



# BUREAU OF INDIAN AFFAIRS NAVAJO REGION

## Report to the 24th NAVAJO NATION COUNCIL



Route N27 – Ganado to Nazlini, Arizona; Fence Repair and Cattle Guard Clean Out

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Appendices: Status Reports

A. Dear Tribal Leader Letter

B. News Release: <http://www.bia.gov/press-releases>

## NAVAJO REGIONAL DIRECTOR COMMENTS

The Bureau of Indian Affairs (BIA) Navajo Regional Office (NRO) has been able to complete necessary work to enable the Navajo Nation (NN) to move forward critical projects requiring federal action. The current administration at the BIA NRO has successfully put in place processes to better meet the request brought forward for action.

The priority for the BIA has been to insure that the mission of Indian Affairs is solidly in place to continue to complete all work related to the Trust responsibility during this unique time. The NR remains on maximum telework that continues to meet these requirements as the BIA continues to recognize the challenges during this crisis.

The BIA has been able to produce high quality work in spite of the challenges we are all maneuvering. We have been able to successfully combat wild land fire, water infrastructure approval processes, disperse funds, actively participate in all levels of engagement with the NN leaders, program directors, managers, and support staff from all three branches of the NN government. We remain committed to providing the highest obtainable service to address the requests of the NN.

We continue to telework and meet with all levels within the NN to provide the necessary information to keep the mission moving forward. I am confident on with the team approach to improve productivity by allowing all BIA managers to be the effective leaders that is expected at the NRO. The critical work we all complete is not only crucial to our future success, but to also that of the NN and the communities we all serve.

The teams remain in place to enable all to successfully serve in the manner of true stewardship. We continue to address work associated with required federal actions to permit the use of effective leadership responsibilities and improve accountability in every way.

The Bureau of Indian Affairs Navajo Regional Office remains committed to the work and my office continues to be available to all tribal leaders to address all issues and concerns. I can be reached by email at [bartholomew.stevens@bia.gov](mailto:bartholomew.stevens@bia.gov) or by cell phone at (505) 870-0011 to address any relevant issues and address concerns that are important to the NN.

Thank you,



Bartholomew Stevens, Regional Director  
Navajo Region, BIA

## **OFFICE OF TRIBAL GOVERNMENT SERVICES**

The Office of Tribal Government Services (OTGS) continues to represent the Bureau of Indian Affairs at a variety of different meeting including the Navajo Nation's Office of the President and Vice President, Navajo Nation Council meetings, Navajo Nation Council Delegate meetings, and Navajo Nation Council Committee meetings with Navajo Nation leadership.

This Fall Quarter, the BIA referred 174 requests to the Navajo Nation Office of Vital Records/Enrollment program for further research regarding Certificate of Navajo Indian Blood (CNIB) for prospective membership. The CNIB requests range from individuals seeking scholarship and benefits to prison inmates seeking membership with the Navajo Nation.

In addition, the OTGS continues to provide updates to the Navajo Nation, regarding National Tribal initiatives from the Office of the Assistant Secretary, Indian Affairs, and transmitted seven "Dear Tribal Leaders" letters to the Navajo Nation this quarter. Copies of the "Dear Tribal Leaders" letters and transmittals are attached under Appendix A.

The Tribal Operation's Specialist also serves as the Awarding Official Technical Representative (AOTR). The AOTR report for contractual P.L. 93-638; Higher Education, Tribal Enrollment and Tribal Courts program is on page 35 of the report.

## **FEDERAL INDIAN MINERALS OFFICE (FIMO)**

The Federal Indian Minerals Office (FIMO) continues to be busy even through a pandemic across the world. Although oil & gas prices dropped and inventory are over capacity, there is continued operations in the field. The FIMO remains committed to building strong relationships both internally and externally to ensure the minerals owners issues and concerns are addressed accordingly.

### **Ongoing Projects:**

- Lease Sale – FIMO continues to work toward having a competitive lease sale encompassing 40 allotments, covering approximately 6,400 acres and encumbering approximately 2,405 allottees. The DRAFT environmental assessment is near completion with some final reviews and edits. Due to the COVID-19 pandemic the lease sale will be conducted later this year in 2020.
- Resource Management Plan Amendment/Environmental Impact Statement - The BLM/BIA co-lead project continues to move forward. Due to the COVID-19, the DOI Secretary Bernhardt has extended the DRAFT RMPA/EIS comment period from May 2020 to September 2020. The agencies have conducted additional outreach through creative means to keep the public and the Tribes involve as we adapt through the COVID-19 crisis. As a result of the extension, the projected Record of the Decision is tentatively scheduled to be signed and posted in spring 2021.

### **Accomplishments:**

Due to the COVID-19 and directives from the Centers for Disease Control and Prevention (CDC), the Governor of New Mexico, the Navajo Nation and the DOI agencies, the staff at FIMO has implemented creative safe practices to best service the Navajo Indian Allottees.

- Outreach – The FY 2020 outreach schedule has been cancelled for safety precaution across Eastern Navajo Agency and the Aneth area since March 2020. The FIMO continues to provide services via mail and telephone to assist allottee with the various issues and concerns. The FIMO received and assisted with 124 calls for the 4<sup>th</sup> quarter with a total of 827 calls since October 2019. The majority of the calls received relate to Oil & Gas distribution and probate questions. The FIMO did not conduct onsite outreaches from March through September 2020. Prior to the COVID-19 restriction, there were 26 outreaches conducted at the various chapter locations with 1,027 attendees.
- Inspection & Enforcement – the BLM Inspection and Enforcement (I&E) completed 78 inspections on Navajo Indian Allotted wells for the 4<sup>th</sup> Quarter, totaling 512 for the fiscal year. There were no wells witnessed for oil sales; 20 written incident of noncompliance, 4 plugged and abandon well was witnessed, and 5 wells witnessed for drilling operations for the 4<sup>th</sup> quarter.
- Environmental Inspection – The FIMO with the assistance of BLM inspected 66 legacy plugged and abandon (P&A) wells for the 4<sup>th</sup> quarter and completing a total of 222 P&A for the fiscal year. The FIMO will move forward in terminating the existing lease(s) associated with these P&As.
- Leasing Assignments – The FIMO processed and completed 22 assignments for Record Title and Operating Rights for the 4<sup>th</sup> Quarter for a total of 123 assignments for the 2020 fiscal year.
- Lease Termination/Cancellation – The FIMO terminated 25 leases on its own terms, there were no activities that occurred on the lease. The FIMO sent out over 1,000 letters to allottees informing them of the terminations of these leases.
- Application for permit to drill (APD) – There were no notice of staking and no APDs submitted for the 4<sup>th</sup> Quarter. There were a total of 4 APDS and 4 APD Onsite conducted for the 2020 fiscal year.
- Audit/Compliance Reviews – The FIMO auditor’s work plan for FY 2020 includes 38 new cases, 8 limited scope compliance, 3 full scope compliance and 1 audit. The auditors are working continuously to complete during the 4<sup>th</sup> quarter of the FY 2020.
- Royalty Distribution – There were approximately \$3,132,157 royalties distributed to mineral owners for the 4<sup>th</sup> quarter. A total of \$22,348,510 were disbursed for the fiscal year. Due to the drop in oil & gas prices and the COVID-19 pandemic, there was a 13% reduction in royalty distribution from the 2<sup>nd</sup> quarter to the 4<sup>th</sup> Quarter.

As we close out the 2020 fiscal year, FIMO continues to see low oil & gas prices, low volume extraction, reduction in oil & gas development and the leveling of the COVID-19 virus. The FIMO will continue to service the mineral owners as best as we are able to as we navigate through the many obstacles we encounter.

## **ADMINISTRATIVE AND MANAGEMENT SUPPORT**

### **BRANCH OF ACQUISITION OPERATIONS**

- Contract No. 140A0919F0063 was awarded to Barnhart-Taylor, Inc. in the amount of \$4,668,230.00 for the renovation of Government Quarters at Nazlini Community School. Work is in process and material submittals are being sent in for review and approval.
- Contract No. A14PX02037 for the helitak pad located at the Window Rock airport, for the BIA Fire Management Office is complete. The modular building has been set up and the utility line and pole was installed. A request will be sent to the Division of Safety and Risk Management (DSRM) for a final inspection before occupancy of the building.
- Contract No. 140A0918F0162 was awarded to Barnhart-Taylor, Inc. in the amount of \$2,450,076.58 for the Government Quarters renovation at Wingate High School, Fort Wingate, New Mexico. A final inspection was held and the contractor corrected the punch list items. Project is 100% complete.
- Contract No. 140A0919F0062 was awarded to Cherokee CRC in the amount of \$1,553,733.66 for the design and construction of a new sewer lagoon for Wide Ruins Community School. The design is 100% completed and construction will begin soon.
- Purchase Order No. 140A0920P0057 was awarded to Speedy Striping for striping of highways for various BIA routes within Chinle and Western Navajo Agency. A pre-work meeting was held and work will begin soon.
- Work has begun to repair windmills for the Navajo Partitioned Land (NPL) program.
- Contracts for noxious weed projects have been awarded for Western Navajo Agency and Eastern Navajo Agency within the Navajo Region.
- The Acquisition Branch continues to monitor and administer on-going contracts that have been issued in previous fiscal years for construction and services.
- A total of 323 purchase requests with a value of \$6,778,305.75 have been received for processing for Fiscal Year 2020.
- The work in progress for the school construction contracts benefits the members of the Navajo Nation by maintaining and upgrading the deteriorating school conditions within the Bureau of Indian Education.
- The BIA highways within the Navajo Reservation are being maintained and repaired for the traveling safety of the public which include members of the Navajo Nation and local bus routes to ensure the safety of the students

### **BRANCH OF PROPERTY**

The Branch of Property continues the ongoing efforts to finalize the BIA Branch of Transportation transfer project and development of space allocation process for the Navajo Nation requestors. Both projects involve multiple personnel within and outside the Federal government which is complex and highly regulated for compliance of applicable laws and statutes.

Two Use Permits for the period of 10 years were issued to the Tuba City Regional Health Care Corporation for the temporary use and occupancy of two parcels of land within the BIA Tuba

City Administrative Reserve. One Use Permit consisting of .26 acres will be for a laundry facility; the second parcel consisting of .33 acres will be for a parking lot.

The Fiscal Year 2020 Annual Inventory wrapped up during this reporting cycle with an overall completion rate of about 62%. Due to the COVID-19 pandemic, 100% of physical inventories were not completed. Certification of both BIA and BIE were sent to BIA Central Office on August 27, 2020.

## BRANCH OF BUDGET MANAGEMENT

**FY 2020** – Below is a summary of funds provided to the Navajo Nation under P.L. 93-638 contracts, as of September 24, 2020. The funding provided totals \$90,187,938.30 with \$5,407,508.00 available for drawn down and \$175,209 to be obligated. The funding provided includes base dollars as well as one-time program funding.

NAVAJO NATION P.L. 93-638 FUND STATUS as of September 24, 2020							
Fund	FA Budget Program	Funds Available	To be Awarded	Not Drawn down	Total Expenditures	Distributed as of 09.24.2020	Available Funds
201A2100DD	A0N301010 : IRRIGATION, OPER & MAINT	5,500,000.00	0.00	0.00	5,500,000.00	5,500,000.00	0.00
201A2100DD	A0N9B1010 : AGRICULTURE PRGRM-TPA	1,271,208.00	0.00	0.00	1,271,208.00	1,271,208.00	0.00
201A2100CA	ACH913045 : CARES ACT WELFARE ASSIST	3,008,211.00	0.00	0.00	3,008,211.00	3,008,211.00	0.00
201A2100CA	ACT900000 : CARES ACT TRIB SUPPLEMEN	5,522,935.00	0.00	0.00	5,522,935.00	5,522,935.00	0.00
201A2100DD	A0A311010 : FACILITIES MANAGEMENT	180,000.00	0.00	0.00	180,000.00	180,000.00	0.00
201A2100DD	A0H901010 : SOCIAL SERVICES-TPA	5,845,372.00	0.00	117,792.00	5,411,753.00	5,529,545.00	315,827.00
201A2100DD	A0H901040 : Domestic Violence	146,000.00	0.00	0.00	146,000.00	146,000.00	0.00
201A2100DD	A0H913030 : WELFARE ASSISTANCE-TPA	21,483,855.00	0.00	0.00	21,483,855.00	21,483,855.00	0.00
201A2100DD	A0H922020 : IND CHILD WELFARE ACT-TPA	1,456,233.00	0.00	0.00	1,456,233.00	1,456,233.00	0.00
201A2100DD	A0J304545 : Conservation Law Enforcem	47,000.00	0.00	0.00	47,000.00	47,000.00	0.00
201A2100DD	A0J351010 : PROGRAM MANAGEMENT	45,616.00	0.00	0.00	45,616.00	45,616.00	0.00
201A2100DD	A0J352525 : VAWA IMPLEMENTATION OJS	123,351.00	0.00	0.00	123,351.00	123,351.00	0.00
201A2100DD	A0J908080 : TRIBAL COURTS PROGRMS-TP	1,497,926.00	0.00	0.00	1,497,926.00	1,497,926.00	0.00
201A2100DD	A0J908081 : TRIBAL COURTS(TPA) TIWAHE	356,876.00	0.00	0.00	356,876.00	356,876.00	0.00
201A2100DD	A0N330000 : COOP LANDSCAPE CONSERVA	10,000.00	0.00	0.00	10,000.00	10,000.00	0.00
201A2100DD	A0N341010 : PROGRAM MANAGEMENT	244,220.00					244,220.00
201A2100DD	A0N3A0000 : ENDANGERED SPECIES	119,570.00	0.00	0.00	119,570.00	119,570.00	0.00
201A2100DD	A0N3C0000 : Inv Specs/Noxs Weed Eradi	100,000.00	0.00	0.00	100,000.00	100,000.00	0.00
201A2100DD	A0N3E1010 : FOREST DEVELOPMENT	130,000.00	0.00	0.00	130,000.00	130,000.00	0.00
201A2100DD	A0N3E2020 : FOREST MNGMT INVNTRS&PI	465,000.00	0.00	0.00	465,000.00	465,000.00	0.00
201A2100DD	A0N3E3030 : WOODLAND MANAGEMENT	165,000.00	0.00	0.00	165,000.00	165,000.00	0.00
201A2100DD	A0N3F1212 : FISH HATCHERY MAINTENAN	78,100.00	0.00	0.00	78,100.00	78,100.00	0.00
201A2100DD	A0N6A3031 : FOREST MARKETING ASSIST	25,993.00	0.00	0.00	25,993.00	25,993.00	0.00
201A2100DD	A0N9A0505 : NATURAL RESOURCES -TPA	1,003,272.30	0.00	0.00	998,957.30	998,957.30	4,315.00
201A2100DD	A0N9C3030 : FORESTRY PROGRAM -TPA	765,341.00	0.00	0.00	765,341.00	765,341.00	0.00
201A2100DD	A0N9D4040 : WATER RES PROGRAM -TPA	710,404.00	0.00	0.00	710,404.00	710,404.00	0.00
201A2100DD	A0N9E5050 : WILDLIFE&PARKS PRGRM-TP	551,633.00	0.00	0.00	551,633.00	551,633.00	0.00
201A2100DD	A0R312020 : WATR RIGHTS NGTN/LITIGAT	962,500.00					962,500.00
201A2100DD	A0R9D4040 : ENVRMNTL QLTY PRGRM-TPA	109,461.00	0.00	0.00	109,461.00	109,461.00	0.00
201A2100DD	A0T902020 : OTHER AID-TRBL GOV -TPA	972,477.00	0.00	0.00	972,477.00	972,477.00	0.00
201A2100DD	AAE904040 : JHNSN O'MALL A GR TPA BIA	3,827,108.00	0.00	0.00	3,827,108.00	3,827,108.00	0.00
201A2100DD	AAE931010 : TRIBAL SCHOLARSHI TPA BIA	13,495,397.00	0.00	0.00	13,495,397.00	13,495,397.00	0.00
201A2240DD	A3T937070 : CSC CONTRACT SUPPORT TP	19,967,879.00	175,209.00	5,289,716.00	14,502,954.00	19,967,879.00	0.00
<b>TOTALS</b>		<b>90,187,938.30</b>	<b>175,209.00</b>	<b>5,407,508.00</b>	<b>83,078,359.30</b>	<b>88,661,076.30</b>	<b>1,526,862.00</b>



## **TRUST SERVICES BRANCH OF NATURAL RESOURCES**

### **Navajo Regional Office**

The Navajo Region Office Branch of Natural Resources assisted the NPL grazing permit process by assisting NPL livestock producers to make efforts in getting an approved Navajo Grazing Permit. Also assisted the NPL office with guidance regarding range unit conservation plans.

The Navajo Region Office Branch of Natural Resources assisted with the Navajo Nation IWMP. Coordinated the gathering of data for the number of treatment acres with the Agencies, Natural Resources Conservation Service (NRCS) and the National Park Service (NPS). This data was for addition to the Navajo Nation Integrated Weed Management Plan.

Branch of Natural Resource staff participated in the weekly internal work session teleconference call regarding completion of the Former Bennett Freeze Area Integrated Resource Management Plan (IRMP) and the Programmatic Environmental Assessment (PEA). Branch of Natural Resource presented a PowerPoint presentation of the IRMP to the Navajo Hopi Land Commission and the Navajo Nation Resource and Development Committee (RDC). Navajo Hopi Land Commission responded in support of the IRMP. The 24<sup>th</sup> Navajo Nation Council, Resource and Development Committee approved by the draft IRMP, FBFA on October 7, 2020. The legislation was sponsored by Council Delegate, Otto Tso with the support from the Navajo Hopi Land Commission and Honorable Council Delegates, Paul Begay, and Thomas Walker.

Regional Range Management Specialist accepted designation as a Member of the Board of Survey (BOS) for the BIA Navajo Region for a period of at least one year and not more than three years. The Board of Survey investigates the loss, theft, damage, or destruction of Government property. The Board completes the Report of Survey by documenting investigations and determinations about the disposition of the property and financial liability regarding its loss, damage, or destruction.

The Branch of Natural Resources office received two notices from the Chief, Branch of Fisheries, Wildlife, and Recreation Bureau of Indian Affairs, Office of Trust Services. These were forwarded to the Navajo Nation as indicated in the following:

- One notice was for a funding opportunity announcement indicating the request for project proposals for fiscal year 2020 funding for the National Animal Disease Preparedness and Response Program (NADPRP) and the National Animal Health Laboratory Network (NAHLN). Project proposals are due on September 14, 2020.
- Up to \$10 million will be targeted toward NADPRP projects focused on increasing practical livestock biosecurity measures or advancing rapid depopulation and disposal abilities to be used during high consequence animal disease outbreaks. Up to \$5 million will be directed toward NAHLN projects that address needs within the network related to receiving, testing, and reporting results for animal testing.
- The second notice was calling for written articles or short stories regarding Wildlife Management on Tribal Land for publication. This could be a great opportunity for the Navajo Nation Department of Fish and Wildlife to bring attention to their programs and expertise in fish and wildlife management work on the Navajo Nation.

- In addition, the funds from the proceeds from the publication will benefit the Native American Fish and Wildlife Society which has a strong following in Indian Country across the United States of America

## **Fort Defiance Agency**

### Non-Compliance Letters:

Non-compliance letters have been mailed to grazing permit holders who are in non-compliance, which includes; over permitted numbers, expired state brands, grazing within the wrong district/unit, and using a deceased individuals grazing permit. Non-compliance letters were also mailed to individuals who do not have a grazing permit but allow their livestock to graze. Non-permit holders were advised that they must confine their animals 24/7.

### Employee Tasks:

The staff continue working on conservations plans for District 18 and 14 permit holders. The conservation Plans are written for each grazing permit that are transferred or probated.

