

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 637
Date & Time Received: 03/11/24 at 14:37
Date & Time of Response: April 3, 2024 at 10:30
Entity Requesting FRF: Forest Lake Chapter
Title of Project: Forest Lake Housing Project
Administrative Oversight: Division of Community Development
Amount of Funding Requested: \$930,000
Eligibility Determination:
(1) Public Health and Economic Impact (3) Government Services/Lost Revenue (4) Water, Sewer, Broadband Infrastructure
U.S. Department of Treasury Reporting Expenditure Category:
Section 2.16, Long-term Housing Security: Services for Unhoused Persons

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures): Missing Form Expenditure Plan incomplete Supporting documentation missing Funds will not be obligated by Project will not be completed by 12/31/2026 12/31/2024 Ineligible purpose Incorrect Signatory Submitter failed to timely submit CARES reports Inconsistent with applicable NN or Additional information submitted is insufficient federal laws to make a proper determination Other Comments: 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.** 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.



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 637
Date & Time Received: 7/20/23 at 11:33
Date & Time of Response: August 28, 2023 at 15:00 hrs
Entity Requesting FRF: Forest Lake Chapter
Title of Project: Forest Lake Housing Project
Administrative Oversight: Division of Community Development
Amount of Funding Requested: \$930,000
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: To be determined

Returned for the following reasons (Ineligibility Reason	ons/Paragraphs 5.E.(1)-(10) of FRF
Procedures):	
Missing Form Supporting documentation missing Project will not be completed by 12/31/2026 Ineligible purpose Submitter failed to timely submit CARES reports Additional information submitted is insufficient to make a proper determination	Expenditure Plan incomplete Funds will not be obligated by 12/31/2024 Incorrect Signatory Inconsistent with applicable NN or federal laws
Other Comments: We need additional information to determine if the prop	posed housing assistance is an eligible use. To assist us,
please provide answers to the following questions in as much detail as p	
What is the criteria to be approved for a new home/how were the to the criteria.	four recipients be selected? How will the Chapter
prioritize projects if there are more persons in need than fund	ds available? Please be specific, and
include any family size and income limitations or other crite	eria used to establish and prioritize needs.
2. Please explain whether the home construction projects would qu	
including but not limited to the National Housing Trust Fund and Indian Hou	sing Block Grant. (Eligibility for one of these programs
is a favorable factor in determining whether a housing project is eligible	e as a use of the Nation's Fiscal Recovery Funds.)
3. The documents indicate that the individuals need new housing due to over	crowding. How will the project help with overcrowding?
The funding request for the project is based on an estimate received from \	White Mesa Homes, LLC. Will the Chapter comply with
the procurement rules, conflicts of interest rules, and other requirements a	ssociated with the receipt of Fiscal Recovery Funds?
Name of DOJ Reviewer: Lorenzo Curley Signature of DOJ Reviewer: Lorenzo Curley	
Signature of DOJ Reviewer: LOYENZO CUPLEY	

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.

Forest Lake Log Cabin Home:

- What are the criteria to be approved for a new home/how were the four recipients be selected?
 How will the Chapter prioritize projects if there are more persons in need than funds available?
 Please be specific, and include any family size and income limitations or other criteria used to establish and prioritize needs.
 - a. Applicant shall submit a complete Chapter housing Assistance Application to the administration office
- 2. Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund and Indian Housing Block Grant. (Eligibility for one of these programs is a favorable factor in determining whether a housing project is eligible as a use of the Nation's Fiscal Recovery Funds.)
 - b. Applicant shall submit required documents including a copy of the home site lease to the chapter administration for consideration.
- 3. The documents indicate that the individuals need new housing due to overcrowding. How will the project help with overcrowding?
 - a. Currently, the potential homeowners do not have adequate housing, the Forest Lake Chapter will provide stable home to those in need to prevent the spread of COVID-19/
- 4. The funding request for the project is based on an estimate received from White Mesa Homes, LLC. Will the Chapter comply with the procurement rules, conflicts of interest rules, and other requirements associated with the receipt of Fiscal Recovery Funds?
 - a. The White Mesa Homes, LLC provided only an estimate for an adequate housing for this project. The Forest Lake Chapter will not deviate but will comply with the Procurement Policies and requirements including the conflict-of-interest rules.

