

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0241-23

**DATE:** October 17, 2023

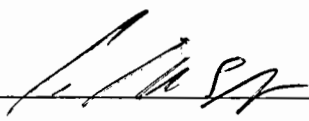
**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/ WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

**PURPOSE:** This resolution, if approved, will add FRF-Eligible projects to Hon. Carl R. Slater's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Tsaille/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point) enacted under CJY-64-23.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.**

PROPOSED STANDING COMMITTEE RESOLUTION  
25th NAVAJO NATION COUNCIL — First Year, 2023

INTRODUCED BY

  
Primary Sponsor

TRACKING NO. 0241-23

AN ACTION  
RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-64-23,  
THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE  
REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND  
ROCK, TSÉCH'IZHÍ, ROCK POINT), TO INCLUDE ADDITIONAL  
PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. §700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CJY-64-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Carl R. Slater's Delegate Region

(Chapters: Tsaille/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

- D. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-2, included and incorporated herein by reference, delegated the Naabik'íyáti' Committee as the final approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.

## SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

- B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)

1 to be divided equally between the twenty-four (24) Delegate Regions in the  
2 amount of eight million eight hundred two thousand three hundred forty  
3 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
4 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'iyáti'  
5 Committee members in attendance. . . . See CJN-29-22, as amended by  
6 CAU-74-23, Section Three (B).

7 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
8 Nation Central Government, specifically the Division of Community  
9 Development or other appropriate Navajo Nation Division or Department,  
10 to implement the projects rather than directly to the Chapters. See CJN-29-  
11 22, Section Three (D).

12 3. The Navajo Nation Central Government, specifically the Division of  
13 Community Development or other appropriate Navajo Nation Division or  
14 Department, shall manage and administer funds and Delegate Region  
15 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation  
16 Central Government may award funding to LGA-Certified Chapters through  
17 sub-recipient agreements to implement and manage specific projects, but  
18 shall maintain Administrative Oversight over such funding and Delegate  
19 Region Project Plans. See CJN-29-22, Section Three (E).

20 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
21 eligible projects within their Delegate Region to be funded by the NNFRF  
22 Chapter and Regional Projects Expenditure Plan through a Delegate Region  
23 Projects Plan. The total cost of projects selected by each Delegate shall not  
24 exceed their Delegate Region distribution of eight million eight hundred two  
25 thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section  
26 Three (F).

27 5. Each Delegate Region Project shall identify its Administrative Oversight  
28 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ  
29 initial eligibility determination. See CJN-29-22, Section Three (L)(5) and  
30 (L)(6).

1 C. The Navajo Nation Council Resolution No. CJY-64-23, AN ACTION RELATING TO  
2 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
3 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE  
4 REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE  
5 REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND  
6 ROCK, TSÉCH'IZHÍ, ROCK POINT), was signed into law by the President of the  
7 Navajo Nation on August 4, 2023.

8 D. CJY-64-23, Section Four, states that:

- 9 1. Amendments to this legislation or to the Delegate Region Project Plan approved  
10 herein shall only be adopted by resolution of the Navajo Nation Council and  
11 approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17)  
12 and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

13 E. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING  
14 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
15 AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22;  
16 DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL  
17 AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH  
18 THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the  
19 President of the Navajo Nation on September 6, 2023.

20 F. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among  
21 other things, that

- 22 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
23 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
24 Recovery Fund in the total amount of two hundred eleven million two  
25 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
26 to be divided equally between the twenty-four (24) Delegate Regions in the  
27 amount of eight million eight hundred two thousand three hundred forty  
28 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
29 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'íyáti'  
30

Committee members in attendance. . . See CJN-29-22, as amended by  
CAU-74-23, Section Three (B).

G. All additional projects listed in the Hon. Carl R. Slater's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Carl R. Slater's Delegate Region Projects Plan does *not* exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

H. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Carl R. Slater's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé'ch'izhí, Rock Point) as set forth in **Exhibit A**.

**SECTION THREE. AMENDING CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK POINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé'ch'izhí, Rock Point) set forth in **Exhibit A**.

B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.

C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

1 **SECTION FOUR. AMENDMENTS**

2 Amendments to this legislation or to the Delegate Region Project Plan approved herein  
3 shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.  
4

5 **SECTION FIVE. EFFECTIVE DATE**

6 This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the  
7 Naabik'íyáti' Committee members in attendance.  
8

9 **SECTION SIX. SAVING CLAUSE**

10 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
11 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
12 those provisions of this legislation not determined invalid shall remain the law of the Navajo  
13 Nation.  
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**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 0620

Date & Time Received: 07/18/23 at 15:12

Date & Time of Response: July 27, 2023 at 1600 Hrs.

Entity Requesting FRF: Tsaile/Wheatfields Chapter

Title of Project: Community Roads Improvement

Administrative Oversight: Navajo Nation Division of Transportation

Amount of Funding Requested: \$1,094,062.00

**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 checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_

6.1, Provision of Government Services

|  |  |
|--|--|
| <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 |  |

Signature of DOJ Reviewer: lorenzo Curley

### 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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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:

**TSAILE/WHEATFIELDS CHAPTER**Date prepared: **3/18/23**Chapter's **PO BOX C18**mailing address: **TSAILE, AZ 86556**phone/email: **(928) 724-2220**website (if any): **tsaile@navajochapters.org**This Form prepared by: **DARICE NEWMAN****DARICE NEWMAN, COMMUNITY SVC COORDINATOR***CONTACT PERSON'S name and title*phone/email: **(928) 724-2220****dnewman@navajochapters.org***CONTACT PERSON'S info*Title and type of Project: **Community Roads Improvement**Chapter President: **DEVON BEGAY**phone & email: **(505) 399-0414, dbegay@naataanii.org**Chapter Vice-President: **STANLEY KEDELTY**phone & email: **(505) 860-9798, skedelty@naataanii.org**Chapter Secretary: **MARINDA DECHEE**phone & email: **(928) 797-6569, mdechec@navajochapters.org**Chapter Treasurer: **SAME AS ABOVE**

phone &amp; email:

Chapter Manager or CSC: **DARICE NEWMAN**phone & email: **(928) 724-2220, dnewman@nnchapters.org**DCD/Chapter ASO: **CHINLE/EDGERTON GENE**phone & email: **(928) 674-2251, egene@nndcd.org**

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

☐ document attachedAmount of FRF requested: **\$1,094,062**FRF funding period: **April 1, 2023 - December 13, 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 Tsaille/Wheatfields Chapter will use the funds to repair and reinforce the local roads of N7700, N8079 and N8077. During the pandemic, it was more apparent that the residents living on these routes were severely impacted and had to forego basic care, needs and daily activities away from the roads. With these roads repaired and reinforced, the residents will be able to have access to basic needs, the ability to travel for appointments, schools, purchasing food, wood and other items needed to ensure they have adequate supplies on hand. The Chapter will ensure that the funds expended will address public challenges that partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tsaille/Wheatfields Chapter, the residents had to wait for heavy equipment machinery to clear and ensure safe roads to travel out; having the roads safe will allow easier access to healthcare, less stress and students would attend school regularly. The Tsaille/Wheatfields Chapter residents will directly benefit from the road improvements.

☐ 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:

This project estimates the successful completion of the roads and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Tsaile/Wheatfields Chapter and the appropriate roads agency to complete the road improvements.

☐ 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 maintenance of the roads will be by the Navajo Department of Transportation and the chapter.

☐ 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:

6.1 Provision of Government Services. The road improvements addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity.

☐ document attached

### Part 3. Additional documents.

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

Resolution and memorandum from NDOT

☐ 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:

*On Neuman, CSC*  
signature of Preparer/CONTACT PERSON

Approved by:

*Devon Bexley*  
signature of Chapter President (or Vice-President)

Approved by:

*On Neuman CSC*  
signature of CSC

Approved by:

*E. Johnson*  
signature of Chapter ASO

Approved to submit  
for Review:

*[Signature]*  
signature of DCD Director

| PART I. Business Unit No.: <u>NEW</u>  |                     | Program Title: <u>TsaiWheatfields Chapter - Roads Improvement Projects</u> |               | Division/Branch: <u>Div. of Comm. Dev/ Chinle ASC</u> |              |
|--|---------------------|--|---------------|---|--------------|
| Prepared By: <u>Darice Newman</u>  |                     | Phone No.: <u>(928) 724-2220</u>   |               | Email Address: <u>dnewman@nnchapters.org</u>          |              |
| PART II. FUNDING SOURCE(S)   | Fiscal Year<br>Term | Amount   | % of<br>Total | PART III. BUDGET SUMMARY                              |              |
| NN Fiscal Recovery Funds   | 4/1/23 - 12/31/26   | 1,094,062.00   | 100%          | Fund<br>Type  | Code         |
|  |                     |  |               | 2001 Personnel Expenses                               |              |
|  |                     |  |               | 3000 Travel Expenses                                  |              |
|  |                     |  |               | 3500 Meeting Expenses                                 |              |
|  |                     |  |               | 4000 Supplies   |              |
|  |                     |  |               | 5000 Lease and Rental                                 |              |
|  |                     |  |               | 5500 Communications and Utilities                     |              |
|  |                     |  |               | 6000 Repairs and Maintenance                          | 5            |
|  |                     |  |               | 6500 Contractual Services                             |              |
|  |                     |  |               | 7000 Special Transactions                             |              |
|  |                     |  |               | 8000 Public Assistance                                |              |
|  |                     |  |               | 9000 Capital Outlay                                   |              |
|  |                     |  |               | 9500 Matching Funds                                   |              |
|  |                     |  |               | 9500 Indirect Cost                                    |              |
|  |                     |  |               | TOTAL   |              |
|  |                     |  |               | 50.00   | 1,094,062.00 |
|  |                     |  |               | 1,094,062   |              |
|  |                     |  |               | PART IV. POSITIONS AND VEHICLES                       |              |
|  |                     |  |               | (D)   |              |
|  |                     |  |               | (E)   |              |
|  |                     |  |               | Total # of Positions Budgeted:                        |              |
|  |                     |  |               | Total # of Vehicles Budgeted:                         |              |
| TOTAL: \$1,094,062.00 100%   |                     |  |               |   |              |
| 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:  |              |
|  |                     | Program Manager's Printed Name   |               | Calvin Castillo, Executive Director                   |              |
|  |                     | Division Director / Branch Chief's Printed Name                            |               | 06/15/2023  |              |
|  |                     | Program Manager's Signature and Date                                       |               | Division Director / Branch Chief's Signature and Date |              |

|  |     |   |        |         |        |   |        |         |        |      |        |
|--|-----|---|--------|---------|--------|---|--------|---------|--------|------|--------|
| PART I. PROGRAM INFORMATION:   |     | Tsalle/Wheatfields Chapter - Roads Improvement Projects |        |         |        |   |        |         |        |      |        |
| Business Unit No.:   | NEW | Program Name/Title:                                     |        |         |        |   |        |         |        |      |        |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:                       |     |   |        |         |        |   |        |         |        |      |        |
| PART III. PROGRAM PERFORMANCE CRITERIA:  |     |   |        |         |        |   |        |         |        |      |        |
| 1. Goal Statement:   |     | 1st QTR   |        | 2nd QTR |        | 3rd QTR   |        | 4th QTR |        |      |        |
| Utilize ARPA funding to repair and reinforce local roads N7700, N8079 and N8077        |     | Goal  | Actual | Goal    | Actual | Goal  | Actual | Goal    | Actual | Goal | Actual |
| Program Performance Measure/Objective:   |     |   |        |         |        |   |        |         |        |      |        |
| Repair and reinforce local roads for community members daily usage.                    |     |   |        |         |        |   |        |         |        | 1    |        |
| 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. |     |   |        |         |        |   |        |         |        |      |        |
| James Adakai, Deputy Director  |     |   |        |         |        | Calvin Castillo, Director                           |        |         |        |      |        |
| Program Manager's Printed Name   |     |   |        |         |        | Division Director/Branch Chief's Printed Name       |        |         |        |      |        |
| 6-15-23  |     |   |        |         |        | 06/15/2023  |        |         |        |      |        |
| Program Manager's Signature and Date   |     |   |        |         |        | Division Director/Branch Chief's Signature and Date |        |         |        |      |        |



## PROJECT BUDGET SCHEDULE

# PROJECT FORM

| PART I. Business Unit No.: NEW  |  |  |  |  |  | PART II.   |  | Project Information                          |  |
|---|--|--|--|--|--|--|--|--|--|
| Project Title: Tsalle/Wheatfields Chapter: Community Road Improvements                            |  |  |  |  |  | Project Type:  |  | Road Improvements                            |  |
| Project Description Road Improvements and Reinforcement of Community Roads N7077, N8079 and N8077 |  |  |  |  |  | Planned Start Date:  |  | 4/1/2023                                     |  |
|   |  |  |  |  |  | Planned End Date:  |  | 12/13/2026                                   |  |
| Check one box:  |  |  |  |  |  | <input checked="" type="checkbox"/> Original Budget  |  | <input type="checkbox"/> Budget Revision     |  |
|   |  |  |  |  |  | <input type="checkbox"/> Budget Reallocation   |  | <input type="checkbox"/> Budget Modification |  |
| Project Manager: DCD  |  |  |  |  |  |  |  |  |  |
| PART III.<br>List Project Task separately, such as Plan, Design, Construct, Equip or Furnish.     |  |  |  |  |  | PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc. |  |  |  |
|   |  |  |  |  |  | FY 2024  |  |  |  |
|   |  |  |  |  |  | FY 2023  |  |  |  |
|   |  |  |  |  |  | FY 2022  |  |  |  |
|   |  |  |  |  |  | FY 2021  |  |  |  |
|   |  |  |  |  |  | FY 2020  |  |  |  |
|   |  |  |  |  |  | FY 2019  |  |  |  |
|   |  |  |  |  |  | FY 2018  |  |  |  |
|   |  |  |  |  |  | FY 2017  |  |  |  |
|   |  |  |  |  |  | FY 2016  |  |  |  |
|   |  |  |  |  |  | FY 2015  |  |  |  |
|   |  |  |  |  |  | FY 2014  |  |  |  |
|   |  |  |  |  |  | FY 2013  |  |  |  |
|   |  |  |  |  |  | FY 2012  |  |  |  |
|   |  |  |  |  |  | FY 2011  |  |  |  |
|   |  |  |  |  |  | FY 2010  |  |  |  |
|   |  |  |  |  |  | FY 2009  |  |  |  |
|   |  |  |  |  |  | FY 2008  |  |  |  |
|   |  |  |  |  |  | FY 2007  |  |  |  |
|   |  |  |  |  |  | FY 2006  |  |  |  |
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|   |  |  |  |  |  | FY 2003  |  |  |  |
|   |  |  |  |  |  | FY 2002  |  |  |  |
|   |  |  |  |  |  | FY 2001  |  |  |  |
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|   |  |  |  |  |  | FY 1940  |  |  |  |
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|   |  |  |  |  |  | FY 1905  |  |  |  |
|   |  |  |  |  |  | FY 1904  |  |  |  |
|   |  |  |  |  |  |  |  |  |  |

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







*Tsaile/Wheatfields Chapter*  
*Post Office Box C18*  
*Tsaile, Arizona 86556*  
*Phone: (928) 724-2220 Fax (928) 724-2223*

Tsééhilí

TóDzis'á

Tsézhine

*Devon Begay, President*  
*Charles R. Cline, Grazing Committee*

*Stanley Kedeft, Vice President*

*Marinda DeChie, Secretary/Treasurer*  
*Carl Roessel, Slater, Council Delegate*

TWFFY23-045

**RESOLUTION OF THE  
TSAILE/WHEATFIELDS CHAPTER #038**

**SUPPORTING, RECOMMENDING, AND APPROVAL OF THE TSAILE/WHEATFIELDS  
CHAPTER AMERICAN RESCUE PLAN ACT (ARPA) PRIORITY PROJECT LISTING IN THE  
AMOUNT OF \$1,760,468.00.**

**WHEREAS:**

1. Pursuant to Navajo Nation Council Resolution No. CJ-20-55, dated December 2, 1955, the Tsaile/Wheatfields Chapter is vested with authority and charged with the responsibility to promote, protect and preserve the interest and general welfare, including the health and safety of its community people; and
2. The Indian Self-Determination Act (P.L. 93-638) of the U. S. Congress and Local Governance Initiatives entitles and support us, Navajo Indians, in initiating plans making decisions, recommendation, request, etc., according to our actual needs and desires; and
3. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
4. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati" Committee and Navajo Nation Council allocation \$1,070,298,867.00 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans for Chapter Assistance; Public Safety Emergency Communications; E911 and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Waste Water Projects; Broadband Projects; Home Electricity Connection and Electricity Compacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administration Funding"; and
5. The Tsaile/Wheatfields Chapter selected three eligible projects a. The Housing Renovation project; b. PEP Funding; and c. Road Improvement Project to be included in the funding allocated to Tsaile/Wheatfields Chapter; and
6. The total amount allocated under Navajo Nation Council Delegate Carl R. Slater for Tsaile/Wheatfields Chapter is \$1,760,468.00.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Tsaile/Wheatfields Chapter hereby approves and accepts the ARPA fundings to be utilized in accordance with the following chapter project priorities.
  - a. Housing Renovation in the amount of \$460,468.00.
  - b. PEP Funding in the amount of \$205,938.00
  - c. Road Improvements in the amount of \$1,094,062.00
2. The Tsaile/Wheatfields Chapter affirms that the Chapter will only use the 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.



