



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

The Navajo Nation | Yideeskáądi Nitsáhákees

March 3, 2023

TRANSMITTAL

TO : Jason John, Director
 Department of Water Resources (DWR) / DNR

FROM : CMS
 Cordell Shortey, Contracting Officer
 Contracts & Grants Section (CGS) / OMB

SUBJECT : Drinking Water: Storage - ARPA Funds Allocated to DWR / DNR

I. Information on Contract (per Original Award):

Drinking Water: Storage	U.S. Treasury American Recovery		21.027
Title of Contract	Plan Act (ARPA)		CFDA No. - Federal
CJN-29-22	\$ 1,000,000.00	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Fiscal Year	Term - Begin and End Date

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K211562

Contract Mod No. _____

Amt of Award _____ to _____

AMOUNT FROM TO

Budget Period - Extend End Date: From _____ To _____

Other, specify: _____

Authorizing Document - Attached:

Contract / Agreement - Date executed _____

NNC / Committee Resolution - No. & Date _____

Other, specify: NN Council Resolution CJN-29-22

III. Comments by CGS:

Budget received on March 1, 2023 is authorized for implementation pursuant to FY 2023 NN BIM Appendix L Section II. B. and concurred by Navajo Nation Fiscal Recovery Fund (NN FRF) Office on July 18, 2022. CGS received complete packet until 3/2/2023 to set up budget and issue this Transmittal.

Attachment
 Copy: Contract files
 Contract Accounting / OOC / DPM
 Tom Platero, Executive Director - NN FRF Office

Received 3/2/23 @ 3:55pm.
2/7 3/2/23

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Dr. Rudy Shebala, Executive Director
Division of Natural Resources

Jason John, Department Manager
Department of Water Resources
Division of Natural Resources

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

DATE : July 18, 2022

SUBJECT : CJN-29-22 – Allocation of \$1,070,298,867 in Navajo Nation Fiscal Recovery Funds and \$215,000,000 to the Division of Natural Resources / Department of Water Resources.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting budgets totaling \$215,000,000 for the Division of Natural Resources/Department of Water Resources per CJN-29-22, Exhibit I, as listed in the table below:

Exhibit	Description	Category	\$
I-1	Wastewater: Centralized Wastewater Treatment	5.1	\$33,675,338
I-2	Wastewater: Collection and Conveyance	5.2	\$6,008,874
I-3	Drinking Water: Distribution and Transmission	5.10	\$10,030,000
I-4	Drinking Water: Transmission and Distribution	5.11	\$51,085,788
I-5	Drinking Water: Source	5.13	\$29,200,00
I-6	Drinking Water: Storage	5.14	\$1,000,000
I-7	Drinking Water: Cistern Systems	5.15	\$84,000,000
Total Funding for DNR/DWR			\$215,000,000

K211562

As applicable, prepare Budget Forms 2, 3, and 4 in accordance Budget Form 1 in approved Navajo Nation Council resolution CJN-29-22.

If you have any questions, please feel free to contact me by phone at (928) 309-5535 or by email at ljymm@navajo-nsn.gov.

Thank you.

Navajo Nation Fiscal Recovery Fund Office (NNFRFO)
PO Box 2469 Window Rock, AZ 86515
(928) 309-5532

DOCUMENT CHECKLIST

Please submit all documents as one proposal with this checklist, otherwise proposal will be returned to division/program.

Division/Program Information:

Date Submitted: 12/5/2022

Program/Division: Dept Water Resources/DNR

Contact Person: Jason John, Dept, Mngr. III

Phone: (928) 349-1198

Email: jasonjohn@navajo-nsn.gov

Documents needed for processing:

- Initial Eligibility Determination from NNDOJ
- Appendix A per BFS-31-21 (Check one:)
 - NN Govt. Units
 - a. Attach a FRF Request Form, Expenditure Plan and Expenditure Plan Budget.
 - Non-Governance Certified Chapters
 - a. Attach a duly approved Chapter Resolution supporting the project.
 - Governance Certified Chapters
 - a. Attach a duly approved Chapter Resolution supporting the project.
 - NN Owned Entities
 - a. Attach a duly approved Resolution from the Board of Directors.
 - External Entities
 - a. Attach a duly approved Resolution from the Board of Directors.
 - b. Registration Documents from DED - Business Regulatory Dept.
 - c. Certificate of Good Standing from DED - Business Regulatory Dept.
- Appendix J - Project Budget Schedule per Budget Instructions Manual.
- Signed Budget Forms 1, 2, and 4 (Other Budget Forms as needed)

Notes:

\$1,000,000 - 5.14 Drinking Water - Storage

Reviewed by:

Alicia Hale, Associated Accountant
Fiscal Recovery Fund Office

Dec. 05, 2022
Date

Signed Budget

Forms 1, 2, and 4

PART I PROGRAM INFORMATION		Business Unit No.		Program Name/Title		5.14 Clean Water - Storage	
PART II PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM		Pursuant to RFR 2023-01, the Department of Water Resources shall provide detailed information on existing water and groundwater resources, availability of the development and utilization of the Navajo Nation's water resources to manage existing water resources for domestic, agricultural, municipal, wildlife, aquaculture and other beneficial uses for maximum benefit to the cultural and human environment and meet the sovereignty of the Navajo Nation over its waters, etc.					
PART III PROGRAM PERFORMANCE CRITERIA		FY23		FY24		FY25	
Goal Statement	Program Performance Measure	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: Increase in groundwater for design and determine	Program Performance Measure: Complete design and bid documents	1		1			
2. Goal Statement: Reduce construction time	Program Performance Measure: Select construction firm and other funds the construction needs for both construction			1		2	
3. Goal Statement: Complete construction	Program Performance Measure: Complete construction of wastewater system cost estimate						3
4. Goal Statement:	Program Performance Measure:						
5. Goal Statement:	Program Performance Measure:						

