

Tribal Authorization Access and Right-of-Way

Daryl Lorenzo Jr.
Environmental Specialist

Natural Resource Expo
April 28-29, 2026



GLDD




GENERAL LAND DEVELOPMENT DEPARTMENT



The Navajo Nation General Land Development Department (GLDD) administers leasing and permitting developmental actions on approximately 17 million acres of Navajo Trust and Fee Lands within the states of Arizona, New Mexico, and Utah. GLDD is among thirteen departments within the Division of Natural Resources in the Navajo Nation Government. GLDD is charged with facilitating authority over Telecommunications, Easements for all Right-of-Ways (Oil & Gas, Electrical, Water and Service Line Agreements, etc.), Land Withdrawal Designations, Mission Site Permits, Applications for Permission to Drill and Permissions to Survey.

GLDD administratively processes 164 projects electronically using our unique software. All projects are reviewed and voted on by all pertinent executive offices and approved in a timely manner. Utilizing the aforementioned software, GLDD has helped expedite the 164 Review Process and ensures transparency and efficiency.



GENERAL LEASING REGULATIONS OF 2013

The US Department of Interior approved the Navajo Nation General Leasing Regulations of 2013, giving the Navajo Nation authority to issue its own leases, permits, agriculture, public relations, education, recreation, and residential leases on fee and trust lands. Thus, the Navajo Nation established a General Land Development Department to process all leases and conduct environmental reviews. All leases, permits and Rights-of-Way are electronically processed and stored in the Navajo Nation System.



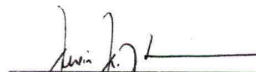
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

APPROVAL OF

THE NAVAJO NATION
GENERAL LEASING REGULATIONS OF 2013

The attached Navajo Nation General Leasing Regulations of 2013, submitted by the Navajo Nation, Arizona, New Mexico, & Utah, and prepared in accordance with 25 U.S.C. § 415(e) Leases of restricted lands for the Navajo Nation, consisting of 25 pages and adopted by the Navajo Nation Council on November 6, 2013, are hereby approved.

Dated: 5/16/14


Assistant Secretary – Indian Affairs
United States Department of the Interior

Pursuant to the authority delegated by 209 DM 8

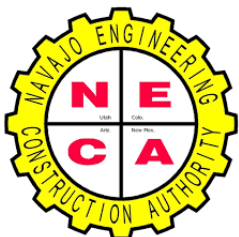
TYPE OF LEASING PERMITS

- GLDD administers leasing and permitting development actions Navajo Trust and Fee Lands within the states of Arizona, New Mexico, and Utah
 - **Tribal Authorization Access:** Authorized to a wholly owned and operated Navajo Nation entity without the BIA approval.
 - **Right-of-Way:** Oil & Gas, Electrical, Water and Service Line Agreement, etc.
 - **Service Line Agreements (SLA):** A contract between a utility provider and landowners to connect tribal or individually owned Indian Land to utility services.
 - **Land Withdrawal Designation:** Precursor to a Business Site Lease, Private Family Cemetery, Chapter Community Development.
 - **Religious Land Use Permit:** Permits to missionaries and mission bodies to conduct religious and other related activities on the Navajo Nation.
 - **Telecommunication Tower Lease:** Telecommunication Sublease / Co-Location.

INFRASTRUCTURE DEVELOPERS ON NAVAJO NATION TRUST AND FEE LANDS

TAA Applicable (Navajo-Entities)

- Roads
- Distribution Waterlines
- Distribution Sewer
- Water Treatment Plants
- Distribution Gas Lines
- Transmission Lines
- Distribution Electric Lines
- Distribution Fiber
- Temporary Construction Easement
- Navajo Nation Requirements and Approval
- *Commercial Operations Assessed*



Navajo Nation Department
of Water Resources

ROW Applicable (Non-Navajo Entities)

- Roads
- Gas Lines
- Transmission Lines
- Distribution Electric Lines
- Distribution Fiber Temporary Construction Easement
- Environmental Assessment (EA) Required and ROW Granted by BIA



RDCJN-17-20 LEGISLATION

RDCJN-17-20

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- Second Year, 2020

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING TRIBAL AUTHORIZATION AUTHORIZING ACCESS WITHOUT BUREAU OF INDIAN AFFAIRS APPROVAL FOR INDEPENDENT LEGAL ENTITIES WHOLLY OWNED AND OPERATED BY THE NAVAJO NATION; APPROVING THE DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER OF THE NAVAJO LAND DEPARTMENT TO GRANT TRIBAL ACCESS FOR RIGHTS-OF-WAY ON THE NAVAJO NATION FOR INDEPENDENT LEGAL ENTITIES WHOLLY OWNED BY THE NAVAJO NATION; APPROVING THE DEPARTMENTAL ADMINISTRATIVE RULES AND REGULATIONS AND THE TERMS AND CONDITIONS FOR THE DELEGATION OF AUTHORITY; AND, RESCINDING RCD-104-10, RDCS-97-17, AND OTHER PRIOR INCONSISTENT RESOURCES AND DEVELOPMENT RESOLUTIONS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C. § 500, the Resources and Development Committee was established as a standing committee of the Navajo Nation Council.
- B. Pursuant to 2 N.N.C. § 501 (B)(2)(a), the Resources and Development Committee grants final approval for all rights-of-way.
- C. Pursuant to 2 N.N.C. § 501 (B)(3), the Resources and Development Committee is authorized to delegate its powers to appropriate divisions of the Navajo Nation for efficiency and streamlining of government processes provided the Committee first grants final approval of rules and regulations governing such delegations and rescission of such delegations.

