



# 25th Navajo Nation Council 2024 Spring Session Report



## Bureau of Indian Affairs Navajo Region



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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'éei dóó Dine'é of our Great Navajo Nation.

I am pleased to share with you the Bureau of Indian Affairs Navajo Region's 2024 Spring Session Report to the 25<sup>th</sup> Navajo Nation Council. Our report summarizes our accomplishments for carrying out our mission operations to the Navajo Nation.

## **OUR MISSION**

To enhance the quality of life, promote economic opportunities, and to carry out the responsibilities entrusted to us to protect and improve the trust assets of the Navajo Nation.

To further our mission, I share with you four arching goals within the Department of the Interior's Strategic Plan for FY 2022-2026. These goals provide a blueprint for our priorities in how we carry out our mission operations in providing services to the Navajo Nation.

## **DOI Strategic Plan for 2022-2026**

Strategic Goal 1 Promotes Well-being, Equity, and Justice for Tribes, American Indians, Alaska Natives, Native Hawaiians, and Insular Communities.

Strategic Goal 2 focuses on Conserve, Protect, Manage, and Restore Natural and Cultural Resources in the Face of Climate Change and Other Stressors.

Strategic Goal 3 is about Sustainably Balance the Use of Resources While Supporting Communities and the Economy.

Strategic Goal 4 centers on Serving and Honoring the Public Trust.

We used these strategic goals as a framework for reporting our progress effort in advancing the Department and Bureau's work.

Lastly, but most importantly, I wish to acknowledge my team's contribution and dedication to our work. I appreciate the positive energy from everyone who has engaged in this effort thus far, and we remain committed to the Navajo Nation. I look forward to continued collaborations and as partners to advance the Navajo Nation farther than ever before.

'Axhe'hee,

**DEBORAH SHIRLEY** Digitally signed by DEBORAH SHIRLEY  
Date: 2024.04.02 15:57:40 -06'00'

Deborah Shirley, Acting Regional Director  
BIA Navajo Region

**Bureau of Indian Affairs  
Navajo Region**

**Department of the Interior FY 2022-2026 Strategic Plan Framework**

For the performance period from January 1, 2024, to March 31, 2024, the BIA Navajo Region reports the following accomplishments:

**STRATEGIC GOAL 1 - Promote Well-Being, Equity, and Justice for Tribes, American Indians, Alaska Natives, Native Hawaiians, and Insular Communities.**

**Branch of Management and Budget - Fiscal Year (FY) 2024** – 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 was 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.

1. 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 CR for FY 2024 and provides funding to federal programs through February 2, 2024, at a rate of 21% based on FY 2023 enacted amounts.
2. On January 19, 2024, Public Law 118-35 (H.R. 2872), Further Additional Continuing Appropriations and Other Extensions Act, 2024 was signed. This is the third CR for FY 2024 and provides funding to federal programs through March 8, 2024, at a rate of 9.6% based on FY 2023 enacted amounts.
3. On March 1, 2024, Public Law 118-40 (H.R. 7463), Extension of Continuing Appropriations and Other Matters Act, 2024 was signed. This is the fourth CR for FY 2024 and provides funding to federal programs through March 22, 2024.
4. On March 9, 2024, Public Law 118-42 (H.R. 4366), Consolidated Appropriations Act, 2024 was signed and provides full funding for FY 2024.
5. The 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. While there is an Enacted budget for FY 2024, we currently do not know whether there will be any funding adjustments (increases/decreases).
6. Below is a summary of FY 2024 funds provided to the Navajo Nation under P.L. 93-638 contracts, as of March 21, 2024. Total funding provided is \$40,610,370.00 with \$33,238,793.36 available for draw down and \$3,865,977.00 to be awarded.

NAVAJO NATION P.L. 93-638 FUND STATUS as of March 21, 2024						
Fund	FA Budget Program	Funds	To Be	Not Drawn	Distributed	Available
		Available	Awarded	Down		Funds
245A2100DD	A0H901010 : SOCIAL SERVICES-TPA	6,078,915.00	0.00	6,078,915.00	6,078,915.00	0.00
245A2100DD	A0H901040 : Domestic Violence	146,000.00	0.00	146,000.00	146,000.00	0.00
245A2100DD	A0H913030 : WELFARE ASSISTANCE-TPA	4,838,346.00	0.00	4,383,159.00	4,383,159.00	455,187.00
245A2100DD	A0H922020 : IND CHILD WELFARE ACT-TPA	1,512,395.00	0.00	1,512,395.00	1,512,395.00	0.00
24XA2100DD	A0H937070 : HOUSING IMPROV PROGRM-TPA	4,135.00				4,135.00
245A2100DD	A0J908080 : TRIBAL COURTS PROGRMS-TPA	1,786,599.00	0.00	1,786,599.00	1,786,599.00	0.00
245A2100DD	A0N301010 : IRRIGATION, OPER & MAINT	1,724,195.00	0.00	1,724,195.00	1,724,195.00	0.00
245A2100DD	A0N6A3031 : FOREST MARKETING ASSIST	11,362.00				11,362.00
245A2100DD	A0N9A0505 : NATURAL RESOURCES -TPA	4,315.00				4,315.00
245A2100DD	A0N9B1010 : AGRICULTURE PRGRM-TPA	1,305,502.00	0.00	1,305,502.00	1,305,502.00	0.00
245A2100DD	A0N9C3030 : FORESTRY PROGRAM -TPA	774,372.00	0.00	309,671.36	309,671.36	464,700.64
245A2100DD	A0N9D4040 : WATER RES PROGRAM -TPA	740,521.00	0.00	740,521.00	740,521.00	0.00
245A2100DD	A0N9E5050 : WILDLIFE&PARKS PRGRM-TPA	536,162.00	0.00	536,162.00	536,162.00	0.00
245A2100DD	A0R9D4040 : ENVRMNTL QLTY PRGRM-TPA	119,681.00	0.00	119,681.00	119,681.00	0.00
245A2100DD	A0T902020 : OTHER AID-TRBL GOV -TPA	1,015,435.00	0.00	1,015,435.00	1,015,435.00	0.00
245A2240DD	A3T937070 : CSC CONTRACT SUPPORT TPA	2,565,900.00				2,565,900.00
245A2100DD	AEE904040 : JHNSN O'MALL A GR TPA BIA	3,865,977.00	3,865,977.00		3,865,977.00	0.00
245A2100DD	AEE931010 : TRIBAL SCHOLARSHI TPA BIA	13,580,558.00	0.00	13,580,558.00	13,580,558.00	0.00
<b>TOTALS</b>		<b>40,610,370.00</b>	<b>3,865,977.00</b>	<b>33,238,793.36</b>	<b>37,104,770.36</b>	<b>3,505,599.64</b>

**Office of Tribal Government Services**– The Office of Tribal Government Services (OTGS) continues to represent the Bureau of Indian Affairs at various governmental meetings including the Navajo Nation Council meetings, Navajo Nation Council Delegate meetings, and with Navajo Nation leadership as well as at specific Federal Agency project meetings such as BLM RMPA, IRMP FBFA and IWMP EIS.

