

LEGISLATIVE SUMMARY SHEET

Tracking No. 0310-19

DATE: October 4, 2019

AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET
AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT IN
RESOLUTION CAP-35-18, EXHIBIT D PROJECT 125; APPROVING A CHANGE IN
PROJECT TYPE FOR THE GREENHOUSE PROJECT

PURPOSE: Approving change in Project Resolution CAP-35-18.


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

5-DAY BILL HOLD PERIOD: Stop
Website Posting Time/Date: 10:15 PM 10-10-19
Posting End Date: 10-15-19
Eligible for Action: 10-16-19

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24TH NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0310-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND
FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT IN
RESOLUTION CAP-35-18, EXHIBIT D PROJECT 125; APPROVING A
CHANGE IN PROJECT TYPE FOR THE GREENHOUSE PROJECT

BE IT ENACTED:

Section One. Authority

1. The Resources and Development Committee exercises authority over chapters of the Navajo Nation. 2 N.N.C. § 501(C)(1).
2. The Budget and Finance Committee of the Navajo Nation Council exercises authority over budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 301 (B)(2).
3. Council Resolution CAP-35-18 provides, “[a] chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter’s Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Sihasin Funding for the District does not exceed \$4,166,666.67.” **Exhibit 1**, Section Four, Paragraph C.

1 **Section Two. Findings**

- 2 A. The Navajo Nation Council adopted Council Resolution CAP-35-18, “Adopting the
3 Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14,
4 as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12
5 N.N.C. §§ 810 (F), 820 (I) and (M) and 860 (C) Relating to the Capital Budget and
6 Capital Improvement Process” on April 17, 2018, which is attached as **Exhibit 1**.
7 B. Cornfields Chapter submitted a CAP-35-18 Project Change Forms and Chapter
8 Resolutions, which are attached as **Exhibit 2**. For reference, the Cornfields greenhouse
9 project is included in **Exhibit 1**, Exhibit D, Project 127.
10 C. The Chapter Resolution included in **Exhibit 2**, indicates the chapter wishes to amend the
11 project type to change design/construction to purchase.
12 D. Cornfields Chapter wishes to have funding allocated directly to the chapter in accordance
13 to LGA Certified Chapter's FMS Procurement policy.
14 E. Cornfield Chapter submitted additional documents, which are attached in **Exhibit 3**.

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16 **Section Three. Approval**

17 The Navajo Nation hereby approves the project changes requested by Cornfields
18 Chapter in accordance with **Exhibit 2**. to the extent allowed by the laws and policies of
19 the Navajo Nation, Cornfields Chapter is allowed to receive the project funding directly.
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RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SÍHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18, AND 12 N.N.C. §§ 2501 - 2508, AS AMENDED; WAIVING 12 N.N.C. §§ 810 (F), 820 (I) AND (M) AND 860 (C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

BE IT ENACTED:

Section One. Authority

- A. The Health Education and Human Services Committee of the Navajo Nation Council is empowered to provide legislative oversight on matters involving health, social services, education, general governmental services and human services. 2 N.N.C. §400 (C) (1).
- B. The Resource Development Committee of the Navajo Nation Council is empowered to exercise oversight authority on matters involving roads and transportation, communications and utilities, information technology, chapter activities, economic and community development, rights-of-way, public utilities and housing. 2 N.N.C. § 500 (C).
- C. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. §§ 301 (B) (2) and (5).
- D. The Naabik'iyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A) (9).
- E. The Naabik'iyáti' Committee additionally has the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities

and to establish a subcommittee that consists of committee members which the committee selects. 2 N.N.C. §§ 186 and 701 (B). The Naabik'iyáti' Committee adopted NABIAP-20-15 establishing the Naabik'iyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'iyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".

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

Section Two. Findings

- A. On November 1, 2006, the 20th Navajo Nation Council unanimously passed Resolution No. CN-57-06 authorizing the Navajo Nation Attorney General to file a lawsuit against the United States for the alleged breach of its fiduciary duties to the Nation arising under treaties, executive orders, public laws, statutes, regulations and contracts due to its mismanagement of the Nation's tribal trust assets, including tribal trust funds and select tribal resources, specifically excluding water and assets held in trust for individual Navajo members. Resolution No. CN-57-06 was signed into law by the President of the Navajo Nation on November 13, 2006.
- B. On September 26, 2013, the Naabik'iyáti' Committee of the Navajo Nation Council passed NABIS-42-13 creating a Trust Mismanagement Litigation Task Force ("Task Force"), composed of Council Delegates, from each agency and each standing committee, as well as Presidential appointees, to assist and consult with the Navajo Nation Office of the Attorney General, Department of Justice, outside legal counsel and the Office of the Navajo Nation President & Vice-President in evaluating whether any proposals put forth by the United States to settle the lawsuit, *Navajo Nation v. United States*, No. 06-945L, (United States Court of Federal Claims) were in the best interests of the Nation.
- C. On May 16, 2014, the United States made a settlement offer that was acceptable to the Nation's Attorney General, outside legal counsel, the Task Force and the Office of the President & Vice-President as being in the best interests of the Navajo Nation and on May 30, 2014, the 22nd Navajo

Nation Council adopted Resolution No. CMY-28-14 accepting a settlement of the Navajo Nation's lawsuit, *Navajo Nation v. United States*, No. 06-945L, against the United States for its historical mismanagement of the tribe's trust assets and its failure to ensure that the Navajo Nation received all funds due and owed under the United States' trust obligations and fiduciary duties. Resolution No. CMY-28-14 was signed into law by the President of the Navajo Nation on June 4, 2014.

- D. The 22nd Navajo Nation Council recognized that during the many decades that the United States was in breach of its trust obligations and fiduciary duties to the Nation and engaged in the mismanagement of the Nation's tribal trust assets and resources, the tribal government was without sufficient funds to provide basic services and amenities to the Diné of past generations. The tribal government was also without funds to develop an infrastructure within the four sacred mountains that would support the growth and development of opportunities crucial for the prosperity of future generations of Diné. See Resolution No. CMY-28-14.
- E. Between October 6, 2014 and November 8, 2014, the Office of the Speaker held seven (7) Public Hearings, as directed by the Navajo Nation Council's Naabik'iyati' Committee, to receive input from Navajo Nation members on how the net proceeds from *Navajo Nation v. United States* should be used. During that same time period, the Office of the President & Vice-President also held five (5) town hall meetings for a similar purpose.
- F. On December 13, 2014, in the best interests of the Nation and consistent with the collective wishes expressed by its members, the 22nd Navajo Nation Council adopted Resolution No. CD-68-14 enacting the Navajo Nation Breach of Trust Settlement Act of 2014 (hereinafter "2014 Act") and establishing the Navajo Nation Sihasin Fund at 12 N.N.C. § 2501 et seq. The President of the Navajo Nation signed Resolution No. CD-68-14 into law on December 31, 2014.
- G. On January 31, 2018, the 23rd Navajo Nation Council adopted Resolution No. CJA-03-18 enacting amendments to CD-68-14 clarifying the intent of the 22nd Navajo Nation Council, including that Sihasin Fund infrastructure projects were not to be limited by 12 N.N.C. § 1310(F) (Navajo Nation Bond Financing Act) or by TCDCJY-77-99 (Capital Improvement Projects Guidelines Policies and Procedures).

Resolution No. CJA-03-18 was signed into law by the President of the Navajo Nation on February 8, 2018.

- H. The 2014 Act, as amended by CJA-03-18, mandates that the net proceeds and earnings thereon received by the Navajo Nation from the settlement of *Navajo Nation v. United States*, No. 06-945L, be deposited into the Síhasin Fund and managed and invested 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, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation; and/or (2) education opportunities for members of the Navajo Nation. See 12 N.N.C § 2501 and § 2502 (A), as amended.
- I. The 2014 Act, as amended, also established that "leveraging of the [Síhasin] 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". 12 N.N.C § 2502 (C), as amended.
- J. The 2014 Act further established that with the exception of outstanding and accrued litigation costs, Síhasin Fund Principal and Income shall only be expended pursuant to a Fund Expenditure Plan consistent with the purposes set forth in the 2014 Act, as amended, at 12 N.N.C. §2502 and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council. See 12 N.N.C. § 2505 (A).
- K. On April 9, 2015, the Naabik'íyáti' Committee adopted NABIAP-20-15 establishing the Naabik'íyáti' Síhasin Fund Subcommittee to "recommend to the Naabik'íyáti' Committee and Navajo Nation Council financial support and/or financing plan(s) for the purposes designated in CD-68-14 [Navajo Nation Breach of Trust Settlement Act of 2014, establishing the Síhasin Fund]".
- L. Between April 2015 and March 2018, the Subcommittee, assisted by the Office of Legislative Services, Office of the Speaker, Office of Legislative Counsel and outside legal counsel, met on more than thirty (30) occasions in either work sessions or official meetings to review and evaluate comments and recommendations from the Navajo

People; hear proposals from Navajo Nation entities, Chapters, programs and officials; and develop expenditure plan(s) for the Sihasin Fund Principal and Income consistent with the purposes set forth in the 2014 Act, as amended.

- M. After reviewing the comments and recommendations submitted during the Public Hearings and town hall meetings, as well as the reports and comments made during Sihasin Fund Subcommittee meetings, the Subcommittee determined that powerline projects and Chapter capital and economic development projects were a high priority for Navajo communities and that the funding of such projects would afford Navajo communities the opportunity to start and complete local projects currently stalled by the lack of sufficient funds, apply for additional state and federal funds requiring an identified match, as well as support CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, spur economic development at the local level and provide amenities to Navajo communities.
- N. In November of 2017, the Subcommittee issued a directive to the Speaker of the Navajo Nation Council to develop a nationwide powerline projects expenditure plan combining Undesignated Unreserved Fund Balance ("UUFB") and Sihasin Funds to total one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts equaling \$4,166,666.67 per District. On February 15, 2018, the Navajo Nation Council issued a further directive to the Speaker to have his staff meet with Navajo Nation Council Delegates and the Chapters they represent to develop a nationwide powerline and chapter projects expenditure plan for one hundred million dollars (\$100,000,000.00) divided equally amongst the twenty-four Council Delegate Districts with the Sihasin Fund as the intended funding source.
- O. Between March 5, 2018 and March 16, 2018, Office of the Speaker staff, contract legal counsel, Capital Projects Management Department ("CPMD") staff, and Navajo Tribal Utilities Authority ("NTUA") staff, met twice with each Council Delegate and their Chapter representatives, including but not limited to Chapter Officials, Chapter Managers and Community Service Coordinators, to review each District's proposed projects for (1) compliance with the 2014 Act's, as amended, purpose of "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, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; and (2) readiness status, e.g., project ready, construction ready or shovel ready, as applied by CPMD.

- P. Powerline, economic development and infrastructure projects were proposed at the March meetings including, but not limited to, Head Start facilities, senior and veteran centers, and road improvements. A listing of the proposed projects, including match and contribution funding, is included on attached **Exhibits A through E**.
- Q. To ensure that Sihasin Funds are not prematurely withdrawn and continue to earn investment earnings for as long as possible, CPMD, with the assistance of the Office of the Speaker and NTUA, compiled the proposed projects into nationwide three-year funding plans, i.e., Chapter Projects, NTUA Powerlines, Non-NTUA Powerlines, and Waterlines, attached as **Exhibits A through E**, based on individual project readiness status.
- R. On March 23, 2018, contract legal counsel and CPMD updated the Sihasin Subcommittee on the Office of the Speaker's efforts to develop the powerline and Chapter projects expenditure plan, including the identification of almost twenty million dollars (\$20,000,000.00) in already secured project matching funds.
- S. During the update to the Sihasin Subcommittee, the following accountability and implementation measures were discussed:
 - 1. Due to their experience and expertise, as well as economies of scale, the funding and responsibility for implementing Chapter projects and Non-NTUA Powerline projects should be allocated to CPMD with a template in place, e.g., Memorandum of Agreement or other form of grant agreement, for CPMD to transfer the project funds and responsibilities to Local Governance Act Certified Chapters at their request;
 - 2. Due to their experience and expertise, as well as community need to lock-in project pricing, the funding

and responsibility for NTUA Powerline and waterline projects should be allocated directly to NTUA;

3. If the funding for NTUA Powerline and Waterline projects is disbursed directly to NTUA and the funding for Chapter and non-NTUA Powerline projects is disbursed directly to CPMD, the funding for projects at Chapters sanctioned pursuant to 12 N.N.C. § 9 should not be subject to § 9 (B)'s ten percent (10%) withholding;
 4. All of the proposed projects were vetted by CPMD and NTUA, respectively, for project readiness before being apportioned into the three-year plans based on project readiness status; therefore, if the funding for a project is not spent or encumbered within twenty-four (24) months of distribution, the project funds should revert to the Síhasin Fund; and
 5. To support expeditious administration and implementation of the more than two hundred (200) Chapter projects, CPMD operations should be supplemented with administrative costs.
- T. In addition, during the District meetings with Delegates and their Chapter officials and community representatives to select and vet powerline and Chapter projects, concerns were raised that the President's line-item veto of even a single project would disrupt the equal distribution of funds among the Districts, as well as, negate local choice in project selection and impair Chapter and community efforts to procure additional matching funds from federal and state sources.
- U. The Navajo Nation Council finds that the Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, meets the purposes of the 2014 Act, as amended, i.e., "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, waterlines, solid waste management development, powerline projects, transportation and communication systems, within the Navajo Nation"; as well as the leveraging preference criteria of the 2014 Act, as Síhasin Funds will only fund a portion of the overall total cost of the projects with at least \$19,440,279.45, as

set forth on **Exhibits A through E**, of projects' costs covered by other Navajo Nation funds or federal, state or private entities through match funding, joint funding, contribution funding, cost-share funding or similar arrangements and agreements.

- V. The Navajo Nation Council also finds that the proposed Powerline and Chapter Projects Expenditure Plan proposal, attached as **Exhibits A through E**, supports community choice and addresses CMY-28-14's intent to expand infrastructure(s) on the Navajo Nation, provide economic development at the local level and provide amenities to Navajo communities.
- W. The Navajo Nation Council hereby determines that allocating Síhasin Funds to implement the Powerline and Chapter Projects Expenditure Plan, as set forth in **Exhibits A through E**, fits within the priorities established under the July 20, 2015 One Nation, One Voice Navajo Nation Three Branch Agreement and that it is in the best interests of the Navajo Nation, as well as in the best interests of community development, the expansion of infrastructure(s) on the Navajo Nation, economic development at the local level and the provision of amenities to Navajo communities, to adopt the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached as **Exhibits A through E**.

Section Three. Approval and Adoption of Expenditure Plan

- A. The Navajo Nation hereby approves and adopts the Síhasin Fund Powerline and Chapter Projects Expenditure Plan, attached and incorporated herein as **Exhibits A through E**.
- B. The Navajo Nation hereby approves and adopts total funding from the Síhasin Fund in the amount of one hundred million six hundred thousand dollars (\$100,600,000.00) with \$18,696,787.92 allocated to Navajo Tribal Utility Authority ("NTUA") for powerline projects; \$4,242,192.99 allocated to NTUA for waterline projects; \$74,076,413.86 allocated to Captial Projects Management Depart ("CPMD") for Chapter projects; \$3,584,605.24 allocated to CPMD for Non-NTUA powerline projects; as summarized in **Exhibit A**, to implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan as follows:
 - 1. Year 1: The distribution of \$42,294,332.87 of Síhasin Funds in Navajo Nation Fiscal Year 2018 allocated as

follows: \$2,866,370.94 to NTUA for the first year of NTUA Powerline projects, as set forth in **Exhibit B**; \$560,557.00 to NTUA for the first year of Waterline projects, as set forth in **Exhibit E**; \$37,423,205.14 to CPMD for the first year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,444,199.79 to CPMD for the first year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

2. Year 2: The distribution of \$46,203,956.06 of Síhasin Funds in Navajo Nation Fiscal Year 2019 allocated as follows: \$12,154,756.58 to NTUA for the second year of NTUA Powerline projects, as set forth in **Exhibit B**; \$1,068,666.66 to NTUA for the second year of Waterline projects, as set forth in **Exhibit E**; \$31,124,968.21 to CPMD for the second year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$1,855,564.61 to CPMD for the second year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

3. Year 3: The distribution of \$12,101,711.08 of Síhasin Funds in Navajo Nation Fiscal Year 2020 allocated as follows: \$3,675,660.40 to NTUA for the third year of NTUA Powerline projects, as set forth in **Exhibit B**; \$2,612,969.33 to NTUA for the third year of Waterline projects, as set forth in **Exhibit E**; \$5,528,240.51 to CPMD for the third year of Chapter projects and administrative costs (\$200,000.00), as set forth in **Exhibit D**; and \$284,840.84 to CPMD for the third year of Non-NTUA Powerline projects, as set forth in **Exhibit C**.

- C. The Síhasin Funds allocated for the Síhasin Fund Powerline and Chapter Projects Expenditure Plan may be further leveraged by the Navajo Nation through 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 the recommendation of the Budget & Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

Section Four. Approval and Adoption of Expenditure Plan Administration

A. The Navajo Nation hereby approves administration of the Sihasin Fund Powerline and Chapter Projects Expenditure Plan as follows:

1. The Navajo Nation Controller shall determine whether the source(s) of the annual distributions of the \$100,600,000.00 will be Sihasin Fund Principal or Income or a combination of both;
2. NTUA Powerline and Waterline Projects. The annual distributions for NTUA Powerline and Waterline Projects, as set forth in **Exhibits B and E**, shall be released to NTUA through Grant Agreement(s), executed pursuant to 2 N.N.C. §164 (B), as amended, as follows:
 - a. The First Year (Fiscal Year 2018) distributions shall be released to NTUA by no later than the end of Navajo Nation Fiscal Year 2018;
 - b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions shall be released to NTUA by no later than the end of the first quarter of the respective Navajo Nation Fiscal Year;
 - c. NTUA shall not require the Navajo Nation, including its Chapters, nor Navajo individuals, to contribute more funding to complete any project listed in **Exhibits B and E**, regardless of year funded;
 - d. Any individual Powerline or Waterline project funds that are not spent or encumbered within twenty-four (24) months of distribution to NTUA shall be returned to the Sihasin Fund; and
 - e. NTUA shall account for the Sihasin Funds spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
3. Chapter and Non-NTUA Powerline Projects. The annual distributions for Chapter and Non-NTUA Powerline Projects, as set forth in **Exhibits C and D**, shall be released to CPMD as follows:

- a. The First Year (Fiscal Year 2018) distributions, including administration costs, shall be released to CPMD by no later than the end of the third quarter of Navajo Nation Fiscal Year 2018;
- b. The Second and Third Year (Fiscal Years 2019 and 2020) distributions, including administration costs, shall be released to CPMD by the end of the first quarter of the respective Navajo Nation Fiscal Year;
- c. Annual distributions to CPMD for administration costs shall not lapse on an annual basis pursuant to 12 N.N.C. §820 (N) or otherwise be returned to or deposited in the Sihasin Fund principal or Navajo Nation General Fund until such time as all Chapter Projects listed on Exhibit C are fully completed;
- d. 12 N.N.C. § 9 (B) is hereby waived and individual Chapter and non-NTUA Powerline Projects implemented and administered by CPMD shall not be subject to 12 N.N.C. § 9 (B)'s ten percent (10%) withholding;
- e. Individual Chapter and non-NTUA Powerline Projects shall be implemented and administered by CPMD consistent with the Navajo Nation Budget Instruction Manual, as amended, unless inconsistent with other provisions of this resolution;
- f. If requested, CPMD may transfer individual Chapter Project funds, accountability, and responsibility to a Local Governance Act ("LGA") Certified Chapter pursuant to a Memorandum of Agreement or other form of grant agreement executed pursuant to 2 N.N.C. § 164 (B), as amended;
- g. Any individual Chapter or non-NTUA Powerline Project funds that are not spent or encumbered within twenty-four (24) months of distribution to CPMD or transfer to a LGA Certified Chapter shall be returned to the Sihasin Fund;

- h. With the exception of project funds and responsibilities transferred to LGA Certified Chapters, CPMD shall account for the Sihasin Funds spent and such accounting or expenditure report shall be included as part of the Executive Branch's quarterly program report submitted to the Resources and Development Committee; and
 - i. LGA Certified Chapters that have been granted Sihasin Fund project funds and responsibilities, shall account for the money spent and such accounting or expenditure report, including project status, shall be submitted to CPMD, the Office of President & Vice-President, and the Resources and Development Committee on a quarterly basis.
- B. NTUA, CPMD and LGA Certified Chapters shall have the authority to enter into match, funding, partnership, cooperative and other cost saving or cost sharing arrangements or leveraging agreements with Navajo Nation entities and enterprises, Navajo Nation Chapters and other political subdivisions, other Navajo Nation programs and federal and state agencies and such agreements shall not be deemed procurement contracts subject to the Navajo Nation Procurement Act, 12 N.N.C. §§ 301 - 371 or Navajo Business Opportunity Act 5 N.N.C. §§ 201 - 215.
 - 1. Notwithstanding the above, all Chapters, working in conjunction with NTUA and/or CPMD, shall have the continuing responsibility to identify ways to further leverage the allocated Sihasin Funds;
 - 2. NTUA and CPMD shall each present an annual leveraging report to the Resource & Development Committee and Budget & Finance Committee during the first quarter of each Navajo Nation Fiscal Year identifying the efforts and success of Chapter(s) in securing additional matching or contribution funding; and
 - 3. With the approval of the Resources & Development Committee, any project costs saved or reduced through leveraging or otherwise shall be available for expenditure on any other project within the respective Chapter deemed construction-ready by CPMD; if there are no construction-ready projects within the respective Chapter, then, with the approval of the

Resources & Development Committee, the saved or reduced costs shall be available for expenditure on any other project within the respective District.

- C. A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67.
- D. NTUA, CPMD and LGA Certified Chapters shall report the status of the Síhasin Funds allocated or transferred to them to implement the Powerline and Chapter Projects Expenditure Plan, specifically including the use and status of the Síhasin Funds and the status of projects for which they are responsible, to the Resources & Development, Budget & Finance and Naabik'iyáti' Committees and Office of the President & Vice-President on a quarterly basis.

Section Five. Waiving Navajo Nation Code Provisions Regarding the Capital Budget and Capital Improvement Process Effective Date

Notwithstanding that Síhasin Fund projects are specifically not subject to the Capital Improvement Projects Guidelines Policies and Procedures set forth by TCDCJY-77-99, the Navajo Nation hereby waives the application of 12 N.N.C. § 810 (F), §§ 820 (I) and (M) and § 860 (C) regarding the Capital Budget and Improvement processes to the Powerline and Chapter Projects Expenditure Plan.

Section Six. Effective Date

The Síhasin Fund Powerline and Chapter Projects Expenditure Plan, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

Section Seven. Directives

- A. All Navajo Nation programs, specifically including, but not limited to, the Office of Controller, Office of Management & Budget, CPMD, and Chapters, as well as NTUA, shall take all steps necessary to expeditiously implement the Síhasin Fund Powerline and Chapter Projects Expenditure Plan.

- B. All Navajo Nation programs, as well as NTUA, named in this legislation shall be held accountable for the progress of tasks under their responsibility and control and shall participate in work group meetings, if any, necessary to expeditiously implement the Sihasin Fund Powerline and Chapter Projects Expenditure Plan.
- C. Office of Legislative Services will adjust all figures throughout the legislation and exhibits to reflect amendment totals, with the concurrence of the sponsor. The Navajo Nation directs the Office of Legislative Services to recalculate the final monetary totals such that the figures conform to the amendments passed by the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 00 opposed, on this 17th day of April 2018.



