



**Indian Land Working Group**  
"Taking A Stand On Indian Land"

---

## **NCAI follow-up conference call to comment on new Rights-of-Way Regulations**

---

**\*\*TODAY at 3:00 pm (EST) NCAI is hosting a conference call  
to discuss new ROW regulations\*\***

**This is your opportunity to be heard!**

On November 17th, the Department of the Interior published a final rule on Rights-of-Way on Indian Lands. The new regulations go into effect on December 21, 2015 and will have a substantial impact throughout Indian Country, particularly in eliminating state taxation, creating opportunity for new revenue streams for tribes, and increasing compensation for "piggybacked" uses. Virtually every reservation has multiple rights-of-way for varied purposes. These regulations contain a great deal of opportunity for tribes, but will require action and attention.

**To prepare for the implementation of the final ROW rule, NCAI is hosting a conference call to discuss the Rights-of-Way regulations.**

**Your stories and questions are needed at this important call!**

**Please email your questions, comments or stories to [csnider@ncai.org](mailto:csnider@ncai.org)**

[DOI Rights-of-Way Regulations - Final Rule](#)

Highlights of this final rule include:

- "Piggybacked" uses must be compensated, likely increasing values significantly;
- State taxation of Rights-of-Way preempted;
- Significant opportunity to create new sources of tribal tax revenue;
- Simplified requirements and clarified processes for BIA review;
- Streamlined process for obtaining a right-of-way on Indian land by eliminating the need

to obtain BIA consent for surveying and establishing timelines for BIA review;

- BIA disapproval only where there is a stated compelling reason;
- Providing Indian landowners with notice of actions affecting their land;
- Greater deference to individual Indian landowner decisions;
- Promoting tribal self-determination and self-governance by providing greater deference to Tribes on decisions affecting tribal land;
- Clarified tribal jurisdiction over lands subject to a right-of-way; and
- Incorporating tribal land policies in processing.

---

[Visit Our Website](#)

Indian Land Working Group | [info@indianlandworkinggroup.org](mailto:info@indianlandworkinggroup.org) | [www.indianlandworkinggroup.org](http://www.indianlandworkinggroup.org)