

**LEGISLATIVE SUMMARY SHEET**  
**Tracking No. 0319-15**

**DATE:** September 11, 2015

**TITLE OF RESOLUTION:** AN ACTION RELATING TO AN EMERGENCY;  
APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,  
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION ONE  
HUNDRED SIXTY-SIX AND TWO HUNDRED TEN DOLLARS (\$1,166,210) FOR  
LONG-TERM IMPACT STUDIES AND MONITORING OF THE GOLD KING MINE  
TOXIC WASTE SPILL INTO THE WATERS OF THE NAVAJO NATION

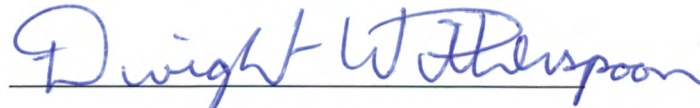
**PURPOSE:** This emergency resolution, if approved, will provide funding to several Navajo Nation programs from the Unreserved, Undesignated Fund Balance in the amount of \$1,166,210 for a long term impact study and monitoring of the Gold King mine waste spill into the San Juan River.

**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.**

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23<sup>rd</sup> NAVAJO NATION COUNCIL—First Year, 2015

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0319-15

AN ACTION

RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING  
FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE  
AMOUNT OF ONE MILLION ONE HUNDRED SIXTY-SIX AND TWO HUNDRED  
TEN DOLLARS (\$1,166,210) FOR LONG-TERM IMPACT STUDIES AND  
MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE  
WATERS OF THE NAVAJO NATION

BE IT ENACTED:

**SECTION 1. FINDINGS**

- A. 2 N.N.C. § 164(16) provides, in part, that an emergency is limited to matters such as disaster relief services and that such emergency matter must arise due to the pressing public need for such resolution and must be a matter requiring final action by the Council.
- B. On August 5, 2015, the United States Environmental Protection Agency (“USEPA”) caused the Gold King Mine toxic spill that released over 3 million gallons of toxic waste into the Cement Creek that reached the San Juan River on August 8, 2015.
- C. On August 9, 2015, the Navajo Nation Commission on Emergency Management with the concurrence of the Navajo Nation President, pursuant to 2 N.N.C. §884(B)(1), issued a Declaration of a State of Emergency in response to the toxic waste spill.

1 Resolution of the Commission on Emergency Management, CEM 15-08-09, attached  
2 as Exhibit J.

3 D. On August 21, 2015, the Navajo Environmental Protection Agency ("NNEPA")  
4 declared the San Juan River to meet the water quality standards for the Navajo  
5 Nation.

6 E. The Navajo population within the affected areas is of different opinions as to whether  
7 the irrigation canals should be re-opened for irrigation. Some Navajo citizens are  
8 concerned about the impact of the water on their farms, livestock, sheep, wildlife and  
9 humans and are highly reluctant to re-open the irrigation canals. News Release from  
10 the Navajo Nation President attached as Exhibit K.

11 F. Other Navajo citizens, including the District 13 Council which is comprised of the  
12 four Chapters of Tiis Tsoh Sikaad, San Juan, Upper Fruitland, and Nenahnezad,  
13 requested the President of the Navajo Nation and the Navajo Nation Irrigation Office  
14 to release the water from the San Juan River to irrigate crops and provide water for  
15 livestock. District 13 Council of August 24, 2015 attached as Exhibit L.

16 G. The USEPA notified the Navajo Nation that the remediation of the San Juan River  
17 will take decades; it was then determined that the Navajo Nation will need to not only  
18 address the immediate needs but start developing a long-term plan.

19 H. There were many impacts from this spill that need to be immediately analyzed  
20 including, impacts to wildlife, amphibians, livestock, crops, land, water, and humans.  
21 To develop this Plan, the monitoring, testing and studies must start immediately.  
22 There have been samples taken within the irrigation canals, only, but there is lack of  
23 funds to be able to fully carry out this Plan.

24 I. The health and welfare of the Navajo people is important to the Navajo Nation, and  
25 the impacts from this toxic spill are unknown and may be unknown for many years.  
26 This Plan is very important to be able to mitigate those future impacts and prepare for  
27 the consequences of this contamination.

28 J. The Navajo Nation Division of Natural Resources has developed a plan to study  
29 immediate impacts and long-term monitoring for wildlife, livestock and crops.  
30

- 1 K. The Navajo Nation Division of Health is proposing to develop a study for the future  
2 health of the Navajo people.
- 3 L. The Navajo Nation Environmental Protection Agency must continue monitoring and  
4 testing of the waters, canals, soil and sediment, not only for the immediate term but in  
5 the future.
- 6 M. There are many concerns, questions and fears expressed by our Navajo people on the  
7 impacts from this spill; this funding will allow for the Navajo Nation to be able to  
8 bring peace to our Navajo people.
- 9 N. The attached Executive Summary, Exhibit C, states the need for emergency  
10 legislation.
- 11 O. Pursuant to 12 N.N.C. § 820(L), the Navajo Nation Council may adopt and approve  
12 supplemental appropriations to the Annual Comprehensive Budget during the fiscal  
13 year. Supplemental appropriations of General Funds within the current fiscal year are  
14 permitted, (1) if and when additional sources of revenues above and beyond the initial  
15 or current revenue projections are projected and which are also in excess of the  
16 reserve amount set for in § 820(J) or (2) when the Unreserved, Undesignated Fund  
17 balance is in excess of the reserve amount set forth at § 820(J).
- 18 P. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and  
19 supplemental funds shall be submitted to the Office of Management and Budget  
20 ("OMB") for budget impact analysis. See Memorandum from OMB attached as  
21 Exhibit A.
- 22 Q. Pursuant to 12 N.N.C. § 820(M), when the Controller identifies additional sources of  
23 revenues above and beyond the initial or current revenue projections, supplemental  
24 appropriations may be allocated by the Navajo Nation Council. The attached  
25 memorandum, Exhibit B, from the Controller has identified the additional revenues.
- 26 R. The Navajo Nation finds the need for supplemental funding of One Million One  
27 Hundred Sixty-six and Two hundred ten Dollars (\$1,166,210) for long-term impact  
28 studies and monitoring of the Gold King Mine toxic waste spill into the waters of the  
29 Navajo Nation is an emergency which affect disaster relief services and it requires  
30 final action by the Navajo Nation Council.

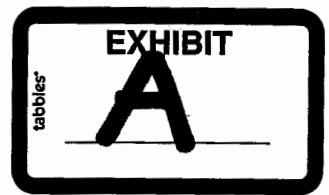
1 S. The Navajo Nation finds it in the best interest to approve a Supplemental  
2 Appropriation because it is necessary to be able to start helping the Navajo people  
3 impacted by the Gold King Mine toxic spill.  
4

5 **SECTION 2. APPROVING SUPPLEMENTAL FUNDING FROM THE**  
6 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**  
7 **ONE MILLION ONE HUNDRED SIXTY-SIX AND TWO HUNDRED TEN**  
8 **DOLLARS (\$1,166,210) FOR LONG-TERM IMPACT STUDIES AND**  
9 **MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE**  
10 **WATERS OF THE NAVAJO NATION AND APPROVING CARRYOVER OF**  
11 **FUNDS**  
12

13 A. The Navajo Nation Council, having received certification by the Office of the  
14 Controller, attached as Exhibit B, of the availability of certain funds from the  
15 Unreserved, Undesignated Fund Balance (UUFB) for supplemental appropriation  
16 hereby approves the supplemental appropriation of One Million One Hundred Sixty-  
17 six and Two hundred ten Dollars (\$1,166,210) for long-term impact studies and  
18 monitoring of the Gold King Mine toxic waste spill, as further described in Navajo  
19 Epidemiology Center (Navajo Department of Health) budget documents attached as  
20 Exhibit D, San Juan River Environmental Sampling (Navajo Environmental  
21 Protection Agency) budget documents, attached as Exhibit E, Natural Heritage  
22 Program (Navajo Division of Natural Resources) budget documents, attached as  
23 Exhibits F, Veterinary Services-Farmers and Ranchers (Division of Natural  
24 Resources) budget documents, attached as Exhibit H, and San Juan River Fish  
25 Contaminant Monitoring (Division of Natural Resources), attached as Exhibit I.

26 B. This supplemental appropriation of One Million One Hundred Sixty-six and Two  
27 hundred ten Dollars (\$1,166,210) shall be to the Business Units identified in the  
28 above listed exhibits and to new Business Unit Numbers and from that amount of  
29 funds that exceeds the minimum fund balance of the UUFB.  
30

1 C. The Navajo Nation Council, pursuant to 12 N.N.C. §820(N), approves a carryover of  
2 the unspent designated funds to the respective programs herein.  
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TO : OPVP – Karis Begaye  
Brittany Smith

FROM : Dominic Beyer, OMB *DBeyer 9-1-15*

SUBJECT : Review of Emergency Budgets

Yesterday at noon time we were sent five budgets to review for possible emergency supplemental funding. Three of the budgets were missing pages and two of the affected programs submitted the pages just before 5:00. Comments on each budget follow.

1. NEPA San Juan River Environmental Sampling : \$389,245
  - No fund term/period is provided.
  - The budget detail needs corrections, as marked.
  - Form One should be corrected.
  - Need Appendix J (FY 15) or K (FY 16) form – supplemental funding request.
2. NDOH Navajo Epidemiology Center : \$194,120
  - Correct signatures needed. Manager and Division Director.
  - There is no Form 2, Performance Criteria.
  - Corrections on Form 3 needed. This changes the calculations on Form 4.
  - Need Appendix J or K form – supplemental funding request.
3. DNR Veterinary Services – Farmers/Ranchers : \$243,315
  - Form 2 is incomplete.
  - Form 4 needs corrections.
  - Need Appendix J or K form- supplemental funding request.
4. DNR Natural Heritage Program : \$131,680
  - Fund Source is not identified.
  - All funds appear to be for Consulting. If yes, Form 5 should be blank (meaning no employees).
  - Need Appendix J or K form- supplemental funding request.
5. DNR Natural Heritage Program : \$58,660
  - Fund Source not identified.
  - Budget Form 4 needs corrections.
  - Need Appendix J or K form- supplemental funding request.
  - Why is this budget separate from the other budget (#4 above)?

