

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
23rd Navajo Nation Council --- Fourth Year, 2018

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A
BUDGET REALLOCATION OF FUNDS FOR PREVIOUSLY APPROVED FUEL EXCISE
TAX (FET) PROJECTS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee (RDC) is a standing committee of the Navajo Nation Council. 2 N.N.C. §500 (A). RDC has oversight authority over matters involving roads and transportation for the purpose of planning and coordinating all roads and transportation activities of the Navajo Nation. 2 N.N.C. §500 (C) (6).
- B. A standing committee may reallocate funds appropriated by the Navajo Nation Council to a division or program over which the committee has oversight. 2 N.N.C. §185(A).
- C. A budget reallocation is the reallocation of funds between business units which requires oversight approval. Navajo Nation Budget Instruction Manual Fiscal Year 2017, Section XIII, C, 1, b.
- D. A reallocation of funds must be approved "by two-thirds (2/3) vote of the full membership of the committee, board or commission." 2 N.N.C. §185(A).

SECTION TWO. FINDINGS

- A. The Resources and Development Committee approved an equal distribution of Fuel Excise Tax funds among the five Agencies based on a Navajo Division of Transportation priority list and Eastern Agency received a total of \$2,600,000 for various projects. See RDCS-61-14. **Exhibit B.**
- B. Two projects within Eastern Agency approved in RDCS-61-14 included Route N485 in Casamero Lake and Low Water Crossing for Eastern Navajo Chapters.

- C. Casamero Lake faced difficulties in gathering landowner consent for the right-of-way of N485 and other obstacles which may result in losing funds for the projects.
- D. Casamero Lake and Little Water Chapters support the reallocation for the purpose of construction costs for McKinley County Road 19, a road that serves more than one Chapter. **Exhibit C; Exhibit D and Exhibit E.**
- E. The Navajo Nation Division of Transportation supports a budget reallocation in accordance with the amounts and business unit numbers listed with the Navajo Nation Division of Transportation. See **Exhibit A.**
- F. This reallocation of funds will allow the Chapters to pursue matching funds from the State of New Mexico through a request during the 2018 State Legislative Session.

SECTION THREE. APPROVAL OF REALLOCATION

The Navajo Nation hereby approves budget reallocation from the Navajo Route N485 project and from the Low Water Crossing project to the McKinley County Road 19 project.

CERTIFICATION

I, hereby certify that the following resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at the Navajo Transportation Administrative Complex, Tse Bonito, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained on this 16th day of January, 2018.



Benjamin Bennett, Vice Chairperson
Resources and Development Committee
of the 23rd Navajo Nation Council

Motion: Honorable Davis Filfred
Second: Honorable Jonathan Perry



NAVAJO DIVISION OF TRANSPORTATION

POST OFFICE BOX 4620
WINDOW ROCK, ARIZONA 86515

TEL: 505.371.8300
FAX: 505.371-8399

January 8, 2018
Mr. Fernie Yazzie, President
Casamero Lake Chapter
The Navajo Nation



Dear President Yazzie:

The Navajo Division of Transportation is in the process of making a formal request to the Navajo Nation Council Resource and Development Committee (RDC) to have currently available Fuel Excise Tax (FET) funds transferred from a project on BIA Route N485 near Casamero Lake Chapter, which is \$1,050,500.00, and to be used for maintenance/improvements on McKinley County Road 19 (CR19). Additionally, on a second similar project, \$803,424.38, was identified for a residential road low water crossing project immediately off of McKinley County Road 19. The summation of both of these funding sources is \$1,853,924.38.

However, \$6,000 (for 401/404 Permits), and \$50,000 (for the low water crossing design & engineering); for a total sum of \$56,000, will remain with the secondary residential low water crossing project. The \$56,000 is the expected amount needed to continue with this phase of work on the low water crossing project for the residential route coming off of CR19. Therefore, $\$1,853,924.38 - \$56,000 = \$1,797,924$ will be transferred over to the forthcoming McKinley County Road 19 maintenance/improvement project.

The request and action to reprogram the funds for both of these projects, has approval and acknowledgement by the FET funding recipient, Casamero Lake Chapter. The request will be presented to the RDC by NDOT and further supported by Casamero Lake Chapter. The amount of FET money to be transferred to the McKinley County Route CR19 project is \$1,797,924.

Over the recent past, NDOT has been working in partnership with the McKinley County Road Department on the CR19 project and recognizes the project's need for more funding to complete improvements planned. NDOT and the County will continue project management responsibilities including their handling of all matters regarding the transfer and the integration of FET funds into the CR19 scope of work.

This letter further acknowledges and concurs on the intentions of the community of Casamero Lake Chapter, which is specifically, McKinley County Road 19 improvements.

With regards,


Garret Silversmith, Director
Navajo Division of Transportation
The Navajo Nation

1-8-18

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 22nd Navajo Nation Council---Fourth Year 2014

AN ACTION

Approving The Equal Distribution Of The Fuel Excise Tax Fund
Balance of \$13,000,000 Among The Five Agencies And The Priority
List Of Transportation Road Improvement Projects

BE IT ENACTED:

Section One. Findings

1. The Navajo Nation Road Fund Management Plan, 12 N.N.C. §§ 1003 et seq., authorizes the Resources and Development Committee to appropriate all Navajo Nation Fuel Excise Taxes Funds for administrative cost, preliminary studies, road maintenance, and road improvement activities.
2. The Navajo Nation's transportation needs, demands and requirements are unique in nature and scope due to its large population, land mass in excess of 25,000 square miles, and 110 rurally disperse Chapter governments served by roads which are predominantly dirt and unimproved.
3. The Navajo Division of Transportation was directed by the Naabik'iyati' Committee of the Navajo Nation Council to propose legislation to include a Priority List for equal distribution of \$13,000,000 of the Fuel Excise Tax funds among the five agencies within the Navajo Nation. NABIMA-16-13(Exhibit B).

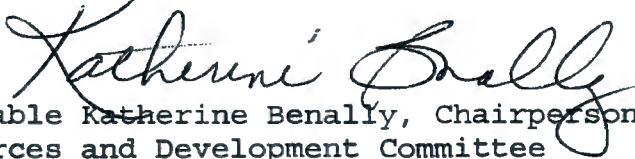
Section Two. Approvals

1. The Navajo Nation hereby approves the Navajo Division of Transportation Road Priority List herein attached as Exhibit "A."
2. The Navajo Nation hereby approves the equal distribution of \$13,000,000 of Fuel Excise Tax funds, as referenced in NABIMA-16-13, among the five agencies within the Navajo Nation for the road projects on the Priority List.

3. The Navajo Nation Office of the Controller and the Office of Management and Budgets are directed to establish business units for the use of the funds consistent with this resolution.

C E R T I F I C A T I O N

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 22nd Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 03 in favor, 00 oppose, and 00 Abstain on this 30th Day of September, 2014.


Honorable Katherine Benally, Chairperson
Resources and Development Committee

Motion: Honorable Leonard Tsosie
Second: Honorable Leonard H. Pete

**BETTERMENT LISTING (\$13 MILLION)
NAVAJO DIVISION OF TRANSPORTATION
PRIORITY LIST OF TRANSPORTATION
ROAD IMPROVEMENT PROJECTS**

<u>NORTHERN AGENCY</u>							
	ROUTE	MILES	LOCATION	ACTIVITIES/SCOPE OF WORK	TOTAL COST	FET DISTRIBUTION	COST SHARE
5	N192	5.0	Two Grey Hills, NM		\$50,844.00	\$50,844.00	\$0.00
1	N546	2.8	Shiprock, NM	Subgrade preparation, gravel & stabilizer	\$232,194.00	\$232,194.00	\$0.00
2	N571	2.5	Gadil'ahi, NM	Subgrade preparation, gravel & stabilizer	\$329,225.00	\$329,225.00	\$0.00
3	N5012	3.4	Sanostee, NM	Subgrade preparation, gravel & stabilizer	\$593,166.00	\$593,166.00	\$0.00
4	N5020	6.0	Red Valley, AZ	Subgrade preparation, gravel & stabilizer	\$1,300,000.00	\$1,300,000.00	\$0.00
6	N5113	12.4	Beclabito, NM	Stabilize subgrade	\$94,571.00	\$94,571.00	\$0.00
			Various Chapters	Low Water Crossing	\$50,844.00	\$50,844.00	\$0.00
		27.1		NORTHERN AGENCY TOTAL	\$2,600,000.00	\$2,600,000.00	\$0.00
<u>WESTERN AGENCY</u>							
	ROUTE	MILES	LOCATION	ACTIVITIES/SCOPE OF WORK	TOTAL COST	FET DISTRIBUTION	COST SHARE
1	LCR Access Road	0.2	Cameron, AZ	Construct Little Colorado River Tribal Park Parking Lot and Access Road	\$1,320,514.00	\$1,121,514.00	\$199,000.00
8	N21	N/A	Tonalea, AZ	Replace Signs	\$65,000.00	\$13,000.00	\$52,000.00
3	N42	10.0	Oljato, UT	Chip Seal and Pavement Striping	\$600,000.00	\$268,486.00	\$331,514.00
9	N59	N/A	Chilchinbeto, AZ	Replace Signs	\$60,000.00	\$12,000.00	\$48,000.00
4	N106	0.4	Kayenta, AZ	Pavement Overlay	\$145,000.00	\$145,000.00	\$0.00
5	N128	0.5	Shonto, AZ	Pavement Overlay	\$150,000.00	\$150,000.00	\$0.00
10	N591	N/A	Kayenta, AZ	Replace Culverts at seven (7) locations	\$35,000.00	\$25,000.00	\$10,000.00
2	N6310	0.1	Navajo Mountain, UT	Bridge Abutment Protection Repairs	\$815,000.00	\$210,000.00	\$605,000.00
6	N6440	0.1	Monument Valley, UT	Roadway and Culvert Construction	\$1,400,000.00	\$550,000.00	\$850,000.00
11	N6810	N/A	Tolani Lake, AZ	Replace Culverts at eighteen (18) locations	\$70,000.00	\$50,000.00	\$20,000.00
7	N6910	12.0	Leupp, AZ	Environmental Assessment for future graveling and improvements	\$55,000.00	\$55,000.00	\$0.00
		23.3		WESTERN AGENCY TOTAL	\$4,715,514.00	\$2,600,000.00	\$2,115,514.00

**BETTERMENT LISTING (\$13 MILLION)
NAVAJO DIVISION OF TRANSPORTATION
PRIORITY LIST OF TRANSPORTATION
ROAD IMPROVEMENT PROJECTS**

CHINLE AGENCY							
	ROUTE	MILES	LOCATION	ACTIVITIES/SCOPE OF WORK	TOTAL COST	FET DISTRIBUTION	COST SHARE
1	N4	3.0	US191 to Pinon, AZ	Pavement Crack Sealing, Chip Sealing and Striping	\$383,500.00	\$383,500.00	\$0.00
2	N7		Chinle Community	Striping	\$35,000.00	\$35,000.00	\$0.00
3	N7		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
4	N12		Lukachukai to Round Rock, AZ	Striping and Cracked Sealing	\$87,570.00	\$87,570.00	\$0.00
5	N13(6)	4.7	Lukachukai, NM	Pavement Striping from N12 to Base of Mountain	\$7,160.30	\$7,160.30	\$0.00
6	N13(8)	4.7	Lukachukai, NM	Pavement Striping from Base of Mountain to Buffalo Pass	\$9,880.80	\$9,880.80	\$0.00
7	N25		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
8	N27		Nazlini, AZ	Striping	\$12,500.00	\$12,500.00	\$0.00
9	N29		Blue Gap, AZ	Striping	\$9,100.00	\$9,100.00	\$0.00
10	N41	20.4	Pinon to Forest Lake, AZ	Pavement Crack Sealing and Striping from Pinon to Forest Lake	\$1,190,100.00	\$1,190,100.00	\$0.00
11	N59	20.7	Many Farms, AZ	Pavement Crack Sealing and Striping from Many Farms to Western Agency Line	\$90,201.38	\$90,201.38	\$0.00
12	N60		Low Mountain	Striping	\$4,500.00	\$4,500.00	\$0.00
13	N64		Tsaile to Chinle, AZ	Striping	\$18,200.00	\$18,200.00	\$0.00
14	N65		Whippoorwill, AZ	Striping	\$10,000.00	\$10,000.00	\$0.00
15	N67		Low Mountain	Striping	\$2,600.00	\$2,600.00	\$0.00
16	N102		Chinle Hospital	Striping	\$1,300.00	\$1,300.00	\$0.00
17	N136		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$1,300.00	\$0.00
18	N251(S)		Salina, AZ (South)	Striping	\$8,000.00	\$8,000.00	\$0.00
19	N8009		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
20	N8015		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
21	N8016		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
22	N8029		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00

**BETTERMENT LISTING (\$13 MILLION)
NAVAJO DIVISION OF TRANSPORTATION
PRIORITY LIST OF TRANSPORTATION
ROAD IMPROVEMENT PROJECTS**

