

**RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016**

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING AMENDMENTS TO THE PLAN OF OPERATION FOR THE NAVAJO NATION DIVISION OF NATURAL RESOURCES ADMINISTRATION, DEPARTMENT OF NAVAJO ABANDONED MINE LANDS RECLAMATION AND URANIUM MILL TAILINGS REMEDIAL ACTION, DEPARTMENT OF AGRICULTURE, DEPARTMENT OF FISH AND WILDLIFE, FORESTRY DEPARTMENT, NATURAL HERITAGE AND HISTORIC PRESERVATION, LAND DEPARTMENT, MINERALS DEPARTMENT, PARKS AND RECREATION DEPARTMENT, DEPARTMENT OF RESOURCE ENFORCEMENT, AND, THE DEPARTMENT OF WATER RESOURCES

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee (RDC) is established as a standing committee of the Navajo Nation Council with oversight committee for the Division of Natural Resources. 2 N.N.C. § 500(A); 2 N.N.C. § 501(C)(1).

B. The Resources and Development Committee is empowered to grant final approval for Plans of Operation for the Division of Natural Resources. 2 N.N.C. § 501(B)(2)(g).

SECTION TWO. FINDINGS

A. The Executive Director of the Navajo Nation Division of Natural Resources (DNR) has submitted proposed amended plans of operation for all of its departments with the exception of the Navajo Nation Museum plan of operation which was recently amended. See, Memorandum of Executive Director dated August 23, 2016 attached as Exhibit A.

B. The Executive Director has submitted to significant changes to the DNR departmental structure. The first is the merger of the Historic Preservation Department and the Archaeology Department to create the Heritage and Historic Preservation Department and, second, the creation of the General Land Development Department which will be presented to the Resources

and Development Committee in a separate legislation. With these proposed changes there will be thirteen departments within the Division of Natural Resources.

C. The Executive Director's proposed amendments to the Department of Agriculture and the Navajo Land Department will clarify the Department of Agriculture's role in working with the District Grazing Officials, the Land Board Members, and the Farm Board Members and to modernize the management of the Navajo Land Department through the Navajo Land Title Database.

D. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Administration is attached as Exhibit C.

E. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Navajo Abandoned Mine Lands Reclamation and Uranium Mill Tailings Remedial Action is attached as Exhibit D.

F. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Forestry Department is attached as Exhibit E.

G. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Natural Heritage and Historic Preservation is attached as Exhibit F.

H. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Land Department is attached as Exhibit G.

I. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Minerals Department is attached as Exhibit H.

J. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Parks and Recreation Department is attached as Exhibit I.

K. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Resource Enforcement is attached as Exhibit J.

L. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Water Resources is attached as Exhibit K.

M. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Fish and Wildlife is attached as Exhibit L.

N. The proposed amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Agriculture is attached as Exhibit M.

SECTION THREE. APPROVING AMENDMENTS TO THE PLANS OF OPERATION FOR DEPARTMENTS WITHIN THE NAVAJO NATION DIVISION OF NATURAL RESOURCES

A. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Administration is attached as Exhibit C.

B. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Navajo Abandoned Mine Lands Reclamation and Uranium Mill Tailings Remedial Action is attached as Exhibit D.

C. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Forestry Department is attached as Exhibit E.

D. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Natural Heritage and Historic Preservation is attached as Exhibit F.

E. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Land Department is attached as Exhibit G.

F. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Minerals Department is attached as Exhibit H.

G. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Parks and Recreation Department is attached as Exhibit I.

H. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Resource Enforcement is attached as Exhibit J.

I. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Water Resources is attached as Exhibit K.

J. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Fish and Wildlife is attached as Exhibit L.

K. The Navajo Nation hereby approves the amended Plan of Operation for the Navajo Nation Division of Natural Resources Department of Agriculture is attached as Exhibit M.

CERTIFICATION

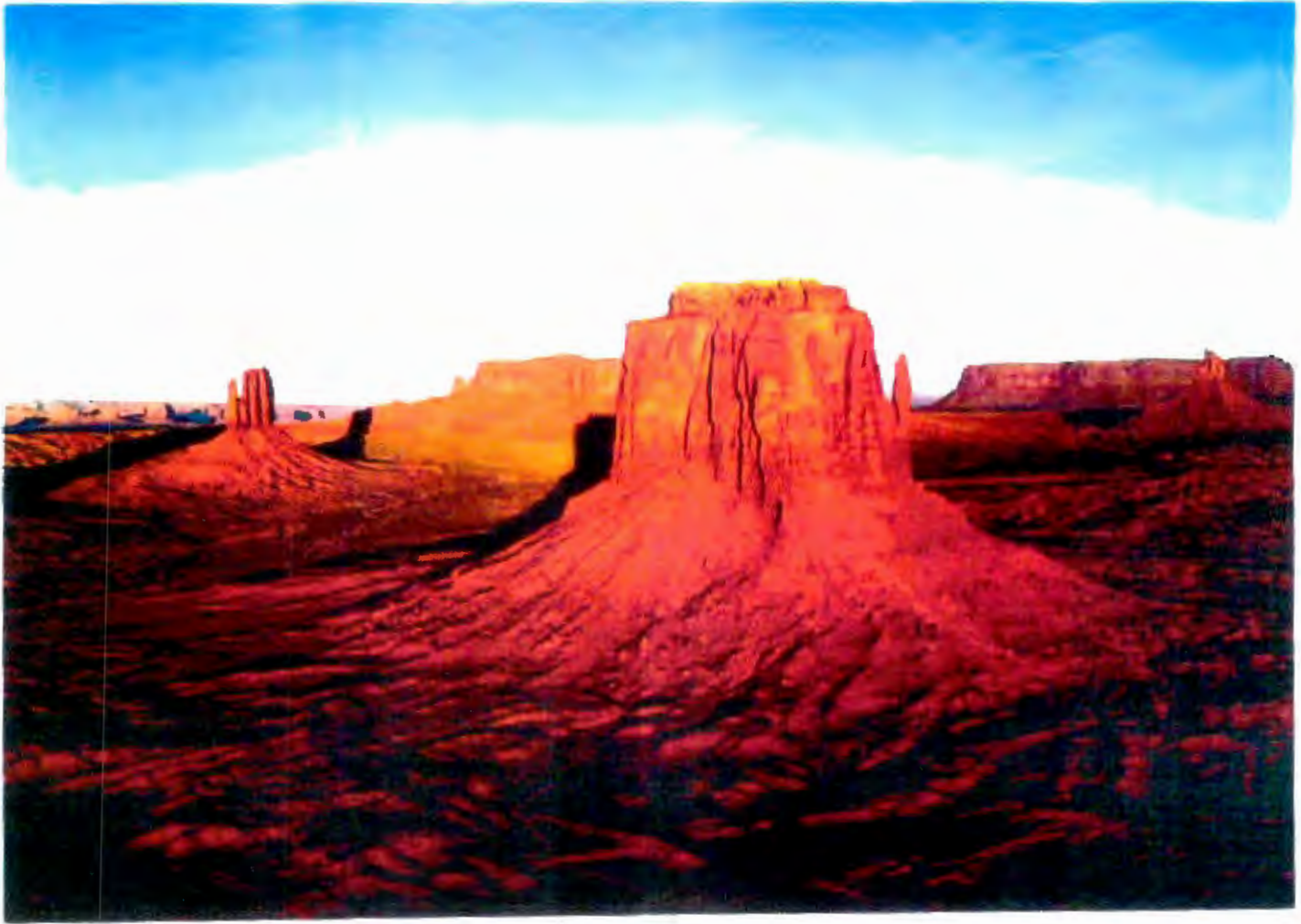
I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Department of Transportation, (Navajo Nation) Tse Bonito, New Mexico, at which quorum was present and that same was passed by a vote of 5 in favor, 0 opposed, 1 abstained this 25th day of October, 2016.



**Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council**

**Motion: Honorable Davis Filfred
Second: Honorable Leonard Pete**

DIVISION OF NATURAL RESOURCES



PLAN OF OPERATIONS

Document No. 005992Date Issued: 05/17/2016

JUL 2 2016

SECTION 164 REVIEW FORMTitle of Document: Rev. Plans of Oper. for all DNR Depts. Contact Name: BECKER, BIDTAH NELLIEProgram/Division: DIVISION OF NATURAL RESOURCESEmail: bidtahnbecker@navajo-nsn.gov Phone Number: 928-871-6592Division Director Approval for 164A: Bidtah Becker see memo dated 6/3/2016

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days except Business Regulatory Department which has 2 days to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input checked="" type="checkbox"/>	Statement of Policy or Positive Law:			Sufficient	Insufficient
	1. OAG:	<u>[Signature]</u>	Date: <u>7/17/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)				
	1. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
06-03-16 4:20 pm
DATE / TIME
7 Day Deadline
DOC #: 005992
SAS #:
UNIT: NRH

☐ RESUBMITTAL

*** FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 6/3/2016 ENTITY/DIVISION: DNR
CONTACT NAME: Bidtah N Becker DEPARTMENT: DNR
PHONE NUMBER: 6592 E-MAIL: bidtah.becker@navajo-nsn.gov

TITLE OF DOCUMENT: Plans of Operation Doc # 5992

Call Bidtah if you have any questions.

DOJ SECRETARY TO COMPLETE



DATE / TIME IN UNIT:

06/06/16
8:30 a.m.

REVIEWING ATTORNEY/ADVOCATE:

Sage Garland
Allison Parks
06/11/16

DATE / TIME OUT OF UNIT: 7-28-16 @ 3:30pm

DOJ ATTORNEY/ADVOCATE COMMENTS

Plans of operation were reviewed by Allison Parks, Sage Garland and Veronica Blackhat. Plans were reviewed and edits made. Legally sufficient.

REVIEWED BY: (PRINT)

DATE / TIME

SURNAMED BY: (PRINT)

DATE / TIME

Veronica Blackhat 7/27/16 2:28pm

DOJ Secretary Called: Mallory Jones for Document Pick Up on 7-28-16 at 3:15, By: B

PICKED UP BY: (PRINT)

DATE / TIME:

NNDJ/DRAP-July 2013

COMPLETED




THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ



MEMORANDUM

TO: Alton Shepherd, Chairman
Resources and Development Committee
Navajo Nation Council

FR: 
Bidtah N. Becker, Executive Director
Division of Natural Resources

DT: August 23, 2016

RE: Revised Plans of Operation for Division of Natural Resources (DNR) and DNR Departments

I am pleased to submit revised plans of all operation for the DNR Administration and all the departments within DNR with the exception of the Museum. The Museum's plan of operation was recently revised and upon review it was determined that no revisions were necessary. The Museum's is included in the attached binder so that the Committee may review it.

There are two significant changes to the DNR departmental structure reflected in the updated plans of operation: (1) the merger of the Historic Preservation Department and the Archeology Department to create the Heritage and Historic Preservation Department and (2) the creation of the General Land Development Department. Accordingly, there will be the following thirteen Departments within the Division of Natural Resources:

1. Administration, also known as the Division of Natural Resources
2. Agriculture
3. Abandoned Mine Lands (AML) / Uranium Mill Tailings Remediation Act (UMTRA)
4. Fish and Wildlife Department
5. Forestry Department
6. General Land Development Department
7. Heritage and Historic Preservation Department
8. Minerals Department
9. Museum
10. Navajo Land Department
11. Navajo Parks and Recreation Department
12. Resources Enforcement
13. Water Resources Department

Finally, there is significant additional language added to the plans of operation for the Department of Agriculture and the Navajo Land Department. The goal of the additional language is to clarify the Department of Agriculture's role in working with the District Grazing Officials, the Land Board Members, and the Farm Board Members and to modernize the management of the Navajo Land Department through such means as the Navajo Land Title Database.

Please contact me if with any questions or concerns at bidtahnbecker@navajo-nsn.gov.



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ



MEMORANDUM

TO: 164 Reviewers

FR:

Bidtah N. Becker, Executive Director
Division of Natural Resources

DT: June 3, 2016

RE: Doc. 5992: DNR and DNR Departments Plans of Operation

I am pleased to submit 164 Review Document 5992 which is a package of updated plans of operation for the Division of Natural Resources (DNR) and the all the departments within the Division.

There are two significant changes to the DNR departmental structure reflected in the updated plans of operation: (1) the merger of the Historic Preservation Department and the Archeology Department to create the Heritage and Historic Preservation Department and (2) the creation of the General Land Development Department. Accordingly, there will be the following thirteen Departments within the Division of Natural Resources:

1. Administration, also known as the Division of Natural Resources
2. Agriculture
3. AML / UMTRA
4. Fish and Wildlife Department
5. Forestry Department
6. General Land Development Department
7. Heritage and Historic Preservation Department
8. Minerals Department
9. Museum
10. Navajo Land Department
11. Navajo Parks and Recreation Department
12. Resources Enforcement
13. Water Resources Department

Please note that there are two plans of operation for the General Land Development Department (GLDD). One is labeled "One Stop Shop" and the other is labeled "GLO/PRO." The "One Stop Shop" plan of operation envisions a GLDD where all land access documents, including business site leases, are processed and environmental and cultural compliance permits are also leased. The "GLO/PRO" plan of operation envisions a GLDD that process land access documents only. The reason there are two plans of operation is that the budgets for the "One Stop Shop" and the "GLO/PRO" differ, with the "One Stop Shop" requiring more funding than

Division of Natural Resources

P.O. Box 9000, Window Rock, AZ 86515

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the "GLO/PRO." DNR requests that the policy makers determine which plan of operation is the appropriate plan of operation to adopt at this time.

Finally, there is significant additional language added to the plans of operation for the Department of Agriculture and the Navajo Land Department. The goal of the additional language is to clarify the Department of Agriculture's role in working with the District Grazing Officials, the Land Board Members, and the Farm Board Members and to modernize the management of the Navajo Land Department through such means as the Navajo Land Title Database.

Please contact me if with any questions or concerns at bidtahnbekker@navajo-nsn.gov.

MASTER
PLAN OF OPERATION
OF THE
DIVISION OF NATURAL RESOURCES

Exhibit C

I. ESTABLISHMENT

~~There is hereby established the~~ Division of Natural Resources ~~is hereby established~~ within the Executive Branch of the Navajo Nation Government.

II. PURPOSES

- A. To provide for the protection restoration, conservation, management and sustainable development of Navajo natural resources, under the guidance and direction of the people of the Navajo Nation, ~~and~~ of the Navajo Nation Council ~~and of the President and Vice President.~~
- B. To ensure that the highest quality of natural resources are available for the enjoyment and use of present and future generations of Navajo people.
- C. To ~~assume Navajo Leadership in the~~ comprehensive ~~multiple use management~~ the multiple uses of Navajo natural resources and ~~to the~~ preservation the Nation's ~~of~~ cultural resources.
- D. To coordinate with appropriate ~~Divisions and~~ Department the development recommendation and implementation of rules and regulations governing effective and efficient resource management, preservation of cultural resources and restoration of damaged resources.
- E. To ensure the employment of professional staff by ~~the~~ Department directors to integrate resource planning and management efforts with the ~~the~~ Departments within the ~~the~~ Division.
- F. To solicit Navajo public input and participation in the development of regulation for the ~~integrated and~~ efficient management and administration of natural resources.
- G. To ensure the most judicious, ~~sustainable~~ and profitable use and development of Navajo resources to provide for the needs of the Navajo people and those of future generations.
- H. To provide for the accommodation of visitors to the Navajo Nation with quality services and facilities that are under the authority of the Division of Natural Resources.

III. PERSONNEL AND ORGANIZATION

A. Personnel

1. The Division of Natural Resources shall be administered by an Executive Director, who shall be appointed by the President of the Navajo Nation, and confirmed by the Navajo Nation Council
2. All personnel within the Division other than the Executive Director shall be subject to the Personnel Policies and Procedures of the Navajo Nation and such positions as are budgeted and approved ~~by the Navajo Nation Council.~~

B. Organization

1. The Division of Natural Resources shall comprise of such programs and administrative components as may be deemed necessary subject to legislative review and approval of the department's and/or program's Plans of Operation.
2. The Division of Natural Resources shall consist of the following ~~41~~ departments:
 - a. Navajo Land Department
 - b. Fish and Wildlife Department
 - c. Minerals Department
 - d. Forestry Department
 - e. ~~Department of Resource~~ Enforcement ~~Department~~
 - f. ~~Water Development Department~~ ~~Department of Water Resources~~
 - g. Navajo AML Reclamation Department/UMTRA
 - h. ~~Navajo~~ Parks and Recreation Department
 - i. ~~Navajo Nation Heritage~~ and Historic Preservation Department
 - k. ~~Water Resources Management~~ ~~Navajo Nation Museum~~
 - l. ~~Department of Agriculture~~ ~~Department~~
 - m. ~~Archaeology~~ ~~Department~~ Administration
 - n. Project Review ~~Department~~
3. The organizational structure of the Division of Natural Resources is shown on the attached chart. Figure 1, and incorporated herein.
4. Each ~~office and 41~~ department within the Division of Natural Resources consist of Programs ~~or~~ and Sections ~~or~~ Branch as established and authorized by their respective Plans of Operation.

IV. AUTHORITY, RESPONSIBILITIES AND DUTIES

The Executive Director, Division of Natural Resources is hereby authorized to:

- A. Be responsible for the efficient management ~~enforcement~~ and administration of the Division of Natural Resources;
- B. Coordinate with Departments ~~and Programs~~ of the Division the administrative, financial and operating policies for the Division;
- C. Supervise ~~D~~epartment directors within the Division of Natural Resources and delegate ~~staff authority~~ as necessary;
- D. Implement rules and regulations ~~and interdisciplinary resource teams to protect restore, conserve, manage and ensure sustainable development and governing the optimum utilization of the Nation's natural resources and cultural resource through integrated resource management of the Navajo Nation;~~
- E. Represent the Navajo Nation government within the area of responsibility and authority of the Division of Natural Resources' dealings and relations with all persons and organizations outside the Navajo Nation government, including ~~consultation with those persons and organizations and~~ coordination with other Indian tribes for improvement of resource management on Indian Lands by working with congress and federal agencies;
- F. ~~Delegate authority to staff as necessary;~~ Provide technical assistance to all persons and organizations as appropriate and educate all persons and organizations as appropriate;
- G. Set priorities and participate in overall department and program budget planning process;
- H. Coordinate the establishment of ~~receiving accounts~~ enterprise funds with the appropriate ~~d~~epartment and ~~p~~rograms and to coordinate with ~~d~~epartment directors for departments' effectiveness and progress in accordance with approved operating budget;
- I. Serve as a catalyst in initiating and coordinating comprehensive land use planning on Navajo lands by working with the ~~d~~ivisions and ~~d~~epartments of the Executive Branch and the standing committees of the Navajo Nation Council;
- J. ~~Carry out comprehensive resource planning, which integrates department level planning resources inventories, alternatives for use, and environmental reviews in order to develop an overall resources management plan.~~
- K. — Develop regulations and policies governing approval or review potential impact to the Nation's natural and cultural resources and of authorized permits, contracts, or leases, ~~which have an impact on management of~~ for the use of the

Nation's natural resources ~~such as including but not limited to road and utility rights-of-way, housing, forest product use and development timber harvest siting for industrial and commercial development, water development and distribution, grazing and mineral development, surface mining regulation and reclamation, environmental protection projects, and water usage, water quality and water supply;~~

KL. Represent the Division at executive level planning session and other meetings as required.

