

LEGISLATIVE SUMMARY SHEET

Tracking No. 0378-15

DATE: October 27, 2015

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, NAABIK'ÍYÁTI' COMMITTEES; COMMITTING TO THE LITTLE COLORADO RIVER WATERSHED CHAPTER ASSOCIATION SUBMISSION OF A PHASE-TWO GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE

PURPOSE: The resolution's purpose is to commit the Navajo Nation to matching funds.

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

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:05pm 11/5/15
Posting End Date: 11/10/2015
Eligible for Action: 11/11/2015

Resources & Development Committee

THENCE

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL -- First Year, 2015

INTRODUCED BY


(Primary Sponsor) (Walter Phelps)

TRACKING NO. 0378-15

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI'
COMMITTEES; COMMITTING TO THE LITTLE COLORADO RIVER
WATERSHED CHAPTER ASSOCIATION SUBMISSION OF A PHASE-TWO
GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF
AGRICULTURE

BE IT ENACTED:

SECTION ONE – FINDINGS

- A. The Navajo Nation Council established the Resources and Development Committee as a Navajo Nation Council standing committee and authorized the Resources and Development Committee to “review and recommend to the Naabik'íyáti' Committee Intergovernmental Agreements and Agreements between the Navajo Nation and any governmental entity relating to economic development, community development, natural resources, roads and transportations, environmental protection and gaming for efficiency and timely comparison of those projects.” 2 N.N.C. §§500(A) and 501(B)(12) (2012).
- B. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and authorized the Naabik'íyáti' Committee to review any and all grants and associated budgets with the United States, its departments and agencies for the implementation of the Indian Self-Determination and Education Assistance Act, as amended upon the

1 recommendation of the standing committee which has oversight. 7 N.N.C.

2 §§700(A) and 701(A)(12) (2012).

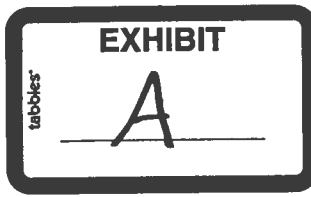
- 3 C. The Little Colorado River Watershed Chapter Association is submitting a full
4 proposal application to the United States Department of Agriculture's Regional
5 Conservation Partnership Program. Attached, as EXHIBIT A, is a copy of the
6 Little Colorado River Watershed Chapter Association's pre-proposal application.
- 7 D. "The Navajo Nation lies at the heart of the Colorado River Basin [one of the
8 grant's critical conservation areas], spanning the transition from Upper Basin to
9 Lower Basin. The Navajo Nation's [Regional Conservation Partnership Program]
10 is a pilot for the entire Navajo Nation." EXHIBIT A, sec. 2 *see also* DEPARTMENT
11 OF AGRICULTURE ANNOUNCEMENT OF PROGRAM FUNDING, Ann. No. USDA-
12 NRCS-NHQ-RCPP (May 4, 2015).
- 13 E. The Little Colorado River Watershed Chapter Association requests the Navajo
14 Nation contribute \$2,111,520 (\$635,900 cash match and \$1,475,620 in-kind
15 match). EXHIBIT A, pg. 13.
- 16 F. "The Program is responsible to ensure the cost sharing contribution is calculated
17 correctly and secured in full." FISCAL YEAR 2016 BUDGET INSTRUCTIONS
18 MANUAL, 83 (June 23, 2015). The Division of Natural Resources through the
19 Water Resources Department ensures the cost sharing contribution is correctly
20 calculated and secured as evidenced by a Division of Natural Resources
21 Executive Director memorandum. EXHIBIT B.
- 22 G. "All requests for annual operating funds and supplemental funds shall be
23 submitted to the Office of Management and Budget for budget impact analysis
24 and other appropriate action." 12 N.N.C. § 820(M). In accordance with
25 Appropriations Act, the Office of Management and Budget reviewed this request
26 for a Navajo Nation match as evidenced by an OMB memorandum. EXHIBIT C.
- 27 H. An exception to the sovereign immunity general principals is that the "Navajo
28 Nation may be sued by Navajo contractors and/or their sureties on construction
29 development or reclamation contracts" when damages are caused "due to delay in
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1 or failure to receive matching funds for the contract or project.” 1 N.N.C. §
2 554(I)(3)(d).

- 3 I. Committing to the Regional Conservation Partnership Program is in the Navajo
4 Nation’s best interest.

5 **SECTION TWO – COMMITTING TO THE REGIONAL CONSERVATION**
6 **PARTNERSHIP PROGRAM SUBMISSION**

- 7 A. The Navajo Nation contributes to the Regional Conservative Partnership Program
8 application with a match of \$2,111,520 (\$635,900 cash match and \$1,475,620 in-
9 kind match).
- 10 B. The Controller shall maintain a separate account for “[f]unds appropriated to
11 match funds from external sources” and “[i]f the matching funds are not obtained
12 from the external source, the appropriated funds shall revert to the Unreserved,
13 Undesignated Fund Balance.” 12 N.N.C. § 820(G).
- 14 C. The Navajo Nation authorizes the President of the Navajo Nation to execute any
15 and all documents necessary to effectuate the intent of this resolution.
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NAVAJO NATION RCPP NARRATIVE
July 6, 2015

1. Describe how each partner meets the eligibility criteria in Section III.A. of the announcement.

Here follows a brief introductory summary of partnering Navajo Nation entities – all meet the eligibility criteria in Section II A., and all will participate in the Navajo Nation’s RCPP.

The principal Partners in the Navajo Nation’s RCPP Initiative are all diverse entities of the Navajo Nation (an “Indian Tribe”) :

- * The Navajo Nation central government, represented by the Nation’s Division of Natural Resources, which includes the Departments of Water Development, Agriculture, Fish and Wildlife, and Historic Preservation; and the Nation’s Environmental Protection Agency.
- * Twenty-five (25) “units of local (Navajo Nation) government”, the twenty-five “Chapters” comprising the LCR Watershed Chapters’ Association (LCRWCA), which is the lead entity for project planning and coordination among the Chapters and with partners.