**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 0621

Date & Time Received: 07/18/23 at 15:43

Date & Time of Response: 07/27/23 at 10:58 am

Entity Requesting FRF: Rock Point Chapter

Title of Project: Rock Point Community Heavy Duty Trailer Purchase

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$48,823.00

**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 checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_

6.1, Provision of Government Services

|                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Missing Form  |
| <input type="checkbox"/> | Supporting documentation missing  |
| <input type="checkbox"/> | Project will not be completed by 12/31/2026                                     |
| <input type="checkbox"/> | Ineligible purpose  |
| <input type="checkbox"/> | Submitter failed to timely submit CARES reports                                 |
| <input type="checkbox"/> | Additional information submitted is insufficient to make a proper determination |

- [illegible]

Signature of DOJ Reviewer: *[Signature]*

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: ROCK POINT CHAPTER Date prepared: 3/13/23

Chapter's mailing address: PO BOX 190 phone/email: (928) 659-4350-4351  
ROCK POINT, AZ 86545 website (if any): rockpoint@navajochapters.org

This Form prepared by: CHARLENE KIRK phone/email: (928) 659-4350  
COMMUNITY SERVICES COORDINATOR CHARLENE KIRK  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: ROCK POINT COMMUNITY HEAVY DUTY TRAILER PURCHASE

Chapter President: PATTERSON YAZZIE phone & email: (505) 399-0414, pyazzie@naataanii.org

Chapter Vice-President: JANICE JIM phone & email: (928) 245-7002, jimjan56@hotmail.com

Chapter Secretary: NANCY J. HARVEY phone & email: (928) 349-2369, nancyjharvey@hotmail.com

Chapter Treasurer: SAME AS ABOVE phone & email: \_\_\_\_\_

Chapter Manager or CSC: CHARLENE KIRK phone & email: (505) 486-8754, kirkshyenne@nnchapters.org

DCCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 587-5258, egene@nndcd.org

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

☐ document attached

Amount of FRF requested: \$48,823 FRF funding period: June 01, 2023 to December 13, 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 Rock Point Chapter will use the funds to purchase a new heavy duty trailer. The heavy duty flatbed trailer will be used to transport the heavy equipment the Chapter has and that is used for the community's needs. This purchase will allow ease of mind for community members and provide easy access to the heavy equipment owned by the Chapter.

☐ document attached

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

The Rock Point Chapter will be able to transport the heavy equipment where its needed. The ease of transporting will allow the chapter and community a safe alternative than driving on the road at a slow speed. It will allow easier and quicker services to the 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

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

This project estimates the successful purchase of the flatbed trailer and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026. Challenges would be Navajo Nation review timeline.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Rock Point Chapter to ensure the heavy duty flatbed trailer is purchased in a timely manner.

☐ 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 Rock Point Chapter will be responsible for the maintenance, upkeep and security of the flatbed trailer.

☐ 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.

**6.1 PROVISION OF GOVERNMENT SERVICES**

The Rock Point Chapter will utilize this equipment to transport their heavy equipment in a safe manner. Having the flatbed trailer readily accessible, the ease of performing services will alleviate a lot of undue wear and tear of the heavy equipment owned. Assisting the community with the heavy equipment machinery during hard times will ensure the safety of all community members.

☐ document attached**Part 3. Additional documents.**

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

Resolution and other documents as they are available.

☐ 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:

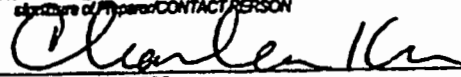

signature of Preparer/CONTACT PERSON

Approved by:



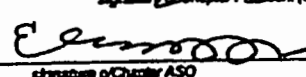
signature of Chapter President for Vice-President

Approved by:

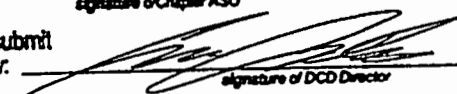


signature of CSC

Approved by:



signature of Chapter ASO

Approved to submit  
for Review:


signature of DCD Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2023

|                                |  |  |  |  |  |
|--------------------------------|--|--|--|--|--|
| PART I. Business Unit No.: NEW |  | Program Title: Rock Point Heavy Duty Flatbed Trailer Project |  | Division/Branch: Div. of Comm. Dev/ Chinle ASC |  |
| Prepared By: Charlene Kirk     |  | Phone No.: (928) 659-4350                                    |  | Email Address: kirkshyenne@nnchapters.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 |
|----------------------------|--|-------------------|-----------|------------|-----------------------------------|--|--|----------------|----------------------------------|---------------------|-------------------------|
| NN Fiscal Recovery Funds   |  | 6/1/23-12/13/26   | 48,823.00 | 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         |  |  |                |                                  |                     |                         |
|                            |  |                   |           |            | 7000 Special Transactions         |  |  |                |                                  |                     |                         |
|                            |  |                   |           |            | 8000 Public Assistance            |  |  |                |                                  |                     |                         |
|                            |  |                   |           |            | 9000 Capital Outlay               |  |  | 4              | 48,823                           | 48,823              | 48,823                  |
|                            |  |                   |           |            | 9500 Matching Funds               |  |  |                |                                  |                     |                         |
|                            |  |                   |           |            | 9500 Indirect Cost                |  |  |                |                                  |                     |                         |
|                            |  |                   |           |            | TOTAL                             |  |  |                | \$0.00                           | 48,823.00           | 48,823                  |

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

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       |
|               | 6-13-23                              |              | 06/13/2023  |
|               | Program Manager's Signature and Date |              | Division Director / Branch Chief's Signature and Date |

## THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2023

| PART I. PROGRAM INFORMATION:  |     | Rock Point Heavy Duty Flatbed Trailer Project |         |        |         |        |         |        |         |        |
|---|-----|---|---------|--------|---------|--------|---------|--------|---------|--------|
| Business Unit No.:  | NEW | Program Name/Title:                           |         |        |         |        |         |        |         |        |
| <b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>                       |     |   |         |        |         |        |         |        |         |        |
| <b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>  |     |   | 1st QTR |        | 2nd QTR |        | 3rd QTR |        | 4th QTR |        |
|   |     |   | Goal    | Actual | Goal    | Actual | Goal    | Actual | Goal    | Actual |
| 1. Goal Statement:  |     |   |         |        |         |        |         |        |         |        |
| To purchase a new heavy duty flatbed trailer.   |     |   |         |        |         |        |         |        |         |        |
| Program Performance Measure/Objective:  |     |   |         |        |         |        |         |        |         |        |
| Purchase of HD flatbed trailer completed.   |     |   |         |        |         |        |         |        |         |        |
| 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:  |     |   |         |        |         |        |         |        |         |        |
| <b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b> |     |   |         |        |         |        |         |        |         |        |
| James Adakai, Deputy Director   |     |   |         |        |         |        |         |        |         |        |
| Program Manager's Printed Name  |     |   |         |        |         |        |         |        |         |        |
| Program Manager's Signature and Date  |     |   |         |        |         |        |         |        |         |        |
| Cahm Castillo, Executive Director   |     |   |         |        |         |        |         |        |         |        |
| Division Director/Branch Chief's Printed Name   |     |   |         |        |         |        |         |        |         |        |
| Division Director/Branch Chief's Signature and Date   |     |   |         |        |         |        |         |        |         |        |





**Page 1 of 2**  
**PROJECT FORM**

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

**Page 2 of 2**  
**PROJECT FORM**

|                          |                       |                          |                    |                     |
|--------------------------|-----------------------|--------------------------|--------------------|---------------------|
| <b>FOR OMB USE ONLY:</b> | <b>Resolution No:</b> | <b>FMIS Set Up Date:</b> | <b>Company No:</b> | <b>OMB Analyst:</b> |
|--------------------------|-----------------------|--------------------------|--------------------|---------------------|



**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 622

Date & Time Received: 7/18/23 at 16:10 Reissued: 9/5/23 at 17:00 PM

Date & Time of Response: 8/2/23 at 956 am

Entity Requesting FRF: Tse'ch'izhi Chapter

Title of Project: Tse'ch'izhi Septic Cleaning

Administrative Oversight: Navajo Environment Protection Agency

Amount of Funding Requested: \$63,750.00

**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 checked="" type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_

5.5 Clean Water: Other Sewer Infrastructure

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

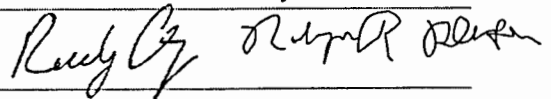
- |  |  |
|--|--|
| <input type="checkbox"/> Missing Form  | <input type="checkbox"/> Expenditure Plan incomplete                     |
| <input type="checkbox"/> Supporting documentation missing  | <input type="checkbox"/> Funds will not be obligated by 12/31/2024       |
| <input type="checkbox"/> 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: 9/5/23 Corrected administrative oversight from DCD to EPA.

Name of DOJ Reviewer: Rudy Anaya, Tax and Finance Unit

Navalyn R Platero

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.

**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: TSE CH'IZHI CHAPTER Date prepared: 3/18/23  
 Chapter's PO BOX 4344 phone/email: (928) 728-3361  
 mailing address: CHINLE, AZ 86503 website (if any): roughrock@navajochapters.org  
 This Form prepared by: \_\_\_\_\_ phone/email: (928) 206-9356  
SYLVIA HADLEY, SECRETARY/TREASURER shadley@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: TSE' CH'IZHI' SEPTIC CLEANING

Chapter President: BETTY DAILEY phone & email: (505) 408-3292, daileyb628@gmail.com  
 Chapter Vice-President: JAY R. NEZ phone & email: (505) 908-7773, jrnez@naataanii.org  
 Chapter Secretary: SYLVIA HADLEY phone & email: (928) 206-9356, shadley@navajochapters.org  
 Chapter Treasurer: SAME AS ABOVE phone & email: \_\_\_\_\_  
 Chapter Manager or CSC: VACANT phone & email: \_\_\_\_\_  
 DCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 674 2251, egene@nndcd.org

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

☐ document attached

Amount of FRF requested: \$63,750 FRF funding period: 4/1/23 - 12/13/26

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 Tse Ch'izhi Chapter will use the funds to assist 150 households with septic cleaning. The Tse Ch'izhi Chapter will receive applications from households needing septic tank cleaning. Once households are approved, the chosen vendor will travel to the house and do the services for the community member. The funds will be used to clean out household septic tanks that are in dire need of this service. The Tse Ch'izhi Chapter will ensure that the funds expended will address public health challenges that partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tse Ch'izhi Chapter, a high number of residents have followed Navajo Nation Covid-19 guidelines and stayed home more than ever. With this, their septic tanks filled up quicker as the family stayed safe at home. Having the septic tank cleaned, the continuance of staying safe will be easier on the family.

☐ 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.

This project estimates the successful completion of no less than 2 a month and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Tse Ch'izhi Chapter to complete the services needed to facilitate the septic tank 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:

The Home owner will be responsible for all preventive measures to ensure their septic tank cleaning lasts.

☐ 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:

6.1 Provision of Government Services. Septic tank cleaning addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity.

☐ document attached

### Part 3. Additional documents.

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

Resolutions  
Quotes

☒ 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]*  
signature of Chapter Preparer

Approved by:

*[Signature]*  
signature of Chapter President for Resolution

Approved by:

*[Signature]*  
signature of DCD

Approved by:

*[Signature]*  
signature of Chapter ASD

Approved to submit  
for Review:

*[Signature]*  
signature of DCD Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2023

|                                       |  |   |  |  |  |
|---------------------------------------|--|---|--|--|--|
| PART I. Business Unit No.: <u>NEW</u> |  | Program Title: <u>Tse'Ch'izhi' Chapter - Septic Tank Cleaning</u> |  | Division/Branch: <u>DCD/Executive</u>            |  |
| Prepared By: <u>Sylvia Hadley</u>     |  | Phone No.: <u>(928) 206-9356</u>                                  |  | Email Address: <u>shadley@navajochapters.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   | 4/1/23-12/13/26   | 63,750.00 | 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         | 6              |                                  | 63,750              | 63,750                  |
|                            |                   |           |            | 7000 Special Transactions         |                |                                  |                     |                         |
|                            |                   |           |            | 8000 Public Assistance            |                |                                  |                     |                         |
|                            |                   |           |            | 9000 Capital Outlay               |                |                                  |                     |                         |
|                            |                   |           |            | 9500 Matching Funds               |                |                                  |                     |                         |
|                            |                   |           |            | 9500 Indirect Cost                |                |                                  |                     |                         |
|                            |                   |           |            | TOTAL                             |                | \$0.00                           | 63,750.00           | 63,750                  |

| 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><br>Program Manager's Printed Name<br><u>06/30/2023</u><br>Program Manager's Signature and Date | APPROVED BY: <u>Calvin Castillo, Executive Director</u><br>Division Director / Branch Chief's Printed Name<br><br>Division Director / Branch Chief's Signature and Date |
|---|---|



|  |     |                     |        |  |        |         |        |         |        |      |        |
|--|-----|---------------------|--------|--|--------|---------|--------|---------|--------|------|--------|
| PART I. PROGRAM INFORMATION:   |     |                     |        |  |        |         |        |         |        |      |        |
| Business Unit No.:   | NEW | Program Name/Title: |        | Tse'Ch'izhi' Chapter - Septic Tank Cleaning  |        |         |        |         |        |      |        |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:   |     |                     |        |  |        |         |        |         |        |      |        |
| PART III. PROGRAM PERFORMANCE CRITERIA:  |     |                     |        |  |        |         |        |         |        |      |        |
| 1. Goal Statement:<br>Complete Septic Tank Cleaning for registered chapter members.<br>Program Performance Measure/Objective:<br>Septic Tank Cleaning completion |     | 1st QTR             |        | 2nd QTR  |        | 3rd QTR |        | 4th QTR |        |      |        |
|  |     | Goal                | Actual | Goal   | Actual | Goal    | Actual | Goal    | Actual | Goal | Actual |
| 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.   |     |                     |        |  |        |         |        |         |        |      |        |
| James Adakal, Deputy Director<br>Program Manager's Printed Name  |     |                     |        | Calvin Castillo, Executive Director<br>Division Director/Branch Chief's Printed Name |        |         |        |         |        |      |        |
| 06/30/2023<br>Program Manager's Signature and Date   |     |                     |        | 6-30-23<br>Division Director/Branch Chief's Signature and Date                       |        |         |        |         |        |      |        |

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2023

|   |   |                                       |                                    |
|---|---|---------------------------------------|------------------------------------|
| <b>PART I. PROGRAM INFORMATION:</b><br>Program Name/Title: <u>Tse'Ch'izhi' Chapter - Septic Tank Cleaning</u> Business Unit No.: <u>NEW</u> |   |                                       |                                    |
| <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) |
| 6930  | SUBCONTRACTED SERVICES<br>6930 SUBCONTRACTED SERVICES<br>Septic Cleaning - 150 Households | 63,750                                | 63,750                             |
| TOTAL   |   | 63,750                                | 63,750                             |

**Page 1 of 2**  
**PROJECT FORM**

**FOR OMB USE ONLY:** Resolution No: FIMIS Set Up Date: Company No: OMB Analyst:

Page 2 of 2  
PROJECT FORM

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

**Rough Rock community members requiring assistance with septic tank clean out using the FRF-ARPA funds in accordance with the tribal and federal regulations.**

**West of Rough Rock community**

1  
2  
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12

**Rough Rock area**

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**North of Rough Rock**

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12  
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14  
15

**East of Rough Rock**

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16

**North of Rough Rock**

**South Yale Point**

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**South Yale Point**

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**South Yale Point**

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**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 0629

Date & Time Received: 7/28/23 at 10:36

Date & Time of Response: Sept. 1. 2023 at 3:30 pm

Entity Requesting FRF: Tse Ch'izhi Chapter

Title of Project: Tse Ch'izhi Home Weatherization and Rehab

Administrative Oversight: Division of Community Development.