23	N8063		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
24	N8065	0.1	Black Mesa, AZ	Low Water Crossing near N41/N8065 Junction	\$281,982.40	\$281,982.40	\$0.00
25	N8065		Chinle Agency	Subgrade preparation & gravel	\$12,000.00	\$12,000.00	\$0.00
26	N8066		Chinle Agency	Subgrade preparation & gravel	\$12,000.00	\$12,000.00	\$0.00
27	N8066	0.1	Black Mesa, AZ	Two Culvert Installations	\$281,982.40	\$281,982.40	\$0.00
28	N8077		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
29	N8084		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$9,000.00	\$0.00
30	N8085	5.0	Many Farms, AZ	Stabilize gravel	\$81,776.67	\$81,776.67	\$0.00
31	N8085		Chinle Agency	Subgrade preparation & gravel	\$15,000.00	\$12,000.00	\$0.00
32	N8086		Chinle Agency	Subgrade preparation & gravel	\$11,000.00	\$11,000.00	\$0.00
33	N8090		Chinle Agency	Subgrade preparation & gravel	\$9,000.00	\$11,000.00	\$0.00
			Various Chapters	Low Water Crossing	\$459,416.05	\$459,416.05	\$0.00
		55.7		CHNILE AGENCY TOTAL	\$2,608,700.00	\$2,600,000.00	\$0.00

FORT DEFIANCE AGENCY

	ROUTE	MILES	LOCATION	ACTIVITIES/SCOPE OF WORK	TOTAL COST	FET DISTRIBUTION	COST SHARE
1	Access Road	0.5	Crystal, NM	Earthwork, subgrade preparation, gravel & pavement for Crystal Multipurpose Complex	\$500,000.00	\$500,000.00	\$0.00
2	N112	3.0	Ft. Defiance, AZ	Subgrade preparation & gravel	\$188,496.00	\$188,496.00	\$0.00
3	N124	10.7	Oak Springs, AZ	Subgrade preparation, gravel & stabilizer	\$306,504.00	\$306,504.00	\$0.00
4	N9056	0.4	Jeddito, AZ	Subgrade preparation, gravel, stabilizer & culvert installation from SR 264 to HPL	\$650,000.00	\$650,000.00	\$0.00
5	N9062	4.7	Whitecone, AZ	Subgrade preparation, gravel & stabilizer from Whitecone to Hopi Reservation Line	\$352,500.00	\$352,500.00	\$0.00
6	N9069/ N9062	3.5	Teesto, AZ	Subgrade preparation, millings, asphalt binder from N60 to HPL	\$488,544.00	\$352,500.00	\$136,044.00
7	N9837	0.5	Dilkon, AZ	Subgrade preparation, gravel & stabilizer	\$250,000.00	\$250,000.00	\$0.00
		23.3		FORT DEFIANCE AGENCY TOTAL	\$2,736,044.00	\$2,600,000.00	\$136,044.00

**BETTERMENT LISTING (\$13 MILLION)
NAVAJO DIVISION OF TRANSPORTATION
PRIORITY LIST OF TRANSPORTATION
ROAD IMPROVEMENT PROJECTS**

<u>EASTERN AGENCY</u>							
	ROUTE	MILES	LOCATION	ACTIVITIES/SCOPE OF WORK	TOTAL COST	FET DISTRIBUTION	COST SHARE
6	N52	1.5	Dalton Pass, NM	Subgrade preparation, grade, drain and gravel Chapter Access Road	\$397,500.00	\$397,500.00	\$0.00
2	N7128/ N7129	5.6	Pueblo Pintado/Ojo Encino	Subgrade preparation, grade, drain and chipseal (or gravel) (or ROW)	\$400,000.00	\$440,000.00	-\$40,000.00
5	N485	8.2	Casamero Lake, NM	Subgrade preparation, grade, drain, and gravel from Casamero Lake to N48	\$1,202,500.00	\$1,050,500.00	\$152,000.00
1	Pinetree Wash	0.1	Breadsprings, NM	Subgrade preparation, grade, drain and culvert installation	\$100,000.00	\$100,000.00	\$0.00
4	Various Routes	70.0	Eastern Agency	Striping, Cracked Sealings and Signage	\$400,000.00	\$400,000.00	\$0.00
7	C5A	0.1	Manuelito, NM	Preliminary Engineering for bridge replacement	\$200,000.00	\$200,000.00	\$0.00
3			Whitehorse Lake	Maintenance Yard	\$10,000.00	\$10,000.00	\$0.00
3			ENA chapters	Low Water Crossing	\$2,000.00	\$2,000.00	\$0.00
		85.5		EASTERN AGENCY TOTAL	\$2,712,000.00	\$2,600,000.00	\$112,000.00

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE

22ND NAVAJO NATION COUNCIL - THIRD YEAR, 2013

AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI'; APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE NAVAJO NATION AND NAVAJO COUNTY TO REPAIR, MAINTAIN AND IMPROVE ROADS FOR THE SAFETY AND GENERAL BENEFIT OF ARIZONA AND NAVAJO NATION RESIDENTS AND TRAVELERS; WITH THREE (3) DIRECTIVES

BE IT ENACTED:

1. The Navajo Nation hereby approves the Intergovernmental Agreement between the Navajo Nation and Navajo County to repair, maintain and improve roads for safety and general benefit of Arizona and Navajo Nation residents within the Navajo Nation (Navajo County, Arizona) as set forth in the documents attached as Exhibit A; and

2. The Navajo Nation hereby authorizes the President of the Navajo Nation to sign the Intergovernmental Agreement; and

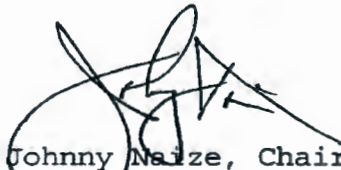
3. The Navajo Nation hereby directs the Navajo Department of Transportation to prepare additional Intergovernmental Agreements for the remaining counties within the Navajo Nation and to divide the remaining balance of \$1,200,000 carry-over supplemental funding for road projects among the five (5) agencies; and

4. The Navajo Nation hereby directs the Navajo Department of Transportation to prepare a Priority List of the transportation projects within the Navajo Nation; and

5. Furthermore, the Navajo Nation hereby directs the Navajo Department of Transportation to use the Priority List and to propose legislation for the equal distribution of \$13,000,000 of the Federal Excise Tax funds among the five (5) agencies within the Navajo Nation.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of 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 18 in favor and 0 opposed, this 28th day of March 2013.



Johnny Naize, Chairperson
Naabik'iyáti' Committee

Motion: LoRenzo Bates
Second: David Tom

VERIFIED BY: Lead Agent's Signature / Date

THE NAVAJO NATION
CAPITAL PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: _____ Project Title: ROAD IMPROVEMENT PROJECTS WITHIN NORTHERN NAVAJO AGENCY
Project Description: ROAD IMPROVEMENTS WITHIN NORTHERN AGENCY (see attached priority list)

PART II.		PART III. Use Fiscal Year (FY) quarters. Fill in the FY below.												Expected Completion Date if exceeds 8 Qtrs.			
Task List (List tasks such as Plan, Design, Construct, Equip or Furnish)		FY __15	FY __15	FY __15	15	FY __	FY __	FY __	FY __	FY __	FY __	FY __	FY __	FY __	8 Qtrs.		
		1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
Road Improvement		O	N	D	J	A	M	J	J	A	S	O	N	D	J	F	M
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	TOTAL		
PART IV.																	
Estimate Budget Expenditure by Quarter					2,600,000.00											\$2,600,000.00	

**THE NAVAJO NATION
CAPITAL PROJECT BUDGET AND JUSTIFICATION**

CP BUDGET FORM 3

Page ____ of ____

PART I. Business Unit No.: New Bu#

Project Title: AGENCY ROAD IMPROVEMENTS

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
6	0003	6	9020 - INFRASTRUCTURE 9024 - Roads	2,600,000
PAGE TOTAL:				\$2,600,000.00

CP BUDGET FORM 1

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PART II.	Check one:	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Revision	<input type="checkbox"/> Reallocation	<input type="checkbox"/> Modification
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Project Funds	Appropriation End Date	Amount	% of Total
FUEL EXCISE TAX		2,600,000.00	
TOTAL:			

PART III.	Capital Outlay	Amount
9010	Land & Improvements	
9020	Infrastructure	2,600,000.00
9050	Building	
9070	CAP-Pro. Tech. Services	
9110	Furniture & Fixtures	
9140	Equipment	
9160	Vehicles	
9180	Intangible Assets	
9190	Other Assets	
9510	Cash Matching Funds	
	TOTAL	2,600,000.00

PART IV. Project Information

Project Type: Road Improvement (FET)

Planned Start Date: 03/01/14

Planned End Date: 09/30/15

Budget Start Fiscal Year: 10/01/13

Budget End Fiscal Year: 09/30/15

Resolution No.:**FMIS Set Up Date:**

Company No.:

OMB Analyst:

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

SUBMITTED BY: Sponsor's Signature / Date

VERIFIED BY: Lead Agent's Signature / Date

THE NAVAJO NATION
CAPITAL PROJECT BUDGET AND JUSTIFICATION

CP BUDGET FORM 3

Page ____ of ____

PART I. Business Unit No.: New Bu#

Project Title: AGENCY ROAD IMPROVEMENTS

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
6	0003	6	9020 - INFRASTRUCTURE 9024 - Roads	2,600,000
PAGE TOTAL:				\$2,600,000.00

Page__of__

PART II.	Check one:	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Revision	<input type="checkbox"/> Reallocation	<input type="checkbox"/> Modification
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Project Funds	Appropriation End Date	Amount	% of Total
FUEL EXCISE TAX		2,600,000.00	
TOTAL:			

PART III.	Capital Outlay	Amount
9010	Land & Improvements	
9020	Infrastructure	2,600,000.00
9050	Building	
9070	CAP-Pro. Tech. Services	
9110	Furniture & Fixtures	
9140	Equipment	
9160	Vehicles	
9180	Intangible Assets	
9190	Other Assets	
9510	Cash Matching Funds	
	TOTAL	2,600,000.00

PART IV. Project Information

Project Type: Road Improvement (FET)

Planned Start Date: 03/01/14

Planned End Date: 09/30/15

Budget Start Fiscal Year: 10/01/13

Budget End Fiscal Year: 09/30/15

Resolution No.:**FMIS Set Up Date:**

Company No.:

OMB Analyst:

PART V. ACKNOWLEDGEMENT:

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

SUBMITTED BY: Sponsor's Signature / Date

VERIFIED BY: Lead Agent's Signature / Date

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THE NAVAJO NATION
CAPITAL PROJECT BUDGET AND JUSTIFICATION

CP BUDGET FORM 3

Page ____ of ____

PART I. Business Unit No.: New Bu#

Project Title: AGENCY ROAD IMPROVEMENTS

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
6	0003	6	9020 - INFRASTRUCTURE 9024 - Roads	2,600,000
PAGE TOTAL:				\$2,600,000.00

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THE NAVAJO NATION
CAPITAL PROJECT BUDGET AND JUSTIFICATION

CP BUDGET FORM 3

Page ____ of ____

PART I. Business Unit No.: New Bu#

Project Title: AGENCY ROAD IMPROVEMENTS

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
6	0003	6	9020 - INFRASTRUCTURE 9024 - Roads	2,600,000
PAGE TOTAL:				\$2,600,000.00

**THE NAVAJO NATION
CAPITAL PROJECT BUDGET SUMMARY**

CP BUDGET FORM 1

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PART I. Business Unit No.: NEW BU# Project Title: AGENCY ROAD IMPROVEMENTS
 Division/Branch: Navajo DOT Chapter: Agency: EASTERN
 Prepared By: Edith Morgan, Sr. Accountant Phone No.: 505-371-8300

PART II. Check one: XX Original Revision Reallocation Modification

Project Funds	Appropriation End Date	Amount	% of Total
FUEL EXCISE TAX		2,600,000.00	
TOTAL:			

PART III. Capital Outlay	Amount
9010 Land & Improvements	
9020 Infrastructure	2,600,000.00
9050 Building	
9070 CAP-Pro. Tech. Services	
9110 Furniture & Fixtures	
9140 Equipment	
9160 Vehicles	
9180 Intangible Assets	
9190 Other Assets	
9510 Cash Matching Funds	
TOTAL	2,600,000.00

PART IV. Project Information

Project Type: Road Improvement (FET)
 Planned Start Date: 03/01/14
 Planned End Date: 09/30/15
 Budget Start Fiscal Year: 10/01/13
 Budget End Fiscal Year: 09/30/15

Resolution No.:
 FMIS Set Up Date:
 Company No.:
 OMB Analyst:

PART V. ACKNOWLEDGEMENT:

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

SUBMITTED BY: Sponsor's Signature / Date

VERIFIED BY:  Lead Agent's Signature / Date

[illegible]

THE NAVAJO NATION
CAPITAL PROJECT BUDGET AND JUSTIFICATION

CP BUDGET FORM 3

Page ____ of ____

PART I. Business Unit No.: New Bu#

Project Title: AGENCY ROAD IMPROVEMENTS

PART II.

