

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Fourth Year, 2022

AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING THE ARCADIAN INFRACOM PARTNERSHIP WITH THE NAVAJO NATION TO CONSTRUCT AND OPERATE A BROADBAND FIBEROPTIC COMMUNICATIONS NETWORK ACROSS THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the responsibility to oversee matters involving rights-of-way and communications and utilities, among other duties. 2 N.N.C. § 500(C).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council, empowered to coordinate all federal, county, and state programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to the Navajo Nation. 2 N.N.C. § 701(A)(4).

SECTION TWO. FINDINGS

- A. On August 28, 2020, the Resources and Development Committee approved Resolution No. RDCAU-32-20, dated August 28, 2020, which approved a right-of-way grant and appurtenant leases to Arcadian Infracom, a fiberoptic communications company. The right-of-way and leases cover certain Navajo Nation lands within Arizona, Utah, and New Mexico. RDCAU-32-20 is attached hereto as **EXHIBIT A** (exhibits omitted).
- B. Arcadian Infracom has partnered with the Navajo Nation to construct/install 2,800 miles of fiberoptic communication lines across the Navajo Nation and surrounding states ("AI Project"). See Navajo Nation President and Vice-President letter to Utah, Colorado, Arizona and New Mexico Governors, dated September 23, 2022, attached hereto as **EXHIBIT B**; see also Navajo Nation President and Vice-President letter to Arizona Governor Doug Ducey, dated March 10, 2021, attached hereto as **EXHIBIT C**.
- C. The AI Project will enhance and improve the Navajo Nation's overall bandwidth capacity, enabling the Nation to support data-intensive applications such as high-quality video

conferencing; primary, secondary, and college students' ability to attend classes online; telemedicine healthcare services; and employees who need to work remotely because of COVID-19-related workplace shutdowns.

- D. The AI Project will create new jobs for Navajo members, provide cash and services to the Navajo Nation by sharing Project revenues and services as compensation for use of Navajo Nation lands, generate new tax revenues through the construction and operation of infrastructure built on the Navajo Nation, and assist the Navajo Nation in providing high speed internet to Navajo communities. A detailed explanation of the AI Project, and the benefits it will provide to the Navajo Nation, is attached hereto as **EXHIBIT D**.

SECTION THREE. APPROVAL


The Navajo Nation hereby expresses its full support of the Arcadian Infracom partnership with the Navajo Nation and the implementation of the AI Project across Navajo Nation lands.

SECTION FOUR. EFFECTIVE DATE

The provisions of this Act shall become effective in accordance with 2 N.N.C. § 221(C).

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 01 Opposed, on this 14th day of April 2022.


Honorable Seth Damon, Chairman
Naabik'íyáti' Committee
April 14, 2022
Date

Motion: Honorable Daniel E. Tso
Second: Honorable Pernell Halona

Chairman Seth Damon not voting

**RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- Second Year, 2020**

AN ACTION

**RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; RESCINDING
RESOLUTION NO. RDCD-105-18; AND APPROVING THE GRANT OF RIGHT-OF-
WAY AND LEASES TO ARCADIAN INFRACOM, LOCATED ON NAVAJO NATION
TRUST LANDS ON THE NAVAJO NATION (UTAH, ARIZONA AND NEW MEXICO)**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council has the authority to grant final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations. 2 N.N.C. § 501 (B) (2).

SECTION TWO. FINDINGS

- A. Arcadian Infracom ("Arcadian") is a privately funded company developing a large scale long-haul fiber optic communications route through the Navajo Nation connecting Phoenix to Salt Lake City, Phoenix to Denver and Los Angeles to Dallas ("Fiber Project").
- B. The Navajo Nation is in the midst of an unprecedented health, safety and economic emergency due to the COVID-19 pandemic.
- C. The Fiber Project will provide bandwidth sufficient to support data-intensive applications such as high-quality video transmission access to benefit K-12 public education, higher education and life-long learning opportunities, telemedicine and remote working arrangements, which can help mitigate the health, safety and economic effects of the COVID-19 pandemic.
- D. This Fiber Project will stretch the global internet backbone through the Navajo Nation to 1) create new jobs and job skills for Navajo members, 2) provide cash and services to the Navajo Nation by sharing Fiber Project revenues and services as compensation for use of Navajo Rights-of-Way, 3) generate new

tax revenues through the construction and operation of infrastructure built on the Navajo Nation, and 4) assist Navajo Nation in providing high speed internet to remote Navajo and surrounding communities.

