

NNDOJ
Initial Eligibility
Determination



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 #: HK0240

Date & Time Received: 11/29/22 15:37

Date & Time of Response: 6 December, 2022; 2:29 pm

Entity Requesting FRF: Greasewood Springs Chapter

Title of Project: Reservoir/Aquifer Recharge Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000

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: 2.22.

Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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: Adjua Adjei-Danso



Signature of DOJ Reviewer: _____

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

Appendix A

Per

BFS-31-21

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: **Greasewood Spring Chapter** Date prepared: **8/18/2022**
 Chapter's P. O. Box 1260 phone & email **928-654-3239**
 mailing address **Canado AZ 86505** website (if any): **greasewoodchapter@nmchapters.org**
 This Form prepared by: **Bill Spencer, District Grazing Official** phone/email: **(928) 206-7992**
CONTACT THE DISTRICT OFFICE FOR ASSISTANCE **grazing86505@yahoo.com**
CONTACT THE REGIONAL OFFICE

Title and type of Project: **Reservoir/Aquifer Recharge Project**

Chapter President: **Calvin Frank Lee, Sr** phone & email: **(505) 406-0806 leeocalvin235@yahoo.com**
 Chapter Vice-President: **Julia Benally** phone & email: **(928) 797-1744 juliabenally2@gmail.com**
 Chapter Secretary: **Linda S Yazzie** phone & email: **(480) 580-4631 linda_yazzie2006@yahoo.com**
 Chapter Treasurer: **Linda S Yazzie** phone & email:
 Chapter Manager or CSC: **Dereck Curley** phone & email: **928-313-2070 dcurley@nmchapters.org**
 OCD/Chapter ASC: **Eunice Begay** phone & email: **(928) 240-3401 ejbegay@nndcd.org**

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): **Greasewood Springs Chapter Project Office**
 document attached

Amount of FRF requested: **\$200,000.00** FRF funding period: **10/01/2022-9/30/2026**
indicate Project starting and ending/ending 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 is to recharge the underground water supply that serves the communities of Indian Wells, Dilkon, Teesto, and White Cone by strengthening ten existing earthen dams. Funding entails contracted labor, equipment rental, and maintenance costs to remove sediment deposits and repair existing breached earthen dam. Earthen dams have been identified in the Greasewood Springs area. Stronger earthen dams will increase water retention, thereby increasing the water supply for human use (i.e. hand washing). This will greatly influence the wellbeing and health of Greasewood Springs and surrounding community members to address COVID-19.

document attached

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

This project ensures that Navajo people have water for use, especially for sanitary needs to address COVID-19 and for future increases in water demand. Water is necessary for public health and ensuring habitable homes.

document attached

(c) 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.

Advertise and hire contractor: November 1, 2022 to December 31, 2022

First 5 earthen dams repair: March 1, 2023 to December 31, 2023

Second 5 earthen dams repair: March 1, 202 to December 31, 2024

The challenges to this project are extreme weather events, supply chain issues, and demand for heavy equipment

document attached

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

The Greasewood Springs Chapter and DCD Project Managers will oversee all activities of this Project

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 Operations and Maintenance will be continued by the Greasewood Springs Chapter

document attached

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

Category 6.1 Other water Infrastructure

As demand for water increases, the underground water supply is depleting. One way for aquifers to recharge is retaining and storing water from the thawing of the winter snow and monsoon seasons via earthen dams. Earthen dams are a physical structure needed to feed the aquifer that contributes to the beginning of water distribution throughout the community.

document attached

Part 3. Additional documents.

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

Advertise and hire contractor: November 1, 2022 to December 31, 2022

First 5 earthen dams repair: March 1, 2023 to December 31, 2023

Second 5 earthen dams repair: March 1, 202 to December 31, 2024

The challenges to this project are extreme weather events, supply chain issues, and demand for heavy equipment

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. C/JY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer

Harold Bentley
Signature of Chapter's Preparer

Approved by

[Signature]
Signature of Funding Recipient

Approved by

Harold Bentley
Signature of Chapter's Preparer

Approved by:

[Signature], SPAS / *[Signature]*, ASO
Signature of Funding Recipient

Approved to submit for Review:

[Signature]
Signature of Funding Recipient

Appendix J:
Project Budget
Summary
Per
CJN-29-22

Signed
Budget

Forms 1, 2 & 4

(Other budget forms if needed)

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Greasewood Springs Chapter</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Bill Spencer, DGC</u>		Phone No.: <u>928-654-3239</u>		Email Address: <u>greasewoodsprings@navajochapters.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
ARPA funds		10/1/22-9/30/26	200,000.00	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code		(B) Proposed Budget	(C) Difference or Total
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies	6	0	10,000	10,000
5000	Lease and Rental	6	0	90,000	90,000
5500	Communications and Utilities				
6000	Repairs and Maintenance	6	0	35,000	35,000
6500	Contractual Services	6	0	65,000	65,000
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay				
9500	Matching Funds				
9500	Indirect Cost				
TOTAL			50.00	200,000.00	200,000
PART IV. POSITIONS AND VEHICLES					
			(D)	(E)	
Total # of Positions Budgeted:			0	0	
Total # of Vehicles Budgeted:			0	0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
Sonslesla Jim-Martin, Program Manager		APPROVED BY:		Dr. Pearl Yelloman, Division Director	
Program Manager's Printed Name		11.22.22		Division Director / Branch Chief's Printed Name	
Program Manager's Signature and Date		11.22.22		Division Director / Branch Chief's Signature and Date	



