



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

**DEPARTMENT OF JUSTICE**  
**INITIAL ELIGIBILITY DETERMINATION**  
**FOR NAVAJO NATION FISCAL RECOVERY FUNDS**

**RFS/HK Review #:** HK0378

**Date & Time Received:** 12/23/22 11:25

**Date & Time of Response:** 10 January 2023; 4:13 pm

**Entity Requesting FRF:** Klagetoh Chapter

**Title of Project:** Illegal Dumpsite Remediation on Greasewood Road

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$100,000.00

**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:** 1.14 Other Public Health

**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 |  |

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: \_\_\_\_\_



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

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

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Klagetoh Chapter Date prepared: 11/1/2022

Chapter's mailing address: UNIT 42 HC58 BOX 90 phone/email: 928.652.2700  
GANADO, AZ 86505 website (if any): \_\_\_\_\_

This Form prepared by: AARON LONG phone/email: 928.550.9787  
LAND USE COMMITTEE CHAIR AARON.J.LONG90@GMAIL.COM  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: ILLEGAL DUMPSITE REMEDIATION ON GREASEWOOD RD

Chapter President: LELAND NEZ phone & email: 928.321.0160 LNEZ@NAVAJOCHAPTERS.ORG

Chapter Vice-President: LEON JACKSON phone & email: 928.206.0630 LEJAXN@GMAIL.COM

Chapter Secretary: MAUREEN WOODMAN phone & email: 928.797.1508 RAIZINDOUGH@HOTMAIL.COM

Chapter Treasurer: MAUREEN WOODMAN phone & email: 928.797.1508 RAIZINDOUGH@HOTMAIL.COM

Chapter Manager or CSC: LELA SANGSTER (AMS) phone & email: 928.652.2700 KLAGETOH@NAVAJOCHAPTERS.ORG

DCD/Chapter ASO: PATRICIA BEGAY phone & email: 928.871.7515 PDBEGAY@NNDCCD.ORG

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): ALL NATIONS ENVIRONMENTAL, INC

document attached

Amount of FRF requested: \$100,000 FRF funding period: JAN 2023 - JAN 2024  
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 promotes a strong healthy community. The 25 acre dumpsite is currently, and during the COVID-19 lock down, being used as an illegal trash dumpsite. The Navajo EPA has identified the site as a contamination zone for the Klagetoh underground aquifer and affects the communities underground aquifer. The site is located 2.7miles west of Greasewood Rd (NR28-2) and US-191, Klagetoh, Arizona. Funding will cover cost of cleanup, disposal, equipment, and labor.

document attached

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

This project will transform an area of the town to a clean and safe environment for the people to enjoy. The road currently affects the overall community of 500 home sites. This project ensures a clean underground aquifer that is safe for consumption by the people of Klagetoh and the passing through public.

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:

Project time frame: Jan 2023 - Dec 31, 2024  
Phase 1: Preliminary Work: site clearance, funding approval.  
Phase 2: begin cleanup (6months). Phase 3: 1/2 of debris removal. Phase 4: complete debris removal.  
Challenges: acquiring necessary right of ways.  document attached

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

The Klagetoh Chapter, ARPA Project consultant, Land Use Planning Committee are responsible for project completion. The hired cleanup company is responsible for completing the objectives set by the Klagetoh Chapter.  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:

Once complete, the site is returned as Federal Trust Land and general open space. The cleanup site will remain in the Klagetoh service area.  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:

CJN-29-22 SECTION 3, Expenditure category 3.11 SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES. Social Determinants of Health: Other\*^  
[previous category listing] CJN-29-22 SECTION 3, Expenditure category 2.23 NEGATIVE ECONOMIC IMPACTS. ASSISTANCE TO HOUSEHOLDS. Strong Healthy Communities: Demolition and Rehabilitation of Properties^ . [moved to EC 3.11 in APRIL22]  document attached

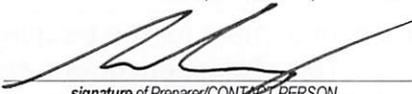
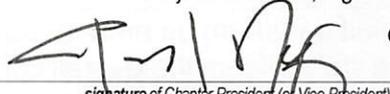
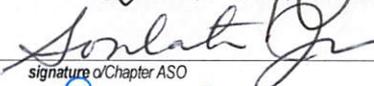
**Part 3. Additional documents.**