LoRenzo C. Bates, Speaker
Navajo Nation Council

4-27-18

Date

Motion: Honorable Seth Damon
Second: Honorable Steven Begay

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

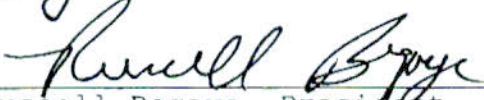
1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 7th day of May 2018.



Russell Begaye, President
Navajo Nation

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN
(COVER SHEET)

EXHIBIT:

A

NUMBER OF PROJECT FOLDERS

| | | |
|-------------------------------|-----------------------------------|------------|
| CAPITAL PROJECTS | \$ 74,076,413.86 | 182 |
| NTUA POWERLINE PROJECTS | \$ 18,696,787.92 | 29 |
| NON-NTUA PROJECTS | \$ 3,584,605.24 | 9 |
| NTUA WATERLINE PROJECTS | \$ 4,242,192.99 | 9 |
| SUBTOTAL | \$ 100,600,000.01 | |
| SIHAASIN APPROPRIATION | \$ 100,600,000.00 | 229 |
| | \$ (0.01) <i>(Rounding Error)</i> | |

| | YEAR 1 | YEAR 2 | YEAR 3 | MATCHING FUNDS |
|-------------------------|------------------------|------------------------|------------------------|------------------------|
| CAPITAL PROJECTS | \$37,423,205.14 | \$31,124,968.21 | \$5,528,240.51 | \$17,842,593.31 |
| NTUA POWERLINE PROJECTS | \$2,866,370.94 | \$12,154,756.58 | \$3,675,660.40 | \$540,156.79 |
| NON-NTUA PROJECTS | \$1,444,199.79 | \$1,855,564.61 | \$284,840.84 | \$3,913,859.66 |
| NTUA WATERLINE PROJECTS | \$560,557.00 | \$1,068,666.66 | \$2,612,969.33 | \$15,110,777.71 |
| | \$42,294,332.87 | \$46,203,956.06 | \$12,101,711.08 | \$37,407,387.47 |

EXHIBIT: B

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN (NTUA POWERLINES)

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|------------------------|---|--|---------------------|-------------------|-------------------|-------------------|---------------------------------|----------------------------|
| 1 | Many Farms | Powerline Phase II | Design/Construction | 18-24 months | \$37,432.20 | \$227,567.80 | \$0.00 | \$0.00 | \$265,000.00 |
| 2 | Tselani/ Cottonwood | Powerline Ext. Ph I, II, & Scattered | ROW/Pre-Design | 18-24 months | \$0.00 | \$265,000.00 | \$0.00 | \$0.00 | \$265,000.00 |
| 3 | Tsailie/ Wheatfields | Rural Electrification Project Horseshoe Canyon Powerline Ext. | ROW/Pre-Design | 18-24 months | \$0.00 | \$191,493.75 | \$0.00 | \$0.00 | \$191,493.75 |
| 4 | Sawmill | Powerline ext. | Pre-Design | 12 months | \$120,000.00 | \$0.00 | \$0.00 | \$0.00 | \$120,000.00 |
| 5 | Dennehotso | Scattered Powerline Project | Design/Construction | 18-24 months | \$40,031.25 | \$418,220.75 | \$0.00 | \$0.00 | \$458,252.00 |
| 6 | Chilichinbeto | Powerline-Assaysi-2nd phase | Design/Construction | 18-24 months | \$115,000.00 | \$1,071,765.53 | \$0.00 | \$20,000.00 | \$1,186,765.53 |
| 7 | Oljato | Powerline Project | Design/Construction | 24-36 months | \$0.00 | \$400,000.00 | \$641,666.66 | \$0.00 | \$1,041,666.66 |
| 8 | Navajo Mountain | Powerline Project | Design/Construction | 18-24 months | \$0.00 | \$400,000.00 | \$641,666.66 | \$0.00 | \$1,041,666.66 |
| 9 | Shonto | Powerline | Design/Construction | 24-36 months | \$0.00 | \$400,000.00 | \$641,666.66 | \$0.00 | \$1,041,666.66 |
| 10 | Inscription House | Powerline Extension | Design/Construction | 24-36 months | \$0.00 | \$0.00 | \$661,666.68 | \$0.00 | \$661,666.68 |
| 11 | Teecnospos | Powerline -North Phase 3 | Design/Construction | 18-24 months | \$0.00 | \$2,233,813.51 | \$0.00 | \$0.00 | \$2,233,813.51 |
| 12 | Mexican Water | 3-Phase Powerline | Construction | 18-24 months | \$0.00 | \$1,634,047.00 | \$0.00 | \$0.00 | \$1,634,047.00 |
| 13 | Indian Wells | Salt Seep Powerline - | Design/Construction | 18-24 months | \$40,000.00 | \$0.00 | \$0.00 | \$0.00 | \$40,000.00 |
| 14 | Whitecone | Powerline Scattered | Design/Construction | 18-24 months | \$70,000.00 | \$0.00 | \$164,333.49 | \$0.00 | \$234,333.49 |
| 15 | Teesto | Teesto Scattered Powerline | Design/Construction | 18-24 months | \$0.00 | \$332,273.00 | \$0.00 | \$45,927.86 | \$332,273.00 |
| 16 | Dilkon | John Draw Powerline Project | Pre-Design | 18-24 months | \$250,000.00 | \$0.00 | \$0.00 | \$0.00 | \$250,000.00 |
| 17 | Leupp | Powerline Project-Grandfalls | Design/Construction | 12-18 months | \$0.00 | \$733,333.00 | \$0.00 | \$352,237.50 | \$733,333.00 |

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NTUA POWERLINES)**

**EXHIBIT:
B**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|--------------------|--------------|-----------------------------|--|---------------------|-----------------------|------------------------|-----------------------|---------------------------------|----------------------------|
| 18 | Birdsprings | Powerline Ext. Phase III | Design/Construction | 18-24 months | \$84,105.00 | \$649,228.00 | \$0.00 | \$0.00 | \$733,333.00 |
| 19 | Kindahlchili | Single-Phase Powerline Ext. | Design/Construction | 18-24 months | \$0.00 | \$371,729.00 | \$0.00 | \$0.00 | \$371,729.00 |
| 20 | Kindahlchili | Powerline (Upper WS Ext.) | Design/Construction | 18 months | \$0.00 | \$366,873.00 | \$0.00 | \$0.00 | \$366,873.00 |
| 21 | Coppermine | IV P/L Project | Design/Construction | 18-24 months | \$0.00 | \$400,000.00 | \$0.00 | \$0.00 | \$400,000.00 |
| 22 | Kaibeto | Poweline Project | Design/Construction | 18-24 months | \$219,187.50 | \$460,812.50 | \$0.00 | \$0.00 | \$680,000.00 |
| 23 | LeChee | Powerline Project | Construction | 16 months | \$93,006.25 | \$0.00 | \$924,660.25 | \$0.00 | \$1,016,666.50 |
| 24 | Klargetoh | Salt Springs Powerline | Design/Construction | 36 months | \$39,643.15 | \$421,709.06 | \$0.00 | \$0.00 | \$461,352.21 |
| 25 | Lupton | Powerline | Pre-Design | 37 months | \$6,036.07 | \$89,074.42 | \$0.00 | \$49,110.49 | \$95,110.49 |
| 26 | Houck | Powerline | Design/Construction | 12-18 months | \$80,000.00 | \$273,278.00 | \$0.00 | \$69,056.25 | \$353,278.00 |
| 27 | Wide Ruins | Boggy Lake/Tanner Springs | Design/Construction | 24-36 months | \$200,000.00 | \$634,538.26 | \$0.00 | \$0.00 | \$834,538.26 |
| 28 | Pifion | Scattered Powerline Project | Design Construction | 12-18 months | \$0.00 | \$180,000.00 | \$0.00 | \$0.00 | \$180,000.00 |
| 29 | Black Mesa | Powerline | Pre-Design/ Design/Construction | 24 months | \$1,472,929.52 | \$0.00 | \$0.00 | \$227,606.25 | \$1,472,929.52 |
| GRAND TOTAL | | | | | \$2,866,370.94 | \$12,154,756.58 | \$3,675,660.40 | | \$18,696,787.92 |

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN
(NON-NTUA POWERLINES)**

**EXHIBIT:
C**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|----------------|---|--|---------------------|-----------------------|-----------------------|---------------------|---------------------------------|----------------------------|
| 1 | Alamo | Powerline/Waterline | Construction | 6 months | \$694,444.44 | \$694,444.45 | \$0.00 | \$0.00 | \$1,388,888.89 |
| 2 | TseLichil | Powerline Project | Design/Construction | 18-24 months | \$0.00 | \$305,393.00 | \$0.00 | \$50,000.00 | \$305,393.00 |
| 3 | Manuelito | Powerline Project | Design/Construction | 18-24 months | \$0.00 | \$397,580.00 | \$0.00 | \$50,000.00 | \$397,580.00 |
| 4 | Chichiltah | Powerline Project | Design/Construction | 18-24 months | \$0.00 | \$337,520.00 | \$0.00 | \$250,000.00 | \$337,520.00 |
| 5 | Ojo Encino | Eagle Spring Powerline Extension Project | Design/Construction | 6 months | \$0.00 | \$120,627.16 | \$0.00 | \$30,156.79 | \$120,627.16 |
| 6 | Pueblo Pintado | Badger Springs Powerline Ext. | Construction | 24 months | \$0.00 | \$0.00 | \$284,840.84 | \$0.00 | \$284,840.84 |
| 7 | Baca-Prewitt | Powerline Extension | Construction | 6 months | \$160,000.00 | \$0.00 | \$0.00 | \$0.00 | \$160,000.00 |
| 8 | Whitehorse | Powerline Extension | Construction | 12 months | \$133,884.48 | \$0.00 | \$0.00 | \$0.00 | \$133,884.48 |
| 9 | Counselor | Powerline Extension | Construction | 13 months | \$455,870.87 | \$0.00 | \$0.00 | \$0.00 | \$455,870.87 |
| | | | | | \$1,444,199.79 | \$1,855,564.61 | \$284,840.84 | GRAND TOTAL | \$3,584,605.24 |

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:
D

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 3 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|---------------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 1 | Newcomb | Helipad | Design/Construction | 18-24 months | \$100,000.00 | \$339,537.00 | \$0.00 | \$75,000.00 | \$439,537.00 |
| 2 | Newcomb | Sr. Center Renovation | Plan/Construction | 6-8 months | \$228,189.00 | \$0.00 | \$0.00 | \$0.00 | \$228,189.00 |
| 3 | Hogback | New Chapter House | Design/Construction | 8-16 months | \$150,018.78 | \$593,100.00 | \$0.00 | \$0.00 | \$743,118.78 |
| 4 | Burnham | Community Center | Design/Construction | 18-24 months | \$300,000.00 | \$383,500.00 | \$0.00 | \$0.00 | \$683,500.00 |
| 5 | San Juan | Multi-Purpose Site Improvement Project | Plan/Design/Construction | 24 months | \$150,000.00 | \$533,333.00 | \$0.00 | \$0.00 | \$683,333.00 |
| 6 | Upper Fruitland | Renovation Walter Collins Multi-Purpose Bldg | Design/Construction | 18-24 months | \$0.00 | \$694,444.44 | \$0.00 | \$0.00 | \$694,444.44 |
| 7 | Nemahnezaad Nazlini | Multi-Purpose Renovation Senior Center | Design/Construction | 18-24 months | \$0.00 | \$1,980,000.00 | \$0.00 | \$60,000.00 | \$1,980,000.00 |
| 8 | Low Mountain | Head Start Facility | Design/Construction | 24 months | \$0.00 | \$596,666.66 | \$0.00 | \$0.00 | \$596,666.66 |
| 9 | Blue Gap/Tachee | New Chapter House | Design/Construction | 24 months | \$0.00 | \$530,000.00 | \$0.00 | \$150,000.00 | \$530,000.00 |
| 10 | Many Farms | Market Study | Planning | 24-36 months | \$0.00 | \$265,000.00 | \$0.00 | \$20,000.00 | \$265,000.00 |
| 11 | Ramah | Chapter Renovation | Design/Construction | 24-36 months | \$0.00 | \$1,388,888.89 | \$0.00 | \$20,000.00 | \$1,388,888.89 |
| 12 | Tohajilee | Road Improvement | Design/Construction | 36 months | \$1,388,888.89 | \$0.00 | \$0.00 | \$353,000.00 | \$1,388,888.89 |
| 13 | Coyote Canyon | New Chapter Tractor | New Equipment | 2-4 mths | \$50,000.00 | \$0.00 | \$0.00 | \$9,000.00 | \$50,000.00 |
| 14 | Coyote Canyon | Senior Center Van | New Equipment | 2-4 months | \$50,000.00 | \$0.00 | \$0.00 | \$50,000.00 | \$50,000.00 |
| 15 | Coyote Canyon | New Chapter Truck & Flatbed | New Equipment | 2-4 months | \$90,000.00 | \$0.00 | \$0.00 | \$0.00 | \$90,000.00 |
| 16 | Coyote Canyon | New Warehouse | Other Tribal Facilities | 10-12 months | \$0.00 | \$38,563.00 | \$0.00 | \$72,756.00 | \$38,563.00 |
| 17 | Coyote Canyon | Senior Citizen Center | Senior Center Building | 10-12 months | \$109,000.00 | \$0.00 | \$0.00 | \$520,000.00 | \$109,000.00 |
| 18 | Coyote Canyon | Parking Lot w/Landscape | Design/Construction | 12 months | \$0.00 | \$119,455.00 | \$0.00 | \$0.00 | \$119,455.00 |
| 19 | Coyote Canyon | Bathroom Addition | Design/Construction | 12 months | \$126,315.33 | \$0.00 | \$0.00 | \$11,311.00 | \$126,315.33 |
| 20 | Coyote Canyon | Nrg6 Chip Seal | Design/Construction | 10-12 months | \$250,000.00 | \$0.00 | \$0.00 | \$75,864.00 | \$350,000.00 |
| 21 | Bahastlah (Twin Lakes) | Caterpillar 420 F2 4WD Backhoe Loader | Major Equipment | 2-4 months | \$143,000.00 | \$0.00 | \$0.00 | \$52,620.00 | \$143,000.00 |
| 22 | Bahastlah (Twin Lakes) | Massey Ferguson 2706E | Major Equipment | 2-4 months | \$55,000.00 | \$0.00 | \$0.00 | \$12,000.00 | \$55,000.00 |

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

**EXHIBIT:
D**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|---------------------------|--|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 24 | Bahastiah (Twin Lakes) | Caterpillar 140M3 AWD Motor Grader | Major Equipment | 2-4 months | \$238,091.16 | \$0.00 | \$0.00 | \$20,000.00 | \$238,091.16 |
| 25 | Bahastiah (Twin Lakes) | New Warehouse | Design/Construction | 8-12 months | \$0.00 | \$328,242.33 | \$0.00 | \$0.00 | \$328,242.33 |
| 26 | Bahastiah (Twin Lakes) | Road Maintenance | Design/Construction | 8-12 months | \$0.00 | \$69,000.00 | \$0.00 | \$35,000.00 | \$69,000.00 |
| 27 | Naschitti | New Chapter Truck | Major Equipment | 2-4 months | \$73,333.33 | \$0.00 | \$0.00 | \$0.00 | \$73,333.33 |
| 28 | Naschitti | New Warehouse | Design/Construction | 12 months | \$0.00 | \$376,000.00 | \$0.00 | \$36,000.00 | \$376,000.00 |
| 29 | Naschitti | 966M XE Wheel Loader | Major Equipment | 2-4 months | \$231,000.00 | \$0.00 | \$0.00 | \$0.00 | \$231,000.00 |
| 30 | Naschitti | Backhoe | Major Equipment | 2-4 months | \$103,000.00 | \$0.00 | \$0.00 | \$0.00 | \$103,000.00 |
| 31 | Naschitti | Cemetery Expansion Project | Design/Construction | 12 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 32 | Mexican Springs | Deer Springs Road | Design/Construction | 12-18 months | \$667,000.00 | \$0.00 | \$0.00 | \$0.00 | \$667,000.00 |
| 33 | Mexican Springs | Road Maintenance, Culverts & Bridges | Design/Construction | 12-18 months | \$121,333.34 | \$0.00 | \$0.00 | \$0.00 | \$121,333.34 |
| 34 | Mexican Springs | Massey Ferguson 2706E Road Improvement-Apache | Major Equipment | 2-4 months | \$45,000.00 | \$0.00 | \$0.00 | \$0.00 | \$45,000.00 |
| 35 | Round Rock | Road Improvement-Apache Cty. 590 | Pre-Design/Design | 18-24 months | \$50,000.00 | \$60,000.00 | \$228,533.94 | \$0.00 | \$338,533.94 |
| 36 | Round Rock | Road Improvement Apache Co. 492 | Design/Construction | 18-24 months | \$50,000.00 | \$60,000.00 | \$351,153.69 | \$0.00 | \$461,153.69 |
| 37 | Round Rock | Signage Proposal | Design/Construction | 6-8 months | \$33,198.50 | \$0.00 | \$0.00 | \$0.00 | \$33,198.50 |
| 38 | Tsalle/Wheatfields | Fencing of Tract | Design/Construction | 6-8 months | \$220,000.00 | \$0.00 | \$0.00 | \$0.00 | \$220,000.00 |
| 39 | Tsalle/Wheatfields | Senior Center Rehabilitation of Facility | Design/Construction | 6-8 months | \$0.00 | \$48,255.00 | \$319,000.00 | \$0.00 | \$367,255.00 |
| 40 | Tsalle/Wheatfields | Cemetery | Design/Construction | 6-8 months | \$20,032.12 | \$0.00 | \$0.00 | \$0.00 | \$20,032.12 |
| 41 | Tsalle/Wheatfields | Chapter Tract Master Plan | Design/Construction | 18-24 months | \$35,000.00 | \$0.00 | \$0.00 | \$0.00 | \$35,000.00 |
| 42 | Rock Point | BIA Road Route 8070 | Design/Construction | 12-16 months | \$46,100.00 | \$143,250.00 | \$643,983.00 | \$0.00 | \$833,333.00 |
| 43 | Rough Rock | Senior Center | Construction | 12 months | \$245,333.33 | \$0.00 | \$0.00 | \$0.00 | \$245,333.33 |
| 44 | Lukachuakal | Chapter Fencing | Design/Construction | 12-18 months | \$482,903.33 | \$0.00 | \$0.00 | \$20,000.00 | \$482,903.33 |
| 45 | Lukachuakal | Chapter Agriculture Building | Construction | 6-8 months | \$0.00 | \$70,000.00 | \$0.00 | \$0.00 | \$70,000.00 |
| 46 | Lukachuakal | Chapter Equipment | Major Equipment | 4-6 months | \$144,000.00 | \$0.00 | \$0.00 | \$0.00 | \$144,000.00 |
| 47 | Lukachuakal | Chapter Equipment Manlift | Major Equipment | 6-8 months | \$39,500.00 | \$0.00 | \$0.00 | \$0.00 | \$39,500.00 |

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|---------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 48 | Lukachukai | Chapter Senior Center | Construction | 12 months | \$86,427.00 | \$0.00 | \$0.00 | \$0.00 | \$86,427.00 |
| 49 | Lukachukai | Chapter Welding Machinery | Major Equipment | 6-8 months | \$7,000.00 | \$0.00 | \$0.00 | \$0.00 | \$7,000.00 |
| 50 | Lukachukai | Chapter Roping Box | Major Equipment | 6-8 months | \$3,503.00 | \$0.00 | \$0.00 | \$0.00 | \$3,503.00 |
| 51 | Crystal | Fire Suppression System | Construction | 6-12 months | \$876,000.00 | \$0.00 | \$0.00 | \$285,000.00 | \$876,000.00 |
| 52 | Fort Defiance | Solar Street Lights | Construction | 12 months | \$0.00 | \$972,025.00 | \$0.00 | \$285,503.00 | \$972,025.00 |
| 53 | Fort Defiance | Street Rehabilitation | Design/Construction | 24 months | \$69,641.67 | \$0.00 | \$0.00 | \$0.00 | \$69,641.67 |
| 54 | Red Lake | Utility System Upgrade | Design/Construction | 1-6 months | \$70,000.00 | \$0.00 | \$0.00 | \$0.00 | \$70,000.00 |
| 55 | Red Lake | Street Improvement | Design/Construction | | \$100,000.00 | \$250,000.00 | \$300,000.00 | \$0.00 | \$650,000.00 |
| 56 | Red Lake | Chapter Complex | Plan/Design/Construction | | \$0.00 | \$0.00 | \$321,666.67 | \$0.00 | \$321,666.67 |
| 57 | Sawmill | Bathroom Additions | Construction | 12 months | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| 58 | Sawmill | Renovate Chapter House | Construction | 6 months | \$250,000.00 | \$250,000.00 | \$0.00 | \$0.00 | \$500,000.00 |
| 59 | Sawmill | N7 Road Rehab | Design | | \$271,666.67 | \$0.00 | \$0.00 | \$0.00 | \$271,666.67 |
| 60 | Dennehotso | Transfer Station | Design/Construction | 24 months | \$40,000.00 | \$100,000.00 | \$0.00 | \$0.00 | \$140,000.00 |
| 61 | Dennehotso | Veterans Park | Construction | 36 months | \$0.00 | \$225,000.00 | \$0.00 | \$7,000.00 | \$225,000.00 |
| 62 | Dennehotso | Warehouse | Construction | 12 months | \$0.00 | \$162,025.82 | \$0.00 | \$20,000.00 | \$162,025.82 |
| 63 | Kayenta | Diversion Dam | Design/Construction | 24-36 months | \$0.00 | \$1,344,623.31 | \$0.00 | \$455,000.00 | \$1,344,623.31 |
| 64 | Kayenta | Rehabilitation Project | | | \$350,000.00 | \$0.00 | \$0.00 | \$0.00 | \$350,000.00 |
| 65 | Kayenta | Multi-Purpose Building | Plan/Design/Construction | 24 months | \$300,000.00 | \$0.00 | \$0.00 | \$0.00 | \$300,000.00 |
| 66 | Chilchinbeto | Multi-Purpose Building | Plan/Design/Construction | 12 months | \$50,000.00 | \$400,000.00 | \$0.00 | \$0.00 | \$450,000.00 |
| 67 | Shiprock | Chapter Renovation | Design/Construction | 12 months | \$80,000.00 | \$0.00 | \$0.00 | \$0.00 | \$80,000.00 |
| 68 | Shiprock | Senior Center | Construction | 12 months | \$17,000.00 | \$0.00 | \$0.00 | \$0.00 | \$17,000.00 |
| 69 | Shiprock | Elderly Care Site | Planning | 8 months | \$0.00 | \$200,000.00 | \$0.00 | \$0.00 | \$200,000.00 |
| 70 | Shiprock | Wellness Center | Design/Construction | 12 months | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 71 | Shiprock | Former BIA Compound | Testing/Planning | 24 months | \$350,000.00 | \$0.00 | \$0.00 | \$0.00 | \$350,000.00 |
| 72 | Shiprock | Utility Hook-Up/Restroom Renovations | Construction | 8 months | \$60,000.00 | \$0.00 | \$0.00 | \$0.00 | \$60,000.00 |
| 73 | Shiprock | River Trail & Community Park | Construction | 9 months | \$56,000.00 | \$0.00 | \$0.00 | \$0.00 | \$56,000.00 |
| 74 | Shiprock | 15 Secure Land Designation | Planning | 24 months | \$200,000.00 | \$0.00 | \$0.00 | \$0.00 | \$200,000.00 |
| 75 | Shiprock | Rural Addressing | Construction | 12 months | \$100,000.00 | \$0.00 | \$0.00 | \$0.00 | \$100,000.00 |
| 76 | Shiprock | Roads-Indian Village | Major Equipment | 12 months | \$318,000.00 | \$0.00 | \$0.00 | \$0.00 | \$318,000.00 |
| 77 | Shiprock | South Side Incident Command Center | Construction | 24 months | \$1,000,000.00 | \$0.00 | \$0.00 | \$0.00 | \$1,000,000.00 |

