

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

August 5, 2021

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CJY-38-21, *An Action Relating to Resources and Development, Budget and Finance, Naabik'iyáti' Committees, and Navajo Nation Council; Allocating \$19,500,000 in Síhasin Funds to the Navajo Division of Transportation for the N8031/N4 Road Project; Allocating \$112,080,000 in Síhasin Funds to the Navajo Division of Transportation for Earth Road Improvement Projects; Approving and Adopting the N8031/N4 Road Project and Earth Road Improvement Projects Expenditure Plan Pursuant to 12 N.N.C. §§ 2501 – 2508*

Dear Speaker Damon,

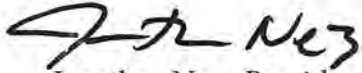
There is currently only one paved road into Pinon which the surrounding communities use to access the services offered in Pinon. With CJY-38-21 there will be another route available to Pinon, a major local hub for key services. The improvement of N8031/N4 has been in the works for many years while the Hardrock and Pinon communities struggle with road conditions that made travel difficult, delayed school buses, and caused numerous vehicle problems. The communities will have better traveling conditions once this road project is complete. No more delayed school buses, improved timesaving response for emergency and medical teams, fewer weather-related detours, and smoother travels for daily activities. As we have said, all roads will lead us toward self-determination, self-reliance, and self-sufficiency.

As cited in our previous report, the Navajo Nation has 88% unimproved roads where maintenance is a challenge due mainly to chronic underfunding from our federal partners. Congress is currently considering a national infrastructure bill that proposes approximately \$3 billion over the next five years for tribal transportation programs. The bill also includes \$270 million over the next five years for road maintenance. We must begin planning to submit our proposals to fix our bridges and improve our road conditions. Working together we can bring the project funding to the Nation to help our communities, we look forward to working with the Navajo Nation Council on these plans.

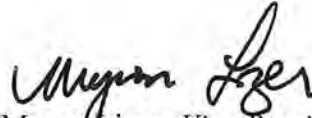
As we recommended in previous Síhasin funded projects, we prefer a project presented on its own merit; we apply that recommendation to the \$112 million for road projects as amended in CJY-38-21. We have an opportunity to apply for federal funding to address road maintenance and improvement, as mentioned above. With this recommendation and opportunity, we also propose these projects, for \$112 million, take advantage of the national infrastructure bill.

As a special note, we commend Delegate Jimmy Yellowhair for his persistence in moving the N8031/N4 project forward. For the communities of Hardrock and Pinon, we approve the \$19,500,000 for the N8031/N4 road project. We cannot support the \$112,080,000 and use the line item veto authority granted by the People and encourage Chapters to seek other funding, rather than diminishing the Sihasin Fund.

Sincerely,



Jonathan Nez, *President*
THE NAVAJO NATION



Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; ALLOCATING \$19,500,000 IN SÍHASIN FUNDS TO THE NAVAJO DIVISION OF TRANSPORTATION FOR THE N8031/N4 ROAD PROJECT; ~~ALLOCATING \$112,080,000 IN SÍHASIN FUNDS TO THE NAVAJO DIVISION OF TRANSPORTATION FOR EARTH ROAD IMPROVEMENT PROJECTS~~; APPROVING AND ADOPTING THE N8031/N4 ROAD PROJECT ~~AND THE EARTH ROAD IMPROVEMENT PROJECTS~~ EXPENDITURE PLANS PURSUANT TO 12 N.N.C §§ 2501 - 2508

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BE IT ENACTED

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is the oversight committee for the Navajo Nation Division of Transportation. 2 N.N.C. § 501(C)(1).
- B. The Budget and Finance Committee is empowered to "appropriate, allocate, cancel, re-appropriate and review the use of Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources. 2 N.N.C. § 301(B)(3).
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- E. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") is as follows:

§ 2502. Purpose

- A. The purposes of this Fund are to provide financial support and/or financing for:
 - 1. The planning and development of economic development and regional infrastructure supporting economic development and community development, including such infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid

waste management development, powerline projects, and transportation and communication systems, within the Navajo Nation; and

2. Education opportunities for members of the Navajo Nation.
- B. For the Purpose in § 2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. § 1310(F) or TCDCJY-77-99.
 - C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in § 2502(A)(1), shall be favored over direct funding in whole.

12 N.N.C. § 2502, as amended by CJA-03-18.

- F. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Fund Income shall be deposited in and added to Fund Principal until such time as a Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505(C).
- G. The Síhasin Fund provides that "Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in § 2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council." 12 N.N.C. § 2505(A).

SECTION TWO. FINDINGS

- A. The N8031/N4 Road Project is a \$41,800,000 project, as detailed in the "N4/N8031-Hardrock Pinon Project Summary and Recommendations" attached as **Exhibit A**.
- B. The Resources and Development Committee approved the N8031/N4 project within the Navajo Nation's Tribal Transportation Improvement Program and the project was awarded \$22,300,000 in federal funds. See Resolution No. RDCMY-46-18. Because the project is estimated to cost a total of \$41,800,000 the amount of \$19,500,000 is needed for the project. **Exhibit B**.
- C. The Navajo Division of Transportation ("NDOT") will complete design plans, environmental clearances, permitting, and construction procurement. NDOT will provide construction

management for the project, and is working with the Bureau of Indian Affairs/Navajo Region Division of Transportation for BIA/NRDOT to obtain the necessary right-of-way for the project on both Navajo Nation and Hopi tribal lands. BIA/NRDOT will hold the right-of-way and will be responsible for operation, maintenance, and repair of the road and bridge improvements once the project is completed. **Exhibit C.**

