



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK0461-2

Date & Time Received: 01/12/2024 at 16:58

Date & Time of Response: 01/19/2024 at 17:00

Entity Requesting FRF: Round Rock Chapter

Title of Project: Diversion/Irrigation System

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$711,000.00

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:

5.11 Drinking Water: Transmission & Distribution

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

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

**Other Comments:** We have modified the requested expenditure code from 6.1 (Provision of Government Services) to 5.11 (Drinking Water: Transmission & Distribution). 5.11 is a more favorable category because it is not limited to the amount of the Nation's lost revenue.

In accordance with BFS-31-21, updated IED to reflect proposed modification (funding increase).  
No change in applicable EC (5.11) - Refer to original IED re: DWSRF references.

Name of DOJ Reviewer: Erika Pirotte

Signature of DOJ Reviewer: Erika R. Pirotte

Digitally signed by Erika R. Pirotte  
Date: 2024.01.19 10:47:54 -07'00'

**Disclaimers:**

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to [arpa@nndoj.org](mailto:arpa@nndoj.org).** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is 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.

THE NAVAJO NATION  
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**  
FOR NON-GOVERNANCE CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Round Rock Chapter Date prepared: 1/8/2024

Chapter's mailing address: P.O. Box 10 Round Rock, AZ 86547 phone/email: 928-787-2510  
website (if any): roundrock@navajochapters.org

This Form prepared by: Bernita Wheeler phone/email: (928) 658-8022, bwheeler@navajochapters.org  
Ramona Rogers, Chapter President rrchprez@gmail.com  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Diversion/Irrigation System

Chapter President: Ramona Rogers phone & email: 928-814-1344, rrchprz@gmail.com

Chapter Vice-President: Paul Jim phone & email: 928-787-2510 pjim@naataanii.org

Chapter Secretary: Bernita Wheeler phone & email: 928-658-8022 bwheeler@navajochapters.org

Chapter Treasurer: Bernita Wheeler phone & email: 928-658-8022 bwheeler@navajochapters.org

Chapter Manager or CSC: Vacant phone & email: \_\_\_\_\_

DCD/Chapter ASO: Robert Jumbo phone & email: 928-674-2251 rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Seek Professional Consulting Services ONLY  
to complete a complete design through construction documents for the Irrigation Diversion Project.  document attached

Amount of FRF requested: \$711,000.00 FRF funding period: 04/01/23 to 09/30/26  
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:

Seek Professional Consulting Services to complete design through construction documents for the Irrigation Diversion Project. The purpose to improve Lukachukai Wash water run-offs for Community farm plots revitalization and refill the reservoirs. Diversion and irrigation canals are located east of Round Rock Chapter House. Our Dine' People were restricted to travel for daily necessities, especially food. The Pandemic has made us aware of food scarce. We strongly encourage our Dine' People seek alternative ways for economic development to bring essential services to our Dine' people and improve lives.  document attached

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

Round Rock Chapter is in support of the larger Navajo Nation's effort for Economic Development. This will re-instill the traditional teachings of farming for everyone. It will teach many on self sufficiency by farming and producing corn pollen, fresh produce and hay locally and also provide education on healthy eating, cultural teaching and work ethics. Studies shows Native Food are more or the most healthiest. With this, Seasonally employment will be 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:

2023 - Chapter will work closely with GLDD, CPMD, Grazing Committee, CLUPC. Grazing Representative has already started resurveying farm plots with Bureau of Land Department. 2024 -. Challenges - Approval of funding and disbursement, Navajo Nation Tribal Procurement and Review Processes. Weather  document attached

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

The Round Rock Chapter, BIA and the Navajo Nation agents.  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 Round Rock Chapter will own and operate the Farm Plots. The Navajo Nation will be the fiscal agent for the project. Operation and maintenance costs will be budgeted thru the chapter's annual operating budget and revenues generated through established fees with development of plan of operation for the Farms Plots.  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:

**6.1 - Provision of Government Services**

The COVID-19 had a major impact on the community, unfortunately, causing many families to travel quite a distance (120 miles) to nearest town to get food, water, produce and hay. Most stores literally had empty shelves, out of food, water and hay. The chapter will encourage community members to focus economically on crops, support community empowerment to grown own food beyond the pandemic. Dine' (Navajo) people basic nutritional meal is corn. They will grow corn to make variety of traditional food.  document attached

**Part 3. Additional documents.**

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

1. Chapter's approved supporting resolutions: ROUN2205-07, 2, ROUN2208-01, Navajo Nation Water Resources Assessment and Scope of Work  Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

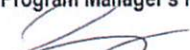
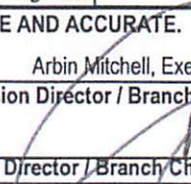
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: [Signature] Approved by: [Signature]  
*signature of Preparer/CONTACT PERSON* *Signature of Chapter President (or Vice-President)*  
Approved by: [Signature] Approved by: [Signature] 01/10/2024  
*signature of CSC* *signature of Chapter ASO*  
Approved to submit for Review: [Signature]  
*signature of DCO Director*

FY'24

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 3  
BUDGET FORM 1

PART I. Business Unit No.: <u>K2115372</u>		Program Title: <u>Round Rock Chapter - Irrigation</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Bernita Wheeler</u>		Phone No.: <u>(928) 787-2510</u>		Email Address: <u><a href="mailto:bwheeler@navajochapters.org">bwheeler@navajochapters.org</a></u>				
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 or Total
American Resue Plan Act of 2021	04/01/23-09/30/26	711,000.00	100%	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	6	150,000	711,000	(561,000)
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$150,000.00	711,000.00	(561,000)
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
<b>TOTAL:</b>		\$711,000.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron Charley, ASC Department Manager</u>			APPROVED BY: <u>Arbin Mitchell, Executive Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u></u>			<u></u>					
1-10-24 Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**

Business Unit No.: K2115372 Program Name/Title: Round Rock Chapter - Irrigation

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

CAP-34-98: To direct the Chapter administration and management control system, by promoting efficiency and accountability to the chapter membership and to effectuate plans of action to improved the standards of living for the chapter membership.

**PART III. PROGRAM PERFORMANCE CRITERIA:**

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Hire a consultant to develop a Complete Design through Construction Documents

Program Performance Measure/Objective:

Quarterly Progress Report Meetings with Consultant

		3		2		3	
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2. Goal Statement:

Program Performance Measure/Objective:

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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

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5. Goal Statement:

Program Performance Measure/Objective:

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**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

Jaron Charley, ASC Department Director  
Program Manager's Printed Name

 1-10-24  
Program Manager's Signature and Date

Arbip Mitchell, Executive Director  
Division Director/Branch Chief's Printed Name

  
Division Director/Branch Chief's Signature and Date

FY'24

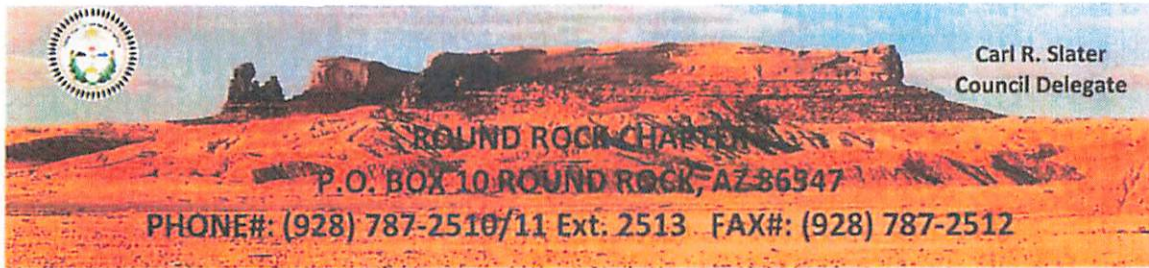
**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Round Rock Chapter - Irrigation</u>		Business Unit No.: <u>K2115372</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6520	<b>Consulting</b>		<b>711,000</b>
	6530 - Consulting Fees <span style="float:right">\$659,000</span>	659,000	
	To complete a Design and Construction documents with Cost Estimates for Irrigation Diversion Project within the Round Rock Chapter Community.		
	6540 - Consulting Expenses <span style="float:right">\$52,000</span>	52,000	
<b>TOTAL</b>		<b>711,000</b>	<b>711,000</b>