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

Attached:  
- Resolution KLA 2203-11/2022  
- Project Overview  
- Budget Sheets  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:  Approved by:   
Approved by:  Approved by:   
Approved to submit for Review: 

FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**  
*Klagetoh Chapter*

Page    of     
**BUDGET FORM 1**

PART I. Business Unit No.: NEW Program Title: ILLEGAL DUMPSITE REMEDIATION ON GREASEWOOD RD - ARPA PROJECT Division/Branch: KLAGETOH CHAPTER  
 Prepared By: AARON LONG Phone No.: 928.550.9787 Email Address: AARON.J.LONG90@GMAIL.COM

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			(A)	(B)	(C)
				Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference or Total		
NN FISCAL RECOVERY FUNDS	<i>11/23-1/31/24</i> FY23	100,000.00	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	<i>4A</i>	\$ <del>1,700,000.00</del>	\$ 100,000.00	\$ <del>1,600,000.00</del>	
				7000 Special Transactions					
				8000 Public Assistance					
				9000 Capital Outlay					
				9500 Matching Funds					
				9500 Indirect Cost					
				<b>TOTAL</b>		<del>\$1,700,000.00</del>	100,000.00	\$ <del>1,600,000.00</del>	
				<b>PART IV. POSITIONS AND VEHICLES</b>		(D)	(E)		
				Total # of Positions Budgeted:		0	1		
				Total # of Vehicles Budgeted:		0	0		
		<b>TOTAL:</b>	\$100,000.00 100%						

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

Program Manager's Printed Name: \_\_\_\_\_ Division Director / Branch Chief's Printed Name: \_\_\_\_\_  
*Sonlata* 11.16.22 *Crystal* 11.28.22  
 Program Manager's Signature and Date: \_\_\_\_\_ Division Director / Branch Chief's Signature and Date: \_\_\_\_\_

FY 2023

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page \_\_\_ of \_\_\_  
BUDGET FORM 2

**PART I. PROGRAM INFORMATION:**

Business Unit No.: NEW Program Name/Title: ILLEGAL DUMPSITE REMEDIATION ON GREASEWOOD RD - ARPA PROJECT *Clageston Chapter*

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**  
CJN-29-22 Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plan for: ...public health projects....

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b> Dispose of debris into wastemanagement facilities <b>Program Performance Measure/Objective:</b> Phase 1 procure & site clearance, Phase 2 begin, Phase 3 1/2 complete, Phase 4 complete	1		2		3		4	
<b>2. Goal Statement:</b> Phase 1 - Complete Preliminary work <b>Program Performance Measure/Objective:</b> 1 Contract Services, 2 Site Clearance	2							
<b>3. Goal Statement:</b> Phase 2 - Begin Cleanup services <b>Program Performance Measure/Objective:</b> 1 Prepare site for operation with necessary equipment, 2 Deliver Debris to wastemgmt facility			2					
<b>4. Goal Statement:</b> Phase 3 - Remove 1/2 of debris on site to wastemgmt facility. <b>Program Performance Measure/Objective:</b> 1 - Deliver debris to wastemgmt facility.					1			
<b>5. Goal Statement:</b> Phase 4 - Complete removal of debris to wastemgmt facility. <b>Program Performance Measure/Objective:</b> 1 - Deliver debris to wastemgmt facility, 2 install preventative signage							2	

**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**

Program Manager's Printed Name  
*Sonlati* 11.16.22  
 Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name  
*Paul Yellow* 11.29.22  
 Division Director/Branch Chief's Signature and Date



FY 2023

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

*Klagetoh Chapter*

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>ILLEGAL DUMPSITE REMEDIATION ON GREASEWOOD RD - ARPA PROJECT</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)	
<b>6500 CONTRACTUAL SERVICES</b>			\$ 100,000.00	
Professional Services for various program initiatives. Contractual services for specialized services.				
6520	Consulting			
6530	Consulting Fees: \$80 per hour x 187.50hrs	\$ -		
6540	Consulting Expenses: Estimated	\$ -		
6510	Professional	\$ 100,000.00		
6510	Professional Services: Environmental Cleanup Company estimate	\$ 100,000.00		
<b>9000 CAPITAL OUTLAY</b>				
9010	Land and Improvements			
9012	Land			
9014	Land Improvements			
9050	Buildings			
9052	Buildings			
9054	BLDG Improvements			
9060	Construction in Progress			
9062	Contingencies			
<b>TOTAL</b>		\$ 100,000.00	\$ 100,000.00	

