LEGISLATIVE SUMMARY SHEET
Tracking No. 0086-22

DATE: April 19, 2022

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING $1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER ASSISTANCE; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; ECONOMIC DEVELOPMENT PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING

PURPOSE: This resolution, if approved, will allocate $1,070,298,867 of Navajo Nation Fiscal Recovery Funds for Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electric Capacity Projects; Housing Projects And Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

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

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 7:16pm; 04-19-22
Posting End Date: 04-24-22
Eligible for Action: 04-25-22

Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL — Fourth Year, 2022

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0086-22

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING $1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER ASSISTANCE; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; ECONOMIC DEVELOPMENT PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

B. Navajo Nation Council Resolution No. CJY-41-21, attached as **Exhibit A**, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Expenditure Plans be duly adopted by a

two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).

SECTION TWO. FINDINGS

A. The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the Coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.

B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. *See* Resolution No. CEM 20-03-11 which is incorporated herein by reference. The Navajo Nation Department of Health has subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2022-006 are incorporated herein by reference. These Public Health Emergency Orders are available at www.ndoh.navajo-nsn.gov.

C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout the world, the United States, and the Navajo Nation. As of April 13, 2022, the Navajo Nation Health Command Operations Center has confirmed 53,179 COVID-19 cases and 1,740 COVID-related deaths on the Navajo Nation. COVID-19 variants have recently emerged that threaten to increase these numbers and continue the pandemic's assault on the Navajo People.

D. The devastating effects of COVID-19 continue throughout the Navajo Nation and extend beyond the health and life devastation to wide scale negative financial effects, such as employment losses, business closures, food and housing insecurity, and other economic disruptions.

E. In response to the pandemic, Unites States President Joseph Biden signed the American Rescue Plan Act ("ARPA") into law on March 11, 2021. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local, and tribal governments, including $20 billion specifically designated for tribal governments.

F. As of April 12, 2022, the United States Department of Treasury has allocated two billion seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA. The Fiscal Recovery Funds are designed to build on and expand the relief provided in the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, 134 Stat. 281 (2020), and are intended to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by residents and businesses.

G. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

1. respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality;
2. respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
3. provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and
4. make necessary investments in water, sewer, and/or broadband infrastructure.

H. The U.S. Department of Treasury has issued guidance requiring that the use and expenditure of Fiscal Recovery Funds must fall under one of the four categories above and that funding recipients must report each expenditure under one of the eighty-three (83) "Expenditure Categories" set forth in Appendix 1 to the U.S. Department of Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds, attached as **Exhibit B**.

I. Pursuant to ARPA:

1. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury's Final Rule provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1: "Financial obligations, when referencing a recipient's or sub-recipient's use of funds under a Federal award, means orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment"; and
2. The Fiscal Recovery Fund period of performance runs from March 3, 2021, until December 31, 2026, meaning that all FRF-funded projects must be completed and funds must be fully expended by December 31, 2026.
3. Costs incurred by the Navajo Nation prior to March 3, 2021 are not eligible.
4. Any funds not obligated or expended for eligible uses by the dates set forth above in sections I (1) and (2) must be returned to Treasury, including any unobligated or unexpended funds that have been provided to sub-recipients and contractors as part of the award closeout process.

J. While its acceptance of Fiscal Recovery Funds obligates the Navajo Nation to comply with ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these obligations while retaining and exercising its sovereignty in allocating and disbursing Fiscal Recovery Funds.

K. On July 23, 2021, the Navajo Nation Council adopted Resolution No. CJY-41-21, attached as **Exhibit A,** establishing the Navajo Nation Fiscal Recovery Fund ("NNFRF") into which the Navajo Nation's allocation of $2,079,461,464 has been deposited. Resolution CJY-41-21 also adopted an expenditure authorization and approval process for the allocation of funds from the NNFRF.

L. The Navajo Nation Council mandated the Budget and Finance Committee to adopt application and review procedures, as well as an expenditure plan template, to be used by entities requesting Navajo Nation Fiscal Recovery Funds. Resolution CJY-41-21, Section Four. The Budget and Finance Committee approved Resolution No. BFS-31-21 which established

mandatory Navajo Nation Fiscal Recovery Fund application procedures, forms, and an expenditure plan template. Resolution BFS-31-21 is incorporated herein by reference.

M. To ensure the Navajo Nation's compliance with ARPA, Section Four of Resolution CJY-41-21 also directed the Navajo Nation Department of Justice ("NNDOJ") to perform "an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations, and policies and procedures." Resolution BFS-31-21 incorporated NNDOJ's initial determination into the mandatory NNFRF application procedures, forms, and an expenditure plan template, which requires, among other things, identification of the entity with administrative oversight over the Funding Recipient. Administrative oversight means having the authority and responsibility to monitor the implementation of an approved FRF Expenditure Plan and the expenditure of awarded funds. The duties of the entity with administrative oversight are set forth in Section Seven of the FRF Procedures in Exhibits 1 through 5 of Resolution BFS-31-21.

N. The Office of the President and Vice-President, in coordination with the Division of Community Development ("DCD"), presented ARPA and Fiscal Recovery Fund information at each of the five (5) Agency Council Meetings to hear from the Navajo People concerning their needs and priorities for projects and/or services funded through the NNFRF. In addition, DCD has met with Navajo Nation Chapters, individually and collectively, on more than fifty (50) occasions to discuss NNFRF matters.

O. The Navajo Nation Council hosted twenty-six (26) Naabik'íyáti' Committee Work Sessions, all open to the public, to hear from the regional and Agency leadership concerning their needs and priorities for projects and/or services funded through the Navajo Nation Fiscal Recovery Fund. In addition, Standing Committees of the Navajo Nation Council held more than forty (40) committee meetings, all open to the public, that have included NNFRF reports and infrastructure specific discussions.

P. The health and financial devastation visited on the Navajo People by the COVID-19 pandemic has risen to emergency levels. Critical infrastructure needs to be built by and for the Navajo Nation government to provide necessary services and to allow the Navajo Nation to assist residents in coping with the on-going pandemic. The time for construction of such

infrastructure and expenditure of the Fiscal Recovery Funds continues to lessen as the deadline to completely expend Fiscal Recovery Funds by December 31, 2026, quickly approaches, after which time unexpended funds must be returned to the United States Treasury. The Navajo Nation Council and Office of the President and Vice-President have determined that it is imperative that infrastructure and mitigation recovery services be provided to the Navajo People as soon as possible.

Q. To lessen the financial devastation caused by the COVID-19 pandemic, the Navajo Nation Council adopted Resolution No. CD-62-21 providing $557,000,000 in Hardship Assistance for Navajo members. The President signed CD-62-21 into law on January 4, 2022.

R. The Navajo Nation Council and Office of the President and Vice-President concur that, based on their respective public consultation efforts, it is in the best interest of the Navajo people and Navajo communities to next enact comprehensive Navajo Nation Fiscal Recovery Fund Expenditure Plans for; Chapter Assistance; Public Safety Emergency Communication, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electric Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; and Construction Contingency Funding in the total amount of one billion seventy million two hundred ninety-eight thousand, eight hundred sixty-seven dollars ($1,070,298,867), as set forth in **Exhibit C**.

SECTION THREE. APPROVAL OF THE CHAPTER ASSISTANCE EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Chapter Assistance Expenditure Plan set forth herein and in **Exhibit D.**

B. The Navajo Nation hereby approves total funding for the NNFRF Chapter Assistance Expenditure Plan to the Division of Community Development from the Navajo Nation Fiscal Recovery Fund in the total amount of eighty-one million nine hundred fifty thousand dollars ($81,950,000), as Revenue Replacement: Provision of Government Services (Expenditure Category 6.1), with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Resources and Development Committee, to be allocated at a total of seven hundred and forty-five thousand dollars ($745,000) per Chapter.

C. For purposes of the NNFRF Chapter Assistance Expenditure Plan and Chapter Project Plans, "Chapter" shall mean all the Navajo Nation chapters, whether governance certified pursuant to the Local Governance Act ("LGA") ("LGA-Certified Chapters") or not ("Non-LGA-Certified Chapters"); and the term "projects" shall mean projects, services, and programs.

D. The 12 N.N.C. § 820(O) 50-50 Chapter Distribution Formula does not apply to this Expenditure Plan. The 50-50 Formula applies to appropriations intended for distribution to all Chapters of the Navajo Nation. The Chapter Assistance Expenditure Plan funding will be allocated to the Division of Community Development for the benefit of Chapters rather than directly to all Chapters.

E. The Division of Community Development shall manage and administer funds and Chapter Project Plans on behalf of Non-LGA-Certified Chapters. The Division of Community Development may award funding to LGA-Certified Chapters through sub-recipient agreements, but shall maintain administrative oversight over such funding and Chapter Project Plans.

F. Each Navajo Nation Chapter shall propose FRF-eligible projects to be incorporated into and funded through a chapter-specific comprehensive NNFRF Chapter Project Plan, which shall be subject to administrative approval as set forth below. A Chapter's comprehensive Chapter Project Plan shall not exceed seven hundred and forty-five thousand ($745,000) in total.

G. The Division of Community Development and the NNFRF Office shall work together to provide education and technical assistance to Chapters, and to respond timely to requests for assistance from Chapters, in developing their individual projects and comprehensive Chapter Project Plans.

H. Chapter Project Plans shall be subject to the following requirements, restrictions, and review and approval process:

1. All projects in a Chapter's comprehensive NNFRF Chapter Project Plan shall fall under one of the authorized and allowed U.S. Treasury Expenditure Categories set forth in **Exhibit B** and as restricted herein.

2. A comprehensive NNFRF Chapter Project Plan may include NNFRF-eligible projects for programs to provide government services to Chapter members; to provide basic PPE to Chapter members; to provide food, fuel, firewood assistance to Chapter members negatively impacted by COVID-19; to construct projects such as COVID-19 mitigation renovations to Chapter houses, housing renovations, and house wiring; to plan and design projects; to hire consultants to assist with NNFRF-eligible programs and projects; to hire

PEP workers, student workers and other temporary employees, or regular status employees to assist the Chapter governments in carrying out NNFRF-eligible programs and projects. Chapter Project Plans shall not include COVID-19 testing and vaccinations, or any cash assistance for Chapter members such as a hardship assistance program.

3. Council Resolution No. CYJ-41-21 mandated NNNNDOJ with the responsibility to conduct initial eligibility determinations on all proposed NNFRF expenditure plans; and only projects that NNNNDOJ deems FRF-eligible shall be included in a Chapter's comprehensive NNFRF Chapter Project Plan.
4. Each Chapter and comprehensive Chapter Project Plan shall be limited to a total of seven hundred and forty-five thousand dollars ($745,000) of Revenue Replacement Projects (Expenditure Categories 6.1: Provision of Government Services and 6.2 Non-federal Match for Other Federal Programs).
5. LGA-Certified Chapters may receive subawards of NNFRF for approved Chapter Project Plans through a sub-recipient agreement and shall then be responsible for administering and managing the Chapter projects themselves, subject to administrative oversight from the Division of Community Development or other designated Administrative Oversight entity. Non-LGA-Certified Chapters shall not be eligible to receive subawards of NNFRF. The Navajo Nation Central Government shall administer and manage NNFRF-funded projects on behalf of Non-LGA-Certified Chapters.
6. Chapter Project Plans shall not include Sanitation Deficiency Service ("SDS")-eligible projects included on the Indian Health Service 2022 SDS List, attached as **Exhibit D-1**, or on any prior year Indian Health Services SDS List.
7. All pre-construction related projects included in a Chapter Project Plan shall be "project ready" meaning that a project's planning and design work is able to begin once funding is received, and the expedited timeframe in which the project can be completed.
    a. The Chapter shall complete a separate Division of Community Development (DCD) project evaluation form and supporting documents for each proposed pre-construction related project which shall include project-site readiness, valid land withdrawal and permitting approvals, as well as the anticipated timeframe during which the project will be completed. The Chapter shall

submit the fully completed form through the DCD Portal. If DCD is not the Administrative Oversight over the proposed project, the Chapter shall also submit the project evaluation form and all supporting documents to the entity that will have Administrative Oversight over the proposed project.

8. Construction projects shall be "construction ready" meaning that a project's planning and design work has been completed and construction is able to begin once funding is received, and the expedited timeframe in which the project can be completed.
    a. The Chapter shall complete a separate DCD project evaluation form for each proposed construction project which shall include project site readiness, valid land withdrawal and permitting approvals, as well as the anticipated timeframe during which the project will be completed. The Chapter shall submit the fully completed form and all supporting documents through the DCD Portal. If DCD is not the Administrative Oversight over the proposed project, the Chapter shall also submit the project evaluation form and all supporting documents to the entity that will have Administrative Oversight over the proposed project.
9. All proposed Chapter projects shall be sufficiently developed such that funding for the project(s) can be obligated and encumbered in the Nation's Financial Management Information System ("FMIS") by 5:00 p.m. on June 30, 2024, and fully expended by 5:00 p.m. on June 30, 2026 or such earlier dates as may be determined by resolution of the Navajo Nation Council. Generally, this requires NEPA, ROW, and design work to be sufficiently advanced such that these pre-construction tasks can be completed in time to execute construction contracts and encumber funds by 5:00 p.m. on June 30, 2024.
    a. The Administrative Oversight entity for each project shall be responsible for making the determination whether the proposed Chapter project is "project-ready" or "construction-ready". If a proposed project is not deemed project-ready or construction-ready, the project shall not be eligible for inclusion in a Chapter's Project Plan.
10. Immediately after a Chapter has received a NNDOJ determination that its proposed projects are FRF-eligible and notice from DCD, or the other entity serving as the

Administrative Oversight, that the proposed projects are project-ready or construction-ready, the Chapter shall prepare its proposed comprehensive Chapter Project Plan.

11. Within forty-five (45) days after the enactment of this legislation, each Chapter shall submit the following to the Division of Community Development through the DCD Portal:
    a. a list of proposed projects, the total cost of which shall be equal to the Chapter's allocation;
    b. a duly enacted Chapter resolution in support of each proposed project on the list; and
    c. a draft BFS-31-21 Appendix A expenditure plan, Appendix B budget form, and supporting documents, such as checklist, Chapter resolution, preliminary cost estimate, list of recipients and quad maps, documentation of clearances, written confirmation of other funding sources, for each project or grouping of projects that fall under the same Treasury Expenditure Category. Each project shall identify its Administrative Oversight entity and its Oversight Committee.
12. If a Chapter misses the forty-five (45) day deadline and fails to submit the required project list, draft BFS-31-21 Appendix A expenditure plans, Appendix B budget forms, and supporting documents within 45 days after the enactment of this legislation, the Division of Community Development shall issue a written notice to the Chapter, with a courtesy copy to OPVP, Office of the Speaker, and the Council Delegate representing such Chapter. The written notice shall state that the Chapter failed to meet the 45-day deadline, and shall provide the Chapter an additional ten (10) calendar days to submit the required project list, draft BFS-31-21 Appendix A expenditure plans, Appendix B budget forms, and supporting documents.
    a. If the Chapter fails to submit the required documents within the additional 10-day period, the Chapter shall not be eligible to submit a Chapter Project Plan or to receive funding through the Chapter Assistance Expenditure Plan. Funds designated for the benefit of that ineligible Chapter shall be automatically reallocated to the Construction Contingencies Expenditure Plan and such

reallocation shall be automatic and shall not require Navajo Nation Council or OPVP action.

b. DCD shall promptly provide written notice to the Council Delegate representing the respective Chapter, Office of the Controller, Office of Management and Budget, OPVP, NNFRF Office, and Office of the Speaker that the Chapter was deemed ineligible to receive funding through the Chapter Assistance Expenditure Plan.

13. Notwithstanding Resolution BFS-31-21 and regardless of a Chapter's LGA-certified status, DCD shall submit each Chapter's BFS-31-21 Appendix A expenditure plans, Appendix B budget forms, and supporting documents to NNNNDOJ for an initial eligibility determination as required under Resolution CJY-41-21.

a. DCD shall review a Chapter's proposed project list, draft Appendix A expenditure plans, Appendix B budgets forms and supporting documents, including Chapter resolutions, within ten (10) working days after receipt in the DCD Portal and determine whether the proposed project list, draft Appendix A expenditure plans, Appendix B budget forms and supporting documents are complete and meet the requirements set forth herein and in CJY-41-21 and BFS-31-21.

b. If the proposed project list, draft Appendix A expenditure plans, Appendix B budgets forms and supporting documents are in order, DCD shall promptly approve, sign, and submit the packet for NNDOJ initial eligibility determination review. If the documents are deficient or the proposed projects do not meet the CJY-41-21 and/or BFS-31-21 requirements, DCD shall promptly provide technical assistance to the Chapter to prepare a revised request for NNDOJ review.

14. NNDOJ shall be allowed five (5) work days, in addition to BFS-31-21's five (5) days, to complete the initial eligibility determination following DCD's submission of a request for a NNDOJ eligibility review. After completing its review, NNDOJ shall provide a written initial eligibility determination to DCD, the Chapter, and the Administrative Oversight entity over the proposed project if other than DCD.

15. All Chapter Project Plans shall be subject to administrative review and approval by the DCD Division Director, the Director of the NNFRF Office, and the Director(s) of the government entity(s) with Administrative Oversight over each of the projects that comprise the Chapter's Project Plan.
16. If a Chapter Project Plan for a Non-LGA-Certified Chapter is approved, DCD or the other entity serving as Administrative Oversight, shall prepare and submit budget forms to OMB, and shall take all necessary steps to procure goods and services on behalf of the Non-LGA-Certified Chapter in order to implement the Chapter's Project Plan.
17. If a Chapter Project Plan for an LGA-Certified Chapter is approved, DCD or the other entity serving as Administrative Oversight, shall prepare a sub-recipient agreement for NNDOJ approval and execution by the Navajo Nation President or his designee. DCD or the Administrative Oversight entity shall prepare and submit the budget forms for the sub-recipient agreement to OMB. OOC shall only disburse funding in accordance with the disbursement schedule in the sub-recipient agreement. The LGA-Certified Chapter shall take all necessary steps to procure goods and services, execute contracts, and other measures in order to implement the Chapter's Project Plan.
18. Resolution CJY-41-21, Section Three (F), requires a contingency reserve for NNFRF Chapter construction projects. Within each construction project forms, Chapters shall budget a minimum of ten percent (10%) of the total cost of construction projects on Appendix B – budget form as a contingency reserve.
19. The Chapter Project Plans of sanctioned chapters shall *not* be subject to the 10% withholding set forth by 12 N.N.C. § 9(B).

I. To ensure that the Chapter Assistance Expenditure Plan complies with the federal Fiscal Recovery Fund deadlines so that the Nation does not have to return any funding to Treasury, any funding for the Chapter Assistance Expenditure Plan that is not obligated and encumbered by DCD and/or the LGA-Certified Chapters by 5:00 p.m. on June 30, 2024, or expended by DCD and/or the LGA-Certified Chapters by 5:00 p.m. on June 30, 2026 shall be automatically reallocated to the NNFRF Construction Contingencies Expenditure Plan. Such reallocations shall not require Navajo Nation

Council or OPVP action.

1. LGA-Certified Chapters shall immediately return to the Office of the Controller all Chapter Project Plan funds that remain unobligated and unencumbered as of 5:00 p.m. on June 30, 2024.
2. LGA-Certified Chapters shall immediately return to the Office of the Controller all Chapter Project Plan funds that remain unexpended as of 5:00 p.m. on June 30, 2026.

SECTION FOUR. APPROVAL OF THE PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, RURAL ADDRESSING, AND CYBER SECURITY PROJECTS EXPENDITURE PLANS

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Public Safety Emergency Communications, E911, Rural Addressing, and Cyber Security Projects Expenditure Plans set forth in **Exhibits E** and **E-1** through **E-2**.

B. The Navajo Nation hereby approves total funding for the NNFRF Public Safety Emergency Communications, E911, Rural Addressing, and Cyber Security Projects Expenditure Plans from the Navajo Nation Fiscal Recovery Fund in the total amount of forty million dollars ($40,000,000) and allocates the funding as follows:

1. Thirty-five million dollars ($35,000,000) to the Division of Public Safety for Emergency Communications projects, to include E911 and rural addressing, as Other Public Health Services (Expenditure Category 1.14), as set forth in **Exhibit E-1**, with administrative oversight by the Office of the President and Vice-President and joint legislative oversight by the Law and Order and Resources and Development Committees.
2. Five million dollars ($5,000,000) to the Department of Information Technology, Division of General Services, for Cyber Security project(s), as Other Public Health Services (Expenditure Category 1.14), as set forth in **Exhibit E-2**, with administrative oversight by the Division of General Services and joint legislative oversight by the Health Education Human Services and Resources and Development Committees.

C. The Division of Public Safety and the Department of Information Technology, Division of General Services, are authorized to execute these Emergency Communications, E911, Rural Addressing, and Cyber Security Projects directly, or through use of contractors and sub-

recipients. The Division of General Services and the Division of Public Safety shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Emergency Communications, E911, Rural Addressing, and Cyber Security construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION FIVE. APPROVAL OF PUBLIC HEALTH EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Public Health Expenditure Plan set forth in **Exhibits F** and **F-1** through **F-6**.

B. The Navajo Nation hereby approves total funding for the NNFRF Public Health Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of seventy-nine million four hundred eighty-seven thousand five hundred dollars ($79,487,500) allocated as follows:

1. Nineteen million two hundred forty-three thousand seven hundred fifty dollars ($19,243,750) to the Division of Aging and Long-Term Care Support ("DALTCS"), Navajo Department of Health, for Senior Centers, as Other Public Health Services (Expenditure Category 1.14) as set forth in **Exhibit F-1**, with administrative oversight by the Navajo Department of Health and legislative oversight by the Health, Education, and Human Services Committee.
2. Twenty-one million dollars ($21,000,000) to the Special Diabetes Program, Division of Public Health Services, Navajo Department of Health, for Community Wellness Centers, as Economic Impact Assistance: Other (Expenditure Category 2.37) as set forth in **Exhibit F-2**, with administrative oversight by the Navajo Department of Health and legislative oversight by the Health, Education, and Human Services Committee.
3. Fifteen million two hundred forty-three thousand seven hundred fifty dollars ($15,243,750) to the Division of Behavioral and Mental Health Services, Navajo Department of Health, for Detox and Residential Treatment Centers, as Substance Use Services (Expenditure Category 1.13) as set forth in **Exhibit F-3**, with administrative oversight by the Navajo Department of

Health and legislative oversight by the Health Education Human Services Committee.

4. Five million dollars ($5,000,000) to the Navajo Department of Health, for a Dedicated Public Health Storage Warehouse, as Other Public Health Services (Expenditure Category 1.14) as set forth in **Exhibit F-4**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Health, Education, and Human Services Committee.
5. Four million dollars ($4,000,000) to the Division of Behavioral and Mental Health Services, for Transitional Housing, as Mental Health Services (Expenditure Category 1.12) as set forth in **Exhibit F-5**, with administrative oversight by the Navajo Department of Health and legislative oversight by the Health, Education, and Human Services Committee.
6. Fifteen million dollars ($15,000,000) to the Navajo Department of Health, for a Long-Term Care Facility in Tuba City, as Medical Expenses (including Alternative Care Facilities) (Expenditure Category 1.6), as set forth in **Exhibit F-6,** with administrative oversight by the Office of the President and Vice President and legislative oversight by the Health, Education, and Human Services Committee.

C. The Department of Health is authorized to execute these Public Health Projects directly, or through the use of contractors and sub-recipients. The Department of Health shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Public Health construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION SIX. APPROVAL OF ECONOMIC DEVELOPMENT EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Economic Development Expenditure Plan set forth in **Exhibits G** and **G-1** through **G-__**.

B. The Navajo Nation hereby approves total funding for the NNFRF Economic Development Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of forty-five million four hundred and sixty-two thousand three hundred and ninety-eight dollars ($45,462,398)

allocated as follows:

1. Five million dollars ($5,000,000) to the Division of Economic Development for the administration of the Navajo Small Business Credit Initiative as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-1**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Resources and Development Committee.
2. Four million six hundred thousand dollars ($4,600,000) to the Navajo Tourism Department, Division of Economic Development, for the Economic Development / Tourism Dinosaur Tracks Expenditure Plan, as Aid to Impacted Industries: Aid to Tourism, Travel or Hospitality (Expenditure Category 2.35), as set forth in **Exhibit G-2**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
3. Eight million seven hundred eleven thousand three hundred sixty-seven dollars ($8,711,367) to the Navajo Tourism Department, Division of Economic Development, for the Economic Development / Tourism Shiprock Visitor Center Expenditure Plan, as Aid to Impacted Industries: Aid to Tourism, Travel or Hospitality (Expenditure Category 2.35), as set forth in **Exhibit G-3**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
4. Sixteen million one hundred thousand dollars ($16,100,000) to the Navajo Tourism Department, Division of Economic Development, for the Economic Development / Tourism Window Rock Visitor Complex and Amphitheater Expenditure Plan, as Aid to Impacted Industries: Aid to Tourism, Travel or Hospitality (Expenditure Category 2.35), as set forth in **Exhibit G-4**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
5. Five hundred thousand dollars ($500,000) to the Project Development Department, Division of Economic Development, for the Twin Lakes Well Expenditure Plan, as Drinking Water: Source (Expenditure Category 5.13), as set forth in **Exhibit G-5**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.

6. Eight million dollars ($8,000,000) to the Project Development Department, Division of Economic Development, for the Church Rock Industrial Water Line Expenditure Plan, as Drinking Water: Transmission and Distribution (Expenditure Category 5.11), as set forth in **Exhibit G-6**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
7. Nine hundred thousand dollars ($900,000) to the Project Development Department, Division of Economic Development, for the NahataDziil Water Line Expenditure Plan for a water line near the Sanders Shopping Center, as Drinking Water: Transmission and Distribution (Expenditure Category 5.11), as set forth in **Exhibit G-7**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
8. Seven hundred thirty-one thousand and thirty-one dollars ($731,031) to the Western Regional Business Development Office, Division of Economic Development, for the Old Black Mesa Shopping Center Clean-Up Project Expenditure Plan for demolition of structures and site clean-up, as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-8**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.
9. Four hundred sixty thousand dollars ($460,000) to the Western Regional Business Development Office, Division of Economic Development, for the Cow Springs Trading Post - Retire Infrastructure Project Expenditure Plan for environmental assessment, demolition of structures, and site clean-up, as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-9**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee;
10. Four hundred sixty thousand dollars ($460,000) to the Western Regional Business Development Office, Division of Economic Development, for the Tseyi Restaurant, Motel, and Convenience Store Clean-Up Project Expenditure Plan for environmental assessment, demolition of structures, and site clean-up, as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-10**, with administrative

oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee.

C. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Economic Development construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION SEVEN. APPROVAL OF ALLOCATION OF ADDITIONAL FUNDS TO THE HARDSHIP ASSISTANCE EXPENDITURE PLAN

A. Through Council Resolution CD-62-21, the Navajo Nation approved and adopted the Navajo Nation Fiscal Recovery Fund Hardship Assistance Expenditure Plan set forth in **Exhibit H**, which included an allocation of five hundred fifty-seven million dollars ($557,000,000).

B. The Navajo Nation hereby approves an allocation of additional funding for the NNFRF Hardship Assistance Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred twenty million dollars ($120,000,000) to the Office of the Controller, for Household Assistance – Cash Transfers (Expenditure Category 2.3), as set forth in **Exhibit H-1**, with administrative oversight by the Office of the President and Vice President and legislative oversight by the Budget and Finance Committee.

SECTION EIGHT. APPROVAL OF WATER AND WASTEWATER PROJECTS EXPENDITURE PLANS

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Water and Wastewater Projects Expenditure Plans set forth in **Exhibits I** and **I-1** through **I-7**.

B. The Navajo Nation hereby approves total funding for the NNFRF Water and Wastewater Projects Expenditure Plans from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred fifteen million dollars ($215,000,000) to the Department of Water Resources with administrative oversight by the Division of Natural Resources and legislative oversight by the Resources and Development Committee, and allocates the funding as follows:

1. Thirty-three million six hundred seventy-five thousand three hundred thirty-eight dollars ($33,675,338) for Centralized Wastewater Treatment Projects (Expenditure Category 5.1) as set forth in **Exhibit I-1**.
2. Six Million Eight Thousand Eight Hundred Seventy-Four dollars ($6,008,874) for Centralized Wastewater Collection and Conveyance Projects (Expenditure Category 5.2) as set forth in **Exhibit I-2**.
3. Ten million thirty thousand dollars ($10,030,000) for Drinking Water Treatment Projects (Expenditure Category 5.10), as set forth in **Exhibit I-3**.
4. Fifty-one million eight five thousand seven hundred eighty-eight dollars ($51,085,788) for Drinking Water Transmission and Distribution Projects (Expenditure Category 5.11), as set forth in **Exhibit I-4**.
5. Twenty-nine million two hundred thousand dollars ($29,200,000) for Drinking Water Source Projects (Expenditure Category 5.13), as set forth in **Exhibit I-5**.
6. One million dollars ($1,000,000) for Drinking Water Storage Projects (Expenditure Category 5.14), as set forth in **Exhibit I-6**.
7. Eighty-four million dollars ($84,000,000) for Drinking Water Cistern Projects (Expenditure 5.15), as set forth in **Exhibit I-7**.

C. The Department of Water Resources, Division of Natural Resources, is authorized to execute these Water and Wastewater Projects directly, or through the use of contractors and sub-recipients. The Department of Water Resources shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Water and Wastewater construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION NINE. APPROVAL OF BROADBAND PROJECTS EXPENDITURE PLANS

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund

Broadband Projects Expenditure Plan set forth in **Exhibits J** and **J-1** through **J-3**.

B. The Navajo Nation hereby approves total funding for the NNFRF Broadband Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred and twenty million ($120,000,000) and allocates the funding as follows:

1. Sixty million ($60,000,000) to the Navajo Department of Information Technology, Division of General Services, for Broadband "Middle Mile" Projects Expenditure Plan (Expenditure Category 5.21), as set forth in **Exhibit J-1**, with administrative oversight by the Division of General Services and joint legislative oversight by the Health Education Human Services and Resources and Development Committees;
2. Forty million ($40,000,000) to the Navajo Department of Information Technology, Division of General Services, for Broadband "Last Mile" Projects Expenditure Plan (Expenditure Category 5.19), as set forth in **Exhibit J-2**, with administrative oversight by the Division of General Services and joint legislative oversight by the Health Education Human Services and Resources and Development Committees;
3. Twenty million ($20,000,000) to the Division of General Services for matching funds for the federal Infrastructure Investment Jobs Act (IIJA) match requirement, (Expenditure Category 5.20), as set forth in **Exhibit J-3**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Resources and Development Committees.

C. The Navajo Department of Information Technology, Division of General Services, is authorized to execute these Broadband Projects directly, or through the use of contractors and sub-recipients. The Division of General Services shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Broadband construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION TEN. APPROVAL OF HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Home Electricity Connection and Electric Capacity Projects Expenditure Plan set forth in **Exhibits K** and **K-1** through **K-2**.

B. The Navajo Nation hereby approves total funding for the NNFRF Home Electricity Connection and Electric Capacity Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred million dollars ($100,000,000) as follows:

1. Ninety-six million four hundred thousand dollars ($96,400,000) to the Division of Community Development for Connecting Homes to Electricity Projects as Housing Support: Other Housing Assistance (Expenditure Category 2.18), as set forth in **Exhibit K-1**, with administrative oversight by the NNFRF Office and legislative oversight by the Resources and Development Committee.
2. Three million six hundred thousand dollars ($3,600,000) to the Division of Community for the Ramah Navajo School Board High Voltage Replacement Project as Other Public Health Services (Expenditure Category 1.14), as set forth in **Exhibit K-2**, with administrative oversight by the NNFRF Office and legislative oversight by the Resources and Development Committee.

C. The Division of Community Development is authorized to execute these Home Electricity Connection and Electric Capacity Projects directly, or through use of contractors and sub-recipients. The Division of Community Development shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Home Electricity Connection and Electric Capactiy construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION ELEVEN. APPROVAL OF HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Housing Projects and Manufactured Housing Facilities Expenditure Plan that includes Housing, Veterans Housing, Housing Manufacturing Facilities, and Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands Projects, as set forth in **Exhibits L** and **L-1** through **L-4**.

B. The Navajo Nation hereby approves total funding for the NNFRF Housing Projects and Manufactured Housing Facilities Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred fifty million dollars ($150,000,000) as follows:

1. Fifty million dollars ($50,000,000) to the Community Housing and Infrastructure Department ("CHID") for New Housing Projects, as Long-Term Housing Security: Services for Unhoused Persons (Expenditure Category 2.15), as set forth in **Exhibit L-1**, with administrative oversight by the Division of Community Development and legislative oversight by the Resources and Development Committee.
2. Fifty million dollars ($50,000,000) to the Navajo Nation Veterans Administration Veterans Housing Program for New Housing Projects, as Long-Term Housing Security: Services for Unhoused Persons (Expenditure Category 2.16) as set forth in **Exhibit L-2**, with administrative oversight by the Navajo Nation Veterans Administration and legislative oversight by the Health, Education and Human Services Committee.
3. Fifty million dollars ($50,000,000) to the Community Housing and Infrastructure Department ("CHID") for the design and construction of up to five (5) Regional Housing Manufacturing Facilities with locations in Tuba City, Sanders, Chinle, Shiprock, and Gallup areas, as Long-Term Housing Security: Affordable Housing (Expenditure Category 2.15), as set forth in **Exhibit L-3**, with administrative oversight by the Division of Community Development and legislative oversight by the Resources and Development Committee.
4. Fifteen million five hundred fifty thousand dollars ($15,550,000) to the Navajo Hopi Land Commission Office for Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands to purchase modular homes for people within the twenty-three (23) impacted Chapters and for planning of a manufactured housing plant in Nahata Dziil

Chapter, as Long-Term Housing Security: Affordable Housing (Expenditure Category 2.15), as set forth in **Exhibit L-4**, with administrative oversight by the Division of Community Development and legislative oversight by the Resources and Development Committee.

C. The Housing Projects assigned to CHID, the Veterans Housing Program, and Navajo Hopi Land Commission Office are need-based.

D. The eligibility criteria for receiving services under the Housing Projects assigned to CHID shall be approved by the Resources and Development Committee through a resolution.

E. The eligibility criteria for receiving services under the Veterans Housing Projects Expenditure Plan assigned to the Veterans Housing Program shall be approved by the Health, Education and Human Services Committee through resolution.

F. The eligibility criteria for receiving services under the Housing for the Former Bennett Freeze Area and Navajo Partitioned Lands Expenditure Plan assigned to the Navajo Hopi Land Commission Office shall be approved by the Navajo-Hopi Land Commission through resolution.

G. To the fullest extent possible, all new housing shall be accessible to persons with physical disabilities and shall meet the standards and specifications within the Americans with Disabilities Act.

H. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for the Housing Projects and Manufactured Housing Facilities construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION TWELVE. APPROVAL OF THE BATHROOM ADDITIONS EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Bathroom Additions Expenditure Plan set forth in **Exhibits M** and **M-1.**

B. The Navajo Nation hereby approves total funding for the NNFRF Bathroom Additions Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred fifty million dollars ($150,000,000) to be allocated as follows:

1. One hundred fifty million dollars ($150,000,000) to the Division of Community

Development for Bathroom Additions, as Other Public Health Services (Expenditure Category 1.14), as set forth in **Exhibit M**, with administrative oversight by the Navajo Nation Fiscal Recovery Funds Office and legislative oversight by the Resources and Development Committee.

C. The Bathroom Additions Expenditure Plan is need-based. The application process and criteria are included in **Exhibit M-1**.

D. The Division of Community Development is authorized to execute these Bathroom Additions Projects directly, or through the use of contractors and sub-recipients. The Division of Community Development shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

E. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for Bathroom Addition construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION THIRTEEN. ADMINISTRATION OF NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS

A. All entities receiving Navajo Nation Fiscal Recovery Funds, whether through an immediate allocation under Resolution CJY-41-21 or subsequently approved NNFRF Expenditure Plan, shall comply with all Navajo Nation laws, policies, regulations, rules, and procedures, specifically including, but not limited to, those governing the NNFRF and the expenditure of such funds, and any additional terms set forth in a grant, sub-recipient, or similar agreement.

B. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury guidance provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1: "Financial obligations, when referencing a recipient's or sub-recipient's use of funds under a Federal award, means orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment."

1. For internal Navajo Nation purposes, the terms "obligated" and "encumbered" are defined in Resolution BFS-31-21, Section Three on page 3 of Exhibits 1 through 5. BFS-31-21 provides that, "'Obligated' means that an order has been placed for the delivery of goods or property, or the performance of services, that will be paid for with Fiscal Recovery Funds; that a contract or subcontract has been executed promising payment with Fiscal Recovery Funds; or that a similar transaction has occurred requiring payment of Fiscal Recovery Funds. For internal Navajo Nation purposes, funds are obligated or encumbered upon completion of OOC's review and approval of contracts and purchase requisitions, and OOC's recording of an encumbrance in the FMIS, not upon execution of a contract."

2. Any NNFRF funds not obligated and encumbered by the end of the third quarter of Fiscal Year 2024 shall be reported to the Naabik'íyáti' Committee and are subject to reversion to the NNFRF by resolution of the Naabik'íyáti' Committee. Reverted NNFRF funds will then be available for reallocation to other NNFRF Expenditure Plans pursuant to resolution(s) of the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

C. Projects and/or services funded with Navajo Nation Fiscal Recovery Funds must be completed and all NNFRF funds fully spent by June 30, 2026, unless an earlier date is determined through resolution of the Navajo Nation Council.

D. After approval pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12), Navajo Nation Fiscal Recovery Fund Expenditure Plan funds shall be available for use by a funding recipient that is a branch, division, department, or other unit of the Navajo Nation central government as soon as a detailed budget has been administratively approved and the Office of Management and Budget has entered such budget into the Financial Management Information System (FMIS).

E. The Office of the Controller shall release Navajo Nation Fiscal Recovery Fund Expenditure Plan funds to a funding recipient that is external to the Navajo Nation central government, including LGA-Certified chapters, Navajo Nation owned entities, and other external entities, pursuant to the fund distribution schedule recommended by the Navajo Nation government entity with administrative oversight and approved by the Office of the Controller and included in a fully

executed sub-recipient, or similar agreement deemed legally sufficient by the Navajo Nation Department of Justice.

F. Awarded Navajo Nation Fiscal Recovery Funds shall only be obligated and expended on projects and/or services, including need-based projects and services, that were included as an immediate allocation under Resolution CJY-41-21 or are included in a NNFRF Expenditure Plan approved and adopted by a Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

G. All proposed modifications to an approved NNFRF Expenditure Plan or an approved NNFRF Expenditure Plan budget shall comply with section 8 of Exhibits 1 through 5 of Resolution BFS-31-21.

1. Any increase in funding for an approved NNFRF Expenditure Plan shall require approval by Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12), unless such increase in funding is due to an administratively approved budget transfer from the Construction Contingencies Expenditure Plan.

   a. Proposed modifications of Expenditure Plans shall be submitted to the Navajo Nation Department of Justice ("NNDOJ") for an eligibility determination review to ensure the proposed modification will be an eligible use of FRF.

   b. Modifications that change the purpose and intent of the Expenditure Plan or projects and services within the approved Expenditure Plan or that substantially change the scope of work of the Expenditure Plan shall require approval by the Navajo Nation Council.

   c. As set forth in Resolution BFS-31-21, NNDOJ shall make the determination whether Navajo Nation Council approval of the modification is required.

   d. After NNDOJ has reviewed the request for a modification of an approved Expenditure Plan and determined that legislative approval is not needed, or after the modification is approved by a Navajo Nation Council resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12), the Administrative Oversight entity acting on behalf of the Funding Recipient shall submit a budget revision request to Office of Management & Budget ("OMB"), if

needed. The Budget Instruction Manual provisions regarding budget revision requests shall apply.

H. Awarded Navajo Nation Fiscal Recovery Funds, including cost savings, may be administratively moved between projects and/or services included within the same Expenditure Plan, as long as such projects or services share the same Treasury Expenditure Category for reporting purposes. NNDOJ shall verify that the projects and/or services share the same Expenditure Category before any NNFRF funding is moved between projects and/or services.

I. Awarded Navajo Nation Fiscal Recovery Funds, including cost savings, cannot be moved between Expenditure Plans without approval by a Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12), unless such movement of funds is due to an administratively approved budget transfer from the Construction Contingencies Expenditure Plan to other NNFRF expenditure plans experiencing cost overruns due to construction contingencies.

J. Approved Expenditure Plans for need-based projects and services, such as Bathroom Addition or Home Electricity Connection projects, may be administratively modified without Navajo Nation Council action as long as the total funding awarded for the Expenditure Plan is not increased and the new project or service is within the same Expenditure Category.

K. To add projects or services to an approved Expenditure Plan when such projects and/or services are not need-based projects or services, shall require a NNDOJ initial eligibility determination pursuant to Resolution BFS-31-21 and the addition must be approved through resolution by the Standing Committee(s) having oversight over the Expenditure Plan and the Budget and Finance Committee.

    1. If the new project and/or service increases the total funding awarded for the Expenditure Plan or does not share the same Expenditure Category as the Expenditure Plan, Resolution BFS-31-21 must be fully complied with and the addition can only be added through Navajo Nation Council resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

L. The Emergency Procurement provisions set forth in Resolution CJY-41-21, Section Ten, shall apply to all NNFRF Expenditure Plans enacted herein, as well as to the federal American Rescue Plan Act ("ARPA") and all Fiscal Recovery Fund procurements by the Navajo Nation, including

its LGA-Certified Chapters, and Navajo Nation-owned entities.

M. The Office of the Auditor General's Plan of Operation at 12 N.N.C. § 9 provides for withholding certain funds from sanctioned chapters, divisions, and programs. Under 12 N.N.C. § 9(B), following the Budget and Finance Committee's approval of sanctions, OOC shall cause 10% of "monies payable from any Governmental Fund of the Navajo Nation as defined at 12 N.N.C. section 810" of the Appropriations Act. The Navajo Nation hereby determines that Navajo Nation Fiscal Recovery Funds are not a "Governmental Fund" for purposes of sanctions, and therefore direct allocations of NNFRF to sanctioned chapters, divisions, and programs are not subject to withholding.

N. All entities receiving Navajo Nation Fiscal Recovery Funds shall follow and apply Generally Accepted Accounting Principles (GAAP), as established by the Governmental Accounting Standards Board (GASB) for governmental entities and by the Financial Accounting Standards Board (FASB) for public and private companies and non-profits, in reporting, recording, and accounting for such Funds.

O. Fraud, misuse of funds, violation of applicable Navajo Nation or federal laws and regulations, non-compliance with FRF agreements governing grants or sub-awards, and false statements or claims by any individual or entity receiving or administering Navajo Nation Fiscal Recovery Funds may result in administrative, civil, or criminal sanctions and penalties, debarment and suspension, ineligibility for future Navajo Nation awards or business opportunities, and the Navajo Nation may pursue any other legal action or remedy available by law.

SECTION FOURTEEN. APPROVING FUTURE ALLOCATION OF UNALLOCATED NAVAJO NATION FISCAL RECOVERY FUNDS TO THE CONSTRUCTION CONTINGENCIES EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Construction Contingencies Expenditure Plan set forth in **Exhibit N**.

B. The Navajo Nation hereby approves total funding for the NNFRF Construction Contingencies Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of five hundred dollars ($500) to establish a contingency fund for NNFRF construction projects:

1. Five hundred dollars ($500) to the Fiscal Recovery Fund Office for the Construction

Contingencies Expenditure Plan, as Revenue Replacement: Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit N**, with administrative oversight by the Office of the President and Vice President and legislative oversight by the Resources and Development Committee.

C. The purpose of the NNFRF Construction Contingencies Expenditure Plan is to use available, i.e., unallocated, unencumbered, cost savings, etc., funds from other NNFRF expenditure plans to fund the costs of construction contingencies on NNFRF-funded construction projects.

D. Additional funds may be needed in the future for construction contingencies related to the inflationary costs of labor and building materials. The Navajo Nation may determine it is necessary and appropriate to allocate Navajo Nation funds from the Síhasin Fund or the General Fund to pay the costs of construction contingencies on NNFRF-funded construction projects.

E. Notwithstanding procedures for budget transfers in the Budget Instructions Manual and the modification process established in BFC-31-21, the transfer of funds from the NNFRF Construction Contingencies Expenditure Plan business unit to other NNFRF expenditure plans business units shall be handled administratively and shall not require a resolution of the Navajo Nation Council or a Standing Committee.

F. The Office of the President and Vice President, NNFRF Office, Office of Management and Budget, and Office of the Controller, with advice from the Department of Justice, shall develop a streamlined administrative process for approving requests for funding from the NNFRF Construction Contingencies Expenditure Plan, and to process budget transfers.

E. All NNFRF funds that have not been allocated to an NNFRF Expenditure Plan through a Navajo Nation Council Resolution enacted pursuant to Resolution CJY-41-21 by the end of the second quarter of Fiscal Year 2024 may be allocated to the NNFRF Construction Contingencies Expenditure Plan through Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

E. All NNFRF funds that have been allocated to an NNFRF expenditure plan through a Navajo Nation Council Resolution enacted pursuant to Resolution CJY-41-21, but that have not been obligated and encumbered by 5:00 p.m. on June 30, 2024, shall automatically revert to the NNFRF and shall be reallocated to the NNFRF Construction Contingencies Expenditure Plan

or other NNFRF expenditure plans through Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

F. All obligated and encumbered NNFRF funds that have not been expended by the Navajo Nation and its sub-recipients by 5:00 p.m. on June 30, 2026, shall automatically revert to the NNFRF and shall be reallocated to the NNFRF Construction Contingencies Expenditure Plan or other NNFRF expenditure plans through Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

G. Funding allocated to the Chapter Assistance Expenditure Plan that is not obligated and encumbered by DCD and/or the LGA-Certified Chapters by November 20, 2024 shall be automatically reallocated to the Construction Contingencies Expenditure Plan. Such reallocation shall not require a resolution by the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

H. Funding allocated to the Chapter Assistance Expenditure Plan that is not expended by DCD and/or the LGA-Certified Chapters by November 20, 2026 shall be automatically reallocated to the Construction Contingencies Expenditure Plan and such reallocation shall not require a resolution by the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

I. The Division of Community Development, sub-recipient LGA-Certified Chapters, the Office of the Controller, and the Office of Management and Budget shall cooperate to ensure that such funds from the Chapter Assistance Expenditure Plan are automatically reallocated to the Construction Contingencies Expenditure Plan.

SECTION FIFTEEN. REALLOCATION OF SURPLUS FUNDS PREVIOUSLY ALLOCATED UNDER SECTION 7 OF CJY-41-21

A. Section 7 of Resolution CJY-41-21 allocated ten percent (10%) of the Fiscal Recovery Funds received by the Navajo Nation to fund administrative costs of central support service and regulatory offices. The Office of the President and Vice-President was responsible for apportioning ninety percent (90%) of the ten percent (10%). The Speaker of the Navajo Nation Council, after consultation with the Naabik'íyáti' Committee, is responsible apportioning the remaining ten percent (10%).

B. Section 7, Paragraph F, of Resolution CY-41-21 provides that any funding unspent or unencumbered at the end of the second quarter of Fiscal Year 2024 shall be reallocated to the NNFRF and be available for allocation to other NNFRF projects and services.

C. The Office of the President and the Vice-President has determined that forty-two million one hundred fifty-one thousand five hundred and thirty-one dollars ($42,151,531) should be reallocated to the NNFRF and be available for allocation to other NNFRF expenditure plans.

D. The Speaker of the Navajo Nation Council has determined that five million ($5,000,000) should be reallocated to the NNFRF and be available for allocation to other NNFRF expenditure plans.

SECTION SIXTEEN. REPORTING

A. All entities receiving Navajo Nation Fiscal Recovery Funds shall keep and maintain accurate and complete financial data and records sufficient to demonstrate that the Fiscal Recovery Funds appropriated to the Navajo Nation have been used by the reporting entity in accordance with the provisions of ARPA and timely relay such reports and records to the Administrative Oversight entity, Office of the Controller, Office of Management and Budget, NNFRF Office, and legislative oversight as directed in the grant or sub-recipient agreements if any, and when requested. Such reports and records shall be maintained for at least seven (7) years after the project and/or service has been completed. The Office of the Controller shall be responsible for compiling and providing any and all records and financial reports required by the U.S. Treasury.

B. All entities receiving Navajo Nation Fiscal Recovery Funds through an approved Expenditure Plan shall report the status of their NNFRF allocations to their respective legislative oversight committees at the end of each Fiscal Year quarter. The entity with administrative oversight over the Expenditure Plan shall review the quarterly report prior to its presentation and shall participate in the presentation to the oversight committee(s).

C. The Executive Director of the NNFRF Office, with the assistance of the Office of the Controller and Office of Management and Budget, shall report the status of all allocated Navajo Nation Fiscal Recovery Funds and NNFRF Expenditure Plans to the Budget and Finance Committee and Naabik'íyáti' Committee at the end of each Fiscal Year quarter.

SECTION SEVENTEEN. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION EIGHTEEN. AMENDMENTS

Amendments to this legislation shall only be adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

SECTION NINETEEN. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

SECTION TWENTY. DIRECTIVES

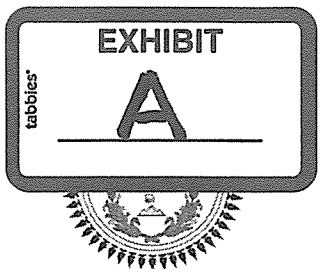
A. All Navajo Nation government programs, offices, and divisions, as well as Navajo Nation-owned entities, specifically including those programs, offices, divisions, and Navajo Nation-owned entities receiving Navajo Nation Fiscal Recovery Funds, shall prioritize the implementation and completion of NNFRF projects and/or services.

B. Navajo Nation regulatory offices participating in the One Stop Shop shall assess federal and state requirements, procedures, and processing times that pose challenges to the rapid implementation of NNFRF Expenditure Plans. Within thirty (30) days following the enactment of this legislation, the One Stop Shop shall submit written recommendations to the Office of the President and Vice President and the Office of the Speaker regarding how the Nation can work with its federal and state partners to address these external challenges.

C. Navajo Nation regulatory offices participating in the One Stop Shop, and central support service offices such as the Fiscal Recovery Funds Office, Office of the Controller, Office of Management and Budget, and NNDOJ, shall assess the internal Navajo Nation structural and procedural issues that pose challenges to the rapid implementation of NNFRF Expenditure Plans. These Executive

Branch divisions, departments, and offices shall develop strategic responses to increase government efficiency and recommend enhanced and streamlined Executive Branch procedures to expedite NNFRF projects.

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

August 2, 2021

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

RE: CJY-41-21, *An Action Relating to Budget and Finance and Naabik'íyáti' Committees, and Navajo Nation Council; Establishing the Navajo Nation Fiscal Recovery Fund and the Expenditure Authorization Process Thereunder; Waiving Certain Provisions of the Navajo Nation Appropriations Act; Amending 12 N.N.C. § 334 to Authorize Emergency Procurements; Authorizing Reimbursement of the Síhasin Fund and Undesignated Unreserved Fund Balance; Authorizing Central Support and Regulatory Cost Funding; Authorizing Funding to Complete Defunded Navajo Nation CARES Fund Expenditure Plans; Authorizing the Establishment of a Navajo Nation Fiscal Recovery Fund Office Within the Office of the President and Vice-President*

Dear Speaker Damon,

After decades of struggling with an unfinished infrastructure, a sagging economy, and an inadequate education system, the Navajo Nation is on the doorstep of changing our future for our elders, our children, and our families. Over the past year we had the financial means to respond to the coronavirus and improve the lives of our constituents; we laid the foundation for the Nation. This year, we again have the opportunity to build on what we started – water lines and wastewater systems for communities, powerlines to family homes, and an internet network to help our students, to name a few. Working together we can take a giant leap forward in giving the People the protective measures they need to continue fighting against the coronavirus and its variants.

Thank you to Delegate Carl Slater for his tenacious effort in bringing this resolution through the process. Thank you Speaker for your support and we appreciate the support of the 24th Navajo Nation Council. There is much to do over the next few years and we look forward to working with the Navajo Nation Council. We sign CJY-41-21 into law.

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 BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ESTABLISHING THE NAVAJO NATION FISCAL RECOVERY FUND AND THE EXPENDITURE AUTHORIZATION PROCESS THEREUNDER; WAIVING CERTAIN PROVISIONS OF THE NAVAJO NATION APPROPRIATIONS ACT; AMENDING 12 N.N.C. § 334 TO AUTHORIZE EMERGENCY PROCUREMENTS; AUTHORIZING REIMBURSEMENT OF THE SÍHASIN FUND AND UNDESIGNATED, UNRESERVED FUND BALANCE; AUTHORIZING CENTRAL SUPPORT AND REGULATORY COST FUNDING; AUTHORIZING FUNDING TO COMPLETE DEFUNDED NAVAJO NATION CARES FUND EXPENDITURE PLANS; AUTHORIZING THE ESTABLISHMENT OF A NAVAJO NATION FISCAL RECOVERY FUND OFFICE WITHIN THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT

BE IT ENACTED

SECTION ONE. AUTHORITY

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

B. 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).

C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the enumerated powers to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds and to promulgate rules and regulations relative to contracting and financial matters. 2 N.N.C. §§ 300(B)(1) and (2).

SECTION TWO. FINDINGS

A. The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the outbreak of coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.

B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared

a Public Health State of Emergency on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. *See* Resolution No. CEM 20-03-11 incorporated herein by reference. The Navajo Nation Department of Health has subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2021-014 are incorporated by reference. These Public Health Emergency Orders are available at *www.ndoh.navajo-nsn.gov*.

C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout the world, the United States and the Navajo Nation. As of July 7, 2021, the Navajo Nation Health Command Operations Center has confirmed 31,043 COVID-19 cases and 1,374 COVID-related deaths on the Navajo Nation. COVID-19 variants have emerged that threaten to increase these numbers and continue the pandemic's assault on the Navajo People.

D. The devastating effects of COVID-19 continue throughout the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disruptions.

E. On March 11, 2021, President Biden signed the American Rescue Plan Act ("ARPA") into law. Section 9901 of ARPA established the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (together the "Fiscal Recovery Funds") by amending Title VI of the Social Security Act, which provided $362 billion for state, local, and tribal governments, including $20 billion designated for tribal governments.

F. As of May 29, 2021, the United States Department of Treasury ("U.S. Treasury") allocated $1,861,554,458.43 to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA. The Fiscal Recovery Funds are designed to build on and expand the relief provided in the Coronavirus Aid, Relief, and Economic Security Act or CARES Act.

G. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by residents and businesses.

H. As set forth in Central Agency Council Resolution No. CAC 07/21-11, attached as **Exhibit A**, the Central Agency Council of the Navajo Nation supports the establishment of a Navajo Nation Fiscal Recovery Fund and the expenditure authorization process set forth herein.

I. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds were specifically intended to:

1. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality;

2. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the tribal government. Under this category, the Navajo Nation can provide premium pay to government workers performing essential work, and can provide grants to eligible employers that have eligible workers who perform essential work;

3. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the emergency; and

4. Make necessary investments in water, sewer, or broadband infrastructure.

J. Pursuant to ARPA:

1. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning the Navajo Nation must obligate funds by that date; and

2. The Fiscal Recovery Fund period of performance runs until December 31, 2026, meaning funded projects must be completed by that date.

K. While its acceptance of the Fiscal Recovery Funds obligates the Navajo Nation to comply with ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these obligations while retaining and exercising its tribal sovereignty.

SECTION THREE. ESTABLISHMENT OF THE NAVAJO NATION FISCAL RECOVERY FUND

A. There is hereby established the "Navajo Nation Fiscal Recovery Fund" ("NNFRF").

B. The Navajo Nation hereby designates that the $1,861,554,458.43 received by the Navajo Nation as of May 29, 2021 from the U.S.

Treasury under the Fiscal Recovery Funds provisions of ARPA, as well as any additional funds that the Navajo Nation may later receive from the United States under the Fiscal Recovery Funds provisions, shall be deposited into the NNFRF.

C. The purpose of the NNFRF is to serve as a depository into which all Fiscal Recovery Funds and investment earnings therein are deposited, and from which the Navajo Nation shall disburse funds for approved Expenditure Plans which comply with the criteria set forth in the Fiscal Recovery Funds provisions of ARPA.

D. The Fiscal Recovery Funds allocated to the Navajo Nation are limited emergency funds provided by the federal government and are not subject to the annual set-aside provisions set forth in the Navajo Nation Code.

E. The Navajo Nation Office of the Controller ("OOC"), acting upon the recommendation of the Navajo Nation Investment Committee, shall oversee investment of the NNFRF in accordance with ARPA and Fiscal Recovery Funds requirements, U.S. Treasury regulations and guidance, and applicable Navajo Nation Investment Policies; investment earnings, when realized, shall be deposited into the NNFRF.

F. Any funds deposited into the NNFRF shall only be used in compliance with ARPA and Fiscal Recovery Fund purposes and restrictions, U.S. Treasury guidance, applicable federal laws and regulations, Navajo Nation laws, regulations, and policies, and duly adopted procedures and agreements between the Navajo Nation and the federal government regarding the use of the Fiscal Recovery Funds.

G. Except as set forth in Sections Five through Seven below, expenditures of the NNFRF shall only be authorized through Expenditure Plan(s) duly adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

H. OOC and all entities receiving NNFRF shall keep records sufficient to demonstrate that the Fiscal Recovery Funds appropriated by the U.S. Congress to the Navajo Nation have been used in accordance with the provisions of ARPA. The NNFRF shall be subject to an annual audit by the Navajo Nation's independent auditor. Either the Navajo Nation Council or the Navajo Nation President may require an audit at any time. The Controller shall be responsible for providing any and all records and financial reports required by the U.S. Treasury.

I. Within thirty (30) days of the effective date of this legislation, OOC shall set up an online accountability platform on the NNOOC website that will enable the public to observe the financial transactions conducted with NNFRF funds. To the maximum extent possible and consistent with applicable Navajo Nation and federal laws pertaining to confidential or proprietary information and documents, all checks, electronic deposits, funds transfers, contracts and contract amendments, and other documents supporting NNFRF expenditures shall be displayed on the platform and made available for public view.

SECTION FOUR. NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLAN ELIGIBILITY DETERMINATIONS AND APPLICATION REQUIREMENTS

A. The Office of Management and Budget ("OMB"), in consultation with OOC and Navajo Nation Department of Justice ("NNDOJ"), shall develop NNFRF application and review procedures, which shall include an NNFRF Expenditure Plan template, for adoption by the Budget and Finance Committee. OMB and OOC shall post the approved NNFRF application procedures, including an NNFRF Expenditure Plan template, and instructions on their respective websites.

B. The NNDOJ shall do an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations, and policies and procedures.

C. Navajo Nation Divisions and Offices, non-LGA-certified Chapters, LGA-certified Chapters, Navajo Nation-owned enterprises/authorities/corporations, non-profit corporations and external entities seeking NNFRF funds shall comply with the requirements set forth in this legislation and with the requirements set forth in the NNFRF application procedures adopted by resolution of the Budget and Finance Committee ("BFC").

D. Each proposed NNFRF Expenditure Plan shall identify and designate a Responsible Entity who shall be held accountable for the compliance, implementation, monitoring, and accounting of the proposed projects, proposals, services and/or related assistance.

E. Following NNFRF Expenditure Plan approval by the Navajo Nation Council and President, the Navajo Nation, with the assistance of NNDOJ, shall enter into a binding agreement, such as a, grant or sub-recipient agreement, with each Responsible Entity, other than Navajo Nation divisions and offices and non-

LGA-certified chapters, to ensure that all Navajo Nation laws and regulations are followed and complied with at all times.

F. NNFRF Expenditure Plans involving construction activities shall include a contingency reserve consistent with industry standards adequate to cover projected inflation-based cost increases. The contingency reserve shall only be released by OOC to the Responsible Entity upon receipt of documented justification for the cost increase. After Expenditure Plan completion, any unused contingency funds shall be returned to the NNFRF.

G. The total funds allocated in an approved NNFRF Expenditure Plan for a non-Navajo Nation government program or office, including Navajo Nation-owned enterprises/authorities/corporations, may include an allocation for administrative costs at a rate not to exceed two percent (2%) of service or project cost to defray the costs of implementing, administering and monitoring said Expenditure Plan and its underlying services and projects.

H. Until the third quarter of 2024, NNFRF Expenditure Plans for direct financial assistance to enrolled Navajo Nation members, not including business economic relief or similar programs, shall be limited to ten percent (10%) of the total Fiscal Recovery Funds received by the Navajo Nation. After the second quarter of 2024, unallocated or unexpended NNFRF funds can be allocated for direct financial assistance to enrolled members through resolution of the Navajo Nation Council and approval of the President pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

SECTION FIVE. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO REIMBURSE SÍHASIN FUND ALLOCATIONS AND UNRESERVED, UNDESIGNATED FUND BALANCE APPROPRIATIONS

OOC, in consultation with OMB, shall immediately reimburse the Síhasin Fund and Unreserved, Undesignated Fund Balance ("UUFB") from the NNFRF for any allocations or appropriations wherein the approving Navajo Nation Council resolution authorized such reimbursement and NNDOJ deems such reimbursement(s) legally defensible under the Fiscal Recovery Funds provisions of ARPA. OMB shall report the amount and status of such reimbursements to the Naabik'íyáti' Committee and the Office of President and Vice-President no later than sixty (60) days after the effective date of this legislation.

SECTION SIX. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO DEFUNDED NAVAJO NATION CARES FUND PROJECTS

The Navajo Nation hereby immediately allocates NNFRF funds to replace the Navajo Nation CARES Fund funds that were reallocated to the Navajo Nation Hardship Assistance Expenditure Plan pursuant to Navajo Nation Council Resolution No. CJY-67-20 and Naabik'íyáti' Committee Resolutions No. NABIO-49-20 and NABID-63-20, as well as any CARES Fund funding that was voluntarily returned to the Nation because the project approved by the Navajo Nation Council could not be completed by the federal CARES Act deadline(s). OMB, with the assistance of OOC, shall report the amount and status of such allocations to the Naabik'íyáti' Committee and the Office of President and Vice-President no later than sixty (60) days after the effective date of this legislation.

SECTION SEVEN. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO FUND CENTRAL SUPPORT AND REGULATORY SERVICES

A. The Navajo Nation hereby immediately allocates ten percent (10%) of all Fiscal Recovery Funds received by the Navajo Nation to fund central support service and regulatory costs.

B. The Office of the President and Vice-President shall be responsible for apportioning ninety percent (90%) of the ten percent (10%) amount amongst Executive Branch programs and offices providing central support and regulatory services, including, the Office of the President and Vice-President, Office of the Controller, Office of Management and Budget, Department of Justice, Navajo Nation Washington Office, Division of Human Resources, Division of Community Development, and other Divisions and offices providing central support and/or regulatory services.

C. The Speaker of the Navajo Nation Council, after consultation with the Naabik'íyáti' Committee, shall be responsible for apportioning ten percent (10%) of the ten percent (10%) amount amongst Legislative Branch programs and offices providing central support services, including the Office of Legislative Services, Office of Legislative Counsel, Office of the Speaker, and Navajo Nation Council.

D. The programs and offices receiving NNFRF for central support and/or regulatory services shall use such funding to develop the legal, financial, organizational, managerial, administrative, regulatory, and reporting framework necessary to support the expeditious completion of NNFRF funded projects and the provision of NNFRF funded services.

E. The detailed budgets for the NNFRF funding allocated here for central support and regulatory services shall be processed through the executive or administrative review process

applicable to each Branch and shall not require further legislative action.

F. Any central support and/or regulatory services funding unspent or unencumbered at the end of the second quarter of Fiscal Year 2024 shall be reallocated to the NNFRF and be available for allocation to other NNFRF projects and services.

SECTION EIGHT. AUTHORIZING THE OFFICE OF THE CONTROLLER TO DISTRIBUTE FUNDS FROM THE NAVAJO NATION FISCAL RECOVERY FUND

A. After reimbursement of the Síhasin Fund and UUFB, allocations to the defunded Navajo Nation CARES Fund projects, and the release of the immediate disbursements provided for in this legislation, OOC shall only release and distribute NNFRF funds in conformance with duly adopted Expenditure Plans enacted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

B. Expenditure Plan funds shall not be released to LGA-certified Chapters, Navajo Nation-owned enterprises/authorities/corporations, non-profit corporations and/or external entities until a binding agreement, *e.g.*, grant or sub-recipient agreement, has been executed between the Navajo Nation and the respective Responsible Entity.

C. OOC shall be responsible for ensuring that withdrawals from all invested NNFRF funds are timed to balance Expenditure Plan needs with maximum investment earnings.

D. OOC shall coordinate and collaborate with each Responsible Entity to ensure that all applicable Navajo Nation and federal financial, accounting, and reporting laws and regulations are adhered to and strictly followed.

E. OOC and the respective Responsible Entity shall provide a written and oral report to the Naabik'íyáti' Committee and the Office of President and Vice-President on or about thirty (30) days after the end of each fiscal year quarter; such report will present an overview and status of all NNFRF funded projects, recommended modifications or adjustments to projects, and compliance challenges, if any.

SECTION NINE. APPLICABILITY AND WAIVER OF NAVAJO NATION APPROPRIATIONS ACT PROVISIONS TO NAVAJO NATION FISCAL RECOVERY FUNDS

A. The NNFRF are externally restricted funds awarded to the Navajo Nation solely for the purposes set forth in the Fiscal Recovery Funds provisions of ARPA. Accordingly, only those provisions of the Appropriations Act, 12 N.N.C. § 800 *et seq.*, that are expressly applicable to externally restricted funds, and any future provisions in the Budget Instructions Manual(s) expressly applicable to NNFRF, as approved by the Budget and Finance Committee, shall apply to the NNFRF and all Expenditure Plan(s) funded thereunder.

B. NNFRF shall not be a part of, and shall not be, included in the Navajo Nation Fiscal Year Comprehensive Budget and the Navajo Nation hereby waives the application of 12 N.N.C. § 820 [Overall Budget Policies], § 830 [Budget Planning and Preparation], § 840 [Budget Approval, Adoption and Certification], § 850 [Budget Implementation, Monitoring and Control], § 860 [Capital Improvement Process], and § 870 [Local Government Improvement Funds] to the NNFRF and all Expenditure Plan(s) funded thereunder.

SECTION TEN. AMENDING 12 N.N.C. § 334 TO AUTHORIZE EMERGENCY PROCUREMENTS FOR NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURES

A. Until such time as Navajo Nation procurement laws and regulations are amended to specifically support NNFRF procurements, the Navajo Nation hereby amends 12 N.N.C. § 334 as set forth below.

Title Twelve
Fiscal Matters
Chapter 3. Navajo Nation Procurement Act
Subchapter 1. General Provisions

****

§ 334. Emergency Procurement

A. Notwithstanding any other provision of law, the Director, Division of Finance, Purchasing Department, the head of a purchasing agency, or a designee of either officer may make or authorize others to make emergency procurement when there exists a threat to public health, welfare, or safety under emergency conditions as defined in regulations promulgated by the Budget and Finance Committee; provided that such emergency procurement shall be made with such competition as is practicable under the circumstances. A written determination of emergency shall be made by the executive director of the affected division, in concert with the Director, Division of Finance, Purchasing Department or authorized designee, and a

representative of the Attorney General's Office (or the Office of Legislative Counsel for emergency procurements by the Legislative Branch). To the extent possible, certified entities under the Navajo Nation Business Opportunity Act, 5 N.N.C. § 201 *et seq.*, shall receive preference in emergency procurement. The written determination and the selection of the particular contractor shall be included in the contract file. No oversight committee approval shall be required for these contracts.

B. Notwithstanding any other provision of law, procurements using Navajo Nation Fiscal Recovery Funds may be authorized and executed as Emergency Procurements at the discretion of the Procuring Party without further justification; provided that such emergency procurement shall be made with such competition as is practicable under the circumstances. To the extent possible, certified entities under the Navajo Nation Business Opportunity Act, 5 N.N.C. § 201 *et seq.*, that are able to complete the good or service within the Fiscal Recovery Fund's strict deadlines shall receive preference in emergency procurement. No oversight committee approval shall be required for these contracts.

****

B. Until such time as the Budget and Finance Committee amends the Navajo Nation Procurement Rules and Regulations ("Procurement Regulations") adopted by BFD-192-03, procurements using NNFRF funds shall be deemed to satisfy the definition of EMERGENCY CONDITION set forth at Section VII (B) of the Procurement Regulations without further justification; and the written application and concurrence requirements set forth at Section VII (C) of the Procurement Regulations shall not apply to such procurements.

C. As set forth in the Navajo Business Opportunity Act, if there are no responsive and responsible Priority One or Priority Two vendors responding to the Nation's solicitation for NNFRF funded goods, services, or construction and construction related services, who are qualified and able to meet the requirements of the procurement, including the demonstrated ability to meet the ARPA and NNFRF time deadlines, the Procuring Party may contract with companies not included on the Business Source List maintained by the Business Regulatory Department, as long as such companies agree to comply with Navajo Nation laws, regulations, and policies, including the Navajo Preference in Employment Act and Navajo Business Opportunity Act.

D. Navajo citizens, Navajo-owned businesses and non-profits, Navajo business-support organizations, such as the Dineh Chamber of Commerce, and Navajo Nation-owned enterprises/authorities/corporations shall be a provided a meaningful opportunity to comment before amendments are made to Navajo Nation procurement laws and regulations.

SECTION ELEVEN. AUTHORIZING THE ESTABLISHMENT OF A NAVAJO NATION FISCAL RECOVERY FUND OFFICE WITHIN THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT

A. The Office of the President and Vice-President ("OPVP") is authorized to establish a temporary NNFRF Office within OPVP by Executive Order pursuant to 2 N.N.C. §§ 1005(A) and (C)(14).

B. The NNFRF Office shall be a clearinghouse that will, at a minimum, educate the public on NNFRF matters; coordinate, facilitate and implement NNFRF responsibilities assigned to OPVP or the Executive Branch; ensure expeditious review of NNFRF eligibility determinations and other NNFRF matters by Executive Branch programs and offices; ensure Navajo Nation compliance with Fiscal Recovery Funds provisions of ARPA and Navajo Nation laws and regulations by all entities receiving NNFRF funds; facilitate and expedite the expenditure of all NNFRF funds; ensure the completion and implementation of NNFRF authorized projects and services; and assist/support OOC in monitoring the expenditure of NNFRF funds and submitting timely and accurate ARPA reports to the federal government.

C. Prior to its opening, OPVP shall present a plan of operation or similar structural document for the NNFRF Office to the Naabik'íyáti' Committee. On or about thirty (30) days after the end of each fiscal year quarter, OPVP shall present a report to the Naabik'íyáti' Committee on overall NNFRF Office operations, accomplishments, and challenges, along with recommended modifications or adjustments to projects and processes.

D. OPVP and OOC shall only contract with qualified and experienced Navajo Nation-owned enterprises/authorities/corporation or Navajo-owned businesses to assist in the implementation, management, and monitoring of NNFRF funds.

E. In order to support the purposes and intent of the Navajo Nation Business Opportunity Act and Navajo Nation Preference in Employment Act, within fifty (50) days after the enactment of this legislation, the NNFRF Office shall present a plan to the Budget and Finance and Naabik'íyáti' Committees to provide

bonding, insurance, and other needed support to grow the Navajo Nation economy through private sector contracting, using ARPA, NNFRF, and/or other Navajo Nation or external funding.

SECTION ELEVEN. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B).

SECTION TWELVE. SAVING CLAUSE

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provisions of the legislation which are not determined invalid shall remain the law of the Navajo Nation.

SECTION THIRTEEN. DIRECTIVES

A. OMB, in consultation with OOC and DOJ, shall present proposed NNFRF application and review procedures, including an NNFRF Expenditure Plan template, to the Budget and Finance Committee within twenty (20) days after the effective date of this legislation.

B. The Division of Natural Resources and General Land Development Department shall present a proposed Plan of Operation for a "One-Stop Shop" to facilitate, review, and approval of rights-of-ways, temporary construction permits, mission site permits, leases, etc., to the Resources and Development Committee within forty-five (45) days after the effective date of this legislation.

C. The Division of Human Resources and Department of Personnel Management shall present proposed amendments to the Navajo Nation Personnel Policies Manual to, at a minimum, facilitate the expeditious hiring of personnel with NNFRF funds to the Health, Education, and Human Services Committee within sixty (60) days after the effective date of this legislation.

D. OPVP, with the assistance of the Business Regulatory Department and OOC Purchasing Section, shall present proposed amendments to the Navajo Nation's procurement and business opportunity laws and regulations to, at a minimum, expedite NNFRF procurements, to the Budget and Finance Committee within sixty (60) days after the effective date of this legislation.

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 21 in Favor, and 01 Opposed, on this 22nd day of July 2021.

Honorable Seth Damon, Speaker
24th Navajo Nation Council

July 23, 2021
DATE

Motion: Honorable Paul Begay, Jr.
Second: Honorable Edison J. Wauneka

Speaker Seth Damon not voting

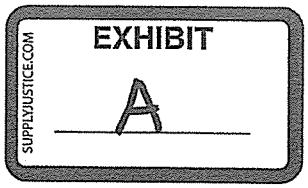
ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 02 day of August, 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



RESOLUTION OF THE CENTRAL AGENCY COUNCIL
NAVAJO NATION
CAC 07/21-11

CENTRAL AGENCY COUNCIL SUPPORTS LEGISLATION #0110-21: ESTABLISHING THE NAVAJO NATION FISCAL RECOVERY FUND AND THE EXPENDITURE AUTHORIZATION PROCESS.

WHEREAS:

1. The Central Agency Council is composed of 16 chapters.
2. The Navajo Nation Chapters are certified Chapters of the Navajo Nation pursuant to 2 N.N.C. § 4001 and 11 N.N.C. Part 1 § 10 having the authority to address and explore the local needs and concerns of chapter residents through participation in community planning; and
3. The Central Agency Council was established to address the needs, concerns, and general welfare of its constituents and advocate on their behalf for successful implementation of viable agency projects; and
4. The Central Agency Council supports legislation #0110-21; and
5. Legislation #0110-21 is herby establishing the Navajo Nation Fiscal Recovery Fund; and
6. The expenditure authorization hereunder; waiving certain provisions of the Navajo Nation appropriations act; and
7. Amending 12 N.N.C § 334 to authorize emergency procurements; and
8. Authorizing reimbursements of the Sihasin Fund and undesignated unreserved fund balance; and
9. Authorizing funding to complete defunded Navajo Nation CARES fund expenditure plan; and
10. Authorizing the establishment of a Navajo Nation Fiscal Recovery Fund Office within the Office of the President and Vice President.

NOW THEREFORE BE IT RESOLVED:

1. The Central Agency Council supports Legislation #-0110-21 in establishing the Navajo Nation Fiscal Recovery Fund and process.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Central Agency Council, Navajo Nation, at a duly called meeting at which time a quorum was present. A motion was made by Mae-Gillene Begay and seconded by Marcus Tulley and the same was passed by a vote of 28 in favor, 0 opposed, and 2 abstained, this 10th day of July, 2021.

Joseph Dedman Jr., President

Al Tsedah, Vice President

Dr. Rosanna Jumbo-Fitch, Secretary

NAVAJO NATION

846 7/22/2021

Navajo Nation Council Summer Session 03:39:41 PM

Amd# to Amd#	Legislation 0110-21: Establish-	PASSED
MOT Begay, P	ing the Navajo Nation Fiscal	
SEC Wauneka, E	Rcovery Fund and the Expenditure	
	Authorization Process Thereunder	

Yeas : 21 **Nays : 1** **Excused : 0** **Not Voting : 1**

Yea : 21

Begay, E	Freeland, M	Slater, C	Tso, E
Begay, K	Halona, P	Smith	Walker, T
Begay, P	Henio, J	Stewart, W	Wauneka, E
Brown	James, V	Tso	Yazzie
Crotty	Nez, R	Tso, D	Yellowhair
Daniels			

Nay : 1

Charles-Newton

Excused : 0

Not Voting : 1

Tso, C

Presiding Speaker: Damon

EXHIBIT
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B

Compliance and Reporting Guidance

State and Local Fiscal Recovery Funds

February 28, 2022

Version: 3.0

Appendix 1: Expenditure Categories

Treasury's final rule provides greater flexibility and simplicity for recipients to fight the pandemic and support families and businesses struggling with its impacts, maintain vital services amid revenue shortfalls, and build a strong, resilient, and equitable recovery. As such, recipients will report on a broader set of eligible uses and associated Expenditure Categories ("EC"), starting with the April 2022 Project and Expenditure Report. The table below includes the new Expenditure Categories, as well as a reference to previous Expenditure Categories used for reporting under the interim final rule.

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term "Expenditure Category" refers to the detailed level (e.g., 1.1 COVID-19 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level.

*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disproportionately impacted communities (see Project Demographic Distribution section above for details)

Expenditure Category	EC[27]	Previous EC[28]
1: Public Health		
COVID-19 Mitigation & Prevention		
COVID-19 Vaccination^	1.1	1.1
COVID-19 Testing^	1.2	1.2
COVID-19 Contact Tracing^	1.3	1.3
Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, Child care facilities, etc.)*^	1.4	1.4
Personal Protective Equipment^	1.5	1.5
Medical Expenses (including Alternative Care Facilities)^	1.6	1.6
Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)^	1.7	1.8
COVID-19 Assistance to Small Businesses^	1.8	-
COVID 19 Assistance to Non-Profits^	1.9	-
COVID-19 Aid to Impacted Industries^	1.10	-
Community Violence Interventions		
Community Violence Interventions*^	1.11	3.16
Behavioral Health		
Mental Health Services*^	1.12	1.10
Substance Use Services*^	1.13	1.11
Other		
Other Public Health Services^	1.14	1.12
Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	-	1.7
2: Negative Economic Impacts		
Assistance to Households		
Household Assistance: Food Programs*^	2.1	2.1
Household Assistance: Rent, Mortgage, and Utility Aid*^	2.2	2.2
Household Assistance: Cash Transfers*^	2.3	2.3

[27] Under the final rule to be used starting with April 2022 reports

[28] Under the interim final rule to be used in Interim Report and January 2022 Project and Expenditure Report

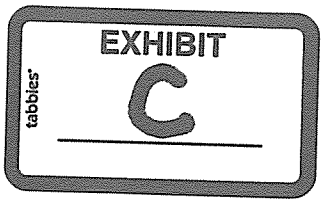
Expenditure Category	EC[27]	Previous EC[28]
Household Assistance: Internet Access Programs*^	2.4	2.4
Household Assistance: Paid Sick and Medical Leave^	2.5	-
Household Assistance: Health Insurance*^	2.6	-
Household Assistance: Services for Un/Unbanked*^	2.7	-
Household Assistance: Survivor's Benefits^	2.8	-
Unemployment Benefits or Cash Assistance to Unemployed Workers*^	2.9	2.6
Assistance to Unemployed or Underemployed Workers (e.g. job training, subsidized employment, employment supports or incentives)*^	2.10	2.7
Healthy Childhood Environments: Child Care*^	2.11	3.6
Healthy Childhood Environments: Home Visiting*^	2.12	3.7
Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System*^	2.13	3.8
Healthy Childhood Environments: Early Learning*^	2.14	3.1
Long-term Housing Security: Affordable Housing*^	2.15	3.10
Long-term Housing Security: Services for Unhoused Persons*^	2.16	3.11
Housing Support: Housing Vouchers and Relocation Assistance for Disproportionately Impacted Communities*^	2.17	-
Housing Support: Other Housing Assistance*^	2.18	3.12
Social Determinants of Health: Community Health Workers or Benefits Navigators*^	2.19	3.14
Social Determinants of Health: Lead Remediation*^	2.20	3.15
Medical Facilities for Disproportionately Impacted Communities^	2.21	-
Strong Healthy Communities: Neighborhood Features that Promote Health and Safety^	2.22	-
Strong Healthy Communities: Demolition and Rehabilitation of Properties^	2.23	-
Addressing Educational Disparities: Aid to High-Poverty Districts^	2.24	3.2
Addressing Educational Disparities: Academic, Social, and Emotional Services*^	2.25	3.3
Addressing Educational Disparities: Mental Health Services*^	2.26	3.4
Addressing Impacts of Lost Instructional Time^	2.27	-
Contributions to UI Trust Funds^	2.28	2.8
Assistance to Small Businesses		
Loans or Grants to Mitigate Financial Hardship^	2.29	2.9
Technical Assistance, Counseling, or Business Planning*^	2.30	
Rehabilitation of Commercial Properties or Other Improvements^	2.31	-
Business Incubators and Start-Up or Expansion Assistance*^	2.32	
Enhanced Support to Microbusinesses*^	2.33	
Assistance to Non-Profits		
Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted)^	2.34	2.10
Aid to Impacted Industries		
Aid to Tourism, Travel, or Hospitality^	2.35	2.11
Aid to Other Impacted Industries^	2.36	2.12
Other		
Economic Impact Assistance: Other*^	2.37	2.13
Household Assistance: Eviction Prevention*^	-	2.5
Education Assistance: Other*^	-	3.5
Healthy Childhood Environments: Other*^	-	3.9
Social Determinants of Health: Other*^	-	3.13

Expenditure Category	EC[27]	Previous EC[28]
3: Public Health-Negative Economic Impact: Public Sector Capacity		
General Provisions		
Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers	3.1	1.9
Public Sector Workforce: Rehiring Public Sector Staff	3.2	2.14
Public Sector Workforce: Other	3.3	-
Public Sector Capacity: Effective Service Delivery	3.4	7.2
Public Sector Capacity: Administrative Needs	3.5	-
4: Premium Pay		
Public Sector Employees	4.1	4.1
Private Sector: Grants to Other Employers	4.2	4.2
5: Infrastructure		
Water and Sewer		
Clean Water: Centralized Wastewater Treatment	5.1	5.1
Clean Water: Centralized Wastewater Collection and Conveyance	5.2	5.2
Clean Water: Decentralized Wastewater	5.3	5.3
Clean Water: Combined Sewer Overflows	5.4	5.4
Clean Water: Other Sewer Infrastructure	5.5	5.5
Clean Water: Stormwater	5.6	5.6
Clean Water: Energy Conservation	5.7	5.7
Clean Water: Water Conservation	5.8	5.8
Clean Water: Nonpoint Source	5.9	5.9
Drinking water: Treatment	5.10	5.10
Drinking water: Transmission & Distribution	5.11	5.11
Drinking water: Lead Remediation, including in Schools and Daycares	5.12	5.12
Drinking water: Source	5.13	5.13
Drinking water: Storage	5.14	5.14
Drinking water: Other water infrastructure	5.15	5.15
Water and Sewer: Private Wells	5.16	-
Water and Sewer: IIJA Bureau of Reclamation Match	5.17	-
Water and Sewer: Other	5.18	-
Broadband		
Broadband: "Last Mile" projects	5.19	5.16
Broadband: IIJA Match	5.20	-
Broadband: Other projects	5.21	5.17
6: Revenue Replacement		
Provision of Government Services	6.1	6.1
Non-federal Match for Other Federal Programs	6.2	-
7: Administrative		
Administrative Expenses	7.1	7.1
Transfers to Other Units of Government	7.2	7.3
Transfers to Non-entitlement Units (States and territories only)	-	7.4

Treasury has prepared the additional guidance below to support recipients in implementing the new expenditure categories. This table includes only those previous expenditure categories that are changing under the new structure, aligned with the final rule.

January 2022 Expenditure Categories		April 2022 Guidance
1: Public Health		
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	EC removed, capital expenditures can be designated in any relevant PH-NEI EC (e.g., new hospital wing would be tracked under EC 1.4)
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)	EC is 1.7
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19	EC is 3.1
1.10	Mental Health Services*	EC is 1.12
1.11	Substance Use Services*	EC is 1.13
1.12	Other Public Health Services	EC is 1.14
2: Negative Economic Impacts		
2.5	Household Assistance: Eviction Prevention	EC is now included as part of 2.2
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*	EC is 2.9
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)*^	EC is 2.10
2.8	Contributions to UI Trust Funds	EC is 2.28
2.9	Small Business Economic Assistance (General)*^	If public-health related (e.g., providing rapid tests for small businesses), EC is 1.8; if related to negative economic impact eligible use (e.g., grants, technical assistance, rehabilitation, incubators, or microbusinesses), EC is 2.29-2.33
2.10	Aid to Nonprofit Organizations*	If public-health related (e.g., providing rapid tests for non-profits), EC is 1.9; if related to negative economic impact (e.g., grants to stabilize non-profit budget), EC is 2.34
2.11	Aid to Tourism, Travel, or Hospitality	EC is 2.35
2.12	Aid to Other Impacted Industries	EC is 2.36
2.13	Other Economic Support*^	EC is 2.37, re-named Other Economic Impact
2.14	Rehiring Public Sector Staff	EC is 3.2
3: Services to Disproportionately Impacted Communities		
3.1	Education Assistance: Early Learning*^	EC is 2.14
3.2	Education Assistance: Aid to High-Poverty Districts ^	EC is 2.24
3.3	Education Assistance: Academic Services*^	EC is 2.25, social and emotional services will now be tracked under this EC
3.4	Education Assistance: Social, Emotional, and Mental Health Services*^	EC is 2.26, if social and emotional services, EC is 2.25;
3.5	Education Assistance: Other*^	EC is 2.37, collected under Other Economic Impact

January 2022 Expenditure Categories		April 2022 Guidance
3.6	Healthy Childhood Environments: Child Care*^	EC is 2.11
3.7	Healthy Childhood Environments: Home Visiting*^	EC is 2.12
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System*^	EC is 2.13
3.9	Healthy Childhood Environments: Other*^	EC is 2.37, collected under Other Economic Impact
3.10	Housing Support: Affordable Housing*^	EC is 2.15
3.11	Housing Support: Services for Unhoused Persons*^	EC is 2.16
3.12	Housing Support: Other Housing Assistance*^	EC is 2.18
3.13	Social Determinants of Health: Other*^	EC is 2.37, collected under Other Economic Impact
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators*^	EC is 2.19
3.15	Social Determinants of Health: Lead Remediation^	EC is 2.20
3.16	Social Determinants of Health: Community Violence Interventions*^	EC is 1.11
5: Infrastructure		
5.16	Broadband: "Last Mile" projects	EC is 5.19
5.17	Broadband: Other projects	EC is 5.20
7: Administrative		
7.2	Evaluation and Data Analysis	EC is 3.4 and has been renamed Effective Service Delivery
7.3	Transfers to Other Units of Government	EC is 7.2
7.4	Transfers to Non-entitlement Units (States and territories only)	To be separately reported as part of NEU/Non-UGLG module. Refer to Part 2 Section D.



Description	Category	$
Chapter Assistance	6.1	$81,950,000
Public Safety/Rural Addressing	1.14	$35,000,000
Cyber Security	1.14	$5,000,000
Senior Centers	1.14	$19,243,750
Wellness Centers	2.37	$21,000,000
Detox Centers	1.13	$15,243,750
Long Term Care Facility	1.6	$15,000,000
Warehouse	1.14	$5,000,000
Transitional Housing	1.12	$4,000,000
NSBCI	6.1	$5,000,000
Dinosaur Tracks	2.35	$4,600,000
Shiprock Visitor Center	2.35	$8,711,367
Eco. Dev./Tourism	2.35	$16,100,000
Twin Lakes Well	5.13	$500,000
Church Rock Industrial WL	5.11	$8,000,000
NahataDziil Waterline	5.11	$900,000
Retire Infrastructue Cow Springs	6.1	$460,000
Tseyi Restaurant, Motel, and Convenience Store Clean-up	6.1	$460,000
Black Mesa Shopping Center Clean-up	6.1	$731,031
Hardship Assistance	2.3	$120,000,000
Wastewater: Centralized Wastewater Treatment	5.1	$33,675,338
Wastewater: Collection and Conveyance	5.2	$6,008,874
Drinking Water: Distribution and Transmission	5.10	$10,030,000
Drinking Water: Transmission & Distribution	5.11	$51,085,788
Drinking Water: Source	5.13	$29,200,000
Drinking Water: Storage	5.14	$1,000,000
Drinking Water: Cistern Systems	5.15	$84,000,000
Broadband - Last Mile	5.19	$40,000,000
Broadband - IIJA Match	5.20	$20,000,000
Broadband - Middle Mile	5.21	$60,000,000
Home Electric Connections	2.18	$96,400,000
Electric Capacity	1.14	$3,600,000
Housing - New Housing	2.15	$50,000,000
Housing - Veterans	2.16	$50,000,000
Housing Manufacturing	2.15	$50,000,000
Housing for former Bennett Freeze and NPL	2.15	$15,550,000
Bathroom Additions	1.14	$150,000,000
Contingency Funding Line Item	6.1	$500
Reduced FRF Administrative Funds		
Executive Branch		-$42,151,531
Legislative Branch		-$5,000,000
Total Funding		$1,070,298,867

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0188

Date & Time Received: 4/12/2022

Date & Time of Response: 04/14/2022 10:26 MDT

Entity Requesting FRF: Division of Community Development (DCD)

Title of Project: FRF Request for the 110 Navajo Nation Chapter(s)

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $81,950,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Please note that reporting to Treasury for this Project will be based on the actual expenditures made pursuant to the Chapter sub-awards. Because a portion of those awards will likely respond to COVID-19 or be for other eligible purposes, it is likely that at least a portion of the Project's funding could be reported to Treasury under other FRF-eligible categories that are not limited to the amount of the Nation's lost revenue.

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development (DCD) Date prepared: 04/11/22
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 2389, Window Rock, AZ. 86515 phone/email: 928-871-7172 website (if any): pyellowman@nndcd.org

Form prepared by: Pearl Yellowman, Executive Director, Division of Community Development phone/email: 928-871-7172
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: FRF Request for the 110 Navajo Nation Chapter(s)

NN Government Unit's Director or Manager: Pearl Yellowman phone & email: 928-871-7172

Division Director (if any): _____ phone & email: _____

Branch Chief: Paulson Chaco phone & email: 928-871-7247

Funding Recipient will be working with: Division of Community Development on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
6.1 Government Services ☐ document attached

Amount of FRF requested: $81,950,000 FRF funding period: 4/11/22 to 10/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Division of Community Development is requesting for $81,950,000 million for Navajo Nation Governance Units Chapters to provide 6.1 Government Services (U.S. Treasury Guidelines) for Chapter assistance projects and programs. The FRF funds shall be allocated to the Division of Community Development for the benefit of the chapters rather than directly to all chapters. The Division of Community Development shall develop sub-awards to LGA-Certified Chapters through sub-recipient agreements and shall maintain administrative oversight over such funding and chapter project plans.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The Fiscal Recovery Funds are specifically intended to:
1. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality;
2. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
3. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and
4. Make necessary investments in water, sewer, and/or broadband infrastructure

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Develop and facilitate sub-awards: 5/01/22 -6/01/22
FRF shall be unencumbered by: 11/20/2024

All identified and eligible projects must be completed by 11/20/2026

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Division of Community Development here by request to use FRF categorie(s) 6.1 Government Services, on behalf of the 110 Navajo Nation Chapters. The dcd will provide sub-award(s) which will allow LGA Certified Chapters to manage and administer expenditure plans that fall under U.S. Treasury expenditure categories.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The 110 Navajo Nation Chapters

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

The Division of Community Development here by request to use FRF categorie(s) 6.1 Government Services, on behalf of the 110 Navajo Nation Chapters. The dcd will provide sub-award(s) which will allow LGA Certified Chapters to manage and administer expenditure plans that fall under U.S. Treasury expenditure categories.

See Supporting Document.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *Signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ 4.13.22
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
Office of the President & Vice President
print name and indicate title or position

EXECUTIVE BRANCH
indicate Branch or Division

FRF APPROVAL OF THE CHAPTER ASSISTANCE EXPENDITURE PLAN FOR PROPOSED LEGISTATION: Supporting Document

Chapter Project Plans shall be subject to the following requirements, restrictions, and review and approval process:

1. All expenditure plans in a Chapter's comprehensive NNFRF Chapter Project Plan shall fall under one of the authorized U.S. Treasury Expenditure Categories.

A comprehensive NNFRF Chapter Project Plan may include NNFRF-eligible expenditure plans for: programs to provide government services to Chapter members; providing basic PPE to Chapter members; providing food, fuel, firewood assistance to Chapter members negatively impacted by COVID-19; construction projects such as COVID-19 mitigation renovations to Chapter houses, housing renovations, and house wiring; planning and design projects; hiring consultants to assist with NNFRF-eligible programs and projects; hiring PEP workers, student workers and other temporary employees, or regular status employees to assist the Chapter governments in carrying out NNFRF-eligible programs and projects. Chapter Project Plans shall not include COVID-19 testing and vaccinations, or any cash assistance for Chapter

FY 2022 - 2026

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: 6.1 Provision of Government Services - 110 Chapters Division/Branch: Division of Community Development

Prepared By: Pearl Yellowman Phone No.: (928) 871-7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
AMERICAN RESCUE PLAN ACT	FY'22 - 26	81,950,000.00	100%
	TOTAL:	$81,950,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance			81,950,000	81,950,000
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	81,950,000.00	81,950,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman 4.12.22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

FY 2022 - 2026

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page ___ of___
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: 6.1 Provision of Government Services - 110 Chapters Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)			(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	8000 ASSISTANCE				81,950,000
8500	INFRASTRUCTURE (NON CAP)			81,950,000	
	8555 CHAPTER PROJECTS				
	$745,000.00 x 110 Chapters =	$	81,950,000.00		
			TOTAL	81,950,000	81,950,000

EXHIBIT
tabbies
D-1

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Navajo Area
Indian Health Service
P.O. Box 9020
Window Rock, Arizona 86515-9020

December 3, 2021

Honorable Jonathan Nez, President
The Navajo Nation
P.O. Box 7440
Window Rock, Arizona 86515

RE: Navajo Area IHS Sanitation Deficiency System (SDS) List – FY 2022

Dear Honorable President Nez:

Attached please find the most current Indian Health Service (IHS) Sanitation Deficiency System (SDS) report for domestic water, waste water and solid waste unmet needs for existing Navajo homes. The SDS is mandated by Public Law 94-437, the Indian Health Care Improvement Act, as amended. Although we update this list annually and submit it to our Headquarters office for inclusion into the national list, it may be amended at any time, and we seek and welcome your comments for the purpose of thoroughness. This Navajo SDS list was reviewed and updated during the 2021 calendar year, and was officially made part of the IHS Headquarters record on November 16, 2021.

The first page of the report is a summary of the identified reportable and eligible sanitation deficiencies for the Navajo Nation. The following six pages of the report is a one-line listing of the 349 reportable sanitation facilities projects, in priority order, that are necessary to correct these sanitation deficiencies. The funding priority is based on several scoring factors, with the dominant factors being the deficiency levels and the cost per home of each project.

The total estimated cost of all reportable Navajo Area projects is approximately $543.3 million, an increase of $7.7 million from the previous year.

In preparing this SDS list we have worked with the local Chapters, the Navajo Tribal Utility Authority, and the Nation's Department of Water Resources. Should your office wish to comment or add to this list, or would like more detailed information on individual projects, please contact CAPT Rachael Brown, Director, Division of Sanitation Facilities Construction, at (928) 871-5851.

Sincerely,

Roselyn Tso -S Digitally signed by Roselyn Tso -S Date: 2021.12.05 20:26:17 -07'00'

Roselyn Tso
Area Director, Navajo Area
Indian Health Service

xc: Myron Lizer, Vice President, Navajo Nation
Seth Damon, Speaker, Navajo Nation Council
Rickie Nez, Chairperson, Resources and Development Committee, Navajo Nation
Daniel E. Tso, Chairperson, Health, Education and Human Services Committee, Navajo Nation
Rex Kontz, Deputy General Manager, NTUA, Navajo Nation
Brett Grubbs, General Manager, NECA, Navajo Nation
Rudy Shebala, Executive Director, Division of Natural Resources, Navajo Nation
Pearl Yellowman, Executive Director, Division of Community Development, Navajo Nation
Patrick Dalgai, CDBG Program, Community Housing Infrastructure Department, Navajo Nation
James Adakai, Capital Projects Managmt Dept, Div. of Community Development, Navajo Nation
Jason John, Director, Department of Water Resources, Navajo Nation
Najam H. Tariq, Director Tech. Constn. & Ops., Department of Water Resources, Navajo Nation
Ronnie Ben, Acting Director, Navajo Nation EPA
Yolanda Barney, Public Water Systems Supervision Program, Navajo Nation EPA
Tomas Torres, Director, Water Division, EPA Region 9 (WTR-1)
Nancy Sockabasin, Tribal Drinking Water Team, EPA Region 9 (WTR-4)
Emmanuelle Rapicavoli, Tribal Drinking Water Team, EPA Region 9 (WTR-4)
Director, OEHE, NAIHS
Director, DSFC, NAIHS
District Engineers, DSFC, NAIHS; Ft. Defiance, Tuba City, Shiprock, Gallup Districts
File: C971.51 SDS

STARS

SDS SUMMARY (1 PAGE)
Area: NA

GENERAL AREA INFORMATION

Number of Projects:	
Total Data Base:	349
Current Agency Funding Plan:	134
Total Project Costs (Eligible):	
Total Data Base:	$543,309,960
Current Agency Funding Plan:	$137,307,869
Estimated Number of Homes Without Potable Water (Reportable homes)	3,575
Estimated Number of Homes at Deficiency Levels 4 and 5	3,681
Estimated Number of Homes at Deficiency Levels 2 through 5	15,781
Estimated Number of Homes at Deficiency Levels 1 through 5	44,009
Estimated Number of Homes at Deficiency Levels 0 through 5	56,262
Number of Communities in Deficiency Profile	173

DEFICIENCY LEVEL INFORMATION

DEFICIENCY LEVEL	0	1	2	3	4	5
Homes	12,253	28,228	10,651	1,449	2,181	1,500
Percent Eligible Homes	77.64	178.87	67.49	9.18	13.82	9.51
Number of Projects		3	33	13	191	109
Estimated Cost (Eligible):						
Total Data Base:		$4,055,000	$39,609,437	$22,966,485	$351,302,128	$125,376,910
Curr. Funding Plan:			$30,989,415	$22,966,485	$16,723,010	$66,628,959

TYPE OF SERVICE INFORMATION

TYPE OF SERVICE	WATER	SEWER	SOLID WASTE	O & M
Homes at IDL 0	*20,995*	*19,529*	*34,893*	*N/A*
Homes at IDL 1	*26,511*	*27,539*	*21,194*	*N/A*
Homes at IDL 2	*4,681*	*6,806*	*0*	*N/A*
Homes at IDL 3	*500*	*782*	*175*	*N/A*
Homes at IDL 4	*2,075*	*106*	*N/A*	*N/A*
Homes at IDL 5	*1,500*	*1,500*	*N/A*	*N/A*
Homes at IDL 2 - 5	8,756	9,194	175	N/A
Percent of Eligible Homes	55.48	58.26	1.11	N/A
Estimated Costs (Eligible):				
Total Data Base:	$476,466,446	$66,430,514	$413,000	$0
Curr. Funding Plan:	$88,161,186	$48,733,683	$413,000	$0

Report Criteria

Dataset: Snapshot – System-Wide: HQ (#19972 11/16/2021 04:54 Clapp, Ryan)
Area(s) : NA
Funded? No
Reportable? Yes
Funding : Eligible
Project Tier : All

Printed: 12/03/2021 10:50AM (Mountain)

STARS

SDS ONE-LINE LISTING

Project	Project Name	Project Tier	Tribe	Res.	Dist.	Field Office	Pri.	DL	Total Score	Homes	Total Contributions	Project Cost (Eligible)	Cumulative Cost (Eligible)
NM24623-1301	Naschitti - Community Watering Point	Tier 1: Ready To Fund	084	120	04	014	1	4	73	27	0	130,000	130,000
UT19808-1901	Oljato-Monument Valley Regional Watering Point	Tier 1: Ready To Fund	084	120	02	015	2	4	73	124	0	190,000	320,000
NM17483-0303	Tohatchi Community Watering Point	Tier 1: Ready To Fund	084	120	04	014	3	4	73	8	0	131,000	451,000
NM17423-0201	Coyote Canyon West Scattered Homes	Tier 1: Ready To Fund	084	120	04	014	4	5	72	13	0	425,000	876,000
NM23573-1102	Torreon Scattered	Tier 1: Ready To Fund	084	120	03	012	5	5	72	10	0	314,000	1,190,000
NM17002-0105	PTF W67 COUSINS RADIOTOWER LOOP PH2 EXT. Q83	Tier 1: Ready To Fund	084	120	04	014	6	5	72	24	1,224,000	1,224,000	2,414,000
NM17491-0703	SIHASIN W61 RINCON MARQUEZ-Extensions U24	Tier 1: Ready To Fund	084	120	04	011	7	5	71	31	1,612,000	1,612,000	4,026,000
NM01084-1601	Tohajiilee Scattered Homes	Tier 1: Ready To Fund	084	120	04	014	8	5	68	17	0	496,000	4,522,000
NM17403-1801	Gallup East Scattered 2021	Tier 1: Ready To Fund	084	120	04	014	9	5	66	6	0	300,000	4,822,000
AZ01012-3001	Chinle Scattered 2021	Tier 1: Ready To Fund	084	120	01	016	10	5	66	41	0	1,900,000	6,722,000
AZ01902-1300	Ganado 2021 Scattered	Tier 1: Ready To Fund	084	120	01	013	11	5	66	30	0	1,480,000	8,202,000
AZ09175-2801	Pinon Scattered 2021	Tier 1: Ready To Fund	084	120	01	016	12	5	66	21	0	995,001	9,197,001
NM17002-0109	SIHASIN W69 COUSINS RADIOTOWER LOOP PH4 EXT.	Tier 1: Ready To Fund	084	120	04	014	13	4	65	14	938,400	984,000	10,181,001
NM17002-0107*	PTF W68 COUSINS RADIOTOWER LOOP PH3 EXT.	Tier 1: Ready To Fund	084	120	04	014	14	5	65	16	1,900,000	1,900,000	12,081,001
AZ01012-3101	Chinle NE Scattered Reg 2021	Tier 1: Ready To Fund	084	120	01	016	15	5	64	16	0	948,000	13,029,001
NM24413-0202*	Burnham Bisti Church Scattered	Tier 1: Ready To Fund	084	120	03	017	16	5	63	3	0	200,000	13,229,001
AZ01024-1301	Fort Defiance Scattered 2021	Tier 1: Ready To Fund	084	120	01	013	17	5	63	22	0	1,559,000	14,788,001
AZ09923-0501	PTF W33 Jeddito Goldwater Loop Ph.1	Tier 1: Ready To Fund	084	120	01	013	18	5	63	30	2,419,000	5,891,000	20,679,001
NM24624-0801*	Newcomb Scattered	Tier 1: Ready To Fund	084	120	03	017	19	5	61	6	0	491,000	21,170,001
NM17487-1402*	TWIN LAKES-DEER SPRINGS EXT	Tier 1: Ready To Fund	084	120	04	014	20	4	61	4	0	280,000	21,450,001
NM24623-0401	Naschitti-Wildcat Springs Cisterns	Tier 1: Ready To Fund	084	120	04	014	21	5	60	8	0	260,000	21,710,001
AZ03107-1001	COALMINE CANYON - Booster Extension	Tier 1: Ready To Fund	084	120	02	018	22	5	60	7	0	1,600,000	23,310,001
AZ01037-0501*	Mexican Water Twin Peaks Waterline Extension	Tier 1: Ready To Fund	084	120	03	017	23	5	60	3	0	343,000	23,653,001
NM17458-0301*	Pinedale Northeast Extension (2 homes)	Tier 1: Ready To Fund	084	120	04	014	24	4	60	2	0	329,000	23,982,001
AZ01045-1102*	Shiprock Wall waterline	Tier 2: Engineering Assessed	084	120	03	017	25	5	60	3	0	303,000	24,285,001
NM24631-2005*	Shiprock South scattered WL extension	Tier 2: Engineering Assessed	084	120	03	017	26	5	60	3	0	468,000	24,753,001
NM17002-1701	Chichiltah Pigeon Springs Waterline Extensions	Tier 1: Ready To Fund	084	120	04	014	27	5	60	16	0	1,159,000	25,912,001
AZ01026-1102*	Houck Highlands - Extension	Tier 1: Ready To Fund	084	120	04	014	28	4	59	11	0	1,291,000	27,203,001
AZ03109-0901*	West Coppermine WL Ext. U90	Tier 1: Ready To Fund	084	120	02	018	29	4	59	4	0	341,000	27,544,001
AZ03121-0902	KAIBETO GRAY MESA EXTENSION V02 (P)	Tier 1: Ready To Fund	084	120	02	018	30	4	59	34	0	2,905,000	30,449,001
AZ01054-0108	SIHASIN 2018 Spider Rock W/L Ext Phase 2.5 (IHS funding?)	Tier 1: Ready To Fund	084	120	01	016	31	5	59	17	0	1,430,000	31,879,001
AZ09033-1401	GREASEWOOD ANTELOPE SPRINGS CISTERNS	Tier 1: Ready To Fund	084	120	02	019	32	5	58	18	0	661,014	32,540,015
NM24623-0101	Naschitti-Bluerock-Wilson Cisterns	Tier 1: Ready To Fund	084	120	04	014	33	5	58	9	0	318,000	32,858,015
UT19808-0201	OLJATOH-HALCHITA CISTERNS 1	Tier 1: Ready To Fund	084	120	02	015	34	5	58	28	0	1,005,000	33,863,015
AZ01054-0103	Spider Rock Phase 4 Cisterns	Tier 1: Ready To Fund	084	120	01	016	35	5	58	12	260,488	465,000	34,328,015
NM01084-0701	Canoncito Scattered - Cisterns	Tier 1: Ready To Fund	084	120	04	014	36	5	58	7	0	252,000	34,580,015
NM17403-0503*	Baca I-40 Crossing Extensions LB9	Tier 1: Ready To Fund	084	120	04	014	37	4	58	6	0	677,000	35,257,015
AZ03103-4004*	BODAWAY Painted Desert Waterline Extension Phase III	Tier 2: Engineering Assessed	084	120	02	018	38	4	58	13	0	1,865,000	37,122,015
AZ03109-1101*	Coppermine Cedar Tree Hills Waterline Ext.	Tier 2: Engineering Assessed	084	120	02	018	39	4	58	9	0	839,000	37,961,015
NM17423-0603*	COYOTE CANYON-North Extensions PH2 U29	Tier 1: Ready To Fund	084	120	04	014	40	4	58	21	0	2,443,000	40,404,015
AZ09160-1006*	Many Mules Waterline Phase 4	Tier 1: Ready To Fund	084	120	01	016	41	5	58	15	0	6,362,000	46,766,015
AZ09166-0601*	KAYENTA-Singer Waterline Extension	Tier 1: Ready To Fund	084	120	02	015	42	5	58	4	0	534,000	47,300,015
NM24622-0602	Pueblo Bonito-PH 2, Waterline	Tier 1: Ready To Fund	084	120	03	012	43	4	58	8	0	766,000	48,066,015
AZ01048-0301*	Lukachukai West Extension	Tier 2: Engineering Assessed	084	120	01	016	44	4	58	6	0	1,270,998	49,337,013
NM24631-2004*	Shiprock NE Waterline Extension Ph II	Tier 2: Engineering Assessed	084	120	03	017	45	4	58	3	0	430,000	49,767,013
AZ09180-1301*	SHONTO TWO MESAS WATERLINE EXTENSION	Tier 1: Ready To Fund	084	120	02	018	46	4	58	5	0	603,000	50,370,013
AZ09184-0704	TEESTO MOUNTAINSIDE EXT.	Tier 1: Ready To Fund	084	120	02	019	47	4	58	20	0	1,623,000	51,993,013
AZ03131-0103*	Tonalea Middle Mesa WL Extension	Tier 2: Engineering Assessed	084	120	02	018	48	4	58	8	0	843,000	52,836,013
NM17491-0202	Whitehorse Lake-SandSpring Extension U27	Tier 1: Ready To Fund	084	120	04	011	49	4	58	29	0	2,679,000	55,515,013
AZ09158-0101	DILKON SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	019	50	5	57	22	0	829,000	56,344,013
AZ03122-0203	LECHEE HORSETHIEF MESA SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	018	51	5	57	14	0	533,000	56,877,013
AZ09158-1001	SIHASIN DILKON - PYRAMID BUTTE EXT. T67	Tier 1: Ready To Fund	084	120	02	019	52	5	57	35	1,304,450	1,744,000	58,621,013
AZ01047-0901	SIHASIN W40 Rough Rock North W/L Ext U58	Tier 2: Engineering Assessed	084	120	01	016	53	4	57	72	2,811,000	2,811,000	61,432,013
AZ09150-0401	BIRDSPRINGS RINCON BASIN CISTERNS	Tier 1: Ready To Fund	084	120	02	019	54	5	56	6	0	244,000	61,676,013
AZ09164-0101	INDIAN WELLS - ROUND BUTTE CISTERNS	Tier 1: Ready To Fund	084	120	02	019	55	5	56	9	0	376,002	62,052,015
NM17483-0301	TOHATCHI CISTERNS	Tier 1: Ready To Fund	084	120	04	014	56	5	56	2	0	80,000	62,132,015
NM23573-0801*	Torreon Nineyears Waterline Extension	Tier 1: Ready To Fund	084	120	03	012	57	5	56	5	0	500,000	62,632,015
NM33140-0303*	RAMAH SCATTERED PHASE III EXTENSIONS	Tier 3: Preliminarily Assessed	084	120	04	014	58	4	56	6	0	1,025,000	63,657,015
AZ03109-0801	Coppermine Cisterns	Tier 1: Ready To Fund	084	120	02	018	59	5	55	16	0	686,000	64,343,015
AZ09158-1701	DILKON - TAHA CISTERNS	Tier 1: Ready To Fund	084	120	02	019	60	5	55	3	0	128,000	64,471,015
AZ09158-2701	2021 WINSLOW SCATTERED PROJECT + CISTERNS	Tier 1: Ready To Fund	084	120	02	019	61	5	55	15	0	616,000	65,087,015
NM17447-0901	Manuelito Big Rock Canyon Cisterns (Sihasin Ph2)	Tier 1: Ready To Fund	084	120	04	014	62	5	55	2	0	91,000	65,178,015
UT19808-1501	Oljatoh Narrow Canyon Scattered CISTERNS	Tier 1: Ready To Fund	084	120	02	015	63	5	55	8	0	349,000	65,527,015
AZ01072-0601	Wide Ruins West Cisterns	Tier 1: Ready To Fund	084	120	01	013	64	5	55	13	0	546,000	66,073,015
AZ01054-0104	SIHASIN W43 Spider Rock-Chinle W/L Ext Phase 3	Tier 2: Engineering Assessed	084	120	01	016	65	5	55	56	3,843,000	3,843,000	69,916,015
NM17447-0902*	SIHASIN Manuelito Big Rock Canyon Exts (P)	Tier 1: Ready To Fund	084	120	04	014	66	4	55	5	370,000	1,104,000	71,020,015

NM17487-1501	SIHASIN W62 TWIN LAKES-Tohlakai South Ext	Tier 2: Engineering Assessed	084	120	04	014	67	5	55	7	409,000	409,000	71,429,015
AZ01056-0603*	Steamboat Canyon Ph.2 WL Ext. U56	Tier 2: Engineering Assessed	084	120	01	013	68	4	55	12	0	2,401,000	73,830,015
NM28341-0702*	ALAMO-PH2 ALAMOCITA CRK EXT	Tier 3: Preliminarily Assessed	084	120	04	014	69	4	55	2	0	246,000	74,076,015
NM28341-1102*	ALAMO-PH2 JALAROSA CREEK EXT	Tier 3: Preliminarily Assessed	084	120	04	014	70	4	55	5	0	482,000	74,558,015
NM28341-1201*	ALAMO-MONTOYA SPRING WL EXT & LAGOONS	Tier 3: Preliminarily Assessed	084	120	04	014	71	4	55	6	0	990,000	75,548,015
NM33140-0404*	Goat Hill Ph 4 Exts, Tank & Booster	Tier 2: Engineering Assessed	084	120	04	014	72	4	55	3	0	1,342,000	76,890,015
NM33140-0502*	RAMAH WHITEROCK UNIT 1 EXTENSIONS	Tier 2: Engineering Assessed	084	120	04	014	73	4	55	20	0	2,349,000	79,239,015
NM17408-0203*	Bread Springs & Red Rock Scattered Extensions	Tier 2: Engineering Assessed	084	120	04	014	74	5	55	9	0	1,089,000	80,328,015
AZ03104-1302	CAMERON West Cisterns - Phase I	Tier 1: Ready To Fund	084	120	02	018	75	5	54	7	0	344,000	80,672,015
AZ03104-1405	CAMERON Gray Mountain Lava Wash Cisterns - Phase IV	Tier 1: Ready To Fund	084	120	02	018	76	5	54	15	0	754,000	81,426,015
AZ01012-0501	Chinle Non-Medical Referral Cisterns	Tier 2: Engineering Assessed	084	120	01	016	77	5	54	16	0	784,992	82,211,007
AZ03107-0102	COALMINE CANYON - Appaloosa Ridge Cisterns Phase II	Tier 1: Ready To Fund	084	120	02	018	78	5	54	6	0	284,000	82,495,007
AZ09158-0301	DILKON JOHN'S DRAW 2 CISTERNS	Tier 1: Ready To Fund	084	120	02	019	79	5	54	8	0	386,000	82,881,007
AZ09158-0201	DILKON - TAYLOR CISTERNS	Tier 1: Ready To Fund	084	120	02	019	80	5	54	4	0	197,000	83,078,007
AZ09158-1301	DILKON - RED CHEEKS BUTTE WEST PH1. CISTERNS	Tier 1: Ready To Fund	084	120	02	019	81	5	54	3	0	150,000	83,228,007
AZ01024-0101	FORT DEFIANCE SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	01	013	82	5	54	15	0	759,000	83,987,007
AZ03121-0701	KAIBETO SCATTERED CISTERN	Tier 1: Ready To Fund	084	120	02	018	83	5	54	3	0	141,000	84,128,007
UT19808-0801	Oljatoh Piute Farms West Scattered Cisterns	Tier 1: Ready To Fund	084	120	02	015	84	5	54	3	0	143,000	84,271,007
AZ09180-0901	SHONTO SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	018	85	5	54	4	0	191,000	84,462,007
AZ03132-0104	TOLANI LAKE PRICE II CIST. DIST. 5	Tier 3: Preliminarily Assessed	084	120	02	019	86	5	54	4	0	164,999	84,627,006
AZ03132-0803	TOLANI LK BLACK FALLS II CIST.DIST5	Tier 1: Ready To Fund	084	120	02	019	87	5	54	4	0	199,000	84,826,006
AZ03132-0901	TOLANI LAKE SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	019	88	5	54	3	0	141,000	84,967,006
AZ01066-0801	TSAILE-BLACK ROCK CISTERNS	Tier 1: Ready To Fund	084	120	01	013	89	5	54	24	0	1,164,000	86,131,006
AZ09921-1001	WHITE CONE - SCATTERED CISTERN (DWR?)	Tier 1: Ready To Fund	084	120	02	019	90	5	54	1	0	64,001	86,195,007
NM24610-0801	FFO Regular Scattered	Tier 2: Engineering Assessed	084	120	03	012	91	5	54	60	0	2,029,980	88,224,987
AZ01902-2002*	Ganado System WL Exts._ECO Infeasible	Tier 3: Preliminarily Assessed	084	120	01	013	92	4	54	31	0	12,793,000	101,017,987
AZ01047-1101*	SIHASIN 2018 Rough Rock Low Pressure	Tier 2: Engineering Assessed	084	120	01	016	93	4	54	6	588,000	588,000	101,605,987
NM24631-0902*	SHIPROCK FARM AREA 7 EXTENSION	Tier 3: Preliminarily Assessed	084	120	03	017	94	4	54	2	0	1,332,000	102,937,987
AZ03131-0102*	Tonalea Isolated Ext Ph2	Tier 2: Engineering Assessed	084	120	02	018	95	4	54	15	0	1,186,000	104,123,987
NM17487-0520*	Twin Lakes Banana Ridge Ext	Tier 3: Preliminarily Assessed	084	120	04	014	96	4	54	1	0	129,000	104,252,987
AZ09150-0301	BIRDSPRINGS HWY 99 SOUTH CISTERNS PH. 1	Tier 1: Ready To Fund	084	120	02	019	97	5	53	15	0	766,000	105,018,987
AZ09150-0701	BIRDSPRINGS SOUTH CISTERN	Tier 1: Ready To Fund	084	120	02	019	98	5	53	1	0	55,000	105,073,987
AZ03104-1202	CAMERON LCR Gorge Cisterns	Tier 1: Ready To Fund	084	120	02	018	99	5	53	11	0	600,000	105,673,987
AZ03107-0901	COALMINE CANYON - Cisterns Phase I (1 home)	Tier 1: Ready To Fund	084	120	02	018	100	5	53	1	0	56,000	105,729,987
AZ09158-1203	DILKON RABBIT CISTERNS	Tier 1: Ready To Fund	084	120	02	019	101	5	53	4	0	224,000	105,953,987
AZ03108-1403	LEUPP - GRAND FALLS SCATT. CISTERNS	Tier 1: Ready To Fund	084	120	02	019	102	5	53	10	0	532,000	106,485,987
AZ03108-1101	LEUPP SAN FRANCISCO WASH CIST.DIST5	Tier 1: Ready To Fund	084	120	02	019	103	5	53	17	0	869,001	107,354,988
AZ01053-0402	SAWMILL WHITE CLAY CISTERNS	Tier 2: Engineering Assessed	084	120	01	013	104	5	53	43	0	2,230,969	109,585,957
AZ09184-0701	TEESTOH NAAHTEE CANYON SPRINGS CIST. WPT	Tier 1: Ready To Fund	084	120	02	019	105	5	53	14	0	734,000	110,319,957
NM24413-0801*	SIHASIN W51 BURNHAM EAST WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	106	5	53	15	1,496,400	2,222,000	112,541,957
NM24413-1201*	SIHASIN W52 Burnham NW WL Ext I	Tier 2: Engineering Assessed	084	120	03	017	107	5	53	4	549,600	732,000	113,273,957
NM24625-0302*	SIHASIN W55 Morgan Lake Waterline Extension	Tier 2: Engineering Assessed	084	120	03	017	108	5	53	5	684,000	1,401,000	114,674,957
AZ09923-0502	SIHASIN W34 Jeddito Goldwater Loop Ph.2	Tier 2: Engineering Assessed	084	120	01	013	109	5	53	26	1,591,000	1,591,000	116,265,957
NM24631-3002	Shiprock Service Unit Failed DF	Tier 1: Ready To Fund	084	120	03	017	110	4	53	42	0	450,000	116,715,957
AZ03135-4101	TUBA CITY Failed Drainfields	Tier 1: Ready To Fund	084	120	02	018	111	4	53	21	0	425,000	117,140,957
AZ01024-1001	Fort Defiance Sewerline Ext. (XP3)	Tier 2: Engineering Assessed	084	120	01	013	112	3	53	34	0	832,000	117,972,957
AZ09150-0601	BIRDSPRINGS NORTH HWY 99 CISTERNS, PHASE I	Tier 1: Ready To Fund	084	120	02	019	113	5	52	9	0	570,000	118,542,957
NM17444-1501	Gallup Failed Septics DL 4 - Eastward	Tier 1: Ready To Fund	084	120	04	014	114	4	52	8	0	173,000	118,715,957
NM17002-1901	Chichiltah Vanderwagen Waterline Extension	Tier 1: Ready To Fund	084	120	04	014	115	5	51	137	0	5,863,000	124,578,957
AZ03104-1204	CAMERON Mountaintop Cisterns - Phase III	Tier 1: Ready To Fund	084	120	02	018	116	5	51	3	0	208,000	124,786,957
AZ03107-0601	COALMINE CANYON - Little Colorado Cisterns - Phase I	Tier 1: Ready To Fund	084	120	02	018	117	5	51	3	0	197,000	124,983,957
AZ03108-1201	LEUPP PADRE CANYON CIST. DIST. 5	Tier 1: Ready To Fund	084	120	02	019	118	5	51	21	0	1,487,999	126,471,956
AZ03108-1302	LEUPP CANYON DIABLO CIST DIST. 5	Tier 1: Ready To Fund	084	120	02	019	119	5	51	11	0	788,001	127,259,957
UT19800-0302*	SIHASIN W54 MONTEZUMA CREEK EXTENSION U32	Tier 2: Engineering Assessed	084	120	03	017	120	4	51	2	324,000	324,000	127,583,957
NM17453-0702*	SIHASIN W60 Mexican Springs Todilto Park Ext W35	Tier 2: Engineering Assessed	084	120	04	014	121	4	51	18	2,554,000	2,554,000	130,137,957
AZ01047-0904*	SIHASIN W41 Rough Rock South Waterline Ext. Ph 2	Tier 2: Engineering Assessed	084	120	01	016	122	5	51	9	945,000	1,451,000	131,588,957
AZ01061-0502*	SIHASIN W58 Teec Yellow Rock Point W/L Ext	Tier 2: Engineering Assessed	084	120	03	017	123	4	51	1	607,200	1,091,000	132,679,957
AZ09997-0803*	Black Mesa East and North WL Extensions	Tier 2: Engineering Assessed	084	120	01	016	124	4	51	37	0	3,851,000	136,530,957
NM28341-0301	SIHASIN W63 ALAMO O&M Water Improvements	Tier 1: Ready To Fund	084	120	04	014	125	2	51	411	3,000,000	3,000,000	139,530,957
UT19813-0601	Nav Mtn Rainbow City Cisterns	Tier 1: Ready To Fund	084	120	02	018	126	5	50	4	0	306,000	139,836,957
NM17450-0501*	SIHASIN W35 NAVAJO-ASAAYI WATERLINE	Tier 2: Engineering Assessed	084	120	01	013	127	5	50	11	396,000	953,000	140,789,957
AZ09150-0802	BIRDSPRINGS TOJI ANIZAAD EXT.DIST5 (U02)	Tier 2: Engineering Assessed	084	120	02	019	128	5	49	11	0	682,000	141,471,957
AZ03109-0603	COPPERMINE - KOKO EXT PHASE 3 LE9	Tier 2: Engineering Assessed	084	120	02	018	129	5	49	32	0	1,833,000	143,304,957
AZ01026-2001	Houck Scattered Homes (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	130	5	49	4	0	226,000	143,530,957
AZ01056-0601	SIHASIN W42 Steamboat Canyon Ph.1	Tier 2: Engineering Assessed	084	120	01	013	131	5	49	31	1,808,000	1,808,000	145,338,957
AZ03108-1901	WEST LEUPP SCATTERED CISTERN (2 homes)	Tier 1: Ready To Fund	084	120	02	019	132	5	49	2	0	180,000	145,518,957
AZ03108-1701*	LEUPP SCATTERED CISTERN (1 home)	Tier 1: Ready To Fund	084	120	02	019	133	5	49	1	0	85,000	145,603,957
NM24610-1001	Farmington Failed DF/Septic VII	Tier 1: Ready To Fund	084	120	03	012	134	4	49	23	0	480,010	146,083,967
AZ01011-1201	SIHASIN W44 Chilchinbeto Yellowhair CWS Upgrade	Tier 2: Engineering Assessed	084	120	02	015	135	2	49	316	2,057,000	1,547,700	147,631,667
AZ01040-0601	SIHASIN W36 Nazlini Additional Water Source	Tier 2: Engineering Assessed	084	120	01	016	136	2	49	168	930,000	1,295,000	148,926,667
AZ01041-0901	SIHASIN W39 Pine Springs Well	Tier 2: Engineering Assessed	084	120	01	013	137	2	49	64	689,000	689,000	149,615,667
AZ01041-1001	SIHASIN W38 Hunter's Pt./Oak Springs Inter-Tie	Tier 2: Engineering Assessed	084	120	01	013	138	2	49	110	1,426,000	1,428,000	151,043,667
AZ01026-0901	Houck-Sanders (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	139	5	48	10	0	604,000	151,647,667
UT19808-1302*	OLJATOH-TRAIN ROCK W/L EXTENSION V06	Tier 2: Engineering Assessed	084	120	02	015	140	4	48	39	0	1,991,000	153,638,667

