Joint Village Strategic Planning
MEETING NOTES
Tuesday, August 9, 2022
10 AM MST
Zoom Videoconference and Telephone

1. Call to Order
The meeting was called to order by Brian Cole at 10:12 am MST.

2. Self-introductions
Meeting attendees included Andrew Gashwazra, Dale Lucero, Jarvis Namoki (Spider Mound), Le Roy Shingoitewa, Sam Shingoitewa, Fred Shupla, Robert Sumatzkuku, Philton Talahyewa, and Brian Cole. It was noted that the Hopi Tribal Council was in session and therefore HTC members could not attend.

3. Planning and Initiatives
a. Approach to Congress for $1.2 Billion
It was noted that an email was sent by William Charley on August 8 referring to Action Item #68-2022 to approve a resolution HTC Engage in Advocating & Negotiation for Federal Funding. Included was rescinding H-028-2021 in the matter of “Hopi Tribal Council Supports Efforts of Lower and Upper Moenkopi Village and Yuwehloo Pahki Community to Seek Federal Funds to Address the Impacts of the Bennett Freeze and Forced Relocation.” The resolution associated with Action Item 68-2022 was approved on a 13-4-0 vote. A copy of the approved June 23, 2021 Hopi Tribal Council resolution is shown as Attachment A.

Le Roy Shingoitewa noted that there was an Action Item and resolution considered by the Hopi Tribal Council related to the work by the JVSP committee to approach Congress for funding.

A copy of the month of August 2022 Hopi Tribal Council agenda is included as Attachment B. It shows Action Item #68-2022 to approve a resolution clarifying the Hopi Tribe’s position regarding the role and responsibility of the Tribal Council and its designees as they engage in the advocacy and negotiations in pursuit of federal legislation – Author/Herman Honanie, Chairman, Land Commission.

Shingoitewa stated he was very disappointed by this action and was concerned that the action was taken without contacting the JVSP committee. Philton Talahyewa indicated he would look into more of the details related to the discussion and action by the Tribal Council. Talahyewa continued that JVSP needs to continue its efforts and send a letter and report to the council on the continued efforts and goals of JVSP.

Fred Shupla stated it would be helpful to get a copy of the new resolution approved by the Tribal Council before any formal reaction by JVSP.

i. Repurposing ONHIR
See Attachment C.
b. Coordination with Chairman/Vice Chairman/Tribal Council
Brian Cole noted that he had prepared a report to the Hopi Tribal Council, Chairman, and Vice Chairman dated May 2022. That attachment has been updated and is shown as Attachment D.

i. Village Resolutions of Support for JVSP
Brian Cole read a draft of the resolution that could be considered and approved by the three villages. This resolution would be in support of JVSP efforts and the approach by JVSP to seek support from the Hopi Tribal Council. See Attachment E.

c. Strategic Plans and Federal Budget Request Update
No report.

d. Moenkopi Water Development Projects
A draft summary of the short-term, medium-term, and long-term projects is shown in Attachment F. This attachment will be updated in the future and sent along.

i. Approach to Hopi Tribe for ARPA Funding
A Hopi Tribal Council Action Item and Action Item Signatory Checklist has been prepared and is shown as Attachment G. The group agreed to review this and finalize it at an upcoming meeting.

A draft UMV and VML ARPA water infrastructure request resolution is included as Attachment H.

ii. Congressional Budget Allocation
It was noted that it would be timely to produce a draft resolution to be considered by the Hopi Tribal Council to accept the $1.5 million of Congressional funding for Moenkopi water. Cole indicated he would prepare a draft of this.

Cole reported that the Hopi Tribe Executive Director had contacted him with a short-deadline request for information that the Tribe could officially send to Congressional Aides related to the $1.5 million request for water infrastructure improvements benefitting Moenkopi. Cole noted that this information request was turned around “within 60 minutes” to the Hopi Tribe Executive Director.

e. Water Well #9 Study
Information related to Water Well #9 is shown in Attachment F. Shingoitewa also noted that Norman Honie might be bringing the US Department of Energy to Hopi for a meeting to discuss water projects. JVSP should remain involved with this.

f. HTHA Outreach and Response
No report.

g. Telecommunications Report
No report.

4. Reports from Villages/Community
a. Upper Moenkopi Village
Shingoitewa and Talahyewa stated that the newly approved Tribal Council resolution needed to be discussed at the August 9 UMV board meeting.

b. Village of Moencopi (Lower)
Robert Sumatzkuku had previously updated the JVSP group that he is keeping the UMV Board apprised of activities and accomplishments of JVSP.

c. Yuwehloo Pahki Community
Jarvis Namoki introduced himself and noted that YPC is active in updating their JVSP plan and budget documentation. There will be a meeting at 6 pm MST on Wednesday, August 10 which Brian Cole will attend.

5. Other Business
Andrew Gashwazra noted that Waylon Honga may be making a presentation to the Hopi Tribal Council on economic development.

6. Next Meeting
Our next regular meeting will be held on Tuesday, August 16 at 10 am Arizona Time.

7. Adjourn
The meeting was adjourned at 11:45 am Arizona Time.
MEMORANDUM

TO:  Brian Cole, President
     Building Communities

FROM: Judith Youvella, Tribal Secretary
      Office of the Tribal Secretary

DATE:  June 25, 2021


On June 23, 2021, the Hopi Tribal Council by motion and majority vote, approved the above mentioned Action Item and Resolution.

By passage of this Resolution, the Hopi Tribal Council supports efforts of Village of Moencopi (Lower), Upper Moenkopi village and Yuwehloo Pahki Community to seek federal funds to provide assistance to address the impacts of the Bennett Freeze and forced relocation.