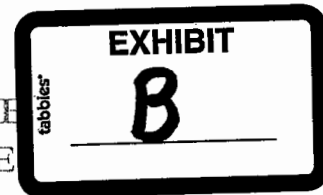
Other:

- The grand total is \$1,017,020. If the fund source is the UUFB, there is \$4,706,679 available.
- The budgets that list dates show FY 2016, starting October 1. Consideration could be given to starting August 8, the day the state of emergency was formally declared. If this is the choice, the legislation should have a carryover provision.
- Budgets could be done with "New" in the Business Unit space. Then OMB/OOC can decide what business unit to assign. If the "1xxxxx" accounts are used, then the budgets are tied to specific programs and are subject to lapse, etc.
- Consideration should be given to designate these funds be put into the Operation Yellow Water Emergency account, NO1320, which was set up with the \$363,000 contribution from the law firm. The Department of Emergency Management would then manage the funds.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT



## MEMORANDUM:

TO : 2 NNC § 164 Reviewers  
Delegates & 2 NNC '164 Reviewers  
Navajo Nation Government

FROM : Robert Willie  
Robert Willie, Acting Controller  
Office of the Controller

DATE : August 27, 2015

SUBJECT : Updated: UUFB balance

The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$4,706,679 as of August 27, 2015.

If you should have any questions you can contact me at tribal extension X6125.





# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE-PRESIDENT

## MEMORANDUM:

TO : Honorable Russell Begaye, President  
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker  
Navajo Nation Council

Honorable Allen Sloan, Acting Chief Justice  
Judicial Branch

FROM : *Natasha Damon*  
Natasha Damon, Senior Accountant  
General Accounting, Office of the Controller

DATE : August 17, 2015

SUBJECT : Financial Update-(General Fund Revenue, Expenditures, UUFB)

The following is the financial data from the General Fund for FY 2015. The total year to date gross General Fund Revenues, see Exhibit "A", as of August 17, 2015 is \$217,613,621 and the total set asides is \$55,870,452. The Net Revenue for the General Fund is \$161,743,169 which is 93.68% of the projection. The total expenditures by branch are shown on Exhibit "B". The Legislative Branch has actual expenditures of \$11,500,707, encumbrances of \$811,671, with a remaining budget of \$6,550,809. The Executive Branch actual expenditures are \$162,647,637, encumbrances of \$11,866,675, with a remaining budget of \$52,298,785. The Judicial Branch actual expenditures are \$11,268,902, encumbrances of \$84,014 and remaining budget of \$4,288,786. Total General Fund expenditures are \$185,417,247; total encumbrances are \$12,762,360 leaving an overall remaining General Fund budget of \$63,138,380. The updated UUFB as of August 17, 2015 is \$4,706,679, attached Exhibit "C."

Thank you, if you should have any question please feel free to call me at tribal extension X6125.



THE NAVAJO NATION  
Revenue Schedule (Unaudited)  
August 17, 2015

FY 2015

Account Range	Original Budget	Revised Budget	Actuals	Budget Available	% Revenue of Total
107001 TNN: ROYAL; GAS; OIL	(50,567,000)	(50,567,000)	(30,629,837)	(19,937,163)	60.57
107002 TNN: COAL REVENUES	(54,683,000)	(54,683,000)	(48,391,540)	(6,291,460)	88.49
107003 TNN:OTR MINERALS REV			(46,677)	46,677	
107004 TNN: LAND REVENUES	(57,918,000)	(57,918,000)	(63,725,130)	5,807,130	110.03
107005 TNN: BUSINESS FEES			(58,496)	58,496	
107006 TNN: INTEREST INCOME	(800,000)	(800,000)	(1,010,322)	210,322	126.29
107007 TNN: TAX REVENUES	(66,052,000)	(66,052,000)	(73,288,089)	7,236,089	110.96
107008 COURT FINES + FEES	(400,000)	(400,000)	(375,434)	(24,566)	93.86
107009 TNN: OTHER REVENUES	(500,000)	(500,000)	2,218	(502,218)	-0.44
107010 BIA: ROYAL; GAS; OIL			(89,855)	89,855	
107011 BIA: COAL REVENUES			(459)	459	
<b>TOTAL REVENUE</b>	<b>(230,920,000)</b>	<b>(230,920,000)</b>	<b>(217,613,621)</b>	<b>(13,306,379)</b>	<b>94.24</b>
107017 CAPITAL OUTLAY MATCH	2,000,000	2,000,000	2,000,000	-	100.00
107018 LAND FUND TRANSFER	4,618,000	4,618,000	4,352,272	265,728	94.25
107019 PERMANENT FUND TRNSF	27,710,000	27,710,000	26,113,634	(1)	94.24
107028 WATER RIGHTS CLAIM FU	2,000,000	2,000,000	2,000,000	-	100.00
107029 DINE' HIGHER EDUCATIO	11,200,000	11,200,000	11,200,000	-	100.00
107030 HISTORICAL TRUST ASSE	1,500,000	1,500,000	1,500,000	-	100.00
107031 VETERANS TRUST FUND S	9,237,000	9,237,000	8,704,545	532,455	94.24
<b>TOTAL SET ASIDE</b>	<b>58,265,000</b>	<b>58,265,000</b>	<b>55,870,452</b>	<b>2,394,548</b>	<b>95.89</b>
<b>SUBTOTAL</b>	<b>(172,655,000)</b>	<b>(172,655,000)</b>	<b>(161,743,169)</b>	<b>(10,911,831)</b>	<b>93.68</b>

(1)- Based upon CS-46-14 Paragraph E which authorizes the use of Set Aside for debt service of \$10,000,000. \$10,000,000 has been deposited into N01305.



# FY 2015 EXHIBIT "B"

## The Navajo Nation Budget Status\_Income Statement As of August 17, 2015

Branch / Object Account	Original Budget	Revised Budget	Actuals	Encumbrances	Budget Remaining	% Remaining
<b>LEGISLATIVE BRANCH</b>						
2001 - Personnel Expenses	10,146,535	11,630,036	7,909,885		3,720,151	31.99
3000 - Travel Expenses	1,669,815	1,859,441	1,329,219	28,116	502,106	27.00
3500 - Meeting Expenses	377,399	519,252	388,431	-	130,821	25.19
4000 - Supplies	555,594	1,015,231	494,315	10,286	510,630	50.30
5000 - Lease & Rental	280,550	298,902	181,255	41,000	76,647	25.64
5500 - Communications & Utilities	235,969	276,876	171,229	-	105,646	38.16
6000 - Repairs & Maintenance	93,050	181,319	109,928	8,898	62,493	34.47
6500 - Contractual Services	549,234	1,791,791	564,278	685,447	542,066	30.25
7000 - Special Transactions	472,981	646,282	345,224	31,641	269,417	41.69
8000 - Assistance	-	551	404	-	147	26.72
9000 - Capital Outlay	730,368	643,508	6,541	6,283	630,684	98.01
9500 - Matching & Indirect Cost	-	-	-	-	-	-
<b>Total LEGISLATIVE BRANCH</b>	<b>15,111,495</b>	<b>18,863,188</b>	<b>11,500,707</b>	<b>811,671</b>	<b>6,550,809</b>	<b>34.73</b>
<b>EXECUTIVE BRANCH</b>						
2001 - Personnel Expenses	80,059,332	86,172,351	62,387,509	-	23,784,842	27.60
3000 - Travel Expenses	11,703,111	11,519,081	8,750,838	17,121	2,751,122	23.88
3500 - Meeting Expenses	1,093,830	2,662,273	1,747,786	-	914,487	34.35
4000 - Supplies	5,500,493	7,611,744	3,881,887	891,557	2,838,301	37.29
5000 - Lease & Rental	1,897,790	2,334,647	1,487,349	60,994	786,304	33.68
5500 - Communications & Utilities	7,890,698	8,752,080	5,828,570	895,836	2,027,674	23.17
6000 - Repairs & Maintenance	6,666,744	6,152,484	3,072,905	1,456,605	1,622,973	26.38
6500 - Contractual Services	4,781,901	12,214,792	5,316,099	5,065,671	1,833,022	15.01
7000 - Special Transactions	18,435,873	19,624,286	17,469,379	224,717	1,930,190	9.84
8000 - Assistance	46,184,477	58,320,611	49,218,145	2,363,623	6,738,843	11.55
9000 - Capital Outlay	1,758,850	3,391,072	710,469	890,551	1,790,052	52.79
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	4,498,820	8,057,676	2,776,703	-	5,280,973	65.54
<b>Total EXECUTIVE BRANCH</b>	<b>190,471,919</b>	<b>226,813,097</b>	<b>162,647,637</b>	<b>11,866,675</b>	<b>52,298,785</b>	<b>23.06</b>
<b>JUDICIAL BRANCH</b>						
2001 - Personnel Expenses	12,730,707	13,144,337	9,792,531		3,351,805	25.50
3000 - Travel Expenses	670,491	712,801	501,481	-	211,320	29.65
3500 - Meeting Expenses	112,000	114,780	14,901	-	99,879	87.02
4000 - Supplies	373,978	523,039	252,670	31,026	239,342	45.76
5000 - Lease & Rental	94,175	98,437	48,806	-	49,631	50.42
5500 - Communications & Utilities	269,475	181,686	68,753	-	112,932	62.16
6000 - Repairs & Maintenance	245,541	158,159	57,406	-	100,753	63.70
6500 - Contractual Services	36,334	47,229	14,759	6,884	25,586	54.17
7000 - Special Transactions	248,024	227,978	134,189	653	93,137	40.85
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	433,256	383,405	45,451	4,399	1.02
9300 - Other Income and Expense	-	-	-	-	-	-
<b>Total JUDICIAL BRANCH</b>	<b>14,780,725</b>	<b>15,641,702</b>	<b>11,268,902</b>	<b>84,014</b>	<b>4,288,786</b>	<b>27.42</b>
<b>GRAND TOTAL:</b>	<b>220,364,139</b>	<b>261,317,987</b>	<b>185,417,247</b>	<b>12,762,360</b>	<b>63,138,380</b>	<b>24.16</b>