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

Director, Water Resources Department
 Division Director/Branch Chief's Printed Name
Kate to Oulu 12/1/23
 Division Director/Branch Chief's Signature and Date

Director, Water Resources Department
 Program Manager's Printed Name
 11/30/2023
 Program Manager's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I: PROGRAM INFORMATION		Business Unit No.	REV
Program Name/Title:		5-14 Clean Water - Storage	
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)
6500	CONTRACTUAL SERVICES COSTS-22 Home Remediation Funds - Emergency 14 Clean Water - Storage		200,000
6501	Water Treatment Services 2023 Home Remediation Funds - Emergency 14 Clean Water - Storage	200,000	
8000	ASSISTANCE COSTS-22 Home Remediation Funds - Emergency 14 Clean Water - Storage		500,000
8001	Water Utility Administration Home Budget 2023 Administration	500,000	
TOTAL		700,000	700,000


THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: ALL CONCERNED

FROM: 
Biddah N. Becker, Division Director
Division of Natural Resources
The Navajo Nation

DATE: November 30, 2022

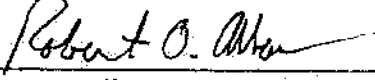
SUBJECT: Delegation of Authority – DNR Division Director

Effective Thursday, December 1, 2022 at 8:00 AM, and Friday, December 2, 2022 ending at 12:00 PM, Mr. Robert O. Allan, Principal Attorney with Division of Natural Resources will be delegated as the Division Director for the Division of Natural Resources.

The delegation will cover day-to-day operations and shall be responsible for the administration and management of the Division of Natural Resources and supervising all personnel. This includes ensuring compliance with all applicable Navajo Nation laws and policies.

Thank you in advance for your cooperation. If you have any questions, I can be reached by email at biddah.becker@navajonations.gov

ACKNOWLEDGED:

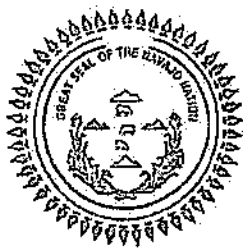

Robert O. Allan, Principal Attorney
Division of Natural Resources
The Navajo Nation

Cc: Distribution

Initial Eligibility

Determination

by NN DOJ



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 #: HK0177

Date & Time Received: 4/12/22 01:09

Date & Time of Response: 13 April, 2022; 7:36 pm

Entity Requesting FRF: Department of Water Resources

Title of Project: 5.14 Drinking Water: Storage

Administrative Oversight: Division of Natural Resources

Amount of Funding Requested: \$1,000,000

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: 5.14 Drinking Water: Storage

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 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.

Appendix A
- NN Gov't Units –
Per BFS-31-21

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NAVAJO NATION GOVERNMENT UNITS**

Part 1. Identification of parties.

NN Government Unit requesting FRF: Department of Water Resources Indicate Department, Program, Office, Division, or Branch Date prepared: 04/12/2022

NN Government Unit's mailing address: P.O. Box 676 phone/email: 928.729.4003
Fort Defiance, AZ 86504 website (if any): _____

Form prepared by: Jason John, Department Manager phone/email: jasonjohn@navajo-nsn.gov

CONTACT PERSON'S name, title and Department, Program, Office, etc.

CONTACT PERSON'S title

Title & type of Project: 5.14 Drinking Water: Storage

NN Government Unit's Director or Manager: Jason John phone & email: jasonjohn@navajo-nsn.gov

Division Director (if any): Rudy Shebala, PhD phone & email: rudyshebala@navajo-nsn.gov

Branch Chief: Paulson Chaco phone & email: paulsonchaco@navajo-nsn.gov

Funding Recipient will be working with: Division of Natural Resources Indicate Branch and/or Division on the Project and the same will be submitting the Funding Request Package for Initial Eligibility Determination Review, and will have Administrative Oversight over this FRF Expenditure Plan.

List names or types of Subcontractors or Subrecipients that will be paid with FRF (if known):

Construction contractors and engineers document attached

Amount of FRF requested: 1,000,000 FRF funding period: When funding received - December 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 consists of one (1) drinking water storage project as listed on the attached to include constructing new water wells and new pump houses throughout the Nation.

document attached

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

This project consists of renovating an existing water storage tank. This project ensures that Navajo homes with plumbing and connections to community water systems will have water delivered to their homes. Clean drinking water is necessary for public health and ensuring habitable homes.

document attached

APPENDIX A

(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:

This project will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026.

document attached

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

Jason John

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:

Ramah Navajo Utility Authority (RNAU)

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:

This project is covered under Expenditure Category 5.14. ARPA provides these funds to the Navajo Nation to make necessary investments in water and sewer infrastructure. This is a necessary investment in water infrastructure. The Interim Final Rule provides the Nation with wide latitude to identify investments in water and sewer infrastructure.

document attached

Part 3. Additional documents.


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


Table indicating 5.14 NNFRF request for projects included.


APPENDIX A

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:

NN Government Unit
Preparer: 
signature of Preparer/CONTACT PERSON

Approved by: 
signature of NN Government Unit's Dept./Program/Office Director or Manager

Approved to submit
for Review: 
signature of Branch Chief or Division Director

Print Name, Title,
Branch or Division: Rudy Shebala, Executive Director
print name and indicate title or position

Natural Resources
indicate Branch or Division

- Appendix J -

**Project Budget Schedule
Per
Budget Instructions Manual**