2/8/2023

Handwritten signature

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.:		NEW		Program Name/Title:		Reservoir/Aquifer Recharge			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:		The Greasewood Springs Reservoir/Aquifer Recharge Project will recharge the underground water supply that serves the communities of Greasewood Springs, Indian Wells, Dilkon, Teesto and White Cone by strengthening the earthen dams water supply. Approval by Resolution GSC09-22-1177.									
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:		Our goal is to recharge the underground water supply locally and surrounding communities.									
Program Performance Measure/Objective:		Assess local earthen dams to be reinforced and repaired for water collection.									
2. Goal Statement:		Advertise and hire contractor, Nov 2022 to Dec 2022.									
Program Performance Measure/Objective:		Procure contractor through public notice.									
3. Goal Statement:		First (5) earthen dams repairs/ed, Mar 2023 to Dec 2023									
Program Performance Measure/Objective:		Reconstruction of earthen dams with heavy equipment.									
4. Goal Statement:		Second (5) earthen dams repairs/ed, Mar 2024 to Dec 2024									
Program Performance Measure/Objective:		Reconstruction of earthen dams with heavy equipment. Project completion.									
5. Goal Statement:											
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Soniaisa Jim-Martin, Program Manager						Dr. Pearl Yellowman, Division Director					
Program Manager's Printed Name						Division Director/Branch Chief's Printed Name					
<i>Soniaisa Jim</i> 11.22.22						<i>Pearl Yellowman</i> 11.22.22					
Program Manager's Signature and Date						Division Director/Branch Chief's Signature and Date					
<i>Soniaisa Jim</i>						<i>Pearl Yellowman</i>					
11.22.22						11.22.22					
						2/8/2023					

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title: Greasewood Springs Chapter		NEW	
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)
4000 47000 47100	4000 Supplies Fuel 4710 Gasoline	10,000	10,000
5000 5360	5000 Lease and Rental Equipment and Supplies 5370 Equipment Rental	80,000	90,000
6000 6020	6000 Repairs and Maintenance Supplies 6020 Building Rm Supplies	35,000	35,000
6500 6520	6500 Contractual Services Consulting 6530 - Consulting - Fees 6540 - Consulting - Expenses	32,500 32,500	65,000
TOTAL		200,000	200,000

LOD 6
LOD 6
LOD 6
LOD 6

1-17-2023

Chapter Resolutions
and Other
Supporting
Documents



Greasewood Springs Chapter
Diwozhii Bi' To doo' Bi'Naha'ta'

Calvin F. Lee, President
Julia Benally, Vice-President
Linda S. Yazzie, Secretary/Treasurer

Bill Spencer, Grazing Official
Eimer P. Begay, Council Delegate

GSC09-22-1177

RESOLUTION OF THE
GREASEWOOD SPRINGS CHAPTER

Resolution Requesting, Accepting and Approving CJN-29-22, American Rescue Plan Act (ARPA) Funding in the amount of \$1,760,468.00 for Greasewood Springs Chapter to be utilized for Reservoir/Aquifer Recharge, Home Repair/Improvement and/or New Home Construction

WHEREAS:

1. The Greasewood Springs Chapter exists as a local unit of government recognized as a political sub-division of the Navajo Nation, pursuant of the Navajo Nation Code No. 26, Section (a) and is authorized to review all matter effecting the community in order to address the needs of the local residents with the authority to act in the best interest of the general welfare of its community membership; and
2. Pursuant to Resolution No. CAP-34-98, the Navajo Nation council approved the Historic Local Governance Act, which authorized the local Navajo Communities to plan develop and implement a restructuring process to improve community decision making allowing communities to excel and flourish enabling Navajo leaders to lead toward a prosperous future and improve the strength of the Navajo Nation Sovereignty; and
3. The Greasewood Springs Chapter Formally Requests, Accepts and Approves CJN-29-22, American Rescue Plan Act (ARPA) Funding in the amount of \$1,760,468.00 for Greasewood Springs Chapter to be utilized for Reservoir/Aquifer Recharge, Home Repair/Improvement and/or New Home Construction.

NOW THEREFORE IT BE RESOLVED THAT:

The Greasewood Springs Chapter Hereby Requests, Accepts and Approves CJN-29-22, American Rescue Plan Act (ARPA) Funding in the amount of \$1,760,468.00 for Greasewood Springs Chapter to be utilized for Reservoir/Aquifer Recharge, Home Repair/Improvement and/or New Home Construction.

CERTIFICATION

We, hereby certify that the foregoing was duly considered by the Greasewood Springs Chapter at a duly called regular chapter meeting in Greasewood Springs (Navajo Nation), Arizona, at which a quorum of community membership was present and the same had passed with a vote of: 9 in favor, 0 in opposed and 0 in abstained on this 19th day of September, in the year 2022.

Motioned By:

Linda L. Yazzie

Seconded By:

Julia Benally

Calvin F. Lee, President