LM. Oversee the enforcement of ~~tribal~~ Navajo Nation and federal rules and regulations, and laws pertaining to the protection of natural resources; and

MN. Develop and implement regulation governing the issuance of ~~temporary~~ cease and desist orders prohibiting any threatened or continuing activity that may present an imminent and substantial harm to natural resources.

V. LEGISLATIVE OVERSIGHT

A. Pursuant to 2 N.F.N.C. § ~~01(C)(1) and~~ et. seq., the Resources and Development Committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources

B. Pursuant to 2 N.F.N.C. § ~~01(B)(1) and~~ (b) the Resources and Development Committee may delegate certain authorities to the Executive Director of the Division of Natural Resources, which shall include administrative rules and regulations and enforcement for the ~~efficient~~ optimized management of the Nation's natural resources and the efficient administration of the Division of Natural Resources.

VI. AMENDMENTS

This Master Plan of Operation may be amended by the ~~Government Services Committee~~ Resources and Development Committee of the Navajo Nation Council upon the recommendation of the Executive Director, Division of Natural Resources and approval by the ~~Resources Committee of the Navajo Nation Council.~~

PLAN OF OPERATION
NAVAJO ABANDONED MINE LANDS RECLAMATION DEPARTMENT

I. ESTABLISHMENT

I.

~~There is hereby established the Navajo Abandoned Mine Lands Reclamation (AMLR) Department within the Navajo Division of Natural Resources. The Navajo Abandoned Mine Lands Reclamation (AMLR) Department is hereby established as a department of the Navajo Nation Division of Natural Resources within the Executive branch of the Navajo Nation Government.~~

II. PURPOSE

To provide and conduct AML reclamation of past Coal and Non-Coal abandoned mines and to mitigate the adverse impact of past mining activities on land within the jurisdiction of the Navajo Nation, pursuant to Public Law 95-87, "Surface Mining Control and Reclamation Act" (SMCRA) of 1977 and ~~as amended~~

III. Personnel

There is established within the Navajo ~~Abandoned Mine Lands Reclamation~~ AMLR Department and the position of ~~Director Department Manager III~~ and such other positions are approved through the budget and abandoned mine lands grant application process. All personnel shall be hired and managed pursuant to the Personnel Policies Manual of the Navajo Nation.

IV. AUTHORITY, DUTY, AND RESPONSIBILITIES

The ~~Director Department Manager III of the Department of the Navajo Abandoned Mine Lands Reclamation~~ AMLR Department has the following authority ~~to~~ and responsibility ~~for~~:

1. Be responsible for efficient management and administration of the ~~Navajo Abandoned Mine Lands Reclamation~~ AMLR Department;
2. Set direction and priorities in overall department planning; including the development and

implementation of department policies, goals and objectives;

Plan of Operation

Navajo ~~AML~~R ~~Reclamation~~ Department

Page 2

3. Recruit and hire all personnel in accordance with the Navajo Nation Personnel Policies Manual;
4. Represent the department at executive level planning and accomplish all programming and budgeting requirements;
5. Enforce the policies and procedures set forth in Titles I, II and IV of the Navajo Abandoned Mine Lands Reclamation Code of 1987;
6. Developed, recommend and enforce appropriate tribal policies, laws, regulations and rules within the areas of responsibility;
7. Recommend expenditures from department accounts to accomplish program goals and objectives;
8. Administer and insure accountability of the Tribe's Abandoned Mine Lands Reclamation Department (AMLR) Funds;
9. Develop and implement the Navajo Reclamation Plan and update the Plan as necessary;
10. Decentralize the authority and responsibility to the Agency offices, with the establishment of the Coal, Non-Coal, and Public Facility Projects Program, Shiprock AML Field Office and Tuba City AML Field Office;
11. Establish and maintain liaison with appropriate federal, state and tribal, and local agencies, offices and individuals within the areas of responsibility;
12. Address abandoned uranium mines (AUM) through coordination and communication with respective Navajo Nation programs and federal agencies.

V. LEGISLATIVE OVERSIGHT

A. Pursuant to 2 ~~N.T.C. § 691~~, ~~et seq.~~ N.N.C. § 501(C), the Resources and Development Committee of the Navajo Nation

Plan of Operation

Navajo AML_R ~~Reclamation~~ Department

Page 3

Council is the oversight committee for the Division of Natural Resources.

B. Pursuant to 2 ~~N.T.C. § 695 (b)~~ N.N.C. § 501 (B) (11), the Resource and Development Committee may delegate certain authorities to the ~~Director~~ Department Manager III of the Navajo ~~Abandoned Mine Lands Reclamation~~ AML_R Department, which shall include administrative rules and regulations and enforcement for the efficient management and administration of the Navajo ~~Abandoned Mine Lands Reclamation~~ AML_R Department.

VI. AMENDMENT

This Plan of Operation may be amended by the ~~Government Services Committee~~ upon the recommendation of the Resources and Development Committee of the Navajo Nation Council.

URANIUM MILL TAILINGS REMEDIAL ACTION (UMTRA)
NAVAJO UMTRA PROGRAM
PLAN OF OPERATION

I. Establishment

~~There is hereby established the Navajo Uranium Mill Tailings Remedial Action (UMTRA) Program under the Abandoned Mine Lands Reclamation (AMLR) Department within the Division of Natural Resources. The Navajo Uranium Mill Tailings Remedial Action Program is hereby established as a program of the Navajo Nation Division of Natural Resources within the executive branch of the Navajo Nation Government.~~

II. Purpose

Pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, Public Law 95-604, the U.S. Department of Energy (U.S. DOE) has been designated to undertake remedial action at 24 U.S. UMTRA sites located throughout the United States; ~~F~~ four of such sites are located within the Navajo Reservation. The U.S DOE has requested the services of the Navajo Nation in the review and management of the planning, development, and the remedial action of the four designated processing sites. The objective of the Navajo UMTRA Program is to assist the U.S. DOE in completing remedial action necessary on the Navajo Nation.

III. Personnel

There is hereby established ~~in~~ the position of the ~~Program Director-Department Manager III~~ of the Navajo UMTRA Program and such other positions as may be budgeted by the Navajo Nation Council.

All personnel shall be hired and compensated pursuant to the Navajo Nation Personnel Policies Manual.

IV. Duty and Responsibility

The ~~Program Director-Department Manager III~~ of the Navajo UMTRA Program is hereby authorized and directed to:

1. Report ~~and be responsible~~ to the ~~Abandoned Mine Lands Reclamation AMLR~~ Department ~~Director~~ ~~Department Manager III~~ of the Division of ~~the~~ Natural Resources ~~and be responsible~~ for the purposes and objectives of the "Tribal Site Representative" to the U.S. UMTRA Project;
2. Plan and execute the activities related to overseeing the stability and control of the uranium mill tailings, and other radioactive materials associated with the processing sites, in a safe and environmentally sound manner, pursuant to all applicable federal and Navajo Nation law;
2.
3. Develop and review remedial action plans and mill site design documents;
4. Develop site characterization, and ~~in the gathering of~~ environmental baseline data in connection with the mill site or any candidate depository sites;
5. Coordinate and conduct hearings in connection with the National Environmental Policy Act;
6. Monitor quality assurance and other in process monitoring of remedial actions for purposes of quality assurance;
7. Conduct ~~final~~ inspections of remedial actions for the purpose of noting compliance or non-compliance with applicable ~~U.S. Environmental Protection Agency standards~~ federal and Navajo Nation standards;
8. Perform periodic safety inspections of remedial actions and immediately identify any perceived safety violations;
9. Conduct public participation activities including, but not limited to making arrangements for meetings and hearings, written and oral presentations to local task forces, and assuring overall compliance with applicable Tribal Public Notice requirements;
10. Develop inclusion of candidate vicinity properties;

11. Develop and review Vicinity Property Radiological and Engineering Assessment (REA's);

12. Review and provide input relative to the hydrology efforts with the Groundwater Program; and

13. Perform such other remedial action activities including but not limited to, technical and management support in connection with remedial action planning activities.

V. Legislative Oversight

1. Pursuant to 2 ~~N.T.C. § 691, et seq.~~ N.N.C. § 501 (C), the Resource and Development Committee of the Navajo Nation Council is the oversight Committee for the Division of Natural Resources.

2. Pursuant to 2 ~~N.T.C. § 695 (b)~~ N.N.C. § 501 (B) (11), the Resources and Development Committee may delegate certain authorities to the ~~Director~~ Department Manager III of the ~~Abandoned Mine Lands Reclamation~~ AMLR Department, which shall include administrative rules and regulations and enforcement for the efficient management and administration of the Navajo ~~Uranium Mill Tailings Remedial Action~~ UMTRA Program.

VI. Amendments

This plan of operation may be amended by ~~the Government of the Navajo Nation Council upon the recommendation of~~ the Resource and Development Committee of the Navajo Nation Council.

NAVAJO FORESTRY DEPARTMENT

Plan of Operation

I. NAVAJO FORESTRY DEPARTMENT - ESTABLISHMENT

~~There is hereby established the Navajo Forestry Department ("the Department") within the Division of Natural Resources.~~

The Navajo Forestry Department is hereby established as a department of the Navajo Nation Division of Natural Resources within the executive branch of the Navajo Nation government.

II. PURPOSE

~~(a) The purpose of the Department is to plan, implement, coordinate, integrate, manage, and otherwise be responsible for all Forestry Navajo Nation programs designed to administer, develop, utilize, conserve, protect and regenerate the forest resources of the Navajo Nation; with a view to allow developmenting or a product mixture, while which maximizes the return on investment, and balancing in such a way as to complement the traditional and cultural diversified forest resource and forest values of the Navajo people, within the environmental constraints of sound multiple-use management principles.~~

(ab) The Navajo Forestry Department is authorized to enforce, develop and recommend policies, rules, regulations, and management plans governing the multiple-use and sustained yield management of the Navajo Nation forest and woodlands in the best interests of the Navajo Nation.

~~(b) The purpose of the Department is to plan, implement, coordinate, integrate, manage, and otherwise be responsible for all Navajo Nation programs designed to administer, develop, utilize, conserve, protect and regenerate the forest resources of the Navajo Nation with a view to developing a product mixture which maximizes the return on investment in such a way as to complement the traditional and cultural diversified forest resource and forest values of the Navajo people, within the environmental constraints of sound multiple-use management principles.~~

III. PERSONNEL AND ORGANIZATION

(1). PERSONNEL

(a) There is ~~hereby~~ established the position of Forest Manager ~~within to oversee~~ the Navajo Forestry Department. This and such other positions ~~as~~ may from time to time be budgeted by the Navajo Nation Council or such other authority as might be acceptable to the President of the Navajo Nation.

(b) The Forest Manager may increase or reduce ~~recommend additional~~ professional, technical, ~~and~~ clerical, and laborer positions ~~as~~ needed, to carry out the organizational purpose(s) as stated herein. ~~These Additional~~ positions shall be created in accordance with applicable Personnel Policy and Procedures and within applicable budget rules established during ~~for conducting~~ the annual

Navajo Nation budget process.

(c) All personnel ~~shall be~~ hired ~~shall be~~ and compensated pursuant to applicable Navajo Nation Personnel Policies and Procedures.

(2) ORGANIZATION

An ~~the~~ Organizational Chart of the Navajo Forestry Department is displayed at Figure 1, attached hereto and incorporated herein by this reference.

IV. AUTHORITY, DUTIES, AND RESPONSIBILITIES

The Forest Manager, Navajo Forestry Department, is hereby authorized and directed to:

~~(51) Represent the Department at executive level planning and accomplish all necessary programming and budgeting for the Department;~~

(2) Prepare and execute programs and budgets for the Forestry Department;

(3) Represent the Navajo Nation Government with agencies, activities and organizations within and outside the Navajo Nation Government on matters relating to the forest and woodlands;

~~(14)~~ Be responsible for the efficient management and administration of the Navajo Forestry Department and programs;

~~(25)~~ Formulate overall administration and operations policies and procedures ~~necessary~~ for ~~efficient management of~~ the Department and to take ~~such~~ action as needed ~~deemed necessary~~ for accomplishing ~~ment of~~ stated and authorized objectives including consultation with various agencies of the Federal government, including the BIA;

~~(6)~~ ~~Supervise all assigned personnel, direct the activity of the Department and delegate authority as necessary, and oversee supervision of all assigned personnel;~~

(47) Approve ~~and recommended~~ approved applicants for hiring ~~into of~~ all professional positions and ensure ~~make~~ all hiring selections for all other Department positions is ~~are~~ consistent with the Navajo Nation Personnel Policies and Procedures;

~~(5) Represent the Department at executive level planning and accomplish all necessary programming and budgeting for the Department;~~
(6) ~~Develop and recommend policies, rules and regulations, and management plans relating to the management of forest resources;~~

~~(78)~~ Implement, supervise and evaluate forestry plans and programs ~~derived from and consistent with such policies, rules and regulations and plans;~~

(89) Plan and conduct general and special studies, surveys, and inventories as necessary ~~directed and/or needed;~~

(910) Develop and update ~~the~~ forest and woodland management plans for the development, protection, utilization and maximum integration of forest and woodland resources;

~~(1011) Promote cooperation and the team approach to integrate the forest and woodland management plans and programs with other natural resources plans and programs to promote cooperation and the team approach to problem solving, policy and decision making, planning and programming;~~

~~(11) Plan and execute programs for the coordination, establishment, control, use, and retirement of road systems within the forest areas;~~

(1212) Coordinate activities with federal, state, Navajo Nation and local government agencies and/or officials, industry representatives and local residents for maximum accomplishment in areas of responsibility and to encourage employment and training of Navajos in forest related work;

~~(13)~~ (13) Participate in land use planning;

(1414) Prepare Navajo Nation permits, leaflets, and related information aimed at promoting economic return and public education. Actively seek public participation in forest management ~~plannings and programs;~~

~~(1515)~~ Protect the Navajo Forest by overseeing the Navajo Nation's interest in:

- (a) Prevention and suppression of wild fire;
- (b) Prevention and correction of erosion problems;
- (c) Enforcement of Navajo Nation and applicable Federal laws and regulations enacted to protect the forest environment and resources;
- (d) Preventing, detecting, and controlling outbreaks or epidemics of destructive insects and diseases;
- (e) Maintaining contacts with forest users to ensure compliance with regulations and contractual requirements and to ensure understanding of policies applicable to the management of forest resources;

~~(16) Prepare and execute programs and budgets for the Forestry Department and participate in the review thereof;~~

~~(1716)~~ Represent the Department in negotiations for development and utilization of forest, resources, and the charges, fees, rules and procedures attendant thereto;

~~(1817)~~ Monitor the assessment of charges and fees with a view toward maximum revenues for the Navajo Nation;

~~(19) Represent the Navajo Nation Government with agencies, activities and organizations within and outside the Navajo Nation Government matters relating to the forest;~~

(20) (18) Develop plans toward the objectives of the Navajo Nation having sole and

complete authority over forest resources and forest management.

V. LEGISLATIVE OVERSIGHT

(a) Pursuant to 2 N.N.C. ~~§501(C)Section-695(b)-(14)~~, the Resources and Development Committee of the Navajo Nation Council serves as the oversight committee for the Division of Natural Resources, which includes the Navajo Forestry Department.

(b) Pursuant to 2 N.N.C. ~~§501(B)(11)Section-695(b)~~, the Resources and Development Committee of the Navajo Nation Council may delegate certain authorities to the Forest Manager of Navajo Forestry Department, which may include administrative rules and regulations and enforcement for the efficient and administration of the Navajo Forestry Department and pursuant to its plan of operation.

VI. AMENDMENTS

This plan of operation may be amended from time to time by the Resources and Development Committee ~~Government Services Committee~~ of the Navajo Nation Council, ~~upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

PROPOSED PLAN OF OPERATION FOR THE NAVAJO NATION HERITAGE AND HISTORIC PRESERVATION DEPARTMENT

**INCLUDES STRIKETHROUGH VERSIONS OF NNADs
PLAN OF OPERATION (GSCAU-59-94)**

Abstract

The merger of Navajo Nation Historic Preservation Department and Navajo Nation Archaeology Department is proposed in the attached Plan of Operation for the Navajo Nation Heritage and Historic Preservation Department, within the Division of Natural Resources of the Executive Branch of the Navajo Nation Government. The functions as proposed are a combination of both HPDs and NNADs functions under the Navajo Nation Cultural Resources Protection Act (CMY-19-88) and an update of those parts of the Plans of Operations that were obsolete under Navajo Nation policies and procedures.

