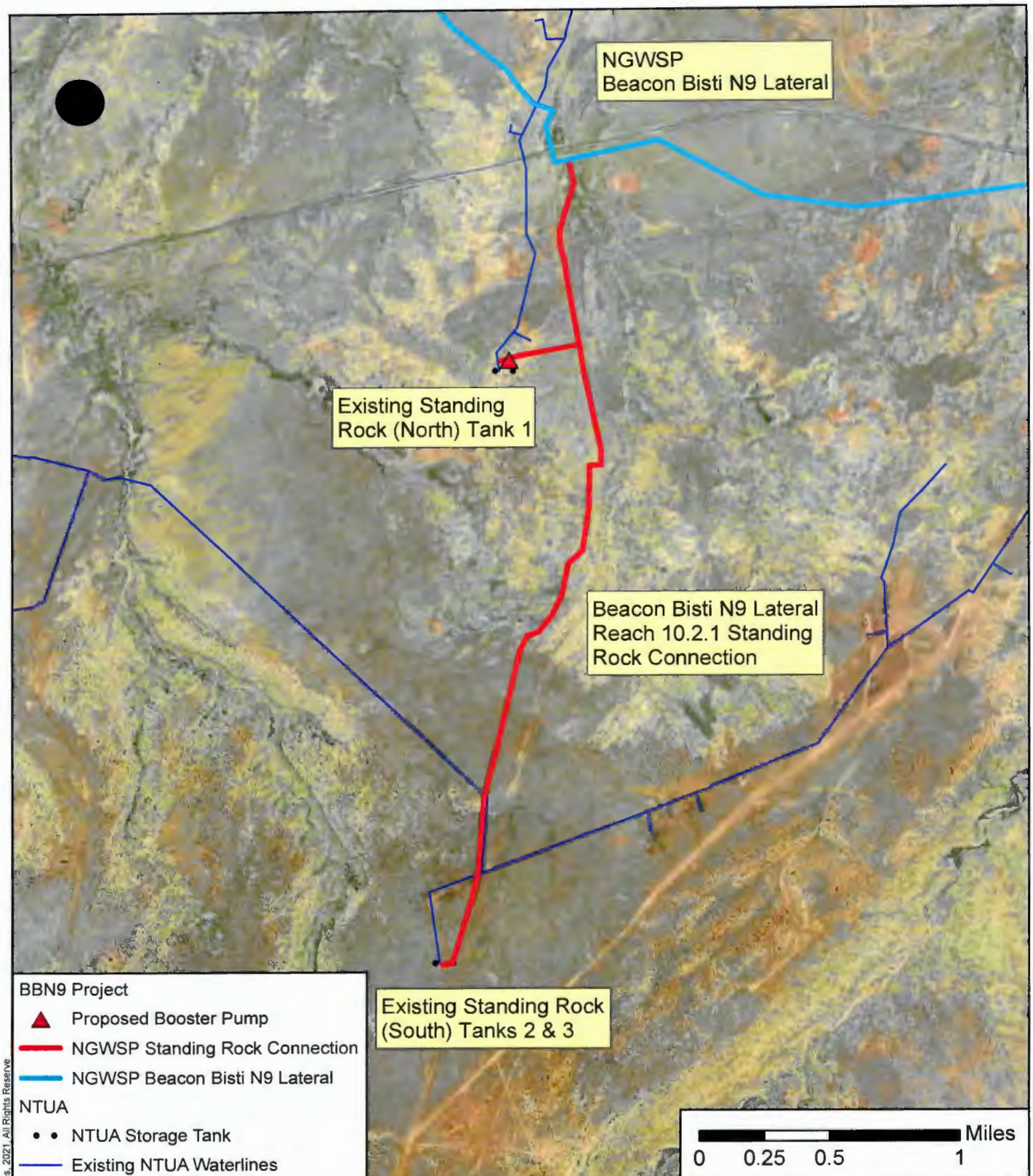
SMA
Serving the Southwest & Rocky Mountains
5454 Venice Ave NE Suite D, Albuquerque, NM 87113
Phone: (505) 299-0942

Rev #	Date	Description	By	Chkd

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Sources: ESRI, Souder, Miller & Associates

P:\6-San Juan Lateral Connection Plans\GIS\ArcPro



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Designed	Drawn	Checked
	EAP	

Date 8/23/2021

Scale Horiz. - 1" = 0.5 Miles (8.5x11)
Vert. -

Project No. 6922268

Sheet 1 of 1

PRELIMINARY

NOT FOR CONSTRUCTION

THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED

STANDING ROCK NAVAJO CHAPTER

FIGURE 12:
NGWSP BBN9 REACH 10.2.1
STANDING ROCK
CHAPTER CONNECTION

SMA
Souder, Miller & Associates
Serving the Southwest & Rocky Mountains
5454 Venice Ave NE Suite D,
Albuquerque, NM 87113
Phone: (505) 299-0942