In addition, the Hopi Tribal Council supports the repurposing of Office of Navajo Hopi Indian Relocation to invest federal funds consistent with the Strategic Plans and budgets developed through Joint Village Strategic Planning effort.

Should you have any questions, you may contact me at (928) 734-3131.

C: Office of the Chairman
     Office of the Vice Chairman
     Office of the Treasurer
     Office of Financial Management
     Office of the Executive Director
     Office of Contracts & Grants
     Office of the General Counsel
     File
WHEREAS, Article III-Organization, of the Constitution and By-Laws of the Hopi Tribe states, in part, "the Hopi Tribe is a union of self-governing villages sharing common interests and working for the common welfare of all."); and

WHEREAS, the Preamble of the Constitution and By-Laws of the Hopi Tribe provides that such ... "Constitution is adopted by the self-governing Hopi and Tewa Villages of Arizona to provide a way of working together for peace and agreement between the villages, and of preserving the good things of Hopi life, and to provide a way of organizing to deal with modern problems, with the United States Government and with the outside world generally"; and

WHEREAS, pursuant to the Constitution and By-Laws of the Hopi Tribe, ARTICLE VI POWERS OF THE TRIBAL COUNCIL, SECTION I (a), (e) and (f) respectively, the Hopi Tribal Council is authorized "[t]o represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe,..."; "[t]o raise and take care of a Tribal Council fund..."; and "[t]o use such Tribal Council fund for the welfare of the Tribe,..."; and

WHEREAS, from 1966 through 2006, the residents of the Village of Moencopi (Lower) and Upper Moenkopi Village were negatively impacted by the "Bennett Freeze", which was a 40-year period during which the federal government prevented maintenance and development of facilities and residences as a measure to address the Navajo/Hopi Land Dispute; and

WHEREAS, the federal government has never addressed the impacts of the "Bennett Freeze"; and
WHEREAS, the Village of Moencopi (Lower) and Upper Moenkopi Village have developed strategic plans as well as budgets to address the impacts of the “Bennett Freeze”; and

WHEREAS, Yuwehloo Pahki Community was established as a resettlement location for Hopi people that resided on land that the federal government deemed to be Navajo land, and

WHEREAS, Yuwehloo Pahki Community has developed a Transition Plan and Budget to address the federal promises that were made as a result of the forced relocation of Hopi people to Yuwehloo Pahki Community in the 1970s; and

WHEREAS, Yuwehloo Pahki Community has coordinated with Village of Moencopi (Lower) and Upper Moenkopi Village to work towards common goals for community and economic development which were made impossible by the “Bennett Freeze” and Relocation restrictions; and

WHEREAS, all three Villages/Communities are developing and implementing economic development strategic plans (Transition Plans) to create long-term sustainability for recovery investments made by the federal government; and

WHEREAS, Village of Moencopi (Lower), Upper Moenkopi Village and Yuwehloo Pahki Community request the support and endorsement of the Hopi Tribal Council in seeking federal funding to implement their strategic plans, project and budgets.

NOW THEREFORE BE IT RESOLVED that the Hopi Tribal Council supports efforts by the Village of Moencopi (Lower), Upper Moenkopi Village and Yuwehloo Pahki
HOPI TRIBAL COUNCIL
RESOLUTION
H-028-2021

Community to seek federal funding in the amount of approximately $1.2 billion to address the impacts of the “Bennett Freeze” and forced Relocation. No funding is being requested from the Hopi Tribal Council. Additionally, the Hopi Tribal Council supports the repurposing of ONHIR to become the Office of Navajo and Hopi Indian Recovery which would operate under a Hopi-appointed advisory committee which would serve to prescribe the utilization of federal funding directed through the repurposed-ONHIR to invest the federal funds consistent with the Strategic Plans and budgets, developed through the Joint Village Strategic Planning (JVSP) effort.

BE IT FINALLY RESOLVED that this Resolution shall supersede and replace all prior Resolutions of the Hopi Tribal Council that are inconsistent, or in conflict with the intent, purpose and provision of this Resolution.
The Hopi Tribal Council duly adopted the foregoing Resolution on June 23, 2021 at a meeting at which a quorum was present with a vote of 16 in favor, 0 opposed, 2 abstaining (Chairman presiding and not voting) pursuant to the authority vested in the Hopi Tribal Council by ARTICLE III - ORGANIZATION, THE PREAMBLE OF THE CONSTITUTION AND BY-LAWS AND ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (e), and (f) of the Hopi Tribal Constitution and By-Laws of the Hopi Tribe of Arizona, as ratified by the Tribe on October 24, 1936, and approved by the Secretary of Interior on December 19, 1936, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of adoption and does not require Secretarial approval.

Timothy L. Nuvangyaoma, Chairman
Hopi Tribal Council

ATTEST:

Judith Youvella, Tribal Secretary
Hopi Tribal Council
Attachment B

HOPI TRIBAL COUNCIL
Third Quarter Session
June 1, 2022
MONTH OF AUGUST 2022
AGENDA – Amendment #1

I. CALL TO ORDER

II. CERTIFICATION OF TRIBAL COUNCIL REPRESENTATIVES

III. ROLL CALL

IV. INVOCATION/PLEDGE OF ALLEGIANCE

V. ANNOUNCEMENTS

VI. CORRESPONDENCE

VII. CALENDAR PLANNING

VIII. APPROVAL OF MINUTES

IX. APPROVAL OF AGENDA

X. UNFINISHED BUSINESS

1. Discussion of a motion to vacate judgment in the Flagstaff v. Hopi Tribe case – Fred Lomayesva, General Counsel, Office of the General Counsel – TABLED

2. Discussion and action - Letter dated April 15, 2022 Re: Hopi Tribal Goals and Objectives - Dale Sinquah, Tribal Council Representative, First Mesa Consolidated Villages – TABLED