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Plan of Operation for
Navajo Nation Archaeology Department
(Resolution No. GSCAU-59-94)

PLAN OF OPERATION

Navajo Nation Archaeology Department

I. ~~ESTABLISHMENT~~

~~There is hereby established a Navajo Nation Archaeology Department within the Division of Natural Resources within the Executive Branch of the Navajo Nation Government.~~

II. ~~PURPOSE~~

~~The Navajo Nation Archaeology Department, is established to provide cultural resource services to the Navajo Nation, its Divisions, Departments, Authorities, and other instrumentalities. Because of the accelerated development of energy resources, roads, utility lines, home sites, and other improvements, the Department has the responsibility to establish and maintain the capability to carry out archaeological, historical, and cultural evaluations prior to construction activities. The Department will conduct archaeological and ethnographic surveys, archaeological monitoring, and excavations in order to effectively maintain a schedule compatible with construction requirements.~~

III. ~~PERSONNEL~~

- ~~1) There are hereby established the position of Director, Navajo Nation Archaeology Department, and such other positions as may, from time to time, be budgeted by the Navajo Nation Council. The Navajo Nation Archaeology Department shall be administered by the Department Director.~~
- ~~2) All personnel within the Department, including the Director, shall be subject to the Personnel Policies and Procedures of the Navajo Nation, including such positions as are budgeted and approved by the Navajo Nation Council in the Navajo Nation Archaeological Department's Fiscal Year Operating Budget.~~
- ~~3) The organizational structure of the Navajo Nation Archaeology Department is shown on the attached chart and incorporated herein as Figure 1.~~

IV. ~~AUTHORITY, DUTIES, AND RESPONSIBILITIES~~

~~The Director, Navajo Nation Archaeology Department, is hereby authorized and directed to:~~

- ~~1) Be responsible for the efficient management and administration of the Navajo Nation Archaeology Department.~~

- 2) ~~Formulate overall administrative and operating policies pertaining to the Department; establish a fee for department services and take such other action as deemed necessary for accomplishment of department functions.~~
- 3) ~~Supervise department personnel and delegate authority, as necessary.~~
- 4) ~~Represent the Department at executive level planning sessions.~~
- 5) ~~To be responsible for the development and maintenance of a continuing education program which meets the need to develop Navajo technical staff to carry out the Department purpose. This training includes, but is not limited to, survey, excavation and cultural resource management.~~
- 6) ~~Seek Federal and other available funds and technical assistance in further development and research of cultural resources and for the Department's training program to develop Navajo professional staff in cultural resource management.~~
- 7) ~~Develop and implement an overall plan for the recording and protection of cultural resources which is integrated into the general management plan for the Division of Natural Resources.~~
- 8) ~~Provide archaeological services orientation function of all cultural resource management, historic preservation, and research aspects of the Department.~~
- 9) ~~Enforce Federal and Tribal laws enacted to protect and preserve the cultural resources of the Navajo Nation.~~
- 10) ~~Establish and implement annual goals and objectives for the overall department operation, and monitor and evaluate the performance of all personnel.~~
- 11) ~~Set priorities and participate in overall department and program budget planning process.~~
- 12) ~~Monitor the Department's revolving account and coordinate department effectiveness and progress in accordance with approved operating budget and legislative concerns.~~
- 13) ~~Oversee and coordinate the comprehensive planning, inventories, and cultural resources for the administrative and management of the Navajo Nation Archaeology Department.~~
- 14) ~~To solicit and consider public input and participation in the protection and management of significant cultural resources.~~
- 15) ~~Provide public education and information about cultural resource management, research and preservation programs.~~
- 16) ~~To ensure that the protection of the Navajo Nation's cultural resources are best protected to meet the needs of the Navajo people and future generations.~~

~~V)~~ LEGISLATIVE OVERSIGHT

- I. Pursuant to ~~2 N.T.C §691, et. Seq., the Resources Committee of the Navajo Nation Council is the legislative oversight committee for the Navajo Nation Archaeology Department.~~
- II. Pursuant to ~~2 N.T.C §695 (b), the Resources Committee may delegate certain authorities to the Director of the Navajo Nation Archaeology Department, which shall include but not be limited to administrative rules and regulations in compliance with the Department's Plan of Operation.~~

~~VI)~~ AMENDMENT:

~~This Plan of Operation may be amended, as needed, from time to time by the Government Services Committee of the Navajo Nation Council upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

PLAN OF OPERATION
~~NAVAJO NATION ARCHAEOLOGY DEPARTMENT~~
~~REVOLVING ACCOUNT~~

I. ~~ESTABLISHMENT~~

~~There is hereby established a Navajo Nation Archaeology Department Revolving Fund, Account Number 3-86448, for use by the Navajo Nation Archaeology Department, within the Division of Natural Resources.~~

II. ~~PURPOSE (and OBJECTIVES)~~

~~The Navajo Nation Archaeology Department Revolving Account is established to provide cultural resources services for a fee to the Navajo Nation, its Divisions, Departments, Authorities, and other tribal and non-tribal instrumentalities. Because of the accelerated development of energy resources, roads, utilities, homesites, and other improvements, the Department has the responsibility to establish and maintain the capability to carry out archaeological, historical, ethnographic, and cultural evaluations prior to construction activities. This requires a full time technical staff capable of survey, monitoring and excavation in order to effectively maintain a schedule compatible with construction requirements.~~

III. ~~ADMINISTRATION~~

A. ~~FUNDING SOURCE~~

~~Revenues will be generated by invoicing all project sponsors for services rendered. All payments will be deposited in account 3-86448-0863 and are due and payable upon receipt of the invoice from Accounts Receivable Section. In addition, the Archaeology Revolving Account may accept revenues based on cost estimates prepared in advance of services. Each year the balance in the account shall carry over into the following year without further action, per 12 N.T.C. Chapter 7 §801.3.~~

B. ~~RATE SETTING MECHANISM~~

~~Rates will be set at a level sufficient to generate revenues to cover all expenses associated with performing the revolving fund functions. Factors including overhead, seasonality of work, down time, historical trends, and unbillable time associated with general tribal administration, will all be taken into account in an effort to establish fair and reasonable rates which will also maintain a positive balance for the account. All fees and charges will be established on a "cost-of-service" basis.~~

C. ~~EXPENDITURE OF FUNDS~~

~~Expenditures of funds will be based on an annual revolving account budget, and shall be made only for items related to the generation of revenues. Expenditures may be made only for items specifically related to the purposes of the Archaeology Department or its Revolving Account. Funds will be administered by the Director, Archaeology Department.~~

~~Expenditures from this revolving account shall be made in accordance with established Navajo Nation budget policies and procedures and shall be budgeted each fiscal year through the annual budget process.~~

~~D. PERIODIC REVIEW (revenue projections and covering actual costs)~~

~~Periodic reviews of the revolving account shall be performed annually. All fees, charges and revenue projections (and analysis and review of historical cost data, level of service, demand, forecasting methods, etc.) will be reviewed with the participation of the Controller.~~

~~IV. AMENDMENTS~~

~~This Plan of Operation may be amended from time to time by the Budget and Finance Committee of the Navajo Nation Council.~~

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AMENDMENT PLAN OF OPERATION FOR
NAVAJO NATION HERITAGE AND HISTORIC PRESERVATION
DEPARTMENT
(RESOLUTION NO. GSCMA-05-04)

NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT
AMENDED PLAN OF OPERATION

I. ESTABLISHMENT

The Heritage and Historic Preservation Department is hereby established as a Department of the Division of Natural Resources within the Executive Branch of the Navajo Nation government.

II. PURPOSE

The Heritage and Historic Preservation Department (NNHHPD) is established for the following purposes:

- A. To serve as the Navajo Nation's lead agency responsible for protection, preservation and management planning for historic, archaeological, paleontological and other cultural resources within the Navajo Nation and on other Navajo Nation lands in which the Navajo people have a traditional interest.
- B. To replace the functions of the various State Historic Preservation Officers on lands within the Navajo Nation, per the National Historic Preservation Act of 1966, Section 101(d);
- C. To assist in protecting, preserving, and managing Dine' heritage, in all its forms, in a manner consistent with Dine' values, beliefs, and traditions.
- D. To protect Dine' heritage and landscapes, which will be accomplished through cooperating with other organizations, both tribal and non-tribal.
- E. To maintain healthy relations between the contemporary Dine' world and the ancestors, which is paramount to any research or project. Through the respectful treatment of Dine' history, knowledge, heritage sites, and heritage objects, the Department hopes to maintain the integrity of Dine' heritage and history.
- F. To advance the knowledge and understanding of Dine' heritage and deep history, to maintain continuity and advance Dine' cultural survival.
- G. To provide a suite of cultural resources and environmental services to meet the unique needs of the Navajo Nation, its Divisions, Departments, Authorities, Entities, and other instrumentalities, in addition to those of Project Sponsors off the Navajo Reservation. Because of the accelerated development of Navajo Nation lands the Department has the responsibility to carry out anthropological, archaeological, historical, cultural, and environmental evaluations and other related services prior to construction activities and other undertakings as mandated by tribal, federal, and state laws and regulations.
- H. To represent the Navajo Nation with respect to Navajo heritage issues and concerns both on and off the Navajo Nation. Additionally, the Department shall establish, on behalf of the Navajo Nation heritage related policies for activities, which may impact cultural resources and landscapes on the Navajo Nation.

- I. To be responsible for upholding and creating a research program designed to enhance and benefit the Navajo Nation's cultural resources and landscapes, in consultation with the Tribal Historic Preservation Officer. Under such activities, the Department shall provide a central repository of information, studies, plans, and statements relating to Navajo heritage and history within and near the territorial jurisdiction of the Navajo nation, for the Navajo Nation government.
- J. To promulgate such research to the Navajo public through such activities as, but not limited to: outreach events at local schools, conferences and fairs, programs; public education events at Navajo Nation related meetings, conferences, and symposia; Chapter meetings; related conferences, symposia, trainings, etc.
- K. Under the auspices of the Student Training Program to provide professional training, technical training, and mentoring in a suite of methods and techniques to students in order to carry out the Department's services in a manner that is respectful and culturally relevant and aware of Dine' culture and heritage. As such, the Department will engage the Navajo public and communities in our efforts and projects, and work to increase the number of qualified Dine' and Native American professionals.
- L. In order to support its activities, the Department may also solicit and accept tax deductible charitable donations, scholarships, gifts, endowments, fellowships, and/or grants of funds and property consistent with Navajo Nation law and its Enterprise Fund plan.

III. PERSONNEL

- A. There is hereby established the position of Department Manager, who shall be responsible for the daily operation and management of the Department. The Department Manager will be selected on the basis of her/his educational and professional training, and experience in archaeological research, including, but not limited to assessments, testing, and data recovery efforts, ethnographic investigations, collections management, program development, and shall have business management experience.
- B. All personnel within the Department, including the Department Manager shall be subject to Navajo Nation Personnel Policies and Procedures, including such positions as are budgeted and approved by the Navajo Nation Council in the Department's Fiscal Year Operating Budget.
- C. The organizational structure of the Heritage and Historic Preservation Department is shown on the attached chart and incorporated herein as Figure 1.

IV. AUTHORITY, DUTIES, AND RESPONSIBILITIES

A. The Department Manager of the Heritage and Historic Preservation Department is hereby authorized and directed to:

- 1) Serve as the official Navajo Nation Tribal Historic Preservation Officer, as authorized under National Historic Preservation Act, Section 101 (d).
- 2) Be responsible for the efficient management and administration of the Heritage and Historic Preservation Department.
- 3) Formulate overall administrative and operating policies pertaining to the Department, and take such other action as-deemed necessary for accomplishment of department functions.
- 4) Supervise department personnel and delegate authority, as necessary.
- 5) Represent the Department at executive level planning sessions.
- 6) Establish and implement annual goals and objectives for the overall department operation, and monitor and evaluate the performance of all personnel.
- 7) Set priorities and participate in overall department and program budget planning process.
- 8) Monitor the Department's Proprietary account and coordinate department effectiveness and progress in accordance with approved operating budget and legislative concerns.
- 9) Be responsible for the oversight of activities and planning in the following programs: Cultural Resources Compliance Section, Traditional Culture Program, Student Training Program, and the Heritage Management Services Program.

B. The Heritage and Historic Preservation Department will:

- 1) Advise federal agencies on the protection and management of historic, archaeological, paleontological and other cultural resources within the Navajo Nation and on other Navajo Nation lands in which the Navajo people have a traditional interest, including representation of the Navajo Nation in the "Section 106" project review process pursuant to 36 CFR Part 800.
- 2) Enter into interagency agreements to facilitate and advance these purposes.
- 3) Oversee and coordinate the comprehensive planning, inventories, and related anthropological, archaeological, historical, cultural, and environmental evaluations and other related services investigations for the administrative management of the Heritage and Historic Preservation Department.
- 4) Develop and implement an Integrated Cultural Resources Management Plan for the management and protection of cultural resources and landscapes, which will be integrated into the general management plan for the Division of Natural Resources.

- 5) Review and approve Cultural Resources Investigations Permits pursuant to the Cultural Resources Protection Act (CMY-19-88) Subsection 1032 Permits, as the Department is responsible for organizing and implementing a program of archaeological and anthropological research designed to enhance and benefit the Navajo Nation's cultural resources under CMY-19-88.
- 6) Seek, collect, and gather a repository of information, studies, plans, and statements relating to Navajo heritage and history, both recent and ancient for the benefit of planning and for future generations of Dine'. Publish research and other scholarly works in a format suitable for mass distribution that relates to Navajo Heritage and History. Such information will come from the Department's existing collection and gathered from various tribal and non-tribal entities and organizations.
- 7) Represent the Navajo Nation with respect to issues dealing with Navajo heritage issues and concerns, in interactions with federal, state, local, and Navajo Nation agencies, entities, and departments.
- 8) Establish policies at such times as necessary for activities that may impact Navajo cultural resources and landscapes. Such policies will be created on a case-by-case basis.
- 9) Solicit and accept to supplement Navajo Nation support, in accordance with applicable Navajo Nation law, tax deductible charitable contributions for the Department, as authorized, and will seek federal and other available funds and technical assistance for the research, maintenance, and preservation of cultural resources and landscapes, and to support the Department's objective to develop qualified Navajo professional staff in archeological, anthropological, Navajo cultural, environmental, and ethnographic research and methods.
- 10) Solicit and consider public input and participation in the protection and management of significant cultural resources.
- 11) Hold an annual Navajo Heritage and Historic Preservation Conference and other symposia, colloquiums, forums, discussions, and training sessions to disseminate information to Navajo communities and the Public on research undertaken on the Navajo Nation; to highlight the work of HHPD staff; to provide opportunities for collaborative work of benefit to Navajo communities; and to determine research priorities.
- 12) Advise the Divisions, Departments, Agencies, Authorities, and/or other instrumentalities of the Navajo Nation on matters pertaining to all aspects of historic preservation and cultural resources management through the oversight committee.
- 13) Monitor progress and quality control of cultural resource management work conducted within the Navajo Nation and on other Navajo Nation lands. Review and comment on reports of work conducted within the Navajo Nation and on other Navajo Nation lands.

- 14) Provide, as negotiated, an orientation for the Navajo Nation and its instrumentalities, of all anthropological, archaeological, historical, cultural, and environmental evaluations and other related services investigations of the Department.
- 15) Enforce all Navajo Nation laws, regulations, executive orders, policies, and procedures and ensure compliance with applicable federal laws, regulations, executive orders, policies, and procedures enacted to protect and preserve cultural resources and landscapes of the Navajo Nation, including those that are multidisciplinary in scope. To ensure that the protection of the Navajo Nation's cultural resources and landscapes are best protected to meet the needs of the Navajo people and future generations.
- 16) Advise and take part in activities associated with the Glen and Grand Canyon Adaptive Management Plan workgroup to represent the Navajo Nation in protecting and appropriately manage the Navajo Nation's interests.
- 17) The Department will provide archaeological, anthropological, Navajo cultural, environmental studies, and ethnographic investigations, including but not limited to assessments, testing, and data recovery, remote sensing techniques, community projects, and other alternative mitigation services, as necessary, in order to effectively maintain a schedule compatible with Sponsor undertakings.
- 18) The Department, with supplemental approval and funding, shall provide archaeological block surveys, including reports and maps to those Chapters with Community Land Use Plans in place, which have agreements with the Department, as a means to comprehensive, reservation wide planning.
- 19) Compile, update and maintain an electronic cultural resources database for historic, archaeological, paleontological and other cultural resources, such as cultural landscapes, and places of cultural concern within the Navajo Nation and on other Navajo Nation lands.
- 20) Educate the public (Navajo and non-Navajo) regarding the importance of preserving the historic, archaeological, paleontological, and other cultural resources, cultural landscapes, and places of cultural concern to the Navajo Nation.
- 21) Protect and manage collections of materials from Navajo Nation historic, archaeological, paleontological and other cultural resources and cultural landscapes, as is culturally appropriate, by enforcement of the Navajo Nation Cultural Resources Protection Act (CMY-19-88), and help ensure compliance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), 43 CFR part 7, the American Indian Religious Freedom Act (43 U.S.C. 469), the Native American Graves Protection and Repatriation Act (P.L. 101-601) and other applicable Navajo Nation, federal, state, local, and other tribal law.
- 22) Develop a comprehensive program of ruins stabilization and restoration, site conservation, and site stewardship to protect and manage Navajo resources.

- 23) Conduct site visitations, documentation, updates, and consultations in regard to the Chaco Sites Protection Program on behalf of the Navajo Nation.
- 24) Provide project sponsors, clients, and others with an overview of Navajo traditional perspectives on cultural resources, historic properties, cultural landscapes, and traditional cultural places as requested, in addition to representing the Nation in consultations and requests for the Navajo Nation's stance on traditional or Navajo perspectives.
- 25) Establish sub-offices at Northern Arizona University in Flagstaff, AZ and at Dine' College in Shiprock, NM and other colleges and universities for the purposes of serving our clients and cooperating with local universities and colleges to train students in natural and cultural resources management.
- 26) Provide public education and outreach services and information about anthropological, Cultural Resource Management, Navajo cultural, environmental studies, and archaeological research, as requested and negotiated to internal Navajo entities and external Navajo entities and organizations.
- 27) Hire Dine' and/or Native American students as field archaeologists (as assessed according to the Navajo Nation classification series) to learn on the job training in HHPD services and to assist Department staff in completing small and large scale projects by partnering with local Universities by hiring student employees enrolled fulltime as majors/minors in the above fields, and providing on the job training in these respective fields by providing clients with such services in order to comply with Federal and Navajo Nation laws, regulations, and policies.
- 28) Provide professional training for HHPD staff including students, in such areas as, but not limited to: anthropological, archaeological, biological, environmental studies, engineering, and ethnographic field methods, public consultation, site identification, site recordation, site evaluation, artifact analyses, applying related laws and regulations as they pertain to Navajo Nation and federal legislation, Navajo culture and history, outreach and public presentations.
- 29) Showcase the work of student archaeologists in an annual conference, along with other professionals to discuss and prioritize research on the Navajo Nation. Engage student archaeologists in theory and methods to complete research to publish and present at applicable conferences, meetings, symposia, talks, etc.
- 30) The Division Director may specifically delegate in writing any authority to Navajo Nation HHPD personnel as provided for by applicable Navajo Nation law.

VII) ADVISORS

There is hereby established a committee of traditional Navajo *Hataat'ii*, who will advise the Department Manager on Navajo traditional cultural concerns in the appropriate and respectful

management of cultural resources, cultural landscapes, places of cultural concern on lands owned by other agencies and institutions, but of importance to the Navajo Nation. This advisory body is hereby known as the "*Hataatii* Advisory Council" (HAC).

- A. The Department Manager shall promulgate appropriate bylaws by which the HAC membership will be defined, provide an outline of its functions, and compensation for their time and expertise as an official advisory body for various Departmental activities.



Figure 1. Heritage and Historic Preservation Department Organizational Chart

NAVAJO LAND DEPARTMENT

PLAN OF OPERATION

Exhibit G

ARTICLE I. ESTABLISHMENT

~~The There is hereby established the~~ Navajo Land Department is hereby established within the Division of Natural Resources within the Executive Branch of the Navajo Nation government.

ARTICLE II. PURPOSE

The Navajo Land Department shall ~~ensure authorize and manage the non-mineral that~~ development and use of all Navajo Nation lands ~~are consistent in accordance~~ with Navajo Nation and applicable Federal law. The processing of general leases, non-mineral leases, permits, rights-of-way, easements, and land withdrawals for approval by the relevant authorities is the responsibility of the General Land Development Department, a different Department within the Division of Natural Resources. The Navajo Land Department shall also receive, review and take appropriate action on all proposed development activities, construction activities, and related activities that affect the Navajo Nation. The Navajo Land Department ~~shall plan,~~ is also authorized to manage and administer supervise all activities ~~and programs~~ relating to the acquisition, disposal, development, and ~~optimum~~ use of ~~real property held by or for the~~ Navajo Nation real property.