Navajo Nation, Office of Vital Records and Enrollment (NN OVRE). For the spring quarter, OTGS referred (54) requests to the (NN OVRE) program regarding Certificate of Indian Blood (CIB) for prospective membership. The CIB requests range from individuals seeking scholarship and benefits to prison inmates seeking membership with the Navajo Nation. For this quarter, OTGS received requests for enrollment as follows:

Office/Agencies	Referrals
Eastern Navajo Agency	7
Chinle Agency	2
Fort Defiance Agency	3
Shiprock Agency	15
Tuba City Agency	0
Window Rock	27
Total:	54

1. The Tribal Operations Specialist (TGS) serves as the Awarding Official Technical Representative (AOTR) for three (3) P.L. 93-638 contracts for higher education/scholarship, tribal (Census) enrollment, (vital records) and tribal courts program. In coordination with the

BIA Awarding Official (AO) and the Navajo Nation Program Administrator, the following transactions were completed this quarter:

- A. P.L. 93-638 Contractual Program, Tribal (Census) Enrollment (TE) program Contract, A16AV00151 – On March 11, 2024, AOTR and Awarding Official participated in meeting with the Navajo Nation Office of the President/Vice President, Office of Management and Budget, and Program Managers to review and obtain a prior year carryover funds status update on TE and Higher Education (HE) programs. During this meeting, the AOTR provided notice to the Navajo Nation’s TE program that in accordance with the CY 2024 Annual Funding Agreement, the annual on-site monitoring review will be forthcoming for Window Rock, Arizona and Fort Defiance, Arizona Agency offices. During this meeting, the Navajo Nation TE Program Manager reported that carryover funding will be reviewed with proper notification to the BIA Indian Self Determination Office (ISDO) for Contract Numbers A13AV00203 and A16AV00285 which have **zero balances**. The BIA ISDO AO responded with a recommendation to officially close out the two contracts. The Navajo Nation TE Program Manager requested for information on increasing the salaries for full-time employees at which the BIA ISDO AO provided a response to have the Navajo Nation work with their Navajo Nation, Office of Personnel in accordance with their personnel policies and procedures process. The BIA offered support with technical assistance where needed and as requested.
- B. Since December 14, 2023, the BIA AOTR, and Awarding Official participated in a virtual meeting with the Navajo Nation’s Program Manager regarding an internet connection request for their office in the BIA Shiprock Agency building. Thereafter, on December 27, 2023, the AOTR followed up with the Program Manager to submit an official letter regarding their request for internet connection; thus, enabling the BIA to properly research and thoroughly respond. To date, the BIA has not received the request from the Navajo Nation outlining their specifications of work to be performed.
- C. P.L. 93-638 Contractual Program, Higher Education, Contract A17AV00096 - On March 21, 2024, the BIA, Awarding Official and AOTR participated in onsite monitoring review with the Navajo Nation Program Manager for the Nation’s Higher Education Scholarship program in Crownpoint, New Mexico. The AOTR noted there were no significant findings for the monitoring review for CY 2023/2024. An official letter will be forthcoming from the BIA, ISDO to the Navajo Nation on the monitoring review.
- D. From the March 11, 2024, meeting between the BIA and Navajo Nation, the AOTR concluded there were no carryover funding issues for Tribal Priority Allocation (TPA). If there were issues with carryover funds, it rests with the Navajo Nation’s administrative or indirect services costs pursuant to the Navajo Nation’s Program Manager for Higher Education.

**Branch of Acquisitions Operations** – Branch of Acquisitions supports the various programs in soliciting, awarding, and monitoring, contracts and agreements for the Navajo Region and the five agencies within Navajo Region, to support their initiative in promoting well-being, equity and justice for the Navajo Nation. All awards benefit the Navajo Nation.

1. The work in progress for the school Minor Improvement & Repair (MI&R) 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.

2. 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 Indian Self-Determination** - Branch of Indian Self-Determination (BISD) continues to work with Navajo Nation’s twenty-two non-construction Contracts, seven Subpart J Construction Contracts and five other Tribal Organizations (TO) under Public Law (P. L.) 93-638. Last quarter, all approved CY 2024 Contracts were initially awarded the FY 2023 CR 1 funding, provided pursuant to H.R. 5860 Pub. L. 118-15 Continuing Appropriations Act, 2024, at 13.11% of the FY 2023 CR Rate of Operation. This quarter BIA NR awarded the remaining FY 2024 CR 2, at the FY 2023 full direct base funding levels. The funding distribution to the Navajo Nation and TO’s P.L. 93-638 Contracts are shown in Table 1. All contractors provide services to communities and other contractual activities, in accordance with their approved 2024 SOW and budgets. All funds awarded entirely benefit the Nation. Last quarter, the Indian Affairs Division of Internal Evaluation and Assessment (DIEA) received Nation’s FY 2022 Single Audit Report (SAR). The FY 2022 SAR identified six findings with \$12,443,328 in questioned cost 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. The Navajo Nation did not provide a response by February 1, 2024, therefore, BIA NR issues its Management Decision (MD) with the Findings & Determination to DIEA on February 1, 2024. The BIA NR’s MD give the Navajo Nation 45 days for a response, due by March 16, 2024. The BIA NR received the Navajo Nation’s response on March 18, 2024, and BISD is currently reviewing the Nation’s response.

<b>Table 1 -Public Law 93-638 Contracts Funding Allocations</b>		
	<b>The Navajo Nation</b>	<b>Amount</b>
A20AV00139	Water Monitoring & Inventory Program	\$227,584
A21AV00001	Natural Heritage Program	\$246,912
A21AV00002	Fish & Wildlife Program	\$343,957
A21AV00003	Social Services-(SS) Depart. Family Services	\$8,354,021
A21AV00140	Law Enforcement -Criminal Investigations	\$3,899,139
A21AV00186	Law Enforcement-Patrol Services	\$19,036,973
A21AV00383	SS-Navajo Treatment Center Children and Families	\$296,009
A21AV00384	SS-Navajo Family Assistance Services	\$1,958,044
A22AV00148	Higher Education Program	\$11,800,147
A22AV00149	Environmental Archaeological Non-Roads	\$212,292.98
A22AV00150	Tribal Enrollment Program	\$882,311
A23AV00265	Adult Detention Program	\$7,360,986
A23AV00267	Juvenile Correction Program	\$2,395,045
A23AV00366	Water Development Program	\$415,855
A23AV00367	Forestry Management Program	\$309,671.36
A24AV00177	Johnson O’Malley Program	\$3,865,977
	Sub-Total	<b>\$65,526,318.34</b>



	<b>Tribal Organizations</b>	<b>Amount</b>
A19AV00984	Dine Bi Olta School Board Association, Inc.	\$104,665
A21AV00158	NAPI – NIIP Irrigation Operation & Maintenance, On-Farm Development and Agricultural Testing Research Laboratory	\$3,068,129
A23AV00905	Rock Point Community School	\$244,963
	Sub-Total	<b>\$3,417,757</b>
	<b>GRAND TOTAL</b>	<b>\$68,944,075.34</b>

**Branch of Property** was able to facilitate the approval of shop drawings for the upgrade to the Heating Ventilation and Air Conditioning (HVAC) System at Greyhills Academy located in Tuba City. The final approval from the Division of Facilities Management and Construction (DFMC) was provided to the contractor and subcontractors in January 2024.

**Branch of Probate and Estate Services** - The Branch of Probate and Estate Services (BPES) in partnership with the Office of Hearings and Appeals (OHA) successfully adjudicated 48 cases this quarter. BPES supports the Bureau of Trust Funds Administration (BTFA) to process and disburse the trust assets. At the end of FY2024 2<sup>nd</sup> Quarter, BPES reports there is a total of 8,973 active probate cases being processed at some level. Currently, there are 131 cases eligible for closure. Of those, 117 have completed the disbursement of the trust property (90.00%) and 96 have completed the disbursement of the trust personalty (87.27%).