- D. The Hardrock Chapter has adopted a resolution supporting this Project. **Exhibit D.**
- E. The allocation of the \$19,500,000 for this Project meets the criteria for Síhasin expenditures because this Project involves "infrastructure" such as "transportation" as mentioned in 12 N.N.C. § 2502(A) (1).
- F. The allocation of the \$19,500,000 for this Project meets the preference for leveraging Síhasin funds, as mentioned in 12 N.N.C. § 2502(C), because \$22,300,00 in federal funding has already been awarded for this Project.
- G. ~~NDOT has prepared a "List of Proposed Earth Road Improvement Projects by Agency," attached as Exhibit E. Each Delegate's District is listed, with a total of \$4,670,000 as the cost for various Earth Road Improvement Projects by District. The total cost for all Districts is \$112,080,000.~~ JMN
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SECTION THREE. APPROVAL AND ADOPTION OF EXPENDITURE PLANS

- A. The Navajo Nation hereby approves and adopts the N8031/N4 Road Project Expenditure Plan, attached as **Exhibit A.**
- B. The Navajo Nation hereby approves and adopts funding for the N8031/N4 Road Project Expenditure Plan in the amount of \$19,500,000 from the Navajo Nation Síhasin Fund, in accordance with 12 N.N.C. § 2505(A).
- C. ~~The Navajo Nation hereby approves and adopts the Earth Road Improvement Projects Expenditure Plan, as shown in Exhibit E.~~ JMN
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- D. ~~The Navajo Nation hereby approves and adopts funding for the Earth Road Improvement Projects Expenditure Plan in the amount of \$112,080,000 from the Navajo Nation Síhasin Fund, in accordance with 12 N.N.C. § 2502(A).~~ JMN
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- E. The Síhasin Funds allocated for the N8031/N4 Road Project and ~~the Earth Road Improvement Projects~~ may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 et seq., as amended, using JMN
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Síhasin Fund earnings for repayment and financing costs upon the recommendation of the Budget and Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.

SECTION FOUR. APPROVAL AND ADOPTION OF EXPENDITURE PLANS ADMINISTRATION

The Navajo Nation Council hereby approves administration of the N8031/N4 Road ~~and the Earth Road Improvement Projects~~ Expenditure Plans as follows:

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1. The Navajo Nation Controller shall determine whether the source of the annual allocations from the total allocation of \$19,500,000 for the N8031/N4 Road Project ~~and \$112,080,000 for the Earth Road Improvement Projects~~ will be Síhasin Fund Principal or Income or a combination of both.
2. The funding for the N8031/N4 Road Project ~~and Earth Road Improvements Projects~~ Expenditure Plans will be distributed to the Navajo Division of Transportation within ten (10) days after the effective date of this legislation. The Navajo Division of Transportation shall be responsible for administering the Project, in accordance with the N8031/N4 Road Project Expenditure Plan described in **Exhibit A**, ~~and in accordance with the Earth Road Improvement Projects Expenditure Plan described in Exhibit E.~~
3. The \$19,500,000 in funds allocated for the N8031/N4 Road Project Expenditure Plan shall be used solely to design, plan, and/or construct the N8031/N4 Road Project described in **Exhibit A**. ~~The \$112,080,000 in funds allocated for the Earth Road Improvement Projects Expenditure Plan shall be used solely to design, plan, and/or construct the Earth Road Improvement Projects described in Exhibit E. Any and all cost-savings shall be returned to the Síhasin Fund once the project is completed. An Earth Road Improvement Project included on Exhibit E may be modified or changed to a different project with the concurrence of the Delegate representing the Legislative District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as the modification or new project is certified as construction-ready by NDOT and the total Síhasin Funding for the District does not exceed \$4,670,000.~~
4. The funds allocated for the N8031/N4 Road Project ~~and the Earth Road Improvement Projects~~ Expenditure Plans shall not lapse on an annual basis pursuant to 12 N.N.C. § 820(N), however, any funds not spent or encumbered within sixty (60) months of the

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date funds are made available to the Navajo Division of Transportation shall revert to the Síhasin Fund principal, unless recommended otherwise by the Resources and Development Committee of the Navajo Nation Council and approved by the Naabik'íyáti' Committee.

5. The N8031/N4 Road Project shall be operated by the BIA/NRDOT, and maintenance and repairs for the Project shall be performed by the BIA/NRDOT.
6. ~~The NDOT shall oversee the Earth Road Improvement Projects, and NDOT shall perform or engage contractual services for all improvement, maintenance, and repairs for the Earth Road Improvement Projects.~~

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SECTION FIVE. EFFECTIVE DATE

This legislation and the N8031/N4 Road Project ~~and the Earth Road Improvement Projects~~ Expenditure Plans, as set forth above, shall become effective pursuant to 12 N.N.C. § 2505.

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SECTION SIX. DIRECTIVES

The Navajo Division of Transportation shall report the status of the N8031/N4 Road Project ~~and the Earth Road Improvement Projects~~ to the Resources and Development Committee, and to the Naabik'íyáti' Committee, on a quarterly basis.

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SECTION SEVEN. SÍHASIN FUND REIMBURSEMENT

The Síhasin Fund shall be reimbursed, in the amount of the expenditure authorized in this legislation, from prospective funds available to the Navajo Nation from any and all appropriate state and federal sources, including Congressional appropriations under the American Rescue Plan Act of 2021 or other COVID-19 related relief.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th 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 17 in Favor, and 06 Opposed, on this 20th day of July 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

07-26-2021
DATE

Motion: Honorable Raymond Smith, Jr.
Second: Honorable Edison J. Wauneka

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:


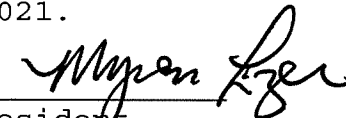
1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this _____ day of _____, 2021.

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this 05 day of August, 2021.

Jonathan Nez, President
Navajo Nation

Exhibit A

N4/N8031 – Hardrock Pinon Project Summary & Recommendations

Project Description:

The project is located in Navajo County, Arizona, approximately 2 miles southwest of Pinon, AZ. It lies within the Hardrock and Pinon Chapters and within the BIA Chinle Agency Jurisdiction. The roadway improvements extend on N8031 from H4 to N4, 14.7 miles (2.8 miles on Hopi Lands), and on N4 for 0.31 miles. There is one major crossing of Oraibi Wash located on Hopi Land at Station 4+400. The TTIP programmed amount is \$22,300,000.

