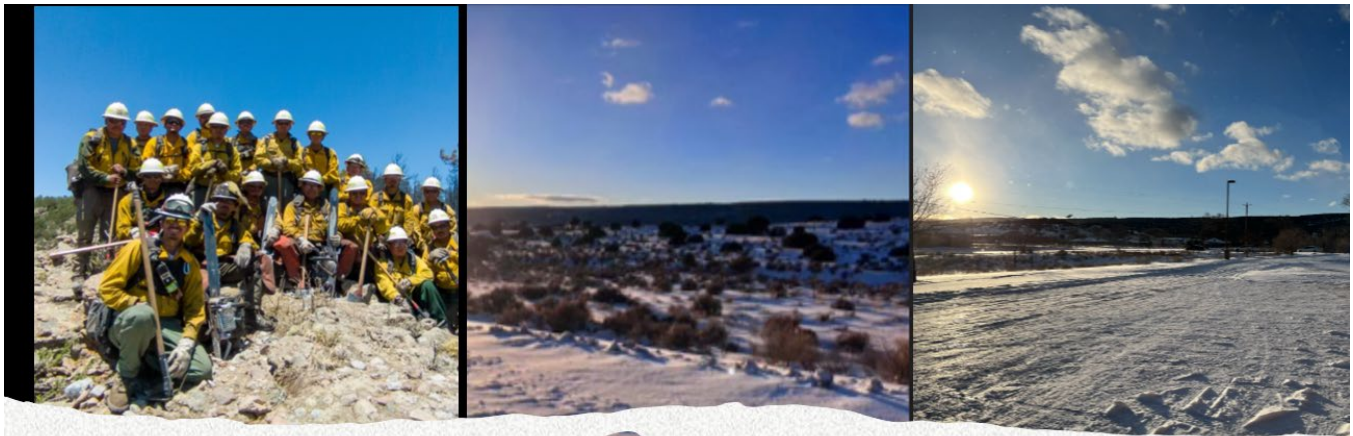




# BUREAU OF INDIAN AFFAIRS NAVAJO REGION

## Report to the 25th NAVAJO NATION COUNCIL



Above: Navajo Scouts T2  
IA Crew

01/11/24- Snowy Day  
Ft. Defiance, Arizona

Acting Deborah Shirley  
Navajo Regional Director  
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January 22, 2024

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## EXECUTIVE SUMMARY

Ya'at'eeh Honorable Madam Speaker Curley, Honorable Council Delegates of the 25<sup>th</sup> Navajo Nation Council, Honorable President Dr. Nygren, Madam Vice President Montoya, Tribal, State, County, and local leaders, Navajo Nation employees and shik'ée dóó Dine'ée of our Great Navajo Nation. I am humbly honored to present the Report for the BIA Navajo Region.

Gregory Mehojah, the current Regional Director of Navajo Region, took a detail to support the Department of the Interior's Office of Facilities, Property, and Safety Management. Therefore, on November 19, 2023, Mr. Bartholomew Stevens, Deputy Bureau Director - Field Operations for the Bureau of Indian Affairs (BIA) requested my assistance to serve as the Acting Regional Director for the BIA Navajo Region for 120 days. I was most happy to step up and serve the BIA and Indian Country; but most importantly, to come home to serve the Navajo Nation.

With proper K'ee etiquette, please allow me to properly introduce myself. My name is Deborah Shirley. I am Nááts'ílid Dine'ée Kin ł ichii'nii, born for Naaneesht' ézhi Táchii'nii. My cheiis are Naaneesht' ézhi Táchii'nii and my naali's are Ma'ii deeshgiizhinii. I am originally from Kintéél (Wide Ruins) but was primarily raised in To'Nanéésdizí (Tuba City). I have almost twenty-five (25) years of federal government service, all of which have been within the Department of the Interior (DOI) Indian Affairs. My field of expertise has been in Trust Services working specifically on managing trust funds for both Indian Tribes and Individual Indian Money (IIM) accountholders as well as working on both the Cobell litigation and Indian Tribal Trust Litigation cases under former US President Barack Obama's Administration. I come from the BIA Western Region where I have successfully managed the completion of multiple Indian land transactions, rights-of-way, NEPA clearances, and other time sensitive Fiduciary Tribal Trust Service actions for forty-two (42) Tribes. Prior to my tenure with the federal government, I worked for a local non-profit organization in To'Nanéésdizí, the State of Arizona working for former Governor Fife Symington, and interned for former US President Bill Clinton. I also served ten years of tribal government service in the Navajo Nation, which included working with the Navajo Nation Council and Tribal Leaders.

We began Fiscal Year 2024, operating under two consecutive Continuing Resolutions (CR). The first CR expired on November 17, 2023, and the second CR, H.R. 4821 The Department of the Interior, Environmental, and Related Agencies Appropriations Act, is set to expire on February 2, 2024. Both CRs extended our continued operations and budget spending levels at the FY 2023 level.


As the BIA Navajo Region embarks on the forthcoming year, we reaffirm our commitment to serve and respond to the Navajo Nation to collaboratively work in partnership with tribal programs on tribal priorities. Under my leadership, I am pleased to report offices within the BIA Navajo Region are open with program managers and supervisors physically in offices to serve as servant leaders to the Navajo Nation. We remain dedicated to carrying out our mission operations; strengthening our government-to-government relationship; and uphold and fulfill our trust obligations and responsibilities to the Navajo Nation.

Since I began working at Navajo Region, my team and I have met with several Council Delegates on local community projects; met with Navajo Division of Community Development and the Land Department on fee-to-trust land acquisitions applications; collaborated with the Navajo Division of Transportation on winter road conditions; provided oral reports to several Navajo Nation Council Sub-committees, as well as providing written responses to Honorable Council Delegates on Navajo Nation and local government matters.

I am extremely proud of our BIA Navajo Region leadership and employees for their dedication to our mission and their willingness to face challenges head on. It is truly my honor to lead this Region as we serve the Navajo Nation. And I look forward to strengthening our collaboration and partnership efforts.

‘Ahe’hee,

DEBORAH  
SHIRLEY

 Digitally signed by DEBORAH  
SHIRLEY  
Date: 2024.01.12 11:59:44 -07'00'

Deborah Shirley, Acting Regional Director  
BIA Navajo Region

## Welcome Deborah Shirley, Acting Regional Director for Navajo Region

Darryl LaCounte, BIA Director <[dbia@bia.gov](mailto:dbia@bia.gov)>

Mon 11/20/2023 1:00 AM

**(NOTE TO SUPERVISORS:** Please ensure all employees without access to email receive a paper copy of this message.)

Greetings all,

Greg Mehojah, the current Regional Director of Navajo Region, is taking a detail to support the Office of Facilities, Property, and Safety Management. In the interim, please join me in congratulating Deborah Shirley who will serve as Navajo Region's Acting Regional Director. Deborah's 120-day detail begins November 19, 2023. While supporting the Region, she will attempt to spend most of that time in Gallup to provide the best support she can.

Many of you know Deborah as she is a longtime trusted and valued BIA team member. As the Deputy Regional Director for Trust Services for Western Region, she has managed the completion of multiple land transactions, rights of way, NEPA clearances, and other time sensitive actions Tribes depend on. I have great confidence in her knowledge, skills and abilities and trust that as Acting Regional Director at Navajo Region, she will continue to deliver its valuable day to day services while also making significant progress on the priorities of Navajo Nation.

I wish Greg the best in his time with OFPSM, and I am pleased to have Deborah join Navajo Region's team!

Thank you,

Darryl LaCounte

**FY 2024 BIA Navajo Region  
First Quarter Report - October 1 - December 31, 2023**

The Bureau of Indian Affairs, Navajo Region provides a summary of our FY 2024 Significant Accomplishments for our First Quarter Performance Period which covers October 1, 2023, to December 31, 2023. These accomplishments are:

- FY 2024 funds provided to the Navajo Nation under P.L. 93-638 contracts, as of January 3, 2024. Total funding provided is \$20,703,309.00 with \$2,096,598.00 available for draw down and \$6,411,245.00 to be awarded.
- The Branch of Facilities is assisting several schools, in providing technical services as requested. There are some future facility projects that are ongoing that consist of waterline replacement, replacing HVAC heating & air-conditioning systems, repairs to water tanks and waterlines, School Playground equipment installations, and BIA demolition projects.
  - Red Rock Day School's installation of a 6" waterline is complete. The design build project awarded to the NTUA and constructed by NECA was successful. The project progressed along with little to no delays.
  - Mariano Lake Community School's Statement of Work (SOW) was completed to rehabilitate the school's access road and parking lot. The SOW was provided to the Eastern Navajo Agency Facility Manager to initiate a work order and request for funding for the project.
  - T'iis Nazbas Community School's SOW is 60% complete. This project focuses on repairing to the roof of two (2) school buildings which consists of roof patching and an application of a rood membrane coating.
- P.L. 93-638 Contractual Program, Fish & Wildlife Program **Contract No. A21AV00002** and Natural Heritage **Contract No. A21AV00001**. In accordance, with 25 CFR §900.15(b) and §900.32, the BIA NR reviewed the Nation's CY 2024 SAFA for P. L. 93-638 Contract No. A21AV00001, Natural Heritage Program and A21AV00002, Fish & Wildlife Program. The BIA Natural Resources (NR) notes the Nation's CY 2024 SAFA proposal is not missing any items. In addition, the BIA NR provided comments and recommendations on certain sections of the Nation's CY 2024 AFA.
  - The Nation's Fish and Wildlife Program received under Fiscal Year 2024 CR 1 in the amount of \$218,959.00.
  - The Nation's Natural Heritage Program received under Fiscal Year 2024 CR 1 in the amount of \$246,912.00.
- The Office of Facilities, Property and Safety Management, Division of Safety and Risk Management assigned twenty-nine sites to BIA Navajo Region Branch of Safety; 73% or twenty (20) site walk-through inspections were completed at three agency headquarter buildings at Shiprock, Chinle and Tuba City where Tribal programs are tenants. Two (2) out of three required inspections for the Office of Justice System at Tuba City Juvenile Detention facility and Chinle Juvenile Center were completed this quarter; and lastly all fifteen (15) Fire Towers inspection were completed; 65% of finalized reports were

disseminated to Official-In-Charge no later than 30 days after completion to develop abatement plans and provide interim corrective measures until fully funded.

- On December 29, 2023, BIA Central Office of Indian Services, Division of Human Services Housing Improvement Program provided notice to BIA Region's Housing Program that a Webinar Training for TAPR is being offered on January 10, 2024. The target audience for the webinar training session is for tribal leaders, tribal program staff who operate the HIP, BIA Agency programs, BIA Superintendents and anyone interested in learning more about the BIA Housing Program. Notice was provided to the Nation.
- Shiprock Administrative Reserve (SAR): The Branch of Environmental Management (BEM) contractor, Environmental Quality Management Services, LLC. (EQM), is completing the Scope of Work pre-work tasks for review and approval. The contractor responded to the NEPA compliance for Cultural Section 106 and the Endangered Species Act Section 7 with the Navajo Nation programs. EQM also provided the draft abbreviated Environmental Assessment for review. BEM has completed the review of traffic and fencing plan for the site. On December 29, 2023, BEM received the draft Health and Safety Plan for review and approval. Bi-weekly meetings are scheduled with EQM for updates which includes the progress of the pre-task's submittals required by BEM.
- The BEQACR processed 58 Categorical Exclusions (CEs) and 63 Cultural Resources Compliance Forms for housing needs and utility installation. These NEPA documents are critical for allowing the approval of home sites and the installation of utility lines for Navajo tribal members.
- The Fuels Management Program completed the reporting of Fiscal Year (FY) 2023 Projects and Treatments within the National Fire Program Operations and Reporting Systems (NFPORS) database. Approximately 1,000 acres were reporting as being accomplished with active management treatments. The active management treatments were accomplished in the communities of Pinehaven and Bread Springs, New Mexico.
- During the FY 2024 1<sup>st</sup> Quarter performance period, the BIA Branch of Natural Resources Fort Defiance Agency collaborated with the Navajo Nation's Departments of Agriculture and Natural Resources round up and remove equine or feral horses from the following areas:

Dates	Chapter/Location	Number of Feral Horses
October 11-12, 2023	Standing Rock Chapter	43
October 17-20, 2023	Burnham Chapter	152
October 25, 2023	Red Lake Chapter	10
October 27, 2023	Pinedale Chapter	11
November 2-3, 2023	Twin Lakes Chapter	82
November 7-8, 2023	White Cone Chapter	30
November 14-15, 2023	Blue Gap Chapter	54
November 17, 2023	Whippoorwell Chapter	117
November 19, 2023	Jeddito Chapter	14
November 28, 2023	Tselani Chapter	112
November 29, 2023	Teesto Chapter	14
	<b>TOTAL</b>	<b>598</b>

The BIA Fort Defiance Agency Branch of Natural Resources staff assisted with manpower; providing portable corrals and livestock panels; stock trailers and hauling livestock to designated areas. The goal of managing and removing 598 feral horses is to protect Navajo Nation land from overgrazing and protecting and conserving our natural resources. The success of this operation is a collaborative effort and partnership between the BIA Navajo Region and the Navajo Nation.

- The BIA Navajo Region Real Estate Services reports we received two (2) FTT Applications for the following:
  - **Rolling Mesa:** The BIA Navajo Region Real Estate Services sent the Navajo Nation a letter notifying them that the Rolling Mesa Application was inactive and cancelled as prescribed in 25 CFR 165. This Fee To Trust Application was a Discretionary Acquisition for Off-Reservation which is located within the San Juan County, near Farmington, New Mexico. The application was for approximately 67.39 acres more or less. The 30-Day Notice of Incomplete Application was sent in September 2023, requesting the Navajo Nation to address the immediate actions in the letter. After the 30 days deadline expired, there was no remittance of action items from the Nation. A Final 30-Day Notice of Incomplete Application sent to Nation. Subsequently thereafter, a notice of Return of Incomplete Application, along with corrective Warranty Deed and initial application was returned to the Navajo Nation with opportunity to resubmit new application once action items noted has been completed. Application is currently inactivated/cancelled. On December 21, 2023, the BIA Navajo Region invited the Navajo Nation Division of Community Development and Land Department to a meeting in Gallup, NM to provide an overview on the federal FTT Process as well as discuss specifics of the Rolling Mesa FTT. After this initial meeting, both BIA Navajo Region and the Navajo Nation agreed to meet again on December 27, 2023, to review the Nation's application, land survey as there were errors with boundaries which resulted in



a “clouded” title. Because the land survey requires changes, this resulted in the BIA requiring an updated Environmental Assessment (EA). Presently, the BIA Navajo Region awaits to re-engage with the Navajo Nation on this FTT Application.

- **Lower Highway 89 AZ:** This is a Mandatory Acquisition located in Coconino County, near Flagstaff, Arizona is approximately 13.79 acres. The BIA Navajo Region acknowledges the receipt of this FTT Application with a formal letter dated November 16, 2023, sent to the Navajo Nation. The Certificate of Inspection was completed November 20, 2023. The BIA Navajo Region notified the Department of the Interior’s Assistant Secretary of Indian Affairs Office of Gaming (OIG) of this application. The Land Description Evaluation and Valuation (LDEV) request was submitted for legal description review with the Preliminary Title Opinion (PTO) request pending upon return of completed LDEV.

## OFFICE OF TRIBAL GOVERNMENT SERVICES

The Office of Tribal Government Services (OTGS) continues to represent the Bureau of Indian Affairs Navajo Region (BIA NR) at various government-to-governmental leadership meetings. Meetings include Navajo Nation Office of the President and Vice President (NNOPVP), Navajo Nation Council (NNC), Committee and Council Delegate(s). BIA NR OTGS also assists with coordinating meetings between the Region and Navajo Nation tribal programs for services that focuses on tribal priority projects such as: realty/land acquisition (Fee to Trust), natural resources and conservation efforts, forestry/fire management, water resources, environmental, transportation/roads maintenance, probate, census/enrollment, social services, housing, educational scholarship, Indian Self Determination contracts and grants, tribal budgets and other tribal initiatives.

For the FY 2024 1<sup>st</sup> Quarter, BIA NR referred sixty-five (65) requests to the Navajo Nation Office of Vital Records/Enrollment program pertaining to inquiries on tribal enrollment or obtaining a Certificate of Indian Blood (CIB). CIB requests range from individuals seeking scholarships, tribal services or benefits and/or incarcerated inmates. Based on the incoming inquiries received this quarter, the BIA NR referred these inquiries to the following agencies:

Office/Agencies	Referrals
Eastern Navajo Agency	4
Chinle Agency	0
Fort Defiance Agency	3
Shiprock Agency	4
Tuba City Agency	0
Window Rock	54
<b>Total:</b>	<b>65</b>

The OTGS also provides updates to the Navajo Nation regarding national tribal initiatives from the Department of the Interior Assistant Secretary - Indian Affairs, transmitting nine (9) “Dear Tribal Leaders Letters” (DTLL) to the Navajo Nation. These copies of DTLL are included in Appendix A.

The BIA NR OTGS provides oversight and serves as the Awarding Official Technical Representative (AOTR) for three (3) Public Law 93-638 contracts: Tribal Courts, Tribal Enrollment and Tribal Scholarships/Higher Education. See page 59.

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

The first quarter for FY2024 has been steady for the Federal Indian Minerals Office (FIMO). FIMO implemented the return to office for the staff per guidance from the Acting Regional Director, BIA Navajo Region. FIMO continues to meet with allottees at the office, answer telephone inquiries and provide phone-in and in person outreaches to the communities in Eastern Navajo Agency. Activities continue to increase as FIMO identifies new projects being proposed. FIMO continues to service allottees and fulfill its trust responsibilities to meet mission goals.

### **Ongoing Projects:**

Carson Unit- FIMO received a copy of a resolution on the approval of the Carson Unit for DJR Operating. We are preparing the unit files and working with the Acting Regional Director and BLM to ensure we respond appropriately after BLM State Office makes a final response to the NN Land Commission Department.

Lone Mesa Unit- There were 16 IA Mineral leases that have expired in this unit and FIMO is working diligently getting these leases completed by the 2<sup>nd</sup> quarter of FY 2024.

### **Accomplishments:**

FIMO has made great strides in continuing our responsibility with the “on the ground activities.” FIMO staff strives to address or answer allottees’ questions or requests for services on a daily basis. FIMO works innovatively to secure or assist needs of allottees based on their unique situation or circumstance.

*Outreach* – FIMO Outreach staff conducted 8 total in-person outreaches with a combined total of 85 mineral owners in attendance. One location, Torreon/Star Lake, was cancelled due to inclement weather. Locations included: Nageezi, Huerfano, Pueblo Pintado, Ojo Encino, Shiprock, Nenahnezad Chapter Houses, and San Juan College School of Energy. Outreach notices were mailed to mineral owners residing in these locations as well as surrounding communities and towns. Sessions were coordinated and conducted with federal partners such as BTFA and BIA Eastern Navajo Agency.

*Inspection & Enforcement* – the BLM Inspection and Enforcement (I&E) has not provided their latest report to FIMO.

*Environmental Surface Inspection* – FIMO continues to conduct inspections on producing wells, drilling wells, pre-abandoned wells and notice of staking. FIMO EPS continues to contact operators to comply with terms and conditions of APD’s and lease terms. Currently, there are four orphan wells that are under pending status and seeking funding to proceed with plugging. FIMO continues to improve its surface inspection program. FIMO works with landowners who report complaints of oil and gas issues to assist in resolving issues through communication and collaborating with BLM and Operators.

*Leasing Assignments* – No Assignments processed – one (1) Assignment of mining Lease pending review.

*Lease Termination/Cancellation* – Four (4) Indian Allotted leases were cancelled – Terra Wash Unit

*Application for permit to drill (APD)* – There were no new notices of staking for proposed well pad installation submitted and no Application for Permit to Drill (APD) submitted for this quarter.

*Royalty Distribution* – The BTFA (formerly OST) assists FIMO with managing and disbursing trust funds from IIM accounts for allottees by such as: preparing and reviewing the withdrawal/transfer vouchers, submit for approval to appropriate authorizing official, submits for processing. BTFA also verifies the availability of funds, prepares work tickets for IIM accounts, when necessary, provide technical assistance to other agencies as necessary, maintain logs of daily activities in service manager, provide outstanding customer service to all beneficiaries who contact our office.

The 1st quarter has started with a steady pace and the field work is continuing with reclamation in progress in some of the areas around Eastern Navajo Agency. FIMO is aligning with its goals and mission. FIMO anticipates an increase of activities as we move into the 2nd quarter in the new year. FIMO has tentatively scheduled an EMG meeting in February 2024 as this is long overdue. FIMO has staff shortages and awaiting on FIMO Director position to get posted.

## **ADMINISTRATIVE AND MANAGEMENT SUPPORT**

### **BRANCH OF ACQUISITION OPERATIONS**

For this quarter, the Branch of Acquisitions completed the following:

Task Order No. 140A0923F0027 was awarded to EQM Services in the amount of \$6,063,230.99 for the remediation and demolition of the Shiprock Reserve for 46 buildings in Shiprock, NM. A limited Notice to Proceed (NTP) was issued for the pre-work submittals. The due date for the submittals is January 12, 2024. After review and approval of the submittals, the remediation and demolition work can begin.

- Award No. 140A0924P0003 was awarded to iina ba, Inc. for the mold assessment and remediation at Red Rock Day School, Red Valley, AZ. Work will begin on January 4, 2024.

- Award No. 140A0923P0041 was awarded to iina ba, Inc. for the ESA Phase 3 for the Sanostee Site. Work has started and is 40% completed.

- Purchase Order No. 140A0923P0070 was awarded to BRIC, LLC in the amount of \$362,629.05 for development of conservation plans for Ft. Defiance Agency.

- Purchase Order No. 140A0921P0092 was awarded to BRIC, LLC in the amount of \$286,365.79 for the Paiute Creek Restoration Plan project. Work has been completed.
- Contracts for noxious weed projects have been awarded for Western Navajo Agency and Eastern Navajo Agency within the Navajo Region.
- Staff continues to monitor and administer on-going contracts that have been issued in previous fiscal years for construction and services.
- Staff has responded to data calls from Central Office regarding various acquisition requirements.
- A total of 32 purchase requests have been awarded for Fiscal Year 2024 with a value of \$291,754.32. There are 20 purchase requests in process with a value of \$3,700,343.08.
- The work in progress for the school construction contracts is benefiting the members of the Navajo Nation by maintaining and upgrading the deteriorating BIE school conditions where many students of the Navajo Nation attend.
- 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 staff are preparing for the upcoming Annual Inventory, which is tentatively scheduled to commence on January 8, 2024. Staff have been reviewing the personal property and real property inventory lists to ensure updates have occurred for known assets, assisting programs with excess assets and their disposal, and advising programs to be aware of upcoming deadlines.

Staff has assisted with the transfer of Shock Raft Equipment from the United States Fish and Wildlife Service to the Navajo Nation Department of Fish and Wildlife. This transfer enables the Navajo Nation's shock raft to remain in operation and possibly allow for the construction of a backup raft.

The Service Line Agreements (SLAs) for Mariano Lake Community School and Ojo Encino Day School have been issued to allow for the utility provider to run power to the school's marquee.

## BRANCH OF BUDGET MANAGEMENT

**Fiscal Year (FY) 2024** – BIA Navajo Region began on a temporary funding measure known as a Continuing Resolution (CR), Public Law 118-15 (H.R. 5860), the Continuing Appropriations Act, 2024 which signed by The President on September 30, 2023. The CR provides funding through November 17, 2023 (48 days) to federal programs at a rate for operation of 13.11%, based on FY 2023 enacted amounts.

On November 16, 2023, Public Law 118-22 (H.R. 6363), Further Continuing Appropriations and Other Extensions Act, 2024 was signed. This is the second Continuing Resolution for Fiscal Year (FY) 2024 and provides funding to federal programs through February 2, 2024, at a rate of 21% based on FY 2023 enacted amounts.

The Bureau of Indian Affairs (BIA) requested an exception apportionment of 100% of FY 2023's allocation for both Fiscal Year and Calendar Year Tribes. The request was approved, and funds were received. Once there is an Enacted budget for FY 2024, we will know whether there will be any adjustments (increases/decreases).

Below is a summary of FY 2024 funds provided to the Navajo Nation under P.L. 93-638 contracts, as of January 3, 2024. Total funding provided is \$20,703,309.00 with \$2,096,598.00 available for draw down and \$6,411,245.00 to be awarded.