(A)	(B)	(C)	(D)	(E)
Fund Source Code	Agency Code	Object Code (LOD 6)	Object Code Description (LOD 7) & Justification	Budget TOTAL
6	0003	6	9020 - INFRASTRUCTURE 9024 - Roads	2,600,000
PAGE TOTAL:				\$2,600,000.00

P.O. BOX 549
1037A County Road 19
PREWITT, NEW MEXICO 87045
PHONE NUMBER: (505) 786-2457
FAX NUMBER: (505) 786-2455
EMAIL: casamerolake@navajochapters.org



Council Delegate - Leonard Tsosie
President - Fernie Yazzie
Vice President - Limbert Largo, III
Secretary / Treasurer - Janet Mariano
Land Board - Bobby Delgarito
Chapter Manager - Sharon Wellito

RESOLUTION OF THE CASAMERO LAKE CHAPTER

C/L: 01/2018/07

RESOLUTION TO NAVAJO DEPARTMENT OF TRANSPORTATION AND RESOURCE & DEVELOPMENT COMMITTEE OF 23RD NAVAJO NATION COUNCIL RESPECTFULLY REQUESTING TRANSFERRING 2015 NAVAJO NATION FUEL EXCISE TAX (FET) FUND FOR NAVAJO ROUTE 485 IN THE AMOUNT OF \$1,050,500.00 AND LOW-LEVEL WATER CROSSING IN THE AMOUNT OF \$747,424.38 TO MCKINLEY COUNTY ROAD 19 FOR CONSTRUCTION COSTS.

Whereas:

01. Pursuant to N.T.C Section, the Casamero Lake Chapter is a certified local government of the Navajo Nation, vested with the authority to review and coordinate the function of its community government, and
02. Per Resolution CAP-34-98, the Navajo Nation Council adopted the Navajo Nation LOCAL GOVERNANCE Act ("LGA"), Titled 26 of the Navajo Nation Code and through the adoption of this Act delegated to the Navajo Nation Chapters, governmental authority with respect to all local issues/matters consistent with the Navajo Law, custom and tradition; and
03. The Casamero Lake Chapters is respectfully request the transfer of funds from 2015 Navajo DOT Fuel Excise Tax for Navajo Route 485 in the amount of \$1,050,500.00 and Low-Level Water Crossing in the amount of \$747,424.38 to McKinley County Road 19 project for construction costs; and
04. The Casamero Lake Chapter is facing many obstacles gathering consents for Right of Way for both projects (N485 and Low Water Crossings) such as refusal from allottees; allottees residing out of state; whereabouts unknown; deceased unknown; family disputes playing a role in consents; monetary compensation to all heirs; Lack of communication; CFR amendments; probate; etc.; and, there is the possibility of losing these funds; and
05. County Road 19 is a priority project that will serve more than one (1) Chapter and many & Non-Navajo residents for socio-economic, government services & health purposes: and

06. State of New Mexico and McKinley County are willing to assist with funding for County Road 19 project and the contribution from Navajo Nation and Chapters will provide an incentive for New Mexico funding of County Road 19; and
07. Time is of urgency because New Mexico Legislature will convene in January 2018 and a decision needs to be made soon to leverage Navajo Nation funds with New Mexico funds: and
08. Both Casamero Lake and Littlewater Chapters supports the transfer of funds; to County Road 19; and
09. Easement or Right -Of-Way for Indian Allotments & Navajo Tribal Trust Lands have been procured & clearance studies have been essentially completed.

NOW, THEREFORE BE IT RESOLVED THAT:

That Navajo Nation Department of Transportation and Resource & Development Committee of 23rd Navajo Nation Council approve a transfer of 2015 Navajo Nation Fuel Excise Tax fund in the amount of \$1,050,500.00 from Navajo Route 485 project and \$744,424.38 from Low-Level Water Crossing project to McKinley County Road 19 project for Construction Costs.

CERTIFICATION

We, hereby certify the foregoing resolution was considered by the Casamero Lake Chapter Officials and community at a duly called meeting at Casamero Lake Chapter, New Mexico at which a quorum was present and that same was passed by a vote of 34 in favor and 00 opposition and 02 abstain on the 07 day of January, 2018.

Motion made by: George Tolth, Community Member

Seconded by: Leo Ramone, Community Member



**Fernie Yazzie, President
Casamero Lake Chapter
THE NAVAJO NATION**



**Limbert Largo III, Vice President
Casamero Lake Chapter
THE NAVAJO NATION**



**Janet Mariano, Secretary/Treasurer
Casamero Lake Chapter
THE NAVAJO NATION**

LITTLEWATER CHAPTER

EXHIBIT "D"



Post Office Box 1898
Crownpoint, New Mexico 87313
PHONE: (505) 786-2120
FAX: (505) 786-2125

WEBSITE: www.littlewaterchapter.nndes.org



CHAPTER ADMINISTRATION

Genevieve Castillo
Chapter Manager
AnnJanette Bebo
Administrative Assistant
Email: littlewater@navajochapters.org

Thomas Barbone
President

Paul D. Pablo
Vice President

June Barbone
Secretary/Treasurer

Leonard Tsosie
Council Delegate

Herbert Enrico, Sr.
Land Board Member

RESOLUTION OF THE LITTLEWATER CHAPTER OF EASTERN NAVAJO AGENCY

LITT-01-18-2877

**SUPPORTING RESOLUTION TO NAVAJO DEPARTMENT OF TRANSPORTATION AND
RESOURCE & DEVELOPMENT COMMITTEE OF 23RD NAVAJO NATION COUNCIL
RESPECTFULLY REQUESTING TRANSFERRING 2015 NAVAJO NATION FUEL EXCISE (FET)
FUND FOR NAVAJO ROUTE 485 IN THE AMOUNT OF \$1,050,500 AND LOW LEVEL WATER
CROSSING IN THE AMOUNT OF \$747,424 WITH A GRAND AMOUNT OF \$1,797,924.**

WHERE AS:

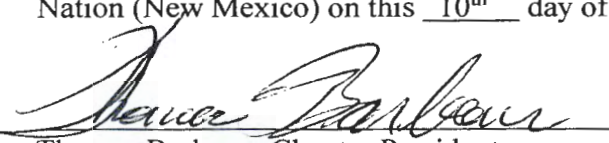
1. Pursuant to 26 N.N.C., Section 3 (A) the Littlewater Chapter is a duly recognized certified Chapter under the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Littlewater Chapter is vested with authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Casamero Lake Chapter and Littlewater Chapter are respectfully requesting the transfer of 2015 Navajo Nation Fuel Excise (FET) fund for Navajo Route 485 in the amount of \$1,050,500 and low-level water crossing in the amount of \$747,424 with a grand amount of \$1,797,924; and
4. The Casamero Lake Chapter is facing many obstacles gathering consents for Right of Way for both projects (N485 and Low-Level Water Crossings) such as refusal from allottees; allottees residing out of state; whereabouts unknown; deceased unknown; family disputes playing a role in consents; monetary compensation to all heirs; lack of communication; CFR amendments; probate; etc. and there is a possibility of losing funds; and
5. County Road 19 is a priority that will serve more than one (1) Chapter and;
6. County Road 19 improvement will promote well being in areas of socio-economic, government services & health purposes; and
7. State of New Mexico and McKinley County are willing to assist with funding for County Road 19 project and the with said amount of contribution from Navajo Nation and Chapters will improve the rating for Navajo Nation's leveraging; and
8. Time is of urgency because 2018 State of New Mexico Legislators will convene January 16, 2018 and a decision needs to be made soon to leverage Navajo Nation Funds with State of New Mexico Funds; and
9. Both Casamero Lake Chapter and Littlewater Chapter fully supports the transfer of funds to County Road 19; and
10. Easements for Indian Allotments and Navajo Tribal Trust Lands have procured and all clearance studies have been completed.

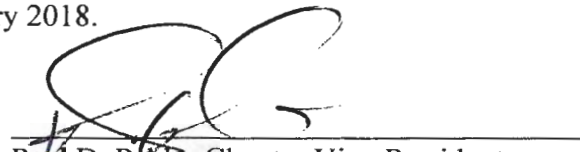
NOW THEREFORE BE IT RESOLVED THAT:

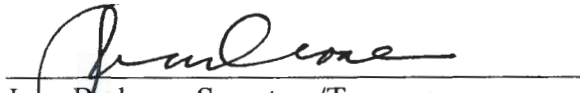
1. The Littlewater Chapter hereby supports the transfer of 2015 Navajo Nation Fuel Excise (FET) fund for Navajo Route 485 in the amount of \$1,050,500 and low-level water crossing in the amount of \$747,424 with a grand amount of \$1,797,924.

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by and moved for adoption by Lathan Barbone, seconded by Jennie P. Yazzie, thoroughly discussed and adopted by a vote of 23 in favor, 0 opposed and 2 abstained at a duly called meeting at Littlewater Chapter, Navajo Nation (New Mexico) on this 10th day of January 2018.


Thomas Barbone, Chapter President


Paul D. Pablo, Chapter Vice-President


June Barbone, Secretary/Treasurer

**MCKINLEY COUNTY ROAD 19
CONSTRUCTION PROJECT**



AMOUNT OF FUNDS TO BE TRANSFERRED:

\$1,797,924

SUBMITTED BY:

Fernie Yazzie, Casamero Lake Chapter President
Genevieve Castillo, Littlewater Chapter, Chapter Manager

DATE:

January 17, 2018

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- III. Project Outline
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 - c. Needs Statement
 - d. Scope of Work
 - e. Budget Detail
 - f. Expected Outcome
- IV. Attachments
 - a) Cost Estimate from County of McKinley (2)
 - b) Cultural Resources Compliance Form HPD-16-661 (3)
 - c) Biological Resources Compliance Form NNDFW No. 15db&a101 (2)
 - d) Environmental Assessment EA-17-16408 (1)
 - e) FONSI (Finding of No Significant Impact) (2)
 - f) Maps (4)
 - g) BIA Grant of Easement for ROW dated September 27 2017 (3)
 - h) Memorandum dated October 9, 2017 signed by Russell Begay (2)
 - i) Navajo Nation Grant of Easement Resolution RDCO-107-17
 - j) Resolution No. LITT-12-18-2873 (2);
 - k) Infrastructure Capital Improvement Plan 2019 – 2024 (2)
 - l) Matching Fund – Budget & Resolution (Littlewater & Casamero Lake) (4)

** () indicates number of pages **

I. Name of Tribal Entity and Contact Information

Littlewater Chapter
Navajo Nation
PO Box 1898
Crownpoint, New Mexico 87313
Phone: 505-786-2120
Fax: 505-786-2125
Email: littlewater@navajochapters.org

Casamero Lake Chapter
Navajo Nation
PO Box 549
Prewitt, New Mexico 87045
Phone: 505-786-2457
Fax: 505-786-2455
Email: casamerolake@navajochapters.org

	Littlewater Chapter	Casamero Lake Chapter
Chapter President	Thomas Barbone	Fernie Yazzie
Chapter Vice President	Paul D. Pablo	Limbert Largo III
Chapter Secretary / Treasurer	June Barbone	Janet Mariano
Chapter Manager	Genevieve Castillo	Sharon Wellito
Chapter Administrative Assistant	AnnJanette Bebo	Lena Calamity

II. Project Title

McKinley County Road 19 Construction Project

III. Project Outline

a. Project Summary:

Casamero Lake Chapter and Littlewater Chapter is cognizant that County Road 19 road is in dire need of improvement, specifically for the School Bus Routes: Bureau Funded Schools (Baca/Dlo Yazhi Community School; Crownpoint Community School; Fort Wingate Elementary/Middle/High School; Dibe Yazhi Habitiin Olta, Inc.); Gallup McKinley County Schools (Crownpoint High School; Crownpoint Middle School; Crownpoint Elementary School; Thoreau High School; Thoreau Middle School; Thoreau Elementary School); St. Bonaventure Mission School; La Vida Mission School; Rehoboth Christian School; Dine College; University of New Mexico – Gallup Branch; New Mexico State University – Grants Branch; and Navajo Technical University share commitment for our children to obtain quality education services and that we also share responsibility to increase student achievement across all curriculum. Improved roads are an important element to ensure our children receive all instructional services on a daily basis and safe transportation means is necessary.