Rev#	Date	Description	By	Chkd

Sources: ESRI, Souder, Miller & Associates

P:\6-Beacon Bisti N9 Water Line (6922268)\GIS\ArcGIS

TSE'II'AHI' CHAPTER BEACON BISTI
N9 LATERAL WATER PROJECT CONNECTION

IGA# 609-21-F4040

APPROPRIATION REVERSION DATE: 6/30/2024

Laws 2021, Chapter 139, Section 42, TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (275,000) The agency for the department of environment project originally authorized in Subsection 52 of Section 26 of Chapter 81 of Laws 2020 to acquire easements and rights of way and to plan, design and construct water system improvements for the regional Beacon Bisti N9 lateral water project for the Tse'ii'ahi' chapter of the Navajo Nation in McKinley county is changed to the Indian affairs department.

The Grantee's total reimbursements under this Agreement shall not exceed TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (275,000) which is hereinafter referred to as "Appropriation Amount."

B. In the event the Appropriation Amount in this Agreement is greater than the amount stated in the laws cited in Article I.A. above, the Grantee acknowledges and agrees that the amount stated in those laws is the maximum amount available to it under this Agreement.

In the event of a conflict between the Reversion Date and/or the purpose of the Project and/or the Reversion Date as set forth in this Agreement, and the corresponding appropriation language in the laws cited herein Article I. A., the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I. A. is referred to collectively throughout the remainder of this Agreement as the "Project Description" The Project Description includes Attachment A to this Agreement, which is incorporated by this reference as if fully set forth herein. In the event of an irreconcilable conflict between the terms of Attachment A and the other terms of this Agreement, the other terms of this Agreement shall prevail over the terms in Attachment A; provided, however, that Attachment A may limit allowable expenditures to a subset of the expenditures that would otherwise be permissible under the appropriation language.

Attachment B sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Attachment B imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment B shall prevail, in the event of irreconcilable conflict.

Funding Justification

Project/Entity: To'Hajiilee - Albuquerque Water Supply Line
Project Type: Surveying, Rights-of-Way and Water Rights
Date: August 26, 2021
Requested Amount: $1,875,000

Need for Project:
The To'Hajiilee Chapter is suffering an acute water crisis. Five of the chapter's six wells have failed or been abandoned due to poor water quality, inadequate production, or both. At this time, nearly 1,800 chapter members rely on a single well that produces corrosive, poor quality water. During the past 5 years, this well has failed four (4) times due to the pump burning out, leaving the entire chapter – including residents, the school, and the health clinic – without water for up to two weeks. The school and clinic both had to close during these times. Moreover, the well casing itself is corroding due the corrosive water, which could lead to total collapse. When the well collapses, the chapter will be without any water source at all for several months, unless an alternative water source can be developed beforehand.

Project Description:
The proposed To'Hajiilee Water Supply Project will provide this urgently needed water source by connecting the chapter to the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) via a new 7.2 mile 10-inch HDPE gravity pipeline. The ABCWUA will treat and convey water leased by the Navajo Nation from the Jicarilla Apache Nation (JAN) and pipe it to the Chapter. At this time, all private easements for the project have been negotiated, and the water lease has been negotiated between the Navajo Nation and JAN (execution pending requested funds).

Scope of Work, Line-Item Budget & Implementation Schedule:
The requested funds will be used for field alignment staking, legal and topographic surveying, securing capacity in upstream infrastructure, right-of-way acquisition, and water rights lease. A detailed listing of these tasks, with line-item budget costs and delivery dates, is provided below.

This project has already been awarded over $10.7 million for construction by the State of New Mexico. However, these State construction funds cannot be accessed until the tasks listed below are completed. Therefore, the requested funding will allow the Navajo Nation to leverage over $10.7 million in State funds.

Task	Scope Item	Budget	Delivery Date
Task 1:	Field Alignment Staking	$74,000	9/30/2021
Task 2:	Legal Surveying	$64,000	10/15/2021
Task 3:	Aerial Photogrammetry	$57,000	10/31/2021
Task 4:	Land Appraisals	$30,000	10/31/2021
Task 5:	Capacity Analysis of Upstream Infrastructure	$65,000	11/15/2021
Task 6:	Cost Analysis of Upstream Infrastructure	$35,000	11/15/2021
Task 7a:	Waterline Easement Acquisition – Parcel A	$43,000	12/1/2021
Task 7b:	Waterline Easement Acquisition – Parcel B	$55,000	12/1/2021
Task 7c:	Waterline Easement Acquisition – Parcel C	$740,000	12/1/2021
Task 8:	Water Supply Agreement (JAN Water Rights Lease)	$622,000	12/31/2021
Task 9:	PER Addendum (Required for State of NM construction funding)	$50,000	9/30/2021
Task 10:	Project Management	$40,000	12/31/2021
Total Funding Request:		**$1,875,000**	

