



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 #: HK 0409-2

Date & Time Received: 3/15/24 at 11:35

Date & Time of Response: 04/04/24 at 17:00

Entity Requesting FRF: Coyote Canyon Chapter

Title of Project: Housing Modernization, Renovation and Weatherization

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$899,999.00 ~~(299,999)~~

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

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


U.S. Department of Treasury Reporting Expenditure Category: \_\_\_\_\_  
2.18, Housing Support: Other Housing Assistance

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

- |  |  |
|--|--|
| <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: \_\_\_\_\_  
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Name of DOJ Reviewer: Veronica Blackhat, AAG-NRU

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](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.



# **Nathan Notah**

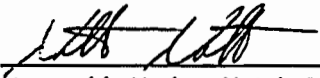
25<sup>th</sup> Navajo Nation Council Delegate  
P.O. Box 3390  
Window Rock, Arizona 86515  
Tel: 505-422-9425  
Email: [nathan.notah@navajo-nsn.gov](mailto:nathan.notah@navajo-nsn.gov)

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Coyote Canyon - Mexican Springs - Naschitti - Tohatchi - Twin Lakes

## MEMORANDUM

**To:** Lisa Jymm, Executive Director  
Navajo Nation Fiscal Recovery Fund Office

**From:**   
Honorable Nathan Notah, Delegate  
25<sup>th</sup> Navajo Nation Council

**Date:** March 11, 2024

**Subject:** Requesting Coyote Canyon Chapter Expenditure Plan Amendment

This memorandum is to notify your office that Coyote Canyon Chapter is changing the expenditure plan for ARPA funds previously legislated and approved with CAP-20-23. Coyote Canyon Chapter, working with Division of Community Development and LAM, Corp., requires an amendment to the funding amount for the project listed below.

The following project will be amended:

<u>Project Name</u>	<u>Approved Amount</u>	<u>Amended Amount</u>	<u>Business Unit</u>
1. Housing Upgrades	\$600,000.00	\$899,999	K2115143

The project identified in the packet was legislated and requires an increase in the amount of funding. The additional amount of \$299,999 for the project is unallocated funding that was previously denied an Initial Eligibility Determination. No changes in the scope of work on Appendix A (Housing Upgrades) are required. Please consider expediting the approval of these changes if possible.

Your consideration and approval are greatly appreciated. If you have any questions, please contact me directly at (505)422-9425 or [nathan.notah@navajo-nsn.gov](mailto:nathan.notah@navajo-nsn.gov).

**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: Coyote Canyon Chapter Date prepared: 12/2/2022

Chapter's mailing address: PO Box 257 Brimhall NM 87310 phone/email: 505-735-2623/ coyotecanyon@navajochapters.org  
website (if any): coyotecanyon.navajochapters.org

This Form prepared by: Sherylene Yazzie phone/email: 505-735-2623  
Chapter President coyotecanyon.navajochapters.org  
*CONTACT PERSON'S name and title* *CONTACT PERSON'S info*

Title and type of Project: Housing modernization, renovation and weatherization

Chapter President: Sherylene Yazzie phone & email: 505-879-0903/yahzegurl@yahoo.com

Chapter Vice-President: Evelyn Morris phone & email: 505-979-4040/evelynmorris.em@gmail.com

Chapter Secretary: Sharon Warren phone & email: 505-422-1708

Chapter Treasurer: Sharon Warren phone & email: eaglesswilliams@yahoo.com

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

DCD/Chapter ASO: Patricia Begay phone & email: 928-871-7172

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

Amount of FRF requested: \$899,999.00 FRF funding period: 10/10/2022 - 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:

Coyote Canyon Chapter requesting to assist community constituents with housing renovation, repairs & modernization to provide a stable & healthy home for those in need. The stability of a healthy home will assist in combating COVID-19 pandemic and any further unforeseen diseases. To provide individuals basic infrastructure needs in sanitation, HVAC system, roof repairs, external/internal structural at risk, replacement of floors, windows, doors and alternative heating/cooling systems, septic improvement/replacement systems, not limited to Archaeology, Survey, EA clearance for those who live in multi-gen homes composing of elderly, disabled & young families, as well as single home families.  
 document attached

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

This project will provide the basic human needs of infrastructure of home stability and standardizing homes. The Coyote Canyon Chapter will work to provide assistance to community members for home improvement opportunities that will improve living conditions of all families working toward improving living conditions for our community members.  
 document attached

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

**APPENDIX A**

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

The Coyote Canyon Chapter has a an ongoing list of Community Assessments in coordination with our local CHR to prioritize projects. Jan 2022 to present- Community assessments, January 2023-Advertise for contractors and procurement. March 2023 Project start up/ purchase of all materials  document attached

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

Division of Community Development and the Coyote Canyon Chapter will be responsible for implementing  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:

Community Constituent Homeowners will be responsible for operations and maintenance of their renovation.  document attached

(f) State which of the 65 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:

Project 2:18 - Housing Support: Other housing assistance  
To provide families the basic needs of human life improve through improving sub-standard living conditions through renovations of their current home infrastructure in the areas of structural risks.  document attached

**Part 3. Additional documents.**

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

Navajo Nation OMB 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: [Signature] Approved by: [Signature]  
signature of Preparer/CONTACT PERSON signature of Chapter President (or Vice-President)  
Approved by: [Signature] Approved by: [Signature]  
signature of CSC signature of Chapter ASO  
Approved to submit for Review: [Signature]  
signature of DCD Director

FY 2022

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 4  
BUDGET FORM 1

*Modernization*

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Coyote Canyon Chapter - <i>Howling</i></u>		Division/Branch: <u>DCD Executive Branch</u>	
Prepared By: <u>Sherylene Yazzie</u>		Phone No.: <u>505-725-2623</u>		Email Address: <u>coyotecanyon@navajochapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of Total	
NN Fiscal Recovery Funds		<u>10/1/21-9/30/26</u>	<u>899,999.00</u>	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code	(A) NHC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies				0
5000	Lease and Rental				
5500	Communications and Utilities				0
6000	Repairs and Maintenance				
6500	Contractual Services				0
7000	Special Transactions				
8000	Public Assistance	<u>U</u>		<u>899,999.</u>	<u>899,999.</u>
9000	Capital Outlay	<u>16</u>			0
TOTAL				<u>899,999.</u>	<u>899,999.</u>
PART IV. POSITIONS AND VEHICLES					
TOTAL: <u>899,999.00</u>			(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: <u>Sherylene Yazzie, Chapter President</u>		APPROVED BY: <u>Calvin Casillo DCD Executive Director</u>			
Program Manager's Printed Name: <u><i>Sherylene Yazzie</i></u>		Division Director/Branch Chiefs Printed Name: <u><i>Calvin Casillo</i></u>		3/15/2023	
Program Manager's Signature and Date: <u><i>Sherylene Yazzie</i></u>		Division Director/Branch Chief's Signature and Date: <u><i>Calvin Casillo</i></u>			

*3-16-23*  
James Adaka, Deputy Director

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

FY 2023

<b>PART I. PROGRAM INFORMATION:</b>	Business Unit No.: <u>NEW</u>	Program Name/Title: <u>Housing Modernization, Renovation, &amp; Weatherization</u>				
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>	<u>Upgrade homes, provide renovation and weatherization for community members.</u>					
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>						
1. Goal Statement: <u>To upgrade Homes for our Community Members</u>	1st QTR		3rd QTR		4th QTR	
Program Performance Measure/Objective: <u>Housing Modernization</u>	Goal	Actual	Goal	Actual	Goal	Actual
2. Goal Statement: <u>To assist community constituents with basic infrastructure</u>					20	
Program Performance Measure/Objective: <u>Renovation</u>					20	
3. Goal Statement: <u>To repair roofs, external/internal structure at risk community members</u>					20	
Program Performance Measure/Objective: <u>Weatherization</u>					20	
4. Goal Statement: <u></u>						
Program Performance Measure/Objective: <u></u>						
5. Goal Statement: <u></u>						
Program Performance Measure/Objective: <u></u>						
<b>PART IV. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>						
		Sherylene Yazala, Chapter President		Calvin Castillo, Deputy Director		
		Program Manager's Printed Name		Division Director/Branch Chief's Printed Name		
		Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date		3/15/2023
		James Adakai, Deputy Director				

**THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Copy 12 Camp</u> Housing Modernization, Renovation & Weatherization Business Unit No.: _____ NEW			
<b>PART II. DETAILED BUDGET:</b>			
(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)
8555	Chapter Project	899,999.	899,999.
<b>TOTAL</b>		899,999.00	899,999.00







**COYOTE CANYON CHAPTER**  
 The Navajo Nation  
*"Home of Chief Manuelito"*



Nathan Notah  
 Council Delegate

Sherylene Yazzie  
 President

Evelyn Morris  
 Vice President

Sharon Warren  
 Secretary-Treasurer

Isaiah T. Tsosie  
 Grazing Officer

COY-23-03-043 COVID 19

**SUPPORTING RESOLUTION OF COYOTE CANYON CHAPTER TO APPROVE AND ACCEPT THE HOUSING MODERNIZATION, RENOVATION AND WEATHERIZATION IN THE AMOUNT OF \$ 600,000.00 DOLLARS AND TO IMPLEMENT THIS FRF EXPENDITURE PLAN IN COMPLIANCE WITH ARPA, ARPA REGULATIONS AND WITH ALL APPLICABLE FEDERAL AND NAVAJO NATION LAWS, REGULATIONS AND POLICIES.**