AZ03135-2402	Tuba City WWTP Upgrades NTUA Ph 2 (X)	Tier 2: Engineering Assessed	084	120	02	018	141	3	48	1508	16,435,487	12,602,477	166,241,144
AZ09033-1402*	GREASEWOOD ANTELOPE SPRINGS EXT	Tier 2: Engineering Assessed	084	120	02	019	142	4	47	14	0	808,010	167,049,154
NM17470-3001	Rock Springs Pablo Extension	Tier 2: Engineering Assessed	084	120	04	014	143	5	47	3	0	182,000	167,231,154
AZ01026-1403	Houck Burntwater East (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	144	5	46	13	0	813,000	168,044,154
AZ09164-0902*	INDIAN WELLS - GORILLA HEAD EXT. V01	Tier 2: Engineering Assessed	084	120	02	019	145	4	46	45	0	3,134,025	171,178,179
UT19808-0202*	OLJATOH-HALCHITA WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	02	015	146	4	46	45	0	2,913,000	174,091,179
NM24631-2404	Shiprock WWTP Septage Receiving Treatment	Tier 1: Ready To Fund	084	120	03	017	147	2	46	3369	0	1,446,000	175,537,179
AZ01058-1007	PTF W72 Shiprock to Sweetwater/Aneth Phase 7	Tier 1: Ready To Fund	084	120	03	017	148	2	46	1851	3,395,000	2,945,000	178,482,179
AZ03135-2403	Tuba City WWTP Septage Receiving Treatment	Tier 2: Engineering Assessed	084	120	02	018	149	2	46	3211	0	1,446,000	179,928,179
AZ03135-0701*	SIHASIN W49 TUBA CITY NW SEWERLINE - PHASE I	Tier 2: Engineering Assessed	084	120	02	018	150	2	46	39	1,038,000	1,038,000	180,966,179
AZ09158-2601	WINSLOW DL4 ST/DF REPLACEMENT 2021	Tier 3: Preliminarily Assessed	084	120	02	019	151	4	45	4	0	98,000	181,064,179
UT19800-0801*	WESTWATER - BLANDING New Water System	Tier 3: Preliminarily Assessed	084	120	03	017	152	4	45	21	0	3,174,000	184,238,179
AZ09158-1204*	DILKON - RABBIT EXT.	Tier 1: Ready To Fund	084	120	02	019	153	4	45	4	0	628,000	184,866,179
AZ09158-1302*	DILKON - RED CHEEKS BUTTE WEST PH2 EXT. (XX)	Tier 2: Engineering Assessed	084	120	02	019	154	4	45	3	0	225,000	185,091,179
NM24446-0704*	Lake Valley Billy Waterline Extensions	Tier 3: Preliminarily Assessed	084	120	03	012	155	5	45	3	0	295,999	185,387,178
NM24446-0705*	Lake Valley Janice Pablo Waterline (1 home)	Tier 2: Engineering Assessed	084	120	03	012	156	4	45	1	0	346,000	185,733,178
NM24622-0801*	Nageezi Martinez-Lopez Waterline	Tier 2: Engineering Assessed	084	120	03	012	157	5	45	2	0	370,000	186,103,178
NM24645-0501*	White Rock New Tank & Booster for System Pressure	Tier 2: Engineering Assessed	084	120	03	012	158	5	45	4	0	996,919	187,100,097
AZ01011-1601*	Chilchinbeto-James and Benally Camp Ext. T59	Tier 1: Ready To Fund	084	120	02	015	159	5	45	10	0	706,000	187,806,097
AZ09158-0302*	DILKON JOHN'S DRAW 2 EXT.	Tier 2: Engineering Assessed	084	120	02	019	160	4	45	12	0	943,000	188,749,097
AZ09158-1002	DILKON - COYOTE WASH EXTENSION U02	Tier 1: Ready To Fund	084	120	02	019	161	4	45	28	0	1,827,000	190,576,097
AZ09164-0203*	INDIAN WELLS-PUEBLO COLORADO II EXT LK4	Tier 2: Engineering Assessed	084	120	02	019	162	4	45	25	0	1,904,000	192,480,097
UT19808-0102*	OLJATO-PIUTE FARMS WATERLINE EXTENSION U66 (P)	Tier 1: Ready To Fund	084	120	02	015	163	4	45	28	0	2,207,000	194,687,097
NM17458-0201*	Pinedale Allotment Dispute	Tier 2: Engineering Assessed	084	120	04	014	164	4	45	1	0	72,000	194,759,097
UT19815-1202*	RED MESA NORTH WATERLINE TSOSIE CAMP LC5	Tier 2: Engineering Assessed	084	120	03	017	165	4	45	6	0	481,000	195,240,097
AZ03132-0902*	TOLANI LAKE SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	166	4	45	10	0	808,000	196,048,097
AZ09175-2501*	Pinon Low Pressure and WL Extension	Tier 2: Engineering Assessed	084	120	01	016	167	2	45	23	0	588,000	196,636,097
NM17475-0802	PTF W66 Casamero Lake Well- Phase 2	Tier 2: Engineering Assessed	084	120	04	011	168	2	45	381	891,500	1,398,500	198,034,597
NM17426-0202*	NAHODISHGISH SW EXTENSION	Tier 2: Engineering Assessed	084	120	04	011	169	5	44	4	0	502,000	198,536,597
AZ09150-1002*	BIRDSPRINGS REMOTE EXTENSIONS LJ4	Tier 2: Engineering Assessed	084	120	02	019	170	4	44	17	0	1,145,000	199,681,597
AZ03104-1403*	CAMERON Gray Mountain Extension - Phase III U94	Tier 2: Engineering Assessed	084	120	02	018	171	4	44	22	0	1,802,000	201,483,597
AZ03109-0803*	Southwest Coppermine WL Ext.	Tier 2: Engineering Assessed	084	120	02	018	172	4	44	5	0	437,000	201,920,597
AZ09158-1104*	DILKON - JOHN'S DRAW 1 EXT. U99 (P)	Tier 2: Engineering Assessed	084	120	02	019	173	4	44	29	0	1,726,000	203,646,597
AZ09164-0102*	INDIAN WELLS - ROUND BUTTE EXT.	Tier 2: Engineering Assessed	084	120	02	019	174	4	44	14	0	1,147,006	204,793,603
AZ09164-0904*	INDIAN WELLS - GORILLA HEAD PH2 EXT LD1	Tier 2: Engineering Assessed	084	120	02	019	175	4	44	17	0	1,425,008	206,218,611
AZ09166-2002*	KAYENTA-ARIZ - EL CAP. NORTH EXT. V03	Tier 1: Ready To Fund	084	120	02	015	176	4	44	28	0	2,327,000	208,545,611
AZ01035-0604*	LUPTON - South Extensions LE1	Tier 1: Ready To Fund	084	120	04	014	177	4	44	5	0	443,000	208,988,611
UT19800-1102*	ANETH MAIL TRAIL WATERLINE U64	Tier 2: Engineering Assessed	084	120	03	017	178	4	43	7	0	1,405,000	210,393,611
NM17403-0302*	Baca South Extensions LC1	Tier 2: Engineering Assessed	084	120	04	014	179	4	43	17	0	3,420,000	213,813,611
NM17403-0602*	Baca Scattered Extension (1 home)	Tier 2: Engineering Assessed	084	120	04	014	180	4	43	1	0	486,000	214,299,611
NM17500-0602*	BECENTI-Milk Lake-Extensions	Tier 2: Engineering Assessed	084	120	04	014	181	4	43	4	0	881,000	215,180,611
NM17500-0702*	BECENTI-Flat Lake-Extensions	Tier 3: Preliminarily Assessed	084	120	04	014	182	4	43	5	0	1,038,000	216,218,611
AZ09150-0702*	BIRDSPRINGS SOUTH EXT. PH 2.	Tier 1: Ready To Fund	084	120	02	019	183	4	43	3	0	249,000	216,467,611
AZ09150-0302*	BIRDSPRINGS SOUTH HWY 99 EXTENSIONS PHASE 2	Tier 2: Engineering Assessed	084	120	02	019	184	4	43	21	0	3,826,000	220,293,611
AZ09150-0402*	BIRDSPRINGS RINCON BASIN EXT. DIST5	Tier 2: Engineering Assessed	084	120	02	019	185	4	43	9	0	1,532,000	221,825,611
AZ03103-4005*	BODAWAY Isolated Waterline Extension Phase IV U59	Tier 2: Engineering Assessed	084	120	02	018	186	4	43	15	0	3,402,000	225,227,611
AZ03103-4002*	BODAWAY Crooked Ridge WL Extens (U59)	Tier 2: Engineering Assessed	084	120	02	018	187	4	43	8	0	1,393,000	226,620,611
AZ03103-4003*	BODAWAY Tanner-Hamblin Divide WL Extn (U59)	Tier 2: Engineering Assessed	084	120	02	018	188	4	43	34	0	3,861,000	230,481,611
NM24413-1502*	BURNHAM PHASE II HUNTER WASH EXT LE3	Tier 2: Engineering Assessed	084	120	03	017	189	4	43	5	0	1,046,000	231,527,611
NM24413-0702*	BURNHAM NORTH W/L EXT I	Tier 2: Engineering Assessed	084	120	03	017	190	4	43	5	0	802,000	232,329,611
NM24413-0502*	BURNHAM WEST W/L EXT II	Tier 2: Engineering Assessed	084	120	03	017	191	4	43	5	0	632,000	232,961,611
AZ03104-1203*	CAMERON LCR Gorge Extension-Phase II	Tier 2: Engineering Assessed	084	120	02	018	192	4	43	11	0	5,806,000	238,767,611
AZ03104-1404*	CAMERON Gray Mountain Extension - Phase IV	Tier 2: Engineering Assessed	084	120	02	018	193	4	43	27	0	3,609,000	242,376,611
AZ03104-1205*	CAMERON Mountaintop Extension - Phase IV	Tier 2: Engineering Assessed	084	120	02	018	194	4	43	4	0	2,124,000	244,500,611
AZ03104-1303*	CAMERON West Extension - Phase II	Tier 1: Ready To Fund	084	120	02	018	195	4	43	8	0	999,000	245,499,611
AZ03104-1406*	CAMERON Gray Mountain Lava Wash Extension - Phase V	Tier 2: Engineering Assessed	084	120	02	018	196	4	43	15	0	3,747,000	249,246,611
AZ01011-1103*	CHILCHINBETO - PHASE II YOUNG EXT. LB8	Tier 2: Engineering Assessed	084	120	02	015	197	4	43	3	0	757,000	250,003,611
AZ01012-0502*	Chinle Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	198	4	43	11	0	2,851,002	252,854,613
AZ03109-0802*	Coppermine WL Extensions	Tier 2: Engineering Assessed	084	120	02	018	199	4	43	15	0	3,632,000	256,486,613
AZ01015-0402*	Tselani-Cottonwood Extension (Sihasin 2018 NTUA?)	Tier 3: Preliminarily Assessed	084	120	01	016	200	4	43	3	0	572,000	257,058,613
AZ01015-1501*	Cottonwood Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	201	4	43	8	0	3,125,000	260,183,613
NM17423-0504*	COYOTE CANYON-South Extensions	Tier 2: Engineering Assessed	084	120	04	014	202	4	43	7	0	1,830,000	262,013,613
NM17423-0802*	COYOTE CANYON-Red Water Pond Extension U29	Tier 2: Engineering Assessed	084	120	04	014	203	4	43	12	0	1,546,000	263,559,613
NM24608-0502*	CRYSTAL MILKWATER WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	01	013	204	4	43	19	0	2,455,009	266,014,622
AZ09158-0102*	DILKON SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	205	4	43	36	0	3,810,000	269,824,622
AZ09158-1102*	DILKON - ROTTEN BANANAS BUTTE EXT. LE5 (P)	Tier 1: Ready To Fund	084	120	02	019	206	4	43	22	0	2,627,000	272,451,622
AZ09158-0202*	DILKON - TAYLOR EXT	Tier 1: Ready To Fund	084	120	02	019	207	4	43	4	0	597,000	273,048,622
AZ09158-1702*	DILKON - TAHA EXT.	Tier 2: Engineering Assessed	084	120	02	019	208	4	43	4	0	666,000	273,714,622
AZ09160-3002*	Many Mules North Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	209	4	43	29	0	4,279,000	277,993,622
AZ09160-0703*	Forest Lake North and East WL Extensions LJ9	Tier 2: Engineering Assessed	084	120	01	016	210	4	43	27	0	4,389,000	282,382,622
AZ09160-2002*	Many Mules Cody-Etsitty W/L Extension	Tier 2: Engineering Assessed	084	120	01	016	211	4	43	11	0	2,942,000	285,324,622
AZ09160-1007*	Many Mules Waterline Phase 5	Tier 2: Engineering Assessed	084	120	01	016	212	5	43	17	0	4,800,000	290,124,622
AZ09033-1403*	GWS ANTELOPE SPRINGS PH2 EXT.	Tier 2: Engineering Assessed	084	120	02	019	213	4	43	5	0	1,022,000	291,146,622
AZ09033-0402*	GWS SCATTERED EXTENSIONS LK3	Tier 2: Engineering Assessed	084	120	02	019	214	4	43	15	0	1,601,010	292,747,632

AZ09162-1302*	Hardrock Sleepy Mountain WL Ext Phase II T73	Tier 1: Ready To Fund	084	120	02	018	215	4	43	18	0	2,058,000	294,805,632
NM17502-0103*	Haystack Extensions W23	Tier 2: Engineering Assessed	084	120	04	014	216	4	43	6	0	1,400,000	296,205,632
NM24614-0502*	HOGBACK DEADMAN'S WASH-SOUTH WL	Tier 2: Engineering Assessed	084	120	03	017	217	4	43	5	0	474,000	296,679,632
NM24616-0302*	HUERFANO CARSON NORTH WL EXT PH II W51	Tier 2: Engineering Assessed	084	120	03	012	218	4	43	7	0	1,046,003	297,725,635
NM24616-0602*	Otis South WL Ext II	Tier 2: Engineering Assessed	084	120	03	012	219	4	43	3	0	426,999	298,152,634
NM24616-1201*	Huerfano Chee Waterline Extension (2 homes)	Tier 2: Engineering Assessed	084	120	03	012	220	4	43	2	0	267,000	298,419,634
AZ09164-0302*	INDIAN WELLS - PEANUT EXT.	Tier 2: Engineering Assessed	084	120	02	019	221	5	43	13	0	1,521,036	299,940,670
AZ09164-0002*	INDIAN WELLS SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	222	4	43	4	0	792,000	300,732,670
AZ09164-0802*	INDIAN WELLS - TWIN PEAKS EXTENSION LC3	Tier 2: Engineering Assessed	084	120	02	019	223	4	43	24	0	2,213,016	302,945,686
AZ03120-0702*	INSCRIPTION HSE ISOLATED EXTENSION W13	Tier 2: Engineering Assessed	084	120	02	018	224	4	43	7	0	1,102,000	304,047,686
AZ03121-0702*	KAIBETO SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	018	225	4	43	7	0	883,000	304,930,686
AZ09166-5302*	Kayenta West Skeleton Mesa Ext. Ph II U65	Tier 1: Ready To Fund	084	120	02	015	226	4	43	14	0	1,792,000	306,722,686
AZ01030-0502*	Kinlichee Waterline Exts.	Tier 2: Engineering Assessed	084	120	01	013	227	4	43	19	0	2,180,991	308,903,677
AZ01031-0103*	KLAGETOH -NAVAJO STATION EXTENSIONS V04	Tier 2: Engineering Assessed	084	120	01	013	228	4	43	16	0	3,449,008	312,352,685
AZ01031-0302*	KLAGETOH - TRNSWSTRN ST RD EXT V05	Tier 2: Engineering Assessed	084	120	01	013	229	4	43	32	0	4,864,992	317,217,677
NM24446-0702*	Lake Valley NE Waterline PHASE I	Tier 2: Engineering Assessed	084	120	03	012	230	4	43	3	0	330,000	317,547,677
NM24446-0703*	Lake Valley NE Waterline PHASE II	Tier 2: Engineering Assessed	084	120	03	012	231	4	43	6	0	1,043,000	318,590,677
AZ03122-0204*	LECHEE HORSETHIEF MESA SCATTERED EXT	Tier 2: Engineering Assessed	084	120	02	018	232	4	43	15	0	2,569,000	321,159,677
AZ03122-0501*	LECHEE - P SIANI WL EXT. T07	Tier 2: Engineering Assessed	084	120	02	018	233	5	43	12	0	1,180,000	322,339,677
AZ03122-0702*	LECHEE - WHITE DOME WATERLINE EXT. LD2	Tier 2: Engineering Assessed	084	120	02	018	234	4	43	5	0	1,005,000	323,344,677
AZ03108-1606*	WEST LEUPP PH1A WL EXT T99/XQ1/W04	Tier 2: Engineering Assessed	084	120	02	019	235	5	43	24	0	2,729,998	326,074,675
AZ03108-1202*	LEUPP PADRE CANYON EXT DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	236	4	43	21	0	5,854,000	331,928,675
AZ03108-1102*	LEUPP SAN FRANCISCO WASH EXT.D5	Tier 2: Engineering Assessed	084	120	02	019	237	4	43	22	0	3,167,000	335,095,675
AZ03108-1303*	LEUPP CANYON DIABLO EXT DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	238	4	43	14	0	4,254,000	339,349,675
AZ03108-1605*	LEUPP - GRAND FALLS EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	239	5	43	42	0	5,727,000	345,076,675
AZ03108-1404*	LEUPP - GRAND FALLS SCATT. EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	240	4	43	11	0	3,620,000	348,696,675
AZ03108-1702*	LEUPP SCATTERED EXT (1 home)	Tier 2: Engineering Assessed	084	120	02	019	241	4	43	1	0	455,000	349,151,675
AZ03108-1902*	WEST LEUPP SCATTERED EXT (2 homes)	Tier 2: Engineering Assessed	084	120	02	019	242	4	43	2	0	989,000	350,140,675
AZ03108-1603*	WEST LEUPP PH2 WL EXT XQ1	Tier 2: Engineering Assessed	084	120	02	019	243	5	43	32	0	4,355,999	354,496,674
AZ03108-1604*	WEST LEUPP PH3 WL EXT	Tier 2: Engineering Assessed	084	120	02	019	244	5	43	8	0	2,347,000	356,843,674
NM17503-0302*	LITTLEWATER NW EXTENSION (1 home)	Tier 2: Engineering Assessed	084	120	04	011	245	4	43	1	0	217,000	357,060,674
NM17503-0402*	LITTLEWATER SW PH2 (Extension & Tank)	Tier 2: Engineering Assessed	084	120	04	011	246	4	43	6	0	686,000	357,746,674
NM17503-0702*	SIHASIN (cancel?) LITTLEWATER EAST EXT. II LC4	Tier 2: Engineering Assessed	084	120	04	011	247	4	43	1	0	369,000	358,115,674
AZ01036-1202*	Many Farms Ram Pasture Waterline	Tier 2: Engineering Assessed	084	120	01	016	248	4	43	51	0	8,712,024	366,827,698
NM17448-0106*	MARIANO LAKE EXT. PHASE 6 (4 PV cisterns?)	Tier 2: Engineering Assessed	084	120	04	011	249	5	43	7	0	1,751,000	368,578,698
NM24623-0102*	Naschitti-Bluerock-Wilson Extensions	Tier 2: Engineering Assessed	084	120	04	014	250	4	43	18	0	3,584,000	372,162,698
NM24623-0402*	Naschitti-Wildcat Springs Extensions	Tier 2: Engineering Assessed	084	120	04	014	251	4	43	22	0	2,989,000	375,151,698
UT19813-0602*	Nav Mtn Rainbow City East Ext.	Tier 2: Engineering Assessed	084	120	02	018	252	4	43	4	0	473,000	375,624,698
UT19813-0502*	Nav Mtn Piute Mesa Water Ext LD3	Tier 1: Ready To Fund	084	120	02	018	253	4	43	15	0	2,344,000	377,968,698
AZ01040-0502*	Nazlini-Flatrocks Ext. Ph 2 U31	Tier 2: Engineering Assessed	084	120	01	016	254	4	43	5	0	1,323,000	379,291,698
AZ01040-0302*	Nazlini North Waterline Extension U61	Tier 2: Engineering Assessed	084	120	01	016	255	4	43	16	0	2,571,008	381,862,706
AZ01040-0503*	Nazlini Mesa Top Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	256	4	43	8	0	1,555,000	383,417,706
NM24625-0501*	Nenahnezad - Emery Foster waterline Ext. (1 home)	Tier 2: Engineering Assessed	084	120	03	017	257	4	43	1	0	112,000	383,529,706
NM24624-0202*	NEWCOMB EAST WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	258	4	43	4	0	897,000	384,426,706
AZ01041-0502*	OAK SPRINGS EAST (TOP) EXTENTION W09	Tier 2: Engineering Assessed	084	120	01	013	259	4	43	14	0	1,575,000	386,001,706
UT19808-1502*	OLJATO-Narrow Canyon Waterline extension	Tier 2: Engineering Assessed	084	120	02	015	260	4	43	9	0	1,575,000	387,576,706
UT19808-0802*	Piute Farms West W/L Ext.	Tier 2: Engineering Assessed	084	120	02	015	261	4	43	3	0	721,000	388,297,706
AZ09175-1502*	PINON-WEPO WASH EXT. PH 2	Tier 2: Engineering Assessed	084	120	01	016	262	4	43	25	0	4,429,000	392,726,706
AZ09175-1503*	PINON-WEPO WASH EXT. PH 3	Tier 2: Engineering Assessed	084	120	01	016	263	4	43	8	0	2,224,000	394,950,706
AZ09175-2601*	NW Pinon Extension (P)	Tier 2: Engineering Assessed	084	120	01	016	264	4	43	64	0	7,629,000	402,579,706
AZ09175-2602*	NW PINON EXT. - WHITE VALLEY EXT. PH 2 LE7	Tier 2: Engineering Assessed	084	120	01	016	265	4	43	4	0	765,000	403,344,706
AZ01045-1302*	RED VALLEY SOUTH W/L EXTENSION	Tier 2: Engineering Assessed	084	120	03	017	266	4	43	1	0	378,000	403,722,706
AZ01045-0602*	Red Valley Grace Begay Waterline Extension Ph I	Tier 2: Engineering Assessed	084	120	03	017	267	4	43	2	0	487,000	404,209,706
AZ01045-0603*	Red Valley Grace Begay Waterline Extension Ph II	Tier 2: Engineering Assessed	084	120	03	017	268	4	43	2	0	397,000	404,606,706
AZ01048-0202*	Round Rock NE Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	269	4	43	9	0	3,773,997	408,380,703
AZ01048-0504*	Round Rock Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	270	4	43	10	0	5,935,996	414,316,699
NM24629-0802*	SANOSTEE CANYON WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	271	4	43	3	0	750,000	415,066,699
AZ01053-0403*	SAWMILL WHITE CLAY W/L EXT.	Tier 2: Engineering Assessed	084	120	01	013	272	4	43	65	0	9,310,015	424,376,714
NM24631-0802*	Shiprock 491 North W/L Extension	Tier 1: Ready To Fund	084	120	03	017	273	4	43	14	0	2,508,002	426,884,716
AZ09180-0802*	SHONTO-TALLMOUNTAIN WATERLINE EXT. (P) W47	Tier 1: Ready To Fund	084	120	02	018	274	4	43	53	0	6,504,000	433,388,716
AZ09180-0902*	SHONTO SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	018	275	4	43	8	0	1,340,000	434,728,716
AZ01054-0105*	Spider Rock Phase 4 WL Extension	Tier 2: Engineering Assessed	084	120	01	016	276	4	43	57	0	6,661,000	441,389,716
NM17477-0102*	STANDING ROCK SOUTH-Extension	Tier 2: Engineering Assessed	084	120	04	011	277	4	43	4	0	1,183,000	442,572,716
NM17477-0302*	STANDING ROCK NE-Extension (Phase 2)	Tier 2: Engineering Assessed	084	120	04	011	278	4	43	12	0	1,483,000	444,055,716
NM17477-0702*	STANDING ROCK SE - Extension	Tier 2: Engineering Assessed	084	120	04	011	279	4	43	6	0	927,000	444,982,716
NM17477-0303*	STANDING ROCK NE-Extension (Phase 3)	Tier 2: Engineering Assessed	084	120	04	011	280	4	43	7	0	1,022,000	446,004,716
AZ01061-0503*	Teec Yellow Rock Point W/L Ext, Ph II (1 home)	Tier 2: Engineering Assessed	084	120	03	017	281	4	43	1	0	630,000	446,634,716
AZ01061-0403*	Teec Nos Pos Tso Waterline Extension	Tier 2: Engineering Assessed	084	120	03	017	282	4	43	3	0	1,020,000	447,654,716
AZ09184-0202*	TEESTO SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	283	4	43	5	0	541,000	448,195,716
AZ09184-0702*	TEESTOH NAAHTEE CANYON SPRINGS EXT.	Tier 2: Engineering Assessed	084	120	02	019	284	4	43	45	0	4,101,000	452,296,716
NM17483-0302*	TOHATCHI SRW EXTENSION	Tier 2: Engineering Assessed	084	120	04	014	285	4	43	6	0	1,426,000	453,722,716
NM17483-1202*	Tohatchi Flowing Well Ext	Tier 2: Engineering Assessed	084	120	04	014	286	4	43	2	0	335,000	454,057,716
NM17483-1302*	Tohatchi Route 37 Ext (1 home)	Tier 2: Engineering Assessed	084	120	04	014	287	4	43	1	0	217,000	454,274,716
NM17483-1402*	Tohatchi East Red Willow Ext (1 home)	Tier 2: Engineering Assessed	084	120	04	014	288	4	43	1	0	277,000	454,551,716

AZ03132-1201*	TOLANI LAKE NORTH LEUPP EXT.	Tier 2: Engineering Assessed	084	120	02	019	289	4	43	10	0	1,183,001	455,734,717
AZ03132-0701*	TOLANI LAKE YAADEESKIDI MESA EXT	Tier 2: Engineering Assessed	084	120	02	019	290	4	43	9	0	717,999	456,452,716
AZ03132-1102*	TOLANI LK NPL SCATT. EXT. DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	291	4	43	2	0	226,000	456,678,716
AZ03132-0804*	TOLANI LK BLACK FALLS II EXT. DIST5	Tier 2: Engineering Assessed	084	120	02	019	292	4	43	10	0	2,900,000	459,578,716
AZ03132-0105*	TOLANI LAKE PRICE II EXT. DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	293	4	43	4	0	695,000	460,273,716
NM17003-0402*	TSAYATOH-STATE LINE EXT.	Tier 2: Engineering Assessed	084	120	04	014	294	4	43	5	0	980,000	461,253,716
NM17003-0601*	TSAYATOH-W. P&M HOUSING EXT.	Tier 2: Engineering Assessed	084	120	04	014	295	4	43	3	0	358,000	461,611,716
AZ03135-4002*	TUBA CITY Preston Mesa Scattered Extensions	Tier 3: Preliminarily Assessed	084	120	02	018	296	4	43	17	0	2,000,000	463,611,716
AZ09921-1002*	WHITE CONE - SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	297	4	43	4	0	1,479,000	465,090,716
AZ01072-0402*	WIDE RUINS GREY CACTUS RD W/L EXT. LE8	Tier 2: Engineering Assessed	084	120	01	013	298	4	43	57	0	5,229,009	470,319,725
AZ01072-0802*	Wide Ruins South PH II WL Ext. XU1	Tier 2: Engineering Assessed	084	120	01	013	299	4	43	47	0	5,235,988	475,555,713
AZ01053-1105	FORT DEFIANCE FAILED SEWER SYSTEMS DL4	Tier 1: Ready To Fund	084	120	01	013	300	4	43	19	616,000	616,000	476,171,713
NM17487-2701*	Twin Lakes Watson Rd Individual Lagoon	Tier 3: Preliminarily Assessed	084	120	04	014	301	4	43	2	0	119,000	476,290,713
NM24631-2801	Cudei-Rattlesnake Storage Tank 2	Tier 3: Preliminarily Assessed	084	120	03	017	302	2	43	76	0	521,000	476,811,713
NM17475-0801	Smith Lake Well Phase 1 (Booster) -W65	Tier 2: Engineering Assessed	084	120	04	011	303	2	43	381	151,665	700,335	477,512,048
AZ01061-0402	Teec Nos Pos Tso Cisterns - Land Dispute (1 home)	Tier 3: Preliminarily Assessed	084	120	03	017	304	5	42	1	0	41,000	477,553,048
AZ09160-1005*	Many Mules Waterline Phase 3 (after W06/XN1)	Tier 1: Ready To Fund	084	120	01	016	305	5	42	64	0	12,431,000	489,984,048
NM24616-0704*	Carson JYazzie Waterline	Tier 2: Engineering Assessed	084	120	03	012	306	4	42	1	0	152,000	490,136,048
AZ01041-0402*	OAK SPRINGS SOUTH EXT. (Ph1 W08) - removed Sihasin	Tier 2: Engineering Assessed	084	120	01	013	307	4	42	2	0	1,194,000	491,330,048
AZ09180-1701*	SHONTO BLACK MESA WASH JUA WATERLINE EXT.	Tier 2: Engineering Assessed	084	120	02	018	308	4	42	6	0	2,445,000	493,775,048
AZ09150-0602	BIRDSPRINGS 2B WELL NORTH HWY 99 EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	309	2	42	629	0	9,915,000	503,690,048
NM24608-0802	SIHASIN Crystal Pumping Facilities - W10 Companion	Tier 3: Preliminarily Assessed	084	120	01	013	310	2	41	271	82,000	274,000	503,964,048
AZ01058-1201	Sweetwater Walker Wash Storage Tank 2	Tier 2: Engineering Assessed	084	120	03	017	311	2	41	177	0	507,001	504,471,049
NM01084-0702*	Canoncito Scattered - Extension	Tier 2: Engineering Assessed	084	120	04	014	312	4	40	12	0	2,415,000	506,886,049
NM17003-1101*	TSAYATOH-E. TSE BONITO EXT. XT3 (BIA-CGW)	Tier 2: Engineering Assessed	084	120	04	014	313	2	40	22	567,000	882,000	507,768,049
AZ01058-1008	Shiprock to Sweetwater/Aneth Phase 8	Tier 2: Engineering Assessed	084	120	03	017	314	3	40	524	1,522,000	6,936,000	514,704,049
NM24623-1201	Naschitti CWS Upgrades and WL Extension	Tier 1: Ready To Fund	084	120	04	014	315	2	40	24	0	201,000	514,905,049
AZ03107-0103*	COALMINE CANYON - Appaloosa Ridge Waterline Extension Phase III	Tier 2: Engineering Assessed	084	120	02	018	316	4	39	6	0	954,000	515,859,049
AZ03107-0602*	COALMINE CANYON - Little Colorado Extension Phase II	Tier 2: Engineering Assessed	084	120	02	018	317	4	39	12	0	2,029,000	517,888,049
AZ01066-0802*	TSAILE-BLACK ROCK WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	01	013	318	4	39	53	0	6,836,004	524,724,053
AZ09158-2300	WINSLOW DL3 ST/DF REPLACEMENTS	Tier 2: Engineering Assessed	084	120	02	019	319	3	39	8	0	151,000	524,875,053
NM24631-1909	Shiprock SU Failed Septic System DL2 & DL3	Tier 1: Ready To Fund	084	120	03	017	320	3	39	18	203,000	203,000	525,078,053
NM17403-1501	Gallup Failed Septics DL 3 - Eastward	Tier 2: Engineering Assessed	084	120	04	014	321	3	38	19	0	407,000	525,485,053
NM24623-1101	Naschitti-Mexican Springs-Twin Lakes Failed Septics	Tier 2: Engineering Assessed	084	120	04	014	322	3	38	11	0	247,000	525,732,053
NM33140-1801	Ramah Sunset Valley-Rocky Point CWS Intertie	Tier 2: Engineering Assessed	084	120	04	014	323	2	38	215	411,000	529,000	526,261,053
NM33140-1701	Ramah Pinehill New WTP	Tier 3: Preliminarily Assessed	084	120	04	014	324	2	38	563	509,900	647,100	526,908,153
AZ03135-0702*	TUBA CITY NW SEWERLINE - PHASE II	Tier 2: Engineering Assessed	084	120	02	018	325	2	38	64	0	1,611,000	528,519,153
AZ01072-0602*	Wide Ruins West WL Ext.	Tier 2: Engineering Assessed	084	120	01	013	326	4	37	14	0	1,194,998	529,714,151
NM17408-1201	Bread Springs Failed STDF Replacements DL3	Tier 1: Ready To Fund	084	120	04	014	327	3	37	5	0	119,000	529,833,151
AZ01012-2122	Chinle Agency FDF DL4 2021	Tier 1: Ready To Fund	084	120	01	016	328	4	36	10	0	435,000	530,268,151
AZ03108-1801	LEUPP SOLAR PROJECT CISTERNS	Tier 1: Ready To Fund	084	120	02	019	329	5	36	6	0	517,000	530,785,151
NM24616-0802	Blanco Canyon Re-chlorination Station	Tier 2: Engineering Assessed	084	120	03	012	330	2	36	36	0	364,000	531,149,151
AZ09184-0901	TEESTO SEPTAGE LAGOON	Tier 3: Preliminarily Assessed	084	120	02	019	331	2	36	195	0	374,000	531,523,151
NM17483-0901	Buffalo Springs Pumphouse Replacement	Tier 2: Engineering Assessed	084	120	04	014	332	2	36	620	86,000	356,000	531,879,151
NM17003-1601	Tsayatoh-Failed Septic Replacements DL3	Tier 1: Ready To Fund	084	120	04	014	333	3	35	3	0	82,000	531,961,151
AZ09158-2400	WINSLOW DL2 ST/DF REPLACEMENTS	Tier 2: Engineering Assessed	084	120	02	019	334	2	34	41	0	678,017	532,639,168
AZ03135-0704*	SIHASIN W46 Tuba City Old Airport Sewer Extension	Tier 2: Engineering Assessed	084	120	02	018	335	2	33	38	1,220,000	1,220,000	533,859,168
AZ01012-2101	Chinle Agency FDF DL-3	Tier 1: Ready To Fund	084	120	01	016	336	3	32	28	0	974,008	534,833,176
NM17408-1202	Bread Springs-Red Rock Failed STDF Replacements DL2	Tier 2: Engineering Assessed	084	120	04	014	337	2	31	4	0	80,000	534,913,176
NM17002-2101	Gallup Southwest Drainfield Replacement	Tier 2: Engineering Assessed	084	120	04	014	338	2	31	6	0	100,000	535,013,176
AZ09158-0701	DILKON DIST- 7 TANK PAINTING	Tier 3: Preliminarily Assessed	084	120	02	019	339	2	31	442	168,504	195,762	535,208,938
NM17424-1601*	Crownpoint Sewer System Renovation Ph 3	Tier 3: Preliminarily Assessed	084	120	04	011	340	1	30	389	154,242	160,000	535,368,938
AZ01046-1301*	Chinle Agency FDF DL-2	Tier 2: Engineering Assessed	084	120	01	016	341	2	29	58	0	1,813,022	537,181,960
NM28341-1301*	ALAMO APACHE WELL (Drought Well) UPGRADE	Tier 3: Preliminarily Assessed	084	120	04	014	342	1	27	378	0	1,706,000	538,887,960
NM17403-1701*	Gallup Failed Septics DL 2 - Eastward	Tier 2: Engineering Assessed	084	120	04	014	343	2	24	24	0	537,000	539,424,960
AZ01053-1101*	DL2 FAILED SEWER SYSTEMS	Tier 2: Engineering Assessed	084	120	01	013	344	2	21	27	0	931,000	540,355,960
AZ01902-1200*	Ganado North Sewer Exts.	Tier 3: Preliminarily Assessed	084	120	01	013	345	1	20	31	0	2,189,000	542,544,960
NM24614-0601	Hogback Solid Waste Dump Closure	Tier 3: Preliminarily Assessed	084	120	03	017	346	3	20	37	0	41,000	542,585,960
AZ03132-1301	Tolani Lake Dump Closures	Tier 3: Preliminarily Assessed	084	120	02	019	347	3	20	51	0	81,000	542,666,960
AZ09921-1201	White Cone Chapter Solid Waste Open Dump	Tier 3: Preliminarily Assessed	084	120	02	019	348	3	20	87	0	291,000	542,957,960
AZ01039-0401	Nahata Dziil Septage Lagoon	Tier 3: Preliminarily Assessed	084	120	02	019	349	2	20	446	0	352,000	543,309,960

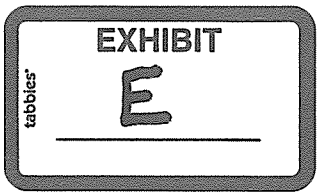
** (after project number) indicates infeasible projects*

***BOLD rows** indicate projects without homes*

Report Criteria

Dataset:	Snapshot – System-Wide: HQ (#19972 11/16/2021 04:54 Clapp, Ryan)
Area(s) :	NA
Funded?	No
Feasible?	All
Reportable?	Yes
Funding :	Eligible

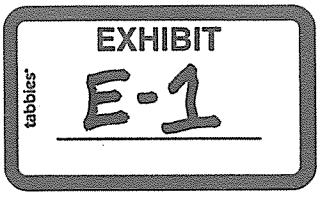
Project Tier : All
Sorted By: Area Priority



Navajo Nation Fiscal Recovery Fund
Public Safety

Description	Category	$
Public Safety/Rural Addressing	1.14	$35,000,000
Cyber Security	1.14	$5,000,000
Total Funding		$40,000,000

EXHIBIT
E-1



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: **HK0093-2**

Date & Time Received: **4/12/2022 15:37**

Date & Time of Response: **4/12/2022 20:12**

Entity Requesting FRF: **Navajo Nation Division of Public Safety**

Title of Project: **Emergency Communication Updates for COVID Response**

Administrative Oversight: **Executive Branch / OPVP**

Amount of Funding Requested: **$35,000,000**

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: **1.14 - Other Public Health Services.**

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to a decrease in the requested funding amount from $55 million to $35 million. And please note the Treasury's reporting expenditure category changed from 1.12 - Other Public Health Services to 1.14 - Other Public Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Public Safety (DPS) Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: _____ phone/email: _____
website (if any): https://www.navajonationdps.navajo-nsn.gov/

Form prepared by: Jesse Delmar phone/email: 928-871-7087/jdelmar@navajo-nsn.gov

Jesse Delmar, Executive Director, NN DPS — same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Emergency Communication Updates for COVID Response

NN Government Unit's Director or Manager: Jesse Delmar phone & email: 928-871-7087/jdelmar@navajo-nsn.gov

Division Director (if any): Jesse Delmar phone & email: 928-871-7087/jdelmar@navajo-nsn.gov

Branch Chief: Jonathan Nez phone & email: 928 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $35,000,000 FRF funding period: 10/01/2021 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Throughout the COVID-19 pandemic, police officers, fire fighters, and emergency medical services personnel have responded to COVID-19 patients in need of help. Due to the rural nature of many home in the Navajo Nation, the first responders had difficulty locating the homes sent to dispatch. The funding for this project will address emergency communication and response for COVID support. The project will include rural addressing and updates to the public safety Internet connection in vehicles. By adding rural addressing for homes currently without and providing updates to the public safety vehicles, DPS will be able to increase efficiency in response times and help DPS prepare for additional COVID-19 emergency needs.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project will provide benefit to the Navajo Nation across all five agencies, by addressing the needs of the under served communities through home addressing and expansion of the Internet to public safety vehicles. Providing emergency services to the Navajo communities is essential and this project will improve communication and allow for more efficiency in emergency response.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Sole source procurement: est. 6 months, completed by 5/01/2022
Deploy personnel for GPS locating and addressing/updates to 911 vehicle systems: est. 1.5 years, completed by 12/31/2024.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

DPS will be responsible for the implementation for this project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

DPS will be responsible for operation and maintenance of the rural addressing and the updated vehicle systems.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.8 Other COVID-19 Public Health Expenses (including communications, enforcement, isolation/quarantine)

This project will increase public communication efforts and support rural populations gain access to medical or public health services.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit
Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Jesse Delmar
signature of Branch Chief or Division Director *print name and indicate title or position*

Division of Public Safety
indicate Branch or Division

Paulson Chaco

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

Emergency Communication Updates for COVID

PART I. Business Unit No.: K - [New] Program Title: Response Division/Branch: NN Division of Public Safety

Prepared By: Jesse Delmar Phone No.: 928-871-7087 Email Address: jdelmar@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		$35,000,000	
TOTAL:		$35,000,000	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			$35,000,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
TOTAL		$0.00	$35,000,000	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Jesse Delmar
Program Manager's Printed Name

Jesse Delmar 10/3/24
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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E-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0092-3

Date & Time Received: 4/12/2022 11:13

Date & Time of Response: 4/13/2022 15:40

Entity Requesting FRF: Navajo Nation Department of Information Technology

Title of Project: NN Cybersecurity

Administrative Oversight: Division of General Services

Amount of Funding Requested: $5,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to a decrease in the requested funding amount from $8 million to $5 million. And please note the Treasury's reporting expenditure category changed from 1.12 - Other Public Health Services to 1.14 - Other Public Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Department of Information Technology Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 5970 Window Rock, AZ phone/email: 928-871-6520
website (if any): www.dit.navajo-nsn.gov

Form prepared by: Royetta T. Woodie phone/email: 928-871-6010/ rwoodie@navajo-nsn.gov
Director of Information Technology Navajo Nation - Dept of IT
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: NN - CyberSecurity

NN Government Unit's Director or Manager: Royetta T. Woodie phone & email: 928-871-6010/ rwoodie@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS-Director phone & email: 928-871-6319/ t.platero@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff- Exec.Branch phone & email: 928-871-7244/ paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services Excecutive Director Tom Platero on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $5,000,000 FRF funding period: FY2022 - FY2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Navajo Nation's network security is more critical than ever due to the ongoing pandemic. More employees are telecommuting due to COVID-19 and in the event the Nation shuts down again, this will be even more critical. These security measures will ensure business continuity and data loss prevention for every day communication (i.e. email, email encryption, Virtual Private Network, SharePoint, teleconferencing, telecommuting) and provide a secure Identity Management. Cybersecurity will cover the 695 laptops purchased from CARES Act Funding and any mobile device (i.e. laptops, iPads, tablets, Surface, phones) connecting to the NN network. The proposal stops the spread of the spread of COVID-19 by reducing the movement of individuals and promoting social distancing, enhancing telework capabilities and improving cybersecurity.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project will benefit NN Government agencies and all stakeholders. NN employees will benefit as the NN Insurance premiums will decrease as soon as multi-factor authentication is implemented. The cybersecurity technologies in this project supports public health, emergency management, health command center, telehealth services, emergency medical responses, including emergency medical transportation, law enforcement and townhall meetings. The cybersecurity technologies protect Navajo Nation data whether it is in transit or at rest. From email communication to data stored in a database to data sharing to video conferencing. Cybersecurity attacks are on the rise for all Government entities and the Nation strives to mitigate attacks by nefarious entities taking advantage of a Nation dealing with the pandemic. Secure access (internally and externally) and faster access to critical data and services is of paramount importance. Furthermore, the Navajo Nation government will be able to mitigate COVID-19 related threats to public health and safety, assist individuals that are quarantining including tele-work capabilities.

☑ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Proposed timeline is outlined in the Proposed ARPA Funding Plan for NN Cybersecurity document. The major challenge to incurring costs is the 164 Review process (DOJ, OPVP, OOC) sign off and contract award. Expending funds challenges may be federal guidelines and projects excluded because they do not qualify.

☑ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Royetta T. Woodie, Director of Information Technology

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Royetta T. Woodie, DIT Director. Operations and maintenance costs will be maintained by fixed costs funds. Once the ARPA funding is expended, the Navajo Nation would needs to fund this with fixed costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.12 Other Public Health Services. Projects deal with cybersecurity which encompasses network connectivity and internet access.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ 4.11.22
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Tom Platero
print name and indicate title or position

Division Of General Services
indicate Branch or Division

Proposed ARPA Funding Plan for NN Cybersecurity

SUMMARY

The Navajo Nation's network security is more critical more than ever due to the ongoing pandemic and the need to ensure business continuity for every day network communication. DIT will implement layered security measures to improve the security posture. Measures such as email encryption, multi-factor authentication, email filtering/phishing protect and network access control.

DIT procured 695 laptops from the CARES funds act for NN employees to use to telecommute resulting in approximately over 20% of NN employees with the capability to telecommute. Many other NN employees have laptops and other mobile devices that can be used for telework. Due to this fact, communications need to be secured. Securing communications to transport sensitive data for NN employees and will streamline processes within NDOH regarding COVID data processing.

The NN Government as a whole is sending more confidential data over the internet to outside stakeholders. As an example, Division of Behavioral and Mental Health Services, the Health Command Operations Center, Insurance Services, Department of Personnel Management and the Office of the Controller have sensitive COVID data that needs protection. These departments need to share this data with other parties like IHS and regional health care facilities which is imperative to the decision-making process by NN Leadership and OPVP to mitigate COVID.

The following cybersecurity measures are applicable only to systems maintained by the Navajo Nation Department of Information Technology (DIT). Those listed in the "Out of Scope" column in Table 1 are excluded.

DIT will use a risk-based approach to cybersecurity. DIT will find and classify confidential and sensitive data on the Navajo Nation network. DIT will implement security standards on workstations and networks. DIT will implement security measures to improve security posture by ensuring the Navajo Nation network resources are used for Navajo Nation business purposes only.

Then a risk assessment of each department/program's security measures will be performed by DIT. Departments will benefit from centralized administration and management of their systems. The Navajo Nation's security posture will improve greatly as we progress through this plan.

TO IMMEDIATELY IMPROVE THE NAVAJO NATION'S SECURITY POSTURE AND HAVE A NOTICEABLE AND POSITIVE EFFECT

DIT will purchase and implement Email Encryption, Email Filtering/Phishing Protection, Multifactor Authentication, and Network Access Control.

Email Encryption has long been on the table for DIT. This will ensure that only the intended recipient will be about to read the contents of an email. Policies can also be put in place to scan for PII and other sensitive information. The overall confidence of third-parties doing business with the Navajo Nation will increase regarding security.

Email Filtering/Phishing Protecting will analyze incoming emails for red flags that signal spam/phishing content and automatically move those emails to quarantine.

Multifactor Authentication eliminates the threat of brute-force and social-engineering attacks by requiring two pieces of information for authentication, something you know (username/password) and something you have (temporary passcode). When implemented, a login to OWA or SharePoint will require

a username/password combination PLUS and one-time code provided to the end-user via email, SMS or phone call.

The implementation of the proposed Navajo Nation Cybersecurity plan is wholly dependent on acquiring funding in the amount of $5,000,000.00. Below is a prioritization of tools and services required.

Cybersecurity tools & services required

Total cost: $5,000,000.00

NOTE 1: Unfortunately, those in the "Out of Scope" column will not benefit from these cybersecurity measures.

TABLE 1

Priority	Solution	Cost	Out of Scope	Timeline
1	**Email Encryption** Protecting confidential data in email Installation cost:	$317,750.00 $15,104.00	none	73 days
2	**Phishing Protect** Analyze incoming emails for red flags that signal spam/phishing content and automatically move those emails to quarantine. Installation cost:	$327,166.00 $8,189.00	none	57 days
3	**DNS Security** It checks to make the site you are attempting to open is a good site. If it is not a good site, it will prevent you from opening that site. Installation cost:	$400,746.00 $11,101.00	NN siloed networks	62 days
4	**Multi-factor Authentication** Require users to provide two or more pieces of evidence to verify their identity when logging into anything connected to the Navajo Nation Network. Installation cost:	$300,000.00 $10,190.00	Depts/programs with their own outside system	106 days
5	**Security Operations Center** Security operations center who monitor the NN Network 24x7, 365 days	$1,110,191.00	Depts/programs with their own outside system	57 days
6	**Data Classification** Classify sensitive data. Gives context around sensitive data, so that you can easily identify and lock down overexposed data, stale data, and remediate security vulnerabilities.	$514,256.00	NN siloed networks	73 days
8	**Managed Services -** Network monitoring and incident response for NN DIT Network. for NN DIT Network. A virtual environment (core functioning servers) that operates 24x7, 365 days a year.	$1,640,000.00	none	66 days
10	**Consultant services -** Will be utilized for consultant services. DIT is resource-challenged with personnel. Consultants are required to assist in the installation, configuration, and deployment of the new IT solutions listed. Plan for paperless technology for the Navajo Nation Government. Critical solution needed during the time of the pandemic. Plan for one domain IT transformation.	$345,307.00	none	N/A

FY 2022

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Department of Information Technology Division/Branch: Division of General Services

Prepared By: Royetta T.Woodie Phone No.: 928-871-6520/6010 Email Address: rwoodie@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/01/21-09/30/22	5,000,000	100%
TOTAL:		$5,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies	1		128,644	128,644
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	1		4,095,853	4,095,853
6500 Contractual Services	1		775,503	775,503
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	5,000,000	5,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

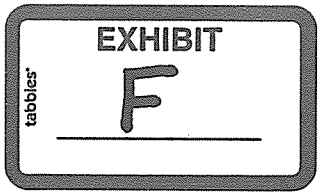
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Royetta T. Woodie, Director of IT
Program Manager's Printed Name

4.11.22
Program Manager's Signature and Date

APPROVED BY: Tom Platero, Division of General Services Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date



Navajo Nation Fiscal Recovery Fund
Health

Description	Category	$
Senior Centers	1.14	$19,243,750
Wellness Centers	2.37	$21,000,000
Detox Centers	1.13	$15,243,750
Long Term Care Facility	1.06	$15,000,000
Warehouse	1.14	$5,000,000
Transitional Housing	1.12	$4,000,000
Total Funding		$79,487,500

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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F-1

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: **HK0085-2 [Reissued]**

Date & Time Received: **3/09/2022 15:23**

Date & Time of Response: **3/09/2022 18:00 [Reissued 4/2/2022 - new expenditure category]**

Entity Requesting FRF: **Navajo Nation Department of Health**

Title of Project: **Division of Aging and Long-Term Care Support Senior Center New Building and Upgrades**

Administrative Oversight: **Executive Branch**

Amount of Funding Requested: **$19,243,750.00**

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: **1.14 Other Public Health Services**

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 1.12 - Other Public Health Services. This is now category 1.14 - Other Public Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health *indicate Department, Program, Office, Division, or Branch* Date prepared: 03/09/2022

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 phone/email: (928) 871-6350/jilljim@navajo-nsn.gov

website (if any): _____

Form prepared by: Valerie Jones phone/email: (928) 871-6350/valeriejones@navajo-nsn.gov

Health Services Administrator / DALTCS
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Division of Aging and Long-Term Care Support Senior Center New Buildings and Upgrades

NN Government Unit's Director or Manager: Dr. Jill Jim phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above phone & email: _____

Branch Chief: Jonathan Nez phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $19,243,750.00 FRF funding period: 10/01/2021 - 12/31/2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The COVID pandemic has greatly affected elders, those with chronic illness, and/or disabilities on the Navajo Nation as they are classified as high-risk patients. The Division of Aging and Long-Term Care Support (DALTCS) will use this funding to provide 15 new senior centers and infrastructure upgrades to 88 existing senior centers. These infrastructure needs will help support the long term care of these high-risk patients.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

To provide adequate care to our elders and other eligible persons, additional aging and long-term care support facilities are needed as well as upgrades to existing facility infrastructure.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Design and preparation to bid project
10/01/2022 - 9/30/2023: Advertisement, contracting, and begin construction
10/02/2023 - 12/31/2026: Construction
Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Health Service Administrator for DALTCS will be responsible for this program.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Health Service Administrator for the DALTCS will be responsible for operations, while the Finance Section Chief, or delegated person, will be responsible for costs.

HOW WILL THE O&M BE FUNDED? Operations and maintenance will be funded via external funds.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This program will fall under FRF expenditure category 1.4, Public Health: Prevention in Congregate Settings. Category 1.4 is applicable because this program directly impact senior centers, which qualify as congregate settings.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

A document showing the estimated costs of upgrades/construction of new facilities is attached. The document includes cost for 115 facilities, 15 new and 88 with infrastructure upgrades.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: _____

signature of Branch Chief or Division Director *print name and indicate title or position*

_____

indicate Branch or Division

RECEIVED
MAR - 8 2022
Office of Management and Budget
The Navajo Nation, Window Rock, AZ

FY 2022

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: *NEW* Program Title: NN DALTCS ARPA FUNDS Division/Branch: NDOH/ Executive

Prepared By: Kyle Rockbridge Phone No.: 928-871-6248 Email Address: kylerockbridge@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN ARPA	8/16/21-12/31/26	19,243,750.00	100%
	TOTAL:	$19,243,750.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies	6		2,835,000	2,835,000
5000 Lease and Rental	6		100,020	100,020
5500 Communications and Utilities				
6000 Repairs and Maintenance	6		3,575,000	3,575,000
6500 Contractual Services				
7000 Special Transactions	6		116,270	116,270
8000 Public Assistance				
9000 Capital Outlay	6		12,617,460	12,617,460
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	19,243,750.00	19,243,750

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Valerie Jones, Health Services Administrator
Program Manager's Printed Name

3/4/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, NDOH Executive Director
Division Director / Branch Chief's Printed Name

3/7/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0086-2 [Reissued]

Date & Time Received: 3/9/2022 15:26

Date & Time of Response: 3/9/2022 20:42 [Reissued 4/2/2022 - new expenditure category]

Entity Requesting FRF: Navajo Nation Department of Health

Title of Project: Division of Public Health Services Community Wellness Centers

Administrative Oversight: Executive Branch

Amount of Funding Requested: $21,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.37 – Economic Impact Assistance: Other

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 3.13 - Social Determinants of Health: Other. This is now category 2.37 - Economic Impact Assistance: Other.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health — Date prepared: 03/09/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 — phone/email: (928) 871-6350/jilljim@navajo-nsn.gov
website (if any):

Form prepared by: Eric Gale — phone/email: (928) 871-6350/ericgale@navajo-nsn.gov
Delegated Program Manager / Navajo Special Diabetes Program
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Division of Public Health Services Community Wellness Centers

NN Government Unit's Director or Manager: Dr. Jill Jim — phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above — phone & email:

Branch Chief: Jonathan Nez — phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $21,000,000.00 — FRF funding period: 10/01/2021 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

During the pandemic, community wellness centers have served as essential warehouses/storage facilities for COVID-19 related food supply, water, and personal protective equipment (PPE). When not used as a warehouse/storage facility, wellness centers help promote a healthy lifestyle through physical activity, nutrition education, and healthy eating. Providing tools to promote a healthy lifestyle can help mitigate the transmission of the COVID-19 virus by helping to limit pre-existing conditions, such as diabetes. Funding for this project will be used for three new wellness centers: Chinle, Arizona; Window Rock, Arizona; Tuba City, Arizona and infrastructure for Kayenta & Shiprock WCs. Existing centers utilized to store PPE and food damaged floors and structures; therefore, repairs will be made.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Community wellness centers provide nutrition, education, and physical activity to Navajo people and communities. Providing programs to promote healthy lifestyles have been shown to improve odds against contracting the COVID-19 virus and can help individuals overcome or manage pre-existing conditions, such as diabetes. Wellness centers are designed for individuals ages 10 to 65 years old and offer counseling and support programs to decrease weight and promote a healthy lifestyle.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Architecture, design, and engineering services, including survey, inspections, and testing; 10/01/2022 - 9/30/2023: Site ground work - grading and pad compaction; 10/01/2023 - 12/31/206: Construction of three, two-story 25,000 - 40,000 square foot wellness center buildings Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability. ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of these facilities.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The respective Chapters Agencies will be responsible for the operations and maintenance of the wellness centers once completed: Agency of Chinle, Agency of Window Rock, and the Agency of Tuba City.

O&M costs will be the chapter's own general funds.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 3.13, Social Determinants of Health: Other. This category was selected because community wellness centers will provide support to the Navajo people to promote physical well being and education regarding healthy lifestyles, free of charge, making it available to everyone in the community. This education and physical activity will help individuals maintain health to fight the COVID virus. In addition, the wellness centers have served a locations for storing PPE, food, and other items related to the public health pandemic.

This will be used for facility construction only. Funding to run the facility will be handled by the program.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

A document showing the estimated costs of constructing one wellness center. This project includes three new centers in total.

The attached documents also include an architectural representation of a wellness center facility.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ 2/9/22
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: _____
***print** name and indicate title or position*

_____
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Division of Public Health Services-Community Wellness Center Division/Branch: NDOH/Executive

Prepared By: Eric Gale, Delegated PM III Phone No.: 928-871-6532/6856 Email Address: ericgale@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		21,000,000.00	100%
	TOTAL:	$21,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	0	0
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	0	0
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0		0
6000 Repairs and Maintenance	6	0	0	0
6500 Contractual Services	6	0	1,650,000	1,650,000
7000 Special Transactions	6	0	0	0
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	19,350,000	19,350,000
9500 Matching Funds	6	0	0	0
9500 Indirect Cost	6	0	0	0
TOTAL		$0.00	21,000,000.00	21,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Eric Gale, Delegated Program Manager III
Program Manager's Printed Name

3/8/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, Executive Director
Division Director / Branch Chief's Printed Name

3/8/22
Division Director / Branch Chief's Signature and Date

Navajo Special Diabetes Program - 2022 ARPA Project Description Listing

Window Rock Wellness Center Replacement Project **$6,444,704.00**

NSDP is offering the unique opportunity for a qualified team to design and build a renovation for new Wellness Center. NSDP seeks a team under a single, responsible lead entity, which includes design and construction, the "Design Build Team." NSDP intends to issue one contract to the selected Offeror for the entire scope of work.

Work includes the new construction of a building and related site work for the Wellness Center. The new facility is a two-story building with 40, 000 square feet. The construction services include furniture, fixtures and equipment. Site improvements for programmatic needs and infrastructure requirements will be part of the scope of work.

Project Description: Wellness Center will be fitness space for the employee, students and general public. Wellness Center will include configurable indoor fitness area, cardio studios, weight room, lockers, showers, restrooms, basketball court, and indoor track field. The design-build team will work collaboratively with NSDP and its internal and external partners to validate the programmatic requirements, develop construction documents, and obtain all approvals necessary for construction. The project will be subject to internal design review prior to each submittal to Navajo Nation Fire Marshal's Office.

Tuba City Wellness Center Replacement Project **$6,444.704.00**

NSDP identified a need to construct a new wellness building in Tuba City, Arizona. This project will require both the design and the construction of a new wellness center building for and counseling activities, and the renovation of the existing infrastructure services. The new office building will be 2 story and approximately 25,000 sq. ft. NSDP promotes a wellness environment that fosters physical, emotional, mental, and spiritual wellness while focusing on diabetes prevention that promotes collaboration between clients, and their families.

NSDP intends to use a Design-Build contract to deliver this Project. The Design-Build agreement will require the successful Proposer to enter into the contract and to provide both design and construction services. NSDP's primary objective in utilizing the Design-Build approach is to bring the best available integrated design expertise and construction experiences to this Project.

Project Description: Wellness Center will be fitness space for the employee, students and general public. Wellness Center will include configurable indoor fitness area, cardio studios, weight room, lockers, showers, restrooms, basketball court, and indoor track field. The design-build team will work collaboratively with NSDP and its internal and external partners to validate the programmatic requirements, develop construction documents, and obtain all approvals necessary for construction. The project will be subject to internal design review prior to each submittal to Navajo Nation Fire Marshal's Office.

Chinle Wellness Center Project **$6,444,704.00**

NSDP identified a need to construct a new wellness building in Chinle, Arizona. This project will require both the design and the construction of a new wellness center building for diabetes prevention/intervention services and wellness activities, and the renovation of the existing infrastructure services. NSDP is currently in need of wellness center to carry out an essential diabetes prevention and

intervention service of the Navajo Nation. The new office building will be 2 story and approximately 25,000 sq. ft. NSDP promotes a wellness environment that fosters physical, emotional, mental, and spiritual wellness while focusing on diabetes prevention that promotes collaboration between clients, and their families.

NSDP intends to use a Design-Build contract to deliver this Project. The Design-Build agreement will require the successful Proposer to enter into the contract and to provide both design and construction services. NSDP's primary objective in utilizing the Design-Build approach is to bring the best available integrated design expertise and construction experiences to this Project.

Project Description: Wellness Center will be fitness space for the employee, students and general public. Wellness Center will include configurable indoor fitness area, cardio studios, weight room, lockers, showers, restrooms, basketball court, and indoor track field. The design-build team will work collaboratively with NSDP and its internal and external partners to validate the programmatic requirements, develop construction documents, and obtain all approvals necessary for construction. The project will be subject to internal design review prior to each submittal to Navajo Nation Fire Marshal's Office.

Kayenta Wellness Center Infrastructure Service Project **$300,000.00**

NSDP is soliciting competitive bids from qualified professional services of an experienced and qualified licensed contractor with proven expertise to design and install electrical, natural gas, and water/wastewater services on Navajo Nation.

NSDP strives to provide the best products and services possible for electric, gas, and water/wastewater service. NSDP realized a need to improve the utility infrastructure services within designated project site. Potential Contractors/Vendors shall fully address the requirements as it related to the performance of all required work, including site assessment, drawings and document submittals, testing, delivery, and technical support during and after installation of the Utility Infrastructure Installation Services. Contractor shall provide the following services onsite: Evaluate and review the existing electrical, natural gas and water/wastewater service for functionality and code compliance.

Shiprock Wellness Center Infrastructure Service Project **$300,000.00**

NSDP is soliciting competitive bids from qualified professional services of an experienced and qualified licensed contractor with proven expertise to design and install electrical, natural gas, and water/wastewater services on Navajo Nation.

NSDP strives to provide the best products and services possible for electric, gas, and water/wastewater service. NSDP realized a need to improve the utility infrastructure services within designated project site. Potential Contractors/Vendors shall fully address the requirements as it related to the performance of all required work, including site assessment, drawings and document submittals, testing, delivery, and technical support during and after installation of the Utility Infrastructure Installation Services. Contractor shall provide the following services onsite: Evaluate and review the existing electrical, natural gas and water/wastewater service for functionality and code compliance.

NSDP Facility HVAC System Service Maintenance/Repair Services Project **$500,000.00**

NSDP wishes to obtain professional services from a qualified firm Service Company to provide HVAC mechanical systems maintenance, repair, replacement and related services for seven (7) facilities on the Navajo Nation.

The objective of this RFP is to contract with one qualified contractor to provide HVAC system services. The contractor shall provide all labor, materials and equipment necessary to maintain, repair, adjust and calibrate all miscellaneous air-conditioning, refrigeration, heating and ventilation systems, and related HVAC equipment as needed for the properties identified. Preventive maintenance services shall be provided by the Service Company on all equipment and associated devices related to the HVAC systems. The Service Company shall furnish all personnel, parts, materials, test equipment, tools, and Services in conformance with the terms and conditions.

NSDP Fire Protection Service System Project **$200,000.00**

NSDP shall be soliciting proposals from qualified firms to provide fire alarm & protection inspection, testing, installation of new fire panels & equipment and preventative maintenance services at all NSDP Office Sites/Wellness Centers on the Navajo Reservation. All services must be conformed with National Fire Protection Association (NFPA) 25 standards and compliance to help maximize system integrity to avoid failure and ensure fast, effective response in a fire emergency.

The successful proposers will be responsible for providing labor, supervision, materials, equipment, transportation, and service necessary to perform high quality work. Proposers may provide an explanation itemizing the extent of their service procedure and practices. The NSDP intends to award a contract to the proposer that is able to establish a contractual relationship with a qualified proposer that can best provide the NSDP with quality fire protection services.

Window Rock Wellness Center Demolition Service Project **$350,000.00**

NSDP is requesting Competitive Sealed Proposals from qualified firms interested in contracting with the NSDP to provide building demolition services for the removal and clean-up of a site located on the Navajo Nation Fairground. The selected contractor may desire to remove the building from its current location. Generally, the building is approximately 12,000 square feet. It is the NSDP's intent to select a contractor for the site that will to provide the best demolition proposal at the least cost or to pay the NSDP based on recycling value of the facility. Removal will also include excavating the concrete foundation and footing.

The scope of Demolition Services is defined as the demolition and removal of building, and foundations, as well as, the demolition and removal of site improvements, including but not limited to retaining walls, paving and foundation landscaping (see demolition requirements and specifications).

NSDP Logistic Equipment/Supplies **$15,888.00**

NSDP is soliciting proposals for contractor(s) to provide logistic management goods, supplies, and equipment to support tribal and local government entities. NSDP delivers critical commodities and food/covid pandemic supplies on the Navajo Nation for past two years. There are seven distribution centers/sites on Navajo Nation that provide rapid support including commodities like food and water.

NSDP manages and maintain comprehensive supply chain, warehouse operations where we receive, store, and issue commodities and equipment, and transportation operations to effectively and efficiently distribute supplies, equipment and services in response to Covid 19 Pandemic. This contract will allow NSDP to purchase on an "as needed" basis from a competitively awarded contract.

GRAND TOTAL: **$21,000,000.00**

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : All Concerned

FROM :
Dr. Jill Jim, Executive Director
Navajo Department of Health

DATE : July 8, 2021

SUBJECT: Delegation of Authority

Effective immediately, Mr. Erie Gale will serve as Delegated Program Manager III to handle operations of the Navajo Special Diabetes Program.

Mr. Gale will have full authority and responsibility for the management of the Navajo Special Diabetes Program with the exception of major issues that require my personal attention. This delegation will not include contract negotiations.

Your cooperation with Mr. Gale is appreciated. If you have questions, please contact me at (928) 871-6350.

ACKNOWLEDGEMENT:

Mr. Erie Gale, Delegated Program Manager III
Navajo Special Diabetes Program

cc: Paulson Chaco, Chief of Staff, Office of the President and Vice President
Navajo Department of Personnel Management
Office of the Controller
Office of Management and Budget

Services (Expenditure Category 1.14), as set forth in **Exhibit E-1**, with administrative oversight by the Office of the President and Vice-President and joint legislative oversight by the Law and Order and Resources and Development Committees.

2. Five million dollars ($5,000,000) to the Department of Information Technology, Division of General Services, for Cyber Security project(s), as Other Public Health Services (Expenditure Category 1.14), as set forth in **Exhibit E-2**, with administrative oversight by the Division of General Services and joint legislative oversight by the Health Education Human Services and Resources and Development Committees.

C. The Division of Public Safety and the Department of Information Technology, Division of General Services, are authorized to execute these Emergency Communications, E911, Rural Addressing, and Cyber Security Projects directly, or through use of contractors and sub-recipients. The Division of General Services and the Division of Public Safety shall exercise administrative oversight over construction contracts and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications.

D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Emergency Communications, E911, Rural Addressing, and Cyber Security construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION FIVE. APPROVAL OF PUBLIC HEALTH EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Public Health Expenditure Plan set forth in **Exhibits F** and **F-1** through **F-6**.

B. The Navajo Nation hereby approves total funding for the NNFRF Public Health Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of seventy-nine million four hundred eighty-seven thousand five hundred dollars ($79,487,500) allocated as follows:

1. Nineteen million two hundred forty-three thousand seven hundred fifty dollars ($19,243,750) to the Division of Aging and Long-Term Care Support ("DALTCS"), Navajo Department of Health, for Senior Centers, as Other Public Health Services (Expenditure Category 1.14) as

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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F-3

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0091-2 [Reissued]

Date & Time Received: 3/09/2022 at 15:33

Date & Time of Response: 3/09/2022 at 17:20 [Reissued 4/13/2022 - new expenditure category]

Entity Requesting FRF: Navajo Department of Health

Title of Project: Division of Behavioral & Mental Health Detox & Residential Treatment Centers

Administrative Oversight: Executive Branch

Amount of Funding Requested: $15,243,750.00

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.13 Substance Use Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 1.11 - Substance Use Services. This is now category 1.13 – Substance Use Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: _____

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health *indicate Department, Program, Office, Division, or Branch* Date prepared: 3/9/2022

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 phone/email: (928) 871-6350/jilljim@navajo-nsn.gov

website (if any): _____

Form prepared by: Dr. Michelle Brandser phone/email: (928) 871-6350/mbrandser@navajo-nsn.gov

Executive Director for the Navajo Nation Department of Health
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Division of Behavioral and Mental Health Detox and Residential Treatment Centers

NN Government Unit's Director or Manager: Dr. Jill Jim phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above phone & email: _____

Branch Chief: Jonathan Nez phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

_____ ☐ document attached

Amount of FRF requested: $15,243,750 FRF funding period: 10/01/2021 - 12/31/2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The COVID pandemic has increased the need to provide substance abuse services. This funding will be used to construct three new detox treatment centers, construct one new residential facility, and renovate one existing residential facility. Due to the pandemic, these types of facilities have been overrun with the number of incoming patients. Additional facilities and renovations are needed to avoid overcrowding support facilities, which can increase the transmission rate of the COVID-19 virus. Each facility will have space for 10 patients for detox services and outpatient treatment services, including traditional healing grounds and recreational facilities. The residential facilities will offer a comprehensive care recovery process with constant support services.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

These treatment centers will give the Navajo people, both teens and adults, a place to go to for substance abuse related problems. It will benefit the Navajo people by providing community support and a safe space for individuals to receive the help and support they need to recover from substance abuse, including counseling and rehabilitation programs. These programs can help individuals rebuild and overcome the emotional and mental toll they may be experiencing from the COVID pandemic and also help them achieve a healthier, substance free lifestyle. ☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Design and preparation to bid project
10/01/2022 - 9/30/2023: Advertisement, contracting, and begin construction
10/02/2023 - 12/31/2026: Construction
Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of these facilities.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The DOH will be responsible for the operations and maintenance costs for these facilities upon completion.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 1.11, Public Health: Substance Use Services. This category was selected based on the need to provide substance use support and services to individuals to fulfill an increased need in these types of services due to the pandemic. The costs will support construction only.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Dr. Michelle Brandon
signature of Preparer/CONTACT PERSON

Approved by: Jill Jim
signature of NN Government Unit's Dept/Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Dr. Jill Jim, Division Director
print name and indicate title or position

Navajo Department of Health
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Division of Behavioral & Mental Health Services Division/Branch: NDOH/Executive

Prepared By: Tanya Sheperd, SPPS Phone No.: (928) 871-7578 Email Address: tlsheperd@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds/APRA		15,243,750.00	100%
	TOTAL:	$15,243,750.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	6	$0.00	$11,794,750.00	$11,794,750.00
6500 Contractual Services	6	$0.00	$319,000.00	$319,000.00
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay	6	$0.00	$3,160,000.00	$3,160,000.00
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$15,273,750.00	$15,273,750.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Dr. Michelle Brandser, Health Services Administrator
Program Manager's Printed Name
Dr. Michelle Brandser 3/9/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, Navajo Department of Health
Division Director / Branch Chief's Printed Name
3/9/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

EXHIBIT
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DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0156

Date & Time Received: 3/09/2022 16:54

Date & Time of Response: 3/09/2022 20:15

Entity Requesting FRF: Navajo Department of Health

Title of Project: NDOH Dedicated Public Health Storage Warehouse

Administrative Oversight: Executive Branch

Amount of Funding Requested: $5 million

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Public Health: Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health *indicate Department, Program, Office, Division, or Branch* Date prepared: 03/09/2022

NN Government Unit's mailing address: P.O. Box 1390, Window Rock, AZ 86515 phone/email: 928.871.6350/jilljim@navajo-nsn.gov website (if any):

Form prepared by: Dr. Jill Jim phone/email: 928.871.6350

Executive Director
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: NDOH Dedicated Public Health Storage Warehouse

NN Government Unit's Director or Manager: Dr. Jill Jim phone & email: 928.871.6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above phone & email:

Branch Chief: Jonathan Nez phone & email: 928.871.7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
TBD ☐ document attached

Amount of FRF requested: 5,000,000 FRF funding period: 06/01/2022 - 12/31/2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

During the pandemic, the Nation's community wellness centers have served as essential warehouse/storage facilities for COVID-19 related food supply, water, and personal protective equipment (PPE). The Nation has no dedicated warehouses or equipment to provide food and PPE to communities and this has become a critical challenge to provide continued economic and health care services throughout the Nation.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

See Attached Justification Memo

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

06/01/2022 - 09/30/2022: Prepare and Solicit a Design/Build Request for Qualifications (RFQ) to hire an A/E Firm & General Contractor Design Build Team.
09/30/2022 - 12/31/2022: Finalize Contract for Selected Design/Build Team
01/01/2023 - 12/31/2024: Complete Design and Related Planning of Facility
01/01/2025 - 12/31/2025: Complete Construction of Facility

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of the warehouse in coordination with other Divisions/Departments as necessary.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The DOH will be responsible for the operation and maintenance costs for this warehouse upon completion and will work with other Divisions/Departments as necessary to budget for yearly O&M.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 1.12, Public Health: Other Public Health Services. This category was selected based on the need to provide public health services in the form of stored materials and goods due to the ongoing pandemic.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

See Attached Justification Memo

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ *signature of Preparer/CONTACT PERSON*

Approved by: _____ *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ *signature of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Paulson Chaco *print name and indicate title or position*

_____ *indicate Branch or Division*

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Mel M. Rodis, Assistant Attorney General
Tax and Finance Unit/DOJ

FROM : Dr. Jill Jim, Executive Director
Navajo Department of Health

DATE : March 9, 2022

SUBJECT : FRF Expenditure Plan for Public Health Storage Warehouse

The Navajo Department of Health (NDOH) is submitting this supplemental memo to provide justification for our funding request in the amount of $5 million for the planning, design, and construction of a dedicated public health materials and goods storage warehouse that will support the services we continue to provide to the Nation during this ongoing COVID-19 pandemic.

Public Health and Economic Impacts:
Due to a continued widespread supply shortage and an ongoing pandemic, the Nation continues to purchase larger volumes of food and supplies to meet greater than expected economic and public health needs throughout the Nation.

As of March 8, 2022, the Nation continues to have both confirmed cases and deaths of our community members from COVID-19 as shown in the most recent NDOH situation report:[1]

[1] https://www.ndoh.navajo-nsn.gov/COVID-19/Data

Situation Report #723

Navajo Nation Dikos Ntsaaígíí-19 (COVID-19)

Last Updated: March 8, 2022

Navajo Nation Residents

Total Confirmed Cases[1]	Total Recovered[2]	Total Confirmed Deaths[3]
52,663	50,780	1,654
6		3

Total Tests Completed[4]	Total Positive Tests[5]	Total Negative Tests
498,793	82,428	390,515

Service Area Confirmed Cases

Bordertown	Chinle	Crownpoint	Fort Defiance	Gallup	Kayenta	Shiprock	Tuba City	Window
17,264	10,068	5,128	5,355	8,838	4,989	9,763	5,694	2,806

It is unknown when this pandemic will end, and the supply market continues to be volatile. The NDOH supplies PPE, goods, and services to covid and non-covid individuals requiring isolation and quarantine to reduce the spread of covid. The department oversees the Health Command Operations Center, within in this structure, Community Health Representatives, Health Educators, Public Health Nurses, and the Special Diabetes Program staff have assisted the pandemic response by ensuring over 10,000 PPE (masks, cleaning supplies, food) were provided to community members between October to December 2021 and 2,561 patients with covid or was exposed to covid received a food between October to March 9, 2022. NDOH purchases and receives donations of gloves, face shields, masks, cleaning supplies, medical supplies, isolation and quarantine kits, equipment, wood, water, toilet tissue, Kleenex, diapers, baby products, and hand sanitizers. NDOH purchases food to include canned food, water, honey, oatmeal, dry food products for adults and children, including traditional foods (flour, beans).

Supply Chain Issues:
The COVID-19 pandemic resulted in a global, national, and regional wide disruptions in the availability of PPE supplies, goods, materials, and food due to supply chain issues and panic buying.

The Navajo Nation continues to struggle through the pandemic by not only trying to locate and secure supplies but also struggles with storing supplies that can facilitate the needs of our 300,000 community members over a very large geographic area that encompasses nearly 27K square miles. Almost all the 110 Chapters of the Navajo Nation do not have storage space/warehouses and continue to rely on the central government to store and deliver PPE and food during this ongoing pandemic.

Alternative Considerations:
The Navajo Nation has a critical shortage of reliable, safe, secure storage spaces for public health supplies. The volume of PPE required to meet not only the needs of the Nations Divisions/Programs/Clinics, but to also meet the needs of community members, far exceeds regular storage spaces that are traditionally available in more urban areas. The space needs to meet the Nation's needs are approximately 50,000 square feet. Leasing facilities of this size that can be centrally located in not an option.

Summary
Having a centralized warehouse will reduce the number of haphazard storage points currently being utilized, will improve supply availability, will reduce the need of our community members to travel long distances and exposing themselves to contracting COVID-19, and will provide for easier access, distribution, and quicker, more efficient delivery of public health supplies throughout the Nation.

Thank you in advance for your consideration and if you have any questions, please don't hesitate to contact me at 928.871.6851.

FY 2022

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: NDOH Division/Branch: Executive/NDOH

Prepared By: Christine M. Chavez Phone No.: 928-871-6733 Email Address: cmchavez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
P.L. 93-638 HMS Funding	03/11/21-12/31/202	5,000,000.00	100%
	TOTAL:	$5,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	-	-	-
3000 Travel Expenses	6	-	-	-
3500 Meeting Expenses	6	-	-	-
4000 Supplies	6	-		-
5000 Lease and Rental	6	-	-	-
5500 Communications and Utilities	6	-	-	-
6000 Repairs and Maintenance	6	-	-	-
6500 Contractual Services	6	-	-	-
7000 Special Transactions	6	-	-	-
8000 Public Assistance	6	-	-	-
9000 Capital Outlay	6	-	5,000,000.00	5,000,000.00
9500 Matching Funds	6	-	-	-
9500 Indirect Cost	6	-	-	-
TOTAL		-	5,000,000.00	5,000,000.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Dr. Jill Jim, Executie Director
Program Manager's Printed Name

Jill D 3/9/22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT F-5

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0090-2 [Reissued]

Date & Time Received: 3/09/2022 15:28

Date & Time of Response: 3/09/2022 16:30 [Reissued 4/2/2022 - new expenditure category]

Entity Requesting FRF: Navajo Nation Department of Health

Title of Project: Division of Behavioral and Mental Health Transitional Housing for Recovery

Administrative Oversight: Executive Branch

Amount of Funding Requested: $4,000,000.00

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.12 – Mental Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 1.10 - Mental Health Services. This is now category 1.12 - Mental Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health *indicate Department, Program, Office, Division, or Branch* Date prepared: 03/9/2022

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 phone/email: (928) 871-6350/jilljim@navajo-nsn.gov

website (if any): _____

Form prepared by: Dr. Michelle Brandser phone/email: (928) 871-6350/mbrandser@navajo-nsn.gov

Health Services Adminstrator / DBMHS *CONTACT PERSON'S name, title and Department, Program, Office, etc.* _____ *CONTACT PERSON'S info*

Title & type of Project: Division of Behavioral and Mental Health Transitional Housing for Recovery

NN Government Unit's Director or Manager: Dr. Jill Jim phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above phone & email: _____

Branch Chief: Jonathan Nez phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

_____ ☐ document attached

Amount of FRF requested: $4,000,000.00 FRF funding period: 10/01/2021 - 12/31/2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The COVID pandemic has affected the mental health of many people, world wide, but also specifically on the Navajo Nation. The pandemic has induced anxiety, depression, and stress in a large number of our members on the Nation. In addition, individuals are turning to substances to ease their anxiety, depression, and stress related to pandemic. The increase in This funding will provide three transitional housing facilities for recovery from mental health or substance abuse. The overcrowding in support facilities can increase the transmission rate of the COVID-19 virus, therefore additional facilities are needed to accommodate the number of patients to ensure the ability to offer services safely. Funding will be used to construct three new transitional housing facilities.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

A transitional house is typically used as an intermediate step, transitioning from a recovery facility back into daily life. This type of housing will provide a safe space for Navajo individuals recovering from mental health or substance abuse induced by the COVID pandemic. Allowing for a transitional space gives the individual an opportunity to begin resuming normal activities before re immersion into daily life. This transition period promotes confidence and has been shown to reduce the likely recurrence of mental health issues and substance abuse.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Design and preparation to bid project
10/01/2022 - 9/30/2023: Advertisement, contracting, and begin construction
10/02/2023 - 12/31/2026: Construction
Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of these facilities.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The DOH will be responsible for the operations and maintenance costs for these facilities upon completion.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 1.10, Public Health: Mental Health Services. This category was selected based on the need to provide mental health support and services to individuals to fulfill an increased need in these types of services due to the pandemic. The funding will be only used for construction.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

NA

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Dr. Michelle Bradley
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: _____
print name and indicate title or position

_____
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: Division of Behavioral & Mental Health Services Division/Branch: NDOH/Executive

Prepared By: Tanya Sheperd, SPPS Phone No.: (928) 871-7578 Email Address: tlsheperd@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds/APRA		4,000,000.00	100%
	TOTAL:	$4,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	6	$0.00	$2,933,000.00	$2,933,000.00
6500 Contractual Services	6	$0.00	$57,000.00	$57,000.00
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay	6	$0.00	$1,010,000.00	$1,010,000.00
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$4,000,000.00	$4,000,000.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Dr. Michelle Brandser, Health Services Administrator
Program Manager's Printed Name

Dr. Michelle Brandser 3/9/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, Navajo Department of Health
Division Director / Branch Chief's Printed Name

3/9/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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F-6

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0176

Date & Time Received: 4/12/2022 10:09

Date & Time of Response: 4/13/2022 10:35

Entity Requesting FRF: Navajo Nation Department of Health

Title of Project: Tuba City Long Term Care Facility

Administrative Oversight: Executive Branch

Amount of Funding Requested: $15,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.6 (Medical Expenses (including Alternative Care Facilities))

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health — Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 1309, Window Rock, AZ 86515 — phone/email: 928.871.6350/jilljim@navajo-nsn.gov — website (if any):

Form prepared by: Dr. Jill Jim, Executive Director — phone/email: 928.871.6350
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Tuba City Long Term Care Facility

NN Government Unit's Director or Manager: Dr. Jill Jim — phone & email: 928.871.6350/jilljim@navajo-nsn.gov

Division Director (if any): — phone & email:

Branch Chief: Jonathan Nez — phone & email: 928.871.7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division

the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Subrecipient: Tuba City Regional Health Care Corporation ☐ document attached

Amount of FRF requested: 15,000,000 FRF funding period: 09/01/2022 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funds will be used to construct up to a 90-bed Long Term Care (LTC) Center in Tuba City. With increased restrictions/limitations in transporting elderly patients for non-reservation nursing care due to COVID, we are experiencing difficulties in obtaining needed care for our elder patients. The project will be on the main TCRHCC campus adjacent to the hospital, so we may share support, such as, cafeteria, laundry, and healthcare professionals. Elders are living with multi generational families, this facility will limit individuals that visit our elders and keep them out of crowded living situations.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Navajo Nation's population of approximately 400,000 members has only one nursing facility on the Navajo Nation. There is a critical need for this service as at least 20% of our pt population are over 45 years of age. Since the pandemic a LTCF is critical for the elderly given the ongoing COVID pandemic and reduce their risk to expose from other family members.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

09/01/2022 - 12/31/2022: In order to complete this project within the funding timeframe, this project will be approached as a Design/Build. Prepare and Solicit a Design/Build Request for Qualifications (RFQ) to hire an A/E Firm & General Contractor Design Build Team.
01/01/2023 - 03/31/2023: Finalize Contract for Selected Design/Build Team
04/01/2023 - 03/31/2024: Complete Design and Related Planning of Facility
04/01/2024 - 06/30/2025: Complete Construction of Facility

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tuba City Regional Health Care Center will implement the project, primarily our Chief Executive Officer and Chief Support Services Officer.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Tuba City Regional Health Care Corporation will be responsible for operations and maintenance costs once project is completed. Funds to be used will come from third-party revenue, contributed capital and investment income.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under the Public Health 1.6 Medical Expenses category. Tuba City Regional Health Care's compact with Navajo Nation to operate as a 638 organization to provide healthcare services to IHS beneficiaries. One of these services is geriatric care, including long term care and skilled nursing. Because there is no local long term care facility locally, patients have to be referred to non-reservation nursing care. With the pandemic, this has proven to be much more difficult due to congregation restrictions.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

TCRHCC Board Resolution

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Jill Jim Digitally signed by Jill Jim Date: 2022.04.12 10:15:14 -05'00'
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: See Signature Above
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Paulson Chaco / Chief of Staff
print name and indicate title or position

Executive / OPVP
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: NDOH Long Term Care Facility Tuba City Division/Branch: *Health*

Prepared By: Dr. Jill Jim Phone No.: 928.871.6350 Email Address: jilljim@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		15,000,000.00	100%
	TOTAL:	$15,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			1,500,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			13,500,000	
TOTAL		$0.00	15,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

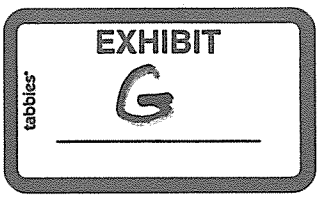
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Dr. Jill Jim
Program Manager's Printed Name

Jill Jim Digitally signed by Jill Jim Date: 2022.04.12 10:18:46 -06'00'
Program Manager's Signature and Date

APPROVED BY: Chief of Staff, Paulson Chaco
~~Division Director~~ / Branch Chief's Printed Name

04/12/22
~~Division Director~~ / Branch Chief's Signature and Date



Navajo Nation Fiscal Recovery Fund
Economic Development

Description	Category	$
NSBCI	6.10	$5,000,000
Dinosaur Tracks	2.35	$4,600,000
Shiprock Visitor Center	2.35	$8,711,367
Eco. Dev./Tourism	2.35	$16,100,000
Twin Lakes Well	5.13	$500,000
Church Rock Industrial WL	5.13	$8,000,000
NahataDziil Waterline	5.13	$900,000
Retire Infrastructue Cow Springs	6.10	$460,000
Tseyi Restaurant, Motel, and Convenience St	6.10	$460,000
Black Mesa Shopping Center Clean-up	6.10	$731,031
Total Funding		$45,462,398

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT G-1

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0186-2

Date & Time Received: 4/14/2022 at 18:29

Date & Time of Response: 4/14/2022 at 20:18

Entity Requesting FRF: Division of Economic Development

Title of Project: Navajo Small Business Credit Initiative Administration (NSBCI)

Administrative Oversight: Executive Branch / OPVP

Amount of Funding Requested: $5,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1 - Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments:
We determined this project was an eligible use of Fiscal Recovery Funds under the statutory category for provision of government services. If you would like us to reconsider this project as a response to COVID-19, please provide additional facts addressing how the loans will respond to COVID-19. In particular, Treasury's guidance provides a list of assistance to small businesses that is presumed to be eligible. These include counseling, or other services to assist with business planning needs; certain capital investments, such as rehabilitation of commercial properties, storefront improvements, and facade improvements; additional support to operate the business, including financial, childcare, and transportation supports; business incubators; and grants for start-ups or expansion costs.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Economic Development *indicate Department, Program, Office, Division, or Branch* Date prepared: April 13, 2022

NN Government Unit's mailing address: Division of Economic Development PO Box 663, WINDOW ROCK, AZ, 86515 phone/email: 928-871-6544/navajoeconomy@navajo-nsn.gov website (if any): _____

Form prepared by: Douglas Capitan phone/email: 928-871-6544 / dwcapitan@navajo-nsn.gov

Douglas Capitan, Sr. Project Specialist, DED Administration *CONTACT PERSON'S name, title and Department, Program, Office, etc.* _____ *CONTACT PERSON'S info*

Title & type of Project: Navajo Small Business Credit Initiative (NSBCI)

NN Government Unit's Director or Manager: JT Willie phone & email: 928-871-6544 jtwillie@navajo-nsn.gov

Division Director (if any): JT Willie phone & email: 928-871-6544 jtwillie@navajo-nsn.gov

Branch Chief: n/a phone & email: n/a

Funding Recipient will be working with: Exec. Branch, Division of Economic Development *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

Change Labs and NCDFI: DED as part of Treasury SSBCI Guidelines is contracting for program implementation. See attached budget memo. ☑ document attached

Amount of FRF requested: $5,000,000 FRF funding period: June 1, 2022 to December 30, 2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Through the United States Department of Treasury, SSBCI will fund a $89 million credit support initiative to provide Navajo businesses access to financial lending programs; including capital access programs, loan participation programs, loan guarantee programs, collateral support programs, and venture capital programs ("other credit support programs"). DED will authorized the contract program administrators to implement a three credit programs and provided technical support; (1) loan guaranty program, (2) loan participation program, (3) venture capital fund through administration agreements with the contract Program Administrators to facilitate borrowing by Navajo owned businesses. FRF will be utilized to cover the administrative and operational costs to implement the NSBCI.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Navajo small business owners and entrepreneurs have difficulty attaining credit and/or loans due to issues involving lack of collateral, financial institutions hesitance to lend to sovereign tribes, and credit history. This program will help bridge the gap and allow the Navajo Nation to act as a financial entity to facilitate the distribution of capital to the Navajo Business Community. This will mean opportunities to spur and develop the economy of the Navajo Nation.spur and develop the economy of the Navajo Nation.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

May 11, 2022: Complete Application due
July 11, 2022: Application for technical assistance due August - December 2022: Program Established
SSBCI Program Operation 2023 – 2033
Jun 1, 2022 – Dec 30, 2026 - Phase 1 Program development using ARPA FRF
Jan 1, 2027 - Dec 30, 2030 - Phase 2 Utilize existing non-ARPA FRF
Jan 1, 2031 – Dec 30, 2033 - Phase 3 Utilize existing non-ARPA FRF

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

DED and Contracting Program Administrator will be responsible for implementing the program through a contractual agreement. ARPA funding will cover the costs of establishing administrative and operational expenses. CPA will update DED with periodic reports for auditing purposes.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

DED and contracting program administrators will continue cover program operations and maintenance. DED will receive approximately $1.5 million sourced directly from U.S. Treasury over the span of 10 years to hire auditors and cover other administrative costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.9 Small business support - This aid will assist three external businesses to administer the State Small Business Credit Initiative loan programs and venture capital programs funded through U.S. Treasury; that will assist in rebuilding the Navajo Economy. The funds will cover the administrative costs incurred by the NSBCI contracting program administrators that is not otherwise covered within the SSBCI set by Treasury guidelines. The program will provide Navajo businesses access to financial lending programs; including capital access programs, loan participation programs, loan guarantee programs, collateral support programs, and venture capital programs ("other credit support programs").

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

See budget memo.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: JT Willie, Division Director

signature of Branch Chief or Division Director *print name and indicate title or position*

Division of Economic Development

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Navajo Small Business Credit Initiative Administration Division/Branch: *NN Div. of Economic Developm*

Prepared By: Douglas Capitan Phone No.: 928-871-6544 Email Address: dwcapitan@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	FY22-FY26	5,000,000.00	100%
	TOTAL:	$5,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses			1,500,000	
3000 Travel Expenses			125,000	
3500 Meeting Expenses			125,000	
4000 Supplies			150,000	
5000 Lease and Rental			700,000	
5500 Communications and Utilities			400,000	
6000 Repairs and Maintenance				
6500 Contractual Services			500,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			1,500,000	
TOTAL		$0.00	5,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		25
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Douglas Capitan
Program Manager's Printed Name

12-Apr-22
Program Manager's Signature and Date

APPROVED BY: JT Willie, Division Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO: JT Willie, Division Director

FROM: Douglas Capitan, Sr. Project Specialist, SSBCI Designate

DATE: April 11, 2022

SUBJECT: SSBCI, Contracting Entities Budgets FY2023 – FY2026

Below is the proposed ARPA FRF budget for the administration and operational costs of the Navajo Nation Small Business Credit Initiative (NSBCI). Funded through the U.S. Treasury State Small Business Credit Initiative Program, the NSBCI program will provide access to business loans and lines of credit financing to Navajo owned Small Businesses through one or more of the following: (1) Loan Guaranty Program, (2) Loan Participation Program, (3) Venture Capital Program. The total NNSBCI administration and operational budget total is $5,000,000 for program duration from FY 2023 – FY2026. DED requests the consideration to fund the administrative and operational costs of the NSBCI program to be used to implement the program.

Below are the budget details:

Administrative Govt. Entity	**Total Administrative Budget**
Division of Economic Development	
- Navajo Small Business Credit Initiative	$5,000,000

Budget Expenditures	**%**	**CL/NCDFI**
Personnel	30	$1,500,000
Travel/Meeting Expenses	5	250,000
Supplies	3	150,000
Lease/Rental	14	700,000
Communication and Utilities	8	400,000
Contractual Services	10	500,000
Capital Outlay	30	1,500,000
Total:	**100%**	**$5,000,000**

The $5 million in ARPA FRF will be disbursed between the program contracting administrative entities. The purpose of this is to fund technical support services, administrative and operational expenses and other expenses associated with program implementation, not funded through U.S. Treasury guidelines.

It will be imperative to the success of the NSBCI program and for Navajo Small Businesses to fund this budget. Please let me know if you have any questions.

Chapter Assistance Expenditure Plan

Description	Category	$
Chapter Assistance	6.1	$81,950,000
Public Safety/Rural Addressing	1.14	$35,000,000
Cyber Security	1.14	$5,000,000
Senior Centers	1.14	$19,243,750
Wellness Centers	2.37	$21,000,000
Detox Centers	1.13	$15,243,750
Long Term Care Facility	1.6	$15,000,000
Warehouse	1.14	$5,000,000
Transitional Housing	1.12	$4,000,000
NSBCI	6.1	$5,000,000
Dinosaur Tracks	2.35	$4,600,000
Shiprock Visitor Center	2.35	$8,711,367
Eco. Dev./Tourism	2.35	$16,100,000
Twin Lakes Well	5.13	$500,000
Church Rock Industrial WL	5.11	$8,000,000
NahataDziil Waterline	5.11	$900,000
Retire Infrastructue Cow Springs	6.1	$460,000
Tseyi Restaurant, Motel, and Convenience Store Clean-up	6.1	$460,000
Black Mesa Shopping Center Clean-up	6.1	$731,031
Hardship Assistance	2.3	$120,000,000
Wastewater: Centralized Wastewater Treatment	5.1	$33,675,338
Wastewater: Collection and Conveyance	5.2	$6,008,874
Drinking Water: Distribution and Transmission	5.10	$10,030,000
Drinking Water: Transmission & Distribution	5.11	$51,085,788
Drinking Water: Source	5.13	$29,200,000
Drinking Water: Storage	5.14	$1,000,000
Drinking Water: Cistern Systems	5.15	$84,000,000
Broadband - Last Mile	5.19	$40,000,000
Broadband - IIJA Match	5.20	$20,000,000
Broadband - Middle Mile	5.21	$60,000,000
Home Electric Connections	2.18	$96,400,000
Electric Capacity	1.14	$3,600,000
Housing - New Housing	2.15	$50,000,000
Housing - Veterans	2.16	$50,000,000
Housing Manufacturing	2.15	$50,000,000
Housing for former Bennett Freeze and NPL	2.15	$15,550,000
Bathroom Additions	1.14	$150,000,000
Contingency Funding Line Item	6.1	$500
Reduced FRF Administrative Funds		
Executive Branch		-$42,151,531
Legislative Branch		-$5,000,000
Total Funding		$1,070,298,867

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT G-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0125 [Reissued]

Date & Time Received: 11/19/2021 12:43 p.m.

Date & Time of Response: 11/30/2021 12:45 p.m. [Reissued 4/13/22 - new expenditure category]

Entity Requesting FRF: Navajo Tourism Department

Title of Project: Economic Development/Tourism (Dinosaur Tracks)

Administrative Oversight: Division of Economic Development/Executive Branch

Amount of Funding Requested: $4,600,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.35 Aid to Tourism, Travel, or Hospitality

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 2.11 Aid to Tourism, Travel, or Hospitality. This is now category 2.35 - Aid to Tourism, Travel, or Hospitality.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Tourism Department — Date prepared: 11/15/21
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 663, Window Rock AZ 86515 — phone/email: arvalmccabe@navajo-nsn.gov — website (if any): www.discovernavajo.com

Form prepared by: Arval T. McCabe, Department Manager — phone/email: 928-871-7392/928-810-8501

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Economic Development/Tourism

NN Government Unit's Director or Manager: Arval T. McCabe — phone & email: arvalmccabe@navajo-nsn.gov

Division Director (if any): JT. Willie — phone & email: jtwillie@navajo-nsn.gov

Branch Chief: Jonathan Nez, President — phone & email: jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development/Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $4.6 million — FRF funding period: Jan 01, 2022 - Dec 31, 2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The local and surrounding communities requested this project to assist with developing a gateway to Western Navajo Destination and will serve visitors by providing safe destination, and business information. This project will provide amenities to visitors. The funds will be used for design development and construction. The location of the project is on north US Highway 160 off US Highway 89. Communities will benefit from this project. The closure of Navajo Nation Tourism industry revenue loss is in excess of $115,500,000.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will create local jobs to community members when the construction begins and will give them the opportunity to work close to home. When the project is completed it will provide employment for up-to 12 community members. The location is a great opportunity for Native artisans, vendors and performers to work near their homes. This project will increase the number of visitors to the area.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Phase I: Land Designation/Arch clearance & Cultural Inventory/Biological Compliance are all completed.
Phase II: Bid out project for Geological Consultation, Design and Construction. Coordination with NTUA to consult on any utility infrastructure. Complete date is March 2022.
Phase III: Construction of the vendor and picnic pavillions, a waterless restroom, pave parking lot area and pavillions to be completed by May 2023.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Division of Economic Development/Tourism Department, Project Development and Regional Business Development-Western, Navajo Parks and Recreation and Dinosaur Ridge of Morrison, Colorado, will be partnering to work on this project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Coalmine Canyon Dinosaur Tracks destination will be funded from entrance and vendor fees to cover the costs of operation and maintenance of the property.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Economic Development and Services - Tourism

This project will increase visitors to the area, provide service that are otherwise not available and will provide much needed amenities to both community members and visitors such as hiking, local souvenirs, local Native foods, Native artisans and entertainment when available.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: J T Willie, Division Director, Division of Economic Dev.

signature of Branch Chief or Division Director *print name and indicate title or position* *indicate Branch or Division*

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: 510003 Program Title: Tourism Department Division/Branch: *Economic Development*

FY 2022 Prepared By: Arval T. McCabe Phone No.: 928-810-8501 Email Address: arvalmccabe@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Rescue Plan (ARP)	1/01/2022-12/31/2024	$ 4,000,000.00	100%
American Rescue Plan (ARP)	1/01/2022-12/31/2024	$ 600,000.00	15%
	TOTAL:	$4,600,000.00	115%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				0
3000 Travel Expenses				0
3500 Meeting Expenses				
4000 Supplies				0
5000 Lease and Rental				
5500 Communications and Utilities				0
6000 Repairs and Maintenance				0
6500 Contractual Services				0
7000 Special Transactions				0
8000 Public Assistance				
9000 Capital Outlay	5		$ 4,000,000.00	0
9500 Contingency			$ 600,000.00	0
TOTAL			$ 4,600,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Arval T. McCabe
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: JT Willie
Division Director / Branch Chief's Printed Name

11/18/2021
Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

September 3, 2021

M E M O R A N D U M:

TO : ALL DIVISIONS/DEPARTMENTS

FROM : Arval T. McCabe, Department Manager I
Tourism Department
DIVISION OF ECONOMIC DEVELOPMENT

SUBJECT : STANDING DELEGATION

The following staff members are delegated to act in my capacity during my absence. They will address daily operations for the department and will have the authority to sign all routine documents on my behalf. All other matters that require my attention and signature will be handle accordingly upon my return to the office.

If you have concerns, you may contact me at 928-810-8501.

ACKNOWLEDGEMENT:

Kristal Anderson-Begay, Marketing Specialist

Rose T Morgan, Senior Economic Development Specialist

Karen Preston, Administrative Assistant

XC: File

THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

November 8, 2017

Arval T. McCabe, Department Manager
Navajo Tourism Department
DIVISION OF ECONOMIC DEVELOPMENT

Dear Mr. McCabe,

Your Land Withdrawal Designation for four (4) acres of community development has been ***approved***. This letter is notification to you that you are authorized to proceed with construction, operation and maintenance of the four (4) acres for the Dinosaur Tracks located in the Northwest Quarter of Section 3, Township 31 North, Range 10 East, G&S.R.M. in the vicinity of Tuba City, Coconino County, State of Arizona and within the Navajo Nation Land Management District 3.

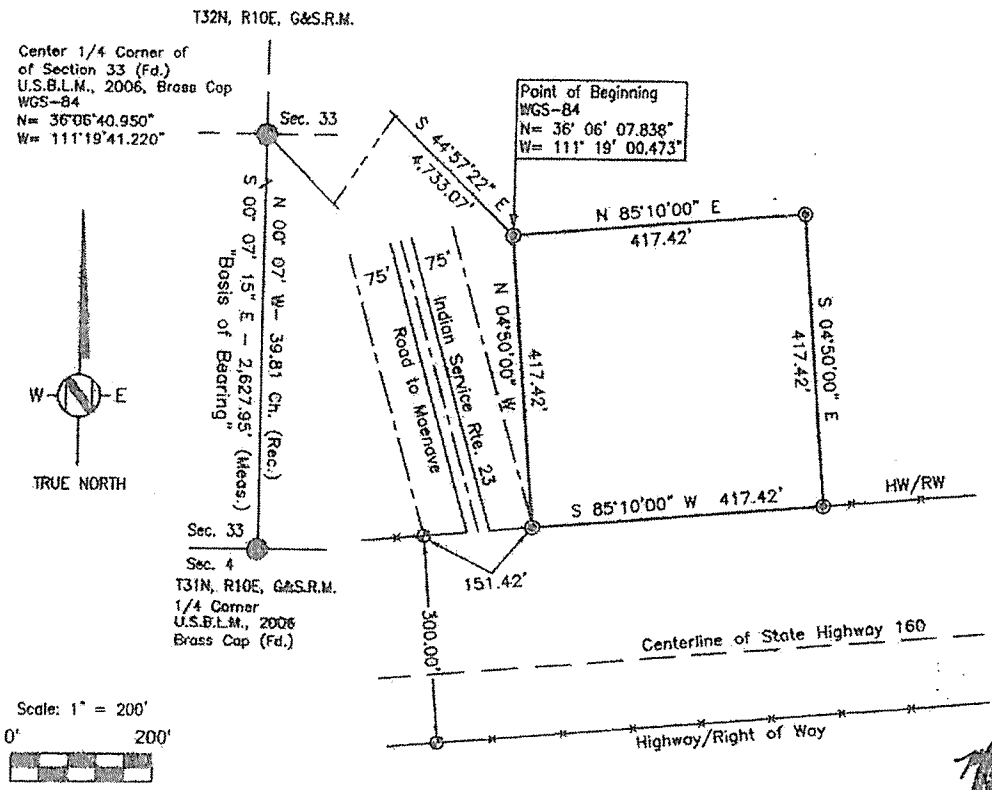
Thank you for your application to the Navajo Land Department/General Land Development Department. If you have any questions please contact the Navajo Land Department at 928.871.6401, thank you.

Sincerely,

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

xc: File/General Land Development Department

NOTES:
1. All Ground Distance Around Tract.
2. Latitude and Longitude are for Navigation Only.



Scale: 1" = 200'
0' 200'

CERTIFICATION OF SURVEY:
I HEREBY CERTIFY THAT THE PLAT WAS PREPARED FROM NOTES OF ACTUAL SURVEYS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION MADE IN THE FIELD AND THAT THE REPRESENTATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MELVIN BAUTISTA, ARIZONA. LIC. NO. 13969

LEGAL DESCRIPTION OF
TUBA CITY DINOSOUR TRACT

A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 3, T31N, R10E, G&S.R.M., IN THE VICINITY OF TUBA CITY, COCONINO COUNTY, STATE OF ARIZONA AND WITHIN THE NAVAJO NATION LAND MANAGEMENT DISTRICT 3 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 33, T32N, R10E, G&S.R.M., A FOUND U.S.B.L.M. (UNITED STATE BUREAU LAND MANAGEMENT) BRASS CAP DATED 2006, IN GOOD CONDITION;

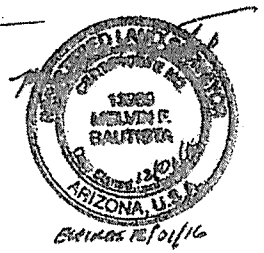
WHENCE A FOUND U.S.B.L.M. BRASS CAP IN GOOD CONDITION, THE SOUTH 1/4 CORNER OF SECTION 33, HAVING A TRUE NORTH BEARING S 00° 07' 15" E, A DISTANCE OF 2,627.95 FEET AND THE BASIS OF BEARING;

THENCE S 44° 57' 22" E, A DISTANCE OF 4,733.07 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP, RLS # 13969 AND THE POINT OF BEGINNING;

THENCE N 85° 10' 00" E, A DISTANCE OF 417.42 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP, RLS # 13969;
THENCE S 04° 50' 00" E, A DISTANCE OF 417.42 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP, RLS # 13969;
THENCE S 85° 10' 00" W, A DISTANCE OF 417.42 FEET ALONG THE NORTHERLY HIGHWAY RIGHT OF WAY OF STATE HIGHWAY 160 TO A 1/2" REBAR (SET) WITH BLUE CAP, RLS # 13969;
THENCE N 04° 50' 00" W, A DISTANCE OF 417.42 FEET TO THE POINT OF BEGINNING;

BEING 4.00 ACRE(S) MORE OR LESS, IN AREA AS CALCULATED BY COMPUTER SOFTWARE AND BEING SUBJECT TO ALL EXISTING EASEMENTS FOR AND/OR OTHER EXISTING LEGAL RIGHTS OF POSSESSION LOCATED THEREIN.

SURVEYED: NOVEMBER 14, 2016



Legend:
- ● = U.S.B.L.M. & U.S.G.L.O.S., Brass Cap (Fnd.)
- ◎ = 5/8" Rebar (Fd.) Red Cap RLS # 13969
- ——— = Lot Boundary
- ⊕ = Highway Right of Way, Brass Cap (Fnd.)

EXHIBIT "A"

TUBA CITY DINOSOUR TRACT
DISTRICT 3, NAVAJO NATION
NW/4 OF SECTION 3, T31N, R10E, G&S.R.M.
TUBA CITY, COCONINO COUNTY, ARIZONA

February 23, 2011

LEGAL DESCRIPTION FOR
DINOSAUR TRACK
COMMERCIAL SITE

That part of Township 31 North, Range 10 East of the Gila and Salt River Meridian, Coconino County, Arizona, more particularly described as follows:

Commencing at National Geodetic Survey Control Point "P 505", from which National Geodetic Survey Control Point "Tuba City" bears North 63°47'43" West, a distance of 27,190.89 feet;

Thence North 85°27'25" West, a distance of 1,898.26 feet to a found Arizona Department of Transportation Brass Cap on the Northerly right-of-way line of U.S. Highway 160;

Thence South 84°50'25" West, along said Northerly right-of-way line, a distance of 322.08 feet to the True Point of Beginning;

Thence continuing South 84°50'25" West, along said Northerly right-of-way line, a distance of 1,760.18 feet;

Thence North 05°09'35" West, departing said Northerly right-of-way line, a distance of 1,828.37 feet to a point on a line which is parallel with and 1,828.37 feet Northerly, as measured at right angles, from said Northerly right-of-way line;

Thence North 84°50'25" East, along said parallel line, a distance of 1,760.18 feet;

Thence South 05°09'35" East, departing said parallel line, a distance of 1,828.37 feet to the True Point of Beginning.

Containing 73.881 Acres, more or less.

Expires: 6/30/2013

4550 North 12th Street | Phoenix, AZ 85014-4291 | 602.264.6831 | (F) 602.264.0928

CVL

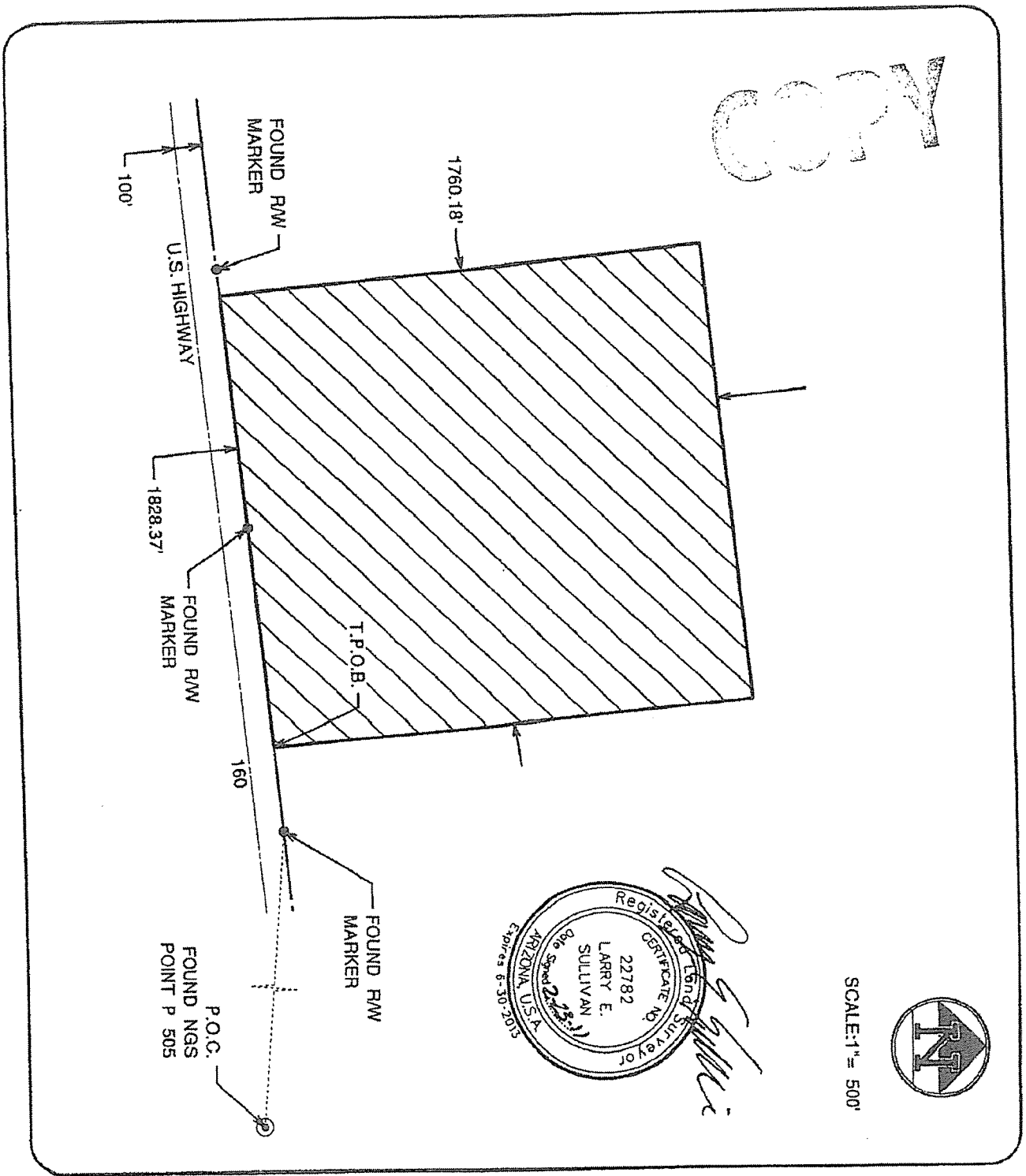


EXHIBIT N:\07\00190901\CADD\EHDINO2.DGN	**DINOSAUR TRACK** **COMMERCIAL SITE**	JOB NO 07 0190901
4550 NORTH 12TH STREET PHOENIX, ARIZONA 85014 TELEPHONE (602) 264-6831	**COE & VAN LOO** PLANNING•ENGINEERING•LANDSCAPE ARCHITECTURE	SHEET 1 OF 1

COALMINE CANYON CHAPTER

Chapter President
Dorothy Dale

Chapter Vice-President
Phillip Zahne

Secretary/Treasurer
Augusta Gillwood

Council Delegate
Walter Phelps

Grazing Official
Harry J. Goldtooth

WESTERN NAVAJO AGENCY – NAVAJO NATION
PO Box 742, Tuba City, AZ 86045
Marian Bowman-Community Service Coordinator
Kristen Charley-Account Maintenance Specialist

Resolution of the Coalmine Canyon Chapter
CCC-07-0092-17

AMENDMENT TO SUPPORTING AND APROVING AN IMMEDIATE LAND WITHDRAWAL DESIGNATION OF 4.0 ACRES MORE OR LESS AT THE DINOSAUR TRACKS WITH THE VICINITY OF MOENAVE ALONG AND ON THE NORTH SIDE OF HIGHWAY 160 NEAR TUBA CITY, ARIZONA, NAVAJO NATION (ARIZONA).

WHEREAS:

1. Pursuant to 26 NNC, Section 3; Chapter Certification and 11 NNC Part 1, Section 10, the Coalmine Canyon Chapter is a duly recognized and certified chapter of the Navajo Nation Government; and,

2. Pursuant to 26 NNC, Chapter 1; Navajo Nation Chapters; Section 1, (B) Purpose (1) & (2), the Navajo Nation Council delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapters to make decisions to govern with responsibility and accountability to community membership; and,

3. The Local Governance Act (LGA) and Title 26 granted certain governmental authority to oversee and make local decision of local matters in the best interest of the local community in utilization of local resources; and,

4. The Coalmine Canyon Chapter believes that the natural scenic landscape and historical cultural sites contribute to the tourist industry. Therefore, the chapter has included the Dinosaur Tracks for economic development in the Chapter Land Use Plan approved by the Resource and Development Committee on January 11, 2017 with the intent of preserving the natural scenic integrity of 73.88 acres which is considered a factor to attracting and retaining this economic investment; and,

5. The Coalmine Canyon Chapter has been impacted by both the Bennett Freeze Act of 1966 and the Navajo Hopi Land Settlement Act of 1974. As a result, the Coalmine Canyon Chapter community has been impacted economically which has resulted in the lack of adequate essential infrastructure; and,

6. Therefore, the Coalmine Canyon Chapter has no economic or business development activities which prevents the community to successfully plan for self-sufficiency, create employment opportunities and generate revenue to improve the quality of life for the community; and,

7. The Coalmine Canyon Chapter in coordination and collaboration with the Navajo Nation Division of Economic Development wishes to pursue economic development to improve the sociological conditions with the community; and,

8. The Coalmine Canyon Chapter is aware of all the negative tourism activities at the Dinosaur Tracks and desires to enhance the tourist visiting experience by establishing amenities such as a restroom facilities, vending booths, designated parking spaces, employing trained professional guides and other improvements as needed.

NOW THEREFORE BE IT RESOLVED:

1. The Coalmine Canyon Chapter hereby supports and approves the immediate Land Withdrawal of 4.0 acres more or less at the Dinosaur Tracks within the Vicinity of Moenave, along and on the North side of U.S. Highway 160 near Tuba City, Arizona, Navajo Nation (Arizona); and,

2. The Coalmine Canyon Chapter hereby supports and approves for Land Withdrawal of an additional 69.88 acres in the total amount of 73.88 acres for future development with the intent of preserving the natural scenic integrity which is considered a factor to attracting and retaining this economic investment and upon completed feasibility study of additional acreage to be added which have existing natural resources to preserve and protect as much resources possible to be viewed by visitors with assistance by HUD, Division of Natural Resources, BIA, and all other programs; and,

3. The Coalmine Canyon Chapter hereby supports and recognizes this Land Withdrawal Designation for the sole purpose of industrial development. Industrial development shall be considered the economic activity concerned with the manufacture, and processing of materials or construction.

CERTIFICATION

WE, hereby certify that the foregoing resolution was duly considered by the Coalmine Canyon Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 6 abstained, this 9 of July 2017.

Dorothy Dale, President

Walter Phelps, Council Delegate

Phillip Zahne, Vice-President

Augusta Gillwood, Secretary/Treasurer

Harry J. Goldtooth, Grazing Official

COALMINE CANYON CHAPTER

Chapter President
Phillip Zahne

Chapter Vice-President
Wayne Nez Sr

Secretary/Treasurer
Augusta Gillwood

Council Delegate
Walter Phelps

Grazing Official
Glenmore Begaye

WESTERN NAVAJO AGENCY – NAVAJO NATION

APPROVING AND SUPPORTING A LAND WITHDRAWAL OF 73.88 ACRES OR LESS AT THE DINOSAUR TRACK WITHIN THE VICINITY OF MONAVE, ALONG AND ON THE NORTH SIDE OF US- HIGHWAY 160 NEAR TUBA CITY, ARIZONA, NAVAJO NATION (ARIZONA). LANDS LOCATED WITHIN THE BOUNDARY OF COALMINE CANYON, NAVAJO NATION, (ARIZONA).

WHEREAS:

1. Coalmine Canyon Chapter is a certified and recognized chapter by the Navajo Nation Council, vested with the authority and responsibility to provide and address local matters and proposal for development within its community; and

2. The Coalmine Canyon Chapter has suffered from the social, economic and health effect of the Navajo/Hopi Relocation Act and the Former Bennett; and

3. The Coalmine Canyon Chapter has no economic or business development activities which prevents the community to successfully plan for self-sufficiency , create employment opportunities and generate revenue to improve the quality of life for the community people; and

4. Coalmine Canyon Chapter in coordination and collaboration with Navajo Nation Division of Economic Development wants to pursue economic, tourism, community and other developments to improve the economic conditions within the Coalmine Canyon Chapter community; and

5. Coalmine Canyon Chapter is aware of all the negative tourism activity at the Dinosaur Track and wishes to enhance the tourism experience and turn the Dinosaur Track into a very attractive professional tourist destination with all amenities such as restroom facilities, nice vending booths, designated parking spaces, trained professional tour guides and other improvements.

NOW THEREFORE, LET IT BE RESOLVED THAT:

1. Coalmine Canyon Chapter hereby approves and supports the land withdrawal of 73.88 acres more or less at the Dinosaur Track within the vicinity of Monave, along and on the north side of US-Highway 160, Tuba City, Arizona. Land is located within the boundary of Coalmine Canyon, Navajo Nation, (Arizona)

COMMUNITY SERVICE COORDINATOR

Rena Dodson

Post Box 742 Tuba City, Arizona 86045

ACCOUNT MAINTENANCE SPECIALIST

Kristen Charley

RECEIVED
MAR 31 2014
NAVAJO TOURISM DEPT.

2. Coalmine Canyon Chapter respectfully requests all entities, including but not limited to the Navajo Nation, Division of Economic Development to collaborate and approve the land withdrawal.

CERTIFICATION

WE, HEREBY certify that the forgoing resolution was duly considered by the Coalmine Canyon Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 24 IN FAVOR, 00 OPPOSED, and 05 ABSTAINED on this 19th day of May 2013.

Phillip Zahne, Chapter President

Wayne Nez Sr.

Augusta Gilwood, Secretary/Treasurer

Glenmore Begaye, Grazing Official

Walter Phelps, Council Delegate

RECEIVED
JUN 26 2017
DEPT

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

CULTURAL RESOURCE INVENTORY DETERMINATION FORM

SPONSOR: Mike K. Etsitty – Sr. Economic Dev. Spec	NNHPD NO.: HPD-11-958
ADDRESS: Navajo Tourism Dept.	PROJECT NO.: CSWTA-ARCH-2011050
PO Box 663, Window Rock, Arizona 86515	UNDERTAKING: Lease Withdrawal
REPORT TITLE: ***A Cultural Resources Inventory of the Proposed Tuba City dinosaur Track Commercial Site with Associated Utilities for the To'Nanees'Dizi Chapter in the Vicinity of Tuba City, Coconino County, Arizona***	

NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT RECOMMENDATIONS:

A Cultural Resources Compliance Form (CRCF) may not be included in this *"archaeological approval"* due to the nature of sensitive cultural resources documented. This in no way affects any authority of the NNHPD-Cultural Resource Compliance Section to issue an *"archaeological approval"* for this undertaking. A cultural resource inventory survey ***is not*** required for this undertaking for reason(s) indicated below:

✓	**THE PROPOSED PROJECT IS LOCATED WITHIN AN AREA THAT HAS BEEN PREVIOUSLY INVENTORIED FOR CULTURAL RESOURCES AND DOCUMENTED IN THE NNHPD REPORT LISTED ABOVE. THE PREVIOUS ARCHAEOLOGICAL INVENTORY FOUND THAT *"NO HISTORIC PROPERTIES WILL BE AFFECTED"* WITHIN THE AREA OF THIS UNDERTAKING. ARCHAEOLOGICAL APPROVAL IS HEREBY GRANTED FOR THE UNDERTAKING WITHIN THE AREA NOTED IN ATTACHMENT(S).**
	Attachment A (CRCF) HPD-11-958
	Attachment B (Project Location)
	Attachment C (Legal Plat/NAIHS As-Built) *Navajo Tourism is proposing to withdraw 4.0-acres of land for the Dinosaur Tract Commercial Site, which was initially surveyed for 78.05-acres. Project may proceed.*
	Note: *Attach USGS map copy of project area & other supporting documents.*
○	Previous ground disturbance within the last fifty (50) years has modified the surface so extensively that the likelihood of finding any cultural properties is negligible (e.g., within a flood plain).
○	Undertaking will not require any surface disturbing activities (e.g. aerial spraying, hand application of chemicals, travel on existing roads, etc).
○	Other:

Reviewed/Prepared by: Tamara Billie, Senior Archaeologist DATE: 6/9/17

NOTIFICATION TO PROCEED RECOMMENDED:	**YES** ☑ **NO** ☐
Tamara Billie ***Navajo Nation Historic Preservation Department***	**DATE:** 6/12/17
NAVAJO REGIONAL APPROVAL: Acting 6/16/17	**YES** ☒ **NO** ☐
Bureau of Indian Affairs, Navajo Area Office	**DATE:** 6·16·17

DISCOVERY CLAUSE

In the event of a discovery (discovery" means any previously unidentified or incorrectly identified cultural resources including, but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices), all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at 928.871.7198.

CULTURAL RESOURCES COMPLIANCE FORM

11-25-11 csyw

THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO BOX 4950
WINDOW ROCK, ARIZONA 86515

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

NNHPD NO. HPD-11-958
OTHER PROJECT NO.
CSWTA-ARCH-2011050

PROJECT TITLE: A Cultural Resources Inventory Survey of the Proposed Tuba City Dinosaur Track Commercial Site with Associated Utilities for the To'Nanees'Dizi Chapter in the Vicinity of Tuba City, Coconino County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: To'Nanees'Dizi Chapter, PO Box 727, Tuba City, Arizona 86045

PROJECT DESCRIPTION: The proposed undertaking will involve the development of a commercial site located on 73.88-acres. Proposed development includes the construction of a vendor area with parking area, and restroom facilities. Ground disturbance will be intensive and extensive with the use of heavy equipment.