Casamero Lake Chapter and Littlewater Chapter unimproved (dirt) roads become a quagmire of mud after rain and melting of snow which create deep ruts and is extremely unsafe. In addition to affecting chapter services, it affects daily delivery of services and safety issues for Senior Citizens Van, Community Health Representative (CHR), Indian Health Services (IHS); Public Health Nurse; Community Water Hauling Project via St. Bonaventure Mission, Emergency and Non-Emergency Service Providers.

b. Introduction:

McKinley County Road 19 originated nearly 100 years ago as a wagon trail for Borrego Pass Trading Post and local community use. This portion of McKinley County Road 19 is 60 miles long, the road starts from the community of Baca/Prewitt through Casamero Lake, Littlewater, and Whitehorse Lake and up to Torreon/Star Lake Chapter. McKinley County Road 19 become part of McKinley County Inventory in later part of the 1960s. The first four (4) miles of the McKinley County Road 19 north bound from Interstate 40 was paved to Escalante Power Plant turnoff in the mid-1990s. The pavement was extended for another four (4) miles in 2013 approximately 1 (one) mile south of Casamero Lake Chapter. Approximately 90% of McKinley County Road 19 is unpaved. McKinley County has completed the clearances such as Archaeology Studies, Environmental Studies, Biological Studies, etc., have been approved by Bureau of Indian Affairs (BIA). Right of Way Grant of Easement has been issued to McKinley County. McKinley County is the owner and will construct, operate and maintain the road. The Navajo Nation is the Fiscal Agent. McKinley County and the Navajo Nation have an existing Intergovernmental Agreement (IGA) and this instrument will be used to finance the project. The project is ready for pavement construction and this proposal is seeking funding of \$3,900,000 to construct twenty (20) more miles of McKinley County Road 19.

c. Needs Statement:

The proposed project is needed because County Road 19 is in deteriorating condition, and the road serves the communities of Casamero Lake and Littlewater and numerous rural residences in the region. The purpose of the project is to enhance safety on County Road 19 by expanding the roadway to add shoulders, improving drainage crossings, and implementing other road improvement measures. Drainage improvements will allow for safer vehicle passage over drainage crossings and will reduce the need for repeated roadway maintenance. The people living in the area are mostly elderly, high risk medical clients, and school aged children. 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 wish list of need improvements for our community. We prioritized the list based on most critical community needs and other factors such as the age, condition, and adequacy of the current county road. We then consulted with various Navajo Nation, County and Federal entities which are associated with this project to refine our prioritized needs list and put in the dollar amounts needed, then we planned for projects over the next five years in our 2019 ICIP.

Education: McKinley County Road 19 serves nine (9) different school systems with a student population over 2,000 students ranging from Head Start to Higher Education. Attendance plays an important role in student achievements. Students cannot afford to be absent and a good road/bus transportation system minimizes absenteeism or truancy. Improving McKinley County Road 19 will greatly assist in helping students to attend school without weather or road-related absenteeism. An improved McKinley County Road 19 will provide for security for students and families without having to worry about being stranded due to inclement weather or otherwise.

Safety: County Road 19 serves as a vital Emergency Response route for EMS, Fire and Police calls. The health and safety factor is vital to both communities. The route also serves for non-emergency medical transportation for elderly and high risk patients. Community Health Representatives and other medical providers utilize the route to check on patients ensuring lives are not at risk. The route is also utilized for basic necessities like propane, food supply and water (as many people still haul water for domestic and livestock usage). The critical need for improvement of County Road 19 will impact the lives of residents in both Casamero Lake and Littlewater communities.

Daily Use: County Road 19 serves as an artery for everyday commuters to travel on and off the reservation. The road also provides for interfamily visits, elderly care, non-emergency medical transport and medical field visits by Navajo Nation Community Health Representatives (CHR) and Indian Health Services - Public Health Nurses (PHN). The route also serves as a main bus-route for Head Start Program, Elementary, Mid, High School and College students. County Road 19 also allows residents a route to commute to job sites on a daily basis. This route serves as a delivery of durable medical equipment, utility companies, traditional/religious use and transporting livestock.

Economic Development: McKinley County Road 19 currently services two of the county's largest private sector employers including Escalante Generating Station and McKinley Paper, and will provide improved access to the El Segundo Coal Mine. The project would have a positive, short term direct effect on employment and income as a result of construction jobs created by this project. It has also been utilized for transportation for goods and service for Education, Senior Center, and Community needs for basic necessities. Once McKinley County Road 19 is improved, majority of our community members will benefit for Economic Development to increase tourist attraction as such gate way to Chaco Canyon National Monument. It will also open up for potential opportunities like a C-Store for community usage. It will also increase gross receipts tax base collected from local border towns like Gallup and Grants. The route is listed in the chapters' 10 year Community Land Use Plan as well as priority 1 on Casamero Lake ICIP, priority 1 on Littlewater Chapter ICIP and priority 1 on McKinley County ICIP. McKinley County Road 19 is being utilized by most domestic carriers such as FedEx/UPS and the U.S. Postal Service. In addition, McKinley County Road 19 serves as a food distribution route to Borrego Pass School and Trading Post. The road will attract other community events like Rodeos, Health Fairs and other events. An improved County Road 19 will open doors to better Economic Development Opportunities.

d. Scope of Work:

The project is to improve twenty (20) miles of existing McKinley County Road 19 from Casamero Lake south boundary to State Highway 509. This project includes shaping, grading, base course and chip seal with a 24 foot road surface. This project also includes any necessary drainage improvements, culverts replacements, signage and striping.

McKinley County has completed the clearances such as Archaeology Studies, Environmental Studies, Biological Studies, etc. have been approved by Bureau of Indian Affairs (BIA). Right of Way Grant of Easement has been issued to McKinley County. McKinley County is the owner and will construct, operate and maintain the road. The Navajo Nation is the Fiscal Agent. McKinley County and the Navajo Nation have an

existing Intergovernmental Agreement (IGA) and this instrument will be used to finance the project.

McKinley County; Casamero Lake Chapter; Littlewater Chapter; Navajo Department of Transportation (DOT); and Navajo Nation Capital Project Management Department (CPMD) will work together to manage and to provide technical assistance to implementing, monitoring and evaluation of all aspects of the project construction. To accomplish this, the Navajo Nation will coordinate with involved entities to finalize project activity schedule, material listing and purchase, inventory design and engineering, and personnel throughout the project to monitor activities and schedules.

e. Budget Detail (see attachment for detail cost estimate)

SOURCE	AMOUNT	SECURED / NOT SECURED
Planning & Design – 2012 State of New Mexico Capital Outlay	200,000.00	Secured / Completed
Planning & Design – 2013 State of New Mexico Capital Outlay	50,000.00	Secured / Completed
Right of Way – Littlewater Chapter / Casamero Lake Chapter	60,000.00	Secured / Completed
Construction Cost Only	\$3,662,054.46	
Navajo Sales Tax (5%)	183,102.72	
Total Construction Cost	\$3,845,157.18	
Capital Outlay Matching Fund – Littlewater Chapter	27,930.00	Secured
Capital Outlay Matching Fund – Casamero Lake Chapter	25,000.00	Secured
Construction Cost Needed	\$3,791,597.18	NOT SECURED

f. Results expected and benefits to the communities

- A. To provide a safer transportation for everyone and to overall increase the quality of life for communities of Casamero Lake and Littlewater that are in dire need to have an improved County Road 19.
- B. The children of Casamero Lake and Littlewater will be able to obtain quality Educational services and will increase student achievement across all curriculum. Improved roads is an important element to ensure our children receive all instructional services on a daily basis and safe transportation means is necessary.
- C. An improved County Road 19 will open doors to better Economic Development opportunities and to increase tourist attraction for the county, chapters and National Parks.
- D. An improved road surfaces and drainage improvements would allow for safer passage of area commuters, emergency vehicles, school buses, and other vehicles, especially at drainage crossings. Not to include public health and safety.
- E. By improving County Road 19, the project would have a direct, beneficial long-term effect on transportation.
- F. Upon completion, McKinley County is the owner and will construct, operate and maintain McKinley County 19.



County of McKinley

P.O. Box 70 • 207 West Hill Avenue

Gallup, New Mexico 87305-0070

505-722-3868

Fax 505-863-6362

Commissioner, Dist. 1
Carol Bowman-Muskett

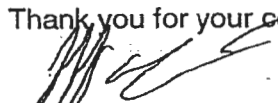
Commissioner, Dist. 2
Genevieve Jackson

Commissioner, Dist. 3
Anthony Tanner

Manager
Anthony Dimas

Attached is the estimate for CR 19A, Prewitt Rd. The scope of work is to improve an already existing County Road in McKinley County. This improvement is for 18.9 miles in Casamero Lake and Littlewater Chapters, from the Casamero Lake boundary to NM 509 near the El Segundo Mine. The improvements include reshaping, basecourse, and double-pin chipseal with some additional possible signage and drainage work.

Thank you for your consideration,


Mr. Jeff Irving, Superintendent
McKinley County Road Department
Gallup, New Mexico.

ESTIMATED SUMMARY OF COSTS AND QUANTITIES

ENTITY: McKinley County DO: _____ CN: _____
 PROJ No.: _____ Est. Date: 6/22/2017 Proj. Date: _____
 Rd Name: Prewitt Rd Road No: CR 19A
 Starting Pt: Casamero Lake Boundry
 Ending Pt: NM 509 Area: _____ Distance: 18.9 Miles

including basecourse, stablizer, and Chipseal

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	FINAL QUANTITY	UNIT COST	EST COST	FINAL COST
1	County Labor (Avg Salary \$18 x 14 = 252	HRS	1000		\$ 252.00	\$ 252,000.00	\$ -
2	County Equipment	TOTAL # of equip			XXXXXXXX	\$ 436,319.00	\$ -
2a	Motor Grader	HOURL			\$ 70.00	\$ -	\$ -
2b	Water Wagon	HOURL	1000		\$ 115.00	\$ 115,000.00	\$ -
2c	Scraper	HOURL	750		\$ 130.00	\$ 97,500.00	\$ -
2d	Backhoe	HOURL	1000		\$ 38.00	\$ 38,000.00	\$ -
2e	Loader	HOURL	1000		\$ 52.00	\$ 52,000.00	\$ -
2f	Compactor	HOURL	500		\$ 96.00	\$ 48,000.00	\$ -
2g	Truck + Trailer (\$55+\$20)	HOURL			\$ 75.00	\$ -	\$ -
2h	Tandem Truck	HOURL			\$ 60.00	\$ -	\$ -
2i	Chip Box	HOURL	90		\$ 70.10	\$ 6,309.00	\$ -
2j	Distributor	HOURL	90		\$ 80.00	\$ 7,200.00	\$ -
2k	Dozer	HOURL	100		\$ 135.00	\$ 13,500.00	\$ -
2l	Broom	HOURL	90		\$ 59.00	\$ 5,310.00	\$ -
2m	Units (#*miles*days)	MILE	5000		\$ 0.50	\$ 2,500.00	\$ -
2n	Dump Truck (3 EA)	HOURL	90		\$ 100.50	\$ 9,045.00	\$ -
2n	Water Truck	HOURL	1000		\$ 51.00	\$ 51,000.00	\$ -
3	Rental Equipment	TOTAL # of equip			XXXXXXXX	\$ 43,800.00	\$ -
3a	Pneumatic Roller (2 EA)	MNTH	6		\$ 4,400.00	\$ 26,400.00	\$ -
3b	Smooth Drum	MNTH	6		\$ 2,900.00	\$ 17,400.00	\$ -
3c	Truck	MNTH				\$ -	\$ -
3d	Trailer	MNTH				\$ -	\$ -
3e	Excavator	MNTH				\$ -	\$ -
3f	Other	MNTH				\$ -	\$ -
4	Traffic Control	HRS	1000		\$ 75.00	\$ 75,000.00	\$ -
5	Water	k GALS			\$ 11.00	\$ -	\$ -
6	Basecourse	TNS	45000		\$ 22.00	\$ 990,000.00	\$ -
7	Soil Stabilizer	GALS	18000		\$ 37.00	\$ 666,000.00	\$ -
8	Culverts	TOTAL # of culv			XXXXXXXX	\$ 28,845.00	\$ -
8a	size 36" x 30'	EA	30		\$ 961.50	\$ 28,845.00	\$ -
8b	size	EA				\$ -	\$ -
8c	size	EA				\$ -	\$ -
9	Emulsions	TNS	672		\$ 794.74	\$ 534,065.28	\$ -
10	CHFRS2-P	TNS	546		\$ 647.83	\$ 353,715.18	\$ -
11	Fog Seal	TNS	168		\$ 420.00	\$ 70,560.00	\$ -
12	3/4" Chips	TNS	5250		\$ 20.00	\$ 105,000.00	\$ -
13	1/2" Chips	TNS	5250		\$ 20.00	\$ 105,000.00	\$ -
14	3/8" Chips	TNS			\$ 20.00	\$ -	\$ -
15	Permanet Signage	EA	50		\$ 35.00	\$ 1,750.00	\$ -
16	Other					\$ -	\$ -
Subtotal Cost						\$ 3,662,054.46	\$ -
NN Tax						\$ 183,102.72	\$ -
Total cost						\$ 3,845,157.18	\$ -



THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO Box 4950, Window Rock, Arizona 86515
TEL: (928) 871-7198 FAX: (928) 871-7886

CULTURAL RESOURCES COMPLIANCE FORM

ROUTE COPIES TO:	NNHPD NO.: HPD-16-661
<input checked="" type="checkbox"/> PaleoWest	OTHER PROJECT NO.: PaleoWest No. 15-123

PROJECT TITLE: A Class III Cultural Resource Inventory of 17.6 Miles Along County Road 19, Navajo Nation and McKinley County, New Mexico.