The Branch of Natural Resources was contacted by the Navajo Nation Division of Natural Resources Division Director Dr. Rudy Shebala to assist with unloading a couple semi-trucks that will be delivering emergency supplies, food, etc. These supplies were delivered to Window Rock Fair Grounds, Gorman Hall and Chinle High School Wildcat Den.

### RMU:

A Range Management Unit fence line construction has been completed at Lower Greasewood where special one inch by one inch stays were used due wildlife presentence as recommended by Fish and Wildlife. New fence line construction of 4 miles will be starting for the second pasture which is now being flagged out.

### Feral Horses:

Fort Defiance staff has been assisting Navajo Nation Department of Agriculture with horse rescue operation throughout the Navajo Nation. The number of horses rescue operation resulted as follows: Steamboat 81 horses, White Rock 65 horses, Standing Rock 70 horses, Tselani 123 horses and Blue Gap 64 horses. Total 403 rescued or hauled in to Navajo Nation fair grounds Window Rock, AZ.

### Wood Springs 2 Fire:

Ft Defiance Agency provided assistance with Wood Spring 2 fire Baer Team to recommend native vegetation species for reseeding in high intense burn areas. The estimate of distance of fence line to be constructed around the burn area to keep livestock out, identified four different locations with ecological site description (ESD) for monitoring re- growth of vegetation with photo points.

### Grazing Permits:

Range Technician completed Biological Assessment for Reissuing of Grazing Permits for District 14. Sent a finalized and approved Biological Assessment to Navajo Nation Fish and Wildlife for Biological Resource Compliance Form Approval for 45 grazing permits. Requested

for a BRCF from Navajo Fish and Wildlife for the Naschitti/Tohatchi Grazing Boundary Fence line.

## **Chinle Agency**

### **Commercial Forest Range Inventory:**

The Commercial Forest Range Inventory was completed and deliverables have been received from the vendor, BRIC, LLC. This range inventory consisted of 172,081 acres of forest resources within LMD 10 and LMD 11. The study established 384 transects (95 in LMD 10 & 289 in LMD 11). The results of the range inventory have been provided to the NN to consider the adjustment recommendations for the two LMD.

### **Canyon De Chelly Agricultural Land Use Permit GIS/GPS Inventory:**

This project was a joint venture between the National Park Service and the BIA Navajo Region Office. The contractor was tasked with GPS inventory of existing approved agricultural land use permits (153) & non approved (74) illegal farm plots/fencing within the administrative boundary of the Canyon De Chelly National Park. A total of 227 farm plots were inventoried and recorded. The final product is to be used for the development of a Joint Management Plan between the NPS, BIA and the Navajo Nation.

### **Land Management District (LMD) 10/9 Boundary Project:**

This LMD Boundary Fence project is currently ongoing and is  $\frac{3}{4}$  of the way completed. The required Cultural Resource Compliance Form (CRCF) & Biological Resources Compliance Forms (BRCF) were attained for this project to start construction, which was in March, right at the onset of the Covid-19 pandemic. The Rough Rock Chapter DGCM is building this fence with chapter laborers and NN Agricultural Conservation staff.

Phase 2: of this project consists of extending the current boundary along Carson Mesa to Chinle Wash. This will require approved CRCF & BRCF after surveying of the established boundary line.

Phase 3: This project is to establish a physical fence boundary between LMD 10 and LMD 8 from N-59 to the base of Black Mesa. This requires an approved CRCF & BRCF before construction.

### **LMD 11/LMD 9:**

This project is to construction a barrier between the two agencies. This LMD boundary was established on 10/08/36 by Soil Conservation Service (SCS); predecessor of NRCS.

### **LMD 11/LMD 18/LMD 12:**

This project is to establish a physical barrier between the two agencies from Whiskey Creek to the East to LMD 12.

### **Wood Springs Fire 2:**

The Wood Springs Fire 2 was a natural caused (lightning-strike) fire which burned 12,861 acres of Tribal Trust Land within two Land Management Districts of 10 & 17, respectively. Burned Area Emergency Response (BAER) Team was established to monitor and assess the fire damage.

The team met via teleconference to assess the post fire burn areas. Plans were develop to reseed the burned areas, remove burn from livestock grazing & defer for establishment of native seeds. Rebuild the ROW fence along BIA N-7 & N-26 roads. Wildlife-friendly fence design was recommended by NN Fish & Wildlife Biologist.

### **Many Farms Irrigation Project:**

The Many Farms Irrigation Office (MFIO), Many Farms Chapter and Farm Board are in the process of developing management plan for the 33 canceled ALUP. The MFIO plans to initiate Phase One of the plan by fencing off the perimeter boundary in 2021. The farm plots were recently surveyed by the NN Conservation Corp' staff. The team continues to meet via Zoom with all stakeholders to discuss, coordinate and implement plans going forward. This is a very exciting endeavor by everyone involved. The group plans to start farming in the Demonstration Farm in 2021.

### **Range Management Unit (RMU):**

Chinle Agency Branch of Natural Resources (BNR) has 27 approved & recognized range management units (RMU) within LMD 4, 10 & 11, which encompasses 103,824 total acres of Tribal Trust Lands. Respectively, LMD 4 has 2 RMU; LMD 10 has 14 RMU; LMD 11 has 11 RMU. Also, there are two (2) community Ram Pastures: Nazlini & LMD 10/LMD 11. Chinle Agency BNR is to initiate RMU compliance, monitoring & inspections in 2021.

### **Feral Horse Round Up:**

BNR assisted the NN, DGCM with approved feral horse round up in Tselani/Cottonwood Chapter, Chinle Chapter, Tsaille/Wheatfields Chapter, Blue Gap/Tachee Chapter. The NN Department of Agriculture reported 286-head of feral horses removed from Chinle Agency rangelands in 2019. Thus far in 2020, 188-head of feral horses have been removed from Tselani, Blue Gap/Tachee Emergency Equine Round-Up & Removal.

### **Covid-19 Pandemic:**

Regarding the Covid-19 Pandemic and safety precautions per CDC Guidelines. The office has purchased Personnel Protective Equipment (PPE); such as masks, gloves and hand sanitizers for staff. In addition, submitted purchase requisitions to purchase plexi-glass for office counter tops and hanging liners separating the office cubical as recommend by the regional safety officer.

### **Customer Service:**

Chinle Agency BNR continues to provide customer service through telephone/teleconference calls, emails, faxes, and curbside service if necessary. Meetings are also coordinated via Zoom with the NN and DGCM.

### **Navajo Partitioned Lands**

#### NPL Grazing Permits Reissuance

Continuation of reissuing grazing permits of all the 1155 cancelled permits has decreased to 640 as recommended by the Resource and Development Committee (RDC) and Joint NPL District Grazing Committee (DGC). NPL staff provided an update and status to the JT NPL DGC and Navajo Nation Department of Agriculture (DOA) through a two-day training session covering the three phases.

Phase 1 Living:

Reissued 10 permits to the list identifying 50 individuals still living identified by names published in four local newspaper. Individuals have met all the Navajo Nation eligibility requirements.

Phase 2 Heirship:

A Total of 140 applications under review for the Heirship verification that all requirements are met. Pending are final review of applications and public notice of the heirs. Currently, BIA is waiting for Navajo Nation Department of Agriculture to move forward the listing and to use the process that was outline by the RDC.

Phase 3 Case-by-Case:

The other 449 individuals recommended by RDC and Joint NPL DGC not considered in Phase 1 and Phase 2 will be reviewed on a case-by-case basis.

To complete the 25 CFR Part 161 mandate. BIA NPL in coordination with Navajo Department of Agriculture (DOA) and NPL DGC will reactivate NPL Critical Path Team to fulfill RDC legislative mandate, complete 2020 NPL Livestock Tally Inventory, and continue new permit orientation with CDC guidelines to protect health and safety, and provided technical assistance if necessary.

Earthen Dams:

Completed rehabilitation of twenty-one (21) earth dams at a cost of \$208,000 as identified in the following table. Water is a precious and scarce resource for livestock, wildlife, land, and local recharge to underlying water aquifers or water bodies. These dams are located on rangeland and some are large ponds near windmills are primary used by livestock and wildlife. Existing earth dams needing repairs completed with the removal of silt, compaction of berms, and installation of emergency spillways to lessen the possible of breaching. These are considered Low Hazard Class as these dams are located in rural rangeland and agricultural areas where failure to damage to property is at none to the lowest minimum. After rehabilitation, a dependable water supply defined as one that is available at least 8 out of 10 years or has a probability of 80 percent chance in any one year.

No.	Chapter	Range Unit	No	Chapter	Range Unit
1	Pinon	401	13	Low Mountain	409
2	Pinon	401	14	Low Mountain	409
3	Pinon	307	15	Low Mountain	409
4	Pinon	307	16	Tolani Lake	501
5	Blue Gap	402	17	Tolani Lake	501
6	Black Mesa	311	18	Tolani Lake	501
7	Black Mesa	311	19	White Cone	508
8	Black Mesa	308	20	White Cone	509

No.	Chapter	Range Unit	No	Chapter	Range Unit
9	Black Mesa	308	21	White Cone	510
10	Black Mesa	311			
11	Forest Lake	308			
12	Forest Lake	308			

#### HPL and NPL Referrals:

Completed 31 of the 38 Hopi Partitioned Lands (HPL) Referrals for fence repairs and cattle guard clean outs. HPL referrals submitted by the Hopi Tribe through a cooperative agreement to operate and maintained selected sections of the 1882 Executive Order (EO), HPL, and NPL fence line and cattle guards. Completed seven of the five NPL referrals to repair a stop/waste value of a windmill, three fence repairs, and three clean out of cattle guards.

Safety

#### Windmill Repairs:

Shortage of water due to the lack of precipitation will continue to have its impacts to livestock, wildlife, local groundwater recharge, and windmills. NPL maintains and operates 93 windmills. In 2020 repairs completed to thirty-seven (37) windmills at a cost of \$139,810 is follows:

2020 NPL Windmill Repairs					
No	Chapters	Windmill No	No	Chapters	Windmill No.
1	Whitecone	507-4	20	Pinon	406-5
2	Whitecone	507-W <sup>^</sup>	21	Hardrock	304-7
3	Whitecone	507-11	22	Hardrock	304-10
4	Whitecone	513-1	23	Hardrock	304-12
5	Jeddito	515-1	24	Hardrock	305-22
6	Jeddito	518-4	25	Forest Lake	302-4
7	Low Mountain	409-2	26	Forest Lake	303-7
8	Low Mountain	409-7	27	Forest Lake	303-12
9	Low Mountain	409-11	28	Black Mesa	308-1
10	Whippoorwill	408-22	29	Black Mesa	308-7
11	Blue Gap	402-5	30	Black Mesa	311-4
12	Pinon	306-5	31	Black Mesa	311-5
13	Pinon	307-4	32	Chilchinbeto	310-2
14	Pinon	307-7	33	Chilchinbeto	310-3
15	Pinon	307-17	34	Shonto	103-2

2020 NPL Windmill Repairs					
16	Pinon	401-1	35	Tonalea	102-15
17	Pinon	401-2	36	Tonalea	102-7
18	Pinon	401-6	37	Tonalea	107-7
19	Pinon	403-3			

#### Navajo Nation Livestock Incentive Program (NNLIP):

As of March 26, 2020, the Navajo Nation Department of Agriculture reported that \$40,800.00 was paid out to recipients who participated in the NNLIP. A total of 349 cattle, 47 sheep, 29 goats, and 2 horses (totaling 1,482 Sheep Units) was counted. It was also reported, 37 applications were returned for not providing an original sales receipt; incomplete applications, no current livestock inventory records, incomplete W-9, and/or provided feral horse sales receipt.

#### Status of Livestock Grazing Permits Reissuance:

The NPL office is currently cross referencing 140 grazing permit applications that were approved through the NPL District Grazing Committee (DGC) and the Navajo Nation Council's Resources and Development Committee (RDC). Presently, 9 of the 50 applicants have received their permits after getting into compliance with the 10 Sheep Unit Yearlong (SUYL) requirement.

#### Windmill Repairs:

The NPL office has been received inquiries regarding the lack of water for livestock and are requesting assistance with hauling livestock water. An assessment identified 37 non-operating windmills to be repaired pending the contract approval cost of \$139,810.00. It has been observed that water storage tanks are being depleted due to an increase in water hauling from windmills resulting in tribal members traveling long distances pulling tanks on trailers to obtain water. In addition, little to no wind within the last three weeks has not increased the levels of water.

#### Shiprock Agency

##### District 13 Fence line:

The Shiprock Agency has obtained a Conditional Biological Resources Compliance form (BRCF) for Phase II of the District 13 boundary fence line. The BRCF is the last component needed since a Purchase Request was completed and funds are currently present. The project will start from the north near Burnham and work to the south towards the Great Bend on the Chaco River. The reason for completing the project from North to South is due in part to the COVID 19 pandemic closing the department of Game and Fish during the spring which led to a delay in surveying the habitat of the Mesa Verde cactus. The project is currently undergoing the bid process.

##### McCracken Mesa:

The Shiprock Agency has processed a request for a range inventory for the McCracken Mesa area of the Aneth Chapter area of the Shiprock agency. The Data will be used to recommend the number of animals that can graze the McCracken Mesa area of Shiprock agency. Currently a statement of work and purchase request have been completed for the project.

#### District 13 Weed Inventory:

The Shiprock Agency completed a request to complete a noxious weed inventory for the District 13 portion of the Navajo Reservation. The project will inventory all of the noxious/invasive weeds in the tributaries of and the Chaco River. Currently the request is progressing through the acquisition portion of the process and currently is undergoing the bid process.

#### District 12 Grazing Management Plan:

Staff from the Shiprock Agency Bureau of Natural Resources is currently drafting a Grazing Management Plan for District 12. The plan provides a 5 year conservation plan for District 12 in which the plan outlines how District 12 could better utilize its natural resources. The Plan promotes healthier rangelands, improved wildlife habitat, and sustainable management of livestock.

#### Land Use Permits:

A total of four Land Use Permits were issued during this quarter. A total of 6 Land use permits were submitted to the Navajo Regional office for processing. During the course of the year the Shiprock agency has issued a total of 8 LUP(s)

### **Western Navajo Agency**

#### The Former Bennett Freeze Area Integrated Resource Management Plan:

The finalized draft Former Bennett Freeze Area (FBFA) Integrated Resource Management Plan (IRMP) has been completed and has been presented to the Navajo Nation Council's Resource and Development Committee (RDC) and the Navajo Hopi Land Commission. The RDC has been requested to formally accept, by Committee resolution, the draft IRMP. When the BIA receives the resolution of acceptance of the draft IRMP, the BIA will start the Programmatic Environmental assessment (PEA), which starts with the public scoping meetings. Due to the pandemic and limited internet resources within the FBFA, these meetings may be held remotely via teleconferencing resources. The BIA is working hard to ensure public participation in the development of the PEA and to make sure to achieve maximum public participation in the PEA process. The Bureau of Indian Affairs project management team will initiate the start of the Programmatic Environmental Assessment (PEA) process as soon as the requested actions of the RDC is received. Public participation is vital to the success of this project, so even though, public scoping is not required for a PEA, public scoping is planned. Once the PEA process is initiated, the PEA will need to be completed within six months. This is to comply with Secretarial Order 3355: Streamlining NEPA Reviews and Implementation of Executive Order 13807, "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects. Five (5) Public Scoping meetings are planned.

#### FBFA Livestock Water Project:

The WNA-BNR has been working with the Navajo Nation Department of Water Resources (NNDWR) and the BIA Navajo Regional Office staff have prepared the plans for development of a livestock water stand pipe for individuals who haul water for livestock and farming. Based upon the certified land survey and assessments, the Cameron Chapter can do a land withdrawal following the processes identified in the Navajo Nation's General Leasing Act. The BIA is developing a statement of work for the design of and installation of the pipeline and the stand pipe.



Land Management District (LMD) 3 and LMD 5 boundary fence reconstruction and LMD 1 and LMD 3 Boundary Fence Project:

The Southwest Conservation Corps (SCC) fencing crew is tasked to remove the old fence and rebuild the fence with new material. This projects were scheduled to start this past spring, but due to COVID-19 Public Health Emergency orders, the projects are delayed. The projects involve the 22-mile LMD 3/5 fence line and the 37-mile LMD 1/3 fence.

LMD 1 and LMD 3 Range Management Plans – These project continue to be on hold, pending the completion of the FBFA PEA. The LMD 3 covers over 1.4 million acres, of mostly of FBFA, and effects 661 Grazing Permits (40,601 Sheep Units Year Long) and the LMD 1 covers 833,625 acres and effects 535 grazing Permits (26,716 Sheep Units Year Long).

The Bureau of Indian Affairs (BIA) Western Navajo Agency has initiated the development of a Cropland Management Plan (CMP) for Land Management District (LMD) 3. The CMP is to provide documentation for the management of croplands for about 1,030 acres. The documentation will assess environmental impacts on the physical environment. This project is, also, currently on hold while the FBFA IRMP PEA is ongoing.

The BIA continues to monitor NNDW’s Technical Construction Operations Branch repair of earthen tanks and windmills in the FBFA.

The Navajo Nation’s “Request for Funding for Livestock Water Projects in the Former Bennett Freeze Area” has been reviewed and partial funding has been approved and transferred to the Navajo Nation. Projects in the amount of \$998,957.30 were funded. The fund transfers through a self-determination contract.

The implementation of the Tsegi Canyon portion of the “Grazing Management and Stream Restoration Plans for Tsegi and Nitsin Canyons” have restarted and the activities for the Dowozhiebito canyon fencing and stream restoration have started.

## **BRANCH OF WILDLAND FIRE MANAGEMENT**

The 2020 fire season was considered “above average” for the Navajo Region, Branch of Wildland Fire and Aviation Management (BWFAM). Fire occurrence consisted of 209 – human caused fires burning 1360 acres and 19 – lightning caused fires burning 12,892 acres, the largest incident was the Wood Springs 2 Incident at (12,861 acres). In total, there was 14,252 acres burned on Navajo Region. In addition to local suppression activity, Navajo resources were dispatched to various locations within Arizona and New Mexico to assist with other fires in what was to be considered an “extended” fire season in Region 3. Coupled with a national pandemic occurrence, the season ultimately proved to be safe with minor injuries and at least six positive cases of Covid-19 effecting crew operations.

All sections were successful in recruiting and hiring for the 2020 season, despite the effects of the pandemic; the Hotshot crew hired 18 – personnel; Aviation, 9 – personnel; Engines, 5 – personnel. In addition, the Administratively Determined Emergency Hires, commonly referred to as the “Navajo Scouts” had a total of 50 wildland firefighters for the program. All resources received positive evaluations on assignments, with no major accidents or injuries. The Navajo Scouts generated a total earned income of \$525,344.04 with 25,599 hours worked on the fire-

line. In total, they were assigned to 11 wildfire incidents, both within the Navajo Nation and in the Southwest.

A total of 23 national fire assignments and 14 overhead miscellaneous orders for all Navajo Region resources, this included;

- 15 – Type II Initial Attack and Overhead assignments
- 4 – Type I Interagency Hotshot crew assignments (status as a Type II IA, due to qualifications)
- 1 – Engine assignment (local – Wood Springs 2)
- 1 – Aviation (helicopter/helitack) assignments (with extensions up to 28 days)
- 2 – Camp Crew assignments

The Navajo Interagency Hotshot crew dispatched to 4 wildfire incidents within the geographical area, and Wildland fire assignments consisted of; Chuska Peak wildfire (10 acres), Tohatchi, NM; Mangum wildfire (71,450 acres), Kaibab NF, Fredonia, AZ; Wood Springs 2 wildfire (14,000 acres), Woodsprings, AZ; Seco wildfire (26 acres), Cibola NF, Grants, NM; Ft Craig 2 wildfire (721 Acres), BLM, Socorro, NM; Superstition wildfire (9,539 acres), Tonto NF, Apache Junction, AZ; Hidden Fire (6,100 acres), Tonto NF, Payson AZ. The crew will be planning to end their season on September 26, 2020.