NAVAJO NATION P.L. 93-638 FUND STATUS						
as of January 3, 2024						
Fund	FA Budget Program	Funds Available	To be Awarded	Not Drawn Down	Distributed	Available Funds
245A2100DD	A0N9B1010 : AGRICULTURE PRGRM-TPA	1,305,502.00	171,151.00		171,151.00	1,134,351.00
245A2100DD	A0H901010 : SOCIAL SERVICES-TPA	6,078,915.00	796,946.00		796,946.00	5,281,969.00
245A2100DD	A0H901040 : Domestic Violence	146,000.00	19,141.00		19,141.00	126,859.00
245A2100DD	A0H913030 : WELFARE ASSISTANCE-TPA	4,383,159.00	4,383,159.00		4,383,159.00	0.00
245A2100DD	A0H922020 : IND CHILD WELFARE ACT-TPA	1,512,395.00	198,275.00		198,275.00	1,314,120.00
245A2100DD	A0J908080 : TRIBAL COURTS PROGRMS-TPA	1,786,599.00	234,223.00		234,223.00	1,552,376.00
245A2100DD	A0N6A3031 : FOREST MARKETING ASSIST	8,877.00				8,877.00
245A2100DD	A0N9A0505 : NATURAL RESOURCES -TPA	4,315.00				4,315.00
245A2100DD	A0N9C3030 : FORESTRY PROGRAM -TPA	774,372.00	101,520.00		101,520.00	672,852.00
245A2100DD	A0N9D4040 : WATER RES PROGRAM -TPA	740,521.00	0.00	97,082.00	97,082.00	643,439.00
245A2100DD	A0N9E5050 : WILDLIFE&PARKS PRGRM-TPA	536,162.00	0.00	70,291.00	70,291.00	465,871.00
245A2100DD	A0R9D4040 : ENVRMNTL QLTY PRGRM-TPA	119,681.00	0.00	15,690.00	15,690.00	103,991.00
245A2100DD	A0T902020 : OTHER AID-TRBL GOV -TPA	1,015,435.00	0.00	133,124.00	133,124.00	882,311.00
245A2100DD	AEE904040 : JHNSN O'MALL A GR TPA BIA	506,830.00	506,830.00		506,830.00	0.00
245A2100DD	AEE931010 : TRIBAL SCHOLARSHI TPA BIA	1,780,411.00	0.00	1,780,411.00	1,780,411.00	0.00
24XA2100DD	A0H937070 : HOUSING IMPROV PROGRAM-TPA	4,135.00				4,135.00
<b>TOTALS</b>		<b>20,703,309.00</b>	<b>6,411,245.00</b>	<b>2,096,598.00</b>	<b>8,507,843.00</b>	<b>12,195,466.00</b>

## **TRUST SERVICES**

### **BRANCH OF NATURAL RESOURCES**

On November 14, 2023, the Branch of Natural Resources presented to the 25<sup>th</sup> Navajo Nation Council's Resources and Development Committee. Presentation on the U.S. of Interior Bureau of Indian Affairs (BIA) on the Navajo Partitioned Lands (NPL) Grazing Permits and Reissuances, and the 2016 NPL Vegetative Inventory and Study. Branch Chief presented the power point to the Resources and Development Committee.

The BIA Branch of Natural Resources will be conducting a permit verification process for Navajo Grazing permit holders. The objective of the Permit Verification Process is to get verification from the Navajo Permit holders. Each permit holder will need to come into the local agency office to verify their grazing permit along with a current livestock tally count. Navajo Region currently has 10,500 permits, annually approximately 35% of the livestock tally is reported. Leaving, approximately 6,500 grazing permits in a category of whereabouts unknown.

The Branch of Natural Resources and a select group of individuals from Central Office will be reviewing the National Memorandum of Understanding (MOU) which establishes a foundation for improved coordination, planning, and implementation of USDA programs on Indian lands. In addition, the signatories seek to improve assistance to American Indians and Alaska Natives in identifying and addressing the comprehensive agricultural, conservation, and economic needs of rural American Indian and Alaska Native communities on Indian lands. Assistance to producers is provided through the authorities and resources available to each respective Agency.

The BIA is responsible for administration and management of the nearly 56 million acres of surface interest and 59 million acres of mineral interest held in trust, or restricted against alienation, by the United States for American Indians, Indian tribes, and Alaska Natives. The BIA maintains the official record of ownership and encumbrances to title for these land interests while federal statutory and regulatory authority to approve encumbrances to title to Indian lands is generally delegated from the Secretary of the Interior to the BIA. Directly and through a Public Law (P.L.) 93-638 contracts, grants, or compacts, The BIA provides resource inventory, planning, and management and development assistance along with leasing and permitting services to Indian tribes, individual Indian landowners and land users.

The Natural Resource Conservation Service (NRCS) provides conservation planning along with technical and financial assistance to farmers, ranchers and forest managers to maintain, conserve and improve natural resources on private, Indian, and other non-federal lands. Common technical assistance includes resource assessment, practice design, and resource monitoring. Services are provided both directly and in partnership with conservation districts, technical service providers, and other federal, tribal, state, and local entities.

The FSA administers programs that support economic stability, and helps farmers and ranchers conserve land, air, wildlife, and water resources. FSA also provides credit to farmers and ranchers and helps farm operations recover from the effects of disaster. FSA operates under a unique system where federal farm programs are administered locally. This grassroots approach gives farmers a much needed say in how federal actions affect their communities and their individual operations.

## **Shiprock Agency**

The Shiprock Agency Branch of Natural Resources is open and receiving clients in person, however per the safety officer, clients utilize the conference room for face-to-face meetings. The staff continue to telework as needed.

Range Technician had logged tally count sheets for Fiscal Year 2023. A total of 505 grazing permit tally counts were submitted by the grazing officials out of 2,004 total grazing permits.

Assisted Shiprock Police Department with maps for the Shiprock Fair grounds.



The Rangeland Management Specialist set out six (6) rangeland monitoring cages with rain gauges in Aneth, Burnham, Cudei and Sanostee.

The District 12 Weed Inventory with Environmental Assessment (EA), completed the vegetative reports and field work completed. Reports have been submitted and received a Cultural Resource Compliance Form. Currently, waiting for Navajo Nation Department of Fish and Wildlife's (NNDFW's) concurrence and Biological Resource Compliance Form.



The District 13 Weed Inventory with EA has most of the field work completed with the exception of an Archeology survey. The Biological Assessment report has been submitted to NNFWS for consultation and review.

The McCracken Mesa rangeland inventory has been completed and Contractor is working on completing the final report.

Contractor evaluation was submitted for an upcoming Weed Inventory and EA for the Sanostee Wash weed project in the communities of Cove, Red Valley and Sanostee. Field work will begin Spring 2024.

The agency fielded calls from clients and updated them on information on their Land Use Permit Transfer, grazing permit probate, Land Use Permit Probate and grazing permit transfer.

The Rangeland Management Specialist assisted the Navajo Nation Department of Agriculture (NN DOA) equine rescue operation in Burnham, New Mexico. Approximately 140 head of horses were captured and transported to the holding pen in Tse Bonito, New Mexico.

The Range Technician met with solar power company named Navajo Power regarding the potential location to utilize 3,700 acres of prime rangeland in Hogback, New Mexico.

The Rangeland Management Specialist attended a meeting with Navajo Tribal Utility Authority and the Nenahenzaad and San Juan grazing officials regarding a site for roughly 4,000 acres of solar panel energy. A permittee listing was provided as well as maps for the potential sites.

The Range Technician submitted a permittee listing to Navajo Land Department regarding the Tucson energy project in Nenahenzad and San Juan, New Mexico.

The Shiprock Agency completed two (2) grazing permit transfer agreements with completed conservation plans and completed three (3) Agriculture Land Use Permit transfer agreements. All transfers have been submitted to the Branch of Environmental Quality Act Compliance Review.

Permittee information was supplied to Indian Health Services (IHS) for a waterline extension project in Teec Nos Pos, Red Mesa and Shiprock vicinity.

The Shiprock Agency Branch of Natural Resources staff continued the practice of wiping down the office with sanitizing wipes per guidance from the safety officer daily.

## **Western Navajo Agency**

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

The finalized Former Bennett Freeze Area (FBFA) Integrated Resource Management Plan (IRMP) and the associated Final Programmatic Environmental Assessment (FPEA) have been completed and the FBFA IRMP is ready to be implemented.

The BIA has approved and adopted the FBFA IRMP and the FPEA to evaluate potential environmental impacts of the FBFA IRMP. The BIA, in close consultation with the Navajo Nation, developed the IRMP in accordance with the American Indian Agricultural Resources Management Act (AIARMA) and other applicable laws and regulations. The FPEA was prepared in accordance with the requirements of the National Environmental Policy Act (NEPA). All the final documents and information on the NEPA and IRMP process can be found at the Project website at [www.bia.gov/FBFA-EA](http://www.bia.gov/FBFA-EA).

On December 21, 2022, the Navajo Nation Resources and Development Committee approved Resolution #RD-35-22, for the Intergrated Resource Management Plan and the proposed action under the PEA. The BIA issued a Notice of Decision in March 2023, and included the adoption of the IRMP and the associated PEA.

### **FBFA Livestock Water Project:**

The Western Navajo Agency Branch of Natural Resources (WNA-BNR) continues to coordinate with the Navajo Nation Department of Water Resources (NNDWR) and USDA NRCS to work on water development projects for livestock and wildlife use in the FBFA of the WNA. This includes funds that have been provided to the Navajo Nation's NNDWR to maintain and improve developed water sources, such as windmills and earthen tanks. In addition, the WNA-BNR is working on installing a watering point in the Cameron Chapter area, the BIA has secured a Contractor for developing the design of and installation of a pipeline and standpipe. The EA is currently being prepared by the WNA-BNR for this project. A second watering point is to be located at an existing windmill near the Moenkopi Wash and US Highway 89. The second one is being installed by NNDWR. Additional projects that involve drilling new wells have been identified and will be funded via Self-Determination contracts. The watering point projects are to be used by individuals who haul water for livestock and farming.

### **Land Management District (LMD) 1 and LMD 3 Range Management Plans:**

The LMD 3 Range Management Plan (RMP) and the EA for the RMP have been completed in draft by the contractor and the WNA-BNR will complete the final steps of the EA and submit to BIA Navajo Region for a decision spring of 2024. A RMP for LMD 1 is in process and is scheduled to be completed in September 2024. The management plan for LMD 1 will address both rangeland and cropland areas. The LMD 3 (Coalmine Canyon, To' Nanees Dizi, Bodaway-Gap and Cameron Chapter areas) covers over 1.4 million acres, and effects 661

Grazing Permits and the LMD 1 (Tonalea, K'ai'ibii'to, Lechee and Coppermine Chapter areas) covers 833,625 acres and effects 535 Grazing Permits and 51 Agricultural Land Use Permits. These projects were developed to ensure they are aligned with the FBFA IRMP.

### **Cropland Management Plan (CMP) for Land Management District (LMD) 3:**

The BIA-WNA completed the work on the development of a CMP for LMD 3 and is currently working on the EA for the CMP. The CMP is to provide documentation for the management of croplands for 193 Agricultural Land Use Permits which cover about 1,030 acres, which includes the Kerley Valley cropland area. The documentation will assess environmental impacts on the physical environment by the variety of farming activities in LMD 3. In addition, agricultural projects under the Navajo Thaw projects are included in the Plan. Like the LMD 3 RMP, this project is being developed to be aligned with the FBFA IRMP PEA. This project is set to be completed in March 2024.

### **Grazing Management and Stream Restoration Plans for Tsegi, Nitsin and Betatakin Canyons:**

The implementation of the Tsegi Canyon portion of the "Grazing Management and Stream Restoration Plans for Tsegi, Nitsin and Betatakin Canyons continues and progressing. In the Fall of 2023, restoration work was completed in two (2) side canyons of Long Canyon for restoration implementation. The restoration work activities include the installation of erosion control structures, reseeding, and replanting. Other areas where restoration efforts have been completed, the cooperators continue to monitor and do maintenance as the need arises. A film about the Project can be found at <https://vimeo.com/783096229/8b3f010411> . In addition, in 2023, the BIA made funds available to the NNDFW's Natural Heritage Program's (NHP's) Diné Native Plants Program (DNPP) using the P.L. 93-638 process to hire a seasonal 3-person seed collecting crew that collects, banks, and grows local native plants for agency and community use. The collection activity will allow NHP to increase collections of priority species in underrepresented regions/ecoregions of the Navajo Nation while also providing employment opportunity and occupational training/experience in natural resource management to the Navajo People.

### **Other WNA Projects:**

In addition to the projects mentioned above, the WNA-BNR staff completed work on the following Projects: a) LMD 1 and LMD 3 Boundary Fence installation of cattleguards on BIA numbered roads that traverse these fence lines. b) The Shonto Wash noxious weed treatment plan development. c) The Paiute Canyon noxious weed inventory and control project, d) Upper Laguna Creek Noxious Weed Inventory, and e) LMD 5 Noxious Weed Inventory.

The noxious weed inventory for LMD 5 and Paiute Canyon has been completed and the EA for the Shonto Weed Treatment Project and post-treatment restoration plan will be completed in 2024. For additional information on BIA Navajo Region's efforts to address management

of noxious weeds on the Navajo Nation: <https://www.bia.gov/regional-offices/navajo/navajo-nation-integrated-weed-management-plan>.

In 2023, the WNA-BNR sponsored 11 workshops to support the implementation of a Conservation Plan for each Grazing Permit. The participants in these workshops were individuals who will be receiving a Grazing Permit through the District Grazing Committee or court action. The workshops were a partnership between Dine College Land Grant Office and the WNA-BNR. Dine College staff assisted with presenting topics on herd health, herd management, breeding practices and basic rangeland monitoring practices as part of the workshop. This is a continuation of workshops being held for individuals going through the grazing permit transfer process. The WNA-BNR appreciates the help and participation of Dine College Land Grant Office, as they bring knowledge and resources to the participants in the workshop.

It is the policy of BIA to manage Indian agricultural lands and related resources with full participation of the beneficial owners and users of the land and any management activities are performed in a manner consistent with the trust responsibility of the Federal government, which includes protecting and conserving Indian agricultural resources, and promoting the sustained-yield use of Indian agricultural resources. The Navajo Nation Executive Branch Departments and Programs need to continue to actively participate as a Cooperating Agency and as members of the Interdisciplinary Teams (subject matter experts) for the development of the land use management plans. The plans are to guide the implementation of the conservation of Trust resources (soil, water, and vegetation). All Navajo Nation entities need to participate in the management plans to realize the Navajo Nation's vision for sustainable development and conservation of its natural resources and the planning for strategic resource management to restore, preserve and conserve these resources for future generations.

The BIA NR respectfully request the Navajo Nation Executive Branch Divisions to participate in the implementation of the FBFA IRMP, which would include a formation of an Interdisciplinary Team or Action Committee to implement and monitor the progress of the implementation of the IRMP. An initial step is to establish an IRMP Action Committee, which will be comprised of representatives from each resource management department or program, and the committee will pilot the IRMP directives by first organizing a team building IRMP workshop for all the divisions and departments responsible for managing the resources of the FBFA.

In the previous years, the lack of precipitation has made a negative impact on the availability of forage and the rangeland forage that has been depleted by the grazing animals and the multiyear drought has left the rangeland dependent livestock in dire need of feed and due to these conditions, there is a need for the continued removal livestock from the Navajo rangelands. The current summer precipitations have improved rangeland resources, but the overall reduction in rangeland livestock needs to continue and natural resource conservation efforts need to continue. The removal of livestock and deferment of grazing is needed for the

rangelands to rest and to restore itself. The Navajo Nation Council and the Navajo Nation Office of the President and Vice-President need to provide active leadership in the natural resource management and conservation efforts and these efforts need to be given priority as these resources are the foundation for all other efforts to improve life of the Navajo Nation residence.

### **Navajo Partitioned Lands (NPL)**

The Navajo Region Navajo Partitioned Lands (NPD) Office provided customer service outreach to approximately 200 tribal members who inquired about grazing permits that belonged to their parents or grandparents and what they need to do to assume these grazing permits. NPL staff provided them with a NN DOA Heirship Application and instructions how to complete it. Some did not have a copy of the original copy of the permit and had to acquire through the Freedom of Information Act (FOIA) with instructions.

The NPL Office continues to assist with transport of cattle to livestock sales/auction yards, assist NN DOA with Equine Rescue entrapment and transport of feral horses reported causing injury to other animals and damage to property. The office continues to address fence repairs, windmill repairs, cattle guard clean outs, and address other issues such as trespass of livestock into highway Right-of-Ways (ROW).

**Collaboration with Navajo Nation.** BIA NPL staff continue to work with the NN DOA with the Heirship applications process which included, the review of eligibility documents, and assist with referrals to vital statics for their Certificate of Indian Blood (CIB), and instruction with use of FOIA to request a copy of permit or other information that will be used in completing their Heirship Applications as required under the guidelines established by Navajo Nation Council Resources and Development Committee legislation RDCF-20-17.

The NPL and Navajo Nation assisted 154 community members with the Phase II Heirship Applications throughout the three precincts. BIA NPL will continue to work with Navajo Nation Workforce to aide in placement and training of individuals with hand-on projects.

NPL staff continue to provide reports to the District and NPL Joint District Grazing Committee, Permittee, and other places where staff were invited to provide reports on permit status, windmill assessments and repairs, NPL/HPL fence repairs, feral horses. The NPL staff continues to work with NN DOA to address trespass of livestock into highway ROW which continues to be a safety concern. NPL plans to begin the removal and replacement of two (2) 30,000-gallon steel tanks out at Whippoorwill, with a projected start date of December 26, 2023.

NPL staff completed an assessment and maintenance of 94 active windmills for livestock and wildlife, to ensure that all the windmills are operational and pumping water. The 2023 windmill assessment has been completed with 92 of the 94 windmills completing repair with a follow up on warranty work for 30 days is in progress. Some of minor repairs completed included

replacement of broken pump rods, stop/waste valves, and standpipes with major repairs involved pulling pipes, replacing them, re-leathering, and replacement of motors.

Repairs to windmill have been completed in all the chapter listed below with exception of the two (2) in Jeddito (W/M 514-1) and Hardrock (W/M 304-7).

**Rangeland Inventory.** NPL Rangeland and its vegetation inventory of the 1,093 transects for the three (3) Precincts covering 907,923 acres have been completed October 30, 2023. The vegetation clipping that have been collected are being analyzed. The field data measurements of clippings collected from approximately 1,093 transect locations within 17 Range Units is to determine by science what the total grazable acres is through vegetation data measurements obtained through field surveys of the biomass production and cover. The data obtained will also be used to calculate annual production, species frequency, and livestock carrying capacity. Final report is schedule for review in late January 2024. Part of project involved public outreach/announcement with flyer shared with all District Grazing Committees and chapters. And a short workshop was held for all the NPL District Grazing Committee and individuals of the procedures on how an inventory is conducted.

**Fence Repairs/Cattle Guard Clean Out.** Archeology surveys have been completed and repairs to the 1882 Executive Order Fence Line are pending until the Navajo Nation Heritage and Historic Preservation Department (HHPD) complete their compliance reports and issue notice to proceed. Repairs to these fences is to prevent illegal trespass of livestock with the objective to improve land management. Some cattle guards were cleaned out with the assistance of BIA Branch of Transportation (DOT), and Navajo County and some pending clean out which will be completed following the hiring of a Motor Vehicle Operator. Repairs to the Navajo Hopi Mediation fences and Cattle Guard clean outs completed are listed by referral numbers, chapters, Range Units, and infrastructure repaired are listed below.

Referral No.	Chapter	HPL / NPL Range Unit	Infrastructure repaired/Pending
ORM-076-2022	Hardrock	HPL351/NPL304	Fence Repaired
OHLA 23-017	Forest Lake	HPL262/NPL302	Cattle Guard-Pending
OHLA-23-004	Pinon	HPL451/NPL406	Cattle Guard-Pending
OHLA-23-005	Low Mountain	HPL451/NPL407	Cattle Guard -Pending
ORM-41-2023	Low Mountain	HPL 451/NPL408	Cattle Guard-Pending

Laborers and NN Workforce. Assist with repairing of fences and monitoring of windmills. Assist the NN DOA with Heirship Application reviews at Teesto Chapter with copying of documents, complete fence assessment within Range Unit 101 with fences removed along the SRP Railway.

## **Chinle Agency**

### **Range Monitoring Plan**

The BNR has an approved Agency Range Monitoring Plan for the three (3) LMDs within Chinle Agency. For security measures, BNR plans to install 50 range monitoring cages during the Spring 2024 within the established Range Management Units (RMU). The range monitoring plan is to determine rangeland health (17 Indicators), Utilization, Canopy/Ground Cover and Production.

### **Agency Equipment Yard**

The BNR has proactively planned procure to purchase and install three (3) metal containers with canopy for storage and security of its equipment and material. The parcel of land that the old BNR Equipment Yard has been reverted and given back to the Navajo Nation Trust Land status.

### **Conservation Plans**

Chinle Agency works one-on-one with Permittees to develop personalized conservation plans. This process includes conducting onsite surveying and assessments. The Permittees are asked to complete a questionnaire that is given to them at the District Grazing Committee meetings when they initiate their transfer or probate process. Once GPS Coordinates are taken technical data can be gathered for that location.

### **LMD 10:**

One Hundred Seventy-Nine (179) Permits are pending probate/ transfer:

- 114 Grazing Permits Pending
- 65 Agricultural Use Permits Pending

A conservation plan for LMD 10-1(Tselani/Cottonwood Chapter) has been completed. This plan was approved by the District 10 Grazing Committee during the September Grazing Meeting. There are 23 pending permits from LMD 10-1 of the 23 only 12 potential permittees have turned in all necessary documentation to move their permits forward which include the following:

- Court Order or Transfer Agreement
- Certificate of Indian Blood (CIB)
- Conservation Plan Questionnaire

On September 19, 2023, Chinle Agency BNR submitted a BRCF Request for LMD 10-1 that included 12 pending permits. To date, there has not been a response from Navajo Nation Fish and Wildlife.

The development of a conservation plan for LMD 10-4 (Nazlini Chapter) is underway once complete, assigned staff will move forward with LMD(s) 10-3 (Chinle), 10-2A (Rough Rock), 10-2B (Many Farms). As the conservation plans are completed and approved by the Grazing Committee, Chinle Agency will continue to submit BRCF requests to NNDFW.

#### **Noxious Weed Control & Treatment:**

Navajo Route 59/Indian Route 12 Project: Chinle Agency BNR was awarded \$50K to conduct Noxious weed inventory and mapping of noxious weeds within the ROW. BRIC, LLC. was awarded to inventory and map the noxious weeds within the ROW of N-59 and IR-12. Thus far, BRIC, LLC. completed the inventory and mapping of N-59, which consists of 65-acres of Russian Knapweed and 75-acres of Russian knapweed within IR-12 ROW, respectively. Thus, a total of 140-acres of Russian knapweed shall be sprayed. The BRCF is currently pending.

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

The Chinle Agency BNR continues to participate in the Many Farms Irrigation Project & Land Withdrawal of the A-Plot, which were part of the 33-canceled Agricultural Land Use Permits (ALUPs). The Many Farms Irrigation staff are establishing perimeter fencing. BNR provided all the fencing material to construct the perimeter fencing. Chinle Agency is working with Many Farms Irrigation staff to create an updated and universal list of ALUP Permittees within the Many Farms Chapter. Plans to further improve the Many Farms Irrigation Project will be at a standstill until the Farm Board produces a Plan of Operation.

#### **Livestock Inventory: Active/Inactive Grazing Permits:**

Chinle Agency is actively compiling annual livestock tally counts for 2023. Upon the completion of the 2023 tally data entry, violation letters will be sent to permit holders via certified mail. These violation letters are sent to permit holders who are in noncompliance. This includes grazing without a valid permit, grazing over their permitted carrying capacity, or grazing livestock carrying an undocumented state brand.

Staff have tabulated active/inactive grazing permits based on five (5) years (2019-2023) on nonuse (non-inventoried). Chinle Agency has 10 chapters within the Agency. LMD 4 has 82 grazing permits. LMD 10 has 935 grazing permits. LMD 11 has 575 grazing permits.

#### **ALUPs: Active/Inactive:**

Chinle Agency compiled ALUP to determine active/inactive farm permits based on field use, ground truth and crop production. During this time ALUPs will be resurveyed based on original permit acreage and farmable acreage.

#### **Livestock Removal:**

Chinle Agency BNR actively assists the District Grazing Committee Members (DGCM), NN DOA, Navajo Nation Department of Resource Enforcement with authorized Equine Rescue Operations. Chinle Agency BNR assists with providing portable corral panels, trailering/hauling of feral horses and livestock to the Navajo Nation Impoundment Yard and/or auction



facility. BNR also assists with permittee's that wish to come into compliance by hauling overstocked livestock to off-reservation auction yards.

## **Ft. Defiance Agency**

### **Grazing Committee Meetings and Farm Board Meetings:**

Fort Defiance Agency has a commitment and mission to improve customer service through public interactions. Most inquiries are on pending applications for fencing, grazing and land use permits. Clients continue to request for updated certification of their grazing permits for hauling livestock, auctions, and supplemental funding through the NN DOA. Fort Defiance Agency also continues to work with clients in GPSing farm plots, proposed RMUs, and district fence lines. Technical assistance is also given to permit holders in developing conservation plans for grazing permits and land use permits, in addition we provide technical assistance to grazing committee members on filling out information on a form at duly call meetings.

### **District 14 EA:**

Fort Defiance Agency has contracted ETD Inc., to complete the District 14 EA. This EA is for fencing of the district and the district units. The proposed action is to fence the district and district units. Alternative A is to develop water wells before fencing the district and district units. The no action is to be no fencing of the district and district units. BIA has reviewed the final report and received the final product.

### **Grazing Permit Information:**

The Navajo Nation General Land Development Department sought valid grazing permits for the Tucson Electric Power TEP 345kV Transmission Line ROW renewal project. The Agency did assist with valid grazing permit information within the project area. The Navajo Nation General Land Development Department will contact the individuals to provide them with project information and consent for use of the ROW. Gallup Indian Medical Center IHS, LeAnna Tree, Field Engineer sought valid land users information for Project NA-20-G16, Gallup North Scattered 2019 project area. The information was provided on valid permit land users within the project.

The Office of Environmental Health and Engineering (OEH&E) is working on a project, NA-22.