Within each Chapter are additional authorized Navajo Nation entities, “with established histories of working cooperatively with local agricultural producers”, and with roles and responsibilities in the planning, outreach, and implementation of conservation projects in the Navajo Nation: the local District Grazing Committees (DGCs), the local Farm Boards (FBs), and the local Community Land Use Planning Committees (CLUPCs).

- * Three of the Navajo Nation’s five Soil and Water Conservation Districts (SWCDs), the Little Colorado River, Fort Defiance, and Chinle SWCDs. These are also “political sub-divisions” of the Navajo Nation (pursuant to 3 Navajo Nation Code, Section 2841), “with established histories of working cooperatively with local agricultural producers”.

The Navajo Nation SWCDs , along with the local DGCs, FBs and CLUPCs mentioned above, are all primarily composed of the local Navajo agricultural community; are virtually all extremely limited resource historically under-served Navajo farmers and ranchers; are the heart of Navajo Nation educational outreach to their families, clans and peers; and have already contributed both their assessments of priority resource concerns, and their formulations of and commitments to the conservation strategies, practices and solutions identified.

Consequently, they will encourage and enable a high number of local producers on Navajo watersheds to participate in this RCPP initiative.

- * The Dine College, one of two Tribal Colleges and Universities chartered by the Navajo Nation; also, a 1994 land Grant Institution and an “institution of higher education”.

* Local Navajo community-based non-governmental organizations working with “critical watershed-scale natural resources issues” – including To Lani Enterprises (TLE), To Nizhoni Ani (TNA), Black Mesa Water Coalition (BMWC), the Dine Medicine Men’s Association (DMMA); and also, the Tolani Lake Water Users’ association and other “agricultural producers’ associations” .

2. Specify the geographic focus of the project area

The Navajo Nation lies at the heart of the Colorado River Basin and its Critical Conservation Area (CCA), spanning the transition from Upper Basin to Lower Basin. The Navajo Nation’s RCPP is a pilot for the entire Navajo Nation. Work will focus initially in the Little Colorado River watershed of the Navajo Nation in Arizona and New Mexico (see Map), including over 7 million acres and comprising all or part of ten sub-watersheds – all of which share the primary Resource Concerns outlined in Section 3. below.

LCR Sub-Watershed	HUC	Area (sq.miles)
Moenkopi	15020018	2,634
Dinnebito	15020017	743
Oraibi *	15020012	855
Polacca	15020013	1,083
Jeddito	15020014	1,040
Pueblo Colorado	15020011	1,607
Wide Ruins	15020009	807
Black Creek*	1502000603 1502000606	272
Upper Puerco	1502000605 1502000607	278
Upper Zuni River (Ramah)	15020004	227

Within this region, Navajo Nation’s RCPP will focus efforts initially working from the uppermost portions on down on critical high-priority areas on two major sub-watersheds – the **Oraibi Wash** and **Black Creek *** -- and also, in the twenty-five Chapters now participating in the LCR Watershed Chapters’ Association (LCRWCA).

The Oraibi Watershed drains a portion of Black Mesa, is shared with the Hopi Tribe – whom we also invite to participate in this RCPP approach – and has long been known as one of the most deeply gullied erosion-wracked major contributors of sediment to the Little Colorado and Colorado Rivers downstream.

The Black Creek Watershed drains much of the west slope of the Chuska Mountains along the Arizona-New Mexico border, includes some 3,000 acres of good farmland and 16,000 acre-feet of reservoir storage in need of water conservation and protection from sedimentation; and as it includes Window Rock, the seat of the Navajo Nation’s central government and Navajo Nation policy-making, has excellent conservation demonstration and education site value.

Building on our ongoing work among the twenty-five Chapters participating in the LCRWCA, will enable us to maximize conservation effectiveness in areas where we have already started the intensive bi-lingual and bi-cultural process of outreach education, identification of resource concerns, formulation of strategies and approaches to address those concerns, identification and engagement of partners, and organization of social infrastructures to allow for careful practice design, installation, monitoring and evaluation, refinement, and strengthening the community-based leadership and multi-community, multi-agency relationships, processes, communication and coordination essential to accomplish effective collaborative action.

Thus we will pilot and refine the strategies and approaches we need to heal our watersheds and restore range and farmland and wildlife habitat health and productivity; and as resources and capacities permit, expand our efforts incrementally across the entire Navajo LCR watershed, and beyond in to the Chinle and San Juan watershed regions of the Navajo Nation.

3. Identify the project objectives and the natural resource concerns that the project will address and how the partners identified those concerns

Our Goal is to conserve and improve Water Quantity and Quality in the Navajo Nation portion of the Colorado River Basin, through integrated community-based, culturally-grounded educational outreach, design, installation and maintenance of best conservation practices informed by Navajo traditional ecological knowledge (TEK).

The Navajo Nation's Soil and Water Conservation Districts have held Local Work Group meetings to prioritize resource concerns for range, farm, woodlands, and wildlife. Priority concerns emerging from this process correlate closely with concerns identified by the LCRWCA and its local partners (DGCs, FBs, CLUPCs, and others) in twenty-five Chapters across the LCR Watershed; in concerns raised by the Navajo Nation Council's Resources and Development Committee in hearings throughout the Navajo Nation; in analyses and needs assessments conducted by the Navajo Department of Agriculture on Tribal Ranch well efficiencies; and in concerns stated by some 300 Navajo farmers and ranchers, and compiled by the Navajo Farmer and Rancher Congress.