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

**EXHIBIT:
D**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|-------------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 77 | Shiprock | New Traffic Lights | Construction | 12 months | \$200,000.00 | \$0.00 | \$0.00 | \$0.00 | \$200,000.00 |
| 78 | Shiprock | Shiprock Cemetery | Plan/Design/Construction | 12 months | \$90,000.00 | \$0.00 | \$0.00 | \$0.00 | \$90,000.00 |
| 79 | Shiprock | Plan/Design 36 acre Tract | Plan/Design/Construction | 24 months | \$85,000.00 | \$0.00 | \$0.00 | \$0.00 | \$85,000.00 |
| 80 | Shiprock | Visitor Center | Plan/Design | 12 months | \$360,666.66 | \$0.00 | \$0.00 | \$0.00 | \$360,666.66 |
| 81 | Shiprock | Widening San Francisco Peak Blvd. | Plan/Design | 12 months | \$500,000.00 | \$0.00 | \$0.00 | \$0.00 | \$500,000.00 |
| 82 | Beclabito | Beclabito Road Project N5113 | Design/Construction | 24-36 months | \$0.00 | \$0.00 | \$615,000.00 | \$0.00 | \$615,000.00 |
| 83 | Cove | Cove Senior Center | Construction | 8-12 months | \$255,704.00 | \$0.00 | \$0.00 | \$0.00 | \$255,704.00 |
| 84 | Cove | Cove Veterans Pavilion | Planning/Design | 10-12 months | \$0.00 | \$130,000.00 | \$0.00 | \$8,000.00 | \$130,000.00 |
| 85 | Gadiahli | Gadiahli Tokoi Infrastructure New Development | Design/Construction | 10-12 months | \$0.00 | \$300,000.00 | \$0.00 | \$0.00 | \$300,000.00 |
| 86 | Red Valley | Transfer Station | Design/Construction | 24-36 months | \$200,000.00 | \$0.00 | \$0.00 | \$0.00 | \$200,000.00 |
| 87 | Sheep Springs | Multi-Purpose Building | Construction | 8-12 months | \$687,629.66 | \$0.00 | \$0.00 | \$240,000.00 | \$687,629.66 |
| 88 | Two Grey Hills/Toadlena | ROW N19 | Pre-Design | 8-12 months | \$600,000.00 | \$0.00 | \$0.00 | \$0.00 | \$600,000.00 |
| 89 | Tse Alnaozti'i'i | 5010 Road Design | Design | 24-36 months | \$75,000.00 | \$0.00 | \$0.00 | \$0.00 | \$75,000.00 |
| 90 | Beclabito | Fiber Optic - Broadband Agriculture - Watershed | Planning/Design | 12-18 months | \$708,333.00 | \$0.00 | \$0.00 | \$0.00 | \$708,333.00 |
| 91 | Cove | Study | Planning/Design | 12-18 months | \$600,000.00 | \$0.00 | \$0.00 | \$0.00 | \$600,000.00 |
| 92 | Tse'Uchli | New Senior Center | Design/Construction | 12-24 months | \$0.00 | \$1,600,000.00 | \$0.00 | \$400,000.00 | \$1,600,000.00 |
| 93 | Tsayatoh | Chapter Renovation | Design/Construction | 12-16 months | \$0.00 | \$500,000.00 | \$0.00 | \$100,000.00 | \$500,000.00 |
| 94 | Baahaali | Pine Haven Road | Design/Construction | 18-24 months | \$0.00 | \$600,000.00 | \$0.00 | \$655,000.00 | \$600,000.00 |
| 95 | Baahaali | Senior Center (Renov./Addition) | Design/Construction | 8-12 months | \$150,000.00 | \$0.00 | \$0.00 | \$450,000.00 | \$150,000.00 |
| 96 | Rock Springs | Multi-Purpose Building | Pre-Design | 20-24 months | \$0.00 | \$276,173.66 | \$0.00 | \$450,000.00 | \$276,173.66 |
| 97 | Inscription House | Solid Waste Transfer Station | Design/Construction | 24-36 months | \$0.00 | \$0.00 | \$330,000.00 | \$0.00 | \$330,000.00 |
| 98 | Inscription House | House Wiring | Design/Construction | 24-36 months | \$0.00 | \$50,000.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 99 | Red Mesa | Chapter House Renovation | Design/Construction | 12 months | \$238,249.15 | \$0.00 | \$0.00 | \$0.00 | \$238,249.15 |
| 100 | St. Michael's | New Chapter House | Construction | 10-14 mths | \$2,083,333.33 | \$0.00 | \$0.00 | \$53,409.00 | \$2,083,333.33 |
| 101 | Oaksprings | Chapter Major Renovation | Design/Construction | 24 months | \$1,000,000.00 | \$1,083,333.33 | \$0.00 | \$10,000.00 | \$2,083,333.33 |

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:
D

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|-------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 102 | Gresswood Springs | Master Tract Plan | Planning, Pre-Design, Design/Construction | 12-24 months | \$400,000.00 | \$433,333.33 | \$0.00 | \$0.00 | \$833,333.33 |
| 103 | Diklon | Multi Purpose Complex Chapter Tract Infrastructure | Planning | 12 months | \$333,333.33 | \$0.00 | \$0.00 | \$120,000.00 | \$333,333.33 |
| 104 | Diklon | Upgrade | Plan/Design | 12 months | \$0.00 | \$275,000.00 | \$0.00 | \$0.00 | \$275,000.00 |
| 105 | Indian Wells | HVAC Unit | Major Equipment | 4-6 months | \$25,000.00 | \$0.00 | \$0.00 | \$66,000.00 | \$25,000.00 |
| 106 | Indian Wells | Senior Center Facility Repairs | Planning | 12 months | \$265,000.00 | \$279,393.67 | \$0.00 | \$0.00 | \$544,393.67 |
| 107 | Indian Wells | 10 Commercial Site Development | Planning | 18-24 months | \$200,000.00 | \$0.00 | \$0.00 | \$678,000.00 | \$200,000.00 |
| 108 | Whitecone | Road Improvement | Design/Construction | 18-24 months | \$194,000.00 | \$0.00 | \$0.00 | \$0.00 | \$194,000.00 |
| 109 | Whitecone | JW2 - Master Tract Plan | Planning, Pre-Design, Design/Construction | 12-24 months | \$66,000.00 | \$0.00 | \$0.00 | \$0.00 | \$66,000.00 |
| 110 | Whitecone | Motor Grader | Major Equipment | 6-8 months | \$339,000.00 | \$0.00 | \$0.00 | \$0.00 | \$339,000.00 |
| 111 | Teesto | Community Center | Design/Construction | 18-24 months | \$500,000.00 | \$0.00 | \$0.00 | \$0.00 | \$500,000.00 |
| 112 | Standing Rock | Tseilahi Head Start | Construction | 8-12 months | \$3,269,616.66 | \$0.00 | \$0.00 | \$125,000.00 | \$3,269,616.66 |
| 113 | Whiterock | Chapter Renovation | Design/Construction | 6-8 months | \$500,000.00 | \$0.00 | \$0.00 | \$359,476.65 | \$500,000.00 |
| 114 | Huerfano | Senior Center | Design/Construction | 8-12 months | \$0.00 | \$397,050.00 | \$0.00 | \$53,261.00 | \$397,050.00 |
| 115 | Chinle | N7 Solar Street Light | Pre-Design, Design/Construction | 24 months | \$50,000.00 | \$1,735,534.45 | \$0.00 | \$0.00 | \$1,785,534.45 |
| 116 | Chinle | Del Muerto Headstart Improvement | Construction | 12 months | \$0.00 | \$0.00 | \$301,496.21 | \$0.00 | \$301,496.21 |
| 117 | Cameron | Cultural Center | Pre-Design | 24 months | \$250,000.00 | \$250,000.00 | \$133,333.00 | \$0.00 | \$633,333.00 |
| 118 | Cameron | Demonstration Farm | Planning | 18-24 months | \$100,001.66 | \$0.00 | \$0.00 | \$0.00 | \$100,001.66 |
| 119 | Coalmine | Chapter House Building Repair | Renovation | 12-18 months | \$200,000.00 | \$533,333.00 | \$0.00 | \$20,000.00 | \$733,333.00 |
| 120 | Birdsprings/Leupp | Commercial Farm Project | Planning | 24 months | \$250,000.00 | \$200,000.00 | \$50,000.00 | \$0.00 | \$500,000.00 |
| 121 | Tolani Lake | New Senior Center Replacement | Design/Construction | 18-24 months | \$0.00 | \$733,333.00 | \$0.00 | \$0.00 | \$733,333.00 |
| 122 | Cornfields | Community/Veterans Cemetery | Design/Construction | 12 months | \$66,333.33 | \$0.00 | \$0.00 | \$0.00 | \$66,333.33 |
| 123 | Cornfields | Deer Point Development | Pre-Design | 24-36 months | \$0.00 | \$0.00 | \$300,000.00 | \$0.00 | \$300,000.00 |

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

EXHIBIT:
D

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SHASIN FUNDS REQUESTED |
|-----|-------------|--|--|---------------------|----------------|----------------|----------------|------------------------------|---------------------------|
| 124 | Cornfields | Sunrise Low Water Crossing (Road) | Pre-Design | 26-36 months | \$0.00 | \$266,000.00 | \$0.00 | \$0.00 | \$266,000.00 |
| 125 | Cornfields | Rural Address LRAC E-911 | Design/Construction | 12 months | \$10,000.00 | \$0.00 | \$0.00 | \$0.00 | \$10,000.00 |
| 126 | Cornfields | Backhoe Purchase | Purchase | 6 months | \$40,000.00 | \$0.00 | \$0.00 | \$0.00 | \$40,000.00 |
| 127 | Cornfields | Green House | Design/Construction | 12 months | \$1,000.00 | \$0.00 | \$0.00 | \$25,000.00 | \$26,000.00 |
| 128 | Kindalichii | Chapter House Parking Lot | Design/Construction | 12-24 months | \$94,231.32 | \$0.00 | \$0.00 | \$1,000.00 | \$95,231.32 |
| 129 | Jeddito | Backhoe Purchase | Major Equipment | 6 months | \$107,064.66 | \$0.00 | \$0.00 | \$0.00 | \$107,064.66 |
| 130 | Jeddito | Bathroom Addition (Goldwater Loop) | Design/Construction | 18-24 months | \$0.00 | \$363,134.33 | \$0.00 | \$0.00 | \$363,134.33 |
| 131 | Jeddito | Bathroom Addition (Upper Highland/ Sitting Rk) | Design/Construction | 18-24 months | \$0.00 | \$363,134.34 | \$0.00 | \$0.00 | \$363,134.34 |
| 132 | Steamboat | Old Chapter Renovation (Stone Bldg.) | Construction | 8-12 months | \$220,000.00 | \$0.00 | \$0.00 | \$0.00 | \$220,000.00 |
| 133 | Steamboat | Chapter Building Renovation | Design/Construction | 18-24 months | \$0.00 | \$0.00 | \$400,000.00 | \$50,000.00 | \$400,000.00 |
| 134 | Steamboat | Chapter Warehouse | Design/Construction | 18-24 months | \$0.00 | \$213,333.33 | \$0.00 | \$25,000.00 | \$238,333.33 |
| 135 | Ganado | Senior Center Building | Design/Construction | 18-24 months | \$0.00 | \$833,333.34 | \$0.00 | \$0.00 | \$833,333.34 |
| 136 | Coppermine | Backhoe | Major Equipment | 4-6 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 137 | Coppermine | Multipurpose Building | Pre-Design | 18-24 months | \$0.00 | \$0.00 | \$200,000.00 | \$0.00 | \$200,000.00 |
| 138 | Coppermine | Western Navajo Pipeline, Fireflow, Storage Tank | Design/Construction | 18-24 months | \$0.00 | \$400,000.00 | \$0.00 | \$0.00 | \$400,000.00 |
| 139 | Kalibeto | Kalibeto Design Infrastructure | Design/Construction | 18-24 months | \$0.00 | \$370,000.00 | \$0.00 | \$0.00 | \$370,000.00 |
| 140 | Tonalea | Government Building | Construction | 8-12 months | \$1,050,000.00 | \$0.00 | \$0.00 | \$0.00 | \$1,050,000.00 |
| 141 | Klageretoh | Head Start Project | Pre-Design | 8-12 months | \$0.00 | \$400,000.00 | \$0.00 | \$0.00 | \$400,000.00 |
| 142 | Lupton | Basketball Court Development | Pre-Design | 12 months | \$0.00 | \$53,795.00 | \$0.00 | \$0.00 | \$53,795.00 |
| 143 | Lupton | Cemetery | Pre-Design | 13 months | \$0.00 | \$0.00 | \$100,000.00 | \$0.00 | \$100,000.00 |
| 144 | Lupton | Warehouse Renovation | Pre-Design | 14 months | \$68,795.00 | \$0.00 | \$0.00 | \$0.00 | \$68,795.00 |

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|---------------|---|---|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 145 | Lupton | Housewiring | Construction | 15 months | \$0.00 | \$13,000.00 | \$0.00 | \$0.00 | \$13,000.00 |
| 146 | Lupton | Road Improvement | Pre-Design | 16 months | \$0.00 | \$0.00 | \$75,040.00 | \$0.00 | \$75,040.00 |
| 147 | Nahataadziil | Shopping Center | Construction | 12-18 months | \$1,265,035.70 | \$0.00 | \$0.00 | \$7,200,000.00 | \$1,265,035.70 |
| 148 | Houck | Bathroom Additions | Design/Construction | 18-24 months | \$60,000.00 | \$255,000.00 | \$0.00 | \$0.00 | \$315,000.00 |
| 149 | Houck | Cemetery | Plan/Design/Construction | 18-24 months | \$46,722.00 | \$0.00 | \$0.00 | \$0.00 | \$46,722.00 |
| 150 | Houck | 9402 Road Improvement | Plan/Design | 18-24 months | \$85,000.00 | \$0.00 | \$0.00 | \$0.00 | \$85,000.00 |
| 151 | Tuba City | Senior Center | Design/Construction | 18-24 months | \$1,400,000.00 | \$2,766,666.66 | \$0.00 | \$370,000.00 | \$4,166,666.66 |
| 152 | Casamero Lake | McKinley County Rd.19 Construction Project | Construction | 24 months | \$2,811,443.31 | \$0.00 | \$0.00 | \$0.00 | \$2,811,443.31 |
| 153 | Baca-Prewitt | Backhoe | Major Equipment | 4-6 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 154 | Baca-Prewitt | New Warehouse | Pre-Design | 12-18 months | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| 155 | Hardrock | Senior Center Facility Repairs | Design/Construction | 24 months | \$250,000.00 | \$0.00 | \$0.00 | \$0.00 | \$250,000.00 |
| 156 | Hardrock | ADA | Design/Construction | 24 months | \$0.00 | \$60,000.00 | \$0.00 | \$0.00 | \$60,000.00 |
| 157 | Hardrock | Walk-in Shower | Design/Construction | 24 months | \$52,269.00 | \$0.00 | \$0.00 | \$0.00 | \$52,269.00 |
| 158 | Hardrock | HVAC Unit | Design/Construction | 24 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 159 | Hardrock | Vehicle | Major Equipment | 24 months | \$74,886.00 | \$0.00 | \$0.00 | \$0.00 | \$74,886.00 |

**EXHIBIT:
D**

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|----------------------|---|--|---------------------|----------------|----------------|----------------|------------------------------|----------------------------|
| 160 | Hardrock | Wellness Equipment | Major Equipment | 24 months | \$44,940.00 | \$0.00 | \$0.00 | \$0.00 | \$44,940.00 |
| 161 | Pifion | Chapter Communication Systems Upgrade | Major Equipment | 10 months | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| 162 | Pifion | Chapter House Perimeter Fencing | Construction | 6 months | \$21,660.00 | \$0.00 | \$0.00 | \$0.00 | \$21,660.00 |
| 163 | Pifion | Clearances for Withdrawal of Land for Community | Pre-Design | 12-18 months | \$10,000.00 | \$0.00 | \$0.00 | \$0.00 | \$10,000.00 |
| 164 | Pifion | Chapter Vehicle w/ Metal 1000 gal. Water Tank | Major Equipment | 2-4 months | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| 165 | Pifion | Chapter Vehicle | Major Equipment | 2-4 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 166 | Pifion | Rural Addressing | Construction | 12 months | \$50,000.00 | \$0.00 | \$0.00 | \$0.00 | \$50,000.00 |
| 167 | Pifion | Housewiring/Bathroom Additions | Construction | 12 months | \$25,000.00 | \$0.00 | \$0.00 | \$0.00 | \$25,000.00 |
| 168 | Pifion | Housewiring/Bathroom Additions | Construction | 12 months | \$23,648.14 | \$0.00 | \$0.00 | \$0.00 | \$23,648.14 |
| 169 | Pifion | N8030 Road Project | Design/Construction | 24 months | \$0.00 | \$0.00 | \$68,334.00 | \$0.00 | \$68,334.00 |
| 170 | Pifion | Dziyijin Public Safety Utility | Planning | 18 months | \$0.00 | \$0.00 | \$400,000.00 | \$0.00 | \$400,000.00 |
| 171 | Pifion | Dziyijin College Land Withdrawal | Planning | 24 months | \$0.00 | \$0.00 | \$83,000.00 | \$0.00 | \$83,000.00 |
| 172 | Forest Lake | Senior Center (Renov./Addition) | Design/Construction | 24 months | \$500,000.00 | \$0.00 | \$0.00 | \$50,000.00 | \$500,000.00 |
| 173 | Whippoorwill Springs | Renovation-Sr. Center, Warehouse, Admin. Building | Design/Construction | 24 months | \$450,000.00 | \$0.00 | \$0.00 | \$0.00 | \$450,000.00 |
| 174 | Iyanbito | Garden & Community Project | Pre-Design | 4-6 months | \$0.00 | \$10,000.00 | \$97,700.00 | \$0.00 | \$107,700.00 |
| 175 | Iyanbito | Head Start Project | Pre-Design | 8-10 months | \$0.00 | \$576,744.44 | \$0.00 | \$238,528.00 | \$576,744.44 |

EXHIBIT:
D

**SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|--------------|------------------------|--|---------------------|------------------------|------------------------|-----------------------|------------------------------|----------------------------|
| 176 | Iyanbito | Veterans | Pre-Design | 6-8 months | \$0.00 | \$0.00 | \$10,000.00 | \$0.00 | \$10,000.00 |
| 177 | Thoreau | Veterans Building | Design/Construction | 12-18 months | \$0.00 | \$694,444.00 | \$0.00 | \$700,000.00 | \$694,444.00 |
| 178 | Mariano Lake | Multi-Purpose Building | Construction | 8-12 months | \$391,044.90 | \$0.00 | \$0.00 | \$291,255.66 | \$391,044.90 |
| 179 | Mariano Lake | Lake House Wiring | Construction | 6-8 months | \$303,400.00 | \$0.00 | \$0.00 | \$0.00 | \$303,400.00 |
| 180 | Pinedale | Veterans Building | Construction | 8-12 months | \$694,444.44 | \$0.00 | \$0.00 | \$96,609.00 | \$694,444.44 |
| 181 | Smithlake | Bay/Shop Building | Construction | 6-10 months | \$694,444.44 | \$0.00 | \$0.00 | \$0.00 | \$694,444.44 |
| 182 | Churchrock | Multi-Purpose Building | Design/Construction | 18-24 months | \$0.00 | \$694,444.44 | \$0.00 | \$0.00 | \$694,444.44 |
| *** | Window Rock | Administrative Funds | *** | *** | \$200,000.00 | \$200,000.00 | \$200,000.00 | \$0.00 | \$600,000.00 |
| | | | | | \$37,423,205.14 | \$31,124,968.21 | \$5,528,240.51 | GRAND TOTAL | \$74,076,413.86 |

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN (WATERLINES)

**EXHIBIT:
E**

| NO. | CHAPTER | PROJECT DESCRIPTION | PROJECT TYPE (Pre-Design, Design, Design/Construction) | PROJECT DURATION | YEAR 1 FUNDING | YEAR 2 FUNDING | YEAR 3 FUNDING | MATCHING FUNDS (LEVERAGE) | SIHASIN FUNDS REQUESTED |
|-----|------------------------|--|--|---------------------|---------------------|-----------------------|-----------------------|---------------------------------|----------------------------|
| 1 | Tselani/ Cottonwood | Waterline | Construction | 18-24 months | \$0.00 | \$265,000.00 | \$0.00 | \$0.00 | \$265,000.00 |
| 2 | Rough Rock | Low Water project | Design/ Construction | 16-24 months | \$0.00 | \$588,000.00 | \$0.00 | \$0.00 | \$588,000.00 |
| 3 | Tohatchi | Waterline | Plan/ Design/ Construction | 36 months | \$200,000.00 | \$0.00 | \$633,333.33 | \$25,000.00 | \$833,333.33 |
| 4 | Crystal | Green Knoll/Split Mesa Waterline and Water Storage | Plan/ Design/Construction | 36 months | \$100,000.00 | \$65,666.66 | \$0.00 | \$0.00 | \$165,666.66 |
| 5 | Shiprock | Waterline Extension/Updates | Pre-Design (ROW, Survey, Assessment) | 36 months | \$100,000.00 | \$0.00 | \$0.00 | \$0.00 | \$100,000.00 |
| 6 | Tolikan | Water line extension | Plan/ Design/ Construction | 24 months | \$60,557.00 | \$0.00 | \$0.00 | \$5,000.00 | \$60,557.00 |
| 7 | Chinle | Waterline-SpiderRock Phase 2.5 | Plan/ Design/ Construction | 24 months | \$50,000.00 | \$0.00 | \$1,379,636.00 | \$0.00 | \$1,429,636.00 |
| 8 | Chinle | Water Well-Construction | Design/ Construction | 36 months | \$50,000.00 | \$0.00 | \$600,000.00 | \$0.00 | \$650,000.00 |
| 9 | Cornfields | Waterline | Pre-Design (ROW) | 24 months | \$0.00 | \$150,000.00 | \$0.00 | \$0.00 | \$150,000.00 |
| | | | | | \$560,557.00 | \$1,068,666.66 | \$2,612,969.33 | GRAND TOTAL | \$4,242,192.99 |

NAVAJO NATION

RCS# 1069

4/17/2018

Spring Session

11:53:07 PM

Amd# to Amd#

Legislation 0116-18:

PASSED

MOT Damon

Adopting the Sihasin Fund

SEC Begay, S

Powerline and Chapter Projects

Expenditure Plan Pursuant...

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K

Chee

Hale

Slim

Begay, NM

Crotty

Jack

Smith

Begay, S

Damon

Perry

Tso

BeGaye, N

Daniels

Pete

Witherspoon

Bennett

Filfred

Phelps

Yazzie

Brown

Nay : 0

Excused : 0

Not Voting : 3

Bates

Tsosie

Shepherd



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO: Honorable LoRenzo Bates, Speaker
Navajo Nation Council

FROM:


Russell Begaye, *President*
THE NAVAJO NATION

DATE: May 7, 2018

SUBJECT: Resolution No. CAP-35-18: RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; ADOPTING THE SISHASIN FUND POWERLINE AND CHAPTER PROJECTS EXPENDITURE PLAN PURSUANT TO CD-68-14, AS AMENDED BY CJA-03-18 AND 12 N.N.C. 2501-2508, AS AMENDED; WAIVING 12 N.N.C. 810 (F), 820(I) AND (M) AND 860(C) RELATING TO THE CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROCESS

Pursuant to 2 N.N.C. 1005 (C)(10), action for Resolution No. CAP-35-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker within the ten (10) days requirement. Furthermore, the Navajo Nation President has line item veto authority for budget items within the Supplemental Appropriations, which are not subject to override by the Navajo Nation Council. 2 N.N.C. 164 (A)(17).