- E. The original Arcadian network design in 2018 was based on the use of NTUA poles for the aerial installation of the Arcadian fiber network. Based on Arcadian customer requirements for an underground fiber optic network to ensure the security and resiliency of their fiber network, the Arcadian network design has changed to an underground installation method which will no longer require the utilization of NTUA poles. As a result, RDCD-105-18 will be rescinded and this new legislation will be enacted to reflect the revised partnership structure between the Navajo Nation and Arcadian. RDCD-105-18 is attached as **Exhibit C**.
- F. Arcadian will install its fiber optic cable along the routes of the Fiber Project ("Routes") underground for approximately 343 miles within the Navajo Nation largely along public roadways within the Navajo Nation as described on **Exhibit A** ("Rights-of-Ways"). Arcadian will also install its electronic equipment buildings ("Huts") along the Route, placing the buildings approximately 50 miles apart on the Navajo Nation lands.
- G. Arcadian may grant long term rights to use dark fiber, conduits and sell other communications services on the Routes to its customers.
- H. As consideration for the grant of the Rights-of-way for this Fiber Project:
 - (1) Arcadian will pay to the Navajo Nation an amount equal to a 3% share of all collected gross fiber IRU, fiber lease, operations and maintenance ("O&M"), colocation and wavelength service revenue generated from the portions of the Fiber Project installed on the Navajo Nation on a pro-rata basis based on the miles of the Fiber Project located on Navajo Nation that are used to provide those services.
 - (2) Arcadian will provide to the Navajo Nation use of twelve (12) dark fiber strands and associated O&M and colocation services on the portion of the Routes located on Navajo Nation lands.

- (3) Arcadian will provide to the Navajo Nation 400 gigabits of separate lit capacity on the Routes from one point within Navajo Nation to Salt Lake City, Phoenix and Denver when those Routes are complete.
 - (4) Arcadian will provide to NTUA 400 gigabits of separate lit capacity on the Routes from one point within Navajo Nation to Salt Lake City, Phoenix and Denver when those Routes are complete.
- I. For a period of five (5) years from the effective dates of this Resolution, Arcadian will have exclusive rights to develop Navajo Nation lands to install new fiber optic cables from points within the Navajo Nation that are connected to any facilities outside of the Navajo Nation ("Development Rights").
 - J. The Rights-of-Way will be granted for an initial term of fifty (50) years with two (2) successive twenty (20) year renewal periods, in Arcadian's name, with the right to assign, pledge or mortgage, all or any portion of the right of way or hut leases to the extent necessary for Arcadian to secure financing for the Fiber Project, without any further approval by the Resources and Development Committee.
 - K. The proposed Rights-of-Way (including Arcadian Hut locations) are set forth in **Exhibit A**.
 - L. In light of the immediate and emergency need for completion of the Fiber Project to mitigate the health, safety and economic effects of the COVID-19 pandemic, Arcadian may immediately commence construction of the Fiber Project and during such construction Arcadian will commence all required environmental studies and archaeological clearances, including the Environmental Assessment Report, Finding of No Significant Impact, Biological Resources Compliance, Cultural Resources Compliance Letter, Cultural Resources Compliance Form and Cultural Resources Inventory Report. During construction of the Fiber Project, Arcadian will also commence the required processes for surface disturbing activities, including but not limited to the Navajo Nation Fish and Wildlife Department Biological Compliance Forms and Environmental Assessment. Arcadian may commence construction prior to the completion of such approvals and prior to delivery of the consent application for the Rights-of-Way to the Bureau of Indian Affairs ("BIA") for the grant thereof. Due to the unprecedented emergency facing the Navajo people due to the COVID-19 pandemic, any such approvals may occur

after the completion of the Fiber Project. In the event of a discovery ("discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices) all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Heritage and Historic Preservation must be notified at (928)871-7148.