These Resource Concerns and Project Objectives are summarized below. There is an urgent need for continuing bi-lingual, bi-cultural, and visual outreach and educational materials and delivery systems that integrate traditional Navajo place-based stewardship knowledge and experience.

Colorado River Basin CCA Priority Resource Concerns	Navajo Nation Priority Resource Concerns	Navajo Nation Priority Resource Strategies and Objectives	Some Desired Conservation Practices (EQIP and CSP)
<u>Water Quality Degradation</u> “including Erosion and Reduction of Sediment ” – including Salts	<p>Reduced capacity to limit redistribution and accelerated loss of soil resources (erosion) from wind and water; sheet, rill and concentrated flow erosion;</p> <p>Excessive suspended sediment and turbidity in surface waters;</p> <p>Dust storms with particulate matter < 10 micrometers.</p>	<p>Start at top of most degraded sub-watersheds, work on down; start in small tributaries.</p> <p>Build rock and brush check dams to check gully erosion, retain sediment.</p> <p>Identify and work with ranchers and farmers willing to form collaborative associations.</p> <p>Restore and manage range vegetation to decrease erosion and sediment loss.</p> <p>Establish and protect trees and shrubs along watercourses to control wind erosion.</p> <p>Establish conservation soil-building cover crops on farmlands to reduce erosion.</p>	<p>410 – Grade Stabilization Structure</p> <p>638 – Water and Sediment Control Basin</p> <p>580 – Streambank Protection</p> <p>342 – Critical Area Planting</p> <p>327 – Conservation Cover</p> <p>550 – Range Planting</p> <p>528 – Prescribed Grazing/Deferred Grazing</p> <p>BRA08 – Range Grazing</p> <p>612 – Tree/Shrub Establishment</p> <p>380 – Windbreak/Shelterbelt Establishment</p> <p>FPP02 – On Farm Pilot Projects</p>
<u>Insufficient Water</u> “including drought mitigation, water retention ... inefficient use of irrigation water ... conservation	<p>Loss of capacity to capture, store, and release rainfall and surface water - impaired rangeland health and hydrologic function</p> <p>Insufficient quantity,</p>	<p>Select locations to build rock and brush check dams where captured and stored runoff will help mitigate drought by recharging alluvial and consolidated aquifers, restoring</p>	<p>PLT16 – Intensive Rotational Grazing</p> <p>382 - Fence</p> <p>362 – Diversion Dam</p> <p>640 - Waterspreading</p> <p>516 – Pipeline</p> <p>378 – Pond</p> <p>436 - Irrigation Reservoir</p>

<p>projects relating to surface water and groundwater resources” *</p>	<p>quality, and distribution of drinking water for livestock in every pasture;</p> <p>Degraded plant condition - loss of health, productivity, and vigor – inadequate community structure/composition;</p> <p>Plants do not produce the yields, quality and soil cover expected;</p> <p>Inadequate feed for livestock; Excessive noxious and invasive plants.</p>	<p>water tables, rangeland vegetation, wildlife habitat.</p> <p>Make extensive use of rainwater harvesting catchments with adequate storage to help mitigate long periods of drought.</p> <p>Improve grazing management with livestock watering systems, deferred and rest/rotation grazing; divert and spread runoff to establish/enhance native grass/legume pastures.</p> <p>Divert and store runoff for aquifer recharge and irrigation; convert from surface to drip irrigation systems</p>	<p>441 – Micro-irrigation 521 – Pond Sealing 533 – Pumping Plant (Solar) 574 – Spring Development 636 – Water Harvesting Catchment 614 – Water Facility 642 – Water Well 314 – Brush Management</p>
<p><u>Inadequate Habitat for Fish and Wildlife</u> “including habitat conservation, restoration or enhancement” *</p>	<p>Inadequate water, food, and shelter quantity and quality for wildlife;</p> <p>Loss of plant health, productivity, and vigor, including wildlife habitat and potential habitat for species of concern;</p> <p>Declining species of concern and conservation</p>	<p>Target the LCR valley and principal tributaries as major wildlife corridors to conserve and enhance. Integrate wildlife into all conservation planning.</p> <p>Install wildlife-friendly fencing;</p> <p>Deferred grazing, rest/rotation;</p>	<p>646 – Shallow Water Development 342 – Critical Area Planting 550 – Range Planting 612 – Tree/Shrub Establishment 395 – Stream Habitat Improvement 645 – Upland Wildlife Habitat Management ANM09 – Grazing management to improve wildlife habitat</p>

	measures not in place; Habitat fragmentation.	Divert runoff to establish native grass/legume pastures); Identify, protect and restore critical wildlife habitat.	ANM27 – Wildlife-friendly Fencing ANM33 – Riparian Wildlife Habitat <i>(also practices noted above)</i>
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4. A general description of the plans for evaluating outcomes, including plans for monitoring and modeling, and for reporting on progress to achieve the objectives of the application.

The Navajo Nation RCPP's internal and external partners (including the US Geological Survey and the USDA-NRCS and USDA-ARS, with their Rangeland Hydrology and Erosion Model – RHEM) will monitor and collect data annually to determine the effectiveness of the effort. This work will be coordinated by LCRWCA and Navajo Nation DNR staff

The primary measurable indicators of outcomes and benefits are listed first below. We will also seek to observe, track and document secondary less easily measured indices, to assess the diverse long-term benefits of this work. While these outcomes and benefits are primarily focused on Navajo Nation watersheds at the heart of the Colorado River Basin, they will also apply to the Colorado River Basin CCA.

Environmental – Primary indicators: reduction in sediment loads per year, with attendant benefits to water quality (turbidity, TDS) and aquatic wildlife habitat; acre-feet or tons of soil and of runoff water conserved per year.