After review of Resolution No. CAP-35-18, I hereby exercise my line-veto to:

1. Section Three. Approval and Adoption of Expenditure Plan.
2. Section Four. Approval and Adoption of Expenditure Plan Administration.
3. EXHIBIT D. SISHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS EXPENDITURE PLAN

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

After consultation with the impacted Divisions, I have decided to exercise my line-item veto authority. The justification and details for use of the President's line-item veto is set forth below.

- a. **NO. 42 YEAR 1 Funding \$46,100.00, YEAR 2 Funding \$143,250.00, YEAR 3 Funding \$643,983.00, SIHASIN FUNDS REQUESTED in the total amount of \$833,333.00.**
- b. **NO. 70 YEAR 1 Funding \$350,000.00, SIHASIN FUNDS REQUESTED in the total amount of \$350,000.00**

First, the 110 Chapters have millions in unexpended dollars and should expend these fund for the many uses and projects on this Sihasin project listing. There are still many people that need water and electricity and these dollars should be priority for these funds. Second, the two projects vetoed are Bureau of Indian Affairs (BIA) projects and should remain under the BIA funding. Third, I support these appropriations as they also fulfill our four (4) pillars for Veterans, Youth and Elders, Jobs and Infrastructure.

I am pleased to sign this legislation into law as it will stimulate our economy by creating much needed jobs and bringing in infrastructure for our People.

Therefore, I will exercise my line-item veto authority to only two (2) items.



CORNFIELDS CHAPTER



P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917
Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

CF-JULY2019-237

RESOLUTION OF THE CORNFIELDS CHAPTER

Requesting Resource and Development Committee to change in project type to Resolution CAP-35-18 Sihasin Fund Powerline and Chapter Project; amend the scope to add design/construction to purchase for the Cornfields Chapter Green House Project.

WHEREAS:

1. Cornfields Chapter is a recognized as a certified chapter of the Navajo Nation and is vested with the authority and responsible to plan and implement all things that are in the best interest of its community; and
2. Cornfields Chapter realizes that pursuant to CAP-34-98, the Local Governance Act allows all chapters to make decisions over local matters; this authority will improve community decision making; allow communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation; and
3. Cornfields Chapter, at its recent Planning Meeting discussed the current Cornfields Chapter Community Priority Projects and its delay in process; and
4. Cornfields Chapter and its Community have always submitted required documents requested to various entities to expedite the completion of paperwork submissions in a timely manner; and
5. Cornfields Chapter and its community have a accepted to amend project type to Resolution CAP-35-18 Sihasin Fund Powerline and Chapter Project; amend the scope to add design/construction to purchase for the Cornfields Chapter Green House Project.

NOW THEREFORE BE IT RESOLVED THAT:

The Cornfields Chapter hereby supports and approves to amend project type to Resolution CAP-35-18 Sihasin Fund Powerline and Chapter Project; amend the scope to add design/construction to purchase for the Cornfields Chapter Green House Project.

CERTIFICATION

I hereby certify that the Cornfields Chapter duly considered the foregoing resolution at a duly called meeting at Cornfields Chapter, Navajo Nation (ARIZONA) at which a quorum was present and was passed by a vote of 20 in favor, 00 opposed and 02 abstained on this 7th day of July 2019.



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

Page 2

CF-JULY2019-237



Presiding Chapter President
CORNFIELDS CHAPTER

Motion: Mr. Lawrence Sam, Sr.

Second: Mr. Gordon Dempsey

CAP-35-18

DATE SUBMITTED: September 23, 2019

REFERENCE NUMBER: 24

ORIGINAL DATE APPROVED: _____

| EXHIBIT & PROJECT NO. | PROJECT DESCRIPTION | FUNDING | | | | FUNDING AMOUNT ADDED OR DELETED |
|--------------------------|---|---------|--------|--------|---------------|---------------------------------------|
| | | YEAR 1 | YEAR 2 | YEAR 3 | TOTAL FUNDING | |
| D 127 | CHANGE PROJECT TYPE/ YR TO PURCHASE AND TO YR 2 | | 1,000 | | 1,000 | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

TOTAL: | | INCREASED / | | DECREASED FUNDING:

DATE _____

16/3/19

DATE _____

10-3-19

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION

CAP-35-18

*Revised for project
per separate form*

I. PROJECT DETAILS

DATE SUBMITTED: September 23, 2019

PROJECT NAME: RURAL ADDRESSING DRAG/GREENHOUSE

REFERENCE NUMBER: _____

PROJECT TYPE: DESIGN/CONSTRUCTION

ORIGINAL DATE APPROVED: _____

II. NATURE OF CHANGE AND COST DETAILS

| EXHIBIT & PROJECT NO. | PROJECT DESCRIPTION | FUNDING | | | FUNDING AMOUNT ADDED OR DELETED |
|--------------------------|---|---------|--------|--------|---------------------------------------|
| | | YEAR 1 | YEAR 2 | YEAR 3 | |
| D125 <i>Funeral Hl.</i> | CHANGE PROJECT TYPE/ YR TO PURCHASE AND TO YR 2 | | 10,000 | | 10,000 |
| D127 <i>Greenhouse</i> | CHANGE PROJECT TYPE/ YR TO PURCHASE AND TO YR 2 | | 1,000 | | 1,000 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

TOTAL: ☐ INCREASED ☐ DECREASED FUNDING: _____

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

VINCE JAMES

Vince James

10-3-19

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" *Funding Use/Year*.

IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

PRINTED NAME

SIGNATURE

DATE

CPMD Project Manager CPMD

Sony Franklin

Sony Franklin

10-3-19

Department Manager

Sony Franklin

Sony Franklin

10-3-19



THE NAVAJO NATION
Capital Projects Management Department
Division of Community Development



APPLICATION FOR SERVICES

TODAY'S DATE: July 10, 2018

AGENCY: Fort Defiance

TYPE OF PROJECT:

- ☐ Chapter House ☐ Multi-Purpose ☐ Senior Center
☐ Preschool ☐ NN Facilities ☐ Powerline Ext.
☐ Sewer Lagoon ☐ Waterline ☐ Sewerline
☐ Housewiring ☐ Bathroom Addition ☒ Other: Green House

PURPOSE:

Cornfields Chapter

hereby request for technical assistance

SPONSORSHIP/CHAPTER/DEPARTMENT/PROGRAM

for the following areas:

- | | | |
|--|---|---|
| <input type="checkbox"/> Project Evaluation | <input type="checkbox"/> Design Development | <input type="checkbox"/> Inspection |
| <input type="checkbox"/> Schematic Design | <input type="checkbox"/> Contract Development | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Cost Estimation | <input type="checkbox"/> Negotiation | <u>Purchase</u> |
| <input type="checkbox"/> Construction Drawings | <input type="checkbox"/> Evaluation of Contract Proposals | |
| <input type="checkbox"/> Specification Development | <input type="checkbox"/> Meeting Attendance | |

MAILING
ADDRESS:

Cornfields Chapter

NAME OF ORGANIZATION

Alfreda Earle, Chapter Manager

CONTACT PERSON/TITLE

P.O. Box 478

ADDRESS

Ganado

Arizona

86505

CITY

STATE

ZIP CODE

PHONE: (928) 755-5912

FAX NUMBER: (928) 755-5917

E-MAIL ADDRESS: cornfields@navajochapters.org

CHECKLIST OF PROJECT REQUIREMENTS:

Do you have the following?

Funding Appropriations

Sihasin Fund

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Business Unit: _____

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Business Unit: _____

Source: ☐ CP/TIF ☐ AML ☐ NAAA ☐ Gaming

Business Unit: _____

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Land Withdrawal/Land Designation | <input type="checkbox"/> Land Use | <input type="checkbox"/> Building Data |
| <input checked="" type="checkbox"/> Chapter Approval/Resolution | <input type="checkbox"/> Cost Estimate | <input type="checkbox"/> Square Foot (Size) |
| <input checked="" type="checkbox"/> Environmental Review/Compliance | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Electrical Service Cost |
| <input type="checkbox"/> Off. of Environmental Health (IHS) Assessment | <input type="checkbox"/> Site Analysis | <input checked="" type="checkbox"/> Project Budget |
| <input checked="" type="checkbox"/> Cultural Resource Compliance Form (Archaeology) | <input checked="" type="checkbox"/> Scope of Work/Background Information | |
| <input checked="" type="checkbox"/> Biological Clearance Form (Endangered Species) | <input type="checkbox"/> Utility Assessment | <input type="checkbox"/> Feasibility Studies |
| <input type="checkbox"/> Easement/Right-of-Way | <input checked="" type="checkbox"/> Other: <u>Price Quotes</u> | |

PLEASE ATTACH A DETAILED LETTER FOR SERVICES REQUESTED AND A CHAPTER RESOLUTION THAT INDICATES THE NEED AND PRIORITY OF THE PROPOSED PROJECT AND IN ACCORDANCE WITH THE LOCAL LAND-USE PLAN AND SEND TO:

Capital Projects Management Department, Post Office Box 610, Window Rock, Arizona 86515

CAPITAL PROJECT MANAGEMENT DEPARTMENT
PROJECT PROPOSALS – CHECK-OFF LIST

TRIBAL BUILDINGS AND OTHER PUBLIC FACILITY REQUIREMENTS

It shall be the policy of the "Capital Project Management Department (CPMD) to utilize the following "Check-Off List" for review and acceptance of project proposals.

LOCATION & BUILDING NO.: Cornfields Chapter DATE: July 10, 2018

PERSON ASSIGN TO: Sony Franklin

Please check of documents that were received.

- ☒ Application for Services
- ☐ Written Documentation - of need by the Facilities Inventory which documents the need for replacement, renovation or repairs.
- ☒ Appropriate Chapter Resolution and/or NN Oversight Committee Resolution
- that indicates the need and priority of the proposal project, subject to the local Land-Use Plan.
- ☐ Preventive Maintenance Plan and Operating Cost Plan
- ☐ Cost Estimate:
 - A. Architect & Engineering (A/E) Cost
 - B. Construction Cost
- ☐ Written commitments and encumbrance: of other source(s) of funding.
- ☒ Letters of Support: From AGENCIES and ENTITIES that affirm the emergency situation or need, enrollment statistics, and justification for square footage.
- ☒ Documentation of the Clearances: Archaeological, Environmental Assessments and Land Withdrawals.

Project Quality Assurance/Quality Control Acknowledgement

☐ Complete ☐ Incomplete

Project Name: _____ Project Type: _____

The undersigned have read and concur with this Project Folder is complete with all necessary PPA's and is in adherence to the Capital Project Management Department Policies and Procedures and Gaming Fund Distribution and Policies and Allocations:

Project Manager

Date

CPMD Department Manager

Date

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN FY 2019 - 2024

ICIP for

Cornfields

Contact Name: Alfreda Earle, CM
P.O. Box 478
Ganado, AZ, 86505

Telephone No: (928) 755-5911

Fax No: (928) 755-5917

Email: cornfields@navajochapters.org

Entity Type: Chapter

Cornfields

Capital Improvement Vision, Trends, Goals and Project Priority Process**Vision**

Cornfields Chapter foresees a positive future for its community in respect to community development, economic development and upgraded community facilities and infrastructure along with adequate roads and parking lots. We also foresee community facilities that will provide intergenerational activities in preserving the culture and traditions of Navajo families. In the first year of our Infrastructure Capital Improvement Plan, Cornfields Chapter to obtain funding for Powerline and waterlines extensions to residential homes in Cornfields community, and also, continue to aggressively work on the economic development plan. Last but not least, we hope to see more than 20 miles of paved within the next 5 years.

Trends

The Cornfields Chapter is located in a rural area of the Navajo Nation approximately 8 miles south of Burnside Junction on N15. The Cornfields Chapter was certified by the Navajo Tribal Council on October 26, 1955 and is funded largely by Navajo Nation and Federal funds from Bureau of Indian Affairs and Indian Health Services. We currently serve approximately 1400 community clients based on the 2010 Census.

Since 1955, we have replaced Chapter House and a Headstart Building. These buildings have been constructed with Navajo Nation funding. Water Projects in the chapter area are general funded by the Federal Government (Indian Health Service).

Population growth has always been a real challenge for us, and we expect that trend to continue. The growth we have already experienced combined with the barely adequate Chapter facilities have resulted in the need to seek funding outside of the Navajo Nation, the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). The Chapter achieved its Local Governance Act (LGA) Certification on July 14, 2010, with the Navajo Nation which would allow the Chapter to seek funding from other sources than those listed above. The tax funds are limited to taxes paid from local business located within the Chapter Boundaries.

Another trend that concerns us is the increasing regulations from all levels of government. At the Tribal level, that means additional costs in our projects for right-of-way permit and planning & zoning permits, variances, and reviews. The Highway Department now requires costly surveys and mapping of any work done in their rights-of-way, including tap-ins into existing mains. At the state and especially federal level we are closely watching the new EPA regulations.

Goals

The goal of the Cornfields Chapter is to improve and enhance the quality of life and public health of the residents in its chapter boundaries by providing the basic infrastructure. We strive to achieve this goal by taking advantage of available funding sources and creating partnerships with Navajo Nation Tribal, State and Federal entities and by working to up keep our existing facilities.

Priority Process

The Chapter has been faced with population growth in the past five years within our chapter boundaries, our Chapter Officials and Staff has developed a list of needed improvements to our community. We prioritized the list based on our most critical community needs and other factors such as the age, condition, and adequacy of current infrastructure. We then consulted with various Navajo Nation and Federal entities which are associated with projects to refine our prioritized needs list and put in the dollar amounts needed, and then we planned for projects over the next five years in our 2017 ICIP.

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN FY 2019 - 2024

Cornfields

| ICIP Capital Project Description | | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | TOTAL NOT YET FUNDED |
|-----------------------------------|---|--------|--------|--------|--------|--------|--------|----------------------|
| Project Title: | New Green House | | | | | | | |
| Project Description: | To purchase a greenhouse for the Chapter garden project. The Cornfields Chapter's mission is to establish and sustainably operate a community-based greenhouse and garden. The Greenhouse Project will provide educational opportunities for our community and local farmers in a garden setting and serve as a year-round source of locally-grown agricultural products. The greenhouse will also help shelter the chapter garden. | | | | | | | |
| Statement of Need: | The greenhouse is needed to help shelter the chapter garden. The greenhouse will provide educational opportunities for our community and local farmers in a garden setting and serve as a year-round source of locally-grown agricultural products. | | | | | | | |
| Location of Project: | Cornfields | | | | | | | |
| Project Ranking: | 2019 - 8 | | | | | | | |
| Potential Future Funding Sources: | Subcode: Sihasin | | | | | | | |
| Estimated Costs Not Yet Funded | | | | | | | | |
| Land | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Planning / Predesign | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Other | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| Construction | \$1,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | \$0.00 | \$1,000.00 |
| Architecture / Engineering | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Totals | \$1,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,000.00 |

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2019 - 2024

PROJECT SUMMARY

| Agency | Chapter | Project Title | Rank | Category | Sub Category | Funding Sources | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | Total |
|--------|------------|--|-----------|---------------------------|----------------------------|--|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| 10 | Cornfields | Waterline Extension | 2018 - 1 | Water - Linear | Water System | IHS, NN CIP General Funds, CDBG, Sihasin, UBF, Chapter CIP Funds | \$2,376,000.00 | \$2,376,000.00 | \$2,376,000.00 | \$2,376,000.00 | \$0.00 | \$0.00 | \$9,504,000.00 |
| 10 | Cornfields | Sunrise Low Water Crossing N9205 | 2018 - 2 | Transportation - Block | Bridge | Sihasin, BIA, NN Fuel Excise Tax Funds | \$544,115.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$544,115.00 |
| 10 | Cornfields | Deer Point Development | 2018 - 3 | Bldg-Economic Development | Other | | \$2,600,000.00 | | | | | | \$2,600,000.00 |
| 10 | Cornfields | Used Backhoe | 2018 - 6 | Equipment | Heavy Equipment | Sihasin | \$45,850.00 | \$5,850,000.00 | \$5,850,000.00 | | | | \$57,550,000.00 |
| 10 | Cornfields | Plan, design, and construct Visitor Center | 2019 - 4 | Bldg-Cultural Facilities | Utilities (Publicly Owned) | NN Economic Develment Funds, Chapter CIP Funds | \$0.00 | \$0.00 | \$300,000.00 | \$1,000,000.00 | \$0.00 | \$0.00 | \$1,300,000.00 |
| 10 | Cornfields | Upgrade Cornfields Community/Veterans Cemetery | 2019 - 5 | Bldg-Other | Other | Sihasin | \$66,333.33 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$66,333.33 |
| 10 | Cornfields | Rural Address LRAC E-911 | 2019 - 7 | Comprehensive Studies | Rural Addressing System | Sihasin | \$10,000.00 | | | | | | \$10,000.00 |
| 10 | Cornfields | New Green House | 2019 - 8 | Bldg-Community | Other | Sihasin | \$1,000,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,000,000.00 |
| 10 | Cornfields | Multipurpose Building | 2019 - 9 | Bldg-Community | Multi-Purpose Bldg | NN CIP General Funds, CDBG | | | | | | | \$0.00 |
| 10 | Cornfields | Pln, Dsgn, Cnstr Laundromat | 2019 - 10 | Bldg-Economic Development | Laundry | NN CIP General Funds, Chapter CIP Funds | \$85,000.00 | \$300,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$385,000.00 |
| 10 | Cornfields | Headstart Center | 2020 - 11 | Bldg-Education | Head Start | Chapter CIP Funds, NN CIP General Funds, CDBG | \$0.00 | \$250,000.00 | \$1,300,000.00 | \$0.00 | \$0.00 | \$0.00 | \$1,550,000.00 |
| 10 | Cornfields | Renewal of Chapter Warehouse building | 2020 - 12 | Bldg-Community | Warehouse | Chapter CIP Funds, NN CIP General Funds | \$0.00 | \$47,250.00 | \$189,000.00 | \$1,200,000.00 | \$1,200,000.00 | \$1,200,000.00 | \$239,850.00 |
| 10 | Cornfields | Purchase Motor Grader | 2020 - 13 | Equipment | Heavy Equipment | NN CIP General Funds, Chapter CIP Funds | \$0.00 | \$150,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$150,000.00 |
| 10 | Cornfields | Resurface N-15 | 2021 - 1 | Transportation - Linear | Roads/Streets | BIA, County NN Fuel Excise Tax Funds | \$0.00 | \$0.00 | \$5,000,000.00 | \$5,000,000.00 | \$5,400,000.00 | \$0.00 | \$15,400,000.00 |

INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2019 - 2024

PROJECT SUMMARY

| | | | | | | | | | | | | | | |
|----|------------|---|-----------|---------------------|-------------|---------------------------------------|----------------|----------------|----------------|----------------|----------------|------------|-----------------|--------------|
| 10 | Cornfields | Rehabilitation of windmills, Artesian wells, earthen dams | 2021 - 12 | Agriculture - Block | Earthen Dam | State Grants, Chapter CIP Funds, USDA | \$0.00 | \$0.00 | \$30,000.00 | \$100.00 | \$0.00 | \$0.00 | \$0.00 | \$130,000.00 |
| | | | | | | TOTAL | \$5,728.298.33 | \$3,139.100.00 | \$9,200.850.00 | \$8,477.200.00 | \$5,401.200.00 | \$1,200.00 | \$31,947.848.33 | |



GANADO FIRE DISTRICT

P.O. BOX 718 GANADO, ARIZONA 86505 (928) 755-3424
FAX: (928) 755-6330

July 12, 2018

Dewayne Woodie, Fire Chief
Ganado Fire District
P.O. Box 718
Ganado, AZ 86505-0718
(928)755-3424 /Fx: (928)755-6330

The Navajo Nation Capital Project Management Department (NNCPMD)
The Navajo Nation
Window Rock, AZ 86515

SUBJECT: Cornfields Council Government's Proposal to NNCPMD to Utilize the Sihasin Funds

I am writing this letter to support the Cornfields Council Government's application and proposal to use the Sihasin Funds for Cornfields Chapter Top Five Capital Projects beginning in FY2018: 1. Fencing and improvement of 10 acre Community Cemetery including a designated Veterans cemetery; 2. Rural Addressing System for Cornfields Community; 3. Low Water Crossing for Sunrise Wash; 4. Deer Point Business Site Development; 5. Scattered Waterline Project for 49 homes; 6. A used Backhoe to use for Cornfields Community High-Risk individuals and 7. A Green House for the Demonstration Farm. All these projects are long standing needs that the community has had no funds for in past years.

As Fire Chief for the Ganado Fire District, I am aware of Cornfields Community and its needs. As such, I share and support the mission of the Cornfield's local government to become more self-sufficient to meet the needs of its people. All these projects are essential and some are necessary in emergency situations such as the Rural Addressing, Low Water Crossing, Waterline Project and the Backhoe. All of the projects are needed to enhance the quality of life, safety and welfare for the residents of Cornfields Chapter.

Again, I am writing this letter in support of Cornfields Council Government's application and proposal to the Navajo Nation Capital Projects Management Department to utilize the Sihasin Funds for its Top Five Priority Capital Projects. We believe this partnership between the Navajo Nation and the Chapters will produce positive results for the local communities including Cornfields Community.

Thank you for any consideration you can provide to Cornfields' Chapter application.

Respectfully,

Dewayne Woodie, Fire Chief

xc: Archive



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917
Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

RESOLUTION OF THE CORNFIELDS CHAPTER CF-NOV2018-198

Approving and Supporting Cornfields Chapter to specifically accept FY 2019 Si Hasin Funds for proposed project to purchase a Green House in the amount of \$1,000.00

WHEREAS:

1. Cornfields Chapter is a recognized as a certified chapter of the Navajo Nation and is vested with the authority and responsible to plan and implement all things that are in the best interest of its community; and
2. Cornfields Chapter realizes that pursuant to CAP-34-98, the Local Governance Act allows all chapters to make decisions over local matters; this authority will improve community decision making; allow communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation; and
3. Cornfields Chapter, at its recent Planning Meeting discussed the FY2019 Si Hasin allocation, as approved be the Navajo Nation Council for proposed Projects to be transferred back to the Chapter in the amount of \$1,000.00 to purchase a Green House; and
4. Cornfields Chapter will add this Green House to their existing Chapter Garden to grow vegetables year-round and to start seedlings to be planted in the Spring time.

NOW THEREFORE BE IT RESOLVED THAT:

The Cornfields Chapter hereby approves Fiscal Year 2019 Si Hasin allocation in the amount of \$1,000.00 to be transferred to Cornfields Chapter for a Green House.

CERTIFICATION


I hereby certify that the Cornfields Chapter duly considered the foregoing resolution at a duly called meeting at Cornfields Chapter, Navajo Nation (ARIZONA) at which a quorum was present and was passed by a vote of _39_ in favor, _0_ opposed and _05_ abstained on this 11th day of November 2018.



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org


Presiding Chapter President
CORNFIELDS CHAPTER

Motion: Mrs. Elizabeth Johnson
Second: Mr. Jimmie Taliman, Sr.