LEAD AGENCY: BIA/NR

SPONSOR: DePauli Engineering & Surveying LLC 304 South 4th Street, Gallup, New Mexico 87301

PROJECT DESCRIPTION: The proposed undertaking with plan to conduct road improvements to 17.6 miles of road survey along McKinley County Road 19. The APE is 200 feet (61 m) wide, or 100 feet (30.5) on either side of the road centerline with a right-of-way is 150 feet (46 m) wide or 75 feet (23 m) on either side of the road centerline. Ground disturbing activities will be intensive and extensive with the use of heavy equipment.

LAND STATUS:	Tribal Trust, State of New Mexico, Indian Allotment, and Private.													
CHAPTER:	Casamero													
LOCATION	T	16	N	R	10	W	Sec.	21,22,29,31	Thoreau NE	Quad,	Bernalillo	County	New Mexico	NMPM
	T	16	N	R	11	W	Sec.	26,27,33,34,35	Casamero Lake	Quad	Bernalillo	County	New Mexico	NMPM
	T	15	N	R	11	W	Sec.	2,4,8,17,20,29,31,32	Borrogo Pass	Quad	Bernalillo	County	New Mexico	NMPM
PROJECT ARCHAEOLOGIST:	Kye Miller, M.A. RPA & Jason Chuipka. M.A. RPA													
NAVAJO ANTIQUITIES PERMIT NO.:	B15389													
DATE INSPECTED:	9/14/2015 – 9/24/2015													
DATE OF REPORT:	7/27/2016													
TOTAL ACREAGE INSPECTED:	428.22 – ac													
METHOD OF INVESTIGATION:	Class III pedestrian inventory with transects spaced 15 m apart.													
LIST OF CULTURAL RESOURCES FOUND:	(8) Sites (NM-Q-40-19, NM-R-32-16, NM-Q-25-50, NM-Q-25-51, NM-R-32-10/TCP-2, NM-R-32-13, NM-R-32-12, NM-Q-40-29) (53) Isolated Occurrences (2) Traditional Cultural Properties (TCP-1 & TCP-2) (2) In-Use Sites (IUS)													
LIST OF ELIGIBLE PROPERTIES:	(5) Sites (NM-R-32-16, NM-Q-25-51, NM-R-32-10,													

	NM-R-32-13, NM-R-32-12)
	(2) Traditional Cultural Properties (TCPs)
	(1) In-Use Site (IUS) Borrego Pass Trading Post
LIST OF UNEVALUATED RESOURCES:	(1) Site (NM-Q-40-19)
	(2) Sites (NM-Q-40-29; NM-Q-25-50)
LIST OF NON-ELIGIBLE PROPERTIES:	(53) Isolated Occurrences
	(1) IUS
LIST OF ARCHAEOLOGICAL RESOURCES:	(6) Sites (NM-Q-40-19, NM-R-32-16, NM-Q-25-50, NM-Q-25-51, NM-R-32-13, NM-R-32-12)

EFFECT/CONDITIONS OF COMPLIANCE: No Adverse Effect with the following conditions:

Sites NM-R-32-13, NM-Q-25-50, NM-Q-25-51:

1. Prior to any construction, the site boundaries will be flagged and/or temporarily fenced under the direction of a qualified archaeologist & shown to the construction foreman.
2. All ground disturbance within the 50 ft. of the site boundaries will be monitored by a qualified archaeologist.
3. No construction, equipment or vehicular traffic will be allowed within the site boundaries.
4. A brief letter/report documenting the result of the monitoring will be submitted to NNHPD within 30 days of monitoring activities.
5. All future maintenance activities shall avoid the site by a minimum of 50 ft. from the site boundaries.

Sites NM-R-32-16, NM-R-32-12, NM-R-40-19:

1. Prior to any construction, the site boundaries will be flagged and/or temporarily fenced under the direction of a qualified archaeologist & shown to the construction foreman.
 2. Sites will be avoided by rerouting the current ROW & monitoring all construction within 50-ft of site boundary.
- OR
3. A nature & extent testing plan & if necessary a data recovery plan will be implemented in consultation with NNHPD. These land must be consistent with Navajo Nation Policies & Procedures and approved by NNHPD.

Site NM-Q-40-29:

No further work is warranted for this project.

In-Use Borrego Pass Trading Post:

All ground disturbance will be limited to the current paved surface.

TCPs (TCP-1 & TCP-2/NM-R-32-10):

1. TCP boundaries will be flagged by a qualified archaeologist prior to ground disturbing activities.
2. TCP -1 is located on both sides of CR 19 ROW, it is recommended that construction be limited to the existing disturbance.
3. TCP-2 is located outside of the APE & will not be impacted.

Prior to any disturbance of any borrow area, material source area, staging area, outside of the area documented, the lead agency shall ensure that the area evaluated for cultural resources might be affected by this undertaking. The evaluation shall take place in consultation with the Navajo Nation Historic Preservation Department.

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: November 7, 2016

Notification to Proceed
Recommended
Conditions:

☒ Yes ☐ No
☒ Yes ☐ No

 11/7/16

The Navajo Nation Historic Preservation Office Date

Navajo Region Approval

 ☒ Yes ☐ No

 11/22/16

BIA - Navajo Regional Office Date


11/22/16

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.: County Road 19 Roadway and Drainage Improvements

DESCRIPTION. CR 19 is approximately 20.4 miles in length with a 120-ft. wide ROW. The action area would extend 100 feet from the center line, totaling approximately 490 acres.

LOCATION. Casamero & Little Water Chapters, McKinley County, New Mexico

REPRESENTATIVE. Daniel B. Stevens & Associates, Inc. for McKinley County and DePauli Engineering & Surveying, LCC

ACTION AGENCY. McKinley County

B.R. REPORT TITLE / DATE / PREPARER. BE-Roadway & Drainage Improvements Along CR 19/27 JAN 2016/Daniel B. Stevens & Associates, Inc.

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES. Pursuant to the Migratory Bird Treaty Act (U.S. Code Title 16, Chapter 7, 703-712), Migratory Birds not listed under the NESL or ESA are prohibited from take by federal law. McKinley County will follow the guidelines in the BE Section 2.7.

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE. Pamela A. Kyselka/26 FEB 2016

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:

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

Signature

Date

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

2/29/16

*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 3/22/2016



United States Department of the Interior
Navajo Region
P.O. Box 1060
Gallup, NM 87305

MC: 460 Branch of Environmental Quality Act Review & Compliance

FEB 02 2017

Julie Gonzalez
DePauli Engineering and Surveying LLC
307 South 4th Street
Gallup, NM 87301

Dear Ms. Gonzalez:

The Environmental Assessment, EA-17-16408, Road and Drainage Improvements Along County Road 19, received December 30, 2016, has been reviewed in the Branch of Environmental Quality Act Review and Compliance, Navajo Regional Office.

McKinley County proposes the acquisition of right-of-way (ROW) per 25 CFR 169, continued roadway operation and maintenance, and future roadway and drainage improvements along County Road (CR) 19 (Navajo Route 9505), located approximately 8 miles north of Prewitt in McKinley County, New Mexico. The road is located within predominantly Navajo Nation lands, but also includes State of New Mexico, Bureau of Land Management (BLM) and private land ownership. The project area corresponds to the CR 19 road corridor from T15N, R11W, and Section 31 to the intersection of CR 19 and New Mexico Highway 509 in T16N, R10W, and Section 12. The UTM coordinates for the endpoints of the project area are UTM Zone 12, 767957.11 Easting, 3930130.40 Northing and UTM Zone 13, 242997.0 Easting, 3947248.9 Northing NAD 83). The project would be scheduled to commence in Fall 2017.

In accordance with Section 102(2) (c) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council of Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations (CFR) Parts 1500-1508), the Bureau of Indian Affairs, Navajo Regional Office, finds that the Proposed Action is not a major federal action that will significantly impact the quality of the human environment. Therefore, an Environmental Impact Statement is not required for implementing the Proposed Action. This Finding of No Significant Impact (FONSI) is supported by the Environmental Assessment (EA) and the supporting appendices and documents.

If you have any questions, please contact Ms. Harrilene Yazzie, Supervisory Environmental Protection Specialist at (505) 863-8287.

Sincerely,

Regional Director, Navajo

Enclosure

FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT, EA-17-16408
PROPOSED ROADWAY IMPROVEMENTS ALONG NAVAJO ROUTE 9505/CR 19

DePauli Engineering and Surveying LLC

Location: Casamero Lake, Thoreau, Borrego Pass, NM Quadrangles,
USGS 7.5-Minute Series Maps

Sections 1, 2, 4, 5, 8, 17, 20, 29, 31, 32, T15N, R11W, NMPM

Section 1, 12-15, 21, 22, T16N, R10W, NMPM ✓

Section 26, 27, 33-36, T16N, R11W, NMPM

15 | 8

Casamero Lake and Borrego Pass, McKinley County, New Mexico

McKinley County proposes the acquisition of right-of-way (ROW) per 25 CFR 169, continued roadway operation and maintenance, and future roadway and drainage improvements along County Road (CR) 19 (Navajo Route 9505), located approximately 8 miles north of Prewitt in McKinley County, New Mexico. The road is located within predominantly Navajo Nation lands, but also includes State of New Mexico, Bureau of Land Management (BLM) and private land ownership. The project area corresponds to the CR 19 road corridor from T15N, R11W, and Section 31 to the intersection of CR 19 and New Mexico Highway 509 in T16N, R10W, and Section 12. The UTM coordinates for the endpoints of the project area are UTM Zone 12, 767957.11 Easting, 3930130.40 Northing and UTM Zone 13, 242997.0 Easting, 3947248.9 Northing NAD 83). The project would be scheduled to commence in Fall 2017.

The BIA's deliberation as to whether a Finding of No Significant Impact (FONSI) is appropriate, or, whether an Environmental Impact Statement (EIS) should be prepared, took into consideration, the following issues, which are addressed in the environmental assessment (EA).

1. **Beneficial and adverse environmental impacts:** The EA demonstrates that there will be no significant adverse or beneficial impacts on the quality of the human environment, including, topography, soils, geology, mineral and paleontological resources, water resources, vegetation, ecosystems and biological communities, agriculture, socioeconomic resources, resource use, wilderness, visual, climate change, Indian trust assets and hazardous materials.
2. **Public health and safety:** CR 19 is an unpaved road servicing the Casamero Lake and Borrego Pass communities. Some of the numerous drainages crossing the road may be unsafe and/or impassable during storm events.
3. **Unique characteristics of the geographic area:** The project area is not unique within its geographical setting and is similar to other areas in the region. There are no prime farmlands, wild and scenic rivers, wilderness areas, refuges, park lands, unique ecological areas, or other unique or rare characteristics of the land and aquatic environs that will be significantly affected.
4. **Degree to which the effects on the quality of the human environment are likely to be highly controversial:** There are no known scientific controversies over the effects of the proposed project on the human environment.
5. **Degree to which the effects are highly uncertain or involve unique or unknown risks:** There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. The proposed activity will be in adherence to common road construction standards.

6. **Degree to which this action will establish a precedent for future actions with significant effects:** This project will not set a precedent for similar projects that may be implemented by the BIA or other agencies.
7. **Relationship to other actions with cumulatively significant impacts:** There are no known incremental effects of the action that become significant when added to other past, present, or reasonably foreseeable future actions that have affected, or will affect, the project area.
8. **Degree to which the action may affect districts, sites, objects, or structures listed on, or eligible for, the National Register of Historic Places, or may cause loss of significant cultural resources:** The Navajo Nation Historic Preservation Department (NNHPD) issued Cultural Resources Compliance Form, NNHPD No. HPD-16-661, dated November 22, 2016. All of the cited conditions will be met.

In the event of a discovery of a previously unidentified or incorrectly identified cultural resource(s), all operations in the immediate vicinity of the discovery must cease, and the NNHPD must be notified.

9. **Degree to which the action may affect threatened, endangered, or sensitive species or their habitat:** The Navajo Nation Department of Fish and Wildlife (NNDFW) issued Biological Resources Compliance Form, NNDFW Review No. 15dbs&a101, citing avoidance/mitigation measures pursuant to the Migratory Bird Treaty Act (U.S. Code Title 16, Chapter 7, 703-712), Migratory Birds not listed under the NESL, or ESA are prohibited from take by federal law. McKinley County will follow the guidelines in the Biological Evaluation listed under Section 2.7.
10. **Whether the action violates Federal or local laws or requirements imposed for the protection of the environment:** The proposed project will not violate any Federal or tribal environmental laws or requirements.
11. **Indian Trust Assets:** Under the Proposed Action, ROW agreements would be sought and prepared from negotiations between the Navajo Nation and McKinley County per CFR 169.
12. **Climate Change:** There would be a direct effect to greenhouse gas emissions from equipment operations. However, the increase in emissions would be negligible and temporary.

