



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:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (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):

- | | |
|--|--|
| <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: _____

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: Tohatchi Chapter Date prepared: 2/17/2023

Chapter's P.O. Box 287 phone/email: (505) 733-2845

Mailing address: Tohatchi, NM 87325 website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845

Office Specialist mallison@nnchapters.org

CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Waterline Extension (Waterline Hook-up)

Chapter President: Harry Moore, Jr. phone & email: (505) 870-8082 smoores@naataani.org

Chapter Vice-President: Mike Halona phone & email: (505) 797-1822 mhalona@nnld.org

Chapter Secretary: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Treasurer: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Manager or CSC: Maria Allison phone & email: (505) 733-2845 mallison@nnchapters.org

DCD/Chapter ASO: Dereck Echohawk phone & email: (505) ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____

Navajo Tribal Utility Authority (NTUA), Fort Defiance, AZ ☐ document attached

Amount of FRF requested: \$278,000 FRF funding period: 05/01/2023 - 09/30/2026

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:

This project will extend waterlines to 27 homes within the Tohatchi Community. The project will allow waterline tie-in to improve basic quality of life, meet health care needs, and sanitation needs. Clean water is a basic utility service necessary in every home for everyday use, safe drinking water, and bathroom use. Providing running water for hygiene prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications.

☐ document attached

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

This project will benefit 27 Tohatchi Community members by providing access to potable water for consumption, sanitation, and hygiene. The project ensures a habitable, secure home for families to receive running water for indoor plumbing. This project will prevent and reduce COVID-19 infection and other illnesses by providing running water for proper hygiene facilities.

☐ 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 Tohatchi Chapter in collaboration with Navajo Tribal Utility Authority (NTUA), Office of Environmental Health and Indian Health Service will obtain cost estimates and construction; the timeline for the project contracting by December 2024 and funds expended by September 2026.

☐ document attached

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

The Tohatchi Chapter will provide oversight of the project through completion; Tohatchi Chapter will coordinate efforts with Office of Environmental Health, Indian Health Service, and Navajo Tribal Utility Authority.

☐ 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 homeowner will be responsible for the operation, maintenance, and repair upon project completion. Tohatchi Chapter incurs no additional cost or recurring cost upon project completion.

☐ 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 that proposed Program or Project falls under, and explain the reason why:

Drinking Water: Other Water Infrastructure 5.15

Pursuant to the U.S. Treasury guidelines and funding objectives, this waterline extension project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing access to running water for homes promotes good health and wellness; meets infrastructure and environmental health needs; prevents COVID-19 infection and other illnesses. Families will receive running water for consumption, sanitation, and hygiene needs.

☐ document attached

Part 3. Additional documents.

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

Tohatchi Community Chapter Resolution Number: TOH: 029-03-2023 is attached.

☒ 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

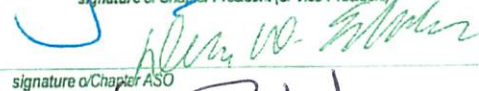
Approved by:


signature of Chapter President (or Vice-President)

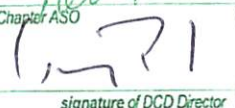
Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit
for Review:


signature of DCD Director

FY 2023

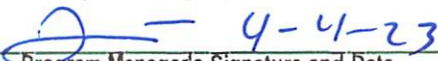
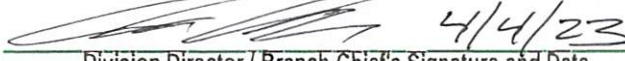
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ___ of ___
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Tohatchi Chapter - Waterline Extension</u>		Division/Branch: <u>DCD/Executive Branch</u>	
Prepared By: <u>Maria Allison</u>		Phone No.: <u>(505) 733-2845</u>		Email Address: <u>mallison@nnchapters.org</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
NN Fiscal Recovery Funds	05/01/23-09/30/26	\$278,000	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				
				7000 Special Transactions				
				8000 Public Assistance	6	0	\$278,000	\$278,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$278,000	\$278,000

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>James Adakai, Deputy Director</u> Program Manager's Printed Name <div style="text-align: center;">  Program Manager's Signature and Date </div>	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name <div style="text-align: center;">  Division Director / Branch Chief's Signature and Date </div>

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ____ of ____
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: New

Program Name/Title:

Tohatchi Chapter - Waterline Extension

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:

To install (27) waterline extension by Contractor

Program Performance Measure/Objective:

Will complete (27) waterline line extension project by end of Quarter of FY 2026

						27	
--	--	--	--	--	--	----	--

2. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

3. Goal Statement:

Program Performance Measure/Objective:

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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 THOROL GHLY REVIEWED.