Exhibits:

- Memorandum of Agreement with ABCWUA, signed by President Nez
- Chapter Supporting Resolution
- IHS Support Letter
- Project Map

MEMORANDUM OF UNDERSTANDING BETWEEN BERNALILLO COUNTY, ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY AND THE NAVAJO NATION

PREAMBLE

This Memorandum of Understanding ("MOU") is entered into with an effective date of October 6, 2020 as agreed to among the Parties by and between the County of Bernalillo ("Bernalillo County" or the "County"), a New Mexico political subdivision whose address is One Civic Plaza NW, 10th Floor, Albuquerque, New Mexico 87102; Albuquerque Bernalillo County Water Utility Authority ("Water Authority"), a New Mexico political subdivision whose address is P.O. Box 568, One Civic Plaza NW, 5th Floor, Room 5012, Albuquerque, New Mexico 87102; and the Navajo Nation ("Nation"), on behalf of its To'Hajiilee Chapter, and through its Department of Water Resources whose address is P.O. Box 678, Fort Defiance, AZ 86504. The County, Water Authority and Nation may be referred to jointly herein as the "Parties" or each individually as a "Party."

RECITALS

WHEREAS, the To'Hajiilee Chapter has had recurring potable water supply problems over a number of years that have prevented residents of To'Hajiilee from having a safe healthy and sustainable water supply from any source; and

WHEREAS, the water produced by the To'Hajiilee well does not meet potable standards; and

WHEREAS, in the last five years To'Hajiilee's well has failed three times. Each well failure results in the entire community being without water service for five to ten days; and

WHEREAS, during the times of outage To'Hajiilee's residents are forced to travel significant distances to obtain potable water; and

WHEREAS, recently the Department of Homeland Security and Emergency Management and the Albuquerque Bernalillo County Water Utility Authority have sent tanker trucks to the community for residents to line up and fill water containers for personal use; and

WHEREAS, because of the existing COVID-19 pandemic having large numbers of people congregating at a central tap to obtain drinking water could lead to increased risk of COVID-19 transmission; and

WHEREAS, because of the existing COVID-19 pandemic having large numbers of people travel to other parts of the state for purposes of obtaining water could lead to increased risk of COVID-19 transmission; and

WHEREAS, To'Hajiilee's residents are thus forced to either haul water from untreated water sources such as livestock ponds, purchase bottled water in Albuquerque, or visit neighbors to share water; and

WHEREAS, the use of non-potable water for domestic water needs can expose users to waterborne diseases and keeps residents from observing COVID safe social distancing practices; and

WHEREAS, the community's health care facility is also at risk for shutting down given the lack of a clean potable water supply; and

WHEREAS, a safe and readily available water supply is important for public health, whether it is used for sanitation, drinking, domestic use, or food production; and

WHEREAS, there is an urgent need to resolve the To'Hajiilee water crisis, which has been more acute during the COVID-19 pandemic; and

WHEREAS, the Water Authority is willing and able to treat water that is provided by the Nation and convey said water through a dedicated transmission line to the distribution system within the To'Hajiilee Chapter once easements and right-of-ways are obtained from private owners and construction is completed (the "Project"); and

WHEREAS, both water and financial resources for the Project are immediately available requiring the Parties to work together; and

WHEREAS, the County has approved proceeding with the Project and obtaining easements and rights of way by a unanimous vote of the Commissioners on April 14, 2020; and

WHEREAS, the County and the Water Authority will work with the Nation and its To'Hajiilee Chapter and Department of Water Resources to develop MOU's/MOA's (Memorandum of Agreements) or other agreements with the Nation and other Parties to this MOU to finalize all requirements for Project completion; and

WHEREAS, consistent with that Cooperative Agreement dated August 28, 2006 by and between the Navajo Nation, the Water Authority and To'Hajiillee Chapter, the Water Authority is prepared and willing to facilitate and manage the construction of the necessary infrastructure as described in this MOU but under no circumstance will the Water Authority incur any net new expenses for such construction or provide water rights for the Project; and

WHEREAS, the Project will ultimately be owned and operated by the Water Authority up to the connection with the To'Hajiilee Chapter water distribution system; and

WHEREAS, the County is prepared, upon completion of construction of the necessary infrastructure and the approval of all easements and right of ways consistent with this MOU, to grant title and easements to the Water Authority to operate and maintain the infrastructure up to the point of the To'Hajiilee Chapter distribution.

NOW THEREFORE, the County, the Water Authority and the Nation agree to the following terms and conditions:

TERMS AND CONDITIONS

The aforementioned Preamble and Recitals are incorporated herein and are given the same weight as each of the additional terms and conditions listed below.