The Exclusive Use Helicopter and Helitack Module stayed on the Navajo Region supporting the Navajo Nation Trust Land fire suppression responsibilities for the duration of their contract. They assisted with Initial Attack and Extended Attack on the Wood Springs 2 incident, and personnel from the crew assisted in various overhead capacity, e.g. Heavy Equipment Boss, Crew Boss, and Incident Commander Type 3 trainee. They had one assignment out of Navajo Region on the Seco wildfire in Grants, NM and were re-assigned to the Medio wildfire in Santa Fe, NM. The Helitack crew assisted in various helicopter crewmember duties such as preparing sling loads, helispot approvals, Plastic Spheres Dispenser Operation, Helispot Management, Water Dip site Management, Reconnaissance and Geospatial Positioning System flights. The Navajo Helitack was recognized with a certificate of appreciation for doing outstanding work by the Southwest Type 2 Incident Management Team (Team 4) while assigned to the Medio wildfire.

- Overall Flight Time for the Helicopter: 191.7 hours
- Overall Cost for the Exclusive Use Helicopter: \$654,711.82
- The Exclusive Use Helicopter completed the 110 days regular contract period on September 1<sup>st</sup>, 2020.
- The Exclusive Use Helicopter Contract is on the 8<sup>th</sup> day of a 30 days (day by day basis) extension.

The BIA, Branch of Wildland Fire and Aviation Management are anticipating the move into the New Helitack Facility located next to the Window Rock airport in Window Rock, Arizona. It is in its latter part of completion and hope is to be completed by the end of the fiscal year.

The Fuels Management Program planned to continue projects operations on 5 Hazardous Fuel Reduction (HFR) projects within the Black Creek Wash, Ganado Wash, Lupton Community, White Rock Wash, and White Clay. The treatments for each project include a combination of thinning and hand piling, machine piling, chipping, broadcast burning, and pile burning. The intent of the projects is to create a break in the continuity of ground fuels to minimize wildland fire effects to the communities of Window Rock, Fort Defiance, Saint Michaels, Ganado, Corn Fields, Sawmill, Nazlini, White Clay, Navajo, Red Lake, and Lupton. The Woodsprings 2 Fire burned into the White Rock Wash Prescribed Burn unit and as a result treated 3,767 acres within the project area.

	<b>Black Creek Wash</b>	<b>Ganado Wash</b>	<b>Lupton Community</b>	<b>White Rock Wash</b>	<b>White Clay</b>
<b>Thinning</b>	50	100			
<b>Hand Piling</b>					50
<b>Machine Piling</b>	50	100			
<b>Chipping</b>					
<b>Broad Cast Burn</b>				3767	
<b>Pile Burn</b>					
<b>Total Acres</b>	<b>100</b>	<b>200</b>	<b>0</b>	<b>3767</b>	<b>50</b>

Amidst the national pandemic, 2020 proved to be a busy year for Prevention. The primary goal of the fire prevention program is to lessen human- caused wildfires with fire investigations, promoting burn registrations and safe burning. With the COVID-19 Pandemic, outreach events were cancelled limiting person to person contact. Fire prevention implemented more messaging through social media such as, Facebook and radio messages. The BWFAM are required by policy to investigate all wildfires to determine specific cause and origin. The policy is referenced in the 53 IAM 7-H Forest Trespass Handbook. The following chart shows the total investigated human-caused fires and their categories for the fiscal year.

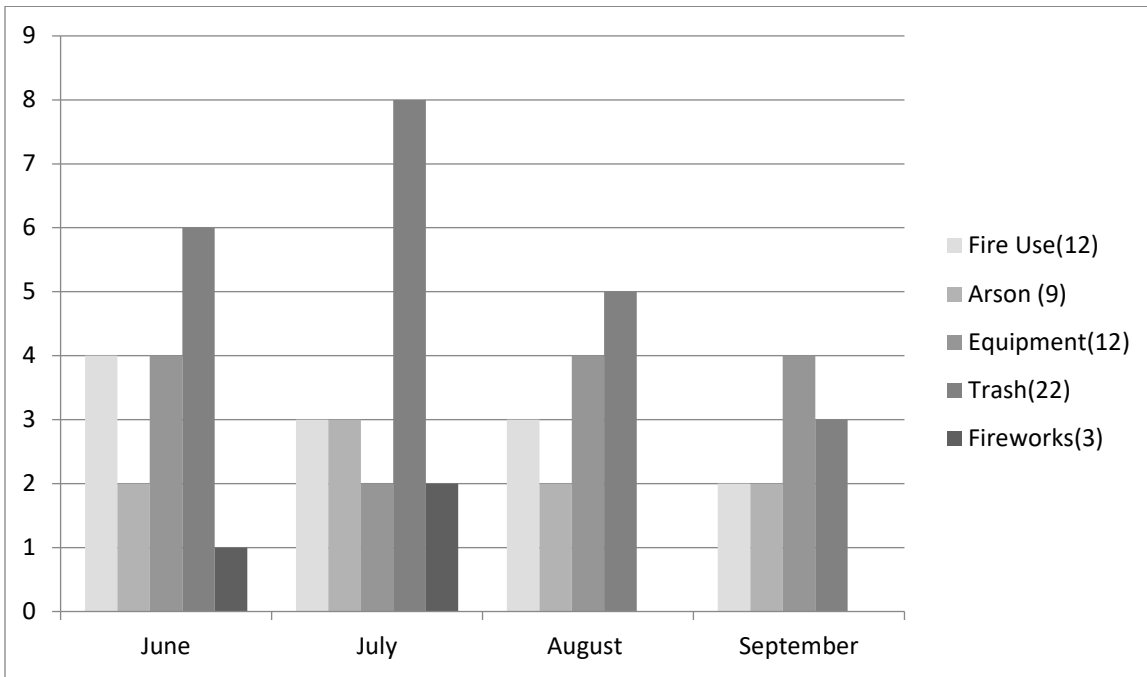


Figure 1. Fire Investigations completed for the months June to September. Total Fires-58.

Agricultural/ Field Burning	Cultural Traditional	Complaints
120	36	3

Table 1. Total number of Burn Registrations submitted to Navajo Nation EPA from January 07,2020 to September 09, 2020.

**BRANCH OF FORESTRY**

The Bureau of Indian Affairs (BIA), Navajo Regional, Branch of Forestry continues to process multiple timber cutting permits that are received from the Navajo Forestry Department (NFD). These permits are for infrastructure projects done by the Navajo Tribal Utility Authority and consist of the installation of fiber optic cables. A total of 23 permits have been processed this quarter and provided to the Navajo Forestry Department.

During the fourth quarter, staff with the Bureau of Indian Affairs, Navajo Regional Branch of Forestry entered permit data provided by the Navajo Forestry Department into the Trust Asset and Accounting Management System (TAAMS). This system records the amount of forest products that have been harvested within the Navajo Nation in terms of board feet, cords, or other measureable means during the fiscal year. Staff at the BIA Central Office compare data to determine whether the metric of timber sales prepared and offered are being accomplished.

Timber Sales Forester was assigned to the Burned Area Emergency Rehabilitation (BAER) Team to develop the BAER Plan to address the impacts of the lightning-caused Woodsprings 2 Fire. The Forester compiled and made assessments regarding the timber and woodland products

within the 12,800+ acres of trust lands that burned at various levels of fire severity. The Timber Sale Forester estimates the total value of forest products lost to the fire to be \$140,578.17. Further, it is estimated that the total value of salvageable forest product remaining within the entire burn area to be valued at \$1,749,266.15. A salvage forest product sale could be prepared in accordance to the Navajo Nation Forest Management Plan enabling the Navajo Nation to generate additional revenue while actively treating the burned forest stands. Additional sampling and surveying would be required to obtain a statistically accurate estimate, based on site-specific analysis of harvestable areas. For example, fixed area plots coupled with an accessibility analysis could provide sufficient data necessary to prepare a Forest Officers Report and a salvage sale prospectus that could be advertised to the public. Ultimately, the BAER Team finalized the Plan and closed out the Team on August 27, 2020.

As part of the Farmington Mancos Gallup Resource Management Plan Amended Environmental Impact Statement (EIS) Interdisciplinary Team (IDT), Forestry staff attended scheduled conference calls to prepare for the Virtual Open House (VOH) meetings scheduled on August 26 through 29. The EIS is a collaborative effort between the Bureau of Indian Affairs (BIA) and the Bureau of Land Management (BLM). For the BLM, the EIS will be amending the Farmington Field Office 2003 Resource Management Plan to analyze the potential impacts to the BLM from changing oil and gas development patterns. For the BIA, this EIS will be used to evaluate alternatives and issues related to its authority over mineral leasing and associated activity decisions in the planning area. These meetings allowed for public comment and question sessions regarding the EIS. Because of the current pandemic, an extension for a period of 120 days was added to capture additional public comments and questions associated with this EIS and ended on September 25.

The BIA, Branch of Forestry provided technical assistance to the NFD by way of reviewing a silvicultural prescription that was created for the “El Paso Fuelwood Harvesting Pilot Project.” A silvicultural prescription documents the planned treatment or treatments in order to change the structure and composition of a forest stand to meets goals as outlined within the forest management plan and the six-year action plan of the Navajo Nation. The prescription document is currently with NFD for review. Once the prescription is finalized, it will be forwarded for review and subsequent approval by a certified Silviculturist that works with the Forest Service. This Silviculturist has provided his assistance to the BIA and the NFD in the past with review of other silvicultural prescriptions.

The BIA, Branch of Forestry staff participated in the meetings scheduled on September 9 and 10, 2020, as part of the Interdisciplinary Team (IDT) for the Integrated Weed Management Plan Programmatic Environmental Impact Statement (PEIS) Project and the cooperating agency presentation. The IDT is responsible for reviewing the content of the PEIS being developed for the plan through a contractor. The PEIS is in draft form and will need to meet updated requirements in relation to the National Environmental Policy Act and Secretarial Orders.

The Branch of Forestry provided funding for biological resource compliance work to the Navajo Natural Heritage Program (NNHP). The NNHP staff assists with forest land management activities that are to be conducted by the Navajo Forestry Department and the Bureau of Indian Affairs, Branch of Forestry by completing surveys in project areas. A Statement of Work was

developed through coordination between BIA Forestry staff and the NNHP program manager. These funds are to be added to the current 638 contract with the Navajo Nation.

Supervisory Forester attended the Funding Position Analysis (FPA) meeting on September 15, 2020, through the Teams application. Although a trial data set had been done earlier this year with 2019 data, the upcoming analysis will use data from 2020. The purpose is to make a comparison of the 2 data analyses to see how much, if any, the current Covid-19 pandemic impacted the Forestry and Fire Management Programs on a national level. This data is due to the Branch of Forest Resources Planning on or before October 31. This information was provided to the Navajo Forestry Department so that they could provide their analyses as well.

## **BRANCH OF ENGINEERING**

### **Water Resources**

The Branch of Engineering Branch Chief (BOE-BC) continues to attend weekly Navajo Nation (NN) COVID-19 meetings. The COVID-19 Water Access Coordination Group (WACG) conference call meeting is held weekly on Tuesday. BIA-Navajo Regional Office (NRO) provided Technical Assistance to the WACG to open the Transitional Water Points (TWP) at Pueblo Pintado and Oljato Chapter Houses. A total of fifty-nine TWP will be open soon across the Navajo Nation Reservation, established on or near Navajo Nation Chapter Houses.

Mr. Raymond Benally is the new Safety of Dams Officer/Engineer for the Branch of Engineering. Mr. Benally has worked for the Navajo Nation prior to joining BIA-NRO. Mr. Benally brings Safety of Dams historical knowledge and many years of engineering experience.

### **Water Rights Negotiation/Litigation Project (WRN/LP)**

A majority of the Navajo Nation Water Management Branch (NNWMB) staff were on Admin Leave due to the COVID-19 pandemic since March 2020. On August 17, 2020, the Navajo Nation opened and most NNWMB staff reported back to duty. With that, projects began to move forward with progress. BOE-BC and Jason John began to meet bi-weekly for project updates and Technical Assistance after the NN re-opened.

The Fiscal Year (FY) 2021 Funding Requests received from NNWMB for water related activities under Water Rights Negotiation & Litigation Program were submitted to BIA Central Office on September 15, 2020. Projects proposals submitted:

1. Rights Protection-Little Colorado River, Arizona	\$500,000
2. Rights Protection-Zuni River, NM	\$200,000
3. Navajo Gallup Water Supply Project-Phase 9 of 12	<u>\$300,000</u>
	\$1,000,000

### **Water Planning & Pre-Development Project (WPPDP)**

The Fiscal Year (FY) 2021 Funding Requests received from NNWMB for water related activities under Water Management, Planning and Pre-Development Programs were submitted to BIA Central Office on September 15, 2020. Projects proposals submitted:

1. Navajo Aquifer Program	\$50,000
2. Coconino Aquifer Program	\$50,000
3. Monitoring for Telemetry for Navajo Nation Stream Gaging Ph2	\$30,000
4. Chuska Mountain Watershed Planning Study	<u>\$25,000</u>
	\$155,000

### **Water Development Project**

FY2020 One time funding for the BOE PL 93-638 Contract: Water Development PL 93-638 Model 108 Contract awarded \$998,957.30 to the Navajo Nation Technical Construction Operations Branch for the Former Bennett Freeze livestock water projects.

### **Navajo Gallup Water Supply Project (NGWSP)**

The NGWSP Reach 27.11 NEPA Sufficiency Report is complete and the updated Right of Way (ROW) packet was submitted in August 2020 to BIA Eastern Agency for review. Bureau of Reclamation (BOR) is finalizing the as-built drawings for NGWSP Reach 12A and Reach 12B, once finalized the as-built drawings will be forwarded to BIA-NRO. The project wide NGWSP Re-vegetation Plan is still with the Bureau of Land Management (BLM) for review and signature process, once finalized the plan will be forwarded to BIA-NRO for signature.

### **San Juan River Navajo Irrigation Projects**

A majority of the Navajo Nation Shiprock Irrigation Office staff were on Admin Leave due to the COVID-19 pandemic since March 2020. On August 17, 2020, the Navajo Nation opened and most NN Shiprock Irrigation Office staff reported back to duty and projects began to move forward with progress. Both Fruitland-Cambridge and Hogback-Cudei Irrigation Canals opened to the public for irrigation in April 2020, and is planned to shut down on October 30, 2020.

### **Fruitland-Cambridge Irrigation Project**

The Fruitland-Cambridge Irrigation Project was funded \$7.7M under the Public Law 111-11 Navajo Settlement in 2009. The Navajo Nation elected to rehabilitate four water infrastructures to utilize the Navajo Settlement funding, with a deadline to complete by December 31, 2023. Currently, two of the four projects are complete, and two are in Contract Bidding status. The four projects are as follows:

1. Bitsui Siphon Rehab Project- Construction Complete.
2. Fruitland Diversion Dam Rehab Project- Navajo Nation to open bid for contract, Construction scheduled for fall 2021.
3. Yellowman Siphon Rehab Project- Navajo Nation to open bid for contract, Construction scheduled for fall 2021.
4. Canal Seepage Rehab Project- Complete.

The San Juan Recovery Implementation Program and the Upper Colorado Recovery Implementation Program awarded \$975,990.18 to the Fruitland Diversion Dam Rehab Project for construction of the Fish Weir component. The funding was provided through an Inter-Agency Agreement between BOR and BIA. The funding will be available to the Navajo Nation through the existing BIA PL 93-638 Sub-part J Construction Contract.

On August 13, 2020 the U.S. Fish and Wildlife Services (USFWS) sent a letter to Navajo Nation Department of Water Resources Director. Inside the letter, the Colorado River Salinity Program Habitat Replacement (CRSPHR) Project's Biological Opinion (BO) was brought to attention. The BO (Consultation No. 02ENNM00-2016-F-0131) was issued by the USFWS to the BIA and BOR for the San Juan River Navajo Irrigation Rehabilitation Project for the Fruitland and Hogback Irrigation Canals and the CRSPHR to reconnect a secondary channel to the San Juan River to provide resources for endangered fishes (Razorback Sucker & Colorado Pike minnow), plus the entire native fish community. The secondary channel was built in 2018 by the San Juan Dineh Water Users Association (SJDWUA) in Shiprock, NM. Martin Duncan, Superintendent of the SJDWUA noticed an unauthorized damming of the secondary channel and a temporary diversion structure inside the San Juan River to increase flow into the dammed secondary channel. After further observation, the dammed water inside the secondary channel was being used for irrigation for a new hemp farm located downstream of the Shiprock Bridge. With the secondary channel dammed, it prevents serving its intended purpose as habitat replacement for activity authorized by the BO. The NN has not responded to the USFWS to rectify the issue.

### **Hogback-Cudei Irrigation Project**

The Hogback-Cudei Irrigation Project was funded \$15.4M under the Public Law 111-11 Navajo Settlement in 2009. The NN elected to rehabilitate five water infrastructures to utilize the Navajo Settlement funding, with a deadline to complete by December 31, 2022. Currently, one of the five projects is in construction, one is complete, and three are in Contract Bidding status. The five projects are as follows:

1. Helium Siphon Rehab Project- Construction currently ongoing.
2. Hogback Canal Steel Siphons Rehab Project- Navajo Nation to open bid for contract, Construction scheduled for fall 2021 or earlier.
3. Eagle Nest Siphon Rehab Project- Navajo Nation to open bid for contract, Construction scheduled for fall 2021 or earlier.
4. Lateral Conversion Project-Complete.
5. Canal Lining Rehab Project- Navajo Nation to open bid for construction, plan to complete in winter 2020.

On March 6, 2020 the BOE-BC and BIA Southwest Regional Office (SWRO) met with the Navajo Nation and presented the calculated cost index value for the Conjunctive Groundwater Use Wells Project and the Hogback-Cudei Irrigation Project. After the meeting, the BOE-BC sent the Navajo Nation a Technical Memorandum detailing the cost index calculation process. The Navajo Nation concurred on the calculation process and now the funds will be released through the existing PL 93-638 Subpart J Construction Contracts once the Navajo Nation submits expenditure plans for both cost index amounts.

### **Conjunctive Groundwater Use Wells Project (CGWUWP)**

The Conjunctive Groundwater Use Wells Project was funded \$30 million under the Public Law 111-11 Navajo Water Settlement in 2009. The Navajo Nation elected to utilize the Navajo Settlement funding to rehabilitate water infrastructures such as water wells, waterline interties to main stem lines, and rehabilitate water tanks to assist Navajo communities. To meet the deadline requirement of the Navajo Water Settlement, the BIA has to allocate the entire \$30 million to the Navajo Nation by December 31, 2024. Currently, approximately \$8M has been allocated to the Navajo Nation.



The BOE-BC awarded \$686,000 for Work Order #4, Sheep Springs Connection Phase 1 Project, awarded into the existing Conjunctive Groundwater Use Wells Subpart J Construction Contract.

The City of Gallup and Bureau of Reclamation proposed a water well drilling project to the Navajo Nation to assist the Navajo Gallup Water Supply Project. The proposed project will provide additional water for the NN and City of Gallup. BIA provided technical assistance through the Navajo Settlement Federal Team to assist the Navajo Nation making a decision to move forward with the proposed project as part of the Conjunctive Groundwater Use Wells Subpart J Construction Contract. The Navajo Nation will submit a request letter to BIA to utilize Conjunctive Groundwater Use Wells-Navajo Settlement funding off the San Juan Basin to drill the water well.

