

Attachment 10D(1)

Explanatory Note for the Bureau of Indian Affairs (BIA)

February 1, 2011

Attached is BIA’s report to the Council on Environmental Quality, fulfilling Section 1609 reporting requirements for the American Recovery and Reinvestment Act of 2009 (ARRA) and compliance with the National Environmental Policy Act (NEPA) for activity through December 31, 2010. The five funded programs are School Replacement (SR), Detention Centers (DC), School Improvement and Repair (MIR), Housing Improvement Program (HIP) and Indian Road Repair and Restoration (Roads). This report documents the progress on currently funded ARRA projects. No significant changes in funding have occurred this quarter.

Changes in ARRA projects

The previous quarterly report (September 30, 2010) included 681 ARRA funded projects covered by 594 NEPA actions. This quarter there are 682 ARRA funded projects covered by 595 NEPA actions. Currently 7 NEPA actions remain pending (See Table 1).

Table 1 Summary of Current NEPA Actions.

Category	Total NEPA actions	NEPA Actions Completed	Pending EAs	Pending CEs
SR	5	5	0	0
DC	4	4	0	0
MIR	102	102	0	0
HIP	105	98	4	3
Roads	379	379	0	0
TOTAL	595	588	4	3

SR, DC and MIR Projects (rows 1-34)

The Office of Facilities Management and Construction (OFMC) is responsible for NEPA compliance for 113 ARRA projects under the SR, DC, and MIR programs. These 113 projects are covered by 111 NEPA actions. All NEPA reviews have been completed. Changes in this quarter’s spread sheet are explained below.

SR – No change from previous quarter. All NEPA actions are completed.

DC – No change from previous quarter. All NEPA actions are completed.

MIR – One hundred four projects were reported in the previous quarter. These projects were covered by 102 NEPA actions. The one pending NEPA action reported in the last

quarter is now complete. Row 33 has been changed to reflect this change. All NEPA actions are now completed.

HIP Projects (rows 35-49)

The Bureau of Indian Affairs, HIP manages the NEPA process in coordination with tribes receiving recovery funds for home construction projects. The current number of HIP projects is 190. This is an increase in one from the previous quarter. These projects are covered by 105 NEPA actions. Funds have been obligated to tribal housing programs, but are not released until all NEPA compliance is complete.

The previous report listed 13 CEs and four EAs pending. Currently, three CEs and four EAs are pending. The changes in this quarter's spread sheet are listed below:

Last quarter, 13 housing sites were added in Alaska. The CEs for ten of these are now complete (row 35a) and three remain pending (row 35b). The pending CEs have been carried over from the previous quarter because three proposed house locations have not been determined. The NEPA review will be completed when the house sites are identified. Given the weather conditions in Alaska, NEPA review for these three may be carried over for at least the next two quarters.

One previously listed pending EA for Three Affiliated Housing is now complete (row 40).

Last quarter three EAs for Hoopa Housing were listed as pending. This quarter four EAs are listed as pending (row 44). Two of the three previously pending EAs were completed this quarter, but locations of these two were changed and new EAs will now need to be prepared. Because of savings in administrative expenses, one additional house location was also added. Of the four EAs yet to be completed, only one has been carried over from previous quarters. The other three are new EAs. The carried over EA is being prepared by the Tribal environmental office, and this EA and the three new EAs are expected to be completed next quarter.

Roads (rows 50-60)

There are currently 379 proposed Roads projects. CE reviews have been completed on all of these. No changes have been made since the previous quarter. All NEPA actions are complete.

NEPA Benefits

MIR – Radio Tower Construction. (row 34)

The size of a proposed radio tower at the San Carlos Agency was reduced from an 80 foot-high free-standing tower to a five foot-high pole on an existing building. This significantly limited the visual intrusion into the area and also reduced the environmental analysis required from an EA to a CE.

Road Repair and Restoration. (row 52)

The spread of noxious weeds is a serious concern in the Rocky Mountain Region. All of the seven road projects required a noxious weed inventory as part of the NEPA review. The design features of each road project included weed inventories along the roads and, where necessary, eradication measures were implemented to curtail the spread of noxious weeds.

Facilities Construction at the Hunters Point Community School, Arizona (row 14)

Proposed construction includes removing an existing, non-historic school building located near the historic buildings, and constructing a new replacement building. Consultation with the Navajo Tribal Historic Preservation Office (THPO) determined that two buildings at the Hunter's Point School qualified for listing on the National Register of Historic Places. A formal agreement was signed with the THPO and minor design changes were made to ensure the exterior visual elements of the proposed new school include appropriate materials and colors that enhance and compliment the visual setting and character of the historic buildings located on the school grounds.

Facilities Improvement and Repair Flandreau School, South Dakota (row 17)

Proposed improvements and repair include mechanical, electrical, architectural, civil and structural work both in the interior and on the exterior of 24 buildings. Consultation with the South Dakota State Historic Preservation Office (SHPO) determined that eleven buildings at the Flandreau School qualified for listing on the National Register of Historic Places. Nine of these buildings would be affected by the proposed work. Consultation with the SHPO is ensuring the historic characteristics are addressed, either through minor modification in plans or recovery of important historic elements. The school is also now pursuing more formal recognition of their historic structures.