1. The County shall be responsible for obtaining all easements from the connection point of the Water Authority's existing infrastructure to the boundary of To'Hajiilee Chapter.

2. The Nation shall supply surveys and valuations for the following easements from the connection point of the Water Authority to the boundary of To'Hajiilee Chapter:

   a. Lands of Caroline Armijo Butler, as described in attached Exhibit A;
   b. Lands of Sunset Ranch Partners, as described in attached Exhibit B; and
   c. Lands of Western Albuquerque Land Holdings, as described in attached Exhibit C.

3. As may be necessary to acquire the above identified easements, the County shall be responsible for pursuing and completing an eminent domain action, including the posting of any necessary funds, subject to reimbursement for such postings by the Nation.

4. The Water Authority will be responsible for construction of the necessary infrastructure up to the connection with the water distribution system at To'Hajiilee Chapter using the Water Authority's on-call vendors available at the time of this MOU, provided that all costs of such construction and design thereof shall be at no net expense to the Water Authority and its ratepayers.

5. The Parties agree that the Water Authority shall not provide or subsidize the funding necessary for the Project; however, the Water Authority agrees to assist in pursuing outside funding sources where available, such as the New Mexico Water Trust Board or other similar programs.

6. The Water Authority will enter into the appropriate agreement with the Nation for construction, operation and maintenance of the dedicated water line and transmission of Navajo Nation water supplied for the benefit of To'Hajiilee Chapter, which water supply will be expressly limited to meet current To'Hajiilee demands of 135,000 gallons per day and a maximum amount of 350,000 gallons per day in the next 40-year period, to be implemented on an agreed-upon schedule.

7. The Water Authority's commitment to deliver any water to To'Hajiilee Chapter under this MOU is expressly conditioned upon all such water being provided by the Navajo Nation for said delivery in a method acceptable to the Water Authority.

8. The Water Authority will be the ultimate owner of any easements obtained over private properties to accommodate the dedicated water line to convey water to To'Hajaille Chapter.

9. The Nation will be responsible for the distribution of water within To'Hajiilee Chapter.

10. The Nation, through its Department of Water Resources, will advance sums for construction, transmission and right-of-way acquisition costs using Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds, Navajo Nation budgeted appropriations, grants, or other sources of funds.

11. The Nation ensure compliance with Navajo Nation laws and other requirements.

12. All Parties will coordinate with New Mexico's Congressional delegation for federal support.

13. This MOU cannot be amended or modified except by a written instrument executed by all Parties.

14. In the event that one or more of the provisions contained in this MOU or any application thereof shall be found to be invalid, illegal or unenforceable in any respect, the validity legality and enforceability of the remaining provisions contained herein and any other application thereof shall not in any way be affected or impaired thereby.

15. By entering into this MOU, the Parties do not intend to create any right, title or interest in or for the benefit of any person or entity other than the Parties to this MOU. No person or entity shall claim any right, title or interest under this MOU or seek to enforce this MOU as a third-party beneficiary of this MOU.

WHEREFORE, the Parties hereby execute and enter into this MOU on the dates entered below, with the effective date being October 6, 2020 as agreed to by the Parties.

Albuquerque Bernalillo County Water Utility Authority

By: _____
Mark S. Sanchez, Executive Director

Navajo Nation President

By: _____
Jonathan Nez

County of Bernalillo

By: _____
Julie Morgas Baca, County Manager

Approved as to Form

_____
W. Ken Martinez, County Attorney

TO'HAJIILEE NAVAJO CHAPTER

Canoncito Band of Navajos

PO Box 3398 To'Hajiilee, New Mexico 87026
Phone: (505) 908-2732/2730 Fax: (505) 908-2731

Jimmy R. Secatero, President
Nora J. Morris, Vice-President
Francesca Abeita, Secretary/Treasurer
Evangeline Willie, Land Board
Jamie Henio, Council Delegate
Sherrilyn Apache, Community Service Coordinator
Blaire Platero, Accounts Maintenance Specialist

RESOLUTION TNC-22-02-05

RESOLUTION OF THE TO'HAJIILEE NAVAJO CHAPTER TO APPROVE AND AUTHORIZE APPLYING FOR 2021 TIF CONSTRUCTION FUNDING FOR THE TO'HAJIILEE WATER SUPPLY LINE PROJECT.

