



**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 #:** \_\_\_\_\_

**Date & Time Received:** \_\_\_\_\_

**Date & Time of Response:** \_\_\_\_\_

**Entity Requesting FRF:** \_\_\_\_\_

**Title of Project:** \_\_\_\_\_

**Administrative Oversight:** \_\_\_\_\_

**Amount of Funding Requested:** \_\_\_\_\_

**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:** \_\_\_\_\_

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

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

Other Comments: \_\_\_\_\_  
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Name of DOJ Reviewer: \_\_\_\_\_

Signature of DOJ Reviewer: \_\_\_\_\_

**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.** 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: Lake Valley Date prepared: 11/19/2022

Chapter's PO Box 190 phone/email: (505) 786-2190  
mailing address: Crownpoint, NM 87313 website (if any): lakevalley@navajochapters.org

This Form prepared by: Lucinda Begay phone/email: (505)786-2191/2184  
Community Services Coordinator lucinda.begay@nnchapters.org  
*CONTACT PERSON'S name and title* *CONTACT PERSON'S info*

Title and type of Project: Drill Water Wells

Chapter President: Tony Padilla phone & email: (505) 320-9902 tpadillajr@naataanii.org

Chapter Vice-President: Edison Tso phone & email: (505) 860-8827 etso@naataanii.org

Chapter Secretary: Betty S. Dennison phone & email: (505) 860-3109 bdennison@navajochapters.org

Chapter Treasurer: Betty S. Dennison phone & email: (505) 860-3109 bdennison@navajochapters.org

Chapter Manager or CSC: Lucinda Begay phone & email: (505) 786-2190 lucinda.begay@nnchapters.org

DCD/Chapter ASO: Casey Begay phone & email: \_\_\_\_\_

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): \_\_\_\_\_  
 document attached

Amount of FRF requested: 500,000 FRF funding period: 3/1/2023 to 9/30/2026  
*indicate Project starting and ending/deadline date*

**Part 2. Expenditure Plan details.**

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

The Lake Valley Chapter has a contractor to construct and to complete the water wells for the membership of Lake Valley community that are out in the rural and remote area where its more expensive to extend the waterline. The water well waterline is essential to improve the sanitation and to decrease of the virus. This project is the prevention to the Covid-19.

document attached

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

The project will benefit the Lake Valley Navajo communities of safe sanitation and to reduce of the affect of the virus. This project will benefit the community for safe and health enviroment and decrease the affect of virus by cleaning sanitation.

document attached

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

Program(s) or Project(s) by December 31, 2026:

The Lake Valley Chapter and Chapter Officials will work diligently with the community of the dire need of projects. The challenges to prevent from incurring costs is to have the private contractor with the Navajo preferences listing to do the construction of waterline. The Chapter will monitor the timelines to completing the projects

document attached

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

The Lake Valley Chapter administration CSC and Chapter Officials and will coordinate, collaborate and communicate for the responsible for implementing the project.

document attached

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

The Lake Valley Chapter community (owners) will be responsible for operations and maintenance costs for the project once completed.

document attached

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

5.15  
This waterline will benefit the community of daily water usage for consumption to improve the sanitation and hygiene to decrease the affect of virus.

document attached

**Part 3. Additional documents.**

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

Resolution  
Budget Forms

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: <u></u> <small>signature of Preparer/CONTACT PERSON</small>	Approved by: <u></u> <small>signature of Chapter President (or Vice President)</small>
Approved by: <u></u> <small>signature of CSC</small>	Approved by: <u></u> <small>signature of Chapter ASO</small>
	Approved to submit for Review: <u></u> <small>signature of DCD Director</small>

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: LAKE VALLEY CHAPTER - Drill Water Wells Division/Branch: NNDCD / Executive  
 Prepared By: Lucinda Begay Phone No.: (505) 786-2190 Email Address: lakevalley@navajochapters.org

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
AARPA Funds	3/1/23-9/30/26	500,000.00	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	<u>6</u>		500,000	<u>500,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	500,000.00	<u>500,000</u>
TOTAL:				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:	<u>0</u>	<u>0</u>		
				Total # of Vehicles Budgeted:	<u>0</u>	<u>0</u>		

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

SUBMITTED BY: James Adakai, Deputy Director APPROVED BY: Calvin Castillo, Executive Director  
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name  
2-9-23 2/9/2023  
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date



FY 2023

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page 2 of 4  
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

LAKE VALLEY CHAPTER - Drill Water Wells

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

Lake Valley Chapter Resolution No: LVC-OCT16-002

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

To provide the water wells to obtain water wells in a rural or remote area

Program Performance Measure/Objective:

To assist the community members with waterline into homes for a health living standard.

2		2		2		2	
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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.

