



**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 #:** HK0388

**Date & Time Received:** 01/03/23 14:47

**Date & Time of Response:** 10 January 2023; 3:41 pm

**Entity Requesting FRF:** Coalmine Chapter

**Title of Project:** Septic sewage tank cleanouts

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$50,000.00

**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:** 5.5 Clean Water: Other

**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: 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 Coalmine Chapter  
requesting FRF: \_\_\_\_\_ date prepared: 12-11-22

Chapter's PO Box 742  
mailing address: Tuba City, Az, 86045  
phone/email: \_\_\_\_\_  
website (if any): \_\_\_\_\_

this Form prepared by: Benjamin Nez  
Coalmine Chapter Vice President  
phone/email: 928-280-8690  
benjamin.nez@naataanii.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

title and type of Project: Coalmine Chapter Septic Cleaning Project

Chapter President: Rena Dodson phone & email: 928-640-1433 r.dodson@naataanii.org

Chapter Vice-President: Benjamin Nez phone & email: 928-280-8690 benjamin.nez@naataanii.org

Chapter Secretary: Benjamin Zahne phone & email: 928-401-6097 (email next line)

Chapter Treasurer: Benjamin Zahne phone & email: Coalminechapter@navajochapters.org

Chapter Manager or CSC: Acting CSC Milford Maloney phone & email: \_\_\_\_\_

DCD/Chapter ASO: SPPS Milford Maloney phone & email: \_\_\_\_\_

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

Amount of FRF requested: \$50,000 FRF funding period: FY 2023-FY 2026 10/1/23-9/30/26  
document attached  
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:

Coalmine Chapter will utilize ARPA funding for Septic Cleaning. It will assist 71 homes, providing families a safe sanitary living conditions.

document attached

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

Due to COVID-19, families have endured financial challenges to pay utility needs and maintain sanitary living conditions. Having proper maintenance can avoid any complications in the future and higher maintenance cost. Septic cleaning is safe for the family and for the environment.

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 project end date will be December 31, 2026 with all funds being incurred before December 31, 2024. Navajo Nation Budget Form 2 are attached for phase goals per quarter of funding period.  document attached

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

Coalmine Chapter is uncertified chapter and lacks staff. With assistance from DCD and SPPS, Coalmine Chapter will implement the NN ARPA Funding Act for Septic Cleaning.  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:

Recipients will be responsible for their septic tank. No additional cost or recurring cost will be incurred by Coalmine Chapter government once Septic Cleaning has been 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:

Public Health: 1.14- Other Public Health

Pursuants to the U.S. Treasury guidelines and funding objectives, these bathroom additions address the conditions that controlled to poor public health & economic outcomes during the pandemic. By concentrating in areas with limited economic opportunities and inadequate or poor housing quality, access to resources facilitates improved health outcomes including services that connect residents with health care resources & public assistance & build healthier environments such as: housing wellness. The exacerbation of health disparities during the pandemic & the role of preexisting social vulnerabilities are presumed to be  document attached

responsive to the public health impact of the pandemic. These septic cleaning will allow families to shelter-in when tested positive for Covid-19.  
**Part 3. Additional documents.**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  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:

*Ben Zehur*  
signature of Preparer (PRINT NAME)

Approved by:

*Benjamin Noy*  
signature of Chapter President (or Vice-President)

Approved by:

*Nygm*  
signature of CSC

Approved by:

*Nygm*  
signature of Chapter ASO

Approved to submit for Review:

