

# Housing Mission for the Oglala Sioux Tribe

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*Supplemental Programmatic Environmental Assessment  
Pine Ridge Indian Reservation / **June 2016***



**FEMA**

**Federal Emergency Management Agency  
U.S. Department of Homeland Security**

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## ACRONYMS AND ABBREVIATIONS

AFHB	Approximate Flood Hazard Boundary
BIA	Bureau of Indian Affairs
BMP	Best Management Practice
BGEPA	Bald and Golden Eagle Protection Act
CEQ	Council on Environmental Quality
CFLHD	Central Federal Lands Highway Division
CFR	Code of Federal Regulations
DHS	Department of Homeland Security
DURT	Disaster Unified Review Team
EA	Environmental Assessment
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FWCA	Fish and Wildlife Coordination Act
GPD	Grants Program Directorate
HMA	Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
HUD	U.S. Department of Housing and Urban Development
IA	Individual Assistance
MBTA	Migratory Bird Treaty Act
MHU	Mobile Housing Unit
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1996
NRHP	National Register of Historic Places
OST	Oglala Sioux Tribe
OSHA	Occupational Health and Safety Administration
PA	Public Assistance
PEA	Programmatic Environmental Assessment
PFHD	Provisional Flood Hazard Delineation
PPE	Personal Protective Equipment
ROW	Right of Way
S-PHC	(Semi-) Permanent Housing Construction
SPEA	Supplemental Programmatic Environmental Assessment
SRIA	Sandy Recovery Improvement Act
THPO	Tribal Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USFWS	U.S. Fish and Wildlife Service

## SECTION ONE | INTRODUCTION

### 1.1 OVERVIEW

This Supplemental Programmatic Environmental Assessment was prepared in accordance with Unified Federal Review as outlined in The Sandy Recovery Improvement Act (SRIA), Section 6: Unified Federal Review mandates the establishment of an “...expedited and unified interagency review process to ensure compliance with environmental and historic requirements under Federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.”<sup>1, 2, 3</sup>

This Supplemental Programmatic Environmental Assessment (SPEA) has been prepared to analyze the potential environmental consequences associated with additional proposed actions while providing a framework for the evaluation of Federal, State, and Tribal laws and regulations. The additional proposed action and no action alternative in accordance with the National Environmental Policy Act of 1969 (NEPA)<sup>4</sup>, the Council on Environmental Quality (CEQ) implementing regulations<sup>5</sup> and the Emergency Management and Assistance Code of Federal Regulations (CFR)<sup>6</sup>. This analysis is programmatic in nature and does not address individual site-specific impacts, which will be evaluated for individual projects prior to approval.<sup>1</sup>

FEMA derives its authority to perform a housing assistance mission from the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)<sup>7</sup> and its implementing regulations at 44 CFR § 206.117. Through its Individual Assistance Program (IAP) FEMA may provide financial or direct assistance to respond to the disaster-related housing needs of individuals and households. Prior to 2006, permanent housing construction was limited to insular areas outside the continental United States or to other locations where no other alternative housing was available. In the past, FEMA has provided financial or direct assistance to eligible applicants for construction of a limited number of permanent dwellings. However, the Post-Katrina Emergency Management Reform Act (PKEMRA) of 2006 (P.L. 109-295) amended the Stafford Act and expanded FEMA’s role for disaster response and preparedness and permanent housing construction is no longer limited to remote “insular” locations.

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<sup>1</sup> Library of Congress. H.R.219 – Sandy Recovery Improvement Act of 2013 113th Congress (2013-2014). <https://www.congress.gov/bill/113th-congress/house-bill/219>. Accessed 12/09/2014

<sup>2</sup> Federal Emergency Management Agency (FEMA). Sandy Recovery Improvement Act of 2013. <https://www.fema.gov/sandy-recovery-improvement-act-2013>. Accessed 12/09/2013

<sup>3</sup> Federal Emergency Management Agency (FEMA). Unified Federal Environmental and Historic Preservation Review for Presidentially Declared Disasters. <https://www.fema.gov/unified-federal-environmental-and-historic-preservation-review-presidentially-declared-disasters>. Accessed 12/09/2014

<sup>4</sup> 42 United States Code [U.S.C.] 55 § 4321 et seq.

<sup>5</sup> 40 CFR 30 § 1500 et seq.

<sup>6</sup> 44 CFR Ch. I Part 10, and 23 C.F.R. 771.

<sup>7</sup> Public Law (P.L.). 93-288, as amended, 42 U.S.C. § 5121 et seq.