SECTION TWO. FINDINGS

- A. The Code of Federal Regulations, Title 25, Part 169. Rights-of-way over Indian Land Subpart A. Purpose, Definitions, General Provisions, 25 CFR § 169.4 (b)(3)(iii) states "You do not need a right-of-way if you are... (iii) An independent legal entity wholly owned and operated by the tribe that owns 100 percent of the trust or restricted interests in the land." 25 CFR § 169.4 (b)(3)(iii) further states: "but the following conditions apply... The tribal governing body must pass a

RDCJN-17-20

authorizing access without BIA approval description, and you must submit both our records."

ties wholly owned by the Navajo Nation limited to: Navajo Tribal Utility Navajo Engineering Construction Authority Oil and Gas Company (NNOGC), Navajo (NNGE), Navajo Agricultural Product Navajo Housing Authority (NHA), Navajo Enterprise (NNHE), Dine Power Authority on government divisions and departments Division of Transportation and Department

Development Committee desires uniform rules regarding rights-of-way for all independent the Navajo Nation.

Resources and Development Committee Committee (predecessor to the RDC) to rights-of-way and the Navajo Tribal (NTUA), an independent legal entity wholly owned. These resolutions include RCD-Director of Navajo Land Department to for NTUA for electric, water, sewer, such NTUA activities; approving rules the delegation; and approving the terms the rights-of-way to allow waivers of commercial rights-of-way. RCD-104-10 is RDCS-19-17 is attached as **Exhibit D**.

Development Committee through this and RCD-104-10 and RDCS-97-17 both of NTUA. Rescinding RCD-104-10 and RDCS-rights-of-way process uniform for to all independent legal entities wholly owned

TRIBAL AUTHORIZATION PURSUANT TO 25 CFR § 169.4

Development Committee of the Navajo Nation standing committee of the Navajo Nation to grant final approval for all rights-[this] tribal authorization authorizing " for independent legal entities wholly

RDCJN-17-20

Navajo Nation pursuant to the requirement (b)(3)(iii).

DELEGATION OF AUTHORITY, APPROVAL OF RULES AND OF TERMS AND CONDITIONS

Development Committee of the Navajo Nation gives the delegation of authority to the Navajo Land Department, Division of to grant tribal access for rights-of-way for legal entities wholly owned by the Navajo Nation trust and fee lands.

Development Committee of the Navajo Nation gives the Departmental Administrative Rules the Delegation of Authority to the Navajo Land Department as described

Development Committee of the Navajo Nation gives the Terms and Conditions attached as

RESCINDING RCD-104-10, RDCS-97-17 AND PRIOR

Development Committee of the Navajo Nation rescinds Resolutions RCD-104-10, and RDCS-97-17 and **Exhibit C** and **Exhibit D**.

Development Committee of the Navajo Nation rescinds any other prior inconsistent Development Committee resolution(s) and regulations and terms and conditions for independent legal entities wholly owned by the Navajo Nation for consistency with regard to the rights-of-way for independent legal entities wholly owned by the

TRIBAL AUTHORIZATION PURSUANT TO 25 CFR § 169.4 (b)(3)(iii) DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER, NAVAJO LAND DEPARTMENT MANAGER, NAVAJO LAND RESOURCES

Development Committee of the Navajo Nation gives the Navajo Land Department Manager, Navajo Land Resources to provide this authorizing resolution and a legal description to the Navajo Nation as is provided in 25 CFR § 169.4

RDCJN-17-20

This resolution was duly adopted by the 24th Navajo Nation Council meeting held by a majority vote on this 3rd day of

By: _____
Department Manager
Development Committee
Navajo Nation Council

Not voting.

TAA CHECKLIST



Tribal Access Authorization (TAA) Checklist

Pursuant to RDC/JN-17-20 and 25 CFR 169.4 (b) (3) (iii) Tribal Authorization Access can be authorized to a wholly owned and operated Navajo Nation entity without the Bureau of Indian Affairs' approval.

- **Cover Letter/Scope of Work**
- **Permission to Survey**
- **Legal Land Survey**
- **Grazing Permittee Consents**
- **Chapter Resolution**
- **Digital Map Layer**
- **Navajo Nation Environmental Determination Documents**
 - Biological Resource Compliance Form (BRCF)
 - Cultural Resource Compliance Form (CRCF)
 - If applicable:
 - Permits (Forestry, Water Resources, etc.)
 - Environmental Assessment, etc.

Cover Letter/ Scope of Work

- i. Define the proposed project undertaking(s) including construction, operation, duration, maintenance, and upgrades. Define specifically whom will assume responsibility for the infrastructure and/or utilities.
- ii. A precise location of the proposed project with description of the acreage, land status(es), and project timeline.

Permission to Survey

- i. Pre-approved permission from the Navajo Nation to conduct walk-on survey for the land to be developed. This includes the right to conduct preliminary surface surveys, archaeological clearances, ethnographic studies, environmental assessments, staking of proposed project alignment, etc.

Legal Land Survey

- i. A legal land survey that indicates all impacted acreage of each section the development will disturb, including legal description(s).
- ii. This should include pole placement and maintenance stations. The latitude and longitude of each of the aforementioned developments need to be shown as well.

