

Telecommunications Leasing, Permitting and Licensing Procedures

	<u>Permit needed from NTRC</u>	<u>Instrument needed from DNR or NLD</u>	<u>Cost *</u>
New Telecom Tower Site Lease	CCN	New Telecommunications Site Lease (NTSL)	<ul style="list-style-type: none"> • \$700 filing fee • \$12,000 per year for lease*
Existing Telecom Tower Site Lease	CCN	Existing Telecommunications Site Lease (ETSL)	<ul style="list-style-type: none"> • \$700 filing fee • \$12,000 per year for lease*
Cell on Wheels (COW)	CCN	Revocable Use Permit (RUP)	
Ballast	CCN	Revocable Use Permit (RUP)	
Equipment on building or non-traditional structure	CCN	N/A	
Co-location	CCN	Sublease (3 party)	\$4,000*
Minor Modification and Replacement	Provide info to NTRC	Notice to Proceed	\$200 filing fee
Major Modifications and Major Replacement	Provide info to NTRC	Major Modification Permit	\$700 filing fee

*As of 4/7/16 Rate study will be conducted and rates may change accordingly

NTRC will enforce these Regulations pursuant to the Navajo Telecommunications Regulatory Act, 21 N.N.C. §§ 501, *et seq.*

DNR will enforce these Regulations pursuant to the Navajo Nation Civil Trespass Act, 16 N.N.C. §2201 *et seq.*

Contents of Application Package

	New Telecom Lease	Existing Telecom Lease	Co-location on towers	Minor Modification	Major Modification	Telecom Revocable Use Permit	Co-Location License on buildings
Document Required, office required from	Navajo Telecom Site Lease (NTSL) from NLD	Existing Telecom Site Lease (ETSL) from NLD	Sublease From NLD	Notice to Proceed from NLD	Major Modification Permit from NLD	Telecom Revocable Use Permit from NLD	Co-location License from NNTRC
Basic Requirements							
Application Cover Letter	Yes	Yes	Yes	Yes	Yes	Yes	
• Identify Applicant	Yes	Yes	Yes		Yes	Yes	
• General Project Description	Yes	Yes	Yes		Yes	Yes	
Application Fee payable to “Navajo Nation”	\$500	\$500	\$500	\$100	\$500	\$500	
Five (5) original copies of Standard NTSL, as amended, with appropriate portions filled out and original signature of applicant included	Yes	Yes	No	No	No	No	
Six (6) original copies of Tower Sublease with appropriate portions filled out by Applicant and each executed by Applicant and proposed sublessee as an original	No	No	Yes	No	No	No	

	New	Existing	Co-location	Minor Mod	Major Mod	RUP	License
IF ROW, Permit, or other legal instrument existed predating these regulations, and the company wishes to terminate this document to enter into a lease, the lease must be accompanied by a copy of the original document	Yes, if needed	Yes	No	No	No	No	
Termination form for the ROW, Permit, or other legal instrument to be terminated.	Yes, if needed	Yes, if needed	N/A	N/A	N/A	No	
Legal Description	Yes	Yes	Yes	Yes	No	Yes	
Survey Map	Yes	Yes	Yes	No	Yes	Yes	
Copy of CCN, identifying whether GO or PIO		Yes	Yes (from Applicant and Sublessee)	Yes	Yes	Yes	
Detailed Project Description:	Yes	Yes	Yes	No	Yes	If longer than 180 days total	
• #/type proposed antennae and height above ground, include sublease and co-location	Yes	Yes	Yes	No	Yes	If initial or renewed term is longer than 180 days total	
• Elevations showing the height of proposed Telecommunications Facilities and all associated buildings and structures	Yes	Yes	Yes	No	Yes	If initial or renewed term is longer than 180 days	