**WHEREAS**

1. Pursuant to N.N.C. Title 26; Chapter 1, Section 3(A) under the Local Governance Act, Coyote Canyon Chapter is a certified local government entity of the Navajo Nation and codified at 11 N.N.C. Part 1 Section 10; and
2. Pursuant to Chapter 1, Section 1(B)(1) of the same "Act" Coyote Canyon is vested with the governmental authority with respect to local matters consistent with Navajo law, including custom and tradition; and
3. Pursuant to Chapter 1, Section 1(B)(2) of the same "Act" Coyote Canyon is vested with the governmental authority to make decisions over local matters and to govern with responsibility and accountability to the local citizens; and
4. The Coyote Canyon Chapter is accepting and approving to accept the current resolution to fund Housing Modernization, Renovation and Weatherization in the amount of \$600,000.00 Dollars from the FRF (Fiscal Recovery Funds); and
5. The Coyote Canyon Chapter affirms that the Chapter will only use awarded Fiscal Recovery funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations and will all applicable federal and Navajo Nation Laws, Regulations and policies; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. Coyote Canyon Chapter hereby approves and accepts this foregoing resolution to approve and accept the Housing Modernization, Renovation and Weatherization funding in the amount of \$600,000.00 Dollars from the FRF (Fiscal Recovery Funds); and
2. The Coyote Canyon Chapter affirms that the Chapter will only use awarded Fiscal Recovery funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations and will all applicable federal and Navajo Nation Laws, Regulations and policies
3. The Coyote Canyon Chapter Officials and Administration are hereby authorized and directed to act upon all essential chapter Administration duties and responsibilities to enact the purpose of this resolution.

**CERTIFICATION**

**WE HEREBY CERTIFY** that the foregoing Resolution was duly considered by Coyote Canyon Chapter at a duly called chapter meeting at Coyote Canyon (Navajo Nation), New Mexico, at which a quorum was present, and the same was passed by a vote of 9 in favor, 0 opposed, 1 abstained, this 12th day of March, 2023.

**MOTION:**       Isaiah Tsosie  
**SECOND:**       Albertine Wright

ATTEST:

  
\_\_\_\_\_  
Sherylene Yazzie, Coyote Canyon Chapter President

  
\_\_\_\_\_  
Sharon A. Warren, Coyote Canyon Chapter Secretary/Treasurer

**NAVAJO NATION DEPARTMENT OF JUSTICE**



**REQUEST  
FOR  
SERVICES**

RESUBMITTAL

DOJ
_____ DATE / TIME
RFS #: _____
UNIT: _____

\*\*\* FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

<b>CLIENT TO COMPLETE</b>			
DATE OF REQUEST: <u>3/14/2024</u>	ENTITY/DIVISION: <u>OPVP</u>		
CONTACT NAME: <u>Lisa Jymm</u>	DEPARTMENT: <u>Fiscal Recovery Fund Office</u>		
PHONE NUMBER: <u>(928) 309-5535</u>	E-MAIL: <u>ARPA@nndoj.gov</u>		
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):			
<i>Initial Eligibility Determination for Coyote Canyon Chapter - Housing modernization, renovation, and weatherization Project increase by \$299,999., from \$600,000. New amount will be \$899,999.00.</i>			
DEADLINE:	<u>3/28/2024</u>	REASON:	<u>DOJ Review</u>
<b>DOJ SECRETARY TO COMPLETE</b>			
DATE/TIME IN UNIT:		REVIEWING ATTORNEY/ADVOCATE:	
DATE TIME OUT OF UNIT:		PREPARED BY (initial):	
<b>DOJ ATTORNEY / ADVOCATE COMMENTS</b>			
REVIEWED BY: (PRINT)		DATE / TIME:	
DOJ Secretary Called:	for Document Pick Up on	at	By:
PICKED UP BY: (PRINT)		DATE / TIME:	

**NAVAJO NATION**

356

4/25/2024

Naa'bik'iyati' Committee Regular Meeting

04:57:11 PM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Crotty, A

CONSENT AGENDA

SEC Tso, O

#0079-24, 0081-24, 0080-24

[2/3 Present & Voting]

**Yeas : 15**

**Nays : 0**

**Excused : 3**

**Not Voting : 5**

**Yea : 15**

Arviso, S

Crotty, A

Simpson, D

Yanito, C

Begay, N

Daniels, H

Slater, C

Yazzie, C

Charles-Newton, E

James, V

Tolth, G

Yazzie, L

Claw, S

Nez, A

Tso, O

**Nay : 0**

**Excused : 3**

Nez, R

Notah, N

Jesus, B

**Not Voting : 5**

Aseret, L

Johnson, C

Parrish, S

Simonson, G

Begay, H

**Presiding Speaker: Curley, C**