<b>PART I Business Unit No</b> <u>    K2115372    </u> <b>Project Title:</b> <u>    Round Rock Chapter - Irrigation    </u> <b>Project Descriptio:</b> <u>    Diversion/Irrigation System    </u> <b>Check one box:</b>													<b>PART II.</b> <b>Project Type:</b> <u>    Irrigation    </u> <b>Planned Start Date:</b> <u>    4/1/2023    </u> <b>Planned End Date:</b> <u>    9/30/2026    </u> <b>Project Manager:</b> <u>    Navajo Nation Water Resources    </u>																	
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																								Expected Completion Date if project exceeds 8 FY Qtrs. Date <u>    09/30/26    </u>					
	FY 2024												FY 2025																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.								
March - April 2024 Hire Consultant	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
May 01 - 30, 2024 Conduct Meetings w/Consultant Firm						X																								
June 2024 to December 2024 Process and Production of Master Design and Plans									X	X	X	X	X	X	X															
January -February 2025 Review of Preliminary Plans and Designs																	X	X												
March 1 - March 30, 2025- Finalized Plans and Construction Documents																		X												
April 1 - April 30, 2025 CLOSE OUT																				X										
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures							18,000.00			375,000.00			198,000.00			60,000.00			60,000.00						\$711,000.00					

FOR OMB USE ONLY: Resolution No: \_\_\_\_\_ FMIS Set Up Date: \_\_\_\_\_ Company No: \_\_\_\_\_ OMB Analyst: \_\_\_\_\_



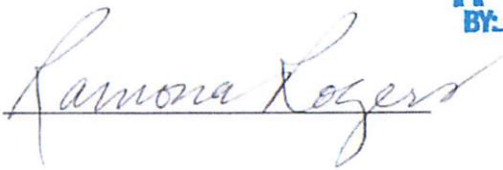


**MEMORANDUM**

**TO:** Navajo Nation Community Development

**THROUGH:** Fiscal Recovery Fund

**FROM:** Ramona Rogers, President  
Round Rock Chapter



**RECEIVED**  
JAN 08 2024  
BY: 

**DATE:** January 8, 2024

**RE: ROUND ROCK CHAPTER APPROVED ARPA PROJECTS**

Please consider this memo as your official notification of changes to Round Rock Chapter's recently approved Fiscal Recovery Fund projects. The following changes:

1. LAGOON PROJECT (BU K2115371): Delete Project \$60,000.00 and reallocated to other project.
2. RECREATION PARK (BUK2115370): Decrease amount to \$173,000.00
3. CEMETERY PROJECT (BU K2115369): Increase amount to \$225,000.00
4. DIVERSION/IRRIGATION PROJECT (BU K2115372): Increase to \$711,000.00
5. C-STORE PROJECT (BU K2115368): No Changes \$650,000.00

If there should be any questions, please contact us via email, [rogers@naataanii.org](mailto:rogers@naataanii.org) and/or [carlslater@navajo-nsn.gov](mailto:carlslater@navajo-nsn.gov)

Thank you for your continued guidance and support.

CONCURRENCE: Carl R. Slater, Honorable Council Delegate

Ramona Rogers  
PRESIDENT

Paul Jim  
VICE PRESIDENT

Bernita Wheeler  
SECRETARY/TREASURER

Robert Wagner  
GRAZING OFFICIAL

VACANT  
C.S. COORDINATOR

VACANT  
A.M. SPECIALIST