Secondary indicators: water quantity and quality impacts on downstream springs, water tables, alluvial aquifers; restoration and improvement of rangeland and natural area ecosystem and hydrologic functions and services. Also, number of conservation plans completed, and acres planned; number of plans with practices implemented, practices applied and acres benefited; on cropland, irrigation water application dates and amounts applied; on rangeland, trend monitoring to monitor changes in plant communities; beneficial changes in wildlife abundance, diversity, community composition.

Social – Primary indicators: numbers of historically underserved, very limited resource producers who participate; numbers of new collaborative associations formed to design, install, monitor and maintain integrated systems of conservation practices; numbers of participating communities and of community-based youth and youth-serving organizations (youth groups, youth conservation corps, schools, colleges and universities).

Secondary indicators: quality of life increases (e.g., reductions in diabetes and obesity due to increased outdoor activities of youth) due to inter-relationship of improved health of watershed ecosystems and the communities dependent on them – documenting increase from baseline numbers.

Economic – Primary indicators: value of acre-feet of protected water storage in downstream reservoirs (storage that would have otherwise been lost to sediment loads from Navajo watersheds); value of flood protection, and of wildlife habitat protection benefits accruing; documented value-added, improved risk management, and increased returns to Navajo livestock producers from increased range productivity, and integration of (a) rangeland soil and water conservation with (b) grazing deferment with (c) grazing on new flood-irrigated pastures to alleviate pressure on rangelands until recovery and improved management are well established.

Secondary indicators: value of restored and improved ecosystem and hydrologic functions and services. While we are aware of the challenge to quantify this last value, we believe we must learn how to do this, in order to understand and appreciate more fully all the costs and benefits of our actions (“market” and “externalities” alike).

5. A brief description of the types and sequence of implementation of conservation practices that the project will implement ... and other partner activities to be implemented during the project timeframe.

The survival of the Navajo People is threatened by Drought; Climate Change; lack of developed good quality surface and ground Water; lack of Coordinated soil, water and all natural resources conservation, restoration, stewardship and management; and lack of Sustainable natural resources-based local Economic activities and opportunities.

In response, the Navajo Nation will mobilize Navajo human, financial and technical resources; engage, educate, and coordinate with key partners; and, work collaboratively to address these threats through the RCPP and complementary Education, Community Development, and Economic Development initiatives.

Strategies, Activities and Illustrative Practices (not exhaustive); -- from EQIP, CSP; also PL 566	Lead Entities and Key Partners
<p>1. Navajo RCPP Launch : build awareness of severity of threats from Drought and Climate Change; strengthen community and Nation-wide mobilization for collaborative response.</p> <p>2. Focused Community Education and Outreach – use highly visual Navajo language- and culture-based materials and methods to incorporate traditional ecological knowledge, bridge to western science-based knowledge.</p> <p>3. Assess and target critical highest priority areas, including (a) upper reaches of sub-watersheds where water-caused erosion and loss of range vegetation are most severe; (b) potential water-table and aquifer re-charge areas at lower elevations; (c) stream channel sources of wind-blown dust; (d) critical wildlife habitat areas (remote uplands, near water sources, canyons, channels; others.</p> <p>4. Identify and engage producers and associations willing to collaborate in highest priority areas. Facilitate formation of additional associations in those areas</p> <p>5. Conduct detailed Conservation Planning in priority areas, at farm/ranch collaborative operational <u>and</u> sub-watershed scales; use Navajo Planning Paradigm (Section 9 below) as cultural context and process to incorporate NRCS 9-Step, BIA-IRMP, other planning methods.</p>	<p>1. Navajo Nation Leadership – President and Navajo Nation Council led by Resources Committee; local communities spearheaded by LCR Watershed Association of 25 Chapters (LCRWCA) and SWCDs;</p> <p>2. LCRWCA and SWCDs, with local Chapter-based partners – local farmers and ranchers (producers), DGCs, FBs, CLUPCs, community-based groups. Engage cultural practitioners (DMMA, others), Dine College and local schools in design and delivery of education/outreach. Engage NRCS, USGS, USEPA in content, composition and messaging.</p> <p>3. LCRWCA and SWCDs with local partners as above. Engage Navajo Nation Division of Natural Resources (DNR) programs (Water, Agriculture, Fish & Wildlife, Historic Preservation), EPA; Dine College. Engage BIA, NRCS, USGS, USF&W, ACE partners.</p> <p>4. LCRWCA and SWCDs with local partners and cultural practitioners as above. Engage also NN Ag. Department, BIA.</p> <p>5. LCRWCA and SWCDs with local partners and cultural practitioners as above. Engage also Dine College, local Navajo DNR, BIA and NRCS staff.</p>