3. Discussion and possible action – Letter dated April 15, 2022 Re: To address the matter of Building Communities, Inc. – Dale Sinquah, Tribal Council Representative, First Mesa Consolidated Villages - TABLED

XI. NEW BUSINESS

1. Action Item #066-2022 – Arizona Public Service Grant of Right-of-Way Request – HTHA, Owakitsoki North Lot, Winslow, Arizona – Author/Eric Tewa, Sr., Realty Technician, Office of Real Estate Services

2. Action Item #066-2022 – To approve completed Enrollment applications for Hopi Membershing – Author/Tanya L. Monroe Director, Office of Enrollment

3. Action Item #067-2022 – Approval to purchase and upgrade sixteen (16) strength equipment for the Hopi Wellness Center-Hopi Fitness Center – Author/Elvia Sanchez, Manager, Hopi Wellness Center

4. Action Item #068-2022 – To approve a resolution clarifying the Hopi Tribe’s position regarding the role and responsibility of the Tribal Council and its designeees as they engage in advocacy and negotiations in pursuit of federal legislation – Author/Herman Honanie, Chairman, Land Commission

*Hopi Tribal Council may go into Executive Session on any agenda item

**Time Certain Requests
5. **Action Item #069-2022** – Purchase of a 2022 Tow Master Trailer T-70DTG – Author/Danny Joseph, Supervisor, Hopi Department of Transportation

6. **Action Item #070-2022** – To set aside funds to pay a Judgment for Attorney Fees in Hopi Tribe v. Arizona Snowbowl Resort Limited Partnership and the City of Flagstaff – Author/Fred Lomayesva, General Counsel, Office of the General Counsel

7. **Action Item #071-2022** – Request for the Hopi Tribe Chairman or designee maintain and manage the 2022 and future Hotevilla Village allocations from the Hopi Tribe until all the required audits are completed with a report to the Hotevilla Village members and the Hopi Tribe from the “Volunteer Board members” and the “Acting Community Service Administrator” – Author/Carla J. Honanie, Secretary/Treasurer, Hotevilla Village Board of Directors

8. **Action Item #072-2022** – Approval to conduct an Elder Needs Assessment, a pre-requisite for the FY 2023-2025 Title VI funding of Part A & C – Author/Beatrice Norton, Manager, Office of Aging & Adult Services

9. **Action Item #073-2022** – To authorize and approve resolution with regard to the name, scope and composition of the CARES Act Committee and the administering of ARP funding through the “Hopi Tribe Pandemic Recovery Committee” – Author/Wilfred Gaseoma, Chief of Staff, Office of the Vice Chairman - **Time Certain** – August 11, 2022 – 10:00 a.m.

10. **Action Item #074-2022** – Approve the Hopi Tribe Emergency Medical Services and Medical Center-Prehospital Care Agreement for Administrative Medical Direction – Author/Anthony Huma, Director, Hopi Emergency Medical Services

11. **Action Item #075-2022** – Approve Agreement between AERO Med Claims, Inc., and Hopi Emergency Medical Services in order to continue a Third Party Billing System of persons eligible for third party payment – Author/Anthony Huma, Director, Hopi Emergency Medical Services

12. **Action Item #076-2022** – To accept funding from Bureau of Reclamation to install three phase power to the Orayyi well and for Hopi Utilities Corporation (HUC) to administer the funding to address Orayyi’s well power need – Author/Beatrice Norton, Chairperson, Orayyi Village Board

13. **Action Item #077-2022** - To approve the Bears Ears Intertribal Coalition Land Management Plan – Author/Craig Andrews, Vice Chairman, The Hopi Tribe - **Time Certain** – August 11, 2022 at 1:00 p.m.

14. **Action Item #078-2022** – To approve Attorney-Client Contract with Mr. Gary LaRance to act as a Special Prosecutor – Author/Mervin Yoyetewa, Chairman, Law & Order Committee


16. Follow up to Presentation and discussion with the Hopi Tribal Council on Arizona Public Service (APS) electrification census work – Janet Dean, Public Affairs

*Hopi Tribal Council may go into Executive Session on any agenda item

**Time Certain Requests
HOPI TRIBAL COUNCIL  
Third Quarter Session  
June 1, 2022  
MONTH OF AUGUST 2022  
AGENDA – Amendment #1

Manager, APS Northeast Division and Ann Becker, APS Vice President of Sustainability - **Time Certain – August 23, 2022 – 10:00 a.m.

17. Presentation on Information Technology Policy and use of equipment– Robert Collateta, Jr., Network Manager, Office of Information Technology – Work Session - **Time Certain – August 25, 2022 – 1:00 p.m.

18. Presentation of Enrollment Ordinance No. 33 by Tanya Monroe, Director, Hopi Office of Enrollment – Rosa Honani, Tribal Council Representative, Village of Sipaulovi – Work Session - **Time Certain – August 29 - 30, 2022 – 9:00 a.m. – 5:00 p.m.

19. Discussion and possible action – Letter dated March 31, 2022 Re: Village of Shungopavi’s request for information regarding land lease, including ownership of the property comprising the Hopi Cultural Center – Craig Andrews, Vice Chairman, The Hopi Tribe - **Time Certain – August 24, 2022 – 9:00 a.m.

