

Permitting Process for Capital Improvement Projects

DIVISION OF NATURAL RESOURCES EXPO II

NAVAJO FORESTRY DEPARTMENT

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Presentation Purpose

- ▶ With the allocation of American Rescue Plan Act (ARPA) funds to the Navajo Nation, to respond and recover from COVID-19, the Navajo Forestry Department was able to secure funding to assist in this response and recovery effort.
- ▶ The Navajo Forestry Department was able to utilize its ARPA funds to hire staff to assist in the planning process for infrastructure projects being constructed by other entities, such as Navajo Tribal Utility Authority (NTUA), for the construction of powerlines, water and wastewater lines and road improvement projects.
- ▶ This presentation will provide information on how this process is implemented.

American Rescue Plan Act (ARPA)

- Purpose - the American Rescue Plan Act (ARPA) was designed to enable all Americans to respond to and recover from the impacts of COVID-19. The funds provided under ARPA are intended to support state and local governments in their efforts to build back better by accelerating the economic recovery from the coronavirus pandemic and building local economies that will be resilient to future economic shocks. The ARPA funds can be used for a wide range of purposes, including:
 - Replacing lost public sector revenue
 - Supporting the COVID-19 public health and economic response
 - Providing premium pay for eligible workers performing essential work
 - Investing in water, sewer, and powerline infrastructure



BIA 5-5331 Timber Harvest Permit Process

- ▶ The BIA Form 5-5331 is an official Timber Harvest Permit issued by the U.S. Department of the Interior, Bureau of Indian Affairs (BIA) for harvesting forest products on Indian lands. It is governed by the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) and 25 CFR § 163
- ▶ Complete the BIA 5-5331 form with:
 - Permittee name, address, and contact info.
 - Indian Reservation and permit type.
 - Tract number, township/range/section, and acreage.
 - Species, product, volume, and estimated value.
 - Attach required documents (map and environmental compliance records).

Sample of the BIA 5-5331 Permit

BIA, Office of Trust Services
Division of Forestry and Wildland Fire Management
BIA Form 5-5331

Revised: May 2023

**UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
TIMBER HARVEST PERMIT**

Permit Name & Number: _____ Navajo Nation

Indian Reservation: _____

Permit Type: ☐ Indian Free Use ☒ Indian Paid ☐ Non-Indian Paid

Authority: This permit is authorized by the National Indian Forest Resources Management Act of November 28, 1990 (25 U.S.C. 3101 et seq.), and in accordance with the regulations of 25 CFR § 163.

Permittee Name _____ Navajo Tribal Utility Authority
and Address: _____ PO Box 170, Fort Defiance, AZ 86504

Permission is hereby granted to the Permittee to cut and remove designated timber, on or before _____
from the following tract(s) and as shown on the attached Exhibit A map.

Permit Area Description:

Click or tap here to enter text.

Tribal/Allotted/Other	Title Tract Number	Township	Range	Section	Sale Area Acres	Harvest Block Acres
				Total		

Designated Timber

Woodland Species

Estimated volume and value of timber consists of species, product, volume, and rates as follows:

Species	Product	Unit of Measure	Estimated Volume	Rate per Unit	Estimated Value
Juniper ≥ 6" Diameter at Root Collar (DRC)	Firewood	Piece		\$1.00	
Pinyon ≥ 6" Diameter at Root Collar (DRC)	Firewood	Piece		\$1.00	
	Totals				

The volumes above are estimates only and are not guaranteed.

Payment for timber must be made as follows:

The volumes shown above are estimates only and are not guaranteed. Payment for timber shall be made as follows:

Two payments in the form of a cashier's check and/or money order made payable to the Navajo Nation 1) in the amount of \$15.00 and 2) a performance bond of \$3.00 (20% the appraised value) before any harvesting activities commence. Payment is to be submitted to the Navajo Forestry Department in Fort Defiance, AZ 86504-0230, for processing. An inspection of the permit area will be conducted to ensure completion of all pre and post-harvest requirements (Standard Provisions, and Special Provisions attached). The performance bond will be refunded back to the permittee after inspection of the permit area and successful completion of all pre and post-harvest requirements.

BIA, Office of Trust Services
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BIA Form 5-5331

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Permittee agrees to comply with the conditions and provisions of this permit by signing below.