ARTICLE III. PERSONNEL

There is hereby established the position of Department Manager III ~~Director~~ of the Navajo Land Department and such other positions as may be approved by the Navajo Nation within the annual budget for the Department. All personnel employees of the Department shall ~~be hired and compensated subject to all~~ serve under the provisions of the Navajo Nation Personnel Policies Manual Navajo Nation.

ARTICLE IV. DUTIES, AUTHORITY, AND RESPONSIBILITIES

~~The Director of the Navajo Land Department Manager III~~ is hereby responsible for and authorized to execute the following actions:

- I. Manage and administer Navajo Nation lands, except that the General Land Development Department will process general leases, non-mineral leases, permits, rights-of-way, easements, and land withdrawal designations for approval by the relevant authorities, as follows:
 - A. Approve land withdrawal of designations of Navajo Nation lands; and,
 - B. Review and investigate land use complaints, allegations of violation of land use regulations, policies, or procedures, or surface damage claims and recommended appropriate action on settlements or disposition of controversies. Investigate allegations of violation of the Navajo Nation Civil Trespass Act, codified at 16 N.N.C. §§ 2201-2293, reporting the results and conclusions of the investigation to the Executive Director of the Division of

Natural Resources consistent with the provisions of the Navajo Nation Civil Trespass Act.

~~(16.) Receive, protect and maintain all title and title documents for lands owned, acquired or controlled by the Navajo Nation.~~

~~(18.) Process and make final agency recommendations regarding land acquisition Proposals and programs, and land developments. This authority shall include drafting and implementation of policies and procedures.~~

~~(21.) Budgeting for and maintain payments of property taxes on Navajo Nation lands.~~

~~(22.) Develop, recommend and enforce appropriate Navajo Nation policies, laws, regulations and rules within the Department's areas of responsibility.~~

~~(23.) Recruit and hire all personnel within the Department; supervise employees within the Department and promote the Navajo Land Department purposes and objectives, pursuant to the policies, procedures, and laws of the Navajo Nation.~~

~~(25.) Review and investigate land use or surface damage claims and recommend appropriate action on settlements.~~

~~(31.) Establish and maintain a planning section to assist the Navajo establishing land use planning and zoning codes.~~

2. ~~(29.)~~ Establish, manage, and administer the Navajo Nation System (NNS), which is a computerized land title information system to record and manage all information concerning and encumbering all Navajo Nation lands. Establish and maintain a Title Plant for purposes of establishing a recordation of leases, permits, rights-of-way, deeds, and recording of secured financial interests as they relate to mortgages, deeds of trust, or other real estate financial mechanisms. Be and operate as the Navajo Nation government's Land Title Records Office to file and maintain, file, and store all documents concerning land and interests in land, and to provide official copies of finalized leases issue official Navajo Nation copies of final realty indentures.

3. ~~(30.)~~ Administer, operate, and maintain update a land Geographic Information System (GIS) and data base on for all lands administered by the Navajo Nation lands. The Director Department Manager shall may approve the Resources Information Management System Procedures Manual or Plan of Operation if such other manual developed to accomplish the purposes of the Department as the Department Manager deems appropriate. This Section shall provide an organization core for a uniform

geographic information system for the Navajo Nation. ~~and other governmental agencies that provide services to the Navajo people.~~

~~(3.) Prepare programs and budgets for the Department and participate in the review and revision thereof.~~

4. ~~(4.) Supervise and insure the approved program goals and objective are met.~~
Provide and administer surveying services within the limits of the fiscal year budget, including cadastral survey services on the Navajo Nation.

5. ~~(5.) Represent the Department in executive level planning.~~ Administer the acquisition and disposal of all Navajo Nation lands, including the purchase, sale, exchange, or acquisition of Navajo Nation real estate, in accordance with 16 N.N.C. section 1 *et seq* and any regulations promulgated under 16 N.N.C. section 1 *et seq*.

~~6. (1.)~~ Be responsible for the efficient management and administration of the Navajo Land Department.

7. ~~(7) Determine whether each proposed resolution is properly prepared; where necessary, refer the proposed resolution to the appropriate Division, Department, Committee or other entities for action, comments or recommendations.~~

Provide and administer oversight on the issuance and approval of homesite leases pursuant to Legislation Number RDCO-74-16 and implement a program for enforcement officers to enforce all lease regulations, permits, land policies, procedures and applicable Navajo Nation laws.

8. ~~(2.)~~ Set direction for and establish priorities in complete project land management planning, including the development and implementation of Departmental regulations, policies, procedures, goals, and objectives. Supervise and be responsible for the preparation and submission of progress and financial reports for the Department. Prepare budgets for the Department.

9. ~~(9.) Conduct and monitor all development activities to ensure compliance with appropriate Navajo Nation and Federal laws, regulations and policies.~~

~~(6.)~~ Represent the Navajo Nation and the Department in areas of responsibility to other with governments, individuals, activities, organizations, and groups both on and off the Navajo lands-Nation.

10. ~~(10.) Plan and implement programs and activities relating to land and cadastral surveys.~~

Review proposed legislation concerning Navajo Nation land and recommend further disposition of the draft measures to approval authorities, including referring the proposed legislation to other Divisions, Departments, or Programs for further action, recommendation, or comments.

11. ~~(8.)~~ Require necessary clearances, investigations or other appropriate actions as may be deemed necessary and proper within the scope of the purposes for which this Department is created.

~~(11.) Review and make recommendations on all requests for business sites, land withdrawals, rights of way and easements on Navajo fee or trust or restricted real property.~~

12. ~~(19.)~~ Establish and cause to be collected reasonable fees and charges for the performance of services. The Department ~~shall~~ may maintain a duly approved ~~revolving account enterprise fund to use of these fees and charges manage the~~ forementioned funds.

~~(12.) Review and make recommendations on all requests for business sites, land withdrawals, rights of way and easements on Navajo real property is involved.~~

13. ~~(20.)~~ Budget for and maintain payments on rent ~~for all state grazing leases and Federal grazing leases; fees, and taxes on all Nation fee lands, as appropriate.~~

~~(13.) Process and make recommendations on religious site revocable permits and approve homesite leases.~~

14. ~~(24.)~~ Establish and maintain liaison with appropriate federal, state, tribal, chapter, and local governments or agencies within the Department's ~~its~~ areas of responsibility.

~~(14.) Perform drafting services in support of authorized activities and projects.~~

15. ~~(26.)~~ Be accountable for all funds appropriated to the Department from ~~Tribal Navajo Nation or federal~~ funding sources, including fiscal and programmatic management thereof. As specified ~~under~~ in the ~~Public Land P.L. 93-638 right of way clearance self-determination~~ contract, comply with applicable federal statutes, Executive Orders, regulations and policies governing the subject matter of the contract, including applicable Navajo Nation laws and regulations.

~~(15.) Process and make final agency recommendations regarding land acquisition proposals and programs, and develop and implement policies and procedures therefore.~~

~~16. (27.)~~ Administer and update inventories of Navajo Nation interests in Bureau of Land Management, lands, State lands, and Forest Service grazing leases, ~~and~~ range improvements, and Indian Allotments.

~~(16.) Receive, protect and maintain all title and title documents for lands owned, acquired or controlled by the Navajo Nation.~~

~~17. (28.)~~ Consolidate Navajo lands in the Eastern Navajo Agency by utilizing the Indian Land Consolidation Act, American Indian Probate Reform Act, and all applicable laws.

~~(17.) Perform drafting services in support of authorized activities and projects.~~

ARTICLE V. LEGISLATIVE OVERSIGHT

- A. Pursuant to 2 N.N.C. §§ ~~694~~ 500 (C) and ~~695 (b) (14) (1995)~~ 501 (A) and (B) (2) (g), the Resources and Development Committee of the Navajo Nation Council is the oversight committee of the Navajo Land Department.
- B. Pursuant to 2 N.N.C. ~~N.T.C. § 695-B. (1995)~~ 501 (B) (3), the Resources and Development Committee of the Navajo Nation Council may delegate certain powers, duties, and authorities of the Committee to the ~~Director~~ Department Manager of the Navajo Land Department, which shall include but not be limited to, promulgation of administrative rules and regulations.

ARTICLE VI. AMENDMENTS

This Plan of Operation may be amended from time to time by the Government Services Resources and Development Committee of the Navajo Nation Council ~~upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

10/24/2016

Big Bo-Cholla Lease

Edward McCool <emccool@nndoj.org>

Mon 10/24/2016 10:13 AM

To: Robert O.. Allan <roallan@navajo-nsn.gov>;

Cc: Bidtah Becker <bidtahnbecker@navajo-nsn.gov>;

Good morning Robert,

As a follow-up to my email of Friday, the following is a summary of the essential changes that we propose need to be made to the Lease as submitted:

1. Some form of dispute resolution needs to be agreed to; I suggest an arbitration process modified to suit the concerns of both parties.
2. The sweeping environmental warranties at Paragraph 20 (a)(1) should be deleted absent a review by NNEPA and should exempt the land leased from the State since NN didn't have original control .
3. Paragraph 26(f) should give the NN a year from receiving notice of an action of default by Lessor; not a year from the date of the action itself.
4. The problem of the State Lease remains and is material since the sublease refers to the State Lease; any word on the progress of that issue?

When you contact Mr. Calvin I thought you could communicate the above four points to him. Thanks.

Ed

MINERALS DEPARTMENT PLAN OF OPERATION

I. Establishment

The Navajo Nation Minerals Department There is hereby established as a department of the Navajo Nation Minerals Department within the Division of Natural Resources within the executive branch of the Navajo Nation government Government.

II. Purpose

- (a) To solicit, initiate, review, evaluate and assist in the negotiation of all proposals submitted to the Navajo Nation for the reconnaissance, surveying, exploration (including geophysical) and development of the Tribal Navajo Nation's mineral resources and energy-related rights-of-way and to make recommendations for the Tribal Navajo Nation consideration and approval of all such proposals.
- (b) To maximize Navajo Nation revenues from the Navajo Nation's mineral resources and energy-related rights-of-way.
- (c) To maximize Navajo Nation's control, participation and ownership in the development of the Navajo Nation's mineral resources.
- (d) To ensure the systematic and prudent development of the Navajo Nation's minerals resources.
- (e) To maximize employment of members of the Navajo Nation in all mineral resources industries and projects.
- (f) To enforce applicable Navajo Nation and federal rules and regulations and, if necessary, to recommend the promulgation of new rules and regulations to ensure the systematic and prudent development of the Navajo Nation's mineral resources.

III. Personnel

Staffing and Organization

(A) Staffing

1. The position of Director of Minerals is established and provided for ~~The~~ ~~and~~ Director shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational duties and responsibilities stated herein.
2. The Director shall be ~~appointed~~ ~~hired~~ by the ~~Executive Division~~ Director ~~of~~ ~~the~~ Division of Natural Resources.
3. All personnel including the Director within the Minerals Department shall be hired and compensated subject to availability of funds pursuant to the Navajo Nation Personnel ~~Policies~~ Manual and the Navajo Preference in Employment Act.

(B) Organization

1. The organizational structure of the Minerals Department is displayed as figure "1". The Minerals Department shall consist of the following work units:
 1. Oil and Gas Operations
 2. Solid Minerals Operations
 3. Minerals Audit Program
 - 4 ~~Mine Safety Program~~
 - ~~Surface Coa Mining Program~~
2. The Minerals Department shall consist of other such sections or programs as may be assigned by the Director, Minerals Department, necessary to fulfill its goals and objectives.

IV. Responsibility and Authority

The Director of Minerals Department is hereby authorized and directed to:

- 1) Perform all duties and responsibilities of the position of Director, Minerals Department, in accordance with the highest standards of professional ethics and be responsible for efficient management of the accomplishment of the purpose and objectives of the Minerals Department;

- 2) Administer the Navajo Nation Surface Coal Mining and Reclamation Act and Regulations after it receives primacy from the U.S. Office of Surface Mining Reclamation Enforcement and approval by the Navajo Nation to regulate surface coal mining operations on the Navajo Nation;
- 3) Formulate Administrative and operating policies pertaining to the Minerals Department, and to take such action as he shall deem necessary for the enforcement thereof necessary for the enforcement thereof;
- 4) Exercise supervisory control and direction over all personnel within the Minerals Department and delegate authority to staff as needed;
- 5) Review all applications for energy-related rights-of-way, act as a clearinghouse for the Navajo Nation on all minerals related projects, and process applications to conduct geologic studies. Represent the Navajo Nation within appropriate areas of responsibility and authority, and as authorized by the appropriate entity of the Navajo Nation, in its dealings and relations with persons and organizations outside the Navajo Nation by assisting the Navajo Nation Negotiating Team or other designated Navajo Nation entities entity in the renegotiation of unfavorable mineral leases, assisting the Navajo Nation in the negotiation of minerals exploration and development proposals and large energy related rights-of-way, and acting as a liaison between the Navajo Nation and the oil and gas and mining industries;
- 6) Revise and update Navajo Nation mineral resources inventory and evaluation programs, and coordinate and participate in federal and state agency programs for the inventory and evaluation of the Navajo Nation's Tribal mineral resources;
- 7) Maintain production and royalty records for mineral resources and major energy related rights-of-way and initiate audits of production and royalty remittance for mineral leases and operating agreements on the Navajo Nation's land. Perform all duties essential for the efficient audits of oil and gas leases and operating agreements and solid mineral leases and permits; operating agreements;
- 8) Develop programs and budgets for the Minerals Department;
- 9) Establish, develop and coordinate comprehensive plans and programs program for the orderly and systematic development of the Navajo Nation's Tribal mineral resources in coordination with programs Navajo Nation's mineral resources in coordination with programs for overall Navajo Nation economic development, and in accordance with sound conservation practices;

10) Analyze, quantify, evaluate and report on all minerals development proposals submitted to the Navajo Nation;

~~10)11)~~ Issue Geologic Study Permits and Paleontological Permits;

~~11) Issue Geologic Study Permits and Paleontological Permits;~~

~~12) Prepare revenue estimation from oil and gas and solid material resources and energy related rights-of-way;~~

~~12)13)~~ Initiate the transfer of all vested powers and authority from the federal agencies to the Navajo Nation, along with the appropriate federal funding, so that the Navajo Nation can collect directly all mineral royalties, monitor the compliance of all applicable laws and regulations by mineral developers, issue citations, and impose penalties for non-compliance;

~~13)14)~~ Solicit and assist minerals-oriented industrial organizations in the development of mineral operations on the Navajo Nation;

~~14)15)~~ Acquire federal grants and funding on behalf of the Navajo Nation for minerals exploration and development programs, the Mine Safety and Health Program, Oil & Gas Inspection Program, the Minerals Inventory Program and the Minerals Audit Program, and the Surface Coal Mining Program;

~~15)16)~~ Develop industry interest in the minerals potential of Navajo Nation land. Maintain and update brochures and other pertinent information on Tribal mineral resources;

~~16)17)~~ Supply Provide technical assistance and make recommendations to other Tribal Navajo Nation departments and chapters in minerals-related matters when requested;

~~17)18)~~ Coordinate with federal and tribal Navajo Nation agencies to prevent waste and theft (oil and gas inclusive) of Navajo Nation minerals, and provide assistance to federal and tribal Navajo Nation agencies in their efforts to protect Navajo Nation natural resources from degradation due to mineral development and reclamation activities;

~~18)19)~~ Represent the Navajo Nation in minerals-related matters concerning with county, state, and federal agencies and private sector (whenever deemed necessary or feasible) dealing with minerals, including the administration, development, inventory and valuation of minerals; such federal agencies include the Bureau of Indian Affairs, the Bureau of Land Management and the Office or Natural Resources Revenue; Minerals Management Service;

20) Conduct mine health and safety inspections, investigate mine accidents, provide health and safety training to mine workers ~~And~~

19)21) ~~Conduct~~ ~~conduct~~ site inspections, independently or in cooperation with other departments ~~of on~~ the Navajo Nation and federal agencies, of all Navajo Nation ~~solid minerals leases and permits~~ ~~and~~ oil and gas leases, contracts ~~and~~ operating agreements for production verification, site security and lease compliance;

20)22) Keep records of technical reports pertaining to geology, mineral deposits, etc. on ~~the~~ Navajo ~~Nation~~ lands;

21)23) Maintain a ~~land-minerals~~ status record of Navajo ~~Nation~~ lands to facilitate the recognition of appropriate ~~Tribal Navajo Nation~~ surface and subsurface rights;

22)24) ~~Administer~~ ~~To administer~~ the Standards and Procedures for Transfer of Mining Interests in Navajo ~~Nation~~ lands as set forth at 18 N.N.C. § 605, including making the determination whether an assignment of mineral interest is in the best ~~interest~~ ~~interests~~ of the Navajo Nation.

V. Legislative Oversight

- 1) Pursuant to 2 N.N.C. § 501(C), the Resources ~~and Development~~ Committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources, which includes the Minerals Department.
- 2) Pursuant to 2 N.N.C. § 501(B)(11), the Resources ~~and Development~~ Committee may delegate certain authorities to the Director of the Minerals Department, which shall include but is not limited to administrative rules and regulations in compliance with the department Plan of Operation.

VI. Amendment

This plan of operation may be amended by the ~~Government Services Resources and Development~~ Committee of the Navajo Nation Council, ~~upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

PLAN OF OPERATION
OF THE
NAVAJO PARKS AND RECREATION DEPARTMENT

Exhibit
I

I. ESTABLISHMENT

The Navajo Parks and Recreation Department is hereby established as a department of the Navajo Nation Division of Natural Resources within the executive branch of the Navajo Nation government.

II. PURPOSE

The Navajo Parks and Recreation Department is responsible for the management and operation of established tribal parks, monuments, recreation areas, the planning and development of visitor services, facilities, and accommodations therein, recommend the establishment of new parks and the planning and undertaking of the Navajo Nation Fair and Fourth of July Celebration.

III. PERSONNEL

There is hereby established the position of Department Manager, Navajo Parks and Recreation Department, and such other positions that are deemed necessary by the Department Manager and budgeted for by the Navajo Nation Council.

All personnel shall be hired and compensated pursuant to the provisions and guidelines of the Navajo Nation Personnel Policies.