20. Discussion on Next Actionable Steps Regarding See Renewal and Blue Stone Strategy – Hopi Tribal Council

21. Letter dated June 17, 2022 From Keesha Talayumptewa, First Mesa Elementary School Governing Board; RE: Additional Work Assigned to First Mesa Elementary School Staff by HBE – Dale Sinquah, Tribal Council Representative, First Mesa Consolidated Villages

22. Discussion and possible action – Letter requesting the FY 2022 budget funding allocations for a Hopi Tribal Council Goals and Objectives work session and a State Lobbyist – Rosa Honani, Tribal Council Representative, Village of Sipaulovi

23. Discussion and possible action – Letter dated July 22, 2022 from Chairman Timothy L. Nuvangyaoma and Vice Chairman Craig Andrews; RE: Concern regarding First Mesa Consolidated Villages’ Representative Ivan Sidney, Sr. and Letter dated July 26, 2022 from Ivan Sidney, Village Administrator, RE: Resignation from Hopi Tribal Council (Add-on by Leroy Sumatzkuku, Tribal Council Representative, Upper Village of Moenkopii)

XII. REPORTS

1. Office of the Chairman
2. Office of the Vice Chairman
3. Office of Tribal Secretary
4. Office of the Treasurer
6. Office of the General Counsel
7. Land Commission
8. Water/Energy Committee
9. Transportation Committee
10. Law & Order Committee
11. Investment Oversight Committee

*Hopi Tribal Council may go into Executive Session on any agenda item

**Time Certain Requests
12. Health/Education Committee
13. Hopi Gaming Committee Report

XIII. ADJOURNMENT

*Hopi Tribal Council may go into Executive Session on any agenda item
**Time Certain Requests
TO: Le Roy Shingoitewa, Chair, Upper Moenkopi Village Steering Committee (JVSP)

FROM: Brian Cole, President, Building Communities

RE: Repurposing ONHIR to Implement Hopi/JVSP Funding Request

DATE: August 16, 2022

Per your request, I am providing this explanation/recommendation on the repurposing of the Office of Hopi and Navajo Indian Relocation (ONHIR) to receive federal funding to implement the plans and priorities associated with the Joint Village Strategic Planning (JVSP) effort.

As you know, the work of JVSP from 2017 to present has resulted in the completion of three economic development strategic plans that support a federal budget request for approximately $1.2 billion to address the impacts of the Bennett Freeze and Forced Relocation.

During the strategic planning sessions with Yuwehloo Pahki Community, Upper Moenkopi Village, and the Village of Moencopi (Lower), there was strong support voiced for the repurposing of ONHIR in order to receive and disburse the federally appropriated funding to implement the JVSP effort.

The general thinking of the planning participants was that the villages themselves lacked the capacity and administrative acumen to receive and disburse such large sums of funding professionally/efficiently. In addition, the planning participants express similar concerns related to the potential receipt and disbursal of funding through the Hopi Tribe.

On multiple occasions, one option was discussed and supported: the repurposing of ONHIR for this purpose.

Simultaneously, there has been consistent frustration expressed by Hopi leaders and individuals related to the past performance of ONHIR. Nonetheless, the conclusion is that ONHIR should be empowered with this funding and project management responsibility – based upon several conditions.

First of all, it has been universally agreed that ONHIR has had the wrong mission. Rather than simply a Relocation mission, ONHIR should have been charged with a Recovery mission. In other words, the recommendation is that the name of the federal office be changed to the Office of Navajo and Hopi Indian Recovery.

But more than simply a name change, the universal sentiment amongst all of the Hopi planning participants has been that the Office be repurposed to function not unlike major federal responses of the past such as the Tennessee Valley Authority (TVA) or even the Marshall Plan. That is, the federal office should receive and disburse funding to address the housing, infrastructure, public facilities, and economic development needs of the region.
It is generally recognized that the Biden Administration is very favorable to investments and projects in Indian Country. The appointment of Deb Haaland as Interior Secretary is a major statement on the respect that Indian Country is receiving from the current Administration. The Biden Administration continues to proactively seek opportunities to not only respect Indian Country, but also to address the inequities created by past administrations on Native American lands.

Because of all of this, the proposed solution is the repurposing of ONHIR to serve under a Hopi-appointed Board of Directors that would direct (not simply advise) ONHIR on the expenditure of federally appropriated funds for this purpose.

Very similar to a concept being recommended for Navajo oversight/control of federal funds, the “Hopi Roundtable” would be comprised of Village-appointed and Tribe-appointed members. Currently, the recommendation is that each of the three impacted Villages (UMV, VML, and YPC) would each appoint three members to the Hopi Roundtable. The Hopi Tribal Council would appoint three members to the Hopi Roundtable. Finally, the Chairman/Vice Chairman would appoint three members to the Hopi Roundtable comprised of Hopi administrative (department-level) experts. The 15-member Hopi Roundtable would serve to direct the allocation of federal resources to implement the respective Village Economic Development Strategic Plans and the overall federal funding request/allocation.

The concept that Native Americans would provide such strong oversight over a federal office is unprecedented. The conclusion of Building Communities, however, is that there is a very responsible and thoughtful group of Hopi leaders both at the Hopi Tribe and Village-level that can make such decisions. The TVA-like repurposed ONHIR would be comprised of all of the administrative and technical capacities to implement all of the projects as directed by the Hopi Roundtable.
About Building Communities

Building Communities is a community and economic development strategic planning firm with expertise in grant writing and project advancement. Building Communities has been providing these services to Hopi villages and non-profits since 2011 and to the Tribe and Villages since 2017.

Previous Presentation to the Hopi Tribal Council

Building Communities presented one of the project priorities before the Hopi Tribal Council in June 2021. This project, Joint Village Strategic Planning, is an effort to assist three villages – Upper Moenkopi Village, the Village of Moencopi (Lower) and Yuwehloo Pahki Community – to address the impacts of the Bennett Freeze and Forced Relocation. The result of the presentation and discussion was an approved resolution of support for the efforts by the three villages for federal funding for needed housing, infrastructure, public facilities, and economic development.