LAND STATUS: Navajo Tribal Trust
CHAPTER: Tuba City
LOCATION: T.31N, R.10E - Sec. 3, 4, 33 &34; Moenave SE Quadrangle, Coconino County, Arizona G&SRPM

PROJECT ARCHAEOLOGIST: Carol S. Yazzie-Ward & Loretta Flatrock
NAVAJO ANTIQUITIES PERMIT NO.: B11281

DATE INSPECTED: 05/07/11
DATE OF REPORT: 09/30/11
TOTAL ACREAGE INSPECTED: 78.05-ac

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 10-12 m apart.

LIST OF CULTURAL RESOURCES FOUND:	(1) Site (AZ-K-59-15)
LIST OF ELIGIBLE PROPERTIES:	None
LIST OF NON-ELIGIBLE PROPERTIES:	(1) Site (AZ-K-59-15)
LIST OF ARCHAEOLOGICAL RESOURCES:	None

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

Site AZ-K-59-15 warrants no protection under CRPA, NHPA or ARPA because it is a palentological site.

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

FORM PREPARED BY: Tamara Billie
FINALIZED: November 9, 2011

Notification to
Proceed Recommended: Yes XX No ____ Tamara Billie 11/10/11
Conditions: Yes ____ No XX Alan S. Downer, Navajo Nation Historic Preservation Officer — Date

Navajo Region Approval: Yes X No ____ Acting BIA-Regional Director — Date 11/16/11

TM 11.15.11

CHAEOLOGICAL INVENTORY REPORT DOCUMENTATION PAGE (HPD APR/93

1. HPD REPORT NO.

2. TITLE OF REPORT: A Cultural Resources Inventory Survey of the Proposed Tuba City Dinosaur Track Commercial Site with Associated Utilities for the To'Nanees'Dizi Chapter in the Vicinity of Tuba City, Coconino County, Arizona.

3. FIELDWORK DATES:
May 7, 2011

4. REPORT DATE:
September 30, 2011

5. CONSULTANT NAME AND ADDRESS:
CSWTA, Inc.
Post Office Box 790
Tuba City, Arizona 86045

6. PERMIT NO.:
B11281

7. CONSULTANT REPORT NO.:
CSWTA-ARCH-2011050

8. SPONSOR NAME AND ADDRESS:
To'Nanees'Dizi Chapter
Post Office Box 727
Tuba City, Arizona 86045

9. SPONSOR REPORT NO.:
NA

10. AREA OF EFFECT: 73.88 ac.
TOTAL AREA SURVEYED: 78.05ac.

11. LOCATION (MAP ATTACHED):

a. **Chapter:** To'Nanees'Dizi

b. **Agency:** Tuba City

c. **County:** Coconino

d. **State:** Arizona

e. **Land Status:** Navajo Tribal Trust Lands

f. **UTM Zone 12:** See Table 1

g. **Legal:** Township 31N, Range 10E, Section 3, 4, 33 & 34

h. **7.5" Map(s):** Moenave SE, AZ, 1969

i. **Lead Agency:** BIA

12. REPORT ATTACHMENTS:

a. **Description of the Undertaking:** See attached report.

b. **Existing Data Review:** See attached report.

c. **Area Environmental & Cultural Setting:** See attached report.

d. **Field Methods:** See attached report.

13. CULTURAL RESOURCE FINDINGS:

a. **Location/Identification of Each Resource:** See attached report.

b. **Evaluation of Significance of Each Resource:** See attached report.

14. MANAGEMENT SUMMARY (RECOMMENDATIONS): See attached report.

15. CERTIFICATION:

Signature: Carol S Yazzie Ward for DATE: 10/13/2011

General Charge Name: Loretta Flatrock

Signature: Carol S Yazzie Ward DATE: 10/13/2011

Direct Charge Name: Carol S. Yazzie-Ward

CONSULTANTS REPORT #CSWTA-ARCH-2011050

A CULTURAL RESOURCES INVENTORY SURVEY FOR THE PROPOSED DINOSAUR TRACK COMMERCIAL SITE FOR TO'NANEES'DIZI CHAPTER IN THE VICINITY OF TUBA CITY, COCONINO COUNTY, ARIZONA

PREPARED FOR AND SUBMITTED FOR:
TO'NANEES'DIZI CHAPTER
POST OFFICE BOX 727
TUBA CITY, ARIZONA 86045
(928) 283-3284

SUBMITTED BY:
CSWTA, INC.
ARCHAEOLOGICAL CONSULTANTS
POST OFFICE BOX 790
TUBA CITY, ARIZONA 86045
(928) 283-4323

CONDUCTED UNDER:
NAVAJO NATION CULTURAL RESOURCES INVENTORY PERMIT #B11281

OCTOBER 2011

ABSTRACT

CSWTA, Inc., Archaeological Consultants conducted a cultural resources inventory survey which included both a Traditional Cultural Properties Assessment and an Archaeological Survey for the proposed Dinosaur Track Commercial site. The project survey was done at the request of the To'Nanees'Dizi Chapter of Tuba City, Arizona. Navajo speaking personnel of CSWTA, Inc. conducted the Traditional Cultural Properties assessment. Files were checked at the Traditional Culture Program office in Window Rock, Arizona for sacred places. A pedestrian archaeological survey was conducted by Carol S. Yazzie-Ward and Loretta Flatrock on May 7, 2011 under NNHPD permit B11281.

The field assessment and surveys conducted totaled an area of approximately 73.88 acres. The survey recorded one cultural resources site #AZ-K-59-15 which is a paleontological site.

Archaeological clearance is recommended for the proposed Dinosaur Commercial project site.

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INTRODUCTION

On May 7, 2011, Carol S. Yazzie-Ward and Loretta Flatrock with CSWTA, Inc. conducted a cultural resources inventory survey on approximately 73.88 acres of land at the request of To'Nanees'Dizi Chapter of Tuba City, Arizona for the proposed Dinosaur Track Commercial site. One cultural resource was inventoried and no traditional cultural property or sacred places were inventoried. The cultural resources inventory was completed under Navajo Nation Cultural Resources Inventory Permit #B11281 issued to CSWTA, Inc.

DESCRIPTION OF UNDERTAKING

CSWTA, Inc., Archaeological Consultants conducted a cultural resources inventory survey which included both a Traditional Cultural Properties assessment and an Archaeological Survey on 73.88 acre parcel of land at the request of To'Nanees'Dizi Chapter of Tuba City, Arizona. The Traditional Cultural Properties assessment was conducted by Navajo speaking personnel of CSWTA, Inc. Loretta Flatrock conducted a pedestrian archaeological survey on May 7, 2011 under NNHPD permit B11281.

The To'Nanees'Dizi Chapter proposes to develop a commercial project site on a 1,760.18 feet by 1,828.37 feet square parcel of land. The chapter will develop the area around the dinosaur tracks for tourism that is adjacent to the Moenave Road and a vendor area with parking area. The total area of potential effect equals 3,218,260.30 square feet or 73.88 acres. Ground disturbance may be expected to be intensive and extensive from the use of heavy equipment.

EXISTING DATA REVIEW

Before fieldwork was conducted a site file search of the project area was conducted at the Navajo Nation Historic Preservation Department (NNHPD) in Window Rock, Arizona. The file search indicated that no sites were previously recorded within 300 feet of the project area. One project was previously reported: #HPD 06-616. No Traditional Cultural Properties or sacred places were previously recorded within 300 feet of the project area.

AREA ENVIRONMENTAL AND CULTURAL SETTING

The project area is located in the vicinity southwest Tuba City, Coconino County, Arizona at an elevation between 4,589 feet to 4,608 feet above mean sea level. The project is at Moenave Road (graded and improved dirt road) and US Highway 160 junction in rolling sand dunes and shallow sandy deposits overlying sandstone bedrock. Deep Aeolian sands cover much of the project site. The nearest water resource is Moenkopi Wash to the south of the project area.

The project area is located within the Navajo Nation section of the Colorado Plateau. The dominant geologic formation in these areas is generally sandstone in origin with lesser amounts of shale, volcanic and alluvial deposits. Soils include both well and poorly sorted Aeolian sands, clay and alluvium. These high desert environments provide few water resources. Annual precipitation may be less than 10 inches. Area weather is moderate throughout the year at this elevation. Snow is uncommon and summer temperatures of 100° are common.

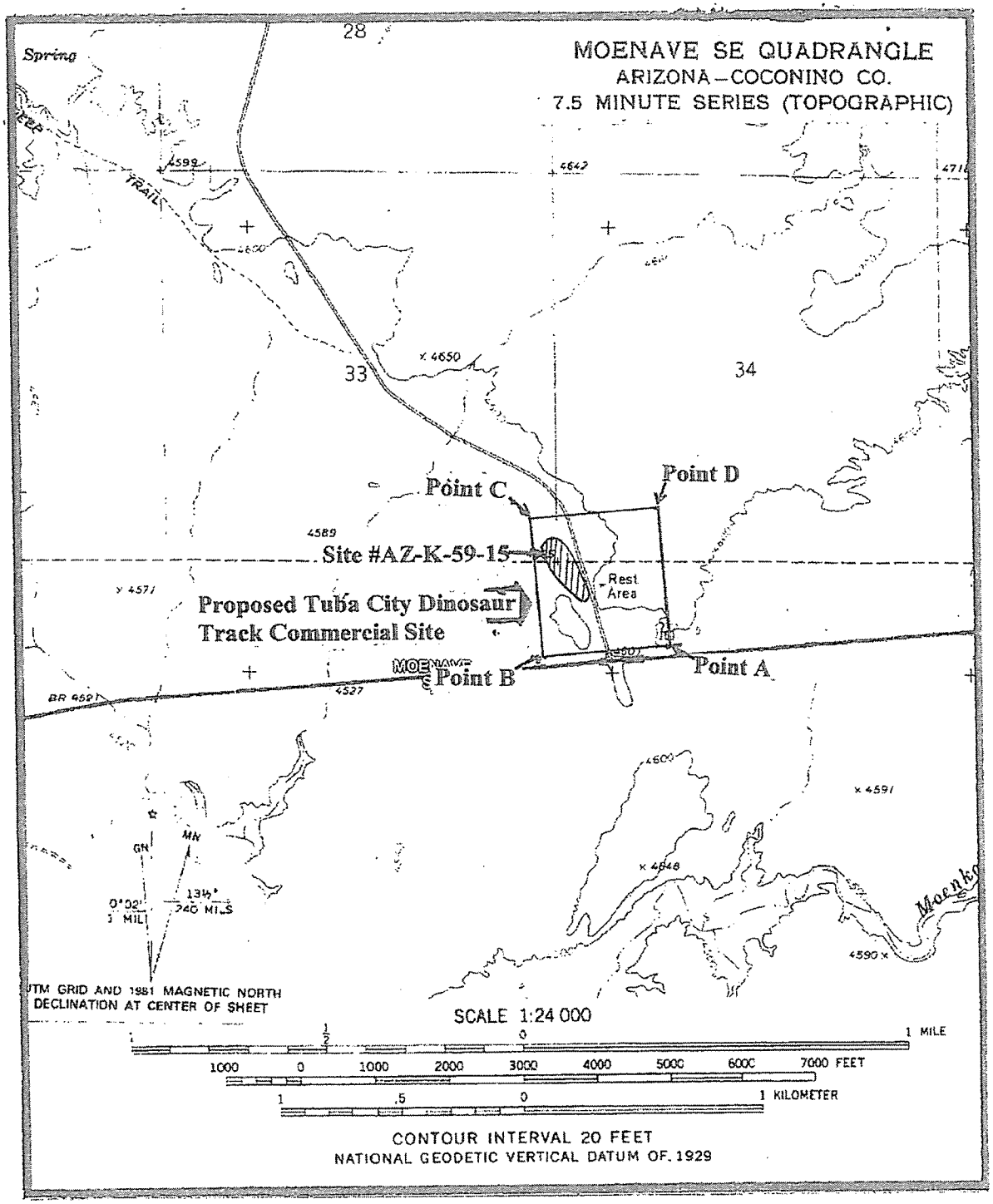


Figure 1. Project area on Moenave SE Quadrangle, 7.5-minute series, Coconino County, Arizona within the To'Nanees'Dizi Chapter.

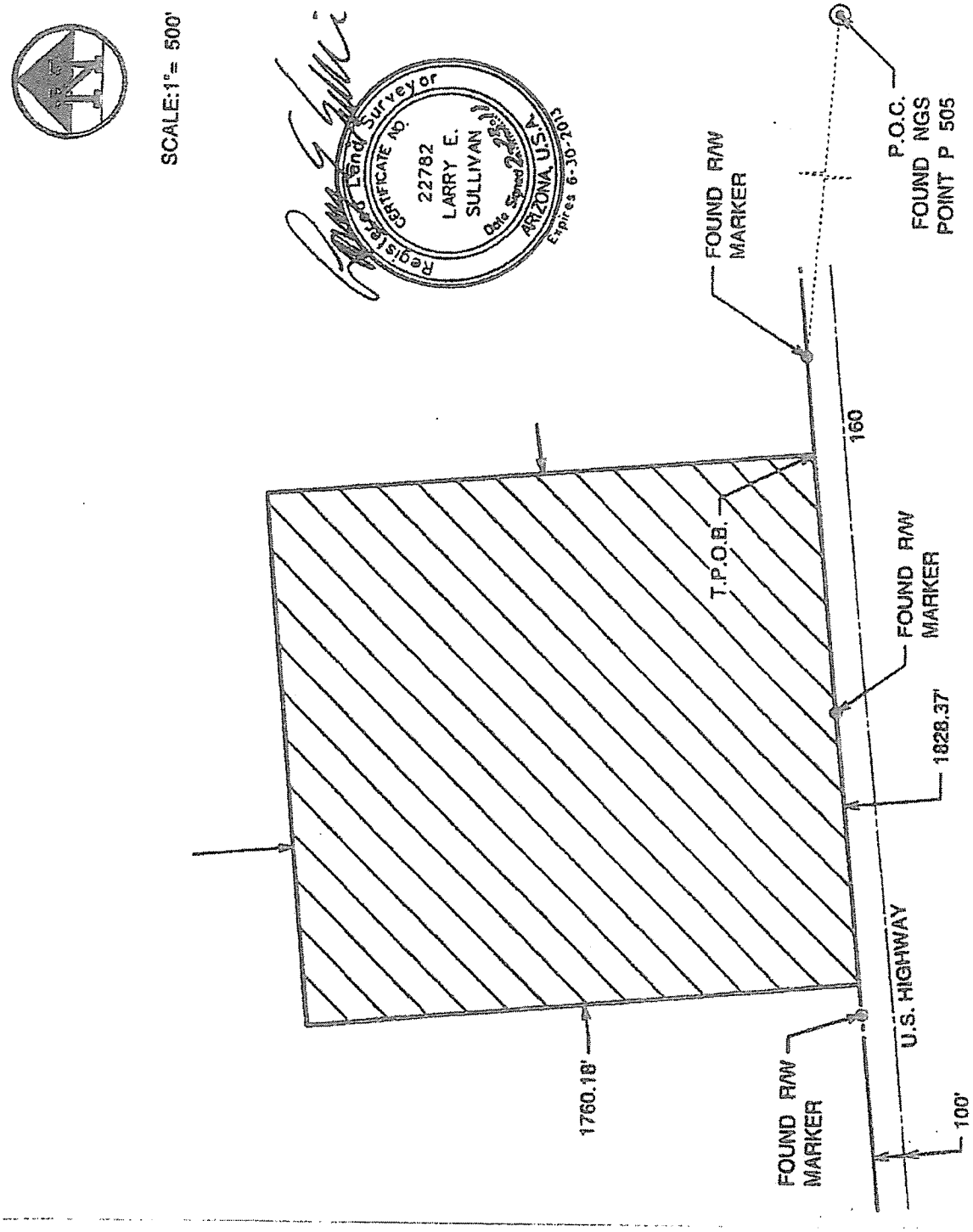


Figure 2. **Detailed map of the Dinosaur Track Commercial Site on 73.88 acres.**

Table 1. UTM Corners, Zone, Legal Description and USGS Quadrangle Map Name.

UTM Corners	UTM (Zone 12) Northing	UTM (Zone 12) Easting	Legal Description Township	Legal Description Range	Legal Description Section	USGS Quadrangle 7.5' Map Name
Point A	3995222	471715	31N	10E	unplatted	Moenave
Point B	3995282	471227	31N	10E	unplatted	Moenave
Point C	3995731	471137	31N	10E	unplatted	Moenave
Point D	3995774	471671	31N	10E	unplatted	Moenave

Wind is frequently an extreme force for the area. Vegetation consists of ring muhly, globemallow, shadescale, locoweed, verbena, yucca, galleta, greasewood, stinkleweed, Indian ricegrass and tamarisk.

Prehistoric Anasazi people settled this region because of permanent water, ample game to hunt and sustainable agriculture. Modern usage is Navajo.

FIELD METHODS

The archaeological survey was conducted on May 7, 2011, inclusive, by CSWTA, Inc. archaeological crewmembers were Carol S. Yazzie-Ward and Loretta Flatrock. Approximately 73.88 acres were surveyed for the proposed Dinosaur Track Commercial project site. The survey included a buffer zone of 50 feet around the perimeter of the project area. The total area surveyed equaled 3,400,187.80 square feet or 78.05 acres. All exposed ground surfaces were carefully examined and special attention was given areas of erosion and deflation. The area was surveyed by sub-parallel pedestrian transects spaced 10-12 meters apart. The area has been heavily impacted for many years by vehicle and pedestrian traffic. Priscilla Littlefoot, Executive Manager and Robert Yazzie, Vice-President of To'Nanees'Dizi Chapter were interviewed for knowledge of Traditional Cultural Properties or sacred places.

CULTURAL RESOURCE FINDINGS

Location/Identification of Each Resource

One cultural resources site was inventoried. This paleontological site has hundreds of dinosaur footprints dated back to approximately 200 million years ago. The dinosaur tracks have been a tourist attraction for many years along this stretch of Moenave Road. Now several unorganized vendor booths are adjacent to the tracks. The To'Nanees'Dizi Chapter is proposing to develop this area to protect the dinosaur tracks from further vandalism. Allowing tourists to walk over the area only on designated trails. No Traditional Cultural Properties or sacred places were inventoried.

Site Number: AZ-K-59-15

USGS Map Reference: Moenave SE, 7.5 minute series, 1969

Legal Location: Township 31 North, Range 10 East, Section 3, 4, 33 & 34

UTM (Zone 12): 3995487N, 471343E

Cultural Affiliations: None **Site Type:** Paleontological

Site Description: Hundreds of dinosaur footprints mark flat rock surfaces in the Kayenta Formation. These creatures that left these tracks in once-soft shoreline mud 200 million years ago were large chick-like ten feet tall bipedal dinosaurs with short forelegs suitable only for clasping food. Dinosaur tracks have been found at many sites in these Mesozoic rocks. The

tracks measure from 8" by 9" and 17" by 19" and are three-toed. The herd gathering area measures approximately 1000 feet long (NW-SE) and 400 feet wide (E-W) totaling 400,000 square feet or 9.18 acres.

Evaluation of Significance of Each Resource

This paleontological site consists of several hundreds of exposed dinosaur footprints. This proposed project would protect this area from further vandalism and tourist indiscriminately walking all over the footprints. Significant areas of tracks and other fossils yet to be unearthed from erosion or exploitation is likely for the greater area.

RECOMMENDATIONS

Archaeological clearance is recommended for the proposed Dinosaur Track Commercial project site with associated utilities. This proposed development would protect the dinosaur footprints from further destruction. Restroom facilities are desperately needed for the hundreds of people visiting the site weekly. In the event of a discovery ("discovery means any previously unidentified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices"), all operations in the immediate vicinity of the discovery must cease, and the Navajo nation Historic Preservation Department must be notified at (928) 871-7148.

REFERENCES

Chronic, Halka 1983. Roadside Geology of Arizona. Mountain Press Publishing Company, Missoula.

Kosik, Fran 1996. Native Roads. The Complete Motoring Guide to the Navajo and Hopi Nations. Rio Nuevo Publishers, Tucson.

Linford, Laurance D. 2000. Navajo Places. History, Legend, Landscape. The University of Utah Press, Salt Lake City

CSWTA, INC.
SITE SURVEY AND MANAGEMENT FORM

SITE NO.: AZ-K-59-15 FIELD R OTHER NAME: DATE RECORDED: 05/07/2011

PROJECT NUMBER AND NAME: CSWTA-ARCH-2011050: Cultural Resources Inventory Survey of the Proposed Tuba City Dinosaur Track Commercial Site with Associated Utilities for the To'Nanees'Dizi Chapter in the Vicinity Southwest of Tuba City, Coconino County, Arizona.

ORGANIZATION: CSWTA, Inc. ARCHAEOLOGIST(S): Loretta Flatrock

USGS MAP REFERENCE: Moenave SE, 7-5 minute series, 1969

LEGAL LOCATION: Township 31 North, Range 10 East, Sections 3, 4, 33 and 34

UTM: ZONE 12: 3995487N, 471343E

STATE: Arizona COUNTY: Coconino CHAPTER: To'Nanees'Dizi

LAND STATUS: Navajo Tribal Trust Lands

GROUND VISIBILITY: KIND AND EXTENT OF COVER? 100% visibility, rocky surface

TOPOGRAPHY: Triassic rock of the Kayenta Formation

DRAINAGE: Moenkopi Wash is to the south approximately ½ mile

ELEVATION (FT/M): 4,589 feet to 4,608 feet SLOPE AND DIRECTION: 1° south to north

SEDIMENT TYPE: Aeolian sand, clay and alluvium

OTHER:

VEGETATION: Ring muhly, globemallow, shadescale, locoweed, verbena, yucca and galleta

CULTURAL AFFILIATION: None SITE TYPE: Paleontological

PERIOD(S) OF OCCUPATION (DATE, IF KNOWN): Approximately 200 million years ago

HOW DATED: Reference book "Roadside Geology of Arizona"

DIMENSIONS OF SITE (LxW): 1,000 feet by 500 feet TOTAL AREA (SQ FT: 500,000 sq. ft.

HOW DETERMINED: Metric measuring tape

ARCHITECTURE PRESENT? None DESCRIBE: N/A

ARTIFACTS OBSERVED/COUNTED: None

COLLECTION MADE: None OF WHAT? N/A METHOD: N/A

PHOTO TAKEN? Yes B/W ROLL: No FRAME(S): N/A

COLOR ROLL: Yes FRAME(S): _____

SITE DESCRIPTION: Several hundreds of dinosaur footprints are on flat rock surface in the Kayenta formation. These creatures that left their tracks in once soft mud 200 million years ago were large bipedal dinosaurs with short forelegs suitable only for clasping food. Dinosaur tracks have been found at many sites in these Mesozoic rock. This site measures approximately 1,000 feet (NW-SE) and 500 feet (E-W) totaling 500,000 square feet. The footprints are between 19 inches long and 17" long (biggest) and 9 inches long and 8" inches wide. This site is located on the west side of the Moenave Road (main dirt road) and behind the vendor booths.

CONDITION OF SITE: Poor

CAUSES OF DISTURBANCE: Humans, livestock and vandalism

LOCATION OF SITE RELATIVE TO PROJECT AREA: This site is located right in the middle section of the project area on the west side of the main dirt road and behind vendor booths

EXTENT OF INVESTIGATION TO DATE: This recording

RESEARCH POTENTIAL: Good

RECOMMENDATIONS: This site needs to be protected from vandalism and the many people who walk all over the footprints. This project development would protect this site from further destruction.

SITE ASSESSMENT UNDER 36 CFR 60.4 (NATIONAL REGISTER):

INTEGRITY: Location

CRITERIA a-d: NA

50 YEAR GUIDELINE: Meets

EXCLUSIONS: None

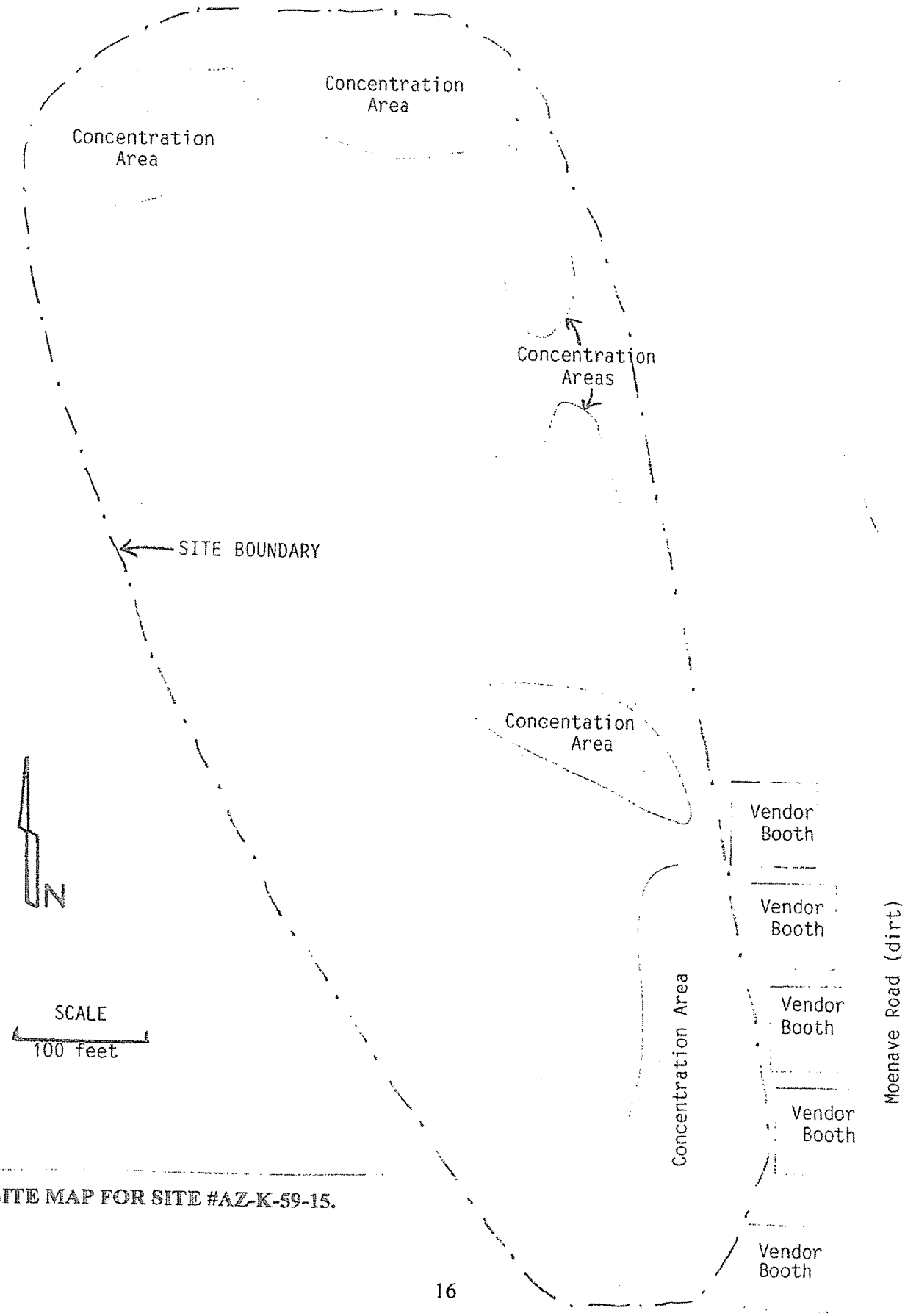
SITE ASSESSMENT UNDER 43 CFR 7.3 (ARPA): This site is over 100 years old and merits protection under ARPA.

SITE ASSESSMENT UNDER AMERICAN INDIAN RELIGIOUS FREEDOM ACT: This site does not merit protection under AIRFA.

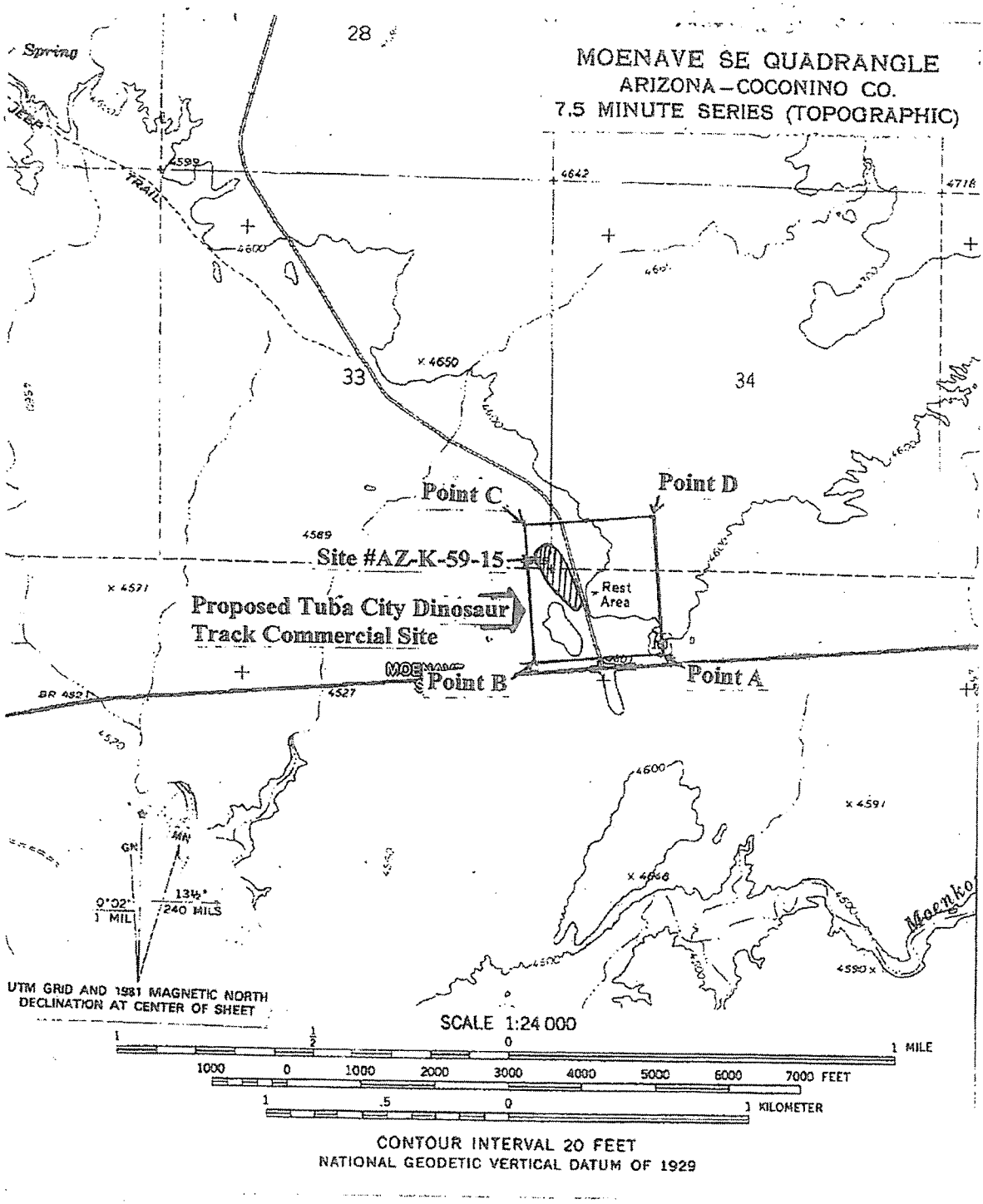
PROVIDE A SITE MAP: (INCLUDING SITE DESIGNATION, NORTH ARROW, RECOGNIZALBE FEATURES, LANDMARKS AND RELATIONSHIP TO PROJECT AREA: Reference map attached

HOW CAN SITE BE REACHED? See attached topographic map

OTHER COMMENTS (ETHNOGRAPHIC DATE, ETC.): _____



SITE MAP FOR SITE #AZ-K-59-15.



USGS MOENAVE SE TOPOGRAPHIC MAP, 7-5 MINUTE SERIES

RECEIVED
APR 26 2017

NNDFW Review No. 17rbdo01a2

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

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

PROJECT NAME & NO.: Dinosaur Track Commercial Site

DESCRIPTION: Proposed 4.0-acre land withdrawal for commercial development.

LOCATION: NW¼ of Section 03 T31N R10E, G&SRM, Tuba City, Coconino County, Arizona

REPRESENTATIVE: Genevieve Keetso-Bighorse, Western RBDO, Division of Economic Development

ACTION AGENCY: Bureau of Indian Affairs and Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: Request for review and concurrence/21 DEC 2016/Keetso-Bighorse

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 2. Existing ground disturbance onsite.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/19 APR 2017

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:
- ☒ Approval
- ☐ Conditional Approval (with memo)
- ☐ Disapproval (with memo)
- ☐ Categorical Exclusion (with request letter)
- ☐ None (with memo)

Signature _____ Date 4/20/17

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

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

Representative's signature _____ Date _____

THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ

MEMORANDUM

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

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

DATE : April 05, 2017

SUBJECT : **DELEGATION OF AUTHORITY**

I will be on travel beginning Wednesday, April 19, 2017 through Friday, April 21, 2017. I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 1:00 p.m. on Wednesday, April 19, 2017. This delegation shall end at 5:00 p.m. on Thursday, April 20, 2017.

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

ACKNOWLEDGEMENT

Jeffrey Cole, Wildlife Manager
Department of Fish and Wildlife

EXHIBIT
tabbies
G-3

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: **HK0122-2 [Reissued]**

Date & Time Received: **1/12/2022 18:11**

Date & Time of Response: **1/12/2022 20:35 [Reissued 4/13/22 - new expenditure category]**

Entity Requesting FRF: **Navajo Tourism Department**

Title of Project: **Economic Development/Tourism (Shiprock Visitor Center)**

Administrative Oversight: **Division of Economic Development/Executive Branch**

Amount of Funding Requested: **$8,711,367**

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.35 Aid to Tourism, Travel, or Hospitality

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 2.11 Aid to Tourism, Travel, or Hospitality. This is now category 2.35 - Aid to Tourism, Travel, or Hospitality.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Tourism Department – Resubmission Date prepared: 01/12/22
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 3963 Window Rock AZ 86515 phone/email: arvaltmccabe@discovernavajo.com website (if any): www.discovernavajo.com

Form prepared by: Arval T. McCabe, Department Manager phone/email: 928-871-7392/928-810-8501

CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Economic Development/Tourism

NN Government Unit's Director or Manager: Arval T. McCabe phone & email: arvaltmccave@discovernavajo.com

Division Director (if any): JT. Willie phone & email: jtwillie@navajo-nsn.gov

Branch Chief: Jonathan Nez, President phone & email: jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development/Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $8,711,367 FRF funding period: Jan 01, 2022 - Dec 31, 2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The local and surrounding communities requested this project to assist with developing a gateway to North Navajo Destination and will serve visitors by providing safe, destination, and business information. This will also provide an area where visitors can use facilities to follow the CDC Covid 19 guidelines during times of the pandemic. The funds will be used for construction. The location of the project is on Highway 491 North at the corner of highway 64. The location of the complex is a gateway that is highly traveled and connects all roads leading to destination across Navajo. All communities within a 100 mile radius will benefit from this project. The pandemic closure of the Navajo Nation impacted the tourism revenue in the amount of $115,500,000

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will provide locate jobs to community members when the construction begins and will give them the opportunity to work close to home and keep them from Covid 19 pandemic. When the project is completed with will also provide employment for up-to 15 community members. The location is a great opportunity for vendors and performers to work near their homes which will increase the number of visitors to the area.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

ıase I: Land withdraw/Designation/Arch clearance/Bio Clearance/EA/Land Use agreement are all completed.
Phase II: Selected Vendor Dryron Murphy Architects for Design Development & Construction Document Services. Coordination with NTUA & Frontier to work jointly on the utility infrastructure for upgrade or removal. Coordinating with Hospitality Enterprise on the Hotel Development utility upgrade. Not completed still working on these. Complete date is February 2022
Phase III: Construction of the Shiprock Visitor Complex & Amphitheater March 2022-June 2023

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Division of Economic Development/Tourism Department and Project Development will be working jointly on this project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Shiprock Visitor Complex and Amphitheater will be funded from rental fees and Hospitality Occupancy Tax (HOT) funds to cover the costs of operation and maintenance of the property.

☐ document attached

) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Economic Development and Services - Tourism

This project will increase visitors to the area, provide service that are otherwise not available and will provide much needed amenities to both community members and visitors such as parking, waste stations, water stations, facilities, local food items, and entertainment when available.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: _____

signature of Branch Chief or Division Director *print name and indicate title or position*

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Tourism Department Division/Branch: *Economic Development*

Prepared By: Arval T McCabe Phone No.: 928-810-8501 Email Address: arvaltmccabe@discovernavajo.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		7,404,661.95	100%
NN Fiscal Recovery Funds		1,306,705.05	15%
	TOTAL:	$8,711,367.00	115%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			$ 7,404,661.95	
9500 Contigency			$ 1,306,705.05	
	TOTAL	$0.00	8,711,367.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Arval T. McCabe
Program Manager's Printed Name

Program Manager's Signature and Date 1-12-22

APPROVED BY: JT Willie
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 01/12/2022

Shiprock Visitor Center

Tourism Department

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Sally A. Yabeny, Senior EDS

DED / RBDO

Shiprock, NM 87420

April 5, 2019

Dear Ms. Yabeny,

Your Land Withdrawal proposal for **seven (7)** acres for the Visitors Complex Center in Shiprock, New Mexico, Township 30 North, Range 18 West, Section 25 is ***approved***. This letter stands as notification that you Ms. Sally Yabeny, are considered the designated holder of this Land Withdrawal.

If in the future, as the designated holder of the Land Withdrawal Designation, you would like to transfer the Land Withdrawal Designation to a Non-Navajo government entity, organization or individual, they would need to obtain a legal survey and a lease of the proposed area. Also, you would need to follow the Land Withdrawal Designation regulations § (13) (a) through (f) for transferal of the Land Withdrawals.

Also, you are **not** authorized to construct, operate or maintain this swath of land until you attain the proper Biological and Cultural clearance from the respected entities. You have five (5) years beginning April 16, 2019 to April 16, 2024 to complete your environmental portion of the withdrawal.

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

Sincerely,

W. Mike Halona, Department Manager III

Navajo Land Department

Division of Natural Resources

NOTES:
1. All Ground Distance Around Tract.
2. Latitude and Longitude are for Navigation Only.
3. Bearing reference True North at the "Basis of Bearing"
4. Tract located on land held in Trust for The Navajo Tribe (TNT)
5. Don't Disturb EPA Testing Value.
6. Elevation Shown for Informational Purposes Only. not for Construction Use.
7. Contour Interval 2.0 Feet.

Detail "A"
(Scale1"=50')

Legend:

- 1/2" Rebar Fnd. set with Red Cap
- 1/2" Rebar set with Blue Cap
- U.S.B.L.M. Brass Cap
- N.D. 5/8" Rebar
- Telephone Pole
- Water Valve
- Fence Line
- Concrete
- Lot Boundary
- Telephone Box
- Highway Rightway Marker
- EPA Testing Valve (Don't Distrub)
- Water Line
- Telephone Line
- Gas Line

LEGAL DESCRIPTION OF
NAVAJO NATION TOURISM DEPARTMENT

A PARCEL OF LAND SITUATE WITHIN THE OF NORTHEAST QUARTER (NE/4) OF SECTION 25, T30N, R18W, N.M.P.M., IN THE VICINITY OF SHIPROCK, SAN JUAN COUNTY, STATE OF NEW MEXICO AND WITHIN THE NAVAJO NATION LAND MANAGEMENT DISTRICT 12 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST SECTION CORNER OF SECTION 25, T30N, R18W, N.M.P.M., A FOUND UNITED STATES GENERAL LAND OFFICE SURVEY (U.S.G.L.O.S.) BRASS CAP DATED 1913/1995, IN GOOD CONDITION;

WHENCE A FOUND U.S.G.L.O.S. BRASS CAP IN GOOD CONDITION DATED 1913/1995 AND THE NORTHWEST SECTION CORNER OF SECTION 30, T30N, R17W, N.M.P.M. HAVING A BEARING N 00° 33' 04" W A DISTANCE OF 163.87 FEET AND THE BASIS OF BEARING;

THENCE S 44° 05' 25" W A DISTANCE OF 1,780.87 FEET TO A 1/2" REBAR (SET) WITH PLS CAP No. 51013 AND THE POINT OF BEGINNING;

THENCE N 90° 00' 00" W A DISTANCE OF 349.08 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE N 39° 58' 33" W A DISTANCE OF 511.85 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE N 62° 56' 57" W A DISTANCE OF 79.95 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE N 00° 00' 00" W A DISTANCE OF 268.91 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE N 88° 45' 50" E A DISTANCE OF 406.49 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE S 25° 12' 54" E A DISTANCE OF 298.28 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;
THENCE N 64° 47' 50" E A DISTANCE OF 22.41 FEET TO A 1/2" REBAR (SET) WITH BLUE CAP;

THENCE S 25° 12' 18" E A DISTANCE OF 479.21 FEET TO THE POINT OF BEGINNING;

BEING 7.00 ACRE(S) MORE OR LESS, IN AREA AS CALCULATED BY COMPUTER SOFTWARE AND BEING SUBJECT TO ALL EXISTING EASEMENTS AND/OR OTHER EXISTING LEGAL RIGHTS OF POSSESSION LOCATED THEREIN.

SURVEYED: SEPTEMBER 14, 2018

I, Lemont L. Yazzie Sr., a duly qualified Registered Professional Land Surveyor under the laws of the State of Arizona and Navajo Nation do hereby certify that this plat shown hereon was prepared from a bona fide land survey conducted by me or under my direct supervision.

Expires: 6/30/2019

EXHIBIT "A"

BOUNDARY TOPOGRAPHIC SURVEY PLAT

NAVAJO NATION TOURISM DEPARTMENT
7.00 ACRES +/-
DIST. 12, NORTHERN NAVAJO AGENCY
NORTHEAST QUARTER OF SEC. 25, T30N, R18W, N.M.P.M.
SHIPROCK, SAN JUAN COUNTY, NEW MEXICO

Intragovernmental Land Use Agreement

This Intragovernmental Land Use Agreement (hereinafter "Use Agreement") is made and entered into between the Division of Economic Development (hereinafter "DED"), P.O. Box 663, Window Rock, AZ 86515, and the Navajo Nation Tourism Department.

WHEREAS the DED is a Division of the Navajo Nation, formed under the Division of Economic Development Master Plan of Operation and is existing under the laws of the Navajo Nation; and

WHEREAS the DED currently has Shiprock Visitor Complex Center, more fully described below: and

WHEREAS the lot is currently withdrawn for Shiprock Visitor Complex Center purposes and is under the jurisdiction of Navajo Nation Division of Economic Development; and

WHEREAS the Navajo Nation Division of Economic Development Navajo Tourism Department is an agency in the Executive Branch of the Navajo Nation duly created by the Navajo Nation Council, which is currently in need of space for carrying out its duties and responsibilities for operating the Shiprock Visitor Complex Center; and

NOW THEREFORE the parties agree that the Navajo Tourism Department may occupy and use the lot and building for the period described below, and under the terms and conditions of this Use Agreement. It is explicitly understood that this Use Agreement is between two Navajo Nation departments/agencies for use by the Navajo Nation government and thus does not impact alienation or demise of any interest in real property held in trust by the Navajo Nation, since both parties are entities of the Navajo Nation. Therefore, the Navajo Nation does not need to lease to itself and thus does not need to comply under the Navajo Nation Business Site Leasing Regulations of 2005 and the Administrative and Management Plan.

THE SPACE COVERED BY THIS AGREEMENT

The space which is covered by this Use Agreement is a building and a lot of approximately 7.0± acres located in Shiprock, New Mexico, and specifically described below:

LEGAL DESCRIPTION (survey attached).

The drawings and specifications for this space are attached to this Use Agreement as Attachment A and are incorporated herein by reference and made a part of this Use Agreement.

TERM OF USE

The Navajo Tourism Department will occupy the premises described above for twenty-five (25) term years. This Use Agreement shall terminate once the lot has been officially withdrawn for Shiprock Visitor Complex Center purposes. The Navajo Tourism Department may extend its occupancy by giving written notice thereof to the DED.

WITHDRAWAL OF LAND

The Navajo Tourism Department shall amend the purpose of the withdrawal of this lot in compliance with the Land Withdrawal Designation Regulations, RDCJN-33-15. DED shall cooperate as needed in processing and approving the amendment of the land withdrawal.

COMPENSATION FOR USE

Compensation is to be paid by the Navajo Tourism Department to the general funds in the amount of zero $0.00 (0) dollar per month, which shall be paid on the first day of each month during the Term of Use. This Use Agreement is contingent upon the availability of funds.

TERMS AND CONDITION OF USE

1. FIXTURES AND PERSONAL PROPERTY. Trade fixture signs, and personal property not permanently affixed to the property shall remain the property of the Navajo Tourism Department and the Navajo Tourism Department shall have the right to remove such fixtures and property. Any improvements to the property, excluding personal property and trade fixtures, shall become a part of the property and will remain under the control of the Navajo Tourism Department at the termination of this Use Agreement.

2. REPAIRS AND MAINTENANCES. The Navajo Tourism Department shall maintain and keep in good condition the roof, exterior wall, structural parts of the premises, the fire protection system, structural floor, and pipes and conduits outside the premises for furnishing various utilities to the premises. DED will not be responsible for damage to these items which is caused by the negligence or intentional conduct of the Navajo Tourism Department, nor will it be responsible for consequential damages sustained by the Navajo Tourism Department from the failure of items to be maintained.

The Navajo Tourism Department shall be responsible for all other maintenance and repair of the premises covered by this Use Agreement. This shall include, but not limited to, the utility meters, pipes, conduits, fixtures, storefronts, signs, locks, closing devices, window sashes, cases, door and door frames, floor covering, and specifically to all internal and external glass.

3. RIGHT TO MAKE ALTERATIONS. The Navajo Tourism Department may make alterations to the premises which must be consistent with the character and the structure of the lot and space.

4. CONDUCT OF BUSINESS. The Navajo Tourism Department, under the terms and conditions of this Use Agreement, will use the premises solely and exclusively for conducting the business of the Navajo Tourism Department and will not permit the premises to be used for any other purpose. In the conduct of such business, the Navajo Tourism Department will keep the premises neat, clean, and fully accessible as determined and required by the DED.

5. SIGNAGE. All signage must be installed at the sole expense of the Navajo Tourism Department, and must be removed at the sole expense of the Navajo Tourism Department at the termination of its occupancy of the premises.

6. UTILITY SERVICE. The Navajo Tourism Department shall be responsible for all utilities, including water, sewer, electrical, and telephone lines and any installation costs necessary for the operation and construction for Navajo Tourism Department. The use charges for such utilities shall be paid solely and exclusively by the Navajo Tourism Department. If the DED is charged, at any time, for such utilities or any utility service used by the Navajo Tourism Department, the DED shall pass this cost onto the Navajo Tourism Department, and charge such utility costs to the account of the Navajo Tourism Department.

7. NOTICES. Any and all notices required to be given under this agreement shall be given in writing by ordinary mail and will be deemed given as of the date on which they are post marked. Notices, and copies thereof, must be given as specified below:

DED: The Navajo Nation
Division of Economic Development
Office of the Executive Director
P.O. Box 663
Window Rock, Arizona 86515

Navajo Tourism Department: Manager
Navajo Nation Entity
P.O. Box 663
Window Rock, Arizona 86515

Copy to: Executive Director
Division of Economic Development
P.O. Box 663
Window Rock, Arizona 86515

And to: Department Manager
Navajo Tourism Department
P.O. Box 663
Window Rock, Arizona 86515

8. INTEGRATED DOCUMENT. It is understood that this Use Agreement is final and a fully integrated document representing the complete agreement of the parties and supersedes any and all other agreements, whether written or oral, governing the use of the particular DED space covered by the Use Agreement by the Navajo Tourism Department.

9. NO WAIVER. The acceptance of performance, or failure to object to, any breach, default, or failure of performance, under the terms of this Use Agreement, shall not constitute a waiver of the right to demand performance under this agreement as specified in the agreement.

10. NAVAJO NATION. The parties to this agreement affirm that, as agencies of the Navajo Nation, they are governed by all laws of the Navajo Nation. If a dispute arises under this Agreement, the Parties shall use their best faith efforts to resolve any dispute informally and as expeditiously as possible, through negotiations at the staff level. Each Party shall designate a staff person to meet with staff from the other Parties at a mutually agreeable time and place. The Parties will honor all reasonable requests for information. If the dispute cannot be resolved within five (5) days, the Parties will refer the matter to the Executive Division Director level for resolution. If the Parties are still unable to resolve the dispute, the matter will be referred to the President or his or her designee for resolution. In the event the Parties are from different Divisions, and the Parties are unable to resolve the dispute with the assistance of their Division Directors, the matter will be referred directly to the President or his or her designee.

11. AMENDMENT. The terms of this Use Agreement may be amended upon mutual written consent of the Parties and concurrence by the Navajo Nation Department of Justice.

IN WITNESS WHEREOF, we the undersigned enter into this Intragovernmental Office Space Use Agreement

THE NAVAJO NATION
DIVISION OF ECONOMIC
DEVELOPMENT

SEAN M. McCABE
Executive Director

12/5/18
Date

NAVAJO NATION
TOURISM DEPARTMENT

ARVAL T. McCABE
Department Manager

12/5/18
Date

NNDFW Review No. 19danl-02

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

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

PROJECT NAME & NO.: Shiprock Visitors Center

DESCRIPTION: The Navajo Department of Tourism is applying for a 7.0-acre business site lease for the development of a visitor center with associated infrastructure.

LOCATION: NE¼ Section 25, T30N, R18W, Shiprock, San Juan County, New Mexico

REPRESENTATIVE: Leonard Robbins, Denali Environmental Services for Navajo Department of Tourism

ACTION AGENCY: Bureau of Indian Affairs and Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: Request for a Project Specific Review/OCT 2019/Leonard Robbins

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 1 & 4. Survey was not required, land tract is predisturbed.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/18 NOV 2019

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation: Signature Date

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

11/21/19

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

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

Representative's signature Date

NAVAJO NATION TOURISM DEPARTMENT
SHIPROCK VISITOR CENTER
BIOLOGICAL RESOURCE COMPLIANCE FORM REQUEST

USGS Quadrangle Map: Shiprock, New Mexico
PLS: NE/4 Section 25 T30N R18W, NMPM
Lat & Long: 36° 47' 19.2" N 108° 41' 13.1" W, WGS-84
UTM: 706,423 m E 4,073,741 m N, Zone 12
Elevation 4,890' amsl

Prepared by
NAVAJO NATION TOURISM DEPARTMENT
P.O. Box 663
Window Rock, Arizona 86504

DENALI ENVIRONMENTAL SERVICES
P.O. Box 1127
Fort Defiance, Arizona 86504

October, 2019

NAVAJO NATION TOURISM DEPARTMENT
BIOLOGICAL RESOURCE COMPLIANCE FORM REQUEST
COMMUNITY DEVELOPMENT AREA

1.0 Introduction

The Navajo Tourism Department of Window Rock, Arizona wishes make application for a business site lease to construct the proposed Shiprock Visitor Center on 7.0 acres of land in Shiprock, New Mexico. The proposed visitor center would provide tourist information and highway direction while visiting the Navajo Nation.

In regard to the Navajo Department of Fish and Wildlife Biological Resource Conservation Plan (RCP), the proposed action would be located in a designated Area 4, Community Development Area location – areas in and around towns with no restrictions on development. We request a biological resource compliance form for the proposed action. Figure 1 illustrates the location of the proposed business site along NM State Highway 491.

Photo 1. Picture shows the proposed Shiprock Visitor Center project area adjacent to NM State Highway 491, formerly an Riparian Woodland Ecosystem.

1.1 Description of the Proposed Action

Navajo Nation Tourism Department proposes to establish a business site lease on 7.0 acres of land. The proposed parcel encompasses former Chief Conoco Service Station in Shiprock, adjoining NM State Highway 491. A proposed visitor center with associated infrastructure, including parking, will be constructed within the proposed business site lease area. The proposed development will feature highway turnouts, a traveler welcome building and parking area. The visitor center building would be designed with a reception area, information and brochure counter, restrooms, a gift shop, beverage-food mart with table and chairs dining area, and a small theater. Infrastructure utility taps are operational and located nearby.

Paved turnouts from Highway 491 would access the business site. No access roads to the business site lease will be constructed. The proposed business site perimeter would be fenced for security, and to avoid livestock encroachment.

1.2 Location

The proposed Shiprock Visitor Center is located on USGS topographic map entitled *Shiprock, NM, a* 7.5 minute quadrangle map at Figure 1. The waypoint description of the project location is shown at Table 1.

Table 1. Waypoint Descriptions of the proposed Shiprock Visitor Center, Shiprock, New Mexico USGS Quadrangle Map.

Project Description	Public Land Survey NMPM	Latitude and Longitude WGS 84	UTM, Zone 12
Proposed Business Site	NE/4 S25 T30N R18W	36° 47' 19.2" N 108° 41' 13.1" W	706,423 m E 4,073,741 m N

At an elevation 4,890' amsl, the proposed business site tract is located in Shiprock, west of State Highway 491, Shiprock Chapter, San Juan County, New Mexico.

2.0 Existing Land Uses

The proposed business site tract is located on a vacant lot, formerly occupied by the Chief Conoco Service Station. Large concrete slabs are still evident of the former business site. The business site and vicinity property is located in an atypical riparian woodland biome. The ecosystem was characterized of natural cottonwood trees, willows, shrubs, perennial grasses, and forbs. Most of the natural woodland has been destroyed by previous agriculture development. The Navajo Land Little League baseball fields are located on the previous farming area, south of the proposed project area. The former Bureau of Indian Affairs farm and irrigation system were located just south of the proposed project area. The old irrigation system and old storage barns are still standing on vicinity properties.

On the south side of State Highway 491 right of way, NTUA utility corridors, fiber optic telecommunication line, scattered home sites, Wells Fargo Bank, the former BIA offices and housing, the old BIA farm and a vacant lots are the predominant land uses in the area. Utility corridors are located along Highway 491, including a NTUA water main line and natural gas line, under and above ground telecommunication fiber optic lines. The Shiprock hotel is proposed in the graded vacant lot next to the Wells Fargo Bank, adjacent to the project area on the south side.

On the north side of Highway 491, the Dine' Christian Church (formerly the Shiprock Chapter House), Sinclair Gas Station, Navajo Injury law firm, Shiprock VFW, and the Shiprock District Court House and police station are all located across Highway 491 from the proposed project area. There are approximately ten existing homes within 1/8 mile of the proposed project area. Nearest home

is located approximately one hundred yards north of the proposed development. The existing Farm Mesa irrigation canal is located northeast of the proposed project area, across Highway 491, adjacent to the abandoned gravel pit on the north side.

Soils onsite are largely atypical, disturbed from previous dumping, excavation and grading. Surface topography and geology/soils within the proposed project area is not expected to present any specific problems to the proposed project.

There are no Resource Conservation and Recovery Act (RCRA) Subtitle D Solid Waste sites, illegal trash dumps on the proposed project area. There are no Resource Conservation & Recovery Act (RCRA) Subtitle C Hazardous Waste sites on the proposed project area, along the highway, nor on the perimeter of the proposed business site.

The former Chief Conoco Service Station Leaking Underground Storage Tank (LUST) monitoring wells are located onsite. Recent Navajo EPA monitoring well data indicate the LUST site is nearing a neutral state, e.g., the site is about cleaned up. Monitoring the LUST site will continue until the LUST is deemed safe.

3.0 Onsite Survey Methods

Onsite pedestrian surveys of the proposed project area were conducted on August 10, September 16, and October 9, 2019. The entire project area was covered during the field survey. Onsite habitat was evaluated for all Endangered Species Act (ESA), Navajo Endangered Species List species of concern (NESL), and Migratory Bird Treaty Act (MBTA) species. All conservation status species that have the potential to occur in the proposed project and action areas were looked for and considered.

Action Area

The proposed project action area would include additional area surrounding the proposed business site, called the zone of influence, which would consist of the surrounding terrain within a 1/8-mile (0.1 mile) radius of the proposed project area boundaries.

3.4 Vegetation and Wildlife - Biotic Resources

3.4.1 *Existing Conditions*

Riparian woodland along rivers below 6,000 feet are normally heavily vegetated with forests, or *Bosques* (Ivey, R. Dewitt, 1983). Currently, in the proposed project area, fallow fields and irrigation ditches are major features of this zone. Natural deciduous riparian woodland forest also extends and occurs along the San Juan River and streams flowing through the arid and semiarid basins of the Four Corners region. These forests trees are dominated by the Plains cottonwood *Populous deltoides,* subspecies *sargenta,* Fremont cottonwood *Populus fremonti,* or with thickets of Willows (*Salix* spp.) and groves of salt cedar *Tamarix ramosissima,* and Russian olive *Elaeagnus angustifolia.* These species are in effect ribbons of the *Deciduous Forest Biome* (Hiel, K. D., O'Kane S. L. Jr., Reeves, L. M., & Clifford, A., 2013), (Ivey, R. DeWitt, 2006) and (Turner, R.M. & Brown, 1994).

Shurbs of this biome include Coyote Willow *Salix exigua,* several other species of willow *Salix* spp., New Mexico olive *Forestiera pubescens,* Skunkbush *Rhus trilobata,* Salt Cedar *Tamarix chinensis,* Arctic rush *Juncus arcticus,* Horsetail rush *Equisetum hyemale,* Western golden top *Euthamia occidentalis,* Panicled bulrush sedge *Scirpus microcarpus,* Southern cattail *Typha domingensis,* Narrow leaf cattail *Typha latifolia,* and the Common reed, Carrizo *Phrgmites australis.* (Hiel, K. D., O'Kane S. L. Jr., Reeves, L. M., & Clifford, A., 2013), (Ivey, R. DeWitt, 2006) and (Turner, R.M. & Brown, 1994).

Beside the rivers sandbars and dunes, marshes of rushes *Juncus* spp. and sedges *Carex* spp. are common, as are flats of saltgrass *Distichlis spicata.* Parodi scratchgrass *Muhlenbergia asperifolia* are located on sandbars and dunes (Hiel, K. D., O'Kane S. L. Jr., Reeves, L. M., & Clifford, A., 2013), (Ivey, Robert DeWitt, 2006) and (Turner, R.M. & Brown, 1994).

Annual plants (noxious weeds) such as cheatgrass *Bromus tectorum,* Russian thistle *Salsolia kali,* tansy mustard *Descurainia obtusa,* sunflower *Helianthur annus,* and kochia weed *Bassia hyssopifolia* may occur on the parcel (Ivey, Robert DeWitt, 2006).

Birds, indigenous to the ecosystem, are the Mountain plover *Charadrius montanaca,* Catbird *Dumatella carolinensis,* Sparrow *Ammodramus,* Veery *Catharus fuscescens,* Red-head woodpecker *Melanerpes erythrocephalus,* and Yellow-breasted Chat *Icteria virens.* Other characteristic bird fauna of this ecosystem include the Black-billed magpie *Pica pica,* Eastern phoebe *Sayornis phoebe,* and American redstart *Setophaga ruticilla.* (Turner, R.M. & Brown, 1994). Due to the abundance of forage, Golden eagles *Aquila chrysaetos,* Cooper's hawk *Accipiter cooperii,* and Redtail hawks *Buteo jamaicensis* are occasionally sighted on the riparian woodlands.

Distinct fauna of the Riparian Woodland Ecosystem, vicinity properties, include the Beaver *Castor canadensis,* Muskrat *Ondatra zibethicus,* Western jumping mouse *Zapus princeps* and Raccoon *Procyon lotor.*

3.4.2 *Effects*

The existing tract is located in a community development area. The proposed project area has been generally cleared of the riparian woodland type except for a few thickets of shrubs and small trees along the former irrigation ditches. Near the entrance a few large cottonwood trees remain. Initial field surveys indicate that suitable foraging and nesting habitat for small mammals and birds is not present on the project area, therefore the proposed project would not cause a loss of potential nesting, cover and forage habitat for the terrestrial flora and fauna species.

3.4.3 *Mitigation*

Indirect mitigation is recommended for all fauna and flora on the proposed area. Natural vegetative habitat can be restored over time, if the area is left alone and without periodic clearing and burning. The proposed undertaking will have minimal effect on the existing vegetation and potential habitat in the area.

3.5 Endangered Species Act & Navajo Endangered Species List

3.5.1 *Existing Conditions*

The Navajo Department of Fish and Wildlife's *Biological Resource Land Clearance Policy and Procedures* (BRLCP&P) was consulted. The land clearance procedure qualifies the Shiprock Visitor Center tract and surrounding area as an Area 4, a community development area. Suitable ESA and NESL habitat is not found within the tract or adjacent to the tract in the zone of influence.

3.5.2 *Effects*

The project is not expected to affect any federally listed species, nor significantly impact any tribally listed species or other species of concern. Impacts posed by the proposed project can be expected to be minimal. Initial field surveys indicate that the T&E species are not present on the proposed project area, therefore the proposed project would not cause an incremental loss of potential nesting, cover and forage habitat. The proposed project area is in a community development setting, and will not have an effect on the habitat or other elements necessary for the continued survival of T&E species.

3.5.3 Mitigation

Construction activities shall be confined to the proposed project area to avoid further disruption of any foraging habitat. The proposed business site would be landscaped over time.

The single phase electrical powerline would be designed according to the avian protection on power lines. The *Navajo Nation Raptor Electrocution Prevention Regulations,* Navajo Council Resource and Development Committee Resolution RCS-43-08, would be complied with to reduce the unlikelihood of potential raptor electrocution. All single or three phase electrical power poles and cross arms would follow the design standards to protect Golden Eagles and Ferruginous Hawks. No other direct mitigation is recommended for the fauna species.

5.0 CONCLUSIONS

The preferred alternative and project description is logical and desirable. Project engineering feasibility has been considered. There is no federally designated critical habitat in vicinity of the project, and no wetland or riparian habitat occurrences on site. The proposed project should have no effect on ESA threatened and endangered species, NESL sensitive species, or MBTA species. The proposed action is insignificant, and would have no effect on sensitive wildlife.

RCP Designation/BRCF Request

Relative to the Navajo Department of Fish and Wildlife Biological Resource Land Clearance Policies and Procedures (RCP), the proposed project is located in an *Area 4 – Community Development Area.* An area with fewest restrictions on development, with the least impact on wildlife species. We request a biological resource compliance form for the proposed action.

REFERENCES

Brown, D.E., 1994. *Biotic Communities of Southwestern United States and Northwestern Mexico.* University of Utah Press, Salt Lake City, Utah.

Cooley, M.E, J.W. Harshbarger, J.P. Akers, and W.F. Hardt, 1969. *Regional Hydrology of the Navajo and Hopi Indian Reservations, Arizona, New Mexico, and Utah.* USGS Paper 521-A, USPO, Washington D C.

Navajo Department of Fish and Wildlife (NDF&W RCP), 2008. *Biological Resource Land Use Clearance Policies and Procedures (RCP) RCS-44-08*, approved September 10, 2008, the Navajo Resource and Development Committee of the Navajo Nation Council generally approved the Resource Conservation Plan, Biological Resource Land Clearance Policy & Procedure, Navajo Department of Fish and Wildlife, Window Rock, Arizona.

Navajo Department of Fish and Wildlife, Natural Heritage Program (NDF&W–NHP), 2008. *Navajo Nation Endangered Species List, Species Account*, Navajo Department of Fish and Wildlife, Natural Heritage Program, Window Rock, Arizona.

U.S. Army Corps of Engineering, 1987. Wetlands Delineation Manual of 1987, U.S. Army Corps of Engineers, Washington D. C.

U.S. Department of the Interior, Fish and Wildlife Service (USF&WS), 1984. *Farmington, New Mexico National Wetlands Inventory Map*, U.S. Department of the Interior, Fish and Wildlife Service, Washington D.C.

U.S. Department of the Interior, Fish and Wildlife Service (USF&WS), 2008. *Birds of Conservation Concern* USFWS, Division of Migratory Bird Management "Birds of Conservation Concern 2008", (BCC 2008 list). Division of Migratory Bird Management, U.S. Department of the Interior, Fish and Wildlife Services, Arlington, Virginia, activated September 20, 2013.

THE NAVAJO NATION
Heritage & Historic Preservation Department
P.O. Box 4950 • Window Rock, Arizona 86515
(928) 871-7198 (tel) • (928) 871-7886 (fax)

CULTURAL RESOURCE COMPLIANCE FORM

NNHHPD NO.: HPD-19-927 **CONSULTANT REPORT NO.: DCRM 2019-127**

PROJECT TITLE: A Cultural Resources Inventory of the Navajo Nation Tourism Department Seven (7) Acre Visitors Complex in Shiprock Chapter, San Juan County, New Mexico.

LEAD AGENCY: BIA/NRO

SPONSOR: Sally A. Yabeny, Shiprock RBDO, PO Box 1864, Shiprock, NM, 87420

PROJECT DESCRIPTION: RBDO is proposing to construct a seven-acre visitors complex. Construction will consist of vehicular traffic within the land parcel, ground leveling, removal of vegetation, placement of poles/hardware, and the construction of buildings. The area of effect is 7.0-acres.

PROJECT ARCHAEOLOGIST: Shane Wero, Robtricia Alsburg, and April Veith
NAVAJO ANTIQUITIES PERMIT NO.: B19775 **DATE INSPECTED:** 10/24/2019
DATE OF REPORT: 12/5/2019 **TOTAL ACREAGE INSPECTED:** 9.76
METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 10 m apart
Number of Sites: 0
Number of Eligible Properties: 0 **Number of Non-Eligible Properties:** 0
Number of Unevaluated Properties: 0 **Number of Burials:** 0
Number of TCPs: 0 **Number of Isolated Occurrences:** 0
Number of In-Use Sites: 0
EFFECT/CONDITIONS OF COMPLIANCE: No Historic Properties Affected
PROCEED RECOMMENDED: Yes
CONDITIONS: No

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

FORM PREPARED BY: Tamara Billie **FINALIZED:** 2/3/2020

Richard M. Begay, Department Manager/THPO
Navajo Nation Heritage and Historic Preservation Department

02/03/20
Date

Navajo Region Approval:

BIA- Navajo Regional Office

2/6/2020
Date

4/20/2020

~ DOCUMENT IS VOID IF ALTERED ~

HPD Number.: HPD-19-927

LOCATION INFORMATION

LAND STATUS: NN Tribal Trust Land

STATE: NM

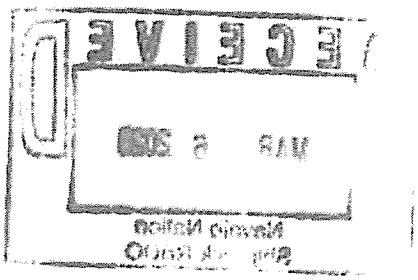
DATUM: NAD83

ZONE: 12

COUNTY	QUAD	UTM N	UTM E
San Juan, NM	Shiprock, NM	4074126	706152
		4074044	706154
		4074041	706178
		4073924	706281
		4073927	706388
		4074057	706322
		4074054	706316
		4074136	706276

CHAPTER

CHAPTER	Township	Range	Sections
Shiprock	30N	18W	25



~ DOCUMENT IS VOID IF ALTERED ~

THE
NAVAJO
NATION
PURCHASING SERVICES • P.O. Box 3150 • Window Rock, Arizona • 86515
TELEPHONE: (928) 871-6316 • FACSIMILE: (928) 871-7778/6159

JONATHAN NEZ
PRESIDENT

MYRON LIZER
VICE PRESIDENT

SEP30 19 11:27AM

September 27, 2019

DENALI ENIRONMENTAL SERVICES
Leonard Robbins
Post Office Box 1127
Window Rock, Arizona 86515

Reference: DOC 012773 – CO13888

Dear Mr. Robbins:

Attached, please find your executed Services Contract, **CO13888**. The Services Contract is with the Navajo Tourism Department, Navajo Nation Division of Economic Development. This Services Contract is approved in the amount of Seven Thousand Eight Hundred Thirty-Six Dollars and Twenty-Five Cents ($7,836.25).

This Services Contract will commence on a Notice to Proceed and will terminate on November 29, 2019. Contract, **CO13888** must be referenced on all invoices, documents and correspondences as it relates to this contract.

Should you have any questions, please contact Arval T. McCabe, Department Manager, Navajo Tourism Department, Navajo Nation Division of Economic Development at 928.810.8501.

Sincerely,

THE NAVAJO NATION

Valerie Bitsilly, Accountant
Contract Administration
Navajo Nation Office of the Controller

Xc: Arval T. McCabe, Department Manager, Navajo Tourism Department, Navajo Nation Division of Economic Development
File / Chrono

Document No. 012773 Date Issued: 06/24/2019

SECTION 164 REVIEW FORM

Title of Document: PSC - DENALI ENVIRONMENTAL SERVICES Contact Name: YABENY, SALLY A

Program/Division: DIV. OF ECONOMIC DEVELOPMENT

Email: SYABENY@FRONTIERNET.NET Phone Number: (505) 368-1315

Division Director Approval for 164A: _____

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

			Sufficient	Insufficient
☐	**Statement of Policy or Positive Law:**			
	1. OAG: _____	Date: _____	☐	☐
☐	**IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**			
	1. OMB: _____	Date: _____	☐	☐
	2. OOC: _____	Date: _____	☐	☐
	3. OAG: _____	Date: _____	☐	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☐	**Grant/Funding Agreement or amendment:**			
	1. Division: _____	Date: _____	☐	☐
	2. OMB: _____	Date: _____	☐	☐
	3. OOC: _____	Date: _____	☐	☐
	4. OAG: _____	Date: _____	☐	☐
☒	**Subcontract/Contract expending or receiving funds or amendment:**			
	1. Division: Beverly Cato	Date: 8/09/19	☒	☐
	2. BRD: _____	Date: August 30, 2019	☑	☐
	3. OMB: _____	Date: _____	☐	☐
	4. OOC: _____	Date: _____	☐	☐
	5. OAG: OVP UBT UBT 9/19/19	Date: 9/6/19 9/5/19	☑ UBT	☑ UBT
☐	**Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**			
	1. Division: _____	Date: _____	☐	☐
	2. OAG: _____	Date: _____	☐	☐
☐	**M.O.A. or Letter of Assurance expending or receiving funds or amendment:**			
	1. Division: _____	Date: _____	☐	☐
	2. OMB: _____	Date: _____	☐	☐
	3. OOC: _____	Date: _____	☐	☐
	4. OAG: _____	Date: _____	☐	☐

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

September 11, 2019

MEMORANDUM:

TO : LaTonia B. Johnson, Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

FROM : Arval T. McCabe, Department Manager I
Tourism Department
DIVISION OF ECONOMIC DEVELOPMENT

SUBJECT : Document No. 12773: Professional Service Contract between the Navajo Nation and Denali Environmental Services

This is in reference to the Memo date September 09, 2019, which is in reference to the said document stated above. The Taxes that were not included have been corrected and the 164 process can now move forward for your review.

Your assistance is greatly appreciated. If you have any questions, contact me at extension 7392.

xc: File

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0131 [Reissued]

Date & Time Received: 12/27/2021 07:07

Date & Time of Response: 1/04/2022 14:35 [Reissued 4/13/22 - new expenditure category]

Entity Requesting FRF: Navajo Tourism Department

Title of Project: Economic Development/Tourism (Window Rock Visitor Center)

Administrative Oversight: Division of Economic Development/Executive Branch

Amount of Funding Requested: $16,100,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.35 Aid to Tourism, Travel, or Hospitality

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 2.11 Aid to Tourism, Travel, or Hospitality. This is now category 2.35 - Aid to Tourism, Travel, or Hospitality.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Tourism Department
indicate Department, Program, Office, Division, or Branch
Date prepared: 12.10.22

NN Government Unit's mailing address: P.O. Box 663, Window Rock AZ 86515
phone/email: arvalmccabe@navajo-nsn.gov
website (if any): www.discovernavajo.com

Form prepared by: Arval T. McCabe, Department Manager
phone/email: 928-871-7392 / 928-810-8501
CONTACT PERSON'S name, title and Department, Program, Office, etc.
CONTACT PERSON'S info

Title & type of Project: Economic Development/Tourism

NN Government Unit's Director or Manager: Arval T. McCabe, Dept.Mgr
phone & email: arvalmccabe@navajo-nsn.gov

Division Director (if any): JT. Willie, Division Director
phone & email: jtwillie@navajo-nsn.gov

Branch Chief: Jonathan Nez, President
phone & email: jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development/Executive Branch
indicate Branch and/or Division
on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $16.1 mil
FRF funding period: Jan 01, 2022 - Dec 31, 2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The local and surrounding communities requested this project to assist with developing a gateway to Southern Navajo Destinations and will serve visitors by providing safe, destination, and business information. This will also provide an area where visitors can use facilities to follow the CDC Covid 19 guidelines during times of the pandemic. The funds will be used for construction. The location of the project is off State Highway 264 and Indian Highway 12. The location of the complex is a gateway that is highly traveled and connects all roads leading to destinations across Navajo. All communities within a 100 mile radius will benefit from this project. The pandemic closure of the Navajo Nation impacted the tourism revenue in the amount of $115,500,000

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will provide local jobs to community members when the construction begins and will give them the opportunity to work close to home and keep them from Covid-19 pandemic. When the project is completed with it will also provide employment for up-to 15 community members. The location is a great opportunity for Native vendors and performers to work near their homes which will increase the number of visitors to the area.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Phase I: Legal land surveys / Archaeological, Biological, and Environmental clearances are complete.
Phase II: Coordination with the Chapter, NTUA to work jointly on the utility infrastructure for upgrades. Complete date is February 2023
Phase III: Construction of the Window Rock Visitor Complex & Amphitheater March 2023-June 2024

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Division of Economic Development/Tourism Department, Regional Business Development-Ft. Defiance and Project Development departments will be working jointly on this project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Window Rock Visitor Complex and Amphitheater will be funded from rental fees and Hospitality Occupancy Tax (HOT) funds to cover the costs of operation and maintenance of the property.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Economic Development and Services - Tourism

This project will increase visitors to the area, provide service that are otherwise not available and will provide much needed amenities to both community members and visitors such as destination travel information, rest stop, parking, waste stations, water stations, facilities, local Native food items, souvenirs and entertainment when available.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: JT Willie, Division Director

signature of Branch Chief or Division Director *print name and indicate title or position*

Navajo Division of Economic Development

indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: 510003 Program Title: Tourism Department Division/Branch: Economic Development

Prepared By: Arval T McCabe Phone No.: 928-810-8501 Email Address: arvaltmccabe@discovernavajo.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recover Funds	01/01/2022-09/30/2024	14,000,000.00	100%
NN Fiscal Recover Funds	01/01/2022-09/30/2024	2,100,000.00	15%
	TOTAL:	$16,100,000.00	115%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	5			
3000 Travel Expenses	5			0
3500 Meeting Expenses				
4000 Supplies	5			
5000 Lease and Rental	5			
5500 Communications and Utilities	5			
6000 Repairs and Maintenance	5			
6500 Contractual Services	5			
7000 Special Transactions	5			
8000 Public Assistance				
9000 Capital Outlay	5	14,000,000		
9500 Matching Funds				
9500 Contingency		2,100,000		
TOTAL		$16,100,000.00		

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

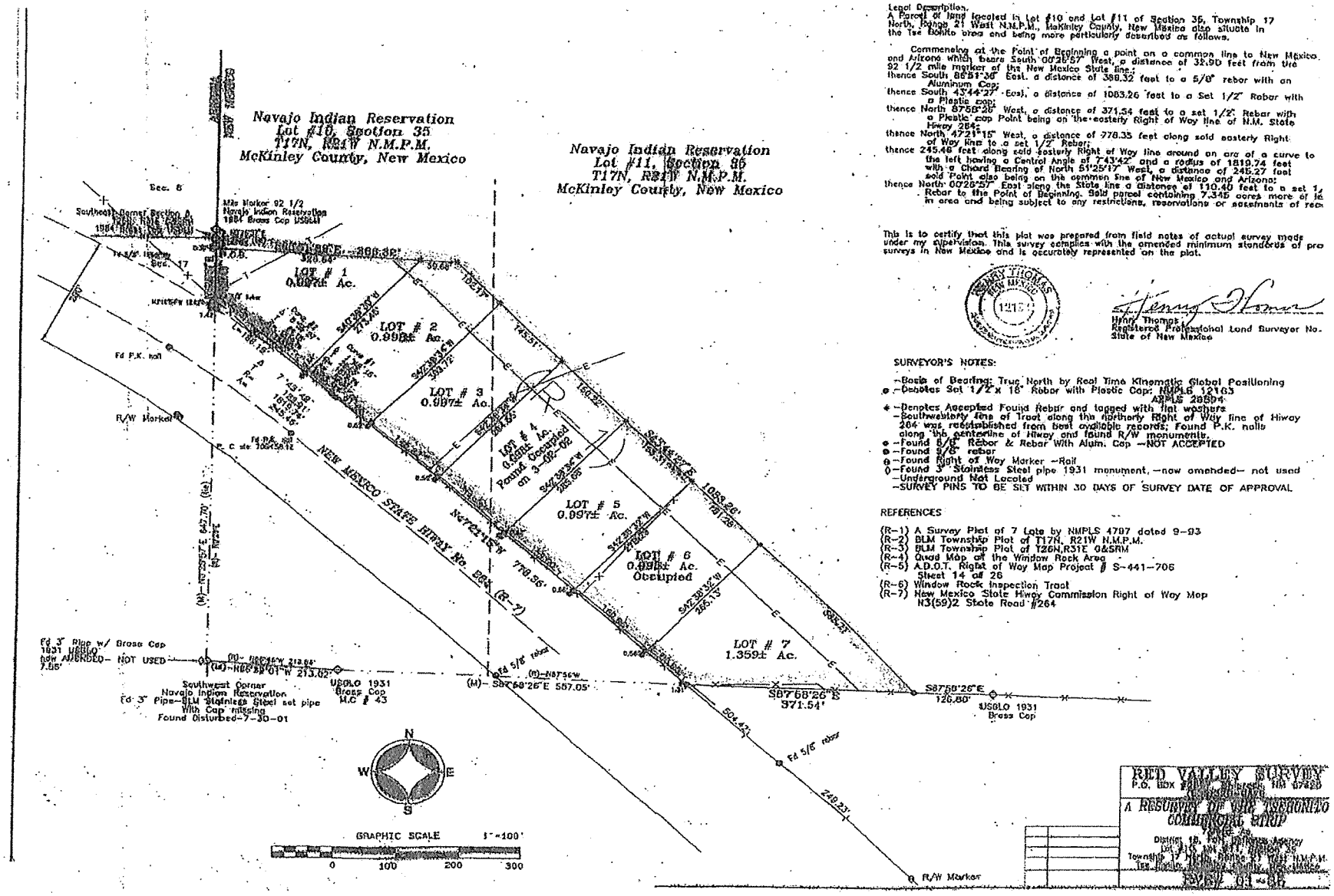
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Arval T. McCabe
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: JT Willie
Division Director / Branch Chief's Printed Name

12/23/2021
Division Director / Branch Chief's Signature and Date



Legal Description.
A Parcel of land located in Lot #10 and Lot #11 of Section 35, Township 17 North, Range 21 West N.M.P.M., McKinley County, New Mexico also situate in the Tse Bonito area and being more particularly described as follows.

Commencing at the Point of Beginning a point on a common line to New Mexico and Arizona which bears South 00°35'57" West, a distance of 32.90 feet from the 92 1/2 mile marker of the New Mexico State line;
thence South 86°51'36" East, a distance of 388.32 feet to a 5/8" rebar with an Aluminum Cap;
thence South 43°44'27" East, a distance of 1083.26 feet to a Set 1/2" Rebar with a Plastic cap;
thence North 87°58'26" West, a distance of 371.54 feet to a set 1/2" Rebar with a Plastic cap Point being on the easterly Right of Way line of N.M. State Hiway 264;
thence North 47°21'15" West, a distance of 778.35 feet along said easterly Right of Way line to a set 1/2" Rebar;
thence 245.48 feet along said easterly Right of Way line around an arc of a curve to the left having a Central Angle of 7°43'42" and a radius of 1819.74 feet with a Chord Bearing of North 51°25'17" West, a distance of 245.27 feet said Point also being on the common line of New Mexico and Arizona;
thence North 00°28'57" East along the State line a distance of 110.40 feet to a set 1/2" Rebar to the Point of Beginning. Said parcel containing 7.345 acres more or less in area and being subject to any restrictions, reservations or easements of record.

This is to certify that this plat was prepared from field notes of actual survey made under my supervision. This survey complies with the amended minimum standards of practice surveys in New Mexico and is accurately represented on the plat.

Henry Thomas
Registered Professional Land Surveyor No. 12163
State of New Mexico

SURVEYOR'S NOTES:

-Basis of Bearing: True North by Real Time Kinematic Global Positioning
● -Denotes Set 1/2" x 18" Rebar with Plastic Cap: NMPLS 12163
ARPLS 20894
✱ -Denotes Accepted Found Rebar and tagged with flat washers
-Southwesterly line of Tract along the northerly Right of Way line of Hiway 264 was reestablished from best available records; Found P.K. nails along the centerline of Hiway and found R/W monuments.
● -Found 5/8" Rebar & Rebar With Alum. Cap -NOT ACCEPTED
● -Found 5/8" rebar
◊ -Found Right of Way Marker -Rail
○-Found 3" Stainless Steel pipe 1931 monument, -now amended- not used
-Underground Not Located
-SURVEY PINS TO BE SET WITHIN 30 DAYS OF SURVEY DATE OF APPROVAL

REFERENCES

(R-1) A Survey Plat of 7 Lots by NMPLS 4797 dated 9-93
(R-2) BLM Township Plat of T17N, R21W N.M.P.M.
(R-3) BLM Township Plat of T26N,R31E G&SRM
(R-4) Quad Map of the Window Rock Area
(R-5) A.D.O.T. Right of Way Map Project # S-441-706 Sheet 14 of 26
(R-6) Window Rock Inspection Tract
(R-7) New Mexico State Hiway Commission Right of Way Map N3(59)2 State Road #264

RED VALLEY SURVEY
P.O. Box [illegible] Gallup, NM 87305
A RESURVEY OF THE NAVAJO TRIBAL TRUST
Window Rock
District 12, Fort Defiance Agency
Sec. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32
Township 17 North, Range 21 West N.M.P.M.
Tse Bonito, McKinley County, New Mexico
SCALE: 1" = 100'

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0108

Date & Time Received: 10/29/2021 at 00:26

Date & Time of Response: 4 November, 2021; 11:02 am

Entity Requesting FRF: Project Development Department, DED

Title of Project: Upgrade of Twin Lakes Well (NTUA Water Well)

Administrative Oversight: NN Division of Economic Development

Amount of Funding Requested: $500,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

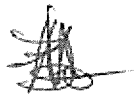
U.S. Department of Treasury Reporting Expenditure Category: 5.13 Drinking Water: Source

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Please note that DOJ is recommending use of eligibility category 5.13, rather than 5.11 as listed in the submission.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Project Development Department/DED Date prepared: 10/20/2021
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P. O. Box 663 phone/email: 505-905-6414
Window Rock, AZ 86515 website (if any):

Form prepared by: Sharlene Begay-Platero & Tony Perry phone/email: 505-905-6414
IDS and Dept. Director, Project Development Dep srbp@navajoadvantage.c
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Upgrade of Twin Lakes Well (NTUA Water Well)

NN Government Unit's Director or Manager: Anthony Perry, Director phone & email: 928-871-6290 aperry@navajo-r

Division Director (if any): JT Willie, Div. Director phone & email: 928-871-6544 jtwillie@navajo-r

Branch Chief: Jonathan Nez, President, Navajo Nat phone & email: 982-871-7000 jonathannez@na

Funding Recipient will be working with: the Division of Economic Development/Project Devel on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $500,000.0(FRF funding period: January 2022 to December 2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This infrastructure project will be construction project to upgrade the current Twin Lakes (NTUA) Well to provide potable water to Navajo residents and to the expansion of the Glove Factory, Phase 2 project. This "shovel worthy" project will bring water to Navajo residents but also the water to the new factory will be recycled 80% of the water consumption. The Preliminary Engineering Report of the recycling is attached.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The Twin Lakes Well will provide potable water to Navajo residents through the current water distribution system and will also serve as the water resource for the glove manufacturing processes. The upgrade pump will help to move the water to the end users who are obtain their water from the Twin Lakes Well.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

See Attachment Appendix A - Attachment 1

☑ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Sharlene Begay-Platero with Project Development Department

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

O & M will be on NTUA since it will be an upgrade to an existing pump of their water well. Funding of O & M is up to NTUA Mgt.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

The category under the Treasury will be 5.11 (Drinking water: Transmission & Distribution)

☑ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Return on Investment Report given the the NNC for Phase 2 of the Glove Factory.
Preliminary Engineering Report on Recycling of the Water Consumption for Phase 2 Project.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: JT Willie, Division Director
signature of Branch Chief or Division Director *print name and indicate title or position*
Division of Economic Development
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Upgrade of Twin Lakes Well Division/Branch: *Div. of Econ. Development*

Prepared By: Sharlene Begay-Platero Phone No.: 505-905-6414 Email Address: srbp@navajoadvantage.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		500,000.00	
	TOTAL:	$500,000.00	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			500,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
TOTAL		$0.00	500,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Anthony Perry
Program Manager's Printed Name

10-28-21
Program Manager's Signature and Date

APPROVED BY: T Willie, Division Director
Division Director / Branch Chief's Printed Name

10/28/21
Division Director / Branch Chief's Signature and Date

Appendix A (f) **Twin Lakes Well Upgrade**

The category under the U.S. Department of Treasury will be 5.11 (Drinking water: Transmission & Distribution) as the Twin Lakes Well Upgrade it a vital component to pumping water to Church Rock, New Mexico's waterline. This waterline will allow safe potable drinking water that will be used within the surrounding community.

It is vital that this well will need to be installed as it is a catalyst component to enable water access within the Eastern agency of Church Rock, New Mexico. In which, this will allow community growth and community economic growth by allowing expansion to current business site leases and other developments in the future.

While being in compliance with the Environmental Protection Agency (EPA) that ensures that safe potable water will be available for those within this Eastern agency for any current and/or future developments.

Appendix A – Attachment 1 Twin Lakes Well

1. Obtain a Capital Outlay Account or C number from NN OMB; 2. Advertise the Project to #1 and/or #2 Navajo Companies on the NN Source List via email/place Ad in Navajo Times; 3. Development the RFP, get insurance requirements from NN Risk Mgt.; 4 Review Proposals Submitted and Evaluation, negotiate the terms and conditions; 5. Award the Contract, obtain Procurement Clearances (5); 6. Package the Contract through the 164 Review Process; 7. Get President's signature on the Contracts (4); 8: Take Executed Contracts to Contract Administration to get a Contract #; and 9. Sent out Notice to Proceed to Contract to begin the work. Total time is about 4 -6 weeks. Challenges: DOJ on what type of Contract to Use, Wait 2 weeks for President's signature and Wait another 2 weeks for Contract Number from Contract Administration to issue Contract Number. Issue a Notice to Proceed to start project. Completion will be December 2024.

Analyzing the Economic Impact of the Rhino Health Expansion Project:

Employment, Income and Other Social Opportunities for the Navajo People

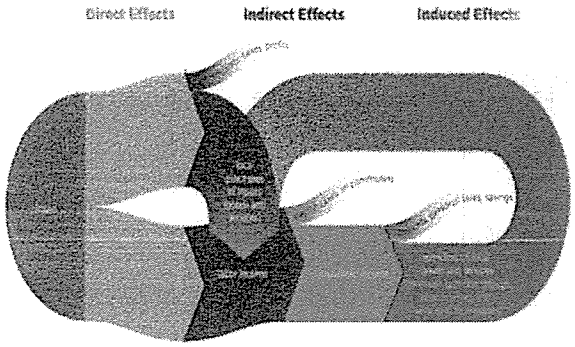
AUGUST 6, 2019

THE CONCEPT OF INDIRECT AND INDUCED ECONOMIC IMPACTS

The impact of Rhino Health Expansion on the local and regional economies is greater than the total of the Rhino Health Expansion Project's (Project) direct spending on payroll, goods and services, and construction. This is because money spent by the Project is spent again by the recipient employees and local businesses. Employees use their salaries and wages to purchase goods and services from other businesses. Businesses make their own purchases and hire employees, who also spend their salaries and wages throughout the local and regional state economies.

This economic ripple effect is measured by what is known as an "Input-Output" economic model, which uses a series of "multipliers" to provide estimates of the number of times each dollar of "input," or direct spending, cycles through the economy in terms of "indirect and induced output," or additional spending, personal income, and employment. The mechanics of the input-output model are described in in Diagram A and is attached as Exhibit "A."

Diagram A: Multiplier Effect



DIRECT, INDIRECT, AND INDUCED SPENDING IMPACTS

This analysis reports the "total" economic impacts – including direct, indirect, and induced economic impacts – of the Project's purchases of goods and services, payroll expenditures, and spending on construction projects. The analysis estimates total impacts in three distinct ways – spending, employment, and income.

The methodology of estimating indirect and induced economic impacts is based on estimates provided by Rhino Health Expansion (RHE) and the Division of Economic Development (DED) of estimated direct Project expenditures. In order to estimate direct spending in this way, the RHE and DED identifies their estimates as attached within Legislation Tracking 0180-19, at Exhibit "A" and Exhibit "B," respectively.

Table 1 reports the total project estimates to analyze the multiplier effect of the Project.

Table 1: Total Project Expenditure Estimates. 2019-2025.	
	Amount
1. Rhino Health **(see Exhibit "A" of the Legislation)**	
A. Initial Capital - Construction (Phase I)	2,400,000
B. Additional Capital - equiptment, machinery	20,000,000
C. Payroll: 2019-2025.	61,450,000
	83,850,000
2. Proposed Legislation **(see Exhibit "B" of the Legislation)**	
A. Construction Project directly managed by DED. (est.)	*20,000,000*
3. Total Direct Project Expenditure	**103,850,000**

Sihasin Fund Requirement Leveraging - §2502 (C). The Project's funding from RHE satisfies the matching requirement of the Sihasin Fund (Fund) by matching the Legislation's fund request, with:

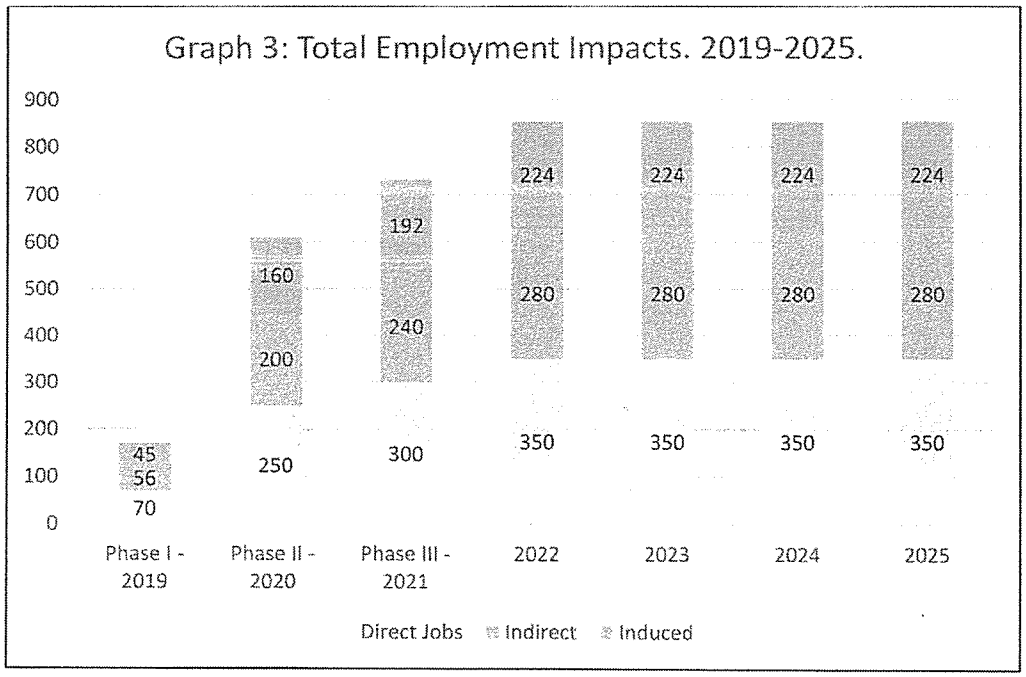
1. RHE providing $24 million to starting up the project and recruiting customers and sales in the United States, or 55% of the $44 million project.
2. Through 2025, the Sihasin Fund would leverage $83,850,000 or 81% when RHE's payroll is added.

For 2019-25, direct spending by the Project on goods and services purchases, payroll, and construction projects will total $103.8 million. This direct spending is estimated to lead to an estimated $109 million in indirect and induced spending, for an estimated $212.8 million in total spending impact by the Project.

Table 2: Total Income and Jobs Created. 2019-2025.				
		Income		
	Direct	**Indirect**	**Induced**	**Total**
1. Spending (Income)	103,850,000	66,464,000	42,536,960	212,850,960
2. Jobs	2,020	1,616	1,293	4,929

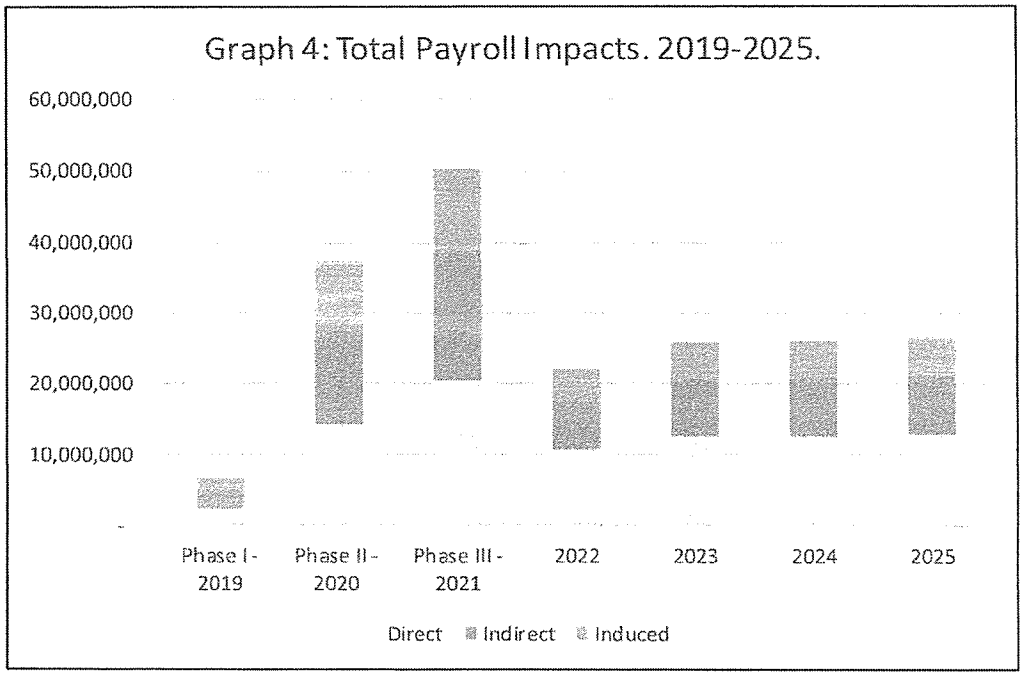
For 2019-25, the Project would have created and sustained 4,929 jobs, 1,161 by indirect and 1,293 by induced effect.

Table 3: Total Jobs Produced by the Project. 2019-2025.				
	Direct Jobs	**Indirect**	**Induced**	**Total**
Phase I - 2019	70	56	45	171
Phase II - 2020	250	200	160	610
Phase III - 2021	300	240	192	732
2022	350	280	224	854
2023	350	280	224	854
2024	350	280	224	854
2025	350	280	224	854



For 2019-25, through direct, indirect and induced total payroll, the Project will affect the creation and sustainment of payroll income beneficial to household income.

Table 4: Total Payroll Produced by the Project. 2019-2025.				
	Direct	**Indirect**	**Induced**	**Total**
Phase I - 2019	2,400,000	2,560,000	1,638,400	6,598,400
Phase II - 2020	14,200,000	14,208,000	9,093,120	37,501,120
Phase III - 2021	20,500,000	18,240,000	11,673,600	50,413,600
2022	10,750,000	6,880,000	4,403,200	22,033,200
2023	12,650,000	8,096,000	5,181,440	25,927,440
2024	12,750,000	8,160,000	5,222,400	26,132,400
2025	13,000,000	8,320,000	5,324,800	26,644,800



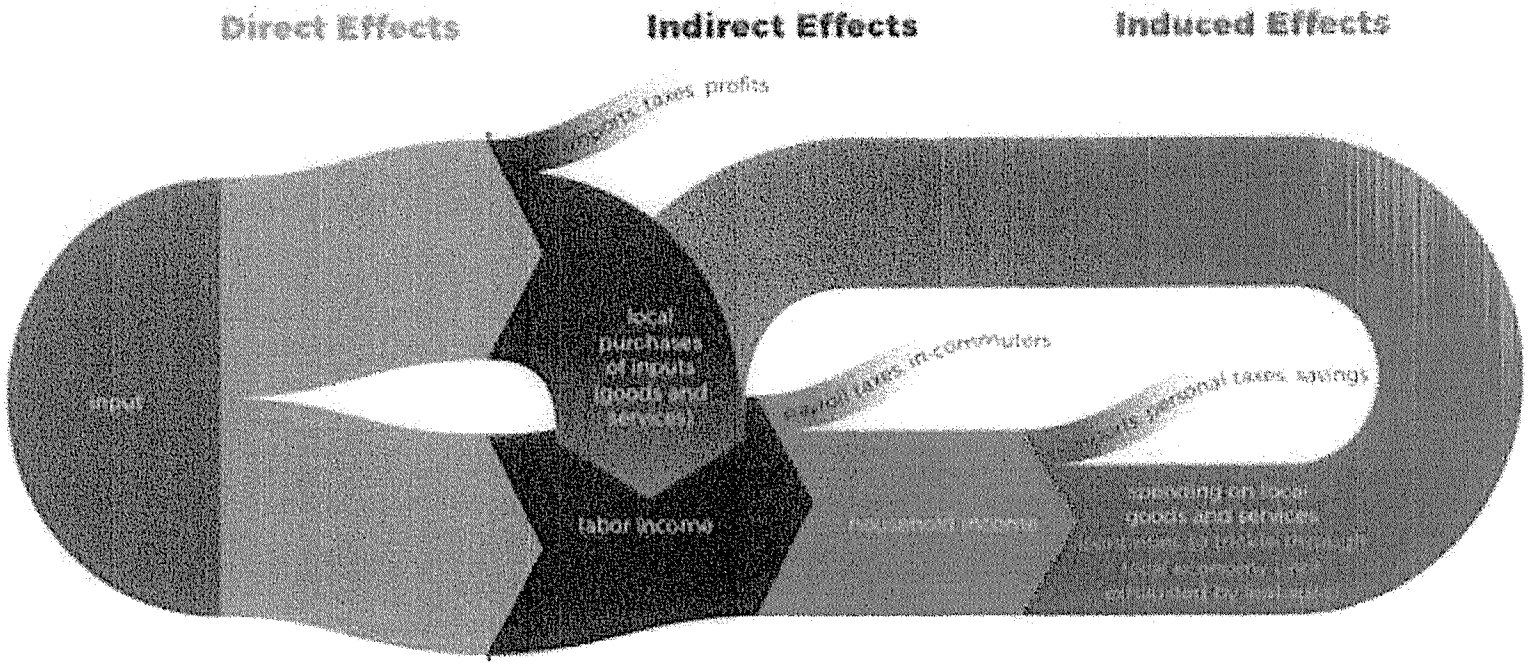
SUMMARY OF SPENDING, EMPLOYMENT, AND PERSONAL INCOME IMPACTS

The estimated spending, employment, and personal income impacts of investments made by the Sihasin Fund and Rhino Health Expansion spending is a significant boost to the local economy directly affecting Navajo population residing near the Project's location.

There exists a significant opportunity for the Project to extend the employment expenditure and job opportunities through spinoff companies and companies that support the operation of the Project. The Project, being a base industry require suppliers of raw materials, machinery/equipment repair and maintenance, paper-product, transportation and logistics suppliers to maintain operations.

Overall, the Project provides:

1. **Capital Asset Purchase.** Through the Division of Economic Development all purchases made on behalf of the Project will be recorded by the Navajo Nation as capital assets.
2. **Employment Opportunity.** There exists an extensive labor surplus from the local population predominately Native American and primarily Navajo within the Project's location.
3. **Education.** Post-secondary institutions at Navajo Technical University and the University of New Mexico, predominately attended by Navajo students could benefit from the industrial and management operations of the Project.
4. **Incubator.** The Project, as a base industry requiring a wide array of suppliers and with a business incubator on the property of the Project, significant opportunities exists for developing Navajo small businesses and businesses within the Navajo Nation. http://www.navajotech.edu/ntic/
5. **Made in the Navajo Nation.** The products produced can be identified by buyers and consumers across the United States and other countries as being made by the Navajo people.
6. **Business and Industry Friendly**. Of the fifty-three (53) economic development organizations (EDOs) within the State of New Mexico, Rhino Health Expansion chose the Navajo Nation. https://financenewmexico.org/resources/general-business-assistance/regional-economic-development-organizations/
7. **Quality of Life.** Employment promotes housing development, education attainment, health awareness, supporting family members and family and home stability.
8. **Self-Sufficiency.** Dwindling federal subsidies in education, housing, social services, health and public safety can be replaced with gainful employment by any adult household member.


Direct Effects
Indirect Effects
Induced Effects
profits
local purchases of inputs (goods and services)
labor income
taxes, in-commuters
personal taxes, savings
spending on local goods and services

Economic Impact Table - Rhino Health Expansion

		PHASE			OPERATION				
		I	II	III					OVERALL
I. Direct Effect		2019	2020	2121	2022	2023	2024	2025	IMPACT
A. Development / Construction		2,400,000	20,000,000	20,000,000	-	-	-	-	42,400,000
B. Operation: Payroll		1,600,000	2,200,000	8,500,000	10,750,000	12,650,000	12,750,000	13,000,000	61,450,000
		4,000,000	22,200,000	28,500,000	10,750,000	12,650,000	12,750,000	13,000,000	103,850,000
II. Employment of Local Members[1] - TOTAL (equals IA+IB)		70	250	300	350	350	350	350	2,020
A. Development / Construction		50	200	200					450
B. Operation: Payroll (Income)		20	50	100	350	350	350	350	1,570
III. Total Project Budget Amount		4,000,000	22,200,000	28,500,000	10,750,000	12,650,000	12,750,000	13,000,000	54,700,000
A. Initial Capital									
i. Payroll - Income Individual[3]		2,400,000							2,400,000
ii. Materials, Supplies, Equiptment, Professional Services [2]		1,600,000							1,600,000
B. Operation/Construction									
i. Income - Local Individual[3]			14,200,000	20,500,000					34,700,000
ii. Materials, Supplies, Equiptment, Professional Services [2]			8,000,000	8,000,000					16,000,000
C. Operation									
i. Incomel - Local Individual[3]					10,750,000	12,650,000	12,750,000	13,000,000	49,150,000
ii. Materials, Supplies, Equiptment, Professional Services [2]					-	-	-	-	-
IV. Indirect Effect - Jobs and Earnings	Multiplier								
A. Employment Effect - Created/Sustained	0.8	56	200	240	280	280	280	280	1,616
B. Income - Indirect Jobs	0.8 $	$2,560,000	$14,208,000	$18,240,000	$6,880,000	$8,096,000	$8,160,000	$8,320,000	$66,464,000
V. Induced Effect - Jobs and Earnings	Multiplier								
A. Employment Effect - Created/Sustained	0.8	45	160	192	224	224	224	224	1,293
B. Income - Indirect Jobs	0.8 $	$1,638,400	$9,093,120	$11,673,600	$4,403,200	$5,181,440	$5,222,400	$5,324,800	$42,536,960

Notes

1. Employment - part-time, full time
2. Non-Labor/Personnel Project Expenditure
3. Labor/Peronnel Expenditure
4. Local Navajo Tax Rates
5. Factor. Percentage of expenditures/individuals participating in local business expenditures/purchases.
6. Index/Basis. Shannon Weaver Diversity Index
7. Local Average Gas Price
8. Index/Basis. Indirect Index as reported by BEA for specified region/location.

ORIZHEN
GROUP

Wastewater Treatment/Recycling at Rhino Health

Preliminary Engineering Report

Submitted to:

Todd Burt, P.E.
Senior Vice President
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Albuquerque, NM

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March 1, 2021

Introduction

Rhino Health is a manufacturer of disposable nitrile gloves and is currently operating a production facility (Phase I) in Church Rock, New Mexico. The company is planning to expand the manufacturing capacity by constructing an adjacent facility (Phase II). Upon completion, the process wastewater from the Phase I & II facilities will be integrated for treatment/recycling and discharge. This preliminary engineering report (PER) describes design alternatives for wastewater treatment/recycling and the associated appraisal-level CAPEX, OPEX, footprint, and other pertinent information.

Manufacturing Processes at Rhino Health (Church Rock, NM)

Two single-former lines are in operation at the Phase I facility located at Church Rock, NM since the end of 2019. To expand the production capacity, a Phase II facility with six double-former lines will be constructed adjacent to the existing plant. The wastewater treatment/recycling system in design would accommodate the needs of process water for both Phase I & II facilities. **Table 1** depicts the manufacturing processes in sequence and the associated type of wastewater generated.

Three main raw materials are used for the manufacturing of nitrile disposable gloves and they are NBR (nitrile butadiene rubber), polymer, and coagulants. Two types of wastewater, dilute and concentrate, are generated during the glove production. The dilute wastewater is generated continuously from the rinsing processes whereas the concentrate wastewater is generated from periodic clean-out of the raw-material tanks as shown in Table 1. The dilute wastewater will be treated directly with the planned wastewater treatment/recycling system. The concentrate wastewater, which constitutes a very small portion of the total process wastewater, will be collected in holding tanks for coagulation and solids removal before being introduced slowly into the wastewater treatment/recycling system to prevent slug input to the wastewater treatment plant (POTW) at Gallup, NM.

Table 1. Nitrile Glove Manufacturing Processes in Sequence

Tank Type	Number of Tanks per Line		Wastewater Type	Frequency
	Phase I	Phase II		
Acid	1	1	Concentrate	Periodic [a]
Acid Rinse	1	1	Dilute	Continuous
Alkaline/Detergent	1	3	Concentrate	Periodic [a]
Brush	2	3	Dilute	Continuous
Alkaline Rinse	3	3	Dilute	Continuous
Coagulants	1	1	Concentrate	Periodic [a]
NBR	1	2	Concentrate	Periodic [a]
Pre-Leach	5	6	Dilute	Continuous
Polymer	1	1	Concentrate	Periodic [a]
Post-Leach	4	4	Dilute	Continuous
Total Tank Volume per Line, gallon (m^3)	9,464 (35.8)	33,393 (126.4)		

[a] Line clean-out occurs on average 1 line per month in a rotating mode.

Orizhon Group, LLC Used for the Rhino Health project at Church Rock, NM only

The Phase I facility of Rhino Health consumes about 140,000 gallons of tap water per day in production and generates about 119,000 gallons of process wastewater, which is currently discharged directly into the sewer system. The difference amounts to 15% of the daily water demand and is attributed to evaporation loss during production. With the Phase II expansion, the combined water demand would be about 709,000 gallons per day with the projected wastewater flow to be about 603,000 gallons per day without recycling. **Table 2** provides the average composition of the process wastewater from the current Phase I operation. **Table 3** shows the composition of the tap water currently provided to Rhino Health by the City of Gallup (City thereafter) for production. The quality of tap water provided to the Phase I & II facilities is expected to remain the same for the next 3-5 years due to the delay of the Navajo Gallup Water Supply Project (NGWSP). The water/wastewater quality data listed in Tables 2 and 3 was obtained from two sampling events conducted by the staff of Orizhen Group at Rhino Health in 2020.

Table 2. Characteristics of Process Wastewater at Rhino Health

Wastewater Characteristic	Average Value
COD (mg/L) [a]	85
BOD_5 (mg/L) [b]	57
BOD_5/COD Ratio	0.67 [c]
TSS (mg/L)	16
TDS (mg/L)	1,140
Alkalinity (mg/L as $CaCO_3$)	252
Hardness (mg/L as $CaCO_3$)	150
Turbidity (NTU)	18.7
pH	8.4
Temperature (°C)	37.7

a. Raw wastewater.
b. Raw wastewater at 20°C.
c. Considering highly biodegradable.

Table 3. Characteristics of Tap Water at Rhino Health

Tap Water Characteristic	Average Value
TDS (mg/L)	801
Alkalinity (mg/L as $CaCO_3$)	235
Hardness (mg/L as $CaCO_3$)	52.4
pH	8.3
Temperature (°C)	17.5

Pretreatment Requirements for POTW Discharge

Industrial wastewater generally requires pretreatment before being discharged into the sanitary sewer. However, the City currently does not have an ordinance for industrial wastewater

Orizhen Group, LLC. Used for the Rhino Health project at Church Rock, NM only

pretreatment. Orizhen Group is working with the City to develop pretreatment requirements for the Phase II expansion. Based on the U.S. EPA's categorical pretreatment standards for process wastewater generated from manufacturing of latex-dipped products (40 CFR, 428.106), there are no pretreatment requirements of pH, BOD_5, and TSS for new sources with the exception of oil & grease at 100 mg/L daily maximum. The City may choose to impose local limits based on the POTW's design capacities and the municipal background loadings. Another concern from the City is bis(2-ethylhexyl) phthalate or DEHP. In 2020, there were NPDES permit violations of DEHP at the POTW and Orizhen is working with the City to determine whether the discharge at the Rhino Health Phase I operation plays a role in the violations. In the interest of time, Orizhen Group decided to proceed with the PER before Rhino Health reaches an agreement with the City on the pretreatment requirements.

Design Basis for Wastewater Treatment/Recycling

Based on the available information of the current Phase I operation at Rhino Health, and the anticipated infrastructural and regulatory constraints, design bases as shown in **Table 4** are selected to formulate the wastewater treatment/recycling alternatives for the Phase I & II operations at Rhino Health, Church Rock, NM.

Table 4. Design Basis of Alternatives for Wastewater Treatment/Recycling [a]

Parameter	Tap Water	Process Wastewater
Projected Flow Rate, gpd [b, c]	709,000	603,000
Anticipated Water Loss in Production, gpd (%) [b]	106,350 (~ 15%)	--
Safety factor	1.33	1.33
Design Flow Rate for System Sizing, gpd [d]	943,000	802,000
Raw-Water TDS, mg/L	801	1,140
Max TDS of Recycled Wastewater, mg/L [e]	--	801
Raw-Water pH	8.3	8.4
Raw-Water BOD_5, mg/L	--	57
Raw-Water TSS, mg/L	--	16
Raw-Water Turbidity (NTU)	--	18.7
Max Sewer Discharge Permitted, gpd [f]	--	140,000

a. For combined Phase I & II operations.
b. Based on data from the Phase I operation & the equipment manufacturer for the Phase II expansion.
c. Used for all OPEX estimations so that cost saving of wastewater recycling can be compared on an equal basis across all the design alternatives.
d. Used for all the CAPEX estimations, except for the alternative without recycling.
e. Threshold for the TDS of the recycled wastewater.
f. Per the utility services contract for Rhino Health, based on limitation of the existing 8" sewer line.

Limitation of the Sewer Discharge Capacity

Based on the utility services contract currently in effect between Rhino Health and City, the allotted wastewater flow rate for sewer discharge is 140,000 gallons per day for the Phase I operation. Due to the capacity constraint of the existing sewer pipe at the planned construction site,

it is anticipated that the maximum wastewater flow for sewer discharge will remain 140,000 gallons per day for the combined Phase I & II operations unless a sewer upgrade is implemented.

Potential Concentration Increases of Raw Wastewater

Nitrile glove manufacturing is a 24/7 operation and consequently, the wastewater characteristic does not fluctuate like that of municipal wastewater over a 24-hour cycle. However, the wastewater concentrations in terms of BOD_5, TSS, and TDS for the Phase II operation can potentially be higher than those reported in Table 4 obtained from the current Phase I operation. The double-former lines planned for the Phase II expansion have a design capacity (pieces of gloves/hour, per line) substantially higher than that of the single-former lines in the current Phase I operation. Even with the much larger tank sizes for the processing fluids as well as the increased tap-water usage rate for the Phase II operation, the higher glove production rate may lead to higher concentrations of BOD_5, TSS, and TDS in the wastewater. The level of increase is difficult to project because it highly depends on the stead-state operation of the manufacturing processes for the Phase II expansion. Consequently, the designs of the wastewater treatment/recycling alternatives proposed in this PER are only valid within the concentration limits of the raw wastewater specified in the section "Limitations on the Proposed Design Alternatives" below.

Wastewater Treatment/Recycling Alternatives

Based on the available information from the existing Phase I operation, the planned Phase II operation, and relevant constraints, four alternatives listed below for wastewater treatment and recycling are formulated. For each alternative, design information for process descriptions, costs, energy consumption, and system footprint is presented in this PER

Design Alternatives

- No wastewater recycling,
- 80% wastewater recycling,
- 90% wastewater recycling, and
- Zero liquid discharge (100% recycling).

Design Information Provided for Each Alternative

- Process descriptions,
- Process flow diagram (PFD),
- Projected ionic concentrations and flow rates of the process streams,
- CAPEX,
- OPEX,
- Energy consumption,
- Total system footprint and dimensions, and
- Lead time for detailed design, construction, delivery, and startup.

<u>No Wastewater Recycling</u>

For this design alternative, 709,000 gallons of tap water will be consumed daily with 603,000 gallons of process wastewater generated for the combined Phase I & II operations. No wastewater treatment/recycling will be implemented at the site. To proceed with this option, the current sewer line will have to be upgraded in size from 8" to 15" due to the capacity constraint at the planned construction site. Based on a 2010 report prepared by DePauli Engineering & Surveying, LLC for

the City on the Wastewater Collection/Recycling Model Project, CAPEX to upgrade the sewer collection system at the Phase II site was estimated to be about $6.42M (in 2010 dollars). This CAPEX excludes the cost of lift station upgrade, which had since been completed. Taking inflation into consideration, the CAPEX would be about $7.68M in 2021. With the projected tap-water demand of 709,000 gpd, the cost for purchasing tap water and discharging wastewater is estimated to be about $2.73M annually at a rate of $0.0786 per ft^3.

80% Wastewater Recycling

For this design alternative, the dilute wastewater generated from glove manufacturing is processed through the proposed treatment train with the objective to recycle about 80+% of the wastewater. **Figure 1** shows the process flow diagram (PFD) of the proposed treatment train. Coagulation followed by flocculation and microfiltration (MF) is used as pretreatment at the beginning of the treatment train to reduce turbidity of the raw wastewater. Thereafter, the wastewater is treated with granular activated carbon (GAC) to lower the dissolved organic loading into the subsequent nanofiltration (NF) process for fouling control. The NF process is designed to achieve about 80-85% water recovery with a projected TDS of 40 mg/L in the permeate stream. This level of water recovery is required in order to meet the sewer discharge limit of 140,000 gpd mandated by the City. Although NF possesses a reduced recovery rate than brackish reverse osmosis (BWRO), the process offers a higher tolerance for membrane foulants to ease the operation and maintenance. The NF permeate (i.e., recycled wastewater) is then returned to the feed reservoir and mixed with supplemental tap water (at 209,000 gpd) that is used to make up the water loss in glove manufacturing and wastewater treatment. The combined feed water for the glove manufacturing will have a TDS of about 270 mg/L. The NF concentrate, on the other hand, is directed to an aerobic bioreactor followed by a settling basin for the removal of BOD_5, TSS, and other pollutants of concern before being discharged into the sewer. It is estimated that between 104,000 and 138,000 gallons of wastewater may be discharged into the sewer per day for this design alternative.

The concentrate wastewater generated from periodic clean-out of the process-fluid tanks is first pumped to an integrated mixing/settling tank for coagulation and subsequent solids removal. The volume of 40,000 gallons for the integrated tank is sized based on the total tank volume per line for the Phase II operation (about 33,400 gallons) as shown in Table 1. The coagulated and clarified wastewater is then stored in a holding tank before being further treated via a biological process. Since the line clean-out occurs on average at a frequency of one line per month (in a rotating mode), the clarified wastewater from the holding tank can be slowly fed into the aerobic bioreactor for treatment over a period of 2-4 weeks so that slug input to the POTW can be prevented. The sludge from the integrated mixing/settling tank and the bioreactor is dewatered using a plate-and-frame filter press before being disposed of at the local landfill.

CAPEX for the proposed wastewater treatment/recycling system is estimated to be about $2.5M (based on the flow capacity with the safety factor) whereas the OPEX is about 0.73M per year. For the estimation of the OPEX, projected wastewater flow of 603,000 gpd (without the safety factor) is used for the calculations so that the cost saving of wastewater recycling can be compared on an equal basis across all the design alternatives. With ~83% of the process wastewater recycled, the annual expenditure for water consumption and wastewater discharge is reduced from $2.72M to about $0.8M. Factoring in the OPEX of the wastewater recycling system, the annual saving is about $1.2M for this design alternative.

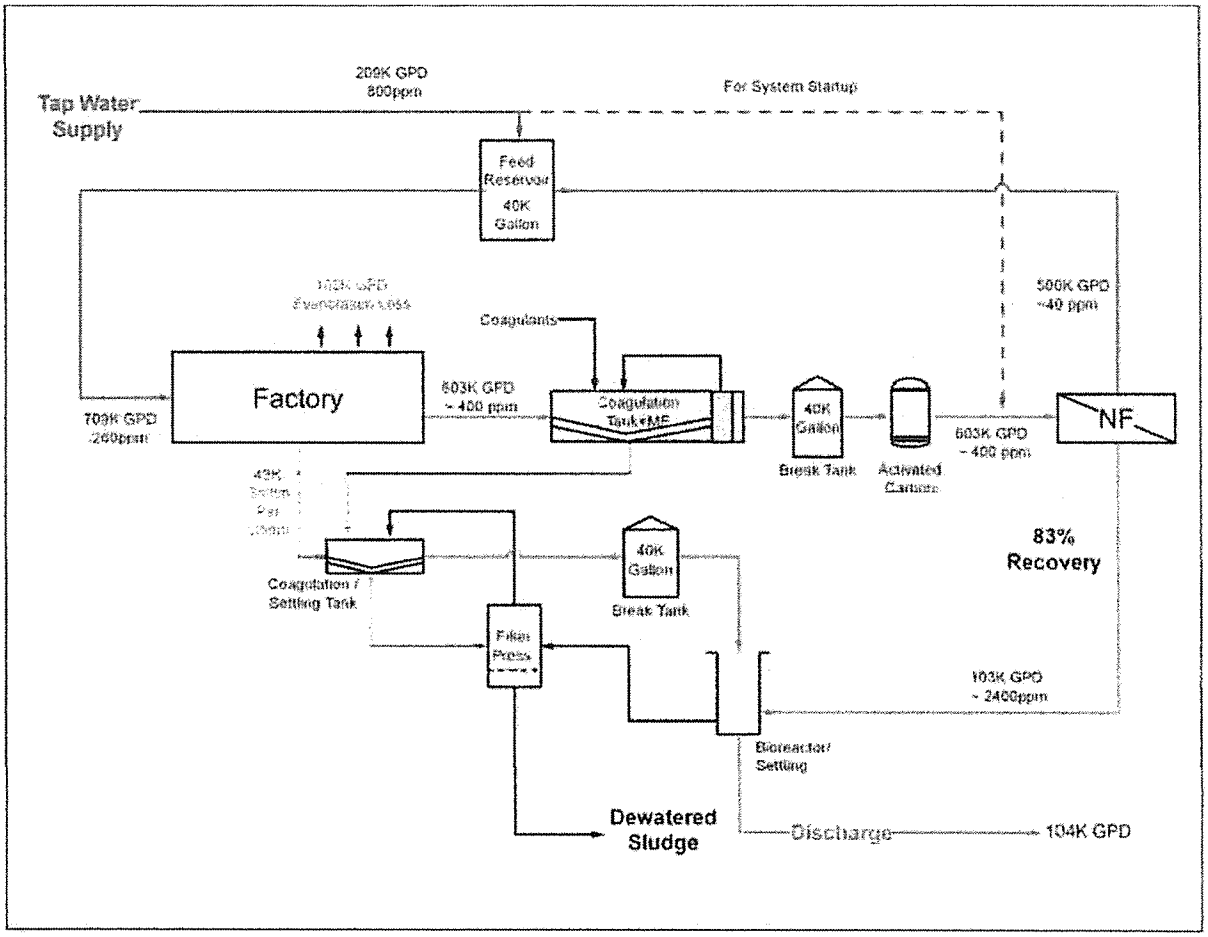

Figure 1. PFD for the Design Alternative with 80+% Wastewater Recycling

90% Wastewater Recycling

The treatment train for this design alternative is very similar to that proposed for the alternative with 80% wastewater recycling. **Figure 2** shows the process flow diagram (PFD) of the proposed treatment train. A two-stage BWRO process, instead of a NF process, is employed to achieve 90% recovery needed for this alternative. The retentate from the 1st stage BWRO is further concentrated using the 2nd stage BWRO to provide additional recovery. The permeate streams from both BWRO units are combined and mixed with supplemental tap water (at 171,000 gpd) in the feed reservoir. The RO concentrate is directed to an aerobic bioreactor followed by a settling basin for the removal of BOD_5, TSS, and other pollutants of concern before being discharged into the sewer. It is estimated that between 61,000 to 81,000 gallons of wastewater may be discharged into the sewer per day for this design alternative.

CAPEX for the proposed wastewater treatment/recycling system is estimated to be about $2.6M (based on the flow capacity with the safety factor) whereas the OPEX is about 0.74M per year. With 90% of the process wastewater recycled, the annual expenditure for water consumption and wastewater discharge is reduced from $2.72M to about $0.66M. Factoring in the OPEX of the wastewater recycling system, the annual saving is about $1.33M for this design alternative.