**Branch of Real Estate Services** - The Branch of Real Estate Services is working with the Bureau of Land Management (BLM) and is near finalization of the Fort Wingate Legislation: Public Law 114-328: Section 2829F, for the Return of Certain Lands at Fort Wingate, New Mexico to the Original Inhabitants. The final Patent review and Final Inspection of internal boundaries is currently under review.

Real Estate Services - The Branch of Real Estate Services is working with the Office of Indian Gaming as well as the Navajo Nation on their Fee-to-Trust application for the Lower Highway 89 AZ project. The Branch of Real Estate Services has submitted a request of the Office of the Solicitor to obtain a Preliminary Title Opinion and a Memorandum of Mandatory Acquisition.

**Fire Management** - The Branch of Fire Management reached out to various programs within the Navajo Nation to promote wildland fire prevention. As of the FY2024 2<sup>nd</sup> Quarter, the Prevention program conducted four (4) community presentations and six (6) meetings with the Navajo Nation programs to extend relationships in promoting wildland fire prevention.

**Eastern Navajo Agency- Navajo Real Estate Services** - In compliance 25 C.F.R.162 Leasing & Permits, ENA Branch of Real Estate Services (RES) worked with the ToHajiilee Community School Board, ToHajiilee Chapter officials, Bureau of Indian Education, Branch of Facility Management & Construction, and solicitor offices to develop, finalize, and process a land Business Lease for a \$90.4 million dollar project to construct a new community school on the Canoncito Band of Navajos land in ToHajiilee, New Mexico. On February 26, 2024, ENA Superintendent approved the business lease and recorded with the Division of Land Titles & Records. The new lease allows the school board to design, construct, and maintain school facilities alleviating the

annual flooding and numerous safety issues. The BIE leadership commended the BIA on the land lease and that it might be used as a template for other new school developments.

1. RES met with Honorable Delegate Seth Damon, District 6 regarding the residential lease process on Indian Allotted lands for his constituents living in Manuelito, Rock Springs, and ChiChilTah Chapters. The Chapters wanted to utilize the American Rescue Plan Act (ARPA) to bring critical services to their community members in obtain electrical and waterline services as the COVID 19 pandemic made a substantial impact on Navajo communities. A criterion for applicants to utilize ARPA funding is to have an approved lease to obtain service line agreements (SLA) to obtain electrical and waterline services. Agency collaborated with the Chapters and provided six work sessions to provide vital information. A total of six residential leases have been approved, three applications are near completion.
2. The agency is committed to support the Secretary of Interior's initiative in making the Fee-to-Trust (F2T) a top priority for the Department of Interior. RES has been providing guidance to the Thoreau and Whitehorse Lake Navajo Chapters in drafting and preparing three F2T applications for Economic and Housing developments purposes. Thoreau Navajo Chapter is proposing to bring into trust a 0.50-acre site to build a restaurant. Whitehorse Lake is proposing to bring into trust 945-acres for housing development. The BIA is working with Tribal officials at the Chapter level and with the Navajo Nation Land Department to ensure the applications are readied for submission for land acquisitions under F2T.
3. RES is working with the Navajo Tribal Utility Authority on a proposed electrical and broadband telecommunication project located in the Manuelito Navajo Chapter. The proposed project will be crossing Public Land Order 2198 lands located in McKinley County for 2.887 acres. The project is an American Rescue Plan Act priority project. RES received the completed application package on March 19, 2024, and has 60 days to process as outlined in 25 C.F.R. 169 Rights of Way Over Indian Lands.
4. RES is assisting McKinley County Roads Department to obtain ROW to conduct improvements on existing bridges which are deemed unsafe and a public hazard. The bridges are within six Navajo Chapters including Breadsprings, Manuelito, Pinedale, Prewitt, Red Rock, and Rocksprings, all within the Gallup vicinity. BIA is providing technical assistance, land status information & assist in any consent drive at Manuelito Chapter and to ensure all required documents are obtained to complete the ROW for each bridge location. The Navajo Nation Department of Transportation is securing the funds for the Bridge Improvement Project on behalf of the county.
5. RES also worked with DJR Operating, LLC to process two rights-of-way for a pipeline project crossing over and onto Navajo Tribal Trust lands located in the vicinity of Nageezi Chapter. The ROWs were approved on March 19, 2024, and is for an access road onto the project site; and for the construction, operation and maintenance of a 6" and 4" inch pipelines. The site is to be identified as the Betonnie Tsosie Wash Unit #305H B21 2308 Pipelines. The easements have a total of 2.546 acres on tribal trust lands. The proposed projects are needed to access Oil & Gas Well Pads that will generate funding to the Indian landowners within the community.

**Eastern Navajo Agency – Natural Resources** - ENA Natural Resources provided a formal response to Office of Environment Health and Engineering Gallup Office regarding three projects with the land status, grazing permit information, and map on the following: Project NA-22-LR4 Chichiltah Pigeon springs Waterline Extensions; Project NA-22-LP6 Cousins Radio Tower Loop Phase 3; and Project NA-22-LP7 Cousins Radio Tower Loop Phase IV. NR provided a formal response letter to Office of Environmental Health and Engineering, Farmington Field Office, with the permittee names, grazing communities, range units, and map for Project NA-22-LS4 Torreon Nineyears Waterline Extension. NR formally responded to the Office of Environmental Health's request for a list of grazing permittees for Project NA-22-LS5 Pueblo Pintado Phase 2 Waterline Extension. NR informed OEH, the Bureau of Land Management-Farmington Field Office administers the grazing permits for public domain lands (Kimbeto BLM-Grazing Allotments) with adjacent tribal trust and Indian Allotment lands and provided the BLM's contact information.

**Eastern Navajo Agency – Transportation** - For the month of January, ENA Transportation completed routine maintenance, fence, and sign repairs on N55 in Alamo and N56 in ToHajiilee. Transportation repaired broken fences, replaced damaged, missing signs with new signpost and signage. Staff completed blading on earth route N485 in Casamero Lake. As a preventative step, a winter start up on equipment and inflated tires on equipment service was completed by Transportation staff. Transportation completed cattle guard cleaning in three locations of N48 North in Littlewater. Fence repairs were completed on N48 North in Littlewater and N49 in Smith Lake. Transportation completed repairs and serviced the Salt Dogg sander unit, 12G Motor Graders and backhoe equipment needed for snow removal. Transportation immediately repaired a cylinder on the 12G Motor Grader that fell apart while removing snow. Transportation staff were called out to assist in removing snow from the highway N9 West of Crownpoint to Standing Rock, Crownpoint Streets, N48 North and South Littlewater Borrego Pass, Casamero Lake, N49-11 Smith Lake to Pinedale the second week of January. Transportation crew used 12g Motor Grader to remove snow for highway and covered with cinder. Eastern Navajo Agency received extreme winter weather conditions consisting of difficult driving conditions on all BIA routes. Transportation staff removed snow, ice, and applied cinder to routes N9 West of Crownpoint to Standing Rock, N48 in Littlewater, Borrego Pass, Casamero Lake, N49-11 from Smith Lake to Pinedale, and Crownpoint Metro. High winds were a factor as well causing low visibility due to blowing snow the third week of January. Snow drifts were removed from N9 West, N49-11, and earth routes N7054, N7052, N111, N112, N11, N492, N493, N494 in Mariano Lake. Transportation staff completed routine maintenance by repairing fences on N49-11 at Smith Lake to Mariano Lake, N474 at Ojo Encino, sign repairs on N49-11 at Smith Lake to Pinedale, and N9 (west) at Standing Rock. Transportation completed snow removal on earthen routes N7052 at Mariano Lake, N104 at Crownpoint Church road, N485 and N486 at Casamero Lake Loop. Due to high winds, transportation removed snow drifts along highway N9 West. Equipment repairs were completed. Transportation removed dirt from Right-of-Way (ROW) on N7140 in Lupton that would allow for better visibility for traveling public. Road conditions were clear for the traveling public with less than 1" snow accumulation throughout the month of January. These activities support safe and reliable roads for the public, emergency vehicles, school buses and commerce.