# Undesignated, Unreserved, Fund Balance (UUFB)

## August 17, 2015

### (Unaudited)

09-30-14 Balance	47,939,125
Min Fund Balance-CJA-07-06	17,592,800

UUFB 10-01-13	<u>30,346,325</u>
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#### Supplementals

CN-53-14 Phoenix Indian Center	148,325
CD-69-14 - Cameron Chapter	180,120
CD-71-14 - Nahatadzil Shopping Center, Oljato Chapter	5,500,000
CD-72-14- Navajo Transit	600,000
CD-73-14-Grazing, Farm Boards,ENavajoLand Board	1,559,250
CD-75-14-Tonalea/Red Lake Chapter	500,000
CD-70-14- Headstart Matching	3,558,856
CMA-06-15-Navajo Election Admin	317,891
CAP-12-15-Powerline Projects, Cap Improvement , Zoo	13,075,204
CJY-35-15-Navajo community dvlpmnt financial institution	200,000

UUFB 08-17-15	<u>4,706,679</u>
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**THE NAVAJO NATION**

**RUSSELL BEGAYE PR  
JONATHAN NEZ VIC**



## **Executive Summary**

On August 5, 2015, the Gold King Mine released over three million gallons of toxic waste into Cement Creek that spilled into the water of the Navajo Nation on August 8, 2015. The Navajo Nation President immediately issued a State of Emergency to mobilize the Navajo Nation Divisions to respond to this disaster. The Navajo Tribal Utility Authority, Navajo Nation Water Resources, Navajo Nation Emergency Management, Navajo Nation Environmental Protection Agency ("NNEPA") and the Bureau of Indian Affairs joined efforts to address the impact to the Navajo people.

While the Navajo Nation with BIA is addressing the immediate impact, we must also consider the long-term impact and monitoring. This long-term plan will be for the testing of crops, traditional herbs, soils, livestock and the San Juan River monitoring and testing. In addition, there is a need for a long-term health plan as well. For a successful monitoring plan to be in place, the monitoring must occur today. The impact to the Navajo people from this spill will be decades. The health and welfare of our people is first and foremost is most important to the Navajo Nation. Another area of importance is to bring trust back into all Navajo farm products and the Navajo livestock industry. The need to demonstrate that our markets have wholesome products and need to promote the livelihood of our farmers and ranchers along the river is critical at this time.

The Division of Natural Resources, NNEPA and Division of Health have collectively put together a long-term plan. The attached budgets will be able to give the Divisions funding to immediately begin the monitoring that needs to take place for those impacted. The immediate need for funding is in the amount of \$1,017,020 however, to continue this monitoring will require further funding in the future. We seek your support and favorable consideration.

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY



<b>PART I. Business Unit No.:</b> <u>NEW</u> <b>Program Title:</b> <u>Navajo Epidemiology Center</u> <b>Division/Branch:</b> <u>DOH/Executive</u>	
<b>Prepared By:</b> <u>Ramona Antone Nez</u> <b>Phone No.:</b> <u>(928)871-6350</u> <b>Email Address:</b> <u>Ramona.Nez@nndoh.org</u>	

<b>PART II. FUNDING SOURCE(S)</b>		<b>Fiscal Year Term</b>	<b>Amount</b>	<b>% of Total</b>
Supplemental Funds		9/15-09/30/15	194,120.00	100%
<b>PART III. BUDGET SUMMARY</b>				
	<b>Fund Type Code</b>	<b>NNC Approved Original Budget</b>	<b>Proposed Budget</b>	<b>Difference (Column B - A)</b>
2001 Personnel Expenses	1		71,385	71,385
3000 Travel Expenses	1		81,522	81,522
3500 Meeting Expenses				
4000 Supplies	1		14,213	14,213
5000 Lease and Rental				
5500 Communications and Utilities	1		6,000	6,000
6000 Repairs and Maintenance				
6500 Contractual Services				
7000 Special Transactions	1		21,000	21,000
8000 Public Assistance				
9000 Capital Outlay				
9500 Matching Funds				
9500 Indirect Cost				
<b>TOTAL</b>		<b>\$0.00</b>	<b>194,120.00</b>	<b>194,120</b>

<b>PART IV. POSITIONS AND VEHICLES</b>	
<b>(D)</b>	<b>(E)</b>
Total # of Positions Budgeted:	12
Total # of Permanently Assigned Vehicles:	6

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

*Ramona Antone Nez* 9/13/15

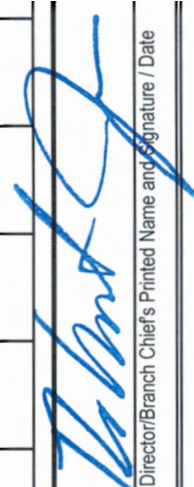
SUBMITTED BY: Program Manager's Printed Name and Signature / Date

APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

**FY 2015**

**Page 2 of 5**

<b>PART I. PROGRAM INFORMATION:</b>											
Business Unit No.:		NEW		Program Name/Title:		Navajo Epidemiology Center					
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b> CO-50-14 The Navajo Department of Health is to ensure that comprehensive and culturally relevant health care and public health services are provided on the Navajo Nation.											
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>											
1. Program Performance Area:		Conduct the Community Assessment for Public Health Emergency Response (CASPER).		1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal Stat				Goal		Actual		Goal		Actual	
Plan the CASPER.										1	
2. Program Performance Area:		Conduct the Community Assessment for Public Health Emergency Response (CASPER).									
Goal Statement:		Administer CASPER with a training center.								1	
3. Program Performance Area:		Conduct the Community Assessment for Public Health Emergency Response (CASPER).									
Goal Statement:		Collect 200 questionnaires from randomly selected households.								200	
4. Program Performance Area:		Conduct the Community Assessment for Public Health Emergency Response (CASPER).									
Goal Statement:		Data entry into EpiInfo and data analysis on collected questionnaires.								200	
5. Program Performance Area:		Conduct the Community Assessment for Public Health Emergency Response (CASPER).									
Goal Statement:		Generate report and disseminate to Tribal leaders.								1	
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>											
Program Manager's Printed Name and Signature/Date <i>Sharon Antonev</i> 9/3/15				Division Director/Branch Chief's Printed Name and Signature / Date 							

THE NAVAJO NATION

Page 3 of 5

65,587.20



**THE NAVAJO NATION**  
**DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Navajo Epidemiology Center</u> Business Unit No.: <u>NEW</u>			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	<b>2001 PERSONNEL EXPENSES</b> 12 Part-time, Salary + Fringe Benefits for Operation To 'Litso.		71,365
2110	<b>REGULAR</b> Temp. \$9.76/hr x 560 x 12 = \$65,587	65,587	
2900	<b>FRINGE BENEFITS</b> Temp. \$65,587 x 8.84% = \$5,798	5,798	
	<b>3000 TRAVEL EXPENSES</b> GSA vehicle leasing is more cost effective and insured travel to remote locations to reach randomly selected households to conduct for CASPER. Per Diem, lodging for travel costs to assist in Operation To 'Litso.		81,522
3140	<b>GSA</b> 3141 Flat Rate @ \$2,600/mo x 3 mos = \$7,800 3143 Fuel Cost \$1,333 x 6 veh x 3 mos = \$23,994	31,794	
3230	<b>PERSONAL TRAVEL</b> 3240 Per Diem Meals \$48/day x 3 days x 14 wks x 8 staff = \$16,128 3250 Lodging, \$100/night x 3 nights x 14 wks x 8 = \$33,600	49,728	
<b>TOTAL</b>		152,907	152,907

**THE NAVAJO NATION**  
**DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Navajo Epidemiology Center</u> Business Unit No.: <u>NEW</u>			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	<b>4000 SUPPLIES</b> Office Supplies such as USB, folders, Xerox paper, writing tablets, pens, batteries, binders, highlighters, tape and etc. Geographical Positioning Systems and Two-way radios units; Operating Supplies: Duplication services for the Casper instruments and public health reports		14,213
4120	<b>OFFICE SUPPLIES</b> 4130 General Operating Supplies: \$2,313	2,313	
4200	<b>NON-CAP ASSETS</b> 4220 Non Cap Analytical Equip	10,700	
4410	<b>OPERATING SUPPLIES</b> 4530 Printing/Binding @\$400/mo x 3 = \$1,200	1,200	
	<b>5500 COMMUNICATION &amp; UTILITIES</b> Mobile phones and hot spot wireless connection devices		6,000
5610	<b>WIRELESS</b> 5620 Cellular 5630 Two way Radio	6,000	
	<b>7000 SPECIAL TRANSACTIONS</b> Media Services - weekly public service announcements.		21,000
7410	<b>MEDIA</b> 7450 Radio Ad @ \$750/p spot x 2/wk x 14 wks	21,000	
<b>TOTAL</b>		41,213	41,213

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

E

PART I. Business Unit No.: _____		new		Program Title: San Juan River Environmental Sampling		Division/Branch: _____		EPA/Executive _____	
Prepared By: _____		P. Antonio		Phone No.: 928-871-7185		Email Address: _____		patrickantonio@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Difference (Column B - A)	
					Fund Type Code	NNC Approved Original Budget	Proposed Budget		
NN Supplemental General Funds		09/03/15-09/30/15	389,245.00	100%					
					2001 Personnel Expenses	1	48,248	48,248	48,248
					3000 Travel Expenses	1	9,576	9,576	9,576
					3500 Meeting Expenses				0
					4000 Supplies	1	82,046	82,046	82,046
					5000 Lease and Rental				0
					5500 Communications and Utilities				0
					6000 Repairs and Maintenance				0
					6500 Contractual Services	1	215,973	215,973	215,973
					7000 Special Transactions	1	1,848	1,848	1,848
					8000 Public Assistance				0
					9000 Capital Outlay	1	31,544	31,544	31,544
					9500 Matching Funds				0
					9500 Indirect Cost				0
<b>TOTAL:</b>					<b>TOTAL</b>		\$0.00	389,235.00	389,235