The project consists of one major structure, several box culverts, grading, drainage, treated aggregate base, and fencing. Much of the existing dirt road will be realigned to avoid flooding issues, home sites, utilities and archaeological sites. The Bureau of Indian Affairs (BIA) prepared initial plans for this project. The route has been realigned since the BIA plans to avoid three archeological sites. The Navajo Division of Transportation (NDOT) is now preparing final plans.

Estimated Cost:

An Engineer's Opinion of Probable Construction Cost has been developed. The following is a breakdown of the current estimate.

	Segment or New Item	Cost
1	N8031: H4 to Sta 15+060	\$ 22,100,000.00
2	N8031: Sta 15+060 to N4; and N4	\$ 13,600,000.00
3	Cultural Site Remediation	\$ 1,800,000.00
4	AC Pavement	\$ 3,300,000.00
	Total (1-4)	\$ 40,800,000.00
	Programmed Amount	\$ 22,300,000.00
	Shortfall	\$ (18,500,000.00)

add \$1,000,000
for construction
contingency

Recommendations:

It is recommended the existing dirt road be realigned to avoid flooding issues, home sites, utilities and archaeological sites. The current road is not sufficiently safe and does not meet AASHTO criteria. The drainage culverts are routinely overtopped, the roadway surface is muddy and slick when wet, and impassable in heavy rains. When the wash is flowing, school children are unable to get to school and Chapter members on the west side of Oraibi Wash are unable to get to the Chapter, school, or other areas within the Hardrock Chapter. The detour is almost one hour. The improvements are needed for safety and operational efficiency. An additional \$1,500,000 is needed in order to construct everything that is in the scope of work. Within the current programmed amount on \$22,300,000, it is recommended to construct 9.0 mile on N8031 from H4 to station 15+060 including the Oriabi Wash Bridge. This would create a passable route during storm events because Oriabi Wash would be a bridge crossing. The surface would be a chip seal pavement which would last approximately 7 years. A future project should be programmed to pave the chip seal with an asphalt hot mix surface course within 7 years.

Exhibit:

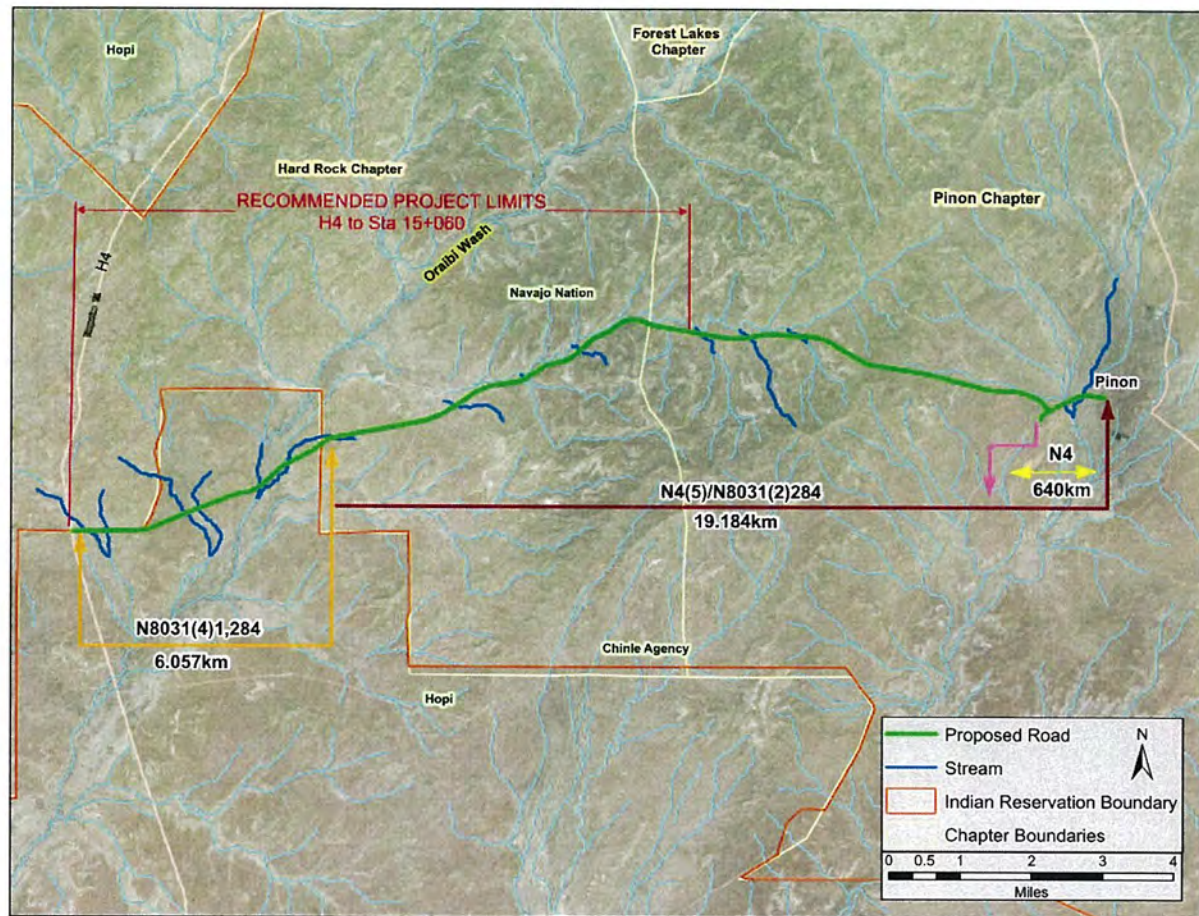
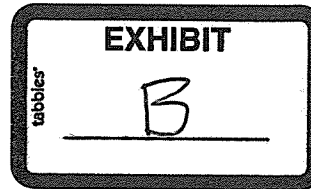


Exhibit B

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



AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE
FY 2018 NAVAJO NATION TRIBAL TRANSPORTATION IMPROVEMENT PROGRAM

BE IT ENACTED:

Section One. Authority

- A. The Resources and Development Committee has oversight authority over roads and transportation to oversee planning and coordination of all roads and transportation activities of the Navajo Nation. 2 N.N.C. § 500 (C) (6).
- B. The Resources and Development Committee has oversight authority over the Navajo Division of Transportation. 2 N.N.C. § 501 (C) (1).