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SOLUTION

(<https://www.growerssolution.com/>)



1

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Cart Subtotal:

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Cart Summary

16 Ft Greenhouse Package - Quonset (<https://www.growerssolution.com/PROD/16-ft-greenhouse-package-quonset/16ftquonsetpkg>)
16ftquonsetpkg

Select One: 16 ft x 16 ft Kit

[Move To Wish List](https://www.growerssolution.com/wish-list.html?Action=MPWL&Group_ID=267112) (https://www.growerssolution.com/wish-list.html?Action=MPWL&Group_ID=267112)

1

Item Subtotal
\$0.00

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\$916.00

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[Move To Wish List](https://www.growerssolution.com/wish-list.html?Action=MAWL) (<https://www.growerssolution.com/wish-list.html?Action=MAWL>)

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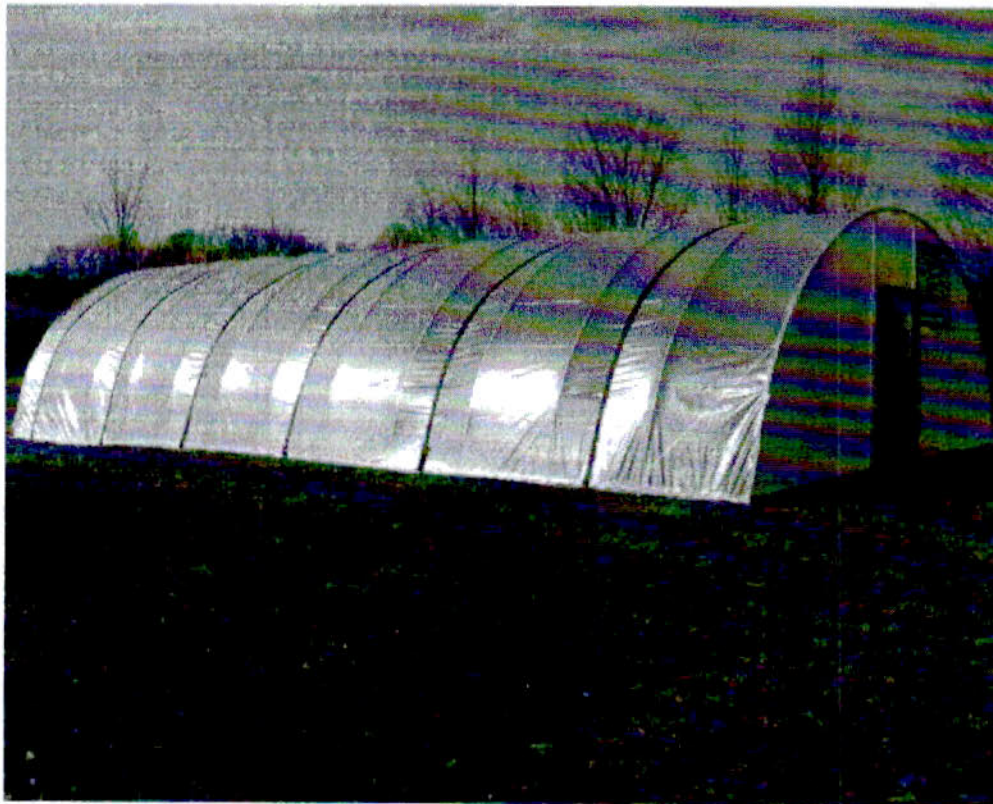
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<https://www.growerssolution.com/>



16 Ft Greenhouse Package - Quonset

Code: 16ftquonsetpkg

\$916.00

★★★★★ 1 | Write a Review (https://www.growerssolution.com/mm5/merchant.mvc?Screen=GD_WREVIEW&Product_Code=16ftquonsetpkg)



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Select One:

16 ft x 16 ft Kit (\$916.00) ▼

— 1 +

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The Grower's Solution Greenhouse Kits are one of the hottest items in the do-it-yourself gardening marketplace today! For years, the Grower's Solution residential, hobby, and light commercial greenhouse kits have been pleasing customers across the nation. Our greenhouses are praised by customers as being one of the most economical and easy-to-assemble, quality greenhouse kits available. Our galvanized industrial-steel tubing makes it one of the strongest frames on the market. You can install this 16' Quonset Greenhouse Package in less than a weekend. This brand new, never assembled, commercial grade greenhouse package is 8' to 8'6" tall, depending on how far you drive it into the ground.

Start your own business, and grow your own plants today!

Kit includes the following:

- Bows (Hoops) - 1 3/8" Galvanized Steel Tubing (16 Gauge)
Greenhouse bows are installed on 4' centers (every 4')
- 30" Ground Stakes to drive approximately 24" into the ground
- 1 5/8" Galvanized Steel Tubing (16 Gauge)
- Center Purlin that runs the length of the greenhouse and connects the bows
- 4 Year Warranty 6 mil Clear, UV-treated Poly Greenhouse Film
(3 pieces to cover the house including endwalls)
- Wire Lock for attaching plastic film to the frame
- Wind Bracing is included on greenhouses 40' and longer or by request only on shorter greenhouses
- All greenhouse kits now include wind strapping kits for better film protection.
- Hardware
- Free Customer Support Number
- Door and 2X4s for base and ends are NOT INCLUDED in kit
Endwalls can be constructed from lumber purchased locally or [purchased separately \(https://www.growerssolution.com/PROD/end-wall-kits-for-quonset-and-low-sidewall-greenhouses/endwalkit\)](https://www.growerssolution.com/PROD/end-wall-kits-for-quonset-and-low-sidewall-greenhouses/endwalkit)

We want you to be satisfied!

Technical Specifications

- 16' wide
- 8' - 8'6" center height
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- Structure Material: Rolled Galvanized 1 3/8" industrial tubing (16 gauge)
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Additional Information

• **Important Shipping Information:** We ship our greenhouses via motor freight. Freight charges vary depending upon your location. Please contact us at (866) 928-3390 if you have any questions regarding shipping or to receive a freight quote to your location. Please report any damage to us within 7 business days of receiving your greenhouse so that we can get everything taken care of.

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End Wall Kits for Quonset and Low Sidewall Greenhouses

Price based on selection

<https://www.growerssolution.com/PROD/end-wall-kits-for-quonset-and-low-sidewall-greenhouses/endwallkit>



Roll-Up Greenhouse Sides

Price based on selection

<https://www.growerssolution.com/PROD/roll-up-greenhouse-sides/RollUp>



Roll-Up Greenhouse

Price based on se

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Weatherguard Round Top Greenhouse

Option: Weatherguard 8'6"Hx12"Wx20'L round top greenhouse

\$1,092.49

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1

Subtotal:

\$1,092.49

Shipping:

FREE

Your total:

\$1,092.49

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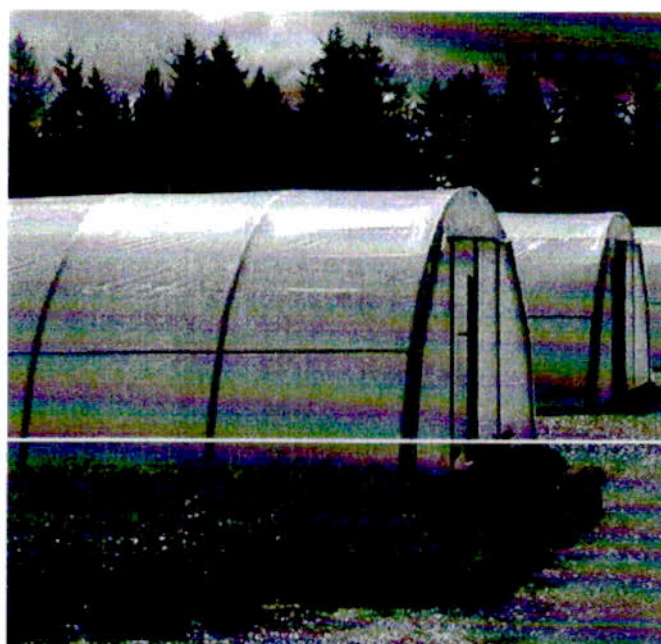
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PACKAGE W/
STORM DOOR**

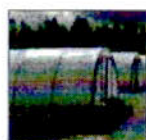
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\$1,811.⁷⁰ excl. tax

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DESCRIPTION

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RECOMMENDED

Our most inexpensive professional starter package - This greenhouse can provide year-round production for propagation and growing, retail garden centers, and aqua culture. Our Cold Frames are recognized as the strongest, most reliable Cold Frames available - constructed from the same high quality, galvanized steel roll-formed components as our more expensive packages. Ideal as a starter house or an overflow structure, Cold Frames are non-rated structures and not recommended for high wind or snow areas.

Standard Features

Prices include complete galvanized steel frame. Single-layer clear poly film covering for the roof, sidewalls, and endwalls with Aluminum Spring Lock Deep Base and Spring Lock Top (Wiggle Wire) to secure the film to the frame. Also included is a single man door for one endwall. Complete assembly instructions are included.

Dimensions

Width = 16'

Length = varies

Height = 7' 6"

[Click here to view dimensional information.](#)

Durability

The success of this Cold Frame can be found in it's unique roll-form components offering superior strength, reduced cost, and simplified installation. All galvanized steel frame insures maximum strength and life. Single layer clear poly film is UV resistant and carries a 4-year warranty against discoloration.

1000 Series Cold Frame, 16' Wide

16'W Economy Cold Frame Package w/ Zippered Door

1000 Series Cold Frame, 20' Wide

1100 Series Cold Frame, 20'
Wide, 3.5' Sidewalls

Assembly Options

The greenhouse included in this package is a commercial rated structure which requires a concrete foundation and a certain level of skill to successfully assemble. Unless you are a licensed contractor or have experience erecting greenhouses we strongly recommend one of the following assembly options:

1. Hire our experienced construction team to assemble the greenhouse and install all working components. In addition to providing an easy single source solution, Turnkey Greenhouse Construction by Greenhouse Megastore allows you to spend time managing your business instead of running a construction project.
2. Use a local contractor to erect the structure. Components supplied are pre-cut and drilled and your package includes shop drawings and/or general installation instructions which should provide sufficient guidance for an experienced contractor. Greenhouse Megastore provides online and telephone support to answer any questions your contractor may have.
3. Jobsite Supervision: For a daily fee we will send an experienced job foreman to provide guidance and direction for any phase of your project.

For information on how best to plan your greenhouse assembly and construction prices, call our Sales Representatives toll-free at 1-888-281-9337.

Package Includes

| 16' x 24' Cold Frame Package | Description of Included Components | Amount |
|--|---|--|
| Rollformed Steel Frame (18 Gauge) | True commercial quality! All galvanized steel construction. Roll-formed arches and purlins offer superior strength and durability compared to the round "fence" style tubing offered by our competitors. | 16' Wide by 24' Long Cold Frame Series 1000 (Arches on 4' Centers). |
| Poly Film Roof/Endwall Covering | Single Layer of 6mil, 4-Year Rated Polyethylene Film for Roof and Endwalls. | Covers Roof and Endwalls. |
| Aluminum Tube Lock | Provides secure attachment of polyethylene film. Have peace of mind during high winds. Reusable time after time. | Complete fastening system for poly covering. |
| Entry Storm Door | Sturdy aluminum storm door, includes sliding screen assembly for use during hot weather. | (1) 3' wide x 6' 8" tall storm door with 2 pane glass and screens. |

Normal shipping time is three weeks after receipt of order. Please allow additional time for transit from factory. These are non-engineered structures and are not recommended for high wind or snow areas.

Free Shipping

This item ships free via Motor Freight Carrier - Anywhere in the Continental United States!

Shipments to Alaska or Hawaii qualify for free shipping to any West Coast port. Please contact us for special shipping rates from the West Coast to Alaska or Hawaii.

Motor Freight Agreement

- Full Size Semi: Your location must be able to accommodate a full size semi-truck trailer of up to 70ft. in length.
- Someone Must Be Present: You or someone else authorized must be present to unload the shipment. Exact delivery date will be arranged via phone by freight company.

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| <div></div> <div>16'W ECONOMY COLD FRAME PACKAGE W/ STORM DOOR Item No.: CF-16PKG-424 View Delete</div> | \$ 2,084.50 | 1 Each | \$ 2,084.50 |
| SHIPPING (QUOTED) | \$ 900.00 | | \$ 900.00 |

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THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

May 8, 2017

Mr. Justin Johnson, Chapter President
Cornfields Chapter
P.O. Box 478
Ganado, Arizona 86505

Dear Mr. Johnson,

Your Land Withdrawal for 110.48 acres of community development has been **approved**. This letter is notification to you that you are authorized to proceed with construction, operation and maintenance of 110.48 acres for the Cornfields Chapter Compound located at portions of the northeast one – quarter (NE $\frac{1}{4}$) of Section 17 and Northwest One – Quarter (NW $\frac{1}{4}$) of Section 16, Township 26 North, Range 25 East, Gila & Salt River Meridian, Cornfields, Apache County, State of Arizona.

Thank you for your application to the Navajo Land Department/General Land Development Department. If you have any questions please contact the Navajo Land Department at (928)871-6401, thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Mike Halona", is written over a horizontal line.

W. Mike Halona, Department Manager III
Navajo Land Department
DIVISION OF NATURAL RESOURCES



Navajo General Land Development Department

Land Withdrawal Checklist for Commercial and Industrial

Applicant: Justin Johnson - Cornfields Chapter

Contact email (required): Cornfields@navajochapters.org

- ☒ Letter of Application or Cover Letter, including the purpose and use of the land, acres
- ☒ Legal Survey or GPS reading indicating the location in use
- ☒ Supporting Chapter Resolution - resolution language is required.
- ☒ Consents or Letter from Grazing Officer identifying no valid grazing permittees
- ☒ Biological Resource Compliance Form from Navajo Fish and Wildlife
- ☒ Cultural Resource Compliance Form from Navajo Heritage & Historic Preservation Department

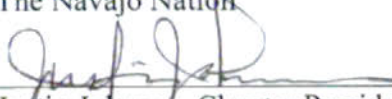
Incomplete packages will not be processed and will be returned to you.



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917
Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

TO: Navajo Land Department, and
Regional Business Development Office
The Navajo Nation

FROM: 
Justin Johnson, Chapter President
Cornfields Chapter

DATE: February 13, 2017

SUBJECT: Letter of Intent to Officially Withdraw Land for Cornfields Chapter Compound

This is a letter of intent by Cornfields Chapter to officially withdraw approximately 110.48 acres of land for the Cornfields Chapter Compound which has been in existence since the early 1930's. situated on this Chapter Compound are (1) Chapter House/Laundromat, (2) Cornfields Head Start Program, (3) Cornfields Group Home, (4) the Chapter Hay Barn/Maintenance Yard/Wood Storage, (5) the Trash Bin Exchange Area, (6) the Livestock Water Tank, (7) the Domestic Water Tank, (8) Community Sewer Pond, (9) the Community Demonstration Farm Area, (10) Community Cemetery, (11) the Community Picnic Park, (12) Mobile Unit/Administrative Office, and (13) Old Stone House (1938).

Attached are required documents for land withdrawal. If you have any questions, please all the Chapter Manager at (928) 755-5911 or 5912.

resubmitted - ~~OK~~



resubmitted - ~~OK~~



RESOLUTIONS

RESOLUTION OF THE CORNFIELDS CHAPTER

Approving and Requesting the Navajo Nation Council, The Resource and Development Committee, the Fort Defiance Agency Bureau of Land Management, and the Navajo Land Department to Officially Withdraw 110.48 Acres of Land for the Cornfields Chapter Development Tract Including the Sewer Pond, Chapter House Tract; The Head Start Building, the Group Home Buildings, the Hay Barn, the Trash and Maintenance Yard, the Cemetery, and the Demonstration Farming, and Acres for other Development next to the Chapter House

WHEREAS:

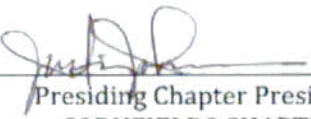
1. Pursuant to 26 N.N.C., Section 3 (A), the Cornfields Chapter is a recognized as a certified chapter of the Navajo Nation and is vested with the authority and responsible to plan and implement all things that are in the best interest of its community; and
2. Cornfields Chapter realizes that pursuant to CAP-34-98, the Local Governance Act allows all chapters to make decisions over local matters; this authority will improve community decision making; allow communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation; and
3. Cornfields Chapter is aware that only 6.4 acres has been officially withdrawn for the Chapter Tract and yet there are buildings and development taking place around the Chapter Tract such as the Head Start, the Hay Barn, the Trash Yard, Firewood Storage area, the Group Home, the Community Picnic Area and the Cemetery, and the Farming Demonstration Tract; and
4. Cornfields Chapter hereby supports and recognizes this land withdrawal for Community Development, which may include, but not limited to, the following purposes; housing, education, economic development, healthcare facilities, public use, or governmental use, Industrial Development is not supported for this area.
5. Cornfields Chapter believes it is in the best interest of the community and the Community Land Use Plan to officially withdraw the land on which development and buildings have already been built in past years, which includes 110.48 acres of land

NOW THEREFORE BE IT RESOLVED THAT:

The Cornfields Chapter hereby approves and requests the Navajo Nation Council, the Resource and Development Committee, the Fort Defiance Agency Bureau of Land Management, and the Navajo Land Department to officially withdraw 110.48 acres of land for the Cornfields Chapter Development Tract, to include the Chapter House Tract; the Demonstration Farming tract, Community Sewer Pond; the Head Start Building, the Group Home, the Hay Barn; the Trash and Maintenance Yard; Firewood Storage Area and additional acres for other development next to the Chapter House.

CERTIFICATION

I hereby certify that the Cornfields Chapter duly considered the foregoing resolution at a duly called meeting at Cornfields Chapter, Navajo Nation (ARIZONA) at which a quorum was present and was passed by a vote of _22_ in favor, _00_ opposed and _03_ abstained on this 12th day of February 2017.



Presiding Chapter President
CORNFIELDS CHAPTER

Motion: Cecelia White
Second: Lena Yazzie

*Land
Chapters
Cornfields
District #16*

RESOLUTION OF THE ADVISORY COMMITTEE
OF THE NAVAJO TRIBAL COUNCIL

Authorizing the Withdrawal of Land for a Chapter House
at Cornfields, Arizona

WHEREAS:

1. Resolution CM-46-57 of the Navajo Tribal Council provides for community development on the Navajo Reservation and authorizes the construction and improvement of chapter houses and community centers, and

2. The Advisory Committee of the Navajo Tribal Council has established a plan of operation for construction and operation of chapter houses in Resolutions ACJ-40-57 and ACAP-61-60.

3. The Cornfields Chapter has requested a chapter house to be planned for their community and that a site be surveyed and set aside.

4. The Design and Construction Department has prepared preliminary drawings subject to the approval of the Advisory Committee.

5. The survey of the site has been completed and it is desirable that said lands be withdrawn in accordance with the request of the Cornfields Chapter for community purpose.

NOW THEREFORE BE IT RESOLVED THAT:

The following described land be and hereby is withdrawn and set aside for community use of the Cornfields Chapter of the Navajo Tribe.

The herein described tract of land is situated on the Navajo Indian Reservation in Apache County, Arizona, and described as follows:

Beginning at the iron pin that is at the southwest corner of the tract herein described, which point lies N 41° 31' 30" E, 1356.20 feet from the metal pipe marker marked southwest corner of section 16, Township 27 North, Range 25 East, Gila and Salt River Meridian:

Thence N 13° 10' 30" E, 189.04 feet;

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DEC 9 1964

THE NAVAJO TRIBE
L I D

Thence S 53° 52' 30" E. 131.60 feet
Thence N 43° 07' 30" W. 131.60 feet
Thence N 36° 32' 30" W. 131.60 feet
Thence S 53° 07' 30" E. 131.60 feet
Thence S 53° 07' 30" E. 131.60 feet
Thence N 13° 10' 30" E. 373.85 feet to an iron pin
Thence S 67° 57' 30" E. 480.25 feet to an iron pin
Thence S 32° 33' 33" W. 184.99 feet to an iron pin
Thence S 47° 30' 30" W. 379.99 feet to an iron pin
Thence N 83° 19' 30" W. 200.00 feet to the point of
beginning and containing 6.733 Acres, more or less

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 13 in favor and 0 opposed, this 19th day of November, 1964.

Harold N. Drake

Chairman Pro Tempore
Navajo Tribal Council

RESOLUTION OF THE ADVISORY COMMITTEE
OF THE NAVAJO TRIBAL COUNCIL

Authorizing the Construction of Certain Chapter Houses on the
Navajo Reservation

WHEREAS:

1. Resolution CM-46-57 of the Navajo Tribal Council provides for community development on the Navajo Reservation and authorizes the construction and improvement of chapter houses and community centers, and

2. The Advisory Committee of the Navajo Tribal Council has established a Plan of Operation for Construction and Operation of Chapter Houses and Community Centers in Resolutions ACJ-40-57, and ACAP-61-60, and Construction of Chapter Houses in these communities is desirable.

NOW THEREFORE BE IT RESOLVED THAT:

1. Funds from Account No. 9904, 1965 Fiscal Year Tribal Budget are hereby approved for the construction of the following chapter houses in conformity with provisions of Resolutions ACJ-40-57 and ACAP-61-60:

| <u>Location</u> | <u>Type</u> | <u>Amount</u> |
|-------------------|-------------|---------------|
| Bodaway | 1A | \$65,000 |
| Church Rock | 1A | 65,000 |
| <u>Cornfields</u> | 1A | 65,000 |
| Ft. Defiance | 1A | 65,000 |
| Lupton | 1A | 65,000 |
| Torreón | 1A | 65,000 |

These chapter houses are to be constructed from Type 1A plans of chapter house prepared by Design & Construction Department and certain changes as per requested by chapters.

2. Construction will be accomplished under the supervision of the Tribal Construction Superintendent from architect's plans and specifications. Plans shall be simple and functional and that all unnecessary items adding to the cost of the building for appearance only shall be eliminated.

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THE NAVAJO TRIBE
L. I. D.

3. These projects are in the nature of a Tribal self-help effort carried out for the purpose of community improvement by the Navajo people. Preference for employment shall be given to local qualified workers in each chapter, and in the absence thereof, the Construction Section in cooperation with the Employment and Personnel Department shall employ non-local qualified workers to the extent required to meet budgetary and time schedules, and the following local wage scale shall be paid.

- a. For Common Labor \$1.30 per hour
- b. For Semi-skilled Workman \$2.00 per hour

4. Each chapter house shall be situated on lands surveyed and withdrawn for community purposes. Each such area shall be suitably fenced, and the cost thereof shall be included in the overall cost of the project.

5. In those locations where utilities are available, the Design & Construction Department is hereby authorized to include water supply, water distribution systems, sewerage or septic tanks, inside plumbing, fuel systems for heating and cooling, and power and light wiring systems, and/or service connections; and the chapter agrees to assume full responsibility for the cost of operation and maintenance of the chapter house and all facilities described therein.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 14 in favor and 1 opposed, this 16th day of March, 1965.



Chairman Pro Tempore
Navajo Tribal Council

March 15, 1962

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THE NAVAJO TRIBE
L. I. D.

MEMORANDUM

TO: G. Warren Spaulding, Director, Public Services Division

FROM: Ralph B. Johns, Head, Community Development Department

SUBJECT: Capital Additions - Chapter Houses

The following chapter organizations having submitted applications in accordance with Resolution ACAP-61-60 requesting that new chapter houses be planned for their communities. The funds allocated under the 1961 Fiscal Year Budget has been obligated and funds are no longer available for making new plans to have these requests presented before the Advisory Committee of the Navajo Tribal Council for any action.

BODAWAY CHAPTER

Exploratory drilling in the Bodaway area reveals that no water is available and it will be necessary to pipe water from a well five (5) miles from the proposed chapter house site. Various delegates and the Water Development Department is investigating the estimated cost for conveying this water to the Gap Trading Post.