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

Part 1. Identification of parties.

Non-Governance Certified Chapter Forest Lake Chapter requesting FRF:	er
Chapter's P.O. Box 441 mailing address: Pinon, Az 86510	phone/email: 928-677-3252
mailing address: Pinon, Az 86510	website (if any): forestlake@navajochar
This Form prepared by: Ella M. Benally Ella M. Benally, CSC	phone/email: embenally@nnchapte 928-677-3252
CONTACT PERSON'S name and title	CONTACT PERSON'S info
Title and type of Project: Forest Lake Housing Pro	ject
Chapter President: May Gilene Begay	_ phone & email: mgbegay@naataanii.org
Chapter Vice-President: Rapheal Boy	phone & email: rboy@yahoo.com
Chapter Secretary: Brenda White	phone & email: brendawhite304@yahoo.co
Chapter Treasurer: Brenda White	phone & email: brendawhite 304@yahoo.co
Chapter Manager or CSC: Ella M. Benally	phone & email: embenally@nnchapters.org
DCD/Chapter ASO: Edgerton Gene	phone & email: egene@dcd.org
List types of Subcontractors or Subrecipients that will be paid with FRF (if	•
\$020,000 A	document attached
Amount of FRF requested: \$930,000. FRF funding period: 10	indicate Project starting and andiag/deadline date
Part 2. Expenditure Plan details.	, , ,
(a) Describe the Program(s) and/or Project(s) to be funded, including how and what COVID-related needs will be addressed:	v the funds will be used, for what purposes, the location(s) to be served,
The new homes will address the lacked adequate ho community (FLC) with burn out and unhoused. Thes	ousing for four families of the Forest Lake
poor ventilation that will not be suffice to safeguard f	from the spread of COVID or any other
epidemic/pandemic should it reach the Navajo Natio meet building construction code to make new homes	n again. The new homes will be constructed to
circulation of air. More importantly, the with availabili hornes, it will promote good hygiene to prevent spre	ity of pipe in water and indoor plumbing in the new l
prevents spread of COVID. All recipients reside in Fo	orest Lake community.
	☐ document attached
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	
The project will benefit the community members that	avajo communities, or the Navajo People: It are in need of safe homes that is free of poor
ventilation, lack ramp, ample room for sleeping, and	it are in need of safe homes that is free of poor proper air circulation. The new homes will benefit
ventilation, lack ramp, ample room for sleeping, and the people that they no longer have to go outside at new homes will come equipped with indoor plumbing	it are in need of safe homes that is free of poor proper air circulation. The new homes will benefit night and inclement weather for restroom as the
ventilation, lack ramp, ample room for sleeping, and the people that they no longer have to go outside at	it are in need of safe homes that is free of poor proper air circulation. The new homes will benefit night and inclement weather for restroom as the g and pipe in water

<u>APPENDIX A</u>

Program(s) or Project(s) by December 31, 2026:	AFFENDIA
The timeline of this project will be from 10/1/2	2023 to 12/31/2026.
(d) Identify uses will be made at the first of the first	document attached
(d) Identify who will be responsible for implementing the Progra	m or Project:
being implemented in accordance.	aff will take the responsibility for assuring the project is
	□ document attached
prospectively:	ance costs for the Project once completed, and how such costs will be funded
The nomeowners will meet with the vendor to	receive mandated orientation of the maintenance and
operations of their new home, if appliances is	included, all new homeowners will also be required to
attend orientation from the vendor of how to ca	are and operate their appliances. The Chapter will further
prepare a homeowner commitment that will be	signed by each homeowner and will assure their
commitments once they sign the letter. within	the first two years, Chapter Vice President with mental acted
(f) State which of the 66 Fiscal Recovery Fund expenditure cate proposed Program or Project falls under, and explain the reason 3.11. Housing Support: Affordable Housing	exories in the attached U.S. Denartment of the Treasury Annourity 1 liction the
o. 11. Housing Support. Allordable Housing	
)	
	☐ document attached
Part 3. Additional documents.	
List here all additional supporting documents attached to this F	DE Evnanditura Cilan (as indicata BUA).
Potential Housing Applicants labeled as Ex	hihit A
The state of the s	THIS CA
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	[7] Chapter Besshiller attached
Part 4. Affirmation by Funding Recipient.	☑ Chapter Resolution attached
	ds and the implementation of this FRF Expenditure Plan shall be in accordance
with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, a	and with all applicable federal and Navajo Nation laws, regulations, and policies:
1 —	
Chapter's Preparer:	Approved by:
signature of Property CONTACT PERSON	signature of Chafter President (or Vice-President)
Approved by: Elle Wrendly	Approved by:
signature of CSC	Arrange and the surposition of Chapter (St
	Approved to submit for Review:
	signature of DCD Director