### **Non-Compliance Letters:**

Fort Defiance Agency has mailed non-compliance letters to permit holders and non-permit holders. These non-compliance letters are based on the tally counts submitted by the District Grazing officials. Non-compliance includes sheep units over the permitted number, grazing without a grazing permit, incorrect brand/no brand recorded on the grazing permit, trespass, etc. Copies of the non-compliance letters and tally counts were hand carried to NN DOA and Navajo Nation Resource Enforcement to enforce Navajo Nation Code, Title 3 laws. A total of 40 non-compliance letters were mailed during the FY2024 1<sup>st</sup> Quarter.

**Equine Rescue Operation:**

During the FY 2024 1<sup>st</sup> Quarter performance period, the BIA Branch of Natural Resources Fort Defiance Agency collaborated with the Navajo Nation's Departments of Agriculture and Natural Resources round up and remove equine or feral horses from the following areas:

<b>Dates</b>	<b>Chapter/Location</b>	<b>Number of Feral Horses</b>
October 11-12, 2023	Standing Rock Chapter	43
October 17-20, 2023	Burnham Chapter	152
October 25, 2023	Red Lake Chapter	10
October 27, 2023	Pinedale Chapter	11
November 2-3, 2023	Twin Lakes Chapter	82
November 7-8, 2023	White Cone Chapter	30
November 14-15, 2023	Blue Gap Chapter	54
November 17, 2023	Whippoorwell Chapter	117
November 19, 2023	Jeddito Chapter	14
November 28, 2023	Tselani Chapter	112
November 29, 2023	Teesto Chapter	14
	<b>TOTAL</b>	<b>598</b>

The BIA Fort Defiance Agency Branch of Natural Resources staff assisted with manpower; providing portable corrals and livestock panels; stock trailers and hauling livestock to designated areas. The goal of managing and removing 598 feral horses is protect Navajo Nation land from overgrazing and protecting and conserving our natural resources. The success of this operation is a collaborative effort and partnership between the BIA Navajo Region and the Navajo Nation.

**Fencing Project:**

District 14, 15, and 16 Boundary:

Fort Defiance Agency BNR is assisting with fencing materials on Districts 14, 15, and 16 reconstructions of the existing fence line. The ENA BNR hired a contractor to reconstruct the fence line.

Range Management Unit Fencing:

Fort Defiance Agency BNR is assisting the District 17 Grazing Committee with (2) Proposed RMUs within the Greasewood Grazing Unit. The grazing permit holder(s) has submitted required documents and being discussed at the District 17 Grazing Committee Meeting. Surrounding grazing permit holders will be notified of the proposed RMU and will need to give consent.

District Fence line repair is purposed by the Lupton, Oak Springs and St Michael Chapters to repair the Arizona and New Mexico state line fence line approximately 20 miles from I-40 north to Arizona-New Mexico State Route 264.

## BRANCH OF FORESTRY

The Navajo Region, Branch of Forestry reported their Indian Affairs – Performance Management System measures for Fiscal Year 2023. The measures are Performance Measure 2295, Percentage of Annual Allowable Cut Prepared and Offered for Sale or Free Use and Performance Measure 2097, Percentage of sustainable harvest of forest biomass utilized for energy and other products. Close out call on TEAMS with Navajo Region Programs was conducted on October 11, 2023, where Central Office staff reviewed the data, accepted the data as entered, and recommended that the measures be certified.

During the week of December 4, 2023, the Supervisory Forester traveled to Phoenix, Arizona, to attend training for the Trust Asset and Accounts Management System (TAAMS). The purpose of the training was to provide a refresher of TAAMS as well as go over updates of recent enhancements related to forestry. All forest products harvested within the Navajo Nation are encoded and recorded through TAAMS. Because TAAMS is the official system of record for the Bureau of Indian Affairs (BIA), the importance of completing all aspects related to encoding, processing, approving, and reporting were highly emphasized. The trainings are open to all BIA and Tribal staff that utilize TAAMS. However, the training sessions are held periodically and are not on an annual basis.

## BRANCH OF FIRE MANAGEMENT

### Prevention

The Navajo Nation Stage One Fire Restriction was lifted October 4, 2023.

The Navajo Nation Environmental Protection Agency / Air Quality Control and Operating Permit Program Offices provided these fire registration totals (Table 1):

Agricultural/ Field Burning	Cultural Traditional	Complaints
16	3	1

Table 1. Total burn registrations separated by types. Total 20.

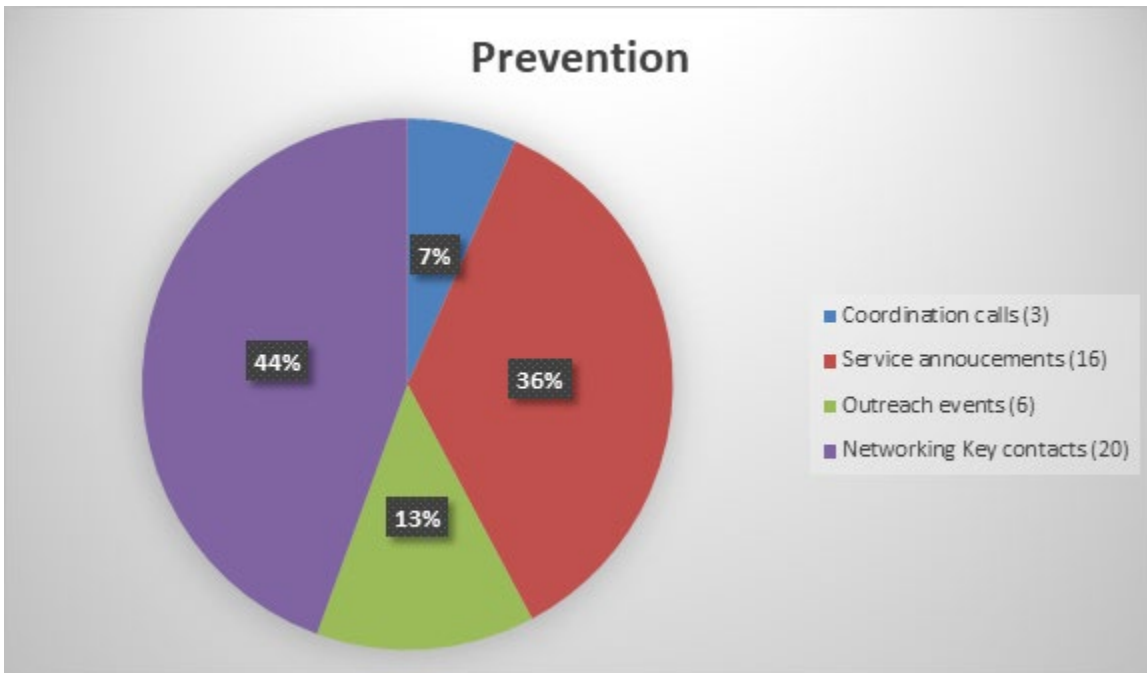
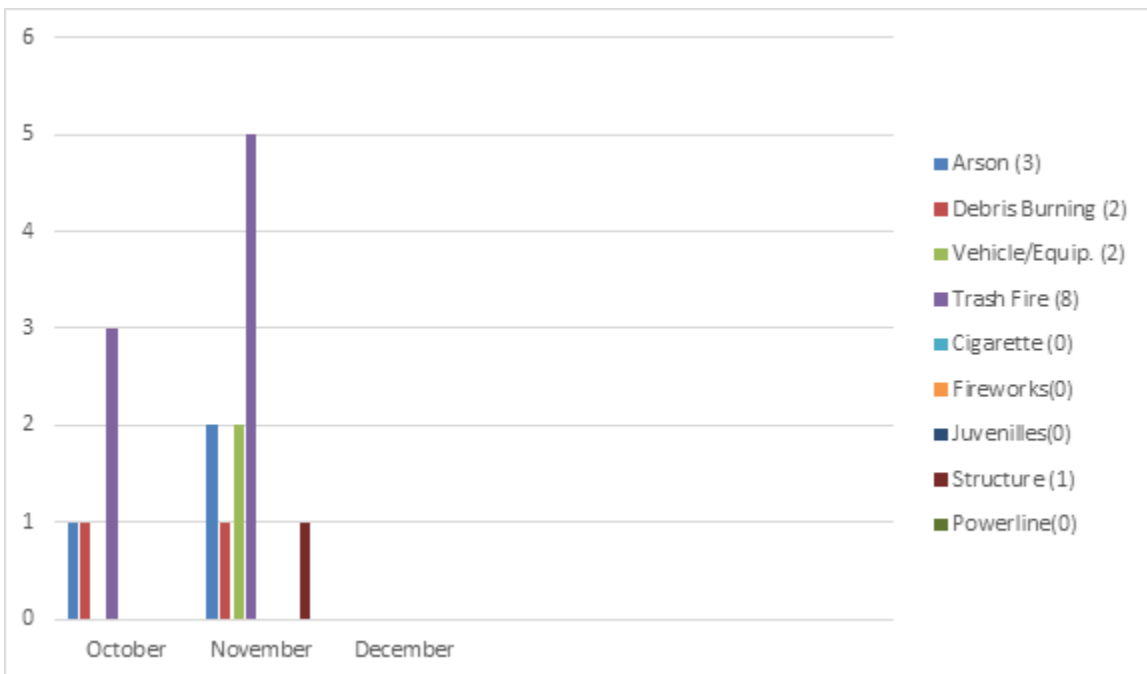


Figure 1. Fire Prevention Activities from October to December 2023. Total 45.



### Dispatch & Emergency Firefighter Program

18 local fires, since October 1, 2023

YTD: 155 local fires

16.4 acres, since October 1, 2023  
YTD: 6513.8 acres

**Resource:**

1 Type 6 Engine  
Camp Crew

2 Helicopter Managers & FY2024 Chattahoochee-

1 Helicopter Crewmember

**Assignment:**

FY2024 Fort Apache Rx

Saint Charles

FY2024 Chattahoochee-

Oconee NF Fire Support

**Location:**

Whiteriver, Arizona

Rye, Colorado

Dalton, Georgia

Dispatch staff attended a Gadii'ahi Chapter Meeting in conjunction with the Navajo Nation Environmental Protection Agency, to provide a Wildfire Prevention message to local farmers and chapter house officials.

Dispatch continues to upkeep informational data for our local weather stations, ensuring that they're accurately providing planning information and closing out fire reports for calendar year 2023. Filing trust records in accordance with Federal Laws and identifying projects and supplies/equipment needed for the 2024 fire season.

The Emergency Fire Fighter (EFF) program is currently accepting applications for the upcoming 2024 fire season; the application deadline is March 1, 2024. Hiring considerations are for the Navajo Type-2 Initial Attack (IA) crew and the Navajo Camp Crew.

Within the past quarter, the Navajo Scouts IA Crew and Camp Crew completed five (5) assignments, with varying days committed to incidences. The total number of Administratively Determined (AD) personnel hired this past fire season was 34: 30 returnee's and four (4) new hires. Both crews, the IA Crew and Camp Crew, received notable evaluations for their outstanding work at each incident. The Navajo Scouts IA crew is still available for national fire assignments.

**Aviation**

The Navajo Helitack Crew are recruiting for vacancies within the Aviation program, which includes a supervisory and three (3) subordinate positions. Personnel are working diligently with Human Resources in submission, processing, and advertising for program vacancies.

Helitack crewmembers attended a Career Fair in Chinle, Arizona to assist with recruitment for the Branch of Fire Management.

In November 2023, an Aviation program squad leader attended a "Train the Trainer" course to obtain qualifications for instructing the A-219 Longline training for Navajo Region. The A-219 Longline training enhances the fire staff's qualifications to send and receive cargo from rotor-wing (helicopter) assets, amid emergency fire responses.

Three (3) Helitack crewmembers were ordered to Chattahoochee National Forest to help staff a Bell 407 Call When Needed (CWN) Type 3 Helicopter in Dalton, Georgia. At the time,

Southern Area Coordinating Center was at a moderate planning level and experiencing seasonal drought conditions.

A Bureau of Indian Affairs (BIA) Exclusive Use Helicopter Program, Annual Season Summary was submitted in December 2023 to the Aviation Operations Specialist at the National Interagency Fire Center. The report provides summary information on the contract of equipment, costs, training, facilities, and other logistics for the Aviation program.

### **Shiprock Engines**

Fires reported by the Shiprock Fire Operations Specialist are as follows:

Mesa Farm area, Engine 3667, along with Navajo Nation Fire Department (NNFD) Brush 20, responded and located a tenth (0.10) of an acre fire that had been started by a farmer burning brush piles and fire creeping into dry vegetation alongside the main road. The low intensity fire was extinguished by the NNFD.

Navajo Agriculture Products Industries (NAPI) area, Engine 3667 and Engine 22 from Navajo Nation Fire Department, Ojo Amarillo Station, responded to a fire report and located a quarter (0.25) of an acre fire that was started from a trash barrel, which crept into adjacent brush.

Little Water area, NNFD Station 21 out of Newcomb, NM reported a brush fire northeast of Little Water gas station. Once on scene, Engine 21 sprayed water on the north end of fire to stop further movement of fire. Fire Operations Specialist responded from Shiprock and assisted with controlling fire. Once extinguished, the size of fire was determined to be half (0.50) an acre.

Table Mesa area, a fire was reported along the southbound lane of Highway 491. Resources from NNFD Station 21 and Engine 3667 responded and found three separate fires that totaled in acreage of four-tenths (0.40) of an acre. A fire investigator was ordered to assist with determining the cause.

Engine 3667 and NNFD Brush 20, from Shiprock Station, responded to and located a fire along Bluff Road in Shiprock, New Mexico. The Navajo Region Branch of Fire Management staff assumed command of the incident and worked with Brush 20 to contain and extinguish the tenth (0.10) of an acre fire.

Fire Operations Specialist continues to assist the Navajo Region Fire Prevention Specialist with presentations at schools and chapter houses to promote fire safety and hazards to the community.

### **Fort Defiance Engines**

The Fort Defiance Navajo Engine program continues to maintain their work duties while developing several courses to enhance the skills and effectiveness of Fire personnel.

There are several vacancies that are currently being coordinated with Human Resources for advertisement; these include three (3) permanent and five (5) temporary positions. They are all fire fighter-based jobs and are in Fort Defiance, Arizona. The positions provide the skills training, experience, and opportunity for successional advancement of individuals hired.

One (1) Fort Defiance Engine was assigned to Ardmore, Oklahoma to assist with Initial Attack (IA) coverage for Eastern Oklahoma Region. Eventually, a second module from Navajo Region was ordered to continue to support IA coverage. An opportunity was provided for the second crew for a Task Force Leader training assignment. The trainee was assigned to oversee other Fire units from various agencies.

A Fort Defiance Engine, Engine 3665, was assigned to Fort Apache Agency, to assist with prescribed burns for the host agency. Assistance from various sections, including Prevention, Fuels, Hotshots and Engine, to staff for this assignment proved to be a success; with Navajo Region Branch of Fire Management receiving recognition from Fort Apache Agency and the White Mountain Apache Tribe.

Engine Personnel from Fort Defiance, Arizona also responded to seven (7) human caused fires within their respective response area; with the most significant fire of nine (9) acres near Wide Ruins, Arizona.

The Fort Defiance Engine section currently has all their personnel on furlough status through the winter months. However, there is one (1) Type-6 engine available for Initial Attack for the local area.

### **Navajo Hotshots**

Navajo Hotshot Crew recruitment is currently on going, the target is to fill nine (9) vacancies for the 2024 fire season. As of December 2023, there were four (4) vacancies filled with local tribal members.

Navajo Hotshot crewmembers assisted with assigning personnel to fill-in as crewmembers for prescribed burning at Fort Apache Agency. Currently, all Hotshot Crew personnel are on furlough status through the winter months.

### **Fuels Management**

The Fuels Management Program completed the reporting of Fiscal Year (FY) 2023 Projects and Treatments within the National Fire Program Operations and Reporting Systems (NFPORS) database. Approximately 1,000 acres were reporting as being accomplished with active management treatments. The active management treatments were accomplished in the Pinehaven, New Mexico and Bread Springs, New Mexico communities.

The target for FY 2024 is approximately 1,300 acres. The Fuels Management Program continues to plan to work with Navajo Region Eastern Navajo Agency communities to assist

with mitigating the potential threat of wildland fires due to dead and dying pinon tree species around homes and infrastructures.

The Fuels Management Program completed a Statement of Work (SOW) for Wildlife Surveys for the Dezza Bluff and Berland Lake Prescribed Fire management areas. The SOW will include obtaining species lists from the Navajo Nation Department of Fish and Wildlife Natural Heritage Program, analyzing the project foot prints for wildlife habitat, and recommending mitigation measures to allow for project implementation.

A Fuels Management Program employee continues studies at Northern Arizona University (NAU) 401 professional series program. The employee is currently taking class number 361 Natural Resource Policy.

### **Administration**

The administrative staff of Navajo Region Branch of Fire Management continue to support operational and logistical planning with outstanding efforts in the areas of budget analysis, acquisitions, payroll, vehicle accountability, and clerical support.

Aside from attending annual training and inter-agency fire conferences, leadership staff are continuing to innovate and promote a culture of safety, efficiency, cost effectiveness and successional planning within the Fire Management organization.

Renovation work has commenced on dormitory restrooms for seasonal fire staff. The Navajo Region Branch of Fire Management is the only BIA Fire organization that has dorms for their staff, which helps in recruitment and retainment of employees by offering a place for them to stay during the fire season and their employment period.

## **BRANCH OF ENGINEERING**

### **Water Management, Planning & Pre-Development Program:**

The Bureau of Indian Affairs (BIA) Navajo Regional Office (NRO) Branch of Engineering (BOE) continues to provide technical assistance to the Navajo Nation Water Management Branch (NNWMB) in completing the NNWMB's GPRA goals for Fiscal Year 2024, and ongoing projects funded through the current Public Law (P.L.) 93-638 Contracts.

### **Public Law 111-11 Navajo San Juan Water Settlement Projects:**

Fruitland-Cambridge (F-C) Irrigation:

The Navajo Nation Technical, Construction, & Operation Branch (NNTCOB) informed BIANRO BOE they will construct the Fruitland Diversion's Fish Weir before rehabilitating the Fruitland Diversion Dam, and the Fish Weir Construction it will begin in November 2024. With this request, BIA NRO BOE requested to have NNTCOB submit a revised Scope of Work to initiate a revision for the Biological Opinion (BO) through the U.S. Fish & Wildlife Service. In



the BO, it states that the Fruitland Diversion Dam and the Fish Weir must be constructed at the same time.

Due to the shortage of project funding for the Fruitland Diversion Dam, the Navajo Nation (NN) is seeking additional funding through their internal programs as well as requesting for an amendment to the P.L. 111-11 soon. The BIA NRO BOE is assisting NNTCOB with procedural information to help guide the NN in their funding request.

**Hogback-Cudei Irrigation (H-C) Irrigation:**

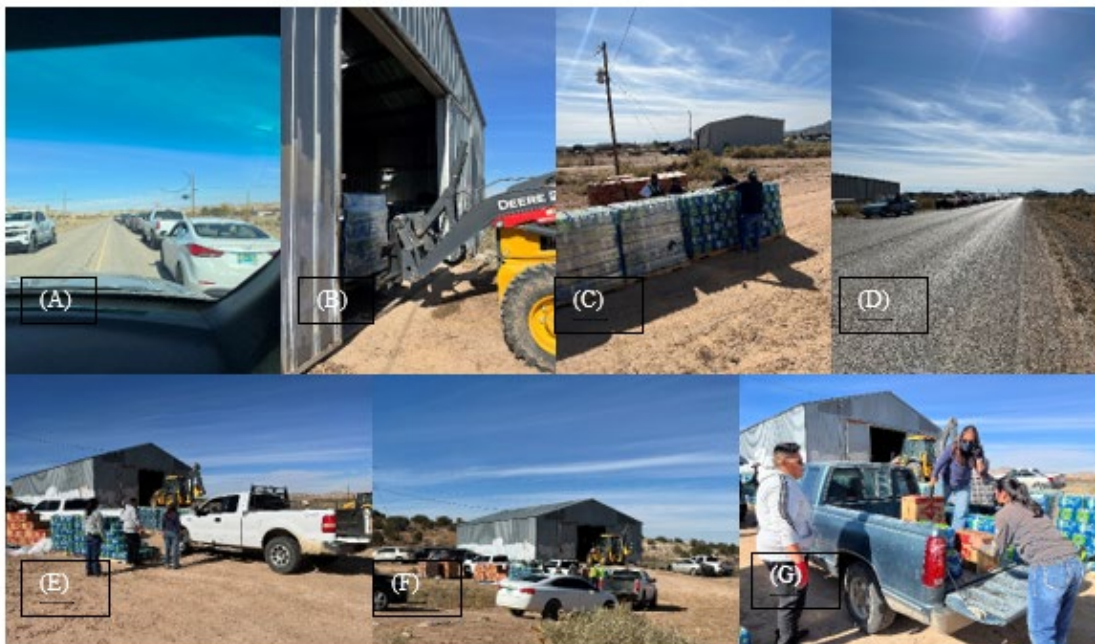
1. Hogback Canal Steel Siphon, the NN is procuring a contract internally to start construction in Fall 2024.
2. Canal Lining Rehabilitation, the NN submitted a Request for Proposal (RFP) for advertisement, but no bids came in. So, the NN will resubmit the RFP and plans to extend the timeline for bid submission to begin the project in the Fall 2024.

**Conjunctive Groundwater Use Wells (CGW) Projects:**

1. The NN will be submitting a modification request to extend their Planning, P.L. 93-638 Model 108 Contract to December 31, 2024.

**American Rescue Plan Act (ARPA):**

The BIA NRO BOE completed eight (8) contracts that provided water bottles to 104 NN Chapters. There are five (5) contracts that will be completed by May 2024. BIA NRO BOE have obligated all ARPA funds, \$3,025,688.06 to purchase and deliver bottled water to the NN. Most of the NN Chapters received 20 to 30 pallets of bottled water. Each pallet contains 84 cases of water bottles. However, Wide Ruin Chapter requested to have only five (5) pallets of water to be purchased and delivered while Gadii and Counselor Chapters request to not participate in our program. The NN Emergency Program receives 15 pallets monthly; although, due to the end of the contract, BIA will work with their program to adjust the number of pallets to meet the deadline of the current contract. The other three (3) Chapters: Ramah, Alamo, and Tohajiilee receives water bottles monthly per the NN request. The Chapters have set up a distribution system to distribute to their community members and community programs such as the Elderly programs once they receive the pallets of water. The Chapter's distribution system is a vehicle line-up, where they place the water bottles cases into their vehicles. For those families that do not have transportation, the chapter delivers to their home or community members volunteers to take the water bottles on their behalf. The need of these water bottles helps the community to have access to water quality water.



(A) Vehicle Line-Up/Distribution System (B) Setting up Distribution System (C) Pallets of Water (D) Line-up entering Distribution Area (E) Distributing Cases of Water (F) Three Station Distribution System (G) BIA NRO Staff assisting in distribution cases of water to the community.

### **Safety of Dams (SOD):**

The BIA Lakewood Central Office, Regional SOD and Tribal Staff Early Warning System (EWS) Working Group monthly meetings were held this past quarter. General topics covered were upcoming field work priorities; EWS Training needs such as online training on website, alarms, videos on training dashboard; future meeting agenda items; and future meetings scheduling.

The NN dams monitoring, and visual reports were reviewed this past quarter as submitted by the NN SOD program for all dams.

The Many Farms and Cutter Dams additional closed-circuit TV inspection of pipes are being completed in December 2023.

The Blue Canyon Dam Comprehensive Review (CR) is being done in conjunction with the Bureau of Reclamation (BOR). The CR initial team meeting was done on July 5, 2023, and the Dams Sector Analysis Tool (DSAT) workshop was done September 6, 2023. Captain Tom Dam CR site visit was done September 13, 2023, and Charley Day dam CR site visit were done September 13, 2023.

The Todacheene Dam geophysics drilling was completed on September 19, 2023

The Dam Tender virtual trainings were done September 28, 2023, and November 30, 2023.

The Window Rock Dam site inspection was done October 13, 2023.

The Charley Day Springs Dam Potential Failure Mode Risk Analysis workshop was held October 30, 2023, to November 1, 2023.

The new potential NN dams hazard classification advisory team meeting was held with BIA Lakewood Central Office and the contracted Engineering consultant WSP on November 2, 2023.

The Captain Tom Dam Potential Failure Mode Risk Analysis workshop was held on November 6-8, 2023.

The Many Farms Dam spillway repair assessment proposal by BOR meeting was held on December 1, 2023.

**Navajo Indian Irrigation Project (NIIP):**

The BIA NIIP Office continues the development of the Records Schedule Inventory-File System internally within the NIIP Office. The BIA NIIP office also started the development of the Electronic-Records Schedule Inventory with electronic files in the NIIP server. The purpose of these Records Inventory projects is to create an efficient filing system for all BIA-NIIP Employees and promote effective records maintenance practices in accordance with the Office of Records Management regulations and procedures. Our hired contract employee also continues to provide assistance within the NIIP office to complete these projects.

The BIA-NIIP Office continues to provide technical assistance to the Navajo Agricultural Products Industry (NAPI) to provide guidance and oversight for on-the farm activities. Our continuous service for this project is essential to the progress and longevity of the NAPI Program.