# KLAGETOH CHAPTER



PHONE: 928.652.2700 FAX: 928.652.2701 EMAIL: klagetoh@navajochapters.org

MAILING: Unit 42 HC58 Box 90  
Ganado, AZ 86505

PHYSICAL: US HWY 191 Mile Post 397  
Klagetoh, AZ 86505

PRESIDENT: LELAND NEZ

VICE PRESIDENT: LEON JACKSON

SECRETARY/TREASURER: MAUREEN WOODMAN

GRAZING OFFICER: ALLAN TAPAHA

COUNCIL DELEGATE: RAYMOND SMITH, JR.

COMMUNITY SERVICE COORDINATOR: VACANT

ACCOUNTS MAINTENANCE SPECIALIST: LELA SANGSTER

October 10, 2022

## MEMORANDUM:

TO: Lela Sangster, Account Maintenance Specialist (AMS)  
Klagetoh Chapter

FROM:   
Patricia D. Begay, Senior Program & Project Specialist (SPPS)  
Fort Defiance Administrative Service Center (ASC) Area Office

SUBJECT: Delegation of Authority

The Klagetoh Chapter is currently without a Community Service Coordinator (CSC) due to Mr. Edward Clark's resignation effective Friday, October 7, 2022. Therefore, effective Monday, October 10, 2022 you are delegated as the CSC until further notice.

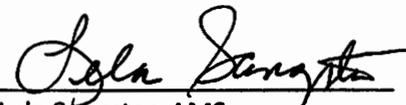
The delegation of authority includes maintaining the overall Chapter Administration; work and communicate with the Elected Officials/Committees; attend meetings/trainings as required; approve staff leave request and travel as necessary. All Chapter Policies and Procedures are to be followed to ensure the Chapter operation is consistent. Any complex issues or questions that may arise, consult with me as needed.

In addition, you will continue to maintain your regular Account Maintenance Specialist (AMS) roles and responsibilities. Mr. Derek Echohawk and myself will be available to sign off the fund approval forms and other forms that requires ASC's attention to maintain compliance.

Lastly, I will be your direct supervisor until such time changes are made.

If you have any questions, please contact me. Thank you.

## ACKNOWLEDGEMENT:

  
Lela Sangster, AMS

CC: File  
Chapter Officials

# KLAGETOH CHAPTER

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PRESIDENT: LELAND NEZ VICE PRESIDENT: LEON JACKSON SECRETARY/TREASURER: MAUREEN WOODMAN GRAZING OFFICER: ALLAN TAPAHA  
COUNCIL DELEGATE: RAYMOND SMITH, JR. COMMUNITY SERVICE COORDINATOR: EDWARD CLARK, JR. ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

## RESOLUTION NO. KLA 2203-11/2022

### Approve \$100,000 of CJN-29-22 for the Greasewood Rd Illegal Dumpsite Remediation - ARPA project.

#### WHERE AS:

- 1) Pursuant to 26 NNC, § 3 (A) the Klagetoh Chapter is a duly recognized certified Chapter of the Navajo Nation Government, as listed as 11 N.N.C., Part 1, § 10; and
- 2) Pursuant to Title 26 N.N.C., § 1 (B) Klagetoh Chapter is vested with authority to address community needs and to make decisions to govern with responsibility and accountability to community membership; and
- 3) Pursuant to ARPA Section 3 of the N.N.C, CJN-29-22., Expenditure Category 3.11: SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES. Social Determinants of Health: Other\*^; and
- 4) During the COVID-19 lock down, 2.7miles west on Greasewood Road (NR28-2) and US-191 was and is a site for illegal trash dumping; and
- 5) The community will benefit from a safer and cleaner neighborhood.

#### NOW THEREFORE BE IT RESOLVED THAT

1. The Klagetoh Chapter hereby support the Greasewood Rd Illegal Dumpsite Remediation - ARPA Project.

#### CERTIFICATION

I hereby certify that the foregoing resolutions was duly called at a Klagetoh Chapter meeting, Navajo Nation, Arizona at which a quorum was present and the same was passed by a vote of \_\_\_\_ in favor, \_\_\_\_ opposed and \_\_\_\_ abstained, on this 20<sup>th</sup> day of November 2022.

