



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 0445-3

Date & Time Received: 4/11/24 at 16:18

Date & Time of Response: 4/29/24 at 17:00

Entity Requesting FRF: Tohatchi Chapter

Title of Project: Powerline Extension

Administrative Oversight: Navajo Nation Division of Community Development

Amount of Funding Requested: \$79,000.00

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

Name of DOJ Reviewer: MacArthur Stant II

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant  
Date: 2024.04.29 11:55:38 -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: Tohatchi Chapter Date prepared: 03/22/2024

Chapter's P.O. Box 287 phone/email: (505) 733-2845  
mailing address: Tohatchi, NM 87325 website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845  
Office Specialist mallison@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Powerline Extension

Chapter President: Harry Moore, Jr. phone & email: (505) 870-9082 smoore@naataani.org

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

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

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

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

DCD/Chapter ASO: Dereck Echohawk phone & email: (928) 266-3153 ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known):  
Navajo Tribal Utility Authority, Fort Defiance, AZ  document attached

Amount of FRF requested: \$79,000 FRF funding period: 05/01/2023 - 09/30/2026  
indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

This project will extend power lines to four (4) homes within the Tohatchi Community. The project will provide homes with electricity to improve the basic quality of life, meet health care needs (refrigeration for perishable foods), medical needs (refrigeration for medicines), and safety needs (house lighting). Providing electricity for sanitation appliances (washing machines and dryers) prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications.

document attached

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

This project will benefit four (4) Tohatchi community members by providing electrical tie-in necessary for lights, electrical devices, and durable medical equipment. The project ensures a habitable, secure home for families to receive basic utilities for heating, medical need, and refrigeration purposes. This project will enhance the basic quality of life for four (4) families who need basic utility services.

document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the



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

The Tohatchi Chapter in collaboration with Navajo Tribal Utility Authority (NTUA) will obtain cost estimates and construction; the timeline for the powerline extension project contracting December 2024 and funds expended by September 2026.

document attached

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

The Tohatchi Chapter will collaborate with NTUA to implement and complete the project by September 2026.

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:

Navajo Tribal Utility Authority (NTUA) will be responsible for operation and maintenance of the transmission lines after construction. The homeowner will be responsible for the operation, maintenance, and repair from the meter to the home. Tohatchi Chapter incurs no additional cost or recurring cost upon project completion.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Housing Support: Other Housing Assistance 2.18  
Pursuant to the U.S. Treasury guidelines and funding objectives, this powerline extension project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing electricity for homes promotes good health and wellness; meets infrastructure and health environment needs; prevents COVID-19 infection and other illnesses. Families will receive basic utilities for heating, medical need, and refrigeration purposes in a community disproportionately impacted by COVID-19.

document attached

**Part 3. Additional documents.**

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

Tohatchi Community Chapter Resolution Number: TOH: 025-03-2023 is attached

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

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

Chapter's Preparer: Jamie Beyon Approved by: Jamie Beyon  
signature of Preparer CONTACT PERSON signature of Chapter President (or Vice-President)


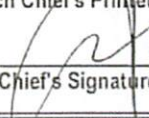
Approved by: [Signature] Approved to submit for Review: [Signature]  
signature of CSC signature of Chapter ASD 04/05/2024

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Tohatchi Chapter - Powerline Extension</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Maria Allison</u>		Phone No.: <u>(505) 733-2845</u>		Email Address: <u>mallison@nnchapters.org</u>				
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	05/01/23-09/30/26	\$79,000	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance	6	0	\$79,000	\$79,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$79,000	\$79,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:				\$79,000	100%			
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Jaron M. Charley, Department Manager II</u>			APPROVED BY: <u>Arbin Mitchell, Executive Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>04/05/2024</u>			<u>04/05/2024</u>					
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>        </u> <u>New</u>			Program Name/Title: <u>Tohatchi Chapter - Powerline Extension</u>						
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
PART III. PROGRAM PERFORMANCE CRITERIA:									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
<u>To raise the standard of living by constructing powerline extension to community members</u>									
Program Performance Measure/Objective:									
<u>To connect powerline to (04) homes by End of Quarter of FY 2026</u>								4	
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.									
<u>Jaron M. Charley, Department Manager II</u> Program Manager's Printed Name				<u>Arbin Mitchell, Executive Director</u> Division Director/Branch Chief's Printed Name					
 Program Manager's Signature and Date				 Division Director/Branch Chief's Signature and Date					
<u>04/05/2024</u>				<u>04/05/2024</u>					

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - Powerline Extension</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000	Public Assistance 8540 To provide power to (04) homes who do not have electricity to improve the basic quality of life.	\$79,000	\$79,000
<b>TOTAL</b>		\$79,000	\$79,000








**Nathan Notah**  
 25<sup>th</sup> Navajo Nation Council Delegate  
 P.O. Box 3390  
 Window Rock, Arizona 86515  
 Tel: 505-422-9425  
 Email: [nathan.notah@navajo-nsn.gov](mailto:nathan.notah@navajo-nsn.gov)

Coyote Canyon - Mexican Springs - Naschitti - Tohatchi - Twin Lakes

**MEMORANDUM**

**To:** Lisa Jymm, Executive Director  
 Navajo Nation Fiscal Recovery Fund Office

**From:**   
 Honorable Nathan Notah, Delegate  
 25<sup>th</sup> Navajo Nation Council

**Date:** March 15, 2024

**Subject:** Requesting Expenditure Plan Amendment

This memorandum is to notify your office that Tohatchi Chapter is changing their expenditure plans for ARPA funds that have been previously legislated and approved with CAP-20-23. Tohatchi Chapter, working with Division of Community Development and LAM, Corp., requires an amendment to the funding amounts for the projects listed below.

The following projects will be amended:

<u>Project Name</u>	<u>Approved Amount</u>	<u>Amended Amount</u>	<u>Business Unit</u>
1. Powerline Extension	\$105,320.00	\$ 79,000.00	K2115363
2. Bathroom Addition	\$250,610.00	\$320,000.00	K2115149
3. House Wiring	\$ 91,445.00	\$204,800.00	K2115150
4. Septic System	\$950,918.00	\$751,900.00	K2115151
5. Waterline Extension	\$278,000.00	\$198,000.00	K2155152
6. Cemetery Expansion	\$ 84,178.00	\$146,300.00	K2115367

The projects identified in the packets were legislated and only require a change in the amounts of funding. No changes in the scopes of work on Appendix A are required. Please consider expediting the approval of these changes if possible.

Your consideration and approval are greatly appreciated. If you have any questions, please contact me directly at (505)422-9425 or [nathan.notah@navajo-nsn.gov](mailto:nathan.notah@navajo-nsn.gov).

3.  
4.