Funding of on-going water-related projects/activities will provide positive social and economic benefits for Navajo communities throughout the Navajo Nation. The Navajo Nation will benefit from water delivery projects by providing water to the Navajo communities in accordance with the Public Law 111-11.

The Navajo Nation will benefit from water delivery projects by providing water to the Navajo communities in accordance with the Public Law 111-11.

### **SAFETY OF DAMS (SOD)**

The Window Rock Dam Periodic Review inspection was performed August 4, 2020 with BIA Lakewood SOD, Engineering Consultant and Navajo Nation SOD (NNSOD). The dam safety examinations and reports provide field information on the condition and performance of the dam to address risk assessments and risk management. The examination reports serve as a valuable record of changing conditions at a dam, provide a review of Potential Failure Modes, and identify evidence of Potential Failure Mode development. Captain Tom, Ganado, and Blue Canyon Dams dam inspections periodic review draft reports were completed by the BIA Lakewood SOD Engineering consultant and NRO SOD provided comments.

### **Navajo Nation Dams Early Warning System (EWS upgrades)**

The BIA Lakewood SOD, BIA-NRO SOD and NNSOD had a meeting (via telephone call) on August 10, 2020, September 3, 2020, September 9, 2020, and September 15, 2020 to discuss status of EWS satellite system upgrades on the Navajo Nation dams, infrastructure work to initiate purchasing materials for fabrication logistics of field work. BIA Lakewood SOD EWS contractor and NNSOD staff had a site visit to Asaayi Dam August 20, 2020 and performed EWS maintenance at To'hajilee Dam on September 10, 2020. The BIA Lakewood SOD contractor began the first phase of installation preparation at NN dams the week of September 21, 2020 focusing on the following sites - Assayi Dam, Assayi Dam Upstream, Assayi Dam Downstream, Captain Tom Dam, Ganado Dam, Todacheene Dam, Tsaile Dam, Tsaile Dam Upstream, Wheatfields Dam and Wheatfields Dam Upstream. The BIA Lakewood SOD contractor is also scheduled to performed EWS maintenance at Charlie Day Dam and Cutter Dam on September 29 and 30, 2020. The EWS satellite equipment upgrade is to start week of October 5, 2020. Phase 1 is projected to be completed by the end of December 2020 and Phase 2 to start in February or March 2021, depending on weather.

### **Navajo Nation Department of Transportation (NNDOT) N12 Road Project**

There was a kickoff meeting/call July 15, 2020 with the NNDOT Engineering Consultant, Environmental Consultant, Geotechnical Consultant, Rights of way (ROW) Acquisition Consultant, and Planning Consultant on the N12 road project that includes road improvements over Wheatfields Dam. The Project background and overview, scope of work, project schedule, project progress status, etc. was provided. A monthly progress meeting will be scheduled.

### **NAVAJO INDIAN IRRIGATION PROJECT (NIIP)**

Bureau of Reclamation' Four Corners Construction Office is commissioning the Cutter Lateral Water Treatment Plant and is diverting water to this treatment plant located approximately 20 miles south of Cutter Reservoir. The Cutter Lateral Water Treatment supplies Reach 22 of the Navajo Gallup Water Supply Project (NGWSP). Navajo Agricultural Products Industry's O&M program is to operate the NIIP facilities upstream of the Cutter Reservoir continuously to ensure water supply for NGWSP.

The NIIP system was shut-down on Monday, September 14, 2020 due to a 3,000-gallon Tanker Truck crashing into the Main Canal at Navajo Route 3002 in Blocks 1 & 4. The crash caused minimal damage to the NIIP irrigation canal, but the shut-down effected the entire 73,780 developed acres on NIIP. The Tanker did not spill its 1,500 gallons of cargo fuel but fuel from its fuel tank leaked approximately 15 gallons of diesel in the canal. The 1,500 gallons of fuel was successfully pumped out and the Tanker was safely removed the same day by San Juan County Emergency Response Team. However, it took three days to clean up the fuel and complete the water quality testing to show the cleanup was a success. After a four-day shut-down, the NIIP system was placed back into service on September 18, 2020.



The NIIP water delivery system will be shutting down to NIIP on October 12, 2020, marking the end of another successful irrigation season for NAPI despite the COVID-19 challenges.

Successful NIIP O&M, ATRL, and On-Farm Development services were completed by NAPI. The NIIP supports Navajo Nation's economy with crop revenues, sustained jobs, commercial contracting, and added business ventures/opportunities.

## **BRANCH OF REAL ESTATE SERVICES (RES)**

### Special Projects - COVID-19 Related

#### Infrastructure Immediate Action Project TEAM

The Infrastructure Immediate Action Project Team was established to review projects related to Navajo Nation COVID 19 funds and to expedite the approval process related to Real Estate Services (RES).

- Real Estate Services tasked with:
  - Right-of-Way training offered to NTUA specifically on crossing allotments; preparing training material

#### Mineral Leasing:

- 7/7/2020 - Letter written to Navajo Nation Minerals Department on proposed Assignment of Operating Rights between Westech Energy Corp to Exxon Mobil Corp on Lease No. N0G-9904-1327. No response or concurrence from Navajo Nation.
- Processed State of Utah payments for June, July and August 2020, which the Navajo Nation has to submit payments to State of Utah.
- 7/21/20 – Letter sent to Peabody Western Coal Company (PWCC) on status of lease review on bond reduction on two Navajo Nation Coal leases 14-20-0603-8580 and 14-20-0603-9910. Both Navajo Nation and BLM (AZ State office) requested on more time to review relevant documents. No final recommendation has not been receive from Navajo Nation or BLM.
- 9/01/2020 - Letter to Kaibeto Resources Inc. on Kaibeto requesting release of the bond for Sand and Gravel leases. Status on consulting with the Navajo Nation and Bureau of Land Management (BLM) on recommendation or comments on releasing of the bond and clearing the Notice of Violation with NNEPA before the bond can be release.
- 9/2/2020 Letters were written to Navajo Nation Minerals Departments, Bureau of Land Management (New Mexico) and Office of Surface Mining Reclamation & Enforcement (OSMRE) regarding the partially surrender on reclaimed land on 14-20-603-2505 requesting written recommendation on the applications.
- 9/15/2020 - On site inspections for proposed four (4) well locations with representative from Navajo Nation Oil & Gas Company, BLM from Farmington, Navajo Nation Minerals Department and NN Fish & Wildlife offices.
- 9/23/2020 - On site inspection from proposed three (3) well locations with representatives from Permit West for Vision Energy Company, BLM from Farmington, Navajo Minerals Department.

#### Surface Leasing:

- Tuba City Federal Government Lands:
  - Continue researching all withdrawals and supporting documentation
- Chinle Federal Government Lands:
  - Pursuant to the Navajo Nations request to return Federal Withdrawn Lands back to the Navajo Nation, a continuous update of property tracts are map onto aerial base maps.

- Retrieved a copy of a letter dated 1958 and a legal description within Parcel A, which was returned to Navajo Nation. Still gathering information.
- Continued researching all withdrawals and supporting documentation
- Navajo Nation Hospitality Enterprise:
  - Reviewed and collaborated with BIA Solicitor on the Loan package in the amount of 3.6 million which also had other financial documents and ground lease encumbrances. Awaiting final approval from Navajo Nation President on Loan package.
- H&R Block Window Rock Shopping Center, Lease No. FD-02-205
  - Working with Wells Fargo Bank in releasing a Certificates of Deposit in lieu of surety bond to the lessee.
  - Working with the Window Rock Shopping Center and Brad Pollard, new lessee in obtaining a new lease.
- Fort Defiance Agency – Federal Withdrawn Land:
  - Currently working with IHS on a monument land survey and platting, outlining the boundaries between BIA and IHS.

#### Rights-of-Way:

- Assisting Office of the Special Trustee for American Indians (OST-AVSO) on Statement of Work (SOW) for Navajo Transitional Energy Company for Area III access road right-of-way. The SOW will be entered into OST-OASIS for review and approval by OST-AVSO on the appraisal reports
- Assisting OST-AVSO on Statement of Work for Public Service Company of New Mexico's rights-of-way renewal on 60 Individual Indian Allotments. The SOW will be entered into OST-OASIS individual by tracts; so individual appraisal reports will be issued and review by OST-AVSO.
- Completed the Secretarial Waiver for Navajo Generating Station (NGS) and forward the request to the Solicitor's Office, Albuquerque, NM.
- Tri-State Generating & Transmission Association is preparing to file their right-of-way renewal on several tracts situated on Navajo Tribal Land, BIA Administrative land extending from Church Rock, through former Ft. Wingate Army Depot to Jamestown, NM.
- Provided technical assistance to Chinle Agency on land status of proposed fiber optic project which is located within Lukachukai Community School site.
- Pre-Application review for two large broadband projects crossing the Navajo Nation:
  - Emery Telecommunications is currently proposing to construct 138 miles fiber optic across the northern portion of the Navajo Nation, Arizona and Utah.
    - Beginning from the Navajo Mountain Day School, Navajo Mountain, Utah and traversing south along BIA Route N16 for 41 miles to the Crossroad Junction, continuing eastward along ADOT State Route 98 for 23 miles to the Shonto Junction, continuing northeast along US Route 160 for 32 miles to Kayenta, AZ, continuing north along ADOT and UDOT State Route 163, for 42 miles and ending near Mexican Hat Utah.
    - Land Status vary between Indian Allotment, Navajo Nation, Private and Federal Withdrawn Lands. Continuous research and updates are being performed.

- Arcadian Telecommunications is currently proposing to construct 426 miles of fiber optic across the northern portion of the Navajo Nation, Arizona and New Mexico.
  - Phase 1; begins near Gray Mountain, AZ and traversing north along US Route 89 for 41 miles to the Gap Junction Store, continuing north along BIA Route N20 for 43 miles and ending near Lechee, AZ,
  - Phase 2; begins at the junction of US 89 and US 160 and traversing east along US 160 to Teec Nos Pos, AZ for 154 miles, continuing east along US Route 64 for 38 miles and ending near Waterflow, NM.
  - Phase 3; begins near Petrified Forest, AZ and traverses east along I-40 for 150 miles and ending near Prewitt, NM.
  - Land Status vary between Indian Allotment, Navajo Nation, Private, Public Domain and Federal Withdrawn Lands. Continuous research and updates are being performed.

#### Cadastral Survey & Unresolved Rights:

- AZ-BLM Agreement: Approved/On-Going Surveys: 1) Gray Mountain (T28NR8E) approved on 8/4/20 on various sections, 2) field survey & final field inspection is completed on Canyon De Chelly (T31N, R27E) and now pending final review & approval and, 3) new survey (T39NR25E), north of Rock Point, AZ is starting in October 2020.
- Approved 1 Cadastral Surveys in AZ (T28NR8E) and recording with DLTR: Completed 10 of 12 townships and now pending at DLTR.
- NM & Utah State Office – BLM; New Interagency Agreements (IAs) for NM/UT State Offices – BLM, have been approved to continue with cadastral surveys on Navajo Tribal Trust & Allotted lands. Funds have obligated by Reston Finance Center on Friday, 9/25/20.
- One new survey will start in October 2020 with new funds on field surveys.
- Cadastral Survey Services: All 3 State Offices (AZ/NM/UT) have new Interagency Agreements, to continue with cadastral survey services.
- Conference calls continued with all three State Offices – BLM, on cadastral surveys.
- Review continued on AZ Silica on 4 allotments in Houck on records cleanup and packaged the Reclamation Plan & memo (draft) sent to SW Solicitor's Office for review on the release of the cash bonds. Records are still being sorted and for AIRR for records management.
- Review on 6 allotments within WNA continues, as unresolved rights project for updates on addresses and exact boundaries.
- Records Management: 1) Navajo/Hopi Relocation files; 2) NIIP Allotment Records and 3) continues with various expired leases that are still being reviewed before recommendation for storage.
- Started review & records sorting on Armand Ortega trespasses along I-40 on illegal billboard signs near Lupton to Sanders, AZ.
- Started review on 148 letters on SOL & ICLA Special Project Files for rejections due duplications case files.
- Land Boundary Issues: Assisted ENA-RES on various land dispute or boundary problems. Field Inspections made on 2 sites and now pending final recommendations by our office.

- Assisted 12 landowners on maps & land status reports from TAAMS, on 18 allotments.
- 2 New trespass cases received.

#### Acquisition and Disposal:

**Gift Deed research:** 18 Pending Gift Deed applications: 9 Landowners/each Landowner has either 1 or more allotments

- General Location Map: 5 Map requests sent to Bureau Indian Land Surveyor for general mapping of researched allotments. 5 Maps requests returned completed.
- Categorical Exclusion (CEER): 5 CEER Requests sent to Navajo Region Environmental Department for researched Gift Deed applications. 5 CEER requests returned completed.

**Fort Wingate Legislation:** Public Law 114-328: Return of Certain Lands at Fort Wingate New Mexico to Original Inhabitants. Legislative acquisition. Total acreage 1700.53 acres more or less. Patent recorded: continued Administrative research and follow up of additional Administrative documents from Department of the Army. Final Administrative document anticipated by 09/30/2020. Final boundary location field assignment pending.

**Rolling Mesa:** Fee To Trust: Pending application. Discretionary Acquisition – Off Reservation, Rolling Mesa property, San Juan County, near Farmington, New Mexico; approximately 67.39 acres more or less. Our Regional Environmental Compliance Review Department is currently reviewing Environmental Assessment (EA) submitted by the Navajo Nation and is pending Environmental Compliance with National Environmental Policy Act (NEPA) of 1969. Environmental Assessment is currently under review by the Regional Environmental Department.

**Census 2020:** Follow up with Southwest Region Land Title Records Office (LTRO) on three (3) Deeds submitted by Navajo Nation Land Department. Navajo Nation Land Department submitted Deeds for recording of tracts determined to be in the Winslow Tract / White Water specifically for the upcoming Census 2020. One (1) Deed to be recorded. The remaining two (2) Deeds could not be recorded due to defects in the legal description.

**10 Allotments:** Pending land sale transactions. The real property in these sale transactions have been identified as Indian Allotments (IA) whereby the Navajo Nation, Arizona, New Mexico and Utah, a federal recognized tribe negotiated acquisitions of the parcels of allotments from Original Allottees and/or their respective heirs. These aged files were identified several years ago as pending. Unfortunately, with the recent two (2) Navajo Land Buy Back initiatives (2016 & 2019), Federal Shutdown, and the current COVID Pandemic, processing of these deeds are stalled. Continued follow up correspondences with the Navajo Nation Land Department as well as the Navajo Nation Historic Preservation Department to ensure further processing.

**Erroneous Assessment of Real Property Taxes/Tse Bonito:** 85.68 acres of fee land as situated in Tse Bonito, New Mexico was successfully transferred to trust by virtue of Warranty Deed recorded in September 2016, thereby consummating the fee to trust acquisition process; said Deed was subsequently recorded with the Land Title Records Office in Southwest Region, which effectually transferred it to trust by evidence of title. Since the acquisition, the Navajo Nation (Nation) has been assessed real property taxes by the County Assessor's Office of said acreage. The Navajo Nation Land Department filed a Petition for Protesting Values for applicable Account in April 2020. The County Assessor responded with a temporary exemption for the

Nation. The Assessor's Office also requested certain privileged information from the BIA specific to the fee to trust process. To support the Nation's Petition, the Nation requested procedure documentation from the BIA Real Estate Services Department. Thorough research of the file necessitated. Upon completion of research of the transaction, BIA Real Estate Services and the Office of the Solicitor prepared and submitted a formal letter to the Nation's Land Department. Said letter submitted onto the County Assessor's Office as supporting documentation to support the fee to trust acquisition.

### **Mortgages:**

- 1 new mortgage approved and recorded.

### **RES Agency Offices**

#### **Chinle Agency**

- Rights of Way
  - NTUA WO# 13-173-0083 Fiber Optic - 07/09/2020
- Navajo Nation Approved Leases Submitted for Recording:
  - Homesite Leases Received: 18 Homesite Leases Recorded: 15
- Title Status Reports: 2 certified TSRs received for mortgage purpose

#### **Fort Defiance Agency**

##### Rights of Way - Approved:

- Navajo Nation NA-16-T95 Houck South Phase II
- Tribal Trust – 07/10/2020
- Allotment 310067 & 310067B – 08/03/2020

##### Pending:

- NTUA WO# 11-170-0007 Oak Springs to Lupton – pending corrections of drawings from NTUA

##### Pre-Application Review:

- Bureau of Reclamation, Navajo Gallup Water Supply Projects:
- Amendment to increase acreage for Reach 10 - Pumping Plant No. 7, Temporary Construction Easement, and Reach 10 Staging Area located within Twin Lakes, McKinley County, New Mexico

##### Navajo Nation Approved Leases Submitted for Recording

- Homesite Leases Received: 23
- Homesite Leases Recorded: 28

Title Status Reports: 1 certified TSR received for mortgage purpose

### **Shiprock Agency**

##### Rights of Way:

- Navajo Tribal Utility Authority WO# 16-170-0006 Navajo Mountain (Rainbow Plateau) approved 6/25/2020. Assisted Navajo Tribal Utility Authority in addressing crossing permit from ElkPetro to enable approval of project.

- Navajo Tribal Utility Authority WO#12-183-0013 Harry Johnson Distribution Line with Fiber Optic Cable, Aneth, Utah approved July 9, 2020.
- Bureau of Reclamation, Navajo-Gallup Water Supply Project, Reach 6 and 8 Staging Areas Temporary Construction Easement approved July 15, 2020.
- BIA. Branch of Transportation, Construction Easement N101 (1)1, 2&4 Ojo Amarillo – approved July 10, 2020.
- Navajo Tribal Utility Authority WO#14-143-0001, Coppermine Phase III Distribution Line and Fiber Optics approved August 27, 2020
- Navajo Tribal Utility Authority WO#14-143-0002, Coppermine Phase IV Distribution Line and Fiber Optics approved August 21, 2020
- Emery Telecommunications & Video, Inc., Montezuma Creek Fiber Optic Project to Serve Whitehorse High School and Montezuma Creek Elementary approved August 28, 2020
- Navajo Tribal Utility Authority WO#17-170-0001, Mexican Water to Red Mesa Distribution Line and Fiber Optics approved August 31, 2020
- Coordinated efforts with BIA Environmental Compliance and Review and Eastern Navajo Agency to address pending Indian Health Services' priority projects affecting Navajo allotments.
- Assisted Chinle and Western Navajo Agency in notifying NTUA of 11 projects pending with BIA lacking valuation waiver authorization from Navajo Nation - June 25, 2020
- Coordinated efforts to address proposed Emery Telecommunication proposed fiber optics rights-of-way (Bluff to Mexican Hat). Provided to Horrocks Engineers (Emery Telecommunications environmental contractor) information on right-of-way application process; forms (letter of intent, application, allotment consent); uncertified title status reports for 3 allotments affecting the proposed projects, sample of legal description. Provided same information to Mid States Consultants (Emery Telecommunications project consultants) similar information.
- Lease Compliance
  - Business Lease SR-99-155 – Prepared solicitor opinion review request regarding tribal consultation on cancellation of lease
- Title Status Report:
  - Request for title status report for South Shiprock Houses, Inc. Preparation for the title status report required extensive research involving subleases; sub-sublease and associated mortgages.
- Special Projects:
  - Weed Management Plan. Obtaining acres affected by rights-of-way and various leases. Project entails downloading data from the Trust Asset and Management System (TAAMS); and analyzing data to determine acres affected.

### **Western Navajo Agency**

#### **Rights of Way - Approved:**

- NTUA WO# 16-170-0010 Distribution Line with Fiber Optics Inscription House – 06/25/2020

Pending: (6)



- NTUA WO# 16-153-0039, WO# 16-153-0043, WO# 14-130-0023, WO# 17-140-0006, WO# 6019326, WO# 16-160-0000. These applications are pending corrections by applicant or applicant may process under the Navajo Nation Tribal Access Authorization.