	New	Existing	Co-location	Minor Mod	Major Mod	RUP	License
• Line-of-sight diagram or photo simulation, showing proposed structure against skyline/ viewed from 3 directions within surrounding area	Yes	Yes	Yes	No	Yes	If initial or renewed term is longer than 180 days total	
Copy of prior lease, permit or right-of-way for support structure	No	Yes	No	Yes	Yes	If initial or renewed term is longer than 180 days total	
Order of NNTRC exempting Project from subleasing requirements if applicable; modifications must be made in NTSL	Yes, if applicable	Yes	No	No	No	No	
Order of NNTRC finding renewable term/term longer than 180 days is in the Navajo Public Interest	No	No	No	No	No	If initial or renewed term is longer than 180 days	
ENVIRONMENTAL REVIEW	Yes	No	Yes	No	Yes	Yes	
• Concurrence letter that Project is subject to a categorical exclusion as provided in § 17 of the Regulations or under § 2382(B) of the General Leasing Regulations; OR	Yes (or)	No	Yes (or)	No	Yes (or)	Yes if undisturbed land	

	New	Existing	Co-location	Minor Mod	Major Mod	RUP	License
• Finding of No Significant Impact (FONSI) OR	Yes (or)	No	Yes (or)	No	Yes (or)	Yes if undisturbed	
• Permission to move forward with project, provided mitigations measures are implemented; OR	Yes (or)	No	Yes (or)	No	Yes (or)	Yes if undisturbed	
• Finding of Compliance.	Yes	No	No	No	Yes	Yes if undisturbed	
• Proof of an existing environmental clearance if on disturbed land	No	No	Yes	No	Yes	Yes	
Required from offices outside of NLD/NNTRC							
Field Clearance Document issued by local Grazing Official showing grazing permittee's consent to Project, \$1000 one time payment to permittee. Proof of payment must be made to Nation.	Yes	No	No	No	No	No	
Chapter Resolution in support of the Project	Yes	No	No	No	No	No	
Business Regulatory Department certificate or letter of good standing	Yes	No	Yes (applicant & sublessee)		Yes	Yes	
Office of Navajo Tax Commission proof of registration and/or proof of good standing with LGA Certified Chapters.	Yes	Yes	Yes (applicant & sublessee)		Yes	Yes	

	New	Existing	Co-location	Minor Mod	Major Mod	RUP	License
EXECUTIVE REVIEW PROCESS	Yes	Yes	Yes	No	No	Yes	
NLD Manager	Yes	Yes	Yes	No	No	Yes	
Division of Natural Resources	Yes	Yes	Yes	No	No	Yes	
Office of Controller	Yes	Yes	Yes	No	No	Yes	
Navajo Nation Department of Justice	Yes	Yes	Yes	No	No	Yes	
Office of President and Vice President	Yes	Yes	Yes	No	No	Yes	
Original copies, after full execution, given to:							
• Office of President	Yes	Yes	Yes	No	No	Yes	
• Office of Controller (to coordinate with NLD for proper invoicing)	Yes	Yes	Yes	No	No	Yes	
• NLD (to coordinate with Office of Controller for proper invoicing)	Yes	Yes	Yes	No	No	Yes	
• NNTRC (include legal description, survey and project description)	Yes	Yes	Yes	No	No	Yes	
• Applicant	Yes	Yes	Yes	Yes	Yes	Yes	
• Sublessee	No	No	Yes	If applicable	If applicable	If applicable	
Written Permission of authorized occupant of the proposed site authorizing the Applicant's temporary occupancy (letter or resolution)						Yes	
FOR MODIFICATIONS							
Written description of proposed changes				Yes	Yes		

	New	Existing	Co-location	Minor Mod	Major Mod	RUP	License
Scaled Drawings of modifications				Yes	Yes		
For Co-location License from NNTRC							
Submit application and project description to Tribal Historic Preservation Officer (THPO)							Yes
THPO must determine							Yes
• Categorically excluded from further review; unless							Yes OR
○ Structure inside boundary of Cultural or Historic property or landmark							Yes OR
○ Structure is within 250 feet of the boundary of cultural or historic property or landmark							Yes
○ Structure is designated a National Historic Landmark or is eligible for listing on National Register							Yes
○ Structure is a building over 45 years old							Yes
• Changes are ameliorated by mitigation imposed by THPO							Yes