The BIA NIIP office hosted a Project Management Team (PMT) meeting on November 21, 2023, at the BIA NIIP office in Farmington, New Mexico. The BIA NIIP, BOR, and NAPI were in attendance. The purpose of this meeting was to discuss and review Yearly Budget Reports, Contracts-Project Completions, and On-the-farm Activities. The next PMT meeting is expected to be held in Spring 2024.

The BIA NIIP Environmental Technical Assistance contract, with Keller Blisner Engineering, was extended to September 30, 2024, with additional funding to complete tasks, reporting, and additional work assigned for NIIP for Fiscal Year 2024.

## BRANCH OF REAL ESTATE SERVICES

### **Mineral Leasing:**

**Oil and Gas Leases:** The BIA Navajo Region Real Estate Services staff processed the 37½ State of Utah for Royalty and Royalty-In-Kind payment for months of September, October, and November 2023. Letters were sent to Navajo Nation Controller's office requesting to submit payments to the State of Utah office each month. Staff also processed the Water Usage payment for July thru September 2023 from Chevron on the Navajo Nation Lease No. 14-20-0603-8669.

BIA Navajo Region Branch of Real Estate Services on December 20, 2023, concurred with the approval of the three (3) APD application for DJR Operating, LLC, Well Names are: BTWU 305H; BTWU 306H and BTWU 721H. These applications were mailed December 20, 2023, to BLM Farmington for approval.

On August 4, 2023, the BIA Navajo Region requested recommendation and approval or disapproval on four (4) Designation of Operator document that was between Elm Ridge Exploration Company to Petro Mex, LLC. On December 11, 2023, the BIA Navajo Region Real Estate Services requested recommendation on four (4) proposed Assignment of Mining leases between Elm Ridge Exploration Company to Petro Mex, LLC for approval or disapproval from the Navajo Nation.

**Solid Minerals Leases:** Real Estate Services staff have monthly conference call meetings with Office of Surface Mining Reclamation and Enforcement (OSMRE), Navajo Nation Solid Minerals, Bureau of Land Management (BLM) and BIA staff on any update or issue information on Navajo Mine (NTEC), Chevron (CMI) and Peabody Western Coal Company (PWCC). Real Estate Services staff continue to have discussions on PWCC bond reduction with DOI Solicitors Office and Navajo Nation Minerals Department. BIA Navajo Region sent a follow-up letter dated October 13, 2022, to Navajo Nation requesting comments and recommendation of the reduction of the Performance Bond requested by PWCC. On March 30, 2023, BIA sent another letter to the Navajo Nation for follow-up on the reduction request but received no response to date.

BLM (AZ) Quarterly inspections schedule for: Kaibeto Resources Inc. - The Sand and Gravel lease expired in 2018. Kaibeto Resources Inc completed the reclamation on the gravel pit. BLM (AZ) office, Navajo Nation and BIA representatives attended an on-site inspection on September 19, 2023 to review the reclamation status that commenced in August 2022. Additional inspections are being scheduled.

BLM will schedule inspections at Teec Nos Pos Gravel Pit with BIA and Navajo Nation. The gravel pit remains undisturbed. There has been no activity since the applications were approved on July 20, 2023.

BLM will schedule inspection at Wheatfield Gravel Pit with BIA and Navajo Nation. Reclamation at the location on the last site inspection of September 28 & 29, 2023 was good.

BLM will schedule inspection at Nazlini Gravel Pit with BIA and Navajo Nation. Reclamation at the location on last site inspection of September 28 & 29, 2023 was good. The BIA Navajo Region Real Estate Services continues to provide technical assistance Navajo Nation Minerals Department.

On September 2, 2020, BIA requested approval of the partial surrender applications for Navajo Transitional Energy Company (NTEC). BIA has not yet received a response from the Navajo Nation. However, Navajo Nation has been in direct contact with NTEC regarding its concerns, once the Navajo Nation is satisfied with the results of their concerns they will respond to our letter.

**Surface Leasing and Mortgages:** Title Status Reports: Certified title status report for mortgage purposes received for two (2) lessees within the St. Michaels/Window Rock Residential Subdivision. BIA Navajo Region Real Estate Services sent certified title status report for recorded documents for five (5) individuals within the St. Michaels/Window Rock Residential Subdivision on September 9, November 29, December 12 & 28, 2023. Recorded Documents: Deed of Trust for mortgage purposes recorded with the Land Title and Records office for three (3) Mortgagees within the Subdivision.

**Acquisition and Disposal (A&D):**

**Gift Deeds:** Consultations: 8; Allotments: 32

**Fee to Trust:**

**Fort Wingate Legislation:** Public Law 114-328: Section 2829F Return of Certain Lands at Fort Wingate, New Mexico to Original Inhabitants. Total acreage 1700.53 acres more or less, six (6) Parcels have the new patent recorded. Collaborating with the New Mexico BLM to prioritize boundary identification project, the survey has been completed, with two (2) parcels currently under Draft Patent review with BLM.

**Rolling Mesa:** Fee To Trust (FTT); The BIA Navajo Region Real Estate Services sent the Navajo Nation a letter notifying them that the Rolling Mesa Application was an Inactive/cancelled application. This FTT application was a Discretionary Acquisition for Off Reservation. This FTT is located within the San Juan County, near Farmington, New Mexico with approximately 67.39 acres more or less. The 30-Day Notice of Incomplete Application was sent September 2023, requesting action items. After the 30 days had expired, there was no remittance of action items. A Final 30-Day Notice of Incomplete Application sent to Nation. Subsequently thereafter, a notice of Return of Incomplete Application, along with corrective Warranty Deed and initial application was returned to the Navajo Nation with opportunity to resubmit new application once action items noted has been completed. Application is currently inactivated/cancelled. On December 21, 2023, the BIA Navajo Region invited the Navajo

Nation Division of Community Development and Land Department to a meeting in Gallup, NM to provide an overview on the federal FTT Process as well as to discuss specifics of the Rolling Mesa FTT. After this initial meeting, both BIA Navajo Region and the Navajo Nation agreed to meet again on December 27, 2023, to review the Nation's application and land survey as there were some errors with boundaries which resulted in a "clouded" title. Because the land survey requires changes, this results in the BIA requiring an updated environmental assessment. The BIA Navajo Region awaits to re-engage with the Navajo Nation on this FTT Application.

**Lower Highway 89 AZ:** Fee to Trust; Pending application. Mandatory acquisition in accordance with the Authority cited in the application. Located within Coconino County, Arizona. Approximately 14 acres, more or less, near Flagstaff, Arizona. Application received, receipt acknowledged, reviewed. Land Description Examination and Validation (LDEV) review was requested on December 5, 2023. The Indian Affairs Office of Indian Gaming in Washington, DC has been informed of the application. The initial Certificate of Inspection and Possession has been completed. Once BIA receives the completed/approved LDEV, the information will be submitted for a Preliminary Title Opinion from the Department of the Interior's Office of the Solicitor.

### **Chinle Agency**

Rights-of-Way (ROW): Three (3) Navajo Nation Tribal Access Authorizations (TAA) were received and recorded.

Navajo Nation Approved Leases Submitted for Recording: Homesite Leases Received: 24

Homesite Leases Recorded: 24

Mutual Terminations Received: 4

Title Status Reports: 1

### **Fort Defiance Agency**

ROW: Land Index, Land Status, Title Status, and Name and Address Reports were provided to:

- Navajo Tribal Utility Authority for the following proposed projects:
- Proposed distribution lines with fiber optic cable crossing Allotment 311416 within Indian Wells Chapter.
- Proposed distribution lines with fiber optic cable crossing tribal trust within White Cone Chapter.
- Indian Health Service Office of Environmental Health and Engineering for proposed project:
- Project NA-22-LN5 crossing tribal trust within Houck Chapter.
- McKinley County Road Department proposed projects:
- Bridge 8867 Deer Springs – Tribal Trust - Mexican Springs.
- Bridge N649 Toh Lak Kai. Bridge N651 Tohatchi – Tribal Trust – Tohatchi.
- Bridge N660 Mexican Springs – Tribal Trust - Mexican Springs.

- Bridge 8866 Mexican Springs.

Received six (6) TAA and two (2) Telecommunication Tower Site Leases for recording from General Land Development Department.

Navajo Nation Approved Leases Submitted for Recording: Homesite Leases Received: 12; Homesite Leases Recorded: 34; Mutual Terminations Received: 1. Residential Leases: Residential Lease approved December 13, 2023, for Allotment 311550 Dilkon Chapter.

Special Projects: Navajo Housing Authority (NHA): Several homeowners within NHA housing subdivisions would like to sell their houses to potential buyers. However, master leases have language that prevents the homeowner from assigning their leasehold interest and selling their home. Ongoing meetings are being held by the Navajo Nation Division of Natural Resources, General Land Development Department, Navajo Land Department, and Navajo Housing Authority to develop a master lease to be approved under the General Leasing Regulations 2013, which would contain language to enable homeowners to assign their leasehold interest and sell their home. Research is ongoing by the agency and NHA on the homeowner's conveyance and partial assignment, termination of conveyance and partial assignment, and the master lease. This issue affects all agencies within the Region.

Navajo Generating Station (NGS) - The BIA Navajo Regional Real Estate Services sent letters on December 22, 2021 and September 5, 2023 to the Office of the Navajo Nation President, Division Director of Natural Resources, Director of General Land Development Department, Department of Justice, and Applicants regarding status of the right-of-way applications, status of request for Secretarial Waivers of certain requirements of 25 CFR 162, and the offer of technical assistance in revising the right-of-way instruments to comport with the various waivers granted and declined. To date, the BIA Navajo Region has not received any responses from the Navajo Nation. A letter requesting for a status update or follow-up will be forthcoming from the BIA Navajo Region.

### **Shiprock Agency**

Business Lease Compliance: Business Lease No. SR-62-169 Montano Enterprise – initiated lease cancellation due to default of lease provisions including liability insurance, fire insurance, performance bond and rent due to Navajo Nation. On November 30, 2023, BIA Real Estate Services staff sent a consultation letter to Navajo Nation requesting the Nation's consent to request by lessee(s) for 60-day extension to cure violations or proceed with cancellation. THE BIA Navajo Region Real Estate Services informed the Navajo Nation that they have thirty (30) days from date was received receipt to respond to the request for extension.

Business Lease No. SR-03-180 was cancelled effective October 7, 2023, due to Default of Lease provisions including liability insurance, fire insurance, performance bond and rent due to Navajo Nation.

Navajo Nation Approved Homesite Leases: 32 leases submitted for recording. NN Approved Business Site Leases: 1 lease received and recorded NN-05-0013 Tse Bit Ai Propane, Shiprock, New Mexico

Land Status: Tract 2 of Section 32, Township 43 South, Range 16 East, SLM, Utah. Oljatoh Chapter inquired on land status to enable Navajo Nation Land Withdrawal for Welcome Center. Site is located at junction of Highway 163 and Monument Valley Road. BIA research found location may be State Lands. BLM requested to confirm land status.

Ute Mountain Ute Fiber Connectivity Project – participated in meeting with Environmental Contractor for project; Navajo Nation General Leasing Development; Department of Transportation from Navajo Nation, Arizona, New Mexico, and Utah. Project affects Navajo Tribal Trust Lands near Four Corners Monument and Highway 262 from Colorado Stateline to Aneth, Utah. Proposal is to place fiber optics within or adjacent to highway corridors. Parties involved project would require ROW.

## **BRANCH OF PROBATE AND ESTATE SERVICES**

The Branch of Probate and Estate Services prepares cases for individual Indians that hold trust assets by completing the family history of the decedent and compiling all documents required by the Office of Hearings and Appeals (OHA). 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. The majority of family research work is in conjunction with the Navajo Nation Vital Records Office.

During the FY 2024 1<sup>st</sup> Quarter, the BIA Navajo Region Branch of Probate and Estate Services prepared and submitted 85 cases to the Office of Hearings and Appeals (OHA) for adjudication. Of those eighty-five (85) cases, thirty-nine (39) were completed by Eastern Navajo Agency, thirty-six (36) were by Fort Defiance Agency and ten (10) were by Shiprock Agency.

In this quarter, there was a total of 337 new deaths reported, with 190 resulting in new cases and 147 cases being researched for trust assets. A majority of these death report cases were reported by the Eastern Navajo Agency (157) and the Fort Defiance Agency (109).

The BIA Navajo Region Probate and Estate Services in partnership with the Office of Hearing and Appeals successfully adjudicated seventeen (17) probate cases this quarter. The BIA Navajo Region Probate and Estate Services supports the Bureau of Trust Funds Administration (BTFA) to process and disburse the trust assets. At the end of this 1<sup>st</sup> quarter, the BIA Navajo Region reports there is total of 8,645 active cases being processed at some level. Currently, there are 126 cases eligible for closure, of those, 108 have finished the disbursement of the trust property (85.71%) and 60 have completed the disbursement of the trust personalty (57.69%).



## **BRANCH OF ENVIRONMENTAL MANAGEMENT**

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

**Sanostee Land Transfer:** BEM contractor has completed the survey of the 17 acres to identify any anomalies on the site which was completed in November 2023. The survey included the concrete remnants and other items of interest for remediation. The contractor completed the sampling of the artesian well located south of the site. Excavation and exploration of any anomalies or concrete remnants will be scheduled next year due to the ground and weather conditions at the site. BEM continues to work to assist the Navajo Nation with the clean-up of this site for future land reuse.

**Chinle Agency Land Transfer:** BEM has completed the Scope of Work for the cleanup of the six (6) parcels that will be transferred back to the Navajo Nation. Solicitation for a contractor is the next step before cleanup begins for these parcels.

**Sheep Dip Vats (SDV):** BEM and the Navajo Nation Environmental Protection Agency (NNEPA) worked in removing the toxaphene contaminated soils from this site in September 2023. Additional work is required for the former drainage area of this site, which will be conducted by the contractor in Spring 2024. Currently, the weather conditions affect the remaining work in the Chuska Mountains.

**Shiprock Administrative Reserve (SAR):** The BEM contractor, Environmental Quality Management Services, LLC. (EQM), is completing the Scope of Work pre-work tasks for review and approval. The contractor has responded to the NEPA compliance for Cultural Section 106 and the Endangered Species Act Section 7 with the Navajo Nation programs. EQM has also provided the draft abbreviated Environmental Assessment for review. BEM has completed the review of traffic and fencing plan for the site. On December 29, 2023, BEM received the draft Health and Safety Plan for review and approval. Bi-weekly meetings are scheduled with EQM for updates and the progress of the pre-task's submittals required by BEM.

**Safe Drinking Water Act (SDWA)-Drinking Water:** BEM continues their commitment for technical assistance and guidance to ensuring all required drinking water sampling, reporting, and data analysis are completed for the Bureau of Indian Education (BIE) schools within Navajo Region. BEM provides technical support to BIE schools for environmental compliance with the drinking water sampling, reporting, preparing public notices and responding to corrective actions associated with drinking water violations and sanitary surveys. BEM is working with BIE contractors on sanitary surveys of the drinking water systems by providing drinking water data and reports.

For this Quarter, the Safe Drinking Water Act (SDWA) has completed drinking water sampling required in the annual schedule provided by NNEPA-Public Water Supervision Systems Program (PWSSP) and U.S. Environmental Protection Agency (USEPA) Region IX has been completed for the BIE schools. The results of the sampling are provided to regulatory agencies, BIE Resource Centers, BIE Environmental Program-Albuquerque Office and BIE schools for their information and records.

BEM provided technical assistance to BIE schools to complete their required bacteriological analyses; disinfection by-products, the drinking water sampling for the 57 water systems and the six (6) BIE Resource Centers. All data analysis reports are provided to the regulatory agencies, the BIE Environmental Program, BIE Resource Centers, and the schools.

BIE schools receiving SDWA non-compliance violations were provided technical guidance to complete the corrective actions as required by the regulatory agencies. The non-compliance violations were reported to BIE Facility Managers, Principals, and the BIE Environmental Program-Albuquerque Office. BEM also works with the BIE contractors and BIE Environmental Program on the status of SDWA water sampling, violations, data results, and reports for SDWA water operations at the Navajo Region.

The schools within the Navajo Region have well systems that supply drinking water to the schools and government quarters, and which fall under the standards for Small Community Drinking Water Systems. BEM is responsible for monitoring and reporting on the quality of the drinking water in accordance with a schedule prepared annually by the NNEPA-PWSSP and USEPA Region IX. The NNEPA-PWSSP and USEPA Region IX have primacy for the drinking water with oversight of the sampling and reporting of water quality. The sampling, testing, and reporting program runs January 1 through December 31 of each year.

National Pollution Discharge Elimination System (NPDES): There were no reports of overflows/lagoons requiring discharging at any other locations within the Navajo Region. BEM continues to work with NNEPA Water Quality (WQ)/National Pollutant Discharge Elimination System (NPDES) Program that reviews NPDES permit applications for BIE schools with wastewater treatment plant to discharge treated domestic wastewater. The Navajo Nation certifies that the discharge shall comply with the applicable provisions of the Clean Water Act Sections 301, 302, 303, 306, and 307 and with appropriate requirements of NNEPA WQ NPDES regulations. These permit(s) applications are forward to USEPA Region IX.

The BEQACR conducts technical assistance and guidance on NEPA compliance for incoming Categorical Exclusions (CEs), Environmental Assessments (EAs) or Environmental Impact Statements (EIS). Additionally, compliance with National Historic Preservation Act (NHPA) Section 106 for actions on cultural properties, which also requires working with Navajo Nation Historic Preservation office. The other compliance is with Section 7 of the Endangered Species Act, which also requires working with Navajo Fish and Wildlife Program.

For this Quarter, BEQACR processed a Finding of No Significant Impact (FONSI) determination for the following projects/activities:

The Eastern Navajo Agency (ENA), Branch of Natural Resources requested an approval of their (EA for control and management of the noxious weeds and invasive plants for this project. BEQACR reviewed the EA for the control and management of noxious weeds using different control methods, which would take place on the disturbed areas located on trust lands within the exterior boundaries of the Canonicito and Alamo Navajo Indian Reservations in New Mexico. The approximate total acreage for the inventoried disturbed areas is 4,443 acres, of which approximately 771 acres contained noxious weeds. A total of eight (8) of the 46 weed species identified as noxious by the BIA were identified during the inventory.

The Navajo Division of Transportation (Navajo DOT) is proposing to construct 7.2 miles (38,016 linear feet) of roadway improvements along BIA Route N12 from Agency Line to Wheatfields Lake within the Tsaile/Wheatfields Chapter, Apache County, Arizona. Navajo N12 is classified as a rural arterial collector and is located within a 150-foot-wide right-of-way (ROW), including at the bridge.

The Navajo Tribal Utility Authority (NTUA) requested BEQACR NEPA compliance review for the approval of a ROW application on Public Law Order 2198 Lands, Government Land, for their proposed project to construct approximately 8,940.09 feet of distribution power line with fiber optic cable on Navajo Trust, Government and Private Lands. The proposed ROW for the project will consist of a 30-foot-wide corridor. NTUA is proposing to construct, operate, and maintain a new overhead 14.4kV/24.9kV distribution power line with fiber optic cable to provide the essential electric and telecommunication services to residences of Manuelito Chapter, New Mexico, and surrounding areas. The project is for Manuelito Chapter and funded under the American Rescue Plan Act (ARPA) and supported under a Manuelito Navajo Chapter Resolution.

Western Refining Pipeline, LLC (Western Refining) applied for a ROW for the continued operation of the Tex-New Mex 16" Pipeline. The pipeline is a buried crude oil pipeline on Navajo Nation allotted lands. The existing pipeline transports crude oil from the Bisti Station in Farmington, New Mexico to the T-Station in Orla, Texas. The Tex-New Mex 16" Pipeline has been in operation for over 50 years. There will be no new infrastructure, surface disturbance, or physical changes associated with the ROW application, as it is an existing pipeline. The existing pipeline runs across the Navajo Nation from Farmington, New Mexico to the Torreon Chapter House community, in total, 17.41 miles of the pipeline ROW are on Navajo Allotted lands subject to BIA and Navajo Nation oversight. The PPA runs in the vicinity of the communities of the Huerfano Chapter House, Nageezi Chapter House, Counselor Chapter House, Pueblo Pintado Chapter House, and Torreon Chapter House.

BEQACR was requested to review the NEPA compliance for the Tucson Electric Power (TEP) for the approval of ROW application to grant a 25-year easement on the Navajo Nation for the

existing TEP 345 Kilovolt Transmission Line. The ROW application permits TEP to use, maintain, operate, repair, replace, reconstruct, inspect, and remove at any time and from time to time two (2) parallel 345 kV transmission electric lines and appurtenant facilities for the transmission and distribution of electricity.

These Finding of No Significant Impacts (FONSI)s determinations explains the reasons why an action will not have a significant effect on the human environment for the projects. This allows projects to commence on the Navajo Nation for critical needed infrastructure and developments that will benefit the members of the Navajo Nation.

The BEQACR processed 58 CEs for housing needs and utility installation. These NEPA documents are critical for allowing the approval of home sites and the installation of utility lines for Navajo tribal members.

The BEQACR processed 63 Cultural Resources Compliance Forms for the Navajo Nation Heritage and Historic Preservation Department. These NEPA documents are critical for allowing the approval of home sites and the installation of utility lines for Navajo tribal members.

These Navajo Nation projects provided to BEQACR for review helps to move projects forward for the benefit of the communities and tribal members to access running water, electricity, and broadband internet services in their homes as well as approve homesite for the construction of homes.

## **INDIAN SERVICES**

### **BRANCH OF INDIAN SELF DETERMINATION**

The Bureau of Indian Affairs (BIA) Navajo Region (NR) Branch of Indian Self-Determination (BISD) continues to work with Navajo Nation's (Nation) twenty-two non-construction Contracts, seven Subpart J Construction Contracts and five other Tribal Organizations (TO) under Public Law (P. L.) 93-638. This quarter BIA NR completed reviewing and approving eleven P.L. 93-638 Calendar Year (CY) 2024 Successor Annual Funding Agreement (SAFA) proposals. BIA Office of Justice Services (OJS) are the Approving Official authorities for Law Enforcement and Detention/Correction Programs. BIA OJS reviewed and approved the Nation's P.L. 93-638 CY 2024 SAFA proposals for Law Enforcement and Detention/Correction Program. All CY 2024 SAFA proposals were reviewed and approved, in accordance with 25 CFR Part 900. All approved CY 2024 Contracts were initially awarded the Continuing Resolution (CR) funding, provided pursuant to H.R. 5860 Pub. L. 118-15 Continuing Appropriations Act, 2024, at 13.11% of the Fiscal Year (FY) 2023 CR Rate of Operation. BIA NR will award the remaining funding when it becomes available through Congressional Appropriations. In addition, one TO School Year (SY) 2023-2024 SAFA proposal was also reviewed and approved to continue contracting services under a P.L. 93-638 Contract. The

funding distribution to the Nation and TO's P.L. 93-638 Contracts are shown in Table 1. All contractors provided services to communities and other contractual activities, in accordance with their Scope of Work (SOW) and budgets. All funds awarded entirely benefit the Nation.

BISD Awarding Official and Awarding Official's Technical Representatives conducted Annual Contract Monitoring for the P.L. 93-638 Contracts listed below:

- 11/07/2023 – Contract No. A12AV01292, A19AV00070 and A20AV00139
- 12/11/2023 – Contract No. A16AV00710 and A17AV00180

On September 21, 2023, the BIA NR also issued an audit sanction letter to the Nation for non-submittal of FY 2022 Single Audit Report (SAR), the report was due on June 30, 2023; however, on October 3, 2023, Indian Affairs Division of Internal Evaluation and Assessment (DIEA) received the Nation's FY 2022 SAR. The FY 2022 SAR identified six findings with \$12,443,328 in questioned costs that directly affects BIA NR programs. BIA NR's November 14, 2023, dated letter requested the Nation to respond with supporting documents on its resolution of the six findings by Close of Business on December 22, 2023. BIA NR will review all documents upon receipt and request additional information, if necessary or clarification before initiating the Findings & Determination and the Management Decision to DIEA by February 1, 2024.

**Table 1 -Public Law 93-638 Contracts Funding Allocations**

<b>The Navajo Nation</b>	<b>Description</b>	<b>Amount</b>
A20AV00139	Water Monitoring & Inventory Program	34,338.00
A21AV00001	Natural Heritage Program	37,254.00
A21AV00002	Fish & Wildlife Program	33,037.00
A21AV00003	Social Services-(SS) Depart. Family Services	3,967,975.00
A21AV00140	Law Enforcement -Criminal Investigations	587,787.00
A21AV00186	Law Enforcement-Patrol Services	2,869,786.00
A21AV00383	SS-Navajo Treatment Center Children and Families	39,847.00
A21AV00384	SS-Navajo Family Assistance Services	1,191,424.00
A22AV00148	Higher Education Program	1,780,411.00
A22AV00149	Environmental Archaeological Non-Roads	15,690.00
A22AV00150	Tribal Enrollment Program	133,124.00
A23AV00265	Adult Detention Program	1,109,654.00
A23AV00267	Juvenile Correction Program	361,048.00
A23AV00366	Water Development Program	62,744.00
A23AV00367	Forestry Management Program	101,520.00
A20AV00899	Subpart J Construction Greyhills Academy High School Planning and 20% Design	249,386.15
Sub-Total		<b>\$12,575,025.15</b>
<b>Tribal Organizations</b>		<b>Amount</b>
A19AV00984	Dine Bi Olta School Board Association, Inc.	43,750.00
A21AV00046	NAPI – NIIP Water Irrigation	2,335,000.00
A23AV00007	Navajo Technical University	4,651,800.00
A23AV00905	Rock Point Community School	2,081,764.00
Sub-Total		<b>9,112,314.00</b>
<b>GRAND TOTAL</b>		<b>21,687,339.15</b>

**Awarding Official's Technical Representative's (AOTR) Quarterly Activities** provide programmatic and administrative support as trained/designated by the Awarding Official's for a specific P.L. 93-638 Contracts.