- M. The Resources and Development Committee finds that given the public health challenge resulting from COVID-19, and because the Rights-of-Way to be granted are limited to previously developed corridors, it is in the best interests of the Navajo Nation to expedite the project review process pursuant to the Navajo Nation Environmental Policy Act and the Navajo Nation Cultural Resources Protection Act. The Resources and Development Committee hereby directs the Navajo Nation Division of Natural Resources, the Navajo Land Department, the Navajo Nation Environmental Protection Administration, Navajo Nation Heritage and Historic Preservation Department, Navajo Fish and Wildlife Department, and any other agency or department of Navajo Nation government, as well as NTUA as a Navajo Nation owned and operated enterprise, to prioritize the Fiber Project and cooperate with the Navajo Nation Department of Justice and the Office of the President and Vice-President to accelerate its immediate construction. Chapters along the Rights-of-Way shall be immediately notified by the Navajo Land Department of the Fiber Project and, should any additional land need to be leased by Arcadian outside of the developed corridors in order to facilitate construction of facilities related to the Fiber Project, the review and approval of such leases shall likewise be expedited.
- N. The Rights-of-Way to be granted, and any leases appurtenant to those Rights-of-Way, are subject to the Nation's standard terms and conditions for Rights-of-Way attached and incorporated herein as **Exhibit B**.

SECTION THREE. RESCINDING RDCD-105-18

The Resources and Development Committee hereby rescinds RDCD-105-18 AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE GRANT OF RIGHT-OF-WAY TO NAVAJO TRIBAL UTILITY AUTHORITY, LOCATED ON NAVAJO NATION TRUST LANDS ON THE NAVAJO NATION (UTAH, ARIZONA AND NEW MEXICO) attached as **Exhibit C**.

SECTION FOUR. APPROVAL

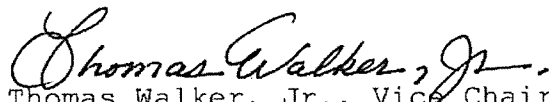
- A. The Resources and Development Committee of the Navajo Nation Council hereby approves, as more specifically described in the above findings:
1. The grant of the Development Rights as described above;
 2. And grant of the Rights-of-Way and Hut location leases for all communications purposes, for an initial term of fifty (50) years with two (2) successive twenty (20) year renewal periods;
 3. The combined cash and in-kind compensation mechanism described in Section 2.G above as consideration paid to the Navajo Nation for use of the Rights-of-Way, Hut location leases and grant of the Development Rights; and
 4. Arcadian providing to third parties rights to use dark fiber and conduit related services including O&M and colocation as well as other communications services along the Routes installed on the Rights-of-Way.
- B. The Resources and Development Committee of the Navajo Nation Council recognizes the unprecedented health, safety and economic emergency facing the Navajo people due to the COVID-19 pandemic and makes such grant recognizing that permitting process approvals described above may be completed following commencement or following completion of construction of the Fiber Project.
- C. The Resources and Development Committee of the Navajo Nation Council further grants to Arcadian approval to assign, with the right to mortgage, all or any portion of the Rights-of-Way or Hut leases to the extent necessary for Arcadian to secure financing for the Fiber Project.
- D. The Resources and Development Committee of the Navajo Nation Council finds that pursuant to 25 C.F.R. Section 169.110(a) and 169.118(b):
1. The cash and in-kind compensation agreed in the form of free use of Arcadian dark fibers and wavelength services described in Section 2(H) above that will be provided to the Navajo Nation in exchange for the grant of the

Rights-of-Way is satisfactory to the Navajo Nation and is in the Navajo Nation's best interest.

2. Waiver by the Navajo Nation of valuation by the Bureau of Indian Affairs pursuant to 25 C.F.R. § 169.110(b) is in the best interests of the Navajo Nation.
 3. Accepting the agreed upon cash and in-kind compensation described in Section 2(H) above for the grant of the Rights-of-Way is in the Navajo Nation's best interest.
- E. Arcadian is required to commence, but not complete prior to either commencement or completion of construction, all required studies and requests for permissions, including but not limited to the Navajo Nation Historic Preservation Department Cultural Resources Forms, Navajo Nation Fish and Wildlife Department Biological Compliance Forms and Environmental Assessment prior to the delivery of the consent application for the Rights-of-Way to BIA.
- F. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to effect the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting held by a teleconference for which a quorum was present and that same was passed by a vote of 5 in favor, and 0 opposed, on this 28th day of August 2020.