WHEREAS:

1. To'Hajiilee Navajo Chapter, also known as Canoncito Band of Navajos (CBN), is a certified government, pursuant to 26 N.N.C., Section 3 (A) of the Navajo Nation Government, as listed as 11 N.N.C., Part 1, section 10, and delegated government authority with respect to local matters consistent with Navajo Law, including customs, traditions, and fiscal matter; and

2. The To'Hajiilee Navajo Chapter is empowered, pursuant to 26 N.N.C., Section 1 (B) is vested with authority to review all matters affecting the community and to make favorable decision when necessary and make recommendation(s) to Navajo Nation and other in the best interest of the community membership for appropriate actions, and

3. The Canoncito Band of Navajos (CBN) was granted by the United States Government certain lands in New Mexico to be held trust for the Canoncito Band Navajos by the Congressional Act of August 13, 1949 and with this recognition the CBN Tribal government has provided community services to the Canoncito Band of Navajos; and

4. To'Hajiilee Chapter tribal government is currently operating and maintaining the domestic water system that serves the community, which currently does not have a reliable water supply; and

5. The To'Hajiilee Navajo Chapter is coordinating with the Navajo Nation Water Management Branch and the consultant, Souder, Miller & Associates to complete the design of a new water supply line project to serve the community system, named and

6. The To'Hajiilee Chapter has listed the To'Hajiilee water supply project as the Number One (1) Priority of the To'Hajiilee Community on its Infrastructure Capital Improvements Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The To'Hajiilee Navajo Chapter authorizes applying to the State of New Mexico's Tribal Infrastructure Fund (TIF) to provide Financial Assistance for construction of the proposed To'Hajiilee water supply project.

2. The To'Hajiilee Navajo Chapter authorizes requests be made to the Federal Government including the BIA, IHS, HUD, and USDA; the Navajo Nation's Division of Water Resources; Albuquerque-Bernalillo County Water Utility Authority; Bernalillo County and other Local Agencies to provide Technical & Financial Assistance when requested to expedite the construction of the To'Hajiilee water supply project.

CERTIFICATION

We hereby certify that this forgoing resolution was duly considered by the To'Hajiilee Chapter Membership at a duly called virtual meeting at which a quorum was present and that an approval was passed with a vote of 03 IN FAVOR, 00 OPPOSED and 00 ABSTENTION this 22nd day of February 2021. Motion by Nora J. Morris and Seconded by Francesca Abeita

President, Jimmy R. Secatero *Vice President, Nora J. Morris* *Secretary/Treasurer Francesca Abeita*

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Navajo Area
Indian Health Service
P.O. Box 9020
Window Rock, Arizona 86515-9020

February 26, 2021

Tribal Infrastructure Fund Board
New Mexico Indian Affairs Department
1220 S. St. Francis Drive
Santa Fe, NM 87505

Honorable TIF Board Members:

The Indian Health Service (IHS) Office of Environmental Health and Engineering (OEHE) is aware of the imminent public health threat facing the To'Hajiilee Chapter and the approximately 2,000 Navajo residents due to the community's inadequate water supply.

To'Hajiilee currently relies on a single well (Well #5) that is prone to failure, as explained below, which can leave the entire community without water for up to 10 days at a time while pump repairs are made. The water outages also force the community's health clinic to close. These water outages, when they occur, can pose a serious threat to public health, especially during the COVID-19 crisis. Water is necessary for residents to wash their hands and practice basic hygiene to prevent the spread of the virus.