Website Showing Economic Development Projects

The Hopi Office of Community Planning and Economic Development (OCPED) receives federal grant funding from the US Department of Commerce Economic Development Administration (EDA). The purpose of most of the EDA funding is to create jobs and improve the standard of living for the Hopi people. In an effort to promote transparency and explain the efforts that the Hopi Tribe is making to address the impacts of the pandemic and the closure of the Peabody mine, a website, www.hopiresilience.org, was launched. A summary of the meeting activity and deliverables from various economic development projects is posted on that website.

Addressing any Concerns of the Hopi Tribal Council

It has come to the attention of Building Communities that there may be some concern that Building Communities is providing somewhat similar services to the Navajo Nation. Building Communities is transparent with all of its efforts, and is active supporting planning and development projects and priorities for the Navajo Nation. Much of this activity and the associated deliverables can be found at www.navajothaw.com.

Building Communities does recognize that there is sensitivity – and sensitive issues – associated with the long-standing Navajo-Hopi Land Dispute. Building Communities is very careful not to become involved with planning or activities that could be viewed as compromising to the Hopi Tribe or the Navajo Nation. In particular, Building Communities does not become involved with water rights or land dispute issues. On the contrary, Building Communities believes that it is through cooperation and collaboration between the two tribal nations that the greatest advancements can be made.

Funding Source for Projects

Most of the services of Building Communities come at no expense to the Hopi Tribe as Building Communities provides grant writing services to non-profits and local governmental units.
RESOLUTION
H-XXX-2020

A Draft Resolution to be Considered by Three Villages/Communities (UMV, VML, and YPC)
Endorsing Efforts by JVSP and Encouraging Support by the Hopi Tribal Council.

Each Village should put their “introductory authorization language here.”

WHEREAS,  from 1966 through 2006, the residents of Upper Moenkopi Village (UMV) and the
Village of Moencopi (Lower) (VML) were negatively impacted by the Bennett Freeze,
which was a 40-year period during which the federal government prevented
maintenance and development of facilities and residences as a measure to address the
Navajo/Hopi Land Dispute; and

WHEREAS,  the federal government has never addressed the impacts of the Bennett Freeze; and

WHEREAS,  the Village of Moencopi (Lower) and Upper Moenkopi Village have developed
strategic plans as well as budgets to address the impacts of the Bennett Freeze; and

WHEREAS,  Yuwehloo Pahki Community was established as a resettlement location for Hopi people
that resided on land that the federal government deemed to be Navajo land, and

WHEREAS,  Yuwehloo Pahki Community has developed a Transition Plan and Budget to address the
federal promises that were made as a result of the forced relocation of Hopi people to
Yuwehloo Pahki Community in the 1970s; and

WHEREAS,  Yuwehloo Pahki Community has coordinated with Village of Moencopi (Lower) and
Upper Moenkopi Village to work towards common goals for community and economic
development which were made impossible by the Bennett Freeze and Relocation
restrictions; and
WHEREAS, all three Villages/Communities are developing and implementing economic development strategic plans (Transition Plans) to create long-term sustainability for recovery investments made by the federal government; and

WHEREAS, Village of Moencopi (Lower), Upper Moenkopi Village and Yuwehlooh Pahki Community request the support and endorsement of the Hopi Tribal Council in seeking federal funding to implement their strategic plans, project and budgets.

NOW THEREFORE BE IT RESOLVED that put name of village/community here supports the continued effort of Joint Village Strategic Planning to implement the Village Economic Development Strategic Plan/Community Transition Plan (for YPC) and to encourage the Hopi Tribal Council to collaboratively support the advocacy work being done by the Joint Village Strategic Planning Committee.
Attachment F

Background on Short-term, Medium-term and Long-term Water Development Projects Benefitting Moenkopi

The content in this document reflects discussions at JVSP meetings related to three water development projects potentially benefiting UMV and VML:

1. Short-term Project – MUA Pasture Canyon Water Development Project
2. Medium-term Project – HUC Siderock Well Project
3. Long-term Project – Hopi Office of Mining and Minerals Water Well #9 Study and Project

MUA Pasture Canyon Water Development Project

Le Roy Shingoitewa noted that everyone should be mindful that there are two separate projects: 1) the MUA project at Pasture Canyon, and 2) the transmission line from Siderock. While the projects are separate, planning for both of them and seeking funding can be a coordinated process.

Neil Yazzie with MUA provided an extensive update on the status of water infrastructure associated with MUA and Pasture Canyon. Yazzie indicated that the Pasture Canyon project is “near shovel ready” with sign offs from UMV, IHS, and the Hopi Tribe. Discussions are underway with IHS related to funding that needs to come from UMV and MUA in order to advance a $1.5 million project. The total cost of the project could be lowered if: 1) UMV could provide a solid count on the number of HUD houses, and 2) if projects do include HUD houses and businesses, then the IHS SDS scoring system is not as competitive.

MUA and IHS operate on a project justification system. Work orders must be created to justify specific projects. Yazzie indicated that all of this work has been done.

IHS indicates that if the hotel, for example, were served by a different water source, the SDS score would be increased.

Another factor is how many of the HUD homes have been fully paid off and have received their deeds. The more people that actually own their homes with the deeds, the higher the SDS scoring.

Linda Honahni noted that many of the seniors still have not received their deeds even though they have paid off their homes for over 30 years. There was a discussion about how to approach the Hopi Tribal Housing Authority (HTHA) to get documentation so that UMV can show IHS the high percentage of home ownership.

Neil Yazzie indicated he had received a document from IHS that states that either a bill of sale needs to be shown to prove that the house has been paid off, or a letter from HTHA could be provided listing the homes with completed pay-offs.