Thomas Walker, Jr., Vice Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Kee Allen Begay, Jr.
Second: Honorable Mark A. Freeland

Vice Chairperson Thomas Walker, Jr. not voting.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



September 23, 2020

Honorable Gary Herbert
State of Utah
350 North State Street, Suite 200
Salt Lake City, Ut 84113

Honorable Jared Polis
State of Colorado
200 E. Colfax Ave., Room 136
Denver, Co 80203

Honorable Doug Ducey
State of Arizona
1700 W. Washington St
Phoenix, AZ 85007

Honorable Michelle Lujan Grisham
State of New Mexico
490 Old Santa Fe Trail, Room 400
Santa Fe, NM 87501

Dear Governors:

Yá'á'h'tééh from the Navajo Nation. We write with an urgent request.

The Navajo Nation strongly supports the broadband fiberoptic communications network between Phoenix and Salt Lake City, as well as Phoenix to Denver, that is currently being developed by Arcadian Infracom. As soon as this system becomes operational, the Navajo Nation will finally have direct access to high capacity fiberoptic transmission to the Internet to support broadband services on the Nation. The system will also enable communities along these routes to access this high-speed communications network to more easily connect their communities to the global internet.

We respectfully write to urge you to support and accelerate the Arcadian Fiberoptic Project in your respective states, as the Navajo Nation is already doing on our own lands. Arcadian's Project is privately financed through commercial contracts with global scale communications companies, making this a great opportunity for public/private partnerships to help solve the tribal and rural broadband problem in our region.

Arcadian has secured the first-ever rights to build a broadband fiberoptic network across the Navajo Nation, which is currently bypassed by all existing long-haul fiberoptic telecommunications systems. Besides providing end-to-end "lit" fiberoptic transmission capacity to the Navajo Nation government, Arcadian is engineering its network so that local Navajo communities along the route may plug into it to create new development opportunities in the connected economy of the 21st century.

The prospects for dramatically improving the quality of life for our *Diné* people, who are currently among those hardest-hit by COVID-19, and who face a myriad of other serious challenges, are breathtaking. The Arcadian fiberoptic backbone will provide bandwidth sufficient to support data-intensive applications such as telemedicine. It will also enable reliable, high-quality video transmission access to benefit K-12 public education as well as higher education.

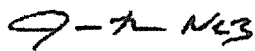
and life-long learning opportunities. From an economic development standpoint, the Project can help ensure that Navajo is not left behind as the rest of the country transitions to 5G services. In addition to these and many other direct benefits, the Arcadian Project will support the General Fund Budget of the Navajo Nation government through cash right-of-way consent payments. The Nation, in turn, will receive lit services on the completed network connecting the Nation to Phoenix, Salt Lake City and later Denver, opening the door to unprecedented educational, business and commercial opportunities.

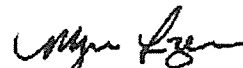
To keep the momentum for the Project going, it is critical that Arizona, Utah, New Mexico and Colorado support the right-of-way agreements for the Arcadian network so that final planning and construction may proceed without delay. The Project relies on developed roadway transportation corridors, thereby avoiding the need for protracted environmental, historical and cultural review processes. We ask your help in accelerating Project review and approval so that the end-to-end network can be built and commence operation as soon as possible.

There is literally no time to waste. Given the ongoing public health emergency, it is imperative that the Navajo Nation move beyond the tragic reality that there is currently no scaled fiber connectivity between us and the rest of the world. A student, teacher, doctor or nurse standing in Kayenta, Arizona, in the heart of the Navajo Nation, is 400 miles from the nearest broadband fiberoptic long-haul communications network. Decades ago, the existing Internet backbone grew up around us. Data traffic from Phoenix to Salt Lake City is currently routed through Las Vegas and across Nevada, or to Texas and then Colorado. Now, amid a pandemic, our Navajo citizens are isolated without access to the educational, health care and economic opportunities that many if not most other U.S. citizens take for granted.