CONCLUSION

The proposed action is the Preferred Alternative. It does not constitute a major federal action, which normally requires preparation of an environmental impact statement (EIS).

Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.


Regional NEPA Coordinator

1/27/2014
Date

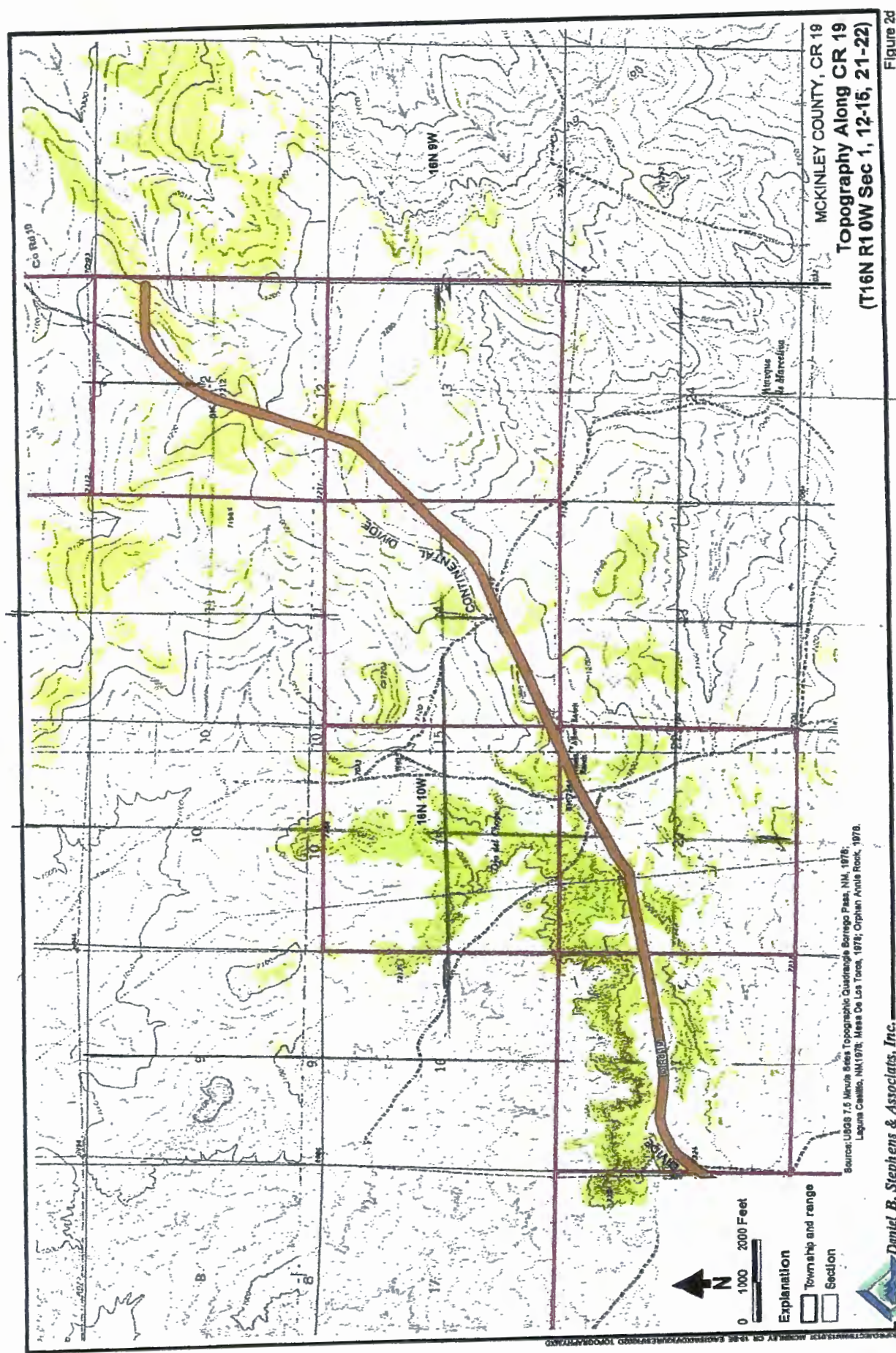


Figure 2d

3

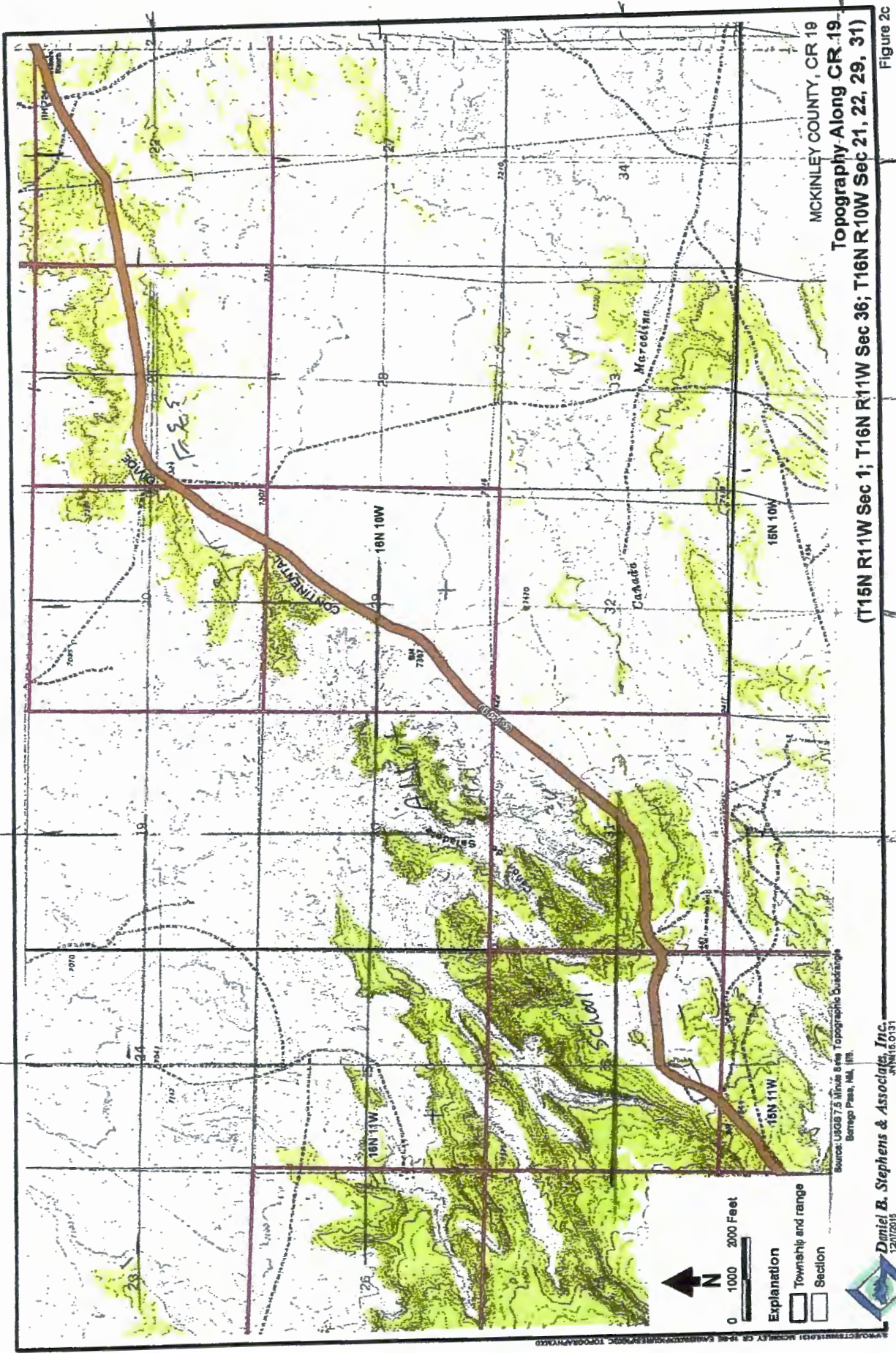
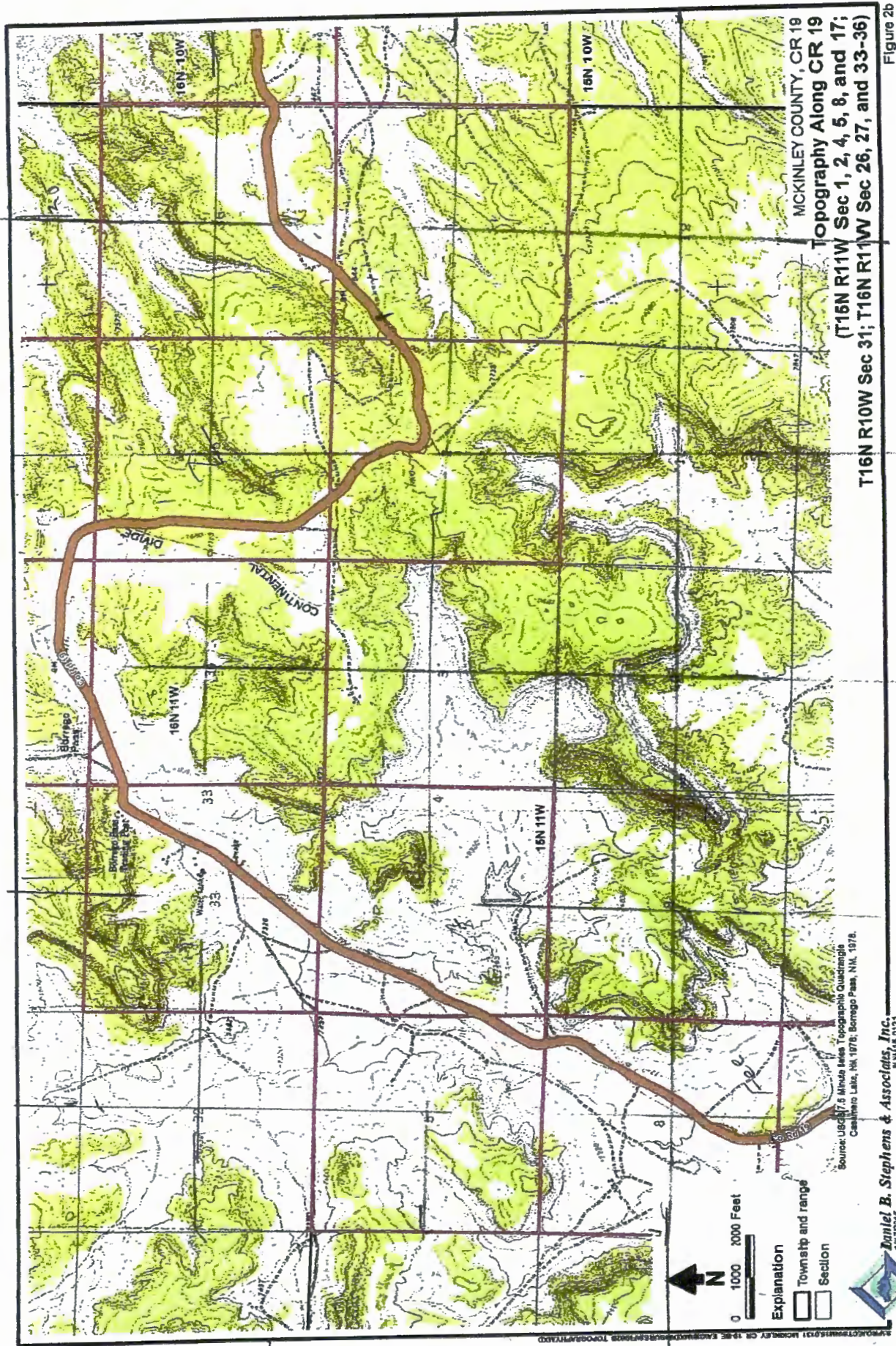


