

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- Third Year, 2021

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE
PROPOSED FISCAL YEAR 2022 BUDGET FOR THE NAVAJO DIVISION OF
NATURAL RESOURCES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A).
- B. The Resources and Development Committee is the oversight committee for the Division of Natural Resources. 2 N.N.C. § 501(C)(1).
- C. Each oversight committee shall review and make recommendations to the Budget and Finance Committee concerning the budget in accordance with the annual budget instructions. 12 N.N.C. § 840 (A).

SECTION TWO. FINDINGS

- A. The Resources and Development Committee held a budget hearing and took budget testimony regarding the Navajo Nation Division of Natural Resources' Fiscal Year 2022 Budget. 12 N.N.C. § 840 (A).
- B. The Navajo Land Department's listed expenditures from Budget Unit #415000 the Land Acquisition Trust Fund total \$4,232,278.
- C. The Navajo Department of Justice has determined that portions of the Land Acquisition Trust Fund budget submitted by the Navajo Division of Natural Resources are not within the purposes of the Land Acquisition Trust Fund. The Land Acquisition Trust Fund is restricted to land acquisitions and disposals, and the hiring of a licensed land appraiser until the Land Department has employed a full-time licensed appraiser.

- D. The Office of Management and Budget, with the assistance of the Department of Justice, has determined that the Land Acquisition Trust Fund may be used to pay for the following:
- a. 2001 series the senior appraiser position with fringe benefits: \$66,672
 - b. 5000 series for property taxes: \$650,000
 - c. 9000 series for the purchase of land: \$3,274,417
 - d. Total: \$3,991,089
- E. The Land Acquisition Trust Fund may not be used for-:
- a. 2001 series all except senior appraiser: \$92,387
 - b. 3000 series travel expenses: \$40,757
 - c. 4000 series supplies: \$15,450
 - d. 5500 series communications and utilities: \$7,632
 - e. 6000 series repairs and maintenance: \$47,667
 - f. 6500 series contractual services: \$32,200
 - g. 7000 series special transaction: \$5,096
 - h. Total: \$241,189
- F. The Resources and Development Committee recommends to the Budget and Finance Committee a fiscal year budget for the Division of Natural Resources. 12 N.N.C. § 840 (A).

SECTION THREE. RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE WAIVER OF 16 N.N.C. § 1 and § 205

- A. The Resources and Development Committee recommends to the Budget and Finance Committee that a waiver of 16 N.N.C. § 1 and § 205 be placed in the Fiscal Year 2022 Comprehensive Budget legislation.
- B. The Resources and Development Committee recommends to the Budget and Finance Committee that the Land Acquisition Trust Fund's statutory purposes be waived so that additional expenses, including operating expenses, in the amount of \$241,189 as listed in Business Unit 415000, may be expended from the Land Acquisition Trust Fund.

SECTION FOUR. APPROVING AND RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE THE PROPOSED FISCAL YEAR 2022 BUDGET FOR THE NAVAJO DIVISION OF NATURAL RESOURCES

- A. The Resources and Development Committee hereby acknowledges the proposed Navajo Nation Fiscal Year (FY) 2022 Budget for

the Navajo Division of Natural Resources, recommended by the President of the Navajo Nation, as provided on the Fund Type Budget Summary, attached as **Exhibit A**.

- B. The Resources and Development Committee requests that the Budget and Finance Committee and the Navajo Nation Council adopt the changes to the Budget, as set forth in the General Fund Comparative Summary, **Exhibit B**, Recommended Changes to the General Fund Budget, **Exhibit C**, Recommended Conditions of Appropriation and Legislative Concerns, **Exhibit D**, and Recommended Unmet Needs, **Exhibit E**.
- C. The Resources and Development Committee authorizes the Committee Chairperson or Vice-Chairperson to meet and negotiate with the Budget and Finance Committee on these recommendations.

SECTION FIVE. RECOMMENDING TO THE BUDGET AND FINANCE COMMITTEE CARRYOVERS FOR THE NAVAJO DIVISION OF NATURAL RESOURCES

- A. The Resources and Development Committee recommends the carryover of \$6,505 for the Minerals Department # 115004 for External Contractors to perform major plumbing and electrical work for the Minerals Department building. Facilities Maintenance does not perform the services needed.
- B. The Resources and Development Committee recommends the carryover of \$235,722.76 or unexpended balance for the District Grazing Committee Members # 115002.
- C. The Resources and Development Committee recommends the carryover of \$79,758.75 or unexpended balance for the Eastern Navajo Land Board # 115005.
- D. The Resources and Development Committee recommends the carryover of \$291,041.31 or unexpended balance for the Major Irrigation Farm Board # 115007.