With your help, we can harness the power of the private sector – and enhance the competitiveness of data centers in Arizona, Utah, New Mexico and Colorado – to build a state-of-the-art broadband system that links our people together. We greatly appreciate your support and look forward to working together on this life-changing project.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



March 10, 2021

Honorable Doug Ducey
Governor
State of Arizona
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

On September 23, 2020, we respectfully wrote urging you to support the Navajo Fiberoptic Project ("Project"), the first-ever fiberoptic broad band, high-speed fiberoptic network connecting Phoenix to Salt Lake City and Denver via the Navajo Nation (see attached letter). We greatly appreciated the subsequent strong expressions of support that your office voiced for the Project, which is privately financed, enabled by customer relationships with the largest cloud, telecom and cable companies. This Project will permit communities throughout the Navajo Nation – along US Highways 89 and 160, as well as Interstate Highway 40 – to obtain direct high-speed access to the Internet for the first time.

The pandemic has reinforced what we already knew: That obtaining affordable high-speed access to the Internet is literally a matter of life and death for our Navajo people, just as it for all Arizonans living in the rural areas that these new networks will also serve. The Project leverages the purchasing power of global communications companies to finance the construction of brand-new global internet fiber backbone routes, owned and operated by Arcadian Infracom, that will cross the Navajo Nation and two other Native American nations instead of deliberately avoiding them as existing fiberoptic long-haul networks do today.

The Resources and Development Committee of the Navajo Nation Council approved the Project and granted right-of-way easements for its construction and operations. As part of the authorizing resolution, the Nation is partnering directly with Arcadian to obtain a percentage of the revenue that data traffic on the new networks will generate. This revenue-sharing will flow directly into the General Fund of the Nation's government to help offset the closure of the Navajo Generating Station, thereby easing the impact to the State and off-Reservation communities.

Unfortunately, the Arizona Department of Transportation (ADOT) has recently taken steps that will destroy the private sector's ability to obtain private financing for the Navajo Fiberoptic Project. We are sure that this was not your intention. Moreover, the State of Arizona's financial support for both a Coconino County plan to build long-haul fiber through the Nation itself after having been well informed of the long planned Navajo Fiber Project is perplexing. We therefore write to ask your immediate help in honoring the State of Arizona's commitment to support the Project.


It has come to our attention that ADOT has shifted gears from last Fall and, rather than supporting a partnership with Arcadian to ensure that the Project is successful, may now intend to build its own State government-owned network along the same long-haul route on I-40. Such a State-owned and operated fiberoptic network poses more than a mere competitive threat to the Navajo Fiberoptic Project. It makes it impossible for the Project to be completed. In the short term, an ADOT-owned network will siphon away the critical volume of customer demand for dark fiber needed to fund the Project through the capital markets. Longer term, there is nothing stopping ADOT from trading or swapping capacity on its fiberoptic long-haul network to competitors of Arcadian, resulting in a drastically unfair competitive advantage given the State's ability to build the network at taxpayer's expense and, in effect, unfairly subsidize another communications company. Either way, the Project cannot be completed if ADOT goes down this path. If you do not act now, the Nation will once again be deprived of comprehensive long-haul access to the Internet, along with the General Fund revenue to our coffers that the Project will produce.

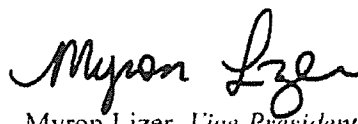
We ask that the \$33 million that has reportedly been earmarked to ADOT to install fiberoptic and conduit along I-40 instead be redirected to support the build-out of local communities' connecting networks to the Arcadian Fiberoptic Project. That seemed to be the State of Arizona's intention, before the Department decided to make this ill-considered attempt to get into the commercial fiberoptic business at the Project's expense. Consistent with the Navajo Nation legislation, Arcadian has assured us that they will compensate ADOT for the use of the I-40 right-of-way by providing sufficient fiberoptic capacity to meet the State's needs for many years to come. Arcadian is not seeking anything from the State in return – not money, not exclusivity, nor any special treatment. Arcadian has also pledged to assist the State in pursuing additional federal grant funding to support this approach, above and beyond the \$100 million that Arcadian has already committed to spend in Arizona building this Project so that rural and tribal communities in Arizona can access the global Internet more efficiently and reliably.