Amount of Funding Requested: \$208,000

**Eligibility Determination:**

- ☒ FRF eligible  
☐ FRF ineligible  
☐ Additional information requested

**FRF Eligibility Category:**

- |   |   |
|---|---|
| <input checked="" 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:** \_\_\_\_\_

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: Please note that we have modified the requested expenditure code from 6.1 (Provision of Government Services) to 2.18 (Housing Support: Other Housing Assistance). 2.18 is a more favorable expenditure code because it is not limited to the amount of the Nation's lost revenue.

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

**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.



**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: TSE CH'IZHI CHAPTER Date prepared: 3/18/23

Chapter's PO BOX 4344 phone/email: (928) 728-3361  
mailing address: CHINLE, AZ 86503 website (if any): roughrock@navajochapters.org

This Form prepared by: \_\_\_\_\_ phone/email: (928) 206-9356  
SYLVIA HADLEY, SECRETARY/TREASURER shadley@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: TSE' CH'IZHI' HOME WEATHERIZATION AND REHAB

Chapter President: BETTY DAILEY phone & email: (505) 408-3292, daileyb628@gmail.com

Chapter Vice-President: JAY R. NEZ phone & email: (505) 908-7773, jmez@naataanil.org

Chapter Secretary: SYLVIA HADLEY phone & email: (928) 206-9356, shadley@navajochapters.org

Chapter Treasurer: SAME AS ABOVE phone & email: \_\_\_\_\_

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

DCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 674-2251, egene@nndcd.org

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

☐ document attached

Amount of FRF requested: \$208,000 FRF funding period: 4/1/23 - 12/13/26  
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 Tse Ch'izhi Chapter will use the funds to assist 150 households with home weatherization or renovations. The homes that need these will apply with the chapter and show proof/quotes of what is needed to ensure the safety and well-being of the household members. The Tse Ch'izhi Chapter will ensure that the funds expended will address public health challenges of homes and families who are in need of these renovations/weatherizations, which partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tse Ch'izhi Chapter, there are homes that are in dire need of weatherization or renovations. The purchase of supplies will ensure that the renovations/weatherization will be done in a timely manner. Once work is completed, the homes will be in good condition to live in. The Tse Ch'izhi Chapter residents will directly benefit from the purchase made on their behalf.

☐ 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:

This project estimates the successful completion of approximately 8-10 a month and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Tse Ch'izhi Chapter to complete the services needed to ensure the renovations or weatherization are completed.

☐ 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 Home owner will be responsible for the upkeep after the completion is done.

☐ 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:

6.1 Provision of Government Services. The Tse Ch'izhi Chapter has had families in dire need of renovations or weatherization that had to forego due to the high rise of lumber and building supplies across the Navajo Nation. Due to this expensive rise in cost, the families were not able to purchase building supplies to make repairs to their homes. Some families have had to live in deplorable conditions and make do with temporary repairs that didn't last long with the extreme weather and following all CDC/NN Covid-19 guidelines.

☐ document attached

### Part 3. Additional documents.

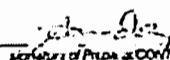
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

☒ 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:

  
Signature of Preparer or CONTACT PERSON

Approved by:

  
Signature of Chapter President or Vice-President

Approved by:

VACANT

Approved by:

Approved to submit  
for Review.

  
Signature of DCD Director

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 1  
BUDGET FOR

FY 2023

|                                       |  |   |  |  |  |
|---------------------------------------|--|---|--|--|--|
| PART I. Business Unit No.: <u>NEW</u> |  | Program Title: <u>Tsé Ch'izhi Chapter Home Weatherization &amp; Rehab</u> |  | Division/Branch: <u>DCD/Executive</u>            |  |
| Prepared By: <u>Sylvia Hadley</u>     |  | Phone No.: <u>(928) 206-3356</u>  |  | Email Address: <u>shadley@navajochapters.org</u> |  |

| PART II. FUNDING SOURCE(S) |            |            | PART III. BUDGET SUMMARY          |                 |                 | PART IV. POSITIONS AND VEHICLES |       | PART V. DIFFERENTIAL |            |
|----------------------------|------------|------------|-----------------------------------|-----------------|-----------------|---------------------------------|-------|----------------------|------------|
| Fiscal Year / Term         | Amount     | % of Total | Fund Type Code                    | Original Budget | Proposed Budget | Difference                      | Total |                      |            |
| NN Fiscal Recovery Funds   | 208,000.00 | 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         |                 |                 |                                 |       |                      |            |
|                            |            |            | 7000 Special Transactions         |                 |                 |                                 |       |                      |            |
|                            |            |            | 8000 Public Assistance            | 6               |                 | 208,000                         |       | 208,000              |            |
|                            |            |            | 9000 Capital Outlay               |                 |                 |                                 |       |                      |            |
|                            |            |            | 9500 Matching Funds               |                 |                 |                                 |       |                      |            |
|                            |            |            | 9500 Indirect Cost                |                 |                 |                                 |       |                      |            |
|                            |            |            | <b>TOTAL</b>                      |                 | \$0.00          | 208,000.00                      |       | 208,000.00           | 208,000.00 |

| PART IV. POSITIONS AND VEHICLES |     | PART V. DIFFERENTIAL |     |
|---------------------------------|-----|----------------------|-----|
|                                 | (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><br><u>Program Manager's Printed Name</u><br><br><u>Program Manager's Signature and Date</u> | APPROVED BY: <u>Calvin Castillo, Executive Director</u><br><u>Division Director / Branch Chief's Printed Name</u><br><u>7/13/2023</u><br><u>Division Director / Branch Chief's Signature and Date</u> |
|--|---|

|   |   |
|---|---|
| PART I. PROGRAM INFORMATION:  |   |
| Business Unit No.: NEW  | Program Name/Title: Tsé Ch'izhí Chapter Home Weatherization & Rehab |
| PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:  |   |
| PART III. PROGRAM PERFORMANCE CRITERIA:   |   |
| 1. Goal Statement:<br>Community outreach for applicants that need home weatherization and rehabilitation. |   |
| Program Performance Measure/Objective:<br>Accept applications and supporting documents.                   |   |
| 2. Goal Statement:<br>Screen applicants for participation in program.                                     |   |
| Program Performance Measure/Objective:<br>Select participants and notify them of selection.               |   |
| 3. Goal Statement:<br>Program Performance Measure/Objective:  |   |
| 4. Goal Statement:<br>Program Performance Measure/Objective:  |   |
| 5. Goal Statement:<br>Program Performance Measure/Objective:  |   |
| PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.                    |   |
| James Adakai, Deputy Director   | Calvin Castillo, Executive Director                                 |
| Program Manager's Printed Name  | Division Director/Branch Chief's Printed Name                       |



**Page 1 of 2**  
**PROJECT FORM**

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

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



**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 0631

Date & Time Received: 08/02/23 at 13:52

Date & Time of Response: 08/08/2023 at 17:00

Entity Requesting FRF: Tse' Ch'Izhi Chapter

Title of Project: Tse' Ch'Izhi Community Culvert Installation

Administrative Oversight: Navajo Division of Transportation

Amount of Funding Requested: \$195,000.00

**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 checked="" type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_

5.6, Clean Water: Stormwater



|  |  |
|--|--|
| <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 |  |

[illegible]

Signature of DOJ Reviewer: Erika R. Pirotte Digitally signed by Erika R. Pirotte  
Date: 2023.08.08 15:52:42 -06'00'

Digitally signed by Erika R. Pirotte  
Date: 2023.08.08 15:52:42 -06'00'

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.

Page 2 of 2

**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: TSE CH'IZHI CHAPTER Date prepared: 3/18/23

Chapter's PO BOX 4344 phone/email: (928) 728-3361  
mailing address: CHINLE, AZ 86503 website (if any): roughrock@navajochapters.org

This Form prepared by: \_\_\_\_\_ phone/email: (928) 206-9356  
SYLVIA HADLEY, SECRETARY/TREASURER shadley@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: TSE' CH'IZHI' COMMUNITY CULVERT INSTALLATION

Chapter President: BETTY DAILEY phone & email: (505) 408-3292, daileyb628@gmail.com  
Chapter Vice-President: JAY R. NEZ phone & email: (505) 908-7773, jmez@naataanli.org  
Chapter Secretary: SYLVIA HADLEY phone & email: (928) 206-9356, shadley@navajochapters.org  
Chapter Treasurer: SAME AS ABOVE phone & email: \_\_\_\_\_  
Chapter Manager or CSC: VACANT phone & email: \_\_\_\_\_  
DCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 674-2251, egene@nndcd.org

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

Amount of FRF requested: \$195,000 FRF funding period: 4/1/23 - 12/13/26  
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 Tse Ch'izhi Chapter will use the funds to install culverts on community roads, in partnership with Apache County. During the pandemic, it was more apparent that the residents living on these routes were severely impacted and had to forego basic care, needs and daily activities away from the roads. With these culverts installed in specific areas, the residents will be able to have access to basic needs, the ability to travel for appointments, schools, purchasing food, wood and other items needed to ensure they have adequate supplies on hand. The Chapter will ensure that the funds expended will address public challenges that partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tse Ch'izhi Chapter, the residents had to wait for heavy equipment machinery to clear and ensure safe roads to travel out; having the roads safe will allow easier access to healthcare, less stress and students would attend school regularly. The Tse Ch'izhi Chapter residents will directly benefit from the road improvements.

☐ 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:

This project estimates successful installation of the culverts by September 30, 2026 and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

☐ document attached

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

DCD will be the oversight of the sub-recipient agreement with Tse Ch'izhi Chapter and Apache County to complete the culvert installations.

☐ 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 maintenance will be done by the Chapter and the responsible Agency that these are installed in.

☐ document attached

(f) State which of the E6 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:

6.1 Provision of Government Services. The road improvements addresses the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity.

☐ document attached

### Part 3. Additional documents.

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

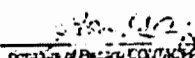
Resolution  
MOU with Apache County  
Pictures of areas needing culverts.

☒ Chapter Resolution attached

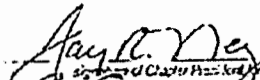
### Part 4. Affirmation by Funding Recipient.

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 CONTINUED EPSON

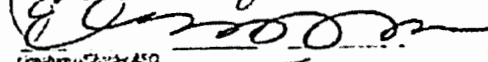
Approved by:

  
Signature of Chapter President for the President


Approved by:

VACANT  
Signature of ESC

Approved by:

  
Signature of Chapter ASO

Approved to submit  
for Review:

  
Signature of DCD Director 8/1/2023

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2023

| PART I. Business Unit No.: <u>NEW</u>  |                     | Program Title: <u>Use Ch'izhi Chapter - Culvert Installation Project</u> |               | Division/Branch: <u>DCD/Executive</u>                 |                               |
|--|---------------------|--|---------------|---|-------------------------------|
| Prepared By: <u>Sylvia Newman</u>  |                     | Phone No.: <u>(928) 206-9356</u>   |               | Email Address: <u>shadley@navajochapters.org</u>      |                               |
| PART II. FUNDING SOURCE(S)   | Fiscal Year<br>Term | Amount   | % of<br>Total | PART III. BUDGET SUMMARY                              |                               |
| AN Fiscal Recovery Funds   | 4/1/23 - 12/31/26   | 195,000.00   | 100%          | Fund<br>Type<br>Code                                  | (C)<br>Difference or<br>Total |
|  |                     |  |               | 2001 Personnel Expenses                               |                               |
|  |                     |  |               | 3000 Travel Expenses                                  |                               |
|  |                     |  |               | 3500 Meeting Expenses                                 |                               |
|  |                     |  |               | 4000 Supplies   |                               |
|  |                     |  |               | 5000 Lease and Rental                                 |                               |
|  |                     |  |               | 5500 Communications and Utilities                     |                               |
|  |                     |  |               | 6000 Repairs and Maintenance                          | 195,000                       |
|  |                     |  |               | 6500 Contractual Services                             |                               |
|  |                     |  |               | 7000 Special Transactions                             |                               |
|  |                     |  |               | 8000 Public Assistance                                |                               |
|  |                     |  |               | 9000 Capital Outlay                                   |                               |
|  |                     |  |               | 9500 Matching Funds                                   |                               |
|  |                     |  |               | 9500 Indirect Cost                                    |                               |
|  |                     |  |               | TOTAL   | 195,000.00                    |
|  |                     |  |               | PART IV. POSITIONS AND VEHICLES                       |                               |
|  |                     |  |               | (D)   | (E)                           |
|  |                     |  |               | Total # of Positions Budgeted:                        | 0                             |
|  |                     |  |               | Total # of Vehicles Budgeted:                         | 0                             |
|  |                     |  |               | TOTAL:  | 195,000.00                    |
| PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. |                     |  |               |   |                               |
| SUBMITTED BY: <u>Patricia Begay</u>  |                     | APPROVED BY: <u>Cabin Castillo, Executive Director</u>                   |               | Division Director / Branch Chief's Printed Name       |                               |
| Program Manager's Printed Name   |                     | Program Manager's Signature and Date                                     |               | Division Director / Branch Chief's Signature and Date |                               |
| <u>Patricia Begay</u> 08/02/2023   |                     | <u>Patricia Begay</u> 08/02/2023   |               | <u>Patricia Begay</u> 8/1/2023                        |                               |

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title: Tso Ch'izhi Chapter - Culvert Installation Project

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

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

Utilize ARPA funding to install culverts in specific areas within Tso Ch'izhi Chapter boundaries.

Program Performance Measure/Objective:

Successful installation of culverts.

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.

Patricia Begay, Delegated Program Manager

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



Page 1 of 2  
PROJECT FORM[illegible]

**FOR OMB USE ONLY:** Resolution No:

**FMIS Set Up Date:**

**Company No:**

**OMB Analyst:**

# PROJECT FORM

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





Tse'ch'i'zhi' Chapter  
P. O. Box 4344  
Chinle, AZ 86503  
Navajo Route 59  
928.728.3361 • Fax: 928.728.3362

Resolution #2023-0427-3

RESOLUTION OF THE TSE'CHI'ZHI' (ROUGH ROCK ) CHAPTER OF THE NAVAJO NATION

Rough Rock 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.