## **1.2 BACKGROUND**

A Programmatic Environmental Assessment was completed on 11/18/2015 FEMA with a Finding of No Significant Impact (FONSI) for the placement of single MHUs and Repair of Residential Structures. This document is incorporated by reference.

This SPEA evaluates a proposed third action undertaken by FEMA and other Federal Agencies (referred to hereafter as ‘The Agencies’) to provide financial support or technical assistance to these coalitions or to any disaster recovery project covered by the scope of this document on the Pine Ridge Indian Reservation. This SPEA also provides the public and decision-makers with the information required to understand and evaluate the potential environmental consequences of these actions and to consider these impacts in decision making. The “No Action” Alternative remains the same alternative evaluated in the PEA.

The SPEA assesses environmental compliance for the following type of housing project:

- Leased Community Sites

The OST adopted Ordinance No. 98-09 in 1998, establishing a “policy for the protection and preservation of the environment and the health and safety of the Oglala Sioux People of the Pine Ridge Indian Reservation.” In doing so, it adopted the OST Environmental Review Code, which established the environmental regulations governing the Pine Ridge Indian Reservation.<sup>8</sup>

FEMA will continue to utilize the services of a contractor to construct, haul, and install Manufactured Housing Units (MHU) to sites identified through the site inspection process detailed in the draft MHU Field SOP. The MHU will meet all FEMA standards and conform to local building codes and ordinances. MHUs under this alternative will not be placed in areas prone to future flooding. In addition, utilities may need to be extended and enhanced to some of the approved building sites.

The project area of this SPEA is the same area address in the PEA, the Pine Ridge Reservation location (Figure 1).

