



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

August 4, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: *CJY-64-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point)*

Dear Speaker Curley,


I am pleased to sign into law this resolution CJY-64-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Slater's Delegate Region in the amount of \$5,200,386.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,


Dr. Buu Nygren, President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
PROJECT PLAN FOR HONORABLE CARL R. SLATER'S DELEGATE REGION
(CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉ
CH'ÍZHÍ, ROCK POINT)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

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, Section Three, 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) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All 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).

- D. 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 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'ízhí, Rock Point) as set forth in **Exhibit A**.

SECTION THREE. APPROVAL OF HON. CARL R. SLATER'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, 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).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of 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).

SECTION FIVE. EFFECTIVE DATE.

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions

of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 19th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

7/27/23

DATE

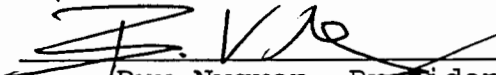
Motion: Honorable Rickie Nez

Second: Honorable Andy Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005, (C)(10), on this 4 day of August, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsale/Wheatfields, Lukachukai, Round Rock, Tsé'ch'izhí, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Round Rock Chapter Convenience Store/Shopping Center Project	Division of Community Development	6.1	HK0460-2	\$ 650,000.00
Division of Community Development	None Identified	Round Rock Chapter Community Cemetery Project	Division of Community Development	6.1	HK0464	\$ 200,000.00
Division of Community Development	None Identified	Round Rock Chapter Recreation Park Project	Division of Community Development	2.22	HK0494	\$ 700,000.00
Division of Community Development	None Identified	Round Rock Chapter Upgrade to Sewer Lagoon Project	Division of Community Development	5.5	HK0495	\$ 60,000.00
Division of Community Development	None Identified	Round Rock Chapter Diversion/Irrigation System Project	Division of Community Development	5.11	HK0461	\$ 150,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Propane Assistance Project	Division of Community Development	2.18	HK0563	\$ 84,375.00
Division of Community Development	None Identified	Rock Point Chapter Sewage & Drain Fields	Division of Community Development	5.3	HK0565	\$ 136,203.00
Division of Community Development	None Identified	Rock Point Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0567	\$ 100,800.00
Division of Community Development	None Identified	Rock Point Chapter Water Delivery Project	Division of Community Development	1.14	HK0566	\$ 172,117.00
Division of Community Development	None Identified	Rock Point Chapter Bathroom Renovations Project	Division of Community Development	1.14	HK0564	\$ 320,000.00
					TOTAL:	\$ 2,573,495.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhi, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01.....				\$ 2,573,495.00
Division of Community Development	None Identified	Rock Point Chapter Homesite-Compliance and Archeological Clearance Assistance Project	Division of Community Development	2.18	HK0569	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Homesite Lease Land Survey Fee Assistance Project	Division of Community Development	2.18	HK0570	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Community Weatherization Project	Division of Community Development	2.18	HK0560	\$ 288,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Septic-Cleaning Assistance Project	Division of Community Development	5.5	HK0568	\$ 135,150.00
Division of Community Development	None Identified	Rock Point Chapter Dump Truck Project	Division of Community Development	6.1	HK0573	\$ 200,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Warehouse Project	Division of Community Development	1.14	HK0596	\$ 200,000.00
Division of Community Development	None Identified	Tse Ch'izhi Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0613	\$ 81,600.00
Division of Community Development	None Identified	Tsaile/Wheatfields Chapter Community Housing Weatherization and Renovation Project	Division of Community Development	2.18	HK0591	\$ 460,468.00
Division of Community Development	None Identified	Tsaile/Wheatfields Chapter Public Employment Project	Division of Community Development	2.18	HK0592	\$ 205,938.00
					TOTAL:	\$ 4,219,651.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsaille/Wheatfields, Lukachukai, Round Rock, Tsé'h'izhi, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02.....				\$ 4,219,651.00
Division of Community Development	None Identified	Lukachukai Chapter Renovation of Chapter House Roof Project	Division of Community Development	2.22	HK0587	\$ 43,900.00
Division of Community Development	None Identified	Lukachukai Chapter Track Construction Project	Division of Community Development	2.22	HK0586	\$ 449,685.00
Division of Community Development	None Identified	Lukachukai Chapter Renovation/Replacement of Chapter Fieldhouse Roof Project	Division of Community Development	2.22	HK0588	\$ 87,150.00
Division of Community Development	None Identified	Lukachukai Chapter Public Employment for Illegal Trash-Dump Clean-Up Project	Division of Community Development	1.14	HK0589	\$ 400,000.00
		UN-ALLOCATED AMOUNT				\$ 3,601,954.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