Section Two. Findings

- A. Pursuant to 25 C.F.R. Part 170, Subpart D of the Tribal Transportation Program, the Navajo Division of Transportation is charged with performing the critical functions in collaboration with the Bureau of Indian Affairs, local, state and federal agencies to develop a tribal transportation priority listing.
- B. The Navajo Division of Transportation prepared the FY2018 Navajo Nation Tribal Transportation Improvement Program (TTIP), **Exhibit A**, which includes projects for preliminary study which are cultural, environmental impact studies, rights-of-way, centerline surveys and design; construction engineering funds for construction administration; and, construction funds to construct roadway improvements.
- C. The Resources and Development Committee approved Tribal Transportation Improvement Program (TTIP) is to be submitted to the Federal Highway Administration.
- D. Approving the FY2018 Navajo Nation Tribal Transportation Improvement Program is in the Navajo Nation's best interest.

Section Three. Approval

The Navajo Nation hereby approves the FY2018 Navajo Nation Tribal Transportation Improvement Program as found at **Exhibit A.**

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 Nation Council Chambers, Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, 1 opposed, 1 abstained on this 23rd day of May 2018.

A handwritten signature in black ink, appearing to read 'Alton Joe Shepherd', with a long horizontal line extending to the right.

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

Motion: Honorable Leonard Pete
Second: Honorable Jonathan Perry

FY 2018 TTIP Project Information Sheet

Tribal Transportation Program Transportation Improvement Program		Project Details Listing	
UNOFFICIAL		UNOFFICIAL	
Consortium:			Tribe Code N00780
Tribe	Navajo Nation		Date
PROJECT INFORMATION:			<input type="checkbox"/> Illustrative List
Funding Source	TTP; (examples: TTP, TTPBP, 2% Planning, HPPP)		
Project Name	N4(5)/N8031(2)/N8031(3)/N8031(4)1,2,3 Pinon to Hardrock		
Location	Pinon, AZ		
Type of Work	New Construction		
Route Number	N4-Section 25; N8031-S	Project Number	N4(5)/N8031(2)/N8031(3)/N8031(4)1,2,3
Length	12 Miles	County	Navajo
State	AZ	Construction Year	2019
Comments	Project design is 95% complete for N4(5)/N8031(2)/N8031(3). Needs EA and BE. Project design is 95% complete for N8031(4), thru Hopi Land. Total construction funds committed for N4(5)/N8031(2)/N8031(3) = \$22,300,000 to construct grade, drain, structures and gravel surface construction for 12 miles.		

Activity	2018	2019	2020	2021	2022	TOTAL
Administration	\$0	\$0	\$0	\$0	\$0	\$0
Planning	\$0	\$0	\$0	\$0	\$0	\$0
Preliminary Engineering	\$50,000	\$0	\$0	\$0	\$0	\$50,000
Construction	\$11,150,000	\$11,150,000	\$0	\$0	\$0	\$22,300,000
Construction Engineering	\$0	\$350,000	\$750,000	\$0	\$0	\$1,100,000
Transit	\$0	\$0	\$0	\$0	\$0	\$0
Maintenance	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$11,200,000	\$11,500,000	\$750,000	\$0	\$0	\$23,450,000