#### Navajo Nation Approved Leases Submitted for Recording:

- Homesite Leases Received: 0
- Homesite Leases Returned: 2

#### Title Status Reports:

- 7 Uncertified Title Status Reports (TSR);
  - Vertical Bridge (Monument Valley, Utah)
  - Emery Telecommunications (30 Tracts)
  - Arcadian (3 Tracts)
  - NTUA (Kerley Valley in Tuba City, Arizona)
  - BIA Safety of Dams (Oljato, Utah) and two (2) allotment inquiry

#### Special Projects:

- BIA Natural Resources requested homesite lease information with a certain township, range and section in the Tuba City vicinity. Fifteen (15) leases were researched and verified.
- Eight BIA Road rights of way were researched as part of the Emery project research.

## BRANCH OF PROBATE

Deceased Navajo allotted landowners trust property is probated by the Office of Hearings and Appeals (OHA), Albuquerque, New Mexico.

Navajo Region Division of Probate prepares cases by completing research for probable heirs of the decedent. Research is completed by contacting the family members of the decedent by means of home visits, searching internet, telephone interviews, writing letters and office visits. Division of Probate staff does majority of the family research work at the Navajo Nation Enrollment Office. Probates that are completed are for Allotted Individual Trust lands. It helps the Navajo landowners in updating Trust ownership records.

A total of ninety-one (91) cases were transferred to OHA for hearing to be scheduled, as follows: **47** by Fort Defiance Agency, **7** by Shiprock Agency, **32** by Eastern Navajo Agency, and **5** by Western Navajo Agency. It is an on-going process with death happening on a daily basis. Cases submitted are lower due to Covid-19 pandemic causing no family research being conducted at the Navajo Nation Enrollment Offices. At present time, the following is Navajo Region's case load by Agencies, which also increased due to the pandemic:

Agencies	Case Loads
Eastern Navajo Agency	2,606
Fort Defiance Agency	1066
Shiprock Agency	604
Tuba City Agency	38
Total # Cases for Region: NAVAJO	4,314

## INDIAN SERVICES

### BRANCH OF INDIAN SELF DETERMINATION

The Bureau of Indian Affairs (BIA), Navajo Region (NR), Branch of Indian Self-Determination (ISD) continues to work with seventeen Public Law (P.L.) 93-638 contracts, five Subpart J Construction contracts and five other tribal organizations. All contractors provide services or upgrades to communities and other contractual activities, in accordance with their Scope of Work (SOW) and budgets. Only the Housing Improvement Program was not contracted in Calendar Year (CY) 2020, due to lack of appropriations to support a contract. The CY 2020 On-Site Monitoring visits have been delayed due to the global COVID pandemic, which impacted the operations of many tribal governments and the BIA-NR. ISD will complete virtual monitoring visits through November 30, 2020, to ensure the deliverable reports, i.e. annual progress, Federal Financial Reports, SOW and federal laws and regulations are in compliance and to ensure each contract is performing in a satisfactory manner to be successful. All P.L. 93-638 contractors will submit their CY2021 Annual Funding Agreement (AFA) or Successor AFA or renewal proposals for review, comments and approval, in order to have all approved proposals awarded by January 2, 2021. ISD awards 100% of federal appropriations, upon receipt of the allocations appropriated by congress, which entirely benefit the Navajo Nation (Nation). The following awards were distributed from July 1, 2020 to September 22, 2020 to the Nation and other tribal entities listed below:

The Navajo Nation	P.L. 93-638 Contracts	Award
A15AV00438	Contract Support Cost	3,525,487.00
A16AV00335	Fish and Wildlife Program	126,886.00
A16AV00368	Natural Heritage Program	248,800.00
A16AV00383	Law Enforcement-Patrol Services	253,539.00
A16AV00384	Law Enforcement-Criminal Investigations	78,924.00
A16AV00385	Social Services	7,704,027.00
A17AV00252	Tribal Courts	539,629.00
A17AV00262	Archaeological Services Non-Roads Program	180,000.00
A18AV00236	Correction – Juvenile Detention	144,820.00
A18AV00262	Forestry Program	59,908.00
A18AV00337	Johnson O'Malley Program	9,378.00
A18AV00338	Water Development Program	1,000,838.30
A19AV00373	Tribal Enrollment/Census Program	1,875,157.00
A19AV00376	Indian Child Welfare Act (ICWA) Program	196,678.00
A19AV00490	Safety of Dams Program	4,608.00
	Total	<b>\$ 15,948,679.30</b>
<b>Other Tribal Programs</b>		
A16AV00382	Navajo Agricultural Products Industry	392,603.00
A16AV00430	Dine' Bi'Olta' School Board Association	197,200.00
A18AV00841	Rock Point Community School	4,447,771.00
A19AV00739	Alamo Navajo School Board, Inc.	1,762.00
	Total	<b>\$ 5,039,336.00</b>
	Grand Total	<b>\$ 20,988,015.30</b>

### **Awarding Official Technical Representative (AOTR) Activities:**

**Office of Tribal Government Services** serves as the AOTR for the following three P.L. 93-638 in coordination with the Awarding Official, Program Administrator and Navajo Nation; the following transactions were completed this quarter:

#### **Tribal (Census) Enrollment, Contract, A16AV00285:**

- September 2020, AOTR provided a response to Program Manager request on Chinle Agency, formal office space request. AOTR provided recommendation to BIA Management of Tribal Enrollment request made in August 2020.
- August 2020: Please find attached a formal request for your consideration regarding the Tribal Enrollment office in Chinle, Arizona. There is a possibility of office space opening up at the BIA Building and we would like to be considered for a larger office space. This request is based on safety concerns in maintaining social distancing within our office.
- July 2020, BIA Safety Management provided technical assistance on Covid-19, and safety of employees, BIA and Navajo Nation.
- July 2020: AOTR completed the purchase request in the amount of: \$1,522,935.00 for:
  - These funds are made available pursuant to H.R. 748/Public Law 116-136 Coronavirus Aid, Relief, and Economic Security Act 2020. Funds are available through their period of availability. (Mar. 20, 2020). This is a one-time distribution of funds. This document distributes the final 20M in CARES Act ATG funding that was held in reserve.
- June 2020, AOTR inquired with Program Manager on monitoring site visit review for Calendar Year 2020 and coordination, during Pandemic, COVID-19 and to set up by way of virtual meeting.
- June 2020, Safety Manager, BIA Navajo Regional Office gave guidance on re-opening of Shiprock Navajo Agency Office during Pandemic, COVID-19.
- June 2020, notification given on closure notification email from Safety Officer, BIA on Shiprock Agency building. By advising: "Please alert your respective programs; the Navajo Nation Higher Education Scholarship and Navajo Nation Tribal Enrollment program, employees of this notice."

#### **Tribal Courts program, Contract A17AV00252:**

- In September 2020, AOTR completed the purchase request in the amount of \$525,843.00.
- THESE FUNDS ARE MADE AVAILABLE PURSUANT TO H.R. 1865 / PUBLIC LAW 116-94 FURTHER CONSOLIDATED APPROPRIATIONS ACT, 2020. FUNDS ARE AVAILABLE THROUGH THEIR PERIOD OF AVAILABILITY. (Dec. 20, 2019; 133 Stat. 2698-2702). Justification/Purpose:
  - A) Indian Affairs e-FED Request No. 6764- Navajo Nation - One time funding to be used for (2) Judicial Hearing Officers (\$134,909); Fringe for both (\$64,594); Computer, printer, and supplies (\$5,600); Document Tech (\$30,847); fringe (\$14,770); Judges Ride Circuit (\$15,000); Health and Safety Advocate for courts and families in crisis (\$59,613); fringe (\$28,543); and training for judicial officers on Child Welfare cases, stipend, travel, and cost of class (\$3,000). Conditions: These funds are subject to the conditions and restrictions of 26 IAM.

- B) Indian Affairs e-FED Request No. 6763-Navajo Nation - One time funding to be used for a Judicial Hearing Officer (\$67,454); Fringe (\$32,297); Computer (\$2,300); Portable Printer (\$300); office supplies (\$3,000); travel to and from District Courts for Judge (\$15,000); and Training for judicial officers, travel, stipends and cost of class (\$3,000).
- C) Indian Affairs e-FED Request No. 6761 Navajo Nation - One time funding to be used for a Document Technician at Crownpoint (\$30,846); and fringe (\$14,770). One time funding distribution. CFDA No. 15.029 Awarding Official: Congressional District: AZ-01 Contracted Program and Description: Tribal Courts

### **Higher Education, Contract A17AV00096:**

- September 2020: AOTR provided a response to Program Manager regarding the IDC agreements request and was referred to NN – Office and Management and Budget to obtain a copy of requested, IDC agreement.
- September 2020: Monitoring site visit coordination with Program Manager on scheduling (virtually in Zoom or other means) the last week of October 26th. This is the annual monitoring report conducted with the BIA and Navajo Nation. Specifically, a formal letter from ISDO informing of the virtual monitoring review and its requirements.
- In August 2020, based on an action taken in March 2020, these funds were made available which were transferred from the Bureau of Indian Education to BIA for the management of the Tribal Colleges & University Supplements (TPA) (AEE92) - \$1,219,553 and the Tribal Scholarships (TPA) (AEE93) - \$32,128,899. To de-obligate funds in the amount of \$-2,986,804.00 for over commitment of funds to Navajo Nation Higher Education Program.
  - AOTR coordinated meeting with Navajo Nation and Higher Education Program, Navajo Nation.
- July 2020, AOTR acknowledged receipt of Modification #33 (signed March 9, 2020 by BIA Awarding Official) added \$13,495,697 to our CY 2020 ISDEAA Higher Education Contract #A17AV00096. Status of de-obligation status request was received from Program Manager from the Navajo Nation President, Office of the President, Navajo Nation.
- June 2020, notification given on closure notification email from Safety Officer, BIA on Shiprock Agency building. By advising: “Please alert your respective programs; the Navajo Nation Higher Education Scholarship and Navajo Nation Tribal Enrollment program, employees of this notice.”

### **Human Services, Navajo Nation Social Services:**

#### Government Performance Results Act (GPRA):

- The Navajo Nation Division of Social Services for Fiscal Year (FY) 2020, Fourth Quarter GPRA for Performance Measure 1811 continues to exceed its annual target goal of 69% as set by the Nation. The Measurement for 1811 is the percentage of General Welfare Assistance recipients that have completed their goals identified in their Individual Self Sufficiency Plans (ISP). It means they are meeting their goals they have set for

themselves and are making positive progress toward self-sufficiency, even during these challenging times.

- The GPRA is a United States law enacted in 1993 and one of a series of laws designed to improve government performance management. The GPRA requires engagement in performance management such as setting goals, measuring results and reporting the progress. GPRA also shows the progress made toward achieving the set goals.

#### **Indian Child Welfare Act (ICWA):**

- The Navajo Regional Office processed 72 ICWA Notices received by the State(s) by certified mail. These 72 ICWA Notices were officially responded to by our Regional office and due to the Pandemic, our office has received approximately the same amount of ICWA Notices as a year ago.
- Because we have children in state custody, our office has made every effort to respond to these ICWA Notices in a timely manner, going as far as scanning non-certified ICWA Notices and emailing them to the Navajo Nation's ICWA Program, so it can be addressed immediately. This collaborative effort has been successful as the Nation also is proactive.
- The Indian Child Welfare Act is a federal law, passed by the U.S. Congress in 1978, for the purposes of protecting the best interest of the Indian child; promoting stability and security of Indian tribes and families; compliance with federal minimum standards before removing an Indian child; and preference of placement of Indian children in foster and/or adoptive homes that reflect the unique values of Indian culture.

#### **Other activities:**

- The Branch of Human Services, AOTR Navajo Regional Office continues to remain available for Technical Assistance when a request has been made by the Nation. Our office continues to reach out to our local, state, county, federal and tribal providers and coordinate resources benefiting tribal members and communities. .

#### **Fish and Wildlife Management Program**

Navajo Nation Fish and Wildlife, Contract No. A16AV00335, the Branch of Natural Resources office received two notices from the Chief, Branch of Fisheries, Wildlife, and Recreation Bureau of Indian Affairs, Office of Trust Services which were forwarded to the Navajo Nation. The two notices are:

1. Funding opportunity announcement for project proposals for fiscal year 2020 to fund the National Animal Disease Preparedness and Response Program (NADPRP) and the National Animal Health Laboratory Network (NAHLN). Project proposals were due on September 14, 2020. Up to \$10 million will be targeted toward NADPRP projects focused on increasing practical livestock biosecurity measures or advancing rapid depopulation and disposal abilities to be used during high consequence animal disease outbreaks. Up to \$5 million will be directed toward NAHLN projects that address needs within the network related to receiving, testing, and reporting results for animal testing.
2. Request for written articles or short stories regarding Wildlife Management on Tribal Land for publication. This could be a great opportunity for the Navajo Nation Department of Fish and Wildlife to bring attention to their programs and expertise in fish and wildlife management work on the Navajo Nation. In addition, the funds

from the publication proceeds will benefit the Native American Fish and Wildlife Society which is strong in Indian Country across the United States of America

The BIA, Branch of Natural Resources office approved an award for the amount of \$119,570.00 to the Navajo Fish and Wildlife Self-Determination Contract No. A16AV00335 for identifying disease threats and mitigation strategies for the Desert Bighorn Sheep. This benefits the Navajo Nation's Department of Fish and Wildlife to demonstrate their work and efforts on behalf of the Navajo Nation and to preserve and maintain healthy wildlife populations.

### **Housing Services- Housing Improvement Program**

Contract A16AV00407 - FY 2016 – 2018 Housing Improvement Program (HIP): This contract is in compliance with contract and reporting requirements. The total contract amount is \$3,089,788.67. HIP serves the neediest of the needy Navajo Nation tribal member families who have no other resources for standard housing. Nineteen recipients were granted a new, quality, modest, replacement home comprised as follows: FY2016 – 7; FY2017 – 6; and FY2018 – 6 recipients.

Contract No. A20AV00003 - FY2019 – FY 2021 - Due to the COVID-19 pandemic closures, the Navajo Nation Housing Office returned August 17, 2020; FY 2019 construction activity began shortly thereafter.

FY2020 –The FY2020 Housing funding has yet to be distributed to the Regions. Based on information received, the Navajo Nation will receive approximately \$1,000,000. Applicant selection will be finalized and a contract modification adding FY2020 into the existing Contract No. A20AV00003 will be awarded once funding is received at the Navajo Region.

HIP Administration: Due to the COVID-19 pandemic, the BIA HIP Program Officer and Navajo Nation Housing Program Manager communicated via email and telephonically regarding the FY2020 funding cycle.

The Navajo Region Housing Officer also serves as the Regional Freedom of Information Act Office (FOIA) Coordinator. Five requests were worked on during this reporting cycle.

**Dine Bi Olta School Board Association (DBOSBA)**, Contract No. A16AV00430, the Bureau of Indian Education's (BIE) AOTR and the Branch of Indian Self Determination's (ISD) AO reviewed and approved DBOSBA's Successor Annual Funding Agreement (SAFA), Scope of Work, and Budget for School Year 2020-2021. All available allocations for School Year 2020-2021 was awarded also on July 3, 2020.

**Rock Point Community School (RPCS)**, Contract No. A16AV00430, the BIE's AOTR and ISD's AO reviewed and approved RPCS's SAFA, Scope of Work, and Budget for School Year 2020-2021. All initial allocations for School Year 2020-2021 were awarded on August 5, 2020 and AO continues to award funds as they become available.

**Johnson O'Malley Program (JOM)**, Contract No. A18AV00337, subcontractor continue to operate as a subcontractor to the Navajo Nation. Due to the global impact of Corona-virus, school attendance changed to virtual learning.

## **BRANCH OF ENVIRONMENTAL:**

The Branch of Environmental Management (BEM) and the Branch of Environmental Quality Act Compliance (BEQACR) staff continue to work on environmental projects for the Navajo Nation.

**Shiprock Administrative Reserve (SAR):** This Quarter the BEM completed a Scope of Work to conduct ASTM Environmental Site Assessment Phase II to sample the remaining 46 abandoned buildings onsite. The site sampling will identify any environmental hazards to be removed before the ASTM ESA Phase III abatement and demolition occurs. Some funding has been identified by BIA to conduct the ESA Phase II to sample the potential hazards.

**U.S. Environmental Protection Agency Region IX and Federal Partners 10-Year Plan:** On August 10, 2020, the Navajo Region BEM participated in the meeting the Navajo Nation on the Ten-Year Plan, per EPA's policy on consultation and coordination. EPA and federal partners presented their involvement with draft Ten-Year Plan for Abandoned Uranium Mines. Participants received comments on their agencies presentations and responses to these comments were provided to EPA. BEM is involved with the Ten-Year Plan by participating in the Community Outreach Network with the Navajo Nation Programs and federal agencies to focus on improving awareness of the AUM problem and serving as a hub for information sharing for the overall effort. The network is composed of representatives from five participating federal agencies, the Navajo Nation programs, and EPA.

**Navajo Nation COVID-19 Temporary Water Points:** In March 2020, BEM started participating on the weekly calls with the Indian Health Service (IHS), the Navajo Nation, federal agencies, educational facilities and private entities to provide watering points located at Navajo Nation Chapters for communities to utilize. BEM participated to provide technical assistance with projects that may require input from BIA programs.

**Navajo Integrated Weed Management draft Programmatic Environmental Impact Statement (IWMP):** BEM and the BEQACR staff conduct weekly meetings with team members on the IWMP draft EIS. On September 9-10, 2020 BEM staff hosted a virtual kick-off meeting via Zoom for the Navajo IWMP) Programmatic Environmental Impact Statement (PEIS) with Cooperating Agencies and the Navajo Nation. The purpose of the meeting was to collaborate with the Agencies and the Navajo Nation to ensure they are a part of the EIS process. BEM encouraged the participants to provide relevant data to be included in the draft EIS. The meetings included a presentation provided by BEM's contractor Environ Plan Partners and concluded with a question and answer session. The meetings were a success where point of contacts for each Agency and the Navajo Nation were identified for the overall project for future meetings and discussion.

### **National Environmental Compliance Activities:**

BEQACR Section 106 Compliance reviews were completed for eight (8) Environmental Assessment that concluded with Findings of No Significant Impacts (FONSI's). The reviews were completed for infrastructure projects. BEQCR staff reviewed and completed thirty (30) Categorical Exclusions for various projects under Real Estate Services, Natural Resources, and Forestry. BEM staff also reviewed twelve (12) Environmental Assessments and completed twelve (12) associated Finding of No Significant Impact (FONSI's).

**Wood Springs II Wildland Fire:** The Navajo Regional Archeologist also represented the BIA as the Lead Resource Specialist for the Wood Springs II Wildland Fire. The fire was located in Sawmill, AZ and the Lead Specialist provided continuous support for management of resource issues.

**Final Deposition of Cultural Materials:** On July 30, 2020, the Regional Archeologist attended a meeting with Navajo Nation Tribal Historic Preservation Officer (THPO), Peabody Mining Company, and the Museum of Northern Arizona University on the final deposition of cultural material that were excavated during the Black Mesa Mining Archaeological Project.

**Farmington Mancos Gallup Resource Management Plan Amendment (RMPA):** On July 10, 2020, the BIA Regional Archeologist facilitated the Farmington Mancos Gallup Resource Management Plan Amendment (RMPA) Environmental Impact Statement Government-to-Government meeting with the Navajo Nation President concerning the update on the BLM/BIA RMPA. President Nez requested a radio forum for the project for the Navajo People. Thus, the radio forum was held on August 20, 2020 where the Regional Archeologist as the BIA Project Manager for the BLM BIA RMPA facilitated the radio show on KNDN as a public outreach event. On August 26-29, 2020 the Regional Archeologist co-facilitate the Virtual Open House meetings for the BLM/BIA RMPA.