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 #: HK0461

Date & Time Received: 4/10/2023 at 12:13

Date & Time of Response: 04/19/2023 at 11:14

Entity Requesting FRF: Round Rock Chapter

Title of Project: Diversion/Irrigation System

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$150,000.00

Eligibility Determination:

- FRF eligible
 FRF ineligible
 Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: _____

5.11 Drinking Water: Transmission & Distribution

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: We have modified the requested expenditure code from 6.1 (Provision of Government Services) to 5.11 (Drinking Water: Transmission & Distribution). 5.11 is a more favorable category because it is not limited to the amount of the Nation's lost revenue.

Necessary investment in water infrastructure in accordance with the U.S. Environmental Protection Agency's Drinking Water State Revolving Fund (DWSRF), Part A.2 - Drought/Loss of Water Supply and Part B.2 - Water Efficiency

Name of DOJ Reviewer: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte
Date: 2023.04.19 11:09:47 -06'00'

Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

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

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Round Rock Chapter Date prepared: 2/18/2023

Chapter's mailing address: P.O. Box 10 phone/email: 928-787-2510
Round Rock, AZ 86547 website (if any): roundrock@navajochapters.org

This Form prepared by: Bernita Wheeler phone/email: (928) 658-8022, bwheeler@navajochapters.org
Ramona Rogers, Chapter President rrchprez@gmail.com
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Diversion/Irrigation System

Chapter President: Ramona Rogers phone & email: 928-814-1344, rrchprz@gmail.com

Chapter Vice-President: Paul Jim phone & email: 928-787-2510 pjim@naataanii.org

Chapter Secretary: Bernita Wheeler phone & email: 928-658-8022 bwheeler@navajochapters.org

Chapter Treasurer: Bernita Wheeler phone & email: 928-658-8022 bwheeler@navajochapters.org

Chapter Manager or CSC: Vacant phone & email: _____

DCD/Chapter ASO: Robert Jumbo phone & email: 928-674-2251 rjumbo@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): selection of contractor will be based on bids, Labor will be cover by the Chapter's Public Employment Program document attached

Amount of FRF requested: \$150,000. FRF funding period: 04/01/23 to 09/30/26
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:

Round Rock Chapter is requesting ARPA funds to revitalized 42 Farm Plots with approximately 565.48 acre. There are 42 Farm Owners with acreages from 10 to 50 acres registered/titled with the Bureau of Land Administration. The Farm Plots needs to be assess and provide feasibility studies of each plots to plan for implementation of local grown produce to benefit not only consumption but for income for farmers. The Chuska Mountain water is usually diverted into the Round Rock lake. Drilling for water wells fro farming would be most beneficial and irrigating through installation of pipes will save water from evaporating and seeping into the irrigation ditches. We are strongly determined to improve economic development to bring essential services to our Dine' people and improve lives. document attached

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

Round Rock Chapter is in support of the larger Navajo Nation's effort for Economic Development. This will re-instill the traditional teachings of farming for everyone. It will teach many on self sufficiency by farming and producing corn pollen, fresh produce and hay locally and also provide education on healthy eating, cultural teaching and work ethics. Studies shows Native Food are more or the most healthiest. With this, Seasonally employment will be available. 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:

2023 - Chapter will work closely with GLDD, CPMD, Grazing Committee, CLUPC. Grazing Representative has already started resurveying farm plots with Bureau of Land Department. 2024 -. Challenges - Approval of funding and disbursement, Navajo Nation Tribal Procurement and Review Processes. Weather document attached

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

The Round Rock Chapter, BIA and the Navajo Nation agents. 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 Round Rock Chapter will own and operate the Farm Plots. The Navajo Nation will be the fiscal agent for the project. Operation and maintenance costs will be budgeted thru the chapter's annual operating budget and revenues generated through established fees with development of plan of operation for the Farms Plots. 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 COVID-19 had a major impact on the community, unfortunately, causing many families to travel quite a distance (120 miles) to nearest town to get food, water, produce and hay. Most stores literally had empty shelves, out of food, water and hay. The chapter will encourage community members to focus economically on crops, support community empowerment to grown own food beyond the pandemic. Dine' (Navajo) people basic nutritional meal is corn. They will grow corn to make variety of traditional food. document attached

Part 3. Additional documents.