**P.L. 93-638 Contractual Program, Tribal (Census) Enrollment (TE) program Contract, A16AV00151:**

On December 14, 2023, the AOTR, and Awarding Official participated in a virtual meeting regarding an internet connection request at BIA Shiprock Agency. On December 27, 2023, the

AOTR followed up with the Program Manager on the official letter requested to the BIA Indian Self-Determination Office on the internet connection request at Shiprock Agency. This will allow us to properly research and thoroughly respond based on your request. To date, I am not aware of the request being received by the BIA, ISDO, Navajo Region.

On October 26, 2023, the Program Manager, (TE) Navajo Nation emailed a request for internet connection speeds within the Nataani Nez building.

**P.L. 93-638 Contractual Program, Higher Education, Contract A17AV00096:**

On December 27, 2023, the AOTR, Awarding Official followed up with the Program Manager, Navajo Nation on the monitoring review for Calendar Year 2023.

**P.L. 93-638 Contractual Program, Forestry Management Program, Contract No. A18AV00262 and Contract No. A23AV00367:**

The Bureau of Indian Affairs (BIA), Branch of Forestry continues to process multiple timber cutting permits that are received from the Navajo Forestry Department (NFD). The primary requests received are for permits associated with infrastructure projects being done within the Nation's water or utility authorities. As of the last quarterly report, 35 permit packets were reviewed and approved. The approved permits have been forwarded to the NFD, via the Awarding Official (AO) to administer. As of time of report, there are 2 permits that need corrections prior to being forwarded for signature approval. In letter from the BIA to the Nation, dated December 20, 2023, the NFD was informed of the corrections that are needed and to resubmit the permits for processing after the amendments have been completed.

During the last half of October, the Nation submitted a request for a Categorical Exclusion (Cat-X) to cover the National Environmental Policy Act (NEPA) aspects for the 9450 Road Salvage Project. The request was forwarded to the NEPA Office for review and processing. The approved Cat-X document was forwarded to the Nation through the AO. The permit packet was received in early November and reviewed by the BIA Forestry staff. The findings of the review were that the waiver request must identify one of six items as described in 25 C.F.R. § 163.16(a) and that the request did not identify the authorized tribal representative who is authorized under the Nation's laws or regulations to approve the harvest of tribal forest products. The BIA Branch of Forestry sent letter dated November 15, 2023, to the Nation requesting to amend the waiver and to identify the direct, clear, and specific authorized tribal representative that is delegated the authority for tribal forest products. The Nation provided the information to all the requests, with the final part of the request within letter dated December 13, 2023. The approved permit was forwarded December 15, 2023, to the Nation's FMP, via the ISD Office, for their use and reference.

In letter dated November 2, 2023, the Nation submitted reports "in response to BIA NRO letter of September 1, 2023." These documents are the year-end reports for Fiscal Year 2023 and were

reviewed by BIA Branch of Forestry staff for completeness and correctness. The data has been entered into INFODAT, the official system of reporting used by Central Office, Office of Trust Services, Division of Forestry. Other data and information that could not be entered into the electronic system were forwarded to the same office to meet the scheduled deadline of November 9, 2023.

Per the recommendations within the BIA's letter, dated April 18, 2023, to the Nation regarding the Nation's Carbon contract, "modifications to the Nation's forestry management plan(s) are required to make the Agreement consistent with said plan(s)". The letter also stated that modifications to the Nation's plan(s) are to be addressed and resolved within one calendar year of entering into the Agreement. During teleconference call conducted on June 16, 2023, the NFD's Forest Manager stated that the draft amendments would be completed and provided for BIA's review on June 30. In letter dated October 17, 2023, from the Nation, a draft document was provided for the BIA to review. The BIA will provide the results of the review to the Nation once completed.

In follow up correspondence dated August 16, 2023, the BIA, Branch of Forestry requested for documents and information associated with the Oak Ridge Timber Sale area described in BIA's letter dated June 7, 2023, to the Nation. The Nation provided data and information in response letter dated July 13, 2023. The data was reviewed by the BIA, and the determination was that the data is inadequate. The Nation's FMP provided GIS data for two timber sale areas within the 14,495-acre Oak Ridge Timber Sale area. The two timber sales are identified as Oakridge 1 and Oakridge 2 in the data set and have a cumulative acreage of 1,944.26. The BIA requested for the Nation to identify the remaining 2,055.74 acres of the 4,000 acres which the Nation's FMP identified as their proposed timber sale project as stated in their Calendar Year 2023 P.L. 93-638 Statement of Work. The Nation responded in letter dated September 29, 2023, that "in lieu of locating inventory data sheets and identifying the additional acreage, the FMP is hereby requesting that an extension to the submittal of this information to October 20, 2023." In letter dated October 30, 2023, from the Nation, additional information was provided and is currently under review by the BIA Branch of Forestry.

In letter from the Nation, dated May 11, 2023, raw plot data for the Continuous Forestry Inventory (CFI) project was received. The data was reviewed, and it was discovered that additional items are needed for formal inspections to commence as part of the CFI project. The BIA provided response letter, dated September 26, 2023, to request for NFD to provide CFI plot photos, in electronic format, as per the field manual, a list of the crew leader names to remove any assumption of who the crew leaders are, and color and/or pattern of flagging used by the field crews. Additionally, the BIA will request for a date that the NFD would like to schedule to have a virtual meeting to discuss the CFI project alongside NRO and Branch of Forest Inventory and Planning staff. The Branch of Forest Inventory and Planning was updated of these current events and they, in turn, informed the NRO that another Inventory Specialist has been assigned to this project. Response from NFD is pending.



The Nation submitted a request for a Categorical Exclusion (Cat-X) to cover the NEPA aspects for the Navajo Nation Christmas Trees Project in letter dated December 8, 2023. The request was forwarded to the NEPA Office for review and processing. The approved Cat-X document was forwarded to the Nation through the AO. In letter dated December 13, 2023, the permit packet was received and reviewed by the BIA Forestry staff. Corrections to the permit were required prior to its approval and issuance to the Nation's FMP on December 15, 2023. With the document being time sensitive, staff within the BISD hand delivered the document to the Nation that same afternoon.

P.L. 93-638 Contractual Program, Fish & Wildlife Program **Contract No. A21AV00002** and Natural Heritage **Contract No. A21AV00001**

In accordance, with 25 CFR §900.15(b) and §900.32, The BIA NR reviewed the Nation's CY 2024 SAFA for P. L. 93-638 Contract No. A21AV00001, Natural Heritage Program and A21AV00002, Fish & Wildlife Program. The BIA NR notes, the Nation's CY 2024 SAFA proposal is not missing any items. In addition, the BIA NR provided comments and recommendations on certain sections of the Nation's CY 2024 AFA.

The Nation's Fish and Wildlife Program received under Fiscal Year 2024 CR 1 in the amount of \$218,959.00.

The Nation's Natural Heritage Program received under Fiscal Year 2024 CR 1 in the amount of \$246,912.00.

## **HUMAN SERVICES**

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

The Navajo Nation Division of Social Services GPRA Measurement is set at 69% for Fiscal Year 2024. This Measurement is for **1,811** which is the percentage of General Welfare Assistance recipients that have completed their goals identified in their Individual Self Sufficiency Plans (ISP) which has been set by the individual in collaboration with their case manager. The collection of the GPRA performance provided by the Nation as a collaborative effort among federal and tribal partners. These timely, accurate and reported information is essential to the successful completion of programs contracted under the P.L. 93-638 Social Services Programs.

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

The Navajo Regional Office continues to process ICWA Notices received by the State(s). If the child(ren) are in state custody in New Mexico, Arizona or Utah, the Navajo Regional Office will provide a written response stating whether the Navajo Nation was properly notified. If the child(ren) are in state custody in other states, the BIA Regional Office covering those states will provide a written response.

In establishing ICWA, the intent of Congress was “to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families” (25 U.S.C.1902). As a result of ICWA, it sets forth specific federal requirements for state child custody proceedings involving Indian children. ICWA is an obligation tied to the U.S. government upholding its treaty obligations and promises to sovereign tribal nations.

#### **Other activities:**

The Branch of Human Services for the Navajo Regional Office remains available for technical assistance upon receiving a request from the Navajo Nation. Our office also continues to reach out to our local, state, county, federal and tribal service partners to coordinate and collaborate on resources benefiting tribal members and tribal communities.

#### **BRANCH OF SAFETY**

The Bureau of Indian Affairs (BIA) Navajo Region (NR) Branch of Safety (BOS) continues to provide technical expertise and assistance to Navajo Regional Director’s Office. In compliance with 29 CFR 1960, Subpart D. All areas and operations of each workplace, including office operations, shall be inspected at least annually. BOS is responsible for assuring safe and healthy working conditions for BIA and Tribal employees. More frequent inspections shall be conducted in all workplaces where there is an increased risk of accident, injury, or illness due to the nature of the work being performed. Sufficient unannounced inspections and unannounced follow-up inspections should be conducted by the agency to ensure the identification and abatement of hazardous conditions. The Office of Facilities, Property and Safety Management, Division of Safety and Risk Management assigned twenty-nine sites to BIA Navajo Region Branch of Safety; 73% or twenty site walk-through inspections were completed at three agency headquarter buildings at Shiprock, Chinle and Tuba City where Tribal programs are tenants. Two out of three required inspections for the Office of Justice System at Tuba City Juvenile Detention facility and Chinle Juvenile Center were completed this quarter and lastly all fifteen Fire Towers inspection were completed; 65% of finalized reports were disseminated to Official-In-Charge no later than 30 days after completion to develop abatement plans and provide interim corrective measures until fully funded.

BIA Branch of Safety continued vigilant monitoring of COVID-19 status throughout this quarter. Upper BIA regional management were kept informed on Community Hospitalization “Low or Medium” levels with regards to implementing face mask protocol when levels are considered “High” status. In turn they provided directive to agency managers and employees to stay up to date with COVID-19 vaccinations. Branch of Safety utilized both New Mexico and Arizona Department of Health COVID Data Tracker to help all BIA Headquarter building for each agency to improve the building’s ventilation system. Furthermore, provided protocols via email and bulletin board posting of recommended practices for immediate isolation, staying home and/or implementing Telework.

Inspections are completed in a timely manner to ensure all agency BIA and Tribal employees are working in a safe and healthy environment as tenants in Interior owned building(s). Everyone is encouraged to report unsafe or unhealthful working conditions in accordance with the requirements of Executive Order 12196. Our trust relationship and responsibilities assure any employee or representative of employees, who believes that an unsafe or unhealthful working condition exists in their workplace has the right to make a report or have an unsafe or unhealthful working condition inspected. In the case of imminent danger situations, employees are encouraged to report known situations by the most expeditious means available.

## **BRANCH OF FACILITY MANAGEMENT**

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**Minor Improvement and Repair (MI&R) School Locations:**

1. Repairing of heating and cooling system at Shiprock Agency headquarters is complete. The existing HVAC unit was replaced with a new HVAC system. The Contractor upgraded the system and installed a software program that monitors the HVAC system remotely.
2. Cove Day School elevated water tank repair is complete. The statement of work consisted of structural repairs; paint interior and exterior surfaces to comply with prevailing codes. The vendor completed hauling water to fill up the water tank. Water sampling and testing were conducted to ensure it complied with safe drinking water standards before the school is reopened. Disinfection of the water tank was not completed correctly so water samples were taken for testing by certified laboratory. Awaiting submittal of written laboratory reports to ensure the facility is safe for occupancy.
3. Nenahnezad Community School's installation of new canopies/shades over two playground areas, which will be constructed in FY2024. The Contracting Officer awarded the contract, and the contractor plans to commence with construction in March and April 2024.
4. Red Rock Day School project was awarded December 21, 2023, to íiná bá, Inc. under a purchase order for mold remediation of two classrooms. The statement of work consists of the removal of mold and cleanup surfaces of furnishings and carpet; take air samples to ensure both classrooms are ready for occupancy; dispose of removed mold materials as hazardous waste. Contracting Officer (CO) issued the contractor notice to proceed for January 3, 2024, and to commence with the work.
5. Branch of Facilities is to start work on the design to completely renovate staff quarters for the Wingate High School, which will consist of developing and preparing a statement of work, standard detailed drawings, and independent government estimate to complete the renovation work. This project is funded, and it has been dormant because we have not been able to get to it (too many emergency projects).

**Deferred Maintenance:**

1. Shiprock Administrative Reserve (SAR) demolition project was awarded to EQM Services. We are waiting for the Contractor to request for Notice to Proceed to commence with the demolition.
2. Piñon Community School's statement of work for the installation of a new HVAC system was completed and provided to the Chinle Agency Facility Manager to initiate a work order and request for funding for the project. This project should commence with construction in FY2024.

3. Red Rock Day School's installation of a 6" waterline is complete. The design build project awarded to the NTUA and constructed by NECA was successful. The project progressed along with little to no delays.
4. Mariano Lake Community School's statement of work (SOW) was completed to rehabilitate the school's access road and parking lot. The SOW was provided to the Eastern Navajo Agency
5. Facility Manager to initiate a work order and request for funding for the project.
6. T'iis Nazbas Community School's SOW is 60% complete to repair the roof of two (2) school buildings. The work consists of roof patching and an application of a rood membrane coating.

## **BRANCH OF TRANSPORTATION**

### **Road Maintenance**

The Agency Road Maintenance Program, respectively, 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 Agency Road Maintenance Programs performed during the 1<sup>st</sup> quarter of Fiscal Year 2024.

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

Farmington personnel continued with conducting all other daily routine road maintenance activities within their jurisdiction as scheduled.

Maintenance activities on various routes during this period includes:

1. Surface pothole patching
2. Sign repair & maintenance
3. Cattleguard repair & maintenance
4. Delineator maintenance

Other activities conducted during this period includes:

1. Road assessments.
2. Shop building maintenance.
3. Preventative equipment maintenance & service.
4. General operations (daily reports, vehicle & equipment reports, online trainings, safety meetings, inventory of materials) etc.

Farmington personnel continues to assist Shiprock Agency with various road maintenance activities when requested. These various road maintenance activities assisted with a safe traveling route for the public.



N3003 – Pothole patching (Before and After). N4066 – Sign repair (Before and After).

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

New Lands personnel continue to stay ahead of schedule on all other daily routine road maintenance activities within their jurisdiction.

Maintenance activities performed on various routes during this period include:

1. Sign repair & replacement
2. Clean & reshape ditches.
3. Mowing & vegetation control.
4. Winter preparation on equipment.
5. Pothole patching.
6. Shoulder work.
7. Fenceline repair.

Other maintenance activities conducted during this period include:

1. Road assessments.
2. Shop building maintenance.
3. Preventative equipment service & maintenance.

4. General operations (daily reports, vehicle & equipment reports, online trainings, safety meetings, inventory of materials) etc.

New Lands personnel also continued to assist the Fort Defiance Agency on various road maintenance activities when requested. These various road maintenance activities assisted with a safe traveling route for the public.



N2030 – Sign repair (Before and After).



N2007 – Reshape ditches (Before and After).



N2011 – Mowing (Before and After).  
equipment.



New Lands Yard – Winter Preparation on

## Shiprock Agency

### Navajo Route N5021 – Washout Repair and Shoulder Work

BIA Shiprock Agency BORM completed major washout and shoulder repairs with a D-4 dozer and the 772 motor grader. Performed major maintenance of the roadway due to severe flooding and erosion caused by runoffs. Native material from onsite and near the washouts were utilized to backfill the eroded locations. The total length of the repaired portions was approximately 4.0 miles. Upon completion of the work, the entire route was bladed.





N5021 Erosion



N5021 Repaired section



N5021 D-4 tracking slopes

#### Navajo Route N33 - Patching Surface w/ Hot Mix

Navajo Route N33 was pothole patched with hot asphaltic mix. The road was damaged because of heavy trucks hauling heavy material coming from the uranium cleanup project in the Cove Chapter boundary. The BIA Shiprock Agency BORM repaired the damaged section of paved road with approximately 80 tons of hot asphaltic mix. The total repaired area measures approximately 30'x 80'.



N33 Paved section



N33 Section repair



N33 Paved section repair

#### Navajo Route N5017 – Washout Repair

BIA Shiprock Agency BORM repaired washed out roadway with native backfill material at the wash out location.

#### Navajo Route N13 – Snow and Ice Control/Winter Prep

As an inclusion to the winter prep, the BIA Shiprock Agency BORM has revised and updated the Snow and Ice Control Plan for fiscal year 2024. The plan was reviewed with the Shiprock maintenance crew as conducted by Mr. Stanford Litson, delegated agency road engineer. In addition, the crew completed major work to the snowplow truck which sustained heavy damages from impacting uneven surfaces on Navajo Route N13 during the FY2022/23 winter seasons. All the truck spreaders and plows were heavily maintenance with cutting edges, bearings, motors, and greased. Equipment was utilized during this year's winter storms to clear Navajo Route N13, Buffalo Pass for the safe passage of its users. Snowplows, motor graders,



and slicer/sand are the means to provide a safe passage. The BIA Shiprock Agency BORM also assisted the BIA Chinle Agency BORM with snow and ice removal.

### **Routine Maintenance Work - Blading Earth Roads**

Routine roadway maintenance was performed for N5002, N5010, N5021 & N192. Fence repairs were made for N5 and N36. Pothole patch work was completed for N35. Cattle guard cleanout was completed for N5114 and has started for N5014.

### **Western Navajo Agency**

In the 1<sup>st</sup> quarter of Fiscal Year of 2024, the Bureau of Indian Affairs, Western Navajo Agency - Branch of Road Maintenance (BIA, WNA-BORM) concentrated on repairing several guardrails that were either destroyed by a vehicle or starting to breakdown within the jurisdiction of Western Navajo Agency, AZ. The BIA, WNA-BORM removed a whole section of guardrail destroyed by a vehicle on BIA route N21 in Tonalea, AZ. The crew had to mobilize a backhoe to help with the cleanup. After the cleanup was made then the guardrail had to be totally rebuilt with new materials. The crew also made repairs to three locations of the guardrails falling apart on BIA Routes N16 in Navajo Mountain, AZ.

The BIA, WNA-DOT installed three new cattleguards on BIA Routes N6730, N215 and N6230 and made repairs to a damaged cattleguard on BIA Route N6720, cattleguard wing brace and fence line repairs on BIA route N6260 within Western Navajo Agency Jurisdiction.

The BIA, WNA-DOT performed snow and ice removal on paved roads and dirt roads within the Western Navajo Agency Jurisdictions. Cinders are applied in areas that are difficult for the traveling public to travel through like the inclines and areas where the sun doesn't shine to melt the snow. The snow and ice removal are usually coordinated with the Navajo DOT and Counties.

The BIA, WNA-DOT performed sand removal on BIA Routes N6465, N15 and N6820. The drifting sand blocks the roadways and residents are having a difficult time passing through. Sand removal is an ongoing road maintenance issue and will be performed every quarter.

The maintenance crew performed routine maintenance on paved roads and dirt roads. The crew completed routine maintenance such as: sign replacement, fence repairs, earth road grading, shop building maintenance, preventative equipment maintenance, road assessments and general operations (daily reports, vehicle & equipment reports, online trainings, safety meetings and inventory of materials). The blading services were done on several BIA Routes within each District of Western Navajo Agency. Earth road grading occurred mostly on bus routes and high-volume roads.



N21 – Damaged Guardrail repair (Before & After). N6730 – Cattleguard Installation.



N6720 – Cattleguard repair. N6260 – Cattleguard wing brace repair (Before & After).







N16 & N221 – Snow & Ice removal



N6465 – Sand removal (Before & After).



N15 – Fence repair (After).



N118 – Blading (during).



N594 - Blading (during).

### **Chinle Agency:**

The Chinle Agency – Branch of Transportation performed the following Road Maintenance activities for the 1<sup>st</sup> Quarter of Fiscal Year 2024.

Surface Inspection/Road Assessments: Branch of Road Maintenance crew provides their daily road assessments and recommendations of the roads they travel while enroute to their job sites. Some of the road assessments and patrols are conducted based on phone calls and requests for repairs from the chapters, council delegates, Navajo DOT, community members and other agencies.

The following routes were inspected and identified as needing repairs:

- Routes: N4 / N41 / N59 / N64 / N12 / N13 / N27 / N7 / N8066
- Right-of-Way (ROW) Fence Repairs: Our laborers have been busy repairing fences to keep the livestock out of the ROW. The fences are cut or damaged by the local community livestock owners or vehicle accidents. The local respective chapters have been informed of these issues/concerns. These damages require new fence materials such as barbwires, t-posts, angle irons, etc.
  - Routes: N4 / N41 / N59 / N8066 / N13
- Mowing / Clearing of Overgrown Shrubs: Several areas along routes N4, N25, N64, N12 and N13 have overgrown shrubs reducing the site distance and unsafe travels at night (poor visibility). These areas have been mowed and cleared for the safety of the traveling public.
  - Routes: N4 / N41 / N8066 / N64 / N65 / N29 / N27
- Earth Road Blading & Reshaping: Community members, schools, chapters, and council delegates are requesting for blading and reshaping of their earthen roads.
  - Routes: N8030 / N4 / N8068 / N171 / N8061 / N8067 / N172 / N8009 / N18 / N8090 / N8066 / N8077 / N8089
- Sign Repair: Our laborers replaced several signs on our paved roads within the Chinle Agency. This is ongoing activity within our agency.
  - Routes: N59 / N4 / N8060 / N13 / N27
- Pothole Patching: Our laborers have been busy with pothole patching on several of our paved roads within the Chinle Agency. This is ongoing activity within our agency.
  - Routes: N4 / N41 / N64 / N27
- Washout Repair: Crew repaired washout on route N8068, which consisted of minor backfills and regrading ditches on both sides of the earth road. This is ongoing activity which will require installing a new culvert pipe.
- Snow/Ice Removal: We began our snow/ice removal beginning November 30, 2023, and we have been working with Shiprock Agency and Navajo Division of

Transportation. The main routes requiring snow/ice removal thus far are routes N12 & N13.

- Routes: N12 / N13 / N64 / N8066
- Future Work Implementation:
- Crack Sealing: Will be scheduled if weather permits.

Other activities performed during this period consist of road assessments, preventative equipment service & maintenance, and general operations (daily reports, vehicle & equipment reports, online trainings, safety meetings) etc.

In coordination with the Navajo Nation Division of Transportation, BOT's primary goal is to keep roads open and safe to the traveling public within the Chinle Agency of the Navajo Nation. The staff must coordinate and address emergencies and inclement weather that impact roads, washouts, and bridges. The crew is on alert and, when necessary and possible, pretreat roads in the Chinle Agency. This ensures safer travel for the public and emergency vehicles.



N4 – Fence repair (Before). N4 – Fence repair (after). N8086 – Blading (Before).



N8086 – Blading (After). N12/N13 – Sign repair / replacement (Before & After).



N64 – Pothole Patching (Before). N64 – Pothole Patching (After). N8068 – Regrade ditch



N8068 – Regrade ditches (After). N12 – Snow & Ice removal. N8068 – Snow & Ice removal.

## **Fort Defiance Agency**

The Fort Defiance Agency – Branch of Transportation (FDA-BOR) Road Maintenance continued with their routine road maintenance, snow & ice control, on BIA system roads, bridges, and other transportation facilities and other maintenance activities on BIA system roads, bridges, and other facilities for the Navajo Nation service. The Fort Defiance Road Maintenance Crew performed activities on various routes within the Agency areas such as cattle guard cleanout, fence repairs, mowing, pothole patching, and drainage washouts repair this 1<sup>st</sup> quarter. Also, with the partnership effect from NDOT, Apache/Navajo Counties and various chapters, we were able to assist one another in repairing washouts on our BIA roads within Fort Defiance Agency.

The FDA-BOT performed routine road maintenance as follows:

- Pothole Patching and Milling material placement were performed on several routes, such as, N7, N9205, N9057, N9703 and N112, with assistant from NDOT.
- Repaired ROW fences on Route N9, N15, N54 and N12.
- Cattleguard repairs on route N15, N12, N9000 and N27. These cattleguards were full of silt and required cleanout. The cattleguards also had broken metal grills that needed to be welded for a smoother driving surface. They were repaired this quarter.
- Sand, mud and debris removal on earth and paved roads. Accumulated sands were removed on paved and earth roads due to the recent high winds on various routes within the Fort Defiance Agency. During the monsoon rainstorms, the rain caused flooding to overtop roadways and left mud and debris on the roadways. FDA-BOR road maintenance had to remove mud and debris off the roadway for the safety of the public.
- Reshaped drainage ditches along paved roadways within Fort Defiance Agency.
- The vegetation along route N7, N9, N12, N15, N31, N54 and N30 was mowed for safety.
- Performed routine blading services on several routes within Fort Defiance Agency, bus routes and high-volume roads were a priority.

Other maintenance activities include Road Assessments, Daily Reports, Safety Meetings, Equipment Service and Preventative Maintenance on various equipment.