The environmental projects initiated by BEM and BEQACR benefits the Navajo Nation that provides technical assistance, environmental protection, and review of infrastructure projects throughout the Navajo Nation.

## **BRANCH OF SAFETY**

The FY2020 Annual Safety Inspection for twenty-nine (29) Indian Affairs sites including three Public Safety & Judicial Centers are complete. Ninety-eight percent (98%) of these inspections were completed prior to the COVID-19 pandemic while the remaining inspections were being conducted using the Centers for Disease Control & Prevention's (CDC) guidelines and the Occupational Safety and Health Administration (OSHA) guidance. During these inspections, Branch of Safety provided comprehensive workplace assessments for the Navajo Nation Public Law 93-638 contractual programs at Northern Navajo (Shiprock, New Mexico), Central Navajo (Chinle, Arizona) and Western Navajo (Tuba City, Arizona) Agencies. In accordance with Indian Affairs Safety, Health and Accessibility Inspection/Evaluation Guidelines, inspections are to ensure Indian Affairs safety inspectors meet the Indian Affairs guidelines and safety codes for fire alarms and accessibility requirement set to provide bureau and tribal program occupants, general public and Navajo clients a safe business atmosphere at BIA facilities.

Due to the COVID-19 pandemic, Branch of Safety closely coordinates with Navajo Tribal Programs, and Bureau of Indian Education (BIE) that are housed within an Agency Facilities to implement Bureau of Indian Affairs, Navajo Region Adaptive Operations Recovery plan, Phase I. In executing Phase I, preparation for Re-Opening and Return-to-Work strategies, Branch of Safety guides programs to take precautions to reduce workers' risk of exposure to COVID-19, while making sure to be compliant with Americans with Disabilities Act (ADA) and Age Discrimination in Employment Act (ADEA) regulations. Branch of Safety assessed each Navajo Nation program to measure the social distance and recommend workstation revision, provided plexi-glass barrier



to ensure the safety of each individual in safe guarding and mitigate the spread of the virus. In addition, Branch of Safety provided Navajo Nation programs COVID-19 safety awareness training and the protocols for a potential COVID-19 positive employees where it exposed facilities will be closed immediately per the Regional Director and implement a cleaning contractor to ensure the facility has been sanitized before the return of the Navajo Nation and Federal employees.

## **BRANCH OF FACILITY MANAGEMENT**

A Design/Build Quarters Improvement and Repair (QI&R) project is in progress to completely renovate and refurbish (correct code deficiencies and modernize) eight houses and two 4-unit apartment buildings located on the Wingate High School, Wingate, New Mexico campus. Construction is 100% completed and two of the Contractor's workers are completing minor repairs reported by the tenants.

Another project to refurbish two houses, five duplex apartments and one 5-unit apartment building begin at Nazlini Community School, Nazlini, Arizona. Temporary construction fencing with gates are installed and abatement and safe disposal of hazardous building materials is completed. A limited Notice to Proceed is issued for installation of buried utility (sewer & water) is on-going. Design effort for renovation of each building, street paving in the housing area is underway. Whenever the COVID-19 restriction is relaxed and submittal of 100% drawings, a limited Notice to Proceed will be issued to begin renovation of each building. The entire project is 10% completed and the completion date is November 30, 2020.

### **Sanostee Boarding School Demolition Project**

The BIA, Branch of Acquisition awarded Contract No. A17PD00511 to Cherokee General Corporation contractor on September 22, 2017, to perform the demolition of the former Sanostee Boarding School facilities including all utility systems. The BIA Navajo Region Facility Management Office coordinated and provided the necessary public meetings at the local Sanostee Chapter informing of the upcoming demolition project and conducted the required site reviews of all Buildings/structures/systems.

The unauthorized sewer line tie-ins by Sanostee Chapter, Indian Health Service, Sanostee Clinic and other entities was discovered on June 8, 2018. Sewage was found to be seeping out of a manhole which was left in place near the closed lagoon. The BIA Navajo Region Property Officer was notified of the unauthorized sewer line tie-ins on June 14, 2018. The BIA Navajo Region Property Office conducted research of land documents for the former Sanostee School land withdrawal and did not find any evidence of an Agreement allowing the entities to tie into the BIA former Sanostee School sewer system/lagoon. The BIA sewer lagoon was closed by the BIA as part of the Demolition Project. The former Sanostee School lagoon has been demolished. The lagoon site was cleared, graded and seeded. There is no lagoon. Final Inspection was held on July 10, 2018 for the Former Sanostee School Demolition Project, Contract No. A17PD00511.

The demolition of the former Sanostee Boarding School was completed on August 8, 2018. The recommendation is for Sanostee Chapter, IHS Clinic and other entities is to connect to the NTUA sewer line and lagoon. From the last meeting held at the Gallup Federal Building, the Sanostee Chapter was coordinating directly with NTUA for the permanent sewer line tie-in to the NTUA sewer lagoon.

## BRANCH OF TRANSPORTATION

### Transportation:

The Navajo Region Branch of Transportation continues to fulfill its mission to manage the intermodal transportation facilities by maintaining the existing infrastructure for reliability and safety that serves the Navajo Nation. We accomplish this by providing transportation related technical assistance and support working directly with the Navajo Nation's Division of Transportation (Navajo DOT), as they pursue self-sufficiency and discretion in the administration and operation of the Tribal Transportation Program (TTP).

### Road Maintenance:

The Bureau of Indian Affairs, Road Maintenance program continues to perform routine maintenance activities on BIA system roads, bridges and transportation facilities on the Navajo Nation through direct service. Below are some of the road maintenance accomplishments, our BIA Road Maintenance program performed during the 4<sup>th</sup> quarter.

### Farmington Field Office (Formerly NIIP Roads):

The Farmington Road Maintenance field office performed pavement surface patching on various routes on Navajo Agriculture Products Industry (NAPI). This maintenance activity involved placement of asphalt patching material in potholes and prairie dog holes. Over 600 bags of material were used during this quarter. Most of the roads under the jurisdiction of the Farmington field office are paved roads.

The maintenance crew continues to replace or repair existing traffic control devices, posts and hardware on various routes as needed. There was abundant vegetation growth along the sides of the roadway and it took several weeks to mow the roadway side slopes and behind the guardrails and posts. Delineator and reflector tabs were installed at various guardrail locations to delineate the roadway.

Several guardrails were repaired and one was completely replaced when a semi lost control and wiped out a section of guard rail on Route N3003. One cattle guard was cleaned out, which require replacing the cattle guard grates. There were other maintenance activities conducted at the maintenance yard including inventory of equipment, preventative maintenance on equipment, reporting, and many others. See pictures below.



Vegetation along Guard Rail (Before)



Vegetation Removal along Guard Rail (After)



Cattle Guard Silt & Damaged Grates (Before)  
(After)



Replaced Cattle Guard Grates & Cleaned



Route N3003 – Guard Rail Damage (Before)



Route N3003 – Guard Rail Repaired (After)

### **New Lands Field Office (Nahata Dził)**

The New Lands Road Maintenance field office mainly concentrated on drainage clean out of corrugated steel pipe culverts (CSPC) on all the routes. Most of the roads under the jurisdiction of the New Lands field office are paved roads. This maintenance activity required removal of vegetation that impeded storm water runoff, repairing drainage erosions and reshaping drainage channels.

The New Lands maintenance crew assisted the Fort Defiance Agency with mowing Route N6 for a total of 86 miles on both sides of roadway. In addition, the maintenance crew mowed Route N9010 of vegetation removal, re-shaping drainage channels and cleaning out ditch blocks. They also assisted Farmington field office with guard rail repair, vegetation removal, pothole patching, traffic sign repair & maintenance on various routes within the jurisdiction of Farmington field office during the latter part of the 4<sup>th</sup> quarter.

There were other maintenance activities that were conducted at the maintenance yard that involved inventory of material and equipment, preventative maintenance on equipment and reporting. New Lands replaced various signs that were vandalized and re-install base post with breakaway system that were previously installed incorrectly. See pictures below.



Pipe Covered (Before)



Pipe Cleaned (After)



Sign Damage; Bullet Holes (Before)



Sign replaced (After)



Tree Reducing Sight Distance (Before)



Tree Removed and Guardrail Repair (After)

### Shiprock Agency

The Shiprock Agency maintenance crew performed guard rail repair on Route N36 starting with the Dead Man's Wash crossing in August. The old wooden posts were replaced with steel posts and end treatments were updated to the new standard. The guard rail repairs were completed along the right lane. Other guard rail repairs were made at the transition and end terminals on both the right and left lanes leading up the San Juan Chapter area. The crew is scheduled to perform guard rail repair at the end of the month in September. The crew repaired right of way fences and pothole patching of varying sized along Route 35 from US160 to the Utah State line.

During mid-August, the maintenance crew mobilized equipment to the base of the mountain on Route 13. The crew mobilized the following equipment: reclaimed, steel wheel roller, sweeper, bobcat with sweeper attachment, motor grader, water truck, dump truck, Gannon tractor, and a couple of trailers. The crew repaired five (5) sections of existing bituminous surface. The sections of the road was failing due to moisture and stability problems causing alligator cracking of the existing bituminous surface that is exposing the underlying subbase material in and around depressed areas. The reclaimed was set to a depth of  $\pm 6$  inches to pulverize the existing bituminous surface as reclaimed material. The subbase material was removed at varying depths and replaced with the reclaimed material. The reclaimed material was compacted to a depth 2-inches below the existing paved surface. The crew applied tack oil at the edges of the existing paved surface. The new hot asphalt concrete pavement was placed with the lay down machine and compacted with a steel roller. Upon completion of the patch work, the broom was used to

clear the site of any debris for the traveling public. See pictures below.



Route N13 – Buffalo Pass; Pavement Repair Sections

## Western Navajo Agency

On July 27, 2020, the Western Navajo Agency experienced a heavy rainstorm in Navajo Mountain and Shonto Chapters that caused flooding along Route N16 and severe erosion of Benally Wash along Route N6310. Route N16 was closed for a few hours and Route N6310 was closed for a few days. The maintenance crew had to wait for the water to recede on Route N16 before clearing the roadway of silt and debris before re-opening the road for the traveling public the same day. The repair work on both sides of the roadway did not start until the conditions were dry enough to perform the work. Temporary fences were installed to keep livestock from entering the right of way and cause an accident. The work consisted of repairing the wash channel by cleaning the drainage structures and removing silt, debris, and tree trunks from the wash. Afterward, the crew repaired the damaged fence line and roadway embankment shoulders. The temporary fence was removed. The work at Benally Wash required replacing materials from the ditch lines along Route N6310. The repair work to Benally Wash took a couple days and the road was reopened to the traveling public.

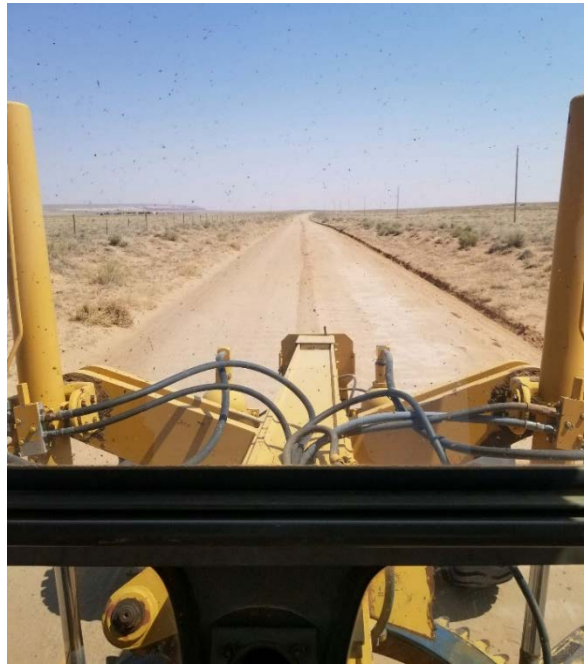
The maintenance crew repaired right of way fence on several Routes throughout Western Navajo Agency. The fence repair work consisted of damaged fence line by vehicular traffic wandering off the roadway or from local people cutting the fence lines. The crew also cleaned out several cattle guards on Route N16 and N21. In the process of cleaning the cattle guards, some of the rails were repaired. The cattle guard cleanout will continue into the next quarter.

The maintenance crew replaced faded regulatory and warning signs that were damaged by weather and sunlight on Route N16 and replaced with new regulatory signs. Warning signs that were damaged or missing on other BIA Routes were replaced. See pictures below.



N16 – Navajo Mountain, Arizona; Regulatory Sign Repair (Stop Sign)

The maintenance crew performed routine earth road grading services on several Routes within each Districts of Western Navajo Agency. The crew performed road grading mostly on bus routes since schools went back in session. Attached are pictures of the blading activities. See pictures below.



Typical Earth Road Grading in Western Navajo Agency

The Western Navajo Agency maintenance crew performed sand removal on Routes N6465 in Dennehotso Chapter during the month of August. Dennehotso residents were getting stuck in the blow sand. Attached are pictures of the sand removal work activity. See pictures below.



Route N6465 – Dennehotso, Arizona; Blow Sand Removal (Before)





Route N6465 – Dennehotso, Arizona; Blow Sand Removal (After)

### Chinle Agency

The Chinle Agency maintenance crew performed surface inspection and road assessments on roads and bridges within the jurisdiction of the Chinle Agency. The maintenance crew conducted right of way (ROW) fence repair work for the past three (3) months to keep livestock out of the ROW. The fences are continuously cut or damaged by the traveling public running off the roadway and into the fence lines. These damages consist of 40 feet to 150 feet openings requiring new fence materials such as barb-wires, t-posts, stays, etc. The crew replaced barb-wire fence (5-strand) and posts after a vehicle accident on Route N4.

The maintenance crew repaired fence gates on Routes N4 / N41 / N59 / N7 / N64. The traveling public report livestock on roadways and most incidents are due to ROW fence gates being left open by local community residents; gates were closed and found open again.



Route N4 – Fence Repair (Before)



Route N4 – Fence Repair (After)

The Chinle Agency maintenance crew performed cattle guard maintenance Route N59. The pictures shown below is a cattle guard full of silt and debris located at the entrance of Basha's in Piñon, Arizona.



Route N41 – Pinon, Arizona; Basha's Entrance – Cattle Guard Clean Out

The maintenance crew performed earth road grading and reshaping as requested by community members. Due to the COVID-19, we are blading various routes due to emergency situations and patient care needs. The Navajo Nation DOT started grading their Regional Routes again in September 2020. See pictures below.



Route N8068 East (Earth Road Grading)

The maintenance crew performed mowing and vegetation control activities on Route N4 / N7 / N12 / N13. Shrubs were cut and/or removed along the shoulders to improve site distances. Graders were used for this operation while our mowing machine broke down and in need of repair. See pictures below.



Shrubs/Vegetation along Route N12 (Before)  
(After)



Shrubs/Vegetation Removal on Route N12

At the request of the Navajo Nation Irrigation Department in Many Farms, Arizona, the Chinle Agency maintenance crew assisted in the installation of a new corrugated steel pipe culvert on Route N8085. In the NN Irrigation Department's partnership, they provided water and some borrow material resulting in a successful pipe replacement as part of their irrigation system. See pictures below.



Route N8085 – Many Farms, Arizona; Pipe Installation for Irrigation System

### **Ft. Defiance Agency**

The Ft. Defiance Agency maintenance crew performed curb and gutter, and sidewalk cleaning activities consisting of the removal of silt and debris, mud blocking drainage ways, and vegetation on Routes N12 and N110 in Ft. Defiance, Arizona. In addition, maintenance crew installed reflector tabs on the existing bituminous paved surface where striping faded and in no longer visibility during the day or night. The maintenance crew plans to restripe some of these route next fiscal year.

BIA Route N12 Navajo, NM – The maintenance crew conducted pothole patching on the four (4) roadway surface of Route N12 in Navajo, New Mexico. The work also included the repair of right of way fencing.

The Ft. Defiance Agency maintenance crew continue to perform mowing and vegetation control activities on paved Routes N6 and N15. The road maintenance crew mowed the roadway shoulders to enhance sight distance making the traffic control devices visible at all times of the day.

BIA Route N54/N12 Signal Lights repair: The maintenance crew repaired the traffic signal light and replaced the damaged pole hit by a vehicle. This caused the electrical controller box to go out of service, which required hiring an electrician and inspector to troubleshoot and reprogram the traffic signal lights. See pictures below.



Junction of Route N12/N54 – Ft. Defiance, Arizona; Signal Light Repair

The maintenance crew performed fence repair and cattle guard clean outs on Route N27 from US Hwy 264 to Nazlini, AZ. The fence repair became a priority by the local chapter and Navajo Nation Council Delegates where the livestock were entering the right of way, which became a safety issue to the traveling public. The maintenance crew repaired the row fence a couple times after it was repaired. The maintenance crew went back out to repair cut barbwire in various locations along N27.



Route N27 – Ganado to Nazlini, Arizona; Fence Repair and Cattle Guard Clean Out

The Ft. Defiance Agency maintenance crew repaired some severe erosion on the southwest side of the bridge embankment where the existing guard rail was hanging in the air with no embankment material around the guard rail posts on Route N9402 in Allentown, Arizona. The worked required backfilling the erosion gulley, re-establishing the roadway embankment to a 4:1 side slope, maintain proper drainage along the roadway, and re-installing guard rail posts for the approach leading to the bridge.



Route N9402 – Allen Town, Arizona; Severe Erosion Gulley and Guardrail Repair

The maintenance crew remove silt, sand, and debris along the shoulder of Route N15 that built up on the side in several locations caused by localized flooding causing an unsafe condition for the traveling public. The material was haul off.



Route N15 – Burnside to Greasewood, Arizona; Silt, Sand, Debris Removal

## **EASTERN NAVAJO AGENCY (ENA)**

### **Branch of Transportation (BOT)**

For July 2020, the Eastern Navajo Agency Branch of Transportation (ENA BOT) accomplished the following: repaired damaged wing brace on cattle guard to the Pinedale chapter house on N49/11. The staff installed two new cattle guard units with wing braces on an approved driveway turn-out permit on mile post 5 on N49/11 in the Pinedale area. Mowing of vegetation was conducted on N7062 in the Breadsprings area and on N7046 in the Jones Ranch area. Staff also conducted pothole patching on N7044 in the Chichiltah area. Fence repair was completed on N9 East in the Whitehorse Lake area. The BOT staff conducted sign repairs on N49/11 and closed off a broken-down fence in the Pinedale area.

Staff also repaired damaged cattle guard grids on Hosta Butte Road, N492, in the Mariano Lake area as requested by the community. Staff prepared the trucks for hauling highway millings to a newly installed cattle guard turn out in Pinedale on N49/11. The BOT staff conducted cattle guard cleaning on N52 in the Dalton Pass community. Staff also completed mowing on N7140 in the Lupton community. The BOT staff completed cattle guard cleaning on N9 West and mowing from State Route 371 to the Fort Defiance district line. Staff also completed mowing on N49/11 for the communities of Pinedale, Mariano Lake, and Smith Lake. Staff conducted cattle guard cleaning along N52 in the Dalton Pass community.