IV. DEPARTMENT MANAGER; AUTHORITY, DUTIES AND RESPONSIBILITIES

The Department Manager, Navajo Parks and Recreation Department, is hereby authorized subject to available funding to:

- A. Develop, implement and enforce overall administrative, fiscal and operating policies for the department;
- B. Supervise, assign and direct all employees within the department and delegate authority a necessary to appropriate qualified staff within the Department;
- C. Recruit, select and recommend the employment of all staff within the department, and perform quarterly and annual performance evaluations to ensure – qualified and capable staff;
- D. Represent the department at executive level planning;
- E. Develop, implement and enforce policies, rules, regulations, standards, executive orders and other management actions to ensure the protection, conservation and preservation of established tribal parks, monuments, recreation areas;
- F. Establish, implement and accomplish annual goals, objectives, performance measures, long term strategic planning and priorities for the department;

- G. Review and approve any proposed development, ~~or~~ improvement ~~or~~ lease within established tribal parks, monuments or recreation areas to ensure such development or improvement does not adversely impact the natural, cultural, recreational and scientific resources or park values;
- H. Represent the department at meetings, conferences, seminars and other public gatherings;
- I. Enforce through tribal law enforcement agencies all appropriate and applicable tribal laws, rules and regulations within the boundaries of all established tribal parks, monuments, and recreation areas;
- J. Approve Filming, Backcountry, Camping, Hiking, Special Use and other permits and authorizations for the use of resources and facilities within established tribal parks, monuments, and recreation areas;
- K. Regulate and control guided tour services operating on the Navajo reservation in accordance with Navajo Nation law;
- L. Regulate and control signs, billboards and advertising devices on the Navajo reservation in accordance with Navajo Nation law;
- M. Establish, approve and collect ~~reasonable~~ appropriate fees for the use of visitor and user facilities, and services within established tribal parks, monuments, recreation areas, and the Navajo Nation Fairgrounds;
- N. ~~Delegate authority as necessary to appropriate and qualified staff within the Department;~~
Market, promote and advertise all Navajo Tribal Parks and Fairgrounds events;
- O. Communicate and coordinate any major park plans, developments and improvements which impact customary and traditional land uses with local residents and chapters; ~~and~~
- P. Develop and maintain effective partnerships with local, private, state and federal agencies for the benefit of the department and the Navajo Nation.
- Q. Control and regulate all business uses and activities, including but not limited to tour operators, arts and crafts, recreational activities, and food vendors, within established tribal parks, monuments and recreation areas and the Navajo Nation Fairgrounds through concession or business use permits.
- R. Solicit, evaluate, negotiate and ~~enter into~~ recommend contracts and agreements in accordance with Navajo Nation procurement laws, policies and procedures to accomplish the purposes of the Department.
- S. Manage and maintain the Navajo Nation Fairgrounds and the planning of the Fairgrounds events.
- T. Evaluate, assess and recommend new areas to be established as tribal parks, monuments, and recreational areas.

V. ORGANIZATION

The Navajo Parks and Recreation Department shall consist of the following Programs, Sections and Parks, and any other programs established in the future by the Department Manager for the purpose of carrying out the functions of the Navajo Parks and Recreation Department;

A. Administration Section

This section shall be responsible for the Department's financial, personnel, marketing and property management functions.

B. ~~Special Events Section~~ Navajo Nation Fair Office

This Section is responsible for ~~public relations and marketing functions, including the management, improvement and development of the Navajo Nation Fairgrounds,~~ advertising and promotion, seeking and obtaining sponsorship support for the ~~department~~ Fairground events, and planning and undertaking the major events of the Navajo Nation Fairgrounds, operation of the Window Rock Sports Center, leasing and rental of Fairgrounds facilities, and other special events and activities on the Navajo Fairgrounds.

C. Parks Program

This Program shall be responsible for the management and operations of established tribal parks and monuments and other facilities and planning for short and long range developments and improvements. This Program shall consist of the following: Monument Valley Tribal Park, Four Corners Monument, Lake Powell Tribal Park including Antelope Canyon, Bowl Canyon Recreation Area and Camp Asaayi, ~~Window Rock Sports Center, the Planning Section~~ Cottonwood Campground (Chinle) and Little Colorado River Tribal Park.

D. Maintenance and Construction Program

This Program shall be responsible for the construction, renovation, repair and maintenance of department, fairgrounds and park facilities and accommodations.

E. Planning and Compliance Section

This Section is responsible for performing short and long term planning, development and maintenance of department policies, procedures, regulations and guidelines, and the contracting functions for the Department, including solicitation, review, evaluation of proposals/bids, awards, modifications/ amendments, and enforcement. The Section is also responsible for signs and billboards permitting and enforcement.

F. Enforcement Program

This program is responsible for the enforcement of rules and regulations under the authority of the department through its enforcement officers and/or agreements with appropriate law enforcement agencies and security personnel

VI. LEGISLATIVE OVERSIGHT

A. Pursuant to 2 NNC § ~~695, B. 15-501 (c)~~, the Resources ~~and Development~~ Committee of the Navajo Nation Council is the legislative oversight committee for the ~~Navajo~~ Parks and Recreation Department.

VII. SEVERABILITY

If any provision or section of this Plan of Operation of the Navajo Parks and Recreation Department is deemed invalid, the other provisions and sections shall not be affected.

VIII. AMENDMENTS

This Plan of Operation of the Navajo Parks and Recreation Department may be amended by the ~~Government Services-Naabik'iyati~~ Committee of the Navajo Nation Council as deemed necessary or desirable and upon recommendation of the Resources ~~and Development~~ Committee of the Navajo Nation Council.

Exhibit J

PLAN OF OPERATION
DEPARTMENT OF RESOURCE ENFORCEMENT
DIVISION OF NATURAL RESOURCES

I. Establishment

There is hereby established the Department of Resource Enforcement within the Division of Natural Resources.

II. PURPOSE AND OBJECTIVES

The Department of Resource Enforcement is responsible to enforce the laws and regulations of Navajo Nation for the express purpose of protecting the natural resources of the Navajo Nation and to safeguard the livestock property of the Navajo Nation.

III. STAFFING AND ORGANIZATION

- A. There is hereby established the position of Director, Department of Resource Enforcement who shall be a commissioned ranger officer, and such other positions that are deemed necessary and budgeted by the Navajo Nation Council.
- B. All personnel including the Director shall be hired and compensated pursuant to the provisions and guidelines of the Navajo Nation Personnel Policies and Procedures.
- C. The Rangers shall be recruited, selected, and hired by the Director and shall, after adequate training, be commissioned by the Director, Department of Resource Enforcement, Navajo Nation, with the authority to enforce the resources regulations and laws as established by the Resource Committee and the Navajo Nation Council, and to make arrests, search and seize property in connection with the enforcement of said regulations or laws related to livestock, fish and wildlife forest and woodlands in the same manner as a Police Officer under 19 N.T.C. § 4, Title 17 of the Navajo Nation Code and to cite violators of said regulations or laws and take any other appropriate actions.
- D. The Department of Resource Enforcement shall consist of Administration, District (Agency) Offices, Livestock Inspection Section, and such other sections as deemed necessary to accomplished the purpose of this plan of operation.

IV. DIRECTOR: AUTHORITY, DUTIES, AND RESPONSIBILTIES:

The Director, Department Resource Enforcement is hereby authorized and directed to:

- A. Be responsible for the management and administration of the department.
- B. Enforce federal and Navajo Nation laws enacted to protect any and all, Navajo owned, controlled or claimed natural renewable non-renewable, cultural, leisure and recreational

resources, which includes, but is not necessarily limited to, land, air, airways, water, minerals, wildlife, fish, forest, woodlands, vegetation, livestock and parks.

- C. Plan, coordinate, and execute programs and activities related enforcement of Federal, Navajo Nation, and State laws enacted to protect and preserve the cultural and natural resources,
- D. In accordance with Navajo laws, rules and regulations, formulate and implement administrative and operation policies and procedures, establish revolving accounts, impoundment fees and service fees pertaining to the department operation, and take such other action as deemed necessary for accomplishment of department functions.
- E. Recruit, Interviews and recommend the employment of all staff within the department in accordance with the departmental recruitment and selection policy and the Navajo Nation Personnel Policies and Procedures.
- F. Supervise, direct the activity and oversee the maintenance of professional standards of all departmental personnel, and delegate authority as necessary.
- G. Oversee and coordinate the enforcement of the Navajo Nation Livestock Laws with other agencies, and such other applicable laws of the Navajo Nation pertaining to the sale or health of livestock.
- H. Maintain an orderly system of patrols to deter and prevent violations, establish check stations to ensure appropriate issued regulatory permits are authorized, cite and apprehend violators and seize property or evidence.
- I. Represent the department within the of responsibility and authority of the department at executive level planning.
- J. Establish and implement annual goals and objectives for the overall department operation, and monitor and evaluate the performance of each personnel.
- K. Coordinate and cooperate with other Federal, State, County and Tribal Law Enforcement Agencies in carrying out law enforcement activities related to resource violations.
- L. Provide Interpretative information to the Navajo People and visitors of the laws and regulations pertaining to the natural resources.

- M. Seek other sources of funding and technical assistance to enhance the Department of Resource Enforcement and the Navajo Nation.

V. LEGISLATIVE OVERSIGHT

- A. Pursuant to 2 N.~~NT~~.C § ~~50691~~, ~~et. Seq.~~, the Resource and Development Committee is the oversight Committee for the Division of Natural Resources, which includes the Department of Resource Enforcement and the Navajo Nation.
- B. Pursuant to 2 N.~~NT~~.C. § ~~501695~~ (~~Bb~~)(11), the Resource and Development Committee may delegate certain authorities to the Director of the Department of Resource Enforcement, which may include but not necessarily be limited to the responsibility and authority of the Department.

VI. AMENDMENTS

This plan of operation may be amended by the Resources and Development Government Services Committee of the Navajo Nation Council ~~upon the recommendation of the Resource Committee of the Navajo Nation Council.~~

**PLAN OF OPERATION
DEPARTMENT OF WATER RESOURCES**

I. ESTABLISHMENT:

~~There is hereby established the Department of Water Resources within the Division of Natural Resources.~~

The Navajo Department of Water Resources is hereby established as a department of the Navajo Nation Division of Natural Resources within the executive branch of the Navajo Nation government

II. PURPOSES:

A. ~~The Department of Water Resources shall plan, coordinate, develop, and manage the water resources of the Navajo Nation for its maximum beneficial use and promote the sovereignty of the Navajo Nation over its waters.~~

The Department of Water Resources shall provide stewardship to manage provide comprehensive water planning compile information on existing surface and groundwater resources, coordination of the development and utilization of the Navajo Nation's waters to manage existing uses and to plan for future adequate water resources for domestic, industrial, agricultural, recreation, wildlife, aquatic life and other beneficial uses for maximum beneficial use to enhance the natural and human environment and exercise the sovereignty of the Navajo Nation over its waters.

B. The Department of Water Resources shall provide administration and ensure compliance with all applicable laws, rules, regulations, policies and procedures related to the departments' administrative, technical and financial functions.

C. The Department of Water Resources shall operate and maintain all livestock, irrigation and domestic water facilities under its jurisdiction.

D. The Department of Water Resources shall study, plan, design, construct, rehabilitate and otherwise be responsible for providing Engineering, geohydrological, drilling and construction support to water development projects.

E. ~~The Department of Water Resources shall study, plan, design, monitor, construct, rehabilitate/upgrade all recognized major dams on the Navajo Reservation. The Department of Water Resources shall participate in the study, planning, design, monitoring, rehabilitation, etc. of major dams on the Navajo Nation.~~

F. ~~The Department of Water Resources shall protect and manage water resources of the Navajo Nation.~~

- F. ~~€~~ The Department of Water Resources shall serve as a Navajo Nation repository for water and climate related data including reports, books, maps, government publications and other materials pertinent to the purpose of the Department.

III. PERSONNEL AND ORGANIZATION:

The Department of Water Resources shall consist of such ~~branches, Programs~~ Sections and functions as may be necessary to accomplish the purpose ~~and directives~~ cited above.

A. Personnel

1. There is hereby established the position of Department Director, Branch ~~Managers~~ Directors, ~~Program Manager~~ and such other positions as may be deemed necessary for the operation of the ~~Department to fulfil its purpose and its programs.~~
2. All personnel shall be hired and compensated pursuant to the Navajo Nation's Personnel Policy Manual and Procedures.

B. Organization

1. Administration
2. Technical, Construction and Operations Branch
3. Water Management Branch
4. Safety of Dams ~~Branch Program~~
5. Other Branches, Programs, Sections and functions may be formulated as necessary to accomplish its purpose and objectives

IV. AUTHORITY, RESPONSIBILITIES AND DUTIES of the Director of the Department of Water Resources.

- A. Be responsible for the efficient ~~management and~~ administration and direct activities of the Department of Water Resources. ~~Develop and implement overall administrative and operating policies and procedure necessary for the operation of the Department of Water Resources and take such actions as are deemed necessary for the accomplishments of its objectives~~
- ~~B. Develop and implement overall administrative and operating policies and procedure necessary for the effective management of the Department of Water Resources and to take such actions as are deemed necessary for the accomplishment of its objectives~~
- B. Develop, recommend and implement policies, procedures, rules and regulation governing surface and subsurface water resources management, development, operation and maintenance for maximum benefit of all.

- ~~C. Represent the Department of Water Resources at the executive level concerning administrative, technical, financial and any other water related matters including water rights negotiations(vii).~~
- ~~C. Enforce and ensure compliance with all tribal and federal rules, regulation and laws pertaining to management, development and utilization of water resources.~~
- ~~D. Develop, recommend and implement policies, procedures, rules and regulations governing surface and subsurface water resources development, management, operation and maintenance and its uses in an beneficial use(vii).~~
- ~~D. Oversee and administer all federal, state, local and outside funds (including Fund Management Plan), grants and contracts which support water development, management, operation and maintenance, safety of dams, water rights, watershed studies and related activities.~~
- ~~E. Enforce and ensure compliance with all tribal and federal rules, regulations and laws pertaining to development, management and utilization of water resources(vii).~~
- ~~F. Represent the Department of Water Resource at the executive level concerning administrative, technical financial and any other water related matters including water rights negotiations. Per the Water Right Commission plan of operation, by virtue of the position occupied in the Navajo government, the Director serves on the Commission~~
- ~~F. Delegate authority and responsibility to personnel within the Department of Water Resources(vii).~~
- ~~F. As delegated to the Department, ensure implementation of the Navajo Nation Water Code within the Department Branches, Programs, Sections and functions.~~
- ~~G. Oversee and administer all federal, state, local and outside funds (including Revolving Account), grants and contracts which support water development, management, operation and maintenance, safety of dams, water rights, watershed studies and related activities(vii).~~
- ~~H. Protect the Navajo Nation's water resources through implementation and enforcement of the Navajo nation Water Code (25NAC) including preparation of necessary amendments(vii).~~
- ~~I. Coordinate public input into the water resources planning process and inform the public about water issues and the water endeavor.~~
- ~~I. Supervise all assigned personnel and direct the activities of the Department of Water Resources Branches as follows:~~

G. Supervise personnel delegate authority and responsibility to personnel as necessary and direct the activities of the Department as follow:

1. Administration
2. Technical, Construction and Operations Branch
3. Water Management Branch
4. Safety of Dams ~~Branch~~ Program
- Other Branches, Programs, Sections and functions formulated as necessary to accomplish the Department's purpose and objectives

TECHNICAL, CONSTRUCTION AND OPERATIONS BRANCH

- A. Provide necessary ~~of~~ engineering and geohydrological support along with project construction management for water development projects undertaken by the Department ~~Branch~~.
- B. Plan, design, construct, and rehabilitate water facilities for livestock, domestic and irrigation use including water wells, water lines, dams erosion control structures, irrigation systems, diversions, water storage tanks, stock troughs, natural springs, and related structures, etc.
- C. Provide mechanical repairs and transportation services, for all ~~light heavy~~ and ~~heavy~~ ~~light~~ equipment within the Department ~~as well as other resources~~.
- D. Review Memorandum of Agreement and Transfer Agreement for water supply and waste disposal facilities constructed under P.L. 86-121 and, participate in final inspection for such projects.
- E. Coordinate and seek funding sources for water related projects including funds for cost-sharing projects.
- F. Maintain ~~close effective~~ working relationship with local chapter, communities, local, state and federal governments for water development projects.
- G. ~~Administer P.L. 93-638 Water Development Contract, P.L. 95-22 Community Services Block Grant, emergency assistance funds, other outside grants and contracts to support water development matching fund program~~
- G. Operate and maintain all livestock, domestic and irrigation water systems under Department's ~~Water Resources~~ jurisdiction.
- H. ~~Provide safe drinking water and quality control for water and waste water systems under the department's jurisdiction as authorized and mandated by the "Safe Drinking Water Act" and "Clean Water Act" in coordination with U.S. Environmental Protection Agency and the Nevada State Environmental Protection Agency~~

As delegated, provide safe drinking water and quality control for water and waste water systems under the Department's jurisdiction in conformance with current "Safe Drinking Water Act" and "Clean Water Act" in coordination with Navajo Nation Environmental Protection Agency and U.S. Environmental Protection Agency.

An annual water budget incorporating annual water use and demand for livestock, municipal and irrigation water. This process shall involve tribal departments and other county, state and federal agencies.

I.

Compile annual water consumption data of annual water use and demand for livestock and irrigation water. This process may involve other tribal departments and may also involve county, state and federal agencies.

J. Provide technical reviews and environmental assessment of projects affecting the Nation's water resources. Review and approve application for water use and well drilling permits. Review and approve water well abandonment plans. Negotiate and collect water use and permit fees. Inform the public, local, state and federal government organizations, about water uses and water code.

K. Administer P.I. 93-6-18 Water Development Contract, P.I. 93-6-17 Community Services Block Grant, other P.I. 93-6-18 Contract, external grants and agreements, emergency assistance funds, as needed to support projects. These contracts and agreements may require licensed professionals.

WATER MANAGEMENT BRANCH

A. Provide necessary technical support to water rights litigation negotiations, settlement implementations and other related matters affecting the water resources of the Navajo Nation.

A. Promote long-term water management planning and utilization of water resources: watershed assessments, provide the necessary technical research, studies and other information to provide informed and prudent management of adjudicated, decreed or water otherwise appurtenant to tribal and an/or Indian trust lands through coordination and cooperation with other governmental entities by obtaining information describing the quantity and quality of water through surface and ground water assessments, inventories, monitoring, modeling and gauging. Coordinate and inform the public of the water use planning and evaluation.

C. Provide technical reviews of applications for water use and water well permits, environmental assessment, environmental impact statements and such other project affecting the water resources of the Navajo Nation.

B. Preparation of comprehensive water management and development plans, water use surveys, interagency drought management planning, and necessary assessments to appropriately characterize tribal water resources.