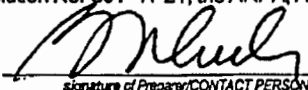
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

1. Chapter's approved supporting resolutions: ROUN2205-07, 2, ROUN2208-01, Navajo Nation Water Resources Assessment and Scope of Work. Chapter Resolution attached

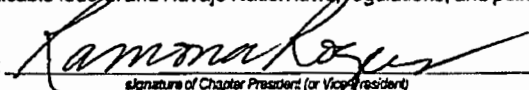
Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:


signature of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice President)

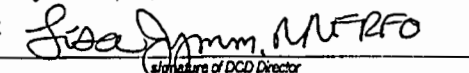
Approved by:

VACANT
signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit for Review:


signature of DCD Director

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Round Rock Chapter - Diversion/Irrigation system</u>		Division/Branch: <u>DCD/Executive</u>			
Prepared By: <u>Bernita Wheeler</u>		Phone No.: <u>(928) 787-2510</u>		Email Address: <u>bwheeler@navajochapters.org</u>			
PART II. FUNDING SOURCE(S)		Fiscal Year / Term	Amount	% of Total			
American Resue Plan Act of 2021		04/01/23-09/30/26	150,000.00	100%			
PART III. BUDGET SUMMARY					Fund Type Code	NNC Approved Original Budget	
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	150,000	
7000 Special Transactions							
8000 Public Assistance							
9000 Capital Outlay							
9500 Matching Funds							
9500 Indirect Cost							
TOTAL						150,000.00	
					(D)	50.00	
					(E)	150,000.00	
PART IV. POSITIONS AND VEHICLES							
					Total # of Positions Budgeted:		
					0		
					Total # of Vehicles Budgeted:		
					0		
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	
		<i>James Adakai</i>				<i>Calvin Castillo</i> 4/6/23	
		Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date	

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:	Business Unit No.: <u>NEW</u>	Program Name/Title: <u>Round Rock Chapter - Diversions/Irrigation system</u>								
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:	CAP-34-98: To direct the Chapter administration and management control system, by promoting efficiency and accountability to the chapter membership and to effectuate plans of action to improved the standards of living for the chapter membership.									
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: Hire a consultant to perform Engineering Assessment Program Performance Measure/Objective: Advertise bids for professional services for Engineering Assessment									1	
2. Goal Statement: Select Consultant to conduct Assessment Program Performance Measure/Objective: Consultant will submit Assessment to chapter									1	
3. Goal Statement: Hire Public Employment Program (PEP) Workers Program Performance Measure/Objective: Advertise, select and hire (PEP) 6-8 workers									1	
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.

Program Manager's Printed Name <u>James Adakal, Deputy Director</u> Program Manager's Signature and Date 4/9/23	Calvin Castillo, Executive Director Division Director/Branch Chief's Printed Name Division Director/Branch Chief's Signature and Date 4/9/23
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THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: <u>Round Rock Chapter - Diversion/Irrigation system</u>		NEW	
PART II. DETAILED BUDGET:		(B)	(D)
(A)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6830	Other Technical Services 6840 - Feasibility Studies Hire a Consultant for Feasibility Studies	\$75,000	150,000
	6845 - Environmental Assessment/ES Hire a Consultant for Assessment	\$75,000	
TOTAL		150,000	150,000




DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáadi Nitsáhákees

MEMORANDUM

TO : Division/Executive Directors and Staff
Navajo Nation

FROM : 
James Adakar, Delegated Department Manager II
Capital Projects Management Department

DATE : February 1, 2023

SUBJECT: FY 2023 Standing Delegation of Authority

During the period that I am on leave or on travel from the Capital Projects Management Department, the following Individuals will be delegated in the capacity of Department Manager II (in no particular order):

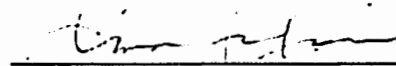
Leonard Hardy, Project Manager
Irma Julian, Project Manager

The Delegation is limited to signature authority for the time sensitive approval and emergency leave unless they feel that matters requires the attention of the Department Manager. Policy decisions are not delegated and are reserved for the Department Manger II. Other personnel related matters will remain under the purview of the Department Manager II.