The BOT staff bladed 25 miles of N11 and N7052 in the Mariano Lake area. The staff has prepared equipment for mowing on N9 East from State Route 371 to Pueblo Pintado during the week of August 3, 2020. Staff repaired a section of fence that was damaged by a vehicle colliding with an elk by mile post 90 on N9E. Staff repaired signs and reconnaissance (recon) cattle guard cleaning from Pueblo Pintado east to the Torreon district line. Staff conducted recon on the Standing Rock and Mariano Lake areas on N11 for flooding from the recent monsoon rain. The Standing Rock roads were passable even though there were reports of flooding; however flooding occurred on N11 near the Francisco ball field. That same evening, staff hauled a backhoe and type III barricades to close off the road by putting up a berm and road closed signs. The road held up with erosion on the outlet side of the culvert metal pipe, which needs to be addressed. Preparation of erosion repair on getting work zone signs, cones and equipment ready is ongoing. The staff

mobilized a front-end loader, scraper, dozer and sheep foot roller and grader to conduct erosion repair. Erosion repair should take about two days, with the whole crew on-site putting mowing on hold for now. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

For August 2020, the BOT staff accomplished the following: bladed approximately 15 miles of N11 and completed blading on N7111 and N7113 in the Mariano Lake community. Staff also mowed Phase II of N9 East from Pueblo Pintado to Tinian approximately 120 miles in both directions. The BOT staff also addressed eroded earth roads (N492 and N493) where there is an exposed corrugated metal pipe in the Hosta Butte area (Mariano Lake community). BOT completed mowing 50 miles of N9 East from State Road 371 to Tinian, New Mexico. A BOT contractor completed highway restriping: 36 miles of N9 East was restriped from State Road 371 to Pueblo Pintado, 24.6 miles of N49/11 was restriped from Pinedale to Smith Lake community, and one mile of N9W from State Road 371 to MP 38 was restriped.

The BOT staff completed mowing on N56 in the community of Tohajiilee. Staff also repaired any damaged traffic signs along N56. The BOT staff mowed N55 in the community of Alamo. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

For September 2020, the BOT staff accomplished the following: conducted erosion repair on N491 (Hosta Butte Road) in the Mariano Lake Community. The BOT also completed a second round of mowing on N7062 in the Bread Springs Community. The staff has mobilized equipment and a four unit concrete base cattle guard with grids to be replaced in the Tohajiilee community on N56. The BOT also completed a second round of mowing Crownpoint streets, which completes all mowing activities throughout the Eastern Navajo Agency. The BOT staff is currently servicing agency dump trucks in preparation for the upcoming winter months. Staff also bladed N11 from Mariano Lake to Nahodishgish, New Mexico. Staff also conducted patching N9E in the Whitehorse Lake community in addition to patching N474 in Ojo Encino because the roads have been damaged by heavy trucks. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

The primary goal of the ENA BOT is to keep roads always open and safe to the traveling public within the Eastern Navajo portion of the Navajo Nation in coordination with the Navajo Department of Transportation. The ENA BOT crew must deal with emergencies that can block roads, washouts, and bridges. The ENA BOT crew are on alert and standby, when necessary and possible, pretreat the roads in the Eastern Navajo Agency; this ensures a safer journey for public and emergency vehicles.

### **Branch of Real Estate Services**

For June 2020, the Eastern Navajo Agency Branch of Real Estate Services (BRES) worked on 13 Indian Health Service's (IHS) priority project rights-of-way applications. In review of the applications, two applications did not require a right-of-way and were ready for construction. Nine applications were reviewed and the Grants-of-Easement was prepared. However, because there were no abbreviated environmental assessments with the applications, the documents were transferred to Navajo Regional Environmental Quality Office to use as reference in issuing environmental documents (i.e., Finding of No Significant Impact). This critical work was to support the Navajo Nation's efforts to mitigate COVID-19 pandemic impacts; Navajo tribal

communities urgently need potable water systems for mitigating coronavirus transmission. As reported during the month of June 2020, the Navajo Nation had the highest infection rate on a *per capita* basis, followed by New York and New Jersey. The IHS has not submitted two other priority applications for review, processing and approval.

For July 2020, the BRES processed 10 IHS pending modifications for approved waterline rights-of-way with several modifications left to process. The BRES has a deadline set for December 30, 2020 for completing the modifications. There are three remaining requests to be reviewed and processed to complete the pending requests.

The BRES reviewed the IHS sanitation deficiency system project list of more than 800 projects and found 215 projects in different categories for the Eastern Navajo Agency. The category that would require a right-of-way is the “fully funded in design” with 56 projects, the rest in the following categories: 6 in the planning and non-construction, 49 in construction, and 104 in post-construction close-out. This preparation work would support the anticipated applications from the Navajo Nation mitigating the COVID-19 pandemic.

For August 2020, the BRES developed recommendations working with the Office of the Superintendent on possible areas in the right-of-way process to “streamline” the rights-of-way application process to use in processing COVID-19 Navajo Nation utility rights-of-way applications. The recommendations would expedite the processing of utility rights-of-way for the COVID-19 projects to address the emergency state in the Navajo communities.

The BRES scanned large rights-of-way maps for the Jemez Mountain Electric Cooperative (JMEC) reconciliation project. The JMEC is working to obtain the rights-of-way for its existing power line constructed without a legal rights-of-way. When the power lines are issued easements, JMEC and chapters can extend the lines with new projects and complete Service Line Agreements. This reconciliation provides a formalization of previous work and results in more Navajo houses with power line connections.

Based on the Interior Board of Indian Appeals (IBIA) decision regarding *Western Refining vs Acting Navajo Regional Director*, the BRES will determine next steps to resolve the pending rights-of-way located in Pinedale, New Mexico. An ongoing evaluation will address the pending applications.

In regards to the renewal for Western Refining and the related case of BIA Branch of Transportation (BOT) right-of-way for the same location, a course of action was developed to comply with the IBIA decision and complete the renewal of the right-of-way. While BRES was working on this project, the New Mexico Federal District Court issued a decision on the pending case and informed BIA the original renewal grant was in effect and recorded the renewal right-of-way to Western Refining. The decision resolved the status of the right-of-way renewal and allowed Western Refining and the BIA BOT to complete their negotiations for a crossing permit for the road to cross the Western Refining pipeline right-of-way. The BIA road will provide a better access road for Navajo families living along the Pinedale Second Canyon road.

For September 2020, the BRES received a request for a Negative Easement for a solar project planned for the Escalante Power Plant, which has been shut down, located in Baca, New Mexico. The Negative Easement is an agreement between the non-Indian surface owners and the Indian mineral owners to not develop their mineral estate for the period the solar project will be in



operation. The BRES drafted a Negative Easement Agreement in lieu of a right-of-way and the draft agreement was sent to the company for their review and use in obtaining consent from the mineral estate owners.

The BRES conducted several field inspections on reported land disputes. These disputes are between family members reporting non-trust related incidents for investigation and resolution. The BRES distinguishes the civil matters from the land-related incidents (e.g. harassment, verbal abuse, physical abuse, and accusations relating to other personal matters) for investigations and resolving the issues. There are four cases of ingress and egress of access roads, used by families, being blocked or gates being locked to preventing access. The families rely on BIA to assist with the disputes on allotted lands as there is no court or police authority to resolve these civil issues for the Navajo families. The Navajo Nation has civil jurisdiction on Navajo tribal trust and allotted lands within the exterior boundary of the Navajo Nation.

### **Branch of Probate Estate Services**

The Eastern Navajo Agency Branch of Probate & Estate Services (ENA BPES) received 309 deaths reports for the 2020 fiscal year: 113 cases have been submitted and accepted by the Office of Hearings and Appeals (OHA). The cases have a potential value of \$1,014,155.62 in Individual Indian Monies (IIM) accounts, 1,016 allotments, and 638 probable heirs. The BPES staff completed the 157 cases for disbursement and close-out. Staff has also assisted approximately 1,600 clients in the office, in the field (e.g. home visits), by phone, or through email.

The ENA BPES staff keep Indian allotment interest holders informed, so they understand what they have holdings in and what it means to them. Many of the activities are conducted in the Navajo language; helping to set the stage for estate planning. These activities greatly benefit the Navajo Nation by making land use planning easier to obtain consents for infrastructure and commercial projects involving Indian allotments. The types of services provided to clients range from printing Individual Tribal Interest (ITI) reports, showing clients how to read the reports, updating contact information, explaining what documents are still needed for a case to be submitted to OHA, conducting client interviews for probate cases, and educating the public about the Federal Probate Process and estate planning.

The ENA BPES staff completed the required cases to support tribal self-determination, self-governance, and sovereignty by ensuring the titles to Indian allotments are kept accurate and updated. The adjudication allows timely disbursement of funds to heirs who are tribal members and to the Navajo Nation. With adjudicated cases, the Navajo Nation can determine land ownership or heirs consent in implementing projects.

### **Branch of Natural Resources**

The Eastern Navajo Agency Branch of Natural Resources (ENA BNR) supports the best interest of the land owners with range management decisions making it possible for landowners to receive income from the use of their land and ensuring natural resources are appropriately managed.

The ENA BNR continues with the contingency plan by informing permittees on the EA FONSI and grazing permit requirements by letter, telephone, and/or email in response to the COVID-19 pandemic. The signed forms and required documents are sent through the postal service to receive

a grazing permit. The ENA BNR oriented permittees for 11 range units; completed internal review of 64 conservation plans involving 105,522 acres and 3,465 sheep units. The Agency Superintendent approved 5 conservation plans and 9 grazing permits; conducted 74 range unit compliance work permits involving record reviews and letters to permittees; and completed 20 field assessments involving 34,636 acres and 999 sheep units. The ENA BNR Navajo Escrow Account has a balance of \$865,648 and collected \$6,631.76 in annual grazing rental since July 2020.

Due to the COVID-19 pandemic, the contractor was only able to complete 1 mile fencing, in total of 9.1 miles fencing (east-west) completed; and about 3 miles left to complete. The contractor will start on the 8.7 miles of boundary fence (north-south) in October 2020. This project benefits the local communities, land users, and landowners in addressing livestock trespass, livestock management and range management.

The BNR ENA has completed more steps in managing the noxious project in Hunter's Point area. The project will begin September 22, 2020 to control and manage 90 acres of salt-cedar, Russian olives, and Siberian elms near Hunter's Point, and 110 acres of retreatment of the plants in the Puerco River. The Navajo Nation completed the Biological and the Cultural Resources Compliance forms and were submitted to the Navajo Region to complete the decision document with mitigation measures. The decision document is the environmental compliance. The ENA BNR mailed 111 information letters to land owners with ownership interest for 11 individual Indian Allotments located in the Hunter's Point project area. The ENA BNR will coordinate with the Navajo Region's Fire Management on the prescribed burn once the trees have been cut, treated, and piled. The objective of this program is to improve the soils, water quality, and vegetation resources. By addressing noxious weed through this project, Navajo Nation trust lands are improved for range resources.

The ENA BNR conducted a field assessment on the former noxious weed treatment sites in the Chaco River Wash, Indian Creek, Torreon Wash and Vicente Wash (Tinian, New Mexico). Most of the salt cedar species died with only about 20% re-sprouts, and new growth of Russian olives in the Torreon Wash. New growth of Russian olives was also observed in the Chaco River Wash and re-sprouts of salt cedar in the Vicente Wash was also observed; the aerial application was completed in 2014. The cottonwood and willows planted in 2008 in the Torreon Wash are doing exceptionally well.

For the Rangeland Monitoring Plan Project, the ENA BNR received the final document and invoice to close the contract; the next steps will provide outreaches to the Navajo Communities and Navajo Nation to make informed decisions on livestock grazing and range management; once the COVID-19 protocols have been lifted. When appropriate and safe, the ENA BNR plans to inform the public and Navajo Nation on the results of the data and answer questions.

## **Appendix A – Dear Tribal Leader Letter (DTLL)**

- 10/07/20 - Dear Tribal Leader Letter - Creation of New Bureau- BTFA
- 09/09/20 - Dear Tribal Leader Letter: Upcoming Consultation - DOI Draft Invasive Species Strategic Plan
- 09/04/20 - Dear Tribal Leader Letter - Energy Development
- 08/13/20 - Dear Tribal Leader Letter - BIE draft School Re-opening Plan
- 07/28/20 - ASIA Letter to Navajo Nation and Ramah Chapter on Chaco Canyon



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

October 7, 2020

Honorable Jonathan Nez  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nez:

This is to inform you of the creation of a new bureau – the Bureau of Trust Funds Administration (BTFA) – within the Department of the Interior. BTFA will take over the functions previously carried out by the Office of the Special Trustee for American Indians (OST). OST will still exist on DOI organization charts for a period of time, while we implement a statutorily-required process to terminate it. But as of October 1, 2020, all of OST's staff, funds, and functions have been transferred to BTFA.

The BTFA, OST is providing you updates on the senior leadership team, email addresses, and other contact information.

BTFA Senior Leadership Team:

- Jerry Gidner, Director, Bureau of Trust Funds Administration, [jerold\\_gidner@btfa.gov](mailto:jerold_gidner@btfa.gov), 202-302-9731
- Cecilia Anaya, Chief of Staff to the Director, BTFA, [cecilia\\_anaya@btfa.gov](mailto:cecilia_anaya@btfa.gov), 505-205-4152
- Margaret Williams, Senior Advisor to the Director, BTFA, [margaret\\_williams@btfa.gov](mailto:margaret_williams@btfa.gov), 505-816-1052
- Doug Lords, Principal Deputy Bureau Director, Trust Operations, [douglas\\_lords@btfa.gov](mailto:douglas_lords@btfa.gov), 505-816-1111
- Kevin, Bearquiver, Deputy Bureau Director, Trust Operations – Field, [kevin\\_bearquiver@btfa.gov](mailto:kevin_bearquiver@btfa.gov), 505-681-3510
- Robert Craff, Deputy Bureau Director, Trust Operations – Accounting, [robert\\_craff@btfa.gov](mailto:robert_craff@btfa.gov), 505-816-1051
- John McClanahan, Deputy Bureau Director, Trust Operations – Settlement Support, [john\\_mcclanahan@ios.doi.gov](mailto:john_mcclanahan@ios.doi.gov), 202-631-6939
- John Montel, Associate Chief Information Officer, Trust Operations – Information Resources and Trust Records, [john\\_montel@btfa.gov](mailto:john_montel@btfa.gov), 202-208-3939
- Jason Bruno, Acting Director, Office of Trust Risk, Evaluation, and Compliance, [jason\\_bruno@btfa.gov](mailto:jason_bruno@btfa.gov), 202-208-5151
- Treci Johnson, Director, Office of Communication, Policy and Training, [treci\\_johnson@btfa.gov](mailto:treci_johnson@btfa.gov), 202-469-2258

- Glenn Wagner, Director, Office of Business Management,  
glenn\_wagner@ost.doi.gov, 505-816-1296

The Land Buy Back Program for Tribal Nations (LBBP) has also moved into BTFA. The Director of the Land Buy Back Program is:

- James Ferguson, Director, Land Buy-Back Program – james\_ferguson@ios.doi.gov

The new mailing address for BTFA will be as follows:

- BTFA is headquartered in Washington, DC, on the 3200 corridor of the Main Interior Building, but the mailing address is:
- Bureau of Trust Funds Administration Attn:  
(BTFA Program/Employee Name) P.O. Box 26928 Albuquerque, NM 87125

Please update your contact lists to reflect the new bureau and email addresses. Also, please disseminate this letter to others in your tribal organization as necessary.

Thank you for the continued partnership during this COVID-19 public health emergency. Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at 505-870-0011 (cell).

Sincerely,



Bartholomew Stevens  
Regional Director, Navajo

cc: Myron Lizer, Vice President, Navajo Nation  
Paulson Chaco, Chief of Staff, Navajo Nation  
Milton Bluehouse, Deputy, Chief of Staff, Navajo Nation  
Santee Lewis, NNWO  
Honorable Seth Damon, 24<sup>th</sup> Navajo Nation Council  
24<sup>th</sup> Navajo Nation Council Members



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

September 8, 2020

Honorable Jonathan Nez  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader Letter (DTLL) from the Assistant Secretary – Indian Affairs, regarding the Draft DOI Invasive Species strategic plan (Plan). We valued the tribal participation during the teleconference listening sessions in 2019. The comments received were incorporated into the draft Plan and the Department of Interior is looking forward to your additional input to further refine.

We invite the Navajo Nation to participate in tribal consultation on September 17, 2020 at 4:00 p.m., Eastern Standard Time (EST) via teleconference. Please RSVP by September 14, 2020 by 5:00 p.m. EST at: <https://tinyurl.com/tfgu83p>. Additional call in details will be forthcoming upon registering.

If you have any further questions, please contact Mr. Leonard Notah, Bureau of Indian Affairs, Navajo Region Noxious Weed Coordinator at (505) 863-8256 or via email at: [leonard.notah@bia.gov](mailto:leonard.notah@bia.gov).

Thank you for the continued partnership during this COVID-19 public health emergency. Please do not hesitate to contact our office directly if we can be of assistance in facilitating information sharing. I am available at cellphone number (505) 870-0011.

Sincerely,

Bartholomew Stevens  
Regional Director

cc: Chief of Staff, Navajo Nation  
Director, Division of Natural Resources, Navajo Nation



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

September 3, 2020

Honorable Jonathan Nez  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader Letter (DTLL) from the Assistant Secretary – Indian Affairs, regarding the improvement of energy development and production. This included the focus of Tribal engagement on the proposed organizational move, which includes the Division of Energy and Mineral Development and the Indian Energy Service Center.

The Department thanks the tribal leaders or designees for their input and participation to the listening session and consultation. See the attached for further information on the Tribal consultations, the Tribal leader inquires and Indian Affairs response.

If you have any questions on the realignment or for energy development, please contact Ms. Johnna Blackhair, Deputy Bureau Director, Office of Trust Services at (202) 208-5968 or email: [Johnna.Blackhair@bia.gov](mailto:Johnna.Blackhair@bia.gov) or Mr. Anthony Morgan Rodman, Acting Director Indian Energy Economic Development at (202) 573-2740 or email: [Anthony.rodman@bia.gov](mailto:Anthony.rodman@bia.gov).

Thank you for the continued partnership during this COVID-19 public health emergency. Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at (505) 870-0011 (cell).

Sincerely,

Bartholomew Stevens  
Regional Director, Navajo

cc: Chief of Staff, Navajo Nation



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

SEP - 2 2020

Dear Tribal Leader:

I am writing to update you on the four Tribal consultations and one listening session that occurred over this last winter and early spring on improving Indian Affairs' delivery of services for energy development and production. These Tribal engagements focused on a proposed organizational move involving the Division of Energy and Mineral Development (DEMD) and the Indian Energy Service Center (IESC). In the proposal, DEMD would move from the Office of Indian Energy and Economic Development (IEED) to the Office of Trust Services (OTS) in the Bureau of Indian Affairs (BIA). In this move, DEMD would be in the same reporting chain as IESC, thus supporting improved communication, coordination, and delivery of energy and mineral development services.

I offer my thanks to the Tribal leaders and their designees who participated in the listening session and consultations this past year. Indian Affairs attempted to offer geographically diverse and sufficient opportunities for Tribal leaders to offer their questions and recommendations, including online and teleconference options. Your leadership and guidance throughout this process have led to a stronger plan that will improve energy development services for Indian Country.

The Tribal leader inquiries at these Tribal consultations generally reflected the following questions, to which I offer Indian Affairs' response:

**Q: Why is Indian Affairs proposing this realignment?**

A: Through the realignment, Indian Affairs intends to improve delivery of services to Indian Country and Alaska Native villages for energy development and production. The realignment will seize on opportunities to promote end-to-end planning for energy development projects, enhance the IESC function, offer Tribes a centralized office for energy questions and issues, and promote a more unified Indian Affairs voice for positions on energy matters.

**Q: How will you ensure the regulatory function of IESC balances with the development-focused function of DEMD?**

A: In the realignment, DEMD and IESC would remain separate units and maintain the same functionality as before the realignment; however, they would both report to the Deputy Director of BIA for Trust Services, a Senior Executive Service (SES) level position. The Deputy Director would maintain impartiality, good business judgement, and strong executive leadership to ensure balance between the two offices. In addition, Indian Affairs will revise written policies like the Indian Affairs Manual (IAM) to further identify roles and responsibilities and any necessary checks and balances.