Grazing Permittee Consents

- i. Collected consent from impacted land users and those holding a valid grazing permit, and a verification letter signed by the respective Grazing Official. If there are no valid grazing permittees, a signed verification letter from the Grazing Official is still required.
- ii. An official Navajo Nation Field Clearance Checklist completed by a registered Field Agent.

Chapter Resolution

- i. A resolution from all respective chapters in support of the proposed undertaking, and where the project will be developed. This is not an approval from the chapter.

Digital Map Layer

- i. A digital map layer (in the format of a KML/KMZ or shapefile) that depicts the delineated land status(es) of the proposed utility corridor, and a separate digital layer of all corridor accompaniments.

ROW CHECKLIST



Right-of-Way Checklist

- Filing Fee (New and Renewals)**
 - i. Filing Fee (Non-refundable) of \$500.00 made payable to the Navajo Nation.
- Assessed Value**
 - i. Assessment for consideration is negotiated by the Navajo Nation Minerals Department
- Cover Letter/ Scope of Work**
 - i. Provide the name of the project and define the intent of your proposal.
 - i. Include the total acreage and miles on Tribal Trust and Fee lands
 - ii. Include the construction schedule and where the current term stands (new, renewal, expired, amendment, etc.)
 - ii. Assign who will be responsible for construction, operation, maintenance, upgrades to infrastructure and/or utilities
 - iii. If applicable, include funding sources and what waivers are requested for the project (valuation, bonds, insurance, etc.)
- U.S. Department of Interior Bureau of Indian Affairs Right-of-Way Application**
 - i. Include all affiliated provisions listed under 25 CFR 169 and the accompanying official BIAChecklist: <https://www.bia.gov/sites/default/files/dup/ROW%20Checklist%20-%20Updated%2012-2021.pdf>
- Legal Land Survey**
 - i. A legal land survey with a legal description stamped by a Register Land Surveyor.
 - i. For each section indicate the affected acreage and the accompanying developments
 - ii. Convey ingress and egress
- Shapefile**
 - i. A shapefile (KML/KMZ) or layer file) that depicts the utility line or corridor on Tribal Trust and Fee Lands. The digital map layer should separate all corridor accompaniments.
- Chapter Resolution**
 - i. Resolution in support, not approval, of the proposed undertaking from all respective chapters that the project will be constructed in
- Grazing Permittee Consents**
 - i. A Field Clearance Checklist listing all grazing permit holders is required. All sections of the Checklist must be filled out to be sufficient
 - ii. Use the Consent Form to gather consent from valid grazing permit holders, the form must be signed by the respective Grazing Official. If there are no valid grazing permittees a signed Consent Form from the Grazing Official is still required
- Navajo Nation Environmental Compliance Forms**
 - Biological Resource Compliance Form (BRCF) attained from the Navajo Nation Department of Fish & Wildlife. If granted Conditional Approval, a Representative's signature is required
 - Cultural Resource Compliance Form (CRCF), Archeological Inventory Report (AIR) Form attained from the Navajo Nation Heritage & Historic Preservation Department
 - i. The location and acreage surveyed must correspond with the scope of work, as noted on the BRCF and CRCF
 - ii. Attach applicable permits (Navajo Forestry Permits (tree removal), Water Resources Permits, etc.)
 - iii. Although not required for an application to be deemed complete, an Environmental Assessment, Environmental Impact Statement, Record of Decision (ROD), Categorical Exclusion (CatEX), Finding of No Significant Impact (FONSI), etc. may be included to meet the funding NEPA requirements

**Notice: Additional documents may be requested upon review*

- **Filing Fee (New and Renewals)**
- **Assessed Value**
- **Cover Letter/Scope of Work**
- **Bureau of Indian Affairs ROW Application**
- **Legal Land Survey**
- **Shapefile**
- **Chapter Resolution**
- **Grazing Permittee Consents**
- **Navajo Nation Environmental Compliance Forms**
 - Biological Resource Compliance Form (BRCF)
 - Cultural Resource Compliance Form (CRCF)
 - If applicable:
 - Permits (Forestry, Water Resource, etc.)
 - Environmental Assessments, etc.

PERMISSION TO SURVEY



PERMISSION TO SURVEY

Request Letter

- i. Scope of Work
 - i. Provide description of project, company name and location of the project.
 - ii. Include the total acreage, feet and/or miles that is on Tribal Trust and Fee lands.
 - iii. Description of vehicles that will be used (vehicles must stay on existing roads & trails)
 - iv. Duration and when will the survey be conducted (Permits are issued for a maximum of two (2) years)
- ii. Identify what survey will be conducted:
 - Metes & Bounds
 - Walk-On
 - Environmental (Biological & Archeological)
 - Soil Testing (Hand Soil Testing, if your project includes drilling you need to contact Navajo Nation Minerals Department)
 - Flood Plain Contingency
 - Seismic
 - Drone (Follow-up with Navajo Department of Transportation)

Digital Map Layer

- i. A digital map layer (in the format of a KML/KMZ or shapefile) that depicts the survey area on Tribal Trust and Fee lands

Please submit the request to GLDDProjects@navajo-nsn.gov

Once the request is complete General Land Development Department will send you a copy of the approval.

- Pre-approved permission from the GLDD to conduct walk-on survey for the land to be developed. This includes the right to conduct walk-on for the land to be developed. This includes the right to conduct preliminary surface surveys, archaeological clearance, ethnographic studies, environmental assessments, staking of proposed project alignment, etc.
- Requirements for Permission to Survey
 - Scope of Work
 - Digital Map or GPS Coordinates
- Duration of Permission to Survey are issued for a **maximum of two (2) years.**

COVER LETTER

- Define the proposed project undertaking(s) including construction, operation, duration, maintenance, and upgrades.
- Define specifically whom will assume responsibility for the infrastructure and/or utilities.
- A precise location of the proposed project with description of the acreage, land status(es), and project timeline.