1. For the month of February, Transportation completed routine road maintenance by repairing signs on N9 East and West. Transportation crew put up directional caution signs at 3 junctions. Routine blading on earth routes N11 Rocky Canyon Road, N7114 Littleboy Road, N98, N52 Dalton Pass and N481, N482 Heart Butte. Pothole patching was completed along N49-11 in Pinedale, Mariano Lake, Smith Lake and N9 West in Standing Rock. Transportation staff cleaned five (5) cattleguards along N9 West in Standing Rock and Dalton Pass. Transportation responded to inclement weather by completing road assessments, snow/ice removal on N49-11 from Smith Lake to Pinedale, N9 west in Standing Rock, and cinder was applied to those highways along with N48 (1-2) in Crownpoint Metro. Transportation crew also completed snow removal on the second inclement weather that pushed through towards the end of the second week of February on N49-11 in Smith Lake to Pinedale, Crownpoint metro and N48 (1-2). Transportation crew completed sign repairs on N9 West and N48 North in Littlewater. Pothole patching was completed on N7062 in Breadsprings. Transportation procured 11 pallets of UPM which is a cold mix asphalt used to fill potholes from Albuquerque. Transportation completed flat blading on earth routes N7054 in Pinedale, N111, N7111, N7113, N11 Mariano Lake, N483 Star Pond. Ruts created from the mud were removed with the Motor Grader's blade so travel would be easier for the community. Transportation collaborated with NDOT on blading routes in the Eastern Navajo area. Transportation continues to focus on routine road maintenance by completing pothole patching on N7062 in Breadsprings, N7140 in Lupton and N9 West. Routine blading was also completed in Mariano Lake on earthen routes N492, N493, N7111, N111, N494, N112 and N11 using a 12G motor grader. Transportation completed a turn out repair on N48 and county road 19 junction, filling potholes that were hindering the use of the turnout properly.
2. For the month of March, Transportation completed routine road maintenance repairing fences on N49 in Smith Lake, N48 in Casamero Lake and N56 in ToHajiilee. Routine Blading was completed on earth routes N11, N7052 in Mariano Lake, N7122, N7123, N7124 and N7057 in Standing Rock. Pothole patching was completed on N474 in Ojo Encino. Transportation assisted Navajo Nation Department of Transportation (NDOT) with necessary tools to cut a 72-inch culvert pipe that NDOT was going to install. Transportation attended a meeting with Navajo Nation Crownpoint Police Department at the Navajo Judicial Complex to discuss Navajo Nation land jurisdiction along with BOT's introduction of new contacts and information about the Department. Transportation completed routine road maintenance repairing sign and fences on N49-11 at Smith Lake, Mariano Lake, and Pinedale, N48 (1-2) at Littlewater, Casamero Lake. Signs had to be replaced after high winds. Routine blading was completed on earth routes: N7017, N92, N7136, N473 in the Whitehorse Lake community. Transportation received a call from Navajo Nation Crownpoint Police Department requesting guardrail repair due to an accident on N49 in Smith Lake. Transportation responded and completed the guard rail repair replacing broken timber and installing a new guardrail. Transportation completed routine road maintenance by repairing fence and signs on N9 East in Whitehorse to Tinian, N474 Ojo Encino, N7044 and N7046 ChiChilTah and Jones Ranch. Routine Blading was completed on earth route N7004.

3. In coordination with the NDOT, BOT's primary goal is to keep roads open and safe to the traveling public within the eastern portion of the Navajo Nation. The staff must 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.

## **STRATEGIC GOAL 2 - Conserve, Protect, Manage, and Restore Natural and Cultural Resources in the Face of Climate Change and Other Stressors**

**Probate and Estate Services** - During the FY2024 2<sup>nd</sup> Quarter, the Branch of Probate and Estate Services prepared and submitted 132 cases to OHA for adjudication. Of the 132 cases, 68 were completed by Eastern Navajo Agency, 47 by Fort Defiance Agency, and 17 by Shiprock Agency.

Probate and Estate Services – In the FY2024 2<sup>nd</sup> Quarter, there was a total of 251 new deaths reported, with all resulting in new cases being created to be researched. A majority of these cases were reported by the Eastern Navajo Agency (142) and Fort Defiance Agency (53).

**Real Estate Services** – The Branch of Real Estate Services, Minerals Division continues to have monthly conference calls and or meetings with the Office of Surface Mining Reclamation and Enforcement (OSMRE), Navajo Nation Solid Minerals, and BLM, on any updates or issues relating to the Navajo Mine (NTEC), Chevron (CMI) and Peabody Western Coal Company (PWCC) status of reclamation on inspections for these coal mines. The Branch of Real Estate Services, Minerals Division also performed inspections with BLM and the Navajo Nation, for status of reclamations for gravel pits on: Kaibeto Resources Inc March 13, PWCC March 14, Nazlini and Wheatfield March 20, and Teec Nos Pos March 21, 2024.

Real Estate Services – The Branch of Real Estate Services, Minerals Division is assisting and attending schedule on-site inspections for new proposed wells for the Application of Permit Drill applications for Oil and Gas leases. The Branch of Real Estate Services continue to attend any inspections for Plug and Abandon wells with the BLM Farmington Office for clearances. The attendees are the companies, Navajo Nation and the Bureau of Indian Affairs (BIA).

Real Estate Services – The Branch of Real Estate Services assisted the Navajo Communication Company doing business as Frontier Communication with copies of all approved Rights-of-Way (ROW), leases, joint use agreements, service line agreements, maps, and information network. This is to update their database to renew and apply for new rights-of-way for telecommunication on the Navajo Nation.

Real Estate Services - The Branch of Real Estate Services provided guidance, per the Rights-Of-Way on Indian Land Handbook, 52 IAM 9-H, to Navajo Power, for submittal of a preliminary survey plat and legal land description prior to the submission of the ROW Application so the legal description can be reviewed by the BILS. The Navajo Power is proposing a ROW project of 4.2 mile, 500kV generation intertie line run west from the substation to interconnect directly with the existing Moenkopi Substation near Cameron, Arizona, and operated by the Arizona Public Service.

**Fire Management** – The Branch of Fire Management wildland fire activity within the BIA Navajo Region has been sporadic since the start of the 2024. Within the past three (3) months, the Branch of Fire Management reports six (6) local fires with a total of 33 acres burned. All fires were responded to and documented as human caused.

Fire Management – To better support our staff with their experience and training opportunities, the Branch of Fire Management sent one (1) resource (Type-6 engine and crew) to South Dakota, Great Plains Region, to assist with initial attack support.

**Natural Resources – The Branch of Natural Resources** completed 17 proposals for a total of \$5.7 million in FY2024 which includes one (1) GIS data collection proposal, 12 rangeland inventories proposals, and submitted four (4) proposals for Noxious Weed Inventory for the Eastern Navajo, Western Navajo, Shiprock and Chinle Agencies.