**Q: Would the realignment diminish the budget or staffing levels for IA energy development services?**

A: No, the realignment would not diminish the overall budget for Indian Affairs energy development services or programs. Additionally, the realignment's purpose is not to reduce staffing levels.

**Q: Would the realignment change the relationships and communications Tribes and Alaska Native villages and entities have with DEMD and IESC?**

A: The realignment seeks to improve delivery of services to Indian Country, and part of that heightened service delivery is effective communications with Tribes, Alaska Native villages and entities, and individual Indian mineral owners. The realignment supports more coordinated and effective communications with stakeholders, and the realignment would not impede current relationships or dialogue enjoyed by Tribes, Tribal entities, and Alaska Native villages with DEMD and IESC.

**Q: What happens to Office of Indian Energy and Economic Development (IEED) if DEMD moves to BIA?**

A: In the realignment, IEED would become the Office of Indian Economic Development (OIED) and would continue offering wide-ranging economic development support for Tribes and individual Indians, including grants, technical assistance, and loan guarantees.

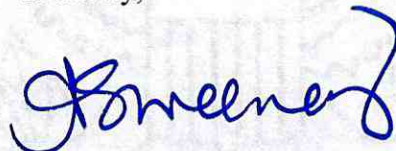
**Q: Will the DEMD grants continue?**

A: Yes, the DEMD grants would continue in the realignment.

As for next steps, Indian Affairs has proposed the realignment in the Fiscal Year 2021 budget request to Congress. Indian Affairs will be engaging with Congress on any questions they may have about the realignment. In the meanwhile, DEMD and IESC will continue offering a high-level of service for your energy development needs, especially during the challenges the COVID-19 pandemic has presented.

If you have any questions related to the realignment or for energy development questions in general, please contact Ms. Johnna Blackhair, Deputy Bureau Director, Office of Trust Services, or Mr. Anthony Morgan Rodman, Acting Director, IEED. Ms. Blackhair may be reached by telephone at (202) 208-5968 or email: [johnna.blackhair@bia.gov](mailto:johnna.blackhair@bia.gov) and Mr. Rodman may be reached by telephone at (202) 573-2740 or email: [anthony.rodman@bia.gov](mailto:anthony.rodman@bia.gov).

Sincerely,



Tara Sweeney  
Assistant Secretary – Indian Affairs

Enclosure

**Tribal Listening Session and Consultations on Improving Energy Services at Indian Affairs  
– Department of Interior, February – April 2020**

<b>Date</b>	<b>Time</b>	<b>Type</b>	<b>Location</b>
February 10, 2020	5PM – 6PM EST	Listening Session	Washington, DC
March 2, 2020	3PM - 4:50PM PDT	Consultation	Las Vegas, NV
March 10, 2020	9AM – 12PM CST	Consultation	Catoosa, OK
March 26, 2020	2PM – 4PM EST	Consultation	Teleconference
April 30, 2020*	2PM – 4PM EST	Consultation	WebEx

\*Replaced March 19, 2020, consultation at Lakewood, CO.



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

August 7, 2020

Honorable Jonathan Nez  
President, Navajo Nation  
100 Parkway  
P.O. Box 7440  
Window Rock, Arizona 86515

Dear President Nez:

On June 24, 2020, a Dear Tribal letter was sent to you on Bureau of Indian Education, draft School Reopening Plan (Plan) to safely reopen school sites for the 2020-2021 school year (SY). The letter enclosed, further provides guidance pertaining to Bureau-operated schools and tribally-controlled schools operated pursuant to a grant under the Tribally Controlled Schools Act of 1988 (US U.S.C. § 2501 et seq.) or pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301 et seq.).

Please see the enclosed for further guidance for the school year 2020. For updated information, please visit the BIE website at: [www.bie.edu](http://www.bie.edu) and <https://www.bia.gov/covid-19>.

If you have any questions, please contact Dr. Tamarah Pfeiffer, BIE Chief Academic Officer, at [tamarah.pfeiffer@bie.edu](mailto:tamarah.pfeiffer@bie.edu) or via phone at (202) 631-4074. Please contact our office if we can be of assistance in facilitating information sharing. I am available at cell phone number, (505) 870-0011.

Sincerely,

Bartholomew Stevens  
Regional Director

cc: Chief of Staff, Navajo Nation



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240

**AUG - 6 2020**

Dear Tribal Leader:

Since the onset of the COVID-19 pandemic, it has been the Bureau of Indian Education's (BIE) goal to provide continuity of education for all BIE students who depend on us. While we will begin the 2020-2021 school year in an unprecedented way, we will continue striving for excellence in teaching and learning. As a follow-up to the BIE tribal consultations held on July 9, 10, and 14, 2020, regarding school reopening, I am pleased to share with you our plans for the reopening of BIE school sites during the COVID-19 pandemic recovery.

We have been actively preparing for the start of 2020-2021 school year for several months. As you know and have experienced, it has been challenging and complex. The Department of the Interior (Department), Indian Affairs, and the BIE are actively involved in supporting the federal response to COVID-19. We continue to collaborate with states and other federal agencies including the U.S. Departments of Health and Human Services, Education and Agriculture, as well as the Centers for Disease Control and Prevention (CDC) and the Department of Defense Education Activity (DoDEA) school system.

The guidance in this letter specifically pertains to Bureau-operated schools. However, BIE recommends tribally-controlled schools operated pursuant to a grant under the Tribally Controlled Schools Act of 1988 (25 U.S.C. § 2501 et seq.) or pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301 et seq.) take the recommendations included as guidance to inform their general operations and to prepare each learning environment for the 2020-2021 school year.

## **START DATE**

**September 16, 2020.** Based on initial feedback collected through formal tribal consultation and stakeholder surveys, BIE-operated K-12 schools will use a uniform start day of September 16, 2020, for the 2020-2021 school year. This will allow schools to prepare for the safe return of students and staff while following the CDC Guidelines for opening schools. Students more effectively learn and grow while attending school during in-person academic instruction. The BIE is also better able to ensure continuity in student academic services and enrichment when students are present at school.

- To the maximum extent possible, BIE schools will operate brick and mortar schools. Schools will have a range of options for scheduling students, e.g., full-time attendance, rotational schedule with reduced class sizes and reduced number of students in the buildings. Local decisions will be made in coordination with tribes, states and local public health officials.

- BIE schools will be ready to employ a remote learning model if COVID-19 spread leads to a shutdown of schools. For anticipated closures of five days or less, there is no requirement to switch to full-time remote learning.
- Families with health vulnerabilities related to COVID-19, or who are concerned about returning to a brick and mortar school setting, will be provided a virtual platform to continue learning.
- Families without the capability to connect to a virtual learning model will be provided an alternative education program.

## REOPENING PLAN & NEXT STEPS

The BIE School Reopening Task Force (Task Force) gathered tribal consultation comments and stakeholder survey responses to inform the School Reopening Plan, *Return to Learn!*, referred to herein as the Plan. The Plan will provide school leaders with general guidance and protocols for educational continuity within a safe and healthy environment for BIE students.

School leaders and Education Program Administrators (EPA) will work with local tribes to implement school specific plans for the start of the school year. Each school, in coordination with their EPA and tribal leaders, will have the flexibility to implement the guidelines in a manner that best meets the health and safety needs of students and staff while minimizing the impact on teaching and learning. Where needed, schools will solicit support from the Department’s leadership to overcome obstacles towards achieving their goals.

Educators will receive professional development which supports them in being effective instructional leaders in a COVID-19 environment. They will receive training and the protocols essential for establishing and maintaining safe and healthy school environments that reduce the risk of COVID-19 for students and staff. School leaders will incorporate risk mitigation measures and prepare facilities and buses based on the recommendations from BIE’s Plan, each state’s reopening plan, and the latest guidance from the CDC including [CDC's Preparing K-12 School Administrators for a Safe Return to School in Fall 2020](#).

## TOOLKIT

The Task Force is developing a toolkit for each BIE-operated school that will provide resources for school personnel:

- **Communications** – Key messages and talking points for tribal and school leaders to facilitate communication in a variety of forums.
- **Resources** – The Plan (“Return to Learn”) and operational guidelines and protocols for a safe and healthy school environment (e.g., wearing of masks, hygiene, disinfecting spaces).
- **Checklists**
  - Social Distancing at Schools (e.g., classrooms, corridors, common areas, playgrounds).

- Mental Health and Well-Being – Resources to support the emotional well-being of students.
- Reopening Safely – CDC health and safety requirements including training on bloodborne pathogens; PPE control and disinfection; social distancing in classrooms, retrofitting equipment, assessing water supplies and HVAC systems, food and security options for students; and accommodations for students with special needs.
- Students with Disabilities – Schools must provide all services pursuant to student individualized education programs through in-person or structured remote instruction, with an emphasis on providing in-person instruction to this particularly vulnerable population of students. In response to tribal consultation comments, we will give guidance to make the transition into the upcoming school year easier for students with special needs.
- **Waiver Request Template** – Application to request waivers of 25 CFR Subchapter E requirements.
- **Frequently Asked Questions**

## INFORMATION TECHNOLOGY

We have a two-pronged approach to enhance our instructional technology platform.

**Short Term:** We will provide secure, wireless access in each school, and to the extent possible, for families (including mobile hotspots and Jetpack). We will inventory and evaluate the current information technology infrastructure, equipment and curricular requirements (e.g., recommendations for a Learning Management System) and develop a long term strategy for improvements.

**Long Term:** Our inventories and evaluations will help us understand the true connectivity challenges in the communities where BIE schools are located and develop solutions to enhance the integration of technology in our instructional practices and in our virtual learning setting. We will be reaching out to tribal leaders and technology experts to understand the local challenges faced by your community. If your tribe is interested in engaging in this discussion, please have your office contact my broadband subject matter expert, Stephanie Henning at: [Stephanie.Henning@bia.gov](mailto:Stephanie.Henning@bia.gov).

## RESIDENTIAL FACILITIES

Bureau operated residential facilities, including Off Reservation Boarding Schools (ORBS) and dormitories **will only provide day-school instruction**. This will avoid students traveling outside the commuting area. Students enrolled for the 2020-2021 school year will be provided distance learning opportunities to continue their BIE education. Current residential staff who would normally support 24-hour services at ORBS will continue to work within the BIE facility. Their roles and responsibilities may be modified to support day-school operations.

## SCHOOL LUNCH

School leaders are expected to continue coordination with their respective school boards and local tribal governments to provide school lunches. Training will be provided to food service staff to ensure proper safety and food handling protocols are consistent with the Food and Drug Administration guidelines and CDC guidance regarding COVID-19.

## WAIVER REQUESTS

Consistent with the BIE's June 25, 2020, Dear School Leader Letter, school leaders may submit a waiver request of any 25 CFR Subchapter E requirements they are unable to meet because of modified school schedule and operations. Approval of any waiver application will be conditioned on assurances of the school's compliance with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, with the submission of a distance learning plan, including assurances for students to access school lunch services. The BIE will provide a waiver request template, which school leaders may use to submit a waiver application.

## ADDITIONAL INFORMATION

For updated information, CDC Guidelines, communication materials, links to documents and the BIE Reopening Plan (*Return to Learn!*), please visit the BIE website at [www.bie.edu](http://www.bie.edu) and <https://www.bia.gov/covid-19>.

COVID-19 is an unprecedented challenge to tribal governments, BIE schools, and all our communities on a scale never before experienced. We take immense responsibility of educating and creating opportunities for every student seriously. The Department, Indian Affairs, and BIE leadership stand ready to work alongside tribes, communities and staff to meet the daily needs of our students and families. I am confident that we will join together to address these unique challenges. If you have any questions regarding school reopening, please contact Dr. Tamarah Pfeiffer, BIE Chief Academic Officer, at [tamarah.pfeiffer@bie.edu](mailto:tamarah.pfeiffer@bie.edu) or by phone at (202) 631-4074.

Sincerely,



Tara Sweeney  
Assistant Secretary – Indian Affairs



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

**JUL 27 2020**

The Honorable Jonathan Nez  
President, Navajo Nation  
PO Box 7440  
Window Rock, Arizona 86515

Dear President Nez:

From March 2020, a lot has happened since we consulted on how the Department of the Interior should solicit proposals on the Chaco Canyon cultural resources investigation. As we work to keep our communities safe, the cultural resources investigation funding offers the opportunity to also help safeguard cultural resources. In this vein, I invite you to submit a proposal to conduct a cultural resources investigation to identify culturally and historically significant areas and sites in the Chaco Canyon area.

**Recommended Approach for Proposals:** During Tribal consultation, it became clear that there are two main Tribal perspectives regarding the culturally and historically significant areas and sites: that of the Pueblos and that of Navajo Nation. Nevertheless, we are looking for one final report of the study findings. For this reason, we strongly encourage the Pueblos and the Navajo Nation to think creatively as to how they could work together through a joint proposal or otherwise to ensure full representation of both perspectives in the study.

**Funding Available for the Cultural Resources Investigation (Study):** There will be at least \$1,000,000 available to fund this study.

**Requirements for the Cultural Resources Investigation (Study):** The study must:

- Be performed by Tribal cultural experts;
- Consist of a comprehensive review of available cultural resource materials, consultation with cultural experts, and other appropriate non-invasive means necessary to identify sites that are culturally affiliated;
- Give special emphasis to areas of high oil and gas development potential within the Mancos-Gallup Resource Management Plan Amendment (RMPA) Planning Area, as required by the Conference Report authorizing this study; and
- Culminate in a comprehensive report identifying culturally and historically significant areas and sites.

**Submission Requirements:** Proposals must include the following information for the Tribe(s) and/or Tribal organization(s) submitting the proposal: name, address, telephone number, executive summary of proposed work, an estimate of overall costs to complete the study, broken down by category (e.g., labor, materials), the identity and credentials of the associated individuals/staff who will be assigned to perform the study, estimated time to complete the study and the signature of the Tribe/organization representative.

**Deadline for Submissions:** In order to be considered, submittals must be received no later than 12:00 p.m. on September 8, 2020.

**Submission Address:** Please submit your proposal electronically to [consultation@bia.gov](mailto:consultation@bia.gov).

I look forward to receiving a proposal that will ensure representation of all relevant Tribal perspectives. If you have any questions on this solicitation, please feel free to contact Mr. Matthew Kelly, Counselor to the Assistant Secretary – Indian Affairs, by email at [matthew.kelly@bia.gov](mailto:matthew.kelly@bia.gov) or phone at (202) 208-7163.

Sincerely,

Tara Sweeney  
Assistant Secretary – Indian Affairs





# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

JUL 27 2020

The Honorable David Jose  
President, Ramah Navajo Chapter  
HC 61, Box 13  
Ramah, New Mexico 87321

Dear President Jose:

From March 2020, a lot has happened since we consulted on how the Department of the Interior should solicit proposals on the Chaco Canyon cultural resources investigation. As we work to keep our communities safe, the cultural resources investigation funding offers the opportunity to also help safeguard cultural resources. In this vein, I invite you to submit a proposal to conduct a cultural resources investigation to identify culturally and historically significant areas and sites in the Chaco Canyon area.

**Recommended Approach for Proposals:** During Tribal consultation, it became clear that there are two main Tribal perspectives regarding the culturally and historically significant areas and sites: that of the Pueblos and that of Navajo Nation. Nevertheless, we are looking for one final report of the study findings. For this reason, we strongly encourage the Pueblos and the Navajo Nation to think creatively as to how they could work together through a joint proposal or otherwise to ensure full representation of both perspectives in the study.

**Funding Available for the Cultural Resources Investigation (Study):** There will be at least \$1,000,000 available to fund this study.

**Requirements for the Cultural Resources Investigation (Study):** The study must:

- Be performed by Tribal cultural experts;
- Consist of a comprehensive review of available cultural resource materials, consultation with cultural experts, and other appropriate non-invasive means necessary to identify sites that are culturally affiliated;
- Give special emphasis to areas of high oil and gas development potential within the Mancos-Gallup Resource Management Plan Amendment (RMPA) Planning Area, as required by the Conference Report authorizing this study; and
- Culminate in a comprehensive report identifying culturally and historically significant areas and sites.

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Sincerely,

Tara Sweeney  
Assistant Secretary – Indian Affairs

## Appendix B – News Release

<https://www.bia.gov/press-releases>

10/1/20 | Online Press Releases

**Interior’s Bureau of Trust Funds Administration Latest Example of Increased Government Efficiency**

10/1/20 | Online Press Releases

**Bureau of Indian Education Equips Its 25 Longest School Bus Routes with Wi-Fi to Aid Student Learning**

9/21/20 | Online Press Releases

**In Case You Missed It: Finding Solutions to Bring Connectivity to Alaska, Indian Country**

9/21/20 | Online Press Releases

**Assistant Secretary Tara Sweeney Announces \$5.5 Million Available for IEED Energy Mineral Development Program Grants**

9/18/20 | Online Press Releases

**Federal Coalition Announces Second Summit on Improving Broadband Access in Indian Country**

9/17/20 | Online Press Releases

**Assistant Secretary Sweeney Announces Implementation of Distance Learning for BIE-operated Schools on the Navajo Nation**

9/17/20 | Online Press Releases

**Trump Administration Finalizes the Return of American Indian Ancestral Remains and Funerary Objects from Finland**

9/4/20 | Online Press Releases

**IN CASE YOU MISSED IT | Native View: Tribal communities aren't being forgotten by Trump**

9/3/20 | Online Press Releases

**Bureau of Indian Education Schools Open September 16 for the 2020-2021 School Year**

8/26/20 | Online Press Releases

**Trump Administration Opens Operation Lady Justice Task Force Cold Case Office in Anchorage, Alaska**

8/14/20 | Online Press Releases

**Operation Lady Justice Task Force’s Fifth Cold Case Office Opens at the Gila River Indian Community in Arizona**

## Appendix B – News Release

<https://www.bia.gov/press-releases>

8/13/20 | Online Press Releases

**Trump Administration Invests \$1.2 Million in Tribal Broadband Grants**

8/11/20 | Online Press Releases

**Fourth Operation Lady Justice Task Force Cold Case Office Opens in Albuquerque, New Mexico**

8/6/20 | Online Press Releases

**In Case You Missed It: The Trump Administration is Working to Make Tribal Communities Safer**

8/6/20 | Online Press Releases

**Operation Lady Justice Task Force Opens Cold Case Office in Billings, Montana**

8/4/20 | Online Press Releases

**Operation Lady Justice Task Force Opens Second Cold Case Office in Rapid City, South Dakota**

7/31/20 | Online Press Releases

**Assistant Secretary Sweeney Signs Mashantucket Pequot Tribal Nation's 105(l) Lease for Public Safety Facility**

7/30/20 | Online Press Releases

**Corrected Dates for Upcoming Cold Case Task Force Office Openings**

7/27/20 | Online Press Releases

**Trump Administration Establishes the First Cold Case Task Force Office for Missing and Murdered American Indians and Alaska Natives**

7/24/20 | Online Press Releases

**Assistant Secretary Sweeney Announces New Policy to Ensure Expedious Processing of Tribal HEARTH Applications**

7/17/20 | Online Press Releases

**Assistant Secretary Sweeney Announces Approval of The Osage Nation's Land-into-Trust Applications for Bartlesville and Pawhuska Casinos**

7/14/20 | Online Press Releases

**Assistant Secretary Sweeney Signs Reservation Proclamations for the Shakopee Mdewakanton Sioux Community in Minnesota**

7/10/20 | Online Press Releases

**Assistant Secretary Sweeney Announces Approval of the Catawba Indian Nation's HEARTH Act Regulations**