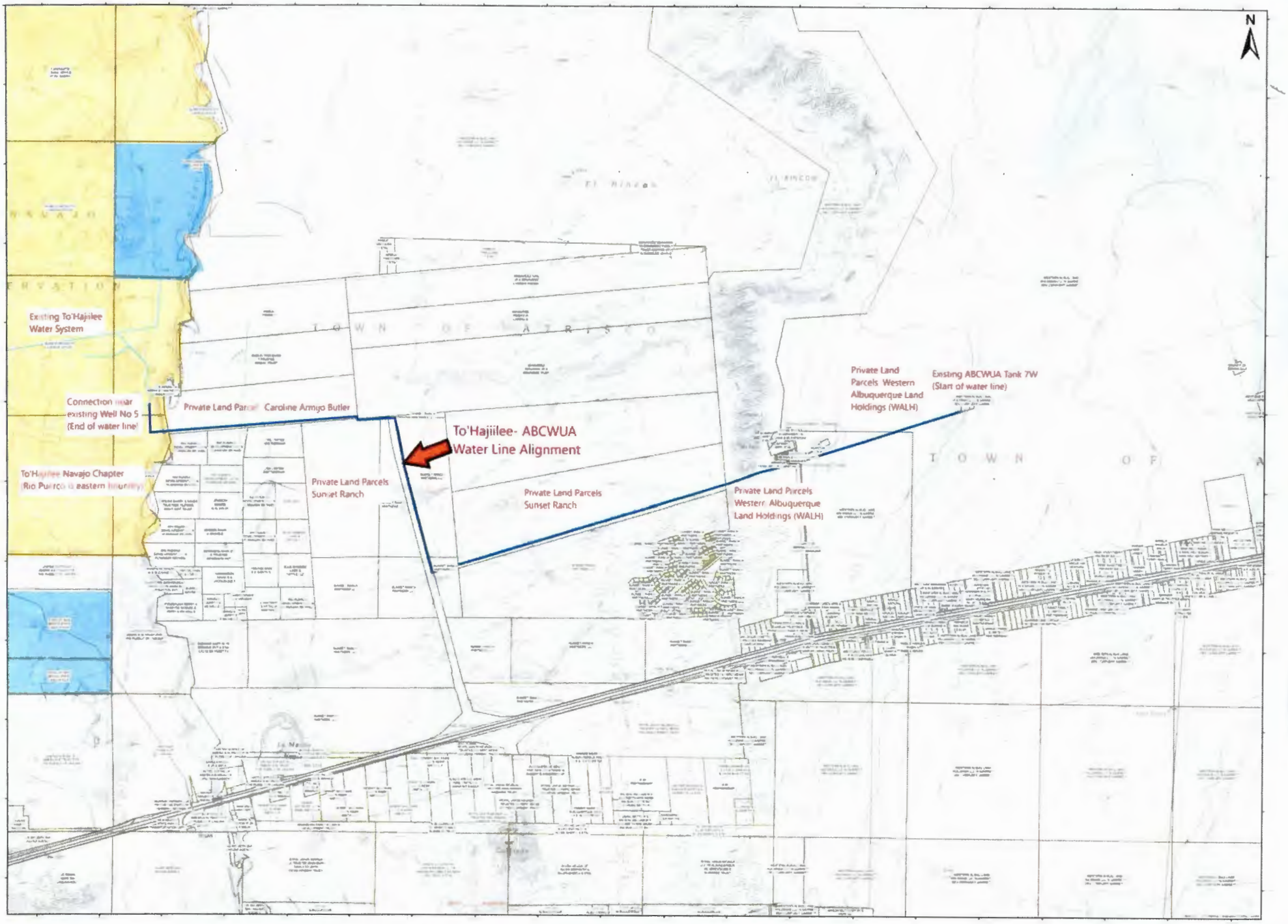
Well #5 does not provide enough water to serve the entire community. As a result, the Chapter has a waiting list of families to receive running water service to their existing homes. There are other well drilling projects currently under exploration; however, water quantity and quality is yet unknown, and these families will continue to experiencing the hardships and health risks described above on a daily basis. Well #5 is also at high risk of imminent collapse due to severe corrosion of the well casing, caused by the corrosive nature of the groundwater in the area. The Chapter's other three production wells, Wells # 1, 2 & 3, have already failed due to partial or total collapse and are now permanently off-line. The other two existing wells, Wells# 4 & 6, were never put on-line due to poor water quality and /or production. Well #5 is currently exhibiting signs of casing and drop pipe corrosion, such as pieces of rusted casing coming out of the well, which could be an indicator of imminent collapse. If Well #5 fails irreparably before a replacement water source is brought on-line, the community could be left without water or health care facilities for several months until an emergency water source can be provided.

The IHS supports any efforts to improve the public health of the people of To'Hajiilee by providing a more robust, reliable water supply for the community.

Should you have any questions regarding IHS's support for this grant application, please call me or Helena Shannon, Gallup District Engineer, at (505) 726-2510. Thank you for your consideration for this grant application.

Sincerely,

Rachael Brown, P.E., Director
Division of Sanitation Facilities Construction
Navajo Area Indian Health Service



Tohajilee - ABCWUA Water Line Project

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

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Amber Crotty (Sponsor)
24th Navajo Nation Council

Honorable Speaker Seth Damon (Co-Sponsor)
24th Navajo Nation Council

FROM: Dana Bobroff
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: October 5, 2021

SUBJECT: **AN ACTION RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $68,025,000 IN SÍHASIN FUNDS FOR THE NAVAJO NATION DEPARTMENT OF WATER RESOURCES TO COMPLETE TWELVE (12) WATER CONNECTION PROJECTS ACROSS THE NAVAJO NATION; AND APPROVING THE "2021 WATER CONNECTION PROJECTS EXPENDITURE PLAN" PURSUANT TO 12 N.N.C §§2501 – 2508**

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.

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).