Figure 2c



Daniel B. Stephens & Associates, Inc.
 11/17/2015

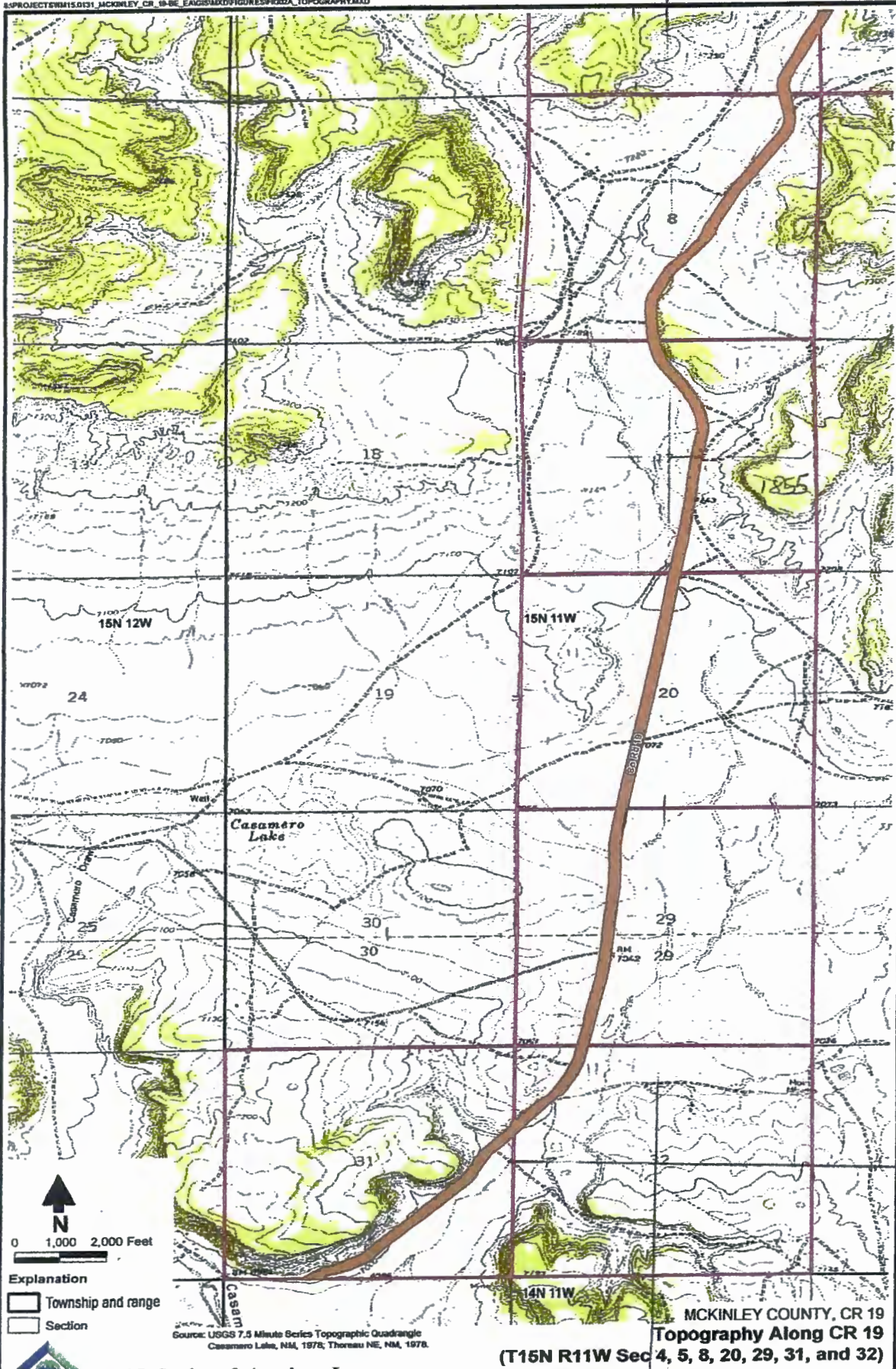


Figure 2a

Explanation
 Township and range
 Section



Daniel B. Stephens & Associates, Inc.
 12/17/2015 JN NM15.0131

Source: USGS 7.5 Minute Series Topographic Quadrangle
 Casamero Lake, NM, 1978; Thomas NE, NM, 1978.

MCKINLEY COUNTY, CR 19
 Topography Along CR 19
 (T15N R11W Sec 4, 5, 8, 20, 29, 31, and 32)



UNITED STATE DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Eastern Navajo Agency
P.O. Box 328
Crownpoint, New Mexico 87313

IN REPLY REFER TO: 4N420
REAL ESTATE SERVICES
RIGHTS OF WAY

SEP 27 2017

CERTIFIED MAIL – RETURNED RECEIPT REQUESTED

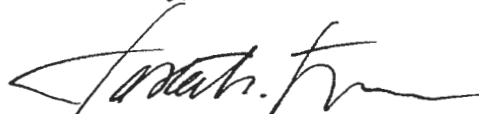
Mr. Jeff Irving
McKinley County
P.O. Box 70
Gallup, New Mexico 87305

Dear Mr. Irving,

Enclosed for your information and use is an approved Grant of Easement for Right-of-Way across Allotted lands. The easement is for the construction, operation and maintenance of County Road 19 to upgrade/improve roads. The project is located in the vicinity of Casamero Lake, Littlewater and Borrego Pass, McKinley County, New Mexico.

In accordance with 25 CFR §169.16, McKinley County is required to submit an Affidavit of Completion, in duplicate, within 30 days upon completion of the construction for said project. If you have any questions in regards to this matter please contact Jacqueline Gibson, Realty Specialist at (505) 786-6182.

Sincerely,



Superintendent, OIP

Enclosure(s)

TRIBAL OWNED	
INDIVIDUALLY OWNED	XXXXX
GOVERNMENT OWNED	
RIGHT-OF-WAY NO.	County Road 19
REFERENCE NO.	E-NM-17-94

UNITED STATES OF AMERICA DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, acting by and through the Bureau of Indian Affairs, Department of the Interior, Eastern Navajo Agency, P.O. Box 328 Crownpoint, New Mexico 87313 for, and on behalf of: Landowners of the Allotted Lands described below, American Indians of the Navajo Tribe hereinafter referred to as GRANTOR, under authority contained in 209 DM 8 dated November 17, 1981, 230 DM 1 and 3 IAM 4 dated July 19, 2000 and pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17; 25 USC 323-328); and Part 169, Title 25, *Code of Federal Regulations*, which by reference are made a part hereof, in consideration of \$ Waived, the receipt of which is hereby acknowledged, does hereby grant to: McKinley County, P.O. Box 70, Gallup, New Mexico, 87305, its successors and assigns, hereinafter referred to as GRANTEE, an easement for right-of-way for the following purposes, specifically: Construction, Operation and Maintenance of County Road 19 to serve residents in Littlewater, Casamero Lake and Borrego Pass, McKinley County, New Mexico, over the land embraced within a right-of-way situated on the following described lands:

PARCEL	LENGTH	WIDTH	ACRES	MILES
Navajo Indian Allotment [1134]	2,386.31	120'	6.5738	0.4520
Navajo Indian Allotment [1122]	2,680.11	120'	7.3832	0.5076
Navajo Indian Allotment [1121]	1,742.05	120'	4.7990	0.3299
Navajo Indian Allotment [1120]	939.65	120'	2.5886	0.1780
Navajo Indian Allotment [1855]	2,666.64	120'	7.3461	0.5050
Navajo Indian Allotment [1853]	759.07	120'	2.0911	0.1438
Navajo Indian Allotment [1810]	1,563.64	120'	4.3075	0.2961
Navajo Indian Allotment [259325]	1,372.27	120'	3.7803	0.2599
Navajo Indian Allotment [1040]	2,880.45	120'	7.9351	0.5455
Navajo Indian Allotment [3047]	2,955.62	120'	8.1422	0.5598
Navajo Indian Allotment [3046]	3,338.89	120'	9.1980	0.6324
Navajo Indian Allotment [261660]	242.38	120'	0.6677	0.0459
TOTAL	23,527.08	-	64.8126	4.455

Said right-of way is limited to and more particularly described to be 64.8126 acres more or less in area, as shown on *Exhibit A*, attached hereto, and made a part hereof.

To have and to hold the said easement and right-of-way unto the GRANTEE and unto its successors and assigns subject to the following provisions:

1. GRANTEE agrees to indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
2. GRANTEE agrees to restore the land to its original condition, as far as is reasonably possible, upon termination or revocation of this easement for any reason. Failing to comply with this stipulation, GRANTEE agrees to bear all expenses and costs incurred by the owner and/or the United States in accomplishing said restoration.
3. GRANTEE agrees to pay all damages and compensation, in addition to the deposit made pursuant to 169.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land due to the survey, granting, construction and maintenance of the right-of-way.
4. GRANTEE agrees to that during the term of this Grant of Easement, if any previously unidentified cultural resources are discovered within the easement area, work should be halted immediately and the BIA and/or Tribal Contractor should be contacted immediately.

5. GRANTEE agrees to construct and maintain the right-of-way in a workmanlike manner.
6. GRANTEE agrees to clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way; and dispose of all vegetative and other material cut, uprooted or otherwise accumulated during construction and maintenance of the project.
7. GRANTEE agrees to take soil and resources conservation protection measures, including weed control, on the land covered by the right-of-way.
8. GRANTEE agrees to do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the right-of-way.
9. GRANTEE agrees to build and repair such roads, fences and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the right-of-way.
10. GRANTEE agrees to that upon revocation or termination of the right-of-way, the applicant shall, so far as is reasonably possible, restore the land to its original condition. The determination of "reasonably possible" is subject to Secretary's approval.
11. GRANTEE agrees at all times to keep the Secretary informed of its address, and in case of corporations, of the address of its principal place of business and the names and addresses of its principal officers.
12. GRANTEE agrees not to interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way is granted.

This easement is subject to any prior valid existing right or adverse claim and is for 50 years, and shall commence upon Secretary's approval, so long as said easement shall be actually used for the purpose above specified; PROVIDED, that this right-of-way may be terminated in whole or in part by the GRANTOR for any of the following causes upon 30 days written notice, and failure of the GRANTEE within said notice period to correct the basis for termination (25 CFR 169.20):

1. Failure to comply with any term or condition of the Grant, or the applicable regulations.
2. A non-use of the right-of-way for any consecutive two-year period (for the purpose for which it was granted).
3. An abandonment of the right-of-way, as determined by the BIA.

The condition for this easement shall extend to and be binding upon and shall inure to the benefit of the successors and assigns of the GRANTEE.

IN WITNESS WHEREOF, GRANTOR has executed this grant of easement this 27 day of September, 2017.

UNITED STATES OF AMERICA

BY [Signature]
(Name)

Superintendent, Eastern Navajo Agency
(Title)

ACKNOWLEDGEMENT

STATE OF New Mexico:
COUNTY OF McKinley:

SS:

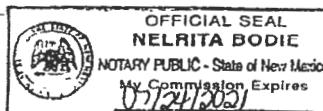
U.S. DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Eastern Navajo Agency
P O Box 328
Crownpoint, New Mexico 87313

Subscribed and sworn to before me this 27 day of Sept, 2017.

[Signature]

Signature of Notary Public

My commission expires July 24, 2021





THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

October 9, 2017

Sharon Pinto, Regional Director
Bureau of Indian Affairs
Navajo Region
Post Office Box 1060
Gallup, New Mexico 87301

Dear Ms. Pinto,

McKinley County P.O. Box 70, Gallup New Mexico 87305, has submitted a right-of-way application for County Road 19, on, over, and across Navajo Nation Trust Lands in Casamero Lake Chapter vicinity, McKinley County, New Mexico. The application request is attached hereto and incorporated herein as Exhibit "A."

The proposed right-of-way is described in map attached hereto and incorporated herein as Exhibit "B."

The General Land Development Department with the Navajo Division of Natural Resources identified four grazing permittees on the proposed project site. Consent to use the land was obtained and are attached along with the Right of Way Agent's memorandum dated March 20, 2017 are attached hereto as Exhibit "C."

A waiver of consideration is requested. The right-of-way project would serve a public purpose because the project will benefit Navajo residents.

A waiver of the bond, insurance, or alternative form of security on the part of McKinley County is requested.

The environmental and archaeological studies, including the Cultural Resources Compliance Form, the Finding of No Significant Impact, and the Environmental Assessment Report have been completed and are attached as Exhibit "E."

The application for the Right-of-Way as submitted by the McKinley County has been reviewed by the Navajo Land Department; Fish and Wildlife; Historic Preservation; Minerals; Navajo Nation Environmental Protection; Division of Natural Resources and the Department of Justice and "Approved" or found "Sufficient" by all. See Exhibit "F."

The Resources and Development Committee of the Navajo Nation Council hereby waives the requirement for a bond, insurance or alternative form of security on the part of the Grantee,

based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).

Please call the Navajo General Land Development Department / Division of Natural Resources, if you have any questions at (928) 871-6447, thank you.

Sincerely,

THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Russell Begaye", written in a cursive style.

Russell Begaye, *President*

xc: *File/General Land Development Department*

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
23rd Navajo Nation Council --- Third Year, 2017

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE GRANT OF
RIGHT-OF-WAY TO MCKINLEY COUNTY FOR COUNTY ROAD 19 FOR MCKINLEY
COUNTY FOR UPGRADING, MAINTAINING, AND OPERATING THE EXISTING
ROADWAY, CULVERTS, AND DITCHES LOCATED ON NAVAJO NATION TRUST
LANDS IN CASAMERO LAKE CHAPTER, NAVAJO NATION (MCKINLEY COUNTY,
NEW MEXICO)

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Resources and Development Committee of the Navajo Nation Council has the authority to grant final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations. 2 N.N.C. §501 (B) (2).