*Sisa Jamm, NNFCFO*  
signature of DCO Director

| PART I. Business Unit No.:   |  | NEW                                  | Program Title: |            | <i>Coalmine Chapter</i><br>SEPTIC CLEANING            |  |                | Division/Branch:           | DIVISION OF COMMUNITY DEVELOPMENT   |                        |                            |
|--|--|--------------------------------------|----------------|------------|---|--|----------------|----------------------------|-------------------------------------|------------------------|----------------------------|
| Prepared By:   |  | BENJAMIN NEZ                         |                | Phone No.: | 928-280-8690  |  | Email Address: | BENJAMIN.NEZ@NAATAANII.ORG |                                     |                        |                            |
| PART II. FUNDING SOURCE(S)   |  | Fiscal Year /Term                    | Amount         | % of Total | PART III. BUDGET SUMMARY                              |  |                | Fund Type Code             | (A)<br>NNC Approved Original Budget | (B)<br>Proposed Budget | (C)<br>Difference or Total |
| NN FISCAL RECOVERY FUNDS   |  | FY23-FY26                            | 50,000.00      | 100%       |   |  |                |                            |                                     |                        |                            |
|  |  | <i>10/1/22-9/30/26</i>               |                |            | 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                          | 0                                   | 50,000                 | 50,000                     |
|  |  |                                      |                |            | 7000 Special Transactions                             |  |                |                            |                                     |                        |                            |
|  |  |                                      |                |            | 8000 Public Assistance                                |  |                |                            |                                     |                        |                            |
|  |  |                                      |                |            | 9000 Capital Outlay                                   |  |                |                            |                                     |                        |                            |
|  |  |                                      |                |            | 9500 Matching Funds                                   |  |                |                            |                                     |                        |                            |
|  |  |                                      |                |            | 9500 Indirect Cost                                    |  |                |                            |                                     |                        |                            |
|  |  |                                      |                |            | TOTAL   |  |                |                            | \$0.00                              | 50,000.00              | 50,000                     |
|  |  |                                      |                |            | PART IV. POSITIONS AND VEHICLES                       |  |                | (D)                        | (E)                                 |                        |                            |
|  |  |                                      |                |            | Total # of Positions Budgeted:                        |  |                | 0                          | 0                                   |                        |                            |
|  |  |                                      |                |            | Total # of Vehicles Budgeted:                         |  |                | 0                          | 0                                   |                        |                            |
| TOTAL:   |  |                                      | \$50,000.00    | 100%       |   |  |                |                            |                                     |                        |                            |
| PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. |  |                                      |                |            |   |  |                |                            |                                     |                        |                            |
| SUBMITTED BY:  |  | BENJAMIN NEZ                         |                |            | APPROVED BY:  |  |                |                            |                                     |                        |                            |
|  |  | Program Manager's Printed Name       |                |            | Division Director / Branch Chief's Printed Name       |  |                |                            |                                     |                        |                            |
|  |  | <i>Benjamin Nez 12/11/22</i>         |                |            | <i>Pearl Yellowa 12.13.22</i>                         |  |                |                            |                                     |                        |                            |
|  |  | Program Manager's Signature and Date |                |            | Division Director / Branch Chief's Signature and Date |  |                |                            |                                     |                        |                            |



|                              |  |     |  |   |  |  |  |  |  |  |  |
|------------------------------|--|-----|--|---|--|--|--|--|--|--|--|
| PART I. PROGRAM INFORMATION: |  |     |  |   |  |  |  |  |  |  |  |
| Business Unit No.:           |  | NEW |  | Program Name/Title: <i>Coalmine Chapter</i> SEPTIC CLEANING |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:   |  |  |  |  |  |  |  |  |  |  |  |
| Resolution #:CCC-12-0086-23 : Reaffirming And Approval Of the Coalmine Canyon Chapter Priority Project/Listing of Justification Usage For The ARPA Funding Of \$1,760,468.00; Septic Cleaning 50,000 |  |  |  |  |  |  |  |  |  |  |  |