SECTION SIX. DIRECTING THE NAVAJO LAND DEPARTMENT TO DEVELOP PROPOSED AMENDMENTS TO THE NAVAJO LAND ACQUISITION TRUST FUND

The Resources and Development Committee hereby directs the Navajo Land Department to work with the Navajo Department of Justice to develop proposed amendments to the Navajo Land Acquisition Trust Fund statute to include expenditures for operational expenses and other expenses that the Navajo Land Department determines are necessary to the purchase and disposition of land for the Navajo Nation.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting held by a teleconference for which a quorum was present and that same was passed by a vote of 5 in favor, and 0 opposed, on this 18th day of August 2021.

A handwritten signature in black ink, reading "Thomas Walker, Jr." with a stylized flourish at the end.

Thomas Walker, Jr., Vice-Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Rickie Nez

Second: Honorable Wilson C. Stewart, Jr.

Vice-Chairperson Thomas Walker, Jr. not voting.

**The Navajo Nation
Fund Type Budget Summary**

Business Unit Number	Program Title	FY 2021 General Fund Budget	Fiscal Year 2022							Total
			Proposed General Fund Budget	Indirect Cost Fund	General Wage Adjustment (Personnel Lapse Fund)	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	
115001	Div of Natural Resources/Adm	445,481	445,481	268,373	14,504					728,358
115002	District Grazing Committee	1,797,726	1,797,726							1,797,726
115004	Minerals Department	800,046	800,046			20,657			3,719,013	4,539,716
115005	Eastern Navajo Land Board	448,519	448,519							448,519
115007	Major Irrigation Farm Board	816,578	816,578							816,578
115009	Water Management	227,470	227,470			5,540			51,726,014	51,959,024
115011	Dept of Water Resources	323,903	323,903			8,444				332,347
115012	Technical & Construction	1,918,124	1,918,124			37,336			3,057,833	5,013,293
115013	Operation & Maintenance	2,988,750	2,988,750			73,842			11,396,160	14,458,752
115017	Navajo Nation Museum	311,300	311,300			9,732				321,032
115018	Dept of Agriculture	947,878	947,878			19,004				966,882
115021	Navajo Land Department	1,312,037	1,312,037			32,350				1,344,387
115023	Forestry Department	193,822	193,822			4,865			3,102,415	3,301,102
115024	Heritage/Historic Preservation	590,986	590,986			14,874			1,745,050	2,350,910
115025	Dept of Fish & Wildlife	1,223,679	1,223,679			27,690			7,042,452	8,293,821
115026	Animal Control Program	805,171	1,555,171			16,614				1,571,785
115027	Dept of Resource Enforcement	1,204,529	1,954,529			21,960				1,976,489
115034	Veterinary & Livestock Prgrm	485,949	485,949			12,240				498,189
115035	Navajo Nation Zoo	546,308	546,308			9,550				555,858
115037	Navajo Land Title Data System	562,452	562,452			8,169				570,621
115038	General Land Dev Dept	507,923	507,923			13,068				520,991
115017	NN Museum (GF-PF)						190,000			190,000
415000	Land Acquisition Trust Fund							4,232,278		4,232,278
515005	Water Code							725,000		725,000
915001	Parks & Recreation Dept						7,000,000			7,000,000
915003	Ranch & Eastern Land Mgmt						500,000			500,000
915008	Fish & Wildlife Enterprise						750,000			750,000
915009	Livestock Custody Fund						150,000			150,000

Fiscal Year 2022

**The Navajo Nation
Fund Type Budget Summary**

EXHIBIT A

Business Unit Number	Program Title	FY 2021 General Fund Budget	Fiscal Year 2022						Special Revenue Fund - Internal	Special Revenue Fund - External	Total
			Proposed General Fund Budget	Indirect Cost Fund	General Wage Adjustment (Personnel Lapse Fund)	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal			
915011	Navajo Nation Fair					500,000					500,000
915013	Veterinary Medical Sales					120,000					120,000
915014	Colorado Ranch Enterprise					750,000					750,000
Kxxxxx	Abandoned Mine Lands								43,733,699		43,733,699
Kxxxxx	Safety of Dams Program								1,919,126		1,919,126
	0	18,458,631	19,958,631	268,373	350,439	9,960,000	0	4,957,278	127,441,762		162,936,483

Note: BU#15001, FY 2021 IDC Allocation \$241,535.