WHEREAS:

1. The Tse'ch'izhi' (Rough Rock) Chapter is duly called a certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community pursuant to 26 N.N.C. Section 3 and pursuant to 11 N.N.C. Part 1, Section 10; and pursuant to 11 N.N.C. Part 1, Section 10; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Rough Rock Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Rough Rock Chapter received confirmation from its Navajo Nation Council Delegate Carl R. Slater that the five Chapters under his leadership will equally distribute the \$8,802,340.00, with Rough Rock Chapter allocation of \$1,760,468 for projects using the ARPA funds with budget amounts as follows; and

|   | PROJECT DESCRIPTION   | CATEGORY | AMOUNT        |
|---|---|----------|---------------|
| 1 | Housing Support - Bathroom Addition: 70 homes x \$15,000    | 1.14     | \$1,050,000 ✓ |
| 2 | Septic Tank Clean-Out: 200 homes x \$425 each               | 5.5      | \$ 85,000     |
| 3 | Home Weatherization/Rehabilitation: 160 homes x \$1300      | 1.10     | \$ 208,000 ✓  |
| 4 | Culverts for community residential roads                    | 2.22     | \$ 96,898     |
| 5 | Water Delivery to 20-homes lacking water: 24 mos. x \$5824  | 5.3      | \$ 139,776    |
| 6 | Trash Bin for Community Use: 48 mos. x \$1700 per month     | 6.1      | \$ 81,600 ✓   |
| 7 | Spiritual Wellness Center: Hogan structure with earth floor | 2.22     | \$ 99,194 ✓   |
|   | Grand Total   |          | \$1,760,468   |

**NOW THEREFORE BE IT RESOLVED THAT:** The Rough Rock 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.

**CERTIFICATION:** We hereby certify that the foregoing resolution was considered at a duly called Chapter Meeting at Rough Rock Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 17 in favor, 4 abstained, and 0 opposed, this 27<sup>th</sup> day of April 2023.

Motioned By: Joselene Towne-Tones Seconded By: Jackson Begay

Betty Dailey, President

Jay R. Nez  
Jay R. Nez, Vice-President

Sylvia Hadley  
Sylvia Hadley, Secretary/Treasurer



# Tse'chi'zhi' Chapter

Chinle, AZ 86503  
Navajo Route 59

Betty Dailey, President

Jay R. Nez, Vice-President

Lorene Yazzie, Grazing Representative

Carl R. Slater, Council Delegate

Resolution # RRCH 2022-

0911-05

## RESOLUTION OF THE TSE'CH'I'ZHI' (ROUGH ROCK) CHAPTER OF THE NAVAJO NATION

Rough Rock Chapter hereby requesting and approving Apache County District One to establish a Low Water Crossing structure on C579 Arrow Loop Bus Route thru cost-sharing partnership project with Rough Rock Chapter Government to improve the transportation mobility for Rough Rock Community.

### WHEREAS:

1. Pursuant to the "Local Governance Act" 26 NNC Chapter 1., Section 3 (A) the Tse'Chi'I'Zhi' (Rough Rock) Chapter would like to follow Navajo Nation Infrastructure & Capital Improvement Policies and Procedures; AND
2. Pursuant to Chapter 1, Subchapter 1 Section, (3), (1), (2) of the same "Act" the Chapter has the responsibility and authority to promote, protest. Preserve the interest and general welfare including the safety of its community people, programs, property; AND
3. Pursuant to the Intergovernmental Agreement (IGA) between the three separate entities; Apache County, the Navajo Nation and Bureau of Indian Affairs, Apache County has a continuous, ongoing commitment to roadway maintenance of school bus routes; AND
4. Rough Rock Chapter has a responsibility to its constituents to address concerns of safety and wellbeing that impacts the safe transportation mobility of Apache County District One, C579 Arrow Loop Bus Route which daily serves Rough Rock Community School, Many Farms Community School, Chinle and Kayenta Unified School District students and numerous service providers; AND
5. Rough Rock Chapter will utilize some of their Chapter funds and any available funds to cost share on C579 Low Water Crossing structure project through Chinle Agency Administration Service Center's technical assistance and support and with procurement process as it is codified in the Navajo Nation Local Governance Act; AND
6. The Rough Rock Chapter funds will be utilized for archeological clearance, environmental assessment, culvert pipes and structure material cost and Apache County District One will provide the equipment machinery, personnel cost and hydrology/hydraulic study, EPA Clean Water Act permit on C579 project.

NOW, THEREFORE, BE IT RESOLVED THAT: Tse'Chi'I'Zhi' (Rough Rock) Chapter hereby approves Apache County District One to establish a Low Water Crossing structure on C579 Arrow Loop Bus Route thru cost-sharing partnership project with Rough Rock Chapter Government to improve the transportation mobility for Rough Rock Community.

CERTIFICATION: We, the undersigned hereby certify that the foregoing resolution was duly considered at a duly called authorized meeting held at Tse'Chi'I'Zhi', Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 5 in favor, and 0 opposed and 2 abstaining this 11<sup>th</sup> day of September, 2022. Motioned By:

Seconded By:

Betty Dailey  
Betty Dailey, Chapter President

Jay R. Nez  
Jay R. Nez, Vice President

Sylvia Hadley  
Sylvia Hadley, Secretary/Treasurer

Lorene S. Yazzie  
Lorene S. Yazzie, Grazing Official

## Apache County Engineering

# Memo

**To:** County Engineer Ferrin Crosby, P.E.  
**From:** Robert Toy, P.E., CMI Engineering  
**cc:** Floodplain Administrator  
**Date:** June 11<sup>th</sup>, 2022  
**Re:** Clean Water Act, Section 401/404 Compliance, 2022 C-579 Burro Wash Crossing Project

### Background

This memo documents the County's efforts toward compliance with Clean Water Act, Section 401 certification, and Section 404 permitting, in construction of the proposed 2022 C-579 Burro Wash Crossing Project. The conclusion of the County's analysis takes into consideration potential Jurisdictional Waters, and finds that under the most conservative calculations, the project's impact does not exceed Corps of Engineers requirements for Pre-Construction Notification (PCN) under Nationwide Permit 14, Linear Transportation Features. This memo includes exhibits and calculation attachments demonstrating the compliance findings, and documents the County's objective to propose a crossing which restores the natural hydraulic conditions, which were obstructed as a result of roadway embankment placed in the watercourse, that serves as approaches.

### Background

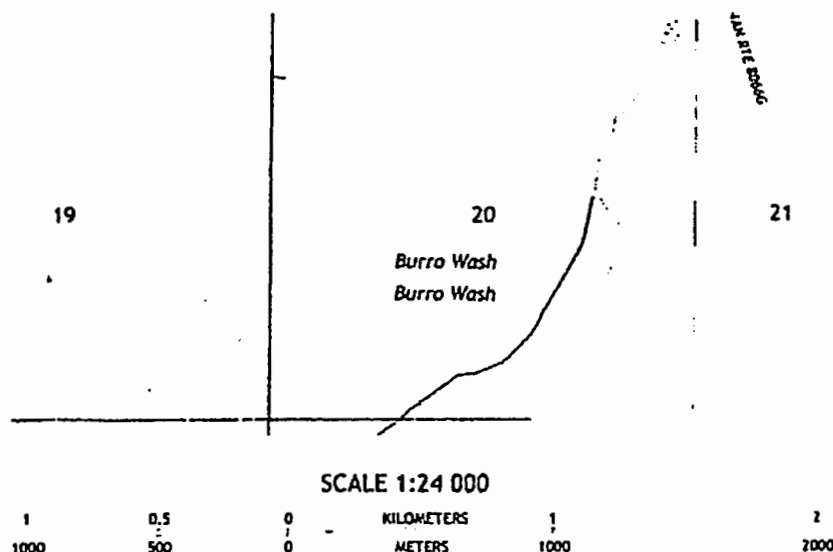
Historic flooding has occurred in the project vicinity, at Burro Wash, damaging C-579, and limiting use. In 2021, the County began studies to mitigate the impacts through improvement to the existing crossing, and other mitigation measures, which may impact Proposed Jurisdictional Waters of the U.S. (WOTUS.) In June, 2022, in concert with the Section 404 Clean Water Act permitting, County Engineering submitted to Navajo Nation EPA for a Section 401 Water Quality Certification, using the proposed design.

This memo addresses the impact to the proposed crossing at Burro Wash ephemeral watercourse, with respect to the Clean Water Act Section 404 and 401 compliance. The project design minimizes the upstream impacts which occur in undeveloped land, as well as the downstream impacts where the watercourse returns to natural, sinusoidal patterns. The project seeks to match existing channel incision, provide minimum cross-sectional impediment to flow,

and match slope and direction, with the goal of ensuring stability of the watercourse, and minimizing sediment transport. The impact analyzes both discharge of material into Proposed WOTUS and connectivity of flows through the proposed flood mitigation constructed features.

No Jurisdictional Delineation (JD) has been performed for this watershed, because only the Corps of Engineers is capable of establishing the JD. The calculations are based on a proposed JD, which employs Corp established procedures, identifies the Ordinary High Water Mark (OHWM), and documents the conservative nature of the proposed JD.<sup>1</sup> Given the remote nature of the area, the County's consult with the Corps indicates that no formal JD has been defined for the project area. Although the initial environmental review presumes this portion of Burro Wash to be an ephemeral watercourse (potentially exempting the watercourse from 401/404 considerations), the County is taking the conservative approach of reviewing the impacts with a presumption that if found to be jurisdictional, the proposed mitigation efforts will fall within the criteria for the NWP-14. Furthermore, the impact area is less than the Pre-Construction Notification threshold.

The County's conservative approach and treatment of the project area as potential WOTUS is consistent with the objectives of its partner the Navajo Nation, which in 2021 through litigation reversed the 2020 federal agencies redefinition of the NWPR, which "categorically excludes all ephemeral streams...from the definition of WOTUS and thus protection under the CWA."

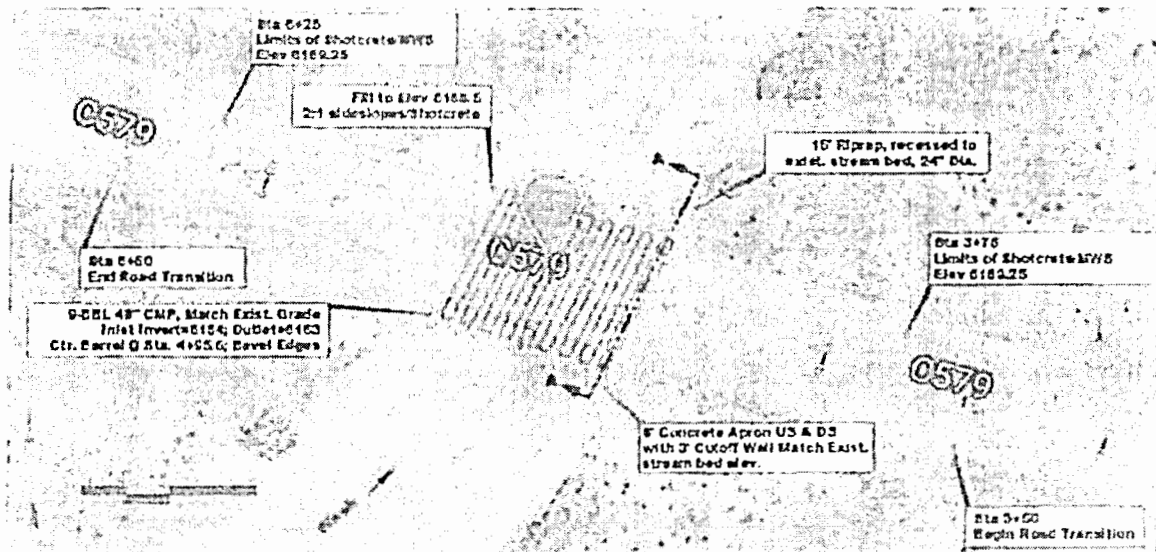


*Exhibit 1: Proposed Project Location, referenced to the SE quarter of the USGS 7.5-minute "2021 Rough Rock, Arizona" quadrangle map. The Area of Potential Effect (APE) is shown in red, as C-579 crosses Burro Wash. The project is located in the SE4 of Section 4, Township 35N, Range 22E of the Salt River Base and Meridian.*

<sup>1</sup> The OHWM is identified through field photographs, and found to be consistent with survey breaklines and aerial photographs. The photographic evidence identifies clear overbank breaklines, and the presence of hydrophytic vegetation in support of the County's assertion that the portion of the watercourse impacted could be found to be jurisdictional.

## Determination of Proposed JD

A JD has not been performed for the watercourse, and it is not known if the watercourse would be considered jurisdictional. However, to demonstrate the conservative nature of the County's efforts towards 404 compliance, it is assumed for the purpose of this analysis that the entire watercourse would be found jurisdictional. Therefore, a width must be assumed. High resolution aerial photographs and site visits document a well-defined riverine incision upstream of the proposed embankment of approximately 63' wide, and downstream incision of approximately 65' wide. The Proposed JD width of 65' US and DS is based upon a right-channel embankment of approximately 4' deep. The clearly defined channel section in the aerial photograph was calibrated against recent field photographs to ensure consistency. The resulting cross-sectional area of approximately 50.1 SF in the trapezoidal-shaped cross-section, and a computed velocity of 2.6 FPS, resulting in 128 CFS is consistent and conservative for the low recurrence-interval, flow expected as "ordinary" flow.<sup>2</sup>



*Exhibit 2: Excerpt from sealed Apache County Engineering permit documents showing overlay of proposed constructed features onto existing roadway and Google Maps aerial photo. Areas were scaled from this drawing to determine Impact Areas and volumes of discharge, as detailed in the attached "Design and 404 Permit Calcs" spreadsheet.*

## Impact Area and Discharge Within the Proposed JD

The Proposed JD was delineated using aerial photographs, and calibrated to 2019 site visit photographs where channel incisement consistent with vegetation changes were observed. Calculations using scaled areas from the design CAD drawings resulted in accurate computation of areas within the proposed JD. The summary of material proposed to be discharged within the Proposed JD is provided in the supporting "Design and 404 Permit Calcs" spreadsheet.

<sup>2</sup> Please reference attached "Design and 404 Permit Calcs" support document, which includes open-channel flow computations, and the range of standard Recurrence Interval flows used to form the basis for the Ordinary flow.