At one point there was a discussion about circulating a letter around the Village and having people sign off on the fact that they have paid off their homes and they have “$0 debt” with respect to their home. It was later concluded that circulating a letter was not as satisfactory as getting the documentation directly from HTHA.

It was noted that there still is a board vacancy on HTHA. There was some discussion about Duane Sekakuku filling that board position.
Another way to lower the cost of the project is to remove portions of the project such as the tank, the transmission line, or if businesses and schools owned their own storage. Frequently, hotels, for example, have their own tank.

The group agreed that every effort should be made to lower the cost of the project in terms of the amount paid by UMV.

MUA currently serves 210 residential customers and 10 businesses. All of these businesses are served by the same water system.

The $1.5 million cost does include: 1) the transmission line from Pasture Canyon (including tunneling under the highway), 2) the pump house, 3) the SCADA System, 4) fencing, and 5) a 230,000 gallon fiberglass tank.

The well has been drilled and capped. It is not enclosed. The project has been signed off and does have approved blueprints. Well #1 produces 45 gallons per minute.

Le Roy Shingoitewa stated that it would be a wise investment by UMV to commit its Bennett Freeze funding toward this project. Ideally, some or all of that funding could be pledged upfront and then reimbursed from other funding sources later. Shingoitewa stated he would recommend to the UMV board that they proceed with a commitment similar to this.

### HUC Siderock Well Project

Another consideration would be to coordinate and package the water project in association with the transmission line project from the Siderock Well (with an estimated cost of $24 million).

As the conversation shifted to the Siderock Well, it was noted that there still is a determination needed on the routing of the transmission line from the Siderock Well to Moenkopi. There are two options, including one along the Questar right-of-way that could benefit the Poosiwlelena community development project. It was noted that getting information about the water demands for Poosiwlelena would be important.

Neil Yazzie stated that there has been communication with HUC.

With respect to MUA and VML, MUA does provide water to VML on “one bill, one meter, one customer."

Neil Yazzie spoke of the phase one and phase two water improvement projects over the past 10 years. Approximately 15-20% of the Village water system is new. The definition of “new” means that the system is in good shape, the system can acquire parts for maintenance, there is very little hazardous situations, blueprints are in place, and the project was led by a contractor/engineer.

The new water improvement project would not change the service status for existing customers. The new assets would tie into the existing system.

The new well project would serve the entire community. The system would be based upon the consumption of water used (metering).

IHS operates in several regions. Hopi is in the Southwest Region served by the Phoenix Area District. The new contact from IHS has received a tour of the MUA system. The IHS system is always oversubscribed, meaning that there are more requests for funding than funding is available. This ratio has recently been $175 million requested for an availability of $80 million.
The new IHS contact person is Andrew Larson. Andrew Larson has provided a project background memo including the number of commercial services, residential services, the percentage eligibility, and the total well cost at Pasture Canyon. The total project cost is $1,983,000. $1.4 million is needed from the Village. It is estimated that 37% of the homes do not have a deed.

It was noted that UMV does have a Housing and Lot Committee that could be tasked with working on this activity.

**Hopi Office of Mining and Minerals Water Well #9 Study and Project**

See attached letter from Norman Honie, Jr. from the US Department of Energy for a description of the Water Well #9 project.
November 3, 2020

Mr. Norman Honie, Jr., Program Manager
Office of Mining and Mineral Resources
The Hopi Tribe
PO Box 123
Kykotsmovi, AZ 86039

Subject: Response to March 16, 2020 letter to Carmelo Melendez

Dear Mr. Honie:

Thank you for your letter dated March 16 of this year and for inviting me to participate in a future Quarterly and Technical Exchange meeting to discuss the proposal to develop an alternative water supply. Understanding the enduring impacts of Covid-19 at this time, I remain grateful for the invitation, whether the venue ultimately is conducted in-person or in a virtual environment.

On behalf of the U.S. Department of Energy Office of Legacy Management, I welcome the cooperation, communication, collaboration and idea sharing that have defined the relationship between our governments these past two decades. I also look forward to continuing our Cooperative Agreement in new ways that will provide the Hopi Tribe with meaningful involvement in the future of environmental stewardship at the Tuba City site.

Your letter referred to three alternatives from 1M’s document, Alternatives Analysis of Contaminated Groundwater Treatment Technologies Tuba City, Arizona, Disposal Site, and proposed a fourth alternative that would convey potable groundwater from Peabody Western Coal Company (PWCC) wells NAV7 and NAV9 through a re-purposed coal slurry pipeline to the Moenkopi villages. Because the source wells you proposed in your letter belong to the Hopi Tribe and the Navajo Nation, you have also suggested in meetings that the supplemental water supply could benefit both tribes, with Tuba City being the most likely area on Navajo Land to receive that benefit. DOE’s primary mission is to restore groundwater quality, which was degraded near the former uranium processing site. We understand the Hopi alternative envisions a way to deliver potable water to the Moenkopi Villages, and Tuba City, thereby supplementing the water supply there.

DOE is aware water is scarce on the Hopi Reservation and the Navajo Nation, and we remain committed to restoring groundwater quality near the former processing site. We welcome your proposal to consider developing an alternate water supply as a viable component of the Tuba City site remedy. In fact, DOE has developed alternate water
supplies as part of comprehensive compliance strategies at other UMTRCA sites. For example, we helped furnish alternate water supplies to communities near the Monument Valley, Arizona; Gunnison and Rifle, Colorado; and Riverton, Wyoming sites. Our recent work with the National Laboratory Network, in which you participated, also identified alternative water supplies as an approach for lowering LM’s exposure to stakeholder risk near the Tuba City disposal site, further underscoring your concept.