A new building for this location could bring about betterment of the chapter organization and would centralize activities for promoting the welfare of the people residing in that area.

CHURCH ROCK CHAPTER

All utilities are available for Church Rock Chapter and there are sufficient members in the immediate vicinity to justify the erection of a building for this community.

CORNFIELDS

Water will be available from a community well which will fall within the limitation set forth by the Advisory Committee.

COYOTE CANYON

Water and electric power is available. Water is owned by the Navajo Tribe but the power line is own by the Continental Divide Electric Cooperative, Inc.

CRYSTAL CHAPTER

A well needs to be drilled because the existing chapter tract is situated in an area that is proposed for development by the Bureau of Indian Affairs for a school dormitory and will constitute the removal of the existing building which was built in the thirties. Power is not available but its development is being planned by the Navajo Tribal Utility Authority in the very near future.

GANADO CHAPTER

The land status existing in the Ganado Community has delayed the application of Ganado Chapter but Mr. Edward Plummer, Supervisor, Land Investigation Department advises me that the problem delaying the development at this location is now removed and work may proceed. Water and power will be available from the Presbyterian Mission at Ganado at a nominal fee.

GREASEWOOD CHAPTER

Greasewood Chapter has been delayed because water has not been drilled but a formal request was submitted the Ground and Water Development Department. No indication has been given as to the availability nor the scheduling of drilling at this location. Electricity will be available by a line being considered by the Navajo Tribal Utility Authority through the Greasewood Community in the very near future.

TYANBITO CHAPTER

The site location should be reconsidered after an investigation is conducted to determine the best site location to avoid additional cost in piping the water. Power is available from Continental Divide Electric Cooperative, Inc., of Grants, New Mexico.

KLAGETCHO CHAPTER

Preparations were made to consider Klagetoh Chapter with the balance of the 1961 Fiscal Year appropriation but current information reveals that this will not be possible. The Design & Construction Department has prepared preliminary drawings but they have not been approved by the Advisory Committee of the Navajo Tribal Council. Water is available at the site and rock has all ready been quarried and delivery to the site is pending.

LUPTON CHAPTER

This community has been having difficulty being represented at the Navajo Tribal Council and it is their desire to have their request considered. Water and electric power is available.

NAHODISHGISH CHAPTER - PUEBLO PINTADO -

This chapter requests a simple building without any elaborate equipment or expensive heating systems. Water and electricity are available adjacent to the site.

OAK SPRINGS CHAPTER

Water is available at the site but no power is available. Oak Springs Chapter meets in two different groups because of the topographical features of this community area. One meets at Pine Springs the other at Oak Springs. Access to the present selected site is difficult to approach in the winter but road improvements will help in the future.

RED LAKE CHAPTER (District 18)

This chapter obligated their appropriation for the new government center in the town site of Navajo, New Mexico, so that operating expense will not be too burdensome for the limited chapter membership at the present time. A temporary hogan exists for the meetings of this community group.

ROUND ROCK CHAPTER

Water development is complete but necessary appurtenances for delivering this water through pipes has not been accomplished but is planned by the Ground and Water Development Department.

The Navajo Tribal Utility Authority will make electric power available by September 1962.

TSELANI CHAPTER

The chapter is currently negotiating with the Bureau of Indian Affairs and the Tribe to determine ownership of a well for this community. Water is available near the site but use is being formalized through proper officials. No power is available at present but future plans of the Navajo Tribal Utility Authority indicate that it will be available at a later date.

UPPER FRUITLAND CHAPTER - NENAHNEZAD

No water is available at the proposed chapter house site but a well is located about $\frac{1}{2}$ a mile away which would entail trenching through a developed farm area. Nenahnezad Chapter is located approximately three (3) miles away. Power is available.

WHITE ROCK CHAPTER

Water is available at White Rock. Meetings are held in a building constructed by community effort in the early thirties.

There are two other chapter requesting gymnasiums which need to be considered in the budget for the 1963 Fiscal Year. Their applications are also on file and this department is not able to furnish them with an opinion except by placing it a budget item. They are:

CHINLE CHAPTER

The original plan for the development of Chinle Chapter House was to include a gymnasium for the use of the community. The Chinle Chapter believes it is ready to utilize such a facility with the establishment of a high school and the expansion of the BIA school to 1200 pupils. There are existing buildings but due to the nature of their control they are not readily available for community area.

KAYENTA CHAPTER

Kayenta is situated to the extreme North of the Navajo Reservation and a center where pupil may gather to take advantage of certain attractions are not available and the nearest location for entertainment is Tuba City. Kayenta is developing rapidly and people beginning to move closer and there needs to be a place where people may gather in large numbers.

S/ RALPH B. JOHNS
Ralph B. Johns

Copie: Chapter File

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S/ RALPH B. JOHNS
Ralph B. Johns

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CONSENT

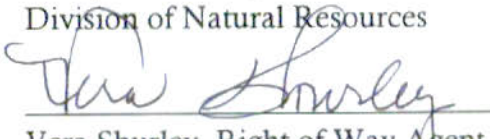


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

INTER OFFICE MEMO:

TO : Howard Draper, Program & Project Specialist
Navajo Land Department
Division of Natural Resources

FROM : 
Vera Shurley, Right of Way Agent
Project Review Section/NLD

DATE : February 17, 2016

SUBJECT : Field Clearance Report for Cornfields Land Withdrawal

Cornfields Chapter, Post Office Box 478, Ganado, Arizona 86505 intends to officially withdraw 110.48 acres of tribal trust lands for the chapter compound development tract which includes the sewer pond, chapter house tract, head start building, group home building, hay barn, trash and maintenance yard, the demonstration farming and other developments. The tract of land is situated within the Northeast Quarter (NE4) of Section 17 and Northwest Quarter (NW4) of Section 16, Township 26 North, Range 25 East, G.& SRM, Cornfields, District 17, Fort Defiance Agency, Apache County, Arizona.

Ms. Ella Howard signed the consent on October 31, 2015 and was verified by the Right of Way Agent on February 17, 2016. She is aware of the project and did not have any objections. The District Grazing Officer, Patrick Yazzie also acknowledged the consent on 10/21/2015.

Field clearance complete for the above project.

cc: Project File

CONSENT FORM
FOR NAVAJO TRUST LAND

I, Ella M. Howard hereby, grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit Cornfields Chapter and CLUP Committee to lease 110.48 acre(s) or less of Navajo Tribal Land within my permitted grazing/land use area for residential/development purposes as illustrated and acknowledged by the Grazing/Land Farm Board Official on the Homesite Lease Application.

I further waive any rights I may have to compensate for the diminishment in value of my permitted grazing/land use rights as a result of the proposed homesite development.

Signed this 31 day of October, 2015.

Witnesses: (For thumbprint use only) _____

X 

C# Redacted information

Permit Holder's Signature

Grazing Permit No.: 17-38-91

Date of Issue: 10-28-91

Farm Plot No.: 17-3

ACKNOWLEDGED:

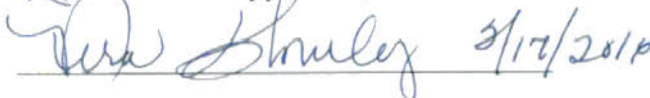

Grazing Official/Farm Board

10/31/2015
Date

Cornfields
Chapter

Acknowledgement of Field Agent

I acknowledge that the consents of this consent form was read ☒ or fully explained / / to the land user in Navajo / / or English ☒ (check where applicable).

 9/17/2016

Row Agent Land Dept.



CORNFIELDS CHAPTER

P.O. Box #478 Ganado, Arizona 86505 – PH: (928) 755-5912 – FAX: (928) 755-5917

August 10, 2015

Howard Draper, Project Review Specialist
Project Review Section
Navajo Land Department
P.O. Box 2249
Window Rock, Arizona 86515

Dear Mr. Howard,

This letter is to verify that only one active permit holder has been identified as an active Grazing permit holder who is eligible to give consent for the 110 acres of Cornfields Chapter Development Tract which includes the Chapter House, the Head Start Building, the Hay Barn, the Trash Collection Yard, the Old Stone House, Firewood Storage Area, the Annie Wuaneke Group Home, the Demonstration Farm Project, the Community Picnic Park area and the 10-acre Community Cemetery.

This permit holder is Ella Mae Howard who has given her consent as indicated by her signature on the attached Consent Form.

If you should have any questions, you may contact the Chapter Manager at (928)755-5912 or 5911.

Sincerely,

Patrick Yazzie, Grazing Official
Cornfields Chapter

CC: Cornfields Chapter file

CONSENT FORM
FOR
NAVAJO TRUST LAND

I, Ella M. Howard hereby grant consent to the Navajo Nation and the Bureau of Indian Affairs to permit Cornfields Chapter and Senior Citizen Advisory Council to lease two acre or less of Navajo Tribal Land within my permitted grazing/land use area for residential purposes as illustrated and acknowledged by the Grazing/Land Farm Board Official on the Homesite Lease Application.

I further waive any rights I may have to compensate for the diminishment in value of my permitted grazing/land use rights as a result of the proposed homesite development.

Signed this 29th day of August, 2013.

WITNESSES:

X [Signature]
Permit Holder's Signature

C# Redacted Information

Grazing Permit No.: 17-38-91
Date of Issue: 10-28-91
Farm Plot No.: 17-3

ACKNOWLEDGED:

[Signature]
Grazing Official/Farm Board Member

8/29/13
Date

Cornfields
Chapter

Wanda
Cutler
off
Patrick Yazzie Co.
- void -



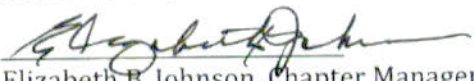
CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.nndes.org

MEMORANDUM :

TO : Navajo Nation Department of Fish & Wildlife
Natural Heritage Program
ATTN: Endangered Species Info.
P.O. Box 1480
Window Rock, AZ. 86515

FROM : 
Elizabeth B. Johnson, Chapter Manager
Cornfields Chapter

DATE : October 28, 2015

RE : Request for T & E Information

This memo will serve as a request for data on the occurrence/potential occurrence of species of concern for the Cornfields Chapter development tract consisting of approximately 110.48 acres.

PROJECT NAME: Cornfields Chapter Development Tract

LOCATION: Cornfields, Apache County, AZ, Legal Description: Township 26 North, Range 25 East, Sections 16 and 17. The project locations can be found on USGS, 7.5 Minute Quadrangles: Cornfields, Arizona 1972.

SUMMARY DESCRIPTION OF PROJECT: The Cornfields Chapter Tract includes the Chapter House, the Head Start Program, the Cornfields Group Home, the Community Demonstration Farm, the Community Cemetery, the Cornfields Chapter Maintenance/Trash Yard, the Hay Barn, Watering Point, the Cellular Tower and the Community Sewer Lagoon. Only 6.4 acres has officially been withdrawn for the Chapter House in 1955.

MAP: See attached map.

BIOLOGICAL
RESOURCE
COMPLIANCE
FORM

BIOLOGICAL RESOURCES COMPLIANCE FORM
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Department's opinion the project described below, with applicable conditions, is in compliance with Tribal and Federal laws protecting biological resources including the Navajo Endangered Species and Environmental Policy Codes, U.S. Endangered Species, Migratory Bird Treaty, Eagle Protection and National Environmental Policy Acts. This form does not preclude or replace consultation with the U.S. Fish and Wildlife Service if a Federally-listed species is affected.

PROJECT NAME & NO.: Cornfields Chapter Development Tract

DESCRIPTION: The Cornfields Chapter proposes a land development tract consisting of 110.48± acres.

LOCATION: NE ¼ of Section 17 & NW¼ of Section 16, T26N, R25E, G&SRM, Cornfields, Apache County, AZ

REPRESENTATIVE: Elizabeth B. Johnson, Cornfields Chapter Manager

ACTION AGENCY: Bureau of Indian Affairs and Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: PSR/23 DEC 2016/NNHP

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3. Raptor Sensitive Area (RSA) onsite. The Raptor Electrocutation Prevention Regulations (REPR) apply on the development tract.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: [1] *Aquila chrysaetos* (Golden Eagle) G3, BGEP, GBENPR, MBTA; [2] *Athene cunicularia* (Burrowing Owl) G4, MBTA.

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: [1] Clearing of the land tract and project construction shall avoid the Burrowing Owl (*Athene cunicularia*) breeding season of 01 MAR-15 AUG. If the breeding season cannot be avoided, pre-action surveys will be required. The survey area must include a 0.4 km (¼ mi) buffer from the edge of disturbance. Activity will be not allowed within a ¼ mile of an active nest burrow until the young have fledged the nesting area; [2] All future power lines shall be constructed utilizing a raptor-safe, power pole design standard (REPR). Guy wires shall be marked with highly visual daytime markers to prevent collisions within the RSA.

FORM PREPARED BY / DATE: Pamela A. Kyselka/24 MAR 2017

COPIES TO: (add categories as necessary)

☒ BIA

☐ _____

2 NTC § 164 Recommendation:

Signature

Date 3/24/17

- ☐ Approval
☒ Conditional Approval (with memo)
☐ Disapproval (with memo)
☐ Categorical Exclusion (with request letter)
☐ None (with memo)

Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife

*I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.

Representative's signature

Date



**PRESIDENT
RUSSELL BEGAYE
VICE PRESIDENT
JONATHAN NEZ**

NAVAJO FISH AND WILDLIFE P.O. BOX 1480 WINDOW ROCK, AZ 86515

24 March 2017

15corn101

Elizabeth B. Johnson, Chapter Manager
Post Office Box 478
Ganado, Arizona 86505

Dear Elizabeth,

The Navajo Nation Department of Fish and Wildlife (NNDFW) reviewed your request for our concurrence on Cornfields Chapter's proposed land development tract consisting of 110.48 acres located adjacent to the existing Cornfield Chapter House tract. The purpose of this letter is to inform you that we are granting the proposed project a Conditional Approval. Clearing of the site and project construction shall avoid the Burrowing Owl (*Athene cunicularia*) breeding season of 01 MAR-15 AUG. If the breeding season cannot be avoided, pre-action surveys will be required. The survey area must include a 0.4 km (1/4 mi) buffer from the edge of disturbance. Activity will be not allowed within a 1/4 mile of an active nest burrow until the young have fledged the nesting area.

The other condition to the project requires that all power lines to the site are raptor-safe. The land development tract is located within a Raptor Sensitive Area (RSA); therefore, all future power lines shall be constructed utilizing a raptor-safe, power pole design standard (REPR). Guy wires shall be marked with highly visual daytime markers to prevent collisions within the RSA.

Please contact me at 928-871-7065 with any questions that you have concerning the review of this project.

Sincerely,

Pamela A. Kyselka, Wildlife Biologist
Navajo Natural Heritage Program

CONCURRENCE

Gloria Tom, Director
Department of Fish and Wildlife

3/24/17
Date

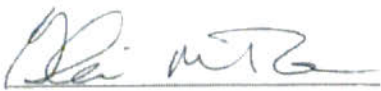


THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

MEMORANDUM

TO : Jeffrey Cole, Wildlife Manager
Department of Fish and Wildlife

FROM : 
Gloria M. Tom, Director
Department of Fish and Wildlife

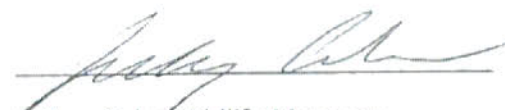
DATE : March 24, 2017

SUBJECT : **DELEGATION OF AUTHORITY**

I will be on leave on Friday, March 24, 2017. I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 8:00 a.m. on Friday, March 24, 2017. This delegation shall end at 5:00 p.m. on Friday, March 24, 2017.

Your authority will cover the review and signing off of all routine documents pertaining to the Department of Fish and Wildlife, except for issues that you feel should have the attention of the Director.

ACKNOWLEDGEMENT


Jeffrey Cole, Wildlife Manager
Department of Fish and Wildlife

CULTURAL
RESOURCE
COMPLIANCE
FORM



FILE COPY *my 02/03/16*
THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
 PO Box 4950, Window Rock, Arizona 86515
 TEL: (928) 871-7198 FAX: (928) 871-7886

CULTURAL RESOURCE COMPLIANCE FORM

| | |
|---|--------------------------------------|
| ROUTE COPIES TO: | NNHPD NO.: HPD-15-807 |
| <input checked="" type="checkbox"/> ISB | OTHER PROJECT NO.: ISB-15-063 |

PROJECT TITLE: A Cultural Resource Inventory of Cornfields Chapter Tract 98.08 Acres in Cornfields Chapter, Apache County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Liz Johnson, Cornfields Chapter, PO Box 478, Ganado, Arizona 86505

PROJECT DESCRIPTION: The undertaking consists of withdrawing land for community development. The total area of effect is 98.09-acres. Ground disturbing activities will be intensive and extensive with the use of heavy equipment.

| | | | | | | |
|---------------------|---------------------|----------|---------------|------------------------|------------------------|--------|
| LAND STATUS: | Navajo Tribal Trust | | | | | |
| CHAPTER: | Cornfields | | | | | |
| LOCATION: | T. 26 N., | R. 25 E. | Sec. 16 & 17; | Cornfields Quadrangle, | Apache County, Arizona | G&SRPM |

| | |
|---------------------------------------|--|
| PROJECT ARCHAEOLOGIST: | Iris Shirley Begaye |
| NAVAJO ANTIQUITIES PERMIT NO.: | B15490 |
| FE INSPECTED: | 10/24/15 |
| DATE OF REPORT: | 10/28/15 |
| TOTAL ACREAGE INSPECTED: | 98.08 - ac. |
| METHOD OF INVESTIGATION: | Class III pedestrian inventory with transects spaced 10 m apart. |

| | |
|--|---|
| LIST OF CULTURAL RESOURCES FOUND: | (5) Isolated Occurrences (IO) (2) In-Use Sites (IUS) |
| LIST OF ELIGIBLE PROPERTIES: | None |
| LIST OF NON-ELIGIBLE PROPERTIES: | (5) IO; (2) IUS |
| LIST OF ARCHAEOLOGICAL RESOURCES: | None |

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

In the event of a discovery ("discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices), all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7198.

FORM PREPARED BY: Tamara Billie
FINALIZED: December 18, 2015

Notification to Proceed
 Recommended
 Conditions:

☒ Yes ☐ No
☐ Yes ☒ No

[Signature]
 The Navajo Nation
 Historic Preservation Office

12/26/15
 Date

☒ Yes ☐ No

[Signature]
 Acting BIA - Navajo Regional Office

1-15-16
 Date

1/14/16
 Navajo Region Approval

CULTURAL RESOURCES COMPLIANCE FORM
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

RECEIVED
MAY 13 2009
HISTORIC TECHNOLOGY
DEPT.

ROUTING: COPIES TO
AZ SHPO
XX REAL PROPERTY MGT/330
NNAD

NNHPD NO. HPD-09-244
OTHER PROJECT NO.
NNAD 09-128

PROJECT TITLE: **A Cultural Resources Inventory of the Cornfields Chapter Tract in Cornfields, Apache County, Arizona**

LEAD AGENCY: BIA/NR

SPONSOR: **Orlanda Smith-Hodge P.O. Box 663 Window Rock, Arizona 86515**

PROJECT DESCRIPTION: The proposed undertaking will involve the construction the Cornfields chapter house and associated facilities within the 12.4 acre lease area. Ground disturbance will be extensive and intensive.

LAND STATUS: Navajo Tribal Trust

CHAPTER: Cornfields

LOCATION: T.26N, R.25E; Section 16; Cornfields Quadrangle; Apache County, Arizona; G&SRPM&B

PROJECT ARCHAEOLOGIST: **Curtis Yazzie**

NAVJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: **1/21/09**

DATE OF REPORT: **3/10/09**

TOTAL ACREAGE INSPECTED: **12.4**

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 15 m apart.

LIST OF CULTURAL RESOURCES FOUND:

(1) In-Use Area (IUA)

LIST OF ELIGIBLE PROPERTIES:

None

LIST OF NON-ELIGIBLE PROPERTIES:

(1) IUA

LIST OF ARCHAEOLOGICAL RESOURCES:

None

EFFECT/CONDITIONS OF COMPLIANCE: **No historic properties affected.**

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7148.

FORM PREPARED BY: **Ettie Anderson**

FINALIZED: March 26, 2009

Notification to

Proceed Recommended:

Conditions:

Yes XX No XX
Yes XX No XX

Alan S. Downer
Alan S. Downer

Navajo Nation Historic Preservation Officer

3/30/09
Date

Navajo Region Approval:

Yes X No XX

Regional Director
Regional Director

4/14/09
Date

JP 4/14/09



PO Box 1480
Window Rock, AZ
86515

P 928.871.6472
F 928.871.7603

<http://nnhp.nndfw.org>

15corn101

23-December-2016

Elizabeth B. Johnson - Chapter Manager
Cornfields Chapter

SUBJECT: Cornfields Chapter Development Tract

Elizabeth B. Johnson,

NNHP has performed an analysis of your project in comparison to known biological resources of the Navajo Nation and has included the findings in this letter. The letter is composed of seven parts. The sections as they appear in the letter are:

1. **Known Species** – a list of all species within relative proximity to the project
2. **Potential Species** – a list of potential species based on project proximity to respective suitable habitat
3. **Quadrangles** – an exhaustive list of quads containing the project
4. **Project Summary** – a categorized list of biological resources within relative proximity to the project grouped by individual project site(s) or quads
5. **Conditional Criteria Notes** – additional details concerning various species, habitat, etc.
6. **Personnel Contacts** – a list of employee contacts
7. **Resources** – identifies sources for further information

Known Species lists "species of concern" known to occur within proximity to the project area. Planning for avoidance of these species is expected. If no species are displayed then based upon the records of the Navajo Nation Department of Fish and Wildlife (NNDFW) there are no "species of concern" within proximity to the project. Refer to the Navajo Endangered Species List (NESL) Species Accounts for recommended avoidance measures, biology, and distribution of NESL species on the Navajo Nation (http://nnhp.nndfw.org/sp_account.htm).

Potential Species lists species that are potentially within proximity to the project area and need to be evaluated for presence/absence. If no species are found within the Known or Potential Species lists, the project is not expected to affect any federally listed species, nor significantly impact any tribally listed species or other species of concern. Potential for species has been determined primarily on habitat characteristics and species range information. A thorough habitat analysis, and if necessary, species specific surveys, are required to determine the potential for each species.

Species of concern include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For legally protected species, the following tribal and federal statuses are indicated: NESL, federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate, NESL group 4 status, and species listed on the Sensitive Species List. Please be aware of these species during surveys and inform the NNDFW of observations. Reported observations of these species and documenting them in project planning and management is important for conservation and may

contribute to ensuring they will not be up listed in the future.

In any and all correspondence with NNDFW or NNHP concerning this project please cite the Data Request Code associated with this document. It can be found in this report on the top right corner of the every page. Additionally please cite this code in any biological evaluation documents returned to our office.