James Adakai, Deputy Director  
Program Manager's Printed Name

[Signature] 2-9-23  
Program Manager's Signature and Date

Calvin Castillo, Executive Director  
Division Director/Branch Chief's Printed Name

[Signature] 2/9/2023  
Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>LAKE VALLEY CHAPTER-Drill Water Wells</u>		Business Unit No.: <u>NEW</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)
6500	Contractual Services Construct and complete water wells for community	500,000	500,000
<b>TOTAL</b>		500,000	500,000

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: <u>Lake Valley Chapter-Drill Water Wells</u> Project Description: <u>Complete the water wells and connected to waterline to homes</u> Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification														<b>PART II.</b> Project Information Project Type: <u>Drill Water Wells</u> Planned Start Date: <u>3/1/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Chapter Administration</u>																
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																		Expected Completion Date if project exceeds 8 FY Qtrs.											
	FY <u>24</u>												FY <u>25</u>																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			9/30/26					
	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
Plan																														
Design																														
Construct																														
Completion																														
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures	50,000.00			300,000.00			50,000.00			75,000.00			25,000.00												\$500,000.00					

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





**The Navajo Nation** **DR. BUU NYGREN** *PRESIDENT*  
**Yideeskáadi Nitsáhákees** **RICHELLE MONTOYA** *VICE PRESIDENT*

**LAKE VALLEY CHAPTER**

Danny Simpson, Council Delegate | Tony Padilla, President | Edison Tso, Vice President | Betty S. Dennison, Secretary/Treasurer  
 Janice Padilla, Land Board | Lucinda Begay, Community Service Coordinator | Accounts Maintenance Specialist – Vacant

**LVC-MAR19-035**

**RESOLUTION OF LAKE VALLEY CHAPTER**

LAKE VALLEY CHAPTER AFFIRMS THAT THE CHAPTER WILL ONLY USE AWARDED FISCAL RECOVERY FUNDS AND IMPLEMENT THIS FRF EXPENDITURE PLAN IN COMPLIANCE WITH THE AMERICAN RESCUE PLAN ACT (ARPA), ARPA REGULATIONS, AND APPLICABLE FEDERAL AND NAVAJO NATION LAWS, REGULATIONS, AND POLICIES.

WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, which was created pursuant to the Navajo Nation Council Resolution No. C-J25-55, is delegated governmental authority with respect to local matters consistent with Navajo laws, including customs, traditions, and fiscal matters; and
2. Lake Valley Chapter is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety, road maintenance; educational support for community students; and
3. Lake Valley Chapter communities understand that in pursuant to the Navajo Nation Code (NNC) Title 26, Local Governance Act, which allows chapters to make decisions over local matters. This authority in the long run all improve community decision-making by allowing committees to excel and flourish, enable Navajo leaders to lead toward a prosperous future, and improve the strength and sovereignty of the Navajo Nation; through adoption of this Act, chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. Lake Valley Chapter community met on February 6, 2023 Planning Meeting to discuss and plan upcoming business items to be placed on the agenda. Council Delegate Danny Simpson provided Chapters under his oversight of equal distribution of \$8,802,340.00 divided by 8 Chapters that equals to \$1,100,292.50 each Chapter; therefore, Lake Valley Chapter will be receiving \$1,100,292.50, so the current AMERICAN RESCUE PLAN ACT (ARPA) Expenditures Plan Adjustments to reflect the amount of \$1,100,000.00 for Lake Valley Chapter Infrastructures Project was done. However, Taylor Pinto (LDA to Council Delegate Danny Simpson) emailed Lake Valley Chapter on March 8, 2023 with information that NN Department of Justice recommended language be added to ARPA Resolution that was previously submitted; and
5. Lake Valley Chapter community adopted Resolution No. LVC-MAR19-035 presented on March 19, 2023 to support the language amended that ARPA Expenditure Plan will only be use awarded Fiscal Recovery Funds accordingly as stated, which is in the best interest of community membership of Lake Valley Chapter.

NOW THEREFORE BE IT RESOLVED THAT:

Lake Valley Chapter of the Navajo Nation hereby approves recommended language by Department of Justice (DOJ) affirms that Lake Valley Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the AMERICAN RESCUE PLAN ACT (ARPA), ARPA Regulations, and Applicable Federal and Navajo Nation Laws, Regulations, and Policies. (ATTACHMENT OF EXPENDITURE PLAN)

**CERTIFICATION**

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of eight (8) in favors, zero (0) opposed and four (4) abstained on this 19<sup>th</sup> day of March 2023. Motion by Nancy Yazzie; and second by Larry Montoya.

Mr. Tony Padilla Jr., Chapter President

Mr. Edison Tso, Chapter Vice President

Mrs. Betty Dennison, Chapter Secretary / Treasurer

Mr. Danny Simpson, Council Delegate



**The Navajo Nation** **DR. BUU NYGREN** *PRESIDENT*  
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

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**LAKE VALLEY CHAPTER  
ARPA PROJECT REQUEST | 1.1 MILLION**

Drill Water Well	\$500,000
Bathroom Addition/Renovation	\$200,000
Chapter Renovation HVAC System	\$150,000
Septic Tank Upgrade	\$100,000
Septic Tank Cleaning	\$100,000
Waterline Powerline Row Agent	\$50,000
<b>TOTAL</b>	<b>\$1,100,000</b>