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

\_\_\_\_\_  
Leland Nez, Chapter President

# ILLEGAL DUMPSITE REMEDIATION ON GREASEWOOD RD - SCOPE OF WORK

## SCOPE OF WORK - OVERVIEW

Remove debris from 25 acres of open space land in 12 months or less. Site is located in Klagetoh, 0-500ft off main county road (gravel) and has variety of household waste from furniture to vehicle parts. This project is a Navajo Nation Chapter and Navajo Nation Office of Business Management project. Cleanup company must provide all means, methods, labor, materials, and equipment to perform all cleanup and waste removal work. (The word "Provide" means to furnish all labor, materials, equipment, accessories and incidental items required complete the item correctly).

## PAYMENT OVERVIEW

Payments to company is on a 4 Phase schedule (see timeline overview). Company is expected self manage cost of labor, waste removal, and subcontractor services.

## SCOPE OF WORK - ITEMS

1. Provide all construction work, materials, and labor to complete the project. May work in cooperation with the community.
2. Provide heavy equipment machinery necessary to complete the project.
3. Provide accountability of material cost to supervisory entity, ie Chapter or Navajo Nation Office of Business Management.
4. Company shall complete its work in accordance with a phase schedule developed by the team: Cleanup Company and the Chapter and it's representatives.
5. All subcontractor work shall be coordinated with the Chapter.
6. Project completion timeline is 12 months or less.
7. Provide asbestos assessment and removal if necessary.
8. Provide debris removal to appropriate waste management facilities.

## TIMELINE OVERVIEW

Phases of Project and Payments.

1. Preliminary: 0% Payment, Project Proposal, Project approval, site clearance, funding approval
2. 25% of payment to begin environmental cleanup
3. 50% of payment upon remove of ½ of debris on the field
4. 25% of payment upon complete debris removal

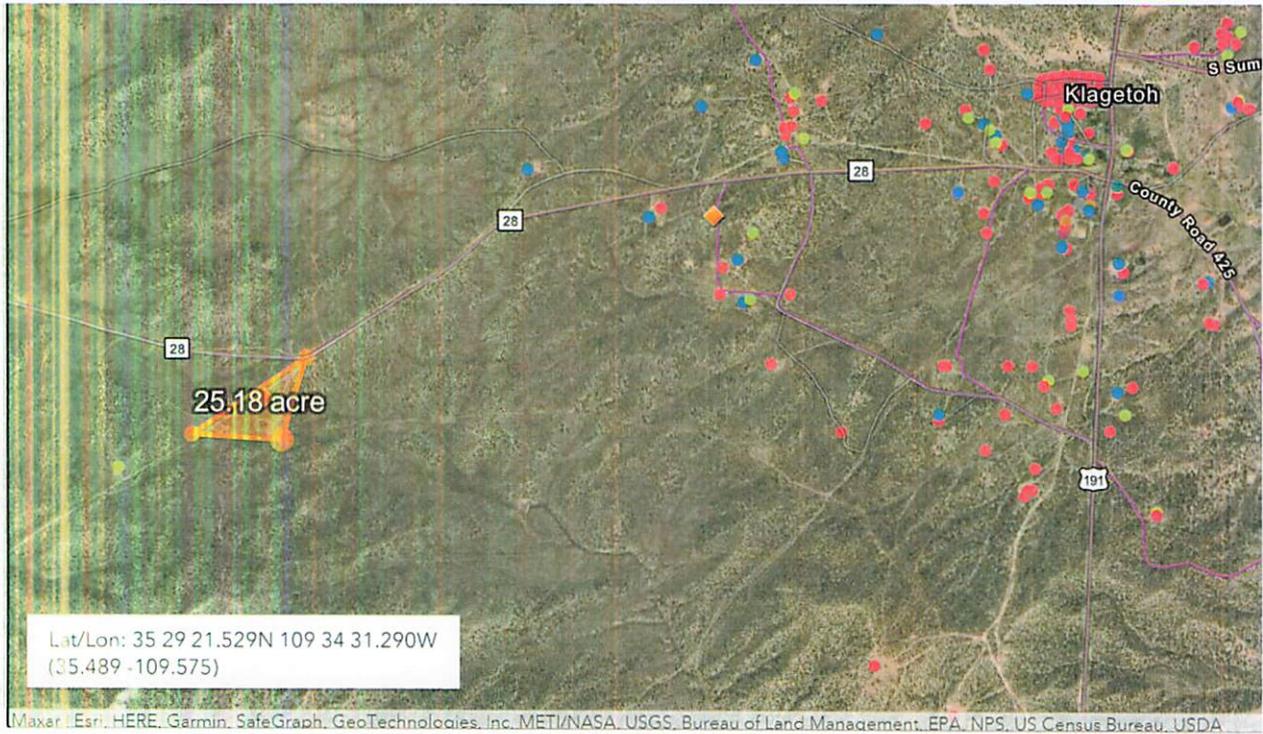
## DEMOLISH AND REHABILITATE COMPANIES CONSIDERED