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			4 (Temp TF)
Total # of Permanently Assigned Vehicles:			2 (6 months)

Patrick Antonio <i>Patrick Antonio</i> 9-2-15 SUBMITTED BY: Program Manager's Printed Name and Signature / Date		<i>Ram-Buss</i> 9/2/15 APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date	
--	--	---	--

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

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2015

Page 2 of 6

<b>PART I. PROGRAM INFORMATION:</b> Business Unit No.: <u>new</u> Program Name/Title: <u>San Juan River Environmental Sampling</u>																									
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b> GSCMY 46-01: Established for the purpose of protecting the public health and the environment of the Navajo Nation through legislative proposals, obtaining funding, monitoring and data collection, permitting, and rulemaking as authorized by Navajo Nation law, public education and other means.																									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>																									
1. Program Performance Area: To report the number of WQ samples collected per quarter from 8 SJR sites plus QA/QC samples Goal Statement: [1 sample/week at 9 locations for 26 weeks]=234 To collect a minimum of 117 WQ samples per quarter at 8 SJR sites including QA/QC samples	<table border="1"> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> <td>Goal</td> <td>Actual</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>117</td> </tr> </table>	1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual								117
1st QTR		2nd QTR		3rd QTR		4th QTR																			
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																		
							117																		
2. Program Performance Area: To report the number of sediment samples collected per quarter from 8 SJR sites plus QA/QC samples Goal Statement: [1 sample/week at 9 locations for 26 weeks]=234 To collect a minimum of 117 sediment samples per quarter at 8 SJR sites including QA/QC samples	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>117</td> </tr> </table>																117								
							117																		
3. Program Performance Area: Goal Statement:	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																								
4. Program Performance Area: Goal Statement:	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																								
5. Program Performance Area: Goal Statement:	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																								
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b> <div style="display: flex; justify-content: space-between;"> <div> <i>Patrick Antonio</i>            Program Manager's Printed Name and Signature/Date         </div> <div> <i>Allen</i> 9/24/15            Division Director/Chief's Printed Name and Signature / Date         </div> </div>																									

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2015 ACTUAL		FY 2016 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
1001		3035	Environmental Technician		SRN	AB570A		1040	11,066.00
1002		3035	Environmental Technician		SRN	AB570A		1040	11,066.00
1003		3035	Environmental Technician		SRN	AB570A		1040	11,066.00
1004		3035	Environmental Technician		SRN	AB570A		1040	11,066.00
TOTAL									44,264.00

**THE NAVAJO NATION**  
**DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title:	San Juan River Environmental Sampling	Business Unit No.:	new
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
<b>2001 PERSONNEL EXPENSES</b>			
Employee Salary, Fringe Benefits.			
2310	Temporary .2320 Four (04) Temporary Part-Time positions per Budget Form 3	44,264	48,248
2900	Fringe Benefits .2900 Temporary \$44,264.00 x 9.00% = Fringe overall total: \$4,343.04	3,984	
<b>3000 TRAVEL EXPENSES</b>			
Monthly mileage and fleet rental.			
3110	Fleet .3111 Monthly/Perm: (Group B, Class II Pickup Truck 4WD) \$460/mo x 2 vehicles x 6 months = .3113 Mileage: (Group B, Class II PU Truck 4WD) \$0.30/mi x 2 vehs x 6,000 mi =	9,576	9,576
<b>4000 SUPPLIES</b>			
Water meter & test kits. Pump to filter water samples. Supplies for collecting samples and equipment calibration & decontamination. Shipping samples to contract lab.			
4200	Non Capital Assets .4220 Non Capital Analytical Equipment Two (02) YSI meter kits @ \$3,395.70 Two (02) HACH test kits @ \$3,968.02 Two (02) Geopump kits @ \$1,159.20	17,046	82,046
4410	Operating Supplies .4420 General Operating Supplies: sampling, calibration and decon supplies .4450 Postage, Courier Shipping: FedEx samples to contract lab	65,000	
<b>TOTAL</b>		<b>139,870</b>	<b>139,870</b>



**THE NAVAJO NATION**  
**DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title:	San Juan River Environmental Sampling	Business Unit No.:	new
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	<b>6500 CONTRACTUAL SERVICES</b>		215,973
	Professional Services for various program initiatives. Contractual services for specialized services.		
6830	Other Technical Services		
	.6850 Diagnostic, Testing, Evaluation: lab analyses of water & sediment samples	215,973	
	Water samples = \$165,00      Sediment samples = \$50,973		
	<b>7000 SPECIAL TRANSACTIONS</b>		1,848
	Required insurance premiums.		
7710	Insurance Premiums		
	.7740 Vehicle - Auto Liability: 2 vehicles x \$106.12 =	212	
	.7750 Vehicle - Auto Physical Damage: 2 vehicles x \$125.96 =	252	
	.7765 Policy Payment (General Liability): \$48,248/100 x 0.19 =	92	
	.7766 Deductible: 2 vehicles x \$500 =	1,000	
	.7776 Workers' Comp: \$44,264 x 0.66/\$100 =	292	
	Total	1,848	
	<b>9000 CAPITAL OUTLAY</b>		31,554
9140	Equipment	31,554	
	.9144 Analytical Equipment - Purchase meter for real-time analysis of metals in sediment/soil samples.		
	<b>TOTAL</b>	<b>249,375</b>	<b>249,375</b>





**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

**PART I. Business Unit No.:** new **Program Title:** San Juan River Environmental Sampling  
**Division/Branch:** EPA/Executive **Amount Requested:** 389,245.00 **Phone No.:** 928-871-7185  
**Prepared By:** P. Antonio **Email Address:** [patrickantonio@navajo-nsn.gov](mailto:patrickantonio@navajo-nsn.gov)

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

There is a need to determine and understand any long-term impacts of the water quality and sediment in the San Juan River from the spill originating from the Gold King Mine. Proper analyses of water quality and sediment samples collected from the San Juan River will be inputted into the WQ/NPDES Program database for comparison with applicable standards and data from past (pre-spill) sampling.

The amount of funding required to sample the impacts of the spill is well beyond the normal funding the WQ/NPDES Program utilizes for its ambient water quality monitoring. The spill represents a unique and unplanned situation so no funding existed to allow the necessary environmental sampling.

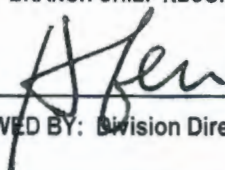
**PART III. SCOPE OF WORK/METHODOLOGY**

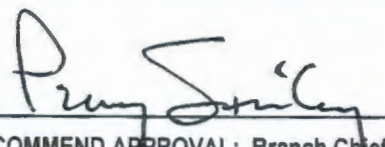
The scope of work involves the weekly collection of water quality and sediment samples from 8 locations on the San Juan River from Upper Fruitland, NM to Mexican Hat, UT. The sampling will occur over 26 weeks and involve 4 temporary technicians trained by WQ/NPDES Program hydrologists. The samples will be collected adhering to the WQ/NPDES Program's quality assurance program plan (QAPP) and the samples will be analyzed with the appropriate EPA approved method. The samples collected will be analyzed for metals, both the dissolved and total concentrations.

Analytical data obtained will be analyzed to determine trends in the metal concentrations and determine compliance with applicable standards and pre-spill levels. The data will also be used in the WQ/NPDES Program's water quality assessment report of the San Juan River to determine attainment of the designated uses of the river.

Once the analytical data has been analyzed, the findings will then be presentable.

**PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

 9/2/15  
**REVIEWED BY:** Division Director's Signature / Date

 9/2/15  
**RECOMMEND APPROVAL:** Branch Chief's Signature / Date



THE NAVAJO NATION

RUSSELL BEGAY PRESIDENT  
JONATHAN NEZ VICE PRESIDENT



ENVIRONMENTAL PROTECTION AGENCY


OFFICE OF EXECUTIVE DIRECTOR/ADMINISTRATION

PO BOX 339 WINDOW ROCK ARIZONA 86515 Office: 928/871-7692 Fax: 928/871- 996

Website: [www.navajonationepa.org](http://www.navajonationepa.org)

MEMORANDUM:

TO : All Concerned

FROM :   
Dr. Donald Benn, Executive Director  
Navajo Nation Environmental Protection Agency

DATE : June 15, 2015

SUBJECT : STANDING DELEGATION

This Standing Delegation of Authority shall serve to ensure oversight of Navajo Nation Environmental Protection Agency ("NNEPA") activities when I am on travel or on leave. The following personnel are delegated in order.


1. Eugenia Quintana, Environmental Department Manager, Air & Toxics Department
2. Diane J. Malone, Environmental Department Manager, Waste Regulatory and Compliance Department
3. Ronnie Ben, Environmental Department Manager, Surface and Groundwater Protection Department
4. Lavern Begay, Principal Contract Analyst, Administration Department
5. Patrick Antonio, Principal Hydrologist, Water Quality/NPDES Program

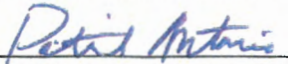
The delegation of authority shall serve to delegate my authority for the oversight and management of all NNEPA departments and programs, including the signing of documents. However, this delegation of authority to sign documents shall **not** extend to: (1) legislation and regulations; (2) budget transfers without justification or U.S. EPA approval; (3) documents that lack the concurrence of the appropriate NNEPA Department Director or program manager; (4) documents for the delegatee's own department or programs; (5) travel and leave requests for NNEPA Department Directors and (6) any other documents that the delegate feels requires the Executive Director's signature. Finally, this delegation of authority may not be transferred beyond the above-referenced personnel.