Your cooperation with the aforementioned staff is appreciated.

ACKNOWLEDGEMENT:


Leonard Hardy, Project Manager
Capital Projects Management Department


Irma Julian, Project Manager
Capital Projects Management Department

Distribution

xc: Calvin Castillo, Division Director, Division of Community Development

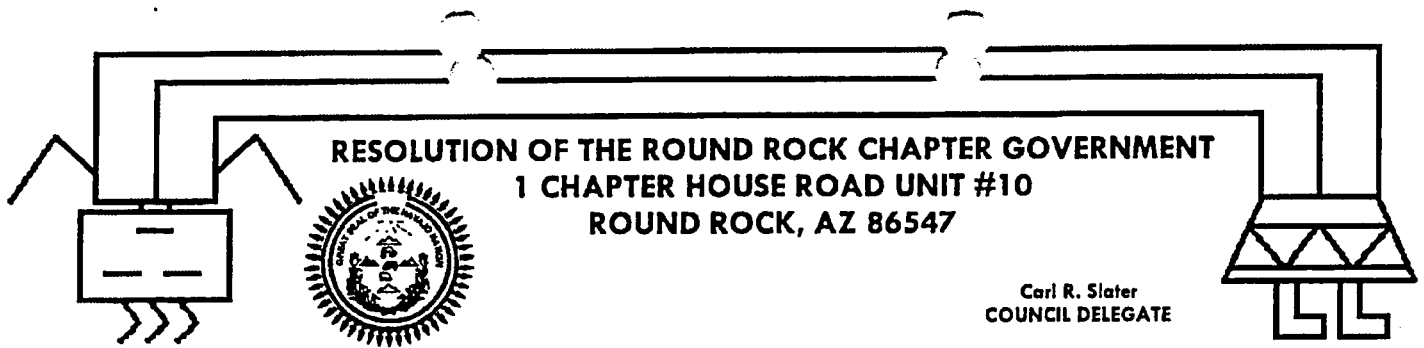
Capital Projects Management Department
Post Office Box 1510, Window Rock, Arizona 86515

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u> </u> NEW Project Title: <u>Round Rock Chapter - Diversion/Irrigation System</u> Project Description: <u>Diversion/Irrigation System</u>	PART II. Project Type: <u>Irrigation</u> Planned Start Date: <u>4/1/2023</u> Planned End Date: <u>9/30/2026</u> Project Manager: <u>Navajo Nation Water Resources</u>
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification	

PART III. 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.								Expected Completion Date if project exceeds 8 FY Qtrs.		
	FY 2023				FY 2024						
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.			
06/05/2023 - 07/07/2023 Hire a Consultant	O N D	J F M A M J	J A M	J A S	O N D	J F M A M J	J A M J	J A S	O N D J F M	Date 09/30/26	
07/10/2023 - 08/31/2023 Hire PEP Workers				X							
PART V. Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL \$150,000.00

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



ROUN2303-02

ROUND ROCK CHAPTER AFFIRMS THAT IT WILL ONLY USE AWARDED FISCAL RECOVERY FUNDS IN THE AMOUNT OF \$1,760,000.00 ACCORDINGLY: (\$700,000.00 RECREATION PARK; \$650,000.00 C-STORE; \$150,000.00 DIVERSION/IRRIGATION SYSTEM; \$200,000.00 CEMETERY; AND \$60,000.00 UPGRADE LAGOON) TO PERFORM THE PRELIMINARY ACTIVITIES, DESIGNS, AND IMPLEMENT THE FRF EXPENDITURE PLAN IN COMPLIANCE WITH THE ARPA REGULATIONS, AND WITH ALL APPLICABLE FEDERAL AND NAVAJO NATION LAWS, REGULATIONS, AND POLICIES

WHEREAS:

1. Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
2. Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
3. Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
5. The Round Rock Chapter Government held dialogue with membership numerous times to discuss needs and effects experienced from Covid-19; AND
6. The Covid-19 Pandemic had various effects on membership, across the Navajo Nation, and many counties; AND
7. The effected we told to take walks, gatherings were disallowed unless it is open space, such as outside, a Park would benefit both and to promote the many underlying health issues raised during this trying times; AND