*Exhibit 3. 2022 upstream (top) photograph and downstream (bottom ) Note clear incisement of channel, ranging from 4-5' in height downstream, to over 10' upstream.*

### **Cultural and Biological Considerations**

The project calls for culvert set at natural grade, so as not to obstruct, retard, or redirect WOTUS. The culvert are sized and set at grade so as not to disrupt aquatic life which may be present under seasonal, temporary flow conditions of the ephemeral wash. Burro Wash is not used as a navigable waterway. Although no detailed studies have been performed in the APE, the County is not aware of any threatened or endangered species as declared by the NNDFW. With the exception of an approximately 15' downstream incursion beyond the roadway easement for the purposes of placing riprap erosion protection, all work is proposed to be performed within the easement

### **Sensitivity Analysis**

The Area of Discharge is directly related to the Proposed JD width, which was estimated using high resolution aerial photos in the CADD system, allowing for accurate scaling and average width estimations across the impacted area. An alternative check of expected "ordinary flow"

using low-velocity, non-erosive flows indicates that a lower depth of flow could be expected, as the 2-yr RI Flow (based on hydrology for this watershed) returns a value of approximately 128 CFS:

| Assumed Depth of Flow, Ft. | JD Width, Ft. | Area of Discharge, SF | Ordinary Flow estimate, CFS |
|----------------------------|---------------|-----------------------|-----------------------------|
| 12-inches                  | 55 (baseline) | 50.1                  | 128 (RI=2) <sup>3</sup>     |
| 8-inches                   | 55            | 36.9                  | 77                          |
| 6-inches                   | 55            | 27.7                  | 48                          |

*Exhibit 4: Sensitivity Analysis, documenting that the Area of Discharge of 50.1 SF could be considered conservative. The adjustments to the depth of flow yield reductions in the ordinary flow. Because the site characteristics include the near vertical incisement and lack traditional overbank flow, the JD width was assumed as the entire edge-to-edge width. It is plausible that given the relatively flat bottom width<sup>4</sup>, the flows lower than the 2-yr RI (more commonly used as ordinary flows) could substantially reduce the baseline width, thus demonstrating the conservative nature of the proposed JD footprint used in calculating Impact Areas. The calculations document that a 43% increase in the impact area would still result in both disturbed area and net loss of wetlands far below the 1/10<sup>th</sup> acre PCN threshold.*

The baseline width took into consideration Navajo Nation Bank Erosion Hazard Index (BEHI) classification, which indicates low to moderate potential in the immediate vicinity, either due to particle size/bank angle, or bank height to bankfull depth, particularly for the downstream channel.<sup>5</sup>



*Exhibit 5: Upstream bank angle, bank height to bankfull depth ratio, and limited stratification, in support*

<sup>3</sup> Source: USGS Streamstats, analysis performed 6/8/22, and attached to this memo

<sup>4</sup> Please reference discussion on culvert barrel quantity and placement, which includes rationale for assigning the JD width as the entire 65' base of channel upstream and downstream of the road crossing

<sup>5</sup> Although the O/B ratio is somewhat low in the upstream curve approximately 270-LF from the crossing, the combination of the hard-surfaced exposed material with minimal stratification, and distance from the point of tangency of the curve to the proposed crossing, offset any moderate to high BEHI potential, and impact to Proposed JD width. The gradual slope of the opposite bank (inside curve) indicates a plausible rationale for assuming that any shift in this upstream area due to bank erosion would be similarly offset by a proportionate increase of the inside curve width, thus stabilizing the channel width



*of assumed moderate to low bank erosion potential, as classified in the NN BEH, validating the stability of the Proposed JD width*

### **Impact of Culvert Barrel Quantity and Placement on 401/404**

As seen in Exhibit 6, Proposed Crossing Profile, the elevations shown at the centerline of the existing road profile demonstrate a constriction of flow between Sta 4+75 to 5+15. The County asserts that this is an artificial constriction due to deposition of road surface material, and not representative of the natural channel base. The engineering hypothesis is that this constriction results in accelerated velocities which erode into the lowest portion until a steady state condition exists following washout of portion of the road, thus resulting in making the road impassable. The width of the seasonal washout is based upon the recurrence interval of the flow. Upstream and downstream photographs support the theory that absent the road, the natural channel width of 55-65' would be maintained.

3+50                      4+00                      4+50                      5+00                      5+50                      6+00

**Profile Looking Downstream**

*Exhibit 6. Proposed Crossing Profile. Excerpt from Construction Details Exhibit of Profile and Cross-Section, attached as Sheet 2 of 4. The profile illustrates the hydraulic functionality of the ordinary flow conditions, as well as the 100-yr RI flow conditions which allows for up to 0.75' overtopping flow. Although not federally funded, County Engineering considers benefit/cost ratios in sizing the project. Note that this centerline profile taken at the road shows a channel with traditional overbank conditions. The County asserts that this does not represent the channel width observed in the field and validated using aerial photographs of the stream cross-section upstream and downstream of the crossing.*

The County asserts that placement of the barrels across the entire apparent channel width performs several functions, and may run counter to conventional wisdom regarding impact that "less is better":

- 1) Placement of culvert across the entire channel width limits the cross-sectional obstruction to flow to only the area between the pipe. This area is offset by the more efficient flow characteristics (and designed increased cleansing velocities) of the culvert;
- 2) Providing the larger flow width across the entire channel more closely matches the ordinary flow conditions which permit the watercourse to meander within the existing

channel, or to match low-velocity sheet flow conditions across the entire length of the channel.<sup>6</sup>

- 3) Flow across the larger width should more closely match natural flow conditions of turbidity and scour, in turn more closely matching natural conditions to minimize impact to potential aquatic lifeforms which may present themselves during seasonal runoff;
- 4) The reduced obstruction to flow provides passage of runoff which more closely matches the upstream and downstream conditions both in Froude Number and velocity, thereby attempting to match the natural balanced state of sediment transport in the upstream and downstream channel configuration;
- 5) The larger number of barrels provides a greater mitigating restoration of area by pipe, (lowering the potential loss of wetlands) in lieu of an elevated road prism which would force and constrict flow into a lower number of barrels. This in turn would increase velocities and the potential for sediment transport and deposition downstream;

### Summary of Discharge Areas Into Proposed WOTUS

As documented in the previous sections, the impact to the proposed JD of WOTUS is summarized as:

| Area                                 | Source of Discharge   | Area of Discharge, SF                              |
|--------------------------------------|---|--|
| Total Area of Disturbance            | Permanent discharge of construction materials including concrete, rip-rap, and CMP culvert. | 4,860 SF   |
| Potential Loss of Wetlands (JD Area) | Area within proposed JD, limited to permanent discharge of road embankment and culvert      | 4,860 SF   |
| Mitigation Area                      | Area restored through open CMP culvert  | 1,800 SF   |
|                                      | Net Potential Loss of JD Area   | 3,060 SF<br>< 1/10 <sup>th</sup> Acre <sup>7</sup> |

*Exhibit 7: Summary Discharge Table*

This memo and accompanying exhibits, document the County's analysis, that the County's work along C-579 within the Burro Wash watercourse--if the areas within the project were found to be Jurisdictional Waters of the U.S.--would qualify under the USACE NWP 14, and not require a Pre-Construction Notification (PCN):

- 1) The rationale for estimating the Proposed JD areas are provided in this document;
- 2) A sensitivity analysis for the most significant area, the channel cross-section, demonstrates that this area may be greater in area than the actual JD, supporting the County's assertion that the impact areas are conservative;

<sup>6</sup> One objective of the design is to avoid changes in sediment transport, thereby minimizing the need for culvert cleaning

<sup>7</sup> The County submits that this total acreage is considered conservative, and has included in this documentation rationale and calculations demonstrating that this area may be substantially reduced with a formal Jurisdictional Delineation. Please see Exhibit 4, table of Sensitivity analysis, and attachment documenting calculations for further explanations

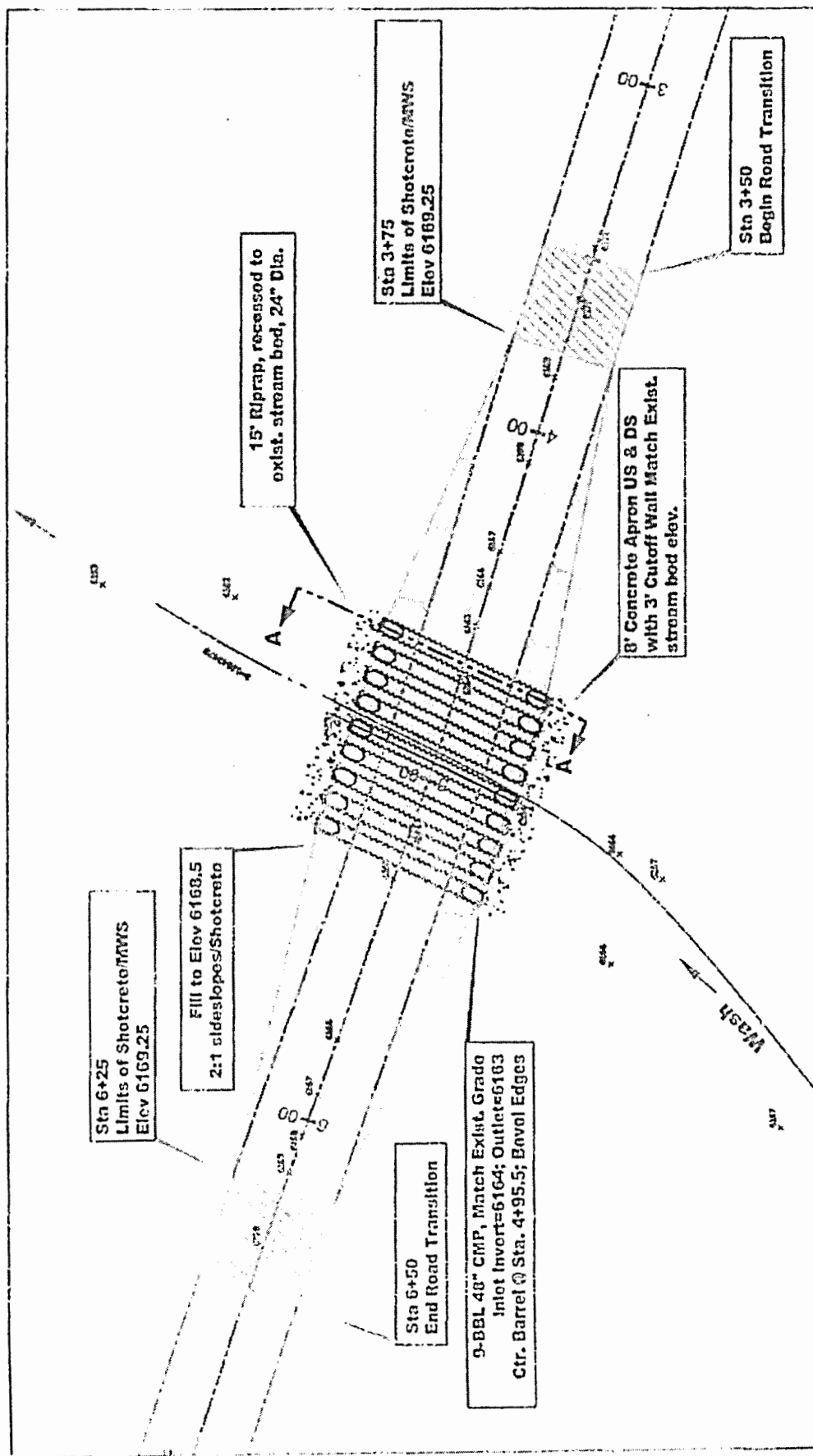
- 3) All of the proposed barrels are assumed within the proposed JD, further mitigating any impact areas;
- 4) Under the most conservative assumptions, the cumulative total of the discharge is far below the PCN threshold for a Nationwide Permit 14.

#### Conclusion

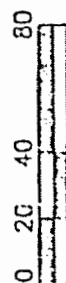
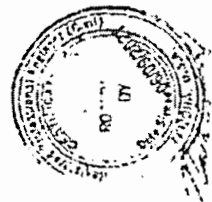
- The County has taken a conservative approach of assuming the watercourse would be considered jurisdictional, and proposed a conservative limit for the jurisdictional delineation;
- The project as proposed does not block, retard, or redirect potential WOTUS;
- The proposed design, providing flow capability across the entire existing cross-section at the road, provides hydraulic functionality to accommodate broad sheet flow conditions in flow conditions less than the presumed Ordinary Flow of 128 CFS.
- The impact areas and potential loss of proposed Jurisdictional Waters are far less than the Pre-Construction Notification Limits.

#### Attachments

1. C-579 Burro Wash Exhibits showing areas of impact
2. Design and 404 Permit Calcs
3. Streamstats Hydrology for the Project Area with Bankfull Depths
4. Related open-channel flow calculations in support of the proposed JD width, and hydraulically validating the assumed OHWM
5. Related culvert sizing and hydraulic calculations



For Agency/Permit Review Only.  
Not for Construction



SCALE: 1" = 40'

Apache County Engineering  
Proposed G-579 Crossing

Rough Rock Chapter  
SAGE NMP 14 Application  
Construction Details

|      |          |         |                     |              |
|------|----------|---------|---------------------|--------------|
| SIZE | FSCM NO. | DWG NO. | Construction Detail | Date         |
|      |          |         |                     | 01/01/2001   |
| RCF  |          |         |                     | SHEET 4 OF 4 |

C-579

Sheet 4 of 4

## Design and 404 Permit Calcs

## Ordinary Waters

Assume 55' base width, 0.5:1 SS, 1:1 SS left

S taken from spot elevations averaged through stream using Google Earth

Based on 2-yr peak (128 CFS) as Ordinary Waters

n=0.025, base elev 6163, OHWM assumed 6164.6

12 5 3 Status

128 0.004348

0.9

2.555 Subcritical

6163.9 WS Elev below OHWM, checks

## Burro Wash

## Structural Fill

|   |  |                     |
|---|--|---------------------|
| Area, within JD, from AutoCAD Dwg, road prism       | 2932 SF  |                     |
| Assumed Depth                                       | 8.5 ft   |                     |
| Volume  | 923.0 CY   |                     |
| Number of barrels (within JD)                       | 9.0  |                     |
| CMP diameter  | 4.0 FT   |                     |
| Length of each barrel                               | 50.0 LF  |                     |
| Less volume of pipe                                 | -209.4 CY  |                     |
| Net Fill  | 713.6 CY   | Imported Select     |
| Stabilization Foundation Fill below pipe            |  |                     |
| Area, within JD, from AutoCAD Dwg                   | 2932 SF  |                     |
| Assume 3' depth                                     | 325.78 CY  | Imported Select     |
| Riprap Pad  |  |                     |
| US Area, within JD, scaled from DWG                 | 0 SF   |                     |
| DS Area, within JD, scaled from DWG                 | 923 SF   |                     |
| Depth   | 3 ft   |                     |
|   | 102.55 CY  | County Quarry       |
| Apron with Cutoff Wall                              |  |                     |
| (1x65x8) + (3x65x1), 2 sides                        | 52.96 CY   | Structural Concrete |
| Concrete Facing-within Proposed WUS                 |  |                     |
| Facing width = 12', L=65' avg, T=0.5', 2 sides      | 28.85 CY   | Structural Concrete |
| Concrete Road-within Proposed WUS                   |  |                     |
| L=65', T=0.5', W=28'                                | 33.70 CY   | Structural Concrete |
| Impact Area and Discharge Into Presumed JD          |  |                     |
| Disturbed area, within JD, scaled from AutoCAD DWG  | 4,860 SF [1]                                     |                     |
| Potential Loss of wetlands, scaled from AutoCAD DWG | 4,800 SF   |                     |
| Mitigation (restoration of area) by pipe            | 1,800 SF 37%                                     |                     |
|   | 3060 SF  |                     |
|   | 0.0702 Ac  | < 0.10 Acre for PCN |
|   | 1.423529 Times increase in Impact to trigger PCN |                     |

## Notes

[1] Area of crossing within Proposed JD. Excludes approaches (outside Proposed JD)

## StreamStats Q

|        |      |
|--------|------|
| 3-yr   | 126  |
| 5-yr   | 326  |
| 10-yr  | 527  |
| 25-yr  | 878  |
| 50-yr  | 1220 |
| 100-yr | 1620 |

C-579

Google Earth 1-ft elevs approximated  
Summary Q Conditions

| Dia         | Assumed Inlet Head | Flow Conditions | Q/BBL | No. BBLs | Q, Total | Before Overtop |           | MWWS Elev (inlet) | Q/BBL with overtop head |  | Q Total with overtop head |  | Overtop W |       | Overtop v, FPS |  |
|-------------|--------------------|-----------------|-------|----------|----------|----------------|-----------|-------------------|-------------------------|--|---------------------------|--|-----------|-------|----------------|--|
|             |                    |                 |       |          |          | RI             | Overtop D |                   |                         |  |                           |  |           |       |                |  |
| 36-inch     | 1' with 2:1 miter  | Inlet Ctrl      | 47.5  | 16       | 760      | 10 to 25       | 0.75      |                   | 53.4                    |  | 854.4                     |  | 1620      | 158.1 | 6.46           |  |
| 36-inch     | 1' with proj edge  | Inlet Ctrl      | 46.4  | 16       | 742.4    | 10 to 25       | 0.75      |                   | 51.6                    |  | 825.6                     |  | 1620      | 158.1 | 6.70           |  |
| 48-inch [1] | 1' with 2:1 miter  | Inlet Ctrl      | 89.3  | 9        | 803.7    | near 25        | 0.75      | 6169.75           | 105                     |  | 945                       |  | 1620      | 221.3 | 4.24           |  |
| 48-inch     | 1' with proj edge  | Inlet Ctrl      | 87.7  | 9        | 789.3    | near 25        | 0.75      |                   | 101.8                   |  | 916.2                     |  | 1620      | 221.3 | 4.61           |  |
| 48-inch     | 1' with 2:1 miter  | Inlet Ctrl      | 89.6  | 8        | 716.8    | 10 to 25       | 0.75      |                   | 106.9                   |  | 855.2                     |  | 1620      | 221.3 | 4.07           |  |
| 48-inch [2] | 1' with 2:1 miter  | Inlet Ctrl      | 16.3  | 9        | 128.7    | ck of 25 yr    | 0.75      | 6165.6            | 105                     |  | 945                       |  | 1620      | 221.3 | 4.07           |  |