Natural Resources - The Branch of Natural Resources conducted two (2) work sessions on the Agricultural Resource Management Plan (ARMP). On March 1, 2024, the Branch of Natural Resources presented examples of how other BIA Regions such as the Fort Peck Indian Reservation developed their ARMP. On March 10, 2024, the Navajo Nation requested for the Navajo Partitioned Lands (NPL) to present their ARMP. For each meeting, the BIA Navajo Region, Branch of Natural Resources met with Navajo Nation’s Departments of Agriculture and Fish & Wildlife to provide technical assistance and guidance on how to develop the ARMP for the Navajo Nation.

**Natural Resource Grazing Permits.** The Branch of Natural Resources (BNR) met with BIA Regional leadership on the Grazing permit verification and implementation process. Under the authority of the 25 CFR §167.7, the BIA BNR requests Permittees to contact their local BIA NR Agency office for an appointment to update and verify their Permit information. All Grazing and Agricultural Land Use Permits within the BIA Navajo Region are going through an Annual Permit Verification process. This activity will assist the BIA Agencies in validating the Grazing and Agricultural Land Use Permits for the annual permit renewal. The process includes updating contact information; providing identification verification; providing the permit use area or location verification; providing the most recent livestock inventory or crop inventory through self-tally, livestock tally count or crop report.

**Natural Resources – Climate Change.** In the FY2024, 2<sup>nd</sup> Quarter, the central focus for the Branch of Natural Resources was to become more involved in climate and drought education activities including monitoring and range inventory protocols used in monitoring vegetation and grazing on the Navajo Nation. All Agency monitoring plans are in review with projected date to be completed by the end of March 2024.

**Natural Resources – Collaboration with Navajo Nation.** Through a Public Law 93-638 contract for archeological services, the Branch of Natural Resources continues to communicate and collaborate with the Navajo Nation Heritage & Historical Preservation Department (NNHHPD) for completing the Archeological Survey to complete the 1882 Executive Order Fence line and range unit fencing.

**Natural Resources – Water Resources.** The 2024 NPL windmill and storage tanks assessment are underway to identify needed repairs to ensure that the 85 windmills are operational providing water for livestock and wildlife. NR identified several windmills needing minor repairs such as replacement of broken pump rods, stop/waste valves, and standpipes are completed by the staff and major repairs involved pulling pipes, re-leathering, and replacement of motors and tanks.

**Natural Resources – Rangeland Inventory.** The Vegetation inventory for the entire NPL covering 907,923 acres has been completed with the final report to be shared with the Navajo Nation Department of Agriculture, grazing officials, chapters, and public upon its final report. The report will identify the species-specific analysis to determine total grazable vegetation, biomass production and cover. The data obtained will also be used to calculate annual production, species frequency, and livestock carrying capacity.

**Natural Resources – The Shiprock Agency,** Natural Resources received the final Environmental Assessment for the Noxious Weed Inventory. The Shiprock Agency, Natural Resources plans to remove invasive salt cedar tamarisk trees with restoration in the fall/winter of 2024.

**Natural Resources Grazing Committee Meetings and Farm Board Meetings.** The **Fort Defiance Agency** committed its mission to improve customer service through public interactions. Most inquiries are on pending applications for fencing, grazing and land use permits. Navajo clients continue to request for updated certification of their grazing permits for hauling livestock, auctions, and supplemental funding through the Navajo Nation Department of Agriculture. The Fort Defiance Agency continues to work with clients in GPSing farm plots, proposed Range Management Units, and district fence lines. The Fort Defiance Agency provides technical assistance to permit holders in developing conservation plans for grazing permits and land use permits. In addition, the Fort Defiance Agency provides technical assistance to grazing committee members on filling out information at duly called meetings.

Natural Resources - District 14 Environmental Assessment (EA). NR Fort Defiance Agency contracted ETD Inc., to complete the District 14 Environmental Assessment (EA) for fencing the district and district units. The proposed action is to fence the district and district units. The EA needs to be revised to address additional information within the EA. The contractor will work with the Fort Defiance Agency and the BIA Navajo Region, Branch of Environmental Management to address the issues so that a Finding of No Significant Impact (FONSI) can be issued.

Natural Resources – GIMC Indian Health Service, Terry Gorman, Project Engineer sought valid land users' information for Project NA-20-LA5, Coyote Canyon North Extension Phase 1. The Branch of Natural Resources provided information on valid permit land users within the project. The Navajo Nation General Land Development Department and GIMC Indian Health Service will contact the individuals to provide them with project information and consent for use of the ROW.

Natural Resources – Non-Compliance Letters. The Fort Defiance Agency mailed 45 non-compliance letters to permit holders and non-permit holders. These non-compliance letters are based off the tally counts submitted by the district grazing officials. The 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 Navajo Nation Department of Agriculture and Navajo Nation Resource Enforcement to enforce the Navajo Nation Code, Title 3 laws. A total of 45 non-compliance letters were mailed.

Natural Resources – Noxious Weed Projects. The Fort Defiance Agency Rangeland Management Specialist continues to perform Contracting Officer Representative duties for the Chuska Lake EA project where the field work has been completed. The contractor, BRIC, LLC, has been assigned to this project. NR requested an extension for BRIC, LLC to extend the date of the contract to May 31, 2024. The Cultural Resource Inventory Report was completed and submitted to Navajo Nation Historic Preservation Department for approval.

Natural Resources – Range Monitoring. NR Fort Defiance Agency is currently conducting the 2024 Range Utilization study. The utilization study is an assessment of the range for Districts 7, 14, 17 and 18.

The Navajo Nation General Land Development Department sought valid grazing permits for the San Juan Lateral Connection Project. The Fort Defiance Agency assisted with providing 14 valid grazing permit information within the project area.

The **Fort Defiance Agency, Natural Resources** contracted BRIC LLC., to complete the 286-grazing permit conservation plans as follows:

1. Use the current and past vegetative inventory information to identify productivity, potential stocking rate, and potential carrying capacity correlating with Soil Survey information for relevant inference to Ecological Site Descriptions for each range unit and or grazing area,
2. Research and collect data information (from existing records and/or on-site field assessments),
3. Conduct a range unit and or grazing area visit to determine range condition and existing infrastructure, and
4. Interview permittee(s) on their goals and objectives, type of operation, plans, and relevant historical data.
5. A conservation plan is required for approval of a grazing permit.

The **Navajo Partitioned Lands (NPL)** continues to re-issue cancelled grazing permits according to the Eligibility Criteria with 28 permits issued under Phase I in compliance with the 10 sheep units yearlong (SUYL). The NPL continues to assist the Navajo Nation Department of Agriculture and District Grazing Committee members with information to fulfill their Phase II and Phase III procedures for the reissuance of grazing permits.

The **Western Agency Natural Resources** hosted six (6) one-day workshops on assisting Grazing Permit grantees on the Permittee Conservation Plan Questionnaire and additional information on monitoring grazing lands and conservation practices to improve rangeland resources. The workshops are a partnership between Dine College Land Grant Office and the Western Navajo Agency, Branch of Natural Resources. The Dine College staff assisted with presenting topics on herd health, herd management, breeding practices and basic rangeland monitoring practices as part of the workshop. The Western Navajo Agency, Branch of Natural Resources appreciates the help and participation of Dine College Land Grant Office, as they bring valuable knowledge and resources to the participants in the workshop.