NAVAJO TRIBAL UTILITY AUTHORITY
AN ENTERPRISE OF THE NAVAJO NATION

February 12, 2026

Byron Bitsoie Sr., Department Manager
Navajo Land Department, Navajo Nation
2B Taylor Road, Building #8966
Saint Michaels, Arizona 86511

Dear Mr. Byron Bitsoie Sr.,

The Navajo Tribal Utility Authority (NTUA) is filing an Application for Tribal Access Authorization (TAA) pursuant to RDCJN-17-20 to construct, operate and maintain a distribution line with fiber optic cable in the vicinity of Coppermine Chapter, Coconino County, Arizona. The proposed project will consist of ± 1.585 miles and/or $5.750 \pm$ acres on Tribal Trust. The distribution line with fiber optic cable is to provide the much-needed electrical services to the community.

The projects are described on the attached plat entitled, "Alex Whitehair Distribution Line with Fiber Optic Cable Project, Coconino County, State of Arizona, NTUA Project No. is 14-253-0020".

Included in the TAA application is a completed NTUA TAA Terms and Conditions Form. NTUA edited paragraphs 7 and 20 and the edits are shown by strikeout and underline. NTUA deleted reference to NNEPA approving a restoration and revegetation plan in paragraph 7, because NNEPA does not approve restoration and revegetation plans. NTUA inserted language about sovereign immunity in paragraph 20.

The Authority request waiver of consideration, as this project is a result of the DHC project. The Authority will comply with all Tribal regulations and applicable Federal regulations. The Authority requests Waiver of Damages, except to those of local improvements such as fences, corrals, homes, crops, animals, and people. As this project serves the Navajo people, NTUA understands that the Navajo Nation will not require compensation for the TAA.

Attached are the pertinent application documents for your use. If you should have any questions, please contact Jymie Joe, Rights-of-Way Agent directly at 928-729-6283.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Srinivasa R. Venigalla', is written over a horizontal line.

Srinivasa R. Venigalla, P.E.
Deputy General Manager
Electric & Information Systems Division

Attachments

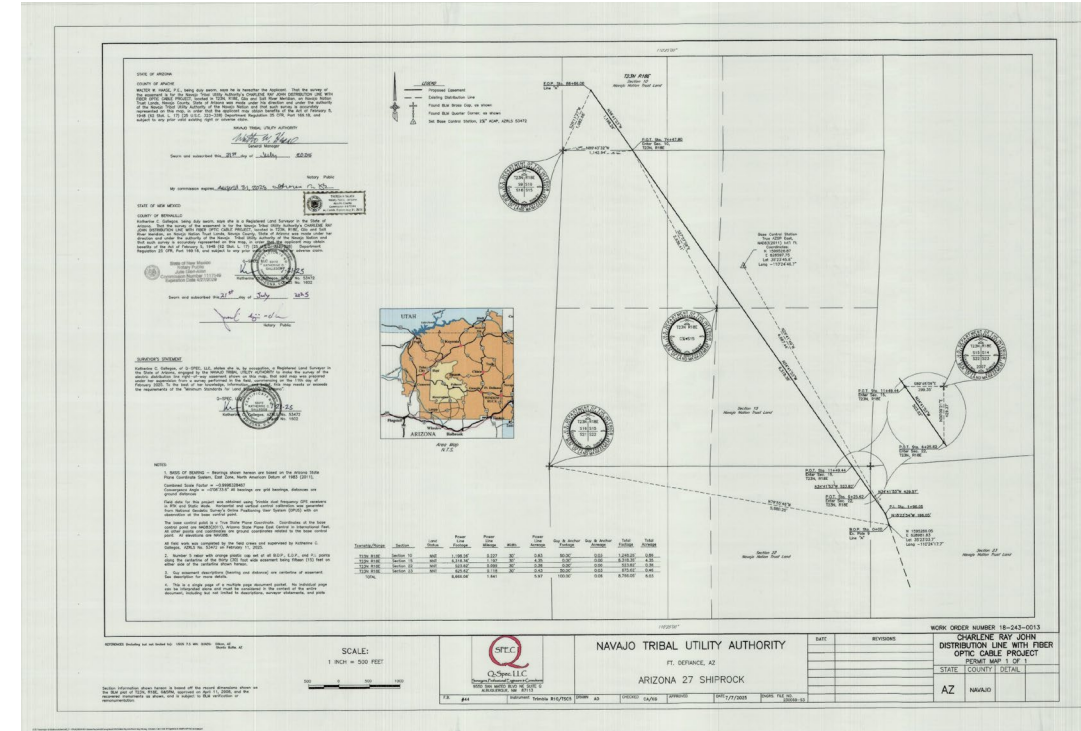
Home Office: P.O. BOX 170 FT. DEFIANCE, AZ 86504
KAYENTA: P.O. BOX 37 KAYENTA, AZ 86033
TUBA CITY: P.O. BOX 398 TUBA CITY, AZ 86045
SHIPROCK: P.O. BOX 1749 SHIPROCK, NM 87420
CHINLE: P.O. BOX 549 CHINLE, AZ 86503
FORT DEFIANCE: P.O. BOX 587 FT. DEFIANCE, AZ 86504
DILCON: HC 63 BOX D WINSLOW, AZ 86047
CROWNPOINT: P.O. BOX 1825 CROWNPOINT, NM 87313

CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.