Streamstats Q

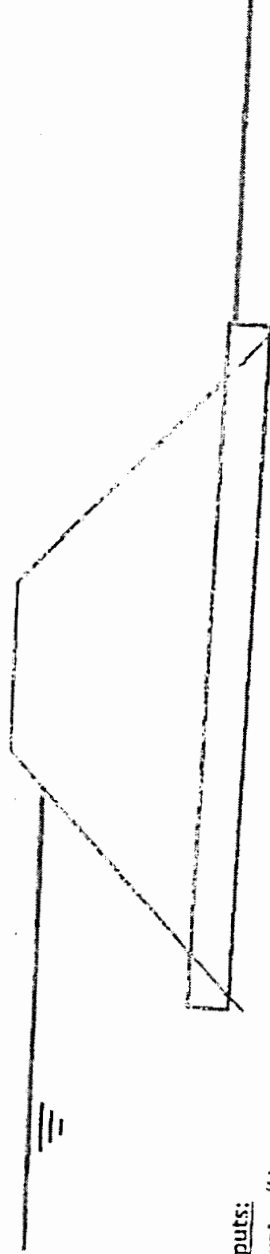
|        |      |
|--------|------|
| 2-yr   | 128  |
| 5-yr   | 326  |
| 10-yr  | 527  |
| 25-yr  | 878  |
| 50-yr  | 1220 |
| 100-yr | 1620 |

- [1] Streamstats "Bank Full" depth of approx 2.5' for tailwater; yields 9.6 FPS self-cleaning velocity at 25-yr conditions  
[2] Streamstats 2-yr (assumed "Ordinary flow") of 128 CFS with assumed depth of 1.6' yields 5.05 FPS cleaning velocity

# Culvert Analysis Spreadsheet

Client: Apache County  
 Design By: RC Toy  
 Comments: CR-579; channel at 25-yr to compute D/S tailwater by open-channel

County: Apache  
 Checked By:  
 Date: 6/10/2022  
 Date:



## Inputs:

|   |         |        |
|---|---------|--------|
| Headwater (Upstream Water Surface) Elevation: | 6169.00 | Feet   |
| Culvert Inlet Invert Elevation:               | 6164.00 | Feet   |
| Culvert Diameter:                             | 48.00   | Inches |
| Length of Culvert:                            | 50.00   | Feet   |
| Culvert Outlet Invert Elevation:              | 6163.00 | Feet   |
| Tailwater (Downstream) Elevation:             | 6165.88 | Feet   |

Select Culvert Material: CMP  
 Select Culvert Inlet Type: Miter/Square/2:1 Slope

## Outputs:

CAPACITY = 89.3 cfs

INLET CONTROLS (Between Submerged and Unsubmerged)

Manning's n value: 0.024  
 Entrance Coefficient, Ke: 0.7  
 CMP  
 Miter/Square/2:1 Slope

## The open channel flow calculator

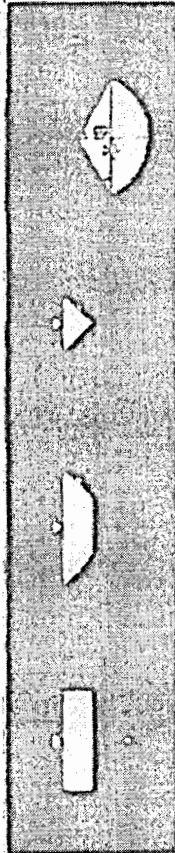
|   |                                     |                                 |  |
|---|-------------------------------------|---------------------------------|--|
| Select Channel Type:<br>Trapezoid         |                                     |                                 |  |
| Depth from Q                              | Select unit system: Feet(ft)        |                                 |  |
| Channel slope: 0.0043478<br>ft/ft         | Water depth(y): 2.88<br>ft          | Bottom width(b): 55<br>ft       |  |
| Flow velocity: 5.341<br>ft/s              | Left Slope (Z1): 5 to 1 (H:V)       | Right Slope (Z2): 1 to 1 (H:V)  |  |
| Flow discharge: 878<br>ft <sup>3</sup> /s | Input n value: 0.035 or select n    |                                 |  |
| Calculate!                                | Status: Calculation finished        | Reset                           |  |
| Wetted perimeter: 62.28<br>ft             | Flow area: 164.4<br>ft <sup>2</sup> | Top width(T): 59.31<br>ft       |  |
| Specific energy: 3.32<br>ft               | Froude number: 0.57                 | Flow status<br>Subcritical flow |  |
| Critical depth: 1.96<br>ft                | Critical slope: 0.0149<br>ft/ft     | Velocity head: 0.44<br>ft       |  |

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Trapezoid ▾



|                   |           |                                |                      |
|-------------------|-----------|--------------------------------|----------------------|
| Depth from Q ▾    |           | Select unit system: Feet(ft) ▾ |                      |
| Channel slope:    | 0.0043478 | Water depth(y):                | 5.0                  |
| Flow velocity:    | 2.555     | Left Slope (Z1):               | 1                    |
| Flow discharge:   | 128       | Input n value:                 | 0.035 or select n    |
| Calculate!        |           | Status:                        | Calculation finished |
|                   |           | Reset                          |                      |
| Wetted perimeter: | 57.2      | Flow area:                     | 50.1                 |
| Specific energy:  | 1         | Froude number:                 | 0.48                 |
| Critical depth:   | 0.55      | Critical slope:                | 0.0216               |
|                   |           | Top width(T):                  | 56.13                |
|                   |           | Flow status:                   | Subcritical flow     |
|                   |           | Velocity head:                 | 0.1                  |

## StreamStats Report

Region ID: AZ  
Workspace ID: AZ20220606061649375000  
Clicked Point (Latitude, Longitude): 36.42408, -109.88225  
Time: 2022-06-05 23:17:20 -0700



Apache County D1 C-579 Multi-BBL Low Water Crossing

Collapse All

### Peak-Flow Statistics

Peak-Flow Statistics Parameters [Peak Region 2 Colorado Plateau 2014 5211]

| Parameter Code | Parameter Name             | Value    | Units        | Min Limit | Max Limit |
|----------------|----------------------------|----------|--------------|-----------|-----------|
| CONDBA         | Contributing Drainage Area | 5.73     | square miles | 0.103     | 16017     |
| ELEV           | Mean Basin Elevation       | 6676.345 | feet         |           |           |

**Peak-Flow Statistics Flow Report [Peak Region 2 Colorado Plateau 2014 5211]**

PIl: Prediction Interval-Lower, PIu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

| Statistic             | Value | Unit               | PIl  | PIu  | ASEp |
|-----------------------|-------|--------------------|------|------|------|
| 50-percent AEP flood  | 128   | ft <sup>3</sup> /s | 26.3 | 624  | 122  |
| 20-percent AEP flood  | 326   | ft <sup>3</sup> /s | 93.9 | 1130 | 87.2 |
| 10-percent AEP flood  | 527   | ft <sup>3</sup> /s | 173  | 1610 | 75.7 |
| 4-percent AEP flood   | 878   | ft <sup>3</sup> /s | 314  | 2460 | 68.6 |
| 2-percent AEP flood   | 1220  | ft <sup>3</sup> /s | 444  | 3350 | 66.6 |
| 1-percent AEP flood   | 1620  | ft <sup>3</sup> /s | 589  | 4460 | 67.3 |
| 0.5-percent AEP flood | 2110  | ft <sup>3</sup> /s | 752  | 5920 | 68.8 |
| 0.2-percent AEP flood | 2890  | ft <sup>3</sup> /s | 980  | 8520 | 72.9 |

*Peak-Flow Statistics Citations*

Paretti, N.V., Kennedy, J.R., Turney, L.A., and Vellieux, A.G., 2014, Methods for estimating magnitude and frequency of floods in Arizona, developed with unregulated and rural peak-flow data through water year 2010: U.S. Geological Survey Scientific Investigations Report 2014-5211, 61 p., <http://dx.doi.org/10.3133/sir20145211>. (<http://pubs.usgs.gov/sir/2014/5211/>)

» **Bankfull Statistics****Bankfull Statistics Parameters [Intermontane Plateau D Bieger 2015]**

| Parameter Code | Parameter Name | Value | Units        | Min Limit | Max Limit |
|----------------|----------------|-------|--------------|-----------|-----------|
| DRNAREA        | Drainage Area  | 5.73  | square miles | 3.62934   | 7579.9152 |

**Bankfull Statistics Parameters [Colorado Plateau P Bieger 2015]**

| Parameter Code | Parameter Name | Value | Units        | Min Limit | Max Limit   |
|----------------|----------------|-------|--------------|-----------|-------------|
| DRNAREA        | Drainage Area  | 5.73  | square miles | 3.621618  | 3649.980906 |

**Bankfull Statistics Parameters [USA Bieger 2015]**

| Parameter Code | Parameter Name | Value | Units        | Min Limit | Max Limit  |
|----------------|----------------|-------|--------------|-----------|------------|
| DRNAREA        | Drainage Area  | 5.73  | square miles | 0.07722   | 59927.7393 |

## Bankfull Statistics Flow Report [Intermontane Plateau D Bieger 2015]

| Statistic                             | Value | Unit            |
|---------------------------------------|-------|-----------------|
| Bieger_D_channel_width                | 11.2  | ft              |
| Bieger_D_channel_depth                | 0.558 | ft              |
| Bieger_D_channel_cross_sectional_area | 5.71  | ft <sup>2</sup> |

## Bankfull Statistics Flow Report [Colorado Plateau P Bieger 2015]

| Statistic                             | Value | Unit            |
|---------------------------------------|-------|-----------------|
| Bieger_P_channel_width                | 7.83  | ft              |
| Bieger_P_channel_depth                | 0.282 | ft              |
| Bieger_P_channel_cross_sectional_area | 2.25  | ft <sup>2</sup> |

## Bankfull Statistics Flow Report [USA Bieger 2015]

| Statistic                               | Value | Unit            |
|---|-------|-----------------|
| Bieger_USA_channel_width                | 22.9  | ft              |
| Bieger_USA_channel_depth                | 1.75  | ft              |
| Bieger_USA_channel_cross_sectional_area | 43.9  | ft <sup>2</sup> |

## Bankfull Statistics Flow Report [Area-Averaged]

| Statistic                               | Value | Unit            |
|---|-------|-----------------|
| Bieger_D_channel_width                  | 11.2  | ft              |
| Bieger_D_channel_depth                  | 0.558 | ft              |
| Bieger_D_channel_cross_sectional_area   | 5.71  | ft <sup>2</sup> |
| Bieger_P_channel_width                  | 7.83  | ft              |
| Bieger_P_channel_depth                  | 0.282 | ft              |
| Bieger_P_channel_cross_sectional_area   | 2.25  | ft <sup>2</sup> |
| Bieger_USA_channel_width                | 22.9  | ft              |
| Bieger_USA_channel_depth                | 1.75  | ft              |
| Bieger_USA_channel_cross_sectional_area | 43.9  | ft <sup>2</sup> |

## Bankfull Statistics Citations

**Bleger, Katrin; Rathjens, Hendrik; Allen, Peter M.; and Arnold, Jeffrey G., 2015, Development and Evaluation of Bankfull Hydraulic Geometry Relationships for the Physiographic Regions of the United States, Publications from USDA-ARS / UNL Faculty, 17p. ([https://digitalcommons.unl.edu/usdaarsfacpub/1515?utm\\_source=digitalcommons.unl.edu%2Fusdaarsfacpub%2F1515&utm\\_medium=PDF&utm\\_](https://digitalcommons.unl.edu/usdaarsfacpub/1515?utm_source=digitalcommons.unl.edu%2Fusdaarsfacpub%2F1515&utm_medium=PDF&utm_)**

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Application Version: 4.9.0

StreamStats Services Version: 1.2.22

NSS Services Version: 2.2.0

#139,776

#5  
Water Solving

## **Guidelines for Hauling and Transporting Regulated Water for Human Consumption**

Navajo Nation Environmental Protection Agency  
Public Water Systems Supervision Program

This document provides Guidelines for Hauling and Transporting Regulated Water for Human Consumption for use by companies, associations, and individuals who deliver/haul potable water to the public. These guidelines have been developed to provide technical guidance for proper water hauling procedures and practices that should be followed to assure the safety of public health and water quality. Water borne illness can be minimized by using these guidelines.

### **Background**

The Colorado Plateau consists of four states: Arizona, Utah, Colorado, and New Mexico. This is also the location of the Navajo Reservation, which according to the Official Navajo website, "covers over 27,000 square miles."(<http://www.navajo.org/history.html>, 2010). The Navajo Nation is the largest reservation in the United States.

Some Navajos living in rural communities across the Navajo Nation do not have access to regulated water for human consumption. Many families hauled their drinking water from unregulated water sources, windmills, community wells, or natural springs. Windmills were developed by the Navajo Department of Water Resources for livestock use. Hand pump wells were installed by the Public Health Service (PHS) in the 1950's and 1960's to help Navajos address the need for water. Most hand pump wells were placed in washes. Natural springs are natural flowing water coming out of the ground and /or sandstone and do not have infrastructure (pipe or other fixtures). Studies from Northern Arizona University with the Native American Cancer Research Partnership show that people who reside in rural isolated communities in the Southwest portion of the Navajo Reservation use unregulated water for human consumption. The Cameron and Leupp Chapters' isolated rural communities use unregulated water sources as their primary source for drinking water. The University Of New Mexico's Community Environmental Health Program (C.E.H.P.) and the Dine Network for Environmental Health Project (DiNEH Project) showed similar results within the Eastern Agency, where unregulated water sources are used as their primary drinking water sources for human consumption.

In an effort to understand the water quality from these unregulated water sources across the Navajo Nation, the NNEPA, along with the U.S. Environmental Protection Agency (USEPA), Region 9, and the Centers for Disease Control and Prevention (CDC) have been taking water samples from known unregulated water sources that communities have been using. The results show that some of the wells are high in heavy metals exceeding primary and secondary drinking water standards. The results also show that there are a number of cases of water borne bacteria, a concern for public

health. NNEPA in collaboration with USEPA, Region 9, and CDC will continue sampling water sources.

Wells exceeding the primary standards have been tagged by the NNEPA with a yellow flyer stating that the well exceeds the primary standards for human consumption. The DiNEH Project with USEPA, Region 9, began an outreach campaign in the communities of Cameron, Leupp, and the Eastern Navajo Agency, where it is known that community members use unregulated water source as their primary source for drinking water. The collaborators attended chapter planning meetings, provided handouts, and developed promotional items in the Navajo and English languages.

USEPA, through the Indian Set Aside funds of the Safe Drinking Water Act, and the Indian Health Service have worked to address the lack of access to drinking water issue. Many drinking water projects were funded by these organizations and most recently, USEPA, Region 9, awarded the Navajo Nation with five water hauling trucks to deliver potable water to homes or communities that have no access to regulated water sources. While addressing access to safe water these water hauling guidelines should further promote safe water hauling practices.

### **Project Objective**

The project objective is to promote safe hauling practices in transporting regulated water for human consumption.

There are two classes of water haulers identified. They are:

- a) Bulk Water Hauler- Bulk water haulers use commercial vehicles to haul water to homes or communities using a 1000 gallon drum, or more, to community members. Bulk water haulers are also people that have use trailers or have water containers mounted on their vehicle.
- b) Light Water Hauler- Light water haulers using less than 1000 gallon drums or less, to haul potable water for human consumption.