**The Navajo Nation
General Fund Comparative Summary**

Branch:		Executive	Division/Office:		Division of Natural Resources	
(A)	(B)	(C)	(D)	(E)		
Business Unit Number	Program Title	Branch Chief's Proposed FY 2022 General Fund Budget	Oversight Committee's Recommended FY 2022 General Fund Budget	Plus or Minus \$ Difference (Column D - Column C)		
115001	Div of Natural Resources/Adm	445,481	445,481	0		
115002	District Grazing Committee	1,797,726	1,797,726	0		
115004	Minerals Department	800,046	800,046	0		
115005	Eastern Navajo Land Board	448,519	448,519	0		
115007	Major Irrigation Farm Board	816,578	816,578	0		
115009	Water Management	227,470	227,470	0		
115011	Dept of Water Resources	323,903	323,903	0		
115012	Technical & Construction	1,918,124	1,918,124	0		
115013	Operation & Maintenance	2,988,750	2,988,750	0		
115017	Navajo Nation Museum	311,300	311,300	0		
115018	Dept of Agriculture	947,878	947,878	0		
115021	Navajo Land Department	1,312,037	1,312,037	0		
115023	Forestry Department	193,822	193,822	0		
115024	Heritage/Historic Preservation Dept	590,986	590,986	0		
115025	Dept of Fish & Wildlife	1,223,679	1,223,679	0		
115026	Animal Control Program	1,555,171	1,555,171	0		
115027	Dept of Resource Enforcement	1,954,529	1,954,529	0		
115034	Veterinary & Livestock Prgm	485,949	485,949	0		
115035	Navajo Nation Zoo	546,308	546,308	0		
115037	Navajo Land Title Data System	562,452	562,452	0		
115038	General Land Dev Dept	507,923	507,923	0		
TOTAL:		19,958,631	19,958,631	0		

The Navajo Nation
Recommended Changes to the General Fund Budget

Branch:		Executive	Division/Office:	Division of Natural Resources
Business Unit Number	Program Title	Explanation of Oversight Committee Recommended Changes to the Fiscal Year 2022 General Fund Budget (Increase or Decrease \$ Amount)		
115001	Div of Natural Resources/Adm			
115002	District Grazing Committee			
115004	Minerals Department			
115005	Eastern Navajo Land Board			
115007	Major Irrigation Farm Board			
115009	Water Management			
115011	Dept of Water Resources			
115012	Technical & Construction			
115013	Operation & Maintenance			
115017	Navajo Nation Museum			
115018	Dept of Agriculture			
115021	Navajo Land Department			
115023	Forestry Department			
115024	Heritage/Historic Preservation Dept			
115025	Dept of Fish & Wildlife			
115026	Animal Control Program			
115027	Dept of Resource Enforcement	Recommended revision to proposed FY 2022 budget for BU#115027 with no change in budget total amount of \$1,976,489.		
115034	Veterinary & Livestock Prgm			
115035	Navajo Nation Zoo			
115037	Navajo Land Title Data System			
115038	General Land Dev Dept			