**Ramona Rogers
PRESIDENT**

**Paul Jim
VICE-PRESIDENT**

**Bernita Wheeler
SECRETARY/TREASURER**

**Robert Wagner
GRAZING OFFICIAL**

**VACANT
COMMUNITY SERVICES
COORDINATOR**

**VACANT
ACCOUNT
MAINTENANCE
SPECIALIST**

8. The basic food and cleaning necessities was scarce, the C-store can benefit the locals to not have to travel afar for basic needs, even travelers were restricted to travel to border towns; AND
9. The Navajo Nation Standing Committees and Grazing Representative has been discussing and passing resolution directing Chapters to establish a Community Cemetery; Lukachukai St. Isabel Catholic Church has been sending letters requesting for our Chapter to take action; AND
10. Economic Development is a must for our Community and it helps Operators/Business to establish within our Community with upgraded lagoons.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Round Rock Chapter Government hereby affirms that it will only use awarded Fiscal Recovery Funds in the amount of \$1,760,000.00 accordingly: (\$700,000.00 Recreation Park; \$650,000.00 C-Store; \$150,000.00 Diversion/Irrigation system; \$200,000.00 Cemetery; and \$60,000.00 upgrade lagoon) to perform the preliminary activities, designs and implement the FRF expenditure plan in compliance with the ARPA regulations, and with all applicable federal and Navajo nation laws, regulations, and policies.

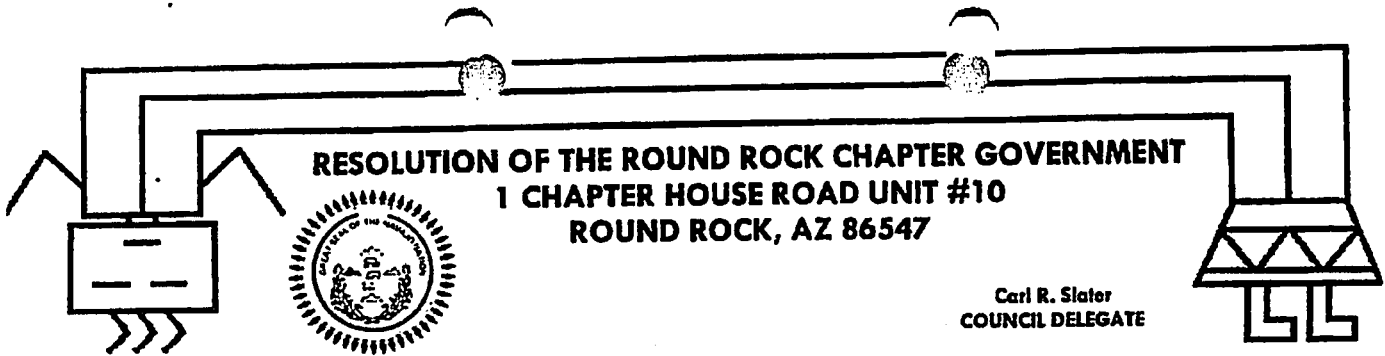
CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 29 in favor, 00 opposed, and 01 abstained, on this 17th day of March, 2023.

Motion by: Laverne Jones

Second by: Terrilyn Johnson

Ramona Rogers
Ramona Rogers, President



ROUN2208-11

RESPECTFULLY REQUESTING THE DEPARTMENT OF WATER RESOURCES TECHNICAL, CONSTRUCTION, AND OPERATIONS BRANCH TO EVALUATE THE ROUND ROCK IRRIGATION SYSTEM FOR REHABILITATION, COST ESTIMATE AND PLAN OF ACTION

WHEREAS:

1. Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
2. Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
3. Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
5. Every Spring and Summer, our main irrigation canal needs cleaning out and especially, at the location of the main diversion site; AND
6. The control tunnel needs to be leveled or sloped to downstream to prevent clogging; AND
7. The main diversion gate and two filtering gates need to be changed out; AND
8. The culverts need to be replaced and lowered; AND
9. These Culverts need to be lowered because the water upstream gets too heavy causing the canal to break; AND
10. The culvert under the Route 12 also need to be lowered but B.I.A. Roads Department *needs to do* it; AND