LM is prepared to increase our Cooperative Agreement funding to the Hopi Tribe by up to $150,000 for pre-feasibility evaluation of potentially multiple options, rough order-of-magnitude estimates for capital and operating costs, potentially identifying and recommending a few viable alternatives for supplemental water supply, as part of our overall compliance strategy for the Tuba City site. The pre-feasibility evaluation would be a necessary first step, performed as a subcontract under your Cooperative Agreement, and would evaluate technical and cost factors including, but not limited to:

- Condition, evaluation and serviceability of the Black Mesa wells, pumps and storage tanks, and interconnection to the coal slurry pipeline:
- Well-water quality and production capacity,
- Current condition and remaining service life of the coal slurry pipeline (interior and exterior corrosion, weld integrity, susceptibility to a seismic stress),
- Rehabilitation potential (such as slip lining in a smaller diameter potable-quality pipe through the 70-mile pipeline route),
- Vulnerability assessment (vandalism impacting water quality),
- Ancillaries – distribution spur lines, storage, water treatment (filtration, removal of trace constituents, disinfection);
- System adequacy to meet supply needs based on long-term demographic and economic development planning, and
- Capital and operating expense (order-of-magnitude estimates), lifecycle cost analysis.

Other alternative water-supply alternatives may also exist regionally. For example, additional water supply may be available from Navajo Tribal Utility Authority (NTUA) wells located north of the Tuba City site, with potentially new, shorter lines, at potentially lower cost. If additional supply is available from this source, it should be included as a prefeasibility option and evaluated in parallel to the Black Mesa wells and re-purposed pipeline.

The initial evaluation should also address governmental jurisdictional factors including: Navajo Nation and Tuba City Chapter participation, adjudication of water rights and pipeline right(s)-of-way, and the structuring of other governmental support and authorities (such as through the Bureau of Reclamation, Indian Health Service, Bureau of Indian Affairs, Office of Surface Mining, and others).
Conceptual and detailed engineering design for a selected alternative would be conducted under a subsequent subcontract, which DOE would also support under our Cooperative Agreement. Under the initial subcontract, the Hopi Tribe would develop a detailed Statement of Work and bid package to secure a qualified engineering firm that specializes in potable water supply to explore available options. The report from the initial subcontract would identify a preferred alternative and recommendations for work to follow. My UMTRCA team would like to work with you every step of the way and can help review the scope of work, proposals, deliverables and help coordinate on the path ahead. I encourage and fully support adding this proposed subcontract into your pending application for your new Cooperative Agreement.

If you have questions or wish to have further discussions, please feel free to contact me at (202) 586-4882 or via email carmelo.melendez@hq.doe.gov.

Sincerely Yours,

Carmelo Melendez
Director
Office of Legacy Management

cc via email:
Tracy Atkins, DOE-LM
Paul Kerl, DOE-LM
David Shafer, DOE-LM
Jeff Carman, Navarro
Peter Lemke, Navarro
Sam Marutzky, Navarro
DOE Read File
File: E/20/2381 F/20/871
Attachment G

HOPI TRIBAL COUNCIL
ACTION ITEM

July 2022
Month/Year

Action Item No. _______________ Date Received by Tribal Secretary _______________

Unit Recommending Action: Upper Moenkopi Village and the Village of Moencopi (Lower).

Objective: Moenkopi is anticipated to “run out of water” by 2025. In order to address this pending crisis, Upper Moenkopi Village (UMV) is collaborating with the Village of Moencopi (Lower) (VML), the Moenkopi Utility Authority (MUA), and the Hopi Utilities Corporation (HUC) to advance a series of complementary projects to address the short-term, medium-term, and long-term needs of Moenkopi and the Hopi people. This resolution addresses the short-term (Pasture Canyon) and medium-term (Side Rock Well at Range Unit 251) solutions.

Discussion: As a part of the Joint Village Strategic Planning (JVSP) planning and advocacy work that has been underway since December of 2017, UMV and VML are focused upon addressing their top priority project: the pending water crisis impacting Moenkopi. One of the top objectives of JVSP is to secure sufficient funding for water infrastructure from all funding resources available. Such funding resources have included the Hopi CARES Act funding (which expended $3.8 million to successfully develop two wells producing almost 250 GPM at Side Rock Well.) This work was successfully advanced by HUC with support from the Hopi Tribe and the Water Energy Team.

Simultaneously, additional water infrastructure planning and proposed development has taken place over the past three years.

Finally, an additional funding source could be a direct appropriation by Congress as envisioned by JVSP, UMV, and VML and supported by Hopi Tribal Council Resolution H-028-2021.

Action Requires Village Input? _____X_____ Yes _____ No

Action Requires Additional Funding? _____X_____ Yes _____ No

Action Requires Budget/Modification Approval? _____ Yes _____ No

Author of Action Item: ___________________________ Title:

Endorsed By: ___________________________ Date: ___________________________

Elected Official or Tribal Council Representative

RESOLUTION NO. _______________
ACTION ITEM SIGNATORY CHECKLIST

Action Item Description: Upper Moenkopi Village and the Village of Moencopi (Lower) request support of the Hopi Tribal Council for American Rescue Plan Act (ARPA) funding for water infrastructure projects benefiting both villages. This request is based upon years of planning and advocacy work conducted by village leaders and volunteers associated with Joint Village Strategic Planning (JVSP).

Action Item/Resolution MUST be reviewed/signed by the following: (*REQUIRED REVIEW/SIGNATURE ON ACTION ITEMS AND IN ORDER NUMBERED - GENERAL COUNSEL TO BE THE LAST SIGNATORY REQUIREMENT).

**RECV’D**

*1. Author __________________________  DATE __________________________

*2. Department Director  N/A  N/A

*3. Office of the Chairman __________________________  __________________________

*4. Office of the Vice Chairman __________________________  __________________________

*5. Office of the Treasurer  N/A  N/A

*6. Finance  N/A  N/A

Action item/Resolutions requesting for tribal and/or federal funds must be reviewed by the Finance Director and Treasurer.