The Navajo Nation Recommended Unmet Needs Budgets

Branch:		Executive	Division/Office:		Division of Natural Resources
Business Unit Number	Program Title	Amount of Unmet Need	Explanation of Recommended UNMIET NEEDS to the FY 2022 General Fund Budget		
New	DNR - NGS Transmission (Fixed Costs)	85,297	Navajo General Station Lease Agreement capital cost total amount due annually \$1,985,297; Fixed Costs General Fund Allocation for FY 2022 is \$1,900,000. The \$1,900,000 is lacking an amount of this request of \$85,297.		
115021	Navajo Land Department	279,702	To cover maintenance agreement for Prism software license, repair and maintenance and data system hardware for the Navajo Nation System.		
115025	Fish & Wildlife Department	654,784	The Navajo Nation is under extreme drought status, F&W Dept with the oversight committee heard from Navajo communities and chapters on the impacts people are experiencing from drought. The Department is committed to restoring the land and watersheds and proposes to conduct restoration projects across the Navajo Nation; the Dept will identify and prioritize restoration areas and proceed to complete these projects utilizing existing DNR departmental resources as well as local communities and youth organizations.		
115025	Fish & Wildlife Department/ Natural Heritage Program	211,820	To make available wildlife biologist positions who can complete biological reviews for projects submitted by IHS, NTUA, NHA, CARES Act and ARPA; in addition to complete homesite biological reviews. Positions will allow for sponsors to receive prompt reviews of project reviews and home lease reviews.		
115026	Fish & Wildlife Department/ Animal Control Program	526,131	Funding requested as a direct and immediate response to dog maulings across the Navajo Nation; current Animal Control Officers responsible for enforcing Navajo animal control laws are inadequate to provide comprehensive response. Current staffing levels are one Animal Control Officer per agency; added personnel will allow for oversight and supervision of animal control enforcement in each agency and allow for proactive approach in removing unwanted and aggressive animals.		
115034	Agriculture Department/ Navajo Veterinary & Livestock	450,000	Funding requested to provide more veterinary services in under-served communities around the Navajo Nation; provide low-cost veterinary services via the mobile and satellite clinics.		
115035	Fish & Wildlife Department/ Navajo Nation Zoo	649,200	Recent developments have been crucial to providing better services to the Zoo animals and 45,000+ annual visitors. The Zoo was built 40+ years ago with one restroom in the rather northern part of the Zoo; now it is important for the Zoo to have handicap accessible restroom facility near the main entrance at the southern end of the Zoo. Funds will be directly used to build an energy-efficient and handicap accessible men and women restrooms; project will include a sewer line connection.		
115035	Fish & Wildlife Department/ Navajo Nation Zoo	275,000	The Navajo Zoo was build 40+ years ago with an 8 foot fence around the entire facility; the fence is now oversized to fit with USDA requirements for Zoo Exterior Barrier Fencing. Funding will include hiring a contractor to remove the current fencing and replace it with 10" fence topped with barbed wire, also hire a design firm to deisng and build a new modern entry gate area.		

The Navajo Nation Recommended Unmet Needs Budgets

115035	Fish & Wildlife Department/ Navajo Nation Zoo	90,311	The Zoo has experienced tremendous growth over the last couple of years, and now in need of additional zookeeper personnel to help accomplish all the daily tasks; includes care of over 100 animals, providing zoo maintenance and necessary construction/renovation work. The work at the Zoo is required everyday, including weekends and holidays so request will provide additional year-round staff.
New	Fish & Wildlife Department/ Colorado Ranch Enterprise	167,000	Funding request will help Colorado Ranch Enterprise (CRE) protect and enhance the land, improve livestock production to strengthen financial returns. The National Drought Mitigation Centers listed counties of the Wolf Springs and Boyer Ranches locations, D3, Extreme Drought and D4, Exceptional Drought designations in 2019 and 2020; the lack of precipitation lead to no hay production and extreme grazing pressure to the range and agricultural lands. CRE established a goal of maintaining at least 1,600 tons of hay in reserve to meet the demands of the winter supplemental feeding program and ensure animal maintain a Body Condition Score of 4 during the 6 months of feeding thereby enhancing productivity and survival of calves.
TOTAL:		3,389,245	

AMENDMENT # 3: Recommending to the Budget and Finance Committee Carryovers for Division of Natural Resources.

M: Rickie Nez

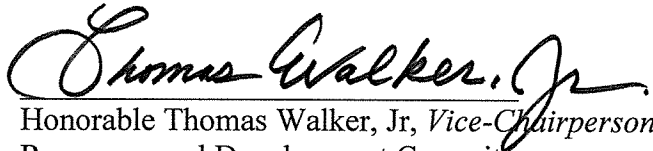
S: Mark A. Freeland

V: 5-0-1 (CNV)

In Favor: Wilson C. Stewart, Jr., Mark A. Freeland, Kee Allen Begay, Jr., Herman M. Daniels and Rickie Nez

Excuse: NONE

Not Voting: Thomas Walker, Jr., *Vice-Chairperson*

A handwritten signature in black ink, reading "Thomas Walker, Jr." with a stylized flourish at the end.

Honorable Thomas Walker, Jr, *Vice-Chairperson*
Resources and Development Committee

A handwritten signature in black ink, reading "Shammie Begay" with a stylized flourish at the end.

Shammie Begay, *Legislative Advisor*
Office of Legislative Services