SECTION TWO. FINDINGS

- A. McKinley County P.O. Box 70, Gallup, New Mexico 87305, has submitted a right-of-way application for County Road 19, on, over and across Navajo Nation Trust Lands in Casamero Lake Chapter vicinity, McKinley County, New Mexico. The application request is attached hereto and incorporated herein as **Exhibit "A."**
- B. The proposed right-of-way is described in map attached hereto and incorporated herein as **Exhibit "B."**
- C. The General Land Development Department with the Navajo Division of Natural Resources identified four grazing permittees on the proposed project site. Consent to use the land was obtained and are attached along with the Right of Way Agent's memorandum dated March 20, 2017 are attached hereto as **Exhibit "C."**

- D. A waiver of consideration is requested. The right-of-way project would serve a public purpose because the project will benefit Navajo residents.
- E. A waiver of the bond, insurance, or alternative form of security on the part of McKinley County is requested.
- F. The environmental and archaeological studies, including the Cultural Resources Compliance Form, the Finding of No Significant Impact, and the Environmental Assessment Report have been completed and are attached as **Exhibit "E."**
- G. The application for the Right-of-Way as submitted by the McKinley County has been reviewed by the Navajo Land Department; Fish and Wildlife; Historic Preservation; Minerals; Navajo Nation Environmental Protection; Division of Natural Resources and the Department of Justice and "Approved" or found "Sufficient" by all. See **Exhibit "F."**

SECTION THREE. APPROVAL

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the Grant of Right-of-Way to the McKinley County., on, over and across Navajo Nation Trust Lands in Casamero Lake Chapter vicinity, McKinley County, New Mexico. The location is more particularly described on the survey map attached hereto as **Exhibit "B."**
- B. The Resources and Development Committee of the Navajo Nation Council hereby waives consideration for the right-of-way project because the project will benefit Navajo residents.
- C. The Resources and Development Committee of the Navajo Nation Council hereby waives the requirement for a bond, insurance or alternative form of security on the part of the Grantee, based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).
- D. The Resources and Development Committee of the Navajo Nation Council hereby approves the right-of-way subject to, but not limited to, the following terms and conditions incorporated herein and attached as **Exhibit "D"**.

- E. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.

CERTIFICATION

I, hereby certify that the following resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at NDOT Administrative Complex, Tse Bonito, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained on this 4th day of October, 2017.



Alton Joe Shepherd, Chairperson
Resources and Development Committee
of the 23rd Navajo Nation Council

Motion: Honorable Leonard Pete
Second: Honorable Jonathan Perry

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
	Littlewater	Pave McKinley County Rd No. 19	2019 - 1	Transportation - Linear	Roads/Streets	NN Fuel Excise Tax Funds, NN Other, County	\$2,000,000.00	\$1,900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,900,000.00
	Littlewater	Regional Beacon-Bisti Lateral Water Project	2019 - 2	Water - Linear	Water Supply	CDBG, NN CIP General Funds, USDA, Capital Outlay, NM Tribal Infrastructure Fund, Chapter CIP Funds	\$1,150,000.00	\$750,000.00	\$13,500,000.00	\$0.00	\$50,000,000.00	\$0.00	\$65,400,000.00
	Littlewater	Pave BIA Navajo Route 481/N7119	2019 - 3	Transportation - Linear	Roads/Streets	NN Fuel Excise Tax Funds, Chapter CIP Funds, DOT	\$202,000.00	\$1,000,000.00	\$1,000,000.00	\$0.00	\$0.00	\$0.00	\$2,202,000.00
	Littlewater	New Heart Butte / Little Springs Powerline Extn	2019 - 4	Utilities--Power - Linear	Single Phase	AML, Capital Outlay, NN CIP General Funds, Chapter CIP Funds, NM Tribal Infrastructure Fund	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00
	Littlewater	New White Ridge Power Line Extension	2019 - 5	Utilities--Power - Linear	Single Phase	AML, State Grants, Chapter CIP Funds, CDBG, NN CIP General Funds	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00
	Littlewater	Pln, Dsgn, Renovate, Equip Chapter House	2020 - 1	Bldg-Community	Chapter House	Chapter Local Government Improvement Funds, Certified Chapter Funds, Chapter General Funds, NN Matching CIP Funds	\$0.00	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
	Littlewater	New Laundromat	2020 - 2	Bldg-Economic Development	Laundry	Chapter Other, NN Other	\$0.00	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00
	Littlewater	New Senior Citizens' Center	2020 - 3	Bldg-Community	Senior Citizen's	Capital Outlay, NN Matching CIP Funds, Chapter Local Government Improvement Funds	\$0.00	\$50,000.00	\$75,000.00	\$700,000.00	\$0.00	\$0.00	\$825,000.00
	Littlewater	Purchase Dump Truck	2020 - 4	Equipment	Heavy Equipment	Chapter Other, Capital Outlay	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150,000.00
	Littlewater	Pln, Dsgn, Cnstr Prkg Lot Chap/Hdstrt	2020 - 5	Transportation - Block	Parking Lot	NN Matching CIP Funds, Grants, Chapter Local Government Improvement Funds	\$0.00	\$175,000.00	\$200,000.00	\$0.00	\$0.00	\$0.00	\$375,000.00
						TOTAL	\$3,552,000.00	\$4,125,000.00	\$14,875,000.00	\$700,000.00	\$50,000,000.00	\$0.00	\$73,252,000.00

Monday, December 18, 2017

Infrastructure Capital Improvement Plan FY 2019-2023

Casamero Lake Chapter
Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2019	2020	2021	2022	2023	Total Project Cost	Amount Not Yet Funded	Phase
14524	2019	001	McKinley County Rd No. 19 Improvements	Hiways/Roads/Streets/Bridges	250,000	2,000,000	1,900,000	0	0	0	4,150,000	3,900,000	
33558	2019	002	Community Cemetery	Other	0	12,900	0	0	0	0	12,900	12,900	
30640	2019	003	Replace Casamero Lake Chapter House HVAC	Adm/Service Facilities (local)	0	270,000	0	0	0	0	270,000	270,000	
11415	2019	004	New Casamero Lake Powerline Extension	Utilities (publicly-owned)	108,000	115,000	300,000	0	0	0	523,000	415,000	
19171	2019	005	New Backhoe/Equipment	Hiways/Roads/Streets/Bridges	0	200,000	0	0	0	0	200,000	200,000	
12782	2020	001	New Senior Citizens' Center	Senior Facilities	0	0	600,000	1,000,000	0	0	1,600,000	1,600,000	
26254	2020	002	New Casamero Lake House Wire Project	Housing-Related Cap Infra	0	0	100,000	0	0	0	100,000	100,000	
23879	2020	003	New Solar Power System	Clean Energy	0	0	300,000	0	0	0	300,000	300,000	
14560	2020	004	Casamero Lake Lp Rd Improvement	Hiways/Roads/Streets/Bridges	8,000	0	1,000,000	0	0	0	1,008,000	1,000,000	
12783	2020	005	Pave Prkg Lot-Chptr/Hdstr/Sr Ctr	Senior Facilities	0	0	125,000	475,000	0	0	600,000	600,000	
11514	2021	001	New Telephone Ext	Utilities (publicly-owned)	0	0	0	200,000	200,000	200,000	600,000	600,000	
20902	2021	002	New Bathroom Additions	Housing-Related Cap Infra	0	0	0	250,000	0	0	250,000	250,000	
20906	2021	003	Bathroom Addition Renovation	Housing-Related Cap Infra	0	0	0	250,000	0	0	250,000	250,000	
26067	2021	004	New Casamero Lake Waterline and B/A	Water Supply	0	0	0	80,000	110,000	100,000	290,000	290,000	
19177	2021	005	New Pellet/Wood/Coal Stoves	Housing-Related Cap Infra	0	0	0	300,000	0	0	300,000	300,000	
19174	2022	001	New VA Building	Adm/Service Facilities (local)	0	0	0	0	400,000	0	400,000	400,000	

LITTLEWATER CHAPTER

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WEBSITE: www.littlewaterchapter.nndes.org



CHAPTER ADMINISTRATION
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Chapter Manager
AnnJanette Bebo
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Thomas Barbone
President

Paul D. Pablo
Vice President

June Barbone
Secretary/Treasurer

Leonard Tsosie
Council Delegate

Herbert Enrico, Sr.
Land Board Member

RESOLUTION OF THE LITTLEWATER CHAPTER OF EASTERN NAVAJO AGENCY

LITT-12-18-2874

APPROVING AND ADOPTING THE FISCAL YEAR 2018 GENERAL FUNDS – MATCHING FUNDS CAPITAL OUTLAY IN THE AMOUNT OF TWENTY-SEVEN THOUSAND NINE HUNDRED THIRTY DOLLARS.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Littlewater Chapter is a duly recognized certified Chapter under the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Littlewater Chapter is vested with authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Fiscal Year 2018 General Funds – Matching Funds Capital Outlay; and
4. The Littlewater Chapter approves the budgets in the best interest to the community.

Chapter's Capital	\$ 27,930.00
Grand Total Amount	\$ 27,930.00


NOW, THEREFORE BE IT RESOLVED THAT:

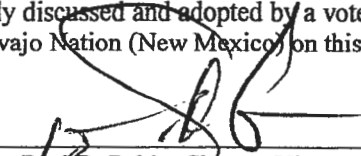
1. The Littlewater Chapter further hereby approves and adopts the Fiscal Year 2018 General Fund – Matching Capital Outlay attached are Navajo Nation Budget Forms.

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by and moved for adoption by George S. Jim, seconded by Verna B. Yazzie, thoroughly discussed and adopted by a vote of 26 in favor, 0 opposed and 2 abstained at a duly called meeting at Littlewater Chapter, Navajo Nation (New Mexico) on this 13th day of December 2017.


Thomas Barbone, Chapter President


June Barbone, Secretary/Treasurer


Paul D. Pablo, Chapter Vice-President

DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Lilliewater

Business Unit No:

508441

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8000	Special Rev Fund - Internal		
8705	Capital Outlay		
Assistance			
Chapter			
8715: Grant: Special Revenue - Capital Outlay Match Funds			
Fund 27 GL 6813			
Funds will be used for chip sealing of County Road 19. [\$27,930.00]			

TOTAL

27,930

CASAMERO LAKE CHAPTER - ENA

P.O. BOX 549

1037A County Road 19

PREWITT, NEW MEXICO 87045

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Council Delegate - Leonard Tsosie

President - Fernie Yazzie

Vice President - Limbert Largo, III

Secretary / Treasurer - Janet Mariano

Land Board - Bobby Delgarito

Chapter Manager - Sharon Wellito

RESOLUTION OF CASAMERO LAKE CHAPTER APPROVING AND ADOPTING THE FISCAL YEAR 2018 "SPECIAL REV FUND - INTERNAL" BUDGET IN THE AMOUNT OF 25,630

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Casamero Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Casamero Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Fiscal Year 2018 "Special Rev Fund - Internal" Fund will be used for chapter operation and activities to benefit community membership and
4. The Casamero Lake Chapter approves the budgets ("Special Rev Fund - Internal") in the best interest to the Community. Listed below:

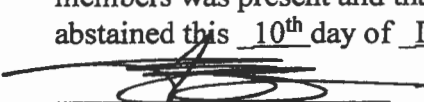
Special Rev Fund - Internal	25,630
Grand Total Amount	25,630

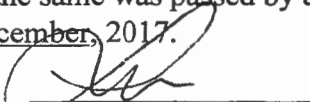
NOW, THEREFORE, BE IT RESOLVED THAT:


1. The Casamero Lake Chapter hereby approves and adopts the Fiscal Year 2018 "Special Rev Fund - Internal" Budgets in the amount of 25,630. Reference Exhibit 'A' ±Resolution Number C/L 12/2017/05 and Exhibit 'B' ±Navajo Nation Budget Forms 1 through 6 as attachments.

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Casamero Lake Chapter at a duly called meeting in Casamero Lake, Navajo Nation, New Mexico at which a quorum of Chapter members was present and that the same was passed by a vote of 35 in favor, 00 opposed and 06 abstained this 10th day of December, 2017.


Fernie Yazzie
President


Limbert Largo, III
Vice President


Janet Mariano
Secretary/Treasurer

DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Casamero Lake

Business Unit No: 508433

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8000	Special Rev Fund - Internal		
8705	Capital Outlay		
	Assistance		
	Chapter		
	8715: Grant: House wiring for community members. [\$630.00]		
	8715: Grant: County Road 19 - Road Improvement for chip seal matching fund. [\$25,000.00]	25,630	25,630

TOTAL 25,630