1. Known Species (NESL=Navajo Endangered Species List, FE=Federally Endangered, FT=Federally Threatened, FC=Federal Candidate)

Species

AQCH = Aquila chrysaetos / Golden Eagle NESL G3

2. Potential Species

Species

ATCU = Athene cunicularia / Burrowing Owl NESL G4

3. Quadrangles (7.5 Minute)

Quadrangles

Cornfields (35109-F6) / AZ

4. Project Summary (EO1 Mile/EO 3 Miles=elements occurring within 1 & 3 miles., MSO=mexican spotted owl PACs, POTS=potential species, RCP=Biological Areas)

| SITE | EO1MI | EO3MI | QUAD | MSO | POTS | AREAS |
|--------------------------|-------|-------|----------------------------|------|------|--------|
| Cornfields Chapter Tract | None | AQCH | Cornfields (35109-F6) / AZ | None | ATCU | Area 3 |

5. Conditional Criteria Notes *(Recent revisions made please read thoroughly. For certain species, and/or circumstances, please read and comply)*

- A. **Biological Resource Land Use Clearance Policies and Procedures (RCP)** – The purpose of the RCP is to assist the Navajo Nation government and chapters ensure compliance with federal and Navajo laws which protect, wildlife resources, including plants, and their habitat resulting in an expedited land use clearance process. After years of research and study, the NNDFW has identified and mapped wildlife habitat and sensitive areas that cover the entire Navajo Nation.
The following is a brief summary of six (6) wildlife areas:
1. **Highly Sensitive Area** – recommended no development with few exceptions.
 2. **Moderately Sensitive Area** – moderate restrictions on development to avoid sensitive species/habitats.
 3. **Less Sensitive Area** – fewest restrictions on development.
 4. **Community Development Area** – areas in and around towns with few or no restrictions on development.
 5. **Biological Preserve** – no development unless compatible with the purpose of this area.
 6. **Recreation Area** – no development unless compatible with the purpose of this area.
- None** - outside the boundaries of the Navajo Nation
This is not intended to be a full description of the RCP please refer to the our website for additional information at <http://www.nndfw.org/clup.htm>.
- B. **Raptors** – If raptors are known to occur within 1 mile of project location: Contact Chad Smith at 871-7070 regarding your evaluation of potential impacts and mitigation.
- o **Golden and Bald Eagles**- If Golden or Bald Eagle are known to occur within 1 mile of the project, decision makers need to ensure that they are not in violation of the Golden and Bald Eagle Nest Protection Regulations found at http://nnhp.nndfw.org/docs_reps/gben.pdf.
 - o **Ferruginous Hawks** – Refer to "Navajo Nation Department of Fish and Wildlife's Ferruginous Hawk Management Guidelines for Nest Protection" http://nnhp.nndfw.org/docs_reps.htm for relevant information on avoiding impacts to Ferruginous Hawks within 1 mile of project location.
 - o **Mexican Spotted Owl** - Please refer to the Navajo Nation Mexican Spotted Owl Management Plan http://nnhp.nndfw.org/docs_reps.htm for relevant information on proper project planning near/within spotted owl protected activity centers and habitat.
- C. **Surveys** – Biological surveys need to be conducted during the appropriate season to ensure they are complete and accurate please refer to NN Species Accounts http://nnhp.nndfw.org/sp_account.htm. Surveyors on the Navajo Nation must be permitted by the Director, NNDFW. Contact Jeff Cole at (928) 871-7068 for permitting procedures. Questions pertaining to surveys should be directed to the NNDFW Zoologist (Chad Smith) for animals at 871-7070, and Botanist (Andrea Hazelton) for plants at (928)523-3221. Questions regarding biological evaluation should be directed to Jeff Cole at 871-7068.
- D. **Oil/Gas Lease Sales** – Any settling or evaporation pits that could hold contaminants should be lined and covered. Covering pits, with a net or other material, will deter waterfowl and other migratory bird use. Lining pits will protect ground water quality.
- E. **Power line Projects** – These projects need to ensure that they do not violate the regulations set forth in the Navajo Nation Raptor Electrocution Prevention Regulations found at http://nnhp.nndfw.org/docs_reps/repr.pdf.

- F. **Guy Wires** – Does the project design include guy wires for structural support? If so, and if bird species may occur in relatively high concentrations in the project area, then guy wires should be equipped with highly visual markers to reduce the potential mortality due to bird-guy wire collisions. Examples of visual markers include aviation balls and bird flight diverters. Birds can be expected to occur in relatively high concentrations along migration routes (e.g., rivers, ridges or other distinctive linear topographic features) or where important habitat for breeding, feeding, roosting, etc. occurs. The U.S. Fish and Wildlife Service recommends marking guy wires with at least one marker per 100 meters of wire.
- G. **San Juan River** – On 21 March 1994 (Federal Register, Vol. 59, No. 54), the U.S. Fish and Wildlife Service designated portions of the San Juan River (SJR) as critical habitat for *Ptychocheilus lucius* (Colorado pikeminnow) and *Xyrauchen texanus* (Razorback sucker). Colorado pikeminnow critical habitat includes the SJR and its 100-year floodplain from the State Route 371 Bridge in T29N, R13W, sec. 17 (New Mexico Meridian) to Neskahai Canyon in the San Juan arm of Lake Powell in T41S, R11E, sec. 26 (Salt Lake Meridian) up to the full pool elevation. Razorback sucker critical habitat includes the SJR and its 100-year floodplain from the Hogback Diversion in T29N, R16W, sec. 9 (New Mexico Meridian) to the full pool elevation at the mouth of Neskahai Canyon on the San Juan arm of Lake Powell in T41S, R11E, sec. 26 (Salt Lake Meridian). All actions carried out, funded or authorized by a federal agency which may alter the constituent elements of critical habitat must undergo section 7 consultation under the Endangered Species Act of 1973, as amended. Constituent elements are those physical and biological attributes essential to a species conservation and include, but are not limited to, water, physical habitat, and biological environment as required for each particular life stage of a species.
- H. **Little Colorado River** – On 21 March 1994 (Federal Register, Vol. 59, No. 54) the U.S. Fish and Wildlife Service designated Critical Habitat along portions of the Colorado and Little Colorado Rivers (LCR) for *Gila cypha* (humpback chub). Within or adjacent to the Navajo Nation this critical habitat includes the LCR and its 100-year floodplain from river mile 8 in T32N R6E, sec. 12 (Salt and Gila River Meridian) to its confluence with the Colorado River in T32N R5E sec. 1 (S&GRM) and the Colorado River and 100-year floodplain from Nautuloid Canyon (River Mile 34) T36N R5E sec. 35 (S&GRM) to its confluence with the LCR. All actions carried out, funded or authorized by a federal agency which may alter the constituent elements of Critical Habitat must undergo section 7 consultation under the Endangered Species Act of 1973, as amended. Constituent elements are those physical and biological attributes essential to a species conservation and include, but are not limited to, water, physical habitat, and biological environment as required for each particular life stage of a species.
- I. **Wetlands** – In Arizona and New Mexico, potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the Navajo Natural Heritage Program (NNHP) office, or may be purchased through the U.S. Geological Survey (order forms are available through the NNHP). The NNHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation. In Utah, the U.S. Fish & Wildlife Service's National Wetlands Inventory maps are not yet available for the Utah portion of the Navajo Nation, therefore, field surveys should be completed to determine whether wetlands are located close enough to the project site(s) to be impacted. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. For more information contact the Navajo Environmental Protection Agency's Water Quality Program.

- J. **Life Length of Data Request** – The information in this report was identified by the NNHP and NNDFW's biologists and computerized database, and is based on data available at the time of this response. If project planning takes more than two (02) years from the date of this response, verification of the information provided herein is necessary. It should not be regarded as the final statement on the occurrence of any species, nor should it substitute for on-site surveys. Also, because the NNDFW information is continually updated, any given information response is only wholly appropriate for its respective request.
- K. **Ground Water Pumping** - Projects involving the ground water pumping for mining operations, agricultural projects or commercial wells (including municipal wells) will have to provide an analysis on the effects to surface water and address potential impacts on all aquatic and/or wetlands species listed below. NESL Species potentially impacted by ground water pumping: *Carex specuicola* (Navajo Sedge), *Cirsium rydbergii* (Rydberg's Thistle), *Primula specuicola* (Cave Primrose), *Platanthera zothecina* (Alcove Bog Orchid), *Puccinellia parishii* (Parish Alkali Grass), *Zigadenus vaginatus* (Alcove Death Camas), *Perityle specuicola* (Alcove Rock Daisy), *Symphyotrichum welshii* (Welsh's American-aster), *Coccyzus americanus* (Yellow-billed Cuckoo), *Empidonax traillii extimus* (Southwestern Willow Flycatcher), *Rana pipiens* (Northern Leopard Frog), *Gila cypha* (Humpback Chub), *Gila robusta* (Roundtail Chub), *Ptychocheilus lucius* (Colorado Pikeminnow), *Xyrauchen texanus* (Razorback Sucker), *Cinclus mexicanus* (American Dipper), *Speyeria nokomis* (Western Seep Fritillary), *Aechmophorus clarkia* (Clark's Grebe), *Ceryle alcyon* (Belted Kingfisher), *Dendroica petechia* (Yellow Warbler), *Porzana carolina* (Sora), *Catostomus discobolus* (Bluehead Sucker), *Cottus bairdi* (Mottled Sculpin), *Oxyloma kanabense* (Kanab Ambersnail)

6. Personnel Contacts

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7. Resources

National Environmental Policy Act

Navajo Endangered Species List:

<http://nnhp.nndfw.org/Endangered.htm>

Species Accounts:

http://nnhp.nndfw.org/sp_account.htm

Biological Investigation Permit Application

http://nnhp.nndfw.org/study_permit.htm

Navajo Nation Sensitive Species List

http://nnhp.nndfw.org/study_permit.htm

Various Species Management and/or Document and Reports

http://nnhp.nndfw.org/docs_reps.htm

Consultant List

(Coming Soon)

Dexter D Prall

Digitally signed by Dexter D Prall
DN: cn=Dexter D Prall, o=Navajo Nation
Department of Fish and Wildlife,
ou=Navajo Natural Heritage Program,
email=prall@nndfw.org, c=US
Date: 2016.12.23 10:30:25 -07'00'

Dexter D Prall, GIS Supervisor - Natural Heritage Program
Navajo Nation Department of Fish and Wildlife

A Cultural Resource Inventory of Cornfields Chapter Tract,
98.08 Acres in Cornfields Chapter, Apache County, Arizona

Prepared by
Iris Shirley Begaye, Archaeologist
ARCHAEOLOGICAL SURVEY

ISB-15-063

HPD Permit Number B15490

28 October 2015

Submitted by
Iris Shirley Begaye, Archaeologist
ARCHAEOLOGICAL SURVEY
P.O. Box 3777
Window Rock, Arizona 86515

Submitted to
Navajo Nation Historic Preservation Department
Cultural Resource Compliance Section
P.O. Box 4950
Window Rock, Arizona 86515

Prepared for
Liz Johnson
Cornfields Chapter
P.O. Box 478
Ganado, AZ 86505

Abstract

The following report is submitted to the Navajo Nation Historic Preservation Department-Cultural Resource Compliance Section for cultural resource compliance review as part of the Navajo Nation cultural resource clearance process. The report provides the results of a cultural resource inventory conducted under Navajo Nation Historic Preservation Department Permit B15490 and titled as, *ISB-15-063: A Cultural Resource Inventory of Cornfields Chapter Tract, 98.08 Acres in Cornfields Chapter, Apache County, Arizona*.

The cultural resource inventory was conducted at the request of Liz Johnson, Community Service Coordinator, Cornfields Chapter. The cultural resource inventory was conducted on the Cornfields Chapter Tract, Navajo Nation Lands, Apache County, Arizona. The fieldwork was conducted on October 24, 2015 by Iris Shirley Begaye, ARCHAEOLOGICAL SURVEY.

The Cornfields Chapter Tract consists of 110.48 acres. The total area inventoried for this undertaking is 98.08 acres. The total area of effect is 98.08 acres. The total area inventoried for this project is 98.08 acres.

The project area is located in the south-central portion of the Navajo Reservation within the Fort Defiance Agency, Apache County, Arizona. The project legal descriptions are: Township 26 North, Range 25 East, Sections 16 and 17. The project locations can be found on USGS, 7.5 Minute Quadrangles: Cornfields, Arizona 1972.

The cultural resources inventoried for this project are zero (0) sites, five (05) isolated occurrences and two (02) in-use sites.

It is recommended, archaeological clearance is granted for the proposed undertaking.

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Introduction

On October 24, 2015, Iris Shirley Begaye, archaeologist of Archaeological Survey conducted a cultural resource inventory of Cornfields Chapter Tract for the purposes community development on Navajo Nation Land, Apache County, Arizona. The cultural resource inventory was requested by Liz Johnson, Community Service Coordinator on behalf of the Cornfields Chapter. The cultural resource inventory reported zero (0) sites, five (05) isolated occurrences and two (02) in-use sites. The cultural resource inventory was conducted under Navajo Nation Historic Preservation Permit Number B15490.

Description of Undertaking

The Cornfields Chapter has withdrawn 110.48 acres for purposes of community development and continued maintenance and construction within the surveyed area. Ground disturbance, surface and sub-surface is expected to be intensive and extensive from the use of heavy equipment. A portion of 110.48 acres was previously inventoried. The current cultural resource inventory consists of 98.08 acres. The total area of effect is 98.08 acres (4,272,364.8 sq. feet) (396,915.7 sq. meters) (39.7 hectares). The total area inventoried for this project is 98.08 acres (4,272,364.8 sq. feet) (396,915.7 sq. meters) (39.7 hectares).

Location

The chapter tract is located in the south-central portion of the Navajo Reservation. The area is located on Navajo Tribal Trust in Cornfields Chapter, Apache County, Arizona. Table 1 provides the UTMs, Legal Description and USGS Map Quadrangle Name.

Table 1. UTMs, Legal Description and USGS Map Quadrangle

| Designation | UTM Coordinates Zone 12 | | Legal Description | | | USGS 7.5' Quadrangle Map |
|-------------|----------------------------|------------|-------------------|----------|-------|--------------------------|
| | Northing | Easting | Sec. | Township | Range | |
| A | 3946265.52 | 618886.61 | 17 | 26N | 25E | Cornfields, AZ 1972 |
| B | 3946830.64 | 619095.88 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| C | 3946668.96 | 619692.36 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| D | 3946587.23 | 619699.21 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| E | 3946616.72 | 619.804.07 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| F | 3946600.78 | 619855.72 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| G | 3946358.42 | 619683.80 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| H | 3946307.59 | 619646.40 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| I | 3946323.14 | 619598.95 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| J | 3946309.93 | 619593.53 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| K | 3946356.52 | 619429.88 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| L | 3946036.39 | 619357.77 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| M | 3946079.29 | 619140.75 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| N | 3946192.95 | 619145.21 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| O | 3946209.64 | 619079.12 | 17 | 26N | 25E | Cornfields, AZ 1972 |

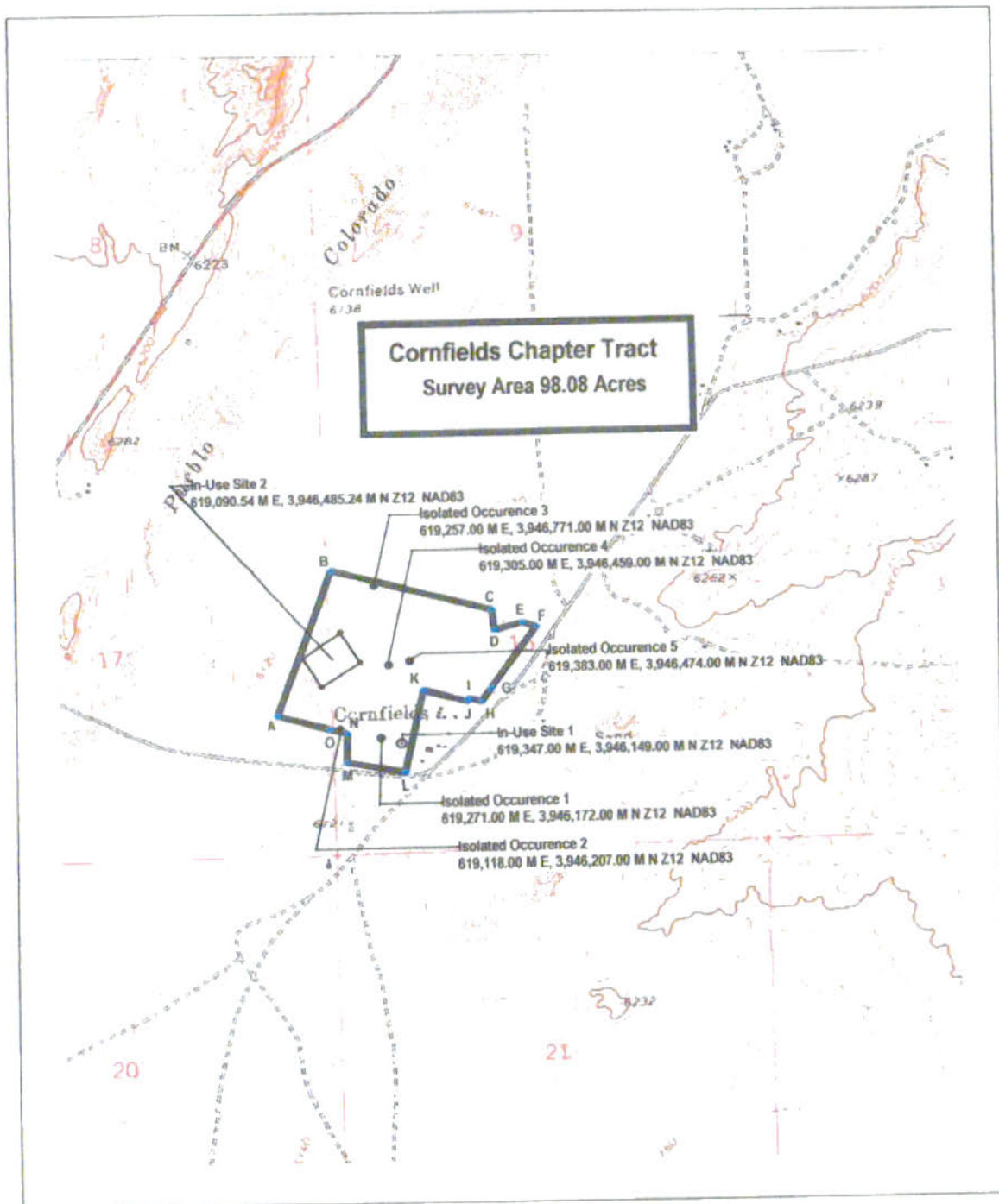


Figure 1. ISB-15-063: Cornfields Chapter Tract, 98.08 Acres
Sections 16, 17, T26N, R25E GSRM
7.5' USGS series map: Cornfields, AZ 1972

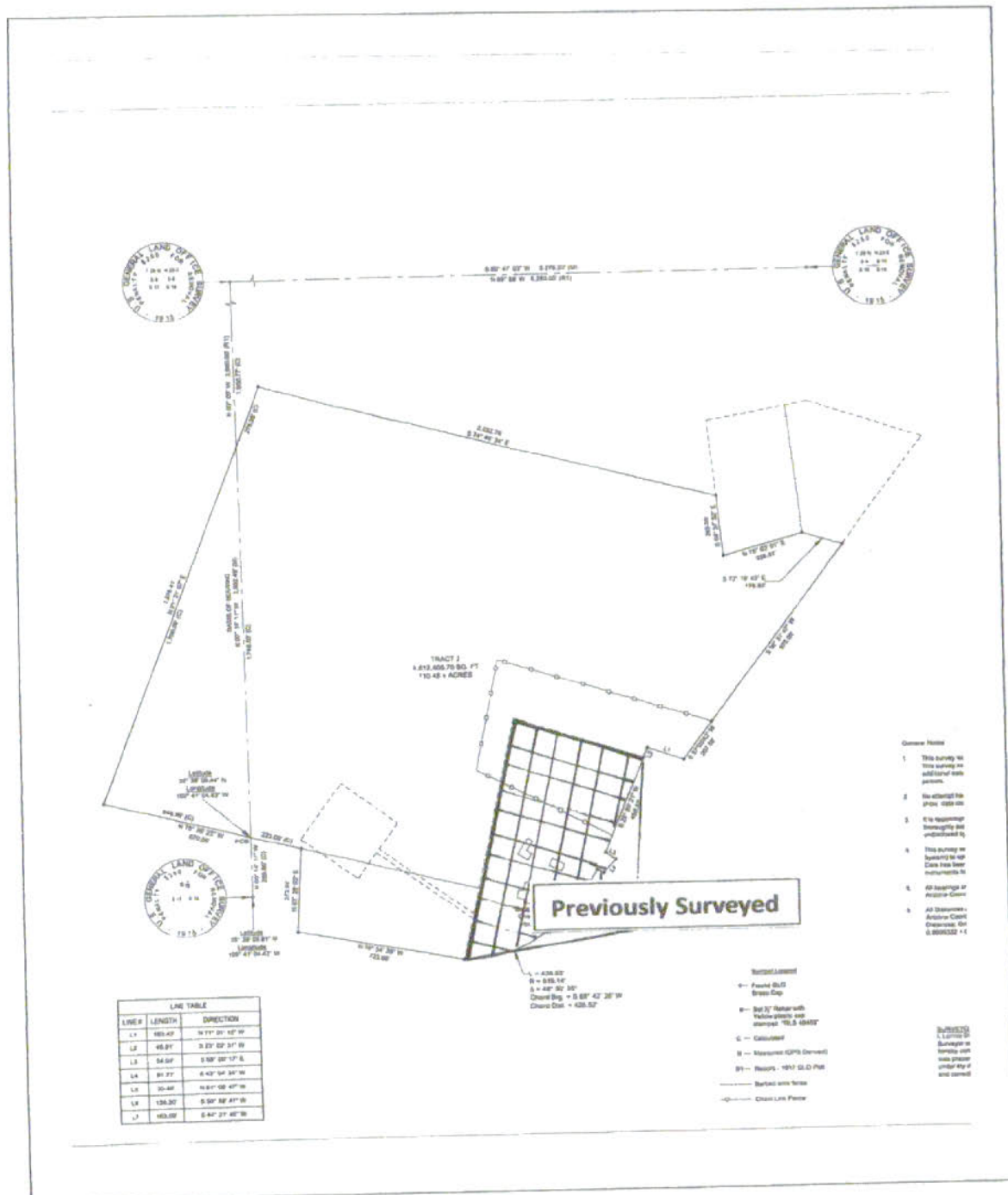


Figure 2. ISB-15-063: Cornfields Chapter Tract, 110.48 Acres
Sections 16, 17, T26N, R25E GSRM

Area of Environmental & Cultural Setting

The project area is located along the Pueblo Colorado Wash Valley at elevations ranging 6,120.8 feet (1,865.1 meters) to 6,135.1 feet (1,869.9 meters) above sea level. The project area is approximately 6.1 miles southwest of Gah Chidi and approximately 2.7 miles northeast of Mei Dagi. The Pueblo Colorado Wash is approximately 0.37 mile west of the project area. Vegetation consists of elm, cottonwood, russian olive, greasewood, broom snakeweed, rabbitbrush, prickly pear, bee plant and other low-lying seasonal native grasses. The surface sediment is sandy loam with inclusions of clay and medium-small pebbles. Cows and horses were the only domesticated animals observed during the inventory. The current setting within the project area includes powerlines, waterlines, telephone lines, two-track roads, cornfield, and sewer lagoon which have impacted the survey area. The perimeter of the project area consists of 12.4 acre- Cornfields Chapter Tract, NHA Housing Complexes, Navajo Route 15 and the outlying community of Cornfields.

Existing Data Review

As part of this reporting, records research was conducted using the Navajo Nation Historic Preservation Department (NNHPD) files in Window Rock, Arizona. The records research indicated 16 previous surveys have been conducted within 500 meters of the proposed project area. From the 16 previous surveys, no archaeological sites were previously recorded within 500 meters of the proposed project area. Table 2 lists the previous project undertakings and site numbers within 500 meters of the project area. Table 3 lists a summary of previously recorded sites within 500 meters of the project area.