<p>6. In diverse high priority areas as outlined, design/install Conservation Practices of this general type and sequence, and others as appropriate (see also Section 3).</p> <p>In all cases, use PL-566 approach, integrating structural and non-structural measures and seeking the widest range of benefits.</p> <p>(a) Upper regions of sub-watersheds and their tributaries :</p> <ul style="list-style-type: none"> 528 – Prescribed Grazing/Deferred Grazing; also BRA08, PLT16; others 382 - Fencing – also ANM27 410 – Grade Stabilization Structures (rock, gabion check dams) 580 – Streambank Protection 342 – Critical Area Planting 612 – Tree/Shrub Establishment 645 – Upland Wildlife Habitat Management also ANM09 636 – Water Harvesting Catchment 574 – Spring Development 642 – Water Wells for Livestock, Wildlife 533 – Pumping Plant (Solar) 516 – Pipelines 614 – Water Facilities <p>(b) Potential water-table and aquifer re-charge areas -- enhance surface and sub-surface water conservation and storage :</p> <ul style="list-style-type: none"> 528 – Prescribed Grazing/Deferred Grazing 382 - Fencing – also ANM27 410 – Grade Stabilization Structures (rock, gabion check dams) 580 – Streambank Protection 342 – Critical Area Planting 362 – Diversion Dam 378 – Pond – also 436 Irrigation Reservoir 640 – Waterspreading 550 – Range Planting (native grass/legume) 	<p>6. LCRWCA and SWCDs with local Chapter-based partners as above.</p> <p>At every Chapter, engage Navajo Work Force Development (NDWD) labor resources for installation (see Section 9, below).</p> <p>In every region, engage DNR Water Development staff and equipment (see Section 9, below).</p> <p>Engage also local Navajo DNR (Water management, Agriculture, Fish & Wildlife) , as well as BIA and NRCS staff.</p>
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<p>(c) Stream channels :</p> <ul style="list-style-type: none"> 528 – Prescribed Grazing/Deferred Grazing; 382 - Fencing 410 – Grade Stabilization Structures 580 – Streambank Protection 342 – Critical Area Planting 380 – Windbreak/Shelterbelt Establishment 612 – Tree/Shrub Establishment <p>(d) Critical wildlife habitat areas :</p> <ul style="list-style-type: none"> 636 – Water Harvesting Catchment 550 – Range Planting 612 – Tree/Shrub Establishment 395 – Stream Habitat Improvement 645 – Upland Wildlife Habitat Management also ANM33 <p>7. Practice installation and performance monitoring and maintenance.</p>	<p>7. LCRWCA and SWCDs with local Chapter-based producers, producer associations, and partners, as above. Also Dine College, local Navajo DNR, BIA and NRCS staff.</p>
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6. If applicable, indicate how the project will “assist producers in meeting or avoiding the need for natural resource regulatory requirements.” Section 1271B(d)(4)(A) of the 1985 Act.

Not at this time.

7. A description of any requested program adjustments of terms (adjustments to regulations or policy), including AGI waivers, by covered program, with an explanation of why the adjustment of terms is needed in order to achieve the objectives of the project.

(a) Traditional Ecological Knowledge (Indigenous Stewardship Knowledge) – We will respect and include the rich resource of Traditional Ecological Knowledge (Indigenous Stewardship Knowledge) in all conservation planning initiatives.

(b) Irrigated Land – On the Navajo Nation, traditional methods and more modern methods of providing supplemental irrigation often involve rainwater and runoff harvesting techniques. Because these methods rely on rainfall, they may not always be applied 2 out of 5 years – even though this kind of supplemental irrigation has been applied for many generations. These lands should be eligible for irrigation system improvements to allow producers to capture, store, and apply this scarce resource more efficiently for supplemental irrigation. Where possible, developing wells and pumping water using renewable wind and solar power will help these producers mitigate long-term drought and better manage their resources.

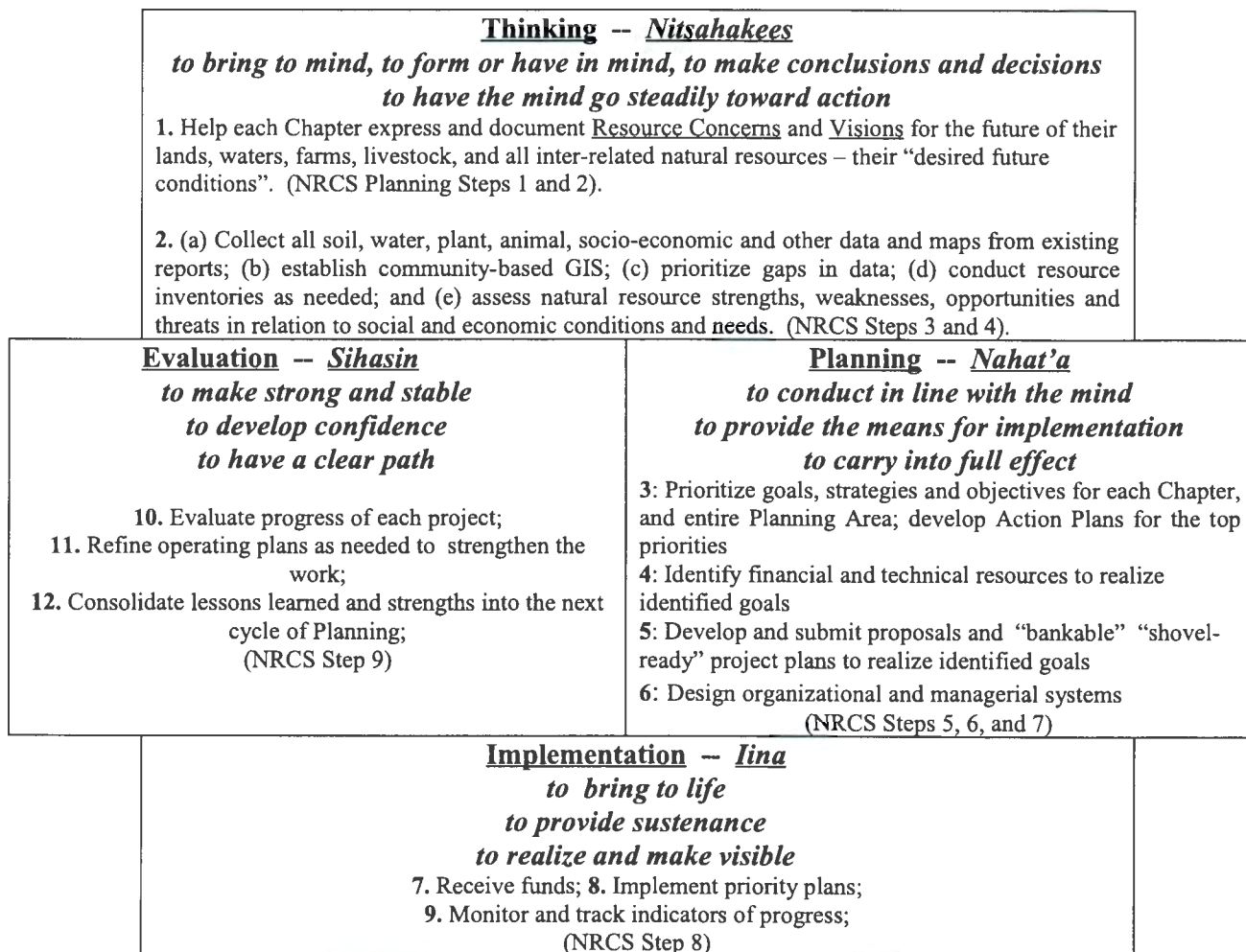
8. Whether and how the project requests alternative funding arrangements.