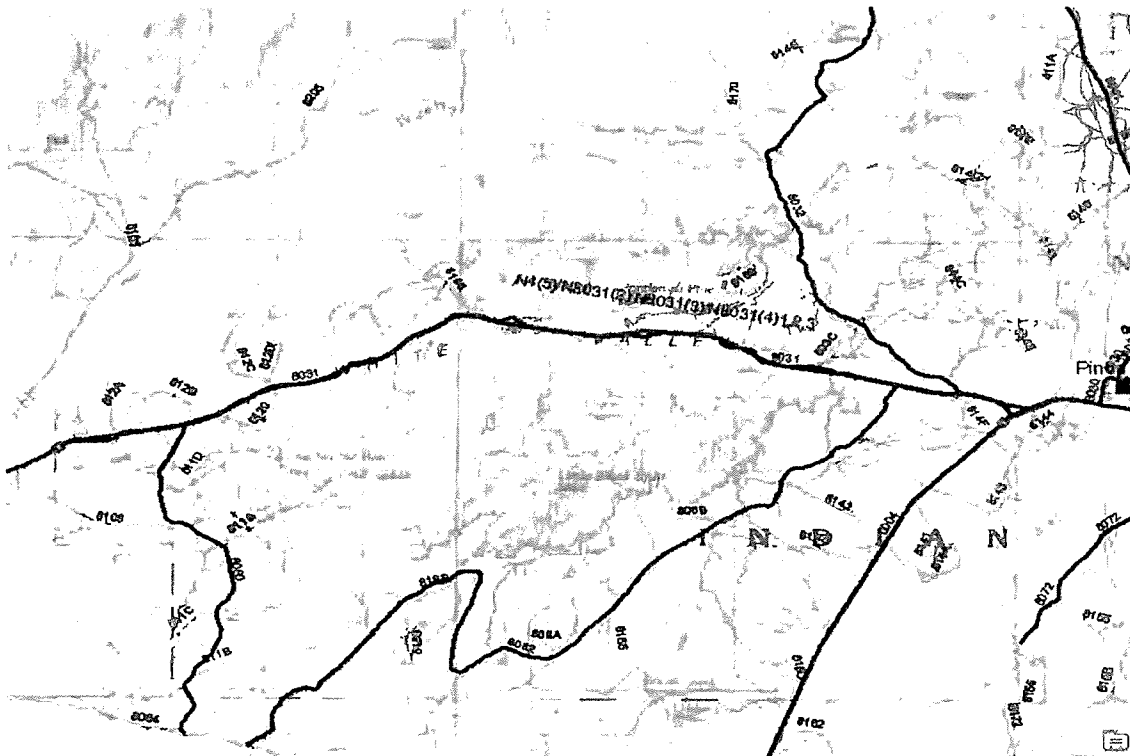


Exhibit C



NAVAJO DIVISION OF TRANSPORTATION

EXHIBIT

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POST OFFICE BOX 4620
WINDOW ROCK, ARIZONA 86515

TEL: 505.371-8300
FAX: 505.371-8399

Jonathan Nez, President

Myron Lizer, Vice President

December 15, 2020

Luralene Tapahe, Principal Advocate
Navajo Nation Office of Legislative Counsel
P.O. Box 3390
Window Rock, AZ 86515

RE: N8031/N4 Hardrock-Pinon, AZ Road Project
OLC#20-406-1

Dear Ms. Tapahe:

The Navajo Division of Transportation (NDOT) is working with the BIA Navajo Region Division of Transportation (NRDOT) and Hardrock and Pinon Chapters to construct 14.7 miles of road and bridge improvements along BIA Route N8031 from Hopi Route 4 to BIA Route N4 within the Hardrock and Pinon Chapters. Approximately 2.8 miles of N8031 crosses Hopi Tribal Lands with one major bridge crossing over Oraibi Wash. The current dirt road is not sufficiently safe, drainage culverts are routinely overtopped, the road surface is muddy and slick when wet, and impassable during heavy rains. When Oraibi Wash is flowing, school children are unable to get to school and Chapter members on either side of Oraibi Wash are unable to get the Chapter, community school or other areas within Hardrock and Pinon Chapters. The detour is almost one hour.

The Resources and Development Committee approved the N8031/N4 project on the Navajo Nation's Tribal Transportation Improvement Program and the project was awarded Tribal Transportation Program (TTP) federal funds for Preliminary Engineering, Construction, and Construction Engineering activities. The project was awarded \$22.3 million in construction funds.

NDOT will complete design plans, environmental clearance, 404/404 permitting, construction procurement and construction management for the project. These activities are fully funded using TTP federal funds. The NDOT is working with the BIA NRDOT to obtain right-of-way (ROW) for the project for both Navajo Nation and Hopi Tribal Lands. The BIA NRDOT is the ROW applicant and the BIA NRDOT will be responsible for operation and maintenance of the road and bridge improvements once construction is completed.

The NDOT prepared an Engineer's Opinion of Probable Construction Cost to construct 14.7 miles of N8031/N4 road and bridge improvements and cultural resources site remediation and the total cost is \$41,800,000 (see next page for cost breakdown). As mentioned above, the N8031/N4 project has received \$22.3 million in TTP federal funds for construction. An additional \$19,500,000 is needed in order to construct everything that is in the scope of work. At the request

of the Hardrock and Pinon Chapter leadership and community members, Delegate Jimmy Yellowhair is requesting approval of \$19,500,000 of Sihasin Funds to supplement the existing TTP federal funds of \$22.3 million to construct the full scope of work for N8031/N4 project.

N8031/N4 Engineer's Opinion of Probable Construction Cost

	Item	Cost
1	N8031: Hopi Route 4 to Sta 15+060	\$22,100,000
2	N8031: Sta 15+060 to BIA Route N4; and N4	\$13,600,000
3	Cultural Site Remediation	\$1,800,000
4	Asphaltic Concrete Pavement	\$3,300,000
5	Construction Contingencies	\$1,000,000
	TOTAL with Paving, Cultural Site Remediation & Contingencies	\$41,800,000
	Federal Funds Available	\$22,300,000
	Additional Funds Needed	\$19,500,000

If additional information is needed regarding the N8031/N4 project, please feel free to call me at (505) 371-8397. Thank you for your assistance.

Sincerely,



Darryl Bradley, Principal Civil Engineer
Navajo Division of Transportation

Exhibit D

Resolution of the Hardrock Chapter**Resolution # HRC 08/20-06**

Requesting the Navajo Nation to Provide Sufficient Resources to provide the Necessary completion in the amount of \$19,500,000.00 for the Construction of NR 8031 and for Completion of NR 8031 Road with Asphalt Blacktop Using the Federal CARES Act Fund.

Whereas:

1. The Resources and Development Committee, Navajo Nation Council approved and certified the Hardrock Chapter to represent and act on behalf of the region on issues affecting the region and threatening the health and welfare of the communities; and
2. The BIA and Navajo Department of Transportation, Services submitted a Preliminary Design Plan related to the Navajo Nation Council for consideration and the Hardrock Chapter reviewed the plan and responded with their comments and additional recommendations; and
3. In the Preliminary Design Plan, it shows \$22.3 million Programmed in the TTIP. This amount will cover only 9.3 miles on 8031. The remaining 6.4 miles of N8031 and N4 will need an additional \$19.5 million to complete construction. The region requested the Navajo Nation to seriously consider the completion of the entire 14.7 miles of N8031(2.8 miles on Hopi Lands) and 0.31 on N4 with asphalt blacktop; and
4. All paved roads within the region do not connect to another paved road, all pave road comes to a dead end. The current transportation system does not adequately meet the safety standard and it's not safe for school, public safety, emergency and the general public; and
5. In early April, 2020 the Navajo Nation received over \$640 million from the federal CARES Act to address and fight the deadly coronavirus diseases and providing safe transportation will eliminate much of the health issues now facing the Dził Yijiin Region; and
6. It would be in the best safety interest to provided efficient resources from the federal CARES Act and other federal funds to provide construction and completion of NR 8031.