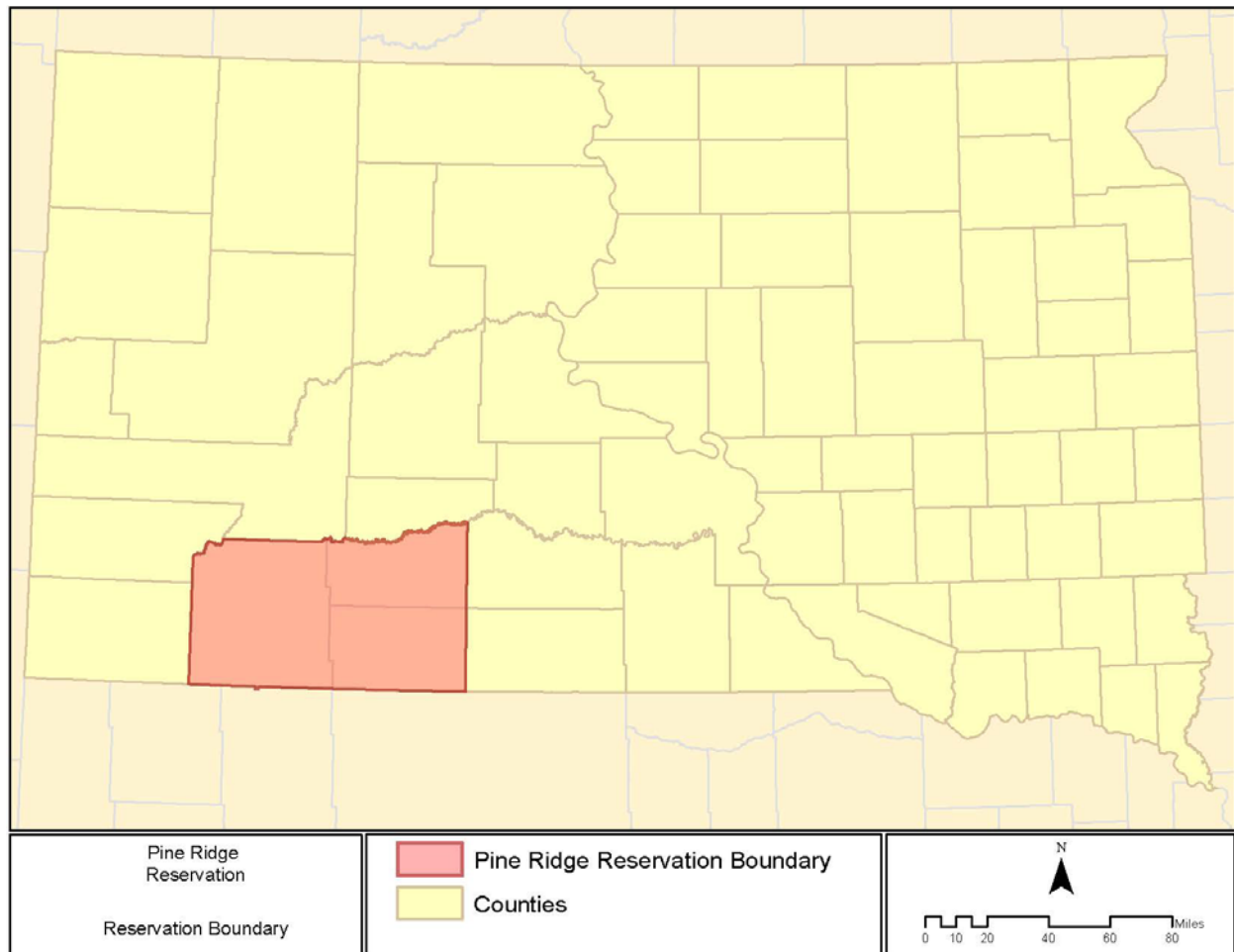
### **Location**

The Pine Ridge Indian Reservation is home to the Oglala Sioux Tribe. The people and the lands of the Oglala Lakota Nation are located in southwestern South Dakota. The Pine Ridge Reservation occupies the entirety of Oglala County, the southern half of Jackson County and Bennett County in southwestern South Dakota. The total land area of the Reservation is 2.1 million acres with 1.7 million acres of U.S. land in trust to Tribal or individuals.<sup>9</sup>

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<sup>8</sup> OST Ordinance 98-08

<sup>9</sup> BIA Pine Ridge Agency

**Figure 1: Pine Ridge Indian Reservation**

### ***1.3 PROCESS FOR USE OF SPEA***

This SPEA is regional in scope, covers numerous ecosystems and political boundaries, and expands housing recovery actions. The use of a SPEA and PEA can reduce redundant analyses and highlight cumulative impacts realized by these actions. In contrast an EA emphasizes impacts on one site and the immediate surroundings.

For a project to qualify under this SPEA the scope of the project and the nature of impacts must be evaluated within this document. Additional analysis and project specific mitigation may be required by this document as context and intensity of proposed project-level impacts become apparent. All projects using this SPEA and the PEA must undergo standard Federal environmental compliance procedures to verify the project is consistent with scope of this PEA. The Agencies will use this SPEA to determine the level of environmental analysis and documentation required under NEPA for the housing recovery projects being evaluated. If the



description of the site-specific nature of the project and the levels of analysis are fully and accurately described in this SPEA and the PEA, the Agencies will take no further action other than what is necessary to support and document that conclusion.

If a specific action is expected to (1) create impacts not described in this SPEA or the PEA; (2) create impacts greater in magnitude, extent, or duration than those described in this SPEA or the PEA; or (3) require mitigation measures to keep impacts below significant levels that are not described in this SPEA or PEA; then an Environmental Assessment (EA) would be prepared to address the specific action.

## **SECTION TWO | PURPOSE AND NEED**

The purpose of this Supplemental Programmatic Environmental Assessment remains to provide safe and sanitary housing to disaster survivors. The need exist due to a lack of suitable housing and supporting infrastructure.

## SECTION THREE | ALTERNATIVES

### 3.1 INTRODUCTION

The following Alternative is being considered for further evaluation in this SPEA. This alternative represent class of actions that may be implemented individually or in combination with one another.

### 3.2 ALTERNATIVES CONSIDERED

#### ***3.2.1 Alternative 1: Installation of Leased Community Sites***

This alternative applies to leased individual housing located in proximity to other leased individual housing to maximize transportation infrastructure and utilities. This alternative may require the installation of new utilities and supporting facilities; new roadway and drainage; and a larger footprint of impact. This alternative differs from No Action in that it includes the relocation and creation of new permanent housing sites.

