

LAND STATUS ON NAVAJO NATION



TYPES OF LAND ON NAVAJO NATION

- NAVAJO NATION COMPOSED OF DIFFERENT LAND STATUS
- CONSTANTLY CHANGING
- RIGHT OF WAY ACQUISITION VARY DEPENDING ON THE LAND STATUS

TRIBAL TRUST LAND

- LEGAL TITLE IN U.S.A. HELD IN TRUST FOR TRIBE
- TREATY LANDS
- BIA HAS POWER TO GRANT INTEREST IN LAND, EXCEPT SELL IT

EXECUTIVE ORDER LAND

- TITLE IN UNITED STATES
- PRESIDENTIAL WITHDRAWN PUBLIC LAND USE OF AN INDIAN TRIBE
- BIA HAS POWER TO MAINTAIN AND OPERATE FOR USE OF TRIBE
- THESE LANDS ARE BASICALLY FOR GRAZING PURPOSES

INDIVIDUAL INDIAN ALLOTMENT

- MAKE INDIAN LAND OWNER A TAXPAYING STATE CITIZEN
- BIA HAS A PERVASIVE POWER OVER THIS KIND OF LAND
- TRIBE HAS NO CONSENT PRIVILEGE
- IT CAN BE LEASED TO A NON-INDIAN
- SELL TO TRIBE WITH CONSENT OF INDIAN INDIVIDUAL

STATE LAND

- GIVEN TO STATES BY ACT OF CONGRESS WHEN STATE ENTERED UNION
- STATE GOVERNMENT HAS EXCLUSIVE POWER OVER THESE LANDS
- TRIBE HAS NO CONSENT PRIVILEGE
- IT CAN BE LEASED TO A NON-INDIAN
- SELL TO TRIBE WITH CONSENT OF INDIAN INDIVIDUAL

PUBLIC DOMAIN

- TITLE IN UNITED STATES HELD NOT IN TRUST
- LANDS BELONGS TO THE UNITED STATES
- ADMINISTERED BY BUREAU OF LAND MANAGEMENT (BLM)
- BLM HAS POWER TO GIVE VARIOUS INTEREST IN LAND
- MANAGED BY RULES AND REGULATIONS BY BLM

ADMINISTRATIVE RESERVE

- LAND BELONGS TO UNITED STATES
- SPECIFIC AND ADMINISTRATIVE USE LIKE SCHOOLS
- SET ASIDE BY EXECUTIVE ORDER OR BY STATUE

RAILROAD RELINQUISHED & RECONVEYED LANDS

- SANTE FE RAILROAD RETURNED THESE LANDS BACK TO UNITED STATES
- EVENTUALLY TRIBE WILL GAIN THEM IN TRUST STATUS
- ADMINISTERED BY BIA FOR USE OF TRIBE, LIKE EXECUTIVE ORDER LANDS
- BIA HAS POWER TO GIVE WHATEVER INTEREST IN CAN GIVE IN LAND

FOREST LAND

- LANDS OWNED BY UNITED STATES
- ADMINISTERED BY NATION FOREST SERVICE
- ADMINISTERED BY BIA FOR USE OF TRIBE, LIKE EXECUTIVE ORDER LANDS
- BIA HAS POWER TO GIVE WHATEVER INTEREST IN CAN GIVE IN LAND

TRIBAL FEE LAND

- LEGAL TITLE IN THE NAVAJO NATION
- LANDS OWNED BY THE NAVAJO NATION
- ADMINISTERED BY NAVAJO NATION AND ARE
- LANDS ARE TAXABLE
- NAVAJO NATION HAS POWER OVER THIS KIND OF LANDS

GENERAL LAND DEVELOPMENT DEPARTMENT (GLDD)

- ADMINISTERS LEASING AND PERMITTING DEVELOPMENT ACTIONS OF NAVAJO TRUST AND FEE LANDS
- AUTHORITY OVER TELECOMMUNICATIONS, EASEMENTS FOR ALL RIGHTS OF WAYS(OIL AND GAS, ELECTRICAL, WATER AND SERVICE LINE AGREEMENTS)
- PART OF THE 164 REVIEW AND APPROVAL PROCESS

MINIMUM SUBMISSIONS FOR ROW

- FILING FEE
- LETTER OF APPLICATION
- ENVIRONMENTAL REVIEWS
- BIOLOGICALS, CULTURAL RESOURCES COMPLIANCE FORM)
- FIELD CLEARANCE/CONSENTS
- LEGAL SURVEY, CAN BE GPS COORDINATES FOR TRUST LANDS
- SUPPORTING CHAPTER RESOLUTIONS