**Natural Resources** - On March 20, 2024, NR Western Navajo Agency attended and participated in the Navajo Nation Parks and Recreation Department (NNPRD) Advisory Team Meeting at the Twin Arrows Navajo Resort. The Western Navajo Agency, Branch of Natural Resources provided a presentation on how the Former Bennett Freeze Integrated Resource Management Plan (IRMP) and the Programmatic Environmental Assessment (PEA) impacts future management plans for the Navajo Nation western parks that are within the Former Bennett Freeze Area. The presentation included an overview of the IRMP and the goals and objectives that are specific (Outdoor Recreation) to the NNPRD and other goals and objectives, such as those for water resources, fish and wildlife, grazing and cultural resources that would affect the land managed by the NNPRD. This was followed up with a presentation on the PEA and how that can be used to do environmental clearances for proposed developments and development of the Western Area Parks General Management Plan. The planning effort could take advantage of the PEA's Land Management Area recommendations developed under the Balanced Growth Emphasis Alternative, identifying Conservation Areas, Development Focus Areas, Restricted Development Areas, and Agricultural Areas. The portions of the IRMP and PEA that addressed the Navajo Hopi Compact was discussed.

**Natural Resources** – NR **Chinle Agency** is working with the Navajo Nation, Chinle Chapter, and the Army Corps of Engineers on the flooding mitigation project. NR attended the meeting at the request of acting Regional Director on January 2024. NRO staff were also present at this meeting with Chinle Chapter & tour of the flooding sites.

Natural Resources - NR Chinle Agency sent out 111 trespass letters via certified mail for three (3) Land Management Districts (LMD), submitted three (3) range inventories, 13 grazing permit transfers for Biological Resources Compliance Forms (BRCF). Range Technician sent second request to NNFWD on 9/13/2023 on the Tselani-Cottonwood CRMP.

Natural Resources - Chinle Agency plans to install 100 range monitoring cages within the three (3) LMD's 29 recognized and approved Range Management Units (RMU), planned for June 2024.

**Branch of Environmental Management and Environmental Quality Act Compliance Review (NEPA).** BEM continues to work on the cleanup of the Shiprock Administrative Reserve (SAR) and the former Sanostee Boarding School. The SAR site abatement and demolition will commence once the forestry permit is approved to remove 132 trees and seedlings complying with the BIA Integrated Weed Management Plan (IWMP) for invasive species. For the former Sanostee Boarding School, a geophysical imaging was completed for any target debris for further intrusive investigations at the site. On March 25, 2024, BEM provided an update to the Sanostee Chapter officials and Council Delegate Amber Crotty on the project status and future planned work for the site.

Branch of Environmental Management and Environmental Quality Act Compliance Review (NEPA). BEM submitted the quarterly Safe Drinking Water Act (SDWA) required reports for the 2024 December, January and February bacteriological analyses and disinfection by-products found in drinking water. All data results were below the maximum contaminant levels (MCLs) allowed in drinking water. BEM provided these reports to Navajo Nation Environmental Protection Agency-Public Water Systems Supervision Program (NNEPA-PWSSP), the Bureau of Indian Education (BIE) schools, and the six (6) Education Resource Centers Facility Managers

and the Albuquerque BIE Environmental Management. Reports were also sent to U. S. Environmental Protection Agency Region IX Water Department.

Branch of Environmental Management and Environmental Quality Act Compliance Review (NEPA). The NEPA program processed three (3) FONSI for projects: the Western Refining Pipeline, LLC (Western Refining) to continue the operation of the Tex-New Mex 16” Pipeline on Navajo Nation allotted lands which has been in operation for over 50 years.

Branch of Environmental Management and Environmental Quality Act Compliance Review (NEPA) – A Finding of No Significant Impact (FONSI) was issued by NEPA for the Shonto Preparatory School (SPS) to construct a new K-8 school building to support the educational needs of their students and provide employee quarters. The new school will improve energy efficiency and internet accessibility for the students.

Branch of Environmental Management and Environmental Quality Act Compliance Review (NEPA). The NEPA program review the contractor’s EA for the SAR project to abate and demo the buildings onsite. The NEPA program issued the FONSI which is required for the forestry permit to remove 132 trees in compliance with IWMP and covers any ancillary features for the project.

**Environmental Management and Environmental Quality Act Compliance Review (NEPA).** The NEPA program processed 54 Categorical Exclusions 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 the Navajo Nation tribal members.

Environmental Management and Environmental Quality Act Compliance Review (NEPA). The NEPA program processed 61 Cultural Resources Compliance Forms for the NNHPD. These NEPA documents are critical for allowing the approval of home sites and the installation of utility lines for the Navajo Nation tribal members.

**Branch of Engineering** – The Branch of Engineering notified the Navajo Nation that heir FY 2024 project proposal was approved in March 2024 for the BIA Water Management Planning & Pre-Development Program (N34202). The project proposal, submitted in September 2023, included the Black Mesa Navajo Aquifer Monitoring Program (\$85,000) and the Coconino Aquifer Monitoring Program (\$110,000). The Fruitland Diversion Dam & Fish Weir project within the Fruitland-Cambridge Irrigation Rehabilitation Project has been placed on hold. In the Fall of 2023, the Navajo Nation informed the Branch of Engineering the project will need an estimated additional \$21M to complete construction. The Branch of Engineering is awaiting the Navajo Nation on their plans to either modify the SOW or continue seeking additional funds to complete the Diversion Dam and the Fish Weir. In May 2024, two (2) American Rescue Plan Act (ARPA) contracts will conclude for the Tohajiilee Chapter and the Navajo Nation Emergency Management Services. On March 22, 2024, several BIA Agencies assisted the Tohajiilee Chapter with distributing bottled water to their local community members.

Branch of Engineering - The Navajo Indian Irrigation Program (NIIP) held a Project Management Team (PMT) first quarter meeting on January 2024 with the Navajo Agriculture Products Industry

(NAPI) and the Bureau of Reclamation (BOR). In January 2024, the Branch of Engineering held an internal meeting to discuss the O&M Rate Establishment plan with NAPI and BIA, Central Office, Department of Water and Power. In February 2024, NIIP attended the 2024 National Irrigation Meeting in San Luis Obispo, CA and provided program/project updates. On-Farm-Pinebete Substation: the NTUA Service Drop completed, and the final inspection is planned for April 5, 2024. The NIIP-G7.5LA HVAC discharge system: NAPI submitted design proposals for the HVAC Drainage System, the Branch of Engineering provided a concurrence memo for approval. Currently, NAPI plans to start construction for this project in April 2024.

**Branch of Forestry** - continues to process timber cutting permits received from the Navajo Forestry Department. These requests are primarily for permits associated with infrastructure projects being done within the Navajo Nation by their water or utility authorities. As of the last quarterly report, ten (10) permit packets were reviewed and approved. The approved permits have been forwarded to the Navajo Forestry Department, via the BIA Branch of Indian Self-Determination. As of time of report, there are no permits needing review or signature approval.

Branch of Forestry – Per the recommendations within the BIA’s letter, dated April 18, 2023, to the Navajo Nation regarding the Navajo 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 stated that modifications to the Navajo Nation’s plan(s) are to be addressed and resolved within one (1) calendar year of entering into the Agreement. The Navajo Forestry Department provided a draft document with the recommended edits to the BIA for their review and assessment in November 2023. The Branch of Forestry expects to finalize its review within the first full week of April 2024, and provide the results of the assessment to the Navajo Nation.