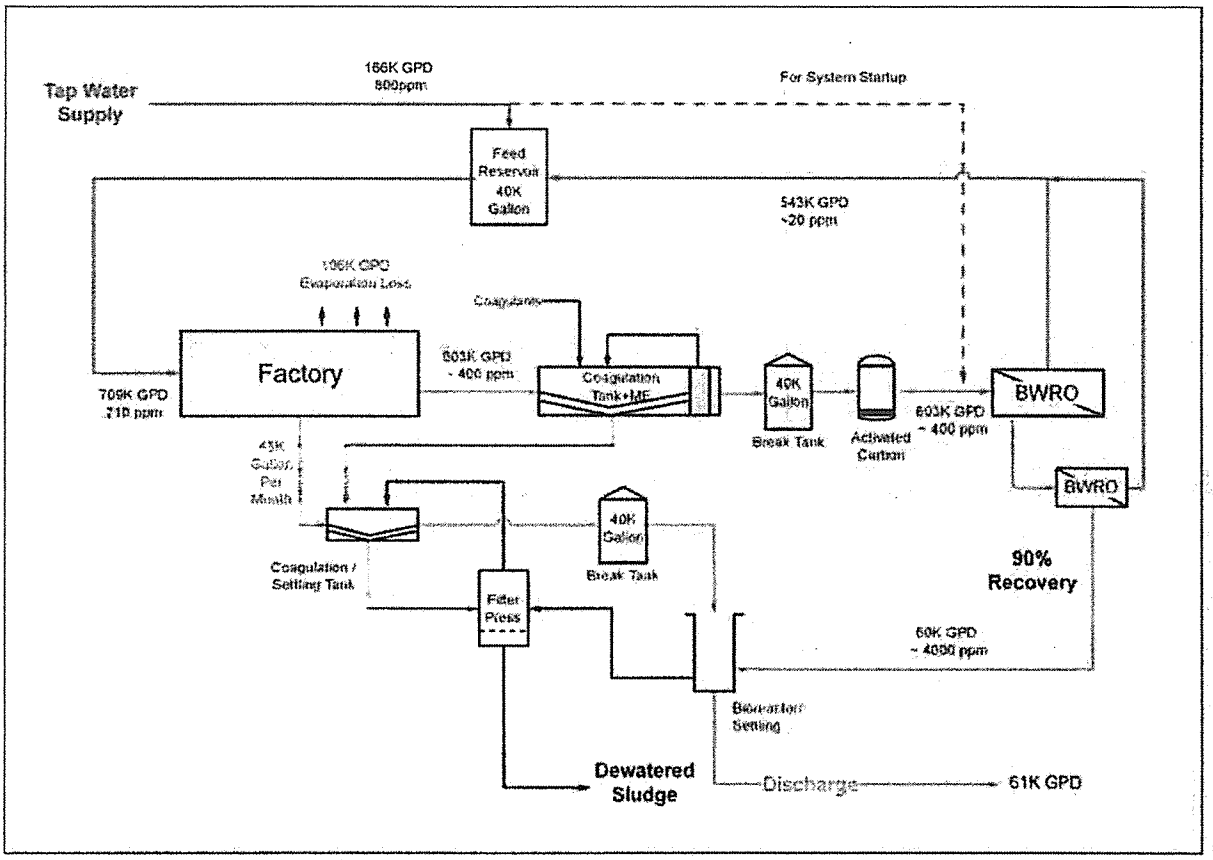

Figure 2. PFD for the Design Alternative with 90% Wastewater Recycling

Zero Liquid Discharge (ZLD)

ZLD institutes 100% recycling of the process wastewater with no discharge to the sewer system. **Figure 3** shows the process flow diagram (PFD) of the proposed treatment train. In this design alternative, the clarified bioreactor effluent, originally destined for sewer discharge, is treated first with a reverse osmosis (RO) process. The RO retentate at a TDS of about 40,000 mg/L is then further concentrated to a brine with a TDS of 104,000 mg/L using a facilitated reverse osmosis (FRO) process. The purpose is to significantly reduce the feed flow rate of the concentrated brine to the mechanical vapor decompression (MVR) unit so that its size (hence the CAPEX and OPEX) can be decreased. The salt mixture generated from the MVR is disposed of at landfill. The permeate from the RO/FRO processes as well as the condensate from the MVR unit is returned to the feed reservoir for gloving manufacturing.

CAPEX for the proposed wastewater treatment/recycling system is estimated to be about $3.4M (based on the flow capacity with the safety factor) whereas the OPEX is about 0.86M per year. Although 100% of the process wastewater is recycled, tap water at a rate of 108,000 gpd is still needed to make up the evaporation loss during glove manufacturing. The annual expenditure for water consumption is reduced from $2.72M to about $0.42M. Factoring in the OPEX of the wastewater recycling system, the annual saving is about $1.45M for this design alternative.

Orizhen Group, LLC Used for the Rhino Health project at Church Rock, NM only

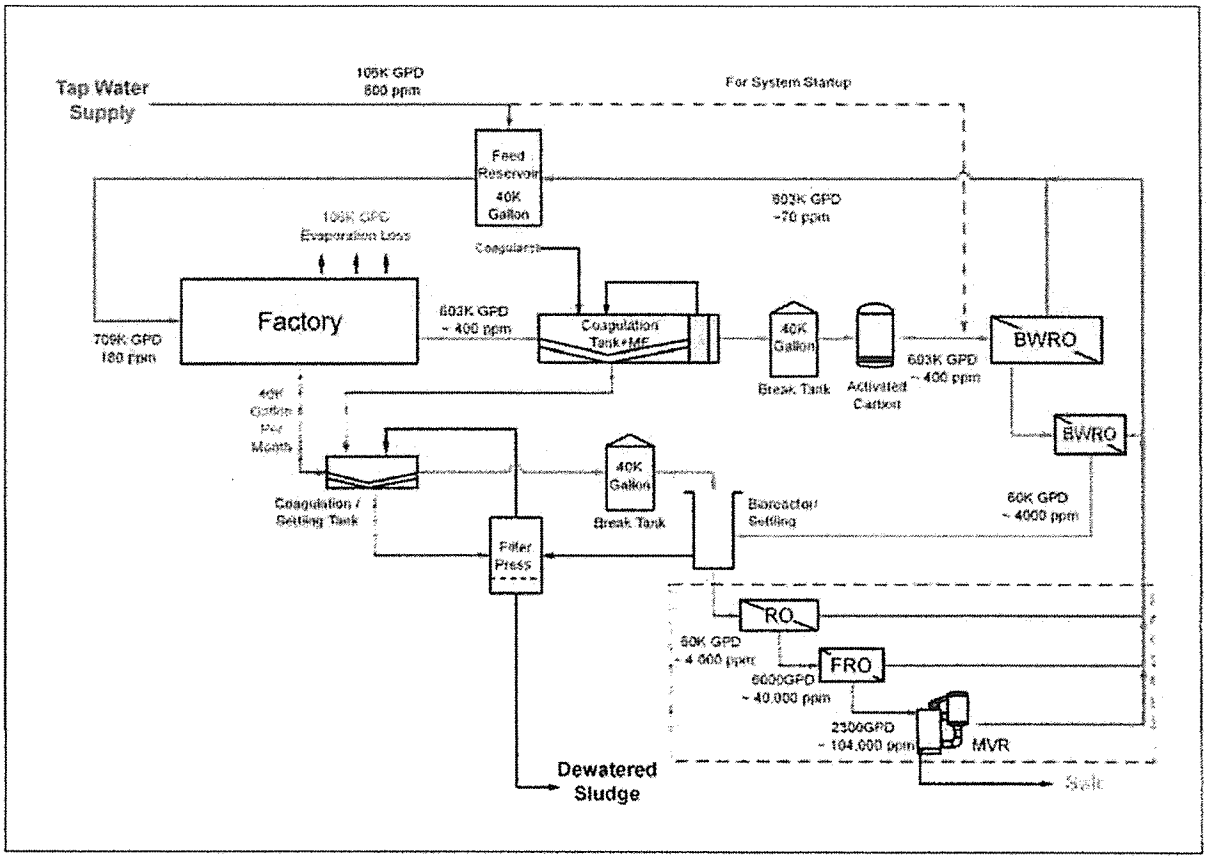

Figure 3. PFD for the Design Alternative with 100% Wastewater Recycling (ZLD)

Comparison of the Design Alternatives

A comparison of the design alternatives is conducted to determine the optimal option for cost-benefit. **Table 5** depicts the costs, energy consumption, annual saving, and annual return on investment (ROI) for all the design alternatives. The annual cost saving of each alternative is the difference between the annual water utility cost without recycling and the aggregate expenditure of the reduced water consumption for an alternative with recycling along with the associated OPEX for treatment. The annual ROI provides a metric to gauge the cost-benefit of an alternative and is the ratio of the annual cost saving to the associated CAPEX. A higher ROI value is indicative of a better investment.

Table 5. A Cost-Benefit Comparison of the Design Alternatives for Rhino Health

Parameter		Design Alternatives			
		No Recycling	80% Recycling	90% Recycling	Zero Liquid Discharge
CAPEX ($) [a, b]		7.68M	2.49M	2.62M	3.38M
Annual OPEX ($/yr) [c, d]		--	0.73M	0.74M	0.86M
Energy Consumption (kWh/d)		--	4,322	4,700	7,336
Makeup Water (gpd)	Treatment Loss	--	101,453	63,408	0
	Evaporation Loss	--	107,794	107,794	107,794
Water Utility Cost ($/yr) [e]		2.73M	0.80M	0.66M	0.42M
Annual Cost Saving ($/yr)		--	1.19M	1.33M	1.45M
Annual ROI (%)		--	48	51	43

a. Based on the wastewater treatment/recycling system sized with a safe factor of 1.33.
b. Not include the cost for site preparation and building.
c. Based on the projected flow rates without safety factor.
d. Electricity rate at $0.07/kWh per the utility services contract for Rhino Health.
e. Water utility rate at $0.0786/ft^3 for water & wastewater per the utility services contract for Rhino Health.

To select the design alternative based on cost-benefit, the wastewater treatment system with 90% recycling will be recommended for the best ROI value. However, for ease of operation and maintenance, the treatment system with 80+% wastewater recycling would be the recommended option. This design alternative can also be upgraded in the future by adding a BWRO unit downstream of the NF unit to provide additional recovery.

The design alternatives with 80+% and 90% wastewater recycling have a similar footprint of about 11,000 ft^2 with dimensions roughly of 150 feet in length and 75 feet wide. The lead time for these alternatives is about 6 months for detailed design, system construction, delivery, installation, and startup after contract execution.

Limitations on the Proposed Design Alternatives

Effectiveness of the proposed design alternatives can potentially be impacted by the following factors:

1. Wastewater Flow
   The wastewater treatment/recycling system is sized based on the wastewater flow recorded from the current Phase I operation and the recommendation from the manufacturer of glove production equipment. A safety factor of 1.33 is applied in system sizing to account for variability in flow. However, the production lines (double former) for the Phase II expansion is quite different from those (single former) for the Phase I operation. Consequently, the actual wastewater flow for the Phase II expansion can potentially be much higher than the projected flow rate, leading to deterioration of effectiveness for the treatment system.

2. Pollutant Concentrations in Process Wastewater
   The pollutant concentrations, such as BOD_5, TSS, and TDS, from the Phase II expansion can potentially be much higher than those measured in the process wastewater from the current Phase I operation due to the difference in glove manufacturing equipment. Pollutant concentrations exceeding 1.5 times of the recorded Phase I concentrations may start to negatively impact the effectiveness of the treatment system.

3. Regulatory Pretreatment Requirements
   Despite significant collaboration with the City, industrial pretreatment requirements for Rhino Health is still under development. The design alternatives proposed in this PER are formulated without taking into consideration of any regulatory pretreatment requirements, except for the maximum sewer discharge of 140,000 gpd permitted by the City for the combined Phase I & II operations.

Orizhen Group, LLC Used for the Rhino Health project at Church Rock, NM only

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO: Department of Justice
The Navajo Nation

FROM: JT Willie, Division Director
Division of Economic Development
The Navajo Nation

DATE: October 28, 2021

SUBJECT: RESUBMISSION HK0032-2 WATER PROJECT

This memorandum serves as an official resubmission on behalf of the Navajo Nation Division of Economic Development's Packet 2 for HK0032-2 which include the following projects:

1. Upgrade to Twin Lakes Well
2. Gallup Water Line to Connection to Church Rock Industrial Park
3. NahataDziil Water Line

Each project follows under category 5.11 (Drinking Water: Transmission & Distribution) as it allows potable-safe drinking water to the surrounding areas. In addition to being in compliance with the Environmental Protection Agency (EPA) for any future development and/or expansions to current business site leases.

We appreciate your support of these projects to be considered for the Navajo Nation American Rescue Plan Act (ARPA) Fiscal Recovery Funds (FRF).

Navajo Nationn Division of Economic Development American Rescue Plan Act (ARPA) - Three Year Plan for Economic Development
Water Projects

	Personnel/Department for Project Information	Agency	Description	Year 1	Year 2	Year 3	Total	*EC
1	Anthony Perry, Sharlene Begay-Platero	EA	Upgrade of Twin Lakes Well	$500,000.00	-	-	$500,000.00	5.11
1	Anthony Perry, Sharlene Begay-Platero	FD	NahataDziil Water Line	$900,000.00	-	-	$900,000.00	5.11
2	Anthony Perry-Project Development	EA	Gallup Water Line to Connection to Church Rock Industrial Park	$8,000,000.00		-	$8,000,000.00	5.11
						Total:	**$9,400,000.00**	

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
tabbies
G-6

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0109

Date & Time Received: 10/29/2021 at 00:26

Date & Time of Response: 4 November, 2021; 11:39 am

Entity Requesting FRF: Project Development Department, DED

Title of Project: Water Line Connection

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: $8,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.11 Drinking Water: Transmission and Distribution

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

_____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Project Development Department/DED *indicate Department, Program, Office, Division, or Branch* Date prepared: 10/20/2021

NN Government Unit's mailing address: P. O. Box 663 Window Rock, AZ 86515 phone/email: 505-905-6414 website (if any):

Form prepared by: Sharlene Begay-Platero & Tony Perry phone/email: 505-905-6414

IDS and Dept. Director, Project Development Dep *CONTACT PERSON'S name, title and Department, Program, Office, etc.* srbp@navajoadvantage.c *CONTACT PERSON'S info*

Title & type of Project: Water Line Connection

NN Government Unit's Director or Manager: Anthony Perry, Director phone & email: 928-871-6290 aperry@navajo-

Division Director (if any): JT Willie, Div. Director phone & email: 928-871-6544 jtwillie@navajo-

Branch Chief: Jonathan Nez, President, Navajo Nat phone & email: 982-871-7000 jonathannez@na

Funding Recipient will be working with: the Division of Economic Development/Project Develon the Project and *indicate Branch and/or Division* the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $8,000,000. FRF funding period: January 2022 to December 2024 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This infrastructure project will be construction project to connect from the Gallup Navajo Water Project (GNWP) line 27.7B to the Church Rock Industrial Park which will provide potable water to Navajo residents and to the expansion of the Glove Factory, Phase 2 project. The GNWP 27.7B line will provide potable water to residents of Church Rock, Iyanbito and Pinedale communities. This "shovel worthy" project will bring water to Navajo residents but also the water to the new factory will be recycle 80% of the water consumption. The Preliminary Engineering Report of the recycling is attached.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The Water Connection will provide potable water to Navajo residents through the current water distribution system and will also serve as the water resource for the glove manufacturing processes. The upgrade pump will help to move the water to the end users who are obtain their water from the Twin Lakes Well.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

See Appendix A - Attachment 1

☑ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Sharlene Begay-Platero with Project Development Department

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

O & M will be on NTUA since it will be an upgrade to an existing pump of their water well. Funding of O & M is up to NTUA Mgt.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

The category under the Treasury will be 5.11 (Drinking water: Transmission & Distribution)

☑ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Return on Investment Report on Phase 2 of the Glove Factory
Preliminary Engineering Report on recycling of water consumption for the Phase 2 Project

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON — signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____ Print Name, Title, Branch or Division: _____
signature of Branch Chief or Division Director — print name and indicate title or position

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Water Line to Connection to Church Rock IP Division/Branch: *Div of Econ. Development*

Prepared By: Sharlene Begay-Platero Phone No.: 505-905-6414 Email Address: srbp@navajoadvantage.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	7/13/05	8,000,000.00	100%
	TOTAL:	$8,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			8,000,000	
TOTAL		$0.00	8,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Anthony Perry
Program Manager's Printed Name

10-27-21
Program Manager's Signature and Date

APPROVED BY: J Tellis
Division Director / Branch Chief's Printed Name

10-27-2021
Division Director / Branch Chief's Signature and Date

Appendix A – Attachment 1 Water Line Connection to CRIP

1. Obtain a Capital Outlay Account or C number from NN OMB; 2. Advertise the Project to #1 and/or #2 Navajo Companies on the NN Source List via email/place Ad in Navajo Times; 3. Development the RFP, get insurance requirements from NN Risk Mgt.; 4 Review Proposals Submitted and Evaluation, negotiate the terms and conditions; 5. Award the Contract, obtain Procurement Clearances (5); 6. Package the Contract through the 164 Review Process; 7. Get President's signature on the Contracts (4); 8: Take Executed Contracts to Contract Administration to get a Contract #; and 9. Sent out Notice to Proceed to Contract to begin the work. Total time is about 4 -6 weeks. Challenges: DOJ on what type of Contract to Use, Wait 2 weeks for President's signature and Wait another 2 weeks for Contract Number from Contract Administration to issue Contract Number. Issue a Notice to Proceed to start project. Completion will be December 2024.

Appendix A (f) **Waterline Connection**

The category under the U.S. Department of Treasury will be 5.11 (Drinking water: Transmission & Distribution) as the Waterline Connection to Church Rock, New Mexico will allow safe potable drinking water that will be used within the surrounding community.

Allowing, Eastern agency of Church Rock, New Mexico to expand in infrastructure, community growth and community economic growth by allowing expansion to current business site leases and/or other developments in the future.

While being in compliance with the Environmental Protection Agency (EPA) that ensures that safe potable water will be available for those within this Eastern agency for any current and/or future developments.

NAVAJO NATION
DEPARTMENT OF WATER RESOURCES
FORT DEFIANCE, ARIZONA

PRELIMINARY ENGINEERING REPORT

FOR
RHINO HEALTH GLOVE FACTORY
CHURCH ROCK INDUSTRIAL PARK EXPANSION
WATER DEMANDS

CITY OF GALLUP
WATER SYSTEM IMPROVEMENTS

September 2021

DePauli Engineering & Surveying, LLC.
307 S. 4th St.
Gallup, New Mexico 87301

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II.	Project Planning and Development	1
III.	Planned NGWSP Gallup Regional Water System	2
IV.	Analyzed Alternatives	3
V.	Analysis without Fire Flows	3
VI.	Fire Flow Analysis	5
VII.	Selected Alternative	6
Appendix A	Proposed Looped System Improvements System Map	
Appendix B	Project Cost Estimates	

I. Introduction

DePauli Engineering and Surveying, LLC (DES) analyzed the feasibility of the City of Gallup Water System meeting the water demands for the proposed expansion of the existing Rhino Health Glove Factory. The glove factory is located at 309A East U.S. Highway 66 in Church Rock, New Mexico. When expansion is complete the factory will have a constant potable water demand of 145-gallon per minute (gpm) combined with the occasional filling of 250,000-gallon storage tank in 8 hours. Additionally, the City of Gallup Water System improvements were evaluated to provide a fire flow service of 2,000-gpm for 2-hours within the Navajo Nation's Churchrock Industrial Park located along NM 118.

Development of the proposed system improvements considered the City of Gallup's existing water infrastructure, condition and age of the existing infrastructure, future Navajo Gallup Water Supply Project Reach 27.7B, and the City of Gallup's contractual requirements to the NGWSP Reach 14 turnouts and improvement costs.

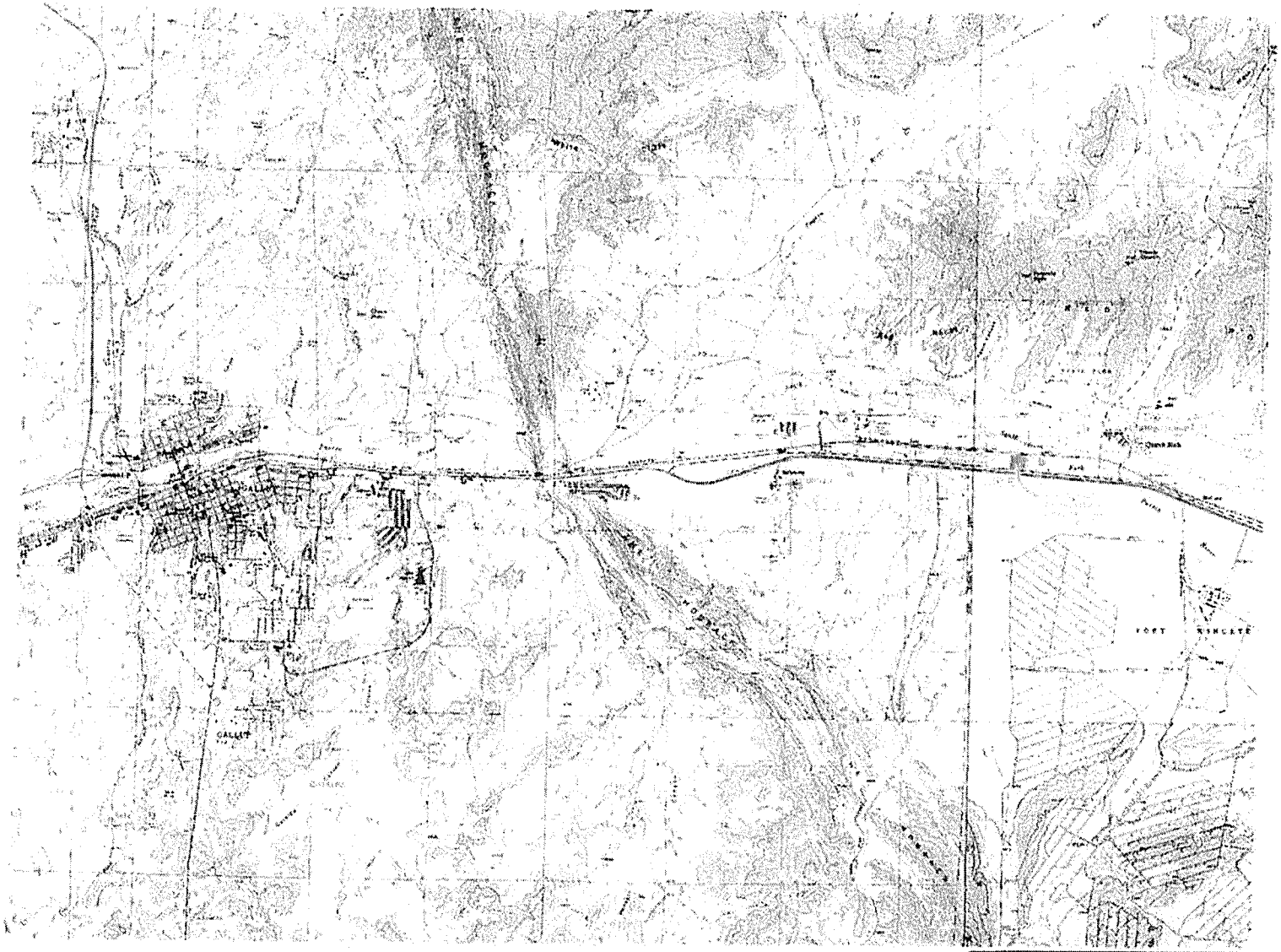
DES utilized WaterCAD® water system modelling software to simulate the entirety of the City of Gallup's water system including completion of the future NGWSP Reach 27.7B project. The water model used the estimated NGWSP demands for the year 2040. WaterCAD® provided a means to quickly determine the required water system improvements needed for the expanded glove factory operation.

Six improvement scenarios were analyzed based on the City of Gallup water system's configuration and performance in the Church Rock Vicinity. The baseline scenario includes NGWSP Reach 27.7B with 16" waterline and the existing 8" connector line as the baseline. Scenario variables include increasing the size of NGWSP Reach 27.7B waterline, increasing the connector waterline size and adding a second 8-inch connector waterline for a looped system.

Based on the modeling results from WaterCAD®, DES recommends that the NGWSP Reach 27.7B pipeline diameter be increased from 16-inches to 18-inches and that a second 8-inch waterline be constructed to create a looped water system within the service area. The second 8-inch connector waterline provides fire protection to the Navajo Nation's Churchrock Industrial Park and service redundancy to the glove factory if either connector waterline is out of service.

II. Project Planning and Development

Rhino Health is proposing to increase the production capacity of the glove factory in Church Rock, New Mexico. The factory is located within the Navajo Nation's Churchrock Industrial Park (CRIP) located along NM Highway 118. See Figure 1 for a Vicinity Map of area. The CRIP is located outside of the City of Gallup and is located on Navajo Nation Trust Land.



RHINO HEALTH CHURCH ROCK GLOVE FACTORY
VICINITY MAP

FIGURE 1

The Navajo Tribal Utility Authority (NTUA) operates waterlines within their Church Rock water system that deliver water to the CRIP. However, the NTUA water system is not capable of meeting the anticipated glove factory demands without significant capital investment to complete system wide improvements.

Due to the limited capacity of existing Navajo Tribal Utility Authorities water and wastewater facilities in Church Rock, the Navajo Nation Department of Economic Development has entered into an agreement to receive a utility service from the City of Gallup. The agreement provides the CRIP up to 100-gallon per minute of potable water from the City of Gallup. A key component of the agreement also states that water service to the adjacent Red Rock Park shall not be affected.

The expanded glove factory is projected to have constant 145-gallon per minute water usage with an occasional filling of a 250,000-gallon storage tank in 8-hours. The resulting peak demand during plant operation and tank filling procedure is 665-gallon per minute for an 8-hour period. A fire flow of 2,000-gallons per minute for 2 hours within the CRIP was also analyzed to determine fire protection within the vicinity. It should be noted that the expanded Rhino Glove Factory water demand will exceed the currently contacted water supply amount for the entire CRIP.

DES utilized WaterCAD® water system modelling software to predict various water system scenarios to determine the most viable City of Gallup water system improvements to reliably meet the water demands from the glove factory expansion. The City of Gallup provided their skeletonized water system model that was used to develop, plan and design the NGWSP Gallup Regional Water System.

The water system model scenarios include all current and anticipated demand. Water demands include existing demands, full use of contracted demands, the future 2040 City and County water demands, peak demands to the NGWSP Gallup Regional Water System turnouts to NTUA water systems and the Rhino Health expanded Church Rock facility proposed demands. All future projected demands are taken from the NGWSP water demand projections for the year 2040. The Rhino Health Church Rock demands were provided by Bohannon Huston on behalf of the Navajo Nation Department of Water Resources and Rhino Health.

III. Planned NGWSP Gallup Regional Water System

The City of Gallup Water Model is a skeletonized model of the actual water system. However, there has been no skeletonization of the waterlines in the vicinity of the CRIP. The CRIP accesses City of Gallup water from an existing 8-inch asbestos cement waterline located along the north right of way line of U.S. Highway 66 (NM 118). The existing 8-inch asbestos line turns north on the eastern property line of the CRIP and Rhino Health factory and runs a little

over a half mile to Red Rock Park. The 8-inch line from US Highway 66 to Red Rock Park is designated as the connector line in this modeling exercise.

At the southwest corner of Red Rock Park, the connector line ties-in to NGWSP Reach 27.7A. Reach 27.7A is a 16-inch ductile iron waterline that will deliver water to Church Rock and Iyanbito via the NGWSP Gallup Regional Water System Churchrock Turnout. The Churchrock Turnout consists of a meter station and pump station. The meter station is complete, in-place, and being operated by City of Gallup. The pump station is planned for construction in 2022 and will be operated by NTUA.

The 2040 demand at the Chruchrock turnout is 871-gallon per minute with a summer peak flow of 1132-gallon per minute. The pump station will lift Gallup Regional Water System water approximately 55-feet to 65-feet to the downstream NTUA water systems. To ensure the pumps operate efficiently a minimum hydraulic grade of 6784-feet must be maintained within the meter station.

NGWSP Reach 27.7B is planned to be a 16-inch ductile iron waterline that will directly connect to NGWSP Reach 27.7A and the 8-inch connector line. Reach 27.7B is scheduled for construction in 2022 and will be a critical component that delivers water to the eastern boundary of the Gallup Regional System from the source waters located on the north end of the system.

A map of the currently planned NGWSP Gallup Regional Water System is provided in Figure 2. The map also shows the 8-inch US Highway 66 and Connector waterline.

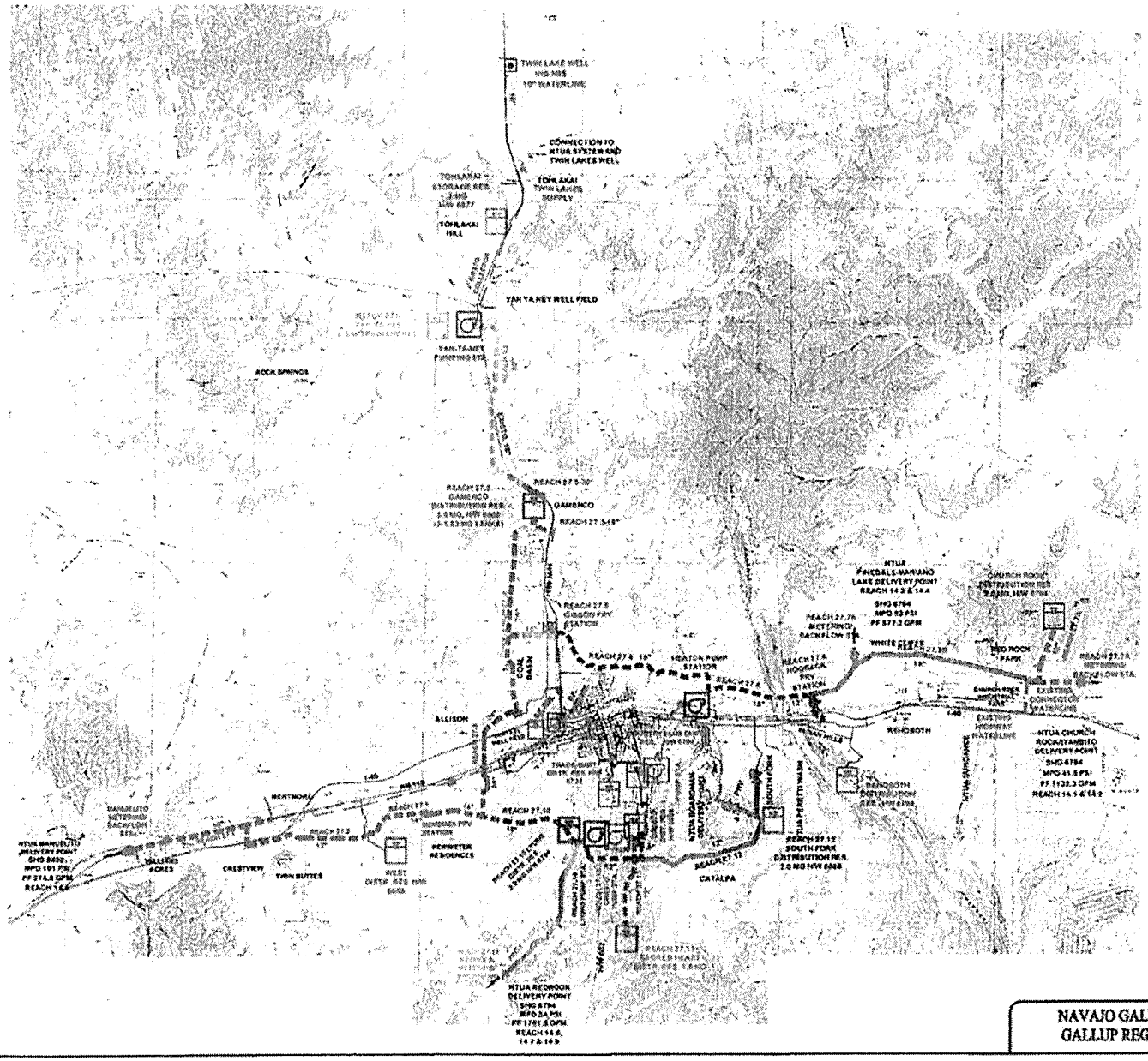
IV. Analyzed Alternatives

i. Analysis without Fire Flows

Six piping alternatives were developed to satisfy the demands of the expanded Rhino Health Church Rock Factory. The six (6) alternatives consist of the NGWSP Reach 27.7B waterline, the Connector Waterline, the Highway waterline, and in two alternatives the inclusion of a proposed Loop Waterline. See Figure 3 for a map of the various alternative components.

All the alternatives were analyzed against the following criteria at peak flow in the summer of 2040:

- Church Rock Turnout Flow of 1132-gallons per minute maintained,
- Church Rock Turnout Minimum Hydraulic Grade of 6784-feet maintained,
- Continuous flow 145-gallons per minute maintained to Church Rock Glove Factory,
- Filling of 250,000-gallon tank in 8 hours (520-gallons per minute) a maximum of twice a month,
- Minimum Pressure of 60-psi maintained at Church Rock Glove Factory Finished Floor,
- The conditions above met with the 8-inch asbestos cement connector line out of service.



SCALE:

1 MILE

LEGEND:

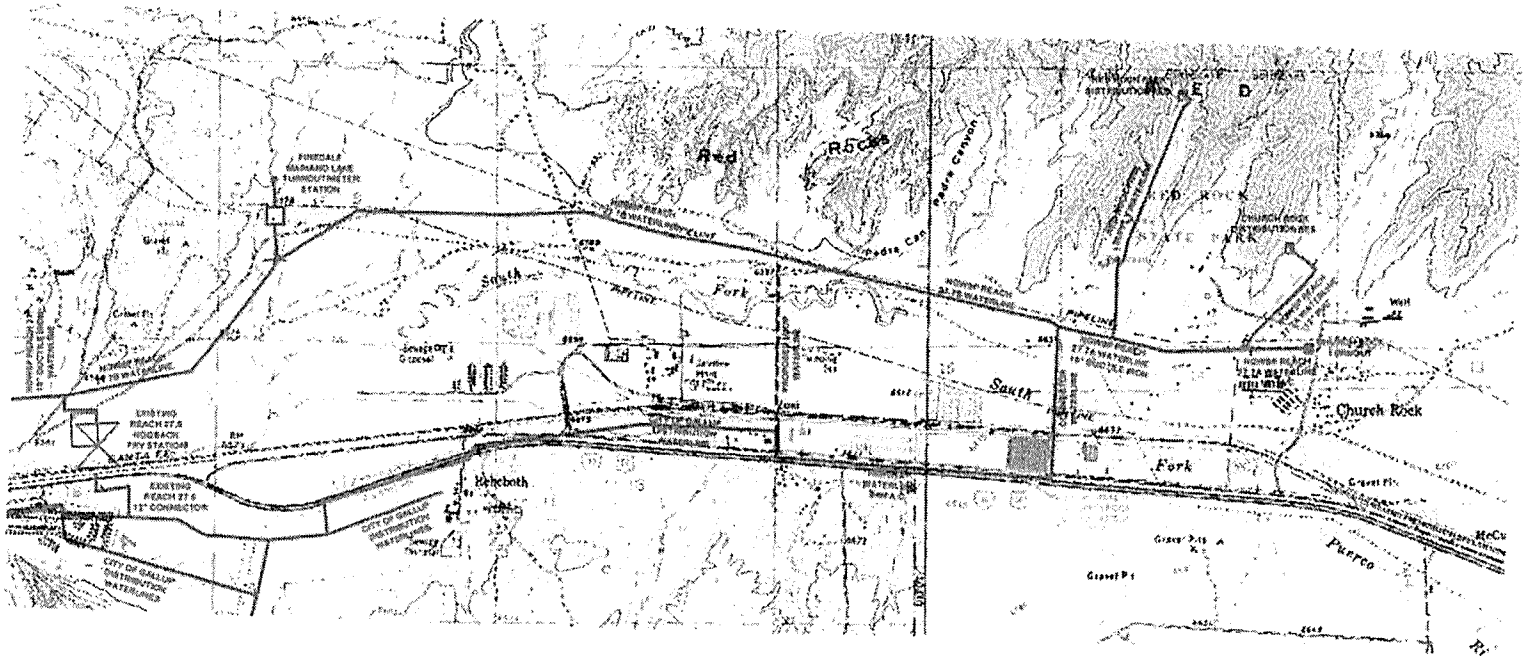
- COMPLETED TRANSMISSION LINE
- UNCONSTRUCTED TRANSMISSION LINE
- EXISTING CITY WATER MAIN
- CITY PROJ. NO. /USBR REACH NO.
- PRV EXISTING PRESSURE REDUCING VALVE
- EXISTING WATER STORAGE RESERVOIR
- EXISTING PUMP STATION
- NEW PRESSURE REDUCING VALVE
- NEW WATER STORAGE RESERVOIR
- NEW PUMP STATION
- SHG 6794 STATIC HYDRAULIC GRADE W/FULL RESERVOIR
- MPD 83 PSI NEW PRESSURE @ PEAK DEMAND (YR. 2040)
- PF 274.3 GPM PEAK DELIVERY FLOW (YR. 2040)

NAVAJO GALLUP WATER SUPPLY PROJECT
GALLUP REGIONAL WATER SUPPLY SYSTEM
ALSO KNOWN AS
GALLUP RURAL NAVAJO WATER SUPPLY PROJECT

NGWSP USBR REACH	DESCRIPTION
27.1	10", 14" AND 24" WATERLINE, WATER LOADING STATION, NTUA CONNECTION FOR MANUELITO CHAPTER
27.2	12" AND 24" WATERLINE FOR DELIVERY OF WATER THROUGH CITY SYSTEM
27.5	GAMERCO TANK (5.5 MG), YAN TA HEY PUMP STATION UPGRADE, 30" & 18" WATERLINES, GIBSON PRV STATION AND 0.5 MG CITY PRIMARY STORAGE
27.6	18" & 12" WATERLINES, HEATON PUMP STATION AND HOGBACK PRV STATION
27.7A	16" WATERLINE TO CHURCHROCK, 12" WATERLINE & 2.0 MG STORAGE TANK AT RED ROCK PARK. CONNECT NTUA SERVICE FOR CHURCHROCK & YANBITO.
27.7B	16" WATERLINE. CONNECT NTUA SERVICE FOR PINEDALE AND MARIANO LAKE
13	30" WATERLINE YAN TA HEY TO GAMERCO TANK
27.9	24" & 16" MAIN WATERLINE FROM GAMERCO TANK
27.10	16", 12", & 6" WATERLINE, 3.0 MG STORAGE TANK AND PUMP STATION
27.11	12" & 14" WATERLINE TO RED ROCK, BREAD SPRINGS & CHICHILTAH
27.12	12", 10" AND 8" WATERLINE, 2.0 MG STORAGE TANK, AND TWO PRV STATIONS
27.13	12" WATERLINE AND 1.5 MG STORAGE

NAVAJO GALLUP WATER SUPPLY PROJECT
GALLUP REGIONAL WATER SYSTEM MAP

FIGURE 2



NAVAJO GALLUP WATER SUPPLY PROJECT
GALLUP REGIONAL WATER SYSTEM MAP

FIGURE 3

The six alternative scenario's physical piping properties are described below:

A. Baseline Configuration - as currently planned as part of the NGWSP
   - Reach 27.7B Waterline – 16-inch ductile iron and PVC waterline
   - Connector Waterline – existing 8-inch asbestos cement waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline not included

B. 18-inch Reach 27.7B Configuration
   - Reach 27.7B Waterline – 18-inch ductile iron and PVC waterline
   - Connector Waterline – existing 8-inch asbestos cement waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline not included

C. Baseline with 10-inch PVC Connector Waterline Configuration
   - Reach 27.7B Waterline – 16-inch ductile iron and PVC waterline
   - Connector Waterline – new 10-inch PVC waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline not included

D. 18-inch Reach 27.7B with 10-inch PVC Connector Waterline Configuration
   - Reach 27.7B Waterline – 18-inch ductile iron and PVC waterline
   - Connector Waterline – new 10-inch PVC waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline not included

E. Looped Baseline Configuration
   - Reach 27.7B Waterline – 16-inch ductile iron and PVC waterline
   - Connector Waterline – existing 8-inch asbestos cement waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline – 8-inch PVC waterline

F. Looped 18-inch Reach 27.7B Configuration
   - Reach 27.7B Waterline – 18-inch ductile iron and PVC waterline
   - Connector Waterline – existing 8-inch asbestos cement waterline
   - Highway Waterline – existing 8-inch asbestos cement waterline
   - Loop Waterline – 8-inch PVC waterline

All six of the analyzed alternatives provide enough hydraulic capacity to meet the first 5 criteria. However, only Alternative "E" and Alternative "F" provide the resiliency to maintain water

service to Church Rock glove factory with an outage on the Connector, Loop, or Highway waterlines.

Model runs for the six scenarios provided the following insights on Gallup Regional Water System performance:

- Increasing the diameter of the NGWSP Reach 27.7B waterline raises the operating pressure in the eastern portion regional water system by 3 to 5 psi during tank filling operations at the factory.
- In "looped" alternatives, increasing the diameters of the connector and/or loop waterlines to 10-inches lowers the hydraulic grade at the Church Rock turnout below the required 6784-feet.
- Increasing the size and or changing the material of the Highway waterline has negligible effect on water system performance. The constraints on the pipeline is the limited hydraulic capacity of the existing distribution network to the west. The 8-inch Loop waterline is the best solution to this capacity issue.

ii. Fire Flow Analysis

Additionally, the six alternatives were analyzed during a fire event within the CRIP. The fire event required 2,000-gallons per minute for 2 hours. To stress the water system as much as possible, the fire event was modeled to coincide with tank filling operations at the glove factory. The alternatives were analyzed against the previous six criteria with the addition of one. The additional fire flow criteria is:

- During fire flow minimum pressure within the CRIP and at the Church Rock Turnout is 20-psi.

Only the "looped" alternatives, Alternative "E" and "F" maintained the minimum pressure of 20-psi during the fire flow event. The 18-inch Reach 27.7B alternative almost allowed for 25-psi. When the modeled fire event does not occur during tank filling operations the "looped" systems maintain a 30-psi minimum pressure.

V. Selected Alternative

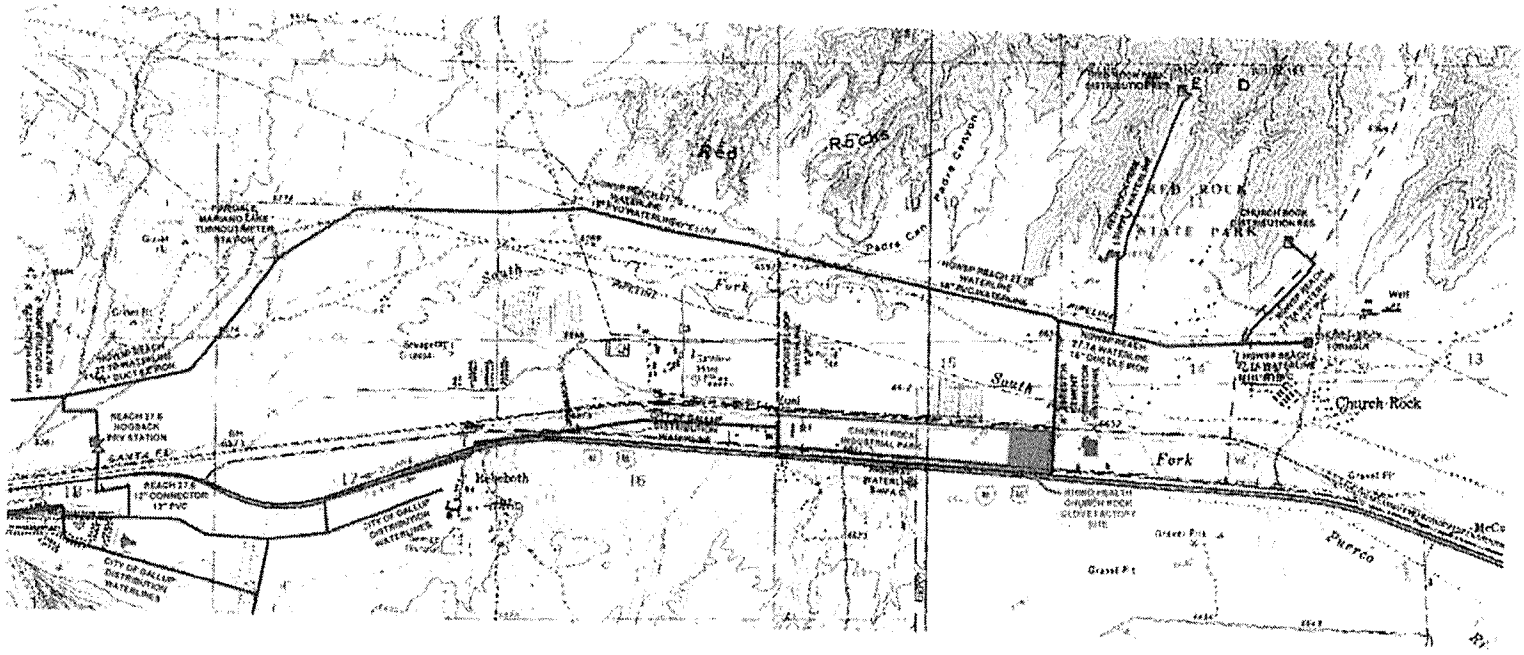
Based on the modeling analysis present above, Alternative "F" is the selected piping alternative to reliably deliver water to the expanded Rhino Health Glove Factory. The selected piping configuration with an 18-inch Reach 27.7B waterline and new 8-inch PVC loop waterline is not only the best option for Rhino Health, it also provides fire protection to CRIP. The selected pipe configuration also completes a "looped" water system that will provide the needed water to Rhino Health and the CRIP during maintenance of the Connector, Loop, or highway waterline. A map of the selected alternative is contained in Appendix A.

The estimated cost to upgrade NGWSP Reach 27.7B pipeline diameter from 16-inches to 18-inches is $665,233.71. The estimated cost to plan, design, permit, and construct the 8" Loop waterline is $1,064,765.69. The total estimated cost for the NGWSP Reach 27.7B upgrade and construction of an 8-inch loop waterline for CRIP water supply Alternative "F" is $1,729,999.40. Detailed cost estimates are contained in Appendix B.

The costs for the planning, design, permitting, and construction management of NGWSP Reach 27.7B are part of the NGWSP and are not included in the cost estimates. The estimates only use construction costs to determine the cost difference between the upgraded and planned projects. The additional construction costs for the NGWSP Reach 27.7B 18" waterline upgrade may also be covered by the Navajo Gallup Water Supply Project. All NGWSP participants must formally accept the upgrade as part of the project for the NGWSP to cover the upgrade costs.

Appendix A

Proposed Looped System Improvements
System Map



SCALE:

NAVAJO GALLUP WATER SUPPLY PROJECT
GALLUP REGIONAL WATER SYSTEM MAP

APPENDIX A

Appendix B

Project Cost Estimates

Summary of Costs for Water Supply to Accommodate Rhino Health Church Rock Industrial Park Expansion

Description		Amount
NGWSP Reach 27.7B 18" Waterline Construction Cost :		$6,042,429.44
NGWSP Reach 27.7B 16" Waterline Construction Cost :	$	5,377,195.73
Construction Cost Difference :	$	665,233.71
NGWSP Reach 27.7B Upgrade Cost Increase :	**$**	**665,233.71**
8" Loop Waterline Total Project Cost :	**$**	**1,064,765.69**
Total Cost Estimate :	**$**	**1,729,999.40**

RHINO HEALTH GLOVE FACTORY CHURCH ROCK INDUSTRIAL PARK EXPANSION
CONSTRUCTION COST ESTIMATE
FOR
ALTERNATIVE "F" - 8" LOOP WATERLINE

LOT 1 - 8" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	For 8" C900 Cl. 235 DR-18 PVC waterline with granular bedding and rock free native backfill complete and in place for the **Unit Price per Linear Foot of:**	2700 LF	$80.00	$216,000.00
2	For 8" C900 Cl. 235 DR-18 PVC waterline with granular bedding and granular backfill complete and in place for the **Unit Price per Linear Foot of:**	450 LF	$85.00	$38,250.00
3	For Kinder-Morgan Gas Crossing with 8" C900 Cl. 235 DR-18 PVC waterline (L=100 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$36,000.00	$36,000.00
4	For Transwestern Gas Crossing with 8" C900 Cl. 235 DR-18 PVC waterline (L=100 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$36,000.00	$36,000.00
5	For Puerco River Crossing with 8" TR-flex Cl. 350 D.I.P. waterline (L=200 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$23,000.00	$23,000.00
6	For BNSF Railroad Crossing with 8" TR-flex Cl. 350 D.I.P. waterline in an 18" Steel Casing (L=150 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$85,000.00	$85,000.00
7	For 8" AWWA C509 vertical resilient wedge gate valves and valve boxes complete and in place for the **Unit Price per Each of:**	5 EA	$3,200.00	$16,000.00
8	For Type 2 air release valve (2" size) assembly on 8" PVC line and manhole complete and in place for the **Unit Price per Each of:**	3 EA	$14,000.00	$42,000.00
9	For Vertical 8" - 11 1/4°or 22 1/2° Ells as conditions require during construction, complete and in place for the **Unit Price per Pound:**	680 LB	$8.00	$5,440.00

LOT 1 - 8" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
10	For Tie-in "A" to NGWSP Reach 27.7B waterline as detailed not including gate valve complete and in place for the **Lump Sum Price of:**	LS	$4,450.00	$4,450.00
11	For Tie-in "B" to existing 8" waterline as detailed not including gate valve complete and in place for the **Unit Price per Each of:**	2 EA	$3,900.00	$7,800.00
12	For grade control gabion basket(s) complete and in place for the **Unit Price per Cubic Yard of:**	700 CY	$250.00	$175,000.00
13	For removal and replacement of gravel surfacing complete and in place for the **Unit Price per Square Yard of:**	50 SY	$100.00	$5,000.00
14	For removal and patch of asphalt surfacing for road crossings (6" asphalt and 6" base) complete and in place for the **Unit Price per Square Yard of:**	30 SY	$200.00	$6,000.00
15	For excavation and disposal of rock, Type "A" or Type "B" complete and in place for the **Unit Price per Cubic Yard of:**	150 CY	$150.00	$22,500.00
16	For implementation, execution, and maintenance of traffic control. Partial payments to be made in accordance with percent of waterline complete and in place for the **Lump Sum Price of:**	LS	$6,000.00	$6,000.00
17	For materials testing by independent lab for soil, concrete base course, etc. This amount to be used for totaling bid. **Actual amount to be based on approved invoice.**	ALLOWANCE	$12,500.00	$12,500.00

Lot 1 Subtotal :	$736,940.00
Tax @ 8.3125% :	$61,258.14
8" Loop Waterline Construction Cost :	$798,198.14
Surveys - Right of Way, Cultural Resources, & Environmental :	$75,000.00
Design and Permitting @ 12% :	$95,783.78
Construction Management @12% :	$95,783.78
8" Loop Waterline Total Project Cost :	$1,064,765.69

RHINO HEALTH GLOVE FACTORY CHURCH ROCK INDUSTRIAL PARK EXPANSION
CONSTRUCTION COST ESTIMATE
FOR
NAVAJO GALLUP WATER SUPPLY PROJECT, REACH 27.7B
WITH UPGRADED 18" WATERLINE

LOT 1 - 18" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	For 18" Cl. 350 D.I.P. waterline with granular bedding and rock free native backfill complete and in place for the **Unit Price per Linear Foot of:**	4800 LF	$150.00	$720,000.00
2	For 18" Cl. 350 D.I.P. waterline with granular bedding and granular backfill complete and in place for the **Unit Price per Linear Foot of:**	1200 LF	$160.00	$192,000.00
3	For 18" Cl. 235 DR-18 PVC waterline with granular bedding and rock free native backfill complete and in place for the **Unit Price per Linear Foot of:**	11600 LF	$160.00	$1,856,000.00
4	For 18" Cl. 235 DR-18 PVC waterline with granular bedding and granular backfill complete and in place for the **Unit Price per Linear Foot of:**	2800 LF	$170.00	$476,000.00
5	For Kinder-Morgan Gas Crossing with 18" Cl. 235 DR-18 waterline (L=100 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$95,000.00	$95,000.00
6	For Pueroo River Crossing with 18" TR-flex Cl. 350 D.I.P. waterline (L=650 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$121,000.00	$121,000.00
7	For Transwestern and Marathon Gas Crossing with 18" Cl. 235 DR-18 waterline (L=450 ft) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$92,000.00	$92,000.00
8	For 18" AWWA C515 vertical resilient wedge gate valves and valve boxes complete and in place for the **Unit Price per Each of:**	5 EA	$10,900.00	$54,500.00
9	For D.I.P. Type 2 air release valve (2" size) assembly on 18" D.I.P. line and manhole complete and in place for the **Unit Price per Each of:**	5 EA	$13,700.00	$68,500.00
10	For PVC Type 2 air release valve (2" size) assembly on 18" PVC line and manhole complete and in place for the	9 EA	$17,200.00	$154,800.00

LOT I - 18" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
11	For flush piping assembly on 18"X12" tee or cross, not including gate valve complete and in place for the Unit **Price per Each of:**	4 EA	$5,700.00	$22,800.00
12	For Vertical 18" - 11 1/4°or 22 1/2° Ells as conditions require during construction, complete and in place for the **Unit Price per Pound:**	1450 LB	$8.00	$11,600.00
13	For Tie-in "A" to existing 16" waterline as detailed not including gate valve complete and in place for the **Lump Sum Price of:**	LS	$6,100.00	$6,100.00
14	For Tie-in "B" to existing 16" waterline as detailed not including gate valve complete and in place for the **Lump Sum Price of:**	LS	$6,100.00	$6,100.00
15	For grade control gabion basket(s) complete and in place for the **Unit Price per Cubic Yard of:**	3000 CY	$250.00	$750,000.00
16	For removal and replacement of gravel surfacing complete and in place for the **Unit Price per Square Yard of:**	200 SY	$100.00	$20,000.00
17	For removal and patch of asphalt surfacing for road crossings (6" asphalt and 6" base) complete and in place for the **Unit Price per Square Yard of:**	80 SY	$200.00	$16,000.00
18	For excavation and disposal of rock, Type "A" or Type "B" complete and in place for the **Unit Price per Cubic Yard of:**	2800 CY	$150.00	$420,000.00
19	For implementation, execution, and maintenance of traffic control. Partial payments to be made in accordance with percent of waterline complete and in place for the **Lump Sum Price of:**	LS	$12,000.00	$12,000.00
20	For materials testing by independent lab for soil, concrete base course, etc. This amount to be used for totaling bid. **Actual amount to be based on approved invoice.**	ALLOWANCE	$32,000.00	$32,000.00
21	For downtime caused by unexpected encounters with historical, archaeological and environmental items for the **Unit Price per Hour of:**	60 HRS	$750.00	$45,000.00
			Lot I Subtotal:	$5,171,400.00

LOT 2 - Meter Station

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	For site clearing, grubbing, earthwork (excavation, embankment, compaction, grading, final dress up, contouring, imported fill), and driveway construction, as detailed complete and in place for the **Lump Sum Price of:**	LS	$25,000.00	$25,000.00
2	For yard piping to a point within 5' of buildings including 10" waterline, 2" drain line, valves, fire hydrant, fittings, drain pad, granular bedding, and native backfill complete and in place for the **Lump Sum Price of:**	LS	$35,000.00	$35,000.00
3	For meter station building including foundation as detailed complete and in place for the **Lump Sum Price of:**	LS	$130,000.00	$130,000.00
4	For meter station piping including meter, valves, major piping, minor piping and drain lines to a point 5' outside of building with appurtenances as detailed complete and in place for the **Lump Sum Price of:**	LS	$35,000.00	$35,000.00
5	For single phase primary electrical extension and transformer work by the City of Gallup (CoG). This amount is an allowance for totaling bid. Actual amount will be based on CoG invoice for the **Lump Sum Price of:**	LS	$30,000.00	$25,000.00
6	For meter station secondary electrical complete (SCADA systems equipment and programming not included) including service enterance, weatherhead, electical meter, disconnect, cabinets, secondary concuit and conductors, lighting, heating, control wiring, communication wiring and apputenances complete and in place for the **Lump Sum Price of:**	LS	$30,000.00	$30,000.00
7	For furnishing equipment and programming by SKM Inc. as required to make new or revised facilities (Meter Station) a functional and compatible part of the City's SCADA system for a predetermined price from the City supplier of:	ALLOWANCE	$40,000.00	$40,000.00

LOT 2 - Meter Station

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
8	For 5" gravel surfacing with non woven geo-fabric for station surfacing complete and in place for the **Unit Price per Square Yard of:**	500 SY	$45.00	$22,500.00
9	For chain link fencing including personnel and vehicle gate as detailed complete and in place for the **Unit Price per Linear Foot of:**	820 LF	$40.00	$32,800.00
10	For materials testing by independent lab for soil, concrete base course, etc. This amount to be used for totaling bid. **Actual amount to be based on approved invoice.**	ALLOWANCE	$32,000.00	$32,000.00

Lot 2 Subtotal :	$407,300.00
Total lots 1 and 2 :	$5,578,700.00
Tax @ 8.3125% :	$463,729.44
18" NGWSP Reach 27.7B Construction Cost :	**$6,042,429.44**

RHINO HEALTH GLOVE FACTORY CHURCH ROCK INDUSTRIAL PARK EXPANSION
CONSTRUCTION COST ESTIMATE
FOR
NAVAJO GALLUP WATER SUPPLY PROJECT, REACH 27.7B
WITH CURRENTLY PLANNED 16" WATERLINE

LOT 1 - 16" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	For 16" Cl. 350 D.I.P. waterline with granular bedding and rock free native backfill complete and in place for the **Unit Price per Linear Foot of:**	4800 LF	$130.00	$624,000.00
2	For 16" Cl. 350 D.I.P. waterline with granular bedding and granular backfill complete and in place for the **Unit Price per Linear Foot of:**	1200 LF	$140.00	$168,000.00
3	For 16" Cl. 235 DR-18 PVC waterline with granular bedding and rock free native backfill complete and in place for the **Unit Price per Linear Foot of:**	11600 LF	$130.00	$1,508,000.00
4	For 16" Cl. 235 DR-18 PVC waterline with granular bedding and granular backfill complete and in place for the **Unit Price per Linear Foot of:**	2800 LF	$140.00	$392,000.00
5	For Kinder-Morgan Gas Crossing with 16" Cl. 235 DR-18 waterline (L=100 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$81,000.00	$81,000.00
6	For Puerco River Crossing with 16" TR-flex Cl. 350 D.I.P. waterline (L=650 ft.) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$108,000.00	$108,000.00
7	For Transwestern and Marathon Gas Crossing with 16" Cl. 235 DR-18 waterline (L=450 ft) with granular bedding and rock free native backfill complete and in place for the **Lump Sum Price of:**	LS	$81,000.00	$81,000.00
8	For 16" AWWA C515 vertical resilient wedge gate valves and valve boxes complete and in place for the **Unit Price per Each of:**	5 EA	$9,000.00	$45,000.00
9	For D.I.P. Type 2 air release valve (2" size) assembly on 16" D.I.P. line and manhole complete and in place for the **Unit Price per Each of:**	5 EA	$13,000.00	$65,000.00
10	For PVC Type 2 air release valve (2" size) assembly on 16" PVC line and manhole complete and in place for the **Unit Price per Each of:**	9 EA	$16,500.00	$148,500.00

LOT 1 - 16" WATERLINE CONSTRUCTION

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
11	For flush piping assembly on 16"X12" tee or cross, not including gate valve complete and in place for the **Unit Price per Each of:**	4 EA	$5,000.00	$20,000.00
12	For Vertical 16" - 11 1/4°or 22 1/2° Ells as conditions require during construction, complete and in place for the **Unit Price per Pound:**	1340 LB	$8.00	$10,720.00
13	For Tie-in "A" to existing 16" waterline as detailed not including gate valve complete and in place for the **Lump Sum Price of:**	LS	$5,500.00	$5,500.00
14	For Tie-in "B" to existing 16" waterline as detailed not including gate valve complete and in place for the **Lump Sum Price of:**	LS	$5,500.00	$5,500.00
15	For grade control gabion basket(s) complete and in place for the **Unit Price per Cubic Yard of:**	3000 CY	$250.00	$750,000.00
16	For removal and replacement of gravel surfacing complete and in place for the **Unit Price per Square Yard of:**	200 SY	$100.00	$20,000.00
17	For removal and patch of asphalt surfacing for road crossings (6" asphalt and 6" base) complete and in place for the **Unit Price per Square Yard of:**	80 SY	$200.00	$16,000.00
18	For excavation and disposal of rock, Type "A" or Type "B" complete and in place for the **Unit Price per Cubic Yard of:**	2800 CY	$150.00	$420,000.00
19	For implementation, execution, and maintenance of traffic control. Partial payments to be made in accordance with percent of waterline complete and in place for the **Lump Sum Price of:**	LS	$12,000.00	$12,000.00
20	For materials testing by independent lab for soil, concrete base course, etc. This amount to be used for totaling bid. **Actual amount to be based on approved invoice.**	ALLOWANCE	$32,000.00	$32,000.00
21	For downtime caused by unexpected encounters with historical, archaeological and environmental items for the **Unit Price per Hour of:**	60 HRS	$750.00	$45,000.00
			Lot 1 Subtotal:	$4,557,220.00

LOT 2 - Meter Station

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	For site clearing, grubbing, earthwork (excavation, embankment, compaction, grading, final dress up, contouring, imported fill), and driveway construction, as detailed complete and in place for the **Lump Sum Price of:**	LS	$25,000.00	$25,000.00
2	For yard piping to a point within 5' of buildings including 10" waterline, 2" drain line, valves, fire hydrant, fittings, drain pad, granular bedding, and native backfill complete and in place for the **Lump Sum Price of:**	LS	$35,000.00	$35,000.00
3	For meter station building including foundation as detailed complete and in place for the **Lump Sum Price of:**	LS	$130,000.00	$130,000.00
4	For meter station piping including meter, valves, major piping, minor piping and drain lines to a point 5' outside of building with appurtenances as detailed complete and in place for the **Lump Sum Price of:**	LS	$35,000.00	$35,000.00
5	For single phase primary electrical extension and transformer work by the City of Gallup (CoG). This amount is an allowance for totaling bid. Actual amount will be based on CoG invoice for the **Lump Sum Price of:**	LS	$30,000.00	$25,000.00
6	For meter station secondary electrical complete (SCADA systems equipment and programming not included) including service enterance, weatherhead, electical meter, disconnect, cabinets, secondary concuit and conductors, lighting, heating, control wiring, communication wiring and apputenances complete and in place for the **Lump Sum Price of:**	LS	$30,000.00	$30,000.00
7	For furnishing equipment and programming by SKM Inc. as required to make new or revised facilities (Meter Station) a functional and compatible part of the City's SCADA system for a predetermined price from the City supplier of:	ALLOWANCE	$40,000.00	$40,000.00

LOT 2 - Meter Station

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
8	For 5" gravel surfacing with non woven geo-fabric for station surfacing complete and in place for the Unit Price per Square Yard of:	500 SY	$45.00	$22,500.00
9	For chain link fencing including personnel and vehicle gate as detailed complete and in place for the Unit Price per Linear Foot of:	820 LF	$40.00	$32,800.00
10	For materials testing by independent lab for soil, concrete base course, etc. This amount to be used for totaling bid. Actual amount to be based on approved invoice.	ALLOWANCE	$32,000.00	$32,000.00

Lot 2 Subtotal:	$407,300.00
Total lots 1 and 2:	$4,964,520.00
Tax @ 8.3125% :	$412,675.73
Planned 16" NGWSP Reach 27.7B Construction Cost :	**$5,377,195.73**

CITY OF GALLUP

Jackie McKinney, Mayor
Linda Garcia, District 1 Councilor
Allan Landavazo, District 2 Councilor
Yogash Kumar, District 3 Councilor
Cecil E. Garcia, District 4 Councilor
Maryann Ustick, City Manager
George W. Kozeliski, City Attorney

August 3, 2017

Mr. W. Mike Halona,
Department Manager III
Navajo Land Department
Post Office Box 2249
Window Rock, Az 86515

Ms. Sharon Pinto,
Regional Director
Bureau of Indian Affairs
Post Office Box 1060
Gallup, NM 87305-1060

Ref: Navajo Gallup Water Supply Reach 27.7B; Application for Right-of-Way
Navajo Tribal Trust land

Dear Ms. Pinto and Mr. Halona:

The City of Gallup hereby petitions the Navajo Nation and files application for Right-of-Way of a 120' Roadway and Public Utility Corridor proposing to cross Navajo Tribal Trust lands. The project alignment is generally located in the Churchrock Chapter area within Section 9, Township 15 North, Range 17 West, N.M.P.M., in the northeastern outskirts of Gallup, McKinley County, New Mexico. The project is further identified on the Right-of-Way Survey, Final Plat included as part of the application package.

The project scope is comprised of an unimproved maintenance road, a water line, 115KV transmission line, 13.8KV distribution line, sewer line, and a communication line to be owned, operated, and maintained by the City of Gallup. The unimproved roadway will be owned by the City of Gallup and may be maintained by McKinley County through a memorandum of agreement. Operation and maintenance of the waterline and associated facilities will be the responsibility of the City of Gallup

In accordance with 25 CFR 169.105 Due Diligence Requirements; the City of Gallup understands the vital importance for construction of the permanent improvements in a timely manner. Reach 27.7B is one of thirteen sub-Reaches forming the NGWSP Reach 27 designed to deliver municipal and industrial water to Gallup and neighboring Navajo communities. Funded by the New Mexico Finance Authority Water Trust Board and the Bureau of Reclamation Cooperative Agreement, Reach 27.7B construction is expected to be completed by December 2023. Surface, ground water and/or a combination of both surface and ground water will be conveyed through the municipal system of the City of Gallup providing an uninterrupted water supply to the communities of Churchrock, Iyanbito, Pinedale, and Mariano Lake.

Project coordinators have worked closely with Churchrock Chapter House staff and Chapter House officials in efforts to thoroughly disseminate project information to the individual land owners (Chapter Official letter enclosed). Application for right of way across Indian Allotment Land has been submitted to the Bureau of Indian Affairs under separate cover.

The following exhibits to the Application for Right-of-Way are included in this package:

Exhibit "A"

- Reach 27.7B vicinity map with project description
- Churchrock Chapter House Resolution
- NEPA: Environmental Analysis Decision Form

– Navajo Nation Historic Preservation Cultural Concurrence
– NN Department of Game & Fish: Biological Compliance Form

Exhibit "B" - Right-of-Way Application Form across TNT land

Exhibit "C" - Letter from George Kozeliski, City of Gallup Attorney with attachments regarding items 4 & 5 listed on the Right-of-Way application form

– Letter from the Department of Interior regarding waiver to bonding requirements for the NGWSP

Exhibit "D" - NEPA Sufficiency Report (separate binder)

Exhibit "E" - Two original mylars and two copies

In closing, please accept this letter as an official request by the City of Gallup for a waiver to any costs associated with submittal and review of the herein right of way application process in accordance with Part III Navajo Gallup Water Supply Project Section 10601.c.(2) – Land of the Project Participants … "project participants shall provide all land … at no cost to the Secretary."

If you have any questions please contact Dennis Romero, Director, City of Gallup Water and Sewer Department at 505.863.1289. Questions specifically regarding the Right-of-Way application package should be directed to the City's Engineer of record for this project, Marc DePauli, DePauli Engineering and Surveying, LLC at 505.863.5440.

Sincerely,

Maryann Ustick, City Manager
City of Gallup

Enclosures: as stated
Copy w/enclosures: Dennis Romero, Director, City of Gallup Water and Sewer Department
Marc DePauli, DePauli Engineering and Surveying

City of Gallup
110 West Aztec Avenue
Gallup, New Mexico 87301

Office of the City Attorney
George W. Kozeliski, Esq.
Phone 505.863.1270
Email attorney@GallupNM.gov

July 6, 2017

Ms. Sharon Pinto Agency Superintendent
United States Department of Interior
Bureau of Indian Affairs
Eastern Navajo Agency
Post Office Box 328
Crownpoint, NM 87313

Re: NGWSP Reach 27.7B
Application for Right-of-Way
Allotment Numbers: 255179, 255180,
257862 & 202506

Dear Ms. Pinto:

This letter is being submitted with the above application in response to the "Required Supporting Documents" portion of the application for right of way. There are certain documents that are requested that simply do not exist because the City of Gallup is a political subdivision of the State of New Mexico. I will attempt below to respond to the required documents' 2 through 8:

- 2) The City Manager under Article III of the Gallup City Charter is the chief administrative officer of the city and has the authority to execute the application
- 3) The City of Gallup under the laws of the State of New Mexico must act in good faith and subject to open meetings laws to assure the same.
- 4) The City of Gallup does not believe there will be damages but is subject to the Tort Claims Act of the State of New Mexico limiting damages for any one incident to $750,000.
- 5) We do not have a certified corporate charter since we are a part of the State of New Mexico. The City was incorporated on April 7, 1891 by the Bernalillo County Commission. The City of Gallup was created before McKinley County existed and also 21 years before New Mexico became a State. I am attaching the Abstract of Title regarding those proceedings which created the City of Gallup.
- 6) We are attaching a copy of the City Charter that was last amended by the voters in April of 1981. We are also attaching a copy of the Resolution of the City Council authorizing the filing of the application.
- 7) The City of Gallup is a political subdivision of the State of New Mexico and therefore is only authorized to do business in the State of New Mexico. There is no document that exists authorizing the doing business, other than document listed in #5 above.

- 8) There are no certified copies of articles of partnership or association since the City of Gallup is neither, and is a political subdivision of the State of New Mexico.

These are all of the supporting documents the City of Gallup can obtain. If you have any questions, please feel free to contact me. Thank you very much.

Very truly yours,

George W. Kozeliski

GWK/prd
Enclosures

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

APPLICATION FOR PERMISSION TO SURVEY FOR RIGHT-OF-WAY

OWNER NAME: **TA NIP PAH:** ALLOTMENT NUMBER: **220227**

ALLOTMENT DESCRIPTION: **The Northwest quarter (NW ¼) of Section 4, Township 14 North, Range 18 West, N.M.P.M.**

Applicant, **CITY OF GALLUP** having a residence or principal place of business at **110 WEST AZTEC AVENUE, GALLUP, NM 87301** hereby files an application with the Bureau of Indian Affairs, pursuant to the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 USC 323), and to the regulations of the Department of the Interior contained in Title 25, *Code of Federal Regulations*, Part 169, for permission to survey a right-of-way.

Purposes and Reasons: **Permission to make surveys for a 120' Roadway and Public Utility Corridor. The corridor shall include a waterline, 13.8 KV distribution line, wastewater line, and a communication line to be owned, operated and maintained by the City of Gallup. The project will also include other semi-public utilities.**

Across the following described Indian Land (Include sketches, describe width, length & location): **the preliminary alignment is generally located in the Tse' Lichii' Chapter and further described as the northwest quarter (NW ¼) of Section 4, Township 14 North, Range 18 West, N.M.P.M.**

The applicant understands and hereby expressly agrees to indemnify the United States, the owners of the land, and occupants of the land, against liability for loss of life, personal injury and property damage occurring because survey activities and caused by the applicant, his employees, contractors and their employees, or subcontractors and their employees.

Applicant [signature] City Manager

Date 10/19/13

Witness [signature] CITY CLERK

Required Supporting Documents:

1. ( ) Signed Consent of the Landowner to Accompany Application for Permission to Make Survey (ROW Form 94-2). (replaced by 104-b)
2. ( ) Evidence of Authority of Officers to execute Papers (ROW Form 94-4). 104b
3. ( ) Evidence of good faith and financial responsibility.
4. ( ) Double estimated damages (deposit - 25 CFR 169.4).
5. ( ) State certified corporate charter or articles of incorporation.
6. ( ) Certified copy of resolution or by-laws of the corporation authorizing the filing of the application.
7. ( ) State certification that the applicant is authorized to conduct business in the State of New Mexico.
8. ( ) Certified copy of the articles of partnership or association.
9. ( ) Other attachments:

Item #5

Abstract of Title

EXHIBIT
tabbies
A

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

RIGHT-OF-WAY APPLICATION

COMES NOW THE APPLICANT City of Gallup of McKinley County, New Mexico this __ day of July, 20 17, who hereby petition(s) the Bureau of Indian Affairs and respectfully files under the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 USC 323-328), and Departmental Regulations 25 CFR 169, an application of a Perpetual (term of years) right-of-way for the following purposes and reasons:

> To acquire right of way to construct, operate and maintain a 120' Roadway and Public Utility Corridor to include a water line, 115KV transmission line, 13.8 KV Distribution line, sewerline and a communication line, for access and utility maintenance purposes.

Across the following described Navajo Tribal Trust Lands (easement description):

STRIP NO. 2

A 120' wide strip of land within the South ½ of Section 9, T15N, R17W, N.M.P.M., McKinley County, New Mexico, the centerline being more particularly described as follows:

Commencing at the point for the West ¼ corner of said Section 9, Thence S0°21'54"W, 60.00' to the point of beginning, said point being 60.0' perpendicular to, parallel with and South of the East-West center of Section Line;

Thence S89°33'30"E perpendicular to, parallel with and South of said East-West center of section line, 1664.37' to a point;

Thence S76°38'21"E, 3710.48' to the point of ending of 120' wide strip No. 2;

Containing 14.8067 acres, more or less, and the side lines extend or shorten as to terminate at the boundary lines.

Said right-of-way across Navajo Tribal Trust Lands to be approximately 5374.85' in length, 120' in width, and 14.8067 acres, in size (or area),as shown on attached map of definite location, attached hereto, and made a part hereof.

SAID APPLICANT UNDERSTANDS AND EXPRESSLY AGREES TO THE FOLLOWING STIPULATIONS:

1. To construct and maintain the right-of-way in a workmanlike manner.

2. To pay all damages and compensation, in addition to the deposit made pursuant to 169.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land due to the survey, granting, construction and maintenance of the right-of-way.

3. To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.

4. To restore the lands as nearly as may be possible to their original condition upon the completion of construction, to the extent compatible with the purpose for which the right-of-way was granted.

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, and 0 opposed, on this 15th day of August 2018.

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

Motion: Honorable Davis Filfred
Second: Honorable Leonard Pete

Chairperson Alton Joe Shepherd not voting.

C. The General Land Development Department, Field Investigation for City of Gallup Reach 27.7B ROW Consent dated January 31, 2018, attached as **Exhibit C**, has determined that land users have been identified and given consent.

D. The environmental and archaeological studies have been completed and are attached hereto as **Exhibit D**.

E. The Churchrock Chapter through Resolution CRC-110620-B attached as **Exhibit E**, supports the design, construction and implementation of the Navajo-Gallup Water Supply Project.

F. The application for the Rights-of-Way as submitted by the City of Gallup has completed the Executive Official Review and has been reviewed by various Navajo Nation Departments, including but not limited to, Fish and Wildlife, Historic Preservation, Minerals, Navajo Nation Environmental Protection, Division of Natural Resources and the Department of Justice and "Approved" or found "Sufficient". *See* **Exhibit F**.

SECTION THREE. APPROVAL

A. The Resources and Development Committee of the Navajo Nation Council hereby grants approval of a Rights-of-Way to the City of Gallup to construct, operate and maintain Reach 27.7B of the Navajo Gallup Water Supply Project located on Navajo Nation Trust Lands in the Churchrock Chapter vicinity, McKinley County, New Mexico. The location is more particularly described on the map attached hereto as **Exhibits A and B**.

B. The Resources and Development Committee of the Navajo Nation Council hereby approves the Rights-of-Way subject to, but not limited to, the terms and conditions incorporated herein as **Exhibit G**.

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

RDCAU-65-18

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

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A RIGHTS-OF-WAY TO THE CITY OF GALLUP OF MCKINLEY COUNTY, NEW MEXICO TO CONSTRUCT, OPERATE AND MAINTAIN THE NAVAJO - GALLUP WATER SUPPLY PROJECT REACH 27.7B LOCATED ON TRIBAL TRUST LAND IN CHURCHROCK CHAPTER VICINITY (MCKINLEY COUNTY, NEW MEXICO)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

A. The City of Gallup, Post Office Box 1270, Gallup, New Mexico 87305, has submitted a rights-of-way application to construct, operate and maintain a 120 foot roadway and public utility corridor to include a water line, 115V transmission line, 13.8V distribution line, sewerline and communications line for access and utility maintenance purposes. This is identified as Reach 27.7B of Navajo Gallup Water Supply Project and is located on, over and across Navajo Nation Trust Lands in the Churchrock Chapter vicinity, McKinley County, New Mexico. *See* Rights-of-Way Application attached hereto and incorporated as **Exhibit A.**

B. The proposed rights-of-way consists of Navajo Nation Trust Lands located in McKinley County, New Mexico, and the location is more particularly described on the Rights-of-Way Application (easement description) and Final Plat and Survey Maps attached hereto and incorporated herein as **Exhibits A** and **B.**

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO: Department of Justice
The Navajo Nation

FROM: _____
JT Willie, Division Director
Division of Economic Development
The Navajo Nation

DATE: October 28, 2021

SUBJECT: RESUBMISSION HK0032-2 WATER PROJECT

This memorandum serves as an official resubmission on behalf of the Navajo Nation Division of Economic Development's Packet 2 for HK0032-2 which include the following projects:

1. Upgrade to Twin Lakes Well
2. Gallup Water Line to Connection to Church Rock Industrial Park
3. NahataDziil Water Line

Each project follows under category 5.11 (Drinking Water: Transmission & Distribution) as it allows potable-safe drinking water to the surrounding areas. In addition to being in compliance with the Environmental Protection Agency (EPA) for any future development and/or expansions to current business site leases.

We appreciate your support of these projects to be considered for the Navajo Nation American Rescue Plan Act (ARPA) Fiscal Recovery Funds (FRF).

Navajo Nationn Division of Economic Development American Rescue Plan Act (ARPA) - Three Year Plan for Economic Development
Water Projects

	Personnel/Department for Project Information	Agency	Description	Year 1	Year 2	Year 3	Total	*EC
1	Anthony Perry, Sharlene Begay-Platero	EA	Upgrade of Twin Lakes Well	$500,000.00	-	-	$500,000.00	5.11
1	Anthony Perry, Sharlene Begay-Platero	FD	NahataDziil Water Line	$900,000.00	-	-	$900,000.00	5.11
2	Anthony Perry-Project Development	EA	Gallup Water Line to Connection to Church Rock Industrial Park	$8,000,000.00		-	$8,000,000.00	5.11
						Total:	**$9,400,000.00**	

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
tabbies
G-7

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0110

Date & Time Received: 10/29/2021 at 00:26

Date & Time of Response: 4 November, 2021; 12:03 pm

Entity Requesting FRF: Project Development Department, DED

Title of Project: Nahata Dziil Waterline

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: $900,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.11 Drinking Water: Transmission and Distribution

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

_____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Project Develoment Department/DED *indicate Department, Program, Office, Division, or Branch* Date prepared: 10/14/2021

NN Government Unit's mailing address: Project Development Department P.O. Box 663 Window Rock, AZ 86515 phone/email: (928) 871-6504 website (if any):

Form prepared by: Anthony Perry, Department Manager Project Develoment Dept./DED *CONTACT PERSON'S name, title and Department, Program, Office, etc.* phone/email: tperrynnded12@gmail.com (928) 871-6504 *CONTACT PERSON'S info*

Title & type of Project: NahataDziil Waterline

NN Government Unit's Director or Manager: Anthony Perry, Dept. Manager phone & email: (928) 871-6504

Division Director (if any): JT Willie, Division Director phone & email: (928) 871-6544

Branch Chief: N/A phone & email: N/A

Funding Recipient will be working with: Division of Economic Development - Project Development Dep;t. *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

TBD upon funding award. Scope of Work will be bid out for qualified Navajo General Contractors per the Navajo Business Opportunity Act and NN Procurment laws. ☑ document attached

Amount of FRF requested: $900,000.00 FRF funding period: January 2022 - December 2024 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The program is the Project Develoment Department of the Division of Economic Development. The project is the NahataDziil water line which will provide domestic water use by connecting off NTUA's main on the northeast side of the school and existing shopping center in Sanders, Arizona. The new water line will better serve the exising businesses by providing a direct connection. The new water line will also serve future development and future growth that will fulfill the long standing committment of the Newlands relocatees impacted by the Navajo-Hopi Indian Relocation Act.
COVID related needs are providing potable water to the northwest quadrant of Sanders Arizona for the retention and sustainability of exising and new development by providing goods and services.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Waterline extensionWe wanted to follow the overhead electric line coming down the hill, but we could not find the ROW for the line. But if there is no ROW, then NTUA Electric and Water can apply for a Utility Easement. The land is a mixture of Navajo Trust Land, private land, etc.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

January 2022 - upon funding/project approval prepare project budget forms for Account number.
February 2022 - prepare scope of work and RFP Package for public advertisement
March 2022 - select qualified Architect and Engineering firm and prepare contract for 164 review.
April 2022 - December 2022 Design and construction of the utility system
January 2023 - February Project final inspection and contract close out

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Project Development are staffed with qualified and experience Project Managers who have developed major commerical, retail and industrial projects throughout the Navajo Nation. The Navajo Nation Shopping Centers were developed by the Project Development team and infrastructure development was a vital component to make the project happen in coordination with local utility providers such as NTUA. Utility extesnsion and upgrades are necessary.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The Navajo Tribal Utility Authority will provide operation and maintenance of the utility system upon completion through a transfer agreement.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

5.11 Drinking Water Transmission & Distribution
A new water line is proposed for development. The new water line will serve the existing development at the Sanders Shopping Center and provide a utility extension to serve future development.
Infrastrcutre development is vital to communites for growth especailly in rural tribal communities where utilities are miles away to the nearest main water line.
The Sanders Shopping Center is an exising development that requires waterline upgrades. The current system is from a water well that was establish to serve the shopping center however tapping into the main water line will be a reliable option to serve the shopping center and future development.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Appendix A Attachment:
-NTUA Proposed Waterline Extension (light blue line) to the Sanders Shopping Center.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: JT Wille, Division Director
print name and indicate title or position

Division of Economic Development
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] **Program Title:** NahataDziil Water Line **Division/Branch:** *Economic Development*

Prepared By: Anthony Perry, Dept. Manager **Phone No.:** (928) 871-6504 **Email Address:** tperrynnded12@gmail.com

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	1/1/22-12/31/24	900,000.00	100%
	TOTAL:	$3,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			900,000	
TOTAL		$0.00	900,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

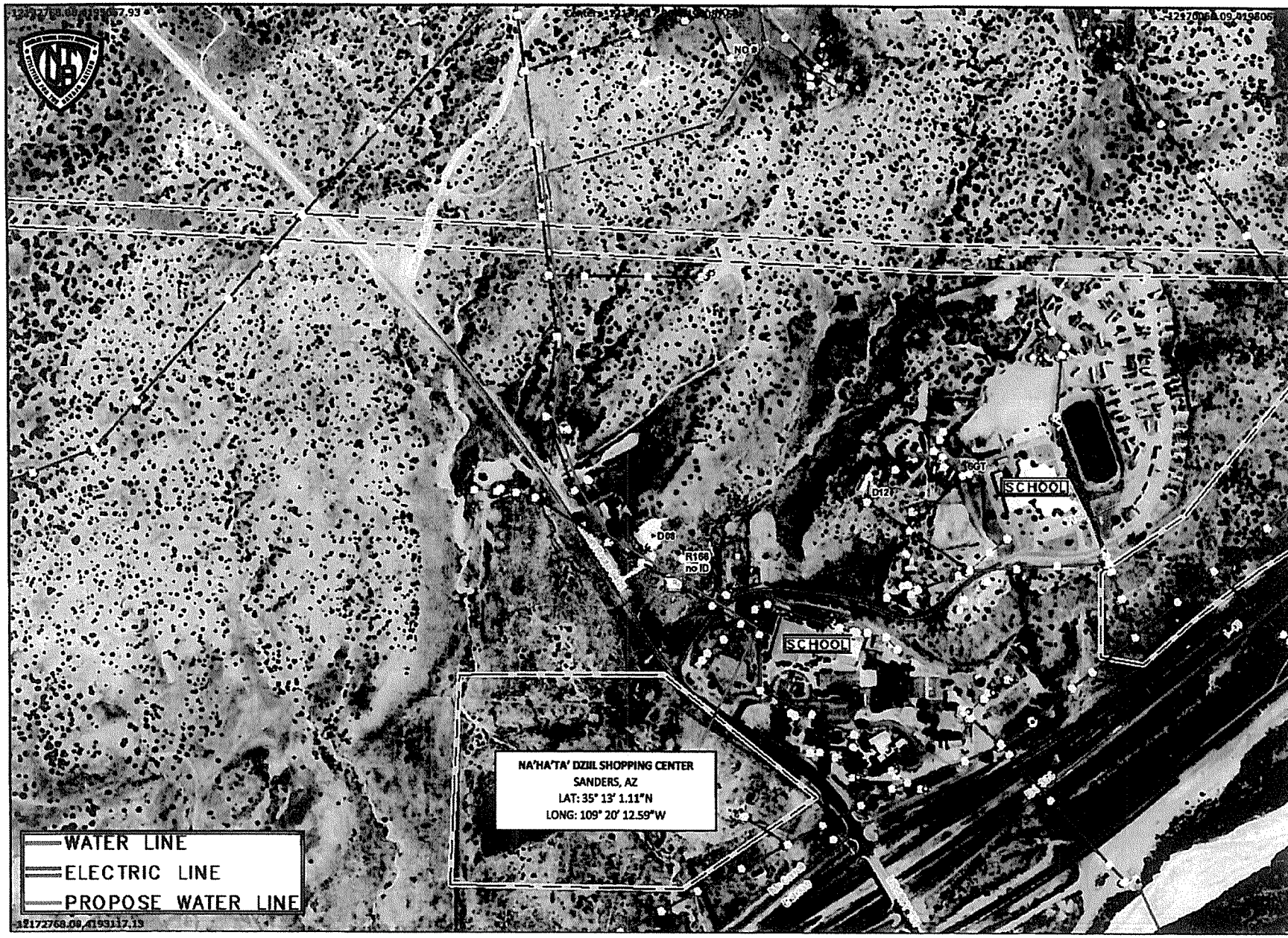
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Anthony Perry, Department Manager
Program Manager's Printed Name

10-28-21
Program Manager's Signature and Date

APPROVED BY: JT Willie, Division Director
Division Director / Branch Chief's Printed Name

10-28-2021
Division Director / Branch Chief's Signature and Date



Map Title: Na'ha'ta Dzill Shopping Center, Sanders AZ

Map Type: R.O.W. for Electric Line CDEC

Printed By: M.Boyd-Eng. Tech.

Printed Date: 11/16/2017

Schneider Electric is providing this map to you as a courtesy. Schneider Electric makes no representations or warranties, whether expressed or implied, as to the accuracy, correctness, defensibility, completeness or any other standard or measure of quality or adequacy or as to its use or intended use for any particular purpose. Schneider Electric disclaims all warranties, expressed or implied, including the warranty of fitness for a particular purpose. You are solely responsible for selecting this map to use and you solely responsible for any consequences resulting from your use. Reproduction, duplication, or modification of this map is not allowed without written permission from Schneider Electric GIS Services.

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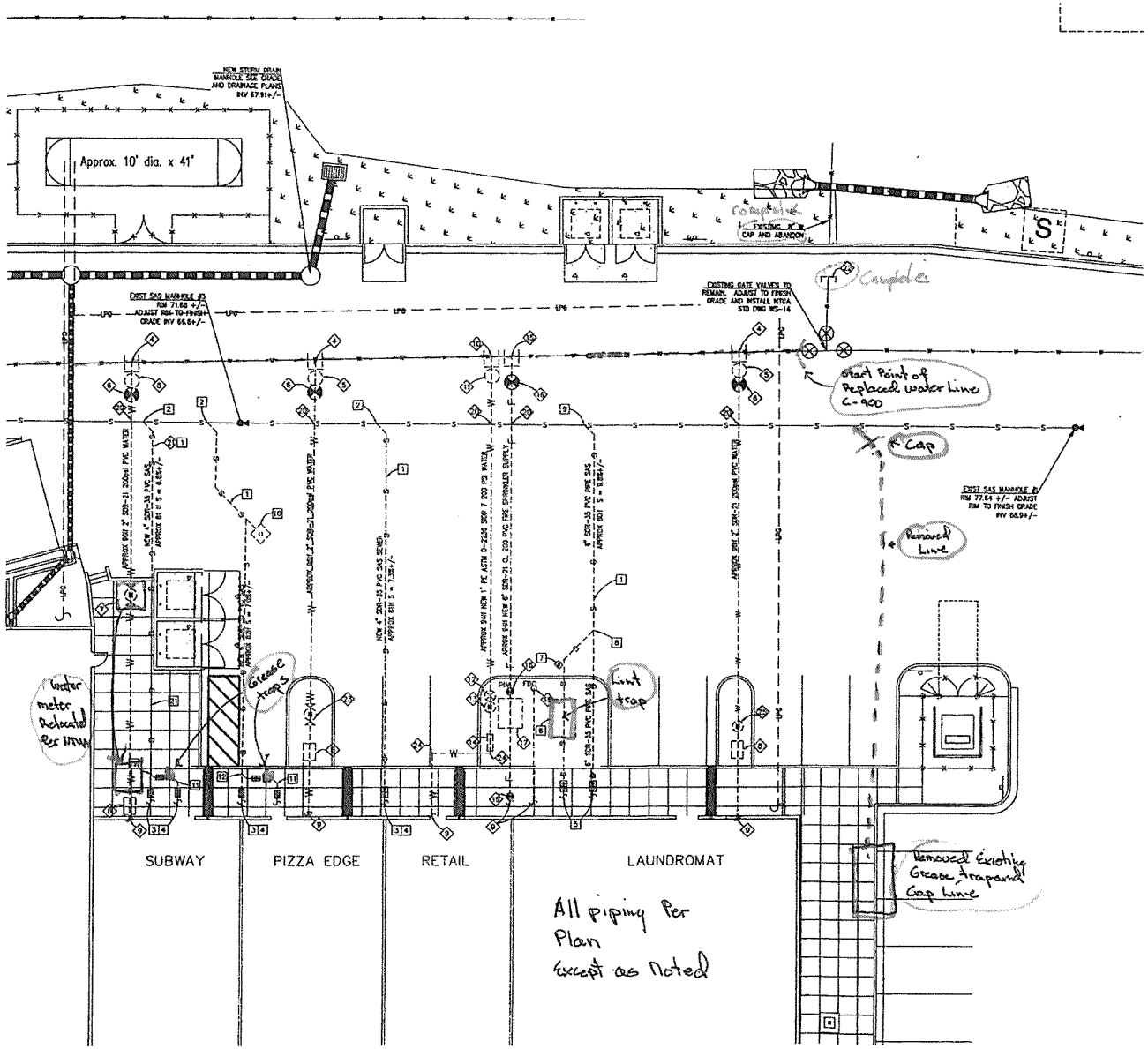


CONSTRUCTION NOTES

1. THE ENGINEER HAS NOT DONE ANY SUBSURFACE INVESTIGATION OF EXISTING WATER AND SEWER. THE INFORMATION SHOWN IS FROM THE BEST AVAILABLE SOURCES AND LIMITED SURFACE EVIDENCE. CONTRACTOR SHALL PROVIDE DUE CARE TO LOCATE EXISTING UNDERGROUND UTILITIES.
2. ALL EXISTING AND NEW MANHOLE LIDS, VALVE BOX COVERS, ACCESS PORTS, CLEANOUTS, AND FIRE HYDRANTS SHALL BE ADJUSTED TO FINISH GRADE.

(S) WATER CONSTRUCTION NOTES

1. INSTALL APPROXIMATELY 37 lf NEW 8" SDR-21, PRESSURE CLASS 200, PVC PIPE. MINIMUM BURY 42".
2. INSTALL NEW 8" 45° DI ELBOW. FULLY RESTRAINED WITH MEGALUG FITTINGS AND CONCRETE BLOCKING PER NTUA STD DWG WS-19
3. NEW 8" 45° DI ELBOW. FULLY RESTRAINED WITH MAGALUG FITTINGS AND CONCRETE BLOCKING PER NTUA STD DWG WS-19. CONNECT TO EXISTING 8" PVC PIPE. TYPE AND CLASS OF EXISTING WATERLINE UNKNOWN. CONTRACTOR TO VERIFY.
4. INSTALL 2" X 8" TAPPING SADDLE ON EXISTING 8" PVC WATERLINE PER WS-2 WITH BLOCKING PER NTUA DETAIL WS-2 AND MEGALUG RESTRAINT.
5. INSTALL 2" CORPORATION STOP PER NTUA STD DWG WS-2.
6. INSTALL 2" GATE VALVE PER NTUA STD DWG WS-2 WITH CONCRETE VALVE AND THRUST BLOCKING PER NTUA STD DWG WS-19 AND WS-2.
7. INSTALL 2" x 1" REDUCER ON INLET AND OUTLET OF A 1" METER . METER SHALL BE 1" INSTALLED PER NTUA WS-1 WITH METER BOX AND COPPERSETTER PER NTUA STD DWG WS-1. INSTALL 6" X 6" CONCRETE KNOCKOUT PANEL. FLUSH WITH SIDEWALK PER DETAIL ATTACHED.
8. INSTALL A 2" REDUCED PRESSURE BACK FLOW PREVENTOR (WILKINS 972XL2) IN AN APPROPRIATE SIZED HOTBOX WITH THERMOSTATIC CONTROLLED HEAT. UNIT SHALL BE EQUIPPED WITH ISOLATION VALVES ON BOTH INLET AND OUTLET PIPES. PER NTUA WS-22.
9. SEE PLUMBING PLANS FOR CONTINUATION.
10. INSTALL 8" X 1" FIPT SADDLE ON EXIST 8" PVC WATER PER NTUA STD DWG WS-1.
11. INSTALL 1" CORPORATION STOP 1" MPT X 1" FIPT PER NTUA STD DWG WS-1.
12. INSTALL 1" CURB STOP PER NTUA STD DWG WS-1.
13. INSTALL 1" METER PER NTUA STD DWG WS-1
14. INSTALL 1" REDUCED PRESSURE BACK FLOW PREVENTOR in AN APPROPRIATE SIZED HOTBOX WITH THERMOSTATIC CONTROLLED HEAT. UNIT SHALL BE EQUIPPED WITH ISOLATION VALVES ON BOTH INLET AND OUTLET PIPES AND SHALL BE INSTALLED PER NTUA WSP22.R.
15. INSTALL 8" X 6" MJ DI TEE ON EXISTING 8" PVC WL TO 6" SDR-21, CLASS 200, PVC FIRE SPRINKLER LINE PER NTUA STD DWG WS-16 WITH MEGALUG RESTRAINT AND CONCRETE BLOCKING PER NTUA STD DWG WS-19.
16. INSTALL 6" MJ GATE VALVE WITH BOX AND CONCRETE SUPPORT PER NTUA STD DWG WS-16.
17. INSTALL 6" REDUCED PRESSURE BACK FLOW PREVENTOR, (Wilkins MODEL 375ADA) WITH DETECTOR IN AN APPROPRIATE SIZED HOTBOX WITH THERMOSTATIC CONTROLLED HEAT. UNIT SHALL BE EQUIPPED WITH ISOLATION VALVES ON BOTH INLET AND OUTLET PIPES AND SHALL BE INSTALLED PER NTUA WS-26. ENCLOSURE SHALL BE HOTBOX H30H.
18. INSTALL 6" MJ POST INDICATOR VALVE WITH SUPERVISORY SWITCH WITH MEGALUG RESTRAINT AND CONCRETE BLOCKING PER NTUA STD DWG WS-14 SIMILAR.
19. INSTALL REMOTE FIRE DEPARTMENT CONNECTION (FDC) DRY BARREL PER DETAIL SHEET P401.
20. WATER/SEWER CROSSING PER NTUA STD DWG WS-20.
21. WATER SERVICES AND SEWER SERVICES ARE LESS THAN 10' APART SO SEWER LINE MUST BE CONCRETE ENCASED PER NTUA WWS-9.
22. CAP, RESTRAIN WITH MEGALUG, AND BLOCK PER NTUA WS-19. REMOVE EXCESS PIPE UNDER PAVEMENT.
23. SAME AS NOTE #7 EXCEPT DELETE THE CONCRETE KNOCK OUT PANEL.
24. INSTALL 1" PE ELBOW.
25. INSTALL 2" METER PER NTUA WS-2.

[2] SEWER CONSTRUCTION NOTES

1. INSTALL TWO WAY CLEANOUTS EVERY 50 LF OF SEWER RUN PER DETAIL 1, SHEET UC-101a.
2. INSTALL 4" TAP WITH 45° SERVICE WYE TO EXISTING 8" SEWER MAIN PER NTUA STD DWG WWS-1.
3. INSTALL 4" TWO WAY CLEANOUT PER DETAIL 1, SHEET UC-101a. NOTE PLUMBING PLANS CALL FOR TWO WAY CLEANOUT WITHIN 5' OF WALL ALSO.
4. SEE PLUMBING PLANS FOR CONTINUATION.
5. INSTALL 6" TWO WAY CLEANOUT SIMILAR TO DETAIL 1 SHEET UC-101a. NOTE PLUMBING PLANS CALL FOR CLEANOUT THIS LOCATION ALSO. ONLY 1 REQUIRED. SEE PLUMBING PLANS FOR CONTINUATION.
6. NEW UNIT TRAP. SEE PLUMBING PLANS FOR EXACT LOCATION, DETAILS, AND SPECIFICATIONS.
7. INSTALL 6" ONE WAY CLEANOUT PER NTUA STD DWG WWS-13 AND 6" PVC SERVICE WYE.
8. INSTALL 6" 45° PVC SERVICE WYE.
9. INSTALL 6" TAP WITH 45° SERVICE WYE TO EXISTING 8" SEWER MAIN PER NTUA STD DWG WWS-1.
10. INSTALL 4" ONE WAY PVC CLEANOUT, 45° SERVICE WYE, AND 45° ELBOW.
11. INSTALL NEW 4" SDR-35 PVC WITH GREASE TRAP 45° ELBOW. SEE SHEET P002 AND SHEET P005.
12. INSTALL 4" X 4" SDR-35 PVC TEE AND TWO WAY CLEANOUT TO NEW 4" SEWER.

LP GAS

1. SEE PLUMBING PLANS FOR EXACT LOCATION AND CONTINUATION TO BUILDING SYSTEMS.
2. PROPOSED ROUTING FOR LPG LINES FROM TANK TO BUILDING. DESIGN BY OTHERS.

REFERENCE NORTH

0.0 5' 10' 32'
2.5' 7.5' 15'

5

D.SLOAN ARCHITECTURE & PLANNING
ARCHITECTS, P.C.
8009 Pennsylvania Circle NE Albuquerque, NM 87110
Tel.: 505.266.4313 FAX: 505.262.1993
email: dsloanarch@dsloanarchitects.com

SEAL / CERTIFICATION

ENGINEER / DESIGNER

PROJECT TITLE

Na'ha'at'dzill
SHOPPING CENTER
Newlands, Apache County, Arizona

CLIENT NAME

Navajo Nation Project Development Department
Division of Economic Development
P. O. Box 663
Window Rock, Arizona 86515
Tel.: 928.871.6504 FAX: 928.871.—

MARK	MM/DD/YY	DESCRIPTION
C	3/20/19	AS-11
B.	2018	NTUA COMMENTS
A.	2018	PROGRESS 7.29.19

CONTRACT DATE:	2018
PROJECT No.:	18-01
CAD DWG. FILE:	C:\PROJECTS\18-01
DRAWN BY:	LRA
CHECKED BY:	LDH
DATED:	3/22/2019

COPYRIGHT 2018
D.SLOAN ARCHITECTS, P.C.

SHEET TITLE

ENLARGED UTILITY PLAN
NORTH SERVICE YARD

SHEET NO.

UC-201b

SHEET ___ OF ___

EXHIBIT tabbies G-8

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0165

Date & Time Received: 04/13/2022 08:35

Date & Time of Response: 04/13/2022 4:15pm MDT

Entity Requesting FRF: Western Regional Business Development Office

Title of Project: Old Black Mesa Shopping Center

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: $ 731,031

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: This project does not respond to COVID-19 by aiding tourism (eligibility code 2.11) within the meaning of Treasury's guidance. However, this Project is eligible under Expenditure Code 6.1 as a provision of government services. In addition, it is possible that the Project would be allowable as a response to COVID-19 in the category for strong healthy communities (eligibility code 2.22). Among other factors, the property would need to be vacant or abandoned, and there would need to be a plan to revitalize the community.

Name of DOJ Reviewer: K A Lowell

Signature of DOJ Reviewer: Kristen A. Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Western Regional Business Development Office (*indicate Department, Program, Office, Division, or Branch*) Date prepared: 4/11/2022

NN Government Unit's mailing address: PO BOX 663, Window Rock, Arizona 86515 phone/email: 928-283-3010 website (if any): navajoeconomy.org

Form prepared by: Edbert Little, Program Manager phone/email: 928-283-3011

Western Regional Business Development Office (*CONTACT PERSON'S name, title and Department, Program, Office, etc.*) eslittle@navajo-nsn.gov (*CONTACT PERSON'S info*)

Title & type of Project: Old Black Mesa Shopping Center

NN Government Unit's Director or Manager: Elaine Young phone & email: 928-871-7379/eyoung@navajo-nsn.gov

Division Director (if any): JT Willie phone & email: 928-871-6544/jtwillie@navajo-nsn.gov

Branch Chief: Paulson Chaco phone & email: 928-871-7000/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Western Regional Business Development Office-Division of Economic Development (*indicate Branch and/or Division*) on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

n/a ☐ document attached

Amount of FRF requested: $731,031.00 FRF funding period: 2022-2026 (*indicate Project starting and ending/deadline date*)

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Old Black Mesa Shopping Center infrastructure retirement will be funded by APRA. The purpose of the retirement for this infrastructure is to demolish and clean up for potential development or to be returned to the local chapter. The location it serves is the Shonto, Arizona area as this would allow an environmental assessment to be completed for the demolished site. Addressing the need for Aid to Tourism, Travel, or Hospitality as demolishing the building and the standing structure will construct the landscape to be more aesthetically appealing and allow sustainable progress.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will provide contract opportunities for local contractors, allow future development, and create a safe environment from potential structural collapse accidents.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Project will begin once funding has been received to demolish, retire, and clean up the standing structure before December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Western Regional Business Development Office and Small Business Development Department-Division of Economic Development

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Western Regional Business Development Office and Small Business Development Department-Division of Economic Development. New business will develop in replace of the site or will be given back to the local chapter for future development.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.11 Aid to Tourism, Travel, or Hospitality

Demolishing the building and the standing structure will construct the landscape to be more aesthetically appealing and allow sustainable progress.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

n/a

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: JT Willie, Div. Director
signature of Branch Chief or Division Director *print name and indicate title or position*

Economic Development
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Program Manager Division/Branch: *WRBDO-Economic Development*

Prepared By: Edbert Little Phone No.: 928-283-3011 Email Address: eslittle@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		$ 731,031.00	100%
	TOTAL:	$731,031.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			$ 731,031.00	
TOTAL		$0.00	$ 731,031.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Elaine Young APPROVED BY: JT Willie

Program Manager's Printed Name — Division Director / Branch Chief's Printed Name

Elaine Young 4/12/2022 — 4/12/2022

Program Manager's Signature and Date — Division Director / Branch Chief's Signature and Date

EXHIBIT
tabbies
G-9

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0154

Date & Time Received: 03/09/2022 13:09

Date & Time of Response: 03/15/2022 4:00p.m. MDT

Entity Requesting FRF: Division of Economic Development

Title of Project: Retire Infrastructure - CowSprings Trading Post

Administrative Oversight:

Amount of Funding Requested: $ 460,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Under U.S. Department of Treasury guidance, aid can be provided to impacted industries that have demonstrated economic harm and such aid is not intended for general economic development. Therefore this Project is not eligible as a response to the COVID-19 pandemic, Expenditure Code 2.11. However, this Project is eligible under Expenditure Code 6.1, provision of government services.

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: KALowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Economic Development
indicate Department, Program, Office, Division, or Branch
Date prepared: 12/28/2021

NN Government Unit's mailing address: P O Box 663 Window Rock AZ 86515
phone/email: (928)987-6544/jtwillie@navajo-nsn.gov
website (if any): www.navajoeconomy.org

Form prepared by: Edbert S. Little, Program Manager II
phone/email: (928)283-3011/ eslittle@navajo-nsn.gov

Edbert S, Little, Program Manager II, WRBDO
CONTACT PERSON'S name, title and Department, Program, Office, etc.
(928)283-3011/eslittle@navajo-nsn.gov
CONTACT PERSON'S info

Title & type of Project: Retire Infrustructure- CowSprings Trading Post

NN Government Unit's Director or Manager: JT Willie, Division Director
phone & email: (928)987-6544/jtwillie@navajo-nsn.gov

Division Director (if any): JT Willie, Division Director
phone & email: (928)987-6544/jtwillie@navajo-nsn.gov

Branch Chief: Paulson Chaco
phone & email: (928)871-7440/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $460,000.00 FRF funding period: December 16, 2021 - December 31, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Cow Springs Trading Post infrustructure retirement will be funded by ARPA. Cow Springs Trading Post; Demolish and clean up. Environmental assessment, demolition, clean-up, and retire the building and utilities.

Cow Spring Trading Post, 31 mile east of Hwy 160 and State Hwy 264 Junction on Hwy 160, Tonalea, AZ.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will provide contract opportunities for local contractors.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Project to begin January 2022-To demolished, retire, and clean up the standing stuctures by December 31, 2026

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Western Regional Business Development Office, Small Business Development Department, and Division of Economic Development.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Western Regional Business Development Office, Small Business Development Department, and Division of Economic Development. New business will develop in it place or will given back to the local chapter.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Aid to Tourism, Travel, or Hospitality- Demolishing the building and the standing structures will make the land scape more attrative.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

N/A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: JT Willie, Division Director
signature of Branch Chief or Division Director *print name and indicate title or position*

Div. of Economic Development
indicate Branch or Division

PART I. Business Unit No.. K-NCW Program Title: Western Regional Business Development Office Division/Branch: *Economic Development/Exe.*

Prepared By: Edbert S. Little Phone No.: (928)283-3011 Email Address: eslittle@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	/Term	Amount	Total
NN Fiscal Recovery Funds		400,000.00	100%
		60,000.00	15%
	TOTAL:	$460,000.00	115%

PART III. BUDGET SUMMARY	Type Code	NNC Approved Original Budget	Proposed Budget	Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			400,000	400,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Contingency			60,000	60,000
TOTAL		$0.00	460,000.00	460,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

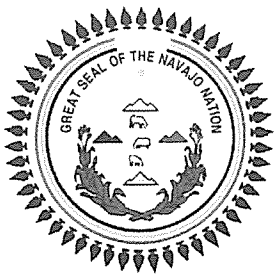
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Edbert S. Little
Program Manager's Printed Name

Edbert S. Little 03/02/2022
Program Manager's Signature and Date

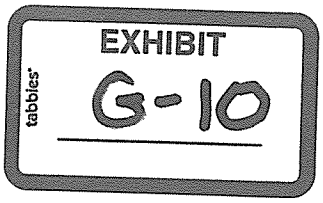
APPROVED BY: JT Willie
Division Director / Branch Chief's Printed Name

8/9/2022
Division Director / Branch Chief's Signature and Date



NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL



DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0155

Date & Time Received: 03/09/2022 13:10

Date & Time of Response: 03/15/2022 1:30 p.m. MDT

Entity Requesting FRF: Division of Economic Development

Title of Project: Tseyi Restaurant, Motel, and Convenience Store Clean-up

Administrative Oversight: Division of Economic Development

Amount of Funding Requested: $ 460,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Under U.S. Department of Treasury guidance, aid can be provided to impacted industries that have demonstrated economic harm and such aid is not intended for general economic development. Therefore this Project is not eligible as a response to the COVID-19 pandemic, Expenditure Code 2.11. However, this Project is eligible under Expenditure Code 6.1, provision of government services.

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Economic Development *indicate Department, Program, Office, Division, or Branch* Date prepared: 01/13/2022

NN Government Unit's mailing address: PO Box 663, Window Rock, Arizona 86515 phone/email: 928-871-6544/jtwillie@navajo-nsn.gov website (if any): www.navajoeconomy.org

Form prepared by: Edbert S. Little, Program Manager II phone/email: 928-283-3011/eslittle@navajo-nsn.gov

Edbert S. Little, Program Manager II, WRBDO *CONTACT PERSON'S name, title and Department, Program, Office, etc.* 928-283-3011/eslittle@navajo-nsn.gov *CONTACT PERSON'S info*

Title & type of Project: Tseyi Restaurant, Motel, and Convenient Store clean up

NN Government Unit's Director or Manager: JT Willie phone & email: 928.871.6544 & jtwillie@navajo-nsn.gov

Division Director (if any): JT Willie phone & email: 928.871.6544 & jtwillie@navajo-nsn.gov

Branch Chief: Paulson Chaco phone & email: 928.871.7440 & paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Economic Development *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $460,000 FRF funding period: January 2022 to September 2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Tseyi restaurant, convenient store, and motel will be clean up with ARPA monies. The area has and out crop of rocks, and cement where the foundation was for the covenient store and restaurant. The motel area stand dilapidated buildings that needs clean up. Demolish and clean up. Environmental assessment, demolition, clean-up, and retire the building and utilities. The business is located 13 miles west of Kayenta along highway 160, Arizona 86033. Local contractors will have the opportunity to bid and get selected to work on this project. Regenerate loss revenue during the closure because of the COVID-19 Pandemic.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The project will provide contract opportunities for consultants and contractors.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Project to begin January 2022-To demolished, retire, and clean up the standing stuctures by December 31, 2026

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Aid to Tourism, Travel, or Hospitality- Demolishing the building and the standing structures will make the land scape more attrative.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Western Regional Business Development Office, Small Business Development Department, and Division of Economic Development. New business will develop in it place or will given back to the local chapter.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Aid to Tourism, Travel, or Hospitality- Demolishing the building and the standing structures will make the land scape more attrative.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

N/A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ *signature of Preparer/CONTACT PERSON*

Approved by: _____ *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ *signature of Branch Chief or Division Director*

Print Name, Title, Branch or Division: JT Willie, Division Director *print name and indicate title or position*

Div. of Economic Development *indicate Branch or Division*

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: K-New Program Title: Western Regional Business Development Office Division/Branch: *Economic Devlopment/Exe.*

Prepared By: Edbert S. Little Phone No.: (928)283-3011 Email Address: eslittle@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		400,000.00	100%
		60,000.00	15%
	TOTAL:	$460,000.00	115%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			400,000	400,000
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Contingency			60,000	60,000
TOTAL		$0.00	460,000.00	460,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

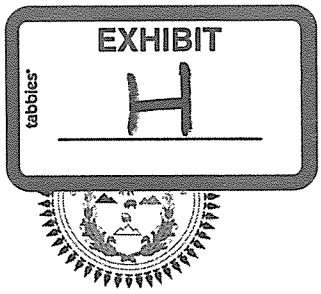
SUBMITTED BY: Edbert S. Little
Program Manager's Printed Name

Edbert S. Little 03/02/2022
Program Manager's Signature and Date

APPROVED BY: JT Willie, Division Director
Division Director / Branch Chief's Printed Name

3/9/2022
Division Director / Branch Chief's Signature and Date

EXHIBIT
H



THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

January 4, 2022

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

RE: CD-62-21, *Relating to an Emergency and the Navajo Nation Council; Allocating $557,000,000 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Hardship Assistance Expenditure Plan; Waiving Certain Provisions of Navajo Nation Council Resolution CJY-41-21 and Budget and Finance Committee Resolution BFS-31-21*

Dear Speaker Damon,

We recognize the needs of our People and know what a struggle it has been for all of us during this pandemic. We also recognize that there are many of our People who live off the Navajo Nation who are also struggling; the college students who are working to finish their education, the health care workers who help our People in urban areas, and the many others who find the way to support their families both off and on the Nation. Early in our Administration we made a commitment to help all Navajo members regardless of where they call home. We take another step in helping others.

While there may be questions on the process of supporting our People, the primary concern for us is to ensure our elders, parents, and children can protect themselves from the coronavirus and its many changing forms which may be with us for years to come. We started this campaign against the coronavirus with strict directions to help protect us and the Navajo People have stayed true to that campaign. It is now the responsibility of each of us to help each other, protect our elders, and care for our young ones. This campaign continues and we can do this with the support of our family, our relatives, and our loved ones.

With the action in CD-62-21 we take this first step in the New Year to allocate much needed assistance to our People. We sign CD-62-21 into law. We keep all our People in our thoughts and prayers to keep all safe and protected from harm. God bless the Navajo Nation.

Sincerely,

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice President*
THE NAVAJO NATION

POST OFFICE BOX 7440 | WINDOW ROCK, AZ 86515 | PHONE: (928) 871-7000 | FAX: (928) 871- 4025

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

AN ACTION
RELATING TO AN EMERGENCY AND THE NAVAJO NATION COUNCIL; ALLOCATING $557,000,000 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND HARDSHIP ASSISTANCE EXPENDITURE PLAN; WAIVING CERTAIN PROVISIONS OF NAVAJO NATION COUNCIL RESOLUTION CJY-41-21 AND BUDGET AND FINANCE COMMITTEE RESOLUTION BFS-31-21

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

B. Navajo Nation Council Resolution No. CJY-41-21, attached as **Exhibit A**, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Expenditure Plans be duly adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

C. The Navajo Nation Code provides that "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council. 2 N.N.C. § 164(A)(16).

SECTION TWO. FINDINGS

A. The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the Coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.

B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. *See* Resolution No. CEM 20-03-11, incorporated herein by reference. The Navajo Nation Department of Health has subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2021-020 are incorporated herein by reference. These Public Health Emergency Orders are available at *www.ndoh.navajo-nsn.gov.*

C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout the world, the United States, and the Navajo Nation. As of December 16, 2021, the Navajo Nation Health Command Operations Center has confirmed 40,659 COVID-19 cases and 1,570 COVID-related deaths on the Navajo Nation. COVID-19 variants have recently emerged that threaten to increase these numbers and continue the pandemic's assault on the Navajo People.

D. The devastating effects of COVID-19 continue throughout the Navajo Nation and extend beyond the health and life devastation to wide scale negative financial effects, such as employment losses, business closures, food and housing insecurity, and other economic disruptions.

E. In response to the pandemic, on March 11, 2021, Unites States President Joseph Biden signed the American Rescue Plan Act ("ARPA") into law. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Fund (together the "Fiscal Recovery Funds" or "FRF") and provided $362 billion for state, local, and tribal governments, including $20 billion specifically designated for tribal governments.

F. As of November 1, 2021, the United States Department of Treasury has allocated two billion seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars ($2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA. The Fiscal Recovery Funds are designed to build on and expand the relief provided in the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, 134 Stat. 281 (2020), and are intended to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by residents and businesses.

G. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

1. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality;

2. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

3. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the COVID-19 public health emergency; and

4. Make necessary investments in water, sewer, and/or broadband infrastructure.

H. The U.S. Department of Treasury has issued guidance requiring that the use and expenditure of Fiscal Recovery Funds must fall under one of the four categories above and that funding recipients must report each expenditure under one of the sixty-six (66) "Expenditure Eligibility Categories" set forth in Appendix 1 to the U.S. Department of Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds, attached herein as **Exhibit B**.

I. Pursuant to ARPA:

1. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury's Interim Final Rule provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1: "*Financial obligations,* when referencing a recipient's or sub-recipient's use of funds under a Federal award, means orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment."; and

2. The Fiscal Recovery Fund period of performance runs from March 3, 2021 until December 31, 2026, meaning that all FRF-funded projects must be completed and funds must be fully

expended by December 31, 2026.

3. Costs incurred by the Navajo Nation prior to March 3, 2021 are not eligible.

4. Any funds not obligated or expended for eligible uses by the dates above in sections I (1) and (2) must be returned to Treasury, including any unobligated or unexpended funds that have been provided to sub-recipients and contractors as part of the award closeout process.

J. While its acceptance of Fiscal Recovery Funds obligates the Navajo Nation to comply with ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these obligations while retaining and exercising its sovereignty in allocating and disbursing Fiscal Recovery Funds.

K. On July 23, 2021, the Navajo Nation Council adopted Resolution No. CJY-41-21, attached as **Exhibit A**, establishing the Navajo Nation Fiscal Recovery Fund ("NNFRF") into which the Navajo Nation's allocation of $2,079,461,464 has been deposited. CJY-41-21 also adopted an expenditure authorization and approval process for the allocation of funds from the NNFRF.

L. In Section Four of CJY-41-21, the Navajo Nation Council mandated the Budget and Finance Committee to adopt application and review procedures, as well as an expenditure plan template, to be used by entities requesting Navajo Nation Fiscal Recovery Funds. The Budget and Finance Committee approved Resolution No. BFS-31-21 which established mandatory Navajo Nation Fiscal Recovery Fund application procedures, forms, and an expenditure plan template. BFS-31-21 is incorporated herein by reference.

M. To ensure the Navajo Nation's compliance with ARPA, Section Four of CJY-41-21 also directed the Navajo Nation Department of Justice ("DOJ") to perform "an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations, and policies and procedures." Resolution No. BFS-31-21 incorporated DOJ's initial determination into the mandatory NNFRF application procedures, forms, and an expenditure plan template, which requires, among other things, identification of the entity with administrative oversight over the Funding Recipient. Administrative oversight means having the authority to monitor the implementation of an approved FRF Expenditure Plan and the expenditure of awarded funds. The duties of the entity with

administrative oversight are set forth in Section Seven of the FRF Procedures in exhibits 1 through 5 of BFS-31-21.

N. The Office of the President and Vice-President, in coordination with the Division of Community Development ("DCD"), presented ARPA and Fiscal Recovery Fund information at each of the five (5) Agency Council Meetings to hear from the Navajo People, through their elected officials, concerning their needs and priorities for projects and/or services funded through the NNFRF. In addition, DCD has met with Navajo Nation Chapters, individually and collectively, on more than fifty (50) occasions to discuss NNFRF matters.

O. The Navajo Nation Council hosted twenty-six (26) Naabik'íyáti' Committee Work Sessions, all open to the public, to discuss the needs of the Navajo People and priorities for projects and/or services funded through the Navajo Nation Fiscal Recovery Fund. In addition, Standing Committees of the Navajo Nation Council held more than twenty (20) committee meetings, all open to the public, that have included NNFRF reports and infrastructure specific discussions.

P. The financial devastation visited on the Navajo People by the COVID-19 pandemic has risen to emergency levels, particularly with winter weather looming, and the Navajo Nation Council has determined that it is vital that the Navajo People be provided immediate financial assistance.

Q. It is in the best interest of the Navajo People to enact the NNFRF Hardship Assistance Expenditure Plan in the total amount of five hundred fifty-seven million dollars ($557,000,000), as set forth in **Exhibit C**, as an emergency legislation to counteract limited access to direct services necessary to recover from the devastation caused by the COVID-19 pandemic and mitigate exposure to future variants.

SECTION THREE. APPROVAL OF NAVAJO NATION FISCAL RECOVERY FUND HARDSHIP ASSISTANCE EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Hardship Assistance Expenditure Plan set forth in **Exhibit C**.

B. The Navajo Nation hereby approves total funding for the NNFRF Hardship Assistance Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of five hundred fifty-seven million dollars ($557,000,000) and allocates the funding as follows:

1. Five hundred fifty-seven million dollars ($557,000,000) to the Office of the Controller for Household Assistance - Cash Transfers (Expenditure Eligibility Category 2.3), as set forth in **Exhibit C**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Budget and Finance Committee.

SECTION FOUR. ADMINISTRATION OF HARDSHIP ASSISTANCE EXPENDITURE PLAN

A. All entities receiving Navajo Nation Fiscal Recovery Funds, whether through an immediate allocation under CJY-41-21 or subsequently approved NNFRF Expenditure Plan, shall comply with all Navajo Nation laws, policies, regulations, rules, and procedures, specifically including, but not limited to, those governing the NNFRF and the expenditure of such funds, and any additional terms set forth in a grant, sub-recipient, or similar agreement.

B. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. For internal Navajo Nation purposes, the term "obligated" is defined in BFS-31-21, Section Three on page 3 of Exhibits 1 through 5.

C. Projects and/or services funded with Navajo Nation Fiscal Recovery Funds must be completed and all NNFRF funds fully spent by December 31, 2026.

D. Navajo Nation Fiscal Recovery Fund Expenditure Plan funds shall be available for use by a funding recipient that is a branch, division, department, or other unit of the Navajo Nation central government as soon as a detailed budget has been administratively approved and the Office of Management and Budget has entered such budget into the Financial Management Information System.

E. Awarded Navajo Nation Fiscal Recovery Funds shall only be obligated and expended on projects and/or services, including need-based projects and services, that were included as an immediate allocation under CJY-41-21 or are included in a NNFRF Expenditure Plan approved and adopted by a Navajo Nation Council resolution enacted pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

F. Awarded Navajo Nation Fiscal Recovery Funds, including cost savings, cannot be moved between Expenditure Plans without approval by a Navajo Nation Council resolution enacted pursuant

to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

G. All entities receiving Navajo Nation Fiscal Recovery Funds shall follow and apply Generally Accepted Accounting Principles (GAAP), as established by the Governmental Accounting Standards Board (GASB) for governmental entities and by the Financial Accounting Standards Board (FASB) for public and private companies and non-profits, in reporting, recording, and accounting for such Funds.

H. Fraud, misuse of funds, violation of applicable Navajo Nation or federal laws and regulations, non-compliance with FRF agreements governing grants or sub-awards, and false statements or claims by any individual or entity receiving or administering Navajo Nation Fiscal Recovery Funds may result in administrative, civil, or criminal sanctions and penalties, debarment and suspension, ineligibility for future Navajo Nation awards or business opportunities, and the Navajo Nation may pursue any other legal action or remedy available by law.

SECTION FIVE. WAIVING PROVISIONS OF RESOLUTIONS CJY-41-21 AND BFS-31-21

A. For the purposes of the NNFRF Hardship Assistance Expenditure Plan only, the Navajo Nation Council hereby waives Section Four (B) of CJY-41-21 which states "The NNDOJ shall do an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations, and policies and procedures."

B. For the purposes of the NNFRF Hardship Assistance Expenditure Plan only, the Navajo Nation Council further waives the first sentence of Section Four (H) of CJY-41-21 which states that "Until the third quarter of 2024, NNFRF Expenditure Plans for direct financial assistance to enrolled Navajo Nation members, not including business economic relief or similar programs, shall be limited to ten percent (10%) of the total Fiscal Recovery Funds received by the Navajo Nation."

C. For the purposes of the NNFRF Hardship Assistance Expenditure Plan only, the Navajo Nation Council also waives any and all provisions in BFS-31-21, including its exhibits and appendices, that require NNDOJ to do an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA

and applicable Navajo Nation laws, regulations, and policies and procedures."

D. All Navajo Nation Fiscal Recovery Funds that have not been allocated to a NNFRF Expenditure Plan through a Navajo Nation Council resolution enacted pursuant to CJY-41-21 by the end of the second quarter of Fiscal Year 2024 may be re-allocated to the NNFRF Hardship Assistance Expenditure Plan through Navajo Nation Council resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

E. The allocation of unallocated NNFRF funds to the NNFRF Hardship Assistance Expenditure Plan shall require a separate or revised expenditure plan be submitted to the Navajo Nation Department of Justice for an eligibility determination.

SECTION SIX. REPORTING

A. All entities receiving Navajo Nation Fiscal Recovery Funds shall keep and maintain accurate and complete financial data and records sufficient to demonstrate that the Fiscal Recovery Funds appropriated by the U.S. Congress to the Navajo Nation have been used by the reporting entity in accordance with the provisions of ARPA and timely relay such reports and records to the administrative oversight, Office of Controller, Office of Management and Budget, FRF Office, and legislative oversight as directed in the grant or sub-recipient agreements if any, and when requested. Such reports and records shall be maintained for at least seven (7) years after the project and/or service has been completed. The Office of the Controller shall be responsible for compiling and providing any and all records and financial reports required by the U.S. Treasury.