| PART III. PROGRAM PERFORMANCE CRITERIA:   |  |  |  | 1st QTR |        | 2nd QTR |        | 3rd QTR |        | 4th QTR |        |
|---|--|--|--|---------|--------|---------|--------|---------|--------|---------|--------|
| Coalmine Chapter  |  |  |  | Goal    | Actual | Goal    | Actual | Goal    | Actual | Goal    | Actual |
| 1. Goal Statement:  |  |  |  |         |        |         |        |         |        |         |        |
| To clean the septic tank for the chapter community that are using septic tanks. 2024-2026 |  |  |  |         |        |         |        |         |        |         |        |
| Program Performance Measure/Objective:  |  |  |  |         |        |         |        |         |        |         |        |
| To control the high rate of Covid-19 exposure   |  |  |  | 18      |        | 18      |        | 18      |        | 17      |        |
| 2. Goal Statement:  |  |  |  |         |        |         |        |         |        |         |        |
| Program Performance Measure/Objective:  |  |  |  |         |        |         |        |         |        |         |        |
| 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. |  |  |  |  |  |   |  |  |  |  |  |
| BENJAMIN NEZ   |  |  |  |  |  |   |  |  |  |  |  |
| Program Manager's Printed Name   |  |  |  |  |  | Division Director/Branch Chief's Printed Name       |  |  |  |  |  |
| <i>Benjamin Nez</i> 12/11/22   |  |  |  |  |  | <i>Paul Thomas</i> 12-13-22                         |  |  |  |  |  |
| Program Manager's Signature and Date   |  |  |  |  |  | Division Director/Branch Chief's Signature and Date |  |  |  |  |  |

**PART I. PROGRAM INFORMATION:**  
 Program Name/Title: Coalmine Chapter **SEPTIC CLEANING** 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) |
| 6                                | 6200- External Contractor- The chapter will contract a Septic Service Provider to empty and clean out all community septic tanks<br>71 Septic Cleaning X \$700= \$49,700<br>Remaining \$300 bathroom addition | 50,000                                | 50,000                             |
| <b>TOTAL</b>                     |   | 50,000                                | 50,000                             |

# PROJECT FORM

|  |  |  |  |  |  |  |  |  |  |  |  |  |   |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|---|----|----|-----------|-------------------|----|-----------|----|-------------|-----------|----|----|--------------|----|----|----------|---------------|----|---------------|----|----|----------|----|----|---|---|---|---|---|---|--|----|--|--|
| <b>PART I.</b> Business Unit No.: NEW  |  |  |  |  |  |  |  |  |  |  |  |  | <b>PART II.</b> Project Information   |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| Project Title: COALMINE CHAPTER SEPTIC CLEANING                                  |  |  |  |  |  |  |  |  |  |  |  |  | Project Type: Septic Cleaning   |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| Project Description: Contract a Septic Company to clean septic tank for 71 homes |  |  |  |  |  |  |  |  |  |  |  |  | Planned Start Date: 12/11/2022  |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| Check one box:   |  |  |  |  |  |  |  |  |  |  |  |  | Planned End Date: 12/31/2026  |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | Project Manager: Benjamin Nez   |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| <b>PART III.</b>   |  |  |  |  |  |  |  |  |  |  |  |  | <b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct; N = Nov; D = Dec., etc. |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| List Project Task separately, such as Plan, Design, Construct, Equip or Furnish. |  |  |  |  |  |  |  |  |  |  |  |  | Expected Completion Date if project exceeds 8 FY Qtrs.  |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | FY 2023   |    |    |           |                   |    |           |    | FY 2024     |           |    |    |              |    |    |          | Date 12/31/26 |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | 1st Qtr.  |    |    | 2nd Qtr.  |                   |    | 3rd Qtr.  |    |             | 4th Qtr.  |    |    | 1st Qtr.     |    |    | 2nd Qtr. |               |    | 3rd Qtr.      |    |    | 4th Qtr. |    |    |   |   |   |   |   |   |  |    |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | 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 |  |    |  |  |
| Bidding  |  |  |  |  |  |  |  |  |  |  |  |  | XX  | XX | XX | XX        | XX                | XX |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  | 71 |  |  |
| 164 Process/Contract   |  |  |  |  |  |  |  |  |  |  |  |  |   |    |    |           |                   |    | XX        | XX | XX          | XX        | XX | XX |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| Septic Services  |  |  |  |  |  |  |  |  |  |  |  |  |   |    |    |           |                   |    |           |    |             |           |    |    | XX           | XX | XX | XX       | XX            | XX | XX            | XX | XX | XX       | XX | XX |   |   |   |   |   |   |  |    |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |   |    |    |           |                   |    |           |    |             |           |    |    |              |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| <b>PART V.</b>   |  |  |  |  |  |  |  |  |  |  |  |  | \$  |    |    | \$        |                   |    | \$        |    |             | \$        |    |    | \$           |    |    | \$       |               |    | PROJECT TOTAL |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| Expected Quarterly Expenditures  |  |  |  |  |  |  |  |  |  |  |  |  | 12,500.00   |    |    | 12,500.00 |                   |    | 12,500.00 |    |             | 12,500.00 |    |    |              |    |    |          |               |    | \$50,000.00   |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |
| <b>FOR OMB USE ONLY:</b>   |  |  |  |  |  |  |  |  |  |  |  |  | Resolution No:  |    |    |           | FMIS Set Up Date: |    |           |    | Company No: |           |    |    | OMB Analyst: |    |    |          |               |    |               |    |    |          |    |    |   |   |   |   |   |   |  |    |  |  |