Now therefore be it resolved that:

The Hardrock Chapter hereby request the Navajo Nation to provide sufficient Funds to offset the shortfall of additional \$19,500,000.00 as needed in order to construct everything that is in the scope of work and finding the resources for the construction of NR 8031 and for the completion of NR 8031 with asphalt blacktop using the federal CARES Act fund.

Certification

We the undersigned hereby certify that the foregoing resolution was duly considered by the Hardrock Chapter teleconference call meeting on Aug 20, 2020 and the same was discussed and passed by a vote of 7 in favor, 0 opposed and 0 abstained.

Tim Johnson

President



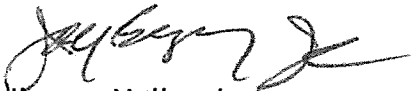
Byron Wesley

Vice – President



Jay Begay Jr.

Secretary/Treasure



Jimmy Yellowhair

Council Delegate

List of Proposed Earth Road Improvement Projects by Agency

Chinle Agency						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Kee Allen Begay, Jr.		Blue Gap/Tachee, Low Mountain, Many Farms, Nazlini, Tselani/ Cottonwood				
N29	Blue Gap	Grade, Drain, Culvert, Stabilize	129	14.0	\$1,120,000	
N8068	Blue Gap - Burnt Corn	Grade, Drain, Culvert, Stabilize	n/a	9.6	\$770,000	
N8059/N67	Low Mountain	Grade, Drain, Culvert, Stabilize	193	22.0	\$1,120,000	
N25/C419	Tselani/ Cottonwood	Gravel and Stabilize	287	3.3	\$1,060,000	
N8085	Many Farms	Gravel and Stabilize	n/a	3.0	\$600,000	
Total						\$4.67
Carl Slater		Lukachukai, Rock Point, Round Rock, Tsaille/Wheatfields, Tse'ch'izhi				
N133/134	Lukachukai	Gravel and Stabilize	291	3.9	\$780,000	
N8070	Rock Point	Gravel and Stabilize	282	8.0	\$1,600,000	
N172	Round Rock	Low Water Crossing	72	1.0	\$500,000	
N172	Round Rock	Grade, Drain, Culvert, Stabilize	72	14.0	\$1,000,000	
N8077	Tsaille/WF	Grade, Drain, Culvert, Stabilize	124	5.9	\$592,000	
N8066	Rough Rock	Grade, Drain, Culvert, Stabilize	133	2.5	\$198,000	
Total						\$4.67
Eugene Tso		Chinle				
N8081	Chinle	Gravel and Chip Seal	825	1.7	\$680,000	
N8095	Chinle	Gravel and Chip Seal	999	3.8	\$1,520,000	
N8090	Chinle	Gravel and Stabilize	198	2.4	\$480,000	
N7	Chinle	Gravel and Stabilize	241	6.0	\$1,190,000	
N7	Chinle	Sidewalk project	241	1.0	\$800,000	
Total						\$4.67
Jimmy Yellowhair		Black Mesa, Forest Lake, Hard Rock, Pinon, Whippoorwill				
N41	Forest Lake	Gravel and Stabilize	324	4.4	\$1,140,000	
N8073	Pinon	Gravel and Stabilize	656	9.5	\$1,140,000	
N8027	Hard Rock	Grade, Drain, Culvert, Stabilize	112	9.2	\$1,140,000	
N8065	Black Mesa	Low Water Crossing	122	1.0	\$650,000	
N61	Whippoorwill	Low Water Crossing	170	1.0	\$600,000	
Total						\$4.67

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Eastern Agency						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Seth Damon		Baahaali, Chichiltah, Manuelito, Rock Springs, Tsayatoh, Tse Lichii				
CR5- Manuelito Canyon Rd.	Manuelito	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	n/a	11.0	\$1,000,000	
N1113-CR02 Remnant Mesa Rd/N7299	Tse Lichii	Grade, Drain, Culvert Stabilize	50	2.5	\$600,000	
CR-6- Cousins Rd	Chichiltah	Roadway Improvement, Turnouts, etc.	695	7.5	\$1,000,000	
N7572- N7573/ CR8A Bosson Wash Rd/N7239/ 7153/N7103	Chichiltah	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	n/a	8.0	\$505,000	
N0123-CR4 Hunter Point Rd.	Tsayatoh	Grade, Drain, Culvert Stabilize	82	3.5	\$750,000	
CR10- Pinehaven Rd/CR34- Uprooted Tree Rd.	Baahaali	Double Chip Seal, Grade, Drain, Culvert, Gravel, Stabilize	n/a	7.0	\$300,000	
Windy Mesa Rd N0179	Rock Springs	Grade, Drain, Culvert Stabilize	n/a	1.5	\$515,000	
					Total	\$4.67

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Eastern Agency Continued						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Jamie Henio		Alamo, Tohajiilee				
N55	Alamo	Gravel and Chip Seal	100	6.0	\$2,400,000	
N56	Tohajiilee	Gravel and Chip Seal	389	5.0	\$2,000,000	
N57	Tohajiilee	Grade, Drain, Culvert, Stabilize	168	3.4	\$270,000	
					Total	\$4.67
Mark Freeland		Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse'ii'ahi, Whiterock				
N0011	Crownpoint	Gravel and Chip Seal	2578	6.0	\$2,400,000	
N7049	Standing Rock	Gravel and Stabilize	228	4.0	\$800,000	
N7950	Nageezi	Gravel and Chip Seal	50	2.7	\$1,070,000	
Airport	Crownpoint	Resurface existing run way	n/a	1.0	\$400,000	
					Total	\$4.67
Edmund Yazzie		Church Rock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau				
N0491	Smith Lake	Grade, Drain, Culvert, Stabilize	146	5.0	\$1,800,000	
CR33/ Turtle Butte	Iyanbito	Gravel and Stabilize	50	5.0	\$1,000,000	
N7113	Mariano Lake	Grade, Drain, Culvert, Stabilize	119	18.4	\$1,470,000	
CR49	Pinedale	Gravel and Chip Seal	50	4.5	\$400,000	
					Total	\$4.67
Daniel E. Tso		Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor				
N7128	Pueblo Pintado	Grade, Drain, Culvert, Stabilize	140	10.0	\$800,000	
N0474	Ojo Encino	Gravel and Chip Seal	503	5.5	\$2,200,000	
N7004	Whitehorse	Grade, Drain, Culvert, Stabilize	100	12.0	\$960,000	
N481	Littlewater	Grade, Drain, Culvert, Stabilize	122	5.0	\$400,000	
N485	Casamaro Lake	Grade, Drain, Culvert, Stabilize	139	3.9	\$310,000	
					Total	\$4.67