*7. Office of the Executive Director __________________________

*8. Contracts & Grants  N/A  N/A

All Action Item/Resolutions with contracts/agreements must be reviewed by Contracts/Grants.

*9. Office of the General Counsel

The Office of the General Counsel will be the last signatory requirement on all Action Item/Resolutions, for review of content, clarity and consistency with Hopi laws, tribal goals and policies and other applicable laws and regulations.

Office of Community Planning & Economic Development  N/A  N/A

Office of Personnel Management  N/A  N/A

Office of Real Estate Services  N/A  N/A

Office of Risk Management  N/A  N/A

Budget Oversight Team  N/A  N/A

All Action Items MUST be endorsed by an Elected Official or Tribal Council Representative.

**NOTE: It is the responsibility of the Author to follow-up on signatory process to ensure a completed Action Item is submitted to the Tribal Secretary’s Office in a timely manner for the Agenda.**

REV. 08-01-1
WHEREAS, from 1966 through 2006, the residents of Upper Moenkopi Village (UMV) and the Village of Moencopi (Lower) (VML) were negatively impacted by the “Bennett Freeze”, which was a 40-year period during which the federal government prevented maintenance and development of facilities and residences as a measure to address the Navajo/Hopi Land Dispute; and

WHEREAS, the federal government has never addressed the impacts of the “Bennett Freeze”; and

WHEREAS, the Village of Moencopi (Lower) and Upper Moenkopi Village have developed strategic plans as well as budgets to address the impacts of the “Bennett Freeze”; and

WHEREAS, the Upper Moenkopi Village has created a Steering Committee for the purposes of engaging with Joint Village Strategic Planning to seek funding for priority Projects; and

WHEREAS, planning and advocacy work by the UMV Steering Committee has resulted in the prioritization of water infrastructure as the most critical need for UMV. The Village of Moencopi (Lower) has also participated in the discussions and planning associated with new water infrastructure in hopes to benefit the people of the Lower Village; and

WHEREAS, water infrastructure planning benefitting Moenkopi has identified three projects which are described as the short-term solution, the medium-term solution, and the
long-term solution. The short-term solution relates to two projects associated with wells and other water infrastructure at Pasture Canyon. The medium-term solution relates to drilling wells and bringing water to Moenkopi from the Side Rock Well at Range Unit 251. The long-term solution relates to collaborating with the Hopi Tribe to capitalize on Water Well #7 and the associated water infrastructure right-of-way that once served the Mohave Generating Station; and

WHEREAS, this resolution only addresses the short-term (Pasture Canyon) and medium-term (Side Rock) priorities; and

WHEREAS, UMV and VML seek the support of the Hopi Tribe and the Hopi Tribal Council for the short-term and medium-term projects; and

WHEREAS, some planning and development has already taken place associated with the Pasture Canyon and Side Rock Well projects; and

WHEREAS, the Pasture Canyon Well #1 has been drilled and UMV and the Moenkopi Utility Authority (MUA) are coordinating with Indian Health Services (IHS) and Congressional Offices to secure funding to: 1) connect the existing Well #1 to the MUA system, 2) drill Well #2 and construct additional water infrastructure such as transmission lines and water storage as currently designed by MUA and HIS, and

WHEREAS, continued investment associated with the Side Rock well site includes the drilling of two additional wells and the transmission of the water from Range Unit 251 to Moenkopi.

NOW THEREFORE BE IT RESOLVED that Upper Moenkopi Village, the Village of Moencopi (Lower), and Yuwehloo Pahki Community request the support and endorsement of the Hopi Tribal Council in seeking federal funding to implement their strategic plans, project and budgets; and
BE IT FURTHER RESOLVED that the UMV, VML, and MUA, in collaboration with the Hopi Utilities Corporation (HUC) seek the support and funding from the Hopi Tribe through the American Rescue Plan Act (ARPA) funding to ensure: 1) the completion of the MUA Pasture Canyon well project associated with Well #1, 2) the completion of the MUA Pasture Canyon Well #2 project, and 3) adequate funding to complete the water transmission lines from Range Unit 251 along the Questar right-of-way also serving the proposed Poosiwlelena Community Development project being advanced by VML.

In total, this series of water infrastructure projects would: 1) meet both the short-term and long-term needs of UMV and VML, and 2) facilitate the long-term planning and construction of new communities/villages at both Range Unit 251 (UMV) and the Poosiwlelena Community Development project (VML).

BE IT FURTHER RESOLVED that the anticipated funding needs to address all of the water infrastructure requirements is estimated at $20 million - $25 million. This funding is being requested from the Hopi ARPA fund.

*Do we need language here where “the Hopi Tribal Council hereby supports (authorizes?) ARPA funding to meet the water infrastructure needs at Moenkopi.”*
The Hopi Tribal Council duly adopted the foregoing Resolution on __________ at a meeting at which a quorum was present with a vote of __ in favor, __ opposed, __ abstaining (Chairman presiding and not voting) pursuant to the authority vested in the Hopi Tribal Council by ARTICLE III - ORGANIZATION, THE PREAMBLE OF THE CONSTITUTION AND BY-LAWS AND ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (e), and (f) of the Hopi Tribal Constitution and By-Laws of the Hopi Tribe of Arizona, as ratified by the Tribe on October 24, 1936, and approved by the Secretary of Interior on December 19, 1936, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of adoption and does not require Secretarial approval.

____________________________________
Timothy L. Nuvangyaoma, Chairman
Hopi Tribal Council

ATTEST:

____________________________________
Judith Youvella, Tribal Secretary
Hopi Tribal Council