- ~~G. Provide technical support in developing regional water management plans for Navajo Nation and assist with watershed study projects.~~
- C. Provide necessary technical support to water rights litigation negotiations, settlement implementations and other related matters affecting the water resources of the Navajo Nation.
- D. Request, inventory, monitor and analyze the quantity and utilization of Navajo Nation surface water and ground water resources, and inventory, monitor and analyze climate and hydrogeological data affecting those resources.
- E. Collect and preserve water and climate information including reports, books, maps, government publications and other materials pertinent to the purpose of Department.
- F. Operate Geographical Information System (GIS) providing computerized mapping and data base support for accomplishing the overall goals and objectives of the Branch and maintain a Water Resources Library to provide ~~daily services~~ information to the Department, other tribal departments, consultants, etc.
- G. ~~Coordinate and seek funding sources for water management related activities including cost-sharing projects~~
Administer P.I. 93-638 Water Monitoring Contract, P.I. 93-37 Water Rights Contract other P.L. 93-638 Contracts, external grants and agreements, coordinate and seek funding sources for water management and related activities including cost-sharing projects as needed to support projects. These contracts and agreements may require licensed professional.
- H. Maintain effective working relationship with chapter, communities, local, state and federal governments for activities and projects administered and/or assistance provide by the Branch

SAFETY OF DAMS BRANCH

- A. ~~Rehabilitate/upgrade all inside and high hazard major dams located on the Navajo Nation in compliance with the established National Safety of Dams standards.~~
Administer the P.I. 93-638 Safety of Dams program agreement, functions, services, and activities, or portions thereof including construction projects, other P.I. 93-638 projects, external grants and contracts for High and Significant Hazard classified dams. The program standard is the current BLM Safety of Dams Handbook or successor. The agreement requires the services of a registered Licensed Professional Engineer knowledgeable in the Safety of Dams field.
- B. ~~Establish operation and maintenance program and efficiently operate and maintain all major dams on the Navajo Nation.~~

The Dam Safety, Security, and Emergency Management activities include but are not limited to: safety inspections, evaluations, and security, monitoring dam performance and dam instrumentation, operation, maintenance and repairs of dams and appurtenances, emergency response management and preparation of Emergency Action Plans (EAPs), operation of Early Warning Systems (EWS) for adverse dam condition, risk management and risk reduction, expedited actions and interim actions to reduce short-term risk, participate in technical review and Value Planning and Value Engineering (VPE) processes, training of dam safety personnel and dam operators, dam tenders, purchase property and equipment and acquire excess surplus Federal Government equipment, etc. to achieve the mission of the Program.

(1) Administer P.I. 95-238, Safety of Dams program ~~continuously~~.

C. Participate in the rehabilitation of high hazard classified major dams located on the Navajo Nation in compliance with the established Federal Safety of Dams standard.

V. LEGISLATIVE OVERSIGHT

- A. Pursuant to 2 N N C. ~~Section 3501~~ (B) (1), the Resources and Development Committee or successor committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources which includes the Department of Water Resources.
- B. Pursuant to 2 N N C. ~~3501~~ Section 404 (B) (1), the Resources and Development Committee or successor committee may delegate certain authorities to the ~~Director of~~ the Department of Water Resources, which may include but not limited to administrative rules and regulations in accordance with the Department Plan of Operation.

VI. AMENDMENT

~~This Plan of Operation shall be amended by the Government Services Committee of the Navajo Nation Council upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

~~This Plan of Operation shall be amended by the Resources and Development Committee or successor committee of the Navajo Nation Council.~~

PLAN OF OPERATION
DEPARTMENT OF FISH AND WILDLIFE
DIVISION OF NATURAL RESOURCES

Exhibit
L

I. ESTABLISHMENT:

There is hereby established the Department of Fish and Wildlife within the Division of Natural Resources within the Executive Branch of the Navajo Nation government.

II. PURPOSE:

The purpose of the Department of Fish and Wildlife is to conserve, protect, enhance and restore the Navajo Nation's fish, wildlife, plants, and their habitats, through aggressive management programs for the spiritual, cultural and material benefit of present and future generations of the Navajo Nation; to operate and maintain the Navajo Nation Zoological and Botanical Park; and to enforce Navajo Nation animal control laws and regulations and provide animal control services within the Navajo Nation.

III. STAFF AND ORGANIZATION:

There is established within the Department of Fish and Wildlife the position of Department Manager and such other positions as are approved by the Department's operating budget. All personnel shall be hired and managed pursuant to and accordance with the Navajo Nation's Personnel Policies. The Department of Fish and Wildlife shall have the following sections: Administration, Animal Control, Wildlife Management/Research, Natural Heritage, Wildlife Law Enforcement, and Navajo Nation Zoo Programs

~~The Department of Fish and Wildlife shall be comprised of the following sections:~~

~~1. The Management/Research Section~~

~~This section shall be responsible for the gathering of technical data in the fields of fishery biology and wildlife biology so that professional recommendations can be made for the proper management of fish and wildlife resources on the Navajo Nation.~~

~~2. The Wildlife Law Enforcement Section~~

~~This section shall be responsible for the preservation of fish, wildlife and plant resources by enforcing all fish, wildlife and plant regulations and laws established by the Resources Committee of the Navajo Nation Council and the Navajo Nation Council on a full time basis.~~

~~3. The Wildlife Damage Control Section~~

~~This section shall be responsible for the planning, execution and supervision of all programs and activities relating to the management of wildlife injurious to Livestock and crops outside the~~

- ~~established community areas and to prevent diseases and injury to humans, pets and livestock caused by stray dogs and cats within the communities of the Navajo Nation wildlife.~~
- ~~4. The Navajo Nation Heritage Program.
This section shall be responsible for gathering and organizing technical data on the existence, status and distribution of rare plants, animals or habitat for the purpose of biological land conservation planning and assessing impacts to the natural environment~~
 - ~~5. The Animal Control Program
Pursuant to the Plan of Operation for the Animal Control Program, this section shall be responsible for enforcing all animal control laws and regulations established by the Resources Committee of the Navajo Nation Council and the Navajo Nation Council on a full time basis.~~
 - ~~6. The Navajo Nation Zoological and Botanical Park.
This section shall be responsible for the planning and execution of programs and activities related to the Navajo Nation Zoological and Botanical Park including education, care and rehabilitation of injured and/or orphaned wildlife.~~
 - ~~7. Others as may be deemed necessary by the Director of the Department of Fish and Wildlife contingent upon compliance with Section VI of the Plan of Operation.~~

IV. ADMINISTRATION SECTION:

A. PURPOSE

The purpose of the Administration Section is to provide guidance and support to the various Sections within the Department of Fish and Wildlife in achieving the mission purpose and goals specified within this Plan of Operation. The Department Manager provides leadership and direction for the Administration Section and interacts with other Navajo Nation government officials, Divisions and Programs, as well as external entities to enhance the Department's mission, as set for in this Plan of Operation. The Administration Section also provides financial support and monitoring of the Department to ensure proper budgeting and expenditure of funds.

B. STAFF AND ORGANIZATION

There is established within the Department of Fish and Wildlife the position of Department Manager and such other positions as are approved by the Department's operating budget. All personnel shall be hired and managed pursuant to and accordance with the Navajo Nation's Personnel Policies

A.C. (IV.) AUTHORITY, DUTIES AND RESPONSIBILITIES

~~The Director of the~~ Department of Fish and Wildlife Manager within the Administration Section is hereby authorized and directed to ~~subject to available funds.:~~

1. Formulate overall administrative and operating policies pertaining to the Department and take such action as deemed necessary for accomplishment;
2. Develop and recommend policies, rules ~~and regulations,~~ and management plans relating to animal control, fish, wildlife, and native plant management and enforcement;
- ~~3.~~ Develop and recommend regulations pertaining to animal control, fish, wildlife, and native plant management and enforcement to the Resources and Development Committee of the Navajo Nation Council;
- ~~3.4~~ Implement fish, wildlife and native plant programs derived from and consistent with such policies, regulations and plans;
- ~~4.5~~ Participate in land use planning;
- ~~5.6.~~ Seek federal and other available funds and technical assistance in further development of fish, wildlife and native plant programs;
- ~~6.7~~ Develop an overall master plan for fish, wildlife and native plant resources which is integrated into the comprehensive natural resource management plan for the Division of Natural Resources;
- ~~7.8~~ Plan and execute programs and activities relating to the enforcement of Tribal and Federal laws which apply to the fish and wildlife resources;
- ~~8.9.~~ Plan and execute programs and activities relating to the collection and organization of information on rare plants, animals and habitat, and utilization of such information for land use planning;
- ~~9.10~~ Plan and execute programs and activities relating to outdoor recreation;
- ~~10.11.~~ Plan and execute programs and activities relating to information and education for wildlife management and conservation, fisheries management and conservation, wildlife law enforcement and animal control;
- ~~11.12.~~ Plan and execute programs and activities relating to the rehabilitation of injured and/or orphaned wildlife.

V ANIMAL CONTROL PROGRAM:

A. PURPOSE

The purpose of the Animal Control Program is to enforce the animal control laws established by the Navajo Nation Council, to protect the health, safety and property of people and animals, address responsible pet ownership, over population, disease and neglect of animals through education, and promote foster programs, spay and neuter clinics and animal adoption programs through the public, other agencies and organizations in the spirit of cooperation and for the benefit of present and future generations.

B. STAFF AND ORGANIZATION

There is established within the Animal Control Program the position of Program Manager and such other positions as are approved by the Program's operating budget. All personnel shall be hired and managed pursuant to and in accordance with the Navajo Nation's Personnel Policies. The Animal Control Program shall be responsible for:

1. Enforcing all animal control laws established by the Resources and Development Committee of the Navajo Nation Council and the Navajo Nation Council. Animal Control Law Enforcement Personnel will be commissioned by the President of the Navajo Nation as Peace Officers after adequate training. The scope of Animal Control Law Enforcement Personnel responsibility shall be limited to the enforcement of the Navajo Nation animal control laws and ordinances as established by the Navajo Nation Council. Animal Control Law Enforcement Personnel will make and assist in arrests, searches and seizures of property and cite violators when enforcing said laws and ordinances in the same manner as a Navajo Nation Police Officer, pursuant to Title 17 of the Navajo Nation Code;
2. Emphasizing and promoting community health and safety through education and enforcement about animal diseases and adverse effects and reporting potential health problems to appropriate agencies;
3. Assisting in the gathering of biological data related to the occurrence of animal borne disease carried by dogs, cats, and wildlife species;
4. Assisting communities and Chapters in the development of animal control programs;
5. Monitoring and evaluating community and Chapter animal control programs for compliance

C. AUTHORITY, DUTIES AND RESPONSIBILITIES

The Program Manager of the Animal Control Program is hereby authorized and directed to:

1. Formulate overall administrative and operating policies pertaining to the Department and take such action as deemed necessary for accomplishment;
2. Prepare annual budgets and monitor Program financials as they relate to the tactical and strategic short-term and long-term work plans for the Program;
3. Develop and recommend to the Resources and Development Committee of the Navajo Nation Council regulations relating to domesticated animals and enforcement;
4. Develop and recommend policies, rules and management plans relating to domesticated animals and enforcement;
5. Implement domesticated animal programs derived from and consistent with such policies rules regulations and plans;

6. Participate in land use planning initiatives to ensure that animal management issues are addressed;
7. Recommend health quarantine policies for all animals within the Navajo Nation;
8. Seek federal and other available funds and technical assistance in further development of programs to benefit all animals;
9. Plan and execute programs and activities relating to the enforcement of Navajo Nation laws that apply to domesticated animal health and safety;
10. Maintain a financially self-sufficient program by charging variable fees for services

VI. WILDLIFE MANAGEMENT / RESEARCH SECTION:

A. PURPOSE

The purpose of the Wildlife Management/Research Section is to be responsible for the gathering of technical data in the fields of fisheries biology and wildlife biology and analyzing the data so that professional recommendations can be made for the proper management of fish and wildlife resources on the Navajo Nation

B. STAFF AND ORGANIZATION

There is established within the Wildlife Management/Research Section the position of Wildlife Manager and such other positions as are approved by the Program's operating budget. The Wildlife Manager is responsible for administering the Wildlife Management/Research Section. All personnel shall be hired and managed pursuant to and in accordance with the Navajo Nation's Personnel Policies. The Wildlife Management/Research Section shall be responsible for

1. Administering Big Game, Small Game, Furbearers, Waterfowl, Sport Fisheries and Lake Recreation, Native Fisheries and Upland Game Management Programs;
2. Administering the Predator Control Program. The Predator Control Program is responsible for the planning, execution and supervision of all programs and activities relating to the management of wildlife injurious to livestock and crops and to prevent disease and injury to humans, pets and livestock caused by wildlife.
3. Administering the Endangered Fish Program. The Endangered Fish Program is responsible for operating and maintaining the Fish Ladder on the San Juan River and the Navajo Agricultural Products Industry Razorback Sucker Grow-Out Ponds. This Program is responsible for monitoring native fish in the San Juan River and removing non-native fish from the San Juan River. This program represents the Navajo Nation on the San Juan River Recovery Implementation Program Biology Committee meetings and presents annual reports and funding proposals. The Program

participates in management of endangered fish in the Little Colorado and Colorado Rivers

C. AUTHORITY, DUTIES AND RESPONSIBILITIES

The Wildlife Manager is hereby authorized and directed to:

1. Develop long-term and annual section work plans;
2. Prepare annual budgets;
3. Negotiate contracts and agreements with federal, state and non-governmental organizations;
4. Negotiate contracts with sub-contractors for fish and wildlife management and parks and recreation projects;
5. Route documents through the 164 Review Process;
6. Present legislation to the Navajo Nation Council and subcommittees of the Navajo Nation Council;
7. Oversee hiring, personnel issues, procurement and travel;
8. Determine the Wildlife Management/Research Section's staffing and organizational structure annually based on the Annual Work Plan and budgets;
9. Administer operation and maintenance of the Navajo Nation Fish hatchery;
10. Administer operation and maintenance of recreation facilities at area fishing lakes;
11. Administer operation and maintenance of the San Juan River Fish Ladder and the Navajo Agricultural Products Industry Razorback Sucker Grow-Out Ponds;
12. Process Scientific Collecting, Ceremonial, Biological Investigation Permit applications and make recommendation on their approval/disapproval to the Department Director;
13. Draft or review policies and procedures for the Department;
14. Review and comment on federal and state plans that may affect the Navajo Nation;
15. Ensure that Wildlife Management/Research Section Staff participate in public education at their facilities and at chapter Houses and other public venues;
16. Update the Wildlife Management/Research Section of the Department website;
17. Review and recommend to the Resources and Development Committee of the Navajo Nation Council updates to the hunting, trapping, fishing and boating regulations as needed;
18. Draft annual hunting proclamations for review by administrative and law enforcement staff;
19. Network with tribal, state and federal wildlife management agencies for coordinated and cooperative wildlife management initiatives on a regional level.

VII. NATURAL HERITAGE PROGRAM

A. PURPOSE

The purpose of the Natural Heritage Program is to collect, manage and disseminate biological information for land use planning and to promote the conservation of biological diversity. The Natural Heritage Program provides technical assistance and planning to the Navajo people, tribal communities and tribal programs, and engages, consults and collaborates with federal, state and local governments to ensure compliance and adherence with tribal and federal laws. Through effective management of this process, the Natural Heritage Program plays an essential role in facilitating public outreach, community and economic development and resources management on the Navajo Nation

B. STAFF AND ORGANIZATION

There is established within the Natural Heritage Program the position of Wildlife Manager, Botanist, Zoologist, Wildlife Biologist, Geographic Information Systems Supervisor and Wildlife Technician and such other positions as are approved by the Program's operating budget. All personnel shall be hired and managed pursuant to and in accordance with the Navajo Nation's Personnel Policies. The Natural Heritage Program shall:

1. Conduct on-going systematic scientific inventory of and research on the distribution and status of plants, animals and biotic communities on the Navajo Nation;
2. Maintain database information on plant and animal species and biological communities that are of concern on the Navajo Nation;
3. Identify and prioritize conservation areas in need of special management to recover rare and/or protected species and biotic communities;
4. Make biological information available upon request for a fee to developers, natural resource managers, NatureServe and land use planners for the purpose of planning development and developing management and land use plans;
5. Be responsible for updating, monitoring and evaluating species listed on the Navajo Endangered Species List and other tribal policies and regulations, and staying apprised of current and proposed listings of plant and animal species under the Federal Endangered Species Act;
6. Provide technical review to ensure environmental compliance with tribal and federal laws along with recommendations for avoidance and mitigation measures as needed;
7. Conduct public education presentations to promote positive awareness of tribal biological resources and understanding of the Natural Heritage Program's goals.

C. AUTHORITY, DUTIES AND RESPONSIBILITIES

Natural Heritage Program personnel are hereby authorized and directed to

- 1 Wildlife Manager
 - a. Administer and develop the Natural Heritage Program;
 - b. Be responsible for the operational staffing, implementing short and long term goals and objectives, and providing support, guidance, direction and authorization to subordinate personnel;
 - c. Prepare annual budgets and analyze budgets and operational expenses to maximize efficiencies;
 - d. Prepare annual work plans and key performance indicators. Seek additional funding initiatives to further development of the program;
 - e. Address deficiencies in our knowledge of sensitive plant and animal species on the Navajo Nation to improve biological review time, provide spatial/data information and allow for the integration of information into a network system for use by other tribal/federal resources management agencies.
 - f. Duties: 30% administration, 35% fiscal management, 20% Program development, 10% professional development, 5% public outreach.
2. Botanist:
 - a. Provide professional advisory and technical support in the monitoring, inventory, protection, management and conservation of rare and sensitive plant species on the Navajo Nation.
 - b. Duties: 45% resources management, 25% environmental reviews, 15% herbarium curator/maintenance, 10% professional development, 5% public outreach.
3. Zoologist:
 - a. Provide professional advisory and technical support in the monitoring, inventory, protection, management and conservation of rare and sensitive animal species on the Navajo Nation
 - b. Duties: 45% resources management, 25% environmental reviews, 15% field inventory/monitoring, 10% professional development, 5% technical assistance.
4. Wildlife Biologist:
 - a. Conduct site visits, scientific literature reviews on all business leases, rights of way and area projects to ensure compliance with the Navajo Endangered Species List, 17 NNC §507, and federal environmental laws
 - b. Prepare documents in accordance to the 2 NNC §164 process.
 - c. Duties: 58% consultation project meetings & customer service, 35% project reviews (SAS/EOR), 5% field site visits and oil & gas onsite inspections, 2% assisting other Fish and Wildlife Department programs
- 5 Geographic Information Systems Supervisor

- a. Provide technical support for computer network, emails, computer workstations and Geographic Information System operations;
 - b. Prepare data requests biotics transfers and produce endangered species shape files;
 - c. Keep and develop the Fish and Wildlife Department databases and maintains the website for the Department, the National Heritage Program and the Animal Control Program.
 - d. Duties: 35% GIS, biotics, shape files development, 20% computer network, 18% website maintenance, 15% Department databases, 12% supervisory.
6. Wildlife Technician
- a. Serve as point of contact for homesite compliances;
 - b. Ensure homesite request documents are complete,
 - c. Enter pertinent information into a database, prepares homesite compliance forms, invoices and correspondence to tribal members on status of homesite reviews.
 - d. Duties: 90% homesite lease requests and customer service, 5% public outreach, 5% professional development.