B. All entities receiving Navajo Nation Fiscal Recovery Funds through an approved Expenditure Plan shall report the status of their NNFRF allocations to their respective oversight committees at the end of each Fiscal Year quarter. The entity with administrative oversight over the Expenditure Plan shall review the quarterly report prior to its presentation and shall participate in the presentation to the oversight committee(s).

C. The Office of the Controller, with the assistance of the Executive Director of the NNFRF Office, shall report the status of the NNFRF Hardship Assistance Expenditure Plan to the Budget and Finance and Naabik'íyáti' Committees at the end of each Fiscal Year quarter.

SECTION SEVEN. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION EIGHT. AMENDMENTS

Amendments to this legislation shall only be adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION NINE. SAVINGS CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

SECTION TEN. DIRECTIVES

All Navajo Nation government programs, offices, and divisions, as well as Navajo Nation owned entities, specifically including those programs, offices, divisions, and Navajo Nation owned entities receiving Navajo Nation Fiscal Recovery Funds, shall prioritize the implementation and completion of NNFRF projects and/or services.

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 18 in Favor, and 02 Opposed, on this 29th day of December 2021.

Honorable Eugenia Charles-Newton, Speaker Pro Tem
24th Navajo Nation Council

01/03/2022
DATE

Motion: Honorable Daniel E. Tso
Second: Honorable Paul Begay

Speaker Pro Tem Eugenia Charles-Newton 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 04 day of January, 2022.

Jonathan Nez, President
Navajo Nation

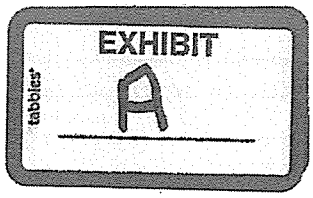
2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

_____
Jonathan Nez, President
Navajo Nation

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

_____
Jonathan Nez, President
Navajo Nation

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

August 2, 2021

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

RE: CJY-41-21, *An Action Relating to Budget and Finance and Naabik'íyáti' Committees, and Navajo Nation Council; Establishing the Navajo Nation Fiscal Recovery Fund and the Expenditure Authorization Process Thereunder; Waiving Certain Provisions of the Navajo Nation Appropriations Act; Amending 12 N.N.C. § 334 to Authorize Emergency Procurements; Authorizing Reimbursement of the Sihasin Fund and Undesignated Unreserved Fund Balance; Authorizing Central Support and Regulatory Cost Funding; Authorizing Funding to Complete Defunded Navajo Nation CARES Fund Expenditure Plans; Authorizing the Establishment of a Navajo Nation Fiscal Recovery Fund Office Within the Office of the President and Vice-President*

Dear Speaker Damon,

After decades of struggling with an unfinished infrastructure, a sagging economy, and an inadequate education system, the Navajo Nation is on the doorstep of changing our future for our elders, our children, and our families. Over the past year we had the financial means to respond to the coronavirus and improve the lives of our constituents; we laid the foundation for the Nation. This year, we again have the opportunity to build on what we started – water lines and wastewater systems for communities, powerlines to family homes, and an internet network to help our students, to name a few. Working together we can take a giant leap forward in giving the People the protective measures they need to continue fighting against the coronavirus and its variants.

Thank you to Delegate Carl Slater for his tenacious effort in bringing this resolution through the process. Thank you Speaker for your support and we appreciate the support of the 24th Navajo Nation Council. There is much to do over the next few years and we look forward to working with the Navajo Nation Council. We sign CJY-41-21 into law.

Sincerely,

Jonathan Nez, President
THE NAVAJO NATION

Myron Lizer, Vice President
THE NAVAJO NATION

CJY-41-21

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

AN ACTION
RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; ESTABLISHING THE NAVAJO NATION FISCAL RECOVERY FUND AND THE EXPENDITURE AUTHORIZATION PROCESS THEREUNDER; WAIVING CERTAIN PROVISIONS OF THE NAVAJO NATION APPROPRIATIONS ACT; AMENDING 12 N.N.C. § 334 TO AUTHORIZE EMERGENCY PROCUREMENTS; AUTHORIZING REIMBURSEMENT OF THE SÍHASIN FUND AND UNDESIGNATED, UNRESERVED FUND BALANCE; AUTHORIZING CENTRAL SUPPORT AND REGULATORY COST FUNDING; AUTHORIZING FUNDING TO COMPLETE DEFUNDED NAVAJO NATION CARES FUND EXPENDITURE PLANS; AUTHORIZING THE ESTABLISHMENT OF A NAVAJO NATION FISCAL RECOVERY FUND OFFICE WITHIN THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT

BE IT ENACTED

SECTION ONE. AUTHORITY

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

B. 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).

C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the enumerated powers to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds and to promulgate rules and regulations relative to contracting and financial matters. 2 N.N.C. §§ 300(B)(1) and (2).

SECTION TWO. FINDINGS

A. The World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the outbreak of coronavirus ("COVID-19"), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.

B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared

a Public Health State of Emergency on the Navajo Nation on March 11, 2020, due to the COVID-19 outbreak. *See* Resolution No. CEM 20-03-11 incorporated herein by reference. The Navajo Nation Department of Health has subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2021-014 are incorporated by reference. These Public Health Emergency Orders are available at *www.ndoh.navajo-nsn.gov*.

C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout the world, the United States and the Navajo Nation. As of July 7, 2021, the Navajo Nation Health Command Operations Center has confirmed 31,043 COVID-19 cases and 1,374 COVID-related deaths on the Navajo Nation. COVID-19 variants have emerged that threaten to increase these numbers and continue the pandemic's assault on the Navajo People.

D. The devastating effects of COVID-19 continue throughout the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disruptions.

E. On March 11, 2021, President Biden signed the American Rescue Plan Act ("ARPA") into law. Section 9901 of ARPA established the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund (together the "Fiscal Recovery Funds") by amending Title VI of the Social Security Act, which provided $362 billion for state, local, and tribal governments, including $20 billion designated for tribal governments.

F. As of May 29, 2021, the United States Department of Treasury ("U.S. Treasury") allocated $1,861,554,458.43 to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA. The Fiscal Recovery Funds are designed to build on and expand the relief provided in the Coronavirus Aid, Relief, and Economic Security Act or CARES Act.

G. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by residents and businesses.

H. As set forth in Central Agency Council Resolution No. CAC 07/21-11, attached as **Exhibit A**, the Central Agency Council of the Navajo Nation supports the establishment of a Navajo Nation Fiscal Recovery Fund and the expenditure authorization process set forth herein.

I. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds were specifically intended to:

1. Respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, small businesses, and non-profits; and/or aid to impacted industries such as tourism, travel, and hospitality;

2. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the tribal government. Under this category, the Navajo Nation can provide premium pay to government workers performing essential work, and can provide grants to eligible employers that have eligible workers who perform essential work;

3. Provide government services to the extent of the reduction in Navajo Nation revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year prior to the emergency; and

4. Make necessary investments in water, sewer, or broadband infrastructure.

J. Pursuant to ARPA:

1. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning the Navajo Nation must obligate funds by that date; and

2. The Fiscal Recovery Fund period of performance runs until December 31, 2026, meaning funded projects must be completed by that date.

K. While its acceptance of the Fiscal Recovery Funds obligates the Navajo Nation to comply with ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these obligations while retaining and exercising its tribal sovereignty.

SECTION THREE. ESTABLISHMENT OF THE NAVAJO NATION FISCAL RECOVERY FUND

A. There is hereby established the "Navajo Nation Fiscal Recovery Fund" ("NNFRF").

B. The Navajo Nation hereby designates that the $1,861,554,458.43 received by the Navajo Nation as of May 29, 2021 from the U.S.

Treasury under the Fiscal Recovery Funds provisions of ARPA, as well as any additional funds that the Navajo Nation may later receive from the United States under the Fiscal Recovery Funds provisions, shall be deposited into the NNFRF.

C. The purpose of the NNFRF is to serve as a depository into which all Fiscal Recovery Funds and investment earnings therein are deposited, and from which the Navajo Nation shall disburse funds for approved Expenditure Plans which comply with the criteria set forth in the Fiscal Recovery Funds provisions of ARPA.

D. The Fiscal Recovery Funds allocated to the Navajo Nation are limited emergency funds provided by the federal government and are not subject to the annual set-aside provisions set forth in the Navajo Nation Code.

E. The Navajo Nation Office of the Controller ("OOC"), acting upon the recommendation of the Navajo Nation Investment Committee, shall oversee investment of the NNFRF in accordance with ARPA and Fiscal Recovery Funds requirements, U.S. Treasury regulations and guidance, and applicable Navajo Nation Investment Policies; investment earnings, when realized, shall be deposited into the NNFRF.

F. Any funds deposited into the NNFRF shall only be used in compliance with ARPA and Fiscal Recovery Fund purposes and restrictions, U.S. Treasury guidance, applicable federal laws and regulations, Navajo Nation laws, regulations, and policies, and duly adopted procedures and agreements between the Navajo Nation and the federal government regarding the use of the Fiscal Recovery Funds.

G. Except as set forth in Sections Five through Seven below, expenditures of the NNFRF shall only be authorized through Expenditure Plan(s) duly adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

H. OOC and all entities receiving NNFRF shall keep records sufficient to demonstrate that the Fiscal Recovery Funds appropriated by the U.S. Congress to the Navajo Nation have been used in accordance with the provisions of ARPA. The NNFRF shall be subject to an annual audit by the Navajo Nation's independent auditor. Either the Navajo Nation Council or the Navajo Nation President may require an audit at any time. The Controller shall be responsible for providing any and all records and financial reports required by the U.S. Treasury.

I. Within thirty (30) days of the effective date of this legislation, OOC shall set up an online accountability platform on the NNOOC website that will enable the public to observe the financial transactions conducted with NNFRF funds. To the maximum extent possible and consistent with applicable Navajo Nation and federal laws pertaining to confidential or proprietary information and documents, all checks, electronic deposits, funds transfers, contracts and contract amendments, and other documents supporting NNFRF expenditures shall be displayed on the platform and made available for public view.

SECTION FOUR. NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLAN ELIGIBILITY DETERMINATIONS AND APPLICATION REQUIREMENTS

A. The Office of Management and Budget ("OMB"), in consultation with OOC and Navajo Nation Department of Justice ("NNDOJ"), shall develop NNFRF application and review procedures, which shall include an NNFRF Expenditure Plan template, for adoption by the Budget and Finance Committee. OMB and OOC shall post the approved NNFRF application procedures, including an NNFRF Expenditure Plan template, and instructions on their respective websites.

B. The NNDOJ shall do an initial determination of whether a NNFRF funding request satisfies the legal requirements of the Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations, and policies and procedures.

C. Navajo Nation Divisions and Offices, non-LGA-certified Chapters, LGA-certified Chapters, Navajo Nation-owned enterprises/authorities/corporations, non-profit corporations and external entities seeking NNFRF funds shall comply with the requirements set forth in this legislation and with the requirements set forth in the NNFRF application procedures adopted by resolution of the Budget and Finance Committee ("BFC").

D. Each proposed NNFRF Expenditure Plan shall identify and designate a Responsible Entity who shall be held accountable for the compliance, implementation, monitoring, and accounting of the proposed projects, proposals, services and/or related assistance.

E. Following NNFRF Expenditure Plan approval by the Navajo Nation Council and President, the Navajo Nation, with the assistance of NNDOJ, shall enter into a binding agreement, such as a, grant or sub-recipient agreement, with each Responsible Entity, other than Navajo Nation divisions and offices and non-

LGA-certified chapters, to ensure that all Navajo Nation laws and regulations are followed and complied with at all times.

F. NNFRF Expenditure Plans involving construction activities shall include a contingency reserve consistent with industry standards adequate to cover projected inflation-based cost increases. The contingency reserve shall only be released by OOC to the Responsible Entity upon receipt of documented justification for the cost increase. After Expenditure Plan completion, any unused contingency funds shall be returned to the NNFRF.

G. The total funds allocated in an approved NNFRF Expenditure Plan for a non-Navajo Nation government program or office, including Navajo Nation-owned enterprises/authorities/corporations, may include an allocation for administrative costs at a rate not to exceed two percent (2%) of service or project cost to defray the costs of implementing, administering and monitoring said Expenditure Plan and its underlying services and projects.

H. Until the third quarter of 2024, NNFRF Expenditure Plans for direct financial assistance to enrolled Navajo Nation members, not including business economic relief or similar programs, shall be limited to ten percent (10%) of the total Fiscal Recovery Funds received by the Navajo Nation. After the second quarter of 2024, unallocated or unexpended NNFRF funds can be allocated for direct financial assistance to enrolled members through resolution of the Navajo Nation Council and approval of the President pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

SECTION FIVE. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO REIMBURSE SÍHASIN FUND ALLOCATIONS AND UNRESERVED, UNDESIGNATED FUND BALANCE APPROPRIATIONS

OOC, in consultation with OMB, shall immediately reimburse the Síhasin Fund and Unreserved, Undesignated Fund Balance ("UUFB") from the NNFRF for any allocations or appropriations wherein the approving Navajo Nation Council resolution authorized such reimbursement and NNDOJ deems such reimbursement(s) legally defensible under the Fiscal Recovery Funds provisions of ARPA. OMB shall report the amount and status of such reimbursements to the Naabik'íyáti' Committee and the Office of President and Vice-President no later than sixty (60) days after the effective date of this legislation.

SECTION SIX. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO DEFUNDED NAVAJO NATION CARES FUND PROJECTS

The Navajo Nation hereby immediately allocates NNFRF funds to replace the Navajo Nation CARES Fund funds that were reallocated to the Navajo Nation Hardship Assistance Expenditure Plan pursuant to Navajo Nation Council Resolution No. CJY-67-20 and Naabik'íyáti' Committee Resolutions No. NABIO-49-20 and NABID-63-20, as well as any CARES Fund funding that was voluntarily returned to the Nation because the project approved by the Navajo Nation Council could not be completed by the federal CARES Act deadline(s). OMB, with the assistance of OOC, shall report the amount and status of such allocations to the Naabik'íyáti' Committee and the Office of President and Vice-President no later than sixty (60) days after the effective date of this legislation.

SECTION SEVEN. IMMEDIATE ALLOCATION OF NAVAJO NATION FISCAL RECOVERY FUNDS TO FUND CENTRAL SUPPORT AND REGULATORY SERVICES

A. The Navajo Nation hereby immediately allocates ten percent (10%) of all Fiscal Recovery Funds received by the Navajo Nation to fund central support service and regulatory costs.

B. The Office of the President and Vice-President shall be responsible for apportioning ninety percent (90%) of the ten percent (10%) amount amongst Executive Branch programs and offices providing central support and regulatory services, including, the Office of the President and Vice-President, Office of the Controller, Office of Management and Budget, Department of Justice, Navajo Nation Washington Office, Division of Human Resources, Division of Community Development, and other Divisions and offices providing central support and/or regulatory services.

C. The Speaker of the Navajo Nation Council, after consultation with the Naabik'íyáti' Committee, shall be responsible for apportioning ten percent (10%) of the ten percent (10%) amount amongst Legislative Branch programs and offices providing central support services, including the Office of Legislative Services, Office of Legislative Counsel, Office of the Speaker, and Navajo Nation Council.

D. The programs and offices receiving NNFRF for central support and/or regulatory services shall use such funding to develop the legal, financial, organizational, managerial, administrative, regulatory, and reporting framework necessary to support the expeditious completion of NNFRF funded projects and the provision of NNFRF funded services.

E. The detailed budgets for the NNFRF funding allocated here for central support and regulatory services shall be processed through the executive or administrative review process

applicable to each Branch and shall not require further legislative action.

F. Any central support and/or regulatory services funding unspent or unencumbered at the end of the second quarter of Fiscal Year 2024 shall be reallocated to the NNFRF and be available for allocation to other NNFRF projects and services.

SECTION EIGHT. AUTHORIZING THE OFFICE OF THE CONTROLLER TO DISTRIBUTE FUNDS FROM THE NAVAJO NATION FISCAL RECOVERY FUND

A. After reimbursement of the Síhasin Fund and UUFB, allocations to the defunded Navajo Nation CARES Fund projects, and the release of the immediate disbursements provided for in this legislation, OOC shall only release and distribute NNFRF funds in conformance with duly adopted Expenditure Plans enacted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11) and (12).

B. Expenditure Plan funds shall not be released to LGA-certified Chapters, Navajo Nation-owned enterprises/authorities/corporations, non-profit corporations and/or external entities until a binding agreement, *e.g.*, grant or sub-recipient agreement, has been executed between the Navajo Nation and the respective Responsible Entity.

C. OOC shall be responsible for ensuring that withdrawals from all invested NNFRF funds are timed to balance Expenditure Plan needs with maximum investment earnings.

D. OOC shall coordinate and collaborate with each Responsible Entity to ensure that all applicable Navajo Nation and federal financial, accounting, and reporting laws and regulations are adhered to and strictly followed.

E. OOC and the respective Responsible Entity shall provide a written and oral report to the Naabik'íyáti' Committee and the Office of President and Vice-President on or about thirty (30) days after the end of each fiscal year quarter; such report will present an overview and status of all NNFRF funded projects, recommended modifications or adjustments to projects, and compliance challenges, if any.

SECTION NINE. APPLICABILITY AND WAIVER OF NAVAJO NATION APPROPRIATIONS ACT PROVISIONS TO NAVAJO NATION FISCAL RECOVERY FUNDS

A. The NNFRF are externally restricted funds awarded to the Navajo Nation solely for the purposes set forth in the Fiscal Recovery Funds provisions of ARPA. Accordingly, only those provisions of the Appropriations Act, 12 N.N.C. § 800 *et seq.*, that are expressly applicable to externally restricted funds, and any future provisions in the Budget Instructions Manual(s) expressly applicable to NNFRF, as approved by the Budget and Finance Committee, shall apply to the NNFRF and all Expenditure Plan(s) funded thereunder.

B. NNFRF shall not be a part of, and shall not be, included in the Navajo Nation Fiscal Year Comprehensive Budget and the Navajo Nation hereby waives the application of 12 N.N.C. § 820 [Overall Budget Policies], § 830 [Budget Planning and Preparation], § 840 [Budget Approval, Adoption and Certification], § 850 [Budget Implementation, Monitoring and Control], § 860 [Capital Improvement Process], and § 870 [Local Government Improvement Funds] to the NNFRF and all Expenditure Plan(s) funded thereunder.

SECTION TEN. AMENDING 12 N.N.C. § 334 TO AUTHORIZE EMERGENCY PROCUREMENTS FOR NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURES

A. Until such time as Navajo Nation procurement laws and regulations are amended to specifically support NNFRF procurements, the Navajo Nation hereby amends 12 N.N.C. § 334 as set forth below.

Title Twelve
Fiscal Matters
Chapter 3. Navajo Nation Procurement Act
Subchapter 1. General Provisions

****

§ 334. Emergency Procurement

A. Notwithstanding any other provision of law, the Director, Division of Finance, Purchasing Department, the head of a purchasing agency, or a designee of either officer may make or authorize others to make emergency procurement when there exists a threat to public health, welfare, or safety under emergency conditions as defined in regulations promulgated by the Budget and Finance Committee; provided that such emergency procurement shall be made with such competition as is practicable under the circumstances. A written determination of emergency shall be made by the executive director of the affected division, in concert with the Director, Division of Finance, Purchasing Department or authorized designee, and a

representative of the Attorney General's Office (or the Office of Legislative Counsel for emergency procurements by the Legislative Branch). To the extent possible, certified entities under the Navajo Nation Business Opportunity Act, 5 N.N.C. § 201 *et seq.*, shall receive preference in emergency procurement. The written determination and the selection of the particular contractor shall be included in the contract file. No oversight committee approval shall be required for these contracts.

B. Notwithstanding any other provision of law, procurements using Navajo Nation Fiscal Recovery Funds may be authorized and executed as Emergency Procurements at the discretion of the Procuring Party without further justification; provided that such emergency procurement shall be made with such competition as is practicable under the circumstances. To the extent possible, certified entities under the Navajo Nation Business Opportunity Act, 5 N.N.C. § 201 *et seq.*, that are able to complete the good or service within the Fiscal Recovery Fund's strict deadlines shall receive preference in emergency procurement. No oversight committee approval shall be required for these contracts.

****

B. Until such time as the Budget and Finance Committee amends the Navajo Nation Procurement Rules and Regulations ("Procurement Regulations") adopted by BFD-192-03, procurements using NNFRF funds shall be deemed to satisfy the definition of EMERGENCY CONDITION set forth at Section VII (B) of the Procurement Regulations without further justification; and the written application and concurrence requirements set forth at Section VII (C) of the Procurement Regulations shall not apply to such procurements.

C. As set forth in the Navajo Business Opportunity Act, if there are no responsive and responsible Priority One or Priority Two vendors responding to the Nation's solicitation for NNFRF funded goods, services, or construction and construction related services, who are qualified and able to meet the requirements of the procurement, including the demonstrated ability to meet the ARPA and NNFRF time deadlines, the Procuring Party may contract with companies not included on the Business Source List maintained by the Business Regulatory Department, as long as such companies agree to comply with Navajo Nation laws, regulations, and policies, including the Navajo Preference in Employment Act and Navajo Business Opportunity Act.

D. Navajo citizens, Navajo-owned businesses and non-profits, Navajo business-support organizations, such as the Dineh Chamber of Commerce, and Navajo Nation-owned enterprises/authorities/corporations shall be a provided a meaningful opportunity to comment before amendments are made to Navajo Nation procurement laws and regulations.

SECTION ELEVEN. AUTHORIZING THE ESTABLISHMENT OF A NAVAJO NATION FISCAL RECOVERY FUND OFFICE WITHIN THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT

A. The Office of the President and Vice-President ("OPVP") is authorized to establish a temporary NNFRF Office within OPVP by Executive Order pursuant to 2 N.N.C. §§ 1005(A) and (C)(14).

B. The NNFRF Office shall be a clearinghouse that will, at a minimum, educate the public on NNFRF matters; coordinate, facilitate and implement NNFRF responsibilities assigned to OPVP or the Executive Branch; ensure expeditious review of NNFRF eligibility determinations and other NNFRF matters by Executive Branch programs and offices; ensure Navajo Nation compliance with Fiscal Recovery Funds provisions of ARPA and Navajo Nation laws and regulations by all entities receiving NNFRF funds; facilitate and expedite the expenditure of all NNFRF funds; ensure the completion and implementation of NNFRF authorized projects and services; and assist/support OOC in monitoring the expenditure of NNFRF funds and submitting timely and accurate ARPA reports to the federal government.

C. Prior to its opening, OPVP shall present a plan of operation or similar structural document for the NNFRF Office to the Naabik'íyáti' Committee. On or about thirty (30) days after the end of each fiscal year quarter, OPVP shall present a report to the Naabik'íyáti' Committee on overall NNFRF Office operations, accomplishments, and challenges, along with recommended modifications or adjustments to projects and processes.

D. OPVP and OOC shall only contract with qualified and experienced Navajo Nation-owned enterprises/authorities/corporation or Navajo-owned businesses to assist in the implementation, management, and monitoring of NNFRF funds.

E. In order to support the purposes and intent of the Navajo Nation Business Opportunity Act and Navajo Nation Preference in Employment Act, within fifty (50) days after the enactment of this legislation, the NNFRF Office shall present a plan to the Budget and Finance and Naabik'íyáti' Committees to provide

bonding, insurance, and other needed support to grow the Navajo Nation economy through private sector contracting, using ARPA, NNFRF, and/or other Navajo Nation or external funding.

SECTION ELEVEN. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B).

SECTION TWELVE. SAVING CLAUSE

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those provisions of the legislation which are not determined invalid shall remain the law of the Navajo Nation.

SECTION THIRTEEN. DIRECTIVES

A. OMB, in consultation with OOC and DOJ, shall present proposed NNFRF application and review procedures, including an NNFRF Expenditure Plan template, to the Budget and Finance Committee within twenty (20) days after the effective date of this legislation.

B. The Division of Natural Resources and General Land Development Department shall present a proposed Plan of Operation for a "One-Stop Shop" to facilitate, review, and approval of rights-of-ways, temporary construction permits, mission site permits, leases, etc., to the Resources and Development Committee within forty-five (45) days after the effective date of this legislation.

C. The Division of Human Resources and Department of Personnel Management shall present proposed amendments to the Navajo Nation Personnel Policies Manual to, at a minimum, facilitate the expeditious hiring of personnel with NNFRF funds to the Health, Education, and Human Services Committee within sixty (60) days after the effective date of this legislation.

D. OPVP, with the assistance of the Business Regulatory Department and OOC Purchasing Section, shall present proposed amendments to the Navajo Nation's procurement and business opportunity laws and regulations to, at a minimum, expedite NNFRF procurements, to the Budget and Finance Committee within sixty (60) days after the effective date of this legislation.

CJY-41-21

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 21 in Favor, and 01 Opposed, on this 22nd day of July 2021.

Honorable Seth Damon, Speaker
24th Navajo Nation Council

July 23, 2021
DATE

Motion: Honorable Paul Begay, Jr.
Second: Honorable Edison J. Wauneka

Speaker Seth Damon not voting

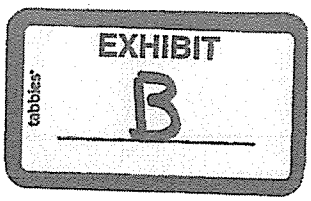
ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 02 day of August, 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



Appendix 1: Expenditure Categories

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term "Expenditure Category" refers to the detailed level (e.g., 1.1 COVID-10 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level.

1: Public Health	
1.1	COVID-19 Vaccination ^
1.2	COVID-19 Testing ^
1.3	COVID-19 Contact Tracing
1.4	Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*
1.5	Personal Protective Equipment
1.6	Medical Expenses (including Alternative Care Facilities)
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
1.10	Mental Health Services*
1.11	Substance Use Services*
1.12	Other Public Health Services
2: Negative Economic Impacts	
2.1	Household Assistance: Food Programs* ^
2.2	Household Assistance: Rent, Mortgage, and Utility Aid* ^
2.3	Household Assistance: Cash Transfers* ^
2.4	Household Assistance: Internet Access Programs* ^
2.5	Household Assistance: Eviction Prevention* ^
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^
2.8	Contributions to UI Trust Funds
2.9	Small Business Economic Assistance (General)* ^
2.10	Aid to Nonprofit Organizations*
2.11	Aid to Tourism, Travel, or Hospitality
2.12	Aid to Other Impacted Industries
2.13	Other Economic Support* ^
2.14	Rehiring Public Sector Staff
3: Services to Disproportionately Impacted Communities	
3.1	Education Assistance: Early Learning* ^
3.2	Education Assistance: Aid to High-Poverty Districts ^
3.3	Education Assistance: Academic Services* ^
3.4	Education Assistance: Social, Emotional, and Mental Health Services* ^
3.5	Education Assistance: Other* ^
3.6	Healthy Childhood Environments: Child Care* ^
3.7	Healthy Childhood Environments: Home Visiting* ^
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^

3.9	Healthy Childhood Environments: Other* ^
3.10	Housing Support: Affordable Housing* ^
3.11	Housing Support: Services for Unhoused Persons* ^
3.12	Housing Support: Other Housing Assistance* ^
3.13	Social Determinants of Health: Other* ^
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators* ^
3.15	Social Determinants of Health: Lead Remediation ^
3.16	Social Determinants of Health: Community Violence Interventions* ^
4: Premium Pay	
4.1	Public Sector Employees
4.2	Private Sector: Grants to Other Employers
5: Infrastructure[27]	
5.1	Clean Water: Centralized Wastewater Treatment
5.2	Clean Water: Centralized Wastewater Collection and Conveyance
5.3	Clean Water: Decentralized Wastewater
5.4	Clean Water: Combined Sewer Overflows
5.5	Clean Water: Other Sewer Infrastructure
5.6	Clean Water: Stormwater
5.7	Clean Water: Energy Conservation
5.8	Clean Water: Water Conservation
5.9	Clean Water: Nonpoint Source
5.10	Drinking water: Treatment
5.11	Drinking water: Transmission & Distribution
5.12	Drinking water: Transmission & Distribution: Lead Remediation
5.13	Drinking water: Source
5.14	Drinking water: Storage
5.15	Drinking water: Other water infrastructure
5.16	Broadband: "Last Mile" projects
5.17	Broadband: Other projects
6: Revenue Replacement	
6.1	Provision of Government Services
7: Administrative	
7.1	Administrative Expenses
7.2	Evaluation and Data Analysis
7.3	Transfers to Other Units of Government
7.4	Transfers to Non-entitlement Units (States and territories only)

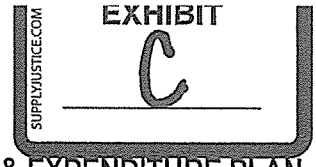
*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities (see Project Demographic Distribution section above for details)

[27] Definitions for water and sewer Expenditure Categories can be found in the EPA's handbooks. For "clean water" expenditure category definitions, please see: https://www.epa.gov/sites/production/files/2018-03/documents/cwdefinitions.pdf. For "drinking water" expenditure category definitions, please see: https://www.epa.gov/dwsrf/drinking-water-state-revolving-fund-national-information-management-system-reports.

EXHIBIT C

SUPPLYJUSTICE.COM



APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Office of the Controller Date prepared: 12/23/2021
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 708, Window Rock, AZ 86515 phone/email: (928) 871-6308/elizabeth.begay@nnooc.org
website (if any):

Form prepared by: Elizabeth Begay phone/email: (928) 871-6308/elizabeth.begay@nnooc.org
Acting Controller, Office of the Controller same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Hardship Assistance

NN Government Unit's Director or Manager: Elizabeth Begay phone & email: (928) 871-6308/elizabeth.begay@nnooc.org

Division Director (if any): same as above phone & email:

Branch Chief: Jonathan Nez, Navajo Nation President phone & email: (928)871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $557,000,000 FRF funding period: 10/01/2021 - 12/31/2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Office of the Controller (OOC) will provide financial hardship assistance, directly related to the COVID-19 pandemic, for eligible Navajo People age 18 and over not to exceed $2,000 per applicant for up to 250,000 qualifying individuals. In addition, the OOC will provide hardship assistance to minors age below 18 years old not to exceed $600 per recipient for up to 95,000 qualifying individuals. This financial assistance can be used to purchase personal protective equipment; pay utility bills, rent, mortgage, isolation expenses, livestock-related expenses, and education related expenses.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

As of December 26, 2021, the Navajo Nation DOH reported 9 new COVID-19 cases and 2 recent deaths. The total number of deaths is now 1,583 and 40,856 confirmed positive cases. In addition, the current unemployment rate is at an all time high at 48.5% and the average household income is $8,240, well below the federal poverty guidelines. This program will provide much needed assistance as the Nation continues to face the effects and financial hardship due to the pandemic.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Advertisement by OOC for eligible applications for financial hardship assistance: 01/01/2022 - 10/31/2022

Execution of funding distribution: 01/01/22 - 12/31/2024

The Office of the Controller does not foresee any challenges preventing them from meeting the December 31, 2024 deadline to incur all costs.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Elizabeth Begay, Controller, Navajo Nation Office of the Controller

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

There will be no O&M costs. Once the funding is distributed, there will be no additional costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.3 Negative Economic Impacts, Household Assistance: Cash Transfers

This program will focus on adult individuals experiencing financial hardship directly related to the COVID-19 pandemic. Use of the financial assistance will be regulated to approved, eligible uses due to negative economic impacts due to COVID-19. The cash transfer amount of $2,000 per person for members of the Nation age 18 and over and $600 per person for members of the Nation age below 18 is reasonable, and not excessive, amount to address the financial hardship experienced by the pandemic. In comparison, the Federal government provided stimulus check for economic impact relief program to person age 18 years and over totaling $3,200 and to person age below 18 years totaling $2,500.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

1. Sample application of FRF hardship assistance
2. Sample letter to accompany hardship assistance payment stating return of excess financial assistance in entire amount if not used to support eligible costs or is distributed to an individual who has not suffered economic hardship due to COVID-19 pandemic.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Elizabeth Begay Digitally signed by Elizabeth Begay Date: 2021.12.29 16:25:05 -07'00'
signature of Preparer/CONTACT PERSON

Approved by: Elizabeth Begay Digitally signed by Elizabeth Begay Date: 2021.12.29 16:25:51 -07'00'
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
print name and indicate title or position

Executive Branch
indicate Branch or Division

NAVAJO NATION

928 12/29/2021

Navajo Nation Council Special Session 07:16:15 PM

Amd# to Amd#	Legislation 0263-21: An Action	PASSED
MOT Tso, D	Relating to Emergency and NNC;	
SEC Begay, P	Allocating $207,000,000 of the	
	Navajo Nation Fiscal Recovery...	

Yeas : 18 **Nays : 2** **Excused : 3** **Not Voting : 0**

Yea : 18

Begay, E	Halona, P	Tso	Walker, T
Begay, P	James, V	Tso, C	Wauneka, E
Brown	Nez, R	Tso, D	Yazzie
Crotty	Slater, C	Tso, E	Yellowhair
Daniels	Stewart, W		

Nay : 2

Henio, J	Smith

Excused : 3

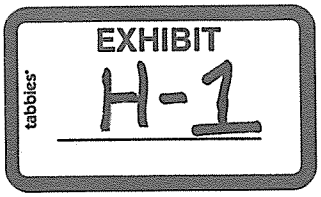
Freeland, M	Begay, K	Damon

Not Voting : 0

Presiding Speaker: Charles-Newton

NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL



DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0171

Date & Time Received: 04/12/22 10:20

Date & Time of Response: 04/14/2022 10:45 am MDT

Entity Requesting FRF: Office of the President & Vice President

Title of Project: Hardship Assistance

Administrative Oversight: Office of the Controller

Amount of Funding Requested: $120,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.3 Negative Economic Impacts, Household Assistance: Cash Transfers.

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Office of the President & Vice President (OPVP) Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 7440, Window Rock, AZ 86515
Window Rock, AZ 86515
phone/email: (928) 871-6173/elizabeth.begay@nnooc.org
website (if any):

Form prepared by: Elizabeth Begay phone/email: (928) 871-6173/elizabeth.begay@nnooc.org

Controller, Office of the Controller — same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Hardship Assistance

NN Government Unit's Director or Manager: Paulson Chaco, Chief of Staff phone & email: (928) 871-7247/paulsonchaco@navajo-nsn.gov

Division Director (if any): same as above phone & email:

Branch Chief: Jonathan Nez, Navajo Nation President phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: 120,000,000 FRF funding period: 10/01/2021 - 12/31/2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

SUPPLEMENTAL HARDSHIP FUNDING REQUEST: This Expenditure Plan would increase the overall hardship funding originally approved under CD-62-21 from 557M to 677M. The Office of the Controller (OOC) will provide financial hardship assistance, directly related to the COVID-19 pandemic, for eligible Navajo People age 18 and over not to exceed $2,000 per applicant and to minors age below 18 years old not to exceed $600 per recipient. This request increases the hardship for an additional 48,000 adults and 40,000 minors as well as meets some of the anticipated negative variance of the original hardship legislation based on the current enrollment projects.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

As of April 11, 2022, the total number of deaths has increased from 1,583 (date of original hardship expenditure plan) to 1,740 with a total of 53,134 confirmed cases. The current unemployment rate is at an all time high of 48.5% and the average household income is $8,240, well below the federal poverty guidelines. This program will provide much needed assistance as the Nation continues to face the effects and financial hardship due to the pandemic.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Advertisement by OOC for eligible applications for financial hardship assistance will continue through December 31, 2022. Execution of funding distribution: Continue through December 31, 2024. The Office of the Controller does not foresee any challenges preventing them from meeting the December 31, 2024 deadline to incur all costs.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Elizabeth Begay, Controller, Navajo Nation Office of the Controller

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

There will be no O&M costs. Once the funding is distributed, there will be no additional costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.3 Negative Economic Impacts, Household Assistance: Cash Transfers

This program will focus on adult individuals experiencing financial hardship directly related to the COVID-19 pandemic. Use of the financial assistance will be regulated to approved, eligible uses due to negative economic impacts of COVID-19. The cash transfer amount of $2,000 per person for members of the Nation age 18 and over and $600 per person for members of the Nation age below 18 is reasonable, and not excessive, amount to address the financial hardship experienced by the pandemic. In comparison, the Federal government provided stimulus checks for economic impact relief program to person age 18 years and over totaling $3,200 and to person age below 18 years totaling $2,500.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco / Chief of Staff

signature of Branch Chief or Division Director *print name and indicate title or position*

Executive Branch

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Supplemental Hardship Funds Division/Branch: *Office of the Controller*

Prepared By: Elizabeth Begay Phone No.: 928.871.6173 Email Address: elizabeth.begay@nnooc.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		120,000,000.00	100%
TOTAL:		$120,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance			120,000,000.00	
9000 Capital Outlay				
TOTAL		$0.00	120,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

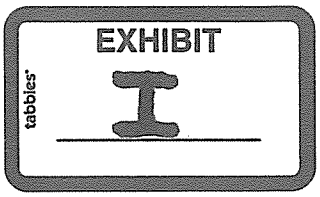
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Elizabeth Begay / Controller
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

04/12/22
Division Director / Branch Chief's Signature and Date



Water and Wastewater

Description	Category	$
Wastewater: Centralized Wastewater Treatm	5.1	$33,675,338
Wastewater: Collection and Conveyance	5.2	$6,008,874
Drinking Water: Distribution and Transmissio	5.10	$10,030,000
Drinking Water: Transmission & Distribution	5.11	$51,085,788
Drinking Water: Source	5.13	$29,200,000
Drinking Water: Storage	5.14	$1,000,000
Drinking Water: Cistern Systems	5.15	$84,000,000
Total Funding		$215,000,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0185

Date & Time Received: 4/12/22 04:45

Date & Time of Response: 14 April, 2022; 10:42 am

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.1 Clean Water: Centralized Wastewater Treatment

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $33,675,338

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.1 Clean Water: Centralized Wastewater Treatment

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments:

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources
indicate Department, Program, Office, Division, or Branch
Date prepared: 04/12/2022

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504
phone/email: 928.729.4003
website (if any):

Form prepared by: Jason John, Department Manager
phone/email: jasonjohn@navajo-nsn.gov
CONTACT PERSON'S name, title and Department, Program, Office, etc.
CONTACT PERSON'S info

Title & type of Project: 5.1 Clean Water: Centralized Wastewater Treatment

NN Government Unit's Director or Manager: Jason John
phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD
phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco
phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources
indicate Branch and/or Division
on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 33,675,338
FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

All proposed projects will either construct, improve, or repair wastewater treatment plants on the Navajo Nation, some that are out of compliance, in Ganado, Kayenta, Chinle, Shiprock, and Tuba City. These projects will improve wastewater treatment plants to address Administrative Orders of Compliance issued by US EPA ordering the Navajo Nation to bring wastewater treatment plants in into compliance.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Improving wastewater treatment plants across the Navajo Nation improves public health of the community and allows for economic and population growth. The communities will have better sanitation services that are reliable and safe thus benefiting Navajo people, communities, and the Navajo Nation at large.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by NTUA customers or NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator or non NTUA customers as required.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project title falls under Expenditure Category 5.1 Clean Water: Centralized Wastewater Treatment. Under 5.1: The Interim Final Rules state, "[t]he types of projects eligible for CWSRF assistance include projects to construct, improve, and repair wastewater treatment plants, control non-point sources of pollution, improve resilience of infrastructure to severe weather events, create green infrastructure, and protect waterbodies from pollution."

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.1 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
***signature** of Preparer/CONTACT PERSON*

Approved by: _____
***signature** of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
***print** name and indicate title or position*

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.1 Clean Water: Centralized Wastewater Treatment Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	33,675,338.00	100%
	TOTAL:	$33,675,338.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6		33,675,338	33,675,338
9000 Capital Outlay				
TOTAL		$0.00	33,675,338	33,675,338

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

4-12-2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.1 Clean Water: Centralized Wastewater Treatment

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Wastewater Projects								
Navajo Nation Water Resources Projects								
5.1 Clean Water: Centralized Wastewater Treatment	Ganado WWTP Present and Future Growth Capacity Project, new cells 1,2 & 3	Ganado	Vince James	1			1	$ 4,000,000
5.1 Clean Water: Centralized Wastewater Treatment	Kayenta Wastewater Treatment Plant Present and Future Growth Capacity	Kayenta	Nathaniel Brown	1			1	$ 4,000,000
5.1 Clean Water: Centralized Wastewater Treatment	Chinle Wastewater Treatment Plant Present and Future Growth Capacity	Chinle	Eugene Tso	1			1	$ 18,500,000
5.1 Clean Water: Centralized Wastewater Treatment	Tuba City Wastewater Treatment Plant Present and Future Growth Capacity	Tuba City	Otto Tso	1			1	$ 4,175,338
5.1 Clean Water: Centralized Wastewater Treatment	Shiprock Wastewater Treatment Plant Present and Future Growth Capacity	Shiprock	Eugenia Charles-Newton		1		1	$ 3,000,000
						Total	5	$ 33,675,338

EXHIBIT
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I-2

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0183

Date & Time Received: 4/12/22 04:32

Date & Time of Response: 13 April, 2022; 7:53 pm

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.2 Clean Water: Centralized Wastewater Collection and Conveyance

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $6,008,874

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.2 Clean Water: Centralized Wastewater Collection and Conveyance

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments:

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources — Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504 — phone/email: 928.729.4003 — website (if any): _____

Form prepared by: Jason John, Department Manager — phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 5.2 Clean Water: Centralized Wastewater Collection and Conveyance

NN Government Unit's Director or Manager: Jason John — phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD — phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco — phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 6,008,874 — FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project will expand wastewater services to 86 existing homes in Alamo with over 23,000 linear feet of 8" PVC sewer collection lines, will add two additional lift stations, and will increase the capacity of the Alamo lagoons with the addition of two new ponds.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

The ability to collect and convey wastewater for treatment directly address one of the major sanitation needs that is connected to the high outbreak of COVID-19 on the Navajo Nation. When drinking water is pumped into a home there needs to be previsions made for the resultant wastewater to safely exit the home. Homes are connected to a community wastewater system where available.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

This project will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The constructed facilities will be operated and maintained by the Alamo Navajo School Board using revenues from customers' water bills.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project title falls under Expenditure Category 5.2 Clean Water: Centralized Wastewater Collection and Conveyance. The Interim Final Rules state, "[t]he types of projects eligible for CWSRF assistance include projects to construct, improve, and repair wastewater treatment plants, control non-point sources of pollution, improve resilience of infrastructure to severe weather events, create green infrastructure, and protect waterbodies from pollution."

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.2 NNFRF request for project included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
***signature** of Prepare/ CONTACT PERSON*

Approved by: _____
***signature** of NN Government Unit - Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
***print** name and indicate title or position*

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.2 Clean Water: Centralized Wastewater Conveyance Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: [redacted]

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	6,008,874.00	100%
	TOTAL:	$6,008,874.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6		6,008,874	6,008,874
9000 Capital Outlay				
TOTAL		$0.00	6,008,874	6,008,874

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

4.12.2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.2 Clean Water: Centralized Wastewater Collection and Conveyance

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Wastewater Projects								
Navajo Nation Water Resources Projects								
5.2 Clean Water: Transmisson & Distribution	Alamo Wastewater Project	Alamo	Jamie Henio		1		1	$ 6,008,874
						Total	1	$ 6,008,874

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0178

Date & Time Received: 4/12/22 01:19

Date & Time of Response: 04/13/2022 4:45 pm

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.10 Drinking Water: Treatment

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $10,030,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.10 Drinking Water: Treatment

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources
indicate Department, Program, Office, Division, or Branch
Date prepared: 04/12/2022

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504
phone/email: 928.729.4003
website (if any):

Form prepared by: Jason John, Department Manager
phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 5.10 Drinking Water: Treatment

NN Government Unit's Director or Manager: Jason John
phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD
phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco
phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 10,030,000 FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This consists has 3 projects categorized as drinking water; treatment. The three projects will be located on the Navajo Nation at Oljato, Aneth, and Chinle.

☒ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

These projects will improve the drinking water in the identified Navajo communities by constructing or finishing new water treatment plants. The Navajo people will directly benefit by having access to clean drinking water provided by water treatment plants.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project title falls under Expenditure Category 5.10 Drinking Water; Treatment. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure. An allowed use of the funds is to assist communities in making water infrastructure capital improvements, including the installation and replacement of failing treatment and distribution systems.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.10 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
print name and indicate title or position

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.10 Drinking Water Treatment Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	10,030,000.00	100%
	TOTAL:	$10,030,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6		10,030,000	
9000 Capital Outlay				
TOTAL		$0.00	10,030,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John, Department Manager
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

Rudolph Shebala 4.12.2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.10 Drinking water: Treatment

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Water Projects								
Navajo Nation Water Resources Projects								
5.10 Drinking water: Treatment	Halchita WTP Evaporation Pond & H2S Treatment	Oljato	Charlaine Tso	1			1	$ 850,000
5.10 Drinking water: Treatment	New Aneth Arsenic Removal Water Treatment Plant and Intertie (Phase II)	Aneth	Charlaine Tso			1	1	$ 500,000
5.10 Drinking water: Treatment	New Chinle Water Treatment Plant, Matching Contribution (Planned Completion 12/2023)	Chinle	Eugene Tso	1			1	$ 8,680,000
						Total		$ 10,030,000

EXHIBIT tabbies I-4

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0184

Date & Time Received: 4/12/22 04:39

Date & Time of Response: 13 April, 2022; 8:39 pm

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.11 Drinking Water: Transmission and Distribution

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $51,085,788

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.11 Drinking Water: Transmission and Distribution

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments:

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources — Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504 — phone/email: 928.729.4003 — website (if any):

Form prepared by: Jason John, Department Manager — phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 5.11 Drinking Water: Transmission and Distribution

NN Government Unit's Director or Manager: Jason John — phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD — phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco — phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 51,085,788 — FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project consists of twenty-three (23) drinking water transmission and distribution project types as listed on the attached.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

These projects will serve clean drinking water that will require various water related equipment and electricity related upgrades to improve the transmission and distribution of clean drinking water across the Navajo Nation.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

These projects are covered under Expenditure Category 5.11. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.11 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
***signature** of Preparer/CONTACT PERSON*

Approved by: _____
***signature** of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
***print** name and indicate title or position*

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.11 Drinking Water Transmission and Distribution Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	51,085,788.00	100%
	TOTAL:	$51,085,788.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			23,975,788	23,975,788
7000 Special Transactions				
8000 Public Assistance			27,110,000	27,110,000
9000 Capital Outlay	6			
TOTAL		$0.00	51,085,788.00	51,085,788

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

4-12-2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.11 Drinking water: Transmission & Distribution

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Water Projects								
Navajo Nation Water Resources Projects								
5.11 Drinking water: Transmission & Distribution	Sanostee NGWSP Connection Phase 1	Tse'alnaozt'i'i'	Amber Kanazbah Crotty		1		1	$ 2,663,065
5.11 Drinking water: Transmission & Distribution	Newcomb NGWSP Connection Phase1	Newcomb	Rickie Nez		1		1	$ 847,472
5.11 Drinking water: Transmission & Distribution	Two Grey Hills NGWSP Connection Phase 2	Toadlena	Amber Kanazbah Crotty		1		1	$ 2,777,450
5.11 Drinking water: Transmission & Distribution	Sheep Springs NGWSP Connection Phase 1	Sheep Springs	Amber Kanazbah Crotty		1		1	$ 685,922
5.11 Drinking water: Transmission & Distribution	Tohatchi NGWSP Connection Phase 1	Tohatchi	Pernell Halona		1		1	$ 3,040,755
5.11 Drinking water: Transmission & Distribution	Mexican Springs NGWSP Connection Phase 2	Mexican Springs	Pernell Halona		1		1	$ 307,000
5.11 Drinking water: Transmission & Distribution	Standing Rock NGWSP (BBN9) Connection	Standing Rock,	Mark Freeland		1		1	$ 2,228,336
5.11 Drinking water: Transmission & Distribution	Tohajiilee - ABQ Water Supply Pipeline	Tohajiilee	Jamie Henio		1		1	$ 2,450,000
5.11 Drinking water: Transmission & Distribution	Standing Rock Waterline Extensions	Standing Rock	Mark Freeland		1		1	$ 7,000,000
5.11 Drinking water: Transmission & Distribution	Chichiltah Supply and Water System	Chichiltah	Seth Damon		1		1	$ 3,000,000
5.11 Drinking water: Transmission & Distribution	Cutter Lateral Watering Point	Huerfano	Mark Freeland		1		1	$ 150,000
5.11 Drinking water: Transmission & Distribution	Coyote Canyon (Planning/Design)	Coyote Canyon	Pernell Halona		1		1	$ 2,100,000
5.11 Drinking water: Transmission & Distribution	Cutter Ph 6f	Huerfano	Mark Freeland		1		1	$ 7,900,000
5.11 Drinking water: Transmission & Distribution	Alamo Water Project	Alamo	Jamie Henio		1		1	$ 7,975,788
5.11 Drinking water: Transmission & Distribution	Naschitti Connection	Naschitti	Pernell Halona		1		1	$ 3,150,000
5.11 Drinking water: Transmission & Distribution	New Cutter Lateral Water Loading Stations	Huerfano	Mark Freeland		3		3	$ 405,000
5.11 Drinking water: Transmission & Distribution	New Cutter Lateral Water Loading Stations	Nageezi	Mark Freeland		3		3	$ 405,000
5.11 Drinking water: Transmission & Distribution	Westwater Community Project	Aneth	Charlaine Tso			1	1	$ 3,000,000
5.11 Drinking water: Transmission & Distribution	New Lybrook Intertie w/Cutter Lateral	Ojo Encino	Daniel Tso		1		1	$ 1,000,000
						Total	23	$ 51,085,788

EXHIBIT
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NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0179

Date & Time Received: 4/12/22 03:31

Date & Time of Response: 04/13/2022 5:30 pm MDT

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.13 Drinking Water: Source

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $29,200,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.13 Drinking Water: Source

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources — Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504 — phone/email: 928.729.4003 — website (if any):

Form prepared by: Jason John, Department Manager — phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 5.13 Drinking Water: Source

NN Government Unit's Director or Manager: Jason John — phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD — phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco — phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 29,200,000 FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project consists of nine (9) drinking water source projects as listed on the attached to include constructing new water wells and new pump houses throughout the Nation.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project consists of constructing new wells for additional water supplies and renovating wells and the pump houses that serve the wells. These project ensures that Navajo people have access to clean drinking water, either in their homes or by hauling from water loading stations. Clean drinking water is necessary for public health and ensuring habitable homes.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by NTUA customers or NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator or non NTUA customers as required.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

These projects are covered under Expenditure Category 5.13. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.13 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
signature *of Preparer/CONTACT PERSON*

Approved by: _____
signature *of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
signature *of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
print *name and indicate title or position*

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.13 Drinking Water Source Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	29,200,000	100%
	TOTAL:	$29,200,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies	6		200,000	200,000
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services	6		7,900,000	7,900,000
7000 Special Transactions				
8000 Public Assistance	6		21,100,000	21,100,000
9000 Capital Outlay				
TOTAL		$0.00	29,200,000	29,200,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

4.12.2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.13 Drinking water: Source

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Water Projects								
Navajo Nation Water Resources Projects								
5.13 Drinking water: Source	Oljato Well WS Improvements (NN DWR)	Oljato	Charlaine Tso	1			1	$ 1,450,000
5.13 Drinking water: Source	Alamo Springs Well Connection (NN DWR)	Alamo	Jamie Heno		1		1	$ 250,000
5.13 Drinking water: Source	Alamo - New Well and Treatment System (NN DWR)	Alamo	Jamie Heno		1		1	$ 1,000,000
5.13 Drinking water: Source	Source Hydropanels (NN DWR)	Multi-Chapter	Navajo Nation Wide	TBD	TBD	TBD		$ 8,000,000
5.13 Drinking water: Source	New Houck Well Pumphouse	Houck	Raymond Smith Jr.	1			1	$ 500,000
5.13 Drinking water: Source	Various locations throughout the NN: Additional Water Wells and Pump Houses						0	
	Additional Water Well and Pump House	Twin Lakes	Pernell Halona		1		1	$ 3,600,000
	Additional Water Well and Pump House	Chilchinbeto	Nathaniel Brown	1			1	$ 3,600,000
	Additional Water Well and Pump House	Tsaile	Carl R. Slater	1			1	$ 3,600,000
	Additional Water Well and Pump House	Forrest Lake	Jimmy Yellowhair	1			1	$ 3,600,000
	Additional Water Well and Pump House	Kayenta	Nathaniel Brown	1			1	$ 3,600,000
						Total	9	$ 29,200,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0177

Date & Time Received: 4/12/22 01:09

Date & Time of Response: 13 April, 2022; 7:36 pm

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.14 Drinking Water: Storage

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $1,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

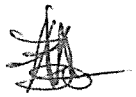
U.S. Department of Treasury Reporting Expenditure Category: 5.14 Drinking Water: Storage

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: 

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources
indicate Department, Program, Office, Division, or Branch
Date prepared: 04/12/2022

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504
phone/email: 928.729.4003
website (if any):

Form prepared by: Jason John, Department Manager
phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc.
CONTACT PERSON'S info

Title & type of Project: 5.14 Drinking Water: Storage

NN Government Unit's Director or Manager: Jason John
phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD
phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco
phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources
indicate Branch and/or Division
on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 1,000,000
FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project consists of one (1) drinking water storage project as listed on the attached to include constructing new water wells and new pump houses throughout the Nation.

☒ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project consists of renovating an existing water storage tank. This project ensures that Navajo homes with plumbing and connections to community water systems will have water delivered to their homes. Clean drinking water is necessary for public health and ensuring habitable homes.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

This project will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Ramah Navajo Utility Authority (RNUA)

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project is covered under Expenditure Category 5.14. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Table indicating 5.14 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
print name and indicate title or position

Natural Resources
indicate Branch or Division

FY 2022

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.14 Drinking Water - Storage Division/Branch: *Div. Natural Resouces*

Prepared By: Jason John Phone No.: (928) 729-4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	1,000,000.00	
	TOTAL:	$1,000,000.00	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6		1,000,000	1,000,000
9000 Capital Outlay				
TOTAL		$0.00	1,000,000	1,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John, Department Manager
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Dr. Rudolph Shebala, Division Director
Division Director / Branch Chief's Printed Name

4-12-2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.14 Drinking water: Storage

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Water Projects								
Navajo Nation Water Resources Projects								
5.14 Drinking water: Storage	Ramah Water System Upgrades (NN DWR)	Ramah	Jamie Henio		1		1	$ 1,000,000
						Total	1	$ 1,000,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0182

Date & Time Received: 4/12/22 03:53

Date & Time of Response: 4/13/2022 10:10 AM MDT

Entity Requesting FRF: Department of Water Resources

Title of Project: 5:15 Drinking Water: Other Water Infrastructure

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: $84,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.15, Drinking Water: Other Water Infrastructure

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: KALowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources — Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 678, Fort Defiance, AZ 86504 — phone/email: 928.729.4003 — website (if any):

Form prepared by: Jason John, Department Manager — phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 5.15 Drinking Water: Other Water Infrastructure

NN Government Unit's Director or Manager: Jason John — phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD — phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco — phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Construction contractors and engineers ☐ document attached

Amount of FRF requested: 84,000,000 — FRF funding period: When funding received - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project consists of installing 1000 waterlines and 400 cistern systems to homes located on the Navajo Nation, whichever is applicable.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This program will ensure more Navajo homes have clean drinking water in their homes.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Jason John

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by NTUA customers or NTUA using revenue from NTUA customers' water bills. Exceptions to the operation and maintenance for any projects that are located outside the jurisdiction of NTUA would be covered by the local water or wastewater utility operator or non NTUA customers as required.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project is covered under Expenditure Category 5.15. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Tables indicating 5.15 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
***signature** of Preparer/CONTACT PERSON*

Approved by: _____
***signature** of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____
***signature** of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Rudy Shebala, Executive Director
***print** name and indicate title or position*

Natural Resources
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 5.15 Drinking Water Other Water Infrastructure Division/Branch: *Natural Resources*

Prepared By: Jason John Phone No.: 928.729.4003 Email Address: jasonjohn@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/1/21-9/30/26	84,000,000	100%
	TOTAL:	$84,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance	6		84,000,000	84,000,000
9000 Capital Outlay				
TOTAL		$0.00	84,000,000.00	84,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Jason John
Program Manager's Printed Name

4/12/2022
Program Manager's Signature and Date

APPROVED BY: Dr. Rudy Shebala, Division Director
Division Director / Branch Chief's Printed Name

4.12.2022
Division Director / Branch Chief's Signature and Date

4.11.2022

5.15 Drinking Water: Other water infrastructure

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Service Projects								
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Beclabito	Amber Kanazbah Crotty		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Cove	Amber Kanazbah Crotty	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Red Valley	Amber Kanazbah Crotty	4			4	$ 240,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Sanostee	Amber Kanazbah Crotty		7		7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Sheepsprings	Amber Kanazbah Crotty		2		2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Two Grey Hills	Amber Kanazbah Crotty		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Lukachukai	Carl Slater	26			26	$ 1,560,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Rock Point	Carl Slater	17			17	$ 1,020,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Rock Point	Carl Slater	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Rough Rock	Carl Slater	10			10	$ 600,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Round Rock	Carl Slater	12			12	$ 720,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Tsaile/Wheatfields	Carl Slater	19			19	$ 1,140,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Aneth	Charlaine Tso			1	1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Red Mesa	Charlaine Tso	8			8	$ 480,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Sweetwater	Charlaine Tso	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	TeecNosPos	Charlaine Tso	6			6	$ 360,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Baca/Prewitt	Daniel Tso		15		15	$ 900,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Counselor	Daniel Tso		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Littlewater	Daniel Tso		5		5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Ojo Encino	Daniel Tso		2		2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Pueblo Pintado	Daniel Tso		7		7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Torreon	Daniel Tso		9		9	$ 540,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Whitehorse Lake	Daniel Tso		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Oak Springs	Edison Wauneka	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	St. Michaels	Edison Wauneka	26			26	$ 1,560,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Church Rock	Edmund Yazzie		15		15	$ 900,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Iyanbito	Edmund Yazzie		11		11	$ 660,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Mariano Lake	Edmund Yazzie		10		10	$ 600,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Pinedale	Edmund Yazzie		7		7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Smith Lake	Edmund Yazzie		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Thoreau	Edmund Yazzie		13		13	$ 780,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Dilkon	Elmer Begay	34			34	$ 2,040,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Greasewood	Elmer Begay	8			8	$ 480,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Indian Wells	Elmer Begay	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Teesto	Elmer Begay	9			9	$ 540,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Whitecone	Elmer Begay	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Chinle	Eugene Tso	52			52	$ 3,120,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Shiprock	Eugenia Charles-Newton		25		25	$ 1,500,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Inscription House (Tsah Bii Kin	Herman Daniels, Jr.	8			8	$ 480,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Navajo Mountain	Herman Daniels, Jr.	23			23	$ 1,380,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Oljato	Herman Daniels, Jr.			26	26	$ 1,560,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Shonto	Herman Daniels, Jr.	6			6	$ 360,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Black Mesa	Jimmy Yellowhair	6			6	$ 360,000

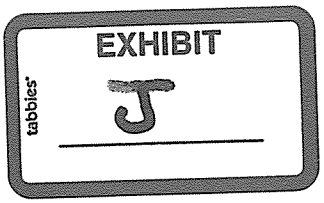
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Coalmine Canyon	Thomas Walker, Jr.	3			3	$	180,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Leupp	Thomas Walker, Jr.	7			7	$	420,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Tolani Lake	Thomas Walker, Jr.	2			2	$	120,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Cornfields	Vince James	10			10	$	600,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Dilkon	Vince James	1			1	$	60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Ganado	Vince James	19			19	$	1,140,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Jeddito	Vince James	10			10	$	600,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Kinlichee	Vince James	21			21	$	1,260,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Steamboat	Vince James	16			16	$	960,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Crystal	Wilson C. Stewart, Jr.		5		5	$	300,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Fort Defiance	Wilson C. Stewart, Jr.	24			24	$	1,440,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Ganado	Wilson C. Stewart, Jr.	1			1	$	60,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Red Lake	Wilson C. Stewart, Jr.		3		3	$	180,000
5.15 Drinking Water: Other water infrastructure	NN Water Line Extension/Septic System/ Projects for Homes	Sawmill	Wilson C. Stewart, Jr.	9			9	$	540,000
		Grand Total		**711**	**262**	**27**	**1000**	**$**	**60,000,000**

4.11.2022

5.15 Drinking Water: Other water infrastructure

Department of Treasury Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Projects	Total Project Cost
Service Projects								
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Tsaile	**C. Slater**	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Rock Point	**C. Slater**	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Round Rock	**C. Slater**	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Lukachukai	**C. Slater**	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Lukachukai	**C. Slater**	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Rough Rock	**C. Slater**	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Teec Nos Pos	**C. Tso**	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Red Mesa	**C. Tso**	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Indian Wells	**E. Begay**	8			8	$ 480,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Dilkon	**E. Begay**	38			38	$ 2,280,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Greasewood Springs	E. Begay	7			7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Indian Wells	E. Begay	19			19	$ 1,140,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Teesto	E. Begay	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Whitecone	E. Begay	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Greasewood Springs	E. Begay	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Chinle	E. Tso	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	St. Michaels	E. Wauneka	3			3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Oak Springs	E. Wauneka	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Kaibeto	H. Daniels, Jr.	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Navajo Mountain	H. Daniels, Jr.	4			4	$ 240,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Oljato	H. Daniels, Jr.	11			11	$ 660,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Halchita	H. Daniels, Jr.	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Shonto	H. Daniels, Jr.	4			4	$ 240,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Tohajilee	**J. Henio**		7		7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Pinon	J. Yellowhair	4			4	$ 240,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Forest Lake	J. Yellowhair	5			5	$ 300,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Black Mesa	J. Yellowhair	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Blue Gap	K. Begay	1			1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Chilchinbeto	N. Brown	45			45	$ 2,700,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Dennehootso	N. Brown	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Tuba City	O. Tso	16			16	$ 960,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Coppermine	**P. Begay**	14			14	$ 840,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Kaibeto	P. Begay	14			14	$ 840,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	LeChee	P. Begay	12			12	$ 720,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Naschitti	P. Halona		3		3	$ 180,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Coyote Canyon	P. Halona		6		6	$ 360,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Tohatchi	P. Halona		2		2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Houck	**R. Smith, Jr.**	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Klagetoh	**R. Smith, Jr.**	2			2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Wide Ruins	R. Smith, Jr.	12			12	$ 720,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Chichilta	**S. Damon**		7		7	$ 420,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Manuelito	S. Damon		2		2	$ 120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Rock Springs	S. Damon		1		1	$ 60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Bird Springs	**T. Walker, Jr.**	15			15	$ 900,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Cameron	**T. Walker, Jr.**	11			11	$ 660,000

5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Coalmine Canyon	**T. Walker, Jr.**	7		7	$	420,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Leupp	T. Walker, Jr.	24		24	$	1,440,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Tolani Lake	T. Walker, Jr.	10		10	$	600,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Cameron	T. Walker, Jr.	10		10	$	600,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Coalmine Canyon	T. Walker, Jr.	9		9	$	540,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Ganado	V. James	5		5	$	300,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Jeddito	V. James	1		1	$	60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Nazlini	V. James	2		2	$	120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Burnside	V. James	1		1	$	60,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Kinlichee	V. James	2		2	$	120,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Steamboat	V. James	4		4	$	240,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Red Lake	W. Stewart, Jr.	5		5	$	300,000
5.15 Drinking Water: Other water infrastructure	NN Cistern/Septic System/ Projects for Homes	Sawmill	W. Stewart, Jr.	2		2	$	120,000
			Grand Total	**372**	**28**	**400**	**$**	**24,000,000**



Broadband

Description	Category	$
Broadband - Last Mile	5.19	$40,000,000
Broadband - IIJA Match	5.20	$20,000,000
Broadband - Middle Mile	5.21	$60,000,000
Total Funding		$120,000,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
J-1

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0174

Date & Time Received: 04/12/2022 at 11:09

Date & Time of Response: 12 April, 2022; 11:59 pm MST

Entity Requesting FRF: NNTRC and NN Broadband Office

Title of Project: 5.21 Broadband - Middle Mile

Administrative Oversight: Division of General Services

Amount of Funding Requested: $60,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.21 Broadband: Other Projects

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

NAVAJO NATION DEPARTMENT OF JUSTICE

☐ RESUBMITTAL

REQUEST FOR SERVICES

DOJ
DATE / TIME
RFS #:
UNIT:

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST:	4/12/2022	ENTITY/DIVISION:	Executive Branch
CONTACT NAME:	Paulson Chaco, Chief of Staff	DEPARTMENT:	Office of President & Vice President
PHONE NUMBER:	(928) 955-6453	E-MAIL:	paulsonchaco@navajo-nsn.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):
Request DOJ review of Fiscal Recovery Fund expenditure plan for eligibility determination. See Appendix A, Budget Form 1, and supporting documents for proposed Expenditure plan from NNTRC & NN Broadband Office with administration oversight by DCD. The funding request is for $60,000,000 for Broadband Last mile projects. Projects under Treasury expenditure reporting category 5.21.

DEADLINE:	4/20/2022	REASON:	

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: REVIEWING ATTORNEY/ADVOCATE:

DATE TIME OUT OF UNIT: PREPARED BY *(initial)*:

DOJ ATTORNEY / ADVOCATE COMMENTS

REVIEWED BY: (*PRINT*) DATE / TIME:

DOJ Secretary Called: for Document Pick Up on at By:

PICKED UP BY: (*PRINT*) DATE / TIME:

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN** FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: NNTRC and NN Broadband Office *indicate Department, Program, Office, Division, or Branch* Date prepared: 04/11/2022

NN Government Unit's mailing address: NNTRC and NN Broadband Office
P.O. Box 7440, Window Rock, AZ 86515
phone/email: 928-382-7807/ tico.charlee@navajo-nsn.gov
website (if any): 928-871-6003/ sonianez@navajo-nsn.gov

Form prepared by: Sonia Nez
Department Manager I, Navajo Nation Broadband Office *CONTACT PERSON'S name, title and Department, Program, Office, etc.*
phone/email: 928-871-6003/ sonianez@navajo-nsn.gov
928-871-6003/ sonianez@navajo-nsn.gov *CONTACT PERSON'S info*

Title & type of Project: 5.21 Broadband - Middle Mile

NN Government Unit's Director or Manager: Tico Charlee/ Sonia Nez phone & email: 928-382-7807 / tico.charlee@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS Director phone & email: 928-871-6003/ sonianez@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff, Exec. Branch phone & email: 928-871-7244/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $60,000,000 FRF funding period: FY2022-FY2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The NNTRC and the NN Broadband Office will oversee and administer $60,000,000 in ARPA funds for Broadband Middle Mile projects by Eligible Telecommunications Carriers. These projects will deploy high-speed broadband to improve connectivity; enable telework capabilities; provide access to data and information about healthcare and communications in support of Navajo COVID-19 mitigation related operations and services; reduce the time needed to deliver high quality telehealth; support Navajo educational institutions broadband requirements to deliver and support instruction that will help retain students and faculty; enable home schooling, online schooling and allow students to attend school from home rather than sitting in vehicles at the nearest community hot spots; reduce costs for access to high speed networks; support chapter house communities; establish a diverse, and competitive broadband infrastructure that connects homes, schools, libraries, Navajo government, businesses, and other agencies (i.e. Indian Health Service, Bureau of Indian Affairs). The projects will be distributed as equally as possible among all NN delegate regions.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

High quality and high-speed broadband enable the Navajo communities to communicate, access critical information, telework, participate in online learning, take advantage of telehealth services and reduce the time needed to collect and inform the community about pandemics and other health related issues. Oversight and governance of the Broadband Middle Mile projects by the NNTRC and the Navajo Nation Broadband Office establishes a collaboration with all Eligible Telecommunications Carriers to plan and implement projects that introduce service competition and cost-effective service options for the Navajo community.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

NNTRC and NN Broadband Office will review Navajo Nation Broadband Middle Mile projects with prospective carriers to plan and implement services based on eligible service requirements for timeline deployment and scheduling. Barriers to deployment include: right of way authorization; supply chain interruptions for the delivery of fiber, network electronics, and other equipment needed to deploy services; power delivery on Navajo for ETCs; tower use and authorization by ETCs; federal and state authorizations for land use, tower placement/use, and regulations.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tico Charlee, Executive Director, Navajo Nation Telecommunications and Regulatory Commission and Sonia Nez, Department Manager, Navajo Nation Broadband Office.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Eligible telecommunications carriers and Higher Learning Institutions will develop and implement business plans to establish sustainable financial models and maintenance of services. Fund allocations and grants will require sustainability plans and other operational and maintenance deliverables.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

5.21 – Broadband Middle Mile. Broadband services in support of Navajo Nation projects and initiatives identified in this request comply with service, deliverable, and outcomes to improve middle mile and network services (e.g., aggregation, management, and operations) that enable connectivity to Navajo homes and service locations between (fiber) 100 Mbps / 100 Mbps and the FCC minimum of (broadcast) 25 Mbps / 3 Mbps of effective service. NNTRC and NN Broadband Office will coordinate the deployment of broadband projects and grants with ETCs to deliver and establish competitive and cost-effective broadband services for the Navajo community.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____
signature of Preparer/CONTACT PERSON

Approved by: Tom Platero
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Tom Platero
print name and indicate title or position

Division of General Services
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Navajo Nation Broadband Office Division/Branch: Div. General Services

Prepared By: Sonia Nez Phone No.: 928-871-6003 Email Address: sonianez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA 5.21 Broadband - Middle Mile		60,000,000.00	
	TOTAL:	$60,000,000.00	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			60,000,000	
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	60,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Sonia Nez, Department Manager I
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Tom Platero, DGS Division Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
tabbies
J-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0172

Date & Time Received: 04/11/2022 at 11:07

Date & Time of Response: 12 April, 2022; 11:37 pm MST

Entity Requesting FRF: NNTRC and NN Broadband Office

Title of Project: 5.19 Broadband - Last Mile

Administrative Oversight: Division of General Services

Amount of Funding Requested: $40,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.19 Broadband: Last Mile Projects

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN** FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: NNTRC and NN Broadband Office
indicate Department, Program, Office, Division, or Branch
Date prepared: 04/11/2022

NN Government Unit's mailing address: NNTRC and NN Broadband Office
P.O. Box 7440, Window Rock, AZ 86515
phone/email: 928-382-7807/ tico.charlee@navajo-nsn.gov
website (if any): 928-871-6003/ sonianez@navajo-nsn.gov

Form prepared by: Sonia Nez
phone/email: 928-871-6003/ sonianez@navajo-nsn.gov

Department Manager I, Navajo Nation Broadband Office
CONTACT PERSON'S name, title and Department, Program, Office, etc.
928-871-6003/ sonianez@navajo-nsn.gov
CONTACT PERSON'S info

Title & type of Project: 5.19 Broadband - Last Mile

NN Government Unit's Director or Manager: Tico Charlee/ Sonia Nez
phone & email: 928-382-7807 / tico.charlee@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS Director
phone & email: 928-871-6003/ sonianez@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff, Exec. Branch
phone & email: 928-871-7244/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services
indicate Branch and/or Division
on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $40,000,000
FRF funding period: FY2022-FY2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The NNTRC and the NN Broadband Office will oversee and administer $40,000,000 in ARPA funds for Broadband Last Mile projects by Eligible Telecommunications Carriers. These projects will deploy high-speed broadband to improve connectivity; enable telework capabilities; provide access to data and information about healthcare and communications in support of Navajo COVID-19 mitigation related operations and services; reduce the time needed to deliver high quality telehealth; support Navajo educational institutions broadband requirements to deliver and support instruction that will help retain students and faculty; enable home schooling, online schooling and allow students to attend school from home rather than sitting in vehicles at the nearest community hot spots; reduce costs for access to high speed networks; support chapter house communities; establish a diverse, and competitive broadband infrastructure that connects homes, schools, libraries, Navajo government, businesses, and other agencies (i.e. Indian Health Service, Bureau of Indian Affairs). The projects will be distributed as equally as possible among all NN delegate regions.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

High quality and high-speed broadband enable the Navajo communities to communicate, access critical information, telework, participate in online learning, take advantage of telehealth services and reduce the time needed to collect and inform the community about pandemics and other health related issues. Oversight and governance of the Broadband Last Mile projects by the NNTRC and the Navajo Nation Broadband Office establishes a collaboration with all Eligible Telecommunications Carriers to plan and implement projects that introduce service competition and cost-effective service options for the Navajo community.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

NNTRC and NN Broadband Office will review Navajo Nation Broadband Last Mile projects with prospective carriers to plan and implement services based on eligible service requirements for timeline deployment and scheduling. Barriers to deployment include: right of way authorization; supply chain interruptions for the delivery of fiber, network electronics, and other equipment needed to deploy services; power delivery on Navajo for ETCs; tower use and authorization by ETCs; federal and state authorizations for land use, tower placement/use, and regulations.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tico Charlee, Executive Director, Navajo Nation Telecommunications and Regulatory Commission and Sonia Nez, Department Manager, Navajo Nation Broadband Office.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Eligible telecommunications carriers and Higher Learning Institutions will develop and implement business plans to establish sustainable financial models and maintenance of services. Fund allocations and grants will require sustainability plans and other operational and maintenance deliverables.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

5.19 – Broadband Last Mile. Broadband services in support of Navajo Nation projects and initiatives identified in this request comply with service, deliverable, and outcomes to improve last mile and network services (e.g., aggregation, management, and operations) that deliver connectivity to Navajo homes and service locations between (fiber) 100 Mbps / 100 Mbps and the FCC minimum of (broadcast) 25 Mbps / 3 Mbps of effective service. NNTRC and NN Broadband Office will coordinate the deployment of broadband projects and grants with ETCs to deliver and establish competitive and cost-effective broadband services for the Navajo community.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Tom Pummill

signature of Branch Chief or Division Director *print name and indicate title or position*

Division of General Services

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Navajo Nation Broadband Office Division/Branch: Div. General Services

Prepared By: Sonia Nez Phone No.: 928-871-6003 Email Address: sonianez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA 5.19 Broadband - Last Mile		40,000,000.00	
	TOTAL:	$40,000,000.00	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			40,000,000	
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	40,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Sonia Nez, Department Manager I
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Tom Platero, DGS Division Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0173

Date & Time Received: 04/12/2022 at 11:05

Date & Time of Response: 04/13/2022 3:20 pm

Entity Requesting FRF: NNTRC and NN Broadband Office

Title of Project: 6.20 Non-federal Match for Other Federal Programs

Administrative Oversight: NNFRF Office

Amount of Funding Requested: $20,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.20 Broadband: IIJA Match

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

Name of DOJ Reviewer: **Kristen A. Lowell**

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: NNTRC and NN Broadband Office — Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: NNTRC and NN Broadband Office; P.O. Box 7440, Window Rock, AZ 86515 — phone/email: 928-382-7807/ tico.charlee@navajo-nsn.gov; website (if any): 928-871-6003/ sonianez@navajo-nsn.gov

Form prepared by: Sonia Nez — phone/email: 928-871-6003/ sonianez@navajo-nsn.gov
Department Manager I, Navajo Nation Broadband Office — 928-871-6003/ sonianez@navajo-nsn.gov
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 6.20 Non-federal Match for Other Federal Programs

NN Government Unit's Director or Manager: Tico Charlee/ Sonia Nez — phone & email: 928-382-7807 / tico.charlee@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS Director — phone & email: 928-871-6003/ sonianez@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff, Exec. Branch — phone & email: 928-871-7244/paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $20,000,000 — FRF funding period: FY2022-FY2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The NNTRC and the NN Broadband Office will oversee and administer $20,000,000 in ARPA funds for Infrastructure Investment and Jobs Act (IIJA) Match & other Broadband projects by Eligible Telecommunications Carriers. These projects will deploy high-speed broadband to improve connectivity; enable telework capabilities; provide access to data and information about healthcare and communications in support of Navajo COVID-19 mitigation related operations and services; reduce the time needed to deliver high quality telehealth; support Navajo educational institutions broadband requirements to deliver and support instruction that will help retain students and faculty; enable home schooling, online schooling and allow students to attend school from home rather than sitting in vehicles at the nearest community hot spots; reduce costs for access to high speed networks; support chapter house communities; establish a diverse, and competitive broadband infrastructure that connects homes, schools, libraries, Navajo government, businesses, and other agencies (i.e. Indian Health Service, Bureau of Indian Affairs).

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

High quality and high-speed broadband enable the Navajo communities to communicate, access critical information, telework, participate in online learning, take advantage of telehealth services and reduce the time needed to collect and inform the community about pandemics and other health related issues. Oversight and governance of the Infrastructure Investment and Jobs Act (IIJA) Match projects by the NNTRC and the Navajo Nation Broadband Office establishes a collaboration with all Eligible Telecommunications Carriers to plan and implement projects that introduce service competition and cost-effective service options for the Navajo community.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

NNTRC and NN Broadband Office will review Infrastructure Investment and Jobs Act (IIJA) Match projects with prospective carriers to plan and implement services based on eligible service requirements for timeline deployment and scheduling. Barriers to deployment include: right of way authorization; supply chain interruptions for the delivery of fiber, network electronics, and other equipment needed to deploy services; power delivery on Navajo for ETCs; tower use and authorization by ETCs; federal and state authorizations for land use, tower placement/use, and regulations.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tico Charlee, Executive Director, Navajo Nation Telecommunications and Regulatory Commission and Sonia Nez, Department Manager, Navajo Nation Broadband Office.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Eligible telecommunications carriers and Higher Learning Institutions will develop and implement business plans to establish sustainable financial models and maintenance of services. Fund allocations and grants will require sustainability plans and other operational and maintenance deliverables.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

6.20 Non-federal Match for Other Federal Programs. Broadband services in support of Navajo Nation projects and initiatives identified in this request comply with service, deliverable, and outcomes to improve middle mile and network services (e.g., aggregation, management, and operations) that enable connectivity to Navajo homes and service locations between (fiber) 100 Mbps / 100 Mbps and the FCC minimum of (broadcast) 25 Mbps / 3 Mbps of effective service. NNTRC and NN Broadband Office will coordinate the deployment of broadband projects and grants with ETCs to deliver and establish competitive and cost-effective broadband services for the Navajo community.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Tom Platero

signature of Branch Chief or Division Director *print name and indicate title or position*

Division of General Services

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Navajo Nation Broadband Office Division/Branch: Div. General Services

Prepared By: Sonia Nez Phone No.: 928-871-6003 Email Address: sonianez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA 6.20 Non-federal Match		20,000,000.00	
TOTAL:		$20,000,000.00	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds			20,000,000	
9500 Indirect Cost				
TOTAL		$0.00	20,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

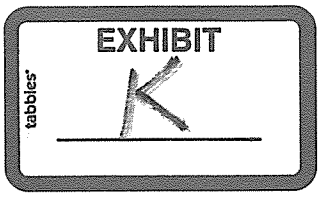
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Sonia Nez, Department Manager I
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Tom Platero, DGS Division Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date



Electric Projects

Description	Category	$
Home Electric Connections	2.18	$96,400,000
RNSB Electric Capacity	1.14	$3,600,000
Total Funding		$100,000,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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K-1

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0181-2

Date & Time Received: 4/14/2022 10:55

Date & Time of Response: 4/15/2022 00:35

Entity Requesting FRF: Division of Community Development

Title of Project: Housing Support: Connecting Homes to Electricity

Administrative Oversight: NNFRF Office

Amount of Funding Requested: $96,400,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.18 (Housing Support: Other Housing Assistance)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: The expenditure code for other housing assistance recently changed from 3.12 to 2.18. We have updated the expenditure code.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development
indicate Department, Program, Office, Division, or Branch

Date prepared: 04/13/2022

NN Government Unit's mailing address: P.O. Box 1904
Window Rock, Arizona 86515

phone/email: 928.871.7172

website (if any):

Form prepared by: Pearl Yellowman
Division Director
CONTACT PERSON'S name, title and Department, Program, Office, etc.

phone/email: pyellowman@nndcd.org
CONTACT PERSON'S info

Title & type of Project: 2.18 Housing Support: Connecting Homes to Electricity

NN Government Unit's Director or Manager: Pearl Yellowman

phone & email: 928.871.7172

Division Director (if any):

phone & email:

Branch Chief: Jonathan Nez, President

phone & email: 928.871.7000

Funding Recipient will be working with: _____ on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
APS, CDEC, JMEC, CDEC, SEC, NTUA, City of Farmington and other Contracted Electricians ☐ document attached

Amount of FRF requested: 96,400,000 FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funds will be used to obtaining land access as necessary for right-of-ways, house wiring as applicable, solar units, materials for powerline connections, labor costs, main powerline upgrades as necessary, clearing land as applicable, required permits, engineering, survey, design, cultural and biological compliance reports, and supplemental consulting services as necessary.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Electricity is required to access broadband, connect water and wastewater needs and ensures a habitable, secure home for Navajo community members.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Division of Community Development.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by the local electrical utility service provider contracted to complete the work.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project type is covered under Expenditure Plan 2.18: Other Housing Support. By providing electricity to homes that currently do not have it, the NN will be using the NNFRF to address poor public health outcomes due to inadequate or poor housing quality. Under the Interim Final Rule, the Navajo Nation is permitted to use these funds to address the economic impacts of COVID-19 by building stronger communities and by investing in housing and neighborhoods. Specifically, the funds can be used to alleviate "the immediate impacts of COVID-19 pandemic on housing insecurity, while addressing conditions that contribute to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor-quality housing."

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Tables indicating 3.12 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

***signature** of Preparer/CONTACT PERSON* ***signature** of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff

***signature** of Branch Chief or Division Director* ***print** name and indicate title or position*

4.14.22

Executive, OPVP

indicate Branch or Division

for COS 04/14/22

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 2.18: Connecting Homes to Electricity Division/Branch: *DCD*

Prepared By: Pearl Yellowman Phone No.: 928.871.7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		96,400,000.00	100%
	TOTAL:	$96,400,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			9,640,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			86,760,000.00	
TOTAL		$0.00	96,400,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman 4.13.22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

for 04/14/22
Division Director / Branch Chief's Signature and Date

Eligibility Criteria: ARPA Connecting Homes to Electricity 3.12;

Housing Support; Other Housing Assistance

The information that Utility providers will require or obtain from applicants for the Connecting Navajo Nation Homes to Electricity Program includes, but is not limited to:

1. Complete the appropriate electric service providers' application.
2. The applicant will have to provide their name, reliable phone number(s), email address, mailing and physical address, the latitude and longitude, and chapter affiliation.
3. They must submit a valid homesite lease or residential lease.
4. Proof of primary residency required.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. The Utility provider will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to live in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Applicant is willing and able to pay for monthly services.
4. Applicant must have no outstanding balance on existing utility accounts.
5. If a home is located within 1 mile of an existing powerline they will be considered for a powerline connection.
6. Homes located more than 1 mile from an existing powerline may be considered for a powerline connection if rights-of-ways can be obtained prior to funding deadline or exhaustion of funds.
7. If the home is located over 1 mile they may be considered for a solar system.
8. If a home does not have a homesite lease or residential lease, the home may be considered for a solar system.
9. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Community Power Line Projects must meet the following criteria to be eligible to receive NN Fiscal Recovery Funds for construction:

1. Community Power Line Projects must be supported by a Chapter Resolution which identifies the project participants that they wish to be connected.
2. Electric Service Provider must be able to acquire the necessary land approvals/consents and permits timely to ensure construction is completed in time to meet the funding deadline or exhaustion of funds.
3. Homes must be feasible to receive electric service, if structures are deemed unfeasible prior to construction, then the Chapter will need to provide an updated Chapter Resolution reflecting this change prior to construction.
4. House wiring must be completed and approved prior to electric service connection.

5. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Homes that meet the criteria above will enter the right-of-way process where Utility Provider will obtain permit holder consent, chapter resolution (if applicable), Biological Resources Clearance Form (BRCF), Cultural Resources Compliance Form (CRCF), Traditional Cultural Proper Record (TCP), Tribal Authorization Access (TAA), and Service Line Agreement (SLA), if applicable. If the applicant's home is able to get through this process then it may be approved for construction.

The priority can be described as "first to complete the process will be first served" meaning, if an applicant is able to complete the application, has a valid homesite lease, the home passes a physical inspection, and obtain all the applicable land clearance requirements, then that applicant will be served. Homes will continue to receive services until all the funding is expended or the imposed time limit runs.

Eligibility Criteria (Solar Systems)

Single home connections must meet the following criteria to be eligible to receive NN Fiscal Recovery Funds for Solar Systems:

1. Customers/Applicants must complete 'NTUA ARPA Off-Grid Residential Solar Program Feasibility Application'.
2. Customers/Applicants must provide all necessary documents.
3. Homes must be feasible for Solar System.
4. Location of residence shall be located on the Navajo Nation.
5. House wiring must be completed and approved for connection.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. NTUA will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to live in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Applicant is willing and able to pay for monthly services.
4. Applicant must have no outstanding balance on existing utility accounts.
5. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Prioritization of Applicants (Solar Systems)

Prioritization of applicants will be based on the needs of the communities and their constituents and Veterans that reside within the Navajo Nation.

April 11, 2022

Legislation: _____

NN FRF - Navajo Tribal Utility Authority

Connecting Homes to Electricity & Housewiring Projects

ARPA Expenditure Category	Project Description	Delegate Region	Total Customers	Total Project Cost
3.12 Housing Support: Other Housing Assistance	Electric Connections	Various Specified Locations	611	$ 18,330,000.00
3.12 Housing Support: Other Housing Assistance	Community Projects	Various Specified Locations	447	$ 19,935,466.65
3.12 Housing Support: Other Housing Assistance	DCD Portal Projects	Various Specified Locations	1,131	$ 37,260,053.35
3.12 Housing Support: Other Housing Assistance	Solar Systems	Various Specified Locations	125	$ 6,250,000.00
3.12 Housing Support: Other Housing Assistance	Housewiring Projects	Various Specified Locations	2,314	$ 14,624,480.00
TOTAL				**$ 96,400,000.00**

The supplemental pages and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

April 11, 2022
Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections *	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	29	29			29	$ 870,000.00
3.12	Electric Connections	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	40	40			40	$ 1,200,000.00
3.12	Electric Connections	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	44	44			44	$ 1,320,000.00
3.12	Electric Connections	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	29	28		1	29	$ 870,000.00
3.12	Electric Connections	Shiprock	Eugenia Charles-Newton	7		7		7	$ 210,000.00
3.12	Electric Connections	Beclabito, Cove, Gahii Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	8	1	7		8	$ 240,000.00
3.12	Electric Connections	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuelito, Red Rock	Seth Damon	0		0		0	$ -
3.12	Electric Connections	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	67	37		30	67	$ 2,010,000.00
3.12	Electric Connections	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland	4		4		4	$ 120,000.00
3.12	Electric Connections	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona	32		32		32	$ 960,000.00
3.12	Electric Connections	Alamo, Ramah, Tohajiilee	Jamie Henio	0		0		0	$ -

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Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections *	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	40	40			40	$ 1,200,000.00
3.12	Electric Connections	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez	10		10		10	$ 300,000.00
3.12	Electric Connections	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	44	44			44	$ 1,320,000.00
3.12	Electric Connections	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	34	34			34	$ 1,020,000.00
3.12	Electric Connections	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	22	22			22	$ 660,000.00
3.12	Electric Connections	Aneth, Mexican Water, Red Mesa, Sweewater, Teenospos	Charlaine Tso	90	23	3	64	90	$ 2,700,000.00
3.12	Electric Connections	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso	0		0		0	$ -
3.12	Electric Connections	Chinle	Eugene Tso	30	30			30	$ 900,000.00
3.12	Electric Connections	To Nanees Dizi	Otto Tso	9	9			9	$ 270,000.00
3.12	Electric Connections	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	20	20			20	$ 600,000.00
3.12	Electric Connections	Oak Springs, St. Michael	Edison Wauneka	23	23			23	$ 690,000.00

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections *	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie	0		0		0	$ -
3.12	Electric Connections	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	29	29			29	$ 870,000.00
Total				**611**	**453**	**63**	**95**	**611**	**$18,330,000.00**

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* These 611 projects consist of single powerline projects.

* Currently 55 families on the single powerline projects are located more that one mile from an existing powerline.

* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

** The cost to connect 611 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and All known customers in Utah will be connected to the electric grid.

This project summary is active and subject to change as projects are added or taken off.

Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA award for electric projects.

This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers*	Total Project Amount
3.12	Teec Nos Pos (Four Corners) Powerline Project	Teec Nos Pos	Charlaine Tso	16			16	$360,687.36
3.12	Teec Nos Pos (Scattered Phase II) Powerline Project	Teec Nos Pos	Charlaine Tso	15			15	$301,601.28
3.12	Tolikan Scattered Powerline Project	Tolikan (Sweetwater)	Charlaine Tso	3			3	$162,067.89
3.12	Dilkon (Scattered South) Powerline Project	Dilkon	Elmer Begay	13			13	$578,059.77
3.12	Dilkon (North East & South East Scattered) Powerline Project	Dilkon	Elmer Begay	8			8	$708,156.22
3.12	Dilkon (North Scattered) Powerline Project	Dilkon	Elmer Begay	13			13	$517,594.95
3.12	Oljatoh (Halgaitoh Phase I) Powerline Project	Oljatoh	Herman Daniels Jr.			11	11	$583,411.35
3.12	Oljatoh (Douglas Phase VI) Powerline Project	Oljatoh	Herman Daniels Jr.			16	16	$505,325.60
3.12	Oljatoh (Narrow Canyon) Powerline Project	Oljatoh	Herman Daniels Jr.			13	13	$283,434.65
3.12	Ts'ah Bii Kin (Inscription House Delmars Extension) Powerline Project	Ts'ah Bii Kin	Herman Daniels Jr.	4			4	$166,718.71
3.12	Ts'ah Bii Kin (Inscription House) Scattered Powerline Project	Ts'ah Bii Kin	Herman Daniels Jr.	33			33	$829,369.91
3.12	Pinon (Standing Goat & Thorn Valley) Powerline Project	Pinon	Jimmy Yellowhair	17			17	$1,091,449.00
3.12	Chilchinbeto (Cowboy Extension) Powerline Project	Chilchinbeto	Nathaniel Brown	1			1	$16,558.65
3.12	Chilchinbeto (Gamble Extension) Powerline Project	Chilchinbeto	Nathaniel Brown	1			1	$69,056.49
3.12	Kaibeto (Rabbit Hill) Powerline Project	Kaibeto	Paul Begay	25			25	$1,751,449.54
3.12	Tonalea (Sour Wash) Power Line Project	Tonalea	Paul Begay	37			37	$1,390,565.45
3.12	Mexican Springs (Scattered Phase II) Powerline Project	Mexican Springs	Pernell Halona		12		12	$146,874.43
3.12	Mexican Springs (West Extension) Powerline Project	Mexican Springs	Pernell Halona		14		14	$489,700.36
3.12	Naschitti (Cedar Hill Road) Powerline Project	Naschitti	Pernell Halona		4		4	$174,975.10
3.12	Naschitti (Forest Lake) Powerline Project	Naschitti	Pernell Halona		13		13	$442,202.02
3.12	Naschitti (Little Badger) Powerline Project	Naschitti	Pernell Halona		4		4	$272,198.42
3.12	Naschitti (White Hills Sand) Powerline Project	Naschitti	Pernell Halona		7		7	$435,906.46
3.12	Klagetoh Powerline Project	Klagetoh	Raymond Smith Jr.	10			10	$353,079.95
3.12	Manuelito (White Scattered) Powerline Project	Manuelito	Seth Damon		4		4	$173,226.16
3.12	Cameron (Shadow Mountain) Powerline Project	Cameron	Thomas Walker Jr.	54			54	$1,160,297.15
3.12	Coalmine Canyon (16 customers) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	16			16	$786,263.55

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers*	Total Project Amount
3.12	Coalmine Canyon (9 customers) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	9			9	$674,656.04
3.12	Coalmine Canyon (Scattered Phase II) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	6			6	$719,635.16
3.12	Leupp (North) Powerline Project	Leupp	Thomas Walker Jr.	6			6	$487,263.54
3.12	Leupp (South Grand Falls) Powerline Project	Leupp	Thomas Walker Jr.	14			14	$1,179,516.25
3.12	Leupp (South) Powerline Project	Leupp	Thomas Walker Jr.	14			14	$706,159.90
3.12	Leupp (West Loop - S of El Paso Station) Powerline Project	Leupp	Thomas Walker Jr.	8			8	$550,987.87
3.12	Tolani Lake (Former Bennett Freeze) Powerline Project	Tolani Lake	Thomas Walker Jr.	7			7	$706,050.04
3.12	Cornfields (Scattered Phase IV) Powerline Project	Cornfields	Vince James	6			6	$388,553.50
3.12	Steamboat Scattered Powerline Project	Steamboat	Vince James	13			13	$772,413.93
			TOTAL	**349**	**58**	**40**	**447**	**$19,935,466.65**

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* Currently 447 families are on a NTUA community powerline project.
* The funding in this category allows NTUA to connect Navajo families to the electric grid. NTUA will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

The cost to connect 447 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and inspection.

This project summary is active and subject to change as projects are added or taken off.
Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA funding award for electric projects.

This document and the information presented on this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

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Legislation: _____

3.12 Housing Support: Other Housing Assistance (Chapter Projects)

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers	Total Project Amount	Service Provider	
3.12	Powerline extension	Beclabito	Amber Kanazbah Crotty		3		3	$ 120,000.00	NTUA	
3.12	Cove Scattered Powerline Project	Cove	Amber Kanazbah Crotty	25			25	$ 1,000,000.00	NTUA	
3.12	Powerline Extension	Gadii' Ahi/To'koi	Amber Kanazbah Crotty		19		19	$ 750,000.00	NTUA	
3.12	Powerline Extension	Rock Point	Carl Slater	20			20	$ 200,000.00	NTUA	
3.12	Community Powerline Extension	Red Mesa	Charlaine Tso	3		2	5	$ 200,000.00	NTUA	
3.12	Power Line	Baca-Prewitt	Daniel Tso		75		75	$ 3,000,000.00	CDEC	
3.12	Powerline Extension	Casamero Lake	Daniel Tso		15		15	$ 600,000.00	CDEC	
3.12	Powerline Extension	Casamero Lake	Daniel Tso		20		20	$ 800,000.00	CDEC	
3.12	Cedar Hill Powerline Extension	Counselor	Daniel Tso		16		16	$ 304,143.54	JMEC	
3.12	Badger Spring Powerline Project	Pueblo Pintado (JMEC)	Daniel Tso		13		13	$ 91,759.41	JMEC	
3.12	Buzzard Canyon Powerline Project	Pueblo Pintado (JMEC)	Daniel Tso		6		6	$ 64,786.43	JMEC	
3.12	Torreon Scattered Powerline Project	Torreon/Star Lake (JMEC)	Daniel Tso		80		80	$ 391,715.95	JMEC	
3.12	Powerline Extension	St. Michaels	Edison Wauneka	50			50	$ 1,500,000.00	NTUA	
3.12	Powerline Extenstion	Oaksprings	Edison Wauneka	5			5	$ 175,000.00	NTUA	
3.12	Powerline/House-wiring/Service Line Agreements	Church Rock	Edmund Yazzie		4		4	$ 174,000.00	CDEC	
3.12	Mariano Lake Powerline Extension Top Mesa/Hosta Butte	Mariano Lake	Edmund Yazzie		12		12	$ 1,010,764.20	CDEC	
3.12	Smith Lake Powerline & Housewiring	Smith Lake	Edmund Yazzie		18		18	$ 700,000.00	CDEC	
3.12	Teesto Powerline Extension Project	Teesto	Elmer Begay	1			1	$ 14,552.82	NTUA	
3.12	New Na-Ah-Tee Tower III - Phase Powerline	White Cone	Elmer Begay	17			17	$ 660,000.00	NTUA	No scope of work for fund the amount requested.
3.12	Utilities Hook up - Wastewater, water, natural gas, electric, and broadband	Shiprock	Eugenia Charles-Newton		50		50	$ 5,000,000.00	NTUA	
3.12	Alamo Scattered Powerline	Alamo	Jamie Henio		13		13	$ 500,000.00	SOCORRO	
3.12	Construction Powerline Extensions-All Units	Ramah (CDEC)	Jamie Henio		50		50	$ 664,557.00	CDEC	
3.12	Platero Powerline Extension	Tohajiilee	Jamie Henio		5		5	$ 705,000.00	CDEC	
3.12	Black Mesa Scattered Powerline Extension	Black Mesa	Jimmy Yellowhair	13			13	$ 510,000.00	NTUA	
3.12	Whippoorwill Chapter Powerline Extension Project	Whipporwill	Jimmy Yellowhair	97			97	$ 1,500,000.00	NTUA	
3.12	Powerline Extension	Crownpoint (CDEC)	Mark Freeland		50		50	$ *1,000,000.00*	CDEC	
3.12	Becenti Chapter Powerline/House Wiring Project	Becenti	Mark Freeland		13		13	$ 551,000.00	CDEC	
3.12	Huerfano Chapter New Otis South Powerline	Huerfano	Mark Freeland		24		24	$ 900,000.00	JMEC or Farmington	
3.12	Huerfano New Adobe Scattered Powerline Project	Huerfano (JMEC)	Mark Freeland		10		10	$ *100,000.00*	JMEC	
3.12	Chaco Canyon/Escavada Power Line Extension	Nageezi	Mark Freeland		24		24	$ 850,000.00	JMEC	
3.12	Powerline Extension	Tse' li'Ahi/Standing Rock	Mark Freeland		50		50	$ *1,000,000.00*	NTUA	
3.12	Scattered Powerline Project	White Rock	Mark Freeland		63		63	$ 2,500,000.00	NTUA/JMEC	
3.12	Power line	Bahastl'ah' (Twin Lakes)	Pernell Halona		0		0	$ -	NTUA	No estimated cost for project.
3.12	Powerline Extension	Tohatchi	Pernell Halona		2		2	$ 115,869.00	NTUA	

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Legislation: _____

3.12 Housing Support: Other Housing Assistance (Chapter Projects)

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers	Total Project Amount	Service Provider
3.12	Powerline Extension Project	Houck	Raymond Smith	10			10	$ 400,000.00	NTUA
3.12	Klagetoh Chapter Scattered Powerline Extension	Klagetoh	Raymond Smith	16			16	$ 1,373,172.00	NTUA
3.12	New Newcomb Scattered Powerline	Newcomb	Rickie Nez		12		12	$ 375,000.00	NTUA
3.12	New Powerline Extensions	Tiis Tsoh Sikaad (Burnham)	Rickie Nez		16		16	$ 400,000.00	NTUA
3.12	Plan Design & Construct Powerline Extension	Manuelito	Seth Damon		25		25	$ 673,507.00	CDEC
3.12	Powerline Extension	Tse Lichii/Red Rock (CDEC)	Seth Damon		20		20	$ 378,000.00	CDEC
3.12	Rock Springs Powerline Extension	Rock Springs	Seth Damon		15		15	$ 544,000.00	CDEC
3.12	South Powerline Extension Project	Cameron	Thomas Walker	45			45	$ 2,000,000.00	NTUA
3.12	Tsidi To'ii Scattered Powerline Extension Project	Tsidii To'ii (Birdsprings)	Thomas Walker	13			13	$ 1,052,500.00	NTUA
3.12	Powerline Extension w/ House Wiring	Ganado	Vince James	66			66	$ 1,410,726.00	NTUA
3.12	Powerline / Waterline Project	Kin Dah Lichii (Kinlichee)	Vince James	25			25	$ 1,000,000.00	NTUA
			TOTAL	406	723	2	1131	$ 37,260,053.35	

No scope of work for the fund amount requested.

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census

This list of Chapter proposed projects were derived from the NN DCD project list.

* The funding in this category allows NTUA and neighboring utilities (CDEC, JMEC, Socorro, APS, PNM, City of Farmington, City of Gallup, City of Page, etc.) to connect Navajo families to their electric grid. NTUA or the neighboring utilities will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

This project summary is active and subject to change as projects are added or taken off.
Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA funding award for electric projects.

This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

NOTE:
The DCD Portal did not have a funding amount identified for Bahastl'ah' (Twin Lakes) Chapter.

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Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)
3.12	Solar Systems	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	5			5	
3.12	Solar Systems	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	5			5	
3.12	Solar Systems	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	5			5	
3.12	Solar Systems	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	5			5	
3.12	Solar Systems	Shiprock	Eugenia Charles-Newton		5		5	
3.12	Solar Systems	Beclabito, Cove, Gahii Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	2	3		5	
3.12	Solar Systems	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuelito, Red Rock	Seth Damon		5		5	
3.12	Solar Systems	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	2		3	5	
3.12	Solar Systems	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland		5		5	
3.12	Solar Systems	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona		5		5	
3.12	Solar Systems	Alamo, Ramah, Tohajiilee	Jamie Henio		5		5	
3.12	Solar Systems	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	5			5	
3.12	Solar Systems	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez		5		5	

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Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)
3.12	Solar Systems	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	5			5	
3.12	Solar Systems	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	5			5	
3.12	Solar Systems	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	2	3		5	
3.12	Solar Systems	Aneth, Mexican Water, Red Mesa, Sweewater, Teenospos	Charlaine Tso	2	2	1	5	
3.12	Solar Systems	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso		5		5	
3.12	Solar Systems	Chinle	Eugene Tso	5			5	
3.12	Solar Systems	To Nanees Dizi	Otto Tso	5			5	
3.12	Solar Systems	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	5			5	
3.12	Solar Systems	Oak Springs, St. Michael	Edison Wauneka	5			5	
3.12	Solar Systems	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie		5		5	
3.12	Solar Systems	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	5			5	
3.12	Solar Systems	Reservation Wide	Navajo Nation (Veterans)	2	2	1	5	
			Total	**70**	**50**	**5**	**125**	**$ 6,250,000**

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)

The cost for solar systems includes funding to complete the interior house wiring (if applicable), certification & re-certification of house wiring (if applicable), inspection, generators (if applicable), ATS switch (if applicable), and an energy efficient refrigerator.

The customer will retain ownership and maintenance of the house wiring assets, house wiring improvements installed, refrigerator, and generator with ATS switch (if applicable).

Funds may be moved between projects to meet actual costs without exceeding the total NTUA award.

The goal is to distribute 6 solar systems to each of the 24 Navajo Nation Delegate's Districts and 6 solar systems to Veterans. The distribution of units as described within this document is subject to change and determined based on the needs of the communities and their constituents.

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	34			34	$ 214,880.00
3.12	House wiring	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	97			97	$ 613,040.00
3.12	House wiring	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	111			111	$ 701,520.00
3.12	House wiring	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	35		1	36	$ 227,520.00
3.12	House wiring	Shiprock	Eugenia Charles-Newton		62		62	$ 391,840.00
3.12	House wiring	Beclabito, Cove, Gahii Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	28	32		60	$ 379,200.00
3.12	House wiring	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuelito, Red Rock	Seth Damon		69		69	$ 436,080.00
3.12	House wiring	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	76	0	73	149	$ 941,680.00
3.12	House wiring	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland		243		243	$ 1,535,760.00
3.12	House wiring	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona		93		93	$ 587,760.00
3.12	House wiring	Alamo, Ramah, Tohajiilee	Jamie Henio		73		73	$ 461,360.00
3.12	House wiring	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	155			155	$ 979,600.00

April 11, 2022
Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez		43		43	$ 271,760.00
3.12	House wiring	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	69			69	$ 436,080.00
3.12	House wiring	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	75			75	$ 474,000.00
3.12	House wiring	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	24	3		27	$ 170,640.00
3.12	House wiring	Aneth, Mexican Water, Red Mesa, Sweewater, Teenospos	Charlaine Tso	62	5	67	134	$ 846,880.00
3.12	House wiring	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso		230		230	$ 1,453,600.00
3.12	House wiring	Chinle	Eugene Tso	35			35	$ 221,200.00
3.12	House wiring	To Nanees Dizi	Otto Tso	14			14	$ 88,480.00
3.12	House wiring	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	217			217	$ 1,371,440.00
3.12	House wiring	Oak Springs, St. Michael	Edison Wauneka	83			83	$ 524,560.00
3.12	House wiring	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie		39		39	$ 246,480.00
3.12	House wiring	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	161			161	$ 1,017,520.00

April 11, 2022
Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Reservation Wide	Navajo Nation (Veterans)	2	2	1	5	$ 31,600.00
Total				**1,278**	**894**	**142**	**2,314**	**$14,624,480**

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* These 2,394 projects consist of either single powerline projects or a community power line project.
* Currently 611 of the 2,394 families are on a NTUA community powerline project.
* Currently 55 of 611 families on the single powerline projects are located more that one mile from an existing powerline.

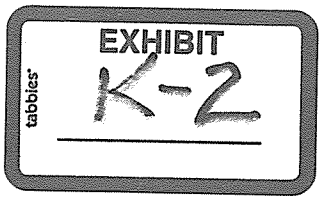
* The funding in this category allows NTUA and neighboring utilities (CDEC, JMEC, Socorro, APS, PNM, City of Farmington, City of Gallup, City of Page, etc.) to connect Navajo families to their electric grid. NTUA or the neighboring utilities will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

** The cost to connect 2,394 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and inspection.
All known customers in Utah will be connected to the electric grid.
This project summary is active and subject to change as projects are added or taken off.

Funds may be moved between project types (single family powerline projects, community powerline projects, solar systems and house wiring projects) to meet actual costs without exceeding the total NTUA award for electric projects.
This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL



DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0191

Date & Time Received: 4/14/2022 10:58

Date & Time of Response: 4/14/2022 16:50

Entity Requesting FRF: Division of Community Development

Title of Project: RNSB High Voltage Replacement Project

Administrative Oversight: NNFRF Office

Amount of Funding Requested: $3,600,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 (Other Public Health Services)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: The expenditure code for Other Public Health Services recently changed from 1.12 to 1.14. We have updated the expenditure code.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development — Date prepared: 04/13/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 1904, Window Rock, Arizona 86515 — phone/email: 928.871.7172 — website (if any):

Form prepared by: Pearl Yellowman, Division Director — phone/email: pyellowman@nndcd.org
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: RNSB High Voltage Replacement Project

NN Government Unit's Director or Manager: Pearl Yellowman — phone & email: 928.871.7172

Division Director (if any): — phone & email:

Branch Chief: Jonathan Nez, President — phone & email: 928.871.7000

Funding Recipient will be working with: NN Fiscal Recovery Fund Office on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Sub-recipient Agreement with RNSB ☐ document attached

Amount of FRF requested: 3,600,000 — FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds would be used to complete the replacement/upgrade of the high voltage electrical system that serves the Ramah Navajo School Board, Inc. / Pine Hill Schools. The current high voltage system is 50+ years old and has exceeded its useful life and is a Life/Safety risk. The school has frequent outages that last extended periods of time, most often leading to the cancellation of school and health services. Without reliable power, there is no way to provide proper care, sanitation or screening for COVID and other health related issues for staff, students, health professionals and community members.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

There are 340+ students that attend Pine Hill Schools, with a staff of 200+ and 66 staff housing units. The completion of this project will provide reliable electrical transmission and distribution lines that provide power to our water wells and water processing plant to provide safe drinking water to the community. In addition, it will also provide reliable power to each building/housing unit on site; therefore, allowing students, staff, healthcare professionals and community members to have the means necessary for consistent and continued proper sanitation and hygiene. ☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

This project is anticipated to take less than 6 months to complete once the contract award notice to proceed has been issued and will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Ramah Navajo School Board through a sub-recipient agreement.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Once this system is complete, RNSB Inc. / Pine Hill Schools will be responsible for the O&M of the system. These services will be paid for by funds received from the Bureau of Indian Affairs (BIA), by leasing this system to the BIA for the continued operations of their buildings.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.14 Other Public Health Services. The electrical services that will be upgraded will directly impact the Pine Hill Campus services to include an I.H.S. public health facilities, school, and residential / staff housing on campus that have all been impacted by frequent electrical outages due to the failing system. Upgrading the system will also provide reliable electricity to the campus water and wastewater infrastructure services that have also been impacted by the electrical outages. The I.H.S Health Clinic provides services to over 1,400 Ramah Navajo Chapter Community Members. The Ramah Navajo Chapter is one of three (3) outlying Chapters that are not part of the contiguous Navajo Nation that rely on the local I.H.S. clinic for health care services.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff

signature of Branch Chief or Division Director *print name and indicate title or position*

4.13.22 Executive, OPVP

indicate Branch or Division

W COS - 04/14/22

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 1.14 Public Health Other - RNSB Electrical Project Division/Branch: *DCD*

Prepared By: Pearl Yellowman Phone No.: 928.871.7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		3,600,000.00	100%
	TOTAL:	$3,600,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			3,600,000.00	
TOTAL		$0.00	3,600,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

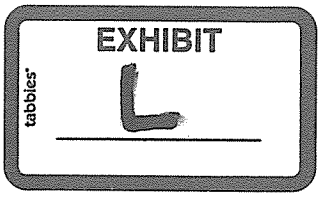
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman
Program Manager's Signature and Date
4.14.22

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

for
04/14/22
Division Director / Branch Chief's Signature and Date



Navajo Nation Fiscal Recovery Fund
Housing

Description	Category	$
Housing - New Housing	2.15	$50,000,000
Housing - Veterans	2.16	$50,000,000
Housing Manufacturing	2.15	$50,000,000
Housing for former Bennett Freeze and NPL	2.15	$15,550,000
Total Funding		$165,550,000

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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L-1

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0180

Date & Time Received: 4/12/22 03:17

Date & Time of Response: 04/13/2022 2:34 pm

Entity Requesting FRF: Community Housing & Infrastructure Department (CHID)

Title of Project: 2.16 Long Term Housing Security: New Home Construction

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $50,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.15 (Long-term Housing Security: Affordable Housing)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

_____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Community Housing & Infrastructure Department (CHID) Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 2389, Window Rock, Arizona 86515 phone/email: 928.871.6468 website (if any):

Form prepared by: Patrick Dalgai, Department Manager II phone/email: pat_dalgai@nnchid.org
Community Housing & Infrastructure Dept. 928.871.6468
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: 2.16 Long Term Housing Security: New Home Construction

NN Government Unit's Director or Manager: Patrick Dalgai phone & email: 928.871.6868

Division Director (if any): Pearl Yellowman phone & email: 928.871.7172

Branch Chief: Jonathan Nez, President phone & email: 928.871.7000

Funding Recipient will be working with: Division of Community Development on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Qualified General Contractors and/or Manufactured Home Vendors ☐ document attached

Amount of FRF requested: 50,000,000 FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Community Housing & Infrastructure Department (CHID) is requesting $50M to construct new housing and/or purchase Modular/Mobile Homes to assist Navajo families throughout the Navajo Nation. Providing stable housing for those in need will help eliminate the spread of the COVID-19 among families living in multi-generational homes and provide new homes for homeless families and individuals, which will provide sanitary infrastructure (water/ww and electricity) to help combat COVID-19 pandemic.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project will benefit the needs of the Navajo Nation, the communities, and the Navajo people by providing stable housing for those in need. The CHID strives to provide affordable housing for individuals with limited economic opportunities. During this COVID pandemic, stable housing will improve the living conditions for families living in multi-generational homes and help to provide needed sanitary infrastructure.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Advertisement by CHID for new housing throughout NN: 9/01/2022 - 12/31/2022
Design for homes across 110 chapters: 01/01/2023 - 09/30/2023
Advertisement for construction of new housing: 10/01/2023 - 12/31/2023
Construction: 01/01/2024 - 12/31/2026

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Community Housing and Infrastructure Department

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Homeowners are responsible for the operation and maintenance of new homes following a 1-year warranty period.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project title falls under the NEW Expenditure Category 2.16 Long-Term Housing Security.

Providing new homes for Navajo people/families in need will help to address homelessness by offering housing support and improving access to secure, stable, affordable housing.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____ 4.12.22

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Dr. Pearl Yellowman, Executive Director

signature of Branch Chief or Division Director *print name and indicate title or position*

Community Development

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 2.16 Long Term Housing Security Division/Branch: *Community Development*

Prepared By: Patrick Dalgai Phone No.: 928.871.6468 Email Address: pat_dalgai@nnchid.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		50,000,000.00	100%
	TOTAL:	$50,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			4,000,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			46,000,000.00	
TOTAL		$0.00	50,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Patrick Dalgai, Department Manager II
Program Manager's Printed Name

Program Manager's Signature and Date 4.12.22

APPROVED BY: Dr. Pearl Yellowman, Executive Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4.12.22

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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L-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0043-2 [Reissued]

Date & Time Received: 12/20/2021 12:00

Date & Time of Response: 12/20/2021 17:30 [Reissued 4/14/2022 - new expenditure category]

Entity Requesting FRF: Navajo Nation Veterans Administration

Title of Project: Veterans Housing Program

Administrative Oversight: Executive Branch / OPVP

Amount of Funding Requested: $50 million

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.16 – Long-Term Housing Security: Services for Unhoused Persons

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 3.11 – Housing Support: Services for Unhoused Persons. This is now category 2.16 – Long-Term Housing Security: Services for Unhoused Persons.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Veteraans Administration — Date prepared: 09/15/2021
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: _____ phone/email: 9289553947
website (if any): _____

Form prepared by: James Zwierlein phone/email: 9289553947
Navajo Nation Veterans Administration Executive Director
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Veterans Housing Program

NN Government Unit's Director or Manager: James Zwierlein phone & email: 9289553947

Division Director (if any): _____ phone & email: _____

Branch Chief: Jonathan Nez phone & email: 9288717000

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
The Sparrow Group, Priority 1 General Contractor ☐ document attached

Amount of FRF requested: $50,000,000 FRF funding period: 11/01/2021 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This funding will provide operational funds for the Navajo Nation Veterans Administration Veterans Housing Program to provide newly constructed homes to Navajo veterans who lack a permanent place to live in accordance with the approved program policies.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This program is intended to provide new homes to Navajo veterans to help reduce the substandard, unsafe, and overcrowded living conditions of our Navajo veterans. It will benefit the Navajo Nation, the communities, and the people by finally producing the homes for veterans that have been promised by two different administrations.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

The program currently has a waiting list of 1,400 potential applicants, and the program is currently in the process of reviewing and vetting the applications. With a final list of applicants, we expect to begin construction of 1/3rd of the new homes each year. Issues and challenges we expect to encounter are site accessibility for certain applicants, and the ability of the general contractor to hire sufficient Navajo labor force to maintain pace with the projected timeline.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The NNVA Executive Director will have the ultimate responsibility for this program, but will be aided by, or delegate authority to the Veterans Housing Program staff currently being on-boarded to operate the program under the supervision of the Executive Director.

This project will fall under category 3.11

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Once the project is complete, the individual homes will belong to the qualified applicants who were screened and selected under the guidelines of the Veterans Housing Program.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

The NNVA Executive Director will have the ultimate responsibility for this program, but will be aided by, or delegate authority to the Veterans Housing Program staff currently being on-boarded to operate the program under the supervision of the Executive Director.

This project will fall under category 3.11

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

N/A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit
Preparer: _____ Approved by: _____
signature *of Preparer/CONTACT PERSON* ***signature*** *of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit
for Review: _____ Print Name, Title,
Branch or Division: _____
signature *of Branch Chief or Division Director* ***print*** *name and indicate title or position*

_____
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] **Program Title:** Veterans Housing Program **Division/Branch:** *Executive*

Prepared By: James Zwierlein **Phone No.:** (928) 955-3947 **Email Address:** jameszwierlein@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		50,000,000.00	100%
	TOTAL:	$50,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			50,000,000	
TOTAL		$0.00	50,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: James Zwierlein - Executive Director
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Paulson Chaco - Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
tabbies
L-3

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0170-2

Date & Time Received: 14 April, 2022; 9:54 am

Date & Time of Response: 14 April, 2022; 10:24 am

Entity Requesting FRF: Community Housing & Infrastructure Department

Title of Project: Housing Manufacturing Facilities

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $50,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.15 (Long-term Housing Security: Affordable Housing)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Please note the change in reporting expenditure category, to 2.15.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Community Housing & Infrastructure Department (CHID) Date prepared: 04/12/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 2389, Window Rock, Arizona 86515 phone/email: 928.871.6468 website (if any): _____

Form prepared by: Patrick Dalgai, Department Manager II phone/email: pat_dalgai@nnchid.org
Community Housing & Infrastructure Dept. 928.871.6468
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: 2.18 Long-Term Housing Security: Services for Unhoused Persons

NN Government Unit's Director or Manager: Patrick Dalgai phone & email: 928.871.6468

Division Director (if any): Pearl Yellowman phone & email: 928.871.7172

Branch Chief: Jonathan Nez, President phone & email: 928.871.7000

Funding Recipient will be working with: Division of Community Development on the Project and
Indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
The Sparrow Group, Priority 1 General Contractor ☐ document attached

Amount of FRF requested: 50,000,000 FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The $50 million funding will provide design and construction funds for the Navajo Nation Community Housing & Infrastructure Department to construct up to five (5) regional housing manufacturing facilities to be used by all Navajo Nation housing programs and entities to provide newly constructed homes to homeless Navajo residents at a lower cost and more efficient method of construction.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project is intended to provide a means of constructing homes faster for the Navajo people to help reduce the substandard, unsafe, and overcrowded living conditions in which the Navajo people are currently living in. It will benefit the Navajo Nation long-term, the communities and the people by finally producing affordable homes.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

The project timeline includes awarding a contract and notice to proceed within 60 days of the passage of the legislation authorizing this project. Site selection and land withdrawals are still required for three of the five selected locations. All five locations are: Tuba City (site selected), Sanders (site selected), Chinle, Shiprock and Gallup area. Issues and challenges we expect to encounter are material availability due to the Navajo Nation getting a late start on projects and manufacturer supply, manufacturing and delivery capacity being severely limited due to COVID and other ARPA activity/ projects nationwide.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

These projects will be jointly implemented by DCD and Veteran's Administration.

This project will fall under category: 2.18 Long-term Housing Security: Services for Unhoused Persons.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Once the facilities are complete, they will fall under the jurisdiction of DCD, DED, NNVA, NHA and NHLCO. O&M costs are yet to be determined.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

These projects will be jointly implemented by DCD and Veteran's Administration.

This project will fall under category: 2.18 Long-term Housing Security: Services for Unhoused Persons.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

N/A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ *signature of Preparer/CONTACT PERSON*

Approved by: _____ 4.12.12 *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ *signature of Branch Chief or Division Director*

Print Name, Title, Branch or Division: Dr. Pearl Yellowman, Executive Director *print name and indicate title or position*

Community Development *Indicate Branch or Division*

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: Housing Manufacturing Facility Program Division/Branch: *Executive*

Prepared By: Patrick Dalgai Phone No.: (928) 871-6468 Email Address: pat_dalgai@nnchid.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		50,000,000.00	100%
	TOTAL:	$50,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			50,000,000	
TOTAL		$0.00	50,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Patrick Dalgai, Department Manager II
Program Manager's Printed Name

Program Manager's Signature and Date 4.12.22

APPROVED BY: Dr. Pearl Yellowman, Executive Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4.12.22

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

EXHIBIT L-4

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0189

Date & Time Received: 4/13/22 21:35

Date & Time of Response: 14 April, 2022; 3:28 pm

Entity Requesting FRF: Navajo Hopi Land Commission Office

Title of Project: Housing for the Former Bennett Freeze Area and NPL

Administrative Oversight: Navajo Nation Division of Community Development

Amount of Funding Requested: $15,550,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.15 (Long-term Housing Security: Affordable Housing)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

_____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Hopi Land Commission Office
indicate Department, Program, Office, Division, or Branch
Date prepared: 4/11/2022

NN Government Unit's mailing address: P.O. Box 2549, Window Rock, Arizona 86515
phone/email: robertblackjr@navajo-nsn.gov
website (if any):

Form prepared by: Robert K. Black, Jr.
Executive Director, NHLCO
CONTACT PERSON'S name, title and Department, Program, Office, etc.
phone/email: 928-380-0420
CONTACT PERSON'S info

Title & type of Project: Housing for the Former Bennett Freeze Area and NPL

NN Government Unit's Director or Manager: Robert K. Black, Jr.
phone & email: RobertBlackJr@navajo-nsn.gov

Division Director (if any): Same
phone & email: Same

Branch Chief:
phone & email:

Funding Recipient will be working with: Navajo Nation Division of Community Development
indicate Branch and/or Division
on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Modular Housing Companies and Project Administrators ☐ document attached

Amount of FRF requested: $15,550,000
FRF funding period: June 1, 2022 - December 31, 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Overcrowding and the lack of domestic water have added to the negative impacts of COVID-19. This project will address this problem in two ways. First, $14,000,000 will be expended to purchase and transport modular homes that will serve the people of the 23 impacted Chapters (the nine Bennett Freeze Chapters and the 14 NPL Chapters). Second, $1,550,000 will be expended to develop a plan for a manufactured housing plant on the Nahata Dziil Chapter. The plant will create the capacity for the Navajo Nation to make a long-term impact to the overcrowding problem and to create jobs for Relocatees from the Navajo-Hopi Land Dispute.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

One of the priorities of the OPVP and the NNC is to finally address the impacts of the Bennett Freeze and Forced Relocation. A long-term plan is in place for the nine Bennett Freeze Chapters and the primary Relocation community, Nahata Dziil. This is an effort known as the Navajo Thaw. This effort will be expanded to provide planning and development funding for the 14 Chapters of the NPL. This project will leverage funding being pursued from Congress by the Navajo Nation to more fully resolve the overcrowding, lack of infrastructure, lack of public facilities, and lack of jobs. ☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

06/01/22-Project Commencement; 08/01/22-Administrative Team Formed; 09/01/22 Outreach to all 24 Chapters Requesting Prioritized Housing Waiting List; 09/01/22-Manufacturing Plant Study Begins; 09/01/22-RFP Issued for Modular Housing; 12/01/22 Contractor(s) Selected for Modular Housing; 06/01/23 First batch of 16 homes delivered; 08/01/23 Completion of Manufacturing Plant Study; 06/01/24 Second batch of 17 homes delivered; 06/01/25 Third batch of 17 homes delivered. Challenges relate to the ability of the housing contractor to maintain schedule and costs given strong construction economy.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

NHLCO will oversee the project. NHLCO will award a contract to a qualified project administrator to ensure compliance with ARPA and Navajo Nation requirements.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

NHLCO will issue an RFP for a qualified non-profit organization with experience in housing maintenance to provide training and support for benefiting families. NHLCO has already identified at least one capable non-profit which will respond to the RFP. The non-profit will have the capacity to attract funding and provide home maintenance services.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

3.10 Housing Support: Affordable Housing

ARPA makes provisions that housing projects for Native American Tribes are eligible expenses.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Robert K. Black, Jr. Digitally signed by Robert K. Black, Jr. Date: 2022.04.12 10:40:57 -06'00'
signature of Preparer/CONTACT PERSON

Approved by: Robert K. Black, Jr. Digitally signed by Robert K. Black, Jr. Date: 2022.04.12 10:42:02 -06'00'
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: Paulson Chaco Digitally signed by Paulson Chaco Date: 2022.04.12 13:53:10 -06'00'
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
print name and indicate title or position

Office of the President and Vice President
indicate Branch or Division

FY 2022 to 2026

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: ARPA FUNDS Program Title: Navajo-Hopi Land Commission Office Division/Branch: OPVP / Executive Branch

Prepared By: _____ Phone No.: _____ Email Address: _____

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
ARPA FUNDS	2022 TO 2026	$14,000,000	100%
	TOTAL:	$14,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			$14,000,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0	$14,000,000	$0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Robert Black, Jr., Executive Director
Program Manager's Printed Name

Program Manager's Signature and Date 4/12/22

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/12/22

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: Navajo-Hopi Land Commission Office **Business Unit No.:** ARPA FUNDS

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)		(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	CONTRACTUAL SERVICES			
6910	Other Contractual Services			
	6921 Other Services			$14,000,000
	Purchase 48 modular homes for (9) FBFA chapters and (14) NPL chapters. Twenty-three (24) three bedroom homes and twenty-three (24) two bedroom homes.			
	Two Bedroom Modular Home			
	$250,314.50.00/home x 24 = $6,007,548.00 x 6% NN Taxes = $360,452.88	Total: $6,368,000.88		
	$300,000.00/home x 24 homes = $7,200,000.00 X 6% NN Taxes = $432,000.00	Total: $7,632,000.00		
		TOTAL	-	$14,000,000

NHLCO Modular Housing Units Project | Phase I						
	Description	**No. of Bedroom**	**No. of Bathroom**	**Unit Price**	**Extended Price**	**NN Sales Tax 6%**	**Total Price**
	14 ft. x 60 ft. modular home	2 bedroom	1 bathroom	$204,780.54	$6,143,416.12	$368,604.96	$6,512,021.08
	13 ft 4 inches x 48 ft. mod. home	3 bedroom	1 bathroom	$353,206.55	$7,064,131.05	$423,847.86	$7,487,978.92
	There will be a total of 50 homes					**Total**	**$14,000,000.00**

Manufactured Housing Plan
$1,550,000.00 for the study and resulting plan to locate a housing manufacturing plant on the Nahata Dziil Chapter.