Your assistance and cooperation with these delegated personnel will be appreciated. If you have any questions, I can be reached at (928) 871-7692.

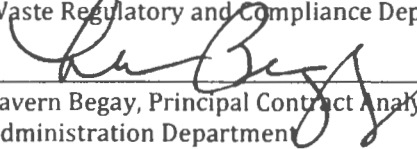
ACKNOWLEDGMENT:

  
Eugenia Quintana, Environmental Dept. Mgr.  
Air & Toxics Department

  
Ronnie Ben, Environmental Dept. Mgr.  
Surface and Groundwater Protection Department

  
Patrick Antonio, Principal Hydrologist  
Water Quality/NPDES Program

  
Diane J. Malone, Environmental Dept. Mgr.  
Waste Regulatory and Compliance Department

  
Lavern Begay, Principal Contract Analyst  
Administration Department

DISTRIBUTION

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

[illegible]

# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b>													
Business Unit No.:		K-115025				Program Name/Title:				Natural Heritage Program			
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b>													
Resolution Number: <u>GSCN-28-08</u> To conserve, protect, enhance, and restore, fish, wildlife, plants, and their habitat, through aggressive programs for the spiritual, cultural, and material benefit of present and future generations.													
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>													
1. Program Performance Area:													
Hire Personnel/contractors for project work													
Goal Statement:													
Initiate monitoring of sensitive and culturally valuable wildlife resources on the San Juan river													
2. Program Performance Area:													
Collected data on nesting occupancy and success of endangered riparian birds													
Goal Statement:													
Complete auditory and visual surveys for willow flycatchers and yellow billed cuckoos													
3. Program Performance Area:													
Establish Monitoring and control sites for amphibians													
Goal Statement:													
Select ten monitoring sites within the flood plain and ten control sites outside the flood plain													
4. Program Performance Area:													
Initiate aerial monitoring of ungulates, nesting raptors and waterfowl within the san juan river gorge and flood plain													
Goal Statement:													
Collect data on big game herd composition, waterfowl and raptor abundance, distribution and fecundity													
5. Program Performance Area:													
Analyze Data collected													
Goal Statement:													
Submit tissue samples to laboratory, assess population trends of birds, amphibians and ungulates													
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>													
<div style="display: flex; justify-content: space-between;"> <div> <u>John W. Turner</u> 9/2/15  Program Manager's Printed Name and Signature/Date </div> <div> <u>mm</u> 7/2/15  Division Director/Branch Chiefs Printed Name and Signature / Date </div> </div>													



<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: _____ Business Unit No.: K-115025			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
6520	<b>6500 Contractual Services</b> <b>Consulting</b> 6530-1- Wildlife Biologist- \$50/hr x 1,300 hours=\$65,000 6530-3 Employees x 1,000 hrs x \$15.00/Hr = \$45,000 6540-Vehicle Mileage- 20,000 miles x .55/mile=\$11,000 6540-Laboratory fees to test tissue samples collected from amphibian monitoring \$4,000 6540-Supplies for field and biological sampling supplies- 3,000 6540-Personnel Travel for field work, meals for 4 staffx 46/dayx 20 days= \$3,680	65,000 45,000 11,000 4,000 3,000 3,680	189,540
	6530: fees. Helicopter time: 50 hrs x 1000/hr=50,000 6540: Expenses Mileage - 2,500 miles x 200/mile = 5000 Vehicle Daily rental rate: 6 days x 300/day =1,000 Per Diem for 2 personnel x 6 days = 1,860	50,000 5,000 1,000 1,860	
	<b>TOTAL</b>	189,540	189,540

**THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

**PART I. Business Unit No.:** k-115025 **Program Title:** Natural Heritage Program  
**Division/Branch:** Natural Resource **Amount Requested:** 189,540 **Phone No.:** 871-7062  
**Prepared By:** Sam Diswood **Email Address:** [sdiswood@nndfw.org](mailto:sdiswood@nndfw.org)

**PART II. REASON FOR REQUEST AND STATEMENT OF NEED:**

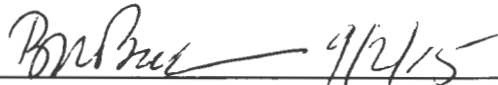
The Natural Heritage program is requesting supplemental funding to initiate and implement wildlife and pollution monitoring in the san juan river flood plain as result of the recent large scale release of heavy metals and other toxic mine waste from the Gold King mine in western Colorado.

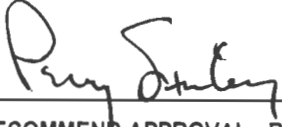
The Natural Heritage is proposing initiation of monitoring programs to assess impacts to endangered riparian birds, amphibians, water fowl, ungulates, and breeding raptors in and near the san juan river flood plain.

**PART III. SCOPE OF WORK/METHODOLOGY**

See Attached Scope of work justification

**PART IV. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**

 9/2/15  
**REVIEWED BY: Division Director's Signature / Date**

  
**RECOMMEND APPROVAL: Branch Chief's Signature / Date**

**Navajo Nation Department of Fish and Wildlife Proposed Scope of Work for Monitoring Endangered and Economically Important Wildlife Within the San Juan River Flood Plain**

*Prepared By: Chad S. Smith  
Zoologist, Navajo Natural Heritage Program*

**Endangered Birds**

Two Species of Federally and Tribally endangered insectivorous birds are known to nest within riparian vegetation on the Navajo Portion of the San Juan River. The Southwestern Willow Flycatcher and the Yellow billed cuckoo nest in thick riparian vegetation associated with large rivers and lakes. While the two species differ slightly in terms of diet and selectivity of nesting habitats and substrates their habitats do overlap broadly. Both species feed exclusively on terrestrial and flying insects with the Flycatcher preferring small flying insects and the Cuckoo having a less restrictive diet that includes larger terrestrial insects. It is unknown to what extent heavy metal contamination could impact insectivorous riparian birds but healthy aquatic ecosystems are critical for producing an abundance of small flying insects preferred by the southwestern willow flycatcher, and likely play an important role in the structure of invertebrate communities within the entire riparian forest ecosystem. Southwestern Willow Flycatcher nesting sites in particular are associated with areas of slack water and dense vegetation that allow for the production of flying insects with aquatic larval stages. Due to their hydrology, these sorts of habitats may become concentrated with toxic sediments that have settled out of the water column and that may be infrequently or incompletely flushed from the area during high flow events. Navajo Nation Department of Fish and Wildlife Proposes monitoring of nesting occupancy and success of both Southwestern Willow Flycatchers and Yellow Billed Cuckoos. Initial presence absence surveys should be conducted in habitats known to have recent nesting records and in a subset of other suitable habitat. Surveys and monitoring should be rigorously conducted in all potentially occupied habitat between the Animas river and Shiprock on Navajo Nation Property with additional monitoring conducted at select sites as far downstream as Mexican Hat, Utah. We propose an initial Monitoring program to be conducted for 5 years post pollution event with extension dependent on findings and need. NNDFW proposes the following annual budget for this proposed work.

Surveys and Monitoring will follow standardized federal protocol for the Southwestern Willow Flycatcher and Yellow Billed Cuckoo and must be conducted by a biologist or under the supervision of a biologist with USFWS training in both protocols.

## **Amphibian Monitoring**

Amphibian populations are in decline worldwide and the Navajo Nation is home to at least one species that has suffered severe population declines and local extirpation in recent decades. The Northern Leopard Frog is protected as an endangered species by the Navajo Endangered Species List and approximately 95% of known populations on Navajo Nation lands are now extirpated. A handful of Leopard Frog populations remain in the San Juan River flood plain and in a few isolated desert wetlands on the Navajo Nation. While this species is of particular concern to the Navajo Department of Fish and Wildlife, all amphibians are of significant value to aquatic and terrestrial ecosystems. Amphibians link aquatic and terrestrial ecosystems together and often form the basis of vertebrate predator food chains. Amphibians are also known to be highly susceptible to a number of environmental pollutants including heavy metals and pesticides. Monitoring the impacts of increased heavy metal pollution on Native Amphibians within the San Juan River flood plain and agricultural lands serviced by the river should be an important priority in assessing long term impacts of mine waste runoff. We propose initiating a 5 year monitoring program of amphibian populations in the San Juan River and its associated wetlands and agricultural lands. We propose selection of at least ten monitoring sites within the flood plain, including NAPI lands serviced by San Juan River Water, and control sites outside the flood plain. These sites should be assessed for amphibian species diversity and population size over a period of five years. Additionally tissue samples and skin swabs should be collected from a representative sample of amphibian adult and larval stages and tested for pollutant concentration as well as the presence of fungal infections known to be associated with environmental stress. These tissue samples should be collected during the start of each field season for the duration of the study. Population monitoring will be conducted using standardized approaches for the assessment of amphibian populations, which may include point counts, walking transects, pit fall and aquatic traps, and seine netting, and nocturnal audio/visual frog counts. Tissue samples will be collected either as whole animal voucher specimens or as toe and tail clippings from animals to be released. Lethal collection of the protected Northern Leopard Frog will be strictly avoided. Tissue samples will be preserved in reagent grade ethanol for subsequent analysis in a contracted lab facility.

## **Ungulates and Water Fowl**

Although generally not protected as threatened or endangered species, wild ungulates and waterfowl on the Navajo Nation are an important economic and subsistence resource. The recovery of the Bighorn Sheep herd within the san juan river gorges has been a significant success for the department of fish and wildlife and currently provides significant revenue to the department to implement its wildlife and habitat management goals as well as attract hunters to the Navajo Nation who employ local guides and businesses. Waterfowl and other game animals (Mule Deer, turkey, and Elk) also provide opportunities for subsistence hunting and high value recreational hunting for both Navajos and Non-Navajo visitors.



# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2016

Page 1 of 6



PART I. Business Unit No.:		Program Title: Natural Heritage Program		Division/Branch: Natural Resources	
Prepared By: Samuel F Diswood		Phone No.: 871-7062		Email Address: sdiswood@nndfw.org	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NNC Approved Original Budget	(B)	(C)
		01/2015 to 9/30/2015	131,680.00	100%							
					2001	Personnel Expenses					0
					3000	Travel Expenses					0
					3500	Meeting Expenses					0
					4000	Supplies					0
					5000	Lease and Rental					0
					5500	Communications and Utilities					0
					6000	Repairs and Maintenance					0
					6500	Contractual Services			131,680		131,680
					7000	Special Transactions					0
					8000	Public Assistance					0
					9000	Capital Outlay					0
					9500	Matching Funds					0
					9500	Indirect Cost					0
					<b>TOTAL</b>				\$0.00	131,680	131,680

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

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

Gloria M. Tom

*Gloria M. Tom* 8/31/15

*Bidiah N Becker* 8/31/15

Bidiah N Becker, Executive Director, DNR

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

<b>PART I. PROGRAM INFORMATION:</b>											
Business Unit No.:		Program Name/Title:		Natural Heritage Program							
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b>											
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>											
1. Program Performance Area: Hire Personnel for Project work		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Goal Statement: Initiate monitoring of the program for all Navajo Nation lands on the San Juan River		131,680		920		820		520			
2. Program Performance Area: Collect data on nesting occupancy and success for endangered birds											
Goal Statement: Complete aerial flights during occupancy and incubation periods		920		820		560		520			
3. Program Performance Area: Establish monitoring and control sites for amphibians											
Goal Statement: Select 10 monitoring sites within the flood plain and 10 control sites outside of the flood plain.		820		820		560		520			
4. Program Performance Area: Assess data collection											
Goal Statement: Submit amphibian tissue samples to laboratory, analyze nesting and diet data						260					
5. Program Performance Area:											
Goal Statement:											
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>											
Gloria M. Tom Program Manager's Printed Name and Signature/Date		8/31/15		Bridah N Becker Division Director/Branch Chief's Printed Name and Signature / Date							

THE NAVAJO NATION  
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE		FY 2016 PROPOSED	
					G/S	SALARY	HOURS	BUDGET

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title:		Natural Heritage Program	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
6520	6500 Contractual Services		131,680
	Consulting	65,000	
	6530-1- Wildlife Biologist- \$50/hr x 1,300 hours=\$65,000	45,000	
	6530-3 Employees x 1,000 hrs x \$15.00/Hr.=\$45,000	11,000	
	6540-Vehicle Mileage- 20,000 miles x .55/mile=\$11,000	4,000	
	6540-Laboratory fees to test tissue samples collected from amphibian monitoring-\$4,000	3,000	
	6540-Supplies for field and biological sampling supplies- 3,000	3,680	
	6540-Personnel Travel for field work, meals for 4 staffx 46/dayx 20 days= \$3,680		
TOTAL		131,680	131,680



<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: Natural Heritage Program		Funding Period: _____	
Contract/Grant No.: _____		K #: _____	
		Prepared by: Samuel F Diswood	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year ____	(C) Anticipated Funding Fiscal Year ____	(D) Difference Columns (C) - (B)
2001 Personnel Expenses			-
3000 Travel Expenses			-
3500 Meeting Expenses			-
4000 Supplies			-
5000 Lease and Rental			-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services		131,680	131,680.00
7000 Special Transaction			-
8000 Assistance			-
9000 Capital Outlay			-
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation			-
<b>TOTALS:</b>	<b>-</b>	<b>131,680</b>	<b>131,680.00</b>
<b>PART IV. FTEs/MATCH FUNDS:</b>			
No. of Positions/ FTEs:			
Required GF Cash Match:			
Required GF In - Kind Match:			
Required GF % Match:			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Contracting Officer's Signature / Date: _____		Approved by (print): Bidtah N Becker	
Submitted by (print): Gloria M. Tom		Signature/Date: _____	

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

H

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Veterinary Services - Farmers and Ranchers</u>		Division/Branch: <u>DNR/Executive</u>	
Prepared By: <u>Glenda Davis</u>		Phone No.: <u>505.371.5218</u>		Email Address: <u>glendadavis@navajo-rsn.gov</u>	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Difference (Column B - A)
General Fund	UUFB	09/15/15-09/30/15	243,315.00	100%	Fund Type Code	NNC Approved Original Budget	Proposed Budget	
					2001 Personnel Expenses	1	54,640	54,640
					3000 Travel Expenses	1	63,240	63,240
					3500 Meeting Expenses			
					4000 Supplies	1	10,000	10,000
					5000 Lease and Rental			
					5500 Communications and Utilities			
					6000 Repairs and Maintenance			
					6500 Contractual Services	1	115,000	115,000
					7000 Special Transactions	1	435	435
					8000 Public Assistance			
					9000 Capital Outlay			
					9500 Matching Funds			
					9500 Indirect Cost			
TOTAL:							\$0.00	243,315.00
					243,315			

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			5
Total # of Permanently Assigned Vehicles:			0


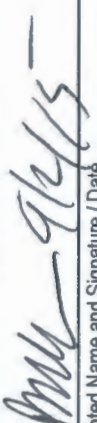
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
<u>Leo Watchman, Department Manager</u> SUBMITTED BY: Program Manager's Printed Name and Signature / Date	<u>Bidah Becker, Executive Director</u> APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date



# THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2015

Page 2 of 5

<b>PART I. PROGRAM INFORMATION:</b>		Veterinary Services - Farmers and Ranchers															
Business Unit No.: NEW		Program Name/Title:															
<b>PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:</b>																	
GSCAP-12-09: To provide comprehensive veterinary services at low cost, reproductive efficiency, herd services; lead in disease investigations and surveillance response in accordance with the Emergency Response To A Foreign Animal Disease (RCAU-43-04) and the Livestock & Foreign Animal Disease Response Act of 2006 (CMV-27-06); voice for the NN Veterinary & Livestock Program at WSLHA, USAHA and USDA APHIS functions.																	
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>																	
1. Program Performance Area:		1st QTR				2nd QTR				3rd QTR				4th QTR			
To determine the amount of chemical uptake occurred to crops from the San Juan River toxic spill		Goal		Actual		Goal		Actual		Goal		Actual		Goal		Actual	
Goal Statement:																	
Number of plant tissue samples set to certified laboratories for testing		3,500															
2. Program Performance Area:																	
To determine the amount of chemical uptake occurred to traditional herbs from the San Juan River toxic spill																	
Goal Statement:																	
Number of plant tissue samples set to certified laboratories for testing		200															
3. Program Performance Area:																	
To determine the amount of chemical uptake occurred to crop soils from the San Juan River toxic spill																	
Goal Statement:																	
Number of crop soil samples set to certified laboratories for testing		300															
4. Program Performance Area:																	
To assist farmers and ranchers in the documentation of their inventories																	
Goal Statement:																	
Number of forms completed to document agricultural inventories		500															
5. Program Performance Area:																	
To collaborate with chapter grazing officials and farms board members on location of farmers & ranchers																	
Goal Statement:																	
Coordination meetings to areas targeted for site visits		6															
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>																	
<div style="display: flex; justify-content: space-between;"> <div>   Lep Walchman, Department Manager  Program Manager's Printed Name and Signature/Date </div> <div>   Bidtah Becker, Executive Director  Division Director/Branch Chief's Printed Name and Signature / Date </div> </div>																	



THE NAVAJO NATION  
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2015 ACTUAL		FY 2016 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
	4143	Laborer			S/R	AB55A	18,616.00	640	5,728.00
							93,080.00		28,640.00

**THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

**FY 2015**

**Page 4 of 5**

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: _____ Business Unit No.: _____ NEW			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	<b>2001 PERSONNEL EXPENSES</b> 5 Part-time; Salary + Fringe Benefits for Operation To Litso.		54,640
2310	<b>TEMPORARY</b> Temp: \$8.95/hr x 640 x 5	28,640	
2510	<b>OVERTIME</b> 2530 Overtime: \$13.43/hr x 20 hrs x 5 temp = \$1,342.50/wk x 16wks = \$ 21,488	21,488	
2900	<b>FRINGE BENEFITS</b> Temp + OT: \$50,128 x 9% = \$4,512	4,512	
	<b>3000 TRAVEL EXPENSES</b> Short term vehicle rental, Per Diem Meals, Lodging, misc expenses for Travel related Operation To 'Litso.		63,240
3110	<b>FLEET</b> <b>3112 Daily/Temp</b> Group C XV Vehicle Class rental: 120 days x \$32.00/day = \$3,840 <b>3113 Mileage rental</b> 6,000 miles x .30/mile = \$1,800	5,640	
3230	<b>PERSONAL TRAVEL</b> <b>3240 Per Diem Meals</b> \$46/day x 60 days x 5 wrks = \$13,800; \$66/day x 60 days x 5 wrks = \$19,800 <b>3250 Lodging</b> \$80/night x 60 days = \$4,800 x 5 = \$24,000	57,600	
<b>TOTAL</b>		117,880	117,880

# THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

FY 2015

Page 5 of 5

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: _____ Veterinary Services - Farmers and Ranchers Business Unit No.: _____ NEW			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
4410	<b>4000 SUPPLIES</b> Tacks, Ropes, paddles, other bulk paper, printing/binding and photocopying; subscription, books, periodicals.  <b>OPERATING SUPPLIES</b> 4420 General Operating Supplies: \$5,000 4450 Postage, UPS, FedEx, other: \$5,000	10,000	10,000
6830	<b>6500 CONTRACTUAL SERVICES</b> The testing of crops, traditional herbs along the San Juan River  <b>OTHER TECHNICAL SERVICES</b> 6850 Diagnostics/Testing/Evaluation	115,000	115,000
7710	<b>7000 INSURANCE PREMIUMS</b> Insurance for temp positions  <b>INSURANCE</b> 7765 General Liability \$54,640/100 X .19 = \$103.82 7767 Workman's Comp \$50,128/100 X .66 = \$330.84	435	435
<b>TOTAL</b>		125,435	125,435



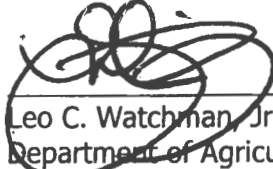
# THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT  
JONATHAN NEZ VICE PRESIDENT

## M-E-M-O-R-A-N-D-U-M

TO: All Concerned

FROM:

  
Leo C. Watchman, Jr., Department Manager III  
Department of Agriculture  
Division of Natural Resources

DATE: June 8, 2015

SUBJECT: Standing Delegation of Authority

---

During my absence from the Department of Agriculture, a Standing Delegation of Authority protocol will commence effective immediately. The order of person be delegated Authority as follows below. The Authority of Delegation to consist of those duties governing routine operations including specific functions related to the overall operations of the Department of Agriculture with the exception of those that may require my attention and/or approval.