VIII. WILDLIFE LAW ENFORCEMENT SECTION

A. PURPOSE

The purpose of the Wildlife Law Enforcement Section is to enforce tribal and federal laws and regulations pertaining to fish and wildlife resources

B. STAFF AND ORGANIZATION

There is established within the Wildlife Law Enforcement Section the position of Wildlife Law Enforcement Manager. The Wildlife Law Enforcement Section is comprised of Law Enforcement Officers that are commissioned to enforce Navajo Nation Criminal and Civil Codes and federal wildlife laws and regulations

C. AUTHORITY, DUTIES AND RESPONSIBILITIES

The Wildlife Law Enforcement Manager within the Wildlife Law Enforcement Section is hereby authorized and directed to:

1. Develop long-term and annual section work plans;
2. Prepare annual budgets;
3. Negotiate contracts and agreements with federal, state and non governmental organizations
4. Route documents through the 164 Review Process;
5. Recommend legislation to the Navajo Nation Council and subcommittees of the Navajo Nation Council;
6. Oversee law enforcement hiring, personnel issues, procurement and travel;

7. Ensure that all enforcement staff are current on their commission and training requirements on an annual basis;
8. Update all Law Enforcement Special Operating Procedures as needed;
9. Determine the Wildlife Law Enforcement Section's staffing and organizational structure annually based on the Annual Work Plan and budgets;
10. Review and recommend to the Resources and Development Committee of the Navajo Nation Council updates to hunting, trapping, fishing and boating regulations as needed;
11. Draft or review policies and procedures for the Department;
12. Review and comment on federal and state plans that may affect the Navajo Nation;
13. Ensure that Wildlife Law Enforcement Staff participate in representing the Department for public education at Chapter Houses and other public venues;
14. Update the Wildlife Law Enforcement Section of the Department website;
15. Administer the Navajo Nation Operation Game Thief program;
16. Network with tribal, state and federal wildlife law enforcement agencies for coordinated and cooperative wildlife enforcement initiatives on a regional or national level;
17. Administer the Navajo Nation Hunter Education Program.

IX. NAVAJO NATION ZOOLOGICAL AND BOTANICAL PARK

A. PURPOSE

The purpose of the Navajo Nation Zoological and Botanical Park is to provide a quality exhibition of native plant and animal species that will foster the understanding, appreciation, knowledge and respect of plants and animals that inhabit the Navajo Nation and the Southwest.

B. STAFF AND ORGANIZATION

There is established within the Navajo Nation Zoological and Botanical Park the position of Zoo Curator and such other positions as are approved by the program's operating budget. All personnel shall be hired and managed pursuant to and in accordance with the Navajo Nation's Personnel Policies. The Navajo Nation Zoological and Botanical Park shall be comprised of the following sections:

1. The Management/Administration Section.
This section shall be responsible for the oversight of daily program operations, including employee supervision, federal certification, program development, procurement, and other administrative duties.
2. The Animal Care Section

This section shall be responsible for the care of fish, wildlife and plant resources within the program by feeding, watering, cleaning, and maintaining the program and its exhibits; this section also conducts renovation and construction projects for the continual improvement and modernization of the Zoo.

3. Others as may be deemed necessary by the Curator of the Navajo Nation Zoological and Botanical Park contingent upon compliance with Section VI of the Plan of Operation.

C. AUTHORITY, DUTIES AND RESPONSIBILITIES

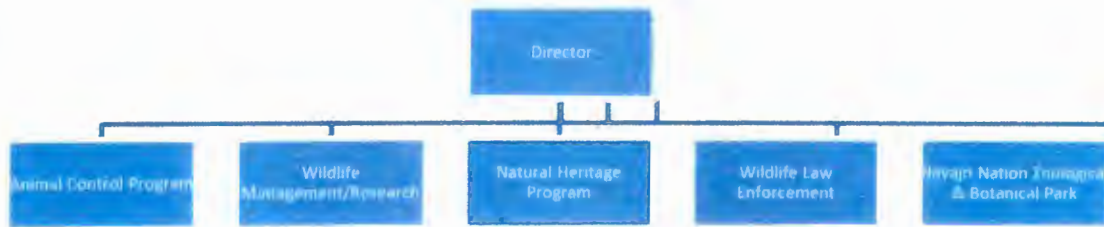
The Curator of the Navajo Nation Zoological and Botanical Park is hereby authorized, subject to available funds, to

1. Maintain a continuously improving and free-admission facility, which is recognized as the only certified Native American zoological facility in the United States;
2. Conserve native plants and animals, including rare, sensitive and endangered species, by serving as a sanctuary for orphaned, injured, confiscated, or otherwise impaired wildlife;
3. Provide quality care for all plants and animals within the collection by maintaining a natural, safe, and healthy environment;
4. Promote awareness and education about native plants and animals, including their cultural and traditional significance to the Navajo people;
5. Implement educational programs targeting schools and families that promote conservation, culture, and respect of native plants and animals;
6. Accommodate and monitor traditional and/or ceremonial activities on the Navajo Nation Zoological and Botanical Park grounds;
7. Maintain and operate the Navajo Nation Eagle Aviary, and collect eagle feathers to use in the Eagle Feather Distribution Program;
8. Comply with all pertinent laws and regulations to maintain federal certification
9. Seek federal, corporate and public funds and donations to provide related services and enhancement and expansion of the facility.

X. OTHER SECTIONS.

Other Sections and programs may be established as deemed necessary by the Director of the Department of Fish and Wildlife contingent upon compliance with Section XII of the Plan of Operation

XI. ORGANIZATIONAL CHART



~~IV.XII.~~ ~~(V.)~~ **LEGISLATIVE OVERSIGHT:**

Pursuant to 2 ~~N.T.C.~~ N.N.C. §501(C) 601, Et Seq the Resources and Development Committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources which includes the Department of Fish and Wildlife.

~~V.XII.~~ ~~(VI.)~~ **AMENDMENT:**

This Plan of Operation may be amended by the Government Services Committee Resources and Development Committee of the Navajo Nation Council. ~~upon the recommendation of the Resources Committee of the Navajo Nation Council.~~

Exhibit M

PLAN OF OPERATION
NAVAJO NATION DEPARTMENT OF AGRICULTURE

I. ESTABLISHMENT

~~There is hereby established the Department of Agriculture within the Navajo Division of Natural Resources within the Executive Branch of the Navajo Nation government. The Navajo Nation Department of Agriculture is hereby established as a department of the Navajo Nation Division of Natural Resources within the executive branch of the Navajo Nation government.~~

II. PURPOSE

~~A. The Department of Agriculture Navajo Nation Department of Agriculture (NND) shall manage all aspects of plan, develop, coordinate, integrate, manage and implement all programs, policies and regulations designed to conserve, protect, regulate, develop and manage Navajo range, livestock and agricultural land resources for the optimum benefit of all Navajo people including future generations.~~

~~B. The NND All plans, objectives and activities of the Department of Agriculture shall be oriented toward the development of a viable rural economy for the Navajo people based on family livestock, and commercial and subsistence farm enterprises and range land management~~

~~C. , and The NND shall be consistent with apply the generally accepted industry principles, practices and established guidelines for the conservative use of natural soil and water resources.~~

~~D. The NND will ensure compliance with Navajo Nation Code for the protection of Navajo natural resources.~~

~~E. The NND will establish revenue generation centers in each management section for investment in maintenance and enhancement of direct services and for the conservation and/or restoration of natural resources~~

~~F. The NND will collect funds as authorized under Navajo Nation laws. The funds collected are Navajo Nation funds and must be turned over to the appropriate authority. Any other use of these funds will be deemed a misuse of Navajo Nation funds, theft or embezzlement and may result in prosecution through the Navajo Nation or federal courts.~~

~~G. The NND will refer extraordinary issues outside program authorities to the appropriate oversight Committee.~~

~~Department of Agriculture shall also provide technical assistance in the planning, design, implementation, financial and maintenance of agricultural conservation practices.~~

~~a. The Department of Agriculture shall, pursuant to Tribal laws, provide agricultural extension education services for all aspects of production agriculture and irrigation, livestock and range management~~

~~b. The Department of Agriculture shall, pursuant to Tribal laws, provide comprehensive veterinary services and herd health services to Navajo livestock producers, with the emphasis on education to the producer on various practices.~~

- ~~c. The Department of Agriculture shall provide administration of Tribal ranches and leases by ensuring lease compliance, repair and maintenance on ranch improvements.~~

III. STAFF AND ORGANIZATION

The ~~NNDA Department of Agriculture~~ shall consist of such management ~~Sections~~ and functions as may be necessary to accomplish the purposes and directive cited above.

A. Personnel

1. There is hereby established the position of Department Manager ~~Director~~ and such other positions as may be deemed necessary for ~~NNDA~~ the operation and management of the NNDA and its management sections.
2. Each management section of the Department shall be managed by an employee of the Department as assigned by the Department Manager and as may be budgeted by the Navajo Nation
3. All personnel including the Department ~~Director~~, shall be hired and compensated pursuant to the Navajo Nation Personnel Policies and Procedures Manual.
4. All personnel shall adhere to the Navajo Nation Ethics in Government Law.

B. Organization

The ~~NNDA Department of Agriculture~~ shall consist of the following management sections listed below to accomplish the NNDA Plan of Operation, and/or other duties and responsibilities as assigned by the Department Manager. The manager of each section will report to, and be responsible to, the Department Manager.

Each management section will provide and maintain a learning environment for college student and youth interns from college and universities including high school students and summer/winter break students in addition to serving as a worksite provider as needed and as funds are available.

Each management section, where appropriate, will establish revenue generation services to maintain and enhance direct services and to invest in the conservation of natural resources.

1. Administration

This section shall be responsible for the Department financial, personnel, reporting, property and general office management functions. The Department Manager or designee will be charged with direct supervision of this Section.

2. Ranch and Eastern Land Management

This section shall be responsible to provide productive and optimum use of lands under its direct management. And shall be authorized to establish a livestock herd(s), make purchases, and sell livestock to generate revenues for replacement purposes pursuant to established policies and procedures. If available, lands may be leased to secure additional rangelands to support and augment the livestock herd. To establish a bull pasture with reasonable fees. And to purchase bulk supplemental feeds during drought conditions and

other emergency related conditions and resell supplemental feeds with additional cost to the customer.

a. Tribal Ranch Section

The purpose of the Tribal Ranch Section is to manage Tribal ranch units, ranches and other programs as may be deemed necessary to accomplish the purposes cited And to comply with 16 N.N.C. §1 et seq. and the Navajo Nation Policy on Acquisition of Lands.

b. Tribal Ranch Section Authority, Duties and Responsibilities

The Tribal Ranch Section shall lease tribal ranches according to established rules, regulations and laws and as follows:

- (1) Generate revenues to pay taxes, land use fees and tribal ranch land operation and maintenance cost
- (2) Provide grazing lands for members of the Tribe who do not have grazing permits
- (3) Provide additional or substitute grazing lands for members of the Tribe who reside in depleted forage areas of the nation.
- (4) Coordinate with appropriate Game and Fish Departments for wild game hunting on tribal ranches pursuant to applicable laws and regulations, including establishment of recreational hunter access fees and land owner hunt permits and sales thereof to mitigate hunter damages to ranches, ranch infrastructure and ranch improvement.
- (5) Coordinate with Navajo Nation Forestry in regards to wood hauling on tribal ranches to assure healthy land use for the people and the animals
- (6) Provide land necessary for approved Tribal enterprises.
- (7) Advocate for consolidation of Indian and other land holdings in "checkerboard" area wherever the best interest of Navajos grazing in the area and the welfare of the Navajo Nation are served
- (8) Navajo Nation employees and legally established agricultural cooperatives or associations within the Navajo Nation may use available services as provided and in accordance with established policies and procedures.

c. Eastern Agency Section

The purpose of the Eastern Agency Section is to manage Eastern Navajo Agency grazing range and farm resources for the optimum benefit of Navajo agricultural production

d. Eastern Agency Section Authority, Duties and Responsibilities

- (1) Ensure compliance with grazing, farming rules and regulations

- (2) Provide technical and administrative services including training for the Eastern Agency Land Board
- (3) Address noncompliance of duties by the Eastern Agency Land Board. And establish a standardized process to remedy the situation. After three written correspondence regarding the matter, staff will recommend removal for non performance through the Navajo Nation Office of Ethics and Rules.
- (4) Recommend removal of Eastern Navajo Land Board members through the Navajo Nation Office of Ethics and Rules where appropriate
- (5) Review, revise and/or update policies, and procedures and recommend approval of regulations to the Resources and Development Committee for grazing on Tribal trust, allotments, fee and leased lands in the Eastern Navajo Agency.
- (6) Review and prepare and present grazing dispute appeal cases to the Navajo Nation Department of Justice to present to the Office of Hearing and Appeals
- (7) Coordinate administrative needs among the Eastern Agency Land Board with other Navajo Nation, Tribal, federal and state agencies, public and private entities
- (8) Maintain records of livestock tallies, crop reports, meeting minutes, disputes, and grazing and land dispute recommendations.
- (9) Maintain "Agency Profiles" with information provided by the Bureau of Indian Affairs that includes carrying capacities, stocking rates, number of Sheep units issued and the number of permittees and other information as needed
- (10) Attend and coordinate quarterly meetings with the Bureau of Indian Affairs Natural Resources Division, to obtain updated information on Natural Resources in regards to both Navajo Nation ALUPs and Grazing Permits.
- (11) Develop and implement livestock and trespass removal programs and activities
- (12) In coordination with the Eastern Agency Land Board and the upon review and approval by the Departmental Manager, shall transfer grazing fees collected by the Bureau of Indian Affairs Navajo Region, and on behalf of the Bureau of Land Management from grazing permittees in Eastern Navajo Agency. These grazing fees shall be managed and administered on behalf of the Eastern Agency Land Board for conservation projects and administration costs in Eastern Navajo Agency pursuant to the approved Cooperative Agreement between the Bureau of Indian Affairs, the Bureau of Land Management and the Navajo Nation

3. Range and Farm Management

a. Purpose

To manage Navajo grazing, range and farm resources for the optimum benefit of Navajo agricultural production

b. Authority, Duties and Responsibilities

- (1) Ensure compliance with grazing, farming rules and regulations.
- (2) Provide technical and administrative services including training for the District Grazing Committee and Farm Board members.
- (3) Address noncompliance of duties by Grazing Committee and Farm Board members. And establish a written standardized process to remedy the situation. After three written correspondence regarding the matter, staff will recommend removal for non-performance through the Navajo Nation Office of Ethics and Rules.
- (4) Recommend removal of Grazing Committee and Farm Board members through the Navajo Nation Office of Ethics and Rules where appropriate
- (5) Review, revise and/or update policies, and procedures and recommend approval or regulations to the Resources and Development Committee for grazing on Tribal trust, allotments, fee and leased lands.
- (6) Review and prepare and present grazing dispute appeal cases to the Navajo Nation DOJ to present to the Navajo Nation Department of Justice to present at the Office of Hearing and Appeals
- (7) Coordinate administrative needs among the Grazing Committees and Farm Boards with other Navajo Nation, Tribal, federal and state agencies, public and private entities
- (8) Maintain records of livestock tallies, crop reports, meeting minutes, disputes, and grazing and land dispute recommendations.
- (9) Maintain "Agency Profiles" with information provided by the Bureau of Indian Affairs that includes carrying capacities, stocking rates, number of Sheep units issued and the number of permittees.
- (10) Attend and coordinate quarterly meetings with the Bureau of Indian Affairs, Natural Resources Division, to obtain updated information on Natural Resources in regards to both Navajo Nation ALUPs and Grazing Permits
- (11) Develop and implement livestock and trespass removal programs and activities.

4. Veterinary Management

a. Regulatory Section

The prevention, suppression, control and eradication of communicable diseases of animals, wildlife and poultry, as stipulated in Navajo Nation Title 3

b. Authority, Duties and Responsibilities

- (1) Services include extension services on Navajo Veterinary Regulatory Board and section activities and support services
- (2) Works in accordance with the Navajo Nation Emergency Response to a Foreign Animal Disease (RCAU 43 04) and the Livestock and Foreign Animal Disease Act of 2006 (CMY-27 06)
- (3) Supports operations and developing procedures related to Veterinary health.
- (4) Research new procedures and animal health technologies and facilities to stay abreast of current developments and assist in development.
- (5) Raise awareness of the NNDA's role in assuring a safe food supply through educating and assisting producer(s) to yield a healthy animal for the food supply chain.
- (6) Provide public information and answer questions from the public regarding a myriad of circumstances regarding animal health and the states livestock population
- (7) Work cooperatively with the Division of Health on veterinary related threats to public health through zoonotic disease surveillance, investigation and research
- (8) Collaborate with all Federal and State animal disease regulations, disease eradication and cooperative programs; participate in foreign and domestic disease surveillance and investigations.
- (9) Provide assistance in grant applications related to animal health.
- (10) Serve as the primary contact for NNDA with the United States Department of Agriculture as well as other stated and federal organizations on issues related to animal and poultry diseases
- (11) Oversee the Navajo Nation Animal Identification System functions to include premise registration, animal identification and animal tracking in cooperation with the Navajo Department of Resource Enforcement and Federal / State cooperators
- (12) Administers work in accordance with State and Federal agreements.
- (13) Collect tissues for laboratory work, histopathology and other relevant laboratory procedures and analyses
- (14) Performs epidemiological analyses regarding livestock and disease issues and enforces quarantines in coordination with the Navajo Nation Resource Enforcement and the states/ federal official's relations to animal and poultry disease outbreak

(15) Work with Homeland Security personnel to resolve incidents involving livestock.

(16) Participate in the Agriculture and Animal Disease Response communications, meetings and training to develop and maintain alliances with State and Federal animal health officials.

(17) Examine livestock and horses at Navajo Nation fairs, for signs of infectious and communicable disease to determine admission to the event when needed.

(18) Assures humane handling of animals.

(19) Provide technical assistance to the public and public health officials in the area of normal anatomy and pathological conditions of livestock rendered for human consumption.

(20) Assist the Navajo Nation Resource Enforcement and Navajo Nation Fish and Wildlife with forensic investigations relevant to livestock, horses and wildlife during criminal investigations conducted by those organization officers.

(21) Provide assistance for Navajo Nation IACUC committees.
Reviews and approves requests for importation of exotic animal species visiting or imported to the Navajo Nation for human handling and meeting the animal health standards of the Navajo Nation.

(22) Represent the Navajo Nation at the Western States Livestock Health Association (WSLHA) and maintain membership and voting capacity within the United States Animal Health Association (USAHA).

c. Veterinary Clinic Section

The purpose of the Veterinary Clinic Section is the prevention, treatment, suppression control and eradication of communicable diseases of livestock, companion animals and poultry.

d. Authority, Duties and Responsibilities

(1) Provide herd health work and supply preventive medications and supplies at reasonable cost to producers, while providing technical assistance to train producers toward self sufficiency in routine herd health procedures.