**Eastern Navajo Agency – Natural Resources** ENA Office of the Superintendent approved three grazing permits. NR completed two conservation plans and three permittee orientations on regulations and acquired signature for the Permittee Responsibility Agreement, conducted 75 grazing permit compliance work involving record reviews, outstanding invoices for annual grazing rental payments for trust lands, and conducted two range unit field assessments for grazing permit transactions and/or range improvement projects. NR received two reports of livestock trespass, 20 requests for grazing permit transactions and informed applicants of the carrying capacity based on available forage and required documents and canceled one grazing permit for non-use per District Land Board’s recommendation. NR received \$81,198.23 in 2024 annual grazing fee payments for 485 range units for trust lands and \$340.00 in late fees.

1. For the Request for Appraisal to determine market value for ENA livestock grazing, NR identified 1,342 tracts for District 16, 371 tracts for District 19, and 1,383 tracts for District 20. Majority of the tracts are individual Indian Allotments, tribal trust, and government lands. NR defined the legal land descriptions for the tracts. The Appraisal and Valuation Services Office (AVSO) advised NR not to use the Appraisal and Valuation Information System (AVIS) until they have completed their research of the 2012 appraisal request to determine if AVSO could use the same format. On January 19, 2024, NR completed the trust tract list for Land Management Districts 16, 19, and 20 for Appraisal and Valuation Services Office (AVSO) to review the tracts for appraisal. NR also provided the tracts included in the Bureau of Land

Management administered grazing allotments (Counselor, Kimbeto and Largo). NR may meet with AVSO to discuss stocking rates and plan market research. AVSO plans to complete the appraisal before summer 2024.

### **STRATEGIC GOAL 3 - Sustainably Balance the Use of Resources While Supporting Communities and the Economy**

**Branch of Acquisitions** complies with the Buy Indian Act, 25 USC 47, and supports native owned businesses by setting aside requirements for ISBEE (Indian Small Business Economic Enterprises) and IEE (Indian Economic Enterprises) firms. Native owned companies benefit from the awards issued to them and at the same time the supplies and services provided benefit the communities within the Navajo Nation.

**Real Estate Services** - The Branch of Real Estate Services is working with the Navajo Nation on Lease Compliance for Lease Nos. CH-97-104, CH-02-125, SR-02169, SR-98-150, and TC-03-208 addressing non-compliance with lease provisions including rent due to the Navajo Nation. The Branch of Real Estate Services researched and provided guidance on the Chinle Emergency Berm Project, researching encumbrances that could possibly affect the project. The Branch of Real Estate Services also continues to provide technical assistance to Office of Navajo and Hopi Indian Relocation by researching and providing copies of approved leases, as well as provide land status Chapter Grazing Officials for Lupton, Houck, Indian Wells for proposed homesite locations.

Real Estate Services - At the request of General Land Development Department, the Branch of Real Estate Services continues research for additional information on the Window Rock Administrative area for: Department of Justice; Economic/Community Development Unit; Tax and Finance Unit; Water Resource Litigation Unit; and the Window Rock Fair Grounds.

Real Estate Services - The Branch of Real Estate Services provided owner information and ROW options to Navajo Power regarding proposed access roads to the proposed Shepherder Solar One project located within Hogback Chapter, New Mexico. The Branch of Real Estate Services received the Utah Department of Transportation's proposed ROW for SR-162 Montezuma Cree to Aneth, Utah.

Real Estate Services – The Branch of Real Estate Services continues to support communities and clientele, by providing needed information relating to requested Title Status Reports for individual lenders and lot owners, to businesses conducting discovery for ROW, leases, joint use agreements, service line agreements, Tribal Broadband projects, maps, network information, land descriptions, researching for resolutions and leasing information.

**Fire Management** – The Branch of Fire Management, Fuels and Fire Use section submitted four (4) contracts for silvicultural prescriptions and biological survey's on planned prescribed burn units.

Fire Management – The Branch of Fire Management treated 20 acres with thinning, piling, and chipping operations in the Pinehaven, New Mexico community.

## Natural Resources -



The **Shiprock Agency** has established five (5) rangeland monitoring cages to help assess rangeland health and measure grazing pressure. Three (3) cages were set out in Aneth and two (2) in Sheep Springs. The goal is to set 25 range monitoring cages this fiscal year and on-site vegetation monitoring in the fall beginning in September 2024. Additionally, a horse round up was coordinated and conducted in Sheep Springs, New Mexico with the Navajo Nation Department of Agriculture, Equine Rescue crew and the local grazing official where 79 horses were humanely captured and transported to Window Rock, Arizona.

**Natural Resources** – The **Western Navajo Agency** Natural Resources completed and submitted to the BIA, Navajo Region, Branch of Environmental Management’s, National Environmental Policy Act Compliance Review program, a Determination of NEPA Adequacy for the Cameron Waterline Project. The request covers the proposed Cameron Water line project and proposed watering point facility in Cameron, Arizona. The proposed water line will begin in the Little Colorado River Valley and transverse a rugged sandstone outcrop landscape, in a general southwest direction, to a pipe-stand location just east of U.S. Highway 89. The construction of this project will be used to benefit the local community and their socioeconomic development needs with respect to livestock and range operations.

**Branch of Forestry** - In a letter dated January 11, 2024, the Navajo Nation was informed that under Public Law 93-638 Contract No. A23AV00367, Modification No. 3, Forestry Management Program, the contract amount was increased by \$208,151.36 using the FY2024, Continuing Resolution No. 2, Tribal Priority Allocation funds. These funds are obligated and available for draw down.

Branch of Forestry – Per the Navajo Nation’s Forestry Management Program’s Calendar Year 2023 Public Law 93-638 SOW, the Forestry Management Program would setup and propose for sale 4,000 acres of the 14,495 acres within the Oak Ridge Timber Sale area. This area was to be established as the next project as identified in the Navajo Nation’s current Forest Management Plan. The Forestry Management Program submitted an annual narrative report for Calendar Year 2023 that states there are incomplete cultural and biological clearances for the sale area. Silvicultural prescriptions are being developed and reviewed while preliminary field work is being completed.

**Eastern Navajo Agency – Natural Resources** - Coordination with the Navajo Sustainable Agriculture (NSA) and New Mexico State University (NMSU) College of Agriculture, Consumer, and Environmental Science (NMSU). On January 11, 2024, NR met with NSA/NMSU to discuss providing outreach to permittees on the 2025 Grazing Permit Renewal Project. On February 21, 2024, NR staff met with NSA and NMSU, to discussed conservation plan work and Webinars. On February 28, 2024, NR presented on the 2025 Grazing Permit Renewal Project via Zoom. On March 13, 2024, NR presented on the Livestock Grazing Environmental Assessment and Findings of No Significant Impact via Zoom. Both presentations were recorded and posted on NSA’s You

Tube Channel. On March 28, 2024, NR will present on the Bonding Requirement via Zoom. NR is doing research for information of companies who could provide bonding and insurance coverage for permittees as an alternate source.