Permittee Signature & Date _____

Seller Signature & Date _____

Seller Name & Title _____

Approving Officer Signature & Date _____

Approving Officer Name & Title _____

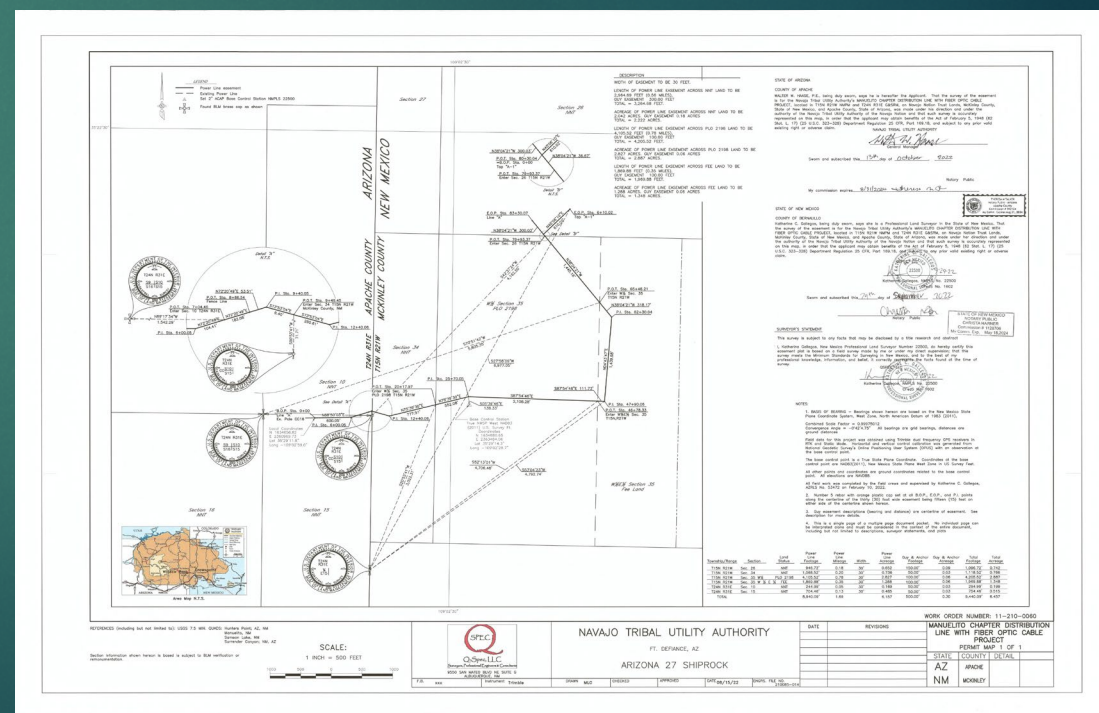
How to mesh these two processes

- With the allocation of American Rescue Plan Act (ARPA) funds to the Navajo Nation, the Navajo Forestry Department secured funding to assist in approval for water, sewer, and powerline infrastructure projects.
- It was agreed the BIA 5-5331 Permit would be the permit used for Infrastructure projects.
- Staff were hired for the BIA 5-5331 Permit requirement process of inventorying tree species, tree volume, and estimated value; to be removed for infrastructure projects by project sponsors, such as Navajo Tribal Utility Authority (NTUA), for the construction of powerlines, water and wastewater lines and road improvement projects.
- This presentation will provide information on how this process is implemented.

Project Proposal

- ▶ A letter of request, for a tree cutting permit is submitted, by the project sponsor. The letter details the type of work to be completed, location of the project, and the type of trees to be removed.
- ▶ Other documents that are included with the project package include the following NEPA documents;
 - ▶ An approved Categorical Exclusion Exception Review (CEER) Checklist.
 - ▶ An approved Biological Resource Compliance Form.
 - ▶ An approved Cultural Resource Compliance Form.
 - ▶ An approved Service Line Agreement or homesite lease.
 - ▶ A computer-generated map, showing project location.

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▶ Tree Cutting Permit Package Preparation / Issuance

- ▶ Once all inventory data information has been collected, and if necessary, a timber appraisal completed, the tree cutting permit is prepared, known as the BIA Timber Cutting Permit (BIA 5-5331)
- ▶ After the permit is developed, it is provided to the project sponsor for signature, as the permittee.
- ▶ Special Provisions, i.e., harvesting guidelines, are prepared for the project.
- ▶ All previously mentioned documents are then packaged together, after signature from the project sponsor is obtained.
- ▶ The Navajo Forestry Department authorizes the permit and sends this onto to the Navajo Nation OMB, Contracts and Grants Section, for forwarding onto the BIA Navajo Region for approval.
- ▶ Permits are returned to the Navajo Forestry Department, approved by the BIA, Navajo Region, after approximately 2-weeks.
- ▶ Approved permits are then provided to the project sponsor, along with the harvesting guidelines and a permit invoice.

Project Accomplishments for 2025 and 2026

▶ 2025 Projects

- ▶ 118 total projects permitted
 - ▶ 78 Power
 - ▶ 33 Water / wastewater
 - ▶ 1 Road improvement
 - ▶ 6 Communication towers
- ▶ 7,448 total trees identified for removal.
 - ▶ 4,858 Juniper
 - ▶ 2,288 Pinyon
 - ▶ 220 Oak
 - ▶ 36 Ponderosa pine poles
 - ▶ 65 Ponderosa pine sawtimber

▶ 2026 Projects

- ▶ 92 total projects permitted
 - ▶ 70 Power
 - ▶ 17 Water / wastewater
 - ▶ 1 Road improvement
 - ▶ 3 Communication towers
 - ▶ 1 Navajo Christmas Trees
- ▶ 10,951 total trees identified for removal.
 - ▶ 6,341 Juniper
 - ▶ 3,783 Pinyon
 - ▶ 216 Oak
 - ▶ 382 Ponderosa pine poles
 - ▶ 229 Ponderosa pine sawtimber

Projects by Agency FY2025

Fort Defiance Agency

Total Trees – 2,116

Electric – 49

Waterline – 14

Comm Towers – 5

Western Agency

Total Trees – 1,654

Electric – 20

Waterline – 6

Eastern Agency

Total Trees – 717

Electric – 2

Waterline – 5

Northern Agency

Total Trees – 1,237

Electric – 5

Waterline – 2

Central Agency

Total Trees – 1,724

Electric – 8

Waterline – 6

Road – 1

Comm Towers – 1

Projects by Agency FY2026

Fort Defiance Agency

Total Trees – 8,288

Electric – 35

Waterline – 11

Comm Tower – 1

Road – 1

Misc – 1

Western Agency

Total Trees – 620

Electric – 20

Eastern Agency

Total Trees – 635

Electric – 2

Waterline – 3

Comm Tower – 1

Northern Agency

Total Trees – 70

Electric – 2

Waterline – 1

Central Agency

Total Trees – 834

Electric – 15

Waterline- 1

Comm Tower – 1