Purpose: To address the conditions of the families who are currently living in congested dwellings leading to overcrowding. Due to the Bennett Freeze, numerous families in this region were restricted to building homes or repairing their homes until the Freeze was lifted. Lifting of the Freeze did not come with funding to address the dilapidated homes families and most are not financially sound to afford adequate housing. Also to address the conditions facing the families in the Navajo Partitioned Land areas (Chapters) and these are people that are suffering from effects of the Relocation Act of 1974. The Dine' Relocatees have been subjected to Social, Psychological, and Economic hardships ever since they moved from the HPL region. Some have lost homes and for the most part, exceeded the size of the dwellings allocated due to the expansion of families or known as the Second Generation. The Second Generation, which are the offspring of the original relocates, are experiencing lack of resources to adequately provide housing for their families and usually they continue to reside with their parents and other family members.

COVID-19: Overcrowded homes due to several families living in one home creates the unsafe environment and the chances of infection is very high.

Recipients: Second and third generation family members of an original Relocatee in the Former Bennett Freeze Area or Navajo Partitioned Land area.

Eligibility: Three eligibility criteria will be required: (the Selection Criteria have been developed by NHLCO in coordination with the chapters affected and applicable Navajo Nation Departments.)

- Home Site Lease
- The Chapters, through Chapter resolution, will select the beneficiaries for the project
- Applicants must certify that they are either a second or third generation family member of an original Relocatee

The eligibility criteria will be reviewed and approved by NHLC resolution.

Chapters:

FBFA/Navajo Thaw Region:

Coppermine, Kaibeto, Bodaway-Gap, Cameron, To Nanees Dizi, Tonalea, Coalmine Canyon, Leupp and Tolani Lake Chapter.

NPL Region and Relocatees:

Pinon, Hardrock, Forest Lake, Black Mesa, Whipporwill, Low Mountain, Tachee-Blue Gap, Jeddito, Whitecone, Indian Wells, Greasewoods Springs, Teesto, Dilkon, Shonto, Tonalea, Coalmine Canyon, Tolani Lake, Nahata Dziil and To' Nanees Dizi.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : ALL CONCERNED

FROM : Robert Black, Jr., Executive Director
Navajo-Hopi Land Commission Office

RECEIVED
OCT 5 2021
NAVAJO NATION
OFFICE OF THE PRESIDENT
& VICE PRESIDENT

DATE : October 01, 2021

SUBJECT: Delegation of Authority

Effective October 1, 2021, in my absence, the personnel listed below in respective sequence, will be delegated in the capacity of the Executive Director for the Navajo-Hopi Land Commission Office. They are as follows:

NAME	SIGNATURE
Wilbert Goy, Community Involvement Specialist	
James Davis, Jr., Deputy Chief of Staff	
Arbin Mitchell, Executive Staff Assistant	

This delegation of authority will cover routine activities and priority items, as well as, attend meetings that may be called by the Office of the President/Vice President or other departments. The acting executive director is responsible for signing all documents except those he feels require my personal attention and all routine duties pertaining to Navajo-Hopi Land Commission Office operation. This delegation will remain in effect until further notice.

Your cooperation with the acting executive director is very much appreciated. Thank you.

ACKNOWLEDGMENT

Paulson Chaco, Chief of Staff
Office of the President/Vice President

xc: File/Chrono

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT M

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0190

Date & Time Received: 14 April, 2022; 8:22 am

Date & Time of Response: 14 April, 2022; 2:04 pm

Entity Requesting FRF: Division of Community Development

Title of Project: Bathroom Additions

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $150,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1:14 (Other Public Health Services)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development *indicate Department, Program, Office, Division, or Branch* Date prepared: 04/13/2022

NN Government Unit's mailing address: P.O. Box 1904 Window Rock, Arizona 86515 phone/email: 928.871.7172 website (if any):

Form prepared by: Pearl Yellowman phone/email: pyellowman@nndcd.org
Division Director
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: 1.14: Public Health Other for Bathroom Additions

NN Government Unit's Director or Manager: Pearl Yellowman phone & email: 928.871.7172

Division Director (if any): phone & email:

Branch Chief: Jonathan Nez, President phone & email: 928.871.7000

Funding Recipient will be working with: *indicate Branch and/or Division* on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Sub-recipient Agreement with NTUA, Contracts with NECA and Other General Contracts ☐ document attached

Amount of FRF requested: $150 Million FRF funding period: September 2022 - December 2026 *indicate Project starting and ending/deadline date*

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Bathroom Additions program will use the funds to build ADA compliant bathrooms, connect the home to electricity, provide the home with drinking water through a water cistern or connection to a waterline, and provide the home with a septic tank or connect to a sewer system. Homes will also be provided with a water heater, wall heater, toilet, bathroom sink, and utility sink. Homes across the Navajo Nation will receive the services. This program addresses public health challenges that partly caused the unequal impact of the impact on the Navajo Nation.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

A shockingly high number of homes on the Navajo Nation lack access to one or more of the following utilities: electricity, water, wastewater, and broadband. ARPA Bathroom Additions projects will provide one or more utilities to a home that lacks them and will assist in promoting public health and economic stimulus. The Navajo people receiving the utilities will directly benefit from the program.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

This project estimates the successful completion of approximately 30 bathroom additions a month and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

DCD will be the oversight of the sub-recipient agreement with NTUA and NECA as well as any other general contractors that are hired to complete the construction of the services needed to facilitate the bathroom additions.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The maintenance of the bathroom additions, septic systems, and cisterns system will be the responsibility of the bathroom addition recipient(s) after the 1-year construction warranty.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.14 Other Public Health Services. The Interim Final Rule states that "[g]iven the exacerbation of health disparities during the pandemic and the role of pre-existing social vulnerabilities in driving these disparate outcomes, services to address health disparities are presumed to be responsive to the public health impacts of the pandemic. Specifically, recipients may... facilitate access to resources that improve health outcomes including services that connect residents with health care resources and public assistance programs and build healthier environments such as: housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness." Bathroom additions addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor housing quality. The program will build healthier environments.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Estimated Cost Per Unit Attached.
Eligibility Criteria for Recipients Attached.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
signature of Branch Chief or Division Director *print name and indicate title or position*

4.17.22

Executive, OPVP
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 1.14 Public Health Other: Bathroom Additions Division/Branch: *DCD*

Prepared By: Pearl Yellowman Phone No.: 928.871.7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		150,000,000	100%
	TOTAL:	150,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			150,000,000	
TOTAL		$0.00	150,000,000	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

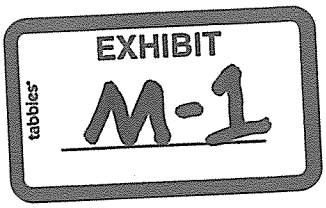
SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman 4.13.22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

Bathroom Addition Cost / Cistern Option		
Structure - ADA Compliant	$	58,000.00
Cistern	$	16,000.00
Septic	$	26,000.00
House Wiring Contingency (50% of Homes)	$	7,000.00
NTUA ROW	$	7,500.00
NTUA Evaluations / Design Work	$	16,000.00
Total	**$**	**133,110.00**
ARP Funding Available	$	75,000,000.00
Possible Number of Bathroom Additions with Cisterns		563
Bathroom Addition Cost / Waterline Option		
Structure - ADA Compliant	$	58,000.00
Waterline up to 2,500'	$	53,500.00
Septic	$	26,000.00
House Wiring Contingency (50% of Homes)	$	7,000.00
NTUA ROW	$	7,500.00
NTUA Evaluations / Design Work	$	16,000.00
Total	**$**	**171,360.00**
ARP Funding Available	$	75,000,000.00
Possible Number of Bathroom Additions with Waterline		438
Total Units to Complete To Include Water & Cistern		1001



Eligibility Criteria: 1.12 Public Health: Bathroom Additions

In order for an applicant to request ARPA funds for a bathroom addition under this legislation they must provide the following information:

1. Complete the NTUA Bathroom Addition with Waterline or Cistern System and Septic/Wastewater Service application.
2. The applicant will have to provide their name, reliable phone number(s), email address, mailing and physical address, the latitude and longitude, and chapter affiliation.
3. They must submit a valid homesite lease or residential lease.
4. Proof of primary residency required.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. NTUA will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to lived in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Home needs to have access to a power source (electric or solar).
4. Applicant is willing and able to pay for monthly services.
5. Applicant must have no outstanding balance on existing utility accounts.
6. If a home is located within ½ mile of a community water system they will be considered for a waterline connection.
7. If the home is located over ½ mile they will be considered a water cistern system.
8. If the applicant is to receive a cistern system, the applicant must be willing and able to own, operate and maintain the system (which includes hauling water to refill).
9. For either a waterline connection or a water cistern system, the applicant must be willing and able to own, operate and maintain the septic system.

Homes that meet the criteria above will enter the right-of-way process where NTUA will obtain the Biological Resources Clearance Form (BRCF), Cultural Resources Compliance Form (CRCF), Traditional Cultural Proper Record (TCP), Tribal Authorization Access (TAA), and Service Line Agreement (SLA), if applicable. If the applicant's home can get through this process, then it can be approved for construction.

The priority can be described as "first to complete the process will be first served" meaning, if an applicant is able to complete the application, has a valid homesite lease, the home passes a physical inspection, and obtain all the applicable land clearance requirements, then that applicant will be served. Homes will continue to receive services until all the funding is expended or the imposed time limit runs.

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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N

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0187

Date & Time Received: 4/12/22 06:20

Date & Time of Response: 14 April, 2022; 4:29 pm

Entity Requesting FRF: Office of the President & Vice President

Title of Project: 6.1: Provision of Government Services - Contingency

Administrative Oversight: OPVP

Amount of Funding Requested: $500 + future allocations

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☒ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1: Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Funding for this Project should not be considered expended for Treasury's reporting purposes until it is used on a construction project. At that time, a determination should be made as to which Treasury reporting category should apply to that portion of the funding.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Office of the President and Vice President — Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 7440, Window Rock, Arizona 86515 — phone/email: 928.871.7000 — website (if any):

Form prepared by: Paulson Chaco — phone/email: paulsonchaco@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 6.1: Provisions of Government Services - Contingency

NN Government Unit's Director or Manager: Paulson Chaco — phone & email: paulsonchaco@navajo-nsn.gov

Division Director (if any): — phone & email:

Branch Chief: Jonathan Nez, President — phone & email: 928.871.7000

Funding Recipient will be working with: Office of President and Vice President on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $500 + Future Allocations — FRF funding period: Upon Approval of Legislation - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Additional funds may be needed in the future for construction contingencies related to the inflationary costs of labor and building materials. The purpose of the NNFRF Construction Contingencies Expenditure Plan is to use available NNFRF to fund costs of construction contingencies on NNFRF-funded construction projects in other NNFRF expenditure plans that may have project cost overruns due to both labor and material inflations costs.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Having a construction contingency reserve will assist the Nation's Programs in accessing additional funding through an administratively approved budget transfer to effectively cover any labor and/or material inflation cost overruns for critical projects that have an immediate impact on the COVID-19 pandemic like addressing housing insecurities, poor public health and economic outcomes during the pandemic (bathroom additions, home electricity, water/wastewater), and other needed services to an area with limited economic opportunities.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All funding reallocated to the Construction Contingency budget must be expended no later than December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Office of the President and Vice President in coordination with the Navajo Nation Fiscal Recovery Fund Office.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Maintenance does not apply to the contingency funds directly; however, will apply to the specific project(s) that contingency funds may get redistributed based on the O&M outlined in a previously approved expenditure plan.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Due to contingency funds being reserved until such time a project is identified for the use of these funds, the default expenditure plan category for construction contingency will be 6.1: Provision of Government Services. Once construction contingency funds are administratively approved through a budget transfer, the funds may get reclassified under the previously approved expenditure plan funding category.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

None Applicable

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature *of Preparer/CONTACT PERSON* ***signature*** *of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: _____

signature *of Branch Chief or Division Director* ***print*** *name and indicate title or position*

_____

indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

6.1: Provisions of Government Services for

PART I. Business Unit No.: K - [New] Program Title: Contingency Division/Branch: *OPVP*

Prepared By: Paulson Chaco Phone No.: 928.871.7000 Email Address: paulsonchaco@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		500.00	100%
	TOTAL:	$500.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			500.00	
TOTAL		$0.00	500.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

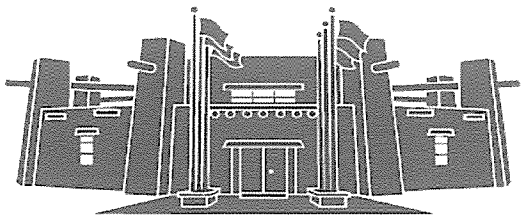
SUBMITTED BY: Paulson Chaco, Chief of Staff
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Mark Freeland
24th Navajo Nation Council

FROM: Dana Bobroff
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: April 19, 2022

SUBJECT: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING $1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER ASSISTANCE; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; ECONOMIC DEVELOPMENT PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) 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).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0086-22__ **SPONSOR: Mark A. Freeland**

TITLE: An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

***Date posted*: April 19, 2022 at 7:16PM**

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.: 0086-22

SPONSOR: Honorable Mark A. Freeland

TITLE: An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Posted: April 19, 2022 at 7:16 PM

5 DAY Comment Period Ended: April 24, 2022

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Comments/Recommendations	**1) Franklin Fowler** **2) Lynette Bonar**

Legislative Tracking Secretary
Office of Legislative Services

April 25, 2022; 11:37 AM
Date/Time

Funding to TCRHCC

Franklin Fowler <franklinkfowler2020@gmail.com>

Mon 4/25/2022 8:10 AM

To:comments <comments@navajo-nsn.gov>;

Honorable delegates, I'm grateful for the opportunity to comment on legislation.
I have served on the Navajo Area Health Board, Tuba City IHS hospital and now Tuba City Regional Health Care Corporation and have seen the progress of Western Navajo health care.
We can take a great step forward when we get the projects (Long Term Care, Specialty Care and Rehabilitation) funded. Presently we get referrals from Kayenta, Winslow and Hopi health care centers.
So we can help the whole Western Navajo, San Juan Tribe, Flagstaff and Page area Native American people if we fund these facilities. We would like to request 25mil dollars.
We have waited for quite some time now to really help our older people who have to sent away from their family. We want to give them a peace of mind, they can be close to family in later stage of their lives.
I thank you for the opportunity to comment.
Me Franklin Fowler
franklinkfowler2020@gmail.com
WARNING: External email. Please verify sender before opening attachments or clicking on links.

TUBA CITY REGIONAL HEALTH CARE CORPORATION
167 North Main Street, P.O. Box 600
Tuba City, Arizona 86045-0600
www.tchealth.org

April 24, 2022

VIA EMAIL to comments@navajo-nsn.gov

Executive Director
Office of Legislative Services
P. O. Box 3390
Window Rock, AZ 86515

Re: **Comments on Legislation No. 0086-22: An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Funds Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communication, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding**

Dear Sir or Madam:

The Tuba City Regional Health Care Corporation ("TCRHCC") hereby provides its comments on Legislation No. 0086-22: *An Action Relating to Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Funds Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communication, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding* (the "Legislation").

Unfortunately, Appendix A to the Legislation only allocates fifteen million dollars ($15,000,000) for TCRHCC as a subrecipient of the Navajo Department of Health, for TCRHCC's Long Term Care, Cancer and Rehabilitation Center, rather than the full twenty-five million dollars ($25,000,000) requested by TCRHCC. Although $15,000,000 is the amount apparently requested by the Navajo Department of Health in the Fiscal Recovery Funds Request Form and Expenditure Plan for Navajo Nation Government Units, part of composite Appendix A to the Legislation, as explained further below, that is a grave oversight and TCRHCC respectfully requests that Appendix A to the Legislation be amended by the Navajo Nation Council to provide the full amount of twenty-five million dollars ($25,000,000) as requested by TCRHCC from the Navajo Nation Fiscal Recovery Funds. TCRHCC was assured via the Navajo Nation Department of Justice

Initial Eligibility Determination For Navajo Nation Fiscal Recovery Funds on January 26, 2022 (Attachment A) that twenty-five million would be the amount allocated in the Legislation for the Long Term Care, Cancer and Rehabilitation Center, and the full twenty-five million dollars is critical to match the amount TCRHCC will – at a minimum – be responsible for obtaining from other sources, including a twenty-five million dollar loan from the U.S. Department of Agriculture.

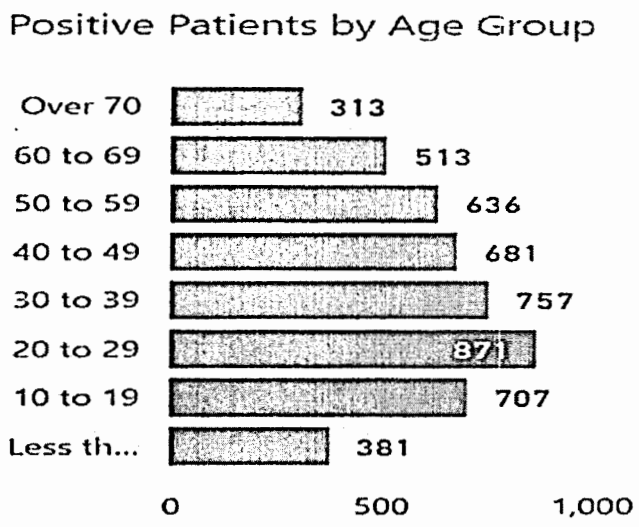
Background of TCRHCC

TCRHCC is authorized by the Navajo Nation Council as a tribal healthcare organization pursuant to the Indian Self Determination and Education Assistance Act, P.L. 93-638, as amended (the "ISDEAA"). Pursuant to its Compact with the Indian Health Service ("IHS"), TCRHCC operates the former Navajo Area IHS Tuba City Indian Medical Center, and multiple satellite facilities and clinics, providing services to IHS beneficiaries in TCRHCC's service area within the Western Navajo Agency and Coconino County, including the Cameron, Bodaway/Gap, Coalmine Canyon, Kaibeto, LeChee, Coppermine, Tonalea, and To'Naneez'Dizi Chapters of the Navajo Nation, the Hopi Village of Moenkopi, and the San Juan Southern Paiute Tribe. TCRHCC operates a Level III Trauma Center and American Association of Diabetes Educators (AADE) Accredited Program with a primary patient service population of nearly 36,000, and also serves as a Medical Referral Center for over 100,000 patients across the Navajo Nation, including for IHS beneficiaries from the Hopi and San Juan Southern Paiutes tribes.

TCRHCC holds current Accreditations by The Joint Commission on Accreditation for Hospital, Laboratory, Patient Centered Medical Home and Home Health Services and provides comprehensive healthcare services including inpatient/outpatient health services, emergency services; dental and ophthalmology services; orthopedics; OB/GYN; oral surgery; limited urological procedures, pediatric, rheumatology, neurology, dermatology, podiatry, rehabilitative and mental health services, and, most recently in its one-of-a-kind oncology center located on Native American lands, world-class cancer treatment.

The Critical Need for the Full Allocation of $25,000,000 for TCRHCC's Long Term Care, Cancer and Rehabilitation Center

The COVID-19 Pandemic has severely highlighted the health disparities present in our communities. TCRHCC is the regional referral center for Western Navajo Nation, which includes the transfers from Kayenta Health Center, Kayenta, AZ, and the Hopi Health Care Center on the Hopi Nation. The chronic underfunding of health services makes combatting already present health disparities insurmountable. It is uncertain whether we will continue to live with the presence of the COVID-19 virus and if it will ever completely be eradicated. Our communities have up to three generations living in their households. This exposes elders to the youngest in the house, which also means there is greater risk of children unknowingly bringing COVID-19 into the household. The graph below gives ranges of positive tests in the TCRHCC Service Area:



For TCRHCC to continue to send our Elders more than 100 miles away is irresponsible and ignores our obligation to care for elders in a culturally appropriate environment. Many Navajo elders are unable to live alone at home and have limited options or methods to remain in their home without supportive assisted care. As the Navajo elder demographic ages and prolongs the amount of time they are able to live independently, tribal governments are having to figure out how to provide a comprehensive range of services that are culturally-sensitive and appropriate, and how to preserve the dignity and quality of life for this important and cherished group. The longevity of life among Navajos requires Navajo leaders, communities, and families to assess how best to provide comprehensive care and services for elders.

Unfortunately, it is no longer a viable option to rely on families and extended family members to address the needs of the elders, as this practice has diminished considerably due to younger family members having to relocate from remote rural communities to distant urban communities in search of employment opportunities. More nursing homes or long term care facilities are needed in other regions of the Navajo Nation as Navajo families desire to keep their elderly family members as near as possible to provide all the necessary amenities to extend the life of their loved one(s).

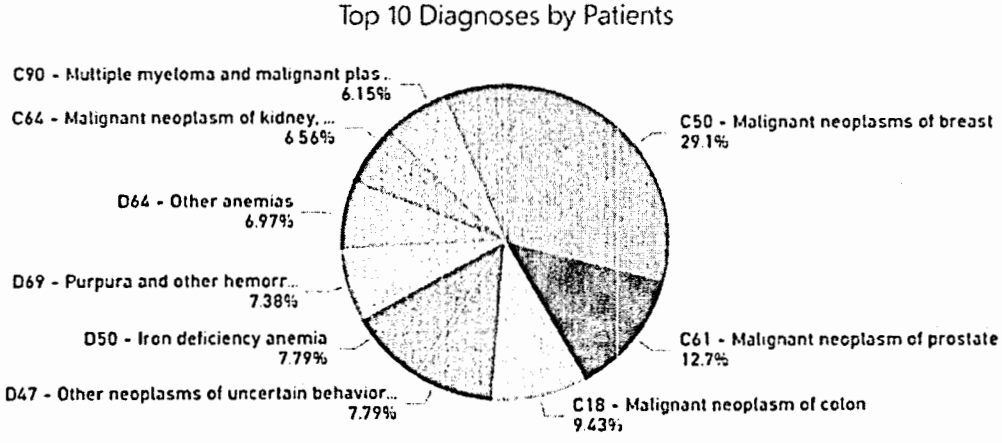
There are two types of care needed; Intermediate Level care which is assistive and does not include the use of nursing care. The motivation for assistive care is to keep an elder in a safe environment to provide such assistance as routine medication administration, where the elders are frail, disabled, or have forgetfulness or the mental inability to recall a medication regimen on their own. The second level of care is Skilled Nursing Care which is essential to care that requires nursing, rehabilitation or other professionally licensed care for a specified care plan prescribed by a physician. **TCRHCC is proposing an Assisted Living Center to accommodate sixty (60) elders or disabled persons and provide an additional thirty (30) beds for Skilled Nursing Care.**

A second issue that will be addressed with this project is expanding our Hematology Oncology Clinic. This is necessary, as unfortunately there were many community members that

did not receive their cancer screening appointments for almost the entire 2 years of the pandemic. This expansion will address this in response to lockdowns and closure of healthcare outpatient services due to the wait time for a FDA approved COVID 19 vaccinations. We have seen an increase in referrals and are stepping up our campaign for cancer screening. The new Specialty Care Clinic will double the space we will see patients in and fit the need that we project will grow as our elder population also grows. Cancer is a critical concern because of the legacy of uranium related cancers on the Navajo caused by the history of uranium mining and the toxic waste left behind.[1] Since opening its Oncology Center, TCRHCC has collected first-hand data showing clusters of cancers related to uranium exposure.

Below is an updated pie chart of the top 10 Cancer diagnoses:

Top 10 Diagnoses by Patients (C and D groups only)



Conclusion

For the foregoing reasons, TCRHCC strongly urges the Navajo Nation Council to amend composite Appendix A (Attachment B) to Legislation No. 0086-22 to allocate the full amount of twenty-five million dollars ($25,000,000) as requested by TCRHCC to provide critical health care services to the Navajo Nation's elderly population in its proposed Long Term Care Facility. Surely the needs of our elders must come first. The attached Power Point was presented Health Education and Human Services Committee on April 13, 2022 and approved ((Attachment C). Thank you for your consideration and the opportunity to comment on Legislation No. 0086-22. TCRHCC is committed to identifying, strengthening, and developing health and supportive services and strategies for the benefit of the communities it serves. Resolutions in support of TCRHCC's request by its governing Board of Directors are attached hereto as composite (Exhibit 1).

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[1] *See* The History of Uranium Mining and the Navajo People, Doug Brugge, PhD, MS and Rob Goble, PhD (Sept. 2002), available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3222290/.

Sincerely,

Lynette Bonar

Lynette Bonar, RN, BSN, MBA, FACHE
Chief Executive Officer
Tuba City Regional Health Care Corporation

c: TCRHCC Board of Directors

Attachment A

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0137

Date & Time Received: 1/19/22 11:33

Date & Time of Response: 01/26/2022 12:30 p.m. MST

Entity Requesting FRF: Tuba City Regional Health Care Corporation

Title of Project: Long Term Care Facility

Administrative Oversight: Navajo Nation FRF Office

Amount of Funding Requested: $25,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.6 (Medical Expenses (including Alternative Care Facilities))

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

ATTACHMENT B

Floor Amendment to
Composite Appendix A (see attached)
to
Legislation No. 0086-22

Introduced by Delegate _____

Composite Appendix A to Legislation No. 0086-22 as hereby amended as follows:

The Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan for Navajo Nation Government Units, submitted by the Navajo Department of Health, dated April 11, 2022, requesting fifteen million dollars ($15,000,000) of Fiscal Recovery Funds for a Long Term Care Facility for Tuba City Regional Health Care Corporation (TCRHCC), **is amended to request twenty-five million ($25,000,000)** of Fiscal Recovery Funds for TCRHCC, as a subrecipient of the Navajo Department of Health.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health — Date prepared: 04/11/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 1309, Window Rock, AZ 86515 — phone/email: 928.871.6350/jilljim@navajo-nsn.gov — website (if any):

Form prepared by: Dr. Jill Jim, Executive Director — phone/email: 928.871.6350
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Tuba City Long Term Care Facility

NN Government Unit's Director or Manager: Dr. Jill Jim — phone & email: 928.871.6350/jilljim@navajo-nsn.gov

Division Director (if any): — phone & email:

Branch Chief: Jonathan Nez — phone & email: 928.871.7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch — on the Project and
Indicate Branch and/or Division

the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Subrecipient: Tuba City Regional Health Care Corporation ☐ document attached

Amount of FRF requested: 15,000,000 — FRF funding period: 09/01/2022 - 12/31/2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funds will be used to construct up to a 90-bed Long Term Care (LTC) Center in Tuba City. With increased restrictions/limitations in transporting elderly patients for non-reservation nursing care due to COVID, we are experiencing difficulties in obtaining needed care for our elder patients. The project will be on the main TCRHCC campus adjacent to the hospital, so we may share support, such as, cafeteria, laundry, and healthcare professionals. Elders are living with multi generational families, this facility will limit individuals that visit our elders and keep them out of crowded living situations.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Navajo Nation's population of approximately 400,000 members has only one nursing facility on the Navajo Nation. There is a critical need for this service as at least 20% of our pt population are over 45 years of age. Since the pandemic a LTCF is critical for the elderly given the ongoing COVID pandemic and reduce their risk to expose from other family members.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

09/01/2022 - 12/31/2022: In order to complete this project within the funding timeframe, this project will be approached as a Design/Build. Prepare and Solicit a Design/Build Request for Qualifications (RFQ) to hire an A/E Firm & General Contractor Design Build Team.
01/01/2023 - 03/31/2023: Finalize Contract for Selected Design/Build Team
04/01/2023 - 03/31/2024: Complete Design and Related Planning of Facility
04/01/2024 - 06/30/2025: Complete Construction of Facility

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tuba City Regional Health Care Center will implement the project, primarily our Chief Executive Officer and Chief Support Services Officer.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Tuba City Regional Health Care Corporation will be responsible for operations and maintenance costs once project is completed. Funds to be used will come from third-party revenue, contributed capital and investment income.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under the Public Health 1.6 Medical Expenses category. Tuba City Regional Health Care's compact with Navajo Nation to operate as a 638 organization to provide healthcare services to IHS beneficiaries. One of these services is geriatric care, including long term care and skilled nursing. Because there is no local long term care facility locally, patients have to be referred to non-reservation nursing care. With the pandemic, this has proven to be much more difficult due to congregation restrictions.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

TCRHCC Board Resolution

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Jill Jim Digitally signed by Jill Jim Date: 2023.04.12 19:18:14 -06'00' Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

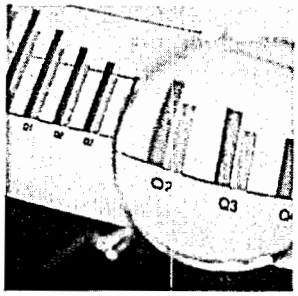
Approved to submit for Review: See Signature Above Print Name, Title, Branch or Division: Paulson Chaco / Chief of Staff

signature of Branch Chief or Division Director *print name and indicate title or position*

Executive / OPVP

indicate Branch or Division

Attachment C



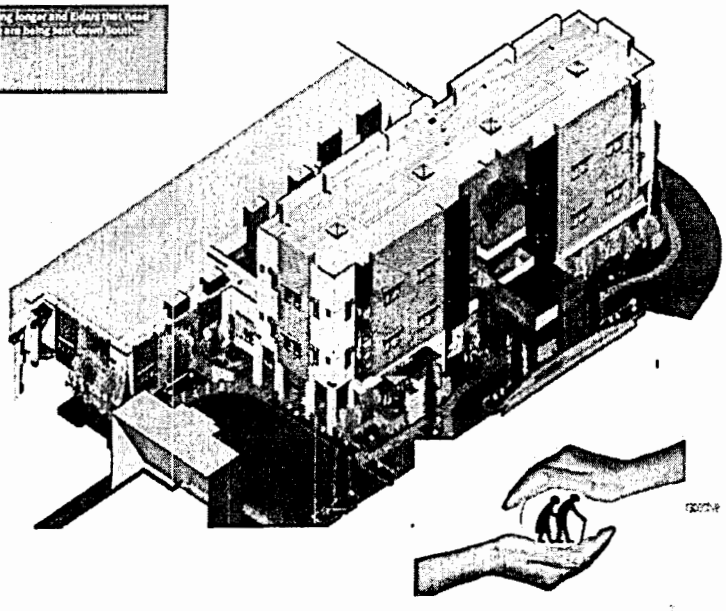
Long Term Care Building Update

April 13 2022

Lynette Bonar, RN, BSN, MBA, FACHE
CEO, TCRHCC

1

Proposed Long Term Care and Specialty Care and Rehabilitation



- **Larger Cafeteria, 30 bed Skilled Rehab, 60 bed Long Term Care and Assisted Living**
- **Permanent site for Oncology Services**
- **Improved area for Rehabilitative Services**
- **Expand our Dietary services**
- **Projected last estimate $53-55 Million, waiting for an update from A/E**

2

Long Term Care/Specialty Care	Dyron Murphy to complete design a few more weeks. Appraisal next 3 weeks Complete Architectural Design will be sent to USDA

3

Current State of Elder Transfers

Elder Care

- Send family to distant places
- Use inpatient beds for Skilled Care- we will have more beds for admissions
- PRC funds for our Service Area Skilled and Rehabilitation patients

Specialty Care (Cancer) and Rehabilitative Services

- Both services are in a Used/Aging Modulars
- Rehabilitative services could be used as a clinical education area
- Specialty Care could be used to expand Pharmacy services

4

Current Status Overview

- Project to begin 2022, completed 2024
- Will be depreciated over 39 years
- Finance $25M (for now, waiting on final estimate from Architect, we are concerned of the recent inflation issues, as well as supplies)
- Payer Mix
  - AZ Medicaid- AZ Long Term Care System (ALTCS)
  - Medicare (Skilled Nursing)
  - Private
  - Other

5

US Industry Profile

Demand for LTC services strong due to aging population
US personal expenditures are forecast to grow at an annual compound rate of 5% between 2020-2024

Changing Age Demographics From Current Innova study

Scenario	Medicine	Surgery	Mental Health	Maternal/Child Health	Pediatric Med/Surg
Today's Age Demographics	9,852	6,908	3,779	1,925	1,273
Aged Demographics	11,802	8,153	4,139	2,074	947
% Change	20%	18%	10%	8%	-26%

Age Demographics	Age 0-4			Age 65+		
	2014	2019	2035	2014	2019	2035
User Population	2,867	2,356	1,613	2,996	3,683	8,862
User Population % of Total	7.3%	6.0%	2.6%	7.6%	9.4%	14.0%

2014-2019 Population Source: AZ Department of Health and Human Services

6

Major Steps in Health Facilities Construction

Planning-beginning step

Design

Funding

Construction

Staffing

7

In Conclusion

- Finance $20-25 Million with USDA
- Request funds from US Congress, received $8M
- Request funding for $25 Million from Navajo Nation.
- Capital- Furniture, Fixtures and Equipment with Bank of OK at $5 Million

- Continue to advocate I.H.S. to fund operations for Elder Care

8

"Exhibit 1"

TUBA CITY REGIONAL HEALTH CARE CORPORATION
167 North Main Street, PO Box 600 Tuba City, AZ 86045-0600

TCRHCC 17-12-21

RESOLUTION OF THE TUBA CITY REGIONAL HEALTH CARE CORPORATION BOARD OF DIRECTORS

TO THE NAVAJO NATION GOVERNMENT TO REQUEST TWENTY-FIVE MILLION DOLLARS FROM FISCAL RECOVERY FUNDS OF THE AMERICAN RESCUE PLAN ACT FOR CONSTRUCTION OF A LONG-TERM CARE ELDER FACILITY WHICH WILL INCLUDE PERMANENT REHABILITATION SERVICES AND AN EXPANDED ONCOLOGY CENTER

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution CJY-33-10 (July 21, 2010) and Naabik'íyáti Committee Resolution NABID 96-18 (December 27, 2018), TCRHCC is authorized and designated as a "Tribal Organization" for the purpose of managing and operating contracts with the Indian Health Service ("IHS") under the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended ("ISDEAA"); *and*

2. Tuba City Regional Health Care Corporation (TCRHCC), a non-profit, 501(c)3, tribal organization as defined in the Indian Self-Determination Act, Public Law 93-638; *and*

3. The TCRHCC service area within the Western Navajo Agency and Coconino County communities including Cameron, Bodaway/Gap, Coalmine Canyon, Kaibeto, LeChee, Coppermine, Tonalea, and To'Naneez'Dizi Chapters, and including the Hopi Village of Moenkopi and the San Juan Southern Paiutes of Tuba City, and TCRHCC receives federal funding on behalf of such Tribes; *and*

4. The TCRHCC Regional Health System with a primary patient service population of nearly 36,000 also serves as a Medical Referral Center for over 100,000 patients across the Navajo Nation, including Hopi and San Juan Southern Paiutes. TCRHCC is also the largest referral center serving the Navajo Nation; *and*

5. TCRHCC Mission includes ensuring the life-long (prenatal through elderly years) health of all populations served, particularly those in its service area (hereinafter "Mission"); *and*

6. TCRHCC has invested capital for a Long-Term Care Facility, a Feasibility Study has been completed; *and*

7. TCRHCC Case Managers/Social Workers send elders to Skilled Nursing and Assisted Living Facilities, both levels of care will be covered in this center; *and*

8. TCRHCC has worked with the Navajo Housing Authority who has assisted with design funds of $500,000; *and*

9. The COVID pandemic has highlighted the risks of multigenerational housing for elders and the immunocompromised; *and*

10. Communities will see delayed effects of the loss of our Elders from this pandemic in the lack of traditional knowledge and language, a long term care facility will provide accessibility to families to visit their elder locally, many of our elders today are now more than 100 miles away in these type of facilities; *and*

11. TCRHCC will apply to the USDA for the balance of the construction funding, and be obligated to repay this loan in approximately 25 years; *and*

12. TCRHCC has worked with the Arizona Senate through Senator Kelly to apply for funds from the Build Back Better legislation in the amount of $8 Million and will receive this funding if approved by the US legislative process; *and*

13. Expand the Specialty (Oncology, Hematology) Care Clinic to allow clinical staff to provide more services for this group of patients, and relocate the current service out of an aging modular building; *and*

14. Expand the Rehabilitation services (Occupational Therapy, Physical Therapy, Speech Therapy) by relocating out of an aging modular trailer, this will create a central area for outpatient services and for skilled nursing services for our elders.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Tuba City Regional Health Care Corporation Board of Directors hereby request twenty-five million dollars from the fiscal recovery funds of the American Rescue Plan Act for construction of a Long-Term Care elder facility which will include a permanent rehabilitation service and an expanded oncology center.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered at a duly called meeting of the Board of Directors of Tuba City Regional Health Care Corporation in Tuba City, Arizona (Navajo Nation) at which a quorum was present and that the same was passed by a vote of 8 in favor, 0 opposed, and 0 abstained, this **27th** day of December, 2021. Chair voting.

Motion by: Franklin Fowler
Second by: Justice M. Beard

Christopher Curley, President
TCRHCC Board of Directors

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0086-22

SPONSOR: Honorable Mark A. Freeland

TITLE: An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Posted: April 19, 2022 at 7:16 PM

5 DAY Comment Period Ended: April 24, 2022

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Comments/Recommendations	**1) Tahda Ahtone**

Legislative Tracking Secretary
Office of Legislative Services

May 03, 2022; 10:18 AM
Date/Time

Public Comment on 0086-22

Tahda Ahtone <builder@jackrabbitdevelopment.com>

Fri 4/29/2022 1:36 PM

To:comments <comments@navajo-nsn.gov>;

Good afternoon! I write today in my capacity as a Native person with young children and relational ties to Navajo Nation, as a business owner, and as a civil servant. I offer written suggestions that if made would garner my support for legislation 0086-22. Despite being at a critical time in the world both in terms of how we consume in the world, and at what Putin has threatened to be a World War, I see little that helps to establish Navajo Nation to diversify its economy or to invest in it for the sustainable and resilient future. This bill still places much reliance and dependence on sources of water, energy on the dependence of others. Pushing forward in the way that states and cities have to meet sustainability goals could be addressed through this legislation and historical time of investment in the rebuilding of the Navajo economy and society.

I would encourage any bill to demand net-zero at the most and energy efficiency at the very minimum, plus measures in place to conserve water. I would encourage you to invest more in small businesses. There are registered 216 certified priority one and two companies in the Navajo Nation. With the way this legislation is currently written, these companies could be sidelined as the business as usual of hiring outside companies to come in do the work and leave with the money could occur again. I would encourage the leaders to put measures in place that require the use of priority one and priority two contractors. For this to happen you would need to add the amendment that grants NCDFI money that can be given as grants to the small businesses to be able to acquire the bonding as small business assistance.

I have included a list of other changes I would offer to this legislation:

Amendments to Legislation 0086-22

On page 1,

- Title: After the word "Water" add "Production, Conservation," before the words "and Wastewater"
- Before the words "Housing Projects" add "Sustainable, Energy-Efficient, Water Conservating" Housing Projects;
- Delete "And manufactured housing facilities; bathroom addition projects"

On page 6

- Line 26—change amount to "one hundred ninety-one million, nine hundred fifty thousand dollars ($191,950,000)."
- Line 29—change amount to state each Chapter would get one million seven hundred and forty-five thousand ($1,745,000) per Chapter.

On page 14

- Line 13, Section 5.A change the words to "through **F-7.**"
- Change line 15-16 to eighty million three hundred eighty-eight thousand three hundred dollars ($80,388,300).

On page 15

- Line 7 add after the word "Transitional" "Energy-Efficient, Water Conserving Housing"

- Line 24 add "Design of facilities and housing will be to Americans with Disability Act "(ADA") compliance or ADA ready and will provide energy-efficiency and water conservation measures in the form of greywater and water conserving appliances, productive landscaping, solar and off-grid backup technology."
- Line 29—change amount to ninety-three million nine hundred sixty-two thousand three hundred ninety-eight dollars "$93,962,398"

On page 16

- Line three delete the word "administration" and add the word "implementation"
- Line 4 add after the words "Services" "to be administered by Navajo Community Development Financial Institution Inc. and ChangeLabs for the administration of Loan Guaranty Programs, Loan Participation Programs, and Equity Funding Programs. With the programs administering the SSBCI money to be allowed to keep the money at the end of the SSBCI program."

On page 18

- Line 3 add " 11. Three million ($3,300,000) for the Navajo Townsite Demolition and Housing Renovation project for the Navajo Chapter as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-11**, with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee."
- Next paragraph add "12. Fifty Million dollars ($50,000,000) to Navajo Community Development Financial Institution Inc. for small business grants to help restore and establish new small businesses owned and operated by Navajo Entrepreneurs as Small Business Economic Assistance (Expenditure Category 2.9) as set forth in **Exhibit G-12,** with administrative oversight by the Division of Economic Development and legislative oversight by the Resources and Development Committee."
- On Line 22—or Section 8.A. add the language after the words Navajo Nation "recognizes that access to water is a fundamental right. Water projects will take into account water conservation measures such as implementing grey water in all new water installation projects and utilizing water conserving appliances. The Navajo Nation hereby approves and adopts . . "

On page 21

- On line 30 add "Homes receiving off-grid solar technology will not become NTUA customers paying NTUA for the privilege of having Solar provided. These solar projects are provided to the Navajo Citizens to be used free of charge once installed on their homes. The Navajo citizens will be responsible for operation and maintenance once installed."

On page 22

- Line 1, add after the word "of" "sustainable, energy-efficient, water conserving housing projects" Delete the words "and manufactured housing facilities" expenditure plan.
- Line 8 delete the words "Manufactured Housing Facilities Expenditure Plan"
- Line 9 change the amount to "one hundred thirty-four million dollars ($134,000,000)"
- Line 20 delete all of Section Three—fifty million for manufactured housing facilities section---include this language instead "thirty million dollars ($31,000,000) to be divided into fourteen million dollars ($14,000,000) for sustainable resilient net-zero water conserving hogan homes project and seventeen million dollars ($17,000,000) for the Sandstone community housing projects as Affordable Housing (Expenditure Category 2.15) as set forth in **Exhibits L-3**, with the Division of Community Development exercising administrative oversight and the Resources and Development Committee shall exercise legislative oversight."

On page 23

- Line 15, Section G. Delete the words "To the fullest extent possible" add language "All new housing shall be ADA accessible or ready to be converted to ADA accessible, and shall provide energy-efficiency and water conservation measures."
- Delete Section Twelve—all of it—no approval of bathroom additions—that flows onto page 24—delete the entire section

On page 27

Line 14. Section J—delete the words "such as Bathroom Addition or"

Thank you all for your leadership. The task of dividing up this money is not easy, nor one I would want. I applaud all of the Delegates and constituents efforts to make the most informed and empowered decision possible for the benefit of the people.

Aho!

Tahda Ahtone Esq.

JackRabbit Development, LLC, President

8283330333
751 W Colgate Dr.
Tempe, AZ 85283
http://www.jackrabbitdevelopment.com

WARNING: External email. Please verify sender before opening attachments or clicking on links.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0086-22

SPONSOR: Honorable Mark A. Freeland

TITLE: An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Posted: April 19, 2022 at 7:16 PM

5 DAY Comment Period Ended: April 24, 2022

Digital Comments received:

Comments Supporting	**1) Sawmill Chapter**
Comments Opposing	***None***
Comments/Recommendations	***None***

Legislative Tracking Secretary
Office of Legislative Services

May 12, 2022; 2:20 PM
Date/Time

Woodie Bennett, President
Lewis Shirley, Vice President
Shawn Livingston, Sec/Treasurer
Wilson Stewart Jr., Council Delegate
Patrick Martinez, Grazing Official

Sawmill Chapter

Jammie Billiman, Comm.Service Coordinator
Ronald Deschinny, Account Maint. Spec
Patreva Benally, CHR
Louise Mark, Senior Ctr. Supervisor

P.O. Box 1786
Fort Defiance, AZ 86504
(928) 729-4433 / 4432
(928) 729-4435 FAX

RESOLUTION OF THE SAWMILL CHAPTER SAW-05-09-22-07

Supporting Navajo Nation Council Legislation 0086-22 to allocate $1,070,298,867 of the Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative funding to ensure Programmatic daily operations and comply with the Five Management System Policies and Procedures.

WHEREAS:

1. Pursuant to 26 N. N. C, Section 3 (A) the Sawmill Chapter is a duly recognized Chapter of the Navajo Nation Government, as listed at II N. N. C., part 1, Section 10; and

2. The Naabik'iyati' Committee was established as a Standing Committee of the Navajo Nation Council with Authority to hear all proposed resolutions requiring final action by the Navajo Nation Council; and

3. The Navajo Nation Council is the governing body of the Navajo Nation pursuant to 2 N.N.C. section 102 (A); and

4. The Naabik'iyati' Committee of the Navajo Nation Council on March 24, 2022 approved legislation 0257-21 to allocate the remaining balance of $1,166,003,000 of the Navajo Nation Fiscal Recovery Funds for water, wastewater projects, Broadband projects, Home Electricity connection projects, Housing and Home Renovation projects, Bathroom Additions, and Hardship Assistance; and

5. The Navajo Nation Council on April 4, 2022 had a special session to address legislation 0257-21, however the legislation failed; and

6. On April 19, 2022 Honorable Delegate, Mark Freeland introduced legislation 0086-22, and on April 21, 2022 Honorable Delegate, Amber Kanazbah Crotty introduced legislation 0087-22; and

7. The legislations are to allocate the remaining balance of $1,070,298,867 of the Navajo Nation Fiscal Recovery Funds and Expenditure Plans; and

8. Legislation 0086-22 will provide funding of $745,000.00 per chapters for Non-LGA-Certified Chapters and LGA-Certified Chapters for shovel ready projects in the total amount of $81,950,000; and

9. The legislation will provide funding for Public Safety Emergency Communications, E911, Rural Addressing Projects, Cyber Security in the amount of $40,000,000; and

10. Public Health Expenditure Plan, which includes funding for Division of Aging and Long-Term Care Support, Special Diabetes Program, Navajo Department of Health, Division of Public Health Services in the amount of $79,487,500; and

11. Economic Development Expenditure Plan, which includes funding for Navajo Small Business Credit Initiative, Navajo Tourism Department and other Economic Development Impact in the amount of $45,462,398; and

12. Hardship Assistance Expenditure Plan, which will provide additional funding of $557,000,000 to the Office of the Controller for Household Assistance; and

13. Infrastructure Expenditure Plan, which will provide funding for Water, Wastewater Projects, Broadband Projects, Home Electricity Connection, Electricity Capacity Projects, Housing Projects, Manufactured Housing Facilities, Bathroom Addition Projects in the amount of $735,000,000; and

14. Construction Contingency Funding and Reduced Administrative Funding.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Chapter hereby support Navajo Nation Council Legislation 0086-22 to allocate $1,070,298,867 of the Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding.

2. The Sawmill Chapter further requests the Naabik'iyati' Committee of the Navajo Nation Council and the 24th Navajo Nation Council to include in its amendments to provide funding for External Entities, which includes Jack Rabbit Development Inc., Sandstone Housing Inc., Day at A Time, Navajo Townsite Corporation, Navajo United Way Inc., and Nava Mill Lumber & Logging Company.

Sawmill Chapter

CERTIFICATION

I hereby certify that the foregoing resolution was considered as a duly called chapter meeting at Sawmill, (Navajo Nation) Arizona, at which a quorum was present and that same was **passed by vote of in favor 11, 0 opposed, and 2 abstained on this 09th day of May 2022.**

Motioned by: Timothy Begay

Second by: Larry Foster

Woodie Bennett, Chapter President

24th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Fourth Year 2022

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0086-22

An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Sponsored by: Honorable Mark A. Freeland
Co-Sponsored by: Honorable Pernell Halona
Co-Sponsored by: Honorable Wilson C. Stewart, Jr.
Co-Sponsored by: Honorable Edison J. Wauneka

Has had it under consideration and reports the same that **TIME EXPIRED**.

Respectfully Submitted,

Honorable Seth Damon, Chairman
NAABIK'ÍYÁTI' COMMITTEE

12 May 2022

MAIN MOTION
Motioned by: Honorable Raymond Smith, Jr.
Seconded by: Honorable Pernell Halona
Vote: NO VOTE TAKEN (TIME EXPIRED)

AMENDMENT #2
1. On Page 18, line 23, delete ~~I-7~~ and insert I-8
2. On page 18, line 24, amend paragraph B as follows:
   B. The Navajo Nation hereby approves total funding for the NNFRF Water and Wastewater Projects Expenditure Plans from the Navajo Nation Fiscal Recovery Fund in the total

amount of ~~two hundred fifteen million dollars ($215,000,000)~~ two hundred twenty-five million one hundred fifty-nine thousand five hundred forty-two dollars ($225,159,542) with two hundred fifteen million dollars ($215,000,000) to the Department of Water Resources and ten million one hundred fifty-nine thousand five hundred forty-two dollars ($10,159,542) to the Navajo Ramah School Board, Inc. ~~with administrative oversight by the Division of Natural Resources and legislative oversight by the Resources and Development Committee and allocates the funding as follows:~~.

3. On page 18, line 29, insert new paragraph C as follows:
   C. The funding allocated to the Department of Water Resources shall be under the administrative oversight of the Division of Natural Resources and legislative oversight by the Resources and Development Committee and shall be apportioned to specific projects as follows:
4. On page 19, line 18, insert new paragraph D as follows:
   D. The funding allocated to the Ramah Navajo School Board, Inc. shall be distributed through a NNFRF sub-recipient agreement for Drinking Water: Transmission and Distribution (upgrade/replacement of drinking water system) (Eligibility Category 5.11) as set forth in **Exhibit I-8**, with administrative oversight by the Division of Community Development and joint legislative oversight by the Health Education and Human Services Committee and Resources and Development Committee.
5. Insert new **Exhibit I-8**
6. On page 20, line 5, delete ~~Sixty million ($60,000,000)~~ and insert Fifty-five million dollars ($55,000,000)
7. Replace existing Exhibit J-1 with revised Exhibit J-1
8. On page 20, line 10, delete ~~Forty million ($40,000,000)~~ and insert thirty-four million eight hundred forty thousand four hundred fifty-eight dollars ($34,840,458)
9. Replace existing Exhibit J-2 with revised Exhibit J-2
10. The NNFRF Office, with the assistance of the Division of Economic Development, shall submit a revised **Exhibit J-1** and revised **Exhibit J-2** to the Office of Legislative Services consistent with this amendment.
11. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Council and Committee hereby authorize Office of Legislative Services and Office of Legislative Counsel to correct technical errors, including adjustment of comprehensive dollar amounts and insertion of adjusted exhibits, consistent with the intent of this amendment. This Amendment supersedes all inconsistent language in any other Committee or Council amendment.

Motioned by: Honorable Jamie Henio
Seconded by: Honorable Eugenia Charles-Newton
Vote: NO VOTE TAKEN (TIME EXPIRED)

AMENDMENT #1

1. On page 1, line 22, after "PROJECTS;" insert JUDICIAL BRANCH PROJECTS;
2. On page 6, line 17, after "Projects; insert Judicial Branch Projects
3. On page 14, line 16, delete ~~seventy-nine million four hundred eighty-seven thousand five hundred dollars ($79,487,500)~~ and insert seventy-four million four hundred eighty-seven thousand five hundred dollars ($74,487,500)

4. On page 15, line 2, delete sub-paragraph 4, including exhibits, as follows:
   ~~4. Five million dollars ($5,000,000) to the Navajo Department of Health, for a Dedicated Public Health Storage Warehouse, as Other Public Health Services (Expenditure Category 1.14) as set forth in **Exhibit F-4**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Health, Education, and Human Services Committee.~~
5. On page 15, line 29, delete ~~forty-five million four hundred and sixty-two thousand three hundred and ninety-eight dollars ($45,462,398)~~ and insert thirty-four million six hundred eighty-two thousand three hundred fifty-one dollars ($34,682,351)
6. On page 16, line 2, delete sub-paragraph 1, including exhibits, as follows:
   ~~1. Five million dollars ($5,000,000) to the Division of Economic Development for the administration of the Navajo Small Business Credit Initiative as Provision of Government Services (Expenditure Category 6.1), as set forth in **Exhibit G-1**, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Resources and Development Committee.~~
7. On page 16, line 20, delete ~~Sixteen million on hundred thousand dollars ($16,100,000)~~ and insert Ten million three hundred nineteen thousand nine hundred fifty-three dollars ($10,319,953)
8. The NNFRF Office, with the assistance of the Division of Economic Development, shall submit a revised **Exhibit G-1** to the Office of Legislative Services consistent with this amendment.
9. On page 24, line 18, insert new section as follows:

   SECTION TWELVE. APPROVAL OF JUDICIAL BRANCH EXPENDITURE PLAN

   A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Judicial Branch Expenditure Plan set forth in **Exhibits N and N-1**.

   B. The Navajo Nation hereby approves total funding for the NNFRF Judicial Branch Expenditure Plan from the Navajo Nation Fiscal Recovery Fund to the Judicial Branch in the total amount of fifteen million seven hundred eighty thousand forty-seven dollars ($15,780,047)

   C. The $15,780,047 of NNFRF Funding to the Judicial Branch is allocated as Economic Impact Assistance: Other (Expenditure Category 2.37) and shall be distributed to the Navajo Nation Judicial Districts as set forth in **Exhibit N-1**.

   D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Economic Development construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

10. Insert new **Exhibits N and N-1**
11. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Council and Committee hereby authorize Office of Legislative Services and Office of Legislative Counsel to correct technical errors, including adjustment of comprehensive dollar amounts and insertion of adjusted exhibits, consistent with the intent of this amendment. This Amendment supersedes all inconsistent language in any other Committee or Council amendment.

Motioned by: Honorable Eugenia Charles-Newton
Seconded by: Honorable Charlaine Tso
Vote: 22 In Favor, 00 Opposed (Chairman Damon Not Voting)

Amd#1 to Amd# Amendment-Legislation 0086-22; PASSED

MOT Charles-Newton
SEC Tso, C

1. On page 1, line 22, . . .
2. On page 6, line 17, . . .
3. On page 14, line 16, . . .

Yeas : 22 **Nays : 0** **Excused : 0** **Not Voting : 1**

Yea : 22

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

Nay : 0

Excused : 0

Not Voting : 1

Yazzie

Presiding Speaker: Damon

AMENDMENT TO LEGISLATION NO. 0086-22

Sponsor: Delegate Charles-Newton

1. On page 1, line 22, after "PROJECTS;" insert "JUDICIAL BRANCH PROJECTS;
2. On page 6, line 17, after "Projects; insert Judicial Branch Projects
3. On page 14, line 16, delete ~~seventy-nine million four hundred eighty-seven thousand five hundred dollars ($79,487,500)~~ and insert seventy-four million four hundred eighty-seven thousand five hundred dollars ($74,487,500)
4. On page 15, line 2, delete sub-paragraph 4, including exhibits, as follows:

   ~~4. Health Storage Warehouse, as Other Public Health Services (Expenditure Category 1.14) as set forth in **Exhibit F-4,** with administrative oversight by the Office of the President and Vice President and legislative oversight by the Health, Education, and Human Services Committee.~~
5. On page 15, line 29, delete ~~forty-five million four hundred and sixty-two thousand three hundred and ninety-eight dollars ($45,462,398)~~ and insert thirty-four million six hundred eighty-two thousand three hundred fifty-one dollars ($34,682,351)
6. On page 16, line 2, delete sub-paragraph 1, including exhibits, as follows:

   ~~1. Five million dollars ($5,000,000) to the Division of Economic Development for the administration of the Navajo Small Business Credit Initiative as Provision of Government Services (Expenditure Category 6.1), as set forth in Exhibit G-1, with administrative oversight by the Office of the President and Vice President and legislative oversight by the Resources and Development Committee.~~
7. On page 16, line 20, delete ~~Sixteen million one hundred thousand dollars ($16,100,000)~~ and insert Ten million three hundred nineteen thousand nine hundred fifty-three dollars ($10,319,953)

8. The NNFRF Office, with the assistance of the Division of Economic Development, shall submit a revised **Exhibit G-1** to the Office of Legislative Services consistent with this amendment.

9. On page 24, line 18, insert new section as follows:

SECTION TWELVE. APPROVAL OF JUDICIAL BRANCH EXPENDITURE PLAN

A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Judicial Branch Expenditure Plan set forth in **Exhibits N and N-1.**

B. The Navajo Nation hereby approves total funding for the NNFRF Judicial Branch Expenditure Plan from the Navajo Nation Fiscal Recovery Fund to the Judicial Branch in the total amount of fifteen million seven hundred eighty million forty-seven dollars ($15,780,047).

C. The $15,780,047 of NNFRF Funding to the Judicial Branch is allocated as Economic Impact Assistance: Other (Expenditure Category 2.37)2 and shall be distributed to the Navajo Nation Judicial Districts as set forth in **Exhibit N-1**.

D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Economic Development construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

10. Insert new **Exhibits N** and **N-1**

11. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Council and Committee hereby authorize Office of Legislative Services and Office of Legislative Counsel to correct technical errors, including adjustment of comprehensive dollar amounts and insertion of adjusted exhibits, consistent with the intent of this amendment. This Amendment supersedes all inconsistent language in any other Committee or Council amendment.

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT N

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0134-2

Date & Time Received: 4/28/2022 16:07

Date & Time of Response: 5/04/2022 17:50

Entity Requesting FRF: Judicial Branch – Administrative Office of the Courts

Title of Project: Judicial Branch Section 2.13 Other Economic Support

Administrative Oversight: Judicial Branch

Amount of Funding Requested: $15,780,047

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.37 - Economic Impact Assistance: Other

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to a reduction in the amount of funding requested from $27,164,527 to $15,780,047. Also, this was previously categorized as 2.13 – Other Economic Support, and is now category 2.37 - Economic Impact Assistance: Other.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Judicial Branch – Administrative Office of the Courts Date prepared: 04/22/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's Post Office Box 520 phone/email: 928 871-7669/ Stephenbetsitty@navajo-nsn.gov
Window Rock, Arizona 86515 website (if any): www.courts.navajo-nsn.gov

Form prepared by: Stephen B. Etsitty, AOC Director phone/email: 928 640-0332 / Stephenbetsitty@navajo-nsn.gov
Gwendolyn Williams, Senior Budget Analyst, AOC 928 551-2056/ gskwilliams@navajo-nsn.gov
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Judicial Branch Section 2.13 Other Economic Support

NN Government Unit's
Director or Manager: Stephen B. Etsitty, AOC Director phone & email: 928 640-0332 / Stephenbetsitty@navajo-nsn.gov

Division Director (if any): _____ phone & email:

Branch Chief: JoAnn B. Jayne, Chief Justice phone & email: 928 871-7669 / jjayne@navajo-nsn.gov

Funding Recipient will be working with: Judicial Branch Judicial Districts and Judicial Programs on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

_____ ☐ document attached

Amount of FRF requested: $15,780,047 FRF funding period: Start date of April 01, 2022 to End Date of December 31, 2024
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The request for funds is to maintain the continuity of operations of critical infrastructure within the Judicial Branch; to protect the health and wellbeing of the public and personnel; and to facilitate recovery of operations to full capacity. Funds will be for fifty-eight (58) new positions such as District Court Judicial Hearing Officers and Court Clerks, Report Writers, Administrative support staff, Probation and Peacemaking Personnel. The Judicial Branch Programs and Courts serving the entire Navajo Nation will utilize funds to assist in addressing backlog of court cases, to facilitate court/program operations for recovery to full capacity, and anticipated increased workload during re-opening of courts/programs. The 58 proposed positions will telework and be on intermittent schedules to accommodate new personnel within District/program offices. Operating funds have been budgeted to ensure Judicial personnel can telework by means of laptops/WIFI access, portable printers/scanners, and offices will be upgraded to meet safety mandates for prevention/ mitigation of COVID-19. Travel expenses are requested to provide outreach, training and transport of clients and staff. Supplies are included to implement COVID-19 safety measures for both permanent and proposed personnel as they telework and work on site. Personnel Protection Equipment (PPE), office, operating and custodial supplies are requested. Communications & Utilities budget is to assist staff in teleworking requirement and provide remote access to case management system. Repairs and Maintenance budget will provide improvements to internet connectivity for the Judicial Branch and increase Information Technology (IT) Safety measures. Contractual Services budget for IT and HVAC improvement for improved air quality to districts and programs. Special Transactions for media expenses to communicate with the public and employees through radio and newspaper advertising. Funds were budgeted

to serve all Judicial Districts and programs within the Navajo Judicial Branch.
At the beginning of the COVID-19 pandemic, the Judicial Branch implemented a Continuity of Operations Plan (COOP) and Roadmap to Full Capacity (Roadmap). These plans allow public access to Judicial System Services in phases while ensuring the safety of both Judicial employees and the public. While the COOP and Roadmap are prevention plans, Judicial Branch recognizes that our Judicial Branch Employees health and safety are paramount. Judicial Courts, Programs and Administrative Offices are currently under Administrative Orders whereas, Judicial will not shut down their offices, and authorizes teleworking options but will require staff to continue work from within offices and with the general public as essential workers.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

These funds will assist and provide positive impact the services to the public and the Navajo Nation. The Judicial Branch is impacted by the Coronavirus which created a case backlog due to a prolonged period of essential services operations. Courts/programs addressed only a required sub-group of statutorily required cases. Service levels to the public will increase throughout the recovery/re-opening period. The Judicial Branch District Courts and Programs will continue to provide services to the public without interruption, while protecting the health and wellbeing of both the Navajo Judicial Branch employees and the public. The Judicial Courts protect the sovereignty of the Navajo Nation and provide legally mandated services to the Navajo Nation communities. Peacemaking and Probation and Parole Services are also essential functions of the Judicial government. These services do not cease during a public health emergency.

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose anychallenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

The initial release of funds to the Judicial Branch through December 31, 2024 will be sufficient to incur all expenses. The necessary requirements for Navajo Nation Procurement statute and regulations will be adhered to.

(d) Identify who will be responsible for implementing the Program or Project:

Stephen B. Etsitty, Administrative Director of the Courts will be responsible. He will assign staff as necessary to ensure the project is completed within prospective timeline. AOC will be involved in every aspect of addressing the case backlog in every court, and the addressing the daily needs to keep branch personnel and the public safe from the spread of the Coronavirus.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

These funds will be not be utilized for Capital Projects therefore there will be no new operation and maintenance cost incurred.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.13 Other Economic Support. The Interim Final Rule 2.19 recognizes that "decrease(s) to a state or local government's ability to effectively administer services", can constitute a negative economic impact of the pandemic. Courts and court-related programs face significant backlogs resulting from the inability to safely operate during the COVID-19 pandemic decreasing the Judicial Branch's ability to administer services. Therefore, funds are required to reduce these backlogs, through steps such as implementing COVID-19 safety measures, facilitating court and court-related operations, hiring

additional staff to increase speed of case resolution and other expenses to expedite case resolution and administrative recovery are eligible uses.

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

N/A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ *Gwendolyn S.K. Williams, Senior Budget Analyst*

Approved by: _____ *Stephen B. Etsitty, Administrative Director of the Courts*

Approved to submit for Review: _____ 4/28/2022

Print Name, Title, Branch or Division: JoAnn B. Jayne, Chief Justice, Navajo Judicial Branch

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan Act (ARPA) / Section 2.13 Division/Branch: Judicial Branch

Prepared By: Gwendolyn Williams, SBA Phone No.: 928 871-7231 Email Address: gskwilliams@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Rescue Plan	04/01/22 - 12/31/24	15,780,047	100%
	TOTAL:	$15,780,047	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	10,846,627	10,846,627
3000 Travel Expenses	6	0	121,599	121,599
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	2,093,215	2,093,215
5000 Lease and Rental	6	0	25,000	25,000
5500 Communications and Utilities	6	0	684,104	684,104
6000 Repairs and Maintenance	6	0	1,319,500	1,319,500
6500 Contractual Services	6	0	101,520	101,520
7000 Special Transactions	6	0	242,225	242,225
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	346,257	346,257
9500 Matching Funds	6	0	0	0
9500 Indirect Cost	6	0	0	0
TOTAL		$0	$15,780,047	$15,780,047

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		58
Total # of Vehicles Budgeted:		0

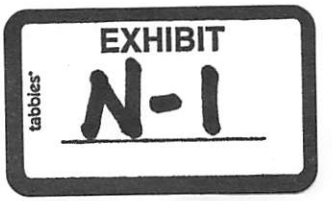
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

Stephen B. Etsitty 04/20/22
SUBMITTED BY: Program Manager's Signature and Date

JoAnn Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
APPROVED BY: Division Director/Branch Chief's Signature and Date



JUDICIAL BRANCH NNFRF EXPENDITURE PLAN DISTRIBUTION

Judicial District Court/Program	Budget
Alamo Court	$312,642
Aneth Judicial District	$314,454
Chinle District Court	$1,341,167
Crownpoint District Court	$1,262,046
Dilkon District Court	$1,210,989
Dzil Yijiin District Court (Pinon)	$562,575
Kayenta District Court	$650,775
Pueblo Pintado Circuit Court	$667,632
Ramah District Court	$502,875
Shiprock District Court	$752,080
To'Hajiilee Court	$428,995
Tuba City District Court	$904,934
Supreme Court	$693,007
Peacemaking Program	$53,686
Probation and Parole Services	$1,685,433
Administrative Office of the Courts	$4,436,757
TOTAL	**$15,780,047**

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW **Program Title:** AMERICAN RESCUE PLAN ACTt - Alamo Judicial District

Division/Branch: Judicial Branch **Amount Requested:** $ 370,425.00 **Prepared By:** Regina Begay Roanhorse, CA

Phone No.: 575 854-2668 **Email Address:** reginaroanhorse@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

GOALS- 1. Address the social and health disparities created by the COVID 19 Pandemic "Dikos Ntsaaígíí-Náhást'éíts'áadah" and resulting community violence, prevention of community violence and intervention also related to domestic violence court services as defined by the Domestic Abuse Protection Act. 2. Mitigate and respond to COVID 19 public health emergency at the To'hajiilee Court, Alamo Court and New Mexico portion of the Navajo Nation. 3. Strengthen technology supports for security of court data, maintenance of multi-user computer systems, and maintains internet and intranet web applications for court staff and the community.

Travel- Both To'hajiilee and Alamo District have limited tribal vehicles. If the Judge or Court Administrator need to use the vehicle to attend hearings in Alamo, then there is only 2 vehicles left, so there is a need for POV if the probation or peacemaking program needs to do their work and services. Distance between the two Judicial districts AND with the Administrative Office of the Courts is large, and we are a high mileage program and court(s). Judge or Judicial Hearing Officer and Court staff also need training. All court staff need equipment, including new laptops for all new additional staff. To update current court room entry ways, there is a need to add additional space, doors at the front of the court room and move the witness stand 6 ft away. Connex is needed to store supplies and an outdoor LED sign will help with communicating with litigants and programs. Additional space needed for additional positions at Alamo District and the existing Hogan at Alamo needs phone lines, parking space. This will provide additional office space for the additional Alamo staff. Alamo and To'hajiilee helped each other to remain open for filings processing judgments and holding hearings throughout pandemic. Although there were no in person hearings for their safety, training and technology assisted these court staff with virtual hearings. Additional positions will help us recover from this pandemic. Court Administrator and Office Technician position at Alamo will increase at 100% the processing of invoices, 6B documents through FMIS and support for Alamo court staff. There has been no Court Administrator or OT at the Alamo Judicial District to do this work for that district since the creation of Alamo Circuit Court. The Court Administrator position for these two judicial districts has been funded through To'hajiilee Judicial District. These funds will also address the anticipated increase of case during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public court, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public. If this request is not funded, Supreme Court will pursue funding utilizing general funds for the requested information.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

FY 2022 - FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/ Alamo Judicial District Division/Branch: JUDICIAL BRANCH

Prepared By: Regina Begay-Roanhorse (575) 854-2668 Email Address: reginaroanhorse@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	4/01/22 - 12/31/24	312,642	100%
TOTAL:		$312,642	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	47,092	47,092
3000 Travel Expenses	6	0	4,000	4,000
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	107,320	107,320
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	20,976	20,976
6000 Repairs and Maintenance	6	0	9,000	9,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	354	354
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	123,900	123,900
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$312,642	$312,642

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		1
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
Program Manager's Signature and Date

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. **Business Unit No.:** NEW **Program Title:** ANETH JUDICIAL DISTRICT

Division/Branch: JUDICIAL **Amount Requested:** $314,454 **Phone No.:** (435) 651-3545

Prepared By: Bryan Parrish **Email Address:** bryanparrish@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Aneth Judicial District is requesting for American Recue Plan Act (ARPA) funding of $314,454 to cover the cost of a Document Technician to assist with the backlog of cases: assist with daily operations of the District court; additional cost will cover staff travel expenses, general operating supplies, general office supplies, custodial supplies and training and registration, fees and dues, and telecommuting support for new staff and other court employees. The district requires roof repairs on its aging building, a new storage bin for supplies and the over flow of district case records. Aneth Judicial District has a small workforce and we have gone through several shutdowns since the onset of the pandemic. Purchase of nonporous desks, nonporous office equipment and space saving economical cubicles will mitigate shut downs in the future. The cubicles will provide case privacy and more importantly, barriers from seasonal flues, viruses and the continued threat from COVID-19 and its variants. Purchase of first aid kits, wall mounted defibrillator and PPE for additional staff will mitigate the seasonal flus, colds and COVID-19 from shutting down the Aneth court. With ARPA funding to the Navajo Judicial Branch, Aneth Judicial District will continue to recover from this pandemic and will continue to provide court services to its residents and communities. The requested amounts will fund the court's operations for the duration of CY 2022 to CY 2024. Additional funding will provide adequate recovery from the pandemic. It will get the Aneth court back into the day-to-day operation and continue to provide a safe working environment for Aneth District court staff and its users and the anticipated increase of cases during the re-opening/recovery period, Calendar Year 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public court, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. **AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

04/28/22 4/28/2022

REVIEWED BY: Stephen Etsitty, AOC Director/ Date **RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date**

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan / Aneth District Court Division/Branch: JUDICIAL BRANCH

Prepared By: Bryan Parrish Phone No.: (435) 651-3545 Email Address: bryanparrish@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	4/01/22 -12/31/24	314,454	100%
	TOTAL:	314,454	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	133,788	133,788
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	88,380	88,380
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	17,280	17,280
6000 Repairs and Maintenance	6	0	65,000	65,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	1,006	1,006
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	9,000	9,000
9500 Matching Funds	6	0	0	0
9500 Indirect Cost	6	0	0	0
TOTAL		$0.00	314,454	314,454

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		1
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/28/2022

updated 4/25/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. **Business Unit No.:** New **Program Title:** Chinle Judicial District

Division/Branch: Judicial Branch **Amount Requested:** $1,341,167 **Prepared By:** Vanessa Mescal, CA

Phone No.: 928 674-2070 **Email Address:** vanessamescal@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Chinle Judicial District is requesting for ARPA funding for personnel and operating. From March 2020, our courts have become backlogged with court cases ranging from criminal cases, traffic cases, civil cases, family civil cases, domestic violence cases, and children cases; our courts provided essential services to the public and court cases. Court cases were scheduled and heard on a need basis for essential cases determined by administrative order by the Chief Justice. The five (5) additional staff will assist with bringing the backlogged cases to current status. The operating funds will cover the expenses of the additional staff. Further, the operating funds will cover the services for HVAC and PPE as related to mitigation of Covid-19. We are continuing to provide a safe working environment for staff. These funds will also address the anticipated increase in cases during the re-opening/recovery period, Calendar Year 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22 4/28/2022

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

FY 2022 - FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: AMERICAN RESCUE PLAN - Chinle Judicial District Division/Branch: JUDICIAL BRANCH

Prepared By: VANESSA MESCAL Phone No.: (928) 674-2070 Email Address: vanessamescal@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
American Recovery Plan	04/01/21 - 12/31/24	$1,341,167	100%
	TOTAL:	$1,341,167	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	1,063,762	1,063,762
3000 Travel Expenses	6	0	21,000	21,000
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	157,627	157,627
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	28,080	28,080
6000 Repairs and Maintenance	6	0	67,500	67,500
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	3,198	3,198
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching and Indirect Cost				
TOTAL		$0	$1,341,167	$1,341,167

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		5
Total # of Vehicles Budgeted:		0

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

Stephen B. Etsitty, Administrative Director of Courts
SUBMITTED BY: Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
SUBMITTED BY: Program Manager's Signature and Date

JoAnn Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
APPROVED BY: Division Director/Branch Chief's Signature and Date

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW **Program Title:** American Rescue Plan Act / Crownpoint Judicial District

Division/Branch: Judicial Branch **Amount Requested:** 1,262,046 **Prepared By:** Court Administrator

Phone No.: 505-786-2072 **Email Address:** jmbcraig2navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

2001 Personnel Expenses: The four additonal positions for the three-year period prescribed under ARPA. Positions are needed to assist with back log cases, operate and manage Court hearings, pending/filings,hearing and to assist the outside public/ departments/resources. 3000 Travel Expenses: Meals & lodging expense/Other miscellaneous travel expense/Transportation to & from authorized related function(s) practices through this pandemic Covid-19; due to the criterias imposed; staff will abide CDC Guideline. 4000 Supplies: The pandemic Covid-19 has increase the use of office supplies even more once the courts open back up to public at the Crownpoint Court as we are entering Phase 2; As staff teleworking increase our use of supplies utilize supplies for telework; 5500 Communications & Utilities: Crownpoint court needs cellular phones and wireless devices to communication effectively and keep essential services operating. FY 2023-2024 service fees/rates will be adjusted in the future.

6000 Repairs and Maintenance: During pandemic covid-19 as we rely on devices to communicate with staff using laptop/printers remotely to conduct provide essential services it takes additional repairs & maintenance fees for building/furniture equipment & computer upgrade hardware; The use our technology equipment has increased due to our inability and limitation for a full staff to be present at the court building; xerox machine is needed; we only utilizing one machine. The Crownpoint Court in process moving into phase 2 with proper ventilations and adequate room for social distancing; jury trials are requested from other district to utilize our court building and room to conduct adequate services and to be secure from the public Judges Benches in Court room 1, 2, 3 need renovation/upgraded to be the standards of a adequate court room facilities; Renovation of judicial complex need sufficient work due to hazardous material in the units renovation is required. 7000 Special Transaction: The Court staff, Judge, Staff attorney, Baliff need to keep credentials and meeting there performance; additional training/ seminars/ conferences are in planning. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public court, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/Crownpoint Judicial District Division/Branch: Judicial Branch of the Navajo Nation

Prepared By: Tanya J Chavez/Jordan Craig Phone No.: 505-786-2072 Email Address: tanyajchavez@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
American Recovery Plan	04/01/2021-12/31/24	1,262,046	100%
TOTAL:		$1,262,046	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	1		877,009	877,009
3000 Travel Expenses	1		26,000	26,000
3500 Meeting Expenses	1		0	0
4000 Supplies	1		41,840	41,840
5000 Lease and Rental	1		0	0
5500 Communications and Utilities	1		39,600	39,600
6000 Repairs and Maintenance	1		265,000	265,000
6500 Contractual Services	1		0	0
7000 Special Transactions	1		12,597	12,597
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0	$1,262,046	$1,262,046

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	4
Total # of Vehicles Budgeted:	0	0

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

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date 04/28/22

JoAnn Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

APPROVED BY: Division Director/Branch Chief's Signature and Date 4/28/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. **Business Unit No.:** NEW **Program Title:** American Rescue Plan/Dilkon Judicial District

Division/Branch: Judicial Branch **Amount Requested:** $1,210,989 **Prepared By:** Darlene LaFrance, Court Administrator

Phone No.: 928 551-2385 **Email Address:** dvlafrance@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Additional positions are requested in order to complete work that was back logged due to the pandemic that the Navajo Nation has experienced. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024. Supplies such as general office supplies and operating supplies that have a value of $5,000 and other supplies including PPE and custodial supplies are necessary for the day to day operation of the program during the COVID-19 Pandemic. Cellular Phones and service for all staff will need to continue to ensure communication; assist customers for court hearings, and for court duties and telecommuting during COVID recovery and potential re-opening. The use of technological equipment has increased due to the limitation for a full staff to be present at the court building at this time.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B. Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

JoAnn B. Jayne 4/29/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/ Dilkon District Division/Branch: JUDICIAL BRANCH

Prepared By: Darlene LaFrance, Court Administrator Phone No.: 928-551-2385 Email Address: dvlafrance@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	4/1/22 - 12/31/24	1,210,989	100%
	TOTAL:	1,210,989	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	1,143,649	1,143,649
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	27,468	27,468
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	2,916	2,916
6000 Repairs and Maintenance	6	0	18,000	18,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	8,956	8,956
8000 Public Assistance				
9000 Capital Outlay			10,000	10,000
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	1,210,989	1,210,989

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		6
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
Program Manager's Signature and Date

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
Division Director / Branch Chief's Signature and Date

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	Dzil Yijiin Judicial District		
Division/Branch:	JUDICIAL	**Amount Requested:**	$562,575	**Prepared by:**	Arlene Lee, CA
Phone No.:	(928)725-3781	**Email Address:**	alee@navajo-nsn.gov		

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Dzil Yijiin Judicial District is requesting additional funding for $562,575 to cover expense for daily operation & maintenance and additional positions in order to complete work of back logged cases and files due to the pandemic the Navajo Nation has experienced as follows: 2001 Personnel Expenses at $533,879 positions are budgeted at 1600 hrs. for the 1st yr. (CY'22) and budgeted at 1,600 hrs. with increased increments of 2.5% for (FY '23 - FY '24) for anticipated GWA. FY 2023-2024 Salary/Fringe Benefits and Special Duty Pay rates will be adjusted in the future, as needed.

4000 - Supplies $13,680 for the district operating supplies, medical supplies to provide COVID-19 self test kits test, 6000- Repairs & Maintenance $11,000 maintenance fee & supplies for fence installation, to improve court building security for staff to mitigate COVID-19, 7000 - Special Transaction at $4,016 Insurance premiums for personnel. The funds will be expanded, in a manner consistent with policy. For supplies and maintenance, quotes will be obtained and purchase requisitions will be processed and forwarded to fiscal for processing. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

FY 2022 - FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/Pinon Judicial District Division/Branch: JUDICIAL BRANCH

Prepared By: Arlene Lee Phone No.: 928 871-7026 Email Address: alee@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	04/1/22 - 12/31/24	562,575	100%
TOTAL:		$562,575	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	533,879	533,879
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	13,680	13,680
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	0	0
6000 Repairs and Maintenance	6	0	11,000	11,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	4,016	4,016
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	562,575	562,575

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		2
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/28/2022

Updated 4/25/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	Kayenta Judicial District		
Division/Branch:	Judicial	**Amount Requested:**	$650,775	**Prepared By:**	Lavonne K. Yazzie
Phone No.:	928-697-5541	**Email Address:**	lavonneyazzie@navajo-nsn.gov		

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Kayenta Judicial District provides legally mandated services to seven remote Nation Nation chapters. These services do not cease during a public health emergency. The requested funds will be used to expedite court cases, court related services and backlog of court cases while ensuring health and safety of the public and employees. The funds will directly impact services to the public and the Navajo Nation especially since our district has the highest number of criminal and domestic violence cases during the current pandemic.

The proposed $650,775 funding will be utilized for the following: (1.) Object Code 2001 - Personnel: Four new court personnel with funding of $588,584 for three years to assist in addressing the case backlog and court security to enforce Covid-19 restrictions. (2.) Object Code 4000 - Supplies to implement safety measures to prevent the spread of Covid-19, such as Personnel Protection Equipment (PPE) and custodial supplies at $43,580. (3.) Object Code 5500 - Communications and Utilities to provide internet connectivity for staff required to telework at $8,820. (4.) Object Code 6000 - Repairs and Maintenance at $5,000 to ensure safe and adequate court facilities. (5.) Object Code 7000 - Special Transactions at $4,791 to cover insurance premiums for four new staff.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The business unit has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B. Etsitty 04/28/22 — JoAnn Jayne 4/28/2022

REVIEWED BY: Stephen Etsitty, AOC Director/ Date — **RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date**

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW **Program Title:** AMERICAN RESCUE PLAN ACT / KAYENTA JUDICIAL DISTRICT **Division/Branch:** Judicial Branch

Prepared By: LAVONNE K. YAZZIE **Phone No.:** 928-697-5543 **Email Address:** lavonneyazzie@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Rescue Plan	04/1/22 - 12/30/24	650,775	100%
	TOTAL:	$650,775	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column A + B)
2001 Personnel Expenses	6	0	588,584	588,584
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	43,580	43,580
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	8,820	8,820
6000 Repairs and Maintenance	6	0	5,000	5,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	4,791	4,791
8000 Public Assistance	0	0	0	0
9000 Capital Outlay	0	0	0	0
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0	$650,775	$650,775

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	4
Total # of Permanently Assigned Vehicles:	0	0

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

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date 04/28/22

JoAnn B. Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

APPROVED BY: Division Director/Branch Chief's Signature and Date 4/28/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW **Program Title:** American Recovery Plan Act / Pueblo Pintado Judicial District

Division/Branch: Judicial Branch **Amount Requested:** 667,632 **Prepared By:** Court Administrator

Phone No.: 505-786-2072 **Email Address:** jmbcraig@navajo-nsn.gc

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The pandemic cause court cases to be prioritize in accordance to the Judicial Branch Continuity of Operations Plan (COOP), where cases were schedule as essential cases. Pueblo Pintado district did not know this pandemic would continue to two years with various variants, sub variants surfacing the back log of cases has become an issue. Pueblo Pintado Circuit Court request the following budget for: 2001. Personnel in hiring a Court Administrator to oversee the management of backlog of caseload. The District Court Clerk will assist with scheduling, hearing procedures, data entry in the court software onto closure. The Office Technician will assist with management of incoming individuals coming for hearing or virtual hearings, incoming phone calls, prepares administrative documents for training(s), meeting attendance, etc. for the new staff. 3000 Travel Expenses: Meals & lodging expense/Other miscellaneous travel expense/Transportation to & from authorized related function(s) during the COVID-19 pandemic. Due to the criteria imposed, staff will abide by social distancing guidelines 4000 Supplies: The pandemic Covid-19 has caused an increase in the use of office supplies and it is anticipated that will also increase more once the courts open back up to public at the Pueblo Pintado Court as we are entering Phase 2; As staff telework, this has increased our use of supplies for telework; 5500 Communications & Utilities: Pueblo Pintado court needs cellular phones and wireless devices to communicate effectively and keep essential services operating. FY 2023-2024 service fees/rates will be adjusted in the future.

6000 Repairs and Maintenance: During the Covid-19 pandemic, as we rely on devices to communicate with staff using laptop/ printers remotely to conduct provide essential services, it takes additional repairs & maintenance fees for building/furniture equipment & computer upgrade hardware; The use of technology equipment has increased due to our inability and limitation for a full staff to be present at the court building. Xerox machine is needed as we only have one machine. The Pueblo Pintado Court is in process moving into phase 2 and need proper ventilations and adequate room for social distancing; jury trials are requested from other district to utilize our court building and we need room to conduct adequate services. For security, Judges Benches in Court room 1, 2, 3 need renovation/upgrades to the standards of adequate court room facilities. Renovation of judicial complex due to hazardous material in the units is required. 7000 Special Transaction: The Court staff need to keep credentials and meeting their performance. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024. 9000 Capital Outlay: This court being a small court in size, needs storage space to store cases back log or closed.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public court, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

JoAnn Jayne 4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/Pueblo Pintado Circuit Court Division/Branch: Judicial Branch of the Navajo Nation

Prepared By: Rhiannon Guerro/Jordan Craig Phone No.: 505-655-3268 Email Address: rguerro@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
American Recovery Plan	04/01/22-12/31/24	667,632	100%
	TOTAL:	$667,632	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	579,652	579,652
3000 Travel Expenses	6	0	6,000	6,000
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	30,520	30,520
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	21,600	21,600
6000 Repairs and Maintenance	6	0	10,500	10,500
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	9,360	9,360
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	10,000	10,000
9500 Matching Funds	6	0	0	0
9500 Indirect Cost	6	0	0	0
TOTAL		$0	$667,632	$667,632

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	3
Total # of Vehicles Budgeted:	0	0

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

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

Stephen B Etsitty 04/28/22
SUBMITTED BY: Program Manager's Signature and Date

JoAnn B. Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
APPROVED BY: Division Director/Branch Chief's Signature and Date

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	New	**Program Title:**	AMERICAN RECOVERY PLAN–Ramah Court		
Division/Branch:	Judicial Branch	**Amount Requested:**	502,875	**Prepared By:**	Esther Jose
Phone No.:	505-775-3218	**Email Address:**	EstherJose@navajo-nsn.gov		

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

PERSONNEL--The Ramah Court is requesting for two additional positions for the three-year period prescribed under ARPA. A Judicial Heaing officer is needed to assist with the backlog of cases, operate and manage Court hearings, filings, and to assist the public and other departments. There will be an increase in Court filings as the Nation begins to open back up to regular operations. The Ramah Court currently does not have a document technician and as our operations move to mainly electronic and wireless means of communication, we desperately need a document technician to assist in managing our backlog, archives and requests for other electronic documents.

SUPPLIES--COVID-19 has led to an increase in the use of office supplies to manage the day to day operations at the Ramah Court. Teleworking and closing our building to the public has increased our use of office supplies. We anticipate the amount of supplies to increase when we begin addressing the backlog of cases.

EQUIPMENT--In addition, our various communication equipment and electronics have sustained extra wear and tear during this pandemic. The Ramah Court relies heavily on non-in-person means of communication; i.e. post-office mailing, printing, copies, custodial supplies for sanitation, and additional office furniture for telework.

TECHNOLOGY--As a result of the COVID-19 pandemic, the Ramah Court is in dire need of technological communication devices which will enable us to continue delivering services. Currently we are not set up to handle the amount of telephonic and virtual court appearances scheduled. As the Nation begins to open back up to regular operating status, we will need to ensure due process and opportunities to be heard are guaranteed. Ramah Court needs new landline telephones and wireless devices for staff to continue operations of court proceedings through devolution or closure of court due to COVID-19. Four Cell phones and MiFi's are needed for Judge, Court Administrator, Staff Attorney, office technician and court clerks while they are teleworking. The court Judge needs a cellphone and MiFi to continue court proceedings and meetings. The Court Administrator needs a cellphone and MiFi to continue needed court operations, attend mandatory meetings, and to communicate with staff. The Staff Attorney requests both MiFi and Cell phone to continue teleworking, organize pro se clinics, take calls from the public, attend branch meetings and attend court hearings. A fourth Cell phone and MiFi is needed for the Office Technician and Court Clerk for use to continue operations due to devolution or closure of court due to COVID-19 court closure. Cell phone and MiFi will also be used when staff is teleworking to maintain social distancing requirements within the court building. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B. Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

JoAnn Jayne 4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: erican Rescue Plan Act (ARPA) / Ramah Judicial Distr Division/Branch: JUDICIAL BRANCH

Prepared By: Esther Jose Phone No.: 505-775-3218 Email Address: EstherJose@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	4/01/22-12/31/24	$502,875	100%
TOTAL:		$502,875	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	426,507	426,507
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	28,900	28,900
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	33,760	33,760
6000 Repairs and Maintenance	6	0	2,000	2,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	11,708	11,708
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	0	0
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$502,875	$502,875

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		2
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/28/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW **Program Title:** American Rescue Plan/Shiprock Judicial District

Division/Branch: Judicial Branch **Amount Requested:** $752,080 **Prepared By:** Ethel S. Laughing

Phone No.: (505) 368-1270 **Email Address:** ethellaughing@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Covid-19 pandemic has impacted the judicial district services by closing the Shiprock Judicial facility in March 2020, no in-person service. The Shiprock personnel is performing virtual service via phone, court's email, post office, and drop box service; limited personnel on duty on a daily basis, and performing essential services only. Personnel focused on essential services which is about only 15% to 20% of the district performance if it was at full capacity of its personnel. First and second year of the pandemic has resulted in backlog in the district case management (case disposition, process and issuance of court documents, hearings), records/archiving management (closed cases), and bring posting of cash bonds/fines and fees to date (2019, 2020, 2021 posting and the next three years 22, 23, 24). Judicial District has one full-time Judge, the one Judge is occupied with a docket for essential cases and hearings on essential cases. Positions include the Judicial Hearing Officer, Document Technicians (2), Financial Technician, and District Court Clerk. Virtual services requires mailing of Notices of Hearings and Court Orders and postage cost, and copying paper for production of court documents, additional funds will be required. Extra Duty Pay for employees is included as the policy has been adopted for the Judicial Branch. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public court, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen E. Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty/AOC Director/ Date

JoAnn Jayne 4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan / Shiprock Judicial District Division/Branch: JUDICIAL BRANCH

Prepared By: Ethel Laughing Phone No.: (505)368-1281 Email Address: Ethell.aughing@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	04/01/22-12/31/24	$752,080	100%
TOTAL:		$752,080	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	720,798	720,798
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	25,860	25,860
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	0	0
6000 Repairs and Maintenance	6	0	0	0
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	5,422	5,422
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	0	0
9500 Matching Funds				0
9500 Indirect Cost				0
TOTAL		$0.00	$752,080	$752,080

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		4
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/28/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW **Program Title:** AMERICAN RESCUE PLAN ACT - To'hajiilee Judicial District.

Division/Branch: Judicial Branch **Amount Requested:** $ 428,995.00 **Prepared By:** Regina Begay Roanhorse, CA

Phone No.: 505 908-2817 **Email Address:** reginaroanhorse@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

GOALS- 1. Address the social and health disparities created by the COVID 19 Pandemic "Dikos Ntsaaígíí-Náhást'éíts'áadah" and resulting community violence, prevention of community violence and intervention also related to domestic violence court services as defined by the Domestic Abuse Protection Act. 2. Mitigate and respond to COVID 19 public health emergency at the To'hajiilee Court, Alamo Court and New Mexico portion of the Navajo Nation. 3. Strengthen technology supports for security of court data, maintenance of multi-user computer systems, and maintenance of internet and intranet web applications for court staff and the community.

Travel- Both To'hajiilee and Alamo District have limited tribal vehicles. If the Judge or Court Administrator need to use the vehicle to attend hearings in Alamo, there are only 2 vehicles left, so there is a need for POV if the probation or peacemaking program needs to do their work and services. Distance between the two Judicial districts AND the Administrative Office of the Courts is large, and we are a high mileage program and court(s). Judge or Judicial Hearing Officer and Court staff also need training. All court staff need equipment, including new laptops for all new additional staff. To update current court room entry ways, there is a need to add additional space, doors at the front of the court room and move the witness stand 6 ft away. Connex is needed to store supplies and an outdoor LED sign will help with communicating with litigants and programs. Additional space needed for additional positions at To'hajiilee, roof at To'hajiilee needs to be repaired to allow staff back into office with safe air quality; the parking lot and security needs to be updated at To'hajiilee. This will provide additional office space for the additional staff To'hajiilee and Alamo. Alamo and To'hajiilee helped each other to remain open for filings processing judgments and holding hearings throughout pandemic. Although there were no in person hearings for their safety, training and technology assisted these court staff with virtual hearings. Additional positions will help us recover from this pandemic. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen R. Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

JoAnn Jayne 4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan/ To'hajiilee Judicial District Division/Branch: JUDICIAL BRANCH

Prepared By: Regina Begay-Roanhorse (505) 908-2817 Email Address: reginaroanhorse@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	04/01/22-12/31/24	$428,995	100%
TOTAL:		$428,995	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	133,831	133,831
3000 Travel Expenses	6	0	7,500	7,500
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	85,200	85,200
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	22,176	22,176
6000 Repairs and Maintenance	6	0	4,500	4,500
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	1,017	1,017
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	174,771	174,771
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$428,995	$428,995

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		1
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
Program Manager's Signature and Date

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
Division Director / Branch Chief's Signature and Date

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: NEW | Program Title: American Recovery Plan Act / Tuba City Judicial District

Division/Branch: Judicial Branch | Amount Requested: 904,934 | Prepared By: Alice Huskie, Court Administrator

Phone No.: 928-283-3140 | Email Address: alicehuskie@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Navajo Nation President Jonathan Nez declared a State of Emergency in response to the rapidly growing numbers of the coronavirus which closed majority of the government services except for essential services. The Chief Justice of the Nation , also, ordered closures of the courts with limited essential service to the public via email, fax and mailing through the U.S. Postal Services. The Tuba City Judicial District is requesting ARPA Funding to address impacts of COVID-19 and its negative effects on court operations. The Year 2020, the Year of COVID-19, had many unexpected negative effects on the court operations with high numbers of backlog of cases and many cases continued. Some customers are patiently waiting for a decision in their cases and to have their day in court and some customers get upset with the court staff. With the ARPA funding, we are requesting for additional staffing to address the backlog of cases. These funds will also address the anticipated increase in cases during the re-opening/recovery period, 2022-2024.

Requesting for Court staff, both exempt and non-exempt, that worked during the pandemic time to be adequately paid for their services at premium pay utilizing the ARPA funding. Timekeeping records are available the District court. The premium pay for staff to be continued for the next three years, if appropriate. (The detail budget sheets for the premium pay for staff is not included in this budget package. The details sheets will be developed upon receiving guidance from ARPA and AOC)

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public , maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public. We submitted a proposal for the General Fund for Fiscal Year 2022, in the amount of $1085,519. The proposed General Fund covers monthly personnel cost and fixed (re-occurring) cost . The Operation and Maintenance (O & M) cost is budgeted at 25% for only the first quarter of Fiscal Year 2022.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B. Etsitty 04/28/22 | JoAnn Jayne 4/28/2022

REVIEWED BY: Stephen Etsitty, AOC Director/ Date | RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan Act (ARPA) / Tuba City Judicial District Division/Branch: Judicial Branch

Prepared By: Alice Huskie, Court Administrator Phone No.: 928-283-3140 Email Address: alicehuskie@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total
American Recovery Plan	04/01/2022 - 12/31/2024	904,934	100%
	TOTAL:	$904,934	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	798,906	798,906
3000 Travel Expenses	6	0	7,899	7,899
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	60,120	80,120
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	0	0
6000 Repairs and Maintenance	6	0	12,000	12,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	6,009	6,009
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	0	0
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0	$904,934	$904,934

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		4
Total # of Vehicles Budgeted:		

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

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date 04/28/22

JoAnn Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

APPROVED BY: Division Director/Branch Chief's Signature and Date 4/28/2022

updated as of 4/25/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	Navajo Nation Supreme Court		
Division/Branch:	Judicial Branch	**Amount Requested:**	$ 693,007.00	**Prepared By:**	LaVonne Wauneka
Phone No.:	928-871-7669	**Email Address:**	lavonnewauneka@navajo-nsn.gov		

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

To Address the back log of cases for the Supreme Court and necessary administrative functions of the court, we are requesting for a Court Administrator and Law Clerk under line item 2110 for a total of three years. The Supreme Court of the Navajo Nation is the only court within the Judicial Branch that lacks a court administrator. The Supreme Court is also the only appellate court of the Navajo Nation; these two positions are critical to the Supreme Court's duties related to appellate litigation, rule making authority, case management, regulation and discipline of legal practitioners, which is substantially different from district court functions. Supreme Court is also requesting for special duty pay for those who are essential employees working during the pandemic and who meet the salary limits.

Supplies will be used for essential staff who are working in the office and telecommutting during the pandemic. General Office Supplies inlcude pens, paper, envelopes, storage boxes, Xerox paper, folders, binders, usb jump drives, and other supplies . The new positions will also require office equipment, including a desk, computer, office supplies, phone and other supplies. A Xerox machine is needed for the essential staff who are adderessing the back log of cases and making case folders for the Justices and Supreme Court staff. Operating Supplies for Ink Cartridges, Personal Protection Equipment (PPE) and Custodial Supplies.

Monthly Service Charge for MiFi's and Cellular Phones for staff who are telecommuting and must be available at all time during work hours.

Constant Contact. An email marketing service to send out mass emails. This will allow information to be sent to all employees about information pertaining to the pandemic and services to the public during the pandemic.

A storage building is needed for the PPE supplies received during the Cornoavirus Pandemic and the furniture which had to be removed from the building.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

If this request is not funded, Supreme Court will pursue funding utilizing general funds.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan Act (ARPA) / Supreme Court Division/Branch: JUDICIAL BRANCH

Prepared By: LaVonne Wauneka Phone No.: (928) 871-6763 Email Address: lavonnewauneka@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	04/01/22-12/31/24	$693,007	100%
TOTAL:		$693,007	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	508,427	508,427
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	57,140	57,140
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	12,096	12,096
6000 Repairs and Maintenance	6	0	0	0
6500 Contractual Services	6	0	101,520	101,520
7000 Special Transactions	6	0	3,824	3,824
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	10,000	10,000
9500 Matching Funds	6	0	0	0
9500 Indirect Cost	6	0	0	0
TOTAL		$0.00	$693,007	$693,007

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		2
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date: 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date: 4/28/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	American Rescue Plan/ Peacemaking Services
Division/Branch:	Peacemaker / Judicial Branch	**Amount Requested:**	$53,686
Prepared By:	Elaine Henderson		
Phone No.:	(928) 871-6118	**Email Address:**	elainejhenderson@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Peacemaking for COVID19 recovery will be to restore community members and families inflicted causing imbalance of harmony and Hozho. There has been tremendous loss of our elders and holders of traditional teachings throughout the pandemic. Peacemaking provides these forgotten teachings which were sought after in our elders as they are restorative teachings rooted in the Navajo Fundamental Laws. Peacemaking offers this recovery through intervention and prevention related work restoring healthy relations with traditional teachings on clanship, kinship and traditional home teachings. Restoring community to Hozho balance will require community involved activities such as sharing of clanship restorative teachings, Connecting with positive role model teachings, Traditional games such as adildiil, string games, educational Bingo, seasonal teachings Like Coyote stories all have rooted teachings that offer this recovery to restore healthy relations.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen B Etsitty 04/28/22 — JoAnn Jayne 4/28/2022

REVIEWED BY: Stephen Etsitty, AOC Director/ Date — **RECOMMEND SUPPLEMENTAL:** JoAnn B. Jayne, Chief Justice / Date

FY 2022 - FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan / Peacemaking Services Division/Branch: JUDICIAL BRANCH

Prepared By: Elaine Henderson Phone No.: (928) 871-6118 Email Address: elainejhenderson@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	04/01/22-12/31/24	$53,686	100%
	TOTAL:	$53,686	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	0	0
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	45,100	45,100
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	0	0
6000 Repairs and Maintenance	6	0	0	0
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	0	0
8000 Public Assistance	6	0	0	0
9000 Capital Outlay	6	0	8,586	8,586
9500 Matching Funds			0	0
9500 Indirect Cost			0	0
TOTAL		$0.00	$53,686	53,686

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		0
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Program Manager's Signature and Date 04/28/22

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date 4/28/2022

Updated 4/25/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	NEW	**Program Title:**	Probation Services
Division/Branch:	Judicial Branch	**Amount Requested:**	$ 1,685,433.00
Prepared By:	Lucinda A. Yellowhair		
Phone No.:	928/674-5545	**Email Address:**	layellowhair@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Navajo Probation Services covers 16 million acres or 25,000 square miles with a population of over 332,000 residents. Probation Services is a component of the Judicial Courts of the Navajo Nation, a direct services department, referral source to the Courts for rehabilitative services and support. Probation currently has 25 probation officers nationwide to handle condition cases for both probation and parole; short term cases that includes community work service supervision; pre-trial and deferred prosecution services; field supervision, presentence report investigation (PSR-PSI) among other court requests for services for adult and juvenile cases. Probation officers prioritize accordingly to ensure services are provided among all referrals but come up short due to lack of manpower.There is a high increase of presentence report referrals to probation by the Court (a statutory requirement for investigations), interviews and a recommendation. A complete and comprehensive document is submitted to the Court for sentencing. Because of the time line as a required procedural rule and procedure of the Courts, probation officers' primary focus is on report writing for PSRs which leaves very little time for other rehabilitative measures. Probation services is requesting for additional positions for six (06) Report Writers, whom will focus primarily on investigating, interviews and writing a complete and adequate comprehensive report for the Court. This position of PSR Writers will allow probation officers to focus on client needs, reducing recidivism rates and addressing other rehabilitative needs. Probation Services is requesting for additional positions of Report Writers to be positioned solely for presentence reports. Request is for two Report Writers for each of three Regions. Eastern Region consists of Aneth; Shiprock, Crownpoint, Pueblo Pintado and To'hajiilee and Alamo. Central Region consists of Window Rock; Ramah, Dzilyiijiin, and Dilkon.The Western Region consists of Chinle, Kayenta and Tuba City. Report Writers will be working from larger districts with office space availability. I sincerely believe that creating a position for this crucial position will benefit effective and further successful outcome of probation's direct services as well as alleviating well-being of staff in terms of burn out. A Report Writer would assist with an essential statutory required duty when a court requests for a comprehensive report resulting in a recommendation. The primary duty of a Report Writer will involve conducting court ordered investigations involving the defendants who have been found by the Court to have committed a crime or criminal acts. Report Writers will focus on the assessment of the referred case for personal information and home environment, also includes further detail of defendant's employment, education and a history of the defendant's criminal record. A report also includes statements from victims and witnesses that a Report Writer needs to locate and conduct an in depth interview. The Report Writer may also be requested to look into details of the defendants health, both physical and mental. The Report Writer will make recommendation to the Court as to appropriate disposition/sentences for adjudicated juvenile offenders or recommending sentence for adult cases. In the recommendation, the Report Writer may conclude an outline of further rehabilitative services. The position also requires field work for interviews and observation of home environment. The intent of the Report Writer position is to primarily focus on report investigation, writing and recommendations.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The District/Program has limited Navajo Nation General Funds for personnel and operating funds to provide essential court services to the general public, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

Stephen Etsitty 04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

JoAnn B. Jayne 4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

FY 2022 - FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: American Rescue Plan Act (ARPA) / Probation Services Division/Branch: JUDICIAL BRANCH

Prepared By: Lucinda Yellowhair Phone No.: (928) 871-6625 Email Address: layellowhair@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Recovery Plan	4/01/22 - 12/31/24	$1,685,433	100%
TOTAL:		$1,685,433	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	1,524,566	1,524,566
3000 Travel Expenses	6	0	0	0
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	149,400	149,400
5000 Lease and Rental	6	0	0	0
5500 Communications and Utilities	6	0	0	0
6000 Repairs and Maintenance	6	0	0	0
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	11,467	11,467
8000 Public Assistance				
9000 Capital Outlay			0	
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$1,685,433	$1,685,433

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		9
Total # of Vehicles Budgeted:		0

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

SUBMITTED BY: Stephen B. Etsitty, Administrative Director of Courts
Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
Program Manager's Signature and Date

APPROVED BY: JoAnn B. Jayne, Chief Justice
Division Director / Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
Division Director / Branch Chief's Signature and Date

Updated as of 4/25/2022

Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.:	New	**Program Title:**	Administrative Office of the Courts
Division/Branch:	Judicial Branch	**Amount Requested:**	$ 4,436,757.00
Prepared By:	Gwendolyn Williams, SBA		
Phone No.:	928 551-2056	**Email Address:**	gskwilliams@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Administrative Office of the Courts (AOC) requests ARPA-FRF Funding in the amount of $4,436,757 for a three-year budget and project period. This funding will allow the AOC to hire ten (10) new staff and support one Health & Safety Advisor position for two years, one Construction Project Manager for two years. Funds will help cover travel expenses, to purchase non-capital items that have a value of less than $5,000, Operating Supplies, Personal Protection Equipment (PPE), Custodial Supplies, COVID-19 self-test kits, Rental expenses for additional meeting spaces and equipment/records storage space, Monthly service charges for Cellular Phones and Mifis, purchase facility Repair & Maintenance supplies and services to address health and safety needs, Media Advertisement to support contract procurement and hiring/recruitment, and health/safety and court case management Training support. ARPA-FRF request is as follows: Personnel Expenses - $1,766,177, Travel Expenses - $49,200, Supplies - $1,111,080, Lease & Rental - $25,000, Communication & Utilities - $476,800, Repairs and Maintenance - $850,000, and Special Transactions - $159,956.

The Judicial Branch is impacted by the Coronavirus and it resulted in case backlog due to a prolonged period of essential services operations, and addressing only a required sub-group of statutorily required court cases. The AOC is critical to supporting the core administrative functions for each business unit, and the new personnel positions will be addressing the need for timely processing of financial documents, and the needs for maintaining safe court facilities during the re-opening of the courts and programs to the public. The use of Information Technology will be maintained to continue remote operations and access to the courts and programs via the internet and telephone. AOC will be involved in every aspect of addressing the case backlog in every court, and addressing the daily needs to keep branch personnel and the public safe from the spread of the Coronavirus.

The equipment Judicial Branch is requesting will provide storage, fast, secure and other electronic transport of data in the form of Just Ware Case Management data, Court Document data in raw or print format (Complaints, Orders, Judgements, Dispositions, Citations, etc.), Video data (Appearances, Hearings, etc.) and other electronic data relevant to court cases without the need for manual transport and person-to-person contact across the Navajo Nation, including the courts that are located outside the boundaries of the Navajo Nation. COVID-19 has dictated the 'social distancing', 'safer at home' terms to mitigate the spreading of the virus.

The applications will provide email security, account authentication and create backups of Court data, electronic Court documents, Just Ware servers and data, Justice Web repayment services and Judicial website servers. COVID-19 has invited more than normal influx of computer malware and ransomware, these applications and appliances are required to counter these types of intrusions into the Navajo Nation computer network.

The Operations and Maintenance (O&M) funds will be utilized by all eighteen (18) business units. Equipment, and supplies will be purchased and divided amongst all business units within the Judicial Branch. Purchases and contracts will be processed through the 6B Procurement Process and financial documents/records will be on file for transparency and accountability.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The Administrative Offices of the Courts has limited Navajo Nation General Funds for personnel and operating funds to provide administrative assistance to the courts and programs of the Judicial Branch, maintain safe and adequate court facilities for all court users and staff. The declining Navajo Nation revenue has resulted in limited funding for the Navajo courts. The funding is paramount in providing legally mandated services to the public.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

04/28/22

REVIEWED BY: Stephen Etsitty, AOC Director/ Date

4/28/2022

RECOMMEND SUPPLEMENTAL: JoAnn B. Jayne, Chief Justice / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW | Program Title: American Rescue Plan Act (ARPA) / Administrative Office of the Courts | Division/Branch: Judicial Branch

Prepared By: Gwendolyn Williams | Phone No.: 928 871-7231 | Email Address: gskwilliams@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
American Rescue Plan	04/01/22 - 12/31/24	4,436,757	100%
	TOTAL:	$4,436,757	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses	6	0	1,766,177	1,766,177
3000 Travel Expenses	6	0	49,200	49,200
3500 Meeting Expenses	6	0	0	0
4000 Supplies	6	0	1,111,080	1,111,080
5000 Lease and Rental	6	0	25,000	25,000
5500 Communications and Utilities	6	0	476,800	476,800
6000 Repairs and Maintenance	6	0	850,000	850,000
6500 Contractual Services	6	0	0	0
7000 Special Transactions	6	0	158,500	158,500
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0	$4,436,757	$4,436,757

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		10
Total # of Vehicles Budgeted:		0

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

Stephen B. Etsitty, Administrative Director of the Courts
SUBMITTED BY: Program Manager's Printed Name

Stephen B. Etsitty 04/28/22
SUBMITTED BY: Program Manager's Signature and Date

JoAnn Jayne, Chief Justice
APPROVED BY: Division Director/Branch Chief's Printed Name

JoAnn Jayne 4/28/2022
APPROVED BY: Division Director/Branch Chief's Signature and Date

AMENDMENT TO LEGISLATION NO. 0086-22

Sponsor: Delegate Henio

1. On page 18, line 23, delete ~~I-7~~ and insert **I-8**

2. On page 18, line 24, amend paragraph B as follows:

   B. The Navajo Nation hereby approves total funding for the NNFRF Water and Wastewater Projects Expenditure Plans from the Navajo Nation Fiscal Recovery Fund in the total amount of ~~two hundred fifteen million dollars ($215,000,000)~~ two hundred twenty-five million one hundred fifty-nine thousand five hundred forty-two dollars ($225,159,542) with two hundred fifteen million dollars ($215,000,000) to the Department of Water Resources and ten million one hundred fifty-nine thousand five hundred forty-two dollars to the Navajo Ramah School Board, Inc. ~~with administrative oversight by the Division of Natural Resources and legislative oversight by the Resources and Development Committee and allocates the funding as follows:~~.

3. On page 18, line 29, insert new paragraph C as follows:

   C. The funding allocated to the Department of Water Resources shall be under the administrative oversight of the Division of Natural Resources and legislative oversight by the Resources and Development Committee and shall be apportioned to specific projects as follows:

4. On page 19, line 18, insert new paragraph D as follows:

   D. The funding allocated to the Ramah Navajo School Board, Inc. shall distributed through a NNFRF sub-recipient agreement for Drinking Water: Transmission and Distribution (upgrade/replacement of drinking water system) (Eligibility Category 5.11) as set forth in **Exhibit I-8**, with administrative oversight by the Division of Community Development and joint legislative oversight by the Health Education and Human Services Committee and Resources and Development Committee

5. Insert new **Exhibit I-8**

6. On page 20, line 5, delete ~~Sixty million ($60,000,000)~~ and insert Fifty-five million dollars ($55,000,000)

7. Replace existing Exhibit J-1 with revised Exhibit J-1

8. On page 20, line 10, delete ~~Forty million ($40,000,000)~~ and insert thirty-four million eight hundred forty thousand four hundred fifty-eight dollars ($34,840,458)

9. Replace existing Exhibit J-2 with revised Exhibit J-2

10. The NNFRF Office, with the assistance of the Division of Economic Development, shall submit a revised **Exhibit J-1** and revised **Exhibit J-2** to the Office of Legislative Services consistent with this amendment.

11. Renumber or re-letter succeeding paragraphs, sections, and exhibits, as necessary and appropriate. The Council and Committee hereby authorize Office of Legislative Services and Office of Legislative Counsel to correct technical errors, including adjustment of comprehensive dollar amounts and insertion of adjusted exhibits, consistent with the intent of this amendment. This Amendment supersedes all inconsistent language in any other Committee or Council amendment.

EXHIBIT
tabbies
I-8

NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0193

Date & Time Received: 5/4/2022 at 13:41

Date & Time of Response: 1st response 5/5/2022 at 11:22; 2nd response 5/12/2022 at 13:10

Entity Requesting FRF: Ramah Navajo School Board, Inc.

Title of Project: Upgrade/Replacement of the Drinking Water System for the Ramah Navajo School Board, Inc.

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $10,159,542

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☐ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☒ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 5.11 Drinking Water: Transmission and Distribution (Note: While more than one expenditure code may be appropriate, for reporting purposes, only one can be selected for each project.)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: Requesting entity will be treated as a subrecipient of Fiscal Recovery Funds, and as such will be subject to reporting and other requirements. Monies must be obligated by the end of 2024 and spent by the end of 2026.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **EXTERNAL ENTITIES**

Part 1. Identification of parties.

External Entity requesting FRF: Ramah Navajo School Board, Inc. Date prepared: 3/11/2022

External Entity's mailing address: PO Box 10, Pine Hill, NM 87357 phone/email: (505) 979-9298/nancy@rnsb.k12.nm.us website (if any): www.rnsb.k12.nm.us

This Form prepared by: Alvin Rafelito phone/email: (505) 979-9243/alvin@rnsb.k12.nm.us

Alvin Rafelito, HHSD Director (*CONTACT PERSON'S name and title*) alvin@rnsb.k12.nm.us (*CONTACT PERSON'S info*)

Title and type of Project: Upgrade/Replacement of the Drinking Water System for the Ramah Navajo School Board, Inc.

External Entity's CEO (or equivalent): Ms. Nancy R. Martine-Alonzo phone & email: (505) 979-9298 nancy@rnsb.k12.nm.us

Board President: Ms. Martha H. Garcia phone & email: (505) 713-4007 MarthaG@rnsb.k12.nm.us

Board Treasurer or Financial Officer: Ms. Carolyn Coho, Board Treasuer phone & email: (505) 303-6333 CarolC@rnsb.k12.nm.us

Funding Recipient will be working with: Division of Community Development, Dr. Pearl Yellowman on the Project
(*Indicate name of Director of assisting Division and Division; if none, indicate "NN President and OPVP"*)
and same will be submitting the Funding Request Package for Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): WH Pacific, an NV5 Company
Water and Wastewater Contractor ☐ document attached

Amount of FRF requested: $10,159,542 FRF funding period: June 1, 2022 to January 30, 2024
(*indicate Project starting and ending/deadline date*)

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will be used for a complete drinking water system replacement from well source to treatment, to storage and distribution on the RNSB campus in Pine Hill, NM. RNSB water infrastructure has reached its useful life and is constantly having to be repaired and/or replacements of worn out parts. When water line repairs are done, the whole water system has to be shut down. This affects the residential, health center and businesses/programs. Sanitation is key in the prevention of COVID and we need a reliable water system to clean and sanitize with.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

Mitigation and prevention of the COVID pandemic needs reliable available water for the health, safety and welfare of the Ramah Navajo community, schools, businesses and health center, Provide safe drinking water for a long term sustainability and prevent the disruptions of our Navajo students' education, businesses and health services due to constant water breaks and repairs.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

The Ramah Navajo Chapter declared an Stage of Emergency by Resolution No. 022003. We are addressing our water system repairs/replacement as an emergency project. The challenge would be receiving supplies in a timely manner due to COVID. Timeline attached

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Ms. Nancy R. Martine-Alonzo, RNSB Executive Director, Mr. Wylie Clawson, RNSB Facilities Management Director and WH Pacific

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The RNSB Facilities Management Department will be responsible for the operation and maintenance cost of the completed project. O & M cost is charged to RNSB programs that uses the water.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

5. Infrastructure
5.10 Drinking Water: Treatment - Our treatment water plant is over 45 years old and parts for it have been breaking down.
5.11 Drinking Water: Transmission and Distribution - Our water distribution is made from ductile iron pipes and they are rusting away causing multiple water leaks
5.13 Drinking Water: Source - One of our wells is off-line due to radionuclide reading above the MCL we need to install vault meters on our water wells to blend the water and it needs its pump, motor, drop pipes replaced.
5.14 Drinking Water: Storage - We need an elevated drinking water storage tank, currently our drinking water storage tank is off site for community distribution. We also need another raw water storage tank for fire suppression and landscaping.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

RNSB Resolution RNSB-EXEC-2022-019 Approve to submit a Navajo Nation ARPA (FRF)
The Ramah Navajo Chapter Resolution No. 022003 Declared an "acute Stage of Emergency
The Navajo Nation Program Budget Summary - Appendix B
Preliminary Engineer Report - Emergency Water System Improvement & Cost Update

☒ Board Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

External Entity's Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON — signature of Board Chairperson or President (or Vice-President)

Approved by: _____ Approved to submit for Review: _____
Signature of External Entity's CEO (or equivalent) — signature of Director of assisting Division

-OR- Approved to submit for Review: _____
signature of NN President

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of___
BUDGET FORM 1

PART I. Business Unit No.: _____ Program Title: Upgrade/Replacement of the Drinking Water System for Ramah Navajo School Board, Inc. Division/Branch: Division of Community Development

Prepared By: Alvin Rafelito, HHSD Director, RNSB, Inc. Phone No.: (505) 979-9243 Email Address: alvin@rnsb.k12.nm.us

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
CYJ-41-21 NNFRF		10,159,542.00	100%
	TOTAL:	$10,159,542.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance			10,159,542	
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	10,159,542.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Nancy R. Martine-Alonzo
Program Manager's Printed Name

Nancy R. Martine-Alonzo 3-22-22
Program Manager's Signature and Date

APPROVED BY: _____
Division Director / Branch Chief's Printed Name

_____
Division Director / Branch Chief's Signature and Date

RAMAH NAVAJO CHAPTER
RAMAH, NEW MEXICO 87321

Feb. 6, 1970

RESOLUTION NO. M75-70-1A

We, the Ramah Navajo Community Chapter Officers, consisting of a President, Vice-President, Secretary and our Chapter Delegate to the Navajo Tribal Council, are authorized to act for the Ramah Navajo community Chapter; and

WHEREAS, the Ramah Navajo Chapter, a political subdivision of the Navajo Tribe has recognized for many years the need for a local school;

WHEREAS, the Ramah Navajo Chapter has been forced to send Navajo students to distant boarding schools;

WHEREAS, the Ramah Navajo Chapter is unsatified with educational systems of public schools and BIA boarding schools;

WHEREAS, the parents of the students living within the Ramah Navajo Chapter jurisdiction would like a voice in the education of their children;

NOW, THEREFORE, BE IT RESOLVED, that the Ramah Navajo Chapter forms a school board know as the Ramah Navajo School Board who will establish a school for the Ramah Navajo community.

BE IT FURTHER RESOLVED, that the Council Delegate and the Navajo Community Chapter Officers are authorized to sign the resolution and to take whatever steps are necessary to reach its goals.

RAMAH NAVAJO COMMUNITY CHAPTER

Juan Martine, President

Dorothy Antonio, Vice-President

Martha Henio, Secretary

Chavez Cano, Delegate, Navajo Tribe

Ramah Navajo Community Chapter
Resolution No. M75-70-1A

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

I hereby certify the foregoing resolution was duly considered by the Ramah Navajo Community Chapter at a duly called special meeting at the Federal Building, Albuquerque, New Mexico, at which a quorum was present. The motion was made by Rose Henio, Chapter Member, and seconded by Leo N. Martine and was approved by a vote of 4/4 in favor and 0 opposed this 6th Day of February, 1970.

Juan Martine
Juan Martine, President

RAMAH NAVAJO SCHOOL BOARD, INC.

PINE HILL, NEW MEXICO
RESOLUTION NO. RNSB-EXEC-2022-019

A RESOLUTION TO APPROVE THE RESUBMISSION OF A NAVAJO NATION FEDERAL RECOVERY FUND APPLICATION TO THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT PER THE ADVICE OF NNDOJ TO ADD BFS-31-21 EXHIBIT 5 SECTION (4)(B)(2)(c), IN THE AMOUNT OF $10,159,542 TO REPLACE AND UPGRADE THE RAMAH NAVAJO SCHOOL BOARD DRINKING WATER SYSTEM TO PREVENT, MITIGATE AND RECOVER FROM THE COVID-19 PANDEMIC IN THE RAMAH NAVAJO COMMUNITY

1. WHEREAS, the Ramah Navajo Chapter of the Navajo Nation established the Ramah Navajo School Board, Inc., on February 6, 1970, through Chapter Resolution No. M75-70-1A; and,

2. WHEREAS, the Ramah Navajo School Board, Inc. (RNSB) was incorporated on February 10, 1970, as a private, not-for-profit organization in the State of New Mexico to provide charitable, benevolent, social, educational and related services as needed by the Ramah Navajo community; and,

3. WHEREAS, the Navajo Nation has received in excess of $2 Billion in funding for the improvement of critical infrastructure within the Great Navajo Nation; and,

4. WHEREAS, Navajo Nation Legislation CJY-41-21 authorizes funding for infrastructure proposals; and,

5. WHEREAS, RNSB has submitted its application in October 12, 2021 and with the advice by the Navajo Nation Department of Justice to submit a RNSB duly approved resolution to address BFS-31-21 Exhibit 5, Section (4)(B)(2)(c); and,

6. WHEREAS, the RNSB duly approves to abide by the BFS-31-21, Exhibit 5, Section (4)(B)(2)(c) to include a budget line item for contingencies, hereto as Exhibit A and incorporated herein by reference the RNSB Water System Improvements Budget that includes a 20% Contingencies line item; and,

7. WHEREAS, the RNSB will also duly approves to abide by BFS-31-21, Exhibit 5, Section (4)(B)(3) statement:

   (1) Request for a specific amount of $10,150,542,
   (2) The funds will be used for the following Expenditure Categories to satisfy the purpose of the ARPA
      i. 5.10 Drinking water: Treatment
      ii. 5.11 Drinking Water: Transmission and Distribution
      iii. 5.13 Drinking Water: Source
      iv. 5.14 Drinking Water: Storage
      v. 5.15 Drinking Water: Other Water Infrastructure
   (3) RNSB affirms that the awarded funds will be used in compliance with ARPA, the ARPA regulations, and all other applicable Navajo Nation and other federal laws and regulations.

8. WHEREAS, attached hereto as APPENDIX A and incorporated herein by reference is the Navajo Nation Fiscal Recovery Funds Request Form and Expenditure Plan with supporting documents.

NOW, THEREFORE, BE IT RESOLVED THAT THE RNSB BOARD OF TRUSTEES HEREBY: Approves the resubmission of a Navajo Nation Federal Recovery Fund application to the Navajo Nation Division of Community Development per the advice of NNDOJ to add BFS-31-21 Exhibit 5 Section (4)(b)(2)(c), in the amount of $10,159,542 to replace and upgrade the Ramah Navajo School Board drinking water system to prevent, mitigate and recover from the COVID-19 pandemic in the Ramah Navajo community

Certification

We, the undersigned members of the RNSB Board of Trustees, hereby certify that the foregoing resolution was duly adopted by a vote of 5 in favor, 0 opposing, and 0 abstaining, at an official meeting of the Board of Trustees held in Pine Hill, New Mexico, on March 19, 2022.