1. NR coordinated with the Navajo Nation Department of Agriculture and the Eastern Agency Joint Land Board (EAJLB) to put on a work session on the 2025 Grazing Permit Renewal Project, January 30 to February 1, 2024, at the Fire Rock Casino, Church Rock, New Mexico. Presenters provided the procedures to address the issues and concerns impacting the rangeland resources; these included livestock trespass; animal control related to dogs running at large; unplanned, and uncontrolled development; rights-of-way and access for landowners and land users; water quality; protection of threatened and endangered species and archeological resources and mitigation measures; bark beetle infestation; and solid waste and illegal dumping. NR will schedule a meeting with the Board for their recommendations on how to address the issues with a written document.
2. NR attended the Eastern Agency Joint Land Board (EAJLB) meeting regarding resolution on the Memorandum of Understanding and to waive the 2020, 2021, and 2022 livestock inventory receipts. Navajo Nation representative stated the annual livestock inventory receipts is a federal requirement when receiving a grazing permit and that the Land Boards are responsible to do livestock inventories. Permittees are required to submit yearly livestock inventory receipts complying with grazing permit requirements. NR informed that permittees signed the Permittee Responsibility Agreement where they are required to provide an annual livestock inventory to the BIA. The requirement complies with 25 CFR §167.7. The EAJLB voted against waiving the annual livestock inventories. Regarding Board members attendance at meetings, the Plan of Operations states if three consecutive meetings are missed, then there is only for discussion purposes. On December 27, 2023, NR provided permittee list to the Board members. The Board requested the list to include livestock inventory receipts, conservation plans, and individual Indian allotment tracts. On February 28, 2024, NR provided technical assistance on the Board's recommendations to address challenges that include livestock trespass on trust lands, non-compliance to maintain grazing permit, low carrying capacity, and indiscriminate development or disturbance affecting rangelands. On March 11, 2024, the EAJLB continued the discussion and recommendations on the issues and concerns. The non-compliance may determine the length of period of the grazing permit renewal, e.g. temporary, 5-year, or 10-year.

## **STRATEGIC GOAL 4 - Serve and Honor the Public Trust**

**Branch of Acquisitions** staff continues to provide acquisition support the various BIA Navajo Region programs with their requirements for contracts which benefit the Navajo Nation.

**Branch of Property** - has been involved with the transfer of assets to the Navajo Nation. The United States Fish and Wildlife Service had some excess equipment and supplies which would benefit the Navajo Nation Department of Fish and Wildlife. Property was able to facilitate the transfer of excess equipment from the Navajo Indian Irrigation Project (NIIP) to the Navajo Agricultural Products Industry (NAPI). This included a trailer and ATV.

Property staff has been able to finalize the return of real property, known as the Gallup Helium Plant, to the respective owners, Gallup Land Partners. The site was remediated to remove the known hazardous contaminants and demolition of structures. The reversion of the property was officially signed off early this calendar year, to enable the owner the opportunity for other uses of the land. Property staff have been able to complete the Service Line Agreement (SLA) for a marquee sign at Ojo Encino Day School.

**Branch of Human Services** - In the First Quarter of Fiscal Year (FY) 2024, the Navajo Nation Division of Social Services sets its measure for Performance Measurement 1811 at 69%. This Performance assess the percentage of General Welfare Recipients who have fulfilled the goals outlines in their Self-Sufficiency Plans (ISP). This attainment also signifies that individuals are successfully reaching their self-set objectives and progressing positively. Notably, the Navajo Nation has consistently met its annual target goal of 69% for FY 2024 in this regard, as it aligns with promoting the well-being, equity, and justice of the tribal members.

1. The Navajo Regional Office remains committed to handing ICWA notices received from various sources, including state agencies, state courts, and legal representatives engaged by families. For the fifteen ICWA Notices received this quarter where tribes were not notified, our office ensured a response, guided them to the appropriate tribal contact information and the relevant region or state where the child is under protective custody. The remaining seventy ICWA Notices, the tribe was properly notified. Additionally, the ICWA information is integrated into a shared system utilized by BIA regions for efficient communication and collaboration. In adhering to ICWA, the protection and management of our cultural resource is preserved through our children in promoting their well-being and the sustainability of ICWA.
2. The Navajo Regional Office offers direct assistance to federally recognized tribal members residing within the Navajo Nation who possess Individual Indian Money accounts overseen by the region. The forty active accounts are currently supervised and managed by a proficient social worker well-versed in the federal regulations governing these account holders. Primarily intended for the welfare of the accountholder, these funds are utilized as supplementary resources, and thus sustainably balancing the use of resources while supporting communities and the economy. Accountholders are encouraged to explore alternative resources before

tapping into their IIM funds following an assessment conducted face-to-face in their home environment.

3. The Branch of Human Services for the Navajo Regional Office continues to remain accessible and available for Technical Assistance upon request from the Nation as we strive to serve and honor the public trust and the Nation. All requests for training are provided in accordance with the scope of work as contracted under Public Law 93-638. Our office continues to reach out to local, state, county, federal and tribal service providers, and coordinate resources benefiting tribal members and communities.
4. April is recognized as Child Abuse Prevention Month, and we encourage all individuals to take part in community events that raise awareness and support dedicated to safeguarding the well-being and protection of our children.

**Branch of Probate and Estate Services** – The Branch 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. Research is completed by contacting the family members of the decedent by means of home visits, searching the internet, telephone interviews, writing letters and office visits. The majority of family research work is in conjunction with the Navajo Nation Vital Records Office. BIA Navajo Region Probate and Estate Services staff also assist in Tribal Wills Clinics and outreaches at various Chapter Houses.

**Branch Real Estate Services** – The Branch Real Estate Services is meeting Royalty-In-Kind payments for the State of Utah. The Branch of Real Estate Services ensured Water Usage payments to the Navajo Nation from Chevron on Navajo Nation Lease No. 14-20-0603-8669. The Branch of Real Estate Services processed seven (7) Intra-Governmental Payment and Collection payments to AZ/NM/UT for BLM Cadastral Surveys. The Branch of Real Estate Services approved a 2nd request for extension of time of 90 days for Tucson Electric Power (TEP) to submit a new 345kV ROW application. The TEP needs additional time to negotiate with the various landowners for their consent and to complete the NEPA Compliances. This is to maintain, operate, repair, and replace existing power transmission lines on the Navajo Nation.

Real Estate Services - In collaboration with Navajo Region, the Agencies prepared a presentation for training on Homesite Leases (BIA managed leases) to the Navajo Land Department Homesite Section staff on March 29, 2024. The training on ROW crossing Indian Allotments was provided to NTUA ROW Manager.

**Eastern Navajo Agency – Natural Resources** - NR scheduled 22 public outreaches regarding the 2025 Grazing Permit Renewal Project at the Eastern Navajo Chapters Houses beginning April 16 to May 8, 2024. The workshop will include canceled grazing permits, non-compliance, low carrying capacity, Authority-to-Grant, Bonding requirement, conservation plan compliance-implementation, criteria to renew grazing permits.

1. As of March 18, 2024, 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 lands, New Mexico State lands, Public Land Order 2198, and US Government lands. NR, with the assistance of an auditor, is continuing to reconcile the amount deposited with receipts on



file and identifying amount collected for each land ownership. NR remains responsible to collect annual grazing rental for trust lands that are directly paid to the landowners through the Trust Assets Accounting Management system since 2021.

**Eastern Navajo Agency – Probate Estate Services** - PES staff submitted twenty cases and fifty-four cases were accepted by the Office of Hearings and Appeals (OHA), comprising of approximately \$1,954,856.51 in Individual Indian Monies accounts, 183 allotments, and 105 probable heirs. EPS staff have completed the disbursement in and closeout of 11 cases. Staff have also assisted approximately 608 clients in the office, in the field (home visits), in one-on-one sessions with the Federal Indian Minerals Office (FIMO), in one-on-one sessions with staff from nineteen of the thirty-one-chapter houses within Eastern Navajo Agency, on the phone, and through email. Staff keep 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.

1. PES services requested by clients include but are not limited to printing Individual Tribal Interest reports and 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. PES work activities support tribal self-determination, self-governance, and sovereignty by ensuring that the titles to Indian allotments are kept accurate and updated.