*This institution is an equal opportunity provider and employer.

LEGAL LAND SURVEY

- A legal land survey that indicates all impacted acreage of each sections the development will disturb, including legal description(s).
- This should include pole placement and maintenance stations. The latitude and longitude of each of the aforementioned developments need to be shown as well.
- A digital map layer in the form of a KML/KMZ file that depicts the delineated land status(es) of the proposed utility corridor, and a separate digital layer of all corridor accompaniments.



GRAZING PERMITTEE CONSENTS

- Collected consent from impacted land users and those holding a valid grazing permit, and a verification letter signed by the respective Grazing Official and Land Support Agent. **If there are no valid grazing permittees, a signed verification letter from the Grazing Official is still required.**
- Types of Consent Form:
 - Consent Form #1 – No Damages Expected
 - Consent Form #2 – Compensation for Damages
 - Consent Form #3 – Wavier of Compensation
 - Consent Form #4 – Refuse to Consent

FIELD CLEARANCE CHECKLIST

This form covers only damages and compensation to individual land users. It does not cover consideration or other fees to the Navajo Nation. Use back if necessary to complete this form.

Project Applicant: _____
Amount of land affected: _____
Land Status: Trust _____ Fee _____ Other _____

List only valid Grazing Permittees (tally counts) whose grazing rights will be affected by project:

	Names	Permit Number	Type of Land Use Right
1			
2			
3			
4			
5			
6			

ACKNOWLEDGEMENT

I acknowledge that due notice was given to the affected community of the proposed project and according to my records to the best of my knowledge, the list of individuals includes all land users who have land use rights in the affected lands.

Date Grazing Official or Land Board Member District No.

CHAPTER RESOLUTION

- A resolution from all respective chapters in **support and recognize** the proposed undertaking, where the project will be developed, and the number of acres.
- **This is not an approval from the chapter.**

LeChee Chapter



P.O. Box 4720 • Page, Arizona • 928-698-2800 • 928-698-2803 fax

RESOLUTION

LC 02-98-09

SUBJECT: Requesting of Navajo Tribal Utility Authority (NTUA) to Proceed with the Preliminary Planning of Power Line Extensions to Seventeen (17) Homes Located in Rural LeChee Under the Project Title: *LeChee East Power Line Phase I*

WHEREAS:

- 1.) LeChee Chapter is a certified chapter of the Navajo Nation and is delegated authorities to make decisions over local matters, including the planning of infrastructure projects, and that,
- 2.) LeChee Chapter is comprised of a community (pop: 1,800 @ 370 homes) and rural grazing unit (pop: 125 @ 62 homes) and is bordered by the City of Page, Glen Canyon Recreational Area and three Chapters, and that,
- 3.) The rural 62 homes do not have the electricity and running water while the 370 homes in the community have these infrastructure systems in place, and that,
- 4.) The need for electrical service to the rural homes has been addressed by the Chapter for three decades and is currently the Chapter's number one CIP project.

NOW LET IT BE RESOLVED:

- 1.) LeChee Chapter requests of the Navajo Tribal Utility Authority (NTUA) to proceed with the preliminary planning of power line extensions to seventeen (17) homes located in rural LeChee under the project title: *LeChee East Power Line Phase I*. (see Exhibit A for list of clients)

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting of LeChee Chapter at which a quorum was present and the same was passed by a vote of 21 in favor 0 opposed 0 abstained on February 23, 2009

Motioned By: HELENA BEGAY

Pete Whitekiller
Pete Whitekiller, President

Tommy Tiosie
Tommy Tiosie, Council Delegate

Seconded By: SAPAB DALE

Yvonne Bigman
Yvonne Bigman, Vice President

Elizabeth Nez
Elizabeth Nez, Secretary

ABSENT

Annie Littleman, Grazing Committee Member

Council Delegate Tommy M. Tiosie	Chapter President Yvonne S. Bigman	Vice President Pete Riggs, Jr.	Secretary/Treasurer Elizabeth A. Nez	Grazing Committee Member Annie J. Littleman
-------------------------------------	---------------------------------------	-----------------------------------	---	--

NAVAJO NATION ENVIROMENTAL COMPLIANCE FORMS

- Biological Resource Compliance Form (BRCF) attained from the Navajo Nation Department Fish & Wildlife.
- Cultural Resource Compliance Form (CRCF), Archeological Inventory Report (AIR) Form attained from the Navajo Nation Heritage & Historic Preservation Department.
- Environmental Compliance Determination (ECD) attained from the General Land Development Department once the BRCF and CRCF are completed.

NNDFW Review No. 10NTUA12

BIOLOGICAL RESOURCES COMPLIANCE FORM
 NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
 P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Dej
 and Federal
 Codes, U.S.
 This form c
 species is af



THE NAVAJO NATION
 Heritage & Historic Preservation Department
 P.O. Box 4950 • Window Rock, Arizona 86515
 (928) 871-7198 (tel) • (928) 871-7886 (fax)



PROJECT N
 DESCRIPTI
 LOCATION
 REPRESENT
 ACTION AC

CULTURAL RESOURCES COMPLIANCE FORM

NNHHPD NO.: HPD-26-027

CONSULTANT REPORT NO.: DCRM 2025-20



General Land Development Department
 Post Office Box 69 | St. Michaels, AZ 86511
 (928) 871-6447 | www.gldd.org



Environmental Compliance Determination

zation Access
 ih

Project Information	
Project Title:	TAA: NTUA Alex Whitechair Distrib. Fiber w/ Optic Cable Project, PN#142530020
Size:	± 1.585 miles and / or ± 5.750 acres
Legal Description:	Sections 4 & 9, Township 36 North, Range 08 East, Section 33, Township 37 North, Range 08 East, Gila & Salt River Meridian, Navajo Nation Trust Lands, Coopermine, Coconino County, Az

: extensions with
 of distribution line
 , excavation and
 re Right-of-Way
 poles, backfilling
 id. The segment
 42 ft. (18,5 16
 3 ha).

