



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0322

Date & Time Received: 12/17/22 11:48

Date & Time of Response: 10 January 2023; 7:52 pm

Entity Requesting FRF: Thoreau Chapter

Title of Project: Firewood & Wood Pellet Purchase

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$40,000.00

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: Section 2.18 Housing

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 | |

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



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

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: Thoreau Chapter Date prepared: 11/29/2022

Chapter's mailing address: PO Box 899 Thoreau, NM 87323 phone/email: 505.905.0139 website (if any): _____

This Form prepared by: Vivinita Bennett phone/email: 505.905.0139
Vivinita Bennett, Community Services Coordinator niabb2@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S Info

Title and type of Project: Fire Wood & Wood Pellet

Chapter President: Valerie Arviso phone & email: valeriearviso@gmail.com

Chapter Vice-President: Herman Yellowhorse phone & email: 505.905.0221

Chapter Secretary: Judy Platero phone & email: jkplatero@gmail.com

Chapter Treasurer: Judy Platero phone & email: jkplatero@gmail.com

Chapter Manager or CSC: Vivinita Bennett phone & email: niabb2@nnchapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Subcontractors for fire wood and wood pellets

_____ document attached

Amount of FRF requested: 40,000 FRF funding period: January 2023 - September 2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

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

Purchase of Firewood and Wood Pellets for our Navajo Community members who are dependent on these sources for heat and cooking. COVID-19 pandemic economic impacts has made it difficult for Tribal Members to collect and transport/purchase firewood. Also, with the resonating respiratory problems with community members that survived COVID -19, there is a preferred use of wood pellets. Wood pellets is an alternative source of heating for for people with asthma, allergies, and respiratory issues.

document attached

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

Firewood and Wood Pellets will benefit our Navajo community, our elders who are in need of assistance with firewood or wood pellets to stay warm and cook. It will assist with their home energy bills and reduce the risk of health problems and/or illnesses during these hard economic times.

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

APPENDIX A

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

Projects will be completed by September 2026. With funds anticipated to be disbursed in January 2023, we will be tiering projects into categories (firewood, wood pellets) and small manageable sections to ensure completions within the time frame. Progress will be reported to our Chapter ASO and Council Delegate on a quarterly basis or when is is requested.

document attached

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

Guarena Adeky, Navajo Division of Community Development ASO-ASC, Vivinita Bennett, Chapter CSC, Valerie Arviso, Chapter President, Herman Yellowhorse, Vice President, Judy Platero, Secretary Treasurer

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:

Respectively the home owner and its occupants would be responsible for the operations and maintenance.

document attached

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

2.13 Other Economic Support : To support our Native community obtain firewood or wood pellets to keep warm and for cooking. COVID-19 pandemic economic impacts has made it difficult for Tribal Members to collect and transport/purchase firewood. Also, with the resonating respiratory problems with community members that survived COVID -19, there is a preferred use of wood pellets. Wood pellets is an alternative source of heating for for people with asthma, allergies, and respiratory issues.

document attached

Part 3. Additional documents.

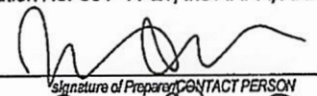
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):


Supporting Chapter Resolution

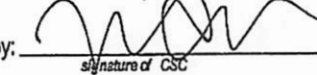
Chapter Resolution attached


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 of Preparer CONTACT PERSON

Approved by: 
signature of Chapter President (or Vice-President)