MARTHA GARCIA, PRESIDENT, RNSB BOARD OF TRUSTEES

[CORPORATE SEAL]

CAROLYN COHO, SECRETARY-TREASURER, RNSB BOARD OF TRUSTEES

Exhibit A - RNSB-EXEC-2022- 019

RAMAH NAVAJO SCHOOL BOARD PRELIMINARY ENGINEERING REPORT
WATER SYSTEM IMPROVEMENTS

ENGINEER'S OPINION OF PROBABLE COST 4/13/2021 update of 10/3/2021

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST
1	Construction staking, compl. (1.6%)	LS	1	$ 89,991.04	$ 89,991.04
2	Construction Mobilization and Demobilization, compl. (11.5%)	LS	1	$ 646,810.60	$ 646,810.60
3	Flood Protection, compl. (.1%)	LS	1	$ 5,624.44	$ 5,624.44
4	Traffic Control (.3%)	LS	1	$ 16,873.32	$ 16,873.32
5	Site Clearing and Grubbing, compl.	AC	1	$ 2,448.00	$ 2,448.00
6	2" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	5,000	$ 18.00	$ 90,000.00
7	4" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	1,475	$ 42.00	$ 61,950.00
9	8" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	17,500	$ 100.00	$ 1,750,000.00
10	Pressurized waterline connection, all sizes, incl. fittings, compl.	EA	10	$ 2,400.00	$ 24,000.00
11	Non-pressurized connection, existing waterline, all sizes, incl. fittings, compl.	EA	6	$ 3,600.00	$ 21,600.00
12	Tee or Wye, 4" to 8" waterline, incl jointing material, cip.	EA	4	$ 900.00	$ 3,600.00
14	4" Gate Valve & Valve Box, cip.	EA	4	$ 2,100.00	$ 8,400.00
16	8" Gate Valve & Valve Box, cip.	EA	53	$ 4,200.00	$ 222,600.00
18	Valve Box, Remove & Dispose, compl.	EA	30	$ 300.00	$ 9,000.00
19	Fire Hydrant, 4' bury, MJ, incl. blocking & aggregate, cip.	EA	31	$ 7,500.00	$ 232,500.00
20	Fire Hydrant, Existing, Remove & Salvage, compl.	EA	20	$ 600.00	$ 12,000.00
24	1" Water Main Tap, Service Saddle & Corp Stop	EA	122	$ 1,000.00	$ 122,000.00
25	2" Water Main Tap, Service Saddle & Corp Stop	EA	6	$ 1,200.00	$ 7,200.00
26	Residential 3/4" Water Meter & Can Combination w/ Radio Read, incl. concrete pad, cover & lef, cip.	EA	122	$ 1,600.00	$ 195,200.00
29	Bored Crossing 12" Casing (Carrier Pipe Not Included)	LF	500	$ 192.00	$ 96,000.00
30	2" Combination Air Release and Vacuum Valve, cip.	EA	10	$ 6,360.00	$ 63,600.00
31	PRV Vault	EA	2	$ 60,000.00	$ 120,000.00
32	Rock excavation	CY	500	$ 128.00	$ 64,000.00
33	3/4 or 1" PE service line installation (10 ft per meter)	LF	1,220	$ 42.00	$ 51,240.00
34	Thrust blocking	CY	100	$ 643.00	$ 64,300.00
35	Overhaul Well #2	LS	1	$ 600,000.00	$ 600,000.00
36	Water Treatment Facility building and treatment equipment*	LS	1	$ 980,000.00	$ 980,000.00
37	Evaluate structural integrity of the 250,000-gallon tank (Alternative 1)	EA	1	$ 20,000.00	$ 20,000.00
39	250,000 Gallon Steel Welded Water Storage Tank, including foundation, piping, testing and disinfection. (Alternative 3)	EA	1	$ 800,000.00	$ 800,000.00
40	Arterial pavement, Existing Remove and Replace, incl. 2- inch extra asphalt thickness, with machine laydown, & processing existing subbase material, any thickness, cip.	SY	50	$ 105.00	$ 5,250.00

Construction Subtotal	$ 6,388,187.40
NMGRT (6.8125%)	$ 435,036.66
Construction Contingency (20%)	$ 1,277,237.48
Project Survey (7%)	$ 447,033.12
Geotechnical Services	$ 17,500.00
Engineering Design (15%)	$ 957,928.11
Construction Services/Inspection(10%)	$ 638,618.74
TOTAL	$ 10,159,541.51

* Increased per quote from Culligan
**Increased for repair or demo

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **EXTERNAL ENTITIES**

Part 1. Identification of parties.

External Entity requesting FRF: Ramah Navajo School Board, Inc. Date prepared: 3/11/2022

External Entity's mailing address: PO Box 10, Pine Hill, NM 87357 phone/email: (505) 979-9298/nancy@rnsb.k12.nm.us website (if any): www.rnsb.k12.nm.us

This Form prepared by: Alvin Rafelito phone/email: (505) 979-9243/alvin@rnsb.k12.nm.us

Alvin Rafelito, HHSD Director (*CONTACT PERSON'S name and title*) alvin@rnsb.k12.nm.us (*CONTACT PERSON'S info*)

Title and type of Project: Upgrade/Replacement of the Drinking Water System for the Ramah Navajo School Board, Inc.

External Entity's CEO (or equivalent): Ms. Nancy R. Martine-Alonzo phone & email: (505) 979-9298 nancy@rnsb.k12.nm.us

Board President: Ms. Martha H. Garcia phone & email: (505) 713-4007 MarthaG@rnsb.k12.nm.us

Board Treasurer or Financial Officer: Ms. Carolyn Coho, Board Treasuer phone & email: (505) 303-6333 CarolC@rnsb.k12.nm.us

Funding Recipient will be working with: Division of Community Development, Dr. Pearl Yellowman (*Indicate name of Director of assisting Division and Division; if none, indicate "NN President and OPVP"*) on the Project and same will be submitting the Funding Request Package for Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): WH Pacific, an NV5 Company
Water and Wastewater Contractor ☐ document attached

Amount of FRF requested: $10,159,542 FRF funding period: June 1, 2022 to January 30, 2024 (*indicate Project starting and ending/deadline date*)

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(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The funds will be used for a complete drinking water system replacement from well source to treatment, to storage and distribution on the RNSB campus in Pine Hill, NM. RNSB water infrastructure has reached its useful life and is constantly having to be repaired and/or replacements of worn out parts. When water line repairs are done, the whole water system has to be shut down. This affects the residential, health center and businesses/programs. Sanitation is key in the prevention of COVID and we need a reliable water system to clean and sanitize with.

☐ document attached

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Mitigation and prevention of the COVID pandemic needs reliable available water for the health, safety and welfare of the Ramah Navajo community, schools, businesses and health center, Provide safe drinking water for a long term sustainability and prevent the disruptions of our Navajo students' education, businesses and health services due to constant water breaks and repairs.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

APPENDIX A

The Ramah Navajo Chapter declared an Stage of Emergency by Resolution No. 022003. We are addressing our water system repairs/replacement as an emergency project. The challenge would be receiving supplies in a timely manner due to COVID. Timeline attached

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Ms. Nancy R. Martine-Alonzo, RNSB Executive Director, Mr. Wylie Clawson, RNSB Facilities Management Director and WH Pacific

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The RNSB Facilities Management Department will be responsible for the operation and maintenance cost of the completed project. O & M cost is charged to RNSB programs that uses the water.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

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5.10 Drinking Water: Treatment - Our treatment water plant is over 45 years old and parts for it have been breaking down.
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5.14 Drinking Water: Storage - We need an elevated drinking water storage tank, currently our drinking water storage tank is off site for community distribution. We also need another raw water storage tank for fire suppression and landscaping.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

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The Ramah Navajo Chapter Resolution No. 022003 Declared an "acute Stage of Emergency
The Navajo Nation Program Budget Summary - Appendix B
Preliminary Engineer Report - Emergency Water System Improvement & Cost Update

☐ Board Resolution attached

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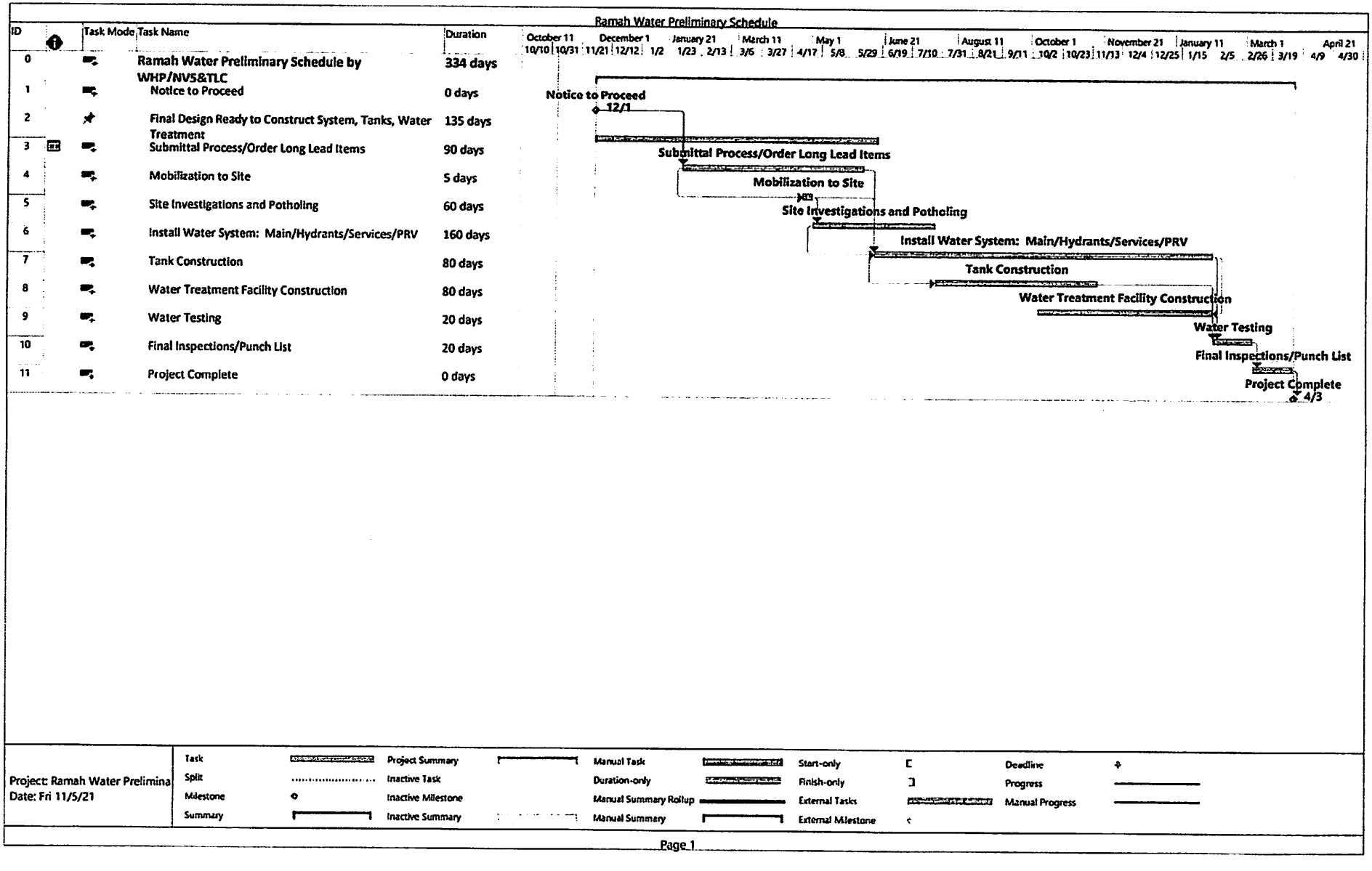
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

External Entity's Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of Board Chairperson or President (or Vice-President)*

Approved by: _____ Approved to submit for Review: _____
signature of External Entity's CEO (or equivalent) *signature of Director of assisting Division*

-OR- Approved to submit for Review: _____
signature of NN President


Ramah Water Preliminary Schedule
ID
Task Mode
Task Name
Duration
0 Ramah Water Preliminary Schedule by WHP/NV5&TLC 334 days
1 Notice to Proceed 0 days
2 Final Design Ready to Construct System, Tanks, Water Treatment 135 days
3 Submittal Process/Order Long Lead Items 90 days
4 Mobilization to Site 5 days
5 Site Investigations and Potholing 60 days
6 Install Water System: Main/Hydrants/Services/PRV 160 days
7 Tank Construction 80 days
8 Water Treatment Facility Construction 80 days
9 Water Testing 20 days
10 Final Inspections/Punch List 20 days
11 Project Complete 0 days
October 11 10/10 10/31
December 1 11/21 12/12
January 21 1/2 1/23
March 11 2/13 3/5
May 1 3/27 4/17
June 21 5/8 5/29
August 11 6/19 7/10
October 1 7/31 8/21
November 21 9/11 10/2
January 11 10/23 11/13
March 1 12/4 12/25
April 21 1/15 2/5 2/26 3/19 4/9 4/30
Notice to Proceed 12/1
Submittal Process/Order Long Lead Items
Mobilization to Site
Site Investigations and Potholing
Install Water System: Main/Hydrants/Services/PRV
Tank Construction
Water Treatment Facility Construction
Water Testing
Final Inspections/Punch List
Project Complete 4/3
Project: Ramah Water Prelimina
Date: Fri 11/5/21
Task
Split
Milestone
Summary
Project Summary
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
External Tasks
External Milestone
Deadline
Progress
Manual Progress

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: _____ Program Title: Upgrade/Replacement of the Drinking Water System for Ramah Navajo School Board, Inc. Division/Branch: Division of Community Development

Prepared By: Alvin Rafelito, HHSD Director, RNSB, Inc. Phone No.: (505) 979-9243 Email Address: alvin@rnsb.k12.nm.us

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
CYJ-41-21 NNFRF		10,159,542.00	100%
	TOTAL:	$10,159,542.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance			10,159,542	
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	10,159,542.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Nancy R. Martine-Alonzo
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: _____
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

Ramah Navajo School Board, Inc., Emergency Water System Improvements

Preliminary Engineering Report

September 24, 2020

Prepared for:

Ramah Navajo School Board, Inc.

Prepared By:

WHPacific

AN NV5 COMPANY

6501 Americas Parkway Northeast, Suite 400

Albuquerque, New Mexico 87110

I, Russell R. Rodke, Registered New Mexico Professional Engineer No. 10659, hereby certify that the material contained in this document was prepared by me, or directly under my supervision, and is true and correct to the best of my knowledge and belief.

Russell R. Rodke

9-24-2020

Russell R. Rodke, P.E.
N.M.P.E. License No. 10659

Date

WHPacific
AN NV5 COMPANY

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1. Introduction

The School needs emergency help. The School is out of water. Both wells are not working, and the only water is being supplied by the neighboring Jacob's Well system. The pipes in the ground are 45 years old and need replacing. The water tank needs repair. Water samples have exceeded the EPA Maximum Contaminant Levels for arsenic, lead, radionuclides and endocrine disrupting phthalates. The system has grown over the years and served the Indian Health Service Clinic and other facilities that are especially needed by the community as it fights the COVID-19 virus.

Steps for Clean Water:

- **S**ources- Well #1 and Well # 2, BOTH NOT WORKING
- **C**onnection to neighboring system- Jacob's Well (off campus)
- **H**illtop Tank and School Tank Raw Water Storage
- **O**ptimized Treatment- removes arsenic, lead, phthalates, and radionuclides
- **O**ut to distribution- pump supplies pressure
- **L**ines to buildings

The Ramah Navajo School Board, Inc., ("School") is a private, self-governing 501(c)(3) nonprofit corporation which runs a complex of Head Start, Elementary, Junior High and High Schools, and other services at Pine Hill, New Mexico. While the School cooperates with the Ramah Navajo Chapter of the Navajo Nation, it is a separate entity. In 1970, the Board established the Ramah Navajo High School in Ramah, NM, one of the first Indian community schools governed by an all-Indian, locally controlled school board. By 1975, the current Pine Hill Elementary and High Schools were under construction at their present site 12 miles south of the town of Ramah and the students began learning there even before the buildings were completed. The local efforts were a model for the groundbreaking federal 1975 Indian Self-Determination and Educational Assistance Act, PL 93-638, which provided similar educational opportunities across the country to Indian students. The 50th anniversary of the Board's founding was celebrated in February 2020 just before the Coronavirus (COVID-19) pandemic became a national health crisis. Federal funds, under the Coronavirus Aid, Relief, and Economic security (CARES) Act, are available for addressing immediate health and safety needs related to the pandemic but need to be expended by the end of 2020. The water system is 45 years old and deficient and inadequate for the additional demands on the system for sanitation and prevention of the spread of the virus. The Navajo Nation including the Ramah Navajo community has been disproportionately negatively impacted by the virus. A contributing factor to the COVID-19 impact on the Navajo Nation is the lack of running water for sanitation purposes. On an emergency back-up basis, the School's system occasionally supplies water to much of the southern half of the Ramah Navajo Chapter, including the school complex, Jacob's Well, unit 3, unit 5 and the Hilltop tank's systems.

The School has contracted with WHPacific for the preparation of a Preliminary Engineering Report (PER), to evaluate the present condition of the School's water system and determine the suitability for continued use and recommended improvements. A PER is a planning document required as part of the process of obtaining financial assistance for the development or improvement of drinking water projects. The PER describes the proposed project from an engineering perspective, analyzes alternatives to the proposal, defines project costs, and provides information critical to the underwriting process.

United States Department of Agriculture (USDA) Rural Development Bulletin 1780-2, *Preliminary Engineering Reports for the Water and Waste Disposal Program*, has been adopted by many state and federal agencies as the template for the development of the PER required for the funding application process. As such, RD Bulletin 1780-2 was used as the guide for the preparation of the document.

2. Project Planning

a) Location

The proposed project is in the unincorporated community of Pine Hill in Cibola County in the heart of the Ramah Chapter of the Navajo Nation on a property of about 240 acres owned by the School. It is about 35 miles southwest of Grants, NM, on Indian Service Route ("Route") 125, about 22 miles south of the town of Ramah. The Pine Hill School is near the intersection of Routes 125 and 140. A Location map is shown in Figure 1.

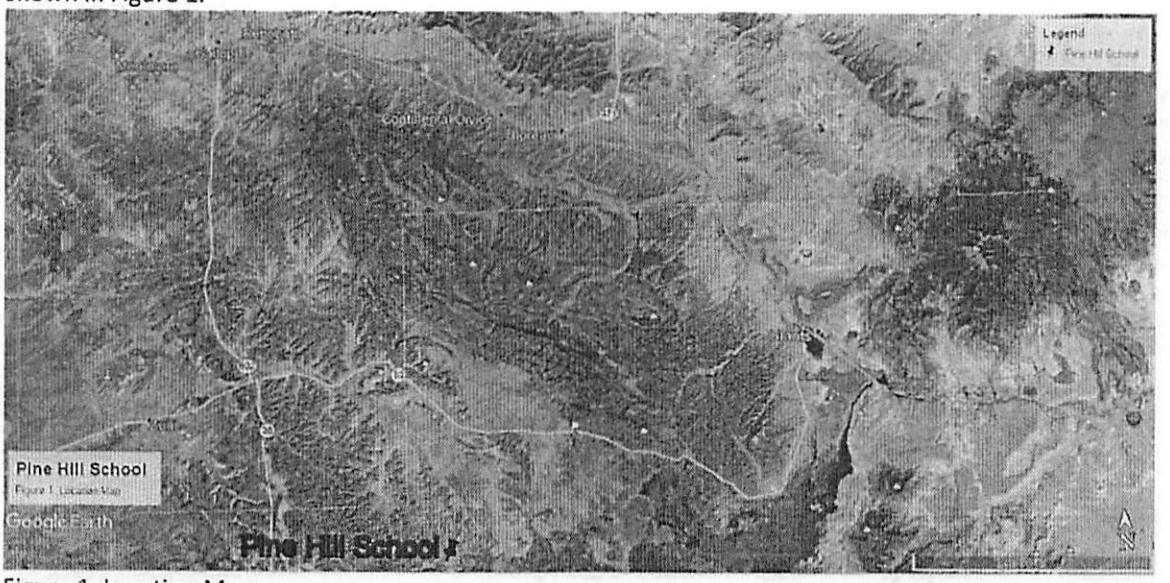

Figure 1. Location Map

The project water system is the oldest part of a larger system "NN3500250 Pinehill Community and School RNUA". RNUA is the Ramah Navajo Utility Authority, a separate for-profit part of the Ramah Navajo Chapter government. This PER deals with the "campus" community served by the School's water system including Pine Hill Schools (Head Start, Elementary, Junior High and High School and administration buildings), 70 residences for teachers and staff and dormitories for residential students, the School Farm and Fairgrounds, as well as the related entities of KTDB 89.7 Radio Station, Pine Hill Volunteer Fire Department and Emergency Medical Services, United States Post Office, Pine Hill Health Center and Pharmacy, and Pine Hill Behavioral Health. The small shopping center of Pine Hill Market and Gas Station, a branch of the First Financial Credit Union and a formerly operating laundromat are served by the School's water and wastewater lines. Nearby "off-campus", in the Pinehill community are the RNUA yard - located off Indian Route 122 near the intersection with Indian Route 184, Jacob's Well - located on Indian Service Route 139, the Ramah Navajo Department of Transportation office and patrol yard - located approximately one mile south of the intersection of 125 and 122 and abutting 125, and four Navajo Housing Administration developments - located just east across 184 and at the intersection of 182 and

122. Figure 4 shows the relative location of the off-campus entities and the tanks and wells mentioned in this report.

The elevation of the project site ranges from 7402 at the wastewater plant discharge to the arroyo to 7500 feet in the north side of the campus at the top of the hill. The elevation at the bottom of the existing water tank is approximately 7499 feet. Located on a low hill above flat terrain, the service area is bound by Route 125 on the West and Route 184 on the east, for a West-East distance of about 3,500 feet and is about 2,800 feet north to south. To the east, the Continental Divide, with an average elevation about 7800 feet, meanders as close as six miles away and El Morro National Monument and the Zuni Mountains are to the northeast. The terrain slopes southwestward toward tributaries of the Zuni River and the Little Colorado River.

Plants and trees native to the region include grasses, chamisa, sagebrush, Ponderosa pine, piñon, and juniper. Elk, deer, turkeys and eagles are often seen near the site. Data from the nearest weather station at Grants indicates the climate is semi-arid with summer thunderstorms common in July and August. Snow is possible from November through March and has occurred as late as May. Average monthly summer temperatures range from 49° to 89° F and in the winter from 15° to 51° F. The record high and low are 98.1 degrees F July 3, 2007, and -23.1 degrees F on February 3, 2011.

b) Environmental Resources Present

The project area is rural with considerable development around the School for which the project provides water. Area agriculture activities are centered on livestock and farming in the form of traditional vegetable gardens supplements store bought groceries. Ranching includes mostly sheepherding or cattle ranching. Multigenerational families live in clustered housing developments or scattered isolated homes in the area. Most of the population are members of the Navajo Nation and consists of families from small children to elders, with a majority employed at the school or the above related entities.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 35006C1000C dated August 15, 2020, the project area, categorizes the flood risk as Zone D which indicates the flood risk has not been quantified. The project sits on the top of Pine Hill which should remove it from any floodplain.

The building site for the school and support buildings was determined by the people of Ramah Navajo. The site has been extensively used for 50 years and staff have encountered no artifacts. It is unknown if an archaeological survey has been completed for the site, previous ancestral uses for the land were minimal and it is unlikely that any cultural resources are present in the specific project site. Cliff dwellings and pueblo ruins, like the site on top of El Morro National Monument, are known in the area, but it is disrespectful to visit or build on them.

Since 1975, during the construction of the school and other community buildings, or since then during the installation and maintenance of water distribution or sewage collection lines, no cultural resources were encountered. In future water and sewer line construction no disruption of natural or historical resources are anticipated.

No endangered species are known to be present.

c) Population Trends

Population Trends. The 2017 Regional Water Plan for Northwest New Mexico prepared for the Interstate Stream Commission indicates a projection of little growth for Cibola County. Estimates from the US Census American Community Survey for 2010-2016 for the Ramah Chapter show a down and up fluctuation between 1247 and 1401 total population for a net projection of about 0.5% growth. The water use at the School depends on many factors such as the current COVID-19 pandemic, new school and community programs, and alternative education opportunities. The Ramah Navajo Department of Transportation performed another study in 2015 which indicated that population was closer to 4000 registered Ramah Navajo Band members who live within the reservation boundary.

The Pine Hill School, New Mexico, is an unincorporated community in Cibola County within the Navajo Nation census tract 2430. It is not a Census Designated Place and Census Data for this community is not readily available. The approximate student population of the school is 316. The school is not limited to students from the immediate community and has dormitory facilities to better serve students from more remote areas. Public Water System Permit NN3500250 for Pinehill Community and School RNUA has the system serving 1007 people. Attendance at the school and the size of the staff at the school and associated facilities are expected to remain steady.

The current 2020 census will give more current data when it is complete. The closest towns in New Mexico, such as Gallup, Grants and Zuni report reasonably stable populations as shown by University of New Mexico Bureau of Business & Economic Research. Gallup and Grants have shown a small decrease in population over the 2000 to 2010 period, while Zuni has shown a small population increase. Cibola County has a 2010 population of 32,900, showing a growth pattern over the previous ten years. The population of the RNSB community is expected to have about 0.5 % annual growth.

Archeologists date the presence of Navajo people in the area back to 600 AD. According to the Ramah Navajo Chapter profile on enavajo.org, seven Navajo families returned in 1868 from the Long Walk to their traditional homeland of Tlohchin, "Wild Onion". The chapter was certified by the Navajo Nation in 1957, a chapter house was built in 1964. The Ramah Navajo School Board, Inc., was established 1970 and just in February 2020 celebrated its 50th anniversary.

d) Community Engagement

Due to the tight timetable of funding, community engagement by the consultant will be limited to a summary of project status delivered to RNSB staff and RNSB Board. The RNSB conducts Board of Director meetings as deemed necessary to communicate to the public ongoing events or projects. The organizational documents require monthly meetings open to all system users and residents. The contract for the PER for Water System Improvements was approved on August 12, 2020.

3. Existing Facilities

a) Location Map

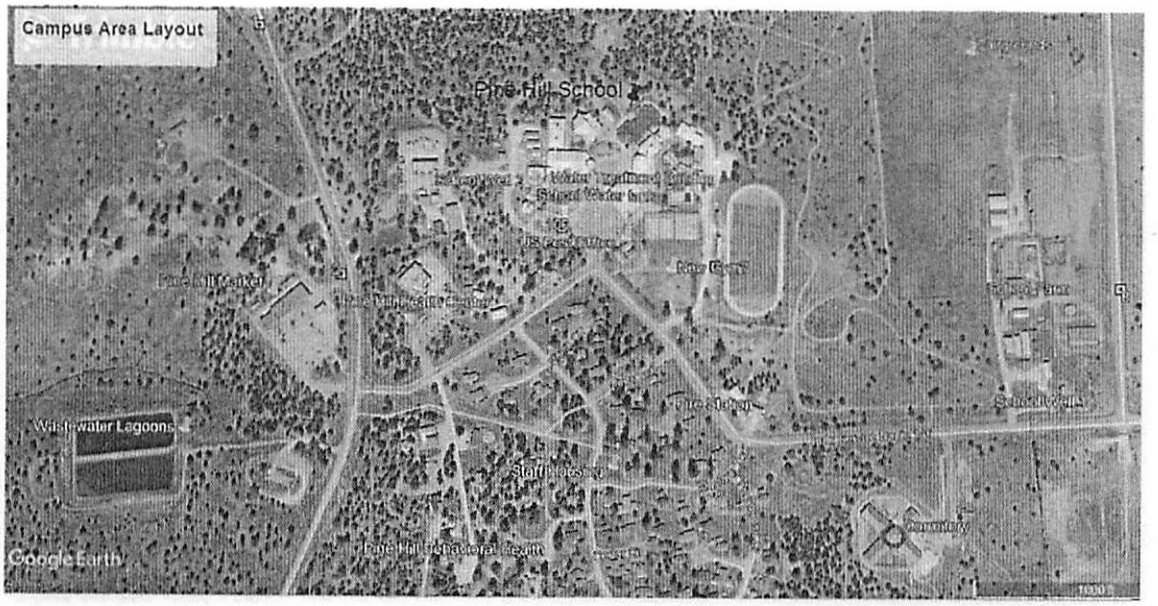

Figure 2. Campus Area Layout

b) History

The Pine Hill Schools and community were built in stages. In 1975, two wells were drilled to a depth of 3,500 feet, cased, equipped with sand screens and the bottoms were gravel packed. The static water level is at 800 feet. Most of the water distribution and wastewater collection lines were put in with the initial construction of the school in 1975 and have exceeded their design life. The current water treatment plant operation and maintenance manual indicates the Culligan treatment system was put in place in 1990 and consists of water softening, filtration, chlorination and fluoridation. Equipment includes 2 water softeners, 2 pressure filters, and chemical feeding equipment for fluoride and chlorine supplied by Southwest Water Conditioning, Inc., a Culligan representative. There are two raw water storage tanks, one 250,000-gallon tank on the schools' campus and a second is the Hilltop tank, a 500,000-gallon tank located 2 miles to the northwest operated by the RNUA but occasionally receiving water from the School system. A booster pump is used to obtain distribution pressure after treatment. A Fire Suppression pump is also part of the system.

Over the years, additional buildings were constructed on the School campus. The following is a brief history of the growth of the campus.

1. On September 26, 1975 the Pine Hill High School and Elementary Schools were dedicated. They were originally built to accommodate 248 students.
2. In 1976, the Kindergarten and gymnasium buildings were completed. A Health Center was built in Pine Hill and operates under contract by the Indian Health Service.
3. In 1981, the Library and Media Center were built, and the North Central Association officially accredited the schools.
4. In 1989, The Middle School and Multi-Purpose buildings were completed.
5. In 1992, the Pine Hill Market was built.
6. In 1993, the Child Care Center opened.
7. In 1995, the 66-unit staff housing project was completed.

8. By 1997, the Behavioral Health Center, Parent Resource Center, and the Volunteer Fire Department and Emergency Medical Services building were completed.
9. In 2007, the new Pine Hill School Dormitory was completed.

c) Condition of Existing Facilities

Operator

The Board employs Ron Francis, Water Operator Level 2 for treatment and Level 1 for distribution. While there are some meters on the system, the school buildings are not charged separately for water and the staff housing and other users are charged a flat rate, so there is no meter reader on staff.

Water Rights

The Navajo Nation has extensive but unquantified water rights under the Winters Doctrine (1908). The Zuni River Adjudication is currently underway. The Zuni portion of the adjudication has been rescheduled to allow the Zuni Pueblo to work cooperatively with the Navajo Nation and the Ramah Band of Navajos. In the San Juan River basin, the adjudication process resulted in a negotiated settlement that quantified the Navajo Nation's Federally Reserved water rights for that basin. The Navajo Nation intervened in the Zuni adjudication in 2002 and continues to be involved. The groundwater withdrawals for the school and community should be considered in any settlement.

This Preliminary Engineering Report evaluates the water system of the Board for the planning period 2020-2040. Current water demands are approximately 133 acre-feet per year, based on the 1,007 users on the water permit, and at a 0.5% growth rate would increase to 1,113 users and 147 acre-feet by 2040.

Water Quality

Recent water quality testing show exceedances of EPA Maximum Contaminant Levels regulations in phthalates, arsenic and radionuclides as well as non-compliance violations on submittal of various sampling results. The water treatment building and equipment needs replacing. The chlorine fumes have eaten holes in the door frames. The arsenic and radionuclides violations show the need for more extensive treatment. Blending water between the wells to dilute the arsenic and radionuclides helps and requires additional methods for a long-term solution.

Water Supply

The two wells are 3,500 feet deep with a static water level of 800 feet. Well 1 was recently overhauled and has been producing all the water for the system, until it recently went offline due to clay chunks interfering with the operation. Well 2 urgently needs an overhaul to correct electrical problems that shut the well off, as well as to replace worn and corroded parts. Well 1 produces 80 gallons per minute. Well 2 produces 40 gallons per minute when it is functioning. Additional equipment such as a properly equipped service truck would improve response time to line breaks. With both wells inoperable the system is relying on the water from Jacob's Well and the Hilltop Tank. Repairs of both Wells 1 and 2 are underway.

Water Distribution

The School's system within the campus includes approximately 3.2 miles of 6-inch cast iron and galvanized steel water distribution line, and 1.2 miles of 4-inch and 2-inch as shown in Figure 4, located throughout the service area. Since the School owns all the property, there are no private easements or public permits for the waterlines, except where the lines cross IR 125 and IR 140. The exact location of these lines and the wastewater collection system were mapped as well as abandoned-in-place water lines from an old trailer park that sat on part of the campus.

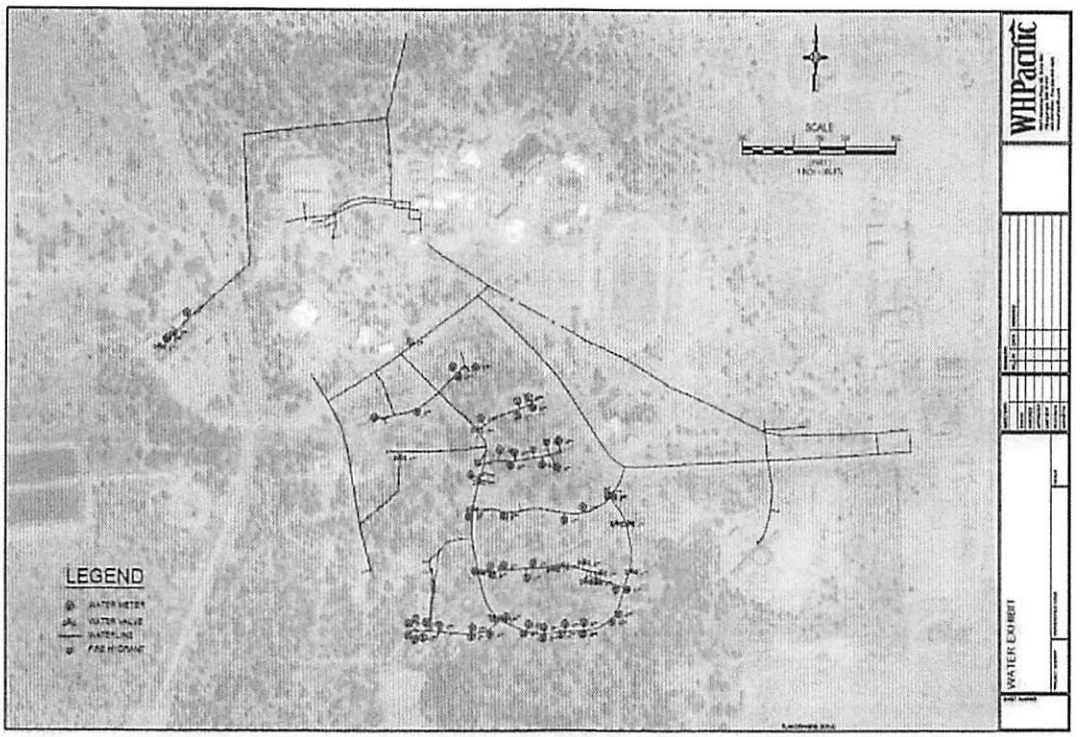

Figure 3. Existing Water System Layout

A general schematic layout and general service maps of the existing water system are included in Figure 3. The existing lines were surveyed and located to aid in construction but the records of the construction of the lines are not available. Additionally, the consultant used Ground Penetrating Radar (GPR) to locate lines. Due to materials, some lines are approximate as no trace wire or other commonly used locating tags were identifiable.

Raw water from the School's two wells is pumped into the 250,000-gallon School tank. Water needed for local demand is treated by the RNSB treatment facility and treated water is piped to the campus and the shopping center users. Excess raw water is pumped to the Hilltop 0.5 million-gallon tank about 2 miles northwest of the campus where it is mixed with raw water from Jacob's Well. Jacob's Well is 2.5 miles north of the campus and was completed in 2009. Jacob's Well has only a small storage tank at the site, so water is pumped to the Hilltop Tank 2.4 miles to the west and returns to Jacob's Well for treatment at Jacob's Well. The Jacob's Well treatment facility treats water for the off-campus Pinehill Community and the water fill station at Jacob's Well. Jacob's Well, the Hilltop Tank and the School tank roughly form an equilateral triangle. The Hilltop tank is at elevation 7606 feet, the highest elevation for several miles in any direction, about 100 feet higher than the School tank. The School system and the Jacob's Well system

are owned and operated independently but regionally connected for mutual support. While this 'regionalization' of the two entities benefits both in times of well failure or infrastructure upgrades, meter readings and monthly reports to establish a water accounting between the two entities are recommended to improve operations.

Water Storage

The School system includes one deteriorated 250,000-gallon galvanized steel raw water storage tank. A 500,000-gallon tank is connected to the system and may be able to supply water during rehabilitation of the 250,000-gallon tank.

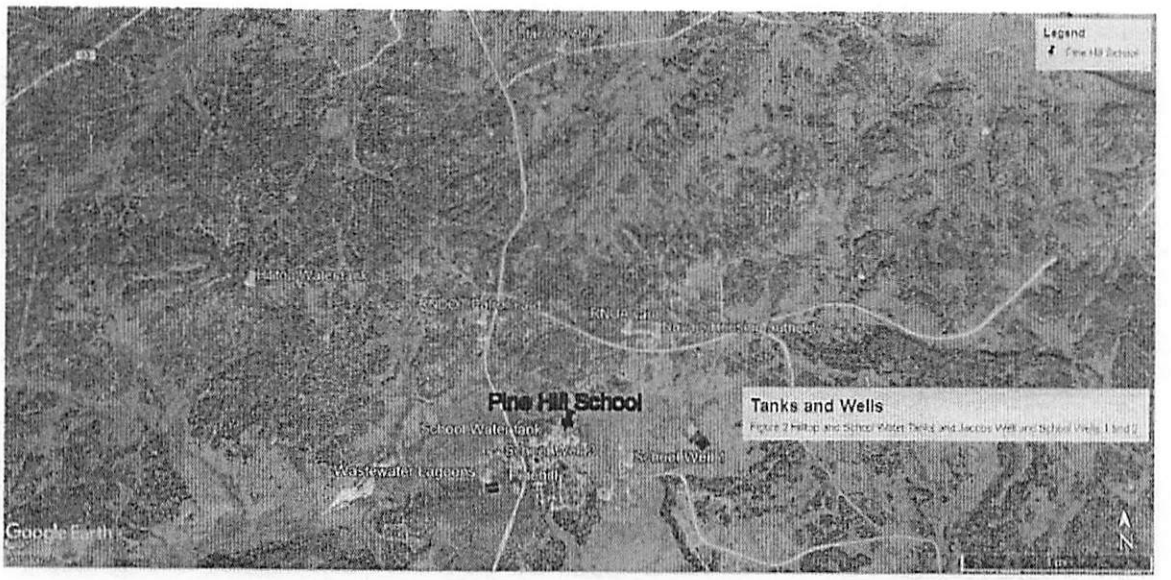

Figure 4. Tanks and Wells

The USDA Rural Development design standard recommends 2 days of emergency storage as follows:

- 100 gallons per person
- 1007 persons
- 201,400 gallons emergency storage.

As noted above, the system has only one storage facility on campus, the 250,000-gallon storage tank which barely has the minimum requirements for emergency storage. The existing School system is limited in both capacity and system pressure. The ground level raw water 250,000-gallon tank is the only storage and it is before the water treatment. The booster pump and existing 6 and 4-inch water lines provide limited flow throughout the system. An additional 60,000-gallon elevated or pressurized pneumatic tank for treated water would allow for more operational flexibility and emergency response capacity.

Fire Hydrants

Fire hydrants are located throughout the campus and residential areas, but these will also need to be replaced. The Volunteer Fire Department at the School is not in operation. Fire response and prevention support is currently dependent on the Candy Kitchen Volunteer Fire Station, or the El Morro Volunteer Station located about 20 miles north and east of Pine Hill. The School facilities staff expressed a willingness

during their hiring interviews to be part of the response to fires but have not received fire-fighting training. Additional equipment such as a truck to respond to brushfires would increase the department's capabilities. If the Volunteer Fire Department could be affiliated with the county, volunteers may be eligible through the Public Employees Retirement Association for a pension of $125 per month after ten years of active service with the department at retirement at age of 55 or more. For 25 years of active service the pension is $250 per month. Coordinating the School water system maintenance needs of flushing hydrants periodically according to the hydrant maintenance plan could be coordinated with fire-fighting practice and using the water productively for landscape needs.

d) Financial Status of Any Existing Facilities

The School's water system is not effectively metered, and a flat rate of $14.00 per month is charged for residential service. Some commercial connections are metered and charged a minimal amount based on usage. Funding for operation and maintenance of the system comes from a variety of sources, each with its rules and limits for use of funds. Employees charge their time to different accounts depending on whether they are working on a water leak in the main line or doing building maintenance by replacing a leaking faucet. The Facilities Management Division has a staff of one administrative and four field staff of which about half of their time is devoted to water and wastewater duties. An Operating Budget for a similarly sized system might have annual revenues of approximately $180,000. New service lines and meters to all residences are included in the proposed improvements outlined in the PER.

e) Water/ Energy/ Waste Audits

No water, energy, or waste audits have ever been conducted for the RNSB system.

4. Need for Project

a) Health, Sanitation, and Security

The COVID-19 virus has taken a disproportionate toll on the Navajo Nation and the Ramah chapter. Providing safe clean water needed to support the schools will take extraordinary efforts. The fifty-year old current system, built for less than half of the demand of the accumulated expansion of the campus and surrounding community, is inadequate for the current demand, much less for the additional health demands of the government mandated protocols for reopening the schools.

Adequate fire protection is not currently available for many of the buildings on the school campus. There is a Fire Suppression pump, but it only serves the Elementary School and the Dormitory. The Gymnasium is scheduled to be demolished and rebuilt with a fire suppression system included. The fire suppression capability of the water distribution system is also limited by pipe size and water pressure. Larry Barker with Albuquerque's KRQE Channel 13 News in 2014 described the Pine Hill School as the "most dangerous school in America". While his report focused on dysfunctional fire alarm systems which have since been fixed, this project will address many other safety issues raised.

b) Aging Infrastructure

The system has been in use continuously since 1975. The 6-inch and 4-inch galvanized steel pipes were not installed with cathodic protection or the protection was disrupted with line breaks and repairs. Some of the pipes were laid directly on the sandstone layer that is as close as four feet below ground level and pipe vibration through use has caused repeated repairs in some areas. The School has been

fortunate to receive grants for construction of facilities but obtaining funding for operation and maintenance has been more difficult. Line repairs have been costly. The water treatment building has deteriorated with use and does not have room for the expanded filtration required to achieve compliance with regulations. Dead end lines at the dormitory and the farm should be connected to form a loop.

c) Reasonable Growth

While the current population growth rate is projected to be minimal, the history of the schools and community show a far-sighted trend of expansion to try to solve all the problems of the community from education to mental health. Response to the Covid-19 pandemic might result in improved medical facilities, expanded greenhouse production of local food, a revived vocational curriculum or other infrastructure improvements. Water system capacity to handle at least a 0.5% percent annual growth rate in infrastructure should be included in planning for the twenty-year period.

5. Alternatives Considered

a) Alternative 1

1. Description

The major distribution system components of Alternative 1 are shown on Figure 2 and include:

Abandon existing waterlines in-place and replace with new larger capacity lines. Ensure that the new lines are laid out in loops to avoid dead end lines including connecting the dormitory to the farm to eliminate two dead end lines. Repair or replace the sprinkler system in the football field. Provide for fire suppression flow to all buildings. Install meters for each building and line. Install isolation valves, pressure relief valves and air release valves as needed to operate the system.

Conduct a thorough overhaul of Well #2 and address issues with well #1. Replace the water treatment building with a structure large enough to accommodate more equipment for controlling arsenic and radionuclides. Upgrade the water treatment process to remove arsenic, phthalates and radionuclides. Service lines and water meters will be coordinated with the upcoming gym replacement to ensure smooth connection.

The survey of the existing system was used to estimate the replacement system. Approximately 17,020-feet of 8-inch and 1475-feet of 4-inch and 5,000 feet of 2-inch water lines will be constructed to connect the system. Also needed are 48 water valves, 24 hydrants, and 128 water meters. Water system modeling during the design phase may refine these numbers.

Evaluate the structural integrity, internal coating and cathodic protection system of the 250,000-gallon School tank.

2. Design Criteria

Based on freezing temperatures it is suggested that main water lines should be installed with at least 5 feet of cover.

Water treatment and distribution will have to meet the requirements of the federal Safe Drinking Water Act (SDWA) under which the EPA delegated enforcement to the Navajo Nation.

The USDA Rural Development design standard of 100 gpd per person were reviewed for this project. The water permit indicates the system serves 1007 people. Reasonable growth of 0.5% per year would add 113 more people which would result in 1120 people and 112,000 gallons per day x 2 days = 224,000 gallons. Emergency storage is required for a minimum of two days, or a minimum of 224,000 gallons.

3. Map

A map of new water lines, water treatment building and tank is shown in Figure 5.

4. Environmental Impacts

Flood Insurance Rate Maps gathered from FEMA shows the area has not been surveyed for flood risk, but Pine Hill campus is located on a hill so flooding should not be an issue. All waterlines, building and tanks will be installed in previously disturbed areas, and no environmental issues anticipated.

5. Land Requirements

All land involved in the project is owned by the School, so no easements or rights-of way are needed.

6. Permits Required

All waterline construction will be located on the School's land, so no permits are needed except where lines will cross Indian Service routes or roadways, chiefly Route 140 and 125. The proposed new water treatment building will be located near the existing 250,000-gallon tank. Navajo Nation EPA will need to approve final design of the treatment process.

7. Potential Construction Problems

The project site is subject to freezing weather so installation of the waterlines before winter is needed. Construction of the concrete foundation slab for the building will need to take place within the months of March through October to provide adequate curing temperatures and acceptable weather conditions. Previous construction projects were not carried through to completion so houses did not receive a certificate of occupancy and the Elementary school could not be used until completed by a second contractor two years later.

8. Sustainability Considerations

The new water line will be PVC pipe which poses no environmental hazards and has a long service life with little maintenance issues when installed properly. Financial sustainability might be improved by tracking the actual costs of the water and wastewater operations and maintenance to improve budgeting and accrue an O&M fund to handle inevitable line breaks, well problems and emergencies without having to tap into other funds.

9. Estimate

The estimate below represents the engineer's opinion of probable cost for design and construction of the project. Annual operation and maintenance costs, over the life of the improvement, need to be considered when estimating a lifetime cost. Operation and maintenance costs over a 20-year period are shown in Section 6 in the Life Cycle Costing Section for the alternatives. Budgeting information is shown in the Appendix and may be used to estimate operation and maintenance costs.

RAMAH NAVAJO SCHOOL BOARD PRELIMINARY ENGINEERING REPORT
WATER SYSTEM IMPROVEMENTS
ENGINEER'S OPINION OF PROBABLE COST
9/22/2020

			Alternative 1 Cost Estimate		
ITEM NO.	**ITEM DESCRIPTION**	**UNIT**	**QUANTITY**	**UNIT COST**	**COST**
1	Construction Staking, compl.	%		1.50	$39,461
2	Construction Mobilization and Demobilization, compl.	%		16.00	$420,913
3	Flood Protection, compl.	%		0.37	$0
4	Traffic Control	LS	1	$ 10,000.00	$10,000
5	Site Clearing and Grubbing, compl.	AC	1.00	$1,725	$1,725
6	2" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	5,000	$15	$75,000
7	4" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	1,475	$35	$51,625
8	6" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	0		
9	8" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	17,500	$40	$700,000
10	Pressurized waterline connection, all sizes, incl. fittings, compl.	EA	10	$1,200	$12,000
11	Non-pressurized connection, existing waterline, all sizes, incl. fittings, compl.	EA	6	$3,000	$18,000
12	Tee or Wye, 4" to 8" waterline, incl jointing material, cip.	EA	4	$700	$2,800
13	2" Gate Valve & Valve Box, cip.	EA	0	$1,000	$0
14	4" Gate Valve & Valve Box, cip.	EA	4	$1,150	$4,600
15	6" Gate Valve & Valve Box, cip.	EA	0		
16	8" Gate Valve & Valve Box, cip.	EA	53	$2,340	$124,020
17	Gate Valve, 4" to 10", Remove & Salvage, compl.	EA	0		$0
18	Valve Box, Remove & Dispose, compl.	EA	30	$200	$6,000
19	Fire Hydrant, 4' bury, MJ, incl. blocking & aggregate, cip.	EA	31	$4,700	$145,700
20	Fire Hydrant, Existing, Remove & Salvage, compl.	EA	20	$500	$10,000
21	3/4" Service Line Replacement & Transfer, incl. tapping saddle & tubing, cip.	EA			$0
22	3/4" Service Line Transfer at waterline, incl. tapping saddle & tubing, cip.	EA	0	$0	$0
23	3/4" Water Main Tap, Service Saddle & Corp Stop	EA	0	$0	$0
24	1" Water Main Tap, Service Saddle & Corp Stop	EA	122	$450	$54,900
25	2" Water Main Tap, Service Saddle & Corp Stop	EA	6	$560	$3,360
26	Residential 3/4" Water Meter & Can Combination w/ Radio Read, incl. concrete pad, cover & lef, cip.	EA	122	$983	$119,926
27	3/4" Water Meter Box, 3/4" to 1", incl. concrete pad, cover & lef, cip.	EA	0	$0	$0
28	Remove & Replace 1" Meter install w/ AMR	EA	0		
29	Bored Crossing 12" Casing (Carrier Pipe Not Included)	LF	500	$160	$80,000
30	2" Combination Air Release and Vacuum Valve, cip.	EA	10	$5,300	$53,000
31	PRV Vault	EA	2	$2,500	$5,000
32	Rock excavation	CY	500	$107	$53,500
33	3/4 or 1" PE service line installation (10 ft per meter)	LF	1,220	$35	$42,700
34	Thrust blocking	CY	100	$536	$53,600
35	Overhaul Well #2	LS	1	$500,000	$500,000
36	Water Treatment Facility building and treatment equipment	LS	1	$400,000	$400,000
37	Evaluate structural integrity of the 250,000-gallon tank (Alternative 1)	EA	1	$100,000	$100,000
38	Repair 250,000-gallon tank (Alternative 2)	EA	0	$0	$0
39	250,000 Gallon Steel Welded Water Storage Tank, including foundation, piping, testing and disinfection. (Alternative 3)	EA	0	$0	$0
40	Arterial pavement, Existing Remove and Replace, incl. 2-inch extra asphalt thickness, with machine laydown, & processing existing subbase material, any thickness, cip.	SY	50	$65	$3,250

$2,630,707.00

Construction Subtotal	$3,091,081
NMGRT (6.8125%)	$210,580
Construction Contingecy (20%)	$618,216
Geotechnical Services	$8,000
Project Survey (8%)	$247,286
Engineering Design (15%)	$463,662
Construction Services/Inspection(10%)	$309,108
Total	**$4,948,000**

b) Alternative 2

1. Description

The major distribution system components of Alternative 2 are identical to alternative 1 with the addition of repairing the 250,000-gallon tank as shown in Figure 6. Repair may include draining the tank, sandblasting the interior, coating the interior with an epoxy lining, and repairing or replacing the cathodic protection system.

2. Design Criteria

The design criteria are identical to Alternative 1.

3. Map

Figure 6 gives an overview of water lines and tank.

4. Environmental Impacts

The environmental impacts are identical to Alternative 1.

5. Land Requirements

The land requirements are identical to Alternative 1.

6. Permits Required

The permit requirements are identical to Alternative 1.

7. Potential Construction Problems

The potential construction problems are identical to Alternative 1.

8. Sustainability Considerations

The sustainability considerations are identical to Alternative 1.

9. Cost Estimate

The estimate shown on the following page represents the engineer's opinion of probable cost for design and construction of the project. Annual operation and maintenance costs, over the life of the improvement, need to be considered when estimating a lifetime cost. Operation and maintenance costs over a 20-year period are shown in Section 6 in the Life Cycle Costing Section for the alternatives. Budgeting information is shown in the Appendix and may be used to estimate operation and maintenance costs.

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			Alternative 2 Cost Estimate		
ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST
1	Construction Staking, compl.	%		1.50	$39,461
2	Construction Mobilization and Demobilization, compl.	%		16.00	$420,913
3	Flood Protection, compl.	%		0.00	$0
4	Traffic Control	LS	1	$10,000.00	$10,000
5	Site Clearing and Grubbing, compl.	AC	1.00	$1,726	$1,726
6	2" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	5,000	$15	$75,000
7	4" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	1,475	$35	$51,625
8	6" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	0	$0	
9	8" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	17,500	$40	$700,000
10	Pressurized waterline connection, all sizes, incl. fittings, compl.	EA	10	$1,200	$12,000
11	Non-pressurized connection, existing waterline, all sizes, incl. fittings, compl.	EA	6	$3,000	$18,000
12	Tee or Wye, 4" to 8" waterline, incl jointing material, cip.	EA	4	$700	$2,800
13	2" Gate Valve & Valve Box, cip.	EA	0	$1,000	
14	4" Gate Valve & Valve Box, cip.	EA	4	$1,150	$4,600
15	6" Gate Valve & Valve Box, cip.	EA	0	$0	
16	8" Gate Valve & Valve Box, cip.	EA	53	$2,340	$124,020
17	Gate Valve, 4" to 10", Remove & Salvage, compl.	EA	0	$0	
18	Valve Box, Remove & Dispose, compl.	EA	30	$200	
19	Fire Hydrant, 4' bury, MJ, incl. blocking & aggregate, cip.	EA	31	$4,700	$145,700
20	Fire Hydrant, Existing, Remove & Salvage, compl.	EA	20	$500	$10,000
21	3/4" Service Line Replacement & Transfer, incl. tapping saddle & tubing, cip.	EA	0	$0	
22	3/4" Service Line Transfer at waterline, incl. tapping saddle & tubing, cip.	EA	0	$0	$0
23	3/4" Water Main Tap, Service Saddle & Corp Stop	EA	0	$0	$0
24	1" Water Main Tap, Service Saddle & Corp Stop	EA	122	$450	$54,900
25	2" Water Main Tap, Service Saddle & Corp Stop	EA	6	$560	$3,360
26	Residential 3/4" Water Meter & Can Combination w/ Radio Read, incl. concrete pad, cover & lef, cip.	EA	122	$983	$119,926
27	3/4" Water Meter Box, 3/4" to 1", incl. concrete pad, cover & lef, cip.	EA	0	$0	$0
28	Remove & Replace 1" Meter install w/ AMR	EA	0	$0	
29	Bored Crossing 12" Casing (Carrier Pipe Not Included)	LF	500	$160	$80,000
30	2" Combination Air Release and Vacuum Valve, cip.	EA	10	$5,300	$53,000
31	PRV Vault	EA	2	$2,500	$5,000
32	Rock excavation	CY	500	$107	$53,500
33	3/4 or 1" PE service line installation (10 ft per meter)	LF	1,220	$35	$42,700
34	Thrust blocking	CY	100	$536	$53,600
35	Overhaul Well #2	LS	1	$500,000	$500,000
36	Water Treatment Facility building and treatment equipment	LS	1	$400,000	$400,000
37	Evaluate structural integrity of the 250,000-gallon tank (Alternative 1)	EA	1	$100,000	$100,000
38	Repair 250,000-gallon tank (Alternative 2)	EA	1	$300,000	$300,000
39	250,000 Gallon Steel Welded Water Storage Tank, including foundation, piping, testing and disinfection. (Alternative 3)	EA	0	$0	$0
40	Arterial pavement, Existing Remove and Replace, incl. 2-inch extra asphalt thickness, with machine laydown, & processing existing subbase material, any thickness, cip.	SY	50	$65	$3,250

$2,924,707.00

Construction Subtotal	$3,385,081
NMGRT (6.8125%)	$230,609
Construction Contingecy (20%)	$677,016
Geotechnical Services	$8,000
Project Survey (8%)	$270,806
Engineering Design (15%)	$507,762
Construction Services/Inspection(10%)	$338,508
Total	$5,417,800

c) Alternative 3

1. Description

The major distribution system components of Alternative 3 is identical to alternative 1 with the addition of replacing the 250,000-gallon tank as shown in Figure 6.

2. Design Criteria

The design criteria are identical to Alternative 1.

3. Map

Figure 6 gives an overview of water lines and tank.

4. Environmental Impacts

The environmental impacts are identical to Alternative 1.

5. Land Requirements

The land requirements are identical to Alternative 1.

6. Permits Required

The permit requirements are identical to Alternative 1.

7. Potential Construction Problems

The potential construction problems are identical to Alternative 1.

8. Sustainability Considerations

The sustainability considerations are identical to Alternative 1.

9. Cost Estimate

The estimate shown on the following page represents the engineer's opinion of probable cost for design and construction of the project. Annual operation and maintenance costs, over the life of the improvement, need to be considered when estimating a lifetime cost. Operation and maintenance costs over a 20-year period are shown in Section 6 in the Life Cycle Costing Section for the alternatives. Budgeting information is shown in the Appendix and may be used to estimate operation and maintenance costs.

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			Alternative 3 Cost Estimate		
ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST
1	Construction Staking, compl.	%		1.50	$39,461
2	Construction Mobilization and Demobilization, compl.	%		16.00	$420,913
3	Flood Protection, compl.	%		0.00	$0
4	Traffic Control	LS	1	$ 10,000.00	$10,000
5	Site Clearing and Grubbing, compl.	AC	1.00	$1,726	$1,700
6	2" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	5,000	$15	$75,000
7	4" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	1,475	$35	$51,625
8	6" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	0	$0	
9	8" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	17,500	$40	$700,000
10	Pressurized waterline connection, all sizes, incl. fittings, compl.	EA	10	$1,200	$12,000
11	Non-pressurized connection, existing waterline, all sizes, incl. fittings, compl.	EA	6	$3,000	$18,000
12	Tee or Wye, 4" to 8" waterline, incl jointing material, cip.	EA	4	$700	$2,800
13	2" Gate Valve & Valve Box, cip.	EA	0	$1,000	
14	4" Gate Valve & Valve Box, cip.	EA	4	$1,150	$4,600
15	6" Gate Valve & Valve Box, cip.	EA	0	$0	
16	8" Gate Valve & Valve Box, cip.	EA	53	$2,340	$124,020
17	Gate Valve, 4" to 10", Remove & Salvage, compl.	EA	0	$0	
18	Valve Box, Remove & Dispose, compl.	EA	30	$200	
19	Fire Hydrant, 4' bury, MJ, incl. blocking & aggregate, cip.	EA	31	$4,700	$145,700
20	Fire Hydrant, Existing, Remove & Salvage, compl.	EA	20	$500	$10,000
21	3/4" Service Line Replacement & Transfer, incl. tapping saddle & tubing, cip.	EA	0	$0	
22	3/4" Service Line Transfer at waterline, incl. tapping saddle & tubing, cip.	EA	0	$0	$0
23	3/4" Water Main Tap, Service Saddle & Corp Stop	EA	0	$0	$0
24	1" Water Main Tap, Service Saddle & Corp Stop	EA	122	$450	$54,900
25	2" Water Main Tap, Service Saddle & Corp Stop	EA	6	$560	$3,360
26	Residential 3/4" Water Meter & Can Combination w/ Radio Read, incl. concrete pad, cover & lef, cip.	EA	122	$983	$119,926
27	3/4" Water Meter Box, 3/4" to 1", incl. concrete pad, cover & lef, cip.	EA	0	$0	$0
28	Remove & Replace 1" Meter install w/ AMR	EA	0	$0	
29	Bored Crossing 12" Casing (Carrier Pipe Not Included)	LF	500	$160	$80,000
30	2" Combination Air Release and Vacuum Valve, cip.	EA	10	$5,300	$53,000
31	PRV Vault	EA	2	$2,500	$5,000
32	Rock excavation	CY	500	$107	$53,500
33	3/4 or 1" PE service line installation (10 ft per meter)	LF	1,220	$35	$42,700
34	Thrust blocking	CY	100	$536	$53,600
35	Overhaul Well #2	LS	1	$500,000	$500,000
36	Water Treatment Facility building and treatment equipment	LS	1	$400,000	$400,000
37	Evaluate structural integrity of the 250,000-gallon tank (Alternative 1)	EA	1	$100,000	$100,000
38	Repair 250,000-gallon tank (Alternative 2)	EA	0	$0	$0
39	250,000 Gallon Steel Welded Water Storage Tank, including foundation, piping, testing and disinfection. (Alternative 3)	EA	1	$910,000	$910,000
40	Arterial pavement, Existing Remove and Replace, incl. 2-inch extra asphalt thickness, with machine laydown, & processing existing subbase material, any thickness, cip.	SY	50	$65	$3,250
					$3,534,681.00

Construction Subtotal	$3,995,055
NMGRT (6.8125%)	$272,163
Construction Contingecy (20%)	$799,011
Project Survey (8%)	$319,604
Engineering Design (15%)	$599,258
Construction Services/Inspection(10%)	$399,506
Total	$6,384,600

d) Alternative 4

1. Description

Alternative No. 4 -No Change

If no change is made to the current facility, the Board will continue to experience deteriorated water lines and hydrants, one dysfunctional well, low pressure water service, inadequate fire protection and insufficient water treatment.

All infrastructure installed in 1975 has exceeded its design life. They will remain in use, continuing to age. It is critical to note all infrastructure requires maintenance and becomes a cost burden for the community. Maintenance costs would most likely increase.

Water meters would not be installed, and the current flat rate billing would remain in effect. Water quality standards would not be met for phthalates, arsenic and radionuclides.

2. Design Criteria

Design criteria are not applicable to this alternative; however, the existing system does not meet the needs of the community or the recommended standards set by USDA Rural Development, the Navajo Nation and EPA.

3. Map

A map of the existing system is shown in Figure 3.

4. Environmental Impacts

Potential human illness and environmental impacts may occur if the existing system were unable to provide safe and adequate water service to the community in the future.

5. Land Requirements

No land acquisition is required for this alternative.

6. Potential Construction Problems

This alternative does not require any construction.

7. Sustainability Considerations

Sustainability will not be considered in this alternative.

8. Cost Estimate

No costs are associated with this alternative. Operation and maintenance costs are likely to increase due to ageing infrastructure.

6. Selection of an Alternative

a) Life Cycle Cost Analysis

The Life Cycle Cost Analysis used the projected present worth of the three alternatives, Alternative 1 System-wide Improvements, Alternative 2 System-wise Improvements plus repair of the 250,000-gallon School tank, and Alternative 3 System -wide Improvements plus replacement of 250,000-gallon School tank. Alternative 4 is a no build option and is not included in the Life Cycle Cost Analysis. The Salvage Value for the alternatives was assumed to be $0.

To determine the present value of a future cost, the following equation was used:

$$PV = \frac{F}{(1+d)^t}$$

Where:

PV = Present Value

F = Amount of one-time cost at time t

d = Real Discount Rate

t = Time (expressed in number of years)

To determine the present value of a recurring cost such as the O&M costs, the following equation was used:

$$PV = \frac{A_0[(1+d)^t - 1)}{d(1+d)^t}$$

Where:

PV = Present Value

A = Amount of one-time cost at time t

d = Real Discount Rate

t = Time (expressed in number of years)

Notes:

1. Project Cost includes construction items.
2. Real Discount Rate = 0.5%
3. Planning Period assumed to be 20 years.
4. Project Costs are assumed to realize in year 1.
5. O&M costs are assumed to realize in year 1.
6. Salvage Value assumed to be $0.

Table 7. Detailed Life Cycle Cost Analysis

Planning period (yr)	20					
discount rate (%)	1.5	(20 year planning period)				
discount rate (%)	1.3	(short term planning period)				
	Alternative 1		Alternative 2		Alternative 3	
Year	Project Cost	O&M Cost	Project Cost	O&M Cost	Project Cost	O&M Cost
1	$ 4,948,000	$ 180,000	$ 5,417,800	$ 160,000	$ 6,384,600	$ 140,000
2	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
3	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
4	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
5	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
6	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
7	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
8	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
9	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
10	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
11	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
12	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
13	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
14	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
15	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
16	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
17	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
18	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
19	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
20	$ -	$ 180,000	$ -	$ 160,000	$ -	$ 140,000
Present Worth	$ 4,948,000	$ 3,090,355	$ 5,417,800	$ 2,746,982	$ 6,384,600	$ 2,403,609
Net Present Worth	$	8,038,355	$	8,164,782	$	8,788,209
Salvage Value Present Worth	$	-	$	-	$	-
Net Present Value	$	8,038,355	$	8,164,782	$	8,788,209

7. Proposed Project (Recommended Alternative)

a) Preliminary Project Design

Alternative 1 is the recommended alternative. The evaluation of the tank integrity would determine if Alternative 2 or 3 would be needed.

Alternate 1 is shown in Figure 3 and proposes the following improvements:

Abandon existing waterlines in-place and replace with new larger capacity lines. Ensure that the new lines are laid out in loops to avoid dead end lines. Repair or replace the sprinkler system in the football field. Provide for fire flow to all buildings. Install meters for each building and line.

Conduct a thorough overhaul of Well #2 and address issues with well #1. Replace the water treatment building with a structure large enough to accommodate more equipment for controlling arsenic and

radionuclides. Upgrade the water treatment process to remove arsenic, phthalates and radionuclides. Service lines and water meters will be coordinated with the upcoming gym replacement to ensure smooth connection.

The survey of the existing system was used to estimate the replacement system. Approximately 17,020-feet of 8-inch and 1475-feet of 4-inch and 5,000 feet of 2-inch water lines will be constructed to connect the system. Also needed are 48 water valves, 24 hydrants, and 128 water meters. Water system modeling during the design phase may refine these numbers.

Evaluate the structural integrity, the internal coating and the cathodic protection system of the 250,000-gallon School tank.

1. Design Criteria

Based on freezing temperatures it is suggested that main water lines should be installed with at least 5 feet of cover.

Water treatment and distribution will have to meet the requirements of the federal Safe Drinking Water Act (SDWA) under which the EPA delegated enforcement to the Navajo Nation.

The USDA Rural Development design standard of 100 gpd per person were reviewed for this project. The water permit indicates the system serves 1007 people. Reasonable annual growth of 0.5% would add 113 more people which would result in 1120 people and 112,000 gallons per day x 2 days = 224,000 gallons needed for fire protection. Emergency storage is required for a minimum of two days, or a minimum of 224,000 gallons.

b) Design Criteria

Nominal system design criteria used to plan and implement the proposed water system for the School are presented in Table 8 below.

Table 8: Design Criteria for the Recommended Alternative 1

Water System Design Criteria Item	Recommended Value
Average day per capita demand	100 GPCD
Peak day per capita demand	220 GPCD
Fire storage volume	Maintain 120 minutes at a fire flow rate of 1,000 GPM
Distribute system static pressures	Maintain static pressure in system between 45 and 90 psi to all customers served
Distribution pressures, combined Peak Day plus Fire Demand conditions	Maintain at least 20 psi residual at locations of Fire Demand and at all points in system

USDA Rural Development recommended design criteria includes a value of 100 GPCD water consumption for rural water systems. RD recommended storage for rural systems is based on a two (2) days emergency storage of 700 gallons per Equivalent Dwelling Unit (EDU), and distribution system static pressures between 20 and 90 pounds per square inch (psi) to all customers served. The water usage at the school is difficult to estimate based on EDU's, so 100 gallons per capita per day was used.

EPANET, a water distribution system modeling software package developed by the United States Environmental Protection Agency (USEPA) Water Supply and Water Resources Division, will be used to model the Board's water system. An assumption was made that the Board's service area adapted to a general pattern of water consumption, in which there is a peak of consumption in the morning, where approximately 60% of the water is consumed in 3 hours and a second peak in the afternoon, with 25% in two hours. The remaining 15% is used the remaining hours. Water usage data, shown in the appendix were used to develop the demand using the pattern just described. Project Schedule

Covid-19 funds are available in August 2020. Construction is estimated to commence in October 2020.

c) Permit Requirements

All waterline construction will be located within private and tribal rights-of-way. Coordination with the Navajo Nation tribal authorities should commence as soon as possible.

d) Sustainability Considerations

The new water line will be PVC pipe which poses no environmental hazards and has a long service life with little maintenance issues when installed properly. Financial sustainability might be improved by tracking the actual costs of the water and wastewater operations and maintenance to improve budgeting and accrue an O&M fund to handle inevitable line breaks, well problems and emergencies without having to tap into other funds.

e) Short Lived Assets for Recommended Alternative

ITEM	REPLACEMENT COST	ANNUAL RESERVE AMOUNT
1 Pressure Reducing Valve	$2,500/20 years	$ 125.00
30 2-inch Gate Valve	$750/20 years x 30	$ 112.50
12 4-inch Gate Valve	$1,150/20 years x 12	$ 690.00
6 8-inch Gate Valves	$1,460 EA/20 years x 6	$ 438.00
24 Fire Hydrants	$4,700 EA/20 years x 24	$5,640.00
4 Master Meters	$1,570 EA/20 years x 4	$ 314.00
128 Water Meters	$840 EA/20 years x 128	$5,376.00

f) Total Project Cost Estimate (Engineer's Opinion of Probable Cost)

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			Alternative 1 Cost Estimate		
ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST
1	Construction Staking, compl.	%		1.50	$39,461
2	Construction Mobilization and Demobilization, compl.	%		16.00	$420,913
3	Flood Protection, compl.	%		0.37	$0
4	Traffic Control	LS	1	$ 10,000.00	$10,000
5	Site Clearing and Grubbing, compl.	AC	1.00	$1,726	$1,726
6	2" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	5,000	$15	$75,000
7	4" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	1,475	$35	$51,625
8	6" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	0		
9	8" Waterline Pipe incl. bends, fittings, restrained joints, trench & compacted backfill to 6' depth, cip.	LF	17,500	$40	$700,000
10	Pressurized waterline connection, all sizes, incl. fittings, compl.	EA	10	$1,200	$12,000
11	Non-pressurized connection, existing waterline, all sizes, incl. fittings, compl.	EA	6	$3,000	$18,000
12	Tee or Wye, 4" to 8" waterline, incl jointing material, cip.	EA	4	$700	$2,800
13	2" Gate Valve & Valve Box, cip.	EA	0	$1,000	$0
14	4" Gate Valve & Valve Box, cip.	EA	4	$1,150	$4,600
15	6" Gate Valve & Valve Box, cip.	EA	0		
16	8" Gate Valve & Valve Box, cip.	EA	53	$2,340	$124,020
17	Gate Valve, 4" to 10", Remove & Salvage, compl.	EA	0		$0
18	Valve Box, Remove & Dispose, compl.	EA	30	$200	$6,000
19	Fire Hydrant, 4' bury, MJ, incl. blocking & aggregate, cip.	EA	31	$4,700	$145,700
20	Fire Hydrant, Existing, Remove & Salvage, compl.	EA	20	$500	$10,000
21	3/4" Service Line Replacement & Transfer, incl. tapping saddle & tubing, cip.	EA			$0
22	3/4" Service Line Transfer at waterline, incl. tapping saddle & tubing, cip.	EA	0	$0	$0
23	3/4" Water Main Tap, Service Saddle & Corp Stop	EA	0	$0	$0
24	1" Water Main Tap, Service Saddle & Corp Stop	EA	122	$450	$54,900
25	2" Water Main Tap, Service Saddle & Corp Stop	EA	6	$560	$3,360
26	Residential 3/4" Water Meter & Can Combination w/ Radio Read, incl. concrete pad, cover & lef, cip.	EA	122	$983	$119,926
27	3/4" Water Meter Box, 3/4" to 1", incl. concrete pad, cover & lef, cip.	EA	0	$0	$0
28	Remove & Replace 1" Meter install w/ AMR	EA	0		
29	Bored Crossing 12" Casing (Carrier Pipe Not Included)	LF	500	$160	$80,000
30	2" Combination Air Release and Vacuum Valve, cip.	EA	10	$5,300	$53,000
31	PRV Vault	EA	2	$2,500	$5,000
32	Rock excavation	CY	500	$107	$53,500
33	3/4 or 1" PE service line installation (10 ft per meter)	LF	1,220	$35	$42,700
34	Thrust blocking	CY	100	$536	$53,600
35	Overhaul Well #2	LS	1	$500,000	$500,000
36	Water Treatment Facility building and treatment equipment	LS	1	$400,000	$400,000
37	Evaluate structural integrity of the 250,000-gallon tank (Alternative 1)	EA	1	$100,000	$100,000
38	Repair 250,000-gallon tank (Alternative 2)	EA	0	$0	$0
39	250,000 Gallon Steel Welded Water Storage Tank, including foundation, piping, testing and disinfection. (Alternative 3)	EA	0	$0	$0
40	Arterial pavement, Existing Remove and Replace, incl. 2-inch extra asphalt thickness, with machine laydown, & processing existing subbase material, any thickness, cip.	SY	50	$65	$3,250

$2,630,707.00

Construction Subtotal	$3,091,081
NMGRT (6.8125%)	$210,580
Construction Contingecy (20%)	$618,216
Geotechnical Services	$8,000
Project Survey (8%)	$247,286
Engineering Design (15%)	$463,662
Construction Services/Inspection(10%)	$309,108
Total	**$4,948,000**

g) Annual Operating Budget

Water and wastewater operations and maintenance are funded from a complex of funding sources and are not itemized out separately. The following method is proposed to allow for more specific budget. If the School had water use like a small town, assuming 4 people per home x 100 gallons per day per person x 30 days per month = 12,000 gallons per month per home. 12,000 gallons per month x $5.00 per 1000 gallons = $60.00 per month bill per home. $60 x 250 homes = $15,000 per month x 12 months = $180,000 per year. That amount would need to cover the costs of the water treatment chemicals, electricity for pumping, staff salaries, resin disposal, line breaks, pump and equipment replacement every 20 years, etc. Current funding methods may be preferred, but this method shows that providing drinking water is a substantial part of the school's budget.

8. Conclusion and Recommendations

The recommended alternative will complete substantial water system improvements for the School's system. This option will provide safe drinking water and reduced maintenance costs to the School's community. Life cycle cost analysis indicates the differences in cost between the alternatives.

Using 2020 CARES Act funding to replace the water system and components would generally be an allowable expense under the Act as it directly applies to public health and the mitigation of the spread of COVID-19 and other viruses. This Report should provide a major part of the documentation that the Ramah Navajo School Board would need to submit for COVID-19 funding of a request for $5.0 to 6.4 million from the 2020 CARES Act for the water system improvements.

References

New Mexico Environment Department Drinking Water Programs and Regulatory Information, https://www.env.nm.gov/water/, accessed September 2020.

United States Department of Agriculture Rural Development, New Mexico, regulations and guidelines,

Navajo Water Public Water System Compliance reports, August 2020

New Mexico Interstate Stream Commission Regional Water Plan, accessed August 2020

Ramah Navajo Chapter profile on enavajo.org, accessed August 2020

RAMAH NAVAJO SCHOOL BOARD, INC.

P.O. BOX 10 * PINE HILL, NEW MEXICO 87357 * 505-775-4150 * FAX: 505-775-3240

Ramah Navajo School Board History

The history of Ramah Navajo School Board, Inc. and the Pine Hill Schools is one to be proud of and to learn from. It is a story of our families, ancestors and community leaders who were responsible for founding the school against great odds and opposition. Prior to 1942, there were no local educational facilities for the Ramah Navajo people. The first school for the Ramah Navajo was a Bureau of Indian Affairs (BIA) Day School built in 1943 in Mountain View that had a capacity for only 30 students, one teacher for first through third grades. Definitely, this did not meet the educational needs of the community. After the third grade, students were sent to Albuquerque, New Mexico; Fort Wingate, New Mexico; Brigham City, Utah; Riverside, California; and other off-reservation boarding schools far from the Ramah Navajo community. When the Mountain View Day School became overcrowded, plans were made to enlarge the school, but the non-Indian residents in Ramah village requested that a dormitory be built in Ramah for the Navajo students to attend Ramah Public School. While the Ramah Navajo Community (RNC) objected to this step, a BIA dormitory was built in 1954 near the Ramah village, closing the Mountain View Day School. For the next 13 years, Ramah Navajo students attended the Ramah Public School. (https://www.facebook.com/)Ramah-Navajo-School-Board-inc PO Box 70, Pine Hill, NM 87357 PH: 505-775-3256 | FX: 505-775-3240 In 1968, the Ramah Public High School was condemned and closed. The Gallup McKinley County School District (GMCS) claimed that low enrollment did not justify the building of a new Ramah Public High School. However, enrollment of the Navajo students declined partly because the BIA did not expand the dormitory space and the public school did not expand the bus line. Only K-6th grade students were allowed to remain in the dormitory. The 7th through 12th grades were sent to BIA schools in Utah, California, Arizona, Oklahoma, and New Mexico specifically at Albuquerque, Santa Fe and Fort Wingate. Faced with this educational challenge Ramah Navajo community leader, Mr. Chavez P. Coho worked with the Navajo Nation DNA legal services to address this lack of educational system within the Ramah Navajo community. In August 1968, the Navajo Legal System Program (DNA) filed a lawsuit against the GMCS to keep the Public High School open for the RNC. RNC claimed that the GMCS Board surely knows that it is exiling a significant number of Navajo children to off-reservation public and BIA schools. In 1969, the Ramah Navajo provide busing to Zuni Public Schools (ZPS). ZPS was the closest public school but from the heart of the RNC, was 45 miles one way. This time RNC won, but the GMCS refused to let its buses cross the county line into Cibola County (then Valencia County) where the majority of the Ramah Navajo students lived. The situation that the Ramah Navajos faced in 1968-1970 is summarized as follow: - No local high school for their children - Even though the parents wanted their children to remain at home and attend a school that was nearby; there were no bus service to the local GMCS or the Valencia (now Cibola) County schools; and - Unbearable were the absences from home for months at a time of the Ramah Navajo children who were forced to attend BIA boarding schools in other States. The Ramah Navajo Community people under the leadership of Mr. Coho organized a community wide meeting. At the February 6, 1970 Ramah Navajo Chapter meeting, community leaders and parents, after a lengthy and sincere discussion, formed a local school board on a motion by Rose Henio and second by Leo Narcisso Martine. That day, selected were the following as the founding school board members: - Bessie Begay

(now Bessie Randolph), the only teacher for the Head Start children – Mr. Chavez P. Coho, Council Delegate to the Navajo Nation - Bertha Lorenzo, a longtime community leader especially for secretarial work - Juan Martine, a longtime community leader knowledgeable for land matters - Sam Martinez, a community leader knowledgeable for medicine man ways None of the five had, in today's terms, any advance education. However, they determined, had a defined purpose, and were, committed to bringing solutions. On February 10, 1970, the Ramah Navajo School Board was incorporated as a non-profit organization under New Mexico law. The Navajo Nation did not have incorporation capability at the time. On February 25, 1970, the new School Board members traveled to Washington, D.C. to seek funds for a new community school. They met with the United States Congressman Ed Foreman, United States Senator Joseph M. Montoya, United States Senator Walter F. Mondale, United States Senator George McGovern, aides to Senator Edward Moore Kennedy and others. They also met with the BIA officials, while in halting English, outlined their true grassroots plan for the school. At one point during the one of those meetings the elder Navajo Bertha Lorenzo stated: We have been waiting since 1920. We want our children back home I won't let you leave nor are we leaving we won't leave this building until we get a definite commitment from the BIA. Support from the BIA came that same day in the form of a letter from Commissioner of Indian Affairs, Louis Bruce. After three days in Washington, the School Board members went to New York City to make proposals to private foundations. Per Diem and travel money was scarce but they made do with what some friends back East gave them to eat. No one stood up for the Ramah Navajos during this entire period when the Ramah Navajo people were trying to get their school so their children would not have to leave home. This remarkable grassroots success was achieved by the community people by asserting themselves and directing their energy for a noble cause for greater Ramah Navajo community. The School Board effort made a national impact. It helped set the stage for the enacting of the National Indian Self-Determination Act in 1975. The people's effort led to a major Federal Indian policy passed by the United State Congress known as the Indian Self-Determination and Education Assistance Act of 1975 or Public Law 93-638. On April 4, 1970, a letter was received from BIA-Washington Office to commit funding of approximately $368,000.00 for support of 167 students for one year with three additional years of funding to follow. On April 21, 1970, the School Board resulted in receiving from the Navajo Nation's Office of Navajo Economic Opportunity, the amount of $68,000.00. With these funds, the School Board was able to start a Ramah Navajo High School at the old public school in Ramah, which had been closed for several years. The School Board used its funds to lease the old Ramah High School from the village of Ramah, renovated the buildings and operated the Ramah Navajo High School for five years. During the first summer, some classes were held in tents while the buildings were being renovated by local Navajo carpenters and laborers. Ramah Navajo High School, the first Indian-controlled school built from scratch in the United States was dedicated on September 12, 1970. A telegram from President Richard M. Nixon stated: The establishment of this school as the first Junior-Senior High School in the country represents an important new direction in Indian Education which my Administration will encourage. The School Board started immediately to outline plans for a new school to be constructed. In 1973, after heavy lobbying efforts, Congress appropriated funds for new school construction in Pine Hill, 22 miles South of Ramah and in the heart of RNC. In 1972, KTDB, the First Indian-owned and Indian-controlled radio station in the United States, began broadcasting in Navajo language from a trailer at Mountain View. The call letters, KTDB, stands for Tlochini Dine bi radio (translated to â€ Ramah Navajo People's Radio). In 1973, Tsa Aszi (Yucca) Magazine of the Navajo culture and traditions was started as the First Indian High School magazine in the country and received national acclaimed. The Health Center began in small buildings in Mountain View in 1974. Finally, in 1975, the school students moved from

Ramah to Pine Hill to begin learning in the High School and Elementary buildings built to accommodate 248 students. The move to the campus took place even before water, electricity and phones were hooked up because the lease had run out on the old buildings in Ramah. Present at the dedication on September 26, 1975, were the School Board President Chavez P. Coho, Ramah Navajo Chapter President Dempsey J. Pino, Navajo Nation Chairman Peter McDonald Sr.; and U.S. Senator Joseph M. Montoya. During the new school's first year, high school students voted to name their new school. Pine Hill School was chosen as an appropriate name for a school on a hill top surrounded by pine trees. The Kindergarten and Gymnasium buildings were completed in 1976. A new Health Center was built in Pine Hill and operated under contract by the School Board with the Federal government. The Library and Media Center opened in 1981. The North Central Association (NCA) officially accredited the Pine Hill School in 1981. This was seen as a major accomplishment by the community since it gave validation that its school was now the equal or better of other schools. The Middle School and Multi-Purpose buildings were completed in 1989. The Child Care Center opened in 1993 and the 66-unit staff housing project was completed in 1995. The School Board continues to review the RNSB Master Plan and to search for funding to build and renovate the facilities for the Pine Hill School. The new Pine Hill School Dormitory was completed and opened during the 2007-2008 school year. The Child Care Center has added a new modular unit to expand its services and construction has begun on a Community Resource Center (also known as a Parent Resource Center). The Resource Center will be constructed near the School to serve as a site for parent meetings and activities, as well as a general meeting site for other programs in the community. Also planned for the immediate future are renovations for the swimming pool so it can be reopened. Funds are also being sought for an enclosure for the pool for year-round use. Repairs to the Fitness Trail just east of the school are planned as soon as the utility lines for new dorm completed. Funds are already committed for the repair of the three greenhouses at the School Farm so these can be back to productive use. Today, Pine Hill School has a cumulative total of more than 750 students graduating from high school. The school is fully accredited by the State of New Mexico and the NCA. The Ramah Navajo community through the efforts of the Ramah Navajo Chapter and the RNSB, Inc. is nationally recognized as a model for the Indian Self-Determination. The School Board's success has inspired other tribes around the world that the indigenous people of the Earth can do wonders with their minds and not only their hands.

24th NAVAJO NATION COUNCIL
ACTION REPORT
Fourth Year 2022

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0086-22

An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Sponsored by: Honorable Mark A. Freeland
Co-Sponsored by: Honorable Pernell Halona
Co-Sponsored by: Honorable Wilson C. Stewart, Jr.
Co-Sponsored by: Honorable Edison J. Wauneka

Has had it under consideration and reports the same that the legislation **REMAINS WITH THE NAVAJO NATION COUNCIL AS NO ACTION WAS TAKEN BEFORE ADJOURNMENT OF THE SPECIAL SESSION.**

Respectfully Submitted,

Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

13 May 2022

MAIN MOTION
Motioned by: Honorable Edmund Yazzie
Seconded by: Honorable Wilson C. Stewart, Jr.
Vote: VOTE PENDING

MOTION TO ADJOURN
Motion to Adjourn at 5:15 p.m.
Motioned by: Honorable Jamie Henio
Seconded by: Honorable Pernell Halona
Vote: 13 In Favor, 09 Opposed (Speaker Damon Not Voting)

NAVAJO NATION

1062

5/13/2022

Navajo Nation Council Special Session

05:21:15 PM

Amd# to Amd# | Motion to Adjourn at 5:15pm | PASSED

MOT Henio, J

SEC Halona, P

Yeas : 13 **Nays : 9** **Excused : 1** **Not Voting : 0**

Yea : 13

Begay, E
Brown
Charles-Newton
Daniels
Freeland, M
Halona, P
Henio, J
James, V
Tso, D
Tso, E
Walker, T
Wauneka, E
Yazzie

Nay : 9

Begay, K
Begay, P
Crotty
Nez, R
Slater, C
Smith
Stewart, W
Tso
Yellowhair

Excused : 1

Tso, C

Not Voting : 0

Presiding Speaker: Damon

24th NAVAJO NATION COUNCIL
ACTION REPORT
Fourth Year 2022

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0086-22

An Action Relating to the Naabik'íyáti' Committee and Navajo Nation Council; Allocating $1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for: Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding

Sponsored by: Honorable Mark A. Freeland
Co-Sponsored by: Honorable Pernell Halona
Co-Sponsored by: Honorable Wilson C. Stewart, Jr.
Co-Sponsored by: Honorable Edison J. Wauneka

Has had it under consideration and reports the same that the legislation **REMAINS WITH THE NAVAJO NATION COUNCIL, WITH ONE (1) PENDING AMENDMENT, AS NO ACTION WAS TAKEN BEFORE ADJOURNMENT OF THE SPECIAL SESSION**.

Respectfully Submitted,

Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

13 June 2022

MOTION TO ADJOURN
Motion to Adjourn at 7:15 p.m.
Motioned by: Honorable Herman M. Daniels, Jr.
Seconded by: Honorable Jimmy Yellowhair
Vote: 13 In Favor, 08 Opposed (Speaker Damon Not Voting)

AMENDMENT #1

1. Page 1, line 15, delete ~~**ASSISTANCE**~~ and insert **AND REGIONAL PROJECTS**
2. Page 1, line 29, delete ~~attached as **A**~~ and insert incorporated herein by reference
3. Page 2, amend line 28 as follows: beyond ~~the~~ life and health ~~and life~~ devastation to wide scale negative financial ~~effects~~ impacts
4. Page 3, line 30, delete ~~**B**~~ and insert **A**; insert new exhibit **A**
5. Page 4, line 14, before "Treasury", insert U.S.
6. Page 4, line 21, delete ~~attached as A~~ and insert incorporated herein by reference
7. Page 5, line 4, delete ~~also~~
8. Page 5, line 17, delete ~~People~~ and insert People's elected Chapter and regional leadership
9. Page 6, line 12, delete ~~next~~ and insert immediately
10. Page 6, line 13, delete ~~Assistance~~ and insert and Regional Projects
11. Page 6, line 19, delete ~~**C**~~ and insert **B**; insert new exhibit **B**
12. Page 6, line 21, A~~**SSISTANCE**~~ and insert **AND REGIONAL PROJECTS**
13. Page 6, line 23: delete ~~Assistance~~ and insert and Regional Projects; and delete ~~**D**~~ and insert **C**; insert new exhibit **C**
14. DELETE page 6, line 24 through page 13, line 6
15. Page 6, line 24, insert the following paragraphs and sub-paragraphs:

B. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars ($211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars ($8,802,340) per Delegate Region, as set forth in **Exhibit C**, and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

C. For purposes of the NNFRF and the Chapter and Regional Projects Expenditure Plan, "Delegate Region" shall mean all the Navajo Nation chapters, both LGA Certified and non-LGA chapters, and Townships, represented by a Navajo Nation Council delegate.

D. The 12 N.N.C. § 820 (O) 50-50 Chapter Distribution Formula does not apply to the Chapter and Regional Projects Expenditure Plan and/or the Delegate Region Project Plans. The 50-50 Formula only applies to appropriations intended for distribution to all Chapters of the Navajo Nation. The Chapter and Regional Projects Expenditure Plan and Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriation Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters.

E. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans.

1. LGA-Certified Chapters shall immediately return to the Office of the Controller all Chapter Project Plan funds that remain unobligated and unencumbered as of 5:00 p.m. on

September 30, 2024.

2. LGA-Certified Chapters shall immediately return to the Office of the Controller all Chapter Project Plan funds that remain unexpended as of 5:00 p.m. on September 30, 2026

F. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF R Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars ($8,802,340) as set forth in **Exhibit C.**

G. The projects selected by each Navajo Nation Council delegate shall be compiled into a Delegate Region Projects Plan for their respective Delegate Region and approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

H. Delegates may select projects for their Delegate Region Projects Plan from the list of projects, attached as **Exhibit D**, that have already been submitted to NNDOJ for an initial eligibility determination and are not included in another enacted Expenditure Plan. Delegates may also add region specific funds to other previously enacted Project or Expenditure Plans. In addition, Delegates may select projects that have *not* previously been submitted to NNDOJ for an initial eligibility determination, including proposed FRF chapter projects submitted to the Division of Community Development, although such projects will have to have a NNDOJ eligibility determination before they can be approved by the Navajo Nation Council.

I. The Executive Director of the NNFRF Office, with the assistance of the Division of Community Development and other necessary Executive Branch Divisions and Departments, shall assist each Council Delegate in developing their respective Delegate Region Projects Plan, including the applicable BFS-31-21 Appendix A and Appendix B forms and supporting documents, for those projects that have not already received NNDOJ initial eligibility determinations.

J. The NNFRF Office shall, notwithstanding BFS- 31-21, act and sign in the place of the respective Administrative Oversight Division and submit each project included on the respective Delegate Region Projects Plan to NNDOJ for an initial eligibility determination as required under CJY-41-21. NNDOJ shall be allowed five (5) work days, in addition to BFS-31-21's five (5) days, to complete required initial eligibility determinations for Delegate Region Projects.

1. The NNFRF Office shall not be required to submit projects to NNDOJ that already have an initial eligibility determination, unless there is a proposed change in the project scope of work, eligibility category, and/or the amount of funding requested for the project.

K. Each Delegate shall submit a comprehensive list of projects, including applicable BFS-31-21 Appendix A, Appendix B, and supporting documents for those projects that have not already received NNDOJ initial eligibility determinations, for their respective Delegate Region, totaling no more than their Delegate Region allocation of $8,802,340 set forth in **Exhibit C,** to the NNFRF Office by no later than September 30, 2024 ~~within ninety (90) days after this legislation is fully enacted~~.

1. If the NNFRF Office has not received a comprehensive list of projects for a Delegate Region, including Appendix A, Appendix B and supporting documents for each project by September 30, 2024, ~~within ninety (90) days after this legislation is fully enacted,~~ the unallocated amount ~~total allocation~~ for that Delegate Region shall automatically revert to the Navajo Nation Fiscal Recovery Fund. Navajo Nation Council and President of the Navajo Nation action shall not be required for the reversion.

L. All Delegate Region Project Plans shall be subject to the following requirements and restrictions:

1. Delegate Region Projects shall fall under one of the allowable U.S. Treasury Expenditure Eligibility Categories set forth in **Exhibit A.**
2. Delegate Region Projects Plans may include NNFRF-eligible projects for programs to provide government services to Chapter members; to provide basic PPE to Chapter members; to provide food, fuel, firewood assistance to Chapter members negatively impacted by COVID-19; to construct projects such as COVID-19 mitigation renovations to Chapter houses, housing renovations, and house wiring; to plan and design projects; to hire consultants to assist with NNFRF-eligible programs and projects; to hire PEP workers, student workers and other temporary employees, or regular status employees to assist the Chapter governments in carrying out NNFRF-eligible programs and projects. Delegate Region Project Plans shall not include COVID-19 testing and vaccinations, or any cash assistance for Chapter members such as a hardship assistance program.
3. ~~All pre-construction related projects included in a Delegate Region Project Plans shall be "project ready" meaning that a project's planning and design work is able to begin once funding is received.~~
   a. ~~The Council Delegate, with the assistance of the NNFRF Office, shall complete a separate Division of Community Development (DCD) project evaluation form and supporting documents for each proposed pre-construction related project which shall include project site readiness, valid land withdrawal and permitting approvals, as well as the anticipated timeframe during which the project will be completed.~~
   b. ~~The NNFRF Office shall submit the fully completed project evaluation form through the DCD Portal. If DCD is not the Administrative Oversight over the proposed project, the NNFRF Office shall also submit the project evaluation form and all supporting documents to the entity that will have Administrative Oversight over the proposed project.~~
4. ~~Construction projects shall be "construction ready" meaning that a project's planning and design work has been fully completed and construction is able to begin once funding is received.~~
   a. ~~The Council Delegate, with the assistance of the NNFRF Office, shall complete a separate DCD project evaluation form for each proposed construction project which shall include project site readiness, valid land withdrawal and permitting approvals, as well as the anticipated timeframe during which the project will be completed.~~
   b. ~~The NNFRF Office shall submit the fully completed project evaluation form and all supporting documents through the DCD Portal. If DCD is not the Administrative Oversight over the proposed project, the NNFRF Office shall also submit the project evaluation form and all supporting documents to the entity that will have Administrative Oversight over the proposed project.~~
5. All proposed Delegate Region projects shall be sufficiently developed such that funding for the project(s) can be obligated and encumbered in the Nation's Financial Management Information System ("FMIS") by 5:00 p.m. on September 30, 2024, and fully expended by 5:00 p.m. on September 30, 2026 or such earlier dates as may be determined by resolution of the Navajo Nation Council. This generally requires NEPA, ROW, and design work to be sufficiently advanced such that these pre-construction tasks can be completed in time to execute construction contracts and encumber funds by 5:00 p.m. on September 30, 2024.

6. The Administrative Oversight entity for each project shall be responsible for making the determination whether the proposed Delegate Region project is "project-ready" or "construction-ready". If a proposed project is not deemed project-ready or construction-ready, the project shall not be eligible for inclusion in a Delegate Region Project Plan.
7. Each Delegate Region Project shall be subject to CJY-41-21's NNDOJ initial eligibility determination.
8. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s).
9. Each Delegate Region shall be limited to a total of nine million one hundred fifty thousand dollars ($9,150,000) of Revenue Replacement Projects (Expenditure Eligibility Categories 6.1: Provision of Government Services and 6.2 Non-federal Match for Other Federal Programs). The Office of the Controller may issue guidance that increases this amount in the next fiscal year.
10. Delegate Region Projects shall not include Sanitation Deficiency Systems Service ("SDS") included on the Indian Health Service 2022 SDS List, attached as **Exhibit E**, or on any prior year Indian Health Services SDS List.
11. The Navajo Nation Council urges Delegate Region Project Expenditure Plans to include and prioritize Veteran Housing and other projects that will benefit Navajo veterans.

16. Page 6, line 19, delete ~~**C**~~ and insert **B**; insert new exhibit **B**

17. Page 13, line 13, delete ~~**Exhibits E** and **E-1** through **E-2**~~ and insert **Exhibits F** and **F-1** through **F-2**; insert new exhibits **F, F-1**, and **F-2**

18. Page 14, line 5, delete paragraph D as follows:

~~D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Emergency Communications, E911, Rural Addressing, and Cyber Security construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

19. Page 14, line 13, delete ~~**Exhibits F** and **F-1** through **F-6**~~ and insert **Exhibits G** and **G-1** through **G-2**; insert new exhibits **G, G-1**, and **G-2**

20. Page 14, line 15, delete ~~seventy-nine million four hundred eighty-seven thousand five hundred dollars ($79,487,500)~~ and insert nineteen million two hundred forty-three thousand seven hundred fifty dollars ($19,243,750)

21. Page 14, line 17, delete sub-paragraphs 1 and 2 as:

~~1. Nineteen million two hundred forty-three thousand seven hundred fifty dollars ($19,243,750) to the Division of Aging and Long-Term Care Support ("DALTCS"), Navajo Department of Health, for Senior Centers, as Other Public Health Services (Expenditure Category 1.14) as set forth in **Exhibit F-1**, with administrative oversight by the Navajo Department of Health and legislative oversight by the Health, Education, and Human Services Committee.~~

~~2. Twenty-one million dollars ($21,000,000) to the Special Diabetes Program, Division of Public Health Services, Navajo Department of Health, for Community Wellness Centers, as Economic Impact Assistance: Other (Expenditure Category 2.37) as set forth in **Exhibit F-2**, with administrative oversight by the Navajo Department of Health and legislative oversight by the Health, Education, and Human Services Committee.~~

22. Page 14, line 30, delete ~~**F-3**~~ and insert **G-1**

23. Page 15, line 2, delete sub-paragraph 4 as follows:

~~4. Five million dollars ($5,000,000) to the Navajo Department of Health, for a Dedicated Public Health Storage Warehouse, as Other Public Health Services (Expenditure Category 1.14) as set forth in Exhibit F-4, with administrative oversight by the Office of the President and Vice-President and legislative oversight by the Health, Education, and Human Services Committee.~~

24. Page 15, line 8, delete ~~**F-5**~~ and insert **G-2**

25. Page 15, line 10, delete sub-paragraph 6 as follows:

~~6. Fifteen million dollars ($15,000,000) to the Navajo Department of Health, for a Long-Term Care Facility in Tuba City, as Medical Expenses (including Alternative Care Facilities) (Expenditure Category 1.6), as set forth in Exhibit F-6, with administrative oversight by the Office of the President and Vice President and legislative oversight by the Health, Education, and Human Services Committee.~~

26. Page 15, line 20, delete paragraph D as follows:

~~D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Public Health construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

27. DELETE page 15, line 25, through page 18, line 6.

~~28.~~ Page 18, line 11, delete ~~set forth in **Exhibit H,**~~

29. Page 18, line 17, delete ~~**H-1**~~ and insert **H**

30. Page 21, line 25, delete paragraph D as follows:

~~D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Water and Wastewater construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).~~

31. Page 20, lines 5 and 10, delete Navajo Department of Information Technology, Division of General Services and insert NNFRF Broadband Office

32. Page 20, lines7 and 12, delete Division of General Services and insert Office of the President and Vice-President

33. Page 20, line 19, insert new paragraph as follows:

C. Funding can be transferred between "Middle Mile" Projects (**Exhibit J-1**) and "Last Mile" Projects (**Exhibits J-2**) with approval of Administrative Oversight and confirmation from NNDOJ that the funding is only used for Expenditure Categories 5.19 and/or 5.21.

34. Amend page 20, lines 19 through 28, as follows:

D. The ~~Navajo Department of Information Technology, Division of General Services,~~ NNFRF Broadband Office is authorized to execute these Broadband Projects directly, or through the use of qualified contractors and sub-recipients procured though an open competitive process consistent with Navajo procurement laws and regulations.

E. The ~~Division of General Services~~ Office of the President and Vice-President shall exercise administrative oversight over construction contracts and sub-awards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed on schedule, within the authorized budgets, and according to project specifications and contract deliverables.

~~D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Broadband construction projects shall be implemented on a case-by-~~

~~case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

F. If a permanent Broadband Office is established outside of the NNFRF Office through formal adoption of the necessary Plan of Operation, all funding and responsibilities allocated herein to the NNFRF Broadband Office shall be immediately transferred to the permanent Broadband Office.

35. Page 21, line 5, delete ~~and **K-1** and **K-2**~~

36. Page 21, line 8, delete ~~one hundred million dollars ($100,000,000)~~ and insert ninety-six million four hundred thousand dollars ($96,400,000)

37. Page 21, line 12, delete ~~**K-1**~~ and insert **K**

38. Page 21, line 14, delete sub-paragraph 2 as follows:

~~2. Three million six hundred thousand dollars ($3,600,000) to the Division of Community for the Ramah Navajo School Board High Voltage Replacement Project as Other Public Health Services (Expenditure Category 1.14), as set forth in Exhibit K-2, with administrative oversight by the NNFRF Office and legislative oversight by the Resources and Development Committee.~~

39. Page 21, line 25, delete paragraph D as follows:

~~D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF Home Electricity Connection and Electric Capactiy construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

40. Page 22, line 9, delete ~~one hundred fifty million dollars ($50,000,000)~~ and insert one hundred forty-five million five hundred fifty thousand dollars ($145,550,000)

41. Page 22, line 20, delete ~~fifty million dollars ($50,000,000)~~ and insert thirty million dollars

42. Page 22, line 21, delete ~~five (5)~~ and insert three (3)

43. Page 22, line 22, delete ~~and~~ and insert or

44. Page 23, line 8, delete ~~through a resolution~~ and insert by resolution and shall include equal distribution by Delegate Region.

45. Page 23, line 18, delete paragraph H as follows:

~~H. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for the Housing Projects and Manufactured Housing Facilities construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

46. Page 24, line 2, delete ~~**M**~~ and insert **M-1**

47. Page 24, line 5, insert new subparagraph as follows;

2. The allocation to the Division of Community shall be further allocated in the amount of six million two hundred fifty thousand dollars ($6,250,000) per Delegate Region as set forth in Exhibit M.

48. Page 24, line 13, delete paragraph E as follows:

~~E. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve for Bathroom Addition construction projects shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).~~

49. Page 30, line 21, insert new paragraph as follows:

J. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF construction projects shall first be satisfied by the Construction Contingencies Expenditure Plan. If a contingency(s) cannot be funded through the Construction Contingencies Expenditure Plan, the contingency(s) shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

50. Page 33, line 4, insert new paragraph as follows:

D. Within ten (10) days after the enactment of this legislation, the Navajo Nation Department of Justice shall inform Delegates, Chapters, and the Division of Community Development, in writing, whether septic tank cleaning is an eligible FRF expenditure and whether septic tank clean outs can be included in Delegate Region Project Plans.

51. Renumber or re-letter succeeding paragraphs, sections, and exhibits, accordingly, if necessary. This amendment shall supersede inconsistent language contained in any other committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services, with concurrence of Office of Legislative Counsel and with notice to the sponsor(s) of the Legislation, is hereby authorized to make necessary grammatical changes and other technical changes, including the correction of dollar amounts, to conform to the intent of this amendment.

52. The Office of Legislatives Services and Office of Legislative Counsel shall ensure that all exhibits to the legislation are updated consistent with this amendment.

Motioned by: Honorable Carl R. Slater
Seconded by: Honorable Wilson C. Stewart, Jr.
Vote: VOTE PENDING

MAIN MOTION

Motioned by: Honorable Edmund Yazzie
Seconded by: Honorable Wilson C. Stewart, Jr.
Vote: VOTE PENDING

EXHIBIT
tabbies
A

Compliance and Reporting Guidance

State and Local Fiscal Recovery Funds

February 28, 2022

Version: 3.0

Appendix 1: Expenditure Categories

Treasury's final rule provides greater flexibility and simplicity for recipients to fight the pandemic and support families and businesses struggling with its impacts, maintain vital services amid revenue shortfalls, and build a strong, resilient, and equitable recovery. As such, recipients will report on a broader set of eligible uses and associated Expenditure Categories ("EC"), starting with the April 2022 Project and Expenditure Report. The table below includes the new Expenditure Categories, as well as a reference to previous Expenditure Categories used for reporting under the interim final rule.

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term "Expenditure Category" refers to the detailed level (e.g., 1.1 COVID-19 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level.

*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disproportionately impacted communities (see Project Demographic Distribution section above for details)

Expenditure Category	EC[27]	Previous EC[28]
1: Public Health		
COVID-19 Mitigation & Prevention		
COVID-19 Vaccination^	1.1	1.1
COVID-19 Testing^	1.2	1.2
COVID-19 Contact Tracing^	1.3	1.3
Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, Child care facilities, etc.)*^	1.4	1.4
Personal Protective Equipment^	1.5	1.5
Medical Expenses (including Alternative Care Facilities)^	1.6	1.6
Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)^	1.7	1.8
COVID-19 Assistance to Small Businesses^	1.8	-
COVID 19 Assistance to Non-Profits^	1.9	-
COVID-19 Aid to Impacted Industries^	1.10	-
Community Violence Interventions		
Community Violence Interventions*^	1.11	3.16
Behavioral Health		
Mental Health Services*^	1.12	1.10
Substance Use Services*^	1.13	1.11
Other		
Other Public Health Services^	1.14	1.12
Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	-	1.7
2: Negative Economic Impacts		
Assistance to Households		
Household Assistance: Food Programs*^	2.1	2.1
Household Assistance: Rent, Mortgage, and Utility Aid*^	2.2	2.2
Household Assistance: Cash Transfers*^	2.3	2.3

[27] Under the final rule to be used starting with April 2022 reports

[28] Under the interim final rule to be used in Interim Report and January 2022 Project and Expenditure Report

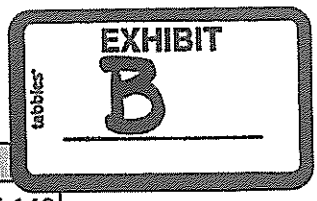
Expenditure Category	EC[27]	Previous EC[28]
Household Assistance: Internet Access Programs*^	2.4	2.4
Household Assistance: Paid Sick and Medical Leave^	2.5	-
Household Assistance: Health Insurance*^	2.6	-
Household Assistance: Services for Un/Unbanked*^	2.7	-
Household Assistance: Survivor's Benefits^	2.8	-
Unemployment Benefits or Cash Assistance to Unemployed Workers*^	2.9	2.6
Assistance to Unemployed or Underemployed Workers (e.g. job training, subsidized employment, employment supports or incentives)*^	2.10	2.7
Healthy Childhood Environments: Child Care*^	2.11	3.6
Healthy Childhood Environments: Home Visiting*^	2.12	3.7
Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System*^	2.13	3.8
Healthy Childhood Environments: Early Learning*^	2.14	3.1
Long-term Housing Security: Affordable Housing*^	2.15	3.10
Long-term Housing Security: Services for Unhoused Persons*^	2.16	3.11
Housing Support: Housing Vouchers and Relocation Assistance for Disproportionately Impacted Communities*^	2.17	-
Housing Support: Other Housing Assistance*^	2.18	3.12
Social Determinants of Health: Community Health Workers or Benefits Navigators*^	2.19	3.14
Social Determinants of Health: Lead Remediation*^	2.20	3.15
Medical Facilities for Disproportionately Impacted Communities^	2.21	-
Strong Healthy Communities: Neighborhood Features that Promote Health and Safety^	2.22	-
Strong Healthy Communities: Demolition and Rehabilitation of Properties^	2.23	-
Addressing Educational Disparities: Aid to High-Poverty Districts^	2.24	3.2
Addressing Educational Disparities: Academic, Social, and Emotional Services*^	2.25	3.3
Addressing Educational Disparities: Mental Health Services*^	2.26	3.4
Addressing Impacts of Lost Instructional Time^	2.27	-
Contributions to UI Trust Funds^	2.28	2.8
Assistance to Small Businesses		
Loans or Grants to Mitigate Financial Hardship^	2.29	2.9
Technical Assistance, Counseling, or Business Planning*^	2.30	
Rehabilitation of Commercial Properties or Other Improvements^	2.31	-
Business Incubators and Start-Up or Expansion Assistance*^	2.32	
Enhanced Support to Microbusinesses*^	2.33	
Assistance to Non-Profits		
Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted)^	2.34	2.10
Aid to Impacted Industries		
Aid to Tourism, Travel, or Hospitality^	2.35	2.11
Aid to Other Impacted Industries^	2.36	2.12
Other		
Economic Impact Assistance: Other*^	2.37	2.13
Household Assistance: Eviction Prevention*^	-	2.5
Education Assistance: Other*^	-	3.5
Healthy Childhood Environments: Other*^	-	3.9
Social Determinants of Health: Other*^	-	3.13

Expenditure Category	EC[27]	Previous EC[28]
3: Public Health-Negative Economic Impact: Public Sector Capacity		
General Provisions		
Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers	3.1	1.9
Public Sector Workforce: Rehiring Public Sector Staff	3.2	2.14
Public Sector Workforce: Other	3.3	-
Public Sector Capacity: Effective Service Delivery	3.4	7.2
Public Sector Capacity: Administrative Needs	3.5	-
4: Premium Pay		
Public Sector Employees	4.1	4.1
Private Sector: Grants to Other Employers	4.2	4.2
5: Infrastructure		
Water and Sewer		
Clean Water: Centralized Wastewater Treatment	5.1	5.1
Clean Water: Centralized Wastewater Collection and Conveyance	5.2	5.2
Clean Water: Decentralized Wastewater	5.3	5.3
Clean Water: Combined Sewer Overflows	5.4	5.4
Clean Water: Other Sewer Infrastructure	5.5	5.5
Clean Water: Stormwater	5.6	5.6
Clean Water: Energy Conservation	5.7	5.7
Clean Water: Water Conservation	5.8	5.8
Clean Water: Nonpoint Source	5.9	5.9
Drinking water: Treatment	5.10	5.10
Drinking water: Transmission & Distribution	5.11	5.11
Drinking water: Lead Remediation, including in Schools and Daycares	5.12	5.12
Drinking water: Source	5.13	5.13
Drinking water: Storage	5.14	5.14
Drinking water: Other water infrastructure	5.15	5.15
Water and Sewer: Private Wells	5.16	-
Water and Sewer: IIJA Bureau of Reclamation Match	5.17	-
Water and Sewer: Other	5.18	-
Broadband		
Broadband: "Last Mile" projects	5.19	5.16
Broadband: IIJA Match	5.20	-
Broadband: Other projects	5.21	5.17
6: Revenue Replacement		
Provision of Government Services	6.1	6.1
Non-federal Match for Other Federal Programs	6.2	-
7: Administrative		
Administrative Expenses	7.1	7.1
Transfers to Other Units of Government	7.2	7.3
Transfers to Non-entitlement Units (States and territories only)	-	7.4

Treasury has prepared the additional guidance below to support recipients in implementing the new expenditure categories. This table includes only those previous expenditure categories that are changing under the new structure, aligned with the final rule.

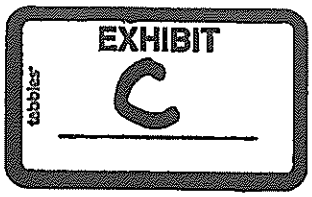
January 2022 Expenditure Categories		April 2022 Guidance
1: Public Health		
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	EC removed, capital expenditures can be designated in any relevant PH-NEI EC (e.g., new hospital wing would be tracked under EC 1.4)
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)	EC is 1.7
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19	EC is 3.1
1.10	Mental Health Services*	EC is 1.12
1.11	Substance Use Services*	EC is 1.13
1.12	Other Public Health Services	EC is 1.14
2: Negative Economic Impacts		
2.5	Household Assistance: Eviction Prevention	EC is now included as part of 2.2
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*	EC is 2.9
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)*^	EC is 2.10
2.8	Contributions to UI Trust Funds	EC is 2.28
2.9	Small Business Economic Assistance (General)*^	If public-health related (e.g., providing rapid tests for small businesses), EC is 1.8; if related to negative economic impact eligible use (e.g., grants, technical assistance, rehabilitation, incubators, or microbusinesses), EC is 2.29-2.33
2.10	Aid to Nonprofit Organizations*	If public-health related (e.g., providing rapid tests for non-profits), EC is 1.9; if related to negative economic impact (e.g., grants to stabilize non-profit budget), EC is 2.34
2.11	Aid to Tourism, Travel, or Hospitality	EC is 2.35
2.12	Aid to Other Impacted Industries	EC is 2.36
2.13	Other Economic Support*^	EC is 2.37, re-named Other Economic Impact
2.14	Rehiring Public Sector Staff	EC is 3.2
3: Services to Disproportionately Impacted Communities		
3.1	Education Assistance: Early Learning*^	EC is 2.14
3.2	Education Assistance: Aid to High-Poverty Districts ^	EC is 2.24
3.3	Education Assistance: Academic Services*^	EC is 2.25, social and emotional services will now be tracked under this EC
3.4	Education Assistance: Social, Emotional, and Mental Health Services*^	EC is 2.26, if social and emotional services, EC is 2.25;
3.5	Education Assistance: Other*^	EC is 2.37, collected under Other Economic Impact

January 2022 Expenditure Categories		April 2022 Guidance
3.6	Healthy Childhood Environments: Child Care*^	EC is 2.11
3.7	Healthy Childhood Environments: Home Visiting*^	EC is 2.12
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System*^	EC is 2.13
3.9	Healthy Childhood Environments: Other*^	EC is 2.37, collected under Other Economic Impact
3.10	Housing Support: Affordable Housing*^	EC is 2.15
3.11	Housing Support: Services for Unhoused Persons*^	EC is 2.16
3.12	Housing Support: Other Housing Assistance*^	EC is 2.18
3.13	Social Determinants of Health: Other*^	EC is 2.37, collected under Other Economic Impact
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators*^	EC is 2.19
3.15	Social Determinants of Health: Lead Remediation^	EC is 2.20
3.16	Social Determinants of Health: Community Violence Interventions*^	EC is 1.11
5: Infrastructure		
5.16	Broadband: "Last Mile" projects	EC is 5.19
5.17	Broadband: Other projects	EC is 5.20
7: Administrative		
7.2	Evaluation and Data Analysis	EC is 3.4 and has been renamed Effective Service Delivery
7.3	Transfers to Other Units of Government	EC is 7.2
7.4	Transfers to Non-entitlement Units (States and territories only)	To be separately reported as part of NEU/Non-UGLG module. Refer to Part 2 Section D.



NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLAN SUMMARY

DESCRIPTION	CATEGORY	AMOUNT
Chapter and Regional Projects		$211,256,148
Public Safety/Rural Addressing	1.14	$35,000,000
Cyber Security	1.14	$5,000,000
Transitional housing	1.12	$4,000,000
Detox Centers	1.13	$15,243,750
Hardship Assistance	2.3	$120,000,000
Wastewater: Centralized Wastewater Treatment	5.1	$33,675,338
Wastewater: Collection and Conveyance	5.2	$6,008,874
Drinking Water: Distribution and Conveyance	5.1	$10,030,000
Drinking Water: Transmission & Distribution	5.11	$51,085,788
Drinking Water: Source	5.13	$29,200,000
Drinking Water: Storage	5.14	$1,000,000
Drinking Water: Cistern Systems	5.15	$84,000,000
Broadband- Middle Mile	5.21	$60,000,000
Broadband-Last Mile	5.19	$40,000,000
Broadband-IIJA Match	5.2	$20,000,000
Home Electic Connections	2.18	$96,400,000
Housing-New Housing	2.15	$50,000,000
Housing- Veterans	2.16	$50,000,000
Housing Manufacturing	2.15	$30,000,000
Housing for former Bennett Freeze and NPL	2.15	$15,550,000
Bathroom Additions	1.14	$150,000,000
Contingency Funding Line Item	6.1	$500
Reduced FRF Administrative Funds		
Executive Branch		($42,151,531)
Legislative Branch		($5,000,000)
Total Funding		**$1,070,298,867**



NNFRF DELEGATE CHAPTER AND REGIONAL PROJECTS EXPENDITURE PLAN

REGIONAL CHAPTER PROJECTS TOTAL:	**$211,256,148**
REGIONAL CHAPTER PROJECTS PER DELEGATE REGION ($211,256,148/24):	**$8,802,340**

EXHIBIT
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DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Navajo Area
Indian Health Service
P.O. Box 9020
Window Rock, Arizona 86515-9020

December 3, 2021

Honorable Jonathan Nez, President
The Navajo Nation
P.O. Box 7440
Window Rock, Arizona 86515

RE: Navajo Area IHS Sanitation Deficiency System (SDS) List – FY 2022

Dear Honorable President Nez:

Attached please find the most current Indian Health Service (IHS) Sanitation Deficiency System (SDS) report for domestic water, waste water and solid waste unmet needs for existing Navajo homes. The SDS is mandated by Public Law 94-437, the Indian Health Care Improvement Act, as amended. Although we update this list annually and submit it to our Headquarters office for inclusion into the national list, it may be amended at any time, and we seek and welcome your comments for the purpose of thoroughness. This Navajo SDS list was reviewed and updated during the 2021 calendar year, and was officially made part of the IHS Headquarters record on November 16, 2021.

The first page of the report is a summary of the identified reportable and eligible sanitation deficiencies for the Navajo Nation. The following six pages of the report is a one-line listing of the 349 reportable sanitation facilities projects, in priority order, that are necessary to correct these sanitation deficiencies. The funding priority is based on several scoring factors, with the dominant factors being the deficiency levels and the cost per home of each project.

The total estimated cost of all reportable Navajo Area projects is approximately $543.3 million, an increase of $7.7 million from the previous year.

In preparing this SDS list we have worked with the local Chapters, the Navajo Tribal Utility Authority, and the Nation's Department of Water Resources. Should your office wish to comment or add to this list, or would like more detailed information on individual projects, please contact CAPT Rachael Brown, Director, Division of Sanitation Facilities Construction, at (928) 871-5851.