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Ft Defiance Agency						
Route	Chapter	Description	ADT	Length (mile)	\$	SM
Wilson C. Steward, Jr.		Crystal, Fort Defiance, Red Lake, Sawmill				
N9703	Crystal	Grade, Drain, Culvert, Stabilize	110	5.0	\$400,000	
N112	Fort Defiance	Gravel and Chip Seal	3646	4.7	\$1,870,000	
N112	Red Lake	Gravel and Chip Seal	886	4.0	\$1,600,000	
N9073	Sawmill	Gravel and Chip Seal	882	2.0	\$800,000	
					Total	\$4.67
Edison J. Wauneka		Oak Springs, St. Michaels				
N123	St. Michaels	Grade, Drain, Culvert, Stabilize	98	14.0	\$1,770,000	
N120/N121	St. Michaels	Gravel and Chip Seal	50	1.8	\$900,000	
N28	Oak Springs	Grade, Drain, Culvert, Stabilize	192	12.0	\$2,000,000	
					Total	\$4.67
Elmer P. Begay		Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone				
N153/N9003/ N9606	Greasewood	Gravel and Chip Seal	764	10.5	\$2,000,000	
N9860/N9864	Indian Wells	Grade, Drain, Culvert, Stabilize	136	5.0	\$400,000	
N9901	Teesto	Grade, Drain, Culvert, Stabilize	137	12.0	\$960,000	
N9065	Whitecone	Grade, Drain, Culvert, Stabilize	214	8.0	\$640,000	
N9860	Dilkon	Grade, Drain, Culvert, Stabilize	136	8.4	\$670,000	
					Total	\$4.67
Vince R. James		Cornfields, Ganado, Jeddito, Kin Dah Lichil, Steamboat				
N151	Cornfields	Gravel and Stabilize	326	4.0	\$800,000	
N151	Ganado	Gravel and Stabilize	326	4.0	\$800,000	
N9201	Ganado	Gravel and Stabilize	1695	5.0	\$1,000,000	
N39	Kinlichee	Grade, Drain, Culvert, Stabilize	549	5.0	\$400,000	
N9056	Jeddito	Grade, Drain, Culvert, Stabilize	217	8.9	\$710,000	
N9052	Steamboat	Grade, Drain, Culvert, Stabilize	196	12.0	\$960,000	
					Total	\$4.67

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Ft Defiance Agency Continued						
Route	Chapter	Description	ADT	Length (mile)	\$	\$M
Raymond Smith, Jr.		Houck, Klagetoh, Nahata Dzili, Tse Si ani, Wide Ruins				
Banana Wash/Grey Cactus, N9355, N9401, N9410, CR27, N9011	Wide Ruins	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	n/a	25.0	\$934,000	
N203, N28, 9352	Klagetoh	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	287	25.0	\$934,000	
N9402	Lupton	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	410	10.0	\$934,000	
PAVED RTS	Nahata Dzili	Grade, Drain, Culvert, Gravel, Stabilize, Chip Seal	50	25.0	\$934,000	
N9402	Houck	Grade, Drain, Culvert, Stabilize, Chip Seal	223	10.0	\$934,000	
					Total	\$4.67
Pernell Halona		Bahastl'a', Coyote Canyon, Mexican Springs, Naschitti, Tohatchi				
N9660	Coyote Canyon	Gravel and Stabilize	475	2.0	\$800,000	
N9503	Mexican Springs	Grade, Drain, Culvert, Stabilize	166	4.6	\$1,280,000	
N69	Naschitti	Grade, Drain, Culvert, Stabilize	218	5.0	\$400,000	
N9659	Twin Lakes	Grade, Drain, Culvert, Stabilize	221	5.0	\$400,000	
N9653	Tohatchi	Grade, Drain, Culvert, Stabilize	157	11.0	\$880,000	
N31	Tohatchi	Grade, Drain, Culvert, Stabilize	n/a	3.4	\$910,000	
					Total	\$4.67