We greatly appreciate your assistance in addressing this very important matter and thank you for your intervention against an apparent ADOT policy that, should it succeed, could literally prevent the Nation's citizens from being connected to the Internet on a par with most other Americans in Arizona and beyond. Enclosed is a Fact Sheet about the Navajo Fiberoptic Project along with specific information about proposed legislation, currently supported by ADOT, that gives us so much concern.

Ahé'hée

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION



**Materials in
support of NABI
Resolution**

March 2021



History of Navajo / Arcadian Partnership

- Arcadian is building new long-haul fiber routes for use by large cloud and teleco/cable companies to connect their data centers and local markets
- Founded in 2018 based on discussions with Navajo Nation to place a large data center within Navajo Nation to:
 - Replace lost revenue from the Navajo Generating Station
 - Improve broadband access and Navajo Nation economic development by directly connecting Navajo Nation to Denver, Salt Lake City, Los Angeles and Dallas
- Navajo / Arcadian Fiber Partnership History
 - Approved through December 2018 RDC legislation
 - Later updated and replaced by August 2020 RDC legislation to accelerate the Arcadian fiber builds to meet COVID driven Navajo needs
- Several million dollars invested by Arcadian over 3+ years to complete route engineering of 2,800 miles of routes converging within Navajo Nation

Three Years and Millions of Dollars Invested by Arcadian
Construction Groundbreaking Summer 2021

Navajo / Arcadian Partnership Background

- Arcadian is partnering with Navajo Nation to bring economic opportunity to the Nation
 - Build 5 new global Internet fiber backbone routes converging in the Nation
 - Move the Nation from a bypassed Internet desert to a global Internet backbone convergence point
 - Enable future data centers on Navajo lands connected to the Internet through the new Arcadian fiber backbone routes
- Fiber routes are funded entirely by private monies and major technology customers buying fiber and services on the route
 - Arcadian completed funding round for fiber route development
 - Customer buying commitments enable financing for the fiber project

Navajo Nation is not an Arcadian right-of-way provider. Navajo is a partner receiving a share of revenues and a portion of the assets constructed.

Navajo / Arcadian Fiber Partnership Detail

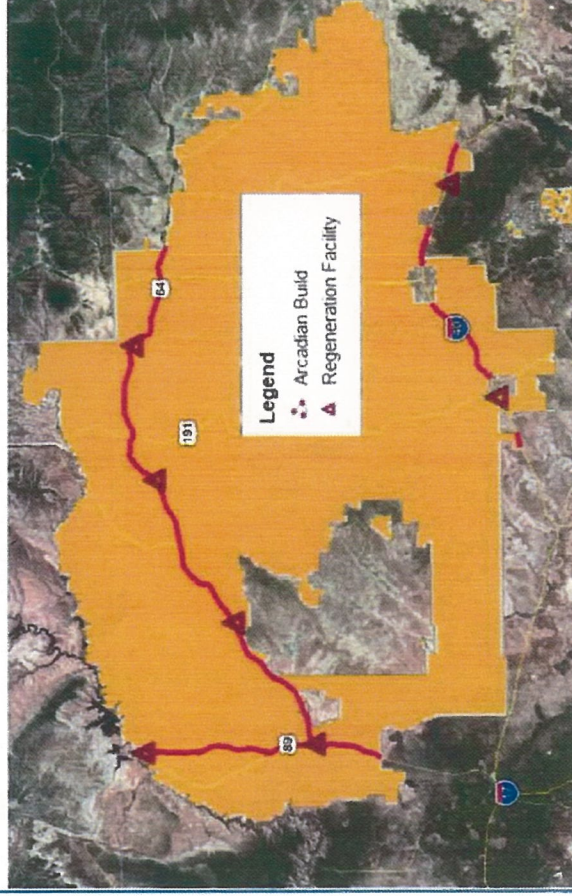
Project Detail

- 2,800 miles of global fiber backbones converging within Navajo Nation
- 340+ miles on Navajo land
- 50-year term, extendable to 90 years
- 288+ fiber strands
- Underground construction
- Regeneration huts installed
- Diverse routes for future data center development



Communities Served

- Shiprock
- Mexican Water
- Kayenta
- Tonalea
- Tuba City
- Cameron
- Page



Value Provided to Navajo Nation

- Arcadian provides 3% gross revenue share to Navajo Nation
- Arcadian provides dark fibers and collocation for Navajo broadband at no cost
- Arcadian provides 2 terabits of connections to global interconnection cities for Navajo broadband at no cost

Navajo / Arcadian Fiber Partnership Structure

- Arcadian owns fiber assets and acquires rights of way
- Arcadian customers lease fiber strands
 - Navajo Nation is paid 3% of GROSS revenue on all services crossing Navajo lands, pro-rata based on miles
- Right of way and route development by Arcadian
- Arcadian and Navajo Nation could partner on future data center
 - Fiber must be installed first to start data center development

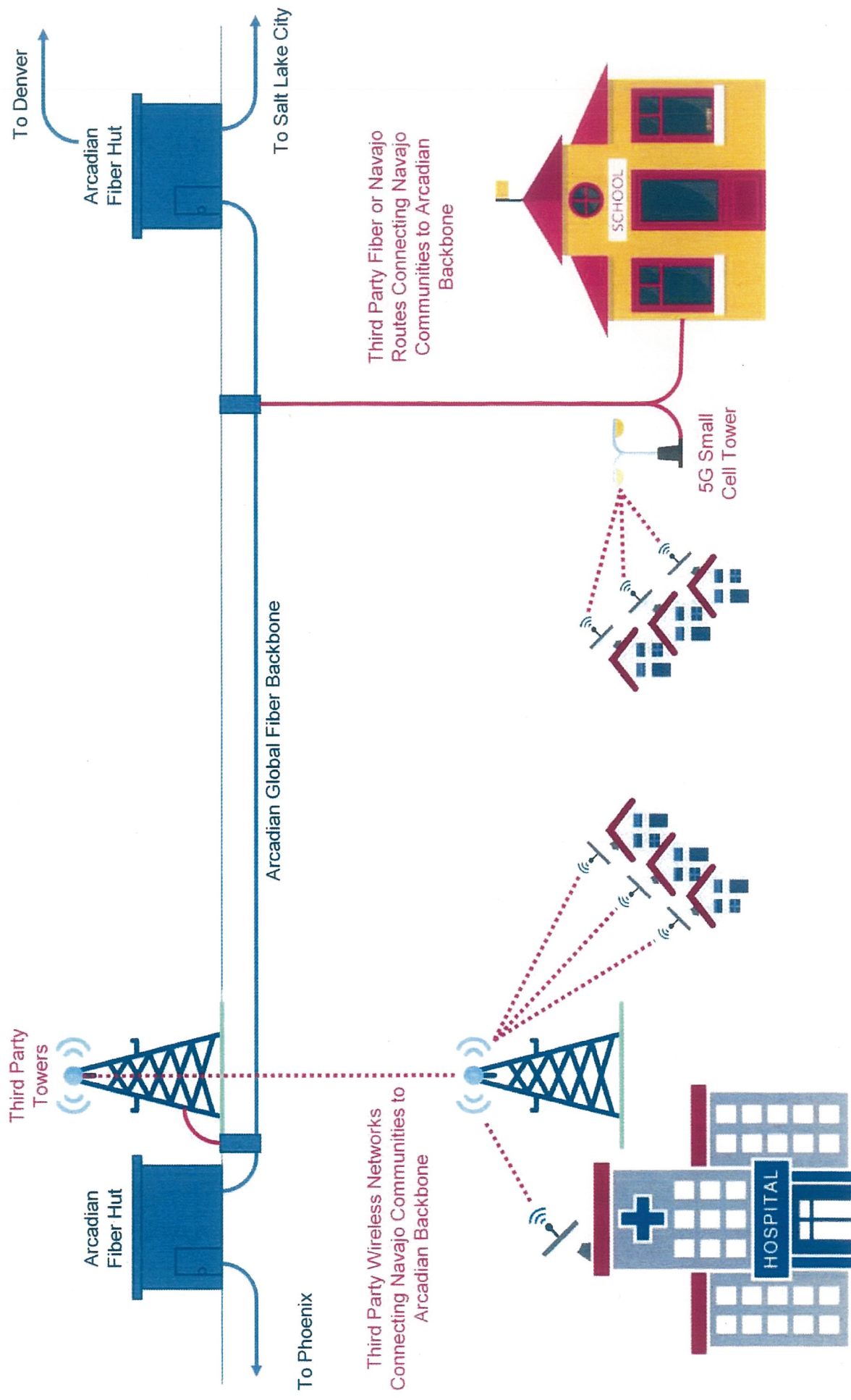
Fiber Partnership Leverages Navajo Nation Rights-of-Way and Arcadian Team Expertise to Create New Shared Value for Both Parties

Navajo / Arcadian Fiber Partnership Enables Navajo Economic Development

- Participate in the digital economy of the 21st century
- Remote Learning (K-12 and University)
- Enable advanced 5G services
- Telemedicine and Healthcare
- Use and Protection of Natural Resources
- Work From Home
- Public Safety

Arcadian Fiber Backbone Creates Navajo Economic Opportunities,
Enables 5G Networks & Enhances Education, Healthcare, and Public Safety

Navajo / Arcadian Fiber Partnership Enables Broadband and 5G on the Nation





Thank You



Navajo Nation / Arcadian Fiber Project Partnership

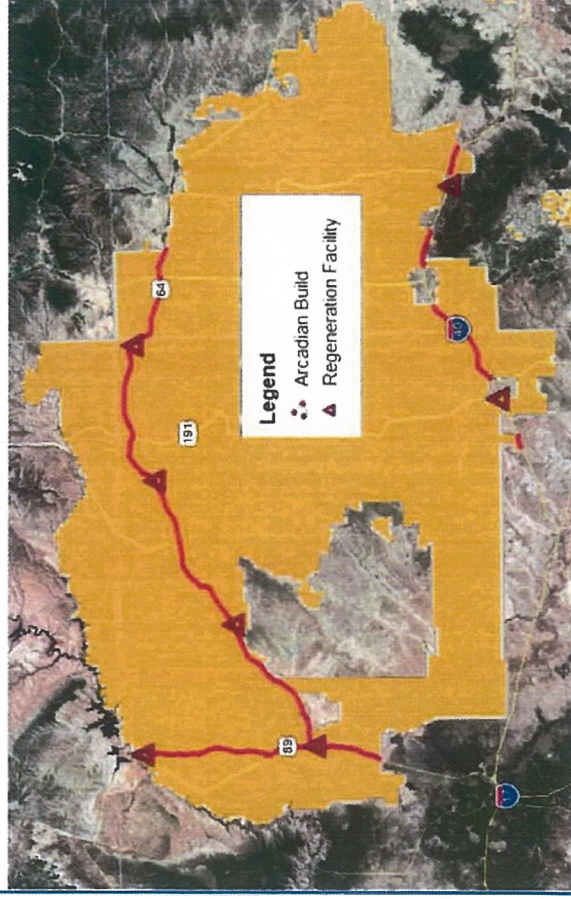
Project Detail

- Tribal Council legislation approved 2018
- 50 year term, extendable to 90 years
- 288+ fiber strands
- 2,800 miles
- 300+ miles on Navajo land
- Underground construction
- Regeneration huts installed
- Diverse route for data center park connections



Communities Served

- Shiprock
- Mexican Water
- Kayenta
- Tonalea
- Tuba City
- Cameron
- Page



Value Provided to Navajo Nation

- Arcadian provides 3% gross revenue share to Navajo Nation
- Arcadian provides free dark fibers and collocation for Navajo broadband at no cost
- Arcadian provides 2 terabits of connections to global interconnection cities for Navajo broadband at no cost

NAVAJO NATION

1238

4/14/2022

Naa'bik'iyati' Committee Regular Meeting

01:30:31 PM

Amd# to Amd#

Consent Agenda;

PASSED

MOT Tso, D

New Business: Item A.

SEC Halona, P

-Legislations: 0033-22, 0047-22,
0014-22, 0058-22

Yeas : 18

Nays : 1

Excused : 3

Not Voting : 1

Yea : 18

Begay, E

Halona, P

Smith

Tso, O

Begay, K

Henio, J

Stewart, W

Walker, T

Begay, P

James, V

Tso, D

Wauneka, E

Charles-Newton

Nez, R

Tso, E

Yellowhair

Freeland, M

Slater, C

Nay : 1

Crotty

Excused : 3

Brown

Tso, C

Daniels

Not Voting : 1

Yazzie

Presiding Speaker: Damon