### **Container**

The types of containers that are recommended for bulk water hauling include:

- a) A FDA approved bulk water hauling unit that is only used for human consumption and will not be used for livestock water hauling.
- b) An inspected and approved bulk water hauling unit that is mounted on a truck or a trailer.
- c) Mounted water haulers and trailers should be certified by National Sanitation Foundation (NSF) or American Water Works Association (AWWA) standards. Stainless steel material is recommended for mounted bulk water haulers and people using trailer.



## Registration/Inspections/ Samples

- 1) All bulk water haulers who supply water for potable use must register with the Navajo Nation EPA, Public Water Systems Supervision Program. For the light water haulers, it is recommended that they follow the Guideline for Hauling and Transporting Regulated Water for Human Consumption. (i.e., this documents)...
- 2) The NNEPA, Public Water Systems Supervision Program will inspect all facilities to be used by the bulk hauler and the hauler's records of the past year to assure compliance with the requirements in these guidelines.
- 3) Following registration, the NNEPA, Public Water Systems Supervision Program will conduct periodic inspections. A certified water operator will be required to collect water samples for bacteriological and /or chemical analysis as deemed necessary for the equipment being used to haul water.
- 4) The combine chlorine residual in the water being hauled should have a minimum level of 0.2 mg/L, thereby combating bacterial problems. Chlorine residual information will be kept in a log book by the water haulers. If the water is being hauled from a regulated water source, the bulk water haulier should be tested once a month.

## Source

- 1) Water shall be obtained from a regulated public water system.
- 2) All transported water shall be proven bacteriological safe and comply with the primary drinking water standards. The National Primary Drinking Water Regulations from US EPA is attached at the end in the appendix. The web address is <http://water.epa.gov/drink/contaminants/index.cfm> for the National Primary Drinking Water Regulations. Navajo Tribal Utility Authority has a Consumer Confident Report on their website at <http://ntua.com/ccr.html>
- 3) Water shall be obtained from a predetermined point of access to the public water system. Information about this point of access (e.g., location, frequency of use) is submitted to the NNEPA, Public Water Systems Supervision Program prior to its use. The water should be withdrawn from the treatment plant and not from fire hydrants or dead-end lines.
- 4) All water supply valves must be in good condition and must not leak.
- 5) There must be a backflow prevention device in place to prevent that as well.

## Handling of Equipment

- 1) A bulk water hauling container used for hauling other than potable water shall not be used and will not be approved unless their prior use and reconditioning is documented that the container does not pose a public health risk and the use of the reconditioned container is approved by the NNEP, Public Water Systems Supervision Program.
- 2) All tankers shall be marked clearly with a sign "Drinking Water Only"
- 3) A protected vent must be provided for each tanker to assure that negative pressures do not occur during delivery which might create a potential for backflow from the customer's system.

- 4) There shall be a covered opening of sufficient size to enable the inside of the tank to be cleaned and inspected.
- 5) All the water contact surfaces shall be smooth, impervious and free of corrosion. Coatings must be non-toxic and of a type that will not flake off in the water. Only non-toxic coatings approved by the NSF may be used on the water contact surfaces.
- 6) The water hose must be for potable water use only. Any other equipment used besides hoses such as extension pipes must be cleaned with proper disinfection methods. The hoses must be made for drinking water, such as those for RVs and boat.
- 7) Bulk water haulers must clean, disinfect, and maintain the water truck after each delivery. A log book to document each delivery, each cleaning, each disinfection, and each sampling event is recommended. The log book must be made available to the NNEPA personnel that inspect the equipments.
- 8) No bulk water hauler shall have water stored in the tank overnight.

### **Records**

- 1) Each hauler must keep a detailed log for at least one year after delivery which includes:
  - a. The course of water and its points of withdrawal.
  - b. Date and time of pick-up and delivery.
  - c. The name of the driver of (or other responsible person with) the tank truck.
  - d. Free Chlorine residual.
  - e. Description of maintenance activities, such as cleaning and disinfection of the trucks and containers.
  - f. Record of inspections, including follow-up activities resulting from the inspection results.

### **Water Storage Equipment**

- 1) The water drums that are being utilized by the customers for storage must comply with the FDA requirement for storing potable water.
- 2) The hose must be properly stored when not in use. The hose must not be left lying around. The hose must be at least a foot off the ground.
- 3) The water drums that are being use for human use shall not be used for hauling livestock water. The water storage must be dedicated for the storage of potable water.

### **Cleaning of Food Containers Used for Hauling Water**

Plastic milk jugs or other food containers may be used for hauling water. However, prior to their use, they must be cleaned using the following procedures:

- 1) Scrub and rinse with warm water. Use a bottle brush, if needed, especially for milk jugs.
- 2) Clean with dish soap and hot water.
- 3) Rinse completely with warm water.

- 4) Disinfect by filling the containers with a mixture of 3 teaspoons of household chlorine bleach for every 5 gallons of water. Let the bleach mixture stand for 30 minutes. Empty the water and bleach mixture down the sink.
- 5) Rinse the container with clean water from the regulated water source.

### **Monthly Cleaning of Water Barrels**

- 1) Mix 3 teaspoons of household chlorine bleach for every 5 gallons of water. Clean all hoses and any other water hauling equipment with the water and bleach.
- 2) Rinse the container and all other equipment with clean water.
- 3) Fill tank with a mixture of 3 teaspoon of household bleach for every 5 gallons of water to disinfect the tank. Let bleach and water stand in the tank until ready to use or at least 30 minutes. Empty the water and bleach mixture prior to use.
- 4) Rinse the container again with clean water from the regulated water source.

### **Light Water Hauler**

An individual who haul water for personal use and who does not intend to redistribute the water (i.e., light water hauler) should follow these guidelines. Information regarding access to regulated water for human consumption will be made available by NNEPA at Chapters Houses, post offices, clinics, and/ or other appropriate places. NNEPA, Public Water Systems Supervision Program (PWSSP) has water point maps available to light water haulers. These maps show the locations of regulated water hauling points for each community.

### **Sources**

- 1) A map of where the regulated water points will be made available to chapters for their communities by NNEPA, Public Water Systems Supervision Program.
- 2) The public will be informed not to drink from windmills, unregulated community wells, and natural springs that are not regulated and do not meet the Navajo Nation Safe Drinking Water Act requirements. The Navajo EPA issued a health advisory about the use of unregulated wells on the Navajo Nation in the April 2009 Progress Report under the Five Year Plan.

### **Training**

The Bulk Water Hauler will be trained to clean, disinfect, and maintain the water storage tank and to maintain logs to document these activities. The individual will be informed of the health risk associated with heavy metals and water-borne bacteria.

### **Training of Bulk Water Haulers**

The training of bulk water haulers will be conducted by Navajo EPA, Public Water Systems Supervision Program, with partnership from other Navajo Agencies to conduct training at chapter houses across the Navajo Nation. The time and location will be

announced prior to the training. The equipment that is going to be needed for the training will be provided by Navajo EPA, Public Water Systems Supervision Program.

### **Training of Light Water Haulers**

The Light Water Hauler who hauls water for their own use will be educated on safe practices (e.g., cleaning of barrels and hose fittings). The information will focus on water barrel usage, hoses, and cleaning the water storage drums. The water barrel usage will focus on the kinds of barrels that are safe to use for storing water. The Light Water Hauler and the community will also be informed on the kinds of hoses that are safe to use when it comes to water usage. The hoses should be labeled "Drinking Water Only".

The Navajo EPA, Public Water Systems Supervision Program will take the lead in this joint effort to educate the public about safe water hauling practice. The equipment will be provided by Navajo EPA. There will be an announcement on the training at the chapter house.

### **Bibliography**

History of the Navajo. (2010) *Introduction*. Retrieved from <http://www.navajo.org/history.html>, access on May 25, 2010.

Indian Health Service, Indian Health Service Sanitation Facilities Construction Program (93.445). Retrieved from <http://www.federalgrantswire.com/indian-health-service-sanitation-facilities-construction-program.html>, access on June 2, 2010.

# **Ariz. Admin. Code § 18-4-214**

Current through Register Vol. 29, No. 1, January 6, 2023

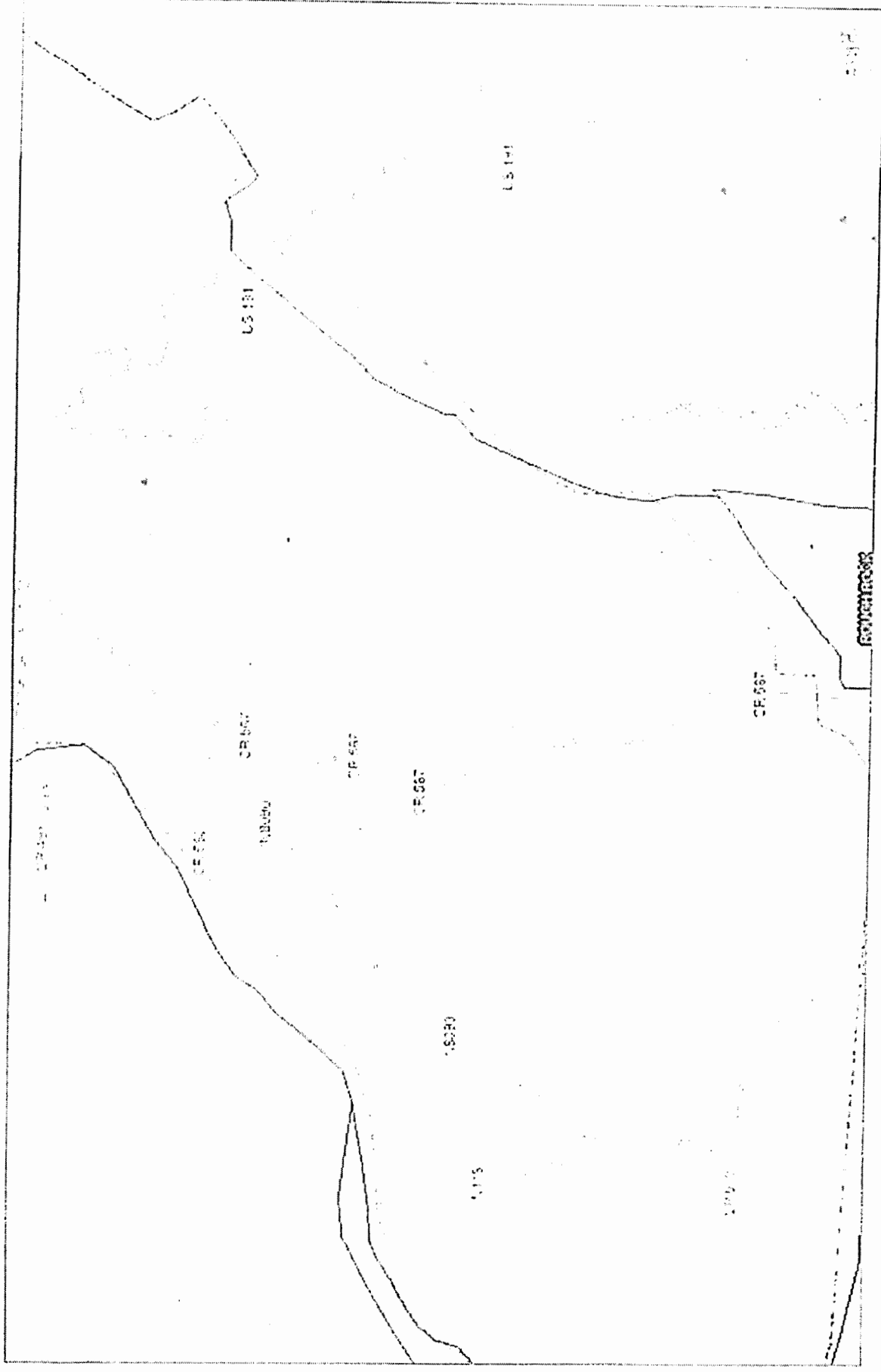
Section R18-4-214 - Hauled Water A. All hauled water for delivery to a public water system shall be obtained from a source that is approved pursuant to 18 A.A.C. 5, Article 5, or a regulated public water system. B. Materials or products that come into contact with the water shall comply with R18-4-213(B). C. Roof hatches shall be fitted with a watertight cover. D. A bottom drain valve or other provisions to allow complete drainage and cleaning of a water transport container shall be provided. E. Hoses that are used to deliver drinking water shall be equipped with a cap and shall remain capped when not in use. F. A water hauler shall, at all times, maintain a residual free chlorine level of 0.2 mg/l to 1.0 mg/l in the water that is hauled in a water transport container. A chlorine disinfectant shall be added at the time water is loaded into the container. The residual free chlorine level shall be measured each time water is off-loaded from the container. The water hauler shall maintain a log of all on-loading, chlorine disinfectant additions and residual-free chlorine measurements. Such records shall be maintained for at least three years and made available to the Department for review upon request. G. A water transport container shall be for hauling drinking water only. The container shall be plainly and conspicuously labeled "For Drinking Water Use Only."

Adopted effective August 8, 1991 (Supp. 91-3). Section repealed, new Section adopted effective April 28, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3046, effective May 1, 2002 (Supp. 02-3). Section R18-4-214 repealed; new Section renumbered from R18-4-125 and amended by final rulemaking at 14 A.A.R. 2978, effective August 30, 2008 (Supp. 08-3).