Not at this time.

9. Any additional information that has not specifically been requested but will help reviewers understand your proposal.

A. We notice that every federal partner (including NRCS, BIA, BOR, ACE, USEPA and others), uses a slightly different planning process and nomenclature.

To cohere this process, we are using the Navajo Planning Paradigm outlined below, to provide our cultural context and process as an umbrella for detailed Planning Tasks incorporating the NRCS 9-Step, BIA-IRMP, and other planning methods. (Movement is cyclical, “clockwise”).



B. Detail on ESTIMATED ANNUAL Navajo Nation In-Kind and Cash Contributions

Estimates for this Pre-Application. If the Navajo Nation is invited to submit a full application, we will provide Letters and Navajo Nation Council Resolutions of Commitment.

TOTAL (\$1,475,620 In-Kind; \$ 635,900 Cash) \$ 2,111,520

1. Community-based Outreach, Education and Organizing (In-Kind)	\$ 213,120
2. Water Development Staff and Equipment to Install Practices (Cash)	286,400
3. Chapter Adult and Youth Labor to Install Practices (In-Kind)	1,262,500
4. LCRWCA Annual Budget Allocation (Cash - based on 2015 experience)	349,500

DETAIL

1. Community-based Outreach, Education and Organizing \$ 213,120

with Limited Resource Historically Under-served Producers (Farmers, Ranchers, Water Users Land Users in each Chapter – at 25 per Chapter X 25 Chapters = at least 625 Producers reached.

- a. Three (3) SWCDs – Little Colorado, Chinle, Fort Defiance –
two Board members each X 16 hours/month X 12 months @ \$20/hour =
\$23,040 per SWCD X 3 = 69,120
- b. Twenty-five (25) Chapters in pilot LCRWCA initiative –
One District Grazing Committee member each X 16 hrs/month X 12 months
@ \$20/hour = \$3,840 per Chapter X 25 Chapters = 96,000
CLUPC members : 8 hours per month X 12 months
@ \$20/hour = \$1,920 per Chapter X 25 = 48,000

2. Water Development Staff and Equipment to Install Practices 286,400

helping Producers and Community Labor to Install Practices including Rock/Gabion Check Dams, Stream-bank Stabilization, Water Harvesting Catchments, Storage Tanks, Pipelines, Drinkers and others;

- a. Staff at five (5) Water Stations – Fort Defiance, Ganado, Dilkon, Leupp, Pinon –
four (4) staff each @ \$20/hour X 2080 hours/year X 20% =
\$33,280 per Station X 5 Stations = 166,400
- b. Equipment at five Stations : one 2-ton truck and one backhoe at each Station,
average of 400 hours per year @ \$60 per hour operating costs for both =
\$24,000 per Station X 5 = 120,000

(Note – at an average of 10 tons rock per check dam / gabion structure; and hauling/placing at least 2 tons of rock per hour, X 400 hours -- each crew with Chapter labor – see below -- can haul at least 800 tons of rock and build 80 check dams in a year, X 5 crews = 400 check dams in one year ...)

3. Chapter Adult and Youth Labor to Install Practices 1,262,500

- a. Five (5) Youth/Adult workers per Chapter (NDWD funding)
at \$10/hour each X 1000 hours X 25 Chapters = 125 Youth/Adult Workers
\$50,000 per Chapter X 25 Chapters = 1,250,000
- b. Safety gear (hard hats, steel toe boots, first aid etc – NDWD provided)
@ \$100/Adult or Youth worker X 125 workers = 12,500
- c. Chapter Administration @ 5% ** 62,500
- d. NDWD Administration @ 5% ** 62,500

4. LCRWCA Anticipated Annual Allocation (based on 2015 experience) 349,500

Technical support for community outreach and education, practice planning, design and engineering, practice installation coordination and supervision, with partners

- a. Three (3) technical staff per Region @ \$123,000 * per Region @ 50% time
= \$61,500 X 5 Regions = 307,500
- b. Travel at 500 miles/month per staff X 15 staff X 12 months @ \$.50/mile = 45,000
- c. Administration @ 10% ** 35,200

* Senior Planner @ \$40,000, Range Conservationist @ \$40,000, Community Involvement Specialist @ \$32,000 = \$112,000 + 10% Fringe = \$123,000 / Region

**** Administrative Costs NOT included in Total Contributions**

unit code (HUC) boundaries, species ranges, and areas targeted for conservation. Outline on the map or describe in the application the areas that need conservation treatment, and identify the number of acres involved. Provide applicable shape files (Shapefile coordinate system, request decimal degrees in WGS 84). If you cannot provide shape files provide a list of the 12-digit hydrologic unit code (HUC) along with the latitude and longitude of a central (centroid) point within the project area.

3. **PDF Fillable Form for Descriptive Narratives**. Include updates within preproposal section and complete the full proposal sections. All narratives will be restricted to certain character lengths to ensure uniformity of applications.