N12-Mowing activity (during) N12-Mowing activity (during) N9-Drainage Structure Cleanout



N9-Drainage Structure Cleanout N39-ABC Placement (During) N39-ABC Placement (After)



N9-Fence Repair (During) N9-Fence Repair (After) N7-Pothole Patching (After)



N9703-Milling Placement N15-Cattleguard cleanout (During) N15-Fence repair (After)

## **EASTERN NAVAJO AGENCY**

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

For the month of October, BOT staff completed mowing along N9 East from Pueblo Pintado to Tinian. Right-of-way cleaning was completed using the 12G Motor Grader on N9 West in Dalton Pass. BOT staff transported heavy equipment to Wagner in Bloomfield for maintenance. After receiving a report of a Semitruck accident, staff responded by providing traffic control on N9 East, placing signage in the area to warn the traveling public of the nearby accident, and flaggers were safely directing drivers. In preparation of restriping pavement routes, BOT personnel cleaned vegetation along N7062 in Breadsprings, N7044 in ChiChilTah, N7046 in Jones Ranch, and N7140 in Lupton. BOT personnel completed striping prep work on N7062 in Breadsprings and on N7044 in Jones Ranch, where staff cleared areas of debris, pothole patching, vegetation removal, and dirt build up. BOT personnel also monitored the restriping project on N7140 in Manuelito. BOT received a call to repair a section of fence that was cut on N9 East at mile marker 44, personnel responded by repairing the broken section. BOT made a bridge assessment on N11 in Pinedale to see if any repairs were needed. To address contractual obligations by the contractor, BOT personnel collected estimated stripping quantities in lineal feet of the broken yellow, solid yellow and solid white stripes on N7044, N7046, N7062 and N7140. Estimated quantities include subtracted measurements that were unapproved skips, errors, or mistakes by the contractor. BOT personnel provided this information to the contracting officer representative for a meeting with the contractor on October 25, 2023. Routine maintenance was completed repairing a sign and completing a fence repair on N9 East in Tinian. Ditch and blading were completed on earth route N11 Rocky Canyon Pass.

For the month of November, BOT personnel continued compiling follow-up data on the Pavement Striping project located in the Breadsprings, Jones Ranch, and Manuelito area. BOT personnel assisted BIE Facility Management with two major waterline breaks located at the old BIE Pueblo Pintado school compound. BOT staff also conducted and completed Bridge repair on N11 Pinedale. BOT staff completed routine maintenance repairing fence repairs on N7062 in Bread Springs and sign repairs on N48 North and South. A request for mowing on N49 in Smith Lake was completed. BOT staff continued clearing vegetation and debris in Right-of-Way on N11 in Mariano Lake. BOT staff assisted BIE Facility Management with operating heavy equipment to a dig site for their personnel to access a broken water line in Pueblo Pintado and Mariano Lake. BOT personnel completed entrance briefing for the 2023 Environmental Management Assessment and Performance (EMAP) program, the walk through along with the exit briefing for the 2023 EMAP. BOT completed routine road maintenance repairing fence line on N7062 in Bread Springs and sign repairs on N48 North. Vegetation control within N11's Right-of-Way was completed using 12G Motor Grader. Restriping quantities for the project on BIA routes N7044 ChiChilTah, N7046 Jones Ranch, N7062 Bread Springs and N7140 Lupton were completed. BOT personnel hauled the John Deere 5100E Tractor to a vendor for repair. BOT staff repaired a sign that was damaged on N48 North in Borrego Pass. Vegetation control within N11's Right-of-Way was completed using the 12g Grader. Equipment repairs were completed on the 12G Motor Graders and L9000 Dump Truck with sander unit. BOT prepared



equipment for the upcoming extended forecast for winter weather in Northern New Mexico. BOT personnel checked equipment fluids, lights, greased all moving parts and sander units were applied. BOT personnel mobilized heavy equipment to N7140 in Lupton for upcoming project. BOT completed road assessment on N9 East from SR371 to Tinian community for road sign and fence conditions.

For the month of December, in response to inclement weather, BOT staff removed snow and ice from routes N49 and N11 in and around Smith Lake to Pinedale; N11 the Rocky Mountain earthen route in Mariano Lake; Sander Trucks filled with cinder were mobilized to cover N48 (1&2) in Little Water, Borrego Pass, Casamero Lake, Crownpoint metro, and N9 West the first and third week of December. BOT staff picked up the 12g Motor Grader from Wagner after repairs were completed in Bloomfield. BOT personnel cleaned the BOT yard by transporting used and damaged scrap metal to the Gallup recycling center. BOT staff serviced equipment by draining excess oil from equipment to prevent leaks. BOT staff returned the rental transport truck back to the vendor due to the rental agreement termination that set for November 30<sup>th</sup>, 2023. BOT staff completed flat blading on earthen route N481 in Heart Butte. BOT staff worked on replacing damaged and missing road signs on N9 East from State Highway 371 to Tinian with new signs. BOT staff completed placing road signs along N7120 in Becenti. BOT staff completed blading on earthen Routes 7054 in Pinedale, Route 7111 in Mariano Lake, Route 481 and 482 in Heart Butte using the 12G Motor Grader. BOT's General Equipment Operators successfully received their renewed Health Cards through Reliance Medical. BOT personnel cleared out used and damaged metal culverts scraps from the BOT yard by cutting down the culverts for easier transport to the recycle center in Gallup. BOT staff serviced equipment by draining excess engine oil, transmission fluid and hydraulic fluid from unused equipment to prevent leaks. BOT staff responded to a call from the Navajo Nation Police Department regarding fence repair on N9 West by adding a T-post and re-stretched the loose wire to tighten the fence. These activities support safe and reliable roads for the public, emergency vehicles, school buses and commerce.

In coordination with the Navajo Nation Division of Transportation, BOT's primary goal is to keep roads open and safe to the traveling public within the eastern portion of the Navajo Nation. Staff coordinate and address emergencies and inclement weather that can impact roads, washouts, and bridges. The crew is on alert and, when necessary and possible, pretreat roads in the Eastern Navajo Agency. This ensures safer travel for the public and emergency vehicles.

#### **Branch of Real Estate Services (BRES):**

Superintendent and BRES staff attended a meeting with the ToHajiilee Chapter officials on October 4, 2023, to provide the Chapter an overview of recommendations for a proposed business lease on the new ToHajiilee Community School to be located on Canoncito Band of Navajo Lands. BRES presented information on Land Exchange, Land Purchase, donation of Canoncito Band of Navajo Lands if a lease is not an option as well as information on Fair Market Value, Waiver on Bond, Insurance and Consent if the ToHajiilee Community School Board pursues a leasehold option. The completion of the lease will allow the community to have

a brand-new school constructed for the children and resolve the flooding issue at the old school location.

BRES staff met with staff from the Navajo Nation Behavioral Health office, NTCCF (Navajo Treatment Center for Children & Families), and Workforce Development in reference to a Special Use Permit in a nearby vacant lot. The permit will assist the Behavioral Health program to provide services to the Navajo communities located in Crownpoint, NM.

BRES staff participated in a meeting with Manuelito Chapter, ChiChilTah Chapter, Red Rock Chapter, and Navajo Nation Land Commission on October 17, 2023 to bring forth a task force review to assist Council Delegate Damon's request to get residential leases approved for the ARPA funding within the three chapters. The approval of the leases will allow the chapter to assist the families with ARPA funding and will provide much needed electrical services for the communities.

BRES staff attended a meeting with Navajo Nation Land Department, where BRES presented a PowerPoint presentation on the Land Buy-Back Program, highlighting Navajo Nation interests on Indian Allotments, and information on Fee-to-Trust. Issues regarding consents on Right-of-Way (ROW) projects, leasing, negotiations for ROW projects, land exchanges and the Crownpoint cemetery were discussed for potential solutions.

BRES staff provided ROW consent training to Strongbow Strategies ROW agents for the proposed Rocksprings Solar LLC project. BRES staff gave an overview of how to fill out the Letter of Intent and the ROW consent form. A separate meeting was held with the applicant on the ROW process. The meeting introduced the applicant and the ROW agent for a proposed Transmission Line in a solar project that is currently being constructed on private land within Rock Springs, New Mexico. The applicant would be initiating a ROW process that will be constructed across five (5) Indian Allotments for review. BRES staff commented on the consent form that was prepared by the applicant and were advised that BRES staff will review the final draft before the consent is sent out to landowners. The training provided guidance to applicants on the consent and other documentation so that it can be prepared correctly and avoid returning the applications.

BRES staff participated in a TEAMS meeting with Tucson Electric System regarding the review of a ROW application for twelve (12) allotments, which would be ready for submission in about a month or two. On November 6, 2023, BRES Realty Officer and Realty Specialists presented Fee-to-Trust Policy and Procedures to the Navajo Nation Council Resources and Development Committee. On November 14, 2023, BRES staff met with Tom Arland of Rock Springs LLC to answer questions regarding regulator, ownership, and Title Status Report (TSR) for the Solar Project at Rock Springs Chapter. This is a proposed project involving multiple land statuses including 11 to 14 allotments and is anticipated to generate a substantial amount of income for the landowners.

**Branch of Natural Resources (BNR):**

During September 22, 2023, to December 15, 2023, BNR accomplished numerous objectives and goals in support of range management decisions for the best interest of the landowners, making it possible for them to receive income from the use of their land and natural resources and are managed properly.

BNR staff continued to inform permittees of the BIA Eastern Navajo Agency Final Livestock Grazing Environmental Assessment, Findings of No Significant Impact and grazing permit requirements through postal service, telephone, office visits, and/or email. The Superintendent approved one (1) grazing permit and two (2) conservation plans. BNR amended three (3) conservation plans, completed one (1) permittee orientation on regulations and acquired signature for the Permittee Responsibility Agreement, conducted 19 grazing permit reviews involving compliance, outstanding invoices for past the years annual grazing rental payments for trust lands, and conducted seven (7) range unit field assessments for grazing permit transactions and/or range improvement projects. BNR staff received four (4) reports of livestock trespass and 33 requests for grazing permit transactions. BNR staff informed applicants of any required documents and of the carrying capacity based on available forage. BNR staff received 30 of the 2024 Annual Grazing Fee payments totaling \$2,509.41 for trust lands and filed 535 livestock inventory receipts with dates ranging from 2011-2023 in Districts 15, 19, and 20.

For the 2025 Grazing Permit Renewal Project for Land Management Districts 16, 19, and 20. BNR has identified 2,673 Individual Indian Allotments with 116,205 individual Indian Landowners for the Authority to Grant (ATG) Project. The Navajo Nation has ownership interest of 1,847 Individual Indian Allotments. BNR finalized a brochure with ATG questions and answers to be provided to the public. BNR received several requests from the Navajo Nation on the bonding requirement. BNR staff provided the total amount of \$95,052.84 grazing fees collected for trust and government lands.

BNR staff identified 1,342 tracts for District 16, 371 tracts for District 19, and 1,383 tracts for District 20 in response to the Request for Appraisal in determining market value for ENA livestock grazing. Majority of the tracts are Individual Indian Allotments, tribal trust, and government lands. BNR staff will need to define the legal land descriptions (i.e., Townships, Ranges and Sections) for the tracts. The Appraisal and Valuation Services Office (AVSO) advised BNR not to utilize the Appraisal and Valuation Information System (AVIS) until research has concluded for the 2014 Request for Appraisal in determining if AVSO could use the same format.

For the annual grazing rental billing for government lands, BNR is coordinating with the BIA Central Finance Office on the billing template and to invoice using the pay.gov system as to minimize BNR's administrative workload. BNR staff has identified 21 permittees who have U. S. lands included in the range units amounting to \$3,510.96 in grazing fees. If the payment is more than 90 days delinquent, the bill will be referred to US Treasury, and US Treasury will work with the customer to assist in negotiating a settlement or forgive the debt. BNR has also

identified 98 permittees who have PLO 2198 lands as part of the range units amounting to \$8,146.08 in grazing fees. For these lands, BNR will need to determine how to bill and ensure funds are deposited in the Navajo Nation's Proceeds of Labor Account since the Navajo Nation has a "vested" interest in the use of the land.

As of December 12, 2023, the Navajo Escrow Account has a balance of \$1,047,880.42, which reflects payments of the annual grazing rental and late fees for tribal lands, public domain Bureau of Land Management (BLM) lands, New Mexico State lands, Public Land Order 2198, and US Government lands. With the assistance of an auditor, BNR staff is continuing to reconcile the amount deposited with receipts on file and identifying amount collected for each land ownership. BNR remains responsible to collect annual grazing rental for trust lands and government lands.

For the Alamo/ Canoncito Noxious Weed and Invasive Plant Inventory and Environmental Assessment Project, BNR staff coordinated with Navajo Region's Branch of Forestry on the silvicultural prescription and acquiring consent from the individual Indian landowners to about 60 Individual Indian Allotments (IIA) to harvest invasive species. Navajo Region Branch of Forestry plans to assist with in mailing the *Power of Attorney for Sale of Allotment Timber* to the landowners to authorize the harvesting, including planting, thinning, and prescribed burn plan of the invasive species. Majority of the consents need to be acquired to remove the invasive species from Individual Indian Allotments. In addition, a forester would have to determine whether the project location is forest land by doing an inventory and a silvicultural prescription which also includes riparian woodlands. On October 11, 2023, the Navajo Regional Director signed the Findings of No Significant Impact document for noxious weeds projects within Eastern Navajo. BNR staff completed the Statement of Work to implement the aerial application of herbicide, cut stump and foliar application to control of noxious weeds and invasive plants under a separate contract. BNR committed \$133,552.00 toward the project and Navajo Region Acquisition Office received several bids.

BNR staff completed the Arizona Pesticide Certification Training and New Mexico Application Testing to meet the requirement to monitor projects where restricted pesticides are used. On November 5, 2023, BNR hired a land surveyor whose primary work will entail land surveying for land management district, grazing community, range unit boundaries, individual Indian Allotments boundaries for the Authority-to-Grant project, range improvement projects, and addressing discrepancies related to land ownership boundaries.

BNR committed \$599,440.00 of Navajo Region's Natural Resource Land Inventory funds and provided the Scope of Work to Navajo Region Acquisition Office for the Eastern Navajo Agency Rangeland Vegetation Inventory. The Navajo Region Acquisition Office began work to advertise the request for proposals to receive bids.

BNR staff assisted the Navajo Nation with the Tse'li'Ahi' Chapter Feral Horse Rescue project by capturing 22 horses and transporting to the holding pens. Horses were captured from 11 range units in Standing Rock and Nahodishgish grazing communities.

BNR staff attended District 15 Land Board meeting at Whiterock Chapter. Nahodishgish Range Unit (RU) 23 requested to transfer grazing permit, the family disagrees, the board recommends a mediation meeting, the request has been deferred for two months, and is scheduled for January 12, 2024. Standing Rock RU 52, request to transfer of grazing permit 15- 327 was a discussion only. Standing Rock RU59, Grazing Permit 15-358, request cross fencing has been approved.

On December 1, 2023, the District 16 Land Board meeting agenda involved Manuelito Range Unit (RU) 14, the resolution reaffirming previous request on January 2, 2018, for a grazing permit transfer. BNR has not received all the compliance documents to approve the grazing permit.

On September 22, 2023, BNR attended the district 19 Land Board meeting at Huerfano Chapter, the agenda included the resolution to upgrade the Dzilh-Na-Oo-Dithlih school sewage lagoon. The Permittee expressed concerns of the annual grazing fee payments. BNR staff informed the Permittee that since 2015 the annual grazing fees are based on carrying capacity, not acreages, therefore it was not affected. Also, grazing fees are not applied to developed areas; permittees only pay for the forage based on rangeland vegetation inventories. BNR staff will be contacting ENA realty and Navajo Region property management regarding the legal boundaries of the school, a follow-up meeting will be scheduled.

BNR staff attended the district 19 Land Board Meeting. Agenda included: review of the Huerfano RU12 request to fence the BIA range unit and neighboring BLM area. BNR staff reported fencing approved in 2016 after land swapped between Huerfano RU's 10, 11, and 12 to avoid purchasing cattleguards along public road. Also approved by BLM and BIA, County Road 7500 fencing; Huerfano RU11 has cultural clearance, approve fencing along east side of ROW County Road 7500. Quotes for livestock corral panels for district livestock corral, staff received three quotes for 50 panels, and squeeze chute, will submit to NNDA for funding. Discussion to include horses to grazing permit; horses are on livestock inventory receipts should be penned until they are in use to work the livestock; District 15 grazing permits indicate number of horses permitted; BLM does not permit horses, no action taken. Discussion on Resolution ENAJLB-1020-2023-1-Eastern Agency Joint Land Board supports Eastern Navajo Land Commission's Resolution to initiate litigation, Congressional lobby, and other appropriate Action to Nullify Public Land Order 7923, no action taken.

BNR attended District 20 Land Board meeting in Crownpoint, New Mexico. Agenda included: Becenti Range Unit (RU) 51, request to transfer grazing permit, BIA informed there is no grazing permit to transfer, and recommends increasing carrying capacity once carrying capacity is increases applicant could provide compliance documents. BNR will do field assessment, Land board recommend no action and applicant work with BNR on compliance documents.

Littlewater RU23, no action. Star Lake RU7, request to repair existing perimeter fence, approved. Whitehorse RU25, permittee concern re Sand Springs RU11 given to another individual, no action, deferred to December 2023. Littlewater RU15, request to transfer grazing permit, other permittee agrees, submitted compliance documents including draft conservation plan, approved to process grazing permit in 2025. Request to include Tract T6008 to Becenti RU48 was denied because the tract is reserved for Crownpoint Chapter use.

BNR provided response letters on grazing permit information to the Navajo Nation General Land Department regarding the Standing Rock Waterline Extension Project; the White Rock Cellular One Tower Project, the Kinder Morgan Cortez Pipeline Project, and Tucson Electric Power 345kV Transmission Line Right-of-Way Renewal Project; involves Rock Springs, Manuelito, Tsayatoh, Two Wells Grazing Community, and 30 permittees. BNR also sent response letters to Office of Environmental Health and Engineering for two projects that include information on land status and permittee names listing: Project NA-17-F67 Littlewater Housing-South Extensions 2017, Project NA-22-LR9 Pinedale Northeast Extension and Project NA-17-U16/X06, Smith Lake Scattered Extensions.

#### **Branch of Probate & Estate Services (BPES):**

BPES staff submitted forty-five cases and have accepted by the Office of Hearings and Appeals (OHA), comprising of approximately \$1,512,909.07 in Individual Indian Monies accounts, 349 allotments, and 212 probable heirs. BPES staff have completed the disbursement in and closeout of nine (9) cases. Staff have also assisted approximately 528 clients in the office, in the field (home visits), in one-on-one sessions with the Federal Indian Minerals Office (FIMO), on the phone, and through email. Staff updates Indian allotment interest holders informed so they have a better understanding of what they have holdings in and what it means to them. The outreach activities are conducted in the Navajo language, and it helps to set the stage for estate planning. These activities greatly benefit the Navajo Nation regarding land use planning because it makes it easier to obtain consent for infrastructure and commercial projects that involve Indian allotments.

BPES provided the following services: addressing client requests which includes but are not limited to printing Individual Tribal Interest reports, educating clients on how to read the reports, updating contact information, and 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. BPES work activities support tribal self-determination, self-governance, and sovereignty by ensuring that the titles to Indian allotments are kept accurate and updated.

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

### **October 2023**

10/17/23- letter from the BIE Director regarding inviting you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

10/17/23- letter from the Assistant Secretary – Indian Affairs regarding the Department of the Interior revising its Agricultural Leasing regulations found at 25 CFR Part 162 Subpart B. Note: Due to the content size (52 pages) the Proposed revisions on Agricultural Leasing regulations, found in 25 CFR Part 162 Subpart B is available upon request.

10/23/23- a letter from the BIE Director regarding the Johnson-O'Malley Modernization Act.

10/27/23- a letter from the Director, Bureau of Indian Affairs, regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY2023 Consolidated Appropriations Act (PL117-328) for the purposes of conducting ethnographic studies on the LBar Ranch located in New Mexico.

### **November 2023**

11/06/23- a letter from the BIE Director in developing a five-year Strategic Direction which encompasses the actions the BIE is going to take to fulfill its mission. The 2024-2029 Strategic Direction is scheduled for release in June 2024.

11/06/23- a letter from the BIE Director regarding inviting you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

11/21/23- letter from the White House announcing the 2023 White House Tribal Nations Summit on December 6th and 7th, 2023 in Washington, D.C.

11/28/23- a letter from the Director, Bureau of Indian Affairs, regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY 2023 Consolidated Appropriation Act (Pub. L. 117-328) for the purposes of conducting ethnographic studies on the L-Bar Ranch located in New Mexico.

### **December 2023**

12/22/23- a letter from the Director, Bureau of Indian Education, regarding the developing a five-year Strategic Direction. This 2024-2029 Strategic Direction is scheduled for release in June 2024.



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

October 17, 2023

Electronic Transmission

Honorable Buu Nygren  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the BIE Director regarding inviting you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

Please see the enclosed for more information on the listening session scheduled on October 19, 2023, in Albuquerque, New Mexico. For additional details, please visit the webpage at: [www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

Sincerely,

**GREGORY  
MEHOJAH**

Digitally signed by  
GREGORY MEHOJAH  
Date: 2023.10.18  
09:14:00 -06'00'

Gregory Mehojah  
Regional Director, Navajo

Enclosure

cc:

Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation.  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation.  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation.  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation.  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation.





UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

October 11, 2023

Dear Tribal Leader:

I am writing to invite you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

During the ISEP Tribal listening session, the Bureau of Indian Education (BIE) will review with you 25 *CFR* Part 39—*Indian School Equalization Program*. We are highly interested in hearing from you on the areas of concern on practices that need to be improved.

Below are some of the specific ISEP areas in which we will seek your input:

- Subpart B—Indian School Equalization Formula (ISEF)
- factors used in base and supplemental funding methodologies;
- gifted and talented programs;
- language development programs;
- small school adjustments;
- geographic isolation adjustments;
- ISEF base academic funding factors and for grades kindergarten through 12; and
- base residential funding factors for grades 1 through grade 12.

During the ISEP transportation listening session, BIE will provide an overview of 25 *CFR* Part 39, Subpart G—*Student Transportation*, and will seek your input on specific sections of the proposed regulatory amendments.

Below are some of the specific ISEP transportation areas in which we will seek your input:

- non-curricular transportation expenses;
- non-ISEP student eligibility;
- development of a contingency fund; and
- definition of the various road types outlined in the regulation.

These listening sessions are two of several planned sessions that will seek additional input on opportunities for improvements and consider proposed regulatory amendments. These listening sessions will be held in conjunction with the 54<sup>th</sup> Annual National Indian Education Association (NIEA) Convention & Trade Show, scheduled at the following date, time(s), and location listed on the chart below:



## UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

Listening Session	DATE	TIME (Local Time)	LOCATION
Indian School Equalization Program (ISEP)	Thursday, October 19, 2023	1:00 p.m. – 2:00 p.m. (MDT)	National Indian Education Association Convention Anasazi Theater Albuquerque Convention Center 401 2nd Street NW Albuquerque, NM 87102
ISEP Transportation	Thursday, October 19, 2023	2:00 p.m. – 3:00 p.m. (MDT)	National Indian Education Association Convention Anasazi Theater Albuquerque Convention Center 401 2nd Street NW Albuquerque, NM 87102

For additional details, please visit our BIE Consultation & Initiatives webpage at:  
[www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

**WRITTEN COMMENTS:** Your written comments are welcomed on the ISEP and ISEP Transportation program by the comment deadline of December 31, 2023.

Please **E-MAIL** your comments to: [consultation@bia.gov](mailto:consultation@bia.gov) – SUBJECT LINE: ISEP and ISEP Transportation regulations

**OR** send your comments by **POSTAL MAIL** to:

Sharon Pinto  
Deputy Bureau Director  
Bureau of Indian Education Building 2 - Suite 352  
1011 Indian School Rd. NW  
Albuquerque, NM 87104  
**SUBJECT: ISEP and ISEP Transportation regulations**

If you have any questions, please contact Ms. Emmalani Longenecker, Special Assistant, School Operations, by email at [emmalani.longenecker@bie.edu](mailto:emmalani.longenecker@bie.edu), or by telephone at (505) 563-5386.

Sincerely,

Tony L. Dearman  
Director



**UNITED STATES DEPARTMENT OF THE INTERIOR**

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

cc: Sharon Pinto, Deputy Bureau Director, Division of School Operations  
Hankie Ortiz, Associate Deputy Director (ADD), Bureau Operated Schools  
Cherie Poitra, ADD, Tribally Controlled Schools  
Emily Arviso, ADD, Navajo Schools  
Margo DeLaune, ADD, Division of Performance and Accountability  
Dr. Carmelia Becenti, Acting Chief Academic Officer



UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

October 11, 2023

Dear Tribal Leader:

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During the ISEP Tribal listening session, the Bureau of Indian Education (BIE) will review with you 25 *CFR* Part 39—*Indian School Equalization Program*. We are highly interested in hearing from you on the areas of concern on practices that need to be improved.

Below are some of the specific ISEP areas in which we will seek your input:

- Subpart B—Indian School Equalization Formula (ISEF)
- factors used in base and supplemental funding methodologies;
- gifted and talented programs;
- language development programs;
- small school adjustments;
- geographic isolation adjustments;
- ISEF base academic funding factors and for grades kindergarten through 12; and
- base residential funding factors for grades 1 through grade 12.