Sincerely,

Roselyn Tso -S Digitally signed by Roselyn Tso -S Date: 2021.12.05 20:26:17 -07'00'

Roselyn Tso
Area Director, Navajo Area
Indian Health Service

xc: Myron Lizer, Vice President, Navajo Nation
Seth Damon, Speaker, Navajo Nation Council
Rickie Nez, Chairperson, Resources and Development Committee, Navajo Nation
Daniel E. Tso, Chairperson, Health, Education and Human Services Committee, Navajo Nation
Rex Kontz, Deputy General Manager, NTUA, Navajo Nation
Brett Grubbs, General Manager, NECA, Navajo Nation
Rudy Shebala, Executive Director, Division of Natural Resources, Navajo Nation
Pearl Yellowman, Executive Director, Division of Community Development, Navajo Nation
Patrick Dalgai, CDBG Program, Community Housing Infrastructure Department, Navajo Nation
James Adakai, Capital Projects Managmt Dept, Div. of Community Development, Navajo Nation
Jason John, Director, Department of Water Resources, Navajo Nation
Najam H. Tariq, Director Tech. Constn. & Ops., Department of Water Resources, Navajo Nation
Ronnie Ben, Acting Director, Navajo Nation EPA
Yolanda Barney, Public Water Systems Supervision Program, Navajo Nation EPA
Tomas Torres, Director, Water Division, EPA Region 9 (WTR-1)
Nancy Sockabasin, Tribal Drinking Water Team, EPA Region 9 (WTR-4)
Emmanuelle Rapicavoli, Tribal Drinking Water Team, EPA Region 9 (WTR-4)
Director, OEHE, NAIHS
Director, DSFC, NAIHS
District Engineers, DSFC, NAIHS; Ft. Defiance, Tuba City, Shiprock, Gallup Districts
File: C971.51 SDS

SDS SUMMARY (1 PAGE)
Area: NA

GENERAL AREA INFORMATION

Number of Projects:	
Total Data Base:	349
Current Agency Funding Plan:	134
Total Project Costs (Eligible):	
Total Data Base:	$543,309,960
Current Agency Funding Plan:	$137,307,869
Estimated Number of Homes Without Potable Water (Reportable homes)	3,575
Estimated Number of Homes at Deficiency Levels 4 and 5	3,681
Estimated Number of Homes at Deficiency Levels 2 through 5	15,781
Estimated Number of Homes at Deficiency Levels 1 through 5	44,009
Estimated Number of Homes at Deficiency Levels 0 through 5	56,262
Number of Communities in Deficiency Profile	173

DEFICIENCY LEVEL INFORMATION

DEFICIENCY LEVEL	0	1	2	3	4	5
Homes	12,253	28,228	10,651	1,449	2,181	1,500
Percent Eligible Homes	77.64	178.87	67.49	9.18	13.82	9.51
Number of Projects		3	33	13	191	109
Estimated Cost (Eligible):						
Total Data Base:		$4,055,000	$39,609,437	$22,966,485	$351,302,128	$125,376,910
Curr. Funding Plan:			$30,989,415	$22,966,485	$16,723,010	$66,628,959

TYPE OF SERVICE INFORMATION

TYPE OF SERVICE	WATER	SEWER	SOLID WASTE	O & M
Homes at IDL 0	*20,995*	*19,529*	*34,893*	*NA*
Homes at IDL 1	*26,511*	*27,539*	*21,194*	*NA*
Homes at IDL 2	*4,681*	*6,806*	*0*	*NA*
Homes at IDL 3	*500*	*782*	*175*	*NA*
Homes at IDL 4	*2,075*	*106*	*NA*	*NA*
Homes at IDL 5	*1,500*	*1,500*	*NA*	*NA*
Homes at IDL 2 - 5	8,756	9,194	175	N/A
Percent of Eligible Homes	55.48	58.26	1.11	N/A
Estimated Costs (Eligible):				
Total Data Base:	$476,466,446	$66,430,514	$413,000	$0
Curr. Funding Plan:	$88,161,186	$48,733,683	$413,000	$0

Report Criteria

Dataset:	Snapshot – System-Wide: HQ (#19972 11/16/2021 04:54 Clapp, Ryan)
Area(s) :	NA
Funded?	No
Reportable?	Yes
Funding :	Eligible
Project Tier :	All

STARS

SDS ONE-LINE LISTING

Project	Project Name	Project Tier	Tribe	Res.	Dist.	Field Office	Pri.	DL	Total Score	Homes	Total Contributions	Project Cost (Eligible)	Cumulative Cost (Eligible)
NM24623-1301	Naschitti - Community Watering Point	Tier 1: Ready To Fund	084	120	04	014	1	4	73	27	0	130,000	130,000
UT19808-1901	Oljato-Monument Valley Regional Watering Point	Tier 1: Ready To Fund	084	120	02	015	2	4	73	124	0	190,000	320,000
NM17483-0303	Tohatchi Community Watering Point	Tier 1: Ready To Fund	084	120	04	014	3	4	73	8	0	131,000	451,000
NM17423-0201	Coyote Canyon West Scattered Homes	Tier 1: Ready To Fund	084	120	04	014	4	5	72	13	0	425,000	876,000
NM23573-1102	Torreon Scattered	Tier 1: Ready To Fund	084	120	03	012	5	5	72	10	0	314,000	1,190,000
NM17002-0105	PTF W67 COUSINS RADIOTOWER LOOP PH2 EXT. Q85	Tier 1: Ready To Fund	084	120	04	014	6	5	72	24	1,224,000	1,224,000	2,414,000
NM17491-0703	SIHASIN W61 RINCON MARQUEZ-Extensions U24	Tier 1: Ready To Fund	084	120	04	011	7	5	71	31	1,612,000	1,612,000	4,026,000
NM01084-1601	Tohajiilee Scattered Homes	Tier 1: Ready To Fund	084	120	04	014	8	5	68	17	0	496,000	4,522,000
NM17403-1801	Gallup East Scattered 2021	Tier 1: Ready To Fund	084	120	04	014	9	5	66	6	0	300,000	4,822,000
AZ01012-3001	Chinle Scattered 2021	Tier 1: Ready To Fund	084	120	01	016	10	5	66	41	0	1,900,000	6,722,000
AZ01902-1300	Ganado 2021 Scattered	Tier 1: Ready To Fund	084	120	01	013	11	5	66	30	0	1,480,000	8,202,000
AZ09175-2801	Pinon Scattered 2021	Tier 1: Ready To Fund	084	120	01	016	12	5	66	21	0	995,001	9,197,001
NM17002-0109	SIHASIN W69 COUSINS RADIOTOWER LOOP PH4 EXT.	Tier 1: Ready To Fund	084	120	04	014	13	4	65	14	938,400	984,000	10,181,001
NM17002-0107*	PTF W68 COUSINS RADIOTOWER LOOP PH3 EXT.	Tier 1: Ready To Fund	084	120	04	014	14	5	65	16	1,900,000	1,900,000	12,081,001
AZ01012-3101	Chinle NE Scattered Reg 2021	Tier 1: Ready To Fund	084	120	01	016	15	5	64	16	0	948,000	13,029,001
NM24413-0202*	Burnham Bisti Church Scattered	Tier 1: Ready To Fund	084	120	03	017	16	5	63	3	0	200,000	13,229,001
AZ01024-1301	Fort Defiance Scattered 2021	Tier 1: Ready To Fund	084	120	01	013	17	5	63	22	0	1,559,000	14,788,001
AZ09923-0501	PTF W33 Jeddito Goldwater Loop Ph.1	Tier 1: Ready To Fund	084	120	01	013	18	5	63	30	2,419,000	5,891,000	20,679,001
NM24624-0801*	Newcomb Scattered	Tier 1: Ready To Fund	084	120	03	017	19	5	61	6	0	491,000	21,170,001
NM17487-1402*	TWIN LAKES-DEER SPRINGS EXT	Tier 1: Ready To Fund	084	120	04	014	20	4	61	4	0	280,000	21,450,001
NM24623-0401	Naschitti-Wildcat Springs Cisterns	Tier 1: Ready To Fund	084	120	04	014	21	5	60	8	0	260,000	21,710,001
AZ03107-1001	COALMINE CANYON - Booster Extension	Tier 1: Ready To Fund	084	120	02	018	22	5	60	7	0	1,600,000	23,310,001
AZ01037-0501*	Mexican Water Twin Peaks Waterline Extension	Tier 1: Ready To Fund	084	120	03	017	23	5	60	3	0	343,000	23,653,001
NM17458-0301*	Pinedale Northeast Extension (2 homes)	Tier 1: Ready To Fund	084	120	04	014	24	4	60	2	0	329,000	23,982,001
AZ01045-1102*	Shiprock Wall waterline	Tier 2: Engineering Assessed	084	120	03	017	25	5	60	3	0	303,000	24,285,001
NM24631-2005*	Shiprock South scattered WL extension	Tier 2: Engineering Assessed	084	120	03	017	26	5	60	3	0	468,000	24,753,001
NM17002-1701	Chichiltah Pigeon Springs Waterline Extensions	Tier 1: Ready To Fund	084	120	04	014	27	5	60	16	0	1,159,000	25,912,001
AZ01026-1102*	Houck Highlands - Extension	Tier 1: Ready To Fund	084	120	04	014	28	4	59	11	0	1,291,000	27,203,001
AZ03109-0901*	West Coppermine WL Ext. U90	Tier 1: Ready To Fund	084	120	02	018	29	4	59	4	0	341,000	27,544,001
AZ03121-0902	KAIBETO GRAY MESA EXTENSION V02 (P)	Tier 1: Ready To Fund	084	120	02	018	30	4	59	34	0	2,905,000	30,449,001
AZ01054-0108	SIHASIN 2018 Spider Rock W/L Ext Phase 2,5 (IHS funding?)	Tier 1: Ready To Fund	084	120	01	016	31	5	59	17	0	1,430,000	31,879,001
AZ09033-1401	GREASEWOOD ANTELOPE SPRINGS CISTERNS	Tier 1: Ready To Fund	084	120	02	019	32	5	58	18	0	661,014	32,540,015
NM24623-0101	Naschitti-Bluerock-Wilson Cisterns	Tier 1: Ready To Fund	084	120	04	014	33	5	58	9	0	318,000	32,858,015
UT19808-0201	OLJATOH-HALCHITA CISTERNS 1	Tier 1: Ready To Fund	084	120	02	015	34	5	58	28	0	1,005,000	33,863,015
AZ01054-0103	Spider Rock Phase 4 Cisterns	Tier 1: Ready To Fund	084	120	01	016	35	5	58	12	260,488	465,000	34,328,015
NM01084-0701	Canoncito Scattered - Cisterns	Tier 1: Ready To Fund	084	120	04	014	36	5	58	7	0	252,000	34,580,015
NM17403-0503*	Baca I-40 Crossing Extensions LB9	Tier 1: Ready To Fund	084	120	04	014	37	4	58	6	0	677,000	35,257,015
AZ03103-4004*	BODAWAY Painted Desert Waterline Extension Phase III	Tier 2: Engineering Assessed	084	120	02	018	38	4	58	13	0	1,865,000	37,122,015
AZ03109-1101*	Coppermine Cedar Tree Hills Waterline Ext.	Tier 2: Engineering Assessed	084	120	02	018	39	4	58	9	0	839,000	37,961,015
NM17423-0603*	COYOTE CANYON-North Extensions PH2 U29	Tier 1: Ready To Fund	084	120	04	014	40	4	58	21	0	2,443,000	40,404,015
AZ09160-1006*	Many Mules Waterline Phase 4	Tier 1: Ready To Fund	084	120	01	016	41	5	58	15	0	6,362,000	46,766,015
AZ09166-0601*	KAYENTA-Singer Waterline Extension	Tier 1: Ready To Fund	084	120	02	015	42	5	58	4	0	534,000	47,300,015
NM24622-0602	Pueblo Bonito-PH 2, Waterline	Tier 1: Ready To Fund	084	120	03	012	43	4	58	8	0	766,000	48,066,015
AZ01048-0301*	Lukachukai West Extension	Tier 2: Engineering Assessed	084	120	01	016	44	4	58	6	0	1,270,998	49,337,013
NM24631-2004*	Shiprock NE Waterline Extension Ph II	Tier 2: Engineering Assessed	084	120	03	017	45	4	58	3	0	430,000	49,767,013
AZ09180-1301*	SHONTO TWO MESAS WATERLINE EXTENSION	Tier 1: Ready To Fund	084	120	02	018	46	4	58	5	0	603,000	50,370,013
AZ09184-0704	TEESTO MOUNTAINSIDE EXT.	Tier 1: Ready To Fund	084	120	02	019	47	4	58	20	0	1,623,000	51,993,013
AZ03131-0103*	Tonalea Middle Mesa WL Extension	Tier 2: Engineering Assessed	084	120	02	018	48	4	58	8	0	843,000	52,836,013
NM17491-0202	Whitehorse Lake-SandSpring Extension U27	Tier 1: Ready To Fund	084	120	04	011	49	4	58	29	0	2,679,000	55,515,013
AZ09158-0101	DILKON SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	019	50	5	57	22	0	829,000	56,344,013
AZ03122-0203	LECHEE HORSETHIEF MESA SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	018	51	5	57	14	0	533,000	56,877,013
AZ09158-1001	SIHASIN DILKON - PYRAMID BUTTE EXT. T67	Tier 1: Ready To Fund	084	120	02	019	52	5	57	35	1,304,450	1,744,000	58,621,013
AZ01047-0901	SIHASIN W40 Rough Rock North W/L Ext U58	Tier 2: Engineering Assessed	084	120	01	016	53	4	57	72	2,811,000	2,811,000	61,432,013
AZ09150-0401	BIRDSPRINGS RINCON BASIN CISTERNS	Tier 1: Ready To Fund	084	120	02	019	54	5	56	6	0	244,000	61,676,013
AZ09164-0101	INDIAN WELLS - ROUND BUTTE CISTERNS	Tier 1: Ready To Fund	084	120	02	019	55	5	56	9	0	376,002	62,052,015
NM17483-0301	TOHATCHI CISTERNS	Tier 1: Ready To Fund	084	120	04	014	56	5	56	2	0	80,000	62,132,015
NM23573-0801*	Torreon Nineyears Waterline Extension	Tier 1: Ready To Fund	084	120	03	012	57	5	56	5	0	500,000	62,632,015
NM33140-0303*	RAMAH SCATTERED PHASE III EXTENSIONS	Tier 3: Preliminarily Assessed	084	120	04	014	58	4	56	6	0	1,025,000	63,657,015
AZ03109-0801	Coppermine Cisterns	Tier 1: Ready To Fund	084	120	02	018	59	5	55	16	0	686,000	64,343,015
AZ09158-1701	DILKON - TAHA CISTERNS	Tier 1: Ready To Fund	084	120	02	019	60	5	55	3	0	128,000	64,471,015
AZ09158-2701	2021 WINSLOW SCATTERED PROJECT + CISTERNS	Tier 1: Ready To Fund	084	120	02	019	61	5	55	15	0	616,000	65,087,015
NM17447-0901	Manuelito Big Rock Canyon Cisterns (Sihasin Ph2)	Tier 1: Ready To Fund	084	120	04	014	62	5	55	2	0	91,000	65,178,015
UT19808-1501	Oljatoh Narrow Canyon Scattered CISTERNS	Tier 1: Ready To Fund	084	120	02	015	63	5	55	8	0	349,000	65,527,015
AZ01072-0601	Wide Ruins West Cisterns	Tier 1: Ready To Fund	084	120	01	013	64	5	55	13	0	546,000	66,073,015
AZ01054-0104	SIHASIN W43 Spider Rock-Chinle W/L Ext Phase 3	Tier 2: Engineering Assessed	084	120	01	016	65	5	55	56	3,843,000	3,843,000	69,916,015
NM17447-0902*	SIHASIN Manuelito Big Rock Canyon Exts (P)	Tier 1: Ready To Fund	084	120	04	014	66	4	55	5	370,000	1,104,000	71,020,015

NM17487-1501	SIHASIN W62 TWIN LAKES-Tohlakai South Ext	Tier 2: Engineering Assessed	084	120	04	014	67	5	55	7	409,000	409,000	71,429,015
AZ01056-0603*	Steamboat Canyon Ph.2 WL Ext. U56	Tier 2: Engineering Assessed	084	120	01	015	68	4	55	12	0	2,401,000	73,830,015
NM28341-0702*	ALAMO-PH2 ALAMOCITA CRK EXT	Tier 3: Preliminarily Assessed	084	120	04	014	69	4	55	2	0	246,000	74,076,015
NM28341-1102*	ALAMO-PH2 JALAROSA CREEK EXT	Tier 3: Preliminarily Assessed	084	120	04	014	70	4	55	5	0	482,000	74,558,015
NM28341-1201*	ALAMO-MONTOYA SPRING WL EXT & LAGOONS	Tier 3: Preliminarily Assessed	084	120	04	014	71	4	55	6	0	990,000	75,548,015
NM33140-0404*	Goat Hill Ph 4 Exts, Tank & Booster	Tier 2: Engineering Assessed	084	120	04	014	72	4	55	3	0	1,342,000	76,890,015
NM33140-0502*	RAMAH WHITEROCK UNIT 1 EXTENSIONS	Tier 2: Engineering Assessed	084	120	04	014	73	4	55	20	0	2,349,000	79,239,015
NM17408-0203*	Bread Springs & Red Rock Scattered Extensions	Tier 2: Engineering Assessed	084	120	04	014	74	5	55	9	0	1,089,000	80,328,015
AZ03104-1302	CAMERON West Cisterns - Phase I	Tier 1: Ready To Fund	084	120	02	018	75	5	54	7	0	344,000	80,672,015
AZ03104-1405	CAMERON Gray Mountain Lava Wash Cisterns - Phase IV	Tier 1: Ready To Fund	084	120	02	018	76	5	54	15	0	754,000	81,426,015
AZ01012-0501	Chinle Non-Medical Referral Cisterns	Tier 2: Engineering Assessed	084	120	01	016	77	5	54	16	0	784,992	82,211,007
AZ03107-0102	COALMINE CANYON - Appaloosa Ridge Cisterns Phase II	Tier 1: Ready To Fund	084	120	02	018	78	5	54	6	0	284,000	82,495,007
AZ09158-0301	DILKON JOHN'S DRAW 2 CISTERNS	Tier 1: Ready To Fund	084	120	02	019	79	5	54	8	0	386,000	82,881,007
AZ09158-0201	DILKON - TAYLOR CISTERNS	Tier 1: Ready To Fund	084	120	02	019	80	5	54	4	0	197,000	83,078,007
AZ09158-1301	DILKON - RED CHEEKS BUTTE WEST PH1. CISTERNS	Tier 1: Ready To Fund	084	120	02	019	81	5	54	3	0	150,000	83,228,007
AZ01024-0101	FORT DEFIANCE SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	01	013	82	5	54	15	0	759,000	83,987,007
AZ03121-0701	KAIBETO SCATTERED CISTERN	Tier 1: Ready To Fund	084	120	02	018	83	5	54	3	0	141,000	84,128,007
UT19808-0801	Oljatoh Piute Farms West Scattered Cisterns	Tier 1: Ready To Fund	084	120	02	015	84	5	54	3	0	143,000	84,271,007
AZ09180-0901	SHONTO SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	018	85	5	54	4	0	191,000	84,462,007
AZ03132-0104	TOLANI LAKE PRICE II CIST. DIST. 5	Tier 3: Preliminarily Assessed	084	120	02	019	86	5	54	4	0	164,999	84,627,006
AZ03132-0803	TOLANI LK BLACK FALLS II CIST.DIST5	Tier 1: Ready To Fund	084	120	02	019	87	5	54	4	0	199,000	84,826,006
AZ03132-0901	TOLANI LAKE SCATTERED CISTERNS	Tier 1: Ready To Fund	084	120	02	019	88	5	54	3	0	141,000	84,967,006
AZ01066-0801	TSAILE-BLACK ROCK CISTERNS	Tier 1: Ready To Fund	084	120	01	013	89	5	54	24	0	1,164,000	86,131,006
AZ09921-1001	WHITE CONE - SCATTERED CISTERN (DWR?)	Tier 1: Ready To Fund	084	120	02	019	90	5	54	1	0	64,001	86,195,007
NM24610-0801	FFO Regular Scattered	Tier 2: Engineering Assessed	084	120	03	012	91	5	54	60	0	2,029,980	88,224,987
AZ01902-2002*	Ganado System WL Exts._ECO Infeasible	Tier 3: Preliminarily Assessed	084	120	01	013	92	4	54	31	0	12,793,000	101,017,987
AZ01047-1101*	SIHASIN 2018 Rough Rock Low Pressure	Tier 2: Engineering Assessed	084	120	01	016	93	4	54	6	588,000	588,000	101,605,987
NM24631-0902*	SHIPROCK FARM AREA 7 EXTENSION	Tier 3: Preliminarily Assessed	084	120	03	017	94	4	54	2	0	1,332,000	102,937,987
AZ03131-0102*	Tonalea Isolated Ext Ph2	Tier 2: Engineering Assessed	084	120	02	018	95	4	54	15	0	1,186,000	104,123,987
NM17487-0520*	Twin Lakes Banana Ridge Ext	Tier 3: Preliminarily Assessed	084	120	04	014	96	4	54	1	0	129,000	104,252,987
AZ09150-0301	BIRDSPRINGS HWY 99 SOUTH CISTERNS PH. I	Tier 1: Ready To Fund	084	120	02	019	97	5	53	15	0	766,000	105,018,987
AZ09150-0701	BIRDSPRINGS SOUTH CISTERN	Tier 1: Ready To Fund	084	120	02	019	98	5	53	1	0	55,000	105,073,987
AZ03104-1202	CAMERON LCR Gorge Cisterns	Tier 1: Ready To Fund	084	120	02	018	99	5	53	11	0	600,000	105,673,987
AZ03107-0901	COALMINE CANYON - Cisterns Phase I (1 home)	Tier 1: Ready To Fund	084	120	02	018	100	5	53	1	0	56,000	105,729,987
AZ09158-1203	DILKON RABBIT CISTERNS	Tier 1: Ready To Fund	084	120	02	019	101	5	53	4	0	224,000	105,953,987
AZ03108-1403	LEUPP - GRAND FALLS SCATT. CISTERNS	Tier 1: Ready To Fund	084	120	02	019	102	5	53	10	0	532,000	106,485,987
AZ03108-1101	LEUPP SAN FRANCISCO WASH CIST.DIST5	Tier 1: Ready To Fund	084	120	02	019	103	5	53	17	0	869,001	107,354,988
AZ01053-0402	SAWMILL WHITE CLAY CISTERNS	Tier 2: Engineering Assessed	084	120	01	013	104	5	53	43	0	2,230,969	109,585,957
AZ09184-0701	TEESTOH NAAHTEE CANYON SPRINGS CIST. WPT	Tier 1: Ready To Fund	084	120	02	019	105	5	53	14	0	734,000	110,319,957
NM24413-0801*	SIHASIN W51 BURNHAM EAST WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	106	5	53	15	1,496,400	2,222,000	112,541,957
NM24413-1201*	SIHASIN W52 Burnham NW WL Ext I	Tier 2: Engineering Assessed	084	120	03	017	107	5	53	4	549,600	732,000	113,273,957
NM24625-0302*	SIHASIN W55 Morgan Lake Waterline Extension	Tier 2: Engineering Assessed	084	120	03	017	108	5	53	5	684,000	1,401,000	114,674,957
AZ09923-0502	SIHASIN W34 Jeddito Goldwater Loop Ph.2	Tier 2: Engineering Assessed	084	120	01	013	109	5	53	26	1,591,000	1,591,000	116,265,957
NM24631-3002	Shiprock Service Unit Failed DF	Tier 1: Ready To Fund	084	120	03	017	110	4	53	42	0	450,000	116,715,957
AZ03135-4101	TUBA CITY Failed Drainfields	Tier 1: Ready To Fund	084	120	02	018	111	4	53	21	0	425,000	117,140,957
AZ01024-1001	Fort Defiance Sewerline Ext. (XP3)	Tier 2: Engineering Assessed	084	120	01	013	112	3	53	34	0	832,000	117,972,957
AZ09150-0601	BIRDSPRINGS NORTH HWY 99 CISTERNS, PHASE I	Tier 1: Ready To Fund	084	120	02	019	113	5	52	9	0	570,000	118,542,957
NM17444-1501	Gallup Failed Septics DL 4 - Eastward	Tier 1: Ready To Fund	084	120	04	014	114	4	52	8	0	173,000	118,715,957
NM17002-1901	Chichiltah Vanderwagen Waterline Extension	Tier 1: Ready To Fund	084	120	04	014	115	5	51	157	0	5,863,000	124,578,957
AZ03104-1204	CAMERON Mountaintop Cisterns - Phase III	Tier 1: Ready To Fund	084	120	02	018	116	5	51	3	0	208,000	124,786,957
AZ03107-0601	COALMINE CANYON - Little Colorado Cisterns - Phase I	Tier 1: Ready To Fund	084	120	02	018	117	5	51	3	0	197,000	124,983,957
AZ03108-1201	LEUPP PADRE CANYON CIST. DIST. 5	Tier 1: Ready To Fund	084	120	02	019	118	5	51	21	0	1,487,999	126,471,956
AZ03108-1302	LEUPP CANYON DIABLO CIST DIST. 5	Tier 1: Ready To Fund	084	120	02	019	119	5	51	11	0	788,001	127,259,957
UT19800-0302*	SIHASIN W54 MONTEZUMA CREEK EXTENSION U32	Tier 2: Engineering Assessed	084	120	03	017	120	4	51	2	324,000	324,000	127,583,957
NM17453-0702*	SIHASIN W60 Mexican Springs Todilto Park Ext W35	Tier 2: Engineering Assessed	084	120	04	014	121	4	51	18	2,554,000	2,554,000	130,137,957
AZ01047-0904*	SIHASIN W41 Rough Rock South Waterline Ext. Ph 2	Tier 2: Engineering Assessed	084	120	01	016	122	5	51	9	945,000	1,451,000	131,588,957
AZ01061-0502*	SIHASIN W58 Tece Yellow Rock Point W/L Ext	Tier 2: Engineering Assessed	084	120	03	017	123	4	51	1	607,200	1,091,000	132,679,957
AZ09997-0803*	Black Mesa East and North WL Extensions	Tier 2: Engineering Assessed	084	120	01	016	124	4	51	37	0	3,851,000	136,530,957
NM28341-0301	SIHASIN W63 ALAMO O&M Water Improvements	Tier 1: Ready To Fund	084	120	04	014	125	2	51	411	3,000,000	3,000,000	139,530,957
UT19813-0601	Nav Mtn Rainbow City Cisterns	Tier 1: Ready To Fund	084	120	02	018	126	5	50	4	0	306,000	139,836,957
NM17450-0501*	SIHASIN W35 NAVAJO-ASAAYI WATERLINE	Tier 2: Engineering Assessed	084	120	01	013	127	5	50	11	306,000	953,000	140,789,957
AZ09150-0802	BIRDSPRINGS TOJI ANIZAAD EXT.DIST5 (U02)	Tier 2: Engineering Assessed	084	120	02	019	128	5	49	11	0	682,000	141,471,957
AZ03109-0603	COPPERMINE - KOKO EXT PHASE 3 LE9	Tier 2: Engineering Assessed	084	120	02	018	129	5	49	32	0	1,833,000	143,304,957
AZ01026-2001	Houck Scattered Homes (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	130	5	49	4	0	226,000	143,530,957
AZ01056-0601	SIHASIN W42 Steamboat Canyon Ph.I	Tier 2: Engineering Assessed	084	120	01	013	131	5	49	31	1,808,000	1,808,000	145,338,957
AZ03108-1901	WEST LEUPP SCATTERED CISTERN (2 homes)	Tier 1: Ready To Fund	084	120	02	019	132	5	49	2	0	180,000	145,518,957
AZ03108-1701*	LEUPP SCATTERED CISTERN (1 home)	Tier 1: Ready To Fund	084	120	02	019	133	5	49	1	0	85,000	145,603,957
NM24610-1001	Farmington Failed DF/Septic VII	Tier 1: Ready To Fund	084	120	03	012	134	4	49	23	0	480,010	146,083,967
AZ01011-1201	SIHASIN W44 Chilchinbeto Yellowhair CWS Upgrade	Tier 2: Engineering Assessed	084	120	02	015	135	2	49	316	2,057,000	1,547,700	147,631,667
AZ01040-0601	SIHASIN W36 Nazlini Additional Water Source	Tier 2: Engineering Assessed	084	120	01	016	136	2	49	168	930,000	1,295,000	148,926,667
AZ01041-0901	SIHASIN W39 Pine Springs Well	Tier 2: Engineering Assessed	084	120	01	013	137	2	49	64	689,000	689,000	149,615,667
AZ01041-1001	SIHASIN W38 Hunter's Pt/Oak Springs Inter-Tie	Tier 2: Engineering Assessed	084	120	01	013	138	2	49	110	1,426,000	1,428,000	151,043,667
AZ01026-0901	Houck-Sanders (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	139	5	48	10	0	604,000	151,647,667
UT19808-1302*	OLJATOH-TRAIN ROCK W/L EXTENSION V06	Tier 2: Engineering Assessed	084	120	02	015	140	4	48	39	0	1,991,000	153,638,667

AZ03135-2402	Tuba City WWTP Upgrades NTUA Ph 2 (X)	Tier 2: Engineering Assessed	084	120	02	018	141	3	48	1508	16,435,487	12,602,477	166,241,144
AZ09033-1402*	GREASEWOOD ANTELOPE SPRINGS EXT	Tier 2: Engineering Assessed	084	120	02	019	142	4	47	14	0	808,010	167,049,154
NM17470-3001	Rock Springs Pablo Extension	Tier 2: Engineering Assessed	084	120	04	014	143	5	47	3	0	182,000	167,231,154
AZ01026-1403	Houck Burntwater East (X=Q84)	Tier 2: Engineering Assessed	084	120	04	014	144	5	46	13	0	813,000	168,044,154
AZ09164-0902*	INDIAN WELLS - GORILLA HEAD EXT. V01	Tier 2: Engineering Assessed	084	120	02	019	145	4	46	45	0	3,134,025	171,178,179
UT19808-0202*	OLJATOH-HALCHITA WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	02	015	146	4	46	45	0	2,913,000	174,091,179
NM24631-2404	Shiprock WWTP Septage Receiving Treatment	Tier 1: Ready To Fund	084	120	03	017	147	2	46	3369	0	1,446,000	175,537,179
AZ01058-1007	PTF W72 Shiprock to Sweetwater/Aneth Phase 7	Tier 1: Ready To Fund	084	120	03	017	148	2	46	1851	3,395,000	2,945,000	178,482,179
AZ03135-2403	Tuba City WWTP Septage Receiving Treatment	Tier 2: Engineering Assessed	084	120	02	018	149	2	46	3211	0	1,446,000	179,928,179
AZ03135-0701*	SIHASIN W49 TUBA CITY NW SEWERLINE - PHASE I	Tier 2: Engineering Assessed	084	120	02	018	150	2	46	39	1,038,000	1,038,000	180,966,179
AZ09158-2601	WINSLOW DL4 ST/DF REPLACEMENT 2021	Tier 3: Preliminarily Assessed	084	120	02	019	151	4	45	4	0	98,000	181,064,179
UT19800-0801*	WESTWATER - BLANDING New Water System	Tier 3: Preliminarily Assessed	084	120	03	017	152	4	45	21	0	3,174,000	184,238,179
AZ09158-1204*	DILKON - RABBIT EXT.	Tier 1: Ready To Fund	084	120	02	019	153	4	45	4	0	628,000	184,866,179
AZ09158-1302*	DILKON - RED CHEEKS BUTTE WEST PH2 EXT. (XX)	Tier 2: Engineering Assessed	084	120	02	019	154	4	45	5	0	225,000	185,091,179
NM24446-0704*	Lake Valley Billy Waterline Extensions	Tier 3: Preliminarily Assessed	084	120	03	012	155	5	45	3	0	295,999	185,387,178
NM24446-0705*	Lake Valley Janice Pablo Waterline (1 home)	Tier 2: Engineering Assessed	084	120	03	012	156	4	45	1	0	346,000	185,733,178
NM24622-0801*	Nageezi Martinez-Lopez Waterline	Tier 2: Engineering Assessed	084	120	03	012	157	5	45	2	0	370,000	186,103,178
NM24645-0501*	White Rock New Tank & Booster for System Pressure	Tier 2: Engineering Assessed	084	120	03	012	158	5	45	4	0	996,919	187,100,097
AZ01011-1601*	Chilchinbeto-James and Benally Camp Ext. T59	Tier 1: Ready To Fund	084	120	02	015	159	5	45	10	0	706,000	187,806,097
AZ09158-0302*	DILKON JOHN'S DRAW 2 EXT.	Tier 2: Engineering Assessed	084	120	02	019	160	4	45	12	0	943,000	188,749,097
AZ09158-1002	DILKON - COYOTE WASH EXTENSION U02	Tier 1: Ready To Fund	084	120	02	019	161	4	45	28	0	1,827,000	190,576,097
AZ09164-0203*	INDIAN WELLS-PUEBLO COLORADO II EXT LK4	Tier 2: Engineering Assessed	084	120	02	019	162	4	45	25	0	1,904,000	192,480,097
UT19808-0102*	OLJATO-PIUTE FARMS WATERLINE EXTENSION U66 (P)	Tier 1: Ready To Fund	084	120	02	015	163	4	45	28	0	2,207,000	194,687,097
NM17458-0201*	Pinedale Allotment Dispute	Tier 2: Engineering Assessed	084	120	04	014	164	4	45	1	0	72,000	194,759,097
UT19815-1202*	RED MESA NORTH WATERLINE TSOSIE CAMP LC5	Tier 2: Engineering Assessed	084	120	03	017	165	4	45	6	0	481,000	195,240,097
AZ03132-0902*	TOLANI LAKE SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	166	4	45	10	0	808,000	196,048,097
AZ09175-2501*	Pinon Low Pressure and WL Extension	Tier 2: Engineering Assessed	084	120	01	016	167	2	45	23	0	588,000	196,636,097
NM17475-0802	PTF W66 Casamero Lake Well- Phase 2	Tier 2: Engineering Assessed	084	120	04	011	168	2	45	381	891,500	1,398,500	198,034,597
NM17426-0202*	NAHODISHGISH SW EXTENSION	Tier 2: Engineering Assessed	084	120	04	011	169	5	44	4	0	502,000	198,536,597
AZ09150-1002*	BIRDSPRINGS REMOTE EXTENSIONS LJ4	Tier 2: Engineering Assessed	084	120	02	019	170	4	44	17	0	1,145,000	199,681,597
AZ03104-1403*	CAMERON Gray Mountain Extension - Phase III U94	Tier 2: Engineering Assessed	084	120	02	018	171	4	44	22	0	1,802,000	201,483,597
AZ03109-0803*	Southwest Coppermine WL Ext.	Tier 2: Engineering Assessed	084	120	02	018	172	4	44	5	0	437,000	201,920,597
AZ09158-1104*	DILKON - JOHN'S DRAW 1 EXT. U99 (P)	Tier 2: Engineering Assessed	084	120	02	019	173	4	44	29	0	1,726,000	203,646,597
AZ09164-0102*	INDIAN WELLS - ROUND BUTTE EXT.	Tier 2: Engineering Assessed	084	120	02	019	174	4	44	14	0	1,147,006	204,793,603
AZ09164-0904*	INDIAN WELLS - GORILLA HEAD PH2 EXT LD1	Tier 2: Engineering Assessed	084	120	02	019	175	4	44	17	0	1,425,008	206,218,611
AZ09166-2002*	KAYENTA-ARIZ - EL CAP. NORTH EXT. V03	Tier 1: Ready To Fund	084	120	02	015	176	4	44	28	0	2,327,000	208,545,611
AZ01035-0604*	LUPTON - South Extensions LE1	Tier 1: Ready To Fund	084	120	04	014	177	4	44	5	0	443,000	208,988,611
UT19800-1102*	ANETH MAIL TRAIL WATERLINE U64	Tier 2: Engineering Assessed	084	120	03	017	178	4	43	7	0	1,405,000	210,393,611
NM17403-0302*	Baca South Extensions LC1	Tier 2: Engineering Assessed	084	120	04	014	179	4	43	17	0	3,420,000	213,813,611
NM17403-0602*	Baca Scattered Extension (1 home)	Tier 2: Engineering Assessed	084	120	04	014	180	4	43	1	0	486,000	214,299,611
NM17500-0602*	BECENTI-Milk Lake-Extensions	Tier 2: Engineering Assessed	084	120	04	014	181	4	43	4	0	881,000	215,180,611
NM17500-0702*	BECENTI-Flat Lake-Extensions	Tier 3: Preliminarily Assessed	084	120	04	014	182	4	43	5	0	1,038,000	216,218,611
AZ09150-0702*	BIRDSPRINGS SOUTH EXT. PH 2.	Tier 1: Ready To Fund	084	120	02	019	183	4	43	3	0	249,000	216,467,611
AZ09150-0302*	BIRDSPRINGS SOUTH HWY 99 EXTENSIONS PHASE 2	Tier 2: Engineering Assessed	084	120	02	019	184	4	43	21	0	3,826,000	220,293,611
AZ09150-0402*	BIRDSPRINGS RINCON BASIN EXT. DIST5	Tier 2: Engineering Assessed	084	120	02	019	185	4	43	9	0	1,532,000	221,825,611
AZ03103-4005*	BODAWAY Isolated Waterline Extension Phase IV U59	Tier 2: Engineering Assessed	084	120	02	018	186	4	43	15	0	3,402,000	225,227,611
AZ03103-4002*	BODAWAY Crooked Ridge WL Extens (U59)	Tier 2: Engineering Assessed	084	120	02	018	187	4	43	8	0	1,393,000	226,620,611
AZ03103-4003*	BODAWAY Tanner-Hamblin Divide WL Extn (U59)	Tier 2: Engineering Assessed	084	120	02	018	188	4	43	34	0	3,861,000	230,481,611
NM24413-1502*	BURNHAM PHASE II HUNTER WASH EXT LE3	Tier 2: Engineering Assessed	084	120	03	017	189	4	43	5	0	1,046,000	231,527,611
NM24413-0702*	BURNHAM NORTH W/L EXT I	Tier 2: Engineering Assessed	084	120	03	017	190	4	43	5	0	802,000	232,329,611
NM24413-0502*	BURNHAM WEST W/L EXT II	Tier 2: Engineering Assessed	084	120	03	017	191	4	43	5	0	632,000	232,961,611
AZ03104-1203*	CAMERON LCR Gorge Extension-Phase II	Tier 2: Engineering Assessed	084	120	02	018	192	4	43	11	0	5,806,000	238,767,611
AZ03104-1404*	CAMERON Gray Mountain Extension - Phase IV	Tier 2: Engineering Assessed	084	120	02	018	193	4	43	27	0	3,609,000	242,376,611
AZ03104-1205*	CAMERON Mountaintop Extension - Phase IV	Tier 2: Engineering Assessed	084	120	02	018	194	4	43	4	0	2,124,000	244,500,611
AZ03104-1303*	CAMERON West Extension - Phase II	Tier 1: Ready To Fund	084	120	02	018	195	4	43	8	0	999,000	245,499,611
AZ03104-1406*	CAMERON Gray Mountain Lava Wash Extension - Phase V	Tier 2: Engineering Assessed	084	120	02	018	196	4	43	15	0	3,747,000	249,246,611
AZ01011-1103*	CHILCHINBETO - PHASE II YOUNG EXT. LB8	Tier 2: Engineering Assessed	084	120	02	015	197	4	43	3	0	757,000	250,003,611
AZ01012-0502*	Chinle Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	198	4	43	11	0	2,851,002	252,854,613
AZ03109-0802*	Coppermine WL Extensions	Tier 2: Engineering Assessed	084	120	02	018	199	4	43	15	0	3,632,000	256,486,613
AZ01015-0402*	Tselani-Cottonwood Extension (Sihasin 2018 NTUA?)	Tier 3: Preliminarily Assessed	084	120	01	016	200	4	43	3	0	572,000	257,058,613
AZ01015-1501*	Cottonwood Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	201	4	43	8	0	3,125,000	260,183,613
NM17423-0504*	COYOTE CANYON-South Extensions	Tier 2: Engineering Assessed	084	120	04	014	202	4	43	7	0	1,830,000	262,013,613
NM17423-0802*	COYOTE CANYON-Red Water Pond Extension U29	Tier 2: Engineering Assessed	084	120	04	014	203	4	43	12	0	1,546,000	263,559,613
NM24608-0502*	CRYSTAL MILKWATER WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	01	015	204	4	45	19	0	2,455,009	266,014,622
AZ09158-0102*	DILKON SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	205	4	45	36	0	3,810,000	269,824,622
AZ09158-1102*	DILKON - ROTTEN BANANAS BUTTE EXT. LE5 (P)	Tier 1: Ready To Fund	084	120	02	019	206	4	45	22	0	2,627,000	272,451,622
AZ09158-0202*	DILKON - TAYLOR EXT	Tier 1: Ready To Fund	084	120	02	019	207	4	45	4	0	597,000	273,048,622
AZ09158-1702*	DILKON - TAHA EXT.	Tier 2: Engineering Assessed	084	120	02	019	208	4	43	4	0	666,000	273,714,622
AZ09160-3002*	Many Mules North Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	209	4	43	29	0	4,279,000	277,993,622
AZ09160-0703*	Forest Lake North and East WL Extensions LJ9	Tier 2: Engineering Assessed	084	120	01	016	210	4	43	27	0	4,389,000	282,382,622
AZ09160-2002*	Many Mules Cody-Etsitty W/L Extension	Tier 2: Engineering Assessed	084	120	01	016	211	4	43	11	0	2,942,000	285,324,622
AZ09160-1007*	Many Mules Waterline Phase 5	Tier 2: Engineering Assessed	084	120	01	016	212	5	43	17	0	4,800,000	290,124,622
AZ09033-1403*	GWS ANTELOPE SPRINGS PH2 EXT.	Tier 2: Engineering Assessed	084	120	02	019	213	4	43	5	0	1,022,000	291,146,622
AZ09033-0402*	GWS SCATTERED EXTENSIONS LK3	Tier 2: Engineering Assessed	084	120	02	019	214	4	43	15	0	1,601,010	292,747,632

AZ09162-1302*	Hardrock Sleepy Mountain WL Ext Phase II T73	Tier 1: Ready To Fund	084	120	02	018	215	4	43	18	0	2,058,000	294,805,632
NM17502-0103*	Haystack Extensions W23	Tier 2: Engineering Assessed	084	120	04	014	216	4	43	6	0	1,400,000	296,205,632
NM24614-0502*	HOGBACK DEADMAN'S WASH-SOUTH WL	Tier 2: Engineering Assessed	084	120	03	017	217	4	43	5	0	474,000	296,679,632
NM24616-0302*	HUERFANO CARSON NORTH WL EXT PH II W51	Tier 2: Engineering Assessed	084	120	03	012	218	4	43	7	0	1,046,003	297,725,635
NM24616-0602*	Otis South WL Ext II	Tier 2: Engineering Assessed	084	120	03	012	219	4	43	3	0	426,999	298,152,634
NM24616-1201*	Huerfano Chee Waterline Extension (2 homes)	Tier 2: Engineering Assessed	084	120	03	012	220	4	43	2	0	267,000	298,419,634
AZ09164-0302*	INDIAN WELLS - PEANUT EXT.	Tier 2: Engineering Assessed	084	120	02	019	221	5	43	13	0	1,521,036	299,940,670
AZ09164-0002*	INDIAN WELLS SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	222	4	43	4	0	792,000	300,732,670
AZ09164-0802*	INDIAN WELLS - TWIN PEAKS EXTENSION LC3	Tier 2: Engineering Assessed	084	120	02	019	223	4	43	24	0	2,213,016	302,945,686
AZ03120-0702*	INSCRIPTION HSE ISOLATED EXTENSION W13	Tier 2: Engineering Assessed	084	120	02	018	224	4	43	7	0	1,102,000	304,047,686
AZ03121-0702*	KAIBETO SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	018	225	4	43	7	0	883,000	304,930,686
AZ09166-5302*	Kayenta West Skeleton Mesa Ext. Ph II U65	Tier 1: Ready To Fund	084	120	02	015	226	4	43	14	0	1,792,000	306,722,686
AZ01030-0502*	Kinlichee Waterline Exts.	Tier 2: Engineering Assessed	084	120	01	013	227	4	43	19	0	2,180,991	308,903,677
AZ01031-0103*	KLAGETOH -NAVAJO STATION EXTENSIONS V04	Tier 2: Engineering Assessed	084	120	01	013	228	4	43	16	0	3,449,008	312,352,685
AZ01031-0302*	KLAGETOH - TRNSWSTRN ST RD EXT V05	Tier 2: Engineering Assessed	084	120	01	013	229	4	43	32	0	4,864,992	317,217,677
NM24446-0702*	Lake Valley NE Waterline PHASE I	Tier 2: Engineering Assessed	084	120	03	012	230	4	43	3	0	330,000	317,547,677
NM24446-0703*	Lake Valley NE Waterline PHASE II	Tier 2: Engineering Assessed	084	120	03	012	231	4	43	6	0	1,043,000	318,590,677
AZ03122-0204*	LECHEE HORSETHIEF MESA SCATTERED EXT	Tier 2: Engineering Assessed	084	120	02	018	232	4	43	15	0	2,569,000	321,159,677
AZ03122-0501*	LECHEE - P SIANI WL EXT. T07	Tier 2: Engineering Assessed	084	120	02	018	233	5	43	12	0	1,180,000	322,339,677
AZ03122-0702*	LECHEE - WHITE DOME WATERLINE EXT. LD2	Tier 2: Engineering Assessed	084	120	02	018	234	4	43	5	0	1,005,000	323,344,677
AZ03108-1606*	WEST LEUPP PH1A WL EXT T99/XQ1/W04	Tier 2: Engineering Assessed	084	120	02	019	235	5	43	24	0	2,729,998	326,074,675
AZ03108-1202*	LEUPP PADRE CANYON EXT DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	236	4	43	21	0	5,854,000	331,928,675
AZ03108-1102*	LEUPP SAN FRANCISCO WASH EXT.D5	Tier 2: Engineering Assessed	084	120	02	019	237	4	43	22	0	3,167,000	335,095,675
AZ03108-1303*	LEUPP CANYON DIABLO EXT DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	238	4	43	14	0	4,254,000	339,349,675
AZ03108-1605*	LEUPP - GRAND FALLS EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	239	5	43	42	0	5,727,000	345,076,675
AZ03108-1404*	LEUPP - GRAND FALLS SCATT. EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	240	4	43	11	0	3,620,000	348,696,675
AZ03108-1702*	LEUPP SCATTERED EXT (1 home)	Tier 2: Engineering Assessed	084	120	02	019	241	4	43	1	0	455,000	349,151,675
AZ03108-1902*	WEST LEUPP SCATTERED EXT (2 homes)	Tier 2: Engineering Assessed	084	120	02	019	242	4	43	2	0	989,000	350,140,675
AZ03108-1603*	WEST LEUPP PH2 WL EXT XQ1	Tier 2: Engineering Assessed	084	120	02	019	243	5	43	32	0	4,355,999	354,496,674
AZ03108-1604*	WEST LEUPP PH3 WL EXT	Tier 2: Engineering Assessed	084	120	02	019	244	5	43	8	0	2,347,000	356,843,674
NM17503-0302*	LITTLEWATER NW EXTENSION (1 home)	Tier 2: Engineering Assessed	084	120	04	011	245	4	43	1	0	217,000	357,060,674
NM17503-0402*	LITTLEWATER SW PH2 (Extension & Tank)	Tier 2: Engineering Assessed	084	120	04	011	246	4	43	6	0	686,000	357,746,674
NM17503-0702*	SIHASIN (cancel?) LITTLEWATER EAST EXT. II LC4	Tier 2: Engineering Assessed	084	120	04	011	247	4	43	1	0	369,000	358,115,674
AZ01036-1202*	Many Farms Ram Pasture Waterline	Tier 2: Engineering Assessed	084	120	01	016	248	4	43	51	0	8,712,024	366,827,698
NM17448-0106*	MARIANO LAKE EXT. PHASE 6 (4 PV cisterns?)	Tier 2: Engineering Assessed	084	120	04	011	249	5	43	7	0	1,751,000	368,578,698
NM24623-0102*	Naschitti-Bluerock-Wilson Extensions	Tier 2: Engineering Assessed	084	120	04	014	250	4	43	18	0	3,584,000	372,162,698
NM24623-0402*	Naschitti-Wildcat Springs Extensions	Tier 2: Engineering Assessed	084	120	04	014	251	4	43	22	0	2,989,000	375,151,698
UT19813-0602*	Nav Min Rainbow City East Ext.	Tier 2: Engineering Assessed	084	120	02	018	252	4	43	4	0	473,000	375,624,698
UT19813-0502*	Nav Min Piute Mesa Water Ext LD3	Tier 1: Ready To Fund	084	120	02	018	253	4	43	15	0	2,344,000	377,968,698
AZ01040-0502*	Nazlini-Flatrocks Ext. Ph 2 U31	Tier 2: Engineering Assessed	084	120	01	016	254	4	43	5	0	1,323,000	379,291,698
AZ01040-0302*	Nazlini North Waterline Extension U61	Tier 2: Engineering Assessed	084	120	01	016	255	4	43	16	0	2,571,008	381,862,706
AZ01040-0503*	Nazlini Mesa Top Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	256	4	43	8	0	1,555,000	383,417,706
NM24625-0501*	Nenahnezad - Emery Foster waterline Ext. (1 home)	Tier 2: Engineering Assessed	084	120	03	017	257	4	43	1	0	112,000	383,529,706
NM24624-0202*	NEWCOMB EAST WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	258	4	43	4	0	897,000	384,426,706
AZ01041-0502*	OAK SPRINGS EAST (TOP) EXTENTION W09	Tier 2: Engineering Assessed	084	120	01	013	259	4	43	14	0	1,575,000	386,001,706
UT19808-1502*	OLJATO-Narrow Canyon Waterline extension	Tier 2: Engineering Assessed	084	120	02	015	260	4	43	9	0	1,575,000	387,576,706
UT19808-0802*	Piute Farms West W/L Ext.	Tier 2: Engineering Assessed	084	120	02	015	261	4	43	3	0	721,000	388,297,706
AZ09175-1502*	PINON-WEPO WASH EXT. PH 2	Tier 2: Engineering Assessed	084	120	01	016	262	4	43	25	0	4,429,000	392,726,706
AZ09175-1503*	PINON-WEPO WASH EXT. PH 3	Tier 2: Engineering Assessed	084	120	01	016	263	4	43	8	0	2,224,000	394,950,706
AZ09175-2601*	NW Pinon Extension (P)	Tier 2: Engineering Assessed	084	120	01	016	264	4	43	64	0	7,629,000	402,579,706
AZ09175-2602*	NW PINON EXT. - WHITE VALLEY EXT. PH 2 LE7	Tier 2: Engineering Assessed	084	120	01	016	265	4	43	4	0	765,000	403,344,706
AZ01045-1302*	RED VALLEY SOUTH W/L EXTENSION	Tier 2: Engineering Assessed	084	120	03	017	266	4	43	1	0	378,000	403,722,706
AZ01045-0602*	Red Valley Grace Begay Waterline Extension Ph I	Tier 2: Engineering Assessed	084	120	03	017	267	4	43	2	0	487,000	404,209,706
AZ01045-0603*	Red Valley Grace Begay Waterline Extension Ph II	Tier 2: Engineering Assessed	084	120	03	017	268	4	43	2	0	397,000	404,606,706
AZ01048-0202*	Round Rock NE Waterline Extension	Tier 2: Engineering Assessed	084	120	01	016	269	4	43	9	0	3,773,997	408,380,703
AZ01048-0504*	Round Rock Infeasible Waterline Extensions	Tier 2: Engineering Assessed	084	120	01	016	270	4	43	10	0	5,935,996	414,316,699
NM24629-0802*	SANOSTEE CANYON WL EXT I	Tier 2: Engineering Assessed	084	120	03	017	271	4	43	3	0	750,000	415,066,699
AZ01053-0403*	SAWMILL WHITE CLAY W/L EXT.	Tier 2: Engineering Assessed	084	120	01	013	272	4	43	65	0	9,310,015	424,376,714
NM24631-0802*	Shiprock 491 North W/L Extension	Tier 1: Ready To Fund	084	120	03	017	273	4	43	14	0	2,508,002	426,884,716
AZ09180-0802*	SHONTO-TALLMOUNTAIN WATERLINE EXT. (P) W47	Tier 1: Ready To Fund	084	120	02	018	274	4	43	55	0	6,504,000	433,388,716
AZ09180-0902*	SHONTO SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	018	275	4	43	8	0	1,340,000	434,728,716
AZ01054-0105*	Spider Rock Phase 4 WL Extension	Tier 2: Engineering Assessed	084	120	01	016	276	4	43	57	0	6,661,000	441,389,716
NM17477-0102*	STANDING ROCK SOUTH-Extension	Tier 2: Engineering Assessed	084	120	04	011	277	4	43	4	0	1,183,000	442,572,716
NM17477-0302*	STANDING ROCK NE-Extension (Phase 2)	Tier 2: Engineering Assessed	084	120	04	011	278	4	43	12	0	1,483,000	444,055,716
NM17477-0702*	STANDING ROCK SE - Extension	Tier 2: Engineering Assessed	084	120	04	011	279	4	43	6	0	927,000	444,982,716
NM17477-0303*	STANDING ROCK NE-Extension (Phase 3)	Tier 2: Engineering Assessed	084	120	04	011	280	4	43	7	0	1,022,000	446,004,716
AZ01061-0503*	Teec Yellow Rock Point W/L Ext, Ph II (1 home)	Tier 2: Engineering Assessed	084	120	03	017	281	4	43	1	0	630,000	446,634,716
AZ01061-0403*	Teec Nos Pos Tso Waterline Extension	Tier 2: Engineering Assessed	084	120	03	017	282	4	43	3	0	1,020,000	447,654,716
AZ09184-0202*	TEESTO SCATTERED EXTENSIONS	Tier 2: Engineering Assessed	084	120	02	019	283	4	43	5	0	541,000	448,195,716
AZ09184-0702*	TEESTOH NAAHTEE CANYON SPRINGS EXT.	Tier 2: Engineering Assessed	084	120	02	019	284	4	43	45	0	4,101,000	452,296,716
NM17483-0302*	TOHATCHI SRW EXTENSION	Tier 2: Engineering Assessed	084	120	04	014	285	4	43	6	0	1,426,000	453,722,716
NM17483-1202*	Tohatchi Flowing Well Ext	Tier 2: Engineering Assessed	084	120	04	014	286	4	43	2	0	335,000	454,057,716
NM17483-1302*	Tohatchi Route 37 Ext (1 home)	Tier 2: Engineering Assessed	084	120	04	014	287	4	43	1	0	217,000	454,274,716
NM17483-1402*	Tohatchi East Red Willow Ext (1 home)	Tier 2: Engineering Assessed	084	120	04	014	288	4	43	1	0	277,000	454,551,716

AZ03132-1201*	TOLANI LAKE NORTH LEUPP EXT.	Tier 2: Engineering Assessed	084	120	02	019	289	4	43	10	0	1,183,001	455,734,717
AZ03132-0701*	TOLANI LAKE YAADEESKIDI MESA EXT	Tier 2: Engineering Assessed	084	120	02	019	290	4	43	9	0	717,999	456,452,716
AZ03132-1102*	TOLANI LK NPL SCATT. EXT. DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	291	4	43	2	0	226,000	456,678,716
AZ03132-0804*	TOLANI LK BLACK FALLS II EXT. DIST5	Tier 2: Engineering Assessed	084	120	02	019	292	4	43	10	0	2,900,000	459,578,716
AZ03132-0105*	TOLANI LAKE PRICE II EXT. DIST. 5	Tier 2: Engineering Assessed	084	120	02	019	293	4	43	4	0	695,000	460,273,716
NM17003-0402*	TSAYATOH-STATE LINE EXT.	Tier 2: Engineering Assessed	084	120	04	014	294	4	43	5	0	980,000	461,253,716
NM17003-0601*	TSAYATOH-W. P&M HOUSING EXT.	Tier 2: Engineering Assessed	084	120	04	014	295	4	43	3	0	358,000	461,611,716
AZ03135-4002*	TUBA CITY Preston Mesa Scattered Extensions	Tier 3: Preliminarily Assessed	084	120	02	018	296	4	43	17	0	2,000,000	463,611,716
AZ09921-1002*	WHITE CONE - SCATTERED EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	297	4	43	4	0	1,479,000	465,090,716
AZ01072-0402*	WIDE RUINS GREY CACTUS RD W/L EXT. L68	Tier 2: Engineering Assessed	084	120	01	013	298	4	43	57	0	5,229,009	470,319,725
AZ01072-0802*	Wide Ruins South PH II WL Ext. XU1	Tier 2: Engineering Assessed	084	120	01	013	299	4	43	47	0	5,235,988	475,555,713
AZ01053-1105	FORT DEFIANCE FAILED SEWER SYSTEMS DL4	Tier 1: Ready To Fund	084	120	01	013	300	4	43	19	616,000	616,000	476,171,713
NM17487-2701*	Twin Lakes Watson Rd Individual Lagoon	Tier 3: Preliminarily Assessed	084	120	04	014	301	4	43	2	0	119,000	476,290,713
NM24631-2801	Cudei-Rattlesnake Storage Tank 2	Tier 3: Preliminarily Assessed	084	120	03	017	302	2	43	76	0	521,000	476,811,713
NM17475-0801	Smith Lake Well Phase 1 (Booster) -W65	Tier 2: Engineering Assessed	084	120	04	011	303	2	43	381	151,665	700,335	477,512,048
AZ01061-0402	Tece Nos Pos Tso Cisterns - Land Dispute (1 home)	Tier 3: Preliminarily Assessed	084	120	03	017	304	5	42	1	0	41,000	477,553,048
AZ09160-1005*	Many Mules Waterline Phase 3 (after W06/XN1)	Tier 1: Ready To Fund	084	120	01	016	305	5	42	64	0	12,431,000	489,984,048
NM24616-0704*	Carson JYazzie Waterline	Tier 2: Engineering Assessed	084	120	03	012	306	4	42	1	0	152,000	490,136,048
AZ01041-0402*	OAK SPRINGS SOUTH EXT. (Ph1 W08) - removed Sihasin	Tier 2: Engineering Assessed	084	120	01	013	307	4	42	2	0	1,194,000	491,330,048
AZ09180-1701*	SHONTO BLACK MESA WASH JUA WATERLINE EXT.	Tier 2: Engineering Assessed	084	120	02	018	308	4	42	6	0	2,445,000	493,775,048
AZ09150-0602	BIRDSPRINGS 2B WELL NORTH HWY 99 EXTENSION	Tier 2: Engineering Assessed	084	120	02	019	309	2	42	629	0	9,915,000	503,690,048
NM24608-0802	SIHASIN Crystal Pumping Facilities - W10 Companion	Tier 3: Preliminarily Assessed	084	120	01	013	310	2	41	271	82,000	274,000	503,964,048
AZ01058-1201	Sweetwater Walker Wash Storage Tank 2	Tier 2: Engineering Assessed	084	120	03	017	311	2	41	177	0	507,001	504,471,049
NM01084-0702*	Canoncito Scattered - Extension	Tier 2: Engineering Assessed	084	120	04	014	312	4	40	12	0	2,415,000	506,886,049
NM17003-1101*	TSAYATOH-E. TSE BONITO EXT. XT3 (BIA-CGW)	Tier 2: Engineering Assessed	084	120	04	014	313	2	40	22	567,000	882,000	507,768,049
AZ01058-1008	Shiprock to Sweetwater/Aneth Phase 8	Tier 2: Engineering Assessed	084	120	03	017	314	3	40	524	1,522,000	6,936,000	514,704,049
NM24623-1201	Naschitti CWS Upgrades and WL Extension	Tier 1: Ready To Fund	084	120	04	014	315	2	40	24	0	201,000	514,905,049
AZ03107-0103*	COALMINE CANYON - Appaloosa Ridge Waterline Extension Phase III	Tier 2: Engineering Assessed	084	120	02	018	316	4	39	6	0	954,000	515,859,049
AZ03107-0602*	COALMINE CANYON - Little Colorado Extension Phase II	Tier 2: Engineering Assessed	084	120	02	018	317	4	39	12	0	2,029,000	517,888,049
AZ01066-0802*	TSAILE-BLACK ROCK WATERLINE EXTENSION	Tier 2: Engineering Assessed	084	120	01	013	318	4	39	53	0	6,836,004	524,724,053
AZ09158-2300	WINSLOW DL3 ST/DF REPLACEMENTS	Tier 2: Engineering Assessed	084	120	02	019	319	3	39	8	0	151,000	524,875,053
NM24631-1909	Shiprock SU Failed Septic System DL2 & DL3	Tier 1: Ready To Fund	084	120	03	017	320	3	39	18	203,000	203,000	525,078,053
NM17403-1501	Gallup Failed Septics DL 3 - Eastward	Tier 2: Engineering Assessed	084	120	04	014	321	3	38	19	0	407,000	525,485,053
NM24623-1101	Naschitti-Mexican Springs-Twin Lakes Failed Septics	Tier 2: Engineering Assessed	084	120	04	014	322	3	38	11	0	247,000	525,732,053
NM33140-1801	Ramah Sunset Valley-Rocky Point CWS Intertie	Tier 2: Engineering Assessed	084	120	04	014	323	2	38	215	411,000	529,000	526,261,053
NM33140-1701	Ramah Pinehill New WTP	Tier 3: Preliminarily Assessed	084	120	04	014	324	2	38	563	509,900	647,100	526,908,153
AZ03135-0702*	TUBA CITY NW SEWERLINE - PHASE II	Tier 2: Engineering Assessed	084	120	02	018	325	2	38	64	0	1,611,000	528,519,153
AZ01072-0602*	Wide Ruins West WL Ext.	Tier 2: Engineering Assessed	084	120	01	013	326	4	37	14	0	1,194,998	529,714,151
NM17408-1201	Bread Springs Failed STDF Replacements DL3	Tier 1: Ready To Fund	084	120	04	014	327	3	37	5	0	119,000	529,833,151
AZ01012-2122	Chinle Agency FDF DL4 2021	Tier 1: Ready To Fund	084	120	01	016	328	4	36	10	0	435,000	530,268,151
AZ03108-1801	LEUPP SOLAR PROJECT CISTERNS	Tier 1: Ready To Fund	084	120	02	019	329	5	36	6	0	517,000	530,785,151
NM24616-0802	Blanco Canyon Re-chlorination Station	Tier 2: Engineering Assessed	084	120	03	012	330	2	36	36	0	364,000	531,149,151
AZ09184-0901	TEESTO SEPTAGE LAGOON	Tier 3: Preliminarily Assessed	084	120	02	019	331	2	36	195	0	374,000	531,523,151
NM17483-0901	Buffalo Springs Pumphouse Replacement	Tier 2: Engineering Assessed	084	120	04	014	332	2	36	620	86,000	356,000	531,879,151
NM17003-1601	Tsayatoh-Failed Septic Replacements DL3	Tier 1: Ready To Fund	084	120	04	014	333	3	35	3	0	82,000	531,961,151
AZ09158-2400	WINSLOW DL2 ST/DF REPLACEMENTS	Tier 2: Engineering Assessed	084	120	02	019	334	2	34	41	0	678,017	532,639,168
AZ03135-0704*	SIHASIN W46 Tuba City Old Airport Sewer Extension	Tier 2: Engineering Assessed	084	120	02	018	335	2	33	38	1,220,000	1,220,000	533,859,168
AZ01012-2101	Chinle Agency FDF DL-3	Tier 1: Ready To Fund	084	120	01	016	336	3	32	28	0	974,008	534,833,176
NM17408-1202	Bread Springs-Red Rock Failed STDF Replacements DL2	Tier 2: Engineering Assessed	084	120	04	014	337	2	31	4	0	80,000	534,913,176
NM17002-2101	Gallup Southwest Drainfield Replacement	Tier 2: Engineering Assessed	084	120	04	014	338	2	31	6	0	100,000	535,013,176
AZ09158-0701	DILKON DIST- 7 TANK PAINTING	Tier 3: Preliminarily Assessed	084	120	02	019	339	2	31	442	168,504	195,762	535,208,938
NM17424-1601*	Crownpoint Sewer System Renovation Ph 3	Tier 3: Preliminarily Assessed	084	120	04	011	340	1	30	389	154,242	160,000	535,368,938
AZ01046-1301*	Chinle Agency FDF DL-2	Tier 2: Engineering Assessed	084	120	01	016	341	2	29	58	0	1,813,022	537,181,960
NM28341-1301*	ALAMO APACHE WELL (Drought Well) UPGRADE	Tier 3: Preliminarily Assessed	084	120	04	014	342	1	27	378	0	1,706,000	538,887,960
NM17403-1701*	Gallup Failed Septics DL 2 - Eastward	Tier 2: Engineering Assessed	084	120	04	014	343	2	24	24	0	537,000	539,424,960
AZ01053-1101*	DL2 FAILED SEWER SYSTEMS	Tier 2: Engineering Assessed	084	120	01	013	344	2	21	27	0	931,000	540,355,960
AZ01902-1200*	Ganado North Sewer Exts.	Tier 3: Preliminarily Assessed	084	120	01	013	345	1	20	31	0	2,189,000	542,544,960
NM24614-0601	Hogback Solid Waste Dump Closure	Tier 3: Preliminarily Assessed	084	120	03	017	346	3	20	37	0	41,000	542,585,960
AZ03132-1301	Tolani Lake Dump Closures	Tier 3: Preliminarily Assessed	084	120	02	019	347	3	20	51	0	81,000	542,666,960
AZ09921-1301	White Cone Chapter Solid Waste Open Dump	Tier 3: Preliminarily Assessed	084	120	02	019	348	3	20	87	0	291,000	542,957,960
AZ01039-0401	Nahata Dziil Septage Lagoon	Tier 3: Preliminarily Assessed	084	120	02	019	349	2	20	446	0	352,000	543,309,960

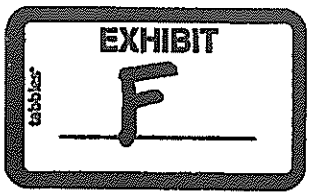
** (after project number) indicates infeasible projects*

BOLD rows indicate projects without homes

Report Criteria

Dataset:	Snapshot – System-Wide: HQ (#19972 11/16/2021 04:54 Clapp, Ryan)
Area(s):	NA
Funded?	No
Fensible?	All
Reportable?	Yes
Funding:	Eligible

Project Tier: All
Sorted By: Area Priority



Navajo Nation Fiscal Recovery Fund
Public Safety

Description	Category	$
Public Safety/Rural Addressing	1.14	$35,000,000
Cyber Security	1.14	$5,000,000
Total Funding		$40,000,000

EXHIBIT
tabbies
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NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0093-2

Date & Time Received: 4/12/2022 15:37

Date & Time of Response: 4/12/2022 20:12

Entity Requesting FRF: Navajo Nation Division of Public Safety

Title of Project: Emergency Communication Updates for COVID Response

Administrative Oversight: Executive Branch / OPVP

Amount of Funding Requested: $35,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 - Other Public Health Services.

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to a decrease in the requested funding amount from $55 million to $35 million. And please note the Treasury's reporting expenditure category changed from 1.12 - Other Public Health Services to 1.14 - Other Public Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR NAVAJO NATION GOVERNMENT UNITS

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Division of Public Safety (DPS) Date prepared: 04/11/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: _____ phone/email: _____
website (if any): https://www.navajonationdps.navajo-nsn.gov/

Form prepared by: Jesse Delmar phone/email: 928-871-7087/jdelmar@navajo-nsn.gov

Jesse Delmar, Executive Director, NN DPS same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S info*

Title & type of Project: Emergency Communication Updates for COVID Response

NN Government Unit's Director or Manager: Jesse Delmar phone & email: 928-871-7087/jdelmar@navajo-nsn.gov

Division Director (if any): Jesse Delmar phone & email: 928-871-7087/jdelmar@navajo-nsn.gov

Branch Chief: Jonathan Nez phone & email: 928 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
Indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

_____ ☐ document attached

Amount of FRF requested: $35,000,000 FRF funding period: 10/01/2021 - 12/31/2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Throughout the COVID-19 pandemic, police officers, fire fighters, and emergency medical services personnel have responded to COVID-19 patients in need of help. Due to the rural nature of many home in the Navajo Nation, the first responders had difficulty locating the homes sent to dispatch. The funding for this project will address emergency communication and response for COVID support. The project will include rural addressing and updates to the public safety Internet connection in vehicles. By adding rural addressing for homes currently without and providing updates to the public safety vehicles, DPS will be able to increase efficiency in response times and help DPS prepare for additional COVID-19 emergency needs.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project will provide benefit to the Navajo Nation across all five agencies, by addressing the needs of the under served communities through home addressing and expansion of the Internet to public safety vehicles. Providing emergency services to the Navajo communities is essential and this project will improve communication and allow for more efficiency in emergency response.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Sole source procurement: est. 6 months, completed by 5/01/2022
Deploy personnel for GPS locating and addressing/updates to 911 vehicle systems: est. 1.5 years, completed by 12/31/2024.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

DPS will be responsible for the implementation for this project.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

DPS will be responsible for operation and maintenance of the rural addressing and the updated vehicle systems.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.8 Other COVID-19 Public Health Expenses (including communications, enforcement, isolation/quarantine)

This project will increase public communication efforts and support rural populations gain access to medical or public health services.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON — signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Jesse Delmar
signature of Branch Chief or Division Director — print name and indicate title or position

Division of Public Safety
indicate Branch or Division

Paulson Chaco

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page ___ of ___
BUDGET FORM 1

Emergency Communication Updates for COVID

PART I. Business Unit No.: K - [New] Program Title: Response Division/Branch: NN Division of Public Safety

Prepared By: Jesse Delmar Phone No.: 928-871-7087 Email Address: jdelmar@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		$35,000,000	
	TOTAL:	$35,000,000	0%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			$35,000,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
TOTAL		$0.00	$35,000,000	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Jesse Delmar
Program Manager's Printed Name

Jesse Delmar 10/3/24
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT tabbies F-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0092-3

Date & Time Received: 4/12/2022 11:13

Date & Time of Response: 4/13/2022 15:40

Entity Requesting FRF: Navajo Nation Department of Information Technology

Title of Project: NN Cybersecurity

Administrative Oversight: Division of General Services

Amount of Funding Requested: $5,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to a decrease in the requested funding amount from $8 million to $5 million. And please note the Treasury's reporting expenditure category changed from 1.12 - Other Public Health Services to 1.14 - Other Public Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Nation Department of Information Technology Date prepared: 04/11/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 5970 Window Rock, AZ phone/email: 928-871-6520
website (if any): www.dit.navajo-nsn.gov

Form prepared by: Royetta T. Woodie phone/email: 928-871-6010/ rwoodie@navajo-nsn.gov
Director of Information Technology Navajo Nation - Dept of IT
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S Info*

Title & type of Project: NN - CyberSecurity

NN Government Unit's Director or Manager: Royetta T. Woodie phone & email: 928-871-6010/ rwoodie@navajo-nsn.gov

Division Director (if any): Tom Platero, DGS-Director phone & email: 928-871-6319/ tplatero@navajo-nsn.gov

Branch Chief: Paulson Chaco, Chief of Staff- Exec.Branch phone & email: 928-871-7244/ paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of General Services Excecutive Director Tom Platero on the Project and
Indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $5,000,000 FRF funding period: FY2022 - FY2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The Navajo Nation's network security is more critical than ever due to the ongoing pandemic. More employees are telecommuting due to COVID-19 and in the event the Nation shuts down again, this will be even more critical. These security measures will ensure business continuity and data loss prevention for every day communication (i.e. email, email encryption, Virtual Private Network, SharePoint, teleconferencing, telecommuting) and provide a secure Identity Management. Cybersecurity will cover the 695 laptops purchased from CARES Act Funding and any mobile device (i.e. laptops, iPads, tablets, Surface, phones) connecting to the NN network. The proposal stops the spread of the spread of COVID-19 by reducing the movement of individuals and promoting social distancing, enhancing telework capabilities and improving cybersecurity.

☑ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

This project will benefit NN Government agencies and all stakeholders. NN employees will benefit as the NN insurance premiums will decrease as soon as multi-factor authentication is implemented. The cybersecurity technologies in this project supports public health, emergency management, health command center, telehealth services, emergency medical responses, including emergency medical transportation, law enforcement and townhall meetings. The cybersecurity technologies protect Navajo Nation data whether it is in transit or at rest. From email communication to data stored in a database to data sharing to video conferencing. Cybersecurity attacks are on the rise for all Government entities and the Nation strives to mitigate attacks by nefarious entities taking advantage of a Nation dealing with the pandemic. Secure access (internally and externally) and faster access to critical data and services is of paramount importance. Furthermore, the Navajo Nation government will be able to mitigate COVID-19 related threats to public health and safety, assist individuals that are quarantining including tele-work capabilities.

☑ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Proposed timeline is outlined in the Proposed ARPA Funding Plan for NN Cybersecurity document. The major challenge to incurring costs is the 164 Review process (DOJ, OPVP, OOC) sign off and contract award. Expending funds challenges may be federal guidelines and projects excluded because they do not qualify.

☑ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Royetta T. Woodie, Director of Information Technology

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Royetta T. Woodie, DIT Director. Operations and maintenance costs will be maintained by fixed costs funds. Once the ARPA funding is expended, the Navajo Nation would needs to fund this with fixed costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.12 Other Public Health Services. Projects deal with cybersecurity which encompasses network connectivity and internet access.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ 4.11.22
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Tom Platero
print name and indicate title or position
Division Of General Services
indicate Branch or Division

Proposed ARPA Funding Plan for NN Cybersecurity

SUMMARY

The Navajo Nation's network security is more critical more than ever due to the ongoing pandemic and the need to ensure business continuity for every day network communication. DIT will implement layered security measures to improve the security posture. Measures such as email encryption, multi-factor authentication, email filtering/phishing protect and network access control.

DIT procured 695 laptops from the CARES funds act for NN employees to use to telecommute resulting in approximately over 20% of NN employees with the capability to telecommute. Many other NN employees have laptops and other mobile devices that can be used for telework. Due to this fact, communications need to be secured. Securing communications to transport sensitive data for NN employees and will streamline processes within NDOH regarding COVID data processing.

The NN Government as a whole is sending more confidential data over the internet to outside stakeholders. As an example, Division of Behavioral and Mental Health Services, the Health Command Operations Center, Insurance Services, Department of Personnel Management and the Office of the Controller have sensitive COVID data that needs protection. These departments need to share this data with other parties like IHS and regional health care facilities which is imperative to the decision-making process by NN Leadership and OPVP to mitigate COVID.

The following cybersecurity measures are applicable only to systems maintained by the Navajo Nation Department of Information Technology (DIT). Those listed in the "Out of Scope" column in Table 1 are excluded.

DIT will use a risk-based approach to cybersecurity. DIT will find and classify confidential and sensitive data on the Navajo Nation network. DIT will implement security standards on workstations and networks. DIT will implement security measures to improve security posture by ensuring the Navajo Nation network resources are used for Navajo Nation business purposes only.

Then a risk assessment of each department/program's security measures will be performed by DIT. Departments will benefit from centralized administration and management of their systems. The Navajo Nation's security posture will improve greatly as we progress through this plan.

TO IMMEDIATELY IMPROVE THE NAVAJO NATION'S SECURITY POSTURE AND HAVE A NOTICEABLE AND POSITIVE EFFECT

DIT will purchase and implement Email Encryption, Email Filtering/Phishing Protection, Multifactor Authentication, and Network Access Control.

Email Encryption has long been on the table for DIT. This will ensure that only the intended recipient will be about to read the contents of an email. Policies can also be put in place to scan for PII and other sensitive information. The overall confidence of third-parties doing business with the Navajo Nation will increase regarding security.

Email Filtering/Phishing Protecting will analyze incoming emails for red flags that signal spam/phishing content and automatically move those emails to quarantine.

Multifactor Authentication eliminates the threat of brute-force and social-engineering attacks by requiring two pieces of information for authentication, something you know (username/password) and something you have (temporary passcode). When implemented, a login to OWA or SharePoint will require

a username/password combination PLUS and one-time code provided to the end-user via email, SMS or phone call.

The implementation of the proposed Navajo Nation Cybersecurity plan is wholly dependent on acquiring funding in the amount of $5,000,000.00. Below is a prioritization of tools and services required.

Cybersecurity tools & services required

Total cost: $5,000,000.00

NOTE 1: Unfortunately, those in the "Out of Scope" column will not benefit from these cybersecurity measures.

TABLE 1

Priority	Solution	Cost	Out of Scope	Timeline
1	**Email Encryption** Protecting confidential data in email Installation cost:	$317,750.00 $15,104.00	none	73 days
2	**Phishing Protect** Analyze incoming emails for red flags that signal spam/phishing content and automatically move those emails to quarantine. Installation cost:	$327,166.00 $8,189.00	none	57 days
3	**DNS Security** It checks to make the site you are attempting to open is a good site. If it is not a good site, it will prevent you from opening that site. Installation cost:	$400,746.00 $11,101.00	NN siloed networks	62 days
4	**Multi-factor Authentication** Require users to provide two or more pieces of evidence to verify their identity when logging into anything connected to the Navajo Nation Network. Installation cost:	$300,000.00 $10,190.00	Depts/programs with their own outside system	106 days
5	**Security Operations Center** Security operations center who monitor the NN Network 24x7, 365 days	$1,110,191.00	Depts/programs with their own outside system	57 days
6	**Data Classification** Classify sensitive data. Gives context around sensitive data, so that you can easily identify and lock down overexposed data, stale data, and remediate security vulnerabilities.	$514,256.00	NN siloed networks	73 days
8	**Managed Services** - Network monitoring and incident response for NN DIT Network. for NN DIT Network. A virtual environment (core functioning servers) that operates 24x7, 365 days a year.	$1,640,000.00	none	66 days
10	**Consultant services** - Will be utilized for consultant services. DIT is resource-challenged with personnel. Consultants are required to assist in the installation, configuration, and deployment of the new IT solutions listed. Plan for paperless technology for the Navajo Nation Government. Critical solution needed during the time of the pandemic. Plan for one domain IT transformation.	$345,307.00	none	N/A

FY 2022

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Department of Information Technology Division/Branch: Division of General Services

Prepared By: Royetta T.Woodie Phone No.: 928-871-6520/6010 Email Address: rwoodie@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds	10/01/21-09/30/22	5,000,000	100%
	TOTAL:	$5,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies	1		128,644	128,644
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	1		4,095,853	4,095,853
6500 Contractual Services	1		775,503	775,503
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	5,000,000	5,000,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

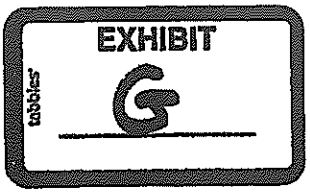
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Royetta T. Woodie, Director of IT
Program Manager's Printed Name

4.11.22
Program Manager's Signature and Date

APPROVED BY: Tom Platero, Division of General Services Director
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date



NNFRF PUBLIC HEALTH EXPENDITURE PLAN

Recipient	Project Description	Category	Funding Request
Behavioral Health	Detox treatment centers and residentail facility	1.11	$15,243,750
Behavioral Health	Transitional housing facilities	1.1	$4,000,000
			$19,243,750

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

EXHIBIT G-1 tabbies

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0091-2 [Reissued]

Date & Time Received: 3/09/2022 at 15:33

Date & Time of Response: 3/09/2022 at 17:20 [Reissued 4/13/2022 - new expenditure category]

Entity Requesting FRF: Navajo Department of Health

Title of Project: Division of Behavioral & Mental Health Detox & Residential Treatment Centers

Administrative Oversight: Executive Branch

Amount of Funding Requested: $15,243,750.00

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.13 Substance Use Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 1.11 - Substance Use Services. This is now category 1.13 – Substance Use Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: _____

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health — Date prepared: 3/9/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 — phone/email: (928) 871-6350/jilljim@navajo-nsn.gov
website (if any): _____

Form prepared by: Dr. Michelle Brandser — phone/email: (928) 871-6350/mbrandser@navajo-nsn.gov
Executive Director for the Navajo Nation Department of Health
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Division of Behavioral and Mental Health Detox and Residential Treatment Centers

NN Government Unit's Director or Manager: Dr. Jill Jim — phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above — phone & email: _____

Branch Chief: Jonathan Nez — phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

_____ ☐ document attached

Amount of FRF requested: $15,243,750 — FRF funding period: 10/01/2021 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The COVID pandemic has increased the need to provide substance abuse services. This funding will be used to construct three new detox treatment centers, construct one new residential facility, and renovate one existing residential facility. Due to the pandemic, these types of facilities have been overrun with the number of incoming patients. Additional facilities and renovations are needed to avoid overcrowding support facilities, which can increase the transmission rate of the COVID-19 virus. Each facility will have space for 10 patients for detox services and outpatient treatment services, including traditional healing grounds and recreational facilities. The residential facilities will offer a comprehensive care recovery process with constant support services.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

These treatment centers will give the Navajo people, both teens and adults, a place to go to for substance abuse related problems. It will benefit the Navajo people by providing community support and a safe space for individuals to receive the help and support they need to recover from substance abuse, including counseling and rehabilitation programs. These programs can help individuals rebuild and overcome the emotional and mental toll they may be experiencing from the COVID pandemic and also help them achieve a healthier, substance free lifestyle. ☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Design and preparation to bid project
10/01/2022 - 9/30/2023: Advertisement, contracting, and begin construction
10/02/2023 - 12/31/2026: Construction
Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of these facilities.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The DOH will be responsible for the operations and maintenance costs for these facilities upon completion.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 1.11, Public Health: Substance Use Services. This category was selected based on the need to provide substance use support and services to individuals to fulfill an increased need in these types of services due to the pandemic. The costs will support construction only.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

APPENDIX A

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Dr. Michelle Brandter
signature of Preparer/CONTACT PERSON

Approved by: [signature]
signature of NN Government Unit's Dept/Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: Dr. Jill Jim, Division Director
print name and indicate title or position

Navajo Department of Health
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Division of Behavioral & Mental Health Services Division/Branch: NDOH/Executive

Prepared By: Tanya Sheperd, SPPS Phone No.: (928) 871-7578 Email Address: tlsheperd@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds/APRA		15,243,750.00	100%
	TOTAL:	$15,243,750.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	6	$0.00	$11,794,750.00	$11,794,750.00
6500 Contractual Services	6	$0.00	$319,000.00	$319,000.00
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay	6	$0.00	$3,160,000.00	$3,160,000.00
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$15,273,750.00	$15,273,750.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Dr. Michelle Brandser, Health Services Administrator
Program Manager's Printed Name
Dr. Michelle Brandser 3/9/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, Navajo Department of Health
Division Director / Branch Chief's Printed Name
Jill Jim 3/9/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT G-2

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0090-2 [Reissued]

Date & Time Received: 3/09/2022 15:28

Date & Time of Response: 3/09/2022 16:30 [Reissued 4/2/2022 - new expenditure category]

Entity Requesting FRF: Navajo Nation Department of Health

Title of Project: Division of Behavioral and Mental Health Transitional Housing for Recovery

Administrative Oversight: Executive Branch

Amount of Funding Requested: $4,000,000.00

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1.12 – Mental Health Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: DOJ is reissuing this Initial Eligibility Determination due to updates in Treasury's reporting expenditure categories. This was previously categorized as 1.10 - Mental Health Services. This is now category 1.12 - Mental Health Services.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Navajo Department of Health — Date prepared: 03/9/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: PO BOX 1309, Window Rock, AZ 86515 — phone/email: (928) 871-6350/jilljim@navajo-nsn.gov
website (if any):

Form prepared by: Dr. Michelle Brandser — phone/email: (928) 871-6350/mbrandser@navajo-nsn.gov
Health Services Adminstrator / DBMHS
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: Division of Behavioral and Mental Health Transitional Housing for Recovery

NN Government Unit's Director or Manager: Dr. Jill Jim — phone & email: (928) 871-6350/jilljim@navajo-nsn.gov

Division Director (if any): same as above — phone & email:

Branch Chief: Jonathan Nez — phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: $4,000,000.00 — FRF funding period: 10/01/2021 - 12/31/2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

The COVID pandemic has affected the mental health of many people, world wide, but also specifically on the Navajo Nation. The pandemic has induced anxiety, depression, and stress in a large number of our members on the Nation. In addition, individuals are turning to substances to ease their anxiety, depression, and stress related to pandemic. The increase in This funding will provide three transitional housing facilities for recovery from mental health or substance abuse. The overcrowding in support facilities can increase the transmission rate of the COVID-19 virus, therefore additional facilities are needed to accommodate the number of patients to ensure the ability to offer services safely. Funding will be used to construct three new transitional housing facilities.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

A transitional house is typically used as an intermediate step, transitioning from a recovery facility back into daily life. This type of housing will provide a safe space for Navajo individuals recovering from mental health or substance abuse induced by the COVID pandemic. Allowing for a transitional space gives the individual an opportunity to begin resuming normal activities before re immersion into daily life. This transition period promotes confidence and has been shown to reduce the likely recurrence of mental health issues and substance abuse.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

10/01/2021 - 9/30/2022: Design and preparation to bid project
10/01/2022 - 9/30/2023: Advertisement, contracting, and begin construction
10/02/2023 - 12/31/2026: Construction
Potential challenges include (1) receipt of funding - project cannot begin prior to allocation of funds; (2) timeliness of obtaining land - clearance preparation and approval can delay design phase; (3) lack of local labor force - inability to obtain personnel to do work may delay the schedule; and (4) material shortages from pandemic - may alter prices and delay schedule based on availability ☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Executive Director of the DOH, Dr. Jill Jim, will be responsible for implementing the construction of these facilities.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The DOH will be responsible for the operations and maintenance costs for these facilities upon completion.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project will fall under FRF expenditure category 1.10, Public Health: Mental Health Services. This category was selected based on the need to provide mental health support and services to individuals to fulfill an increased need in these types of services due to the pandemic. The funding will be only used for construction.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

NA

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: Dr. Michelle Bradley
signature of Preparer/CONTACT PERSON

Approved by: _____
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit for Review: _____
signature of Branch Chief or Division Director

Print Name, Title, Branch or Division: _____
print name and indicate title or position

_____
indicate Branch or Division

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Division of Behavioral & Mental Health Services Division/Branch: NDOH/Executive

Prepared By: Tanya Sheperd, SPPS Phone No.: (928) 871-7578 Email Address: tlsheperd@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds/APRA		4,000,000.00	100%
	TOTAL:	$4,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance	6	$0.00	$2,933,000.00	$2,933,000.00
6500 Contractual Services	6	$0.00	$57,000.00	$57,000.00
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay	6	$0.00	$1,010,000.00	$1,010,000.00
9500 Matching Funds				
9500 Indirect Cost				
TOTAL		$0.00	$4,000,000.00	$4,000,000.00

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: Dr. Michelle Brandser, Health Services Administrator
Program Manager's Printed Name

Dr. Michelle Brandser 3/9/22
Program Manager's Signature and Date

APPROVED BY: Dr. Jill Jim, Navajo Department of Health
Division Director / Branch Chief's Printed Name

3/9/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0171

Date & Time Received: 04/12/22 10:20

Date & Time of Response: 04/14/2022 10:45 am MDT

Entity Requesting FRF: Office of the President & Vice President

Title of Project: Hardship Assistance

Administrative Oversight: Office of the Controller

Amount of Funding Requested: $120,000,000

Eligibility Determination:

☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.3 Negative Economic Impacts, Household Assistance: Cash Transfers.

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: _____

_____

Name of DOJ Reviewer: Kristen A. Lowell

Signature of DOJ Reviewer: K A Lowell

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Office of the President & Vice President (OPVP) Date prepared: 04/11/2022
indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 7440, Window Rock, AZ 86515 phone/email: (928) 871-6173/elizabeth.begay@nnooc.org
Window Rock, AZ 86515 website (if any):

Form prepared by: Elizabeth Begay phone/email: (928) 871-6173/elizabeth.begay@nnooc.org
Controller, Office of the Controller same as above
CONTACT PERSON'S name, title and Department, Program, Office, etc. *CONTACT PERSON'S Info*

Title & type of Project: Hardship Assistance

NN Government Unit's Director or Manager: Paulson Chaco, Chief of Staff phone & email: (928) 871-7247/paulsonchaco@navajo-nsn.gov

Division Director (if any): same as above phone & email:

Branch Chief: Jonathan Nez, Navajo Nation President phone & email: (928) 871-7000/jonathannez@navajo-nsn.gov

Funding Recipient will be working with: Executive Branch on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

☐ document attached

Amount of FRF requested: 120,000,000 FRF funding period: 10/01/2021 - 12/31/2024
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

SUPPLEMENTAL HARDSHIP FUNDING REQUEST: This Expenditure Plan would increase the overall hardship funding originally approved under CD-62-21 from 557M to 677M. The Office of the Controller (OOC) will provide financial hardship assistance, directly related to the COVID-19 pandemic, for eligible Navajo People age 18 and over not to exceed $2,000 per applicant and to minors age below 18 years old not to exceed $600 per recipient. This request increases the hardship for an additional 48,000 adults and 40,000 minors as well as meets some of the anticipated negative variance of the original hardship legislation based on the current enrollment projects.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

As of April 11, 2022, the total number of deaths has increased from 1,583 (date of original hardship expenditure plan) to 1,740 with a total of 53,134 confirmed cases. The current unemployment rate is at an all time high of 48.5% and the average household income is $8,240, well below the federal poverty guidelines. This program will provide much needed assistance as the Nation continues to face the effects and financial hardship due to the pandemic.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Advertisement by OOC for eligible applications for financial hardship assistance will continue through December 31, 2022. Execution of funding distribution: Continue through December 31, 2024. The Office of the Controller does not foresee any challenges preventing them from meeting the December 31, 2024 deadline to incur all costs.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Elizabeth Begay, Controller, Navajo Nation Office of the Controller

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

There will be no O&M costs. Once the funding is distributed, there will be no additional costs.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.3 Negative Economic Impacts, Household Assistance: Cash Transfers

This program will focus on adult individuals experiencing financial hardship directly related to the COVID-19 pandemic. Use of the financial assistance will be regulated to approved, eligible uses due to negative economic impacts of COVID-19. The cash transfer amount of $2,000 per person for members of the Nation age 18 and over and $600 per person for members of the Nation age below 18 is reasonable, and not excessive, amount to address the financial hardship experienced by the pandemic. In comparison, the Federal government provided stimulus checks for economic impact relief program to person age 18 years and over totaling $3,200 and to person age below 18 years totaling $2,500.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
Signature of Preparer/CONTACT PERSON *Signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco / Chief of Staff
Signature of Branch Chief or Executive Director *print name and applicable title or position*

Executive Branch
NN Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - (New) Program Title: Supplemental Hardship Funds Division/Branch: *Office of the Controller*

Prepared By: Elizabeth Begay Phone No.: 928.871.6173 Email Address: elizabeth.begay@nnooc.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		120,000,000.00	100%
	TOTAL:	$120,000,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance			120,000,000.00	
9000 Capital Outlay				
TOTAL		50.00	120,000,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Elizabeth Begay / Controller
Program Manager's Printed Name
4/12/2022
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name
04/12/22
Division Director / Branch Chief's Signature and Date

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

EXHIBIT
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DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0181-2

Date & Time Received: 4/14/2022 10:55

Date & Time of Response: 4/15/2022 00:35

Entity Requesting FRF: Division of Community Development

Title of Project: Housing Support: Connecting Homes to Electricity

Administrative Oversight: NNFRF Office

Amount of Funding Requested: $96,400,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 2.18 (Housing Support: Other Housing Assistance)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Other Comments: The expenditure code for other housing assistance recently changed from 3.12 to 2.18. We have updated the expenditure code.

Name of DOJ Reviewer: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development
indicate Department, Program, Office, Division, or Branch

Date prepared: 04/13/2022

NN Government Unit's mailing address: P.O. Box 1904, Window Rock, Arizona 86515

phone/email: 928.871.7172

website (if any):

Form prepared by: Pearl Yellowman, Division Director
CONTACT PERSON'S name, title and Department, Program, Office, etc

phone/email: pyellowman@nndcd.org
CONTACT PERSON'S info

Title & type of Project: 2.18 Housing Support: Connecting Homes to Electricity

NN Government Unit's Director or Manager: Pearl Yellowman

phone & email: 928.871.7172

Division Director (if any):

phone & email:

Branch Chief: Jonathan Nez, President

phone & email: 928.871.7000

Funding Recipient will be working with: _____ on the Project and
indicate Branch and/or Division

the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

APS, CDEC, JMEC, CDEC, SEC, NTUA, City of Farmington and other Contracted Electricians ☐ document attached

Amount of FRF requested: 96,400,000 FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funds will be used to obtaining land access as necessary for right-of-ways, house wiring as applicable, solar units, materials for powerline connections, labor costs, main powerline upgrades as necessary, clearing land as applicable, required permits, engineering, survey, design, cultural and biological compliance reports, and supplemental consulting services as necessary.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

Electricity is required to access broadband, connect water and wastewater needs and ensures a habitable, secure home for Navajo community members.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All projects will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026. Each project will have a unique timeline based on their project scope in order to meet the funding deadline objectives upon the issuance of the funding.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Division of Community Development.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All projects will be operated and maintained by the local electrical utility service provider contracted to complete the work.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

This project type is covered under Expenditure Plan 2.18: Other Housing Support. By providing electricity to homes that currently do not have it, the NN will be using the NNFRF to address poor public health outcomes due to inadequate or poor housing quality. Under the Interim Final Rule, the Navajo Nation is permitted to use these funds to address the economic impacts of COVID-19 by building stronger communities and by investing in housing and neighborhoods. Specifically, the funds can be used to alleviate "the immediate impacts of COVID-19 pandemic on housing insecurity, while addressing conditions that contribute to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor-quality housing."

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Tables indicating 3.12 NNFRF request for projects included.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
signature of Branch Chief or Division Director *print name and indicate title or position*

4.14.22

Executive, OPVP
indicate Branch or Division

for COS 04/14/22

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 2.18: Connecting Homes to Electricity Division/Branch: DCD

Prepared By: Pearl Yellowman Phone No.: 928.871.7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		96,400,000.00	100%
	TOTAL:	$96,400,000.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services			9,640,000	
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			86,760,000.00	
TOTAL		$0.00	96,400,000.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman 4.13.22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

04/14/22
Division Director / Branch Chief's Signature and Date

Eligibility Criteria: ARPA Connecting Homes to Electricity 3.12;

Housing Support; Other Housing Assistance

The information that Utility providers will require or obtain from applicants for the Connecting Navajo Nation Homes to Electricity Program includes, but is not limited to:

1. Complete the appropriate electric service providers' application.
2. The applicant will have to provide their name, reliable phone number(s), email address, mailing and physical address, the latitude and longitude, and chapter affiliation.
3. They must submit a valid homesite lease or residential lease.
4. Proof of primary residency required.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. The Utility provider will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to live in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Applicant is willing and able to pay for monthly services.
4. Applicant must have no outstanding balance on existing utility accounts.
5. If a home is located within 1 mile of an existing powerline they will be considered for a powerline connection.
6. Homes located more than 1 mile from an existing powerline may be considered for a powerline connection if rights-of-ways can be obtained prior to funding deadline or exhaustion of funds.
7. If the home is located over 1 mile they may be considered for a solar system.
8. If a home does not have a homesite lease or residential lease, the home may be considered for a solar system.
9. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Community Power Line Projects must meet the following criteria to be eligible to receive NN Fiscal Recovery Funds for construction:

1. Community Power Line Projects must be supported by a Chapter Resolution which identifies the project participants that they wish to be connected.
2. Electric Service Provider must be able to acquire the necessary land approvals/consents and permits timely to ensure construction is completed in time to meet the funding deadline or exhaustion of funds.
3. Homes must be feasible to receive electric service, if structures are deemed unfeasible prior to construction, then the Chapter will need to provide an updated Chapter Resolution reflecting this change prior to construction.
4. House wiring must be completed and approved prior to electric service connection.

5. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Homes that meet the criteria above will enter the right-of-way process where Utility Provider will obtain permit holder consent, chapter resolution (if applicable), Biological Resources Clearance Form (BRCF), Cultural Resources Compliance Form (CRCF), Traditional Cultural Proper Record (TCP), Tribal Authorization Access (TAA), and Service Line Agreement (SLA), if applicable. If the applicant's home is able to get through this process then it may be approved for construction.

The priority can be described as "first to complete the process will be first served" meaning, if an applicant is able to complete the application, has a valid homesite lease, the home passes a physical inspection, and obtain all the applicable land clearance requirements, then that applicant will be served. Homes will continue to receive services until all the funding is expended or the imposed time limit runs.

Eligibility Criteria (Solar Systems)

Single home connections must meet the following criteria to be eligible to receive NN Fiscal Recovery Funds for Solar Systems:

1. Customers/Applicants must complete 'NTUA ARPA Off-Grid Residential Solar Program Feasibility Application'.
2. Customers/Applicants must provide all necessary documents.
3. Homes must be feasible for Solar System.
4. Location of residence shall be located on the Navajo Nation.
5. House wiring must be completed and approved for connection.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. NTUA will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to live in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Applicant is willing and able to pay for monthly services.
4. Applicant must have no outstanding balance on existing utility accounts.
5. If an applicant is to receive house wiring assistance, the applicant must agree to own, operate and maintain the house wiring system.

Prioritization of Applicants (Solar Systems)

Prioritization of applicants will be based on the needs of the communities and their constituents and Veterans that reside within the Navajo Nation.

Connecting Homes to Electricity & Housewiring Projects

ARPA Expenditure Category	Project Description	Delegate Region	Total Customers	Total Project Cost
3.12 Housing Support: Other Housing Assistance	Electric Connections	Various Specified Locations	611	$ 18,330,000.00
3.12 Housing Support: Other Housing Assistance	Community Projects	Various Specified Locations	447	$ 19,935,466.65
3.12 Housing Support: Other Housing Assistance	DCD Portal Projects	Various Specified Locations	1,131	$ 37,260,053.35
3.12 Housing Support: Other Housing Assistance	Solar Systems	Various Specified Locations	125	$ 6,250,000.00
3.12 Housing Support: Other Housing Assistance	Housewiring Projects	Various Specified Locations	2,314	$ 14,624,480.00
TOTAL				$ 96,400,000.00

The supplemental pages and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

April 11, 2022
Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	29	29			29	$ 870,000.00
3.12	Electric Connections	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	40	40			40	$ 1,200,000.00
3.12	Electric Connections	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	44	44			44	$ 1,320,000.00
3.12	Electric Connections	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	29	28		1	29	$ 870,000.00
3.12	Electric Connections	Shiprock	Eugenia Charles-Newton	7		7		7	$ 210,000.00
3.12	Electric Connections	Beclabito, Cove, Gahii Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	8	1	7		8	$ 240,000.00
3.12	Electric Connections	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuelito, Red Rock	Seth Damon	0		0		0	$ -
3.12	Electric Connections	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	67	37		30	67	$ 2,010,000.00
3.12	Electric Connections	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland	4		4		4	$ 120,000.00
3.12	Electric Connections	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona	32		32		32	$ 960,000.00
3.12	Electric Connections	Alamo, Ramah, Tohajiilee	Jamie Henio	0		0		0	$ -

April 11, 2022
Legislation: _____
3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections *	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	40	40			40	$ 1,200,000.00
3.12	Electric Connections	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez	10		10		10	$ 300,000.00
3.12	Electric Connections	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	44	44			44	$ 1,320,000.00
3.12	Electric Connections	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	34	34			34	$ 1,020,000.00
3.12	Electric Connections	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	22	22			22	$ 660,000.00
3.12	Electric Connections	Aneth, Mexican Water, Red Mesa, Sweetwater, Teenospos	Charlaine Tso	90	23	3	64	90	$ 2,700,000.00
3.12	Electric Connections	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso	0		0		0	$ -
3.12	Electric Connections	Chinle	Eugene Tso	30	30			30	$ 900,000.00
3.12	Electric Connections	To Nanees Dizl	Otto Tso	9	9			9	$ 270,000.00
3.12	Electric Connections	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	20	20			20	$ 600,000.00
3.12	Electric Connections	Oak Springs, St. Michael	Edison Wauneka	23	23			23	$ 690,000.00

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Electric Grid Connections *	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	Electric Connections	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie	0		0		0	$ -
3.12	Electric Connections	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	29	29			29	$ 870,000.00
Total				611	453	63	95	611	$18,330,000.00

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* These 611 projects consist of single powerline projects.

* Currently 55 families on the single powerline projects are located more that one mile from an existing powerline.

* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

** The cost to connect 611 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and All known customers in Utah will be connected to the electric grid.

This project summary is active and subject to change as projects are added or taken off.

Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA award for electric projects.

This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers*	Total Project Amount
3.12	Teec Nos Pos (Four Corners) Powerline Project	Teec Nos Pos	Charlaine Tso	16			16	$360,687.36
3.12	Teec Nos Pos (Scattered Phase II) Powerline Project	Teec Nos Pos	Charlaine Tso	15			15	$301,601.28
3.12	Tolikan Scattered Powerline Project	Tolikan (Sweetwater)	Charlaine Tso	3			3	$162,067.89
3.12	Dilkon (Scattered South) Powerline Project	Dilkon	Elmer Begay	13			13	$578,059.77
3.12	Dilkon (North East & South East Scattered) Powerline Project	Dilkon	Elmer Begay	8			8	$708,156.22
3.12	Dilkon (North Scattered) Powerline Project	Dilkon	Elmer Begay	13			13	$517,594.95
3.12	Oljatoh (Halgaitoh Phase I) Powerline Project	Oljatoh	Herman Daniels Jr.			11	11	$583,411.35
3.12	Oljatoh (Douglas Phase VI) Powerline Project	Oljatoh	Herman Daniels Jr.			16	16	$505,325.60
3.12	Oljatoh (Narrow Canyon) Powerline Project	Oljatoh	Herman Daniels Jr.			13	13	$283,434.65
3.12	Ts'ah Bii Kin (Inscription House Delmars Extension) Powerline Project	Ts'ah Bii Kin	Herman Daniels Jr.	4			4	$166,718.71
3.12	Ts'ah Bii Kin (Inscription House) Scattered Powerline Project	Ts'ah Bii Kin	Herman Daniels Jr.	33			33	$829,369.91
3.12	Pinon (Standing Goat & Thorn Valley) Powerline Project	Pinon	Jimmy Yellowhair	17			17	$1,091,449.00
3.12	Chilchinbeto (Cowboy Extension) Powerline Project	Chilchinbeto	Nathaniel Brown	1			1	$16,558.65
3.12	Chilchinbeto (Gamble Extension) Powerline Project	Chilchinbeto	Nathaniel Brown	1			1	$69,056.49
3.12	Kaibeto (Rabbit Hill) Powerline Project	Kaibeto	Paul Begay	25			25	$1,751,449.54
3.12	Tonalea (Sour Wash) Power Line Project	Tonalea	Paul Begay	37			37	$1,390,565.45
3.12	Mexican Springs (Scattered Phase II) Powerline Project	Mexican Springs	Pernell Halona		12		12	$146,874.43
3.12	Mexican Springs (West Extension) Powerline Project	Mexican Springs	Pernell Halona		14		14	$489,700.36
3.12	Naschitti (Cedar Hill Road) Powerline Project	Naschitti	Pernell Halona		4		4	$174,975.10
3.12	Naschitti (Forest Lake) Powerline Project	Naschitti	Pernell Halona		13		13	$442,202.02
3.12	Naschitti (Little Badger) Powerline Project	Naschitti	Pernell Halona		4		4	$272,198.42
3.12	Naschitti (White Hills Sand) Powerline Project	Naschitti	Pernell Halona		7		7	$435,906.46
3.12	Klagetoh Powerline Project	Klagetoh	Raymond Smith Jr.	10			10	$353,079.95
3.12	Manuelito (White Scattered) Powerline Project	Manuelito	Seth Damon		4		4	$173,226.16
3.12	Cameron (Shadow Mountain) Powerline Project	Cameron	Thomas Walker Jr.	54			54	$1,160,297.15
3.12	Coalmine Canyon (16 customers) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	16			16	$786,263.55

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers*	Total Project Amount
3.12	Coalmine Canyon (9 customers) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	9			9	$674,656.04
3.12	Coalmine Canyon (Scattered Phase II) Powerline Project	Coalmine Mesa	Thomas Walker Jr.	6			6	$719,635.16
3.12	Leupp (North) Powerline Project	Leupp	Thomas Walker Jr.	6			6	$487,263.54
3.12	Leupp (South Grand Falls) Powerline Project	Leupp	Thomas Walker Jr.	14			14	$1,179,516.25
3.12	Leupp (South) Powerline Project	Leupp	Thomas Walker Jr.	14			14	$706,159.90
3.12	Leupp (West Loop - S of El Paso Station) Powerline Project	Leupp	Thomas Walker Jr.	8			8	$550,987.87
3.12	Tolani Lake (Former Bennett Freeze) Powerline Project	Tolani Lake	Thomas Walker Jr.	7			7	$706,050.04
3.12	Cornfields (Scattered Phase IV) Powerline Project	Cornfields	Vince James	6			6	$388,553.50
3.12	Steamboat Scattered Powerline Project	Steamboat	Vince James	13			13	$772,413.93
			TOTAL	349	58	40	447	$19,935,466.65

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* Currently 447 families are on a NTUA community powerline project.
* The funding in this category allows NTUA to connect Navajo families to the electric grid. NTUA will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

The cost to connect 447 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and inspection.

This project summary is active and subject to change as projects are added or taken off.
Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA funding award for electric projects.

This document and the information presented on this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

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3.12 Housing Support: Other Housing Assistance (Chapter Projects)

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers	Total Project Amount	Service Provider	
3.12	Powerline extension	Beclabito	Amber Kanazbah Crotty		3		3	$ 120,000.00	NTUA	
3.12	Cove Scattered Powerline Project	Cove	Amber Kanazbah Crotty	25			25	$ 1,000,000.00	NTUA	
3.12	Powerline Extension	Gadii' Ahi/To'kol	Amber Kanazbah Crotty		19		19	$ 750,000.00	NTUA	
3.12	Powerline Extension	Rock Point	Carl Slater	20			20	$ 200,000.00	NTUA	
3.12	Community Powerline Extension	Red Mesa	Charlaine Tso	3		2	5	$ 200,000.00	NTUA	
3.12	Power Line	Baca-Prewitt	Daniel Tso		75		75	$ 3,000,000.00	CDEC	
3.12	Powerline Extension	Casamero Lake	Daniel Tso		15		15	$ 600,000.00	CDEC	
3.12	Powerline Extension	Casamero Lake	Daniel Tso		20		20	$ 800,000.00	CDEC	
3.12	Cedar Hill Powerline Extension	Counselor	Daniel Tso		16		16	$ 304,143.54	JMEC	
3.12	Badger Spring Powerline Project	Pueblo Pintado (JMEC)	Daniel Tso		13		13	$ 91,759.41	JMEC	
3.12	Buzzard Canyon Powerline Project	Pueblo Pintado (JMEC)	Daniel Tso		6		6	$ 64,786.43	JMEC	
3.12	Torreon Scattered Powerline Project	Torreon/Star Lake (JMEC)	Daniel Tso		80		80	$ 391,715.95	JMEC	
3.12	Powerline Extension	St. Michaels	Edison Wauneka	50			50	$ 1,500,000.00	NTUA	
3.12	Powerline Extension	Oakspring	Edison Wauneka	5			5	$ 175,000.00	NTUA	
3.12	Powerline/House-wiring/Service Line Agreements	Church Rock	Edmund Yazzie		4		4	$ 174,000.00	CDEC	
3.12	Mariano Lake Powerline Extension Top Mesa/Hosta Butte	Mariano Lake	Edmund Yazzie		12		12	$ 1,010,764.20	CDEC	
3.12	Smith Lake Powerline & Housewiring	Smith Lake	Edmund Yazzie		18		18	$ 700,000.00	CDEC	
3.12	Teesto Powerline Extension Project	Teesto	Elmer Begay	1			1	$ 14,552.82	NTUA	
3.12	New Na-Ah-Tee Tower III - Phase Powerline	White Cone	Elmer Begay	17			17	$ 660,000.00	NTUA	No scope of work for fund the amount requested.
3.12	Utilities Hook up - Wastewater, water, natural gas, electric, and broadband	Shiprock	Eugenia Charles-Newton		50		50	$ 5,000,000.00	NTUA	
3.12	Alamo Scattered Powerline	Alamo	Jamie Henio		13		13	$ 500,000.00	SOCORRO	
3.12	Construction Powerline Extensions-All Units	Ramah (CDEC)	Jamie Henio		50		50	$ 664,557.00	CDEC	
3.12	Piatero Powerline Extension	Tohajilee	Jamie Henio		5		5	$ 705,000.00	CDEC	
3.12	Black Mesa Scattered Powerline Extension	Black Mesa	Jimmy Yellowhair	13			13	$ 510,000.00	NTUA	
3.12	Whippoorwill Chapter Powerline Extension Project	Whippoorwill	Jimmy Yellowhair	97			97	$ 1,500,000.00	NTUA	
3.12	Powerline Extension	Crownpoint (CDEC)	Mark Freeland		50		50	$ 1,000,000.00	CDEC	
3.12	Becenti Chapter Powerline/House Wiring Project	Becenti	Mark Freeland		13		13	$ 551,000.00	CDEC	
3.12	Huerfano Chapter New Otis South Powerline	Huerfano	Mark Freeland		24		24	$ 900,000.00	JMEC or Farmington	
3.12	Huerfano New Adobe Scattered Powerline Project	Huerfano (JMEC)	Mark Freeland		10		10	$ 100,000.00	JMEC	
3.12	Chaco Canyon/Escavada Power Line Extension	Nageezi	Mark Freeland		24		24	$ 850,000.00	JMEC	
3.12	Powerline Extension	Tse' li'Ahi/Standing Rock	Mark Freeland		50		50	$ 1,000,000.00	NTUA	
3.12	Scattered Powerline Project	White Rock	Mark Freeland		63		63	$ 2,500,000.00	NTUA/JMEC	
3.12	Power line	Bahastl'ah' (Twin Lakes)	Pernell Halona		0		0	$ -	NTUA	No estimated cost for project.
3.12	Powerline Extension	Tohatchi	Pernell Halona		2		2	$ 115,869.00	NTUA	

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3.12 Housing Support: Other Housing Assistance (Chapter Projects)

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customers	Total Project Amount	Service Provider	
3.12	Powerline Extension Project	Houck	Raymond Smith	10			10	$ 400,000.00	NTUA	
3.12	Klagetoh Chapter Scattered Powerline Extension	Klagetoh	Raymond Smith	16			16	$ 1,373,172.00	NTUA	
3.12	New Newcomb Scattered Powerline	Newcomb	Rickie Nez		12		12	$ 375,000.00	NTUA	
3.12	New Powerline Extensions	Tis Tsoh Sikaad (Burnham)	Rickie Nez		16		16	$ 400,000.00	NTUA	
3.12	Plan Design & Construct Powerline Extension	Manuelito	Seth Damon		25		25	$ 673,507.00	CDEC	
3.12	Powerline Extension	Tse Lichi/Red Rock (CDEC)	Seth Damon		20		20	$ 378,000.00	CDEC	
3.12	Rock Springs Powerline Extension	Rock Springs	Seth Damon		15		15	$ 544,000.00	CDEC	
3.12	South Powerline Extension Project	Cameron	Thomas Walker	45			45	$ 2,000,000.00	NTUA	
3.12	Tsidi To'li Scattered Powerline Extension Project	Tsidii To'li (Birdsprings)	Thomas Walker	13			13	$ 1,052,500.00	NTUA	
3.12	Powerline Extension w/ House Wiring	Ganado	Vince James	66			66	$ 1,410,726.00	NTUA	
3.12	Powerline / Waterline Project	Kin Dah Lichii (Kinlichee)	Vince James	25			25	$ 1,000,000.00	NTUA	No scope of work for the fund amount requested.
			TOTAL	405	723	2	1191	$ 37,260,053.35		

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census

This list of Chapter proposed projects were derived from the NN DCD project list.

* The funding in this category allows NTUA and neighboring utilities (CDEC, JMEC, Socorro, APS, PNM, City of Farmington, City of Gallup, City of Page, etc.) to connect Navajo families to their electric grid. NTUA or the neighboring utilities will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

This project summary is active and subject to change as projects are added or taken off.
Funds may be moved between project types (single family powerline projects or community powerline projects) to meet actual costs without exceeding the total NTUA funding award for electric projects.

This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.

NOTE:
The DCD Portal did not have a funding amount identified for Bahastl'ah' (Twin Lakes) Chapter.

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)
3.12	Solar Systems	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	5			5	
3.12	Solar Systems	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	5			5	
3.12	Solar Systems	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	5			5	
3.12	Solar Systems	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	5			5	
3.12	Solar Systems	Shiprock	Eugenia Charles-Newton		5		5	
3.12	Solar Systems	Beclabito, Cove, Gahil Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	2	3		5	
3.12	Solar Systems	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuellto, Red Rock	Seth Damon		5		5	
3.12	Solar Systems	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	2		3	5	
3.12	Solar Systems	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland		5		5	
3.12	Solar Systems	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona		5		5	
3.12	Solar Systems	Alamo, Ramah, Tohajiilee	Jamie Henio		5		5	
3.12	Solar Systems	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	5			5	
3.12	Solar Systems	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez		5		5	

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)
3.12	Solar Systems	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	5			5	
3.12	Solar Systems	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	5			5	
3.12	Solar Systems	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	2	3		5	
3.12	Solar Systems	Aneth, Mexican Water, Red Mesa, Sweewater, Teenospos	Charlaine Tso	2	2	1	5	
3.12	Solar Systems	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso		5		5	
3.12	Solar Systems	Chinle	Eugene Tso	5			5	
3.12	Solar Systems	To Nanees Dizi	Otto Tso	5			5	
3.12	Solar Systems	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	5			5	
3.12	Solar Systems	Oak Springs, St. Michael	Edison Wauneka	5			5	
3.12	Solar Systems	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie		5		5	
3.12	Solar Systems	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	5			5	
3.12	Solar Systems	Reservation Wide	Navajo Nation (Veterans)	2	2	1	5	
			Total	70	50	5	125	$ 6,250,000

The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	AZ	NM	UT	Total Customer*	Total Project Amount (Solar)

The cost for solar systems includes funding to complete the interior house wiring (if applicable), certification & re-certification of house wiring (if applicable), inspection, generators (if applicable), ATS switch (if applicable), and an energy efficient refrigerator.

The customer will retain ownership and maintenance of the house wiring assets, house wiring improvements installed, refrigerator, and generator with ATS switch (if applicable).

Funds may be moved between projects to meet actual costs without exceeding the total NTUA award.

The goal is to distribute 6 solar systems to each of the 24 Navajo Nation Delegate's Districts and 6 solar systems to Veterans. The distribution of units as described within this document is subject to change and determined based on the needs of the communities and their constituents.

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Blue Gap/Tachee, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	Kee Allen Begay Jr.	34			34	$ 214,880.00
3.12	House wiring	Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone	Elmer Begay	97			97	$ 613,040.00
3.12	House wiring	Bodawy-Gap, Coppermine, Kai'Bii To, LeChee, Tonalea/Red Lake	Paul Begay	111			111	$ 701,520.00
3.12	House wiring	Chilchinbeto, Dennehotso, Kayenta	Nathaniel Brown	35		1	36	$ 227,520.00
3.12	House wiring	Shiprock	Eugenia Charles-Newton		62		62	$ 391,840.00
3.12	House wiring	Beclabito, Cove, Gahii Ahi/To' Koi, Red Valley, Sanostee, Sheepsprings, Toadlena/Two Grey Hills	Amber K. Crotty	28	32		60	$ 379,200.00
3.12	House wiring	Breadsprings, Rock Springs, Tsayatoh, Chichiltah, Manuelito, Red Rock	Seth Damon		69		69	$ 436,080.00
3.12	House wiring	Ts'ah Bii Kin, Navajo Mountain, Oljato, Shonto	Herman Daniels Jr.	76	0	73	149	$ 941,680.00
3.12	House wiring	Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nohodishgish, Standing Rock	Mark Freeland		243		243	$ 1,535,760.00
3.12	House wiring	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Twin Lakes	Pernell Halona		93		93	$ 587,760.00
3.12	House wiring	Alamo, Ramah, Tohajiilee	Jamie Henio		73		73	$ 461,360.00
3.12	House wiring	Cornfields, Ganado, Jeddito, Kinlichee, Steamboat	Vince James	155			155	$ 979,600.00

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Tiistoh Sikaad, Hogback, Nenahnezad, Newcomb, San Juan, Upper Fruitland	Rickie Nez		43		43	$ 271,760.00
3.12	House wiring	Rock Point, Lukachukai, Rough Rock, Round Rock, Tsaile/Wheatfields	Carl Slater	69			69	$ 436,080.00
3.12	House wiring	Houck, Klagetoh, Lupton, Nahata Dziil, Wide Ruins	Raymond Smith Jr.	75			75	$ 474,000.00
3.12	House wiring	Crystal, Fort Defiance, Red Lake, Sawmill	Wilson Stewart Jr.	24	3		27	$ 170,640.00
3.12	House wiring	Aneth, Mexican Water, Red Mesa, Sweetwater, Teenospos	Charlaine Tso	62	5	67	134	$ 846,880.00
3.12	House wiring	Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake	Daniel Tso		230		230	$ 1,453,600.00
3.12	House wiring	Chinle	Eugene Tso	35			35	$ 221,200.00
3.12	House wiring	To Nanees Dizi	Otto Tso	14			14	$ 88,480.00
3.12	House wiring	Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake	Thomas Walker Jr.	217			217	$ 1,371,440.00
3.12	House wiring	Oak Springs, St. Michael	Edison Wauneka	83			83	$ 524,560.00
3.12	House wiring	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	Edmund Yazzie		39		39	$ 246,480.00
3.12	House wiring	Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill	Jimmy Yellowhair	161			161	$ 1,017,520.00

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3.12 Housing Support: Other Housing Assistance

Expenditure Category	Project Description	Chapter	Delegate Region	Arizona	New Mexico	Utah	Total Customers	Total Project Amount**
3.12	House wiring	Reservation Wide	Navajo Nation (Veterans)	2	2	1	5	$ 31,600.00
Total				1,278	894	142	2,314	$14,624,480

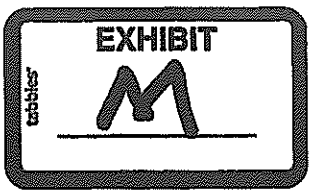
The Navajo Nation consist of approximately 27,413 square miles, of which 17,939 square miles are in Arizona (65%), 7,493 square miles are in New Mexico (27%) and 1,981 square miles are in Utah (8%). According to the 2010 U.S. Census 172,813 Navajos live on the Navajo Nation.

* These 2,394 projects consist of either single powerline projects or a community power line project.
* Currently 611 of the 2,394 families are on a NTUA community powerline project.
* Currently 55 of 611 families on the single powerline projects are located more that one mile from an existing powerline.

* The funding in this category allows NTUA and neighboring utilities (CDEC, JMEC, Socorro, APS, PNM, City of Farmington, City of Gallup, City of Page, etc.) to connect Navajo families to their electric grid. NTUA or the neighboring utilities will retain ownership of the utility assets that were constructed using the awarded funds.
* The customer will retain ownership of the house wiring assets and house wiring improvements installed.

** The cost to connect 2,394 families to the electric grid includes funding to complete house wiring (if applicable), pole mounted meter loops (if applicable), certification & recertification of wiring (if applicable), and inspection.
All known customers in Utah will be connected to the electric grid.
This project summary is active and subject to change as projects are added or taken off.

Funds may be moved between project types (single family powerline projects, community powerline projects, solar systems and house wiring projects) to meet actual costs without exceeding the total NTUA award for electric projects.
This document and the information presented in this document is for planning purposes and subject to change based on the needs of the communities and their constituents.



NNFRF BATHROOM ADDITIONS EXPENDITURE PLAN

BATHROOM ADDITIONS (EXPENDITURE CATEGORY 1.14) TOTAL: **$150,000,000**

BATHROOM ADDITIONS PER DELEGATE REGION ($150,000,000/24): **$6,250,000**

EXHIBIT
tabbies
M-1

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK0190

Date & Time Received: 14 April, 2022; 8:22 am

Date & Time of Response: 14 April, 2022; 2:04 pm

Entity Requesting FRF: Division of Community Development

Title of Project: Bathroom Additions

Administrative Oversight: Division of Community Development

Amount of Funding Requested: $150,000,000

Eligibility Determination:
☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:
☒ (1) Public Health and Economic Impact
☐ (2) Premium Pay
☐ (3) Government Services/Lost Revenue
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 1:14 (Other Public Health Services)

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- ☐ Missing Form
- ☐ Supporting documentation missing
- ☐ Project will not be completed by 12/31/2026
- ☐ Ineligible purpose
- ☐ Submitter failed to timely submit CARES reports
- ☐ Additional information submitted is insufficient to make a proper determination
- ☐ Expenditure Plan incomplete
- ☐ Funds will not be obligated by 12/31/2024
- ☐ Incorrect Signatory
- ☐ Inconsistent with applicable NN or federal laws

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

APPENDIX A

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Division of Community Development — Date prepared: 04/13/2022
Indicate Department, Program, Office, Division, or Branch

NN Government Unit's mailing address: P.O. Box 1904 / Window Rock, Arizona 86515 — phone/email: 928.871.7172 — website (if any):

Form prepared by: Pearl Yellowman — phone/email: pyellowman@nndcd.org
Division Director
CONTACT PERSON'S name, title and Department, Program, Office, etc. — *CONTACT PERSON'S info*

Title & type of Project: 1.14: Public Health Other for Bathroom Additions

NN Government Unit's Director or Manager: Pearl Yellowman — phone & email: 928.871.7172

Division Director (if any): _____ — phone & email: _____

Branch Chief: Jonathan Nez, President — phone & email: 928.871.7000

Funding Recipient will be working with: _____ on the Project and
indicate Branch and/or Division
the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Sub-recipient Agreement with NTUA, Contracts with NECA and Other General Contracts ☐ document attached

Amount of FRF requested: $150 Million — FRF funding period: September 2022 - December 2026
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Bathroom Additions program will use the funds to build ADA compliant bathrooms, connect the home to electricity, provide the home with drinking water through a water cistern or connection to a waterline, and provide the home with a septic tank or connect to a sewer system. Homes will also be provided with a water heater, wall heater, toilet, bathroom sink, and utility sink. Homes across the Navajo Nation will receive the services. This program addresses public health challenges that partly caused the unequal impact of the impact on the Navajo Nation.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo Communities, or the Navajo People:

A shockingly high number of homes on the Navajo Nation lack access to one or more of the following utilities: electricity, water, wastewater, and broadband. ARPA Bathroom Additions projects will provide one or more utilities to a home that lacks them and will assist in promoting public health and economic stimulus. The Navajo people receiving the utilities will directly benefit from the program.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

This project estimates the successful completion of approximately 30 bathroom additions a month and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

DCD will be the oversight of the sub-recipient agreement with NTUA and NECA as well as any other general contractors that are hired to complete the construction of the services needed to facilitate the bathroom additions.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The maintenance of the bathroom additions, septic systems, and cisterns system will be the responsibility of the bathroom addition recipient(s) after the 1-year construction warranty.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

1.14 Other Public Health Services. The Interim Final Rule states that "[g]iven the exacerbation of health disparities during the pandemic and the role of pre-existing social vulnerabilities in driving these disparate outcomes, services to address health disparities are presumed to be responsive to the public health impacts of the pandemic. Specifically, recipients may... facilitate access to resources that improve health outcomes including services that connect residents with health care resources and public assistance programs and build healthier environments such as: housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness." Bathroom additions addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor housing quality. The program will build healthier environments.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Estimated Cost Per Unit Attached.
Eligibility Criteria for Recipients Attached.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____
signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: Paulson Chaco, Chief of Staff
signature of Branch Chief or Division Director *print name and indicate title or position*

4.17.22

Executive, OPVP
indicate Branch or Division

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: K - [New] Program Title: 1.14 Public Health Other: Bathroom Additions Division/Branch: *DCD*

Prepared By: Pearl Yellowman Phone No.: 928.871.7172 Email Address: pyellowman@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		150,000,000	100%
	TOTAL:	150,000,000	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			150,000,000	
TOTAL		$0.00	150,000,000	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Pearl Yellowman
Program Manager's Printed Name

Pearl Yellowman 4.13.22
Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

Bathroom Addition Cost / Cistern Option		
Structure - ADA Compliant	$	58,000.00
Cistern	$	16,000.00
Septic	$	26,000.00
House Wiring Contingency (50% of Homes)	$	7,000.00
NTUA ROW	$	7,500.00
NTUA Evaluations / Design Work	$	16,000.00
Total	$	**133,110.00**
ARP Funding Available	$	75,000,000.00
Possible Number of Bathroom Additions with Cisterns		563
Bathroom Addition Cost / Waterline Option		
Structure - ADA Compliant	$	58,000.00
Waterline up to 2,500'	$	53,500.00
Septic	$	26,000.00
House Wiring Contingency (50% of Homes)	$	7,000.00
NTUA ROW	$	7,500.00
NTUA Evaluations / Design Work	$	16,000.00
Total	$	**171,360.00**
ARP Funding Available	$	75,000,000.00
Possible Number of Bathroom Additions with Waterline		438
Total Units to Complete To Include Water & Cistern		1001

Eligibility Criteria: 1.12 Public Health: Bathroom Additions

In order for an applicant to request ARPA funds for a bathroom addition under this legislation they must provide the following information:

1. Complete the NTUA Bathroom Addition with Waterline or Cistern System and Septic/Wastewater Service application.
2. The applicant will have to provide their name, reliable phone number(s), email address, mailing and physical address, the latitude and longitude, and chapter affiliation.
3. They must submit a valid homesite lease or residential lease.
4. Proof of primary residency required.

The criteria to determine eligibility for applicants is based on successful submission of aforementioned documents request. NTUA will perform a feasibility study which includes the following criteria:

1. The home must be found to be physically feasible to lived in.
2. Whether the home is on a permanent foundation and is a sound structure (livable).
3. Home needs to have access to a power source (electric or solar).
4. Applicant is willing and able to pay for monthly services.
5. Applicant must have no outstanding balance on existing utility accounts.
6. If a home is located within ½ mile of a community water system they will be considered for a waterline connection.
7. If the home is located over ½ mile they will be considered a water cistern system.
8. If the applicant is to receive a cistern system, the applicant must be willing and able to own, operate and maintain the system (which includes hauling water to refill).
9. For either a waterline connection or a water cistern system, the applicant must be willing and able to own, operate and maintain the septic system.

Homes that meet the criteria above will enter the right-of-way process where NTUA will obtain the Biological Resources Clearance Form (BRCF), Cultural Resources Compliance Form (CRCF), Traditional Cultural Proper Record (TCP), Tribal Authorization Access (TAA), and Service Line Agreement (SLA), if applicable. If the applicant's home can get through this process, then it can be approved for construction.

The priority can be described as "first to complete the process will be first served" meaning, if an applicant is able to complete the application, has a valid homesite lease, the home passes a physical inspection, and obtain all the applicable land clearance requirements, then that applicant will be served. Homes will continue to receive services until all the funding is expended or the imposed time limit runs.

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

NN Government Unit Preparer: _____ Approved by: _____

signature of Preparer/CONTACT PERSON *signature of NN Government Unit's Dept./Program/Office Director or Manager*

Approved to submit for Review: _____ Print Name, Title, Branch or Division: _____

signature of Branch Chief or Division Director *print name and indicate title or position*

_____

indicate Branch or Division

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

All funding reallocated to the Construction Contingency budget must be expended no later than December 31, 2026.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

The Office of the President and Vice President in coordination with the Navajo Nation Fiscal Recovery Fund Office.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Maintenance does not apply to the contingency funds directly; however, will apply to the specific project(s) that contingency funds may get redistributed based on the O&M outlined in a previously approved expenditure plan.

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Due to contingency funds being reserved until such time a project is identified for the use of these funds, the default expenditure plan category for construction contingency will be 6.1: Provision of Government Services. Once construction contingency funds are administratively approved through a budget transfer, the funds may get reclassified under the previously approved expenditure plan funding category.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

None Applicable

FY _____

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

6.1: Provisions of Government Services for

PART I. Business Unit No.: K - [New] Program Title: Contingency Division/Branch: OPVP

Prepared By: Paulson Chaco Phone No.: 928.871.7000 Email Address: paulsonchaco@navajo-nsn.gov

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
NN Fiscal Recovery Funds		500.00	100%
	TOTAL:	$500.00	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001 Personnel Expenses				
3000 Travel Expenses				
3500 Meeting Expenses				
4000 Supplies				
5000 Lease and Rental				
5500 Communications and Utilities				
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions				
8000 Public Assistance				
9000 Capital Outlay			500.00	
TOTAL		$0.00	500.00	0

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:		
Total # of Vehicles Budgeted:		

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

SUBMITTED BY: Paulson Chaco, Chief of Staff
Program Manager's Printed Name

Program Manager's Signature and Date

APPROVED BY: Paulson Chaco, Chief of Staff
Division Director / Branch Chief's Printed Name

Division Director / Branch Chief's Signature and Date

NAVAJO NATION

1073 6/13/2022

Navajo Nation Council Special Session 07:22:22 PM

Amd# to Amd# Motion to Adjourn at 7:15pm PASSED

MOT Daniels

SEC Yellowhair

Yeas : 13 **Nays : 8** **Excused : 0** **Not Voting : 2**

Yea : 13

Brown	Freeland, M	James, V	Tso, C
Charles-Newton	Halona, P	Nez, R	Tso, E
Crotty	Henio, J	Slater, C	Yellowhair
Daniels			

Nay : 8

Begay, E	Begay, P	Tso, D	Wauneka, E
Begay, K	Smith	Walker, T	Yazzie

Excused : 0

Not Voting : 2

Stewart, W	Tso

Presiding Speaker: Damon