4. **Additional Items**. Additional items identified below must be obtained prior to submitting a full proposal. NRCS cannot enter into an agreement without a Lead Partner DUNS number and confirmation that they are registered in SAM. Applicants are therefore encouraged to apply early for their DUNS number and SAM registration.

a. **DUNS Number**. A Dun and Bradstreet DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of over 70 million businesses worldwide. Applicants must obtain a DUNS number. Information on how to obtain a DUNS number can be found at: <http://fedgov.dnb.com/webform> or by calling 1-866-705-5711. Please note that the registration may take up to 14 business days to complete.

b. **SAM**. System for Award Management is the official U.S. Government system that consolidated the capabilities of the Central Contractor Registration, Federal Register, Online Representations and Certification Application, and Excluded Parties List System. To register, go to: <https://www.sam.gov/portal/public/SAM/>. Please allow a minimum of 5 days to complete the SAM registration.

5. **Letters of Commitment**. Provide letters from all partners identifying all contributions, including cash and in-kind services. Amounts must match figures provided in the data worksheet. Do not submit letters of support that do not provide a contribution.

6. **Letter from the State Conservationist**.

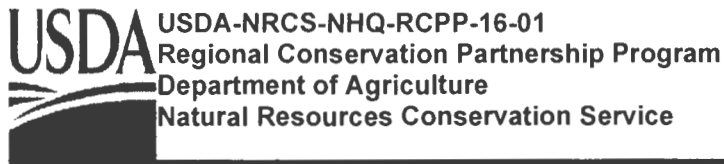
State fund pool: The Lead Partner must obtain a letter from the applicable State Conservationist demonstrating that the proposal meets the intent of RCPP.

National or CCA fund pools: The Lead Partner must consult all applicable NRCS State Conservationists, however only one letter is required to demonstrate the proposal meets the intent of RCPP. The State Conservationist providing the letter will indicate collaboration with the other States.

7. **Submittal of Copy to State Conservationist**.

Applications for all fund pools must also provide a copy of the full proposal application to

25%	Contributions	<p>Successful partnerships will bring an array of financial and technical interests and capabilities to projects such as cash contributions, technical professionals to work one-on-one with farmers and ranchers to provide planning and engineering activities, or experts to conduct field assessments of agronomic and environmental performance. NRCS' goal is to double the conservation investment with partner contributions.</p> <ul style="list-style-type: none"> • What percentage of financial assistance will the partner(s) commit or leverage to achieve project objectives? • What percentage of technical assistance will the partner(s) commit or leverage to accomplish project objectives? • What percentage of the overall project cost will come from partner resources, either their own or leveraged from other external sources? • What unique skillsets will partner(s) bring to the project to accelerate progress or enhance the potential for project success? • Does the partnership contribute activities and services that supplement or accelerate the technical and financial assistance offered by NRCS? For example: outreach and education, monitoring project outcomes; and tracking the installation and maintenance of conservation systems. • Are the intended uses of partner cash and in-kind resources clearly stated and tied to overall project objectives? (All contributions commitments must be clearly documented in support letters.) • Will the project leverage funding and capabilities from partners new to or only recently engaged in agricultural conservation activities?
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GENERAL INFORMATION

Document Type:	Grants Notice
Funding Opportunity Number:	USDA-NRCS-NHQ-RCPP-16-01
Funding Opportunity Title:	Regional Conservation Partnership Program
Opportunity Category:	Discretionary
Funding Instrument Type:	Other
Category of Funding Activity:	Agriculture Environment Natural Resources
Category Explanation:	INSTRUMENT TYPE "OTHER" will be defined as Partnership Agreements.
Expected Number of Awards:	170
CFDA Number(s):	10.932 -- Regional Conservation Partnership Program
Cost Sharing or Matching Requirement:	Yes
Posted Date:	May 11, 2015
Creation Date:	May 13, 2015
Original Closing Date for Applications:	Jul 8, 2015 THIS ANNOUNCEMENT REPLACES "USDA-NRCS-NHQ-RCPP-15-01" CLOSING DATE: FOR SUBMISSION OF PRE-PROPOSALS ONLY. SELECTED APPLICANTS WILL BE NOTIFIED TO SUBMIT FULL PROPOSALS.
Current Closing Date for Applications:	Jul 8, 2015 THIS ANNOUNCEMENT REPLACES "USDA-NRCS-NHQ-RCPP-15-01" CLOSING DATE: FOR SUBMISSION OF PRE-PROPOSALS ONLY. SELECTED APPLICANTS WILL BE NOTIFIED TO SUBMIT FULL PROPOSALS.
Archive Date:	Aug 7, 2015
Estimated Total Program Funding:	\$225,000,000
Award Ceiling:	\$10,000,000
Award Floor:	\$0

ELIGIBILITY

Eligible Applicants:

Private institutions of higher education
Others (see text field entitled "Additional Information on Eligibility" for clarification)
City or township governments
State governments
County governments
Special district governments
Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
Public and State controlled institutions of higher education
Native American tribal governments (Federally recognized)

Additional Information on Eligibility: "OTHER": PLEASE SEE ANNOUNCEMENT FOR ADDITIONAL ELIGIBLE ENTITIES NOT LISTED ABOVE.