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 3 BUDGET FORM 1

PART L B	usiness Unit No.:	New	Program Title:		Forest Lake		Division/Branch:	DCD/EXECUT	NE
Prepa	red By: Eil	M. Benzily	Phone	No.	928-577-3252 Email	Address:	embene	iv@mcheoten.on	
	INDING SCURCE(S)	Finesi Year /Term	Arcount 930,600.00	% of Total	PART III. BUDGET SUMMARY	Fund Typo Code	(A) NNC Approved Original Budget	(B)	(C) Difference o
*********	addray railes	10022-0031125	830,000000	10076	2001 Personnel Expenses	C3003	Original Busilet	Proposed Bedget	Total
					3000 Travel Expenses			-	
					3500 Meeting Expenses				
					4000 Supplies			*****	
					5000 Lease and Rental				
					5500 Communications and Utilities				
					5000 Repairs and Maintenance				
					6500 Contractual Services				
					7000 Special Transactions				
					8000 Public Assistance	6	0	930,000	930,000
			"		9000 Capital Outlay				
					9500 Matching Funds			_	
					9500 Indirect Cost				
						TOTAL	\$0.00	930,000.00	930,000
					PART IV. POSITIONS AND VEHICLES	_	(P)	(E)	
					Total # of Positions E		0	0]
		TOTAL:	4000,000	100%	Total # of Vehicles E		0	0	
		GE THAT THE IN	CREATION CON	TAINED	N THIS BUDGET PACKAGE IS COMPLE		CURATE.		
SUBMITTE		James Adabal, De			APPROVED BY:	Catvin C	astilo, Executivo Oirex	tor	•
	P	Ledino Medelan,a	Printed Name			ion Directo	r / Branch Chiefe Pr	taled Name	
			~ 1	_	27-21			6-21.23	•
	Proj	ism Mailtean Bi	promise and Otto		Division	Uncotor /	Branch Chief's Signa	ture and Date	

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 3 BUDGET FORM 2

PART L PROGRAM INFORMATION:									
	rogram Name/Title:					t Lake			
PART IL PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PRO To assist and build home	GRAM:	/Doc #		1	/				1
Within Forest Lake Chopter	5 107 0	U/Y/I/	une	yn	reme	sers	m	rec	d
PART III. PROGRAM PERFORMANCE CRITERIA:									
ACT III. PROGRAM PERFORMANCE CRITERIA:		Goal	QTR Actual	Goal	QTR Actual	Goal	QTR Actual	Gozi	QTR Actual
1. Goal Statement:		-	1 111111		1		- Ketaga	1 0051	_ Autori
Procurement of 4 Log Cabin Homes									
Program Performance Measure/Objective:									
Assist 4 community membership with new homes		1		1		1		1	
2. Goal Statement:									
Program Performance Measure/Objective:			,		,			,	,
3. Goal Statement:									
Program Performance Measura/Objective:			,						
4. Goal Statement:									
Program Performance Measure/Objective:									
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. I HEREBY ACKNOWLEDGE THAY THE ABOVE INFORMATION HAI James Adakel, Deputy Director Program Manager's Printed Name		ILY REVIE			tilo, Executi Branch-Chli		5 Name		
6-2	2-27			-			ZZ-2	3	
Program Mahager's Signature and Date			Division	Olrector/Efr	anch Chleft	Signature	and Date		

THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

DARY	ROGRAM INFORMATION:			······································	
	Program Name/Title:	Forest Lake	Business Unit No.:	New	
PART IL (A)	CETAILED BUDGET:	(B)		(C)	(D)
Object Code (LCD 6)		Object Code Description and Justification (LOD 7)		Total by DETAILED Object Code (LOD 8)	Total by MAJOR Object Code (LOD 4)
	Housing: 8725 To purchase 4 log cabin homes @ 250	0,000.00 ea. = 930,000.00	930,000	980,000	830,000
		·			
			:		
			TOTAL	930,000	930,000

THE NAVAIO NATION PROJECT BUDGET SCHEDULE

Page 1 of 1 PROJECT FORM

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PART I. Business Unit No.: New		_		-																		PAF	रा ॥			Proj	ect In	forms	tion	_
Project Title: Forest Lake H																						Proj	ect Ty	p <u>e:</u>	Fore	si Lai	te Hox	osing f	roject	
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and substandard homes are o																						Plan	ned E	nd Date		12/3	0/202	<u>:</u>		
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List Project Task separately; such as Plan, Design, Construct, Equip							2023						Г						Y 202										n Date FY Qtr	
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FOR ONE USE ONLY:	Resolution No:	FMIS Set Up Date:	Company No:	OMB Analyst:
				



Forest Lake Chapter
Jimmy Yellowhair, Council Delegate
May Gilene Begay, President
Rapheal Boy, Vice President
Brenda White, Secretary Treasurer
Irene Begay, Grazing Representative
Ella M. Benally, Community Service Coordinator

MYRON LIZER VICE-PRESIDENT

RESOLUTION OF THE FOREST LAKE CHAPTER

Resolution No. FLC-22-12-002

Requesting the Navajo Nation Department of Justice (DOJ), Division of Community Development (DCD) and Office of the Fiscal Recovery Funds to accept and approve ARPA funds for new homes of the unhoused residents of the Forest Lake Chapter who are in dire need of a home as Forest Lake Housing Project

WHEREAS:

- 1. The Navajo Nation Council Resolution CS-34-98 enacted the Navajo Nation Local Governance Act and codified it under Title 26 of the Navajo Nation Code; and
- 2. Pursuant to Title 26 NNC, Section B-1&2, the purpose of the Local Governance Act is to recognize at the local level and to delegate to chapter government with respect to local matters consistent with Navajo Laws including custom and tradition and to make decisions over local matters; and
- 3. The 24th Navajo Nation Council passed Legislation CJN-29-22, Navajo Nation Council allocating \$1,070,298,867 of the Navajo Nation Fiscal Recovery Funds and approved the Fiscal Recovery Fund Expenditure Plans on June 30, 2022; and
- 4. The Forest Lake Chapter identified individuals/families in dire need of a home to establish stable and healthy life with remaining in one home and cease living temporarily with relatives or friends or at times seek shelter in an inadequate shelter to seek shelter; and
- 5. Establishing a permanent home improves personal health, hygiene, permanency for the children and organized life. Permanent home allows for securing post office address, and enhance plans for seeking employment or education; and
- 6. Individuals who are unhoused are highly transient and potentials to transmit infectious disease, bacteria and other germs that could infect other individuals/household members they come in contact. Thus, permanency of residencies is the solution to stop spread of contagious disease.

NOW, THEREFORE IT BE RESOLVED THAT:

Forest Chapter hereby requests the Navajo Nation Department of Justice (DOJ), Division of Community Development (DCD) and Office of the Fiscal Recovery Funds to accept and approve ARPA funds for new homes of the unhoused residents of the Forest Lake Chapter who are in dire need of a home

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Forest Lake Chapter at a duly called meeting in Forest Lake, Navajo Nation, and Arizona, at which a quorum of chapter members was present and that the same was passed by a vote of <u>29</u> in favor, <u>00</u> opposed, and <u>00</u> abstained on this 15th day of December 2022.