Environmental Compliance Determination

The Navajo Nation will lawfully grant the proposed permit under the authority of 25 U.S.C. §415(e) and Navajo Nation Council Resolution No. CO-53-13, which has been codified at 16 N.N.C. §2301.

Pursuant to NNDFW Review No. 25ntua321, the proposed project is situated within RCP 03 (low sensitivity) and is not anticipated to adversely affect any species listed under the Navajo Endangered Species List (NESL), federally listed species, or other significant biological resources. NTUA shall remain in compliance with the Migratory Bird Treaty Act and implement Raptor Safe Utility Pole standards to protect sensitive breeding habitats and to prevent unintentional raptor electrocution. No additional conditions of compliance are required.

Pursuant to HPD-25-1335, the proposed project has been determined to have no impact on cultural or historic properties. In the event that cultural, historical, or archaeological materials are discovered during project activities, all work in the immediate vicinity of the discovery must be halted, and the Navajo Nation Heritage and Historic Preservation Department must be notified at 928-871-7198.

Environmental Clearance Reviews

If previously unreported historical properties, archaeological resources, human remains, or other cultural items are discovered at any time, all activity will immediately halt, and the Navajo Nation Historic and Heritage Preservation Department will be contacted. Additionally, the permit applicant will consult with the Navajo Nation EPA to ensure compliance with all Navajo Nation environmental laws and permits (4 N.N.C. § 901 et seq.), which will be enforced once the permit is granted. If an environmental taking or violation occurs

:tion with the
 ft. away from
 chaeological

Additional ROW Requirements Only

- Filing Fee (New and Renewal)
 - Filing Fee (Non-refundable) of **\$500.00** made payable to the Navajo Nation.
- Assessed Value
 - Assessment for consideration is negotiated by the Navajo Nation Minerals Department
- US BIA ROW Application
 - Comply with 25 CFR 169 and the accompanying official BIA Checklist

OMB Control Number 1076-0181
Expires 04/30/2019

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS**

RIGHT-OF-WAY APPLICATION

Request for the BIA to grant a right-of-way under the terms and provisions of the Act of February 5, 1948 (25 U.S.C. 323-328) and Departmental Regulations at 25 CFR 169.

Parcel(s) Affected by Right-of-Way:

Landowner Name(s): _____
Allotment Number(s): _____
Legal Description: _____

Applicant Information

Applicant: _____
Contact information: _____

Right-of-Way Information

General location of the right-of-way: _____

Duration/term (years): _____

Purposes: _____

Length (in feet): _____ Width (in feet): _____ Depth (in feet): _____ Size (area): _____

Owner of permanent improvements in right-of-way: _____

Party responsible for constructing, operating, maintaining, and managing permanent improvements in right-of-way: _____

APPLICANT EXPRESSLY AGREES TO review and abide by all conditions stated in the right-of-way grant and comply with all provisions of 25 CFR 169.

APPLICANT SIGNATURE: _____

DATE: _____

ATTEST: _____

See the back of this form for:

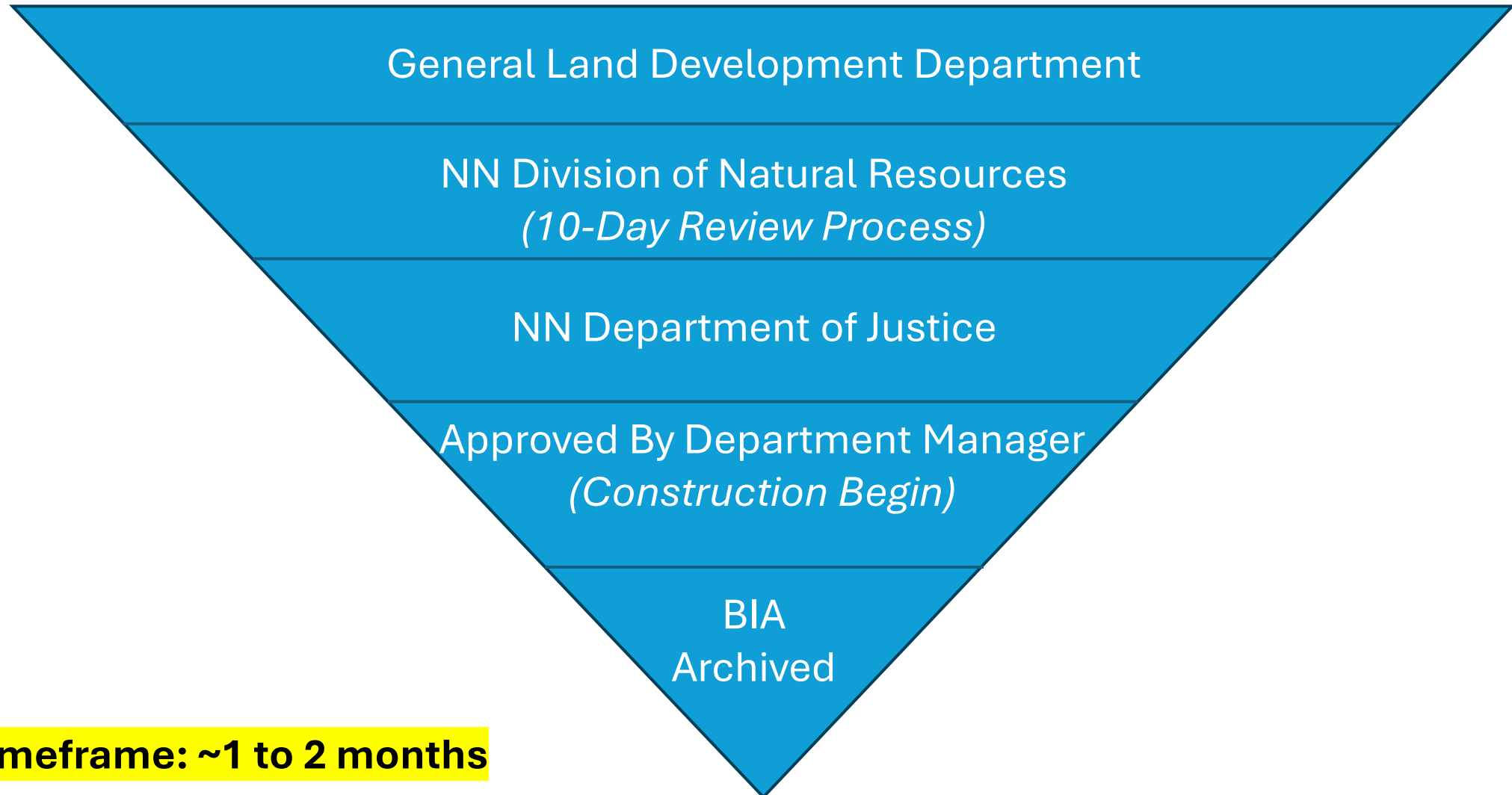
- Required supporting documents that must be submitted with this application; and
- A list of conditions that will be among those in the right-of-way grant.

PLEASE SUBMIT THIS FORM & REQUIRED SUPPORTING DOCUMENTS TO THE LOCAL BIA AGENCY OFFICE.

PAPER WORK REDUCTION ACT STATEMENT

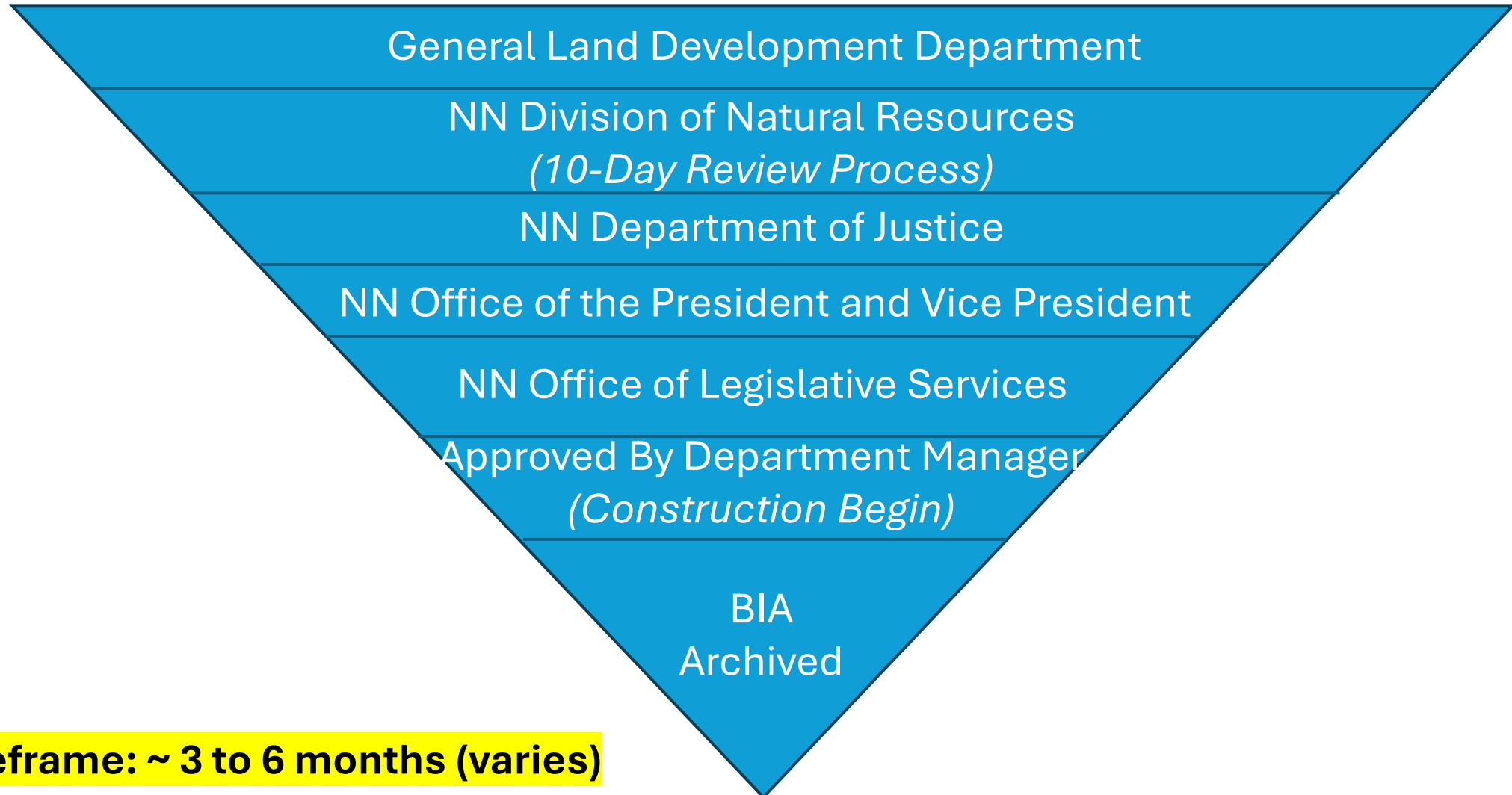
This information is being collected to provide Bureau of Indian Affairs (BIA) with information necessary to issue a grant of a right-of-way across Indian land. Response is required to obtain benefits under 25 CFR 169. A Federal Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting for this form is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining data, completing the form. Direct comment regarding the burden estimate or any other aspect of this form to: Information Collection Clearance Officer, Office of Regulatory Affairs & Collaborative Action – Indian Affairs, 1849 C Street, N.W., MS-3071-MIB, Washington, D.C. 20240.