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Northern Agency						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Eugenia Charles - Newton		Shiprock				
N5033/N5366/ Neshka Dr.	Shiprock	Double Chip Seal	1159	1.0	\$ 1,970,000	
N5436/N5156	Shiprock	Double Chip Seal	3000	0.5	\$ 500,000	
N1473	Shiprock	Double Chip Seal	654	0.4	\$ 1,000,000	
N5364/5363/ 1519/1518	Shiprock	Realign and Double Chip Seal	1075	1.4	\$ 1,200,000	
					Total	\$4.67
Amber Kanazbah Crotty		Beclahbito, Cove, Gadi'll'ahi/To'kol, Red Valley, Tooh Halsooi, Toadlena/Two Grey Hills, Tse alnaos't'l'i,				
N5010/N5012	Sanostee	Gravel and Chip Seal	304	10.7	\$ 1,400,000	
N5113/N57		Gravel and Stabilize		5.0	\$ 1,300,000	
N5002	Sheep Springs	Gravel and Stabilize	167	3.0	\$ 970,000	
N332	Cove	Box Culvert	304	2.4	\$ 1,000,000	
					Total	\$4.67
Rickie Nez		Nenahnezad, Newcomb, San Juan, Tii Tsoh Sikaad, Tse' Daa'Kaan, and Upper Fruitland, Hogback				
N367	Upper Fruitland	Gravel and Chip Seal	680	2.0	\$ 778,333	
N5	Burnham	Gravel and Chip Seal	300	2.0	\$ 778,333	
N5004	Newcomb	Grade, Drain, Culvert, Stabilize	256	1.2	\$ 778,333	
N365/N362	Nenahnezad	Gravel and Chip Seal	566	2.2	\$ 778,333	
N367	San Juan	Gravel and Chip Seal	356	1.9	\$ 778,333	
N563	Hogback	Gravel and Chip Seal		1.0	\$ 778,333	
					Total	\$4.67
Charlaine Tso		Aneth, Mexican Water, Red Mesa, Teecnospos, Tolikhan				
N5060 (UT)	Red Mesa	Gravel and Stabilize	244	8.0	\$ 1,270,000	
N121/5056	Mexican Water	Gravel and Stabilize	60	5.0	\$ 1,000,000	
N5059	TeecNosPos	Gravel and Stabilize	206	3.0	\$ 600,000	
N5066	Aneth	Gravel and Stabilize	216	4.0	\$ 800,000	
N5054	Tolikan	Grade, Drain, Culvert, Stabilize	300	4.0	\$ 1,000,000	
					Total	\$4.67

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Western Agency						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Nathaniel Brown		Chilchinbeto, Dennehotso, Kayenta				
N6486	Kayenta	Gravel and Stabilize	411	8.5	\$1,030,000	
N6460/N1118	Dennehotso	Gravel and Stabilize	221	14.0	\$1,030,000	
N591	Chilchinbeto	Gravel and Chip Seal	202	6.5	\$2,610,000	
					Total	\$4.67
Herman Daniels, Jr.		Naa'tsis'Aan, Oljato, Shonto, Tsa Bii Kin				
NR6323	Inscription House	Grade, Drain, Culvert, Stabilize	99	5.0	\$400,000	
N161	Navajo Mountain	Grade, Drain, Culvert, Stabilize	67	5.5	\$440,000	
N221	Shonto	Gravel and Chip Seal	247	8.2	\$3,270,000	
N6410	Oljato	Grade, Drain, Culvert, Stabilize	229	7.0	\$560,000	
					Total	\$4.67
Thomas Walker, Jr.		Birds Springs, Cameron, Coal Mine Canyon, Leupp, Tolani Lake				
N2	Bird Springs	Grade, Drain, Culvert, Stabilize	318	15.0	\$1,200,000	
N6810	Bird Springs	Grade, Drain, Culvert, Stabilize	70	3.7	\$296,000	
N6910	Leupp	Grade, Drain, Culvert, Stabilize	62	12.0	\$960,000	
N70	Leupp	Grade, Drain, Culvert, Stabilize	76	6.0	\$480,000	
N6810	Tolani Lake	Grade, Drain, Culvert, Stabilize	56	6.0	\$480,000	
N6720	Coalmine Canyon	Grade, Drain, Culvert, Stabilize	75	10.7	\$854,000	
NR6728	Cameron	Grade, Drain, Culvert, Stabilize	137	5.0	\$400,000	
					Total	\$4.67
Paul Begay		Bodaway/Gap, Coppermine, K'ai Bii'to, LeChee, Tonalea/Red Lake				
N6130	Bodaway Gap	Grade, Drain, Culvert, Stabilize	57	7.5	\$600,000	
N6110	Bodaway Gap	Grade, Drain, Culvert, Stabilize	91	7.5	\$600,000	
N6210	Coppermine	Grade, Drain, Culvert, Stabilize	86	9.0	\$718,000	
N201	LeChee	Grade, Drain, Culvert, Stabilize	15	12.0	\$960,000	
N6330	Kaibeto	Grade, Drain, Culvert, Stabilize	116	10.0	\$800,000	
N21	Tonalea	Grade, Drain, Culvert, Stabilize	201	5.0	\$400,000	
N6011	Tonalea	Grade, Drain, Culvert, Stabilize	297	7.4	\$592,000	
					Total	\$4.67

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Western Agency Continued						
Route	Chapter	Description	ADT	Length (miles)	\$	\$M
Otto Tso		To Nanees Dizi				
N6220	Tuba City	Gravel and Chip Seal	655	2.0	\$520,000	
N608	Tuba City	Sidewalk project	2019	4.0	\$680,000	
N6221	Tuba City	Gravel and Stabilize	392	3.0	\$600,000	
NR6224	Tuba City	Gravel and Stabilize	631	3.0	\$520,000	
N23	Tuba City	Grade, Drain, Culvert, Stabilize	132	6.9	\$550,000	
SR160	Tuba City	Sidewalk project	5975	1.0	\$400,000	
N1012	Tuba City	Gravel and Chip Seal	1417	3.5	\$1,400,000	
					Total	\$4.67

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NAVAJO NATION

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Navajo Nation Council Summer Session

7/20/2021

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Amd# to Amd#	Legislation 0313-20: Allocating	PASSED
MOT Smith	\$19,500,000 in Sihasin Funds to	
SEC Wauneka, E	the Navajo Division of Trans- portation for the N8031/N4 Road	

Yeas : 17

Nays : 6

Excused : 0

Not Voting : 0

Yea : 17

Begay, E	Daniels	James, V	Tso, E
Begay, K	Freeland, M	Slater, C	Walker, T
Brown	Halona, P	Smith	Wauneka, E
Charles-Newton	Henio, J	Tso, C	Yellowhair
Crotty			

Nay : 6

Begay, P	Stewart, W	Tso, D	Yazzie
Nez, R	Tso		

Excused : 0

Not Voting : 0

Presiding Speaker: Damon