Ramona Rogers
PRESIDENT

Paul Jim
VICE-PRESIDENT

Berrita Wheeler
SECRETARY/TREASURER

Robert Wagner
GRAZING OFFICIAL

Goyla James
COMMUNITY SERVICES
COORDINATOR

VACANT
ACCOUNT
MAINTENANCE
SPECIALIST

11. The Whole canal needs to be widened; AND
12. The dug out silt on the north side of the canal needs to be cut down or lowered; AND
13. Moreover, we need to re-fill and restock our lake with fish; AND
14. Thousands or maybe even a million plus dollars were spent by the "Safety of Dams, to renovate the dam"; AND
15. Thousands and maybe even millions plus gallons of water just ran through our Community all these years; AND
16. This Project, Earthen Dam and Wind mill repair requests were sent to Window Rock/Ft. Defiance Water Resources Department, but to no avails, this day; AND
17. We know that funds were and still are appropriated for the aforementioned projects; AND
18. The Round Rock Community was once well-known for prosperous Agricultural activities in both the in farming and livestock managements; AND
19. We have some families that still use the water to irrigate and plant and many more voice their wishes at Chapter meetings requesting help with Irrigation; AND
20. Studies show that native food are more or the most healthy ones than the once made with preservatives; AND
21. Our Chapter doesn't only believe in, but participates in cost-sharing and partnership on Projects, especially during this "Economic Crisis Era, Inflation, and Cost-of-Living Increases; AND
22. The recent pandemic experience has taught us of food scarcity, travel restrictions, limits of food and other necessities, high cost of food, reliance on our only local food store-Bashas and thanks to the Navajo/Hopi Food Assistance Programs; AND
23. The Chapter recently received heavy equipment: Grader and backhoe/front end loader to use as cost share; AND
24. We need your expertise to evaluate, improve intake inlet from the wash and to reservoir, including the reservoir inlet (Russian Olive/Tamarack takeover).

NOW, THEREFORE BE IT RESOLVED THAT:

The Round Rock Chapter Government respectfully requesting the Department of Water Resources Technical, Construction, and Operations Branch to evaluate the Round Rock Irrigation System for rehabilitation, cost estimate and plan of action.

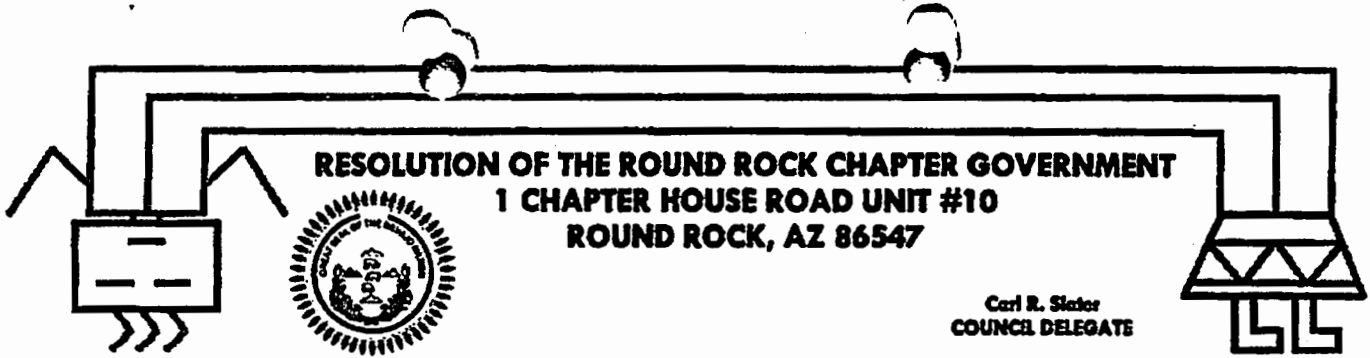
CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 24 in favor, 00 opposed, and 02 abstained, on this 19th day of August, 2022.