Roxie June, Principal Planner  
Raymond Castillo, Principal Extension Agent  
Glenda Davis, Program Manager  
Ivan J. Becenti, Acting Program Manager

Dept. of Agriculture greatly appreciate your cooperation. Should you have questions or further assistance, please contact the office at (928) 871-6605. Thank you.

### ACKNOWLEDGED:

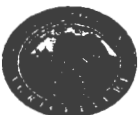
  
Roxie June, Principal Planner

  
Raymond Castillo, Principal Extension Agent

  
Glenda Davis, Program Manager, Navajo Veterinary & Livestock Program

  
Ivan J. Becenti, Acting Program Manager, Tribal Ranches Program

### DISTRIBUTION



# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

<b>PART I. Business Unit No.:</b> 115025		<b>Program Title:</b> San Juan River Fish Contaminant Monitoring		<b>Division/Branch:</b> Natural Resources/Executive	
<b>Prepared By:</b> AILEEN HALE-CHEE		<b>Phone No.:</b> 928-871-6452		<b>Email Address:</b> ahalechee@yahoo.com	

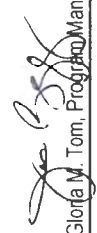

  

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Supplemental		09/01/15 - 9/30/15	150,000.00	100%				1			0
				0%	2001	Personnel Expenses					0
					3000	Travel Expenses					0
					3500	Meeting Expenses					0
					4000	Supplies			15,000		15,000
					5000	Lease and Rental					0
					5500	Communications and Utilities					0
					6000	Repairs and Maintenance					0
					6500	Contractual Services					0
					7000	Special Transactions					0
					8000	Public Assistance					0
					9000	Capital Outlay			135,000		135,000
					9500	Matching Funds					0
					9500	Indirect Cost					0
<b>TOTAL:</b>									\$0.00	150,000.00	150,000

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

<b>PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.</b>			
 Gloria M. Tom, Program Manager II		9/3/15  Bidtah Becker, Executive Director	
SUBMITTED BY: Program Manager's Printed Name and Signature / Date		APPROVED BY: Division Director/Branch Chief's Printed Name and Signature / Date	

## San Juan River Fish Contaminant Monitoring

THE NAVAJO NATION

FY 2015

LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

Page 3 of 6

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE		FY 2015 ACTUAL		FY 2016 PROPOSED	
					CODE	G/S	SALARY	HOURS	BUDGET	

NA

**THE NAVAJO NATION  
DETAILED LINE ITEM BUDGET AND JUSTIFICATION**

FY 2015

<b>PART I. PROGRAM INFORMATION:</b>			
1 Name/Title: <u>San Juan River Fish Contaminant Monitoring</u>		Business Unit No.: <u>115025</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	<b>4400 Supplies</b>		<b>15,000</b>
4410	Operating Supplies	15,000	
	Medical Supplies		
	Shipping		
	<b>9070 Capital Outlay</b>		<b>135,000</b>
9070	CAP-Pro-Tech Services	135,000	
	Diagnostics/Testing/Evaluation		
<b>TOTAL</b>		<b>150,000</b>	<b>150,000</b>





<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: San Juan River Fish Contaminant Monitoring		Funding Period: 01/01/2014 TO 12/31/2015	
Contract/Grant No.: A11AV00779		K #: K150720	
		Prepared by: JEFFREY COLE	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
The Fish and Wildlife Management Program is responsible for game management, fisheries management, and wildlife law enforcement with no matching funds.			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year 2015	(C) Anticipated Funding Fiscal Year 2016	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	236,652		(236,652.00)
3000 Travel Expenses	5,000		(5,000.00)
3500 Meeting Expenses			-
4000 Supplies	15,437	10,000	(5,437.00)
5000 Lease and Rental			-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services			-
7000 Special Transaction	625		(625.00)
8000 Assistance			-
9000 Capital Outlay		135,000	135,000.00
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation			-
<b>TOTALS:</b>	<b>257,714</b>	<b>145,000</b>	<b>(112,714.00)</b>
<b>PART IV. FTEs/MATCH FUNDS:</b>			
<b>Matching Fund Required:</b>	<b>No. of Positions/ FTEs:</b>	<b>5</b>	<b>-</b>
<b>CONCURRED BY:</b>	<b>Required GF Cash Match:</b>		<b>-</b>
	<b>Required GF In - Kind Match:</b>		<b>-</b>
	<b>Required GF % Match:</b>		<b>-</b>
Contracting Officer's Signature / Date: _____			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Submitted by (print): Gloria M. Tom		Approved by (print): Bidtah Becker	
Signature/Date: <i>Gloria M. Tom</i> 9/3/15		Signature/Date: <i>Bidtah Becker</i> 9/3/15	

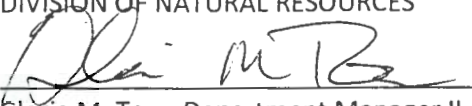


# THE NAVAJO NATION

RUSSELL BEGAYE  
JONATHAN NEZ

## MEMORANDUM

TO : Joe Begay, Sr. Animal Control Officer  
Department of Fish and Wildlife  
DIVISION OF NATURAL RESOURCES

FROM :   
Gloria M. Tom, Department Manager II  
Department of Fish and Wildlife  
DIVISION OF NATURAL RESOURCES

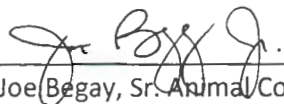
DATE : September 03, 2015

SUBJECT : DELEGATION OF AUTHORITY

I will be on leave and I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 3:00 pm on Thursday, September 03, 2015. This delegation shall end at 5:00 p.m. on Thursday, September 03, 2015.

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:

  
\_\_\_\_\_  
Joe Begay, Sr. Animal Control Officer  
Department of Fish and Wildlife  
DIVISION OF NATURAL RESOURCES

xc: Bidtah Becker, Executive Director, DNR



THE NAVAJO NATION

RUSSELL BEGAYE  
JONATHAN NEZ



CEM 15-08-09

**RESOLUTION OF THE  
COMMISSION ON EMERGENCY MANAGEMENT**

**DECLARING A STATE OF EMERGENCY DUE TO AN UNEXPECTED RELEASE OF  
CONTAMINATED WASTEWATER FROM THE GOLD KING MINE NEAR SILVERTON,  
COLORADO**

**WHEREAS:**

1. Pursuant to 2 N.N.C., §§ 881 and 883 (A) (C), the Navajo Nation Council established the Navajo Nation Commission on Emergency Management to coordinate emergency and disaster relief service by Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management; and to recommend to the Navajo Nation Council legislation or other appropriate activity regarding natural and man-made emergencies; and
2. Pursuant to 2 N.N.C., § 884 (B) (1), the Navajo Nation Commission on Emergency Management is responsible for declaring a state of emergency with the concurrence of the President of the Navajo Nation; and
3. Pursuant to 2 N.N.C., § 884 (B) (2), the Navajo Nation Commission on Emergency Management will assist in seeking assistance from federal, state, and other tribal governments, local and private agencies to address emergency and disaster related situations; and
4. On August 5, 2015, an unexpected release of contaminants occurred from the Gold King Mine near Silverton, Colorado and entered the Animas River; and
5. Since August 5, 2015, the contaminants have entered into the San Juan River and the plume of contaminants continues to travel towards the Navajo Nation; and
6. The contaminants are comprised of several potentially harmful chemicals, such as heavy metals, with unknown risks to human health, environment and terrestrial wildlife; and
7. The contaminants from the release of mine wastewater has further caused risks to free roaming livestock, wildlife, irrigation practices and other uses by the Navajo people; and
8. The duration of future impacts to the Navajo Nation are still not fully known and as a result, there is a continued need for an increased level of multi-agency efforts to resolve all issues related to this release; and

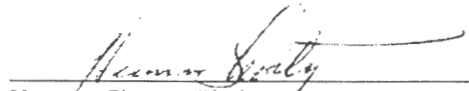
**NOW, THEREFORE BE IT RESOLVED:**

1. That the Navajo Nation Commission on Emergency Management declares a State of Emergency due to an Unexpected Release of Contaminated Wastewater from the Gold King Mine Near Silverton, Colorado; and

2. The Navajo Nation Commission on Emergency Management finds it is necessary for appropriate Navajo Nation entities to continue and/or immediately begin and maintain coordination and collaboration with relevant agencies, e.g., Federal, State, Counties, and Municipalities, for use of resources to meet the needs of the Navajo Nation public. This includes, but not limited to, resources of personnel, equipment, monetary funding, and other resources as may be required to protect natural, cultural, historical natural resources as well as substantial human health, safety and welfare of the citizens of the Navajo Nation; and
3. The Navajo Nation shall activate available emergency resources such as community education, assistance, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

### CERTIFICATION


We hereby certify that the foregoing declaration was duly considered by the Navajo Nation Commission on Emergency Management at duly called meeting in Tse Bonito, Navajo Nation, New Mexico, at which a quorum was present that the same was passed by a vote of 4 in favor and 0 opposed and 0 abstained, this 9th day of August 2015.