(2) Provide disease diagnostic services for the well-being of animal (equine, livestock, small animal, wildlife) as well as protection of public health through in-house testing and referral of samples to major diagnostic laboratories

- (3) Serve as the lead agency for the Navajo Nation in surveillance and response for equine, livestock, small animal and wildlife diseases within the Navajo Nation
- (4) Cooperate with Federal and State Veterinarians in the maintenance of intrastate and interstate shipment, disease control regulations, response and activities
- (5) Maintain the program as a financially self sufficient program of the Navajo Nation budgeting organizational costs of the program by charging variable fees for veterinarian services and supplies
- (6) Conduct chapter based and other extension education seminars on various aspects of livestock management, agri-business, genetic improvements and disease prevention and other subjects as maybe warranted.
- (7) Provide and maintain a learning environment for veterinary student externs from accredited veterinary colleges and the Native American Project; high school students and summer and winter break students as a worksite provider
- (8) Promote the health and welfare of Navajo Nation equine, livestock, small animals and wildlife through the Navajo Nation Health code, foreign animal disease act and response capabilities
- (9) Provide veterinary assistance to the Navajo Nation Zoo and the Navajo Nation Department of Fish & Wildlife
- (10) Provide veterinary assistance to the Navajo Nation Department of Resource Enforcement
- (11) Mobile Clinics to be operated as deemed necessary and if clientele and caseloads and revolving account funds are adequate to cover such costs, to accomplish the purposes cited herein.
- (12) Work and coordinate with Non Government Organizations and other visiting groups that are interested in providing veterinary care on the Navajo Nation
- (13) Assure humane handling of animals.
- (14) Active management of unsustainable and unhealthy increase in animal population through spay, neuter, castration, PZP and other general accepted industry practices.

5. Livestock Brand Management

a. Purpose

To protect the integrity of the livestock industry on the Navajo Nation through constant patrols, active involvement in the establishment and enforcement of a livestock brand inspection system, and provision of education and training on the Navajo Nation livestock rules and regulations.

To work in partnership with the Deputy Livestock Inspectors and the Department of Resource Enforcement to provide livestock inspection on the Navajo Nation to keep livestock safe from theft and disease and mishandling.

Will also work with the NNDA management sections to safeguard the Navajo Nation from animal disease.

b. Authorities, Duties and Responsibilities

(1) Livestock Inspection

The purpose of livestock inspection is to verify livestock ownership and/or to verify that that individual hauling the livestock is doing so with the expressed written permission of the lawful owner/. As the " N" brand is registered to the Navajo Nation in the states of Arizona, New Mexico and Utah, all livestock bearing the " N" brand must be inspected by the Livestock Brand Management before leaving the Navajo Nation. If such livestock shows up off the Navajo Nation without a valid hauling permit, the appropriate State Brand Inspector will seize the livestock for questionable ownership. This insures all livestock will be inspected prior to resale.

(2) Brand Management (brand registration)

- (a) " N" is the official brand of the Navajo Nation and must be on all equine and bovine grazing on the Navajo Nation.
- (b) The " N" brand shall be placed on the left shoulder
- (c) The " N" is to be used in conjunction with three character brand assigned by the Bureau of Indian Affairs
- (d) If you have an official Arizona or New Mexico or Utah state brand and no brand from the Bureau of Indian Affairs assigned brands, then the " N" is NOT required
- (e) All State brands must be recorded with the Bureau of Indian Affairs and the Navajo Nation Department of Agriculture
- (f) All livestock grazing on the Navajo Nation must have a valid Navajo Nation permit or the livestock is in trespass.
- (g) A valid State brand does NOT automatically give authorization to graze on the Navajo Nation

(3) Will be responsible for maintaining and keeping current the "N" brand registration with the states of Arizona, New Mexico and Utah.

(4) Livestock Importation (permit, livestock hauling, resale)

A hauling permit is required to transport livestock on and off the Navajo Nation. A hauling permit may be applied for at this office. A service fee will be charged. A resale permit is required

(5) Livestock Investigation Will assist as needed

- (6) Enforce the State and Federal regulations relative to the National Traceability rules, premise identification and Navajo Nation Code Title 3, including Premise Management (premise record; number associated with brand), RFID and Scrapie tagging.
- (7) Develop and maintain a livestock management system and livestock inspection schedule in partnership with the Department of Resource Enforcement to provide livestock inspection compliance at livestock sale yard(s) and other areas convenient to livestock owners seeking to transport their livestock to livestock sales and/or auctions.
- (8) Assist in the lawful planning and design of excess livestock and feral animal removal
- (9) Manage all aspects of the Deputy Livestock Inspector (DLI) training and commissioning including training and recruiting eligible individuals to become a commissioned DLI.
 - (a) The DLI training will use the Navajo Nation Department of Resource Enforcement Standard Operation Procedures and Title II Chapter 7, Control and Inspection of Livestock
 - (b) Update the above document as needed
 - (c) Training is provided free of cost to eligible attendees however the attendees will pay for all expenses traveling to and from training.
 - (d) Upon successful completion of established requirements, will work to have the individual commissioned as a DLI for the Navajo Nation.
- (10) Deputy Livestock Inspector (DLI)

The purpose of the DLI training and commissioning is to leverage community resources to assist in the inspection of livestock due to limited resources to fulfill livestock inspection during the high season of livestock sales

- (a) Works under the direct supervision of a Navajo Nation Ranger.
- (b) Provides livestock inspection services and can seize and hold livestock under Title 3, Navajo Nation Code Chapter 7, Control and Inspection of Livestock, Subchapter 1 Generally

- 1- ~~Chinle Agency Agriculture Office and Veterinary Clinic~~
- 2- ~~Eastern Agency Agriculture Office~~
- 3- ~~Fort Defiance Agency Agriculture Office; Window Rock Veterinary Clinic and Dilkon Field Office~~
- 4- ~~Shiprock Agency Agriculture Office and Veterinary Clinic~~
- 5- ~~Western Agency Agriculture Office; Tuba City Veterinary Clinic and Kayenta Field Office~~
- 6- ~~Tribal Ranches Administration~~
~~Grazing Management Program~~

IV. RESPONSIBILITY AND AUTHORITY

The ~~Department Manager~~ Director of the NNDA ~~Department of Agriculture~~ is hereby authorized and directed to:

1. ~~Provide technical assistance to land users and livestock producers by planning, designing, providing financial assistance through the cost share funds and implementing agricultural conservation practices and projects to improve range conditions, farm lands and irrigation water delivery systems and improve herd quality, including assisting the cooperator to seek Agricultural Conservation Program funds.~~
2. ~~Develop, coordinate and implement a comprehensive practical extension education program to address range conservation and management, livestock management, breeding, herd health and improvement, irrigation practices, farm and crop production and management.~~

~~Develop and recommend policies and procedures pertaining to the resolution of farm, grazing and land disputes. Develop and recommend policies and procedures that will encourage credit sources, such as Farmers Home Administration, Production Credit Association, etc., to cooperate with Navajo agricultural producers in providing credit resources to family livestock, farms and related agricultural enterprises. In cooperation with other Navajo Nation organizations, review, revise, develop and recommend policies, procedures, regulations, and management plans for:~~

~~Grazing on Tribal trust lands, ranch lands, fee lands, leased lands;~~

~~Farm lands;~~

~~Livestock and Farm Producers Association and Soil and Water Conservation District.~~

~~Provide comprehensive veterinary services to Navajo livestock owners as well as for other companion animals and implementing programs to assist Navajo agricultural producers to improve the quality, quantity and the marketing of agricultural products.~~

7. ~~Provide Tribal ranch lease administration and compliance to ensure proper use of ranch land resources; negotiate and recommend individual lease agreements for the use of ranch land resources; cause to be collected grazing fees of the use of ranch land resources and to enhance tribal revenues and ensure maintenance of ranch land improvements, fence and water systems and ensure proper operations of such systems and improvements.~~
8. ~~Actively participate in planning sessions for resources management planning and self-governance assumption of responsibilities of the Bureau of Indian Affairs, Branch of Natural Resources.~~
9. ~~Coordinate with U.S.D.A. agencies, including Soil Conservation Service, Agricultural Stabilization Service, R.C. & D., Cooperative Extension Service, Farmers Home Administration, Farm Production Credit Association to ensure financial and technical assistance from these agencies are made available to Navajo people.~~
10. ~~Coordinate with the Branch of Land Operations, Bureau of Indian Affairs, to ensure that Bureau of Land Operations personnel and financial resources are responsive to the priorities and needs of the Navajo people, through:~~
 - a. ~~Joint planning and implementation of A.C.P. cost share practices; Joint development of special projects for irrigation system construction, irrigated pasture establishment, development of economically viable family farms and ranches, and other such projects as the Navajo people may require.~~

~~Conduct and coordinate field surveys of range and agricultural land, water and vegetative resource conditions and potentials to fill any gaps in the existing data base.~~

~~Provide administrative support for the District Grazing Committee, Eastern Navajo Land Board and Farm Boards by being responsible for training; providing clerical and technical support; review, prepare and present grazing dispute appeal cases to the Resources Committee of the Navajo Nation Council to ensure compliance with land and grazing dispute procedures, the Navajo Tribal Code and Grazing Rules and Regulations; coordinate operational needs with other Tribal entities, such as the Resources Enforcement Agency, Pesticide Program, etc.~~

- A. Ensure all management sections perform essential functions under a broad range of circumstances including working to leverage resources internally and externally to provide direct services.
- B. Shall provide effective management of Departmental budget, human resources, strategic planning, assets, customer services including daily operations and assuring appropriate staff development and training.
- C. Shall develop policies, procedures, recommend approval of regulations to the Resources and Development Committee, and management plans for NNDA in consultation with other entities and the public.
- D. Develop partnership with state federal and private partners as needed to benefit Navajo Nation agricultural resources.
- E. Develop partners with the United States Department of Agriculture agencies to ensure financial and technical assistance from these agencies are made available to NNDA and the Navajo people.
- F. Provide administrative oversight of District Grazing, Navajo Farm Board and Eastern Agency Land Board elected officials
- G. Assure accountability is a Departmental core value encompassing standards of conduct, legal and ethical codes, good stewardship of public funds and property, and effective and efficient use of resources.

V. LEGISLATIVE OVERSIGHT

~~Pursuant to 2 N.T.C. §691, et. seq., the Resources Committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources, which includes the Department of Agriculture.~~

- A. Pursuant to 2 N.N.C. §501 (B)(10), to recommend to the Navajo Nation Council the creation of any Division or Department intended to be under the Committee's oversight by adoption of its Plan of Operation; and to rescind the Plan of Operation or an existing Plan of Operation for any Division or Department under the committee's oversight;
- B. Pursuant to 2 N.N.C. §501 (B)(1), the Committee shall serve as oversight committee of the Division of Natural Resources.; the Resources and Development Committee shall serve as oversight committee of the Division of Natural Resources. Pursuant to 2 N.N.C. §501 (B)10 To recommend to the Navajo nation Council the creation of any Division or Department intended to be under the Committee's oversight by adoption of its Plan of Operation; and to rescind the

Plan of Operation or an existing Plan of Operation for any Division or Department under the committee's oversight;

A. Pursuant to 2 N.T.C. §695(b), the Resources Committee of the Navajo Nation Council may delegate certain authorities to the Director of the Department of Agriculture, which may include, but limited to, administrative rules and regulations in compliance with the department Plan of Operation. B. Pursuant to 2 N.N.C. §501 (B) 1. The Committee shall serve as oversight committee of the Division of Natural Resources

VI.-VI. AMENDMENTS

This Plan of Operation may be amended by the Government Services Committee of the Navajo Nation Council upon the recommendation of the Resources and Development Committee of the Navajo Nation Council upon recommendation of the Department Manager of the NNDA through the Executive Division Director of the Division of Natural Resources.

NAVAJO NATION MUSEUM

PLAN OF OPERATION

I. ESTABLISHMENT

There is hereby established the Navajo Nation Museum as a Department in the Division of Natural Resources, within the Executive Branch of the Navajo Nation Government.

II. PURPOSE

The Navajo Nation Museum shall exist to bridge the past, present, and future of the every enduring Navajo culture and people. The Museum will foster and enhance unity and harmony of the Navajo people by providing, managing, and operating a museum-standard facility and educating our people and the general public regarding issues from the perspective of the Navajo people. ~~The Museum will also undertake the planning, management, and production of the Navajo Nation Fair, as well as the management and operation of the Window Rock Sports Center.~~ The Museum will accept, through donation of gifts, purchase, or other assignment of custody, items of cultural and historic significance to the Navajo people, and the prehistoric populations, and will curate, preserve, and interpret these items. ~~The Museum may also solicit and accept donation of funds and property for the Production of the Navajo Nation Fair and other Special Events, consistent with the Navajo Nation law and the Navajo Nation fund plan.~~

III. STAFFING AND ORGANIZATION

A. STAFFING

1. There is hereby established the position of Museum ~~Department Manager~~ ~~Director~~ ~~Director~~ who shall be responsible for the daily operation ~~and management~~ of the Navajo Nation Museum ~~including the maintenance and improvements, as well as the~~ management of the Museum's collection of artifacts, archival materials, and natural history specimens. ~~The Director shall also be responsible for the planning management, and production of the Navajo Nation Fair, Special Events for the public and the Window Rock Sports Center.~~ The Museum Director shall also be responsible for the daily operation and management of Building No. ~~W 008-250~~, within which the Navajo Nation Museum is primarily located, and any other ancillary facilities which may be assigned to the Museum.
2. The Museum ~~Department Manager~~ ~~Director~~ ~~Director~~ will be selected on the basis of his/her training and experience in museum work, including but not limited to,

collections management and development, exhibit design, program development, fund raising, facility management, and business experience. The Museum ~~Department Manager Director shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual, as amended, and the classification scheme of the Navajo Nation Department of Personnel Management classification service.~~ Director shall be employed and compensated in accordance within the Navajo Nation Personnel Policies Manual, as amended, and the classification scheme of the Navajo Nation Department of Personnel Management classification service

3. The Museum ~~Department Manager Director~~ ~~Director shall is be~~ under the supervision of the Division Director the Division of Natural Resources.
4. The Museum ~~Director department Manager shall Director shall is be~~ authorized to protect and limit ~~control access to all items artifacts, displays, property, and exhibits within the Museum and its facilities, the Museum's storage areas, and as well as other sites where Museum resources may be assigned for their proper protection and preservation access to all items~~ within the Museum, the Museum's storage areas, and other sites where Museum resources may be assigned
5. The Museum ~~Director~~ shall be authorized to recommend additional professional, technical, and clerical positions as needed to carry out the organizational purposes and responsibilities as stated herein. Additional positions shall be created in accordance with the Navajo ~~Nation~~ Personnel Policies Manual, as amended, other applicable policies and procedures of the Navajo Nation Department of Personnel Management, and applicable budget rules established for conducting the Annual Budget process.
6. All Museum ~~employees serve under the provisions of~~ personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual, as amended, and the classification scheme of the Navajo Nation Department of Personnel Management classified service.

IV. RESPONSIBILITY AND AUTHORITY

A. The Navajo Nation Museum will:

1. Collect, preserve, curate, protect, and otherwise manage a collection of items of cultural and historic significance to the Navajo people and/or the prehistoric populations as determined suitable and acceptable by the Museum Director of addition to the Museum Collection inventory and or as further defined in the Cultural Resources Protection Act adopted by Council Resolution CMY 10 88 in the subject areas of natural history,

~~archaeology, history and ethnology, and fine art further disposition authorized under, and/or as further defined in the Navajo Nation Cultural Resources Protection Act, adopted by Council Resolution CMYU 19-88, in matters of the subject areas of natural history, archaeology, history and ethnology, and fine art. Regulatory and Responsibility for Regulatory and enforcement responsibility for~~ of the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. §§ 3001 *et seq.*, remains vested in the Historic Preservation Department.

2. Provide a variety of public educational and informational programs and services, including, but not limited to, exhibits, group tours and lectures, instruction in Navajo Culture for children and adults, inter-museum artifact exchange, written agreements for the loan of artifacts, museum store, provision of photographic images from the Museum's archives, meeting and event facilities, and informational services.
3. Establish and operate a food service facility ("café") on the premises of the Museum or other location approved by the Division Director of the Division of Natural Resources, to be operated in accordance with the Food Service Sanitation Code, 13 N.N.C. §§ 1 *et seq.*, and other applicable law.

~~4. Plan, operate, manage, and produce the Navajo Nation Fair, Special Events for the public, and the Window Rock Sports Center~~

4. Solicit, generate, and receive funds from external sources to contribute to the support of the stated organizational purposes and to improve and expand operations in accordance with the Revenue Expenditure Plan for the Navajo Nation Museum approved by Resolution BRAP 06-04 of the Budget and Finance Committee of the Navajo Nation Council. Funds may be generated from sales of educational materials, gift items, and arts and crafts; facility rental fees; service fees; admission fees; café/food sales/ and other charges or sources of revenue as may be deemed appropriate from time-to-time by the Museum ~~Department Manager~~ Director, in consultation with the Division Director of the Division of Natural Resources. The Museum may solicit and accept, in accordance with applicable Navajo Nation law, tax deductible charitable contributions for the Navajo Nation Museum as authorized by I.R.C. §§ 7871 and 170(c)(1) of the federal Internal Revenue Code.

~~5. Be responsible for public relations and marketing functions, including advertising and promotion, seeking and obtaining sponsorship support for the planning and production or operation of the Navajo Nation Fair and other special events and activities.~~

B. The Museum ~~Department Manager~~ Director will:

1. Be responsible for daily operation of the Navajo Nation Museum, and its ancillary facilities, according to generally accepted museum standards and in compliance with applicable Navajo Nation fiscal policies.
- ~~2. Be responsible for the planning, operation, management, and production of the Navajo Nation Fair, Special Events for the public, and the Window Rock Sports Center.~~
- ~~3.2. Operate Building No. W008-250 and other assigned facilities according to generally accepted principles of facility management applicable to a public facility that houses and promotes diverse educations and cultural activities. , policies and procedures, applicable to a public facility that houses and promotes diverse museum, educational, and cultural activities and programs.~~
- 4.3 Develop and implement policies and procedures for efficient operation of the Navajo Nation Museum, Building No. W008-250, and any other facilities that are or may be assigned for administration by the Museum Director, and for the development, care, and use of the Museum's collections and other collections managed for the benefit of the Navajo Nation.
- 5.4 Prepare and annual operating budget and administer same for operation of the Museum, and the facility, ~~the Navajo Nation Fair, Special Events for the public, and the Window Rock Sports Center,~~ as an integrated program, and any ancillary facilities that may be assigned to his/her management.
- 6.5 Direct and supervise all Museum personnel in accordance with the Navajo Nation Personnel Policies Manual, as amended, and any applicable policies and procedures of the Museum or the Division of Natural Resources.
- ~~7.6. Develop various public programs and services to meet the stated organizational purposes.~~
- 8.7 Oversee and manage all funds in the custody of the Museum regardless of their source.

V. LEGISLATIVE OVERSIGHT

The Resources and Development Committee of the Navajo Nation Council has been established to oversee the utilization of all natural and recreational resources of the Navajo Nation. In relation to the Museum, the Resources and Development Committee of the Navajo Nation Council will review and approve the Museum's overall budget subject to applicable Navajo Nation laws, and will have ultimate oversight authority relating to the Museum's operating policies and procedures.

VI. AMENDMENTS

This Plan of Operation may be amended from time to time by the ~~Government Services Committee of the Navajo Nation Council upon the recommendation of the~~ Resources and Development Committee of the Navajo Nation Council.