Abandoned residential structures will be considered debris and disposal should follow all applicable OST regulations regarding handling and disposal. Regulations can be found through the OST Department of Public Health and Hazardous Materials and Waste Management Division.<sup>10</sup>

### 3.3 ALTERNATIVES NOT CONSIDERED

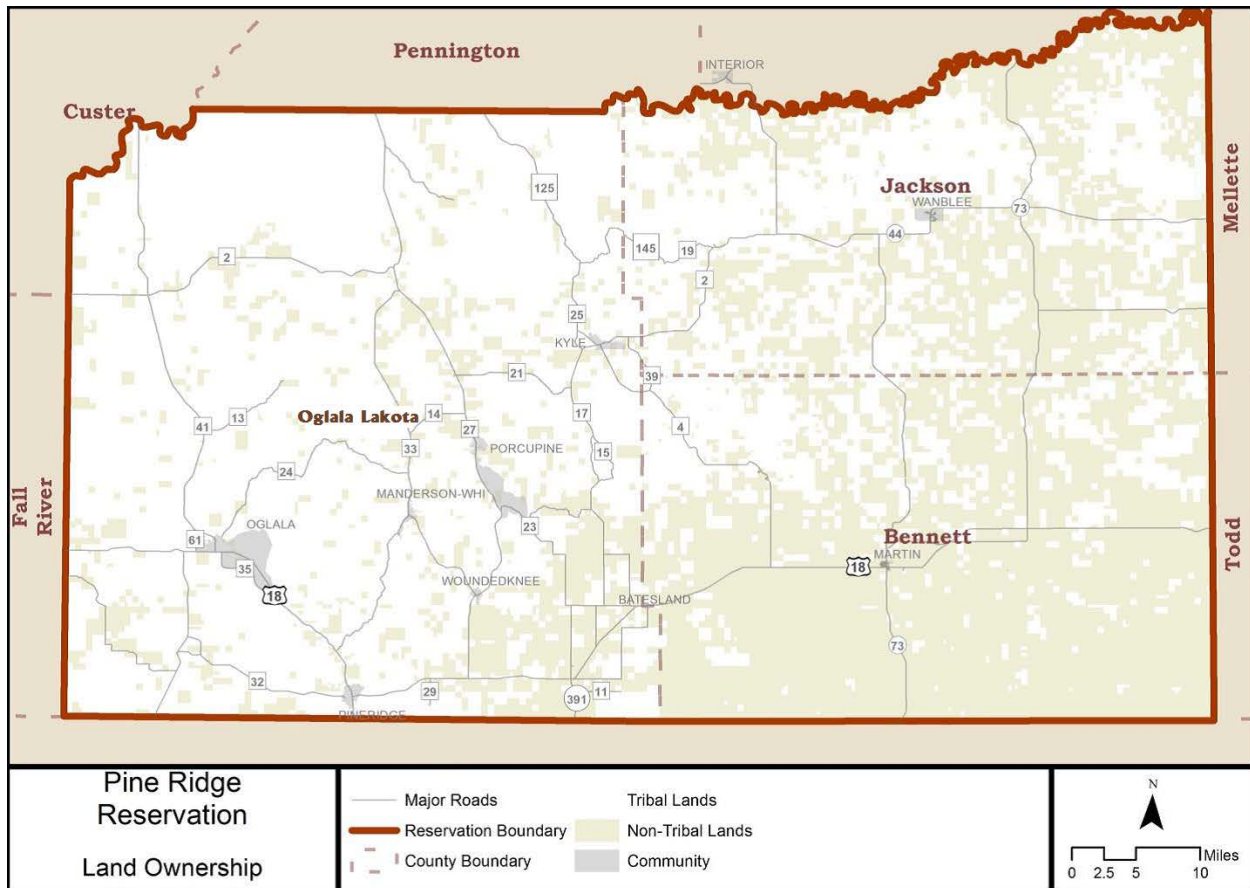
Group Housing Site as an alternatives is not being considered under this document.

## SECTION FOUR | AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

### 4.1 PHYSICAL RESOURCES

#### 4.1.1 Affected Environment

Figure 2: Pine Ridge Indian Reservation Land Ownership



#### Land Ownership-Trust Lands

Article 2 of the Treaty of Fort Laramie of April 29, 1868, (15 Stat. 635), established the Great Sioux Reservation, which includes 80 million acres, from the Missouri River east bank, to the 105th parallel. The territory of the Oglalas was first recognized by the United States in the Treaty of Fort Laramie on September 15, 1851, (11 Stat. 1751), which was recognized as Sioux

Territory within the vast stretch of the Great Plains from the Big Horn Mountains to the Missouri River, and south to the Republican River.<sup>11</sup>

Critical Activities/Services Provided to Tribe by the BIA Tribal Trust Department:

The trust services provided by the Agency include Real Estate Services (Leasing, Rights-of-Ways, and Acquisition & Disposition), Fire Management, Social Services, Land Operations, Probate & Estate Services, and Facilities Management. The non-trust services include Executive Direction and Administrative Services.