# COALMINE CANYON CHAPTER

Rena Dodson, Chapter President

Benjamin Nez, Chapter Vice-President

Ben Zahne, Secretary/Treasurer



Thomas Walker Jr. , Council Delegate

Harry Goldtooth, Grazing Official

## WESTERN NAVAJO AGENCY – NAVAJO NATION

PO Box 742, Tuba City, AZ 86045

Resolution #: CCC- 12-0086-23

### Reaffirming And Approval Of The Coalmine Canyon Chapter Priority Project Listing of Justification Usage For The A.R.P.A Funding Of 1,760,468.00

#### WHEREAS:

1. Pursuant to 26 N.N.C., Section 3: Chapter Certification and 11 N.N.C. Part 1, Section 10, the Coalmine Canyon Chapter is a duly recognized and certified chapter of the Navajo Nation Government; and,
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation Chapters, Section 1., (B) Purpose: (1) & (2), the Navajo Nation Council delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapters to make decisions to govern with responsibility and accountability to community membership; and,
3. The Coalmine Canyon Chapter recognized that the financing of public project have become a major concern on the Navajo Nation and Nationally, therefore, the ARPA funding of 1,760,468.00 will be used according to some of the needs of our constitutes; and
4. In times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and
5. During the pandemic times, many of our Navajo people suffered emotionally, spiritually and physically; and

NOW THEREFORE BE IT RESOLVED THAT:


1. The Coalmine Canyon Chapter hereby supports and approves the ARPA funding to be utilize in accordance with the following chapter projects priorities;

- |                      |              |
|----------------------|--------------|
| 1. Bathroom Addition | 1,260,468.00 |
| 2. Septic Cleaning   | 50,000.00    |
| 3. Chapter Warehouse | 450,000.00   |

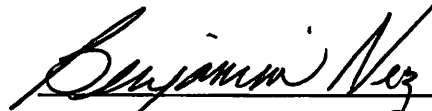
### CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Coalmine Canyon Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 28 In Favor, 0 opposed, and 0 Abstained on this 13<sup>th</sup> Day of December, 2022

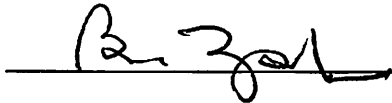
Main Motioned Made By: Bijii Bah Begay Second Motioned Made By: Starlena Nez



Rena Dodson, Chapter President



Benjamin Nez, Chapter Vice President



Ben Zahne, Chapter Secretary/Treasurer



Harry Goldtooth, Grazing Official

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Thomas Walker, Council Delegate4