NAVAJO NATION 164 SHORT FOR TAA



Timeframe: ~1 to 2 months

NAVAJO NATION 164 LONG FOR ROW



Timeframe: ~ 3 to 6 months (varies)

Notice of Proceed for TAA

RDCMA-13-24

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 25th NAVAJO NATION COUNCIL- Second Year, 2024

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
AMENDMENTS TO RDCJN-17-20 "TRIBAL AUTHORIZATION ACCESS"

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council has final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) lands. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals and terminations. 2 N.N.C. § 501 (B) (2) (a).
- B. The Resources and Development Committee can delegate its final approval authority for the transactions listed in 2 N.N.C. § 501(B)(2) (a) to appropriate divisions, governance-certified Chapters, Townships or appropriate entities for efficiency and streamlining of government processes provided that the Committee first grants final approval of rules and regulations governing such delegations and rescission of such delegations. 2 N.N.C. § 501 (B) (3).

SECTION TWO. FINDINGS

- A. The Code of Federal Regulations, Title 25, Part 169. Rights-of-way over Indian Land Subpart A. Purpose, Definitions, General Provisions, 25 CFR § 169.4 (b) (3) (iii) states "You do not need a right-of-way if you are... (iii) An independent legal entity wholly owned and operated by the tribe that owns 100 percent of the trust or restricted interests in the land." 25 CFR § 169.4 (b) (3) (iii) further states: "but the following conditions apply . . . The tribal governing body must pass a tribal authorization authorizing access without BIA approval and including a legal description, and you must submit both documents to BIA for our records."

- Pursuant to RDCJN-17-20 Section 2 (G), the Department Manager of the Navajo Land Department & General Land Development Department to **waive tribal authorization access consideration** will only apply to any tribal authorization access issued for a **"public purpose"**, which is defined to mean any residence, governmental building, including chapter houses, healthcare, facility, school, including higher education entities, daycare, Head Start building, senior center, library, or public safety building.

Notice of Proceed for ROW

RDCMA-13-24

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 25th NAVAJO NATION COUNCIL- Second Year, 2024

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
AMENDMENTS TO RDCJN-17-20 "TRIBAL AUTHORIZATION ACCESS"

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council has final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) lands. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals and terminations. 2 N.N.C. § 501 (B) (2) (a).
- B. The Resources and Development Committee can delegate its final approval authority for the transactions listed in 2 N.N.C. § 501(B)(2)(a) to appropriate divisions, governance-certified Chapters, Townships or appropriate entities for efficiency and streamlining of government processes provided that the Committee first grants final approval of rules and regulations governing such delegations and rescission of such delegations. 2 N.N.C. § 501 (B) (3).

SECTION TWO. FINDINGS

- A. The Code of Federal Regulations, Title 25, Part 169. Rights-of-way over Indian Land Subpart A. Purpose, Definitions, General Provisions, 25 CFR § 169.4 (b) (3) (iii) states "You do not need a right-of-way if you are... (iii) An independent legal entity wholly owned and operated by the tribe that owns 100 percent of the trust or restricted interests in the land." 25 CFR § 169.4 (b) (3) (iii) further states: "but the following conditions apply . . . The tribal governing body must pass a tribal authorization authorizing access without BIA approval and including a legal description, and you must submit both documents to BIA for our records."

- Pursuant to RDCJN-17-20, the NN Council Delegates – Resources and Development Committee (RDC) has **final approval for all ROWS.**
- RCD determines the consideration to be waived or not. This applies to ROW classified as **“commercial purpose”** which includes transmission lines, oil and gas pipelines, and other profit-generate uses.

QUESTIONS

- Checklists and Regulations are provided on our GLDD website at www.gldd.org.
- **All TAA and ROW Packets can be submitted to glddprojects@navajo-nsn.gov.**
- Addressing
 - Physical Address: 2B Taylor Road, Arizona 86511, United States
 - Mailing Address: PO BOX 69, St. Michaels, Arizona 86511
- Contact Information:
 - Office: (928) 357-6969
 - Email: glddprojects@navajo-nsn.gov