Tribal lands may be leased by the tribal council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.<sup>12</sup>

#### **4.1.2 Environmental Consequences**

##### ***Alternative 1: Installation of Leased Community Sites***

This alternative applies to the one-to-one replacement of residential unit with single MHU on an alternated leased site. The new proposed leased sites maybe aligned with additional relocations to maximize land use.

#### **4.2 TRANSPORTATION FACILITIES**

##### **4.2.1 Affected Environment**

Minor changes and additions to transportation routes may occur.

##### **4.2.2 Environmental Consequences**

##### ***Alternative 1: Installation of Leased Community Sites***

This alternative applies to relocation of Tribal Trust Leases. No significant adverse long term impacts are expected to the transportation volume, capacity, and time of transit.

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<sup>11</sup> BIA Pine Ridge website: [www.bia.gov](http://www.bia.gov)

<sup>12</sup> OST Law and Order Code, Chapter 7, Section 55

## **4.3 SAFETY AND OCCUPATIONAL HEALTH**

### **4.3.1 Affected Environment**

The proposed activity requires full review by designated tribal departments and that the appropriate routing slip shall be attached to the four application copies for circulation to the following designated tribal departments for review and sign-off:

- Solid Waste Management
- Badlands Bombing Range Project;

### **4.3.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative would have no significant impact to public safety or occupational health if BMPS are applied. OST members are expected to benefit from the proposed action. Workers and equipment operators are required to wear appropriate personal protective equipment (PPE) and be properly trained for the work being performed. All solid or hazardous wastes that might be generated during the replacement must be removed and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster).

## **4.4 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE**

### **4.4.1 Affected Environment**

Per Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, measures must be taken to avoid disproportionately high adverse impacts on minority or low-income communities. As identified in the PEA the Pine Ridge Reservation is both a minority population and low-income populations.

### **4.4.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative during the construction period will provide a safer and more stable environment for residence and may provide some short term benefits by providing employment and a multiple effect of increased expenditures in the local economy.

Efforts would be made during installation to minimize short-term disruption to the local economy. Low income and minority populations may benefit during the construction process through the provision of construction jobs and multiplier effects of expenditures in the local economy.

## **4.5 AIR QUALITY**

### **4.5.1 Affected Environment**

The Clean Air Act requires that states and tribes adopt ambient air quality standards. There is not additional information or updates on air quality.

### **4.5.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative would have no change to vehicle emission.

## **4.6 NOISE**

### **4.6.1 Affected Environment**

Sounds that disrupt normal activities or otherwise diminish the quality of the environment are designated as noise. There is not additional information or updates on noise.

### **4.6.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative may have short term adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise impacts on residences can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours. Noise levels of construction equipment (70 to 72 dBA) at the distance in which affected parties would likely be located (>200 feet/60 meters) will not be of a duration to be significant.

## **4.7 PUBLIC SERVICES, UTILITIES, AND CRITICAL FACILITIES**

### **4.7.1 Affected Environment**

#### **Public Services**

Anyone applying for and receiving water from the water works system belonging to Pine Ridge Sanitation Maintenance Service shall receive such water on the express condition that such water is taken subject to all rules, regulations, and penalties provided by said association for any infraction of said rules and regulations.<sup>13</sup>

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<sup>13</sup> OST Law and Order Code, Chapter 32 and 33

Sewer Permits are required: *No person shall make any connection with any public sewer, either directly or indirectly, without first having obtained the proper permit and paid the required fee.*<sup>14</sup>

Application for Permit. An application for a permit to connect to any sewer, inside the corporate limits of the Reservation, must be made in writing by the owner, who must state the location of the property to be served, the lot and block numbers, also for what purposes the premises to be served will be used. After application has been approved by the Sanitation Maintenance Service, a permit will be issued upon payment for each connection to be made either directly or indirectly with the Sanitation Maintenance Service Sewer System.<sup>15</sup>

## **Utilities**

Utility lines often cross or run along roads, either overhead or underground. \*The electrical supply system is provided and serviced by three electrical companies: LaCreek Electric Co., Nebraska Power, and Black Hills Electric.

### **4.7.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative has the potential to require approval by the OST environmental committee for site development. The potential installation of new waterlines, new power lines, and wastewater system will require coordination with the OST guidelines and regulations.

During construction, delays in fire response, emergency services, law enforcement and school services may continue, but these would be short term impacts. Once completed, public services would be restored to pre-disaster levels. No long term impacts would occur under this alