

## Early Issues to Address Native American Projects

□ **Intellectual Property:**

Before announcing a project, have you adequately investigated and protected the naming rights of the Tribe and the Project to avoid name pirating or confusion?

□ **Permit Applicants:**

If developing a joint project with a private entity, is it better to have the Tribe or the private entity name on federal permit application? What are the advantages and disadvantages of each?

□ **Permit Applicant, Part 2:**

When is it appropriate to require that the Bureau of Indian Affairs/US Government become permit applicant for a project?

□ **Endangered species:**

When are endangered species surveys required for a Tribal Project? What about for Tribal member's project on their allotment? Are there alternatives to undergoing federal endangered species permitting on a project by project basis?

□ **License or easement?**

If a nontribal government entity seeks to have a utility cross a portion of your Reservation, is it better to grant access by easement or license? What are the advantages and disadvantages of each?

□ **Development Exactions from Federal Permits:**

Can federal agencies require open space dedication of Tribal Lands as a permit condition? Is it appropriate? Are there alternatives that avoid the loss of Tribal uses on the Reservation?

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## Early Issues to Address Native American Projects - *Continued*

### □ **Property Protection:**

What responsibilities and tools are available to locate and address encroachment on Tribal lands? Whose responsibility is it to address encroachments on Reservation lands? Is it different on fee owned lands?

### Contact

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