During the ISEP transportation listening session, BIE will provide an overview of 25 *CFR* Part 39, Subpart G—*Student Transportation*, and will seek your input on specific sections of the proposed regulatory amendments.

Below are some of the specific ISEP transportation areas in which we will seek your input:

- non-curricular transportation expenses;
- non-ISEP student eligibility;
- development of a contingency fund; and
- definition of the various road types outlined in the regulation.

These listening sessions are two of several planned sessions that will seek additional input on opportunities for improvements and consider proposed regulatory amendments. These listening sessions will be held in conjunction with the 54<sup>th</sup> Annual National Indian Education Association (NIEA) Convention & Trade Show, scheduled at the following date, time(s), and location listed on the chart below:



## UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

Listening Session	DATE	TIME (Local Time)	LOCATION
Indian School Equalization Program (ISEP)	Thursday, October 19, 2023	1:00 p.m. – 2:00 p.m. (MDT)	National Indian Education Association Convention Anasazi Theater Albuquerque Convention Center 401 2nd Street NW Albuquerque, NM 87102
ISEP Transportation	Thursday, October 19, 2023	2:00 p.m. – 3:00 p.m. (MDT)	National Indian Education Association Convention Anasazi Theater Albuquerque Convention Center 401 2nd Street NW Albuquerque, NM 87102

For additional details, please visit our BIE Consultation & Initiatives webpage at:  
[www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

**WRITTEN COMMENTS:** Your written comments are welcomed on the ISEP and ISEP Transportation program by the comment deadline of December 31, 2023.

Please **E-MAIL** your comments to: [consultation@bia.gov](mailto:consultation@bia.gov) – SUBJECT LINE: ISEP and ISEP Transportation regulations

**OR** send your comments by **POSTAL MAIL** to:

Sharon Pinto  
Deputy Bureau Director  
Bureau of Indian Education Building 2 - Suite 352  
1011 Indian School Rd. NW  
Albuquerque, NM 87104  
**SUBJECT: ISEP and ISEP Transportation regulations**

If you have any questions, please contact Ms. Emmalani Longenecker, Special Assistant, School Operations, by email at [emmalani.longenecker@bie.edu](mailto:emmalani.longenecker@bie.edu), or by telephone at (505) 563-5386.

Sincerely,

Tony L. Dearman  
Director



**UNITED STATES DEPARTMENT OF THE INTERIOR**

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

cc: Sharon Pinto, Deputy Bureau Director, Division of School Operations  
Hankie Ortiz, Associate Deputy Director (ADD), Bureau Operated Schools  
Cherie Poitra, ADD, Tribally Controlled Schools  
Emily Arviso, ADD, Navajo Schools  
Margo DeLaune, ADD, Division of Performance and Accountability  
Dr. Carmelia Becenti, Acting Chief Academic Officer



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

October 23, 2023

ELECTRONICALLY TRANSMITTED

The Honorable Buu Nygren  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the Assistant Secretary-Indian Affairs regarding the Department of the Interior revising its Agricultural Leasing regulations found at 25 CFR Part 162 Subpart B. Please review the enclosure for more information on upcoming consultation meetings in regard to the proposed draft regulations.

If you any questions regarding the revisions, please contact Mr. Joaquin R. Gallegos, Special Assistant to the Assistant Secretary — Indian Affairs, by email at [joaquin.gallegos@indianaffairs.gov](mailto:joaquin.gallegos@indianaffairs.gov).

Sincerely,

**GREGORY  
MEHOJAH**

Digitally signed by  
GREGORY MEHOJAH  
Date: 2023.10.23  
18:09:47 -06'00'

Gregory C. Mehojah  
Regional Director

Enclosures

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation.





# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

OCT 16 2023

Dear Tribal Leader:

The Department of the Interior (Department) is revising its Agricultural Leasing regulations found at 25 CFR Part 162 Subpart B. The purpose of Part 162 Subpart B is to promote the self-determination of Indian Tribes by providing for the management of Indian agricultural and related renewable resources consistent with Tribal goals and priorities for conservation, multiple use, and sustained yield. 25 U.S.C. § 3702(1). A copy of the proposed draft regulations, including corresponding proposed changes to other Subparts, is enclosed for consideration.

These regulations will address leases of agricultural land suited or used to produce crops, livestock, or other agricultural products, including for farming and grazing purposes and business leases on agricultural land that support the surrounding agricultural community, where appropriate.

To support Indian Tribes and individual Indian landowners, proposed updates to the regulations primarily include the following provisions:

- Make Subpart B—Agricultural Leases consistent with Subpart C—Residential Leases, Subpart D—Business Leases, and Subpart E—Wind and Solar Resource Leases;
- Account for enforcement of Tribal laws on leased land;
- Allow for leases with a “reasonable annual rental,” a rental rate less than fair market rental or appraised value that meets minimum landowner expectations for lease income and preserves or builds future value of the land for agricultural purposes;
- Authorize Tribal laws and policies to supersede or modify these regulations in certain circumstances; and
- Clarify that an agricultural lease may allow conservation practices not explicitly described in the lease or listed in the appropriate stipulations or conservation plans incorporated into an agricultural lease, especially if such practices, as adopted, ensure maximum eligibility for participation in Federal agriculture and conservation programs.

The Department will consult with Indian Tribes on the proposed draft regulations on the following dates:

Date	Time	Location
Monday, November 13, 2023	9:00 am – 12:00 pm CT	Osage Casino Hotel – Tulsa Walnut Room 951 West 36th St N, Tulsa, OK 74127
Wednesday, November 15, 2023	9:00 am – 12:00 pm CT	Virtual on Zoom  Please pre-register at: <a href="https://www.zoomgov.com/meeting/register/vJltdeisqD8uGv64I2XgCxcPH22AGSEryXw">https://www.zoomgov.com/meeting/register/vJltdeisqD8uGv64I2XgCxcPH22AGSEryXw</a>



Friday, November 17, 2023	9:00 am – 12:00 pm CT	Holiday Inn Bismarck Missouri Room 3903 State St, Bismarck, ND 58503
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The Department welcomes your written comments on the proposed draft regulations by email to [consultation@bia.gov](mailto:consultation@bia.gov) by 11:59 ET on Friday, December 29, 2023.

If you have any questions regarding the revision of the Agricultural Leasing regulations found in 25 CFR Part 162 Subpart B, please contact Mr. Joaquin R. Gallegos, Special Assistant to the Assistant Secretary – Indian Affairs, by email at [joaquin.gallegos@indianaffairs.gov](mailto:joaquin.gallegos@indianaffairs.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Newland", with a stylized flourish at the end.

Bryan Newland  
Assistant Secretary – Indian Affairs

Enclosure



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

October 23, 2023

ELECTRONICALLY TRANSMITTED

The Honorable Buu Nygren  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the Bureau of Indian Education (BIE) Director regarding the Johnson-O'Malley Modernization Act. If you any questions please refer to the enclosure or you may contact Spike Bighorn, Program Manager for BIE's Office of Sovereignty in Indian Education, at email: [spike.bighorn@bie.edu](mailto:spike.bighorn@bie.edu).

Sincerely,

**GREGORY  
MEHOJAH**

Digitally signed by  
GREGORY MEHOJAH  
Date: 2023.10.23  
18:09:28 -06'00'

Gregory C. Mehojah  
Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation  
Ms. Claudia Russell-Edgewater, Superintendent, Department of Education



UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Indian Education  
1849 C Street NW, MIB-3610  
Washington, DC 20240

October 19, 2023

Dear Tribal Leader:

The Johnson-O'Malley (JOM) Act authorizes the Secretary of the Interior through the Bureau of Indian Education (BIE) to enter into contracts with Tribes, Tribal organizations, States, schools, and private non-sectarian organizations to address the educational needs of Indian students. In 2018, Congress updated the JOM Act through the JOM Supplemental Indian Education Program Modernization Act (JOM Modernization Act). The JOM Modernization Act requires the Secretary to clarify the eligibility requirements for Indian students to receive the benefits of a JOM contract, to clarify the funding formula and process to ensure full participation of contracting parties, and to otherwise reconcile and modernize the JOM regulations to comport with the activities of the contracting parties under the Act, as amended. The Act also instructed BIE to issue a Final Report on the actions taken to meet this requirement.

On June 16, 2022, BIE submitted the Final Report to the appropriate Congressional committees which outlined the update its JOM regulations to implement the requirements of the JOM Modernization Act. The Final Report is available on BIE's website at <https://www.bie.edu/supplemental-education-programs>.

Should you have any questions regarding the Final Report, please contact Spike Bighorn, Program Manager for BIE's Office of Sovereignty in Indian Education (SIE), at [spike.bighorn@bie.edu](mailto:spike.bighorn@bie.edu).

Sincerely,

*Tony L. Dearman*

Tony L. Dearman  
Director



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

October 27, 2023

ELECTRONICALLY TRANSMITTED

The Honorable Buu Nygren  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the Director, Bureau of Indian Affairs, regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY2023 Consolidated Appropriations Act (PL117-328) for the purposes of conducting ethnographic studies on the L-Bar Ranch located in New Mexico.

For more information on the time and date of the upcoming consultation please refer to the enclosure. If you have any questions please contact Patricia Mattingly, Regional Director, BIA Southwest Regional Office at (505) 563-3100 or via email: [patricia.mattingly@bia.gov](mailto:patricia.mattingly@bia.gov).

Sincerely,

**GREGORY  
MEHOJAH** Digitally signed by  
GREGORY MEHOJAH  
Date: 2023.10.27  
16:18:54 -06'00'

Gregory C. Mehojah  
Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation.



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Washington, DC 20240

October 27, 2023

Dear Tribal Leader:

This letter announces consultation to be held by the Bureau of Indian Affairs (BIA) regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY2023 Consolidated Appropriations Act (PL 117-328) for the purposes of conducting ethnographic studies on the L-Bar Ranch located in New Mexico.

## Background

In 2022, the Trust for Public Lands, National Fish and Wildlife Foundation, and the State of New Mexico purchased over 54,000 acres for the L-Bar Ranch to protect the cultural and natural resources. The L-Bar Ranch is located on the flank of Mount Taylor between Santa Fe and Albuquerque. The site is culturally important to the Pueblos of Laguna, Acoma, and Zuni, as well as the Hopi Tribe and Navajo Nation. Congress appropriated funding so that ethnographic studies could be conducted at the L-Bar Ranch to inform protection of its cultural and natural resources.

## Consultation Topics

The BIA must determine how to best implement the L-Bar Ranch ethnographic studies while engaging with the involved Tribes. The BIA is seeking input from you regarding the following options, or a combination of the options, to approach implementation of the study:

- Award Separate P.L. 93-638 Contracts or Cooperative Agreements that divide the funding equally amongst the five participating Tribes and Pueblos to conduct an ethnographic study.
- Seek guidance from the All Pueblo of Council of Governors to determine a funding vehicle best suited to allow the Pueblos of Laguna, Acoma, and Zuni to conduct a joint ethnographic survey.
- Engage with the Navajo Nation and Hopi Tribe to determine if they would like to conduct their own separately funded ethnographic study or partner with the Pueblos of Laguna, Acoma, and Zuni in a joint ethnographic study.

We look forward to discussing this with you at the consultation session below:

Date	Time	Location	Notes – Connectivity
Wednesday, December 6, 2023	1:00-2:00 pm (Eastern)	Virtual	Register here: <a href="https://www.zoomgov.com/meeting/register/vJIsde-qrz0sE8ufiT4MFU7gntZ28OMxytQ">https://www.zoomgov.com/meeting/register/vJIsde-qrz0sE8ufiT4MFU7gntZ28OMxytQ</a>

We welcome your written comments, which should be submitted by email to [consultations@bia.gov](mailto:consultations@bia.gov) by 11:59 pm ET on Monday, January 8, 2024.

If you have any questions regarding this effort, please contact Patricia Mattingly, Regional Director, BIA Southwest Regional Office at (505) 563-3100 or via email: [patricia.mattingly@bia.gov](mailto:patricia.mattingly@bia.gov). We look forward to speaking with you and receiving your input on the approach to the L-Bar Ranch ethnographic survey.

Sincerely,

Darryl LaCounte  
Director, Bureau of Indian Affairs



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

November 6, 2023

Electronic Transmission

The Honorable Buu Nygren  
President, Navajo Nation  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the BIE Director in developing a five-year Strategic Direction which encompasses the actions the BIE is going to take to fulfill its mission. The 2024-2029 Strategic Direction is scheduled for release in June 2024.

Enclosed are more information on the listening session scheduled on November 14, 2023. If you have any questions, please contact Dr. Wendy Cooley at [endy.cooley@bie.edu](mailto:endy.cooley@bie.edu).

Sincerely,

**ANGELA  
ARVISO**

Digitally signed by  
ANGELA ARVISO  
Date: 2023.11.06  
09:13:00 -07'00'

Angela M. Arviso  
Acting Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation

# Educational Partners Strategic Direction Input

Input from the Bureau of Indian Education's (BIE) educational partners is especially valuable and adds insight to what educating the future generations should mean and what BIE's priorities need to be. As we embark on the development of the 2024-2029 Strategic Direction, we want your help in identifying which Strategies and Milestones are most important in order for BIE to achieve our Vision and Mission as well as your satisfaction with the BIE Vision, Mission, and Core Values. In order to reach a broad audience of educational partners, as stated in the Dear Tribal Leader Letters, we will conduct listening sessions at the National Indian Education Association (NIEA) and the National Congress of American Indians (NCAI) annual conventions followed by six Tribal consultations in the spring.

For the previous Strategic Direction, we sought substantive input to collectively develop a comprehensive Vision and Mission with 6 Goals, 26 Strategies, 104 Milestones, and 326 Actions. In order to maintain momentum on the progress we have made as well as honor the input provided and work that has been done, we are asking for your feedback on the Vision, Mission, and Core Values as well as which priorities are most critical to move the BIE ahead for the next 5 years.

Questions 1-3 provide the opportunity for you to indicate your satisfaction with BIE's existing Vision, Mission, and Core Values.

Questions 4-11 contain the Strategies and Milestones that were developed during the 2018-2023 Strategic Direction cycle. Please follow the prompts to select the most critical items, strategic in nature, that are required for BIE to achieve its Mission and realize its Vision. You will also have the opportunity to enter an item you feel is critical if it is not included already.

Definitions are provided below as they pertain to terminology used in this questionnaire.

Vision: Our long-term destination as a school system.

Mission: Defines what BIE is currently doing to achieve our Vision.

Goals: The high-level targets that help us achieve our Mission and realize our Vision.

Strategies: Cross-functional projects that impact the entire organization. Will last multiple years but can be revised or updated as we advance or as needs change.

Milestones: Specific actions we must accomplish to complete a Strategy. If the Milestone is not completed, the Strategy will likely not reach completion.

Core Values: Guiding organizational principles underpinning how the work of the BIE is successfully accomplished.

This questionnaire will be open through December 17, 2023 and should take 15-20 minutes to complete, including reading this introduction. Should you have any questions, please contact Dr. Wendy Cooley at [wendy.cooley@bie.edu](mailto:wendy.cooley@bie.edu).

\* Required

1. **Please indicate your satisfaction with the BIE Vision statement (BIE's long-term destination):** The Bureau of Indian Education is the preeminent provider of culturally relevant educational services and supports provided by highly effective educators to students at BIE-funded schools to foster lifelong learning. If you are not satisfied, please select "Other" and add your suggestion. \*

☐ I am satisfied with the BIE Vision statement.

☐ Other

2. **Please indicate your satisfaction with the BIE Mission statement (what we are doing to achieve the Vision):** Provide students at BIE-funded schools with a culturally relevant, high-quality education that prepares students with the knowledge, skills, and behaviors needed to flourish in the opportunities of tomorrow, become healthy and successful individuals, and lead their communities and sovereign nations to a thriving future that preserves their unique cultural identities. If you are not satisfied, please select "Other" and add your suggestion. \*

☐ I am satisfied with the BIE Mission statement.

☐ Other

3. **Please indicate your satisfaction with the BIE Core Values (guiding organizational principles underpinning how the work of BIE is successfully accomplished):**  
Excellence: The BIE achieves success through continuous self-assessment and improvement.  
Focus: The BIE is student-centered, a commitment to addressing the holistic needs of students.  
Integrity: The BIE maintains high standards of character and professionalism as the foundation upon which the agency is built.  
Respect: The BIE fosters communities of support through mutual regard and collaboration.  
Service: The BIE supports students through proactive and responsive teamwork with schools, Tribes, and communities.  
If you are not satisfied, please select "Other" and add your suggestion. \*

☐ I am satisfied with the BIE Core Values.

☐ Other



4. Questions 4-7 are regarding the Strategies in the Strategic Direction.

Strategies are cross-functional projects that impact the entire organization. In the category of **“Aligned and High-Quality Instruction, Standards, Assessments, and Professional Learning”**, please select the 1 Strategy that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Strategy that you feel is critical, you may select up to 3 Strategies.

If you would like to suggest a Strategy that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Strategies you may select. \*

Please select at most 3 options.

- ☐ When BIE provides a system of standards, curriculum, and assessment with guidance, training, and supports to schools, then schools will implement standards-based instruction matched to student needs, and all students will develop the knowledge, skills, and behaviors necessary to progress successfully through school and be prepared for postsecondary study and/or career opportunities.
- ☐ When the BIE provides a system of interventions and supports for students to schools, then schools will identify and provide supports to students, and all students will develop the knowledge, skills, and behaviors necessary to progress successfully through school and be prepared for postsecondary study and/or career opportunities.
- ☐ When the BIE, in collaboration with colleges and universities, aligns and supports high school graduation and postsecondary entry requirements and provides transition supports to students, then schools will implement a seamless system of support that bridges K-12 and postsecondary career planning and student self-advocacy, and all students will graduate from high school ready to think globally and succeed in postsecondary study and careers.
- ☐ When the BIE provides professional learning, expanded student learning opportunities, and responsive supports and interventions, then K-12 schools will provide more expansive rigorous learning opportunities that foster high school graduation and prepare students to become leaders in their communities and Tribal governments, and all students will graduate from high school ready to think globally and succeed in postsecondary study and careers.
- ☐ When the BIE leverages Haskell Indian Nations University and Southwestern Indian Polytechnic Institute as options for postsecondary education and partners with Tribal colleges and universities, then students, families, and communities will have multiple pathways for postsecondary education, and all students will graduate from high school ready to think globally and succeed in postsecondary study and careers.
- ☐ When the BIE partners with early childhood development organizations and Tribes to increase access and supports for high-quality early childhood education, then barriers to accessing high-quality early childhood education will be addressed, and all students will enter kindergarten academically, socially, and emotionally prepared to succeed in school.
- ☐ Other

5. Strategies are cross-functional projects that impact the entire organization. In the category of **“Wellness, Behavioral Health, and Safety”**, please select the 1 Strategy that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Strategy that you feel is critical, you may select up to 3 Strategies.

If you would like to suggest a Strategy that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Strategies you may select. \*

Please select at most 3 options.

- ☐ When the BIE develops a comprehensive wellness framework inclusive of the physical, mental, emotional, and social needs of all students, then schools will be equipped with the necessary tools and resources necessary for providing proactive programs and culturally responsive supports that foster a safe and supportive environment, whether students are learning virtually or in-person.
- ☐ When the BIE develops programs and supports for student behavioral health, then schools will implement a comprehensive behavioral health plan, programs and interventions that foster an encouraging and supportive environment, and all students will develop the knowledge, skills, and behaviors necessary for physical, mental, and emotional wellbeing in a positive, safe, and culturally relevant learning environment.
- ☐ When the BIE supports effective safety practices and interventions, then schools will implement programs and routines that support the safety of students, and all students will develop the knowledge, skills, and behaviors necessary for physical, mental, and emotional wellbeing in a positive, safe, and culturally relevant learning environment.
- ☐ Other

6. Strategies are cross-functional projects that impact the entire organization. In the category of **“Self-Determination and Cultural Identity”**, please select the 1 Strategy that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Strategy that you feel is critical, you may select up to 3 Strategies.

If you would like to suggest a Strategy that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Strategies you may select. \*

Please select at most 3 options.

- ☐ When the BIE partners with and supports Tribes in their efforts to revitalize and maintain cultures and languages, then schools will support Tribal efforts to teach and maintain cultures and languages, and all students will develop the knowledge, skills, and behaviors needed to lead their sovereign nations to a thriving future through self-determination.
- ☐ When the BIE, in partnership with Tribes, identifies resources and supports needed to implement effective educational programs, then Tribes will have resources and supports to oversee and implement successful educational programs which contribute to the future of their sovereign nations, and all students will develop the knowledge, skills, and behaviors needed to lead their sovereign nations to a thriving future through self-determination.
- ☐ When the BIE implements an effective system of support aligned to the education needs of Tribally controlled schools, then Tribes will have the capacity to effectively oversee and support their BIE-funded schools in providing high-quality education to their students, and all students will develop the knowledge, skills, and behaviors needed to lead their sovereign nations to a thriving future through self-determination.
- ☐ Other

7. Strategies are cross-functional projects that impact the entire organization. In the category of **“Data-driven Performance Management and Organizational Excellence”**, please select the 1 Strategy that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Strategy that you feel is critical, you may select up to 3 Strategies.

If you would like to suggest a Strategy that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Strategies you may select. \*

Please select at most 3 options.

- ☐ When the BIE actively analyzes, supports and develops its workforce through active engagement with employees using meaningful performance management that is driven by results, then all staff will be equipped to provide the best services BIE can deliver, and all students will benefit from an education system that is effective, efficient, transparent, and accountable.
- ☐ When the BIE develops, implements, and maintains a comprehensive data management system, then accurate data will be used to improve education services and supports and drive decision-making in all directions.
- ☐ When the BIE establishes clear, consistent communication and storytelling processes that model and facilitate multilateral, reciprocal public engagement, then all stakeholders will have up-to-date, reliable information on BIE business and access to powerful stories of our students and families for generations to come.
- ☐ When the BIE develops and implements a comprehensive operations plan that includes accountability measures across the organization, standardized operational policies and best practices to include facilities management and transportation, then BIE will be equipped to ensure that its responsibilities are being fulfilled as safely, effectively and efficiently as possible.
- ☐ When the BIE collaborates with schools to recruit, hire, and retain highly effective principals, teachers, and staff, including those from local communities, then schools will have the instructional leaders, teachers, and staff to provide highly effective, culturally relevant instruction, services, and supports, and all students will develop the knowledge, skills, and behaviors necessary to progress successfully through school and be prepared for postsecondary study and/or career opportunities.
- ☐ When the BIE implements a system of accountability and support with guidance and training, then schools will engage in continuous improvement to increase the quality of instruction, intervention, and supports for students, and all students will develop the knowledge, skills, and behaviors necessary to progress successfully through school and be prepared for postsecondary study and/or career opportunities.
- ☐ Other

8. **Questions 8-11 are regarding the Milestones in the Strategic Direction.**

Milestones are specific projects and actions we must accomplish to complete a strategy. In the category of **“Aligned and High-Quality Instruction, Standards, Assessments, and Professional Learning”**, please select the 1 Milestone that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Milestone that you feel is critical, you may select up to 3 Milestones.

If you would like to suggest a Milestone that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Milestones you may select. \*

Please select at most 3 options.

- ☐ Conducted a feasibility review of early childhood education organizations, established partnerships, developed a plan for implementation, and created meaningful engagement opportunities for early childhood education partner entities.
- ☐ Conducted an inventory of aligned CTE programs in Bureau Operated Schools and Tribally Controlled Schools and developed a high-quality career and technical education initiative, that begins in middle school and extends into high school, and schoolwide Individual Career Activity Plan (ICAP) models.
- ☐ Continues to develop, approve, and implement standards, curriculum, developmentally appropriate practices, and assessments that are culturally relevant, and regional trainings have either taken place or are scheduled.
- ☐ Identified an evaluation process to identify school utilization of standards-aligned curricula.
- ☐ Selected and is implementing a common assessment throughout BIE funded schools.
- ☐ Conducted English Language Proficiency testing throughout BIE funded schools.
- ☐ Researched and conducted a study related to absenteeism prevention initiatives and has disseminated the Chronic Absenteeism Concept Paper.
- ☐ Provided supports to schools related to Section 504 and English language learners and proficiency to address identified student needs.
- ☐ Finalized, disseminated, and provided professional learning on a best practices toolkit to support transitional services.
- ☐ Researched, developed, and implemented College and Career Readiness (CCR) requirements in secondary schools and will enhance CCR by drafting a revision of the high school graduation regulation, engaging in negotiated rulemaking, developing a plan for implementing College and Career Readiness, and engaging appropriate stakeholders in the development of CCR requirements and supports.
- ☐ Implemented high quality and compliant secondary transition IEP planning and services.
- ☐ Other

9. Milestones are specific projects and actions we must accomplish to complete a strategy. In the category of “**Wellness, Behavioral Health, and Safety**”, please select the 1 Milestone that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Milestone that you feel is critical, you may select up to 3 Milestones.

If you would like to suggest a Milestone that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Milestones you may select. \*

Please select at most 3 options.