Please ensure that his 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 NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0209-21__ **SPONSOR: Amber Kanazbah Crotty**

TITLE: An Action Relating to the Budget and Finance, Resources and Development, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $68,025,000 in Síhasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and Approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C §§2501-2508

***Date posted*: October 06, 2021 at 5:05 PM**

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.: 0209-21

SPONSOR: Honorable Amber Kanazbah Crotty

TITLE: An Action Relating to the Budget and Finance, Resources and Development, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $68,025,000 in Síhasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and Approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C §§2501-2508

Posted: October 06, 2021 at 5:05 PM

5 DAY Comment Period Ended: October 11, 2021

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Comments/Recommendations	*None*

Legislative Tracking Secretary
Office of Legislative Services

10/12/21 8:30 Am
Date/Time

24th NAVAJO NATION COUNCIL

Third Year 2021

Mr. Speaker:

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

NAVAJO LEGISLATIVE BILL # 0209-21:

An Action Relating to the Budget and Finance, Resources and Development, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $68,025,000 in Síhasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and Approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C §§2501-2508 *Sponsored by Amber K. Crotty and Seth A. Damon, Council Delegates*

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

And, therefore referred to the **RESOURCES & DEVELOPMENT** Committee

Respectfully submitted,

Jamie Henio, Chairman

Adopted: _____ Not Adopted: _____
Legislative Advisor Legislative Advisor

12 October 2021

The vote was **5** in favor **0** opposed *yeas: Raymond Smith, Jr., Jimmy Yellowhair, Amber K. Crotty, Nathaniel Brown, Elmer P. Begay*
Main Motion: Amber K. Crotty
Second: Elmer P. Begay

BUDGET AND FINANCE COMMITTEE
12 October 2021
Special Meeting

VOTE TALLY SHEET:

Legislation No. 0209-21: An Action Relating to the Budget and Finance, Resources and Development, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $68,025,000 in Síhasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and Approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C §§2501-2508 *Sponsored by Amber K. Crotty and Seth A. Damon, Council Delegates*
Motion: Amber K. Crotty
Second: Elmer P. Begay
Vote: 5-0, Chairman not voting

Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	**yea**	
Elmer P. Begay	**yea**	
Nathaniel Brown	**yea**	
Amber K. Crotty	**yea**	
Jimmy Yellowhair	**yea**	

Jamie Henio, Chairman
Budget & Finance Committee

Peggy Nakai, Legislative Advisor
Budget & Finance Committee

RESOURCES AND DEVELOPMENT COMMITTEE
24TH NAVAJO NATION COUNCIL

THIRD YEAR 2021

COMMITTEE REPORT

Mr. Speaker,

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

LEGISLATION #0209-21: AN ACTION RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $68,025,000 IN SÍHASIN FUNDS FOR THE NAVAJO NATION DEPARTMENT OF WATER RESOURCES TO COMPLETE TWELVE (12) WATER CONNECTION PROJECTS ACROSS THE NAVAJO NATION; AND APPROVING THE "2021 WATER CONNECTION PROJECTS EXPENDITURE PLAN" PURSUANT TO 12 N.N.C §§2501-2508. *Sponsor: Honorable Amber Kanazbah Crotty*

Has had it under consideration and reports as DO PASS with no amendment.

And thereafter the legislation was referred to Naabik'íyáti Committee.

Respectfully submitted,

Mark A. Freeland, *Pro Tem Chairperson*
Resources and Development Committee of
the 24th Navajo Nation Council

Date: October 14, 2021 – Special Meeting (Teleconference)
Location: Resources and Development Committee members called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Thomas Walker, Jr. **S:** Kee Allen Begay, Jr. **V:** 5-0-1 (PTCNV)
In Favor: Thomas Walker, Kee Allen Begay, Jr.; Herman M. Daniels; Wilson C. Stewart, Jr.; Rickie Nez
Opposition: None
Excuse: None

Not Voting: Mark A. Freeland, *Pro Tem Chairperson*

(NOTE: VOTE TALLY attached hereto)

RESOURCES AND DEVELOPMENT COMMITTEE
24TH NAVAJO NATION COUNCIL

THIRD YEAR 2021

ROLL CALL
VOTE TALLY SHEET

LEGISLATION #0209-21: AN ACTION RELATING TO THE BUDGET AND FINANCE, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ALLOCATING $68,025,000 IN SÍHASIN FUNDS FOR THE NAVAJO NATION DEPARTMENT OF WATER RESOURCES TO COMPLETE TWELVE (12) WATER CONNECTION PROJECTS ACROSS THE NAVAJO NATION; AND APPROVING THE "2021 WATER CONNECTION PROJECTS EXPENDITURE PLAN" PURSUANT TO 12 N.N.C §§2501-2508. *Sponsor: Honorable Amber Kanazbah Crotty*

Date: October 14, 2021 – Special Meeting (Teleconference)
Location: Resources and Development Committee members called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Thomas Walker, Jr. **S:** Kee Allen Begay, Jr. **V:** 5-0-1 (PTCNV)
In Favor: Thomas Walker, Kee Allen Begay, Jr.; Herman M. Daniels; Wilson C. Stewart, Jr.; Rickie Nez
Opposition: None
Excuse: None
Not Voting: Mark A. Freeland, *Pro Tem Chairperson*

Honorable Mark A. Freeland, *Pro Tem Chairperson*
Resources and Development Committee

Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0209-21

SPONSOR: Honorable Amber Kanazbah Crotty

TITLE: An Action Relating to the Budget and Finance, Resources and Development, and Naabik'íyáti' Committees, and the Navajo Nation Council; Allocating $68,025,000 in Síhasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and Approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C §§2501-2508

Posted: October 06, 2021 at 5:05 PM

5 DAY Comment Period Ended: October 11, 2021

Digital Comments received:

Comments Supporting	**1.) Nahata Dziil Commission Governance**
Comments Opposing	***None***
Comments/Recommendations	***None***

VSRedhorse
Legislative Tracking Secretary
Office of Legislative Services

October 20, 2021; 4:49 PM
Date/Time

NAHATA DZIIL COMMISSION GOVERNANCE

Darryl Ahasteen – President
Lyndale Curley – Vice President
LaVonne Tsosie – Secretary

Michael Chee – Treasurer
Loretta Bahe – Member
Eunice Yesslith – Manager

RESOLUTION OF NAHATA DZIIL COMMISSION GOVERNANCE

NDCG-2021-10-129

Nahata Dziil Commission Governance is recommending and requesting Council Delegate Raymond Smith Jr., to include the proposed recommendation of initiative of N.N.C. 0209-21; Sponsored by Delegate Amber Kanazbah Crotty; Allocating $68,025,000.00 in Sihasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C. Subsection 2501-2508 and have the Navajo Tribal Utility Authority (NTUA) to install new water pumps at all Domestic Water Wells in the Nahata Dziil and Sanders area.

WHEREAS:

1. The Nahata Dziil Commission Governance is certified by the Navajo Nation Council Resolution CAP-36-91 as a local governmental entity of the Navajo Nation Government which has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community, people, programs, property, etc.; and
2. Transportation and Community Development Committee of the Navajo Nation by Resolution TCDCAU-66-02, approved governance certification of the Nahata Dziil Commission Governance Five Management Policies and Procedures pursuant to 26 N.N.C. Section 102(B), which permit's the Nahata Dziil Commission Governance to exercise local governance authorities contained within 26 N.N.C. Section 103 (D)(1); and
3. The Nahata Dziil Commission Governance is further certified by the Navajo Nation in accordance with its Community Based land Use Plan, pursuant to Resolution of the Transportation and Community Development Committee of the Navajo Nation Council, to administer its community lands with the New Lands Chapter boundaries and to decide on the best options for its land use; and
4. On January 20, 2008, the Nahata Dziil Chapter converted its Governmental entity into the Nahata Dziil Commission Governance, and
5. The Sihasin Fund provides that "Fund Principal" shall consist of all deposits made to the Sihasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Sihasin Fund Income shall be deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is duly approved. 12 N.N.C. Section 2504 and Section 2505(C); and
6. The Sihasin Fund provides that "Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in Section 2502 of this Chapter and adopted by a two-third (2/3) vote of all members of the Navajo Nation Council" 12 N.N.C. Section 2505(A); and

P. O. Box 400 • Sanders, AZ 86512 • (928) 688-2150 • FAX: (928) 688-2235
nahatadziil@navajochapters.org

7. The Navajo Nation Department of Water Resources is requesting funding assistance of sixty-eight million and twenty-five thousand dollars ($68,0250,000.00) from the Sihasin Fund for twelve (12) water connection projects throughout the Navajo Nation; and
8. There are water wells in the Nahata Dziil area that pumps domestic water to approximately 420 residential homes in 15 residential housing clusters, Navajo Nation Programs and the Chapter House and the majority of these were installed in the early 1980 and have out lived the life span; and
9. The water connection projects will provide much needed water to the Navajo Chapters and communities and are in the best interest of the Navajo Nation.

NOW, THEREFORE BE IT RESOLVED THAT:

Nahata Dziil Commission Governance is recommending and requesting Council Delegate Raymond Smith Jr., to include the proposed recommendation of initiative of N.N.C. 0209-21; Sponsored by Delegate Amber Kanazbah Crotty; Allocating $68,025,000.00 in Sihasin Funds for the Navajo Nation Department of Water Resources to Complete Twelve (12) Water Connection Projects Across the Navajo Nation; and approving the "2021 Water Connection Projects Expenditure Plan" Pursuant to 12 N.N.C. Subsection 2501-2508 and have the Navajo Tribal Utility Authority (NTUA) to install new water pumps at all Domestic Water Wells in the Nahata Dziil and Sanders area.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by Nahata Dziil Commission Governance at a duly called SPECIAL meeting at Nahata Dziil Commission Governance Meeting Hall, NAVAJO NATION, Sanders, (Arizona), at which a quorum was present and that same was passed by a vote of **04** in favor, **00** opposed and **01** abstained, on this 16th day of October 2021.

Darryl Ahasteen, Commission President
Nahata Dziil Commission Governance

Motion by: LaVonne Tsosie
Second by: Loretta Bahe