James Adakai, Deputy Director

Program Manager's Printed Name

Program Manager's Signature and Date

Calvin Castillo, *Executive Director*

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - Waterline Extension</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)
6000	Subcontracted Services		\$278,000
6060	To provide waterline extension to (05) homes to improve the basic quality of life	\$278,000	
8500	Infrastrure (non-cup)		
	8545- Waterline Extension		
TOTAL		\$278,000	\$278,000

Page ____ of ____
PROJECT FORM

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



THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

Post Office Box 287 Tohatchi, New Mexico 87325 Tel: (505) 733-2845/2846 FAX: (505) 733-2847

Harry "Sonny" Moore, Jr.
Chapter President

W. Mike Halona
Chapter Vice-President

Jean Crawford
Chapter Secretary/Treasurer

Gerald Moore
Grazing Official

Nathan Notah
Council Delegate

RESOLUTION OF THE TOHATCHI CHAPTER SUPPORTING AND APPROVING TOHATCHI CHAPTER'S EXPENDITURE PLANS FOR PROJECTS LISTED UTILIZING THE NAVAJO NATION FISCAL RECOVERY FUND FOR WATERLINE EXTENSIONS IN THE TOTAL AMOUNT OF \$278,000.

WHEREAS:

TOH: 029-03-2023

1. Pursuant to NNC Section 3(A), the Tohatchi Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 NNC. Part 1, Section 10.
2. Pursuant to 26 NNC Section 1(B), the Tohatchi Chapter is vested with the authority to review all matters affecting community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions.
3. The American Rescue Plan Act (ARPA) of 2021 was passed by the US Senate on March 6, 2021 and signed into law by President Biden on March 11, 2021.
4. Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.
5. The devastating effects of COVID-19 on the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disparities.
6. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by community members, schools, clinic, and businesses.
7. The Navajo Nation Fiscal Recovery Fund Office (NNFRF Office) shall be a clearinghouse that will coordinate, facilitate and implement Fiscal Recovery Fund (FRF) responsibilities. The NNFRF ensures expenditure reviews of FRF eligibility determination.
8. The allocation in the amount of \$1.7 million is the largest allocation made in history to the Tohatchi Chapter which will begin the constructions of waterline extension, powerline extension, solar systems, Navajo Nation Cistern/Septic System, House Wiring, and two (2) homes will be built for (2) community members.
9. The Tohatchi Chapter ("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 with all applicable federal and Navajo Nation laws, regulations, and policies.

NOW, THEREFORE, BE IT RESOLVED, THAT:


The Tohatchi Chapter hereby supports and approves the expenditures for **Waterline Extensions** in the total amount of \$278,000.00 for the **Twenty-Seven (27)** recipients as shown in the attach spreadsheet.

CERTIFICATION

We hereby certify that the foregoing resolution was approved by the Tohatchi Chapter at a duly called meeting held at Tohatchi Chapter (Navajo Nation), NM at which a temporary authorized reduced quorum was present and the same was passed by a vote of 11 in favor, 0 opposed, 5 abstained, this 15th day of **March 2023**.

Motion: Carol Tom

Second: Sarah Tom


Mr. Harry "Sonny" Moore Jr, President


Date

**Tohatchi Community Chapter
American Rescue Plan Act (ARPA)**

Waterline Extension (Only)

	Names	Homesite	Telephone	ROW	GPS Readings	Cost
1	Benson Badonie					\$10,000
2	Harrison Badonie					\$10,000
3	Mary Barney	Yes				\$10,000
4	Mike Begay	??				\$10,000
5	Tom Yazzie Begay					\$10,000
6	Doris Benallie					\$10,000
7	Wilfred Chee	Yes				\$10,000
8	Eddie Crank	Yes				\$8,000
9	Ted Etsitty	Yes				\$8,000
10	Vanessa Frank	Yes				\$10,000
11	Carolyn Francisco	Yes				\$28,000
12	April James					\$10,000
13	Theresa Jimmie	Yes				\$10,000
14	Marcus Kinsel	Yes				\$10,000
15	Monica Lee	Yes				\$10,000
16	Ronda Lewis	Yes				\$10,000
17	Carol Lowe	Yes				\$10,000
18	Benson Manygoat					\$10,000
19	Christopher Natonabah-D					\$10,000
20	Charlene Roanhorse	Yes				\$10,000
21	Manual Shirleson	Yes				\$10,000
22	Hilda Sneddy	Yes				\$10,000
23	Joan Thompson	Yes				\$10,000
24	Sarah Tom	Yes				\$10,000
25	Garry Wood	Yes				\$10,000
26	Cecelia/Benson Yazzie	Yes				\$4,000
27	Elwood Yazzie	Yes				\$10,000
	Sub Total	Waterline Extension				\$278,000
	Labor					

	Equipment/Transportation/Trash					
	Taxes					
	Advertise					
	Sub Total (Labor/Equipment/Taxes/Advertise)					
	Total	Waterline Extension				\$278,000