- ☐ Developed a comprehensive wellness, behavioral health, and student safety toolkit.
- ☐ Participated in a Collaborative Improvement and Innovation Network (CollIN) focused on making systemic improvements regarding the mental health of students by expanding the partnership with IHS to identify innovative ways to collaborate and develop a more robust and succinct method for offering behavioral health services and resources for BIE funded schools.
- ☐ Developed and implemented a Social and Emotional Learning (SEL) Project.
- ☐ Initiated an overarching Behavioral Health and Wellness Program (BHWP) contract to provide behavioral health and wellness supports for our schools, staff, and students. This contract is also serving as a model for all future behavioral health and wellness efforts within the BIE.
- ☐ Developed and implemented a comprehensive Wellness, Behavioral Health, and Safety Report that includes the current status of physical health, safety, and wellness programs, policies, practices, and resources as well as potential barriers for BIE funded schools.
- ☐ Developed a positive behavioral support framework for Bureau Operated Schools and Tribally Controlled Schools.
- ☐ Other

10. Milestones are specific projects and actions we must accomplish to complete a strategy. In the category of **“Self-Determination and Cultural Identity”**, please select the 1 Milestone that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Milestone that you feel is critical, you may select up to 3 Milestones.

If you would like to suggest a Milestone that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Milestones you may select. \*

Please select at most 3 options.

- ☐ Completed a comprehensive analysis of all Tribes served by BIE-funded schools regarding BIE support for language and culture.
- ☐ Published protocols and delivered professional learning for BIE to support engagement regarding language and culture at the local level.
- ☐ Partnered with local Tribes, Tribal Education Departments, and Tribal colleges to establish an ongoing professional learning program regarding local cultural competency for the Tribes served by respective BIE employees.
- ☐ The School Task Force is in place and is actively reviewing products and processes so BIE can better meet tribal education needs.
- ☐ Developed technical assistance training modules to increase internal capacity for engaging Tribes and implemented trainings on a continuous basis.
- ☐ Identified priorities and developed supports to share successes and best practices.
- ☐ Created and provided technical assistance and support to Tribes to assume functions of their local BIE schools. Guidance and procedures aligned to current needs, practice, and regulatory requirements have been updated.
- ☐ Conducted and verified an updated baseline count for the Johnson-O'Malley Program; finalized and approved the draft Program Guidebook for the Johnson-O'Malley Program.
- ☐ Developed, piloted, and implemented a system of support for assisting Tribes in their oversight of Tribally Controlled Schools.
- ☐ Supported Tribal School Boards in providing leadership and support to schools and improving student learning.
- ☐ Completed geospatial analyses, identified partnerships between tribal colleges and schools, and is implementing outreach to address needs of private/public employers that graduating students could fill.
- ☐ Identified existing data on the K-12 schools that a majority of our post-secondary students come from and completed a review of labor and occupational trends needed across our communities, in partnership with Tribal organizations.
- ☐ Considered Public Law 100-297, which allowed schools to become a Tribally Controlled School (TCS) governed by a Board of Trustees, as the focal point in which all communication and interaction with TCS schools is carried out, thereby building their programs based on educational sovereignty.
- ☐ Other

11. Milestones are specific projects and actions we must accomplish to complete a strategy. In the category of **“Data-driven Performance Management and Organizational Excellence”**, please select the 1 Milestone that you feel is the most important for moving BIE forward for the next five years. If there is more than 1 Milestone that you feel is critical, you may select up to 3 Milestones.

If you would like to suggest a Milestone that is not already listed, please select “Other” and type your suggestion. Please note that this suggestion will count towards the maximum of 3 Milestones you may select. \*

Please select at most 3 options.

- ☐ Established and maintains a uniform and consistent employee orientation program and has developed and implemented a standardized induction framework for principals, teachers, and paraprofessionals.
- ☐ Identified data stewards to manage BIE’s use of DOI Talent, a learning management platform, for onboarding and training employees.
- ☐ Established (in collaboration with field staff) and maintains by position, employee professional learning and ongoing training program, to include applicable statutes, regulations, and policies for which they are responsible for complying.
- ☐ Established and maintains an employee support initiative which, at a minimum, addresses employee burnout and stress management.
- ☐ Developed (in collaboration with managers) standardized Employee Performance Appraisal Plans (EPAP) for any position that has certification/licensure or positions that require physicals and established quality and aligned performance appraisals for all BIE employees on a timely basis.
- ☐ Started a pathways program to take internees into employment to grow our own employees to address the staffing shortages.
- ☐ Implemented the employee awards process and adjusted or added to as needed.
- ☐ Implemented the employee wellness program and adjusted as needed.
- ☐ Established an overarching vision for the data system that includes system mission, goals, and expected outcomes, as well as set norms and expectations for data collection, and established data system rules; established decision-making authority to communicate each BIE staff member’s responsibilities, the leadership structure, and determined the BIE’s data collection responsibilities; established a comprehensive, consistent, and regular training program for BIE and school level employees and provided school staff members with necessary supports, training, and resources to work with the data system.
- ☐ Developed data collection and reporting methods that minimize data collection and reporting burdens; established a data collection and reporting calendar to communicate precisely when data is to be collected and reported; provided schools, parents, and community members with information about the data system; published communication with schools to support the reporting and use of data; established regular communications to support data system implementation and maintenance; determined how data is collected and stored to guide data systems development and use; established BIE’s principles for data cataloging and storage.
- ☐ Established criteria that illustrate whether the data system is working as intended; established mechanisms for compliance to ensure that users are implementing the data system as intended.
- ☐ Established provisions for data security and confidentiality; developed data privacy and security protocol rules (Used the Family Educational Rights and Privacy Act and Protection of Pupil Rights Amendment laws); identified BIE staff members who are granted access to student data; specified permissions and data security protocol for accessing each data point; made clear which BIE staff members and external stakeholders have access to data.
- ☐ Established a comprehensive communications plan, including internal, external, and emergency communications sections and has developed standard communication operating procedures.
- ☐ Created and implemented an Education Resource Center School Board engagement schedule.
- ☐ Updated the websites managed by the Content Management Team.
- ☐ Developed and implemented a system that tracks the milestones and actions of the Strategic Direction and continues to maintain the strategic performance management system to adjust the Strategic Direction and address implementation issues in a timely manner.

- ☐ Continues to maintain financial and programmatic oversight of all programs and school spending as required, has created and implemented the financial and program oversight policy, and has drafted Standard Operating Procedures regarding unified fiscal and programmatic monitoring for areas impacted by laws and regulations.
- ☐ Identified and implemented the components of a responsive system of a school improvement process and has provided training and supports to schools to implement the framework and processes for accountability and continuous improvement.
- ☐ Implemented the Indian School Equalization Program (ISEP) process.
- ☐ Developed an expedited process for executing MOUs/MOAs and partnership agreements.
- ☐ Provided fiscal resources to support a formalized outreach process between Tribal colleges and BIE-funded schools.
- ☐ Conducted a joint study with interested Bureau Operated Schools, Tribally Controlled Schools, and Tribal education departments identifying and addressing barriers to community members serving as principals, teachers, and staff; developed guidance based on vacancy data from a pilot on how to recruit and retain highly effective principals, teachers, and staff; formalized a recruiting and staffing process with aligned policies to attract highly effective principals, teachers, and staff.
- ☐ Trained staff and disseminated guidance on how to effectively utilize federal funds, particularly Title IIA funds, to hire highly effective principals, teachers, and staff.
- ☐ Established consistent and regular coordination and communications to include an outlined workflow of projects between the respective schools, BIE Facilities, and DFMC (as applicable), resulting in the improvement of school facilities management and oversight.
- ☐ Other





# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

November 6, 2023

Electronic Transmission

The Honorable Buu Nygren  
President, Navajo Nation  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the BIE Director regarding inviting you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

Enclosed is more information on the listening session scheduled on November 16, 2023. For additional details, please visit the webpage at [www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

Sincerely,

**ANGELA**  
**ARVISO**

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ANGELA ARVISO  
Date: 2023.11.06  
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Angela M. Arviso  
Acting Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation  
Mr. Arbin Mitchell, Deputy Chief of Staff, OPVP, Navajo Nation



## UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

November 2, 2023

Dear Tribal Leader:

I am writing to invite you to participate in additional Tribal listening sessions on the Indian School Equalization Program (ISEP) and the ISEP student transportation funding formulas and respective distribution methodologies.

During the ISEP Tribal listening session, the Bureau of Indian Education (BIE) will review with you 25 *CFR* Part 39—*Indian School Equalization Program*. We are highly interested in hearing from you on the areas of concern on practices that need to be improved.

Below are some of the specific ISEP areas in which we will seek your input:

- Subpart B—Indian School Equalization Formula (ISEF)
- factors used in base and supplemental funding methodologies;
- gifted and talented programs;
- language development programs;
- small school adjustments;
- geographic isolation adjustments;
- ISEF base academic funding factors and for grades kindergarten through 12; and
- base residential funding factors for grades 1 through grade 12.

During the ISEP transportation listening session, BIE will provide an overview of 25 *CFR* Part 39, Subpart G—*Student Transportation*, and will seek your input on specific sections of the proposed regulatory amendments.

Below are some of the specific ISEP transportation areas in which we will seek your input:

- non-curricular transportation expenses;
- non-ISEP student eligibility;
- development of a contingency fund; and
- definition of the various road types outlined in the regulation.

These listening sessions are two of several planned sessions that will seek additional input on opportunities for improvements and consider proposed regulatory amendments. These listening sessions will be held in conjunction with the 80<sup>th</sup> Annual National Congress of American Indian (NCAI) Convention & Marketplace, scheduled at the following date, time(s), and location listed on the chart below:



## UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

Listening Session	DATE	TIME (Local Time)	LOCATION
Indian School Equalization Program (ISEP)	Thursday, November 16, 2023	3:15 p.m. – 4:15 p.m. (CDT)	National Congress of American Indian (NCAI) Annual Convention & Marketplace Ernest M. Morial Convention Center, 900 Convention Center Blvd., New Orleans, LA 70130
ISEP Transportation	Thursday, November 16, 2023	4:15 p.m. – 5:15 p.m. (CDT)	NCAI Annual Convention & Marketplace Ernest M. Morial Convention Center, 900 Convention Center Blvd., New Orleans, LA 70130

For additional details, please visit our BIE Consultation & Initiatives webpage at:  
[www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

**WRITTEN COMMENTS:** Your written comments are welcomed on the ISEP and ISEP Transportation program by the comment deadline of December 31, 2023.

Please **E-MAIL** your comments to: [consultation@bia.gov](mailto:consultation@bia.gov) – SUBJECT LINE: ISEP and ISEP Transportation regulations

**OR** send your comments by **POSTAL MAIL** to:

Sharon Pinto  
Deputy Bureau Director  
Bureau of Indian Education Building 2 - Suite 352  
1011 Indian School Rd. NW  
Albuquerque, NM 87104  
**SUBJECT: ISEP and ISEP Transportation regulations**

If you have any questions, please contact Ms. Emmalani Longenecker, Special Assistant, School Operations, by email at [emmalani.longenecker@bie.edu](mailto:emmalani.longenecker@bie.edu), or by telephone at (505) 563-5386.

Sincerely,

Tony L. Dearman  
Director



**UNITED STATES DEPARTMENT OF THE INTERIOR**

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

cc: Sharon Pinto, Deputy Bureau Director, Division of School Operations  
Hankie Ortiz, Associate Deputy Director (ADD), Bureau Operated Schools  
Cherie Poitra, ADD, Tribally Controlled Schools  
Emily Arviso, ADD, Navajo Schools  
Margo DeLaune, ADD, Division of Performance and Accountability  
Dr. Carmelia Becenti, Acting Chief Academic Officer



United States Department of the Interior  
BUREAU OF INDIAN AFFAIRS  
Navajo Regional Office  
P.O. Box 1060  
Gallup, New Mexico 87305

November 21, 2023

Electronic Transmission

The Honorable Buu Nygren  
President, Navajo Nation  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the White House announcing the 2023 White House Tribal Nations Summit on December 6<sup>th</sup> and 7<sup>th</sup>, 2023 in Washington, D.C.

Please see the enclosed for more information on the Summit. Registration is to be made by November 27, 2023.

Sincerely,

**ANGELA**  
**ARVISO**

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ANGELA ARVISO  
Date: 2023.11.21  
13:36:09 -07'00'

Angela M. Arviso  
Acting, Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation



THE WHITE HOUSE  
WASHINGTON

Dear Tribal Leader,

The White House is pleased to announce the 2023 White House Tribal Nations Summit on December 6<sup>th</sup> and 7<sup>th</sup> in Washington, D.C.

This event is at the core of the Biden-Harris Administration's commitment to our Nation-to-Nation relationship with Tribal Nations. The Summit will feature new Administration announcements and updates in our work to implement vital policy initiatives supporting Tribal communities. The Summit is also an opportunity for Tribal leaders and top Administration officials to have meaningful conversations about the most important issues facing Tribal communities.

The Biden-Harris Administration looks forward to having productive conversations with Tribal government representatives from across Indian Country about all that we have accomplished and what more we can accomplish together.

Additional details are forthcoming. Please register for the 2023 White House Tribal Nations Summit **by 5pm ET on Monday, November 27th, 2023** at the link below. Due to limited capacity, we can only accommodate one Tribal leader per Tribe. Tribal leaders who cannot attend, but would like to designate another governmental representative of the Tribe, may do so by emailing [TNS@who.eop.gov](mailto:TNS@who.eop.gov).

Please register here: [White House Tribal Nations Summit | IGA | The White House](#)

If you have any questions, please reach out to [TNS@who.eop.gov](mailto:TNS@who.eop.gov).

Respectfully,

White House Office of Intergovernmental Affairs  
White House Domestic Policy Council



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

November 28, 2023

Electronic Transmission

The Honorable Buu Nygren  
President, Navajo Nation  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the Director, Bureau of Indian Affairs, regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY 2023 Consolidated Appropriation Act (Pub. L. 117-328) for the purposes of conducting ethnographic studies on the L-Bar Ranch located in New Mexico.

Please see the enclosed for more information on the consultation session scheduled on December 14, 2023. Written comments are also welcomed and should be emailed to [consultations@bia.gov](mailto:consultations@bia.gov) on January 8, 2024.

Sincerely,

**DEBORAH  
SHIRLEY**

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SHIRLEY  
Date: 2023.11.29 07:22:49  
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Deborah Shirley  
Acting, Regional Director

Enclosure

cc: Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation



United States Department of the Interior  
BUREAU OF INDIAN AFFAIRS  
Washington, DC 20240

November 22, 2023

Dear Tribal Leader:

This letter announces consultation to be held by the Bureau of Indian Affairs (BIA) regarding the implementation of the Congressional Directed Spending of \$665,000 provided in the FY2023 Consolidated Appropriations Act (PL 117-328) for the purposes of conducting ethnographic studies on the L-Bar Ranch located in New Mexico.

**Background**

In 2022, the Trust for Public Lands, National Fish and Wildlife Foundation, and the State of New Mexico purchased over 54,000 acres for the L-Bar Ranch to protect the cultural and natural resources. The L-Bar Ranch is located on the flank of Mount Taylor between Santa Fe and Albuquerque. The site is culturally important to the Pueblos of Laguna, Acoma, and Zuni, as well as the Hopi Tribe and Navajo Nation. Congress appropriated funding so that ethnographic studies could be conducted at the L-Bar Ranch to inform protection of its cultural and natural resources.

**Consultation Topics**

The BIA must determine how to best implement the L-Bar Ranch ethnographic studies while engaging with the involved Tribes. The BIA is seeking input from you regarding the following options, or a combination of the options, to approach implementation of the study:

- Award Separate P.L. 93-638 Contracts or Cooperative Agreements that divide the funding equally amongst the five participating Tribes and Pueblos to conduct an ethnographic study.
- Seek guidance from the All Pueblo of Council of Governors to determine a funding vehicle best suited to allow the Pueblos of Laguna, Acoma, and Zuni to conduct a joint ethnographic survey.
- Engage with the Navajo Nation and Hopi Tribe to determine if they would like to conduct their own separately funded ethnographic study or partner with the Pueblos of Laguna, Acoma, and Zuni in a joint ethnographic study.

We look forward to discussing this with you at the consultation session below:

Date	Time	Location	Notes - Connectivity
Thursday December 14, 2023	1:00-2:00 pm (Eastern)	Virtual	Register here: <a href="https://www.zoomgov.com/meeting/register/vJIsde-qrz0sE8ufiT4MFU7gntZ28OMxytQ">https://www.zoomgov.com/meeting/register/vJIsde-qrz0sE8ufiT4MFU7gntZ28OMxytQ</a>

We welcome your written comments, which should be submitted by email to [consultations@bia.gov](mailto:consultations@bia.gov) by 11 :59 pm ET on Monday, January 8, 2024.

If you have any questions regarding this effort, please contact Patricia Mattingly, Regional Director, BIA Southwest Regional Office at (505) 563-3100 or via email: [patricia.mattingly@bia.gov](mailto:patricia.mattingly@bia.gov). We look forward to speaking with you and receiving your input on the approach to the L-Bar Ranch ethnographic survey.

Sincerely,

Darryl LaCounte  
Director, Bureau of Indian Affairs





# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

December 22, 2023

Electronic Transmission

Honorable Buu Nygren  
100 Parkway  
Post Office Box 7440  
Window Rock, Arizona 86515

Dear President Nygren:

Enclosed is a letter from the Director, Bureau of Indian Education, regarding the developing a five-year Strategic Direction. This 2024-2029 Strategic Direction is scheduled for release in June 2024.

Please see the enclosed for the Tribal consultations scheduled in January 17, 2024 February 7, 2024 and March 6, 2024. Written comments are also welcomed and should be emailed to [consultations@bia.gov](mailto:consultations@bia.gov) or by mail to Dr. Wendy Cooley by April 7, 2024.

Sincerely,

Digitally signed by HERBY  
LARSEN  
Date: 2023.12.22 08:18:24 -07'00'

Herby J. Larsen  
Acting, Regional Director, Navajo

Enclosure

cc:

Ms. Richelle Montoya, Madam Vice President, OPVP, Navajo Nation.  
Mr. Patrick Sandoval, Chief of Staff, OPVP, Navajo Nation.  
Mr. Justin Ahasteen, Executive Director, Washington Office, Navajo Nation.  
Ms. Bitah Becker, Chief Legal Counsel, OPVP, Navajo Nation.  
Ms. Claudia Russell-Edgewater, Superintendent, Department of Education.



## UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education  
1849 C Street, NW, MS 3609  
Washington, DC 20240

December 14, 2023

Dear Tribal Leader:

The Bureau of Indian Education (BIE) is developing a five-year Strategic Direction that encompasses the actions the BIE is going to take to fulfill its mission and realize its vision. This 2024-2029 Strategic Direction is scheduled for release in June 2024. Your input is especially valuable to determine which priorities are most critical to strategically move the BIE ahead for the next five years.

To reach a broad audience, the BIE held listening sessions in conjunction with the 54th Annual National Indian Education Association (NIEA) Convention & Trade Show in October 2023 and the 80th Annual National Congress of American Indians (NCAI) Convention & Marketplace in November 2023. During and following the listening sessions, feedback was obtained in person, through written comments, and through an online questionnaire. An online questionnaire was also sent to BIE employees for input. This feedback, along with the feedback from the 2018-2023 Strategic Direction was used to develop a draft of the upcoming 2024-2029 Strategic Direction. This draft 2024-2029 Strategic Direction will then be brought to Tribal consultations across the country and virtually for further input and refinement.

From January to March 2024, to ensure widespread and inclusive input, the BIE will host five Tribal consultations with Tribal leaders and other community members on the content of the draft 2024-2029 Strategic Direction to include:

- BIE overarching strategic priorities
- BIE strategies and milestones
- BIE vision
- BIE mission
- BIE core values

The BIE thanks you in advance and looks forward to speaking with you at the Tribal consultations scheduled at the following dates, times, and locations:

DATE	TIME (Local Time)	LOCATION
January 24, 2024	5:00-7:00 p.m. PT	Chief Leschi Schools CLS auditorium, 4 Seasons Building 5625 52nd St E Puyallup, WA 98371
January 31, 2024	5:00-7:00 p.m. ET	Cherokee Central Schools Auditorium 150 Ravensford Drive Cherokee, NC 28719
February 7, 2024	5:00-7:00 p.m. MT	Gila River Resorts & Casinos, Wild Horse Pass Acacia CD



**UNITED STATES DEPARTMENT OF THE INTERIOR**  
 Bureau of Indian Education  
 1849 C Street, NW, MS 3609  
 Washington, DC 20240

		5040 Wild Horse Pass Blvd. Chandler, AZ 85226
March 6, 2024	5:00-7:00 p.m. CT	Rushmore Hotel & Suites Roosevelt/Lincoln Room 445 Mt Rushmore Rd. Rapid City, SD 57701
March 8, 2024	5:00-7:00 p.m. ET	Virtual Register in advance for this meeting: <a href="https://www.zoomgov.com/meeting/register/vJItcO-rrTMvGsho2CeuQf3dhItAkM_HobY">https://www.zoomgov.com/meeting/register/vJItcO-rrTMvGsho2CeuQf3dhItAkM_HobY</a>

Additional details will also be posted on the BIE website at [www.bie.edu/landing-page/consultations-initiatives](http://www.bie.edu/landing-page/consultations-initiatives).

In addition to providing feedback in person at the Tribal consultations, please feel free to submit any written comments via email to [consultation@bia.gov](mailto:consultation@bia.gov) or by mail to Dr. Wendy Cooley, 1849 C Street NW, MIB-3610 Washington, DC 20240 by April 7, 2024.

If you have any questions regarding the listening session, please contact Dr. Wendy Cooley at [wendy.cooley@bie.edu](mailto:wendy.cooley@bie.edu).

Sincerely,

Tony L. Dearman  
 Director

cc: Associate Deputy Director, Division of Performance and Accountability  
 Acting Chief Academic Officer  
 Associate Deputy Bureau Director, School Operations  
 Associate Deputy Director – Bureau Operated Schools  
 Associate Deputy Director – Tribally Controlled Schools  
 Associate Deputy Director – Navajo Schools

## Appendix B – News Release

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

### January 2024

PRESS RELEASE

[Indian Affairs announces the addition of two Tribes to the Tiwahe Program](#)

Program increases access to family and social services in Tribal communities

Date: 01/11/2024

PRESS RELEASE

[Indian Affairs Invests \\$1.5 Million in Bison Herd Expansion and Ecosystem Restoration](#)

Funding from President Biden's Investing in America agenda supports Tribally based projects

Date: 01/09/2024

### December 2023

PRESS RELEASE

[Indian Affairs awards \\$5.7 million in Living Languages grants](#)

Funding will support "all-of-community" Native language immersion programs.

Date: 12/21/2023

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PRESS RELEASE

[Interior Department Announces \\$27 Million from President's Investing in America Agenda for Tribal Dam Safety, Water Sanitation Projects](#) <sup>et</sup>

WASHINGTON – The Department of the Interior today announced a \$27 million investment from President Biden's Investing in America agenda to protect Tribal communities by repairing and upgrading clean water systems and replacing failing dams.

Date: 12/19/2023

PRESS RELEASE

[Interior Department awards over \\$1.4 billion in contracts to Indian Economic Enterprises in Fiscal Year 2023](#)

WASHINGTON – Today, the Department of the Interior's Office of the Assistant Secretary for Indian Affairs announced the distribution of over \$1.4 billion in contracts to Indian Economic Enterprises in Fiscal Year 2023 across the Department, which includes \$1.03 billion awarded to Indian Small Business Economic Enterprises, a historical high for the Department.

Date: 12/07/2023

## Appendix B – News Release (Cont.)

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

### PRESS RELEASE

#### [Indian Affairs announces new regulations to improve fee-to-trust process](#)

WASHINGTON – The Department of the Interior's Office of the Assistant Secretary for Indian Affairs today announced a final rule to update the federal regulations governing fee-to-trust, or land-into-trust, acquisitions that transfer land title to the United States to be held in trust for the benefit of a Tribe or individual Tribal citizen.

Date: 12/06/2023

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### PRESS RELEASE

#### [White House Council on Native American Affairs Takes Steps to Increase Access to Capital Across Indian Country](#) <sup>¶</sup>

WASHINGTON — In opening remarks at the 2023 White House Tribal Nations Summit today, Secretary of the Interior Deb Haaland announced that the White House Council on Native American Affairs (WHCNA) is taking critical steps to improve access to capital across Indian Country, including through the launch of an online clearinghouse that will serve as a searchable repository for an up-to-date list of all federal funding opportunities, including grants and loans, available to Tribal Nations and Native businesses.

Date: 12/06/2023

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### PRESS RELEASE

#### [Interior invests \\$300,000 in National Fund for Excellence in American Indian Education](#)

WASHINGTON – Ahead of the 2023 White House Tribal Nations Summit, Assistant Secretary for Indian Affairs Bryan Newland announced that the Department of the Interior is transferring more than \$300,000 to the National Fund for Excellence in American Indian Education, a federally chartered charitable nonprofit corporation established by Congress to further educational opportunities for American Indian students attending schools funded by the Bureau of Indian Education.

Date: 12/05/2023

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## November 2023

### PRESS RELEASE

#### [Indian Affairs awards grants to off-reservation child and family service programs](#)

Nearly \$2 million will help stabilize American Indian and Alaska Native families and communities

Date: 11/30/2023

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### PRESS RELEASE

#### [Haskell Indian Nations University receives Tribal College Small Business Achievement Grant to Empower Native Entrepreneurs](#)

Haskell Indian Nations University, a Bureau of Indian Education-operated post-secondary institution in Lawrence, Kansas, is one of four Tribal colleges and universities awarded a Tribal College Small Business Achievement Grant by the U.S. Small Business Administration.

Date: 11/29/2023