# COST AND DELIVERY SCHEDULE DETERMINATION SAMPLE WORKSHEET

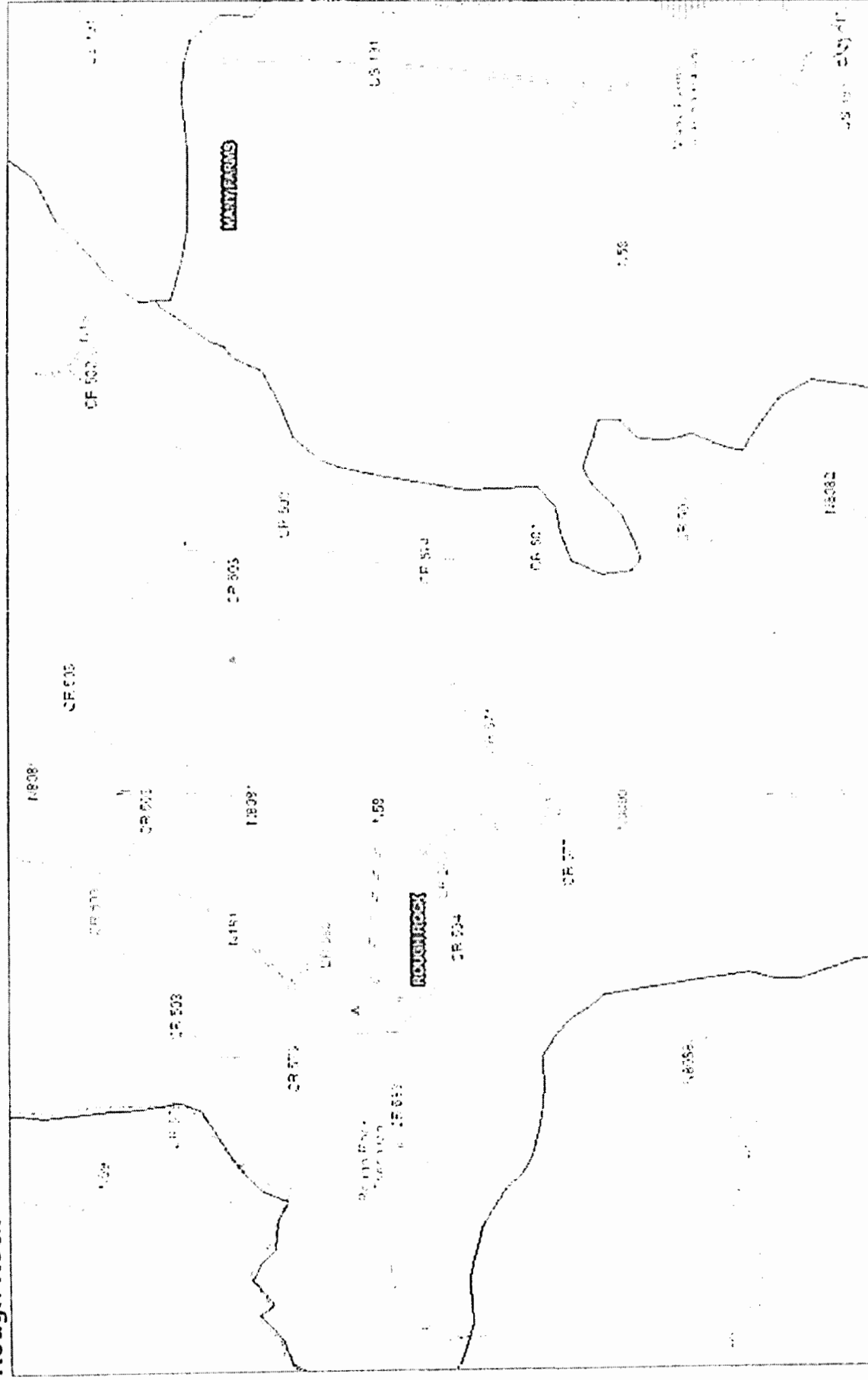
| Collective Medicine - Water Warriors United                           |                                  |   |                              |
|---|----------------------------------|---|------------------------------|
| Chuska Mountain Chapter Area - Resident Water Hauling Budget Proposal |                                  |   |                              |
| (Estimate for Rock Point and Rough Rock one day each a week)          |                                  |   |                              |
| WEEKLY BUDGET PROPOSAL  | PRIORIZATION, GALLON & FREQUENCY |   |                              |
| Hourly Wages  | \$ 440.00                        | \$27.50/hour * 8 hours * 2 days         | # in household               |
| Mileage   | \$ 75.00                         | IRS rate * 60 miles/day on site         | Primary drinking source      |
|   | \$ 125.00                        | IRS rate * 200 miles roundtrip from hub | Elder only                   |
| Subtotal  | \$ 640.00                        |   | Elders in household          |
| Indirect Costs (10%)  | \$ 64.00                         | includes maintenance and insurance      | Duration of Use              |
| Weekly Total  | \$ 1,344.00                      | for entire RR and RP area               |                              |
| Monthly Total   | \$ 5,824.00                      | for entire RR and RP area               | COST ANALYSIS AND COMPARISON |
| Yearly Total  | \$ 69,888.00                     | for entire RR and RP area               | 0.006 average US/gallon      |
| Monthly Total per Household   | \$ 145.60                        | based on 40 households                  | 0.43 average NN/gallon       |
| Yearly Total per Household  | \$ 1,747.20                      | based on 40 households                  | average WWU/gallon           |

## Rock Point



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

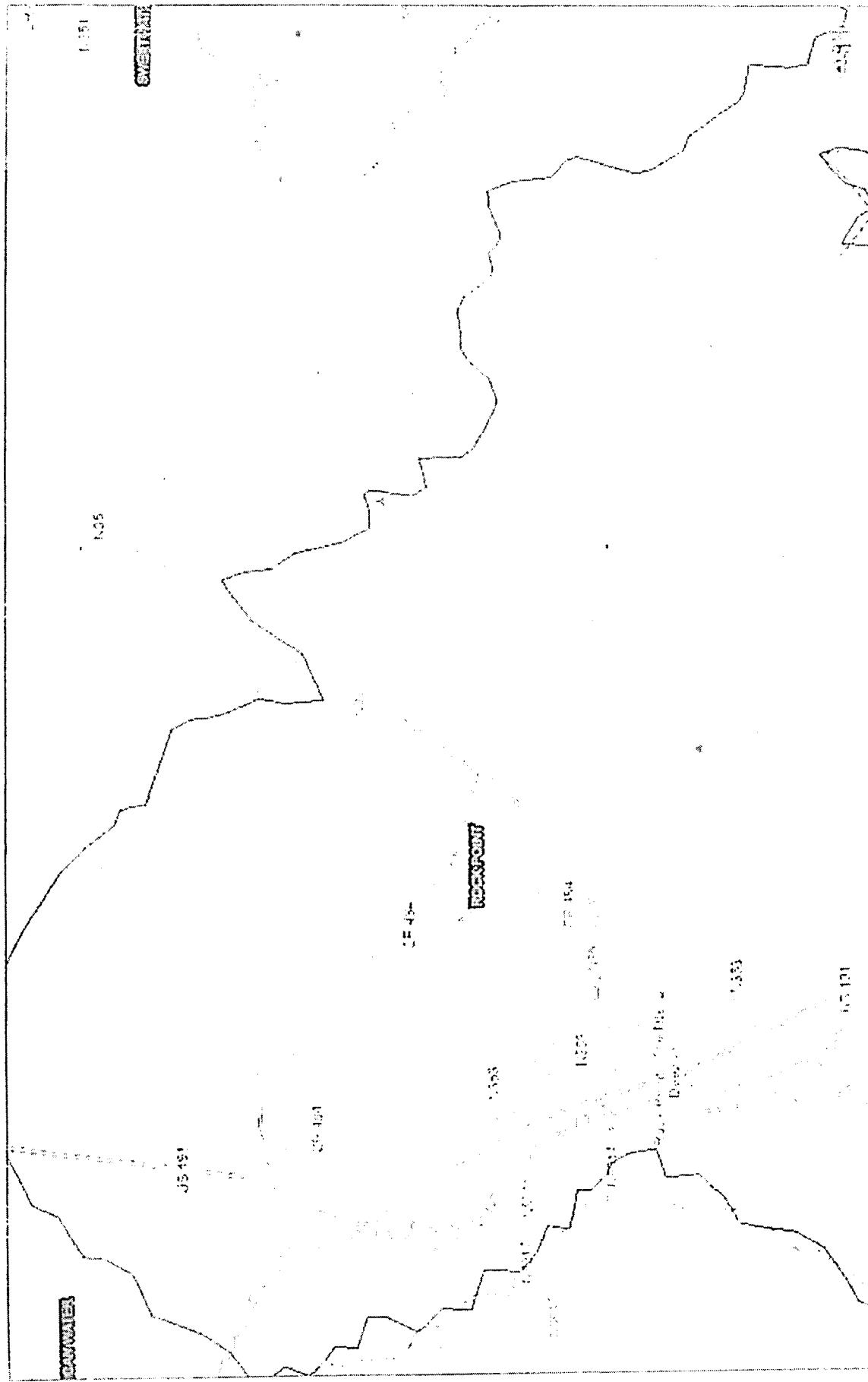
## Rough Rock



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri



**Rock Point**



Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri



**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 #: HK0642

Date & Time Received: 8/28/2023 at 12:49

Date & Time of Response: 9/28/2023 at 17:00

Entity Requesting FRF: Tse Ch'izhi Chapter

Title of Project: Spiritual Wellness Center

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$99,194

**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:** \_\_\_\_\_  
2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

|  |  |
|--|--|
| <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: Mel M. Rodis, Assistant Attorney General, Tax & Finance Unit

Signature of DOJ Reviewer: MRodis

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.

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: TSE CH'IZHI CHAPTER Date prepared: 3/18/23  
Chapter's PO BOX 4344 phone/email: (928) 728-3361  
mailing address: CHINLE, AZ 86503 website (if any): roughrock@navajochapters.org

This Form prepared by: \_\_\_\_\_ phone/email: (928) 206-9356  
SYLVIA HADLEY, SECRETARY/TREASURER shadley@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: SPIRITUAL WELLNESS CENTER

Chapter President: BETTY DAILEY phone & email: (505) 408-3292, daileyb628@gmail.com  
Chapter Vice-President: JAY R. NEZ phone & email: (505) 908-7773, jrnez@naataanii.org  
Chapter Secretary: SYLVIA HADLEY phone & email: (928) 206-9356, shadley@navajochapters.org  
Chapter Treasurer: SAME AS ABOVE phone & email: \_\_\_\_\_  
Chapter Manager or CSC: VACANT phone & email: \_\_\_\_\_  
DCD/Chapter ASO: CHINLE/EDGERTON GENE phone & email: (928) 674-2251, egene@nndcd.org

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

Amount of FRF requested: \$99,194 FRF funding period: 4/1/23 - 12/13/26  
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 Tse Ch'izhi Chapter will use the funds to build a hogan structure with earthen floor & an outdoor facility. The center will be used by the chapter & community members who need access to a hogan for ceremonial purposes. The outdoor facility will house a cooking area & a covered area to hold outdoor meetings or gatherings. Having this facility will allow spiritual & cultural rejuvenation that was deterred during the pandemic and curtailed ceremonies during the pandemic, which caused our residents to become depressed & out of balance. Tse Ch'izhi Chapter will ensure funds expended will address public health challenges that partly caused the unequal impact on the Navajo Nation.

☐ document attached

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

Within the Tse Ch'izhi Chapter, a high number of residents have followed Navajo Nation Covid-19 guidelines and stayed home more than ever. Due to the strict guidelines, many were not able to have ceremonies to help themselves. With this center being available, more residents can have access to a secure place to have replenish their health and well being.

☐ 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.

This project estimates the successful completion of the Spiritual Wellness Center and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 13, 2026.

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

☐ document attached

DCD will be the oversight of the Tse Ch'izhi Chapter to complete the building of the Spiritual Wellness Center.

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

☐ document attached

Tse Ch'izhi Chapter will maintain and ensure the durability of the Center after it is completed. The Chapter will carry insurance on the center.

(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.

☐ document attached

2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety. The Spiritual Wellness Center will be a safe and secure place for the community to meet and conduct ceremonies and business. The Spiritual Wellness Center will deter the conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity.

☐ document attached

### Part 3. Additional documents.

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

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:

*Debra Syling Haddock*  
Signature of Chapter Preparer

Approved by:

*Ray B. N...*  
Signature of Chapter President

Approved by:

*Donny Jones*  
Signature of Chapter Secretary

Approved by:

*[Signature]*  
Signature of Chapter Treasurer

Approved to submit  
for Review

*[Signature]*  
Signature of Chapter Auditor



|  |  |   |        |         |        |   |        |         |        |      |        |
|--|--|---|--------|---------|--------|---|--------|---------|--------|------|--------|
| PART I. PROGRAM INFORMATION:   |  | Tse Ch'izhi Chapter - Spiritual Wellness Center |        |         |        |   |        |         |        |      |        |
| Business Unit No.: NEW   |  | Program Name/Title:                             |        |         |        |   |        |         |        |      |        |
| 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 | Goal | Actual |
| 1. Goal Statement:   |  |   |        |         |        |   |        |         |        |      |        |
| Build the Spiritual Wellness Center for the Tse Ch'izhi Community on Chapter grounds.  |  |   |        |         |        |   |        |         |        |      |        |
| Program Performance Measure/Objective:   |  |   |        |         |        |   |        |         |        |      |        |
| Completion of Spiritual Wellness Center  |  |   |        |         |        |   |        |         |        | 1    |        |
| 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. |  |   |        |         |        |   |        |         |        |      |        |
| James Adakai, Deputy Director  |  |   |        |         |        | Calvin Castillo, Executive Director                 |        |         |        |      |        |
| Program Manager's Printed Name   |  |   |        |         |        | Division Director/Branch Chief's Printed Name       |        |         |        |      |        |
| 7-13-23  |  |   |        |         |        | 17/13/2023  |        |         |        |      |        |
| Program Manager's Signature and Date   |  |   |        |         |        | Division Director/Branch Chief's Signature and Date |        |         |        |      |        |

|  |   |                                       |                                    |
|--|---|---------------------------------------|------------------------------------|
| <b>PART I. PROGRAM INFORMATION:</b><br>Program Name/Title: <u>Tse Ch'izhi' Chapter - Spiritual Wellness Center</u> Business Unit No.: <u>NEW</u> |   |                                       |                                    |
| <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) |
| 9050   | BUILDINGS<br>9052 Buildings                       | 99,194                                | 99,194                             |
| TOTAL  |   | 99,194                                | 99,194                             |



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

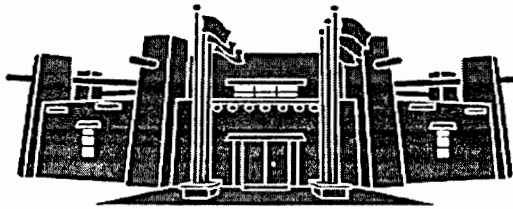
|  |  |  |  |
|--|--|--|--|
| <b>PART I. Business Unit No.:</b> <u>NEW</u>   |  | <b>PART II. Project Information</b>          |  |
| <b>Project Title:</b> <u>Tsé Ch'izhi Spiritual Wellness Center</u>   |  | <b>Project Type:</b> <u>Wellness Center</u>  |  |
| <b>Project Description:</b> <u>Complete new spiritual wellness center for community usage.</u>   |  | <b>Planned Start Date:</b> <u>4/1/2023</u>   |  |
|  |  | <b>Planned End Date:</b> <u>12/13/2026</u>   |  |
| <b>Check one box:</b> <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification |  | <b>Project Manager:</b> <u>Sylvia Hadley</u> |  |

| PART III.<br>List Project Task separately, such as Plan, Design, Construct, Equip or Furnish. | FY 2023  |   |   |          |   |   |          |   |   |          |   |   | FY 2024  |   |   |          |   |   |          |   |   |          |   |   | Expected Completion Date if project exceeds 8 FY Qtrs. |   |   |    |   |   |             |  |  |                      |
|---|----------|---|---|----------|---|---|----------|---|---|----------|---|---|----------|---|---|----------|---|---|----------|---|---|----------|---|---|--|---|---|----|---|---|-------------|--|--|----------------------|
|   | 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           |  |  |                      |
| 4/1/23 - 12/31/23<br>Complete initial paperwork for construction.                             |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |  |   |   |    |   |   |             |  |  |                      |
| 1/1/24 - 10/31/25<br>Purchase construction supplies<br>Prepare land for construction.         |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |  |   |   |    |   |   |             |  |  |                      |
| 4/1/24 - 9/30/26<br>Complete Spiritual Wellness Center  |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |  |   |   |    |   |   |             |  |  |                      |
| <b>PART V. Expected Quarterly Expenditures</b>  |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |          |   |   |  |   |   |    |   |   |             |  |  | <b>PROJECT TOTAL</b> |
|   | \$       |   |   | \$       |   |   | \$       |   |   | \$       |   |   | \$       |   |   | \$       |   |   | \$       |   |   | \$       |   |   | \$   |   |   | \$ |   |   | \$45,000.00 |  |  |                      |



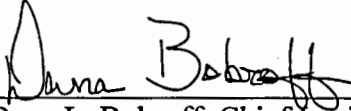
Office of Legislative Counsel  
Telephone: (928) 871-7166  
Fax No.: (928) 871-7576



Honorable Crystalyne Curley  
Speaker  
25<sup>th</sup> Navajo Nation Council

## **MEMORANDUM**

TO: Hon. Carl R. Slater, Council Delegate  
25<sup>th</sup> Navajo Nation Council

FROM:   
Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: October 17, 2023

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE;  
AMENDING CJY-64-23, THE NAVAJO NATION FISCAL RECOVERY  
FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CARL  
R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/  
WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉCH'IZHÍ, ROCK  
POINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE  
REGION**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0241-23\_

SPONSOR: Carl R. Slater

**TITLE: An Action Relating to the Naabik'iváti' Committee; Amending CJY-64-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan Honorable Carl R. Slater's Delegate Region (Chapters: Tsailé/Wheatfields, Lukachukai, Round Rock, Tséché'izhí, Rock Point), to Include Additional Projects for this Delegate Region**

***Date posted:*** October 17, 2023 5:20 PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*