ADDITIONAL INFORMATION

Agency Name: Natural Resources Conservation Service

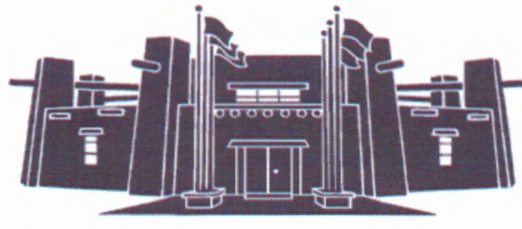
Description: EXECUTIVE SUMMARY:NRCS is the Department of Agriculture's (USDA) conservation agency working with farmers, ranchers, and private forest landowners nationwide to identify and address natural resource objectives in balance with operational goals in order to benefit soil, water, wildlife, and related natural resources locally, regionally, and nationally. NRCS works in partnership with other entities to accelerate getting conservation on the ground. Through the Regional Conservation Partnership Program (RCPP), NRCS seeks to co-invest with partners in innovative, workable and cost-effective approaches to benefit farming, ranching, and forest operations, local economies, and the communities and resources in a watershed or other geographic area. RCPP partners develop project applications, as described in this notice, to address specific natural resource objectives in a proposed area or region. Partnering organizations design, promote, implement, and evaluate the project outcomes. NRCS will select final RCPP projects following a two-phase application process that includes: (1) a pre-proposal application; and (2) a full proposal application. NRCS will assess and evaluate RCPP project applications against four criteria-solutions, contributions, innovation, and participation. The full proposal process is only open to applicants whose pre-proposal applications are selected by the agency to go forward from the pre-proposal stage. All RCPP applications become the property of NRCS for use in the administration of the program and will not be returned to the applicant. RCPP federal assistance is delivered in accordance with the authorities of the Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Agricultural Conservation Easement Program (ACEP), and Healthy Forests Reserve Program (HFRP), and in certain geographic areas, the Watershed Protection and Flood Prevention program. NRCS and partners implement RCPP projects by working with agricultural producers and owners of agricultural and forestland. The purpose of this notice is to announce the availability of CCC funding for RCPP and to solicit applications from potential partners. Subject to fiscal year (FY) 2016 appropriations, NRCS anticipates the availability of about \$225 million in funding for RCPP. If the Sequester were not in effect in FY 2016, as proposed in the President's FY 2016 Budget, available funding would be about \$235 million. The FY 2015 proposal process offered up to \$394 million in funding, reflecting two years of funding (FY2014 and FY2015), not a higher level of annual funding. Applications will be accepted from all 50 States, the Caribbean Area (Puerto Rico and U.S. Virgin Islands), and U.S. territories in the Pacific Island Areas (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

Link to Additional Information: NRCS RCPP Homepage

Contact Information: If you have difficulty accessing the full announcement electronically, please contact:

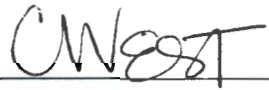
Frankie Comfort Grants & Agreements Specialist Acquisitions Division
Administrative information purposes.





MEMORANDUM

TO: Honorable Walter Phelps
23rd Navajo Nation Council Delegate

FROM: 
Carolyn R. West, Attorney
Office of Legislative Counsel

DATE: October 27, 2015

SUBJECT: OLC Service Request Number 15-657-1: An Action Relating to Resources and Development, Naabik'íyáti' Committees; Committing to the Little Colorado River Watershed Chapter Association Submission of a Phase-Two Grant Application to the United States Department of Agriculture

I prepared the proposed resolution regarding the Navajo Nation committing matching funds to the Little Colorado River Watershed Chapter Association's Regional Conservation Partnership Program submission. However, I was unable to communicate with Jacques Seronde. I called and left a message on Monday, October 19, 2015, no response. I emailed Mr. Seronde on Tuesday, October 20, 2015, no response. Therefore, I prepared the proposed resolution based on the application submitted with the OLC Service Request.

However, in order to be in compliance with the Navajo Nation budgeting process, two exhibits need to be included with the proposed resolution: 1) Exhibit B refers to a Division of Natural Resources Executive memorandum which ensures the cost sharing contribution is correctly calculated and secured and 2) Exhibit C refers to an OMB memorandum which ensures OMB reviewed for a budget impact analysis and other appropriate action. This proposed resolution needs to be amended at the Resources and Development Committee meeting to include Exhibits B and C.

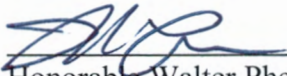
Once the Resources and Development Committee amends the proposed resolution to include Exhibit B and C, then the proposed resolution will be legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge. You are encouraged to review the proposed resolution to ensure this is drafted to your satisfaction.

The Office of Legislative Council recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601 and 701. Nevertheless, “the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration. 2 N.N.C. § 164(A)(5).

If you are satisfied with the proposed resolution, please sign as “Primary Sponsor” and submit to the Office of Legislative Services where the proposed resolution will be given a tracking number and sent to the Office of the Speaker for assignment.

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

Reviewed and Acknowledged:

A handwritten signature in blue ink, appearing to read 'W. Phelps', is written over a horizontal line.

Honorable Walter Phelps

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0378-15_

SPONSOR: Walter Phelps

TITLE: An Action Relating To Resources And Development And NAABIK'IYATI' Committees; Committing To The Little Colorado River Watershed Chapter Association Submission Of A Phase-Two Grant Application To The United States Department Of Agriculture.

Date posted: November 5, 2015 at 5:05PM

Digital comments may be e-mailed to_comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

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

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

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0378-15

SPONSOR: Honorable Walter Phelps

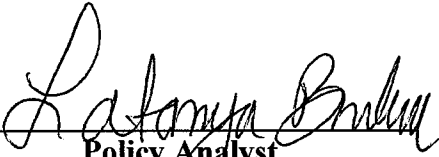
TITLE An Action Relating To Resources And Development And Naabik'iyati' Committees; Committing To The Little Colorado River Watershed Chapter Association Submission Of A Phase-Two Grant Application To The United States Department Of Agriculture.

Posted: November 5, 2015 at 5:05PM

5 DAY Comment Period Ended: November 10, 2015

Digital Comments received:

Policy Analyst	Exhibit B and C are not attached to the packet see Legislative Counsel memo for recommendations.
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Policy Analyst
Office of Legislative Services

11/12/15 8:52 am
Date/Time