Approved by: 
signature of CSC

Approved by: 
signature of Chapter ASO

Approved to submit for Review: 
signature of DCD Director

FY _____

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:									
Business Unit No.: <u> </u> <u>New</u>			Program Name/Title: <u>Thoreau Chapter</u>			<i>Thoreau Chapter</i>			
						<u>Fire Wood / Wood Pellets</u>			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
<u>Fuel for firewood stoves for heating & cooking source</u>									
Program Performance Measure/Objective:									
<u>Purchase Firewood in Cords for Community members in need</u>		45				67		68	
2. Goal Statement:									
<u>Fuel for Pellet stoves for heating source</u>									
Program Performance Measure/Objective:									
<u>Purchase Wood Pellets 1-ton (50 bags) for community members in need</u>		20				26		24	
3. Goal Statement:									
Program Performance Measure/Objective:									
4. Goal Statement:									
Program Performance Measure/Objective:									
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Sonlatsa Jim Martin					Pearl Yellowman				
Program Manager's Printed Name					Division Director/Branch Chief's Printed Name				
<i>Sonlatsa Jim</i> 12/06/2022					<i>Pearl Yellowman</i> 12.6.22				
Program Manager's Signature and Date					Division Director/Branch Chief's Signature and Date				

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Thoreau Chapter - Fire Wood / Wood Pellets</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)
4	ASSISTANCE		
7	8095 Other Public Assistance		
	Purchase Fire Wood for Community Members in need Approximately 180-cords [23,400.00]		
	Purchase Wood Pellets for Community Members in need Approximately 60-tons [16,600.00]		
		40,000	40,000
TOTAL		40,000	40,000



President of the Navajo Nation
Jonathan Nez

THE NAVAJO NATION
THOREAU CHAPTER
P.O. Box 899 Thoreau, New Mexico 87823
Office (505) 905-0139 Fax (505) 905-0140
thoreau@navajochapters.org



Vice President of the Navajo Nation
Myron Lizer

Vivian Bennett . COMMUNITY SERVICE COORDINATOR • Herman Yellowhorse . VICE PRESIDENT • Judy K. Platano . SECRETARY / TREASURER
Vivian Bennett . COMMUNITY SERVICE COORDINATOR • Olivia Anderson . ACCOUNTS MAINTENANCE SPECIALIST • Kevin Long . LANDBOARD • Edmund Yezzo . COUNCIL DELEGATE

**THOREAU CHAPTER
RESOLUTION TCH-074-23-012**

Approving the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – Purchase Fire Wood and Wood Pellets in the amount of \$40,000.00

WHERE AS:

- 1) Thoreau Chapter is a certified Navajo Nation Chapter Government pursuant to the Navajo Nation Resolution CJ- 20-55, it is a delegated governmental authority with respect to local matters consistent with Navajo Nation Law including customs, traditions and fiscal matters, and
- 2) Pursuant to 2 N.N.C 4028, the community members of Thoreau Chapter in a duly called meeting shall have the authority to make appropriate recommendations to the Navajo Nation; and
- 3) Thoreau Chapter is empowered by the Navajo Nation Council to review all matters affecting the community and to make favorable decisions in the best interest of the community membership; and
- 4) Thoreau Chapter membership is desirous of enhancing the living standards and providing healthy environment for residents living in the community of Thoreau Chapter, Navajo Nation, McKinley County, New Mexico; and
- 5) Thoreau Chapter is submitting an Expenditure Plan in the amount of \$40,000.00 to purchase fire wood and wood pellets to provide source of heat for community membership.

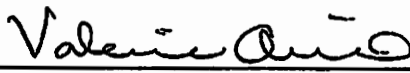
NOW THEREFORE BE IT RESOLVED THAT:

- 1) Thoreau Chapter membership hereby approves the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – Purchase Fire Wood and Wood Pellets in the amount of \$40,000.00.

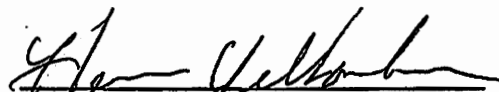
- 2) Thoreau Chapter Administration and Officials are hereby authorized to execute any and all actions to carry out the purpose and intent of this foregoing resolution.

CERTIFICATION

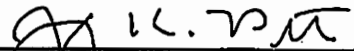
It is hereby certified that the foregoing Resolution was duly considered by and moved for adoption by Miranda Francisco seconded by Lisa Williams and thoroughly discussed and adopted by a vote of 16 in favor, 0 opposed and 2 abstained at a duly called meeting at Thoreau Chapter on December 4, 2022.



Valerie Arviso, President



Herman Yellowhorse, Vice President



Judy K. Platano, Secretary/Treasurer