Table 2. Previous Project Undertakings and Archaeological Sites recorded within 500 meters of the project locations

| Project Numbers | Site Numbers |
|---|--------------|
| NAU-79-227, NAU-80-122, MNA-80-200, NTM-86-207, NTM-86-261, NABR-88-170, NTM-88-501, HPD-91-324, HPD-92-551, HPD-94-212, HPD-94-261, HPD-99-307, HPD-00-768, HPD-02-783, HPD-03-244, HPD-09-244 | None |

Table 3. Previously Recorded Sites within 500 meters of the Project Location

| Site Number | Site Description | Reference |
|-------------|------------------|-----------|
| None | | |

Field Methods

On October 24, 2015, Iris Shirley Begaye, archaeologist conducted a cultural resource inventory of the Cornfields Chapter Tract which consisted of 98.08 acres. The entire Cornfields Chapter tract consists of 110.48 acres. Prior to cultural resource inventory, the 110.48 acre-chapter tract was fenced separating the portion previously inventoried in 2009 in the amount of 12.4 acres, therefore leaving 98.08 acres to be inventoried.

The archaeologist performed a Class II pedestrian inventory by walking parallel and spiral transects with adjacent points spaced approximately 15m apart extending over the project area. The total area of effect is 98.08 acres (4,272,364.8 sq. feet) (396,915.7 sq. meters) (39.7 hectares). The total area inventoried for this project is 98.08 acres (4,272,364.8 sq. feet) (396,915.7 sq. meters) (39.7 hectares).

Cultural resources identified during this inventory consisted of (0) sites, (05) isolated occurrences and (02)

in-use sites.

In accordance with NNHPD guidelines, the project archaeologist interviewed chapter residents to obtain information on potential traditional cultural properties (TCPs-herb gathering areas, blessed and/or sacred places or burials) in the vicinity. The sponsor was unaware of any traditional cultural properties near the surveyed area. Traditional Cultural Properties (TCP) research was conducted at NNHPD Traditional Cultural Property Section and revealed no traditional cultural properties.

CULTURAL RESOURCE FINDINGS

No archaeological sites were recorded during this inventory. Five (05) isolated occurrences were recorded during this inventory. Brief description and location of each isolated occurrence is listed in Table 4. Two (02) in-use sites were identified during this inventory. Brief descriptions of each in-use site are listed in Table 5.

Archaeological Sites

No sites recorded during this inventory.

Isolated Occurrences

During this inventory, five (05) isolated occurrences were identified. A summary of the isolated occurrences is provided in Table 4.

Table 4. Isolated Occurrences

| Isolated Occurrence # | Description | UTM Coordinates Zone 12 | | Legal Description | | | USGS 7.5' Quadrangle Map |
|-----------------------|----------------------|-------------------------|---------|-------------------|----------|-------|--------------------------|
| | | Northing | Easting | Sec. | Township | Range | |
| 1 | 7 white/white sherds | 3946172 | 619271 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| 2 | 1 gray sherd | 3946207 | 619118 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| 3 | Broken knife | 3946771 | 619257 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| 4 | 4 cement rock slabs | 3946459 | 619305 | 16 | 26N | 25E | Cornfields, AZ 1972 |
| 5 | 5 broken logs | 3946474 | 619383 | 16 | 26N | 25E | Cornfields, AZ 1972 |

In-use Sites

During the inventory, two (02) in-use sites were encountered. Information regarding traditional cultural properties and any known burials in relation to the project area was collected from chapter residents. A summary of the in-use sites and associated features are provided in Table 5.

Table 5. In-use Sites

| In-Use Site # | Description | TCPs, Burials & Occupation |
|---------------|--------------|--|
| #1 | Cornfield | Unknown TCPs or Burials: 2009 to present |
| #2 | Sewer Lagoon | Unknown TCPs or Burials: 2009 to present |

Evaluation of Significance of Each Resource

Under the *National Historic Preservation Act* (NHPA, 36 CFR 60.4), cultural resources may be eligible for nomination to the National Register of Historic Places if they "possess integrity of location, design, setting, material workmanship, feeling, and association ... and if the resources in question are resources:

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of a person significant in our past; or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that has yielded, or may likely to yield, information in prehistory."

As defined in 36 CFR 60.4, cemeteries, birthplaces, or graves of historical figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historical buildings; properties primarily commemorative in nature; and properties that have achieved significance within the past 50 years are not ordinarily considered eligible for the National Register. However, such properties may qualify if they are integral parts of districts that do meet the eligibility criteria.

The *Archaeological Resource Protection Act of 1979* (ARPA, 43 CFR Part 7), have two functional purposes:

- (1) to protect irreplaceable archaeological resources on public lands and Indian Lands from unauthorized excavation, removal, damage, alteration, or defacement, and
- (2) to increase communication and exchange of information among governmental authorities, the professional archaeological community and private individuals having collections of archaeological resources and data which were obtained prior to enactment of the Act.

Completing assessments under 43 CFR Part 7 involves two items. In order for a resource to be considered an archaeological resource and thus merit protection, it must be both greater than 100 years in age and of archaeological interest.

The *American Indian Religious Freedom Act* (AIRFA), P.L. 95-341) is a resolution of Congress to the effect that American Indians shall have the right to freedom to believe, express, and exercise their traditional religions and have access to sites, use and possession of sacred objects, and freedom of worship through ceremonies and rites. Therefore, any site or place (prehistoric or historic) has religious, ceremonial, or sacred aspects or components needs to be dealt with in light of this law. Anasazi sites related to Navajo cultural traditions qualify for protection, as do all Navajo ceremonial sites, unmarked traditional places, and residential structures whose owners/users want them protected for religious and cultural reasons.

The *Native American Graves Protection and Repatriation Act* (NAGPRA, P.L. 101-601) provides protection of Native American Graves; establishes procedures and legal standards for the repatriation of human remains, funerary objects, sacred objects, and objects of cultural patrimony; and provides the United States district courts jurisdiction over any action brought by any person alleging a violation of the Act. The Act also recognizes certain tribal, Native Hawaiian, and individual rights in regard to burial sites located on Federal and Indian lands, and it sets forth procedures for the intentional excavation and inadvertent discoveries of these items.

The *National Register Bulletin 38* (Bulletin 38) provides for protection of traditional cultural properties and the Navajo Nation Policy to Protect Traditional Cultural Properties which provides guidelines for protecting traditional cultural properties significant to Navajos that are most commonly called "sacred sites" or *hodiyyin*. This distinction is made in as much as Traditional Cultural Property (TCP) is regarded by Navajos as a euphemism intended to obscure the religious qualities of these places for a people who do not separate the sacred from the secular.

Isolated Occurrences

Isolated Occurrences (IO) do not appear to be associated with any nearby sites. In the absence of subsurface exploration or other evidence that the artifacts are associated with a nearby site, the IOs do not appear to be eligible for protection under NHPA. IOs do not meet eligibility requirements under criterion a through d, their research potential has been exhausted through recordation. The IOs do meet the 50-year eligibility guideline. The artifacts do meet the 100-year age requirement under ARPA, but do not appear to be of archaeological interest. The IOs are not materials that are usually considered for protection under AIRFA and NAGPRA.

In-use Sites

The existing cornfield and sewer lagoon were recorded as in-use site #1 and in-use site #2 (IUS). With consideration to 36 CFR 60.4, the IUS #1 and IUS #2 may possess one or more of the qualities of integrity, however, IUS #1 and IUS #2 may meet eligibility requirements under criteria a through d. Ethnographic interviews indicated no TCPS within the area of effect or no burial locations within the area of effect.

Recommendations

Archaeological clearance is recommended for the proposed undertaking in all areas with no cultural resources. No archaeological sites have been recorded during this inventory; therefore, conditional archaeological clearance is not required for this undertaking.

References

Andrews, Michael J.

- 1980 Archaeological Investigation for a Housing Site near Cornfields, AZ
NAU-80-122 / NAU Project No. 272-AZ-K

- 1979 An Archaeological Survey Report for Several Water Line Extensions at Cornfields and Rabbitscratch,
Arizona
NAU-79-227 / NAU Project No. 186-AZ-K

Dooline, Edison

- 1999 A Cultural Resource Inventory for a Proposed Bioremediation of a Livestock Dip Vat in Cornfields, Apache
Co., Arizona. Bioremediation will be done by the Bureau of Indian Affairs, Navajo Environmental
Protection Agency, Navajo Area Office.
HPD-99-307 / 99-002

Francis, Mary, Fannie Paul

- 1991 An Archaeological Survey of a Proposed Water Line Extension, 36 Homesites and an Existing Lagoon at
Cornfields and Ganado Chapters, Apache County, Arizona
HPD-91-324 / NNAD90-383

Halbirt, Carl D.

- 1980 An Archaeological Survey of Nine Proposed House Lots for the Navajo Housing Authority
MNA-80-200

Hammack, Nancy S.

- 2002 Cultural Resource Inventory, NTUA Project NA 01-B60, 22 Scattered Homesites and 0.5 Mile of Waterline
Extensions, Apache County, Arizona
HPD-02-783 / CASA 02-04

Jacklin, Marian

- 1986 Archaeological Survey: CDBG Funded Burnside Junction Complex Scattered Homes Project near
Ganado, Steamboat, Cornfields, Klageetoh
NTM-86-207 / NNCRMP-003-1

Kakos, Peter

- 1986 An Archaeological Survey of a Proposed Cornfields Chapter Landfill
NTM-86-261 / NNCRMP-86-261

Livingston, Alfred

- 2000 An Archaeological Survey of Additional Proposed NHA Sub-Division in Cornfields, Apache County,
Arizona
HPD-00-768 / NHA-00-66

McCabe, Lily A.

- 2004 A Cultural Resources Inventory for a Storage Tank for the Cornfields Chapter near Cornfields, Apache
County, AZ
HPD-04-212 / NPC-04-015

Miner, Mark, Delfred Dawes

- 1988 An Archaeological Survey of 10 Acres for a Borrow Pit near Cornfields, Arizona
NTM-88-501 / NNAD-88-293

Morgan, Grace

- 1994 An Archaeological Survey for IHS Waterline/Taps in Sunrise Springs, Navajo/Apache Counties, Arizona
HPD-94-621 / NNAD-94-061

Paul, Fannie

- 1992 An Archaeological Survey of 10 Scattered Homes, Fort Defiance Service Unit, OEHE Fort Defiance, Arizona
HPD-92-551 / NNAD-92-211

Stewart, Phillip

- 1989 Cultural Resources Inventory of a Proposed Right-Of-Way Extension and Housing Access Road, Cornfields, Apache County, Arizona
NABR-88-170 / BOR-88-07

Yazzie, Curtis

- 2003 A Cultural Resources Inventory for the Proposed Lagoon Expansion in Cornfields, Apache County, Arizona
HPD-03-244 / NNAD-02-302
- 2009 A Cultural Resources Inventory of the Cornfields Chapter Tract in Cornfields, Apache County, Arizona
HPD-09-244 / NNAD-09-128

NAVAJO
NATION
EPA



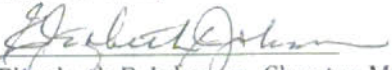
CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.ndes.org

MEMORANDUM :

TO : Navajo Nation EPA
ATTN:
P.O. Box 1480
Window Rock, AZ. 86515

FROM : 
Elizabeth B. Johnson, Chapter Manager
Cornfields Chapter

DATE : October 28, 2015

RE : Request for Consideration for Categorical Exclusion for Chapter Tract

This memo will serve as a request for consideration for categorical exclusion for the Cornfields Chapter development tract consisting of approximately 110.48 acres.

PROJECT NAME: Cornfields Chapter Development Tract

LOCATION: Cornfields, Apache County, AZ, Legal Description: Township 26 North, Range 25 East, Sections 16 and 17. The project locations can be found on USGS, 7.5 Minute Quadrangles: Cornfields, Arizona 1972.

SUMMARY DESCRIPTION OF PROJECT: The Cornfields Chapter Tract includes the Chapter House, the Head Start Program, the Cornfields Group Home, the Community Demonstration Farm, the Community Cemetery, the Cornfields Chapter Maintenance/Trash Yard, the Hay Barn, Watering Point, the Cellular Tower and the Community Sewer Lagoon. Only 6.4 acres has officially been withdrawn for the Chapter House in 1955.

MAP: See attached map.

ARCH CLEARANCE

ARCHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD JAN/91)

| | | |
|-------------------|-----------------------|-----------------------------|
| 1. HPD REPORT NO. | 2. (FOR HPD USE ONLY) | 3. RECIPIENTS ACCESSION NO. |
|-------------------|-----------------------|-----------------------------|

4. TITLE OF REPORT: A Cultural Resources Inventory of the Cornfields Chapter Tract in Cornfields, Apache County, Arizona.

AUTHOR(S): Curtis Yazzie

| | |
|--|------------------------------|
| 5. FIELDWORK DATES January 21, 2009 | 6. REPORT DATE 03-10-2009 |
|--|------------------------------|

| | | |
|--|-------------------------------------|---|
| 7. CONSULTANT NAME AND ADDRESS: Gen'l Charge: Robert M. Begay Org. Name: Navajo Nation Archaeology Department Org. Address: P.O. Box 689 Window Rock, Arizona 86515 Phone: (928) 871-6540 | 8. PERMIT NO. Navajo Tribal Code | 9. CONSULTANT REPORT NO. NNAD-09-128 |
|--|-------------------------------------|---|

| | | |
|---|--------------------------------|---|
| 10. SPONSOR NAME AND ADDRESS: Ind. Responsible: Orlanda Smith-Hodge Org. Name: Cornfields Chapter Council Delegate Org. Address: P.O. Box 663 Window Rock, Arizona 86515 Phone: (928) 871-7388 | 11. SPONSOR PROJECT NO. N/A | 12. AREA OF EFFECT: 12.4 ac AREA SURVEYED: 12.4 ac |
|---|--------------------------------|---|

13. LOCATION (MAP ATTACHED): Fig. 1

| | |
|-------------------------|--|
| a. Chapter: Cornfields | e. Land Status: Navajo Tribal Trust |
| b. Agency: Ft. Defiance | f. UTM Center: Zone 12; see below |
| c. County: Apache | g. Area: T.26N, R.25E, Section 16, SW1/4 |
| d. State: Arizona | h. 7.5' Map Name(s): Cornfields, Arizona, 1971 |

f. UTM Center: Zone 12;

| | |
|--------------|--------------------------------------|
| a. SW Corner | 3945849N, 619416E, Section 16, SW1/4 |
| b. Point | 3946085N, 619469E, Section 16, SW1/4 |
| c. NW Corner | 3946185N, 619491E, Section 16, SW1/4 |
| d. NE Corner | 3946109N, 619706E, Section 16, SW1/4 |
| e. Point | 3945997N, 619626E, Section 16, SW1/4 |
| f. Point | 3945927N, 619567E, Section 16, SW1/4 |
| g. Point | 3945883N, 619525E, Section 16, SW1/4 |
| h. Point | 3945864N, 619492E, Section 16, SW1/4 |
| i. Point | 3945849N, 619456E, Section 16, SW1/4 |

14. REPORT /X/ OR SUMMARY (REPORT ATTACHED) / /

a. Description of Undertaking: The sponsor, Orlanda Smith-Hodge, requested a cultural resources inventory of the Cornfields Chapter tract. The tract measures 1,129 ft (344 m) by 746 ft (227 m) by 1,334 ft (407 m) in Cornfields, Apache County, Arizona (Figure 1). The area of potential effect therefore equals approximately 539,126 sq ft (50,087 sq m) or 12.4 ac (5.0 ha). Ground disturbance, both surface and subsurface, is expected to be intensive and extensive from the use of heavy equipment. The lead agency for the proposed undertaking is the Bureau of Indian Affairs-Navajo Area Office.

b. Existing Data Review: A check of Navajo Nation Historic Preservation Department (NNHPD) and Navajo Nation Archaeology Department (NNAD) archival files indicate that five (5) archaeological projects, NTM-88-170; HPD-91-324; HPD-94-621; HPD-05-629; and HPD-05-1000; have been previously conducted, but no sites have been previously recorded within an approximate 500 ft radius of the current project area.

c. Area Environmental & Cultural Setting: The project area is located along the Pueblo Colorado Wash Valley at elevations ranging from 6,150 ft (1,875 m) to 6,170 (1,881 m) above mean sea level. Pueblo Colorado Wash is located approximately 3,500 ft (1,067 m) northwest of the project area. Surface sediments in the area consist of fine- to medium-grained eolian sand with gravel-sized rock inclusions. Vegetation in the area consists of Russian thistle, greasewood, snakeweed, rabbitbrush, cottonwood, and other seasonal native plants. Cattle and a dog were the only animals observed during the inventory. The current cultural setting within the project area includes dirt roads, nearby homesteads and their associated features, powerlines, waterlines, telephone lines, Cornfields Chapter compound, Cornfields Headstart, the Annie Wauneka Life Care Inc., Navajo Route 15, Cornfields NHA Housing, and the outlying community of Cornfields.

d. Field Methods: The requested archaeological survey was conducted on January 21, 2009 by Curtis Yazzie and Rhonda Francisco, staff archaeologists with the Navajo Nation Archaeology Department (NNAD). The archaeologists performed the Class III pedestrian survey by walking parallel transects spaced 15 m (33 ft) apart. The total area surveyed therefore equaled approximately 539,126 sq ft (50,087 sq m) or 12.4 ac (5.0 ha).

15. CULTURAL RESOURCE FINDINGS: One (1) currently in-use property was identified during the NNAD-09-128 inventory, no cultural resources were identified or encountered.

a. Location/Identification of Each Resource: One (1) currently in-use property was identified during the NNAD-09-124 inventory; no other cultural resources were identified or encountered.

Cornfields Chapter Compound

Currently In-Use Property

1950s-2000 Cornfields Chapter, Headstart, Annie Wauneka Life Care Inc., Waste Bin, old Cornfields Chapter, and recreation area.

b. Evaluation of Significance of Each Resource: The currently in-use property is not distinctive enough to justify waiving the 50-year age guideline of the National Register of Historic Places (HRHP). Being less than 100 years old, it does not meet the definition of an archaeological resource as required for protection under the Archaeological Resources Protection Act (ARPA). The currently in-use property may have known sacred or religious significance, therefore it is eligible for protection under the American Indian Religious Freedom Act (AIRFA)

16. MANAGEMENT SUMMARY (RECOMMENDATIONS): A "determination of no historic properties affected" is recommended for the proposed undertaking.

17. CERTIFICATION:

SIGNATURE:

General Charge Name: Robert M. Begay, Department Manager III

DATE:

3/17/09

SIGNATURE:

Direct Charge Name: Curtis Yazzie, Staff Archaeologist

DATE:

03.10.2009

Proposed Guidelines for Treatment of Discovery Situations

In all discovery situations, the existing ground surface in the vicinity of the discovery will be mapped to show the relationship of the discovery to the project area, topographic features, cultural features, and surface artifacts. The map will be prepared using, at a minimum, a compass and measuring tape; at the option of the archaeologist, a transit, a plane table and alidade, or other surveying equipment may be used. Beyond that, specific types of features will be treated as follows.

ASH STAINS: The location will be mapped, the feature will be profiled and photographed, and charcoal fragments will be collected for radiocarbon dating. If it appears that the feature can be dated through radiocarbon analysis, artifacts, or stratigraphy, and if the ash stain is dense enough and dark enough to be likely to yield botanical remains, pollen and flotation samples will be collected and analyzed. At the discretion of the archaeologist, in consultation with NNHPD, radiocarbon samples will be analyzed.

HEARTHES: The location will be mapped, the feature will be profiled and photographed, and charcoal fragments will be collected for radiocarbon dating. If it appears that the feature can be dated through radiocarbon analysis, archaeomagnetism, artifacts, or stratigraphy, and if the ash stain is dense enough and dark enough to be likely to yield botanical remains, a flotation sample will be collected and analyzed. Since burning destroys pollen, no pollen samples will be taken from hearths. At the discretion of the archaeologist, in consultation with NNHPD, radiocarbon samples will be analyzed.

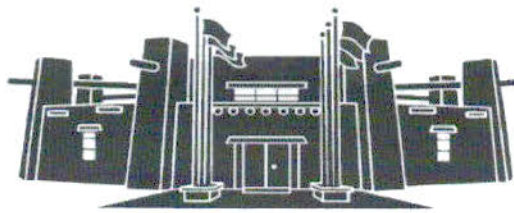
MIDDENS: The location will be mapped, and the feature will be profiled and photographed. Charcoal fragments will be collected for radiocarbon dating. Pollen and flotation samples will be collected and analyzed. If natural stratigraphy is present in middens, samples will be collected according to natural stratigraphy, not from arbitrary levels. In order to recover data on the stratification of artifacts in the midden, at least one 1-by-1 meter column, located immediately adjacent to the area disturbed by construction, will be hand excavated in levels no greater than 10 cm thick, and all excavated fill will be screened through mesh no larger than 1/4 inch. Auger holes will be placed every 2.5 to 5.0 m along the unexcavated portion of the right-of-way for a sufficient distance to define the boundary of the midden and to ascertain whether or not additional features are present. Because middens are generally associated with substantial occupations and other features, consultation with NNHPD, the BIA, and the SHPO will be required after the initial recording has been completed.

PIT HOUSE AND BURIED SURFACE STRUCTURES (PUEBLOS AND FIELD HOUSES): The location will be mapped, and the feature exposed will be profiled and photographed. Charcoal fragments and any wood samples will be collected for radiocarbon and dendrochronological analysis. Charcoal and wood samples of adequate size and quality will be submitted for dendrochronological analysis; charcoal will be radiologically analyzed only if the feature cannot be dated by other means. Pollen and flotation samples will be taken from the floor, subfloor pits, hearths, and other appropriate contexts, and will be analyzed. Auger holes will be placed every 1.5 to 5.0 m along the unexcavated portion of the right-of-way for a sufficient distance to define the boundary of the feature and to ascertain whether or not additional features are present. Because dwellings usually yield substantial amounts of significant information, and because they are usually associated with other features, consultation with NNHPD, the BIA, and the SHPO will be required after the initial recording has been completed. In general, however, additional excavation of these types of features (beyond the initial recording described above) will occur only if the feature is likely to sustain additional damage from erosion, additional construction, or maintenance.

HISTORIC AND UNDATED GRAVES: The Navajo Nation burial policy will be followed in these cases.

Except for items associated with burials and graves, all materials recovered from discovery situations will be curated by NNAD for the Navajo Tribal Museum. Human remains and grave goods will be treated in accordance with the Navajo Nation policy on burials and human remains.

SURVEY LAND DESCRIPTION



MEMORANDUM

TO: Honorable Vince James
24th Navajo Nation Council

FROM: 
Edward A. McCool, Acting-Chief Legislative Counsel
Office of Legislative Counsel

DATE: October 4, 2019

AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET
AND FINANCE COMMITTEES; APPROVING A CHANGE IN PROJECT IN
RESOLUTION CAP-35-18, EXHIBIT D PROJECT 125; APPROVING A CHANGE IN
PROJECT TYPE FOR THE GREENHOUSE PROJECT

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

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0310-19_____ SPONSOR: Vince R. James

TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a change in project in Resolution CAP-35-18, Exhibit D Project 125; Approving A change in Project type for The Greenhouse Project

Date posted: October 10, 2019 at 10:15pm

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) 871-7590

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0310-19

SPONSOR: Honorable Vince R James


TITLE: An Action Relating to Resources and Development and Budget and Finance Committees; Approving a change in project in Resolution CAP-35-18, Exhibit D Project 125; Approving A change in Project type for The Greenhouse Project

Posted: October 10, 2019 at 10:15 PM

5 DAY Comment Period Ended: October 15, 2019

Digital Comments received:

| | |
|-----------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Inconclusive Comments | <i>None</i> |



Legislative Tracking Secretary
Office of Legislative Services

10/16/19 8:26 AM
Date/Time