Motioned by: Stanley Mike

Seconded by: Eloise Interpreter

May Gilene Begay, Chapter President

Jimmy Yellowhair, NN Council Delegate



Forest Lake Chapter Housing Assistance

Highway N-41 * Post Office Box 441 Pinon, Arizona 86510

Phone: (928) 677-3252/3347 * Fax: (928) 677-3320 Email: forestlake@navajochapters.org

TYPE OF ASSISTANCE APPLYING FOR:
Repairs
Weatherization
Archaeological
Other:
Name: Date:
Please attach the following CURRENT documents with the Forest Lake Chapter Housing Assistance application.
Please note: Chapter Administration Staff may ask for additional documents
 Housing Assistance Application Map of Property: Directions to your home from the Chapter House Evidence of Land Ownership: (excludes stove assistance) *APPROVED Home Site/Residential Lease in your own name. All Home Site Lease require an Archaeological Clearance Report. Copy of Social Security Card for all household members Copy of Certificate of Indian Blood (CIB) for all household members Copy of Navajo Nation Voter Registration receipt or card for Head of Household and spouse Referrals from outside entities (i.e.: IHS, Social Security, Veterans Affairs, etc.) Three (3) Quotations from different Vendors (i.e.: Home Depot, Ace Hardware, True Value, etc.)
9. Before and after photos of home you are seeking assistance for.

RETURN COMPLETE APPLICATION AND DOCUMENTS TO FOREST LAKE CHAPTER ADMINISTRATION OFFICE.

Obtaining a Navajo Nation Voter Verification: Navajo Nation Election Administration can verify requested voter registration by fax: Navajo Nation Elections Administration, Fax # (928) 871-7344. NN Elections Administration will not verify Voter Registration request made by telephone. Please inform them to send a copy by fax to (928) 677-3320. For more information please write to: Navajo Nation Elections Administration, Post Office Box 3449, Window Rock, Arizona 86515, or call (928) 871-6367 or 1-800-775-8683.

PLEASE CONTACT FOREST LAKE CHAPTER FOR MORE INFORMATION (928) 677-3252.



Forest Lake Chapter
Housing Assistance
Highway N-41 * Post Office Box 441

Pinon, Arizona 86510
Phone: (928) 677-3252/3347 * Fax: (928) 677-3320
Email: forestlake@navajochapters.org

NAME: (First)	L & FAMILY		(Last)		CENSUS #:	SOCIAL SE	CHID HTV#	DATE OF BIRTH:
	(Mild	,	(Losi,	,	CENSUS #:	30CIAL SE	CURITY#	DATE OF BIRTH:
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EMPLOYER'S N	AME:	ADDRE	ESS:		CITY, STATE,	ZIP CODE:	TEL	EPHONE:
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IS ELECTRICTY YES HOUSE SIZE:	AVAILIBLE: W. NO Square Feet Length (ft./in.)	ATER SOURC Private Well FACILITIE Flush To Bathtub	Water To S IN HOME: oilet:	YES YES	NO NO		YOUR PRIMA	
IS ELECTRICTY YES HOUSE SIZE:	AVAILIBLE: W. NO Square Feet	ATER SOURC Private Well FACILITIE Flush To	Water To S IN HOME: oilet:	YES	NO	IS THIS '	YOUR PRIMA	RY DWELLING:
IS ELECTRICTY YES HOUSE SIZE:	AVAILIBLE: W. NO Square Feet Length (ft./in.)	ATER SOURC Private Well FACILITIE Flush To Bathtub Sink/La	Water To SS IN HOME: oilet: o: vatory:	YES YES YES	NO NO	YES	YOUR PRIMA	RY DWELLING:
IS ELECTRICTY YES HOUSE SIZE:	AVAILIBLE: W. NO Square Feet Length (ft./in.) Width (ft./in.)	ATER SOURC Private Well FACILITIE Flush To Bathtub Sink/La	Water To SS IN HOME: oilet: o: vatory:	YES YES YES	NO NO NO	YES	YOUR PRIMA	RY DWELLING:
IS ELECTRICTY YES HOUSE SIZE:	AVAILIBLE: W. NO Square Feet Length (ft./in.) Width (ft./in.)	ATER SOURC Private Well FACILITIE Flush To Bathtub Sink/La	Water To SS IN HOME: oilet: o: vatory:	YES YES YES	NO NO NO of my knowled	YES dge.	YOUR PRIMA	RY DWELLING:

PLEASE	DRAW A MAP TO YOUR HO	OME FROM FOREST LAKE C	LI A DTED
HOUSE.		SIND THOMITOREST LAKE C.	IIAFIER
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