1. All Nations Environmental, INC [elaine@allnationsenv.com](mailto:elaine@allnationsenv.com) 928.551.3047 Fort Defiance
2. Iina'ba', INC [daspaas@iinaba.com](mailto:daspaas@iinaba.com) 505.327.1072 Farmington

## SITE LOCATION

2.7 miles west on Greasewood rd (NR28-2), US-191, Klagetoh, AZ 86505.

- 25 acre coverage



# KLGETOH CHAPTER

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COUNCIL DELEGATE: RAYMOND SMITH, JR. COMMUNITY SERVICE COORDINATOR: VACANT ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

## RESOLUTION OF THE KLGETOH CHAPTER

### Resolution KLA-2210-11/2022

REQUESTING THE NAVAJO NATION COUNCIL TO ACCEPT THE REGIONAL AMERICAN RESCUE PLAN ACT PROJECTS IN  
THE AMOUNT OF 1,770,468.00 MILLION DOLLARS

#### WHEREAS:

1. The Klagetoh Chapter, pursuant to Navajo Nation Council Resolution CAP-76-00, is a certified Navajo Nation Chapter Government, is a delegated government, and authority with respect to local matters consistent with Navajo Nation Laws, including custom, tradition and final matters; and
2. The Klagetoh Chapter, pursuant to 26 N. N. C. (B) (1) (2) ss 103 (B), is delegated certain authorities and responsibilities to local matters consistent with Navajo Nation Laws; and
3. The Klagetoh Chapter, pursuant to 26 N. N. C., Section 1 (B) is vested with the authority to review and approve all matters affecting the community and make recommendations to the Navajo Nation and other agencies for appropriate actions; and
4. The Navajo Nation Council is the governing body of the Navajo Nation;
5. The Navajo Nation Council passed Legislation CJN-29-22 allocating 8.8 million out of the \$1760,468 of the Navajo Nation Fiscal Recovery fund for the Twenty-four Council Delegate Regional Projects; and
6. The Klagetoh has reviewed and discussed the recommended Regional American Rescue Plan projects for:

A. Chapter Renovation in the amount off	\$ 827,774.29
B. Old BIA Compound Clean up in the amount of	\$ 200,000.00
C. Illegal Dumping Remediation in the amount of	\$ 100,000.00
D. Rural Addressing in the amount of	\$ 100,000.00
E. Complete Housing and/or Renovation in the amount of	\$ 482,693.71
F. Consultant in the amount of	\$ 50,000.00
Klagetoh Chapter FY'22 ARPA Total Funding	\$ 1,760,468.00

NOW THEREFORE BE IT RESOLVED THAT:

Klagetoh Chapter request the Navajo Nation Council to accept and approve the Regional American Rescue Plan Act Projects in the amount of \$1.7 million for Klagetoh Chapter.

RESOLUTION KLA 2210-11/2022

# KLGETOH CHAPTER

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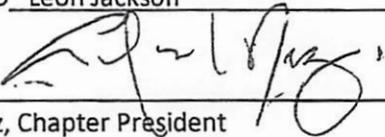
PRESIDENT: LELAND NEZ      VICE PRESIDENT: LEON JACKSON      SECRETARY/TREASURER: MAUREEN WOODMAN      GRAZING OFFICER: ALLAN TAPAHA  
COUNCIL DELEGATE: RAYMOND SMITH, JR.      COMMUNITY SERVICE COORDINATOR: VACANT      ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

## CERTIFICATION

We hereby, certify, that the foregoing resolution was considered by the Klagetoh Chapter at a duly called meeting at which a quorum was present and that same was passed with a Vote of 09 in Favor, 00 Opposed, and 01 abstained on this 20th day of November 2022.

MOTIONED Leon Jackson

SECONDED: Aaron Long

  
\_\_\_\_\_  
Leland Nez, Chapter President