  
Herman Shorty, Chairperson  
Commission on Emergency Management  
Navajo Nation

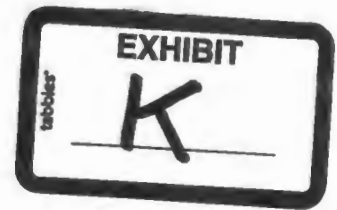
Motion: Dicky Bain

Second: Eugenia Quintana

### CONCURRENCE:

  
RUSSELL BEGAYE, President  
THE NAVAJO NATION

  
JONATHAN NEZ, Vice President  
THE NAVAJO NATION



**NAVAJO NATION OFFICE OF THE  
PRESIDENT AND VICE PRESIDENT  
RUSSELL BEGAYE | JONATHAN NEZ**

**FOR IMMEDIATE RELEASE**

**CONTACT: Navajo Nation Press Shop  
[press@operationyellowwater.com](mailto:press@operationyellowwater.com)**

**August 24, 2015**

**Navajo Nation President Begaye keeps restrictions in place for San Juan River**

**WINDOW ROCK** – Navajo Nation President Russell Begaye has not lifted restrictions on opening the San Juan River for irrigation purposes.

“I am furious that the USEPA has placed the Navajo Nation into this position. Our farms will not last much longer without water and our resources are depleting,” said President Begaye. “These past few days I have visited with the farmers along the San Juan River because they are part of this decision.”

On Thursday, Aug. 20, Office of the President and Vice-President (OPVP) held a public meeting for the impacted chapters to give farmers and chapter officials a forum to express their concerns. During the meeting, five of seven San Juan River area chapter officials spoke against opening the river for irrigation.

The farmers were overwhelmingly concerned about contaminating their fields and crops.

“It was heartbreaking to hear farmer after farmer tell us they have said goodbye to their crops and made peace,” said Vice-President Jonathan Nez.

President Begaye asked community members to put a resolution before their respective chapters to vote on whether or not they want to open the river for irrigation.

On Friday, Aug. 21, through resolution, Shiprock Chapter voted 104 in favor, 0 opposed and 9 abstaining to keep the canals closed for a period of one year. Shiprock area farmers utilize the Hogback pump, which affects Tse Dah K’aan, Shiprock and Gadii’ahi chapters.

During this meeting a concerned farmer said he was against opening the irrigation. The farmer said he would instead save as many crops as he could by hauling water. Most of the crops on his 33 acres have not matured.

Having been raised a farmer himself, President Begaye realizes the impacts that keeping the water shut off will have to area farmers as they depend on crops for subsistence and income.

The Shiprock vote against opening the canals represents the community's concern to use precaution and not risk possible contamination to irrigation canals and crops.

The Navajo Nation Environmental Protection Agency (NNEPA) has reported that initial data from their water samples concurs with data from neighboring jurisdictions in supporting that water from the San Juan River is safe for irrigation purposes.

The USEPA has given initial reports on the soil, but the Navajo Nation will rely on the NNEPA for final test results. These soil samples are critical in identifying levels of metals that have settled along the river banks.

"I'm glad the water samples indicate the water is safe for irrigation use but I remain concerned over the soil and sediment that lines our river bank," said President Begaye. "Every time a heavy storm hits or the soil is disturbed it can recontaminate the water."

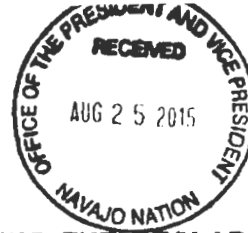
The NNEPA will have final results from their soil samples this week.

"The health of our Navajo people will always come first. As such, we must be diligent and cautious in making this decision," said Vice-President Nez.

President Begaye and Vice-President Nez remain firm in holding the USEPA accountable for releasing contaminants into the Animas and San Juan Rivers during the Gold King Mine spill.

While the river remains closed, the Navajo Nation will continue to work with the Bureau of Indian Affairs (BIA) to provide water for irrigation, livestock and drinking purposes.





## **DISTRICT 13 COUNCIL**

**RESOLUTION OF DISTRICT 13 COUNCIL OFFICIALS LIFTING THE DECLARATION OF EMERGENCY FOR WATER USE FOR IRRIGATION PURPOSES FOR FARMERS, AND ALL MEMBERS OF THE COMMUNITY RESIDENCE AND REQUESTING THE NAVAJO NATION PRESIDENT RUSSELL BEGAYE AND NAVAJO NATION IRRIGATION OFFICE, SHIPROCK, NEW MEXICO TO RELEASE THE SAN JUAN RIVER IMMEDIATELY TO IRRIGATE THE CROPS AND WATER FOR THEIR LIVESTOCK.**

### **WHEREAS:**

1. District 13 Council consist of Burnham, Upper Fruitland, Nenahnezad and San Juan Chapter Officials, Farm Board and Grazing Members; and

2. District 13 Community Chapters have been impacted by a man-made disaster which began on Wednesday, August 5, 2015 north of Silverton, Colorado when a significant hazardous waste spill occurred at Gold King Mine, causing unspecified contamination of the Animas River which has ultimately converged into San Juan River of San Juan County, New Mexico and the Navajo Nation; and

3. District 13 Council Chapters of the Navajo Nation communities depends upon the river for potable water, farming, ranching as well as many other domestic necessities; and

4. District 13 Council Chapters are aware that the State of New Mexico Environment Department, Speaker of the Navajo Nation and The San Juan County Executive Officer have address this same hazardous situation, initiating advocated precautions and San Juan County declared an emergency at that time; and

5. District 13 Council Chapters have been informed by Navajo Nation Environmental Protection Agency, State of New Mexico Environment Protection Agency and other independent scientist that have tested San Juan River that they are sure that the River is safe to use for irrigation and livestock, water test reports attached as Exhibits; and

6. District 13 Council Chapters have been approached by the community members, farmers and livestock owners that the Navajo Nation Irrigation Department of Shiprock, New Mexico and the Navajo Nation President Russell Begaye to release the irrigation water to them so they can irrigate once again, the crops are suffering from lack of water.

### **NOW THEREFORE BE IT RESOLVED THAT:**

1. District 13 Council officials hereby support the lifting the Declaration of Emergency for the farmers, and all members of the community residence and requesting the Navajo Nation President Russell Begaye and Navajo Nation Irrigation Office, Shiprock, New Mexico to release the San Juan River water immediately to irrigate the crops and water for their livestock.

## CERTIFICATION

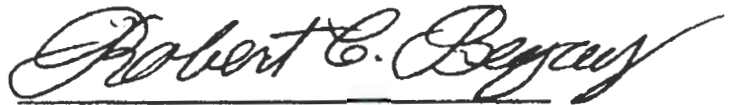
We hereby certify that the foregoing resolution was considered by the District 13 Council Chapters at a regularly called meeting at which a quorum was present at the Nenahnezad Chapter (Navajo Nation), New Mexico and that the same was passed by a vote of 9 in favor, 0 opposed, and 2 abstained, this 24<sup>th</sup> day of August, 2015

Motion: Norman Begaye

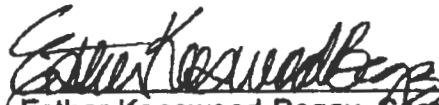
Second: Hubert Harwood



Rickie Nez, Chairperson



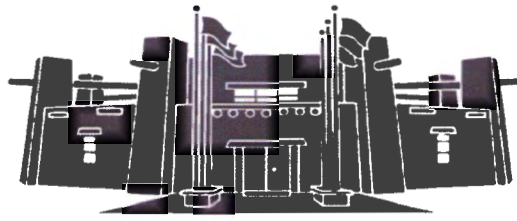
Robert C. Begay, Vice-Chairperson



Esther Keeswood-Begay, Secretary

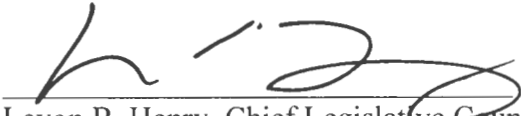


LoRenzo C. Bates, Council Delegate



## MEMORANDUM

**TO:** Honorable Dwight Witherspoon  
Navajo Nation Council

**FROM:**   
Levon B. Henry, Chief Legislative Counsel  
Office of Legislative Counsel

**DATE:** September 11, 2015

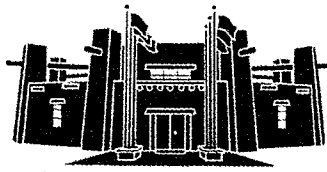
**SUBJECT:** AN ACTION RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION ONE HUNDRED SIXTY-SIX AND TWO HUNDRED TEN DOLLARS (\$1,166,210) FOR LONG-TERM IMPACT STUDIES AND MONITORING OF THE GOLD KING MINE TOXIC WASTE SPILL INTO THE WATERS OF THE NAVAJO NATION

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

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

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.



## **RECORD OF NAVAJO NATION COUNCIL ACTION**

**23<sup>RD</sup> Navajo Nation Council---First Year 2015**

### **LEGISLATION 0319-15**

**Introduced by the Honorable Dwight Witherspoon**

An Action Relating To An Emergency; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of One Million One Hundred Sixty-Six And Two Hundred Ten Dollars (\$1,166,210) For Long-Term Impact Studies And Monitoring Of The Gold King Mine Toxic Waste Spill Into The Waters Of The Navajo Nation

**FOR THE RECORD**, Legislation 0319-15 was read into the record on September 22, 2015 during the Special Navajo Nation Council Session. The main motion was established by Honorable Amber K. Crotty and second by Honorable Kee Allen Begay, Jr.; however, the appended exhibits were incorrect, thereby the legislation was ruled out of order. No further action taken.

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Honorable LoRenzo C. Bates, Speaker  
23<sup>rd</sup> Navajo Nation Council