Motion by: LaVerne Jones

Second by: Charleston Wagner

Ramona Rogers
Ramona Rogers, President



ROUN2105-07

RESPECTFULLY REQUESTING NAVAJO NATION DIVISION OF NATURAL RESOURCES AND NAVAJO NATION AGRICULTURE TO SINCERELY CONSIDER AND FUND \$1,500,000.00 TO REVITALIZE THE 42 FARM PLOTS WITH APPROXIMATE 565.48 ACRE, USING THE AMERICAN RESCUE PLAN (ARPA), SIHASIN, AND/OR THE AGRICULTURE INFRASTRUCTURE FUND PROJECT PLAN FOR THE CROP YEAR 2021 (PASTURE LAND FORAGE)

WHEREAS:

1. Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
2. Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
3. Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
5. The Round Rock Chapter Government is in support of the larger Navajo Nation's effort for Economic Development; AND
6. Round Rock Chapter Farmers miss farming and having local produced food; AND
7. The Community members are looking forward to re-instill the traditional teachings of farming to their children and grandchildren; AND

Remona Rogers
PRESIDENT

Paul Em
VICE-PRESIDENT

Bernita Wheeler
SECRETARY/TREASURER

Robert Wagner
GRAZING OFFICIAL

Gayla Jones
COMMUNITY SERVICES
COORDINATOR

Mary L. John
ACCOUNT
MAINTENANCE
SPECIALIST

8. **There are 42 Farm Owners with acreages anywhere from 10 to 50 acres; AND**
9. **The total farm land acreage registered/titled with the Bureau of Land Administration is 545.48; AND**
10. **The Division department personnel needs to assess the farm plot and provide feasibility studies of plots, collaboration for plan of action, and any recommendations for implementation; AND**
11. **Local grown produce is beneficial not only for consumption but for income by farmers; AND**
12. **The Chuska Mountain water is usually diverted into the lake, however, this has been less water each year; AND**
13. **Drilling for water wells for farming would be most beneficial and irrigating through installation of pipes will save water from evaporating and seeping into the irrigation ditch; AND**
14. **The Chapter Government is concerned about the environmental, living and safety standards of the People; AND**
15. **The corn pollen needs to be made by the Dine' People to help heal and place our Dine' People in balance with the natural livings and on the corn pollen path; AND**
16. **The Chapter members and the young need to learn to be self-sufficient by farming food and hay; AND**
17. **It teaches the young on work ethics, healthy eating, and cultural teachings; AND**
18. **The Division and Agriculture needs to educate and local and coach them on updated farming techniques, ideal seeds, updated farm equipment, as they attend various trainings; AND**
19. **This project has been planned in the local Chapter's strategic plan for many years and must be made a reality using the American Rescue Plan Act (ARPA) fund; AND**
20. **We are strongly requesting to improve economic development to bring essential services to our Dine' relatives and our Dine' people will be the primary beneficiaries; AND**
21. **It is this type of rescue measures to heal, prevent, improve the lives of Dine' People, which the American Rescue Plan Act (ARPA) is awarded to resolve.**

NOW THEREFORE BE IT RESOLVED THAT:

1. The Round Rock Chapter Government hereby approves and requests Navajo Nation Division of Natural Resources and Navajo Nation Agriculture to sincerely consider and fund \$1,500,000.00, to revitalize the 42 Farm Plots with approximately 565.48 acre using the American Rescue Plan (ARPA), Sihasin, and/or the Agriculture Infrastructure fund project plan for the Crop Year 2021 (Pasture Land Forage).

CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 06 in favor, ~~00~~ opposed, and 01 abstained, on this 11th day of May, 2021.

Motion by: Paul Jim

Second by: Robert Wagner

Ramona Rogers
Ramona Rogers, President

NAVAJO NATION DEPARTMENT OF JUSTICE



**REQUEST
FOR
SERVICES**

RESUBMITTAL

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

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 4/10/2023	ENTITY/DIVISION: OPVP		
CONTACT NAME: Lisa Jymm	DEPARTMENT: Fiscal Recovery Fund Office		
PHONE NUMBER: (928) 309-5535	E-MAIL: ljymm@navajo-nsn.gov		
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):			
<i>Initial Eligibility Determination for Round Rock Chapter Diversion/Irrigation Project in the amount of \$150,000.00</i>			
DEADLINE:	4/24/2023	REASON:	DOJ Review
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT:		REVIEWING ATTORNEY/ADVOCATE:	
DATE TIME OUT OF UNIT:		PREPARED BY (initial):	
DOJ ATTORNEY / ADVOCATE COMMENTS			
REVIEWED BY: (PRINT)		DATE / TIME:	
DOJ Secretary Called:	for Document Pick Up on	at	By:
PICKED UP BY: (PRINT)		DATE / TIME:	