



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT
3636 NORTH CENTRAL AVENUE, SUITE 900
PHOENIX, AZ 85012-1939

May 2, 2023

SUBJECT: Letter of Permission for Navajo Nation Colorado River Access Dock (Permit No. SPL-2019-00602)

Martin Begaye
Navajo Nation Parks and Recreation
PO Box 2520
Window Rock, Arizona 86515

Dear Mr. Begaye:

I am writing regarding your Letter of Permission (Permit No. SPL-2019-00602), dated October 2, 2019 (expiration date October 1, 2024), which authorized the construction of the Navajo Nation Colorado River Access Dock pursuant to the provisions of Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403). The project is located approximately four miles north of Milepost 536.5 on US Highway 89A on the Colorado River (36.851517, -111.605517), Coconino County, Arizona.

The Army Corps of Engineers has learned that the National Park Service (NPS) asserts jurisdiction under 36 CFR 1.2(a)(3) over the portion of the Colorado River where the Navajo Nation proposes to construct the dock, referenced above. NPS maintains that the Navajo Nation must comply with 36 CFR 5.3 (prohibiting engaging in or soliciting business in a park area, "except in accordance with the provisions of a permit, contract, or other written agreement with the United States") and 36 CFR 5.7 (prohibiting, constructing or attempting to construct various structures, expressly including a boat dock, in a park area, "except in accordance with the provisions of a valid permit, contract, or other agreement with the United States."). The Army Corps's permit requires compliance with other Federal, state or local authorizations required by law. Please work directly with the NPS to ensure your project is in compliance with the NPS programs and requirements cited above.

Thank you. If you have any questions, contact me at (602) 230-6950 or via e-mail at Sallie.Diebolt@usace.army.mil.

Sincerely,

A handwritten signature in blue ink that reads "Sallie Diebolt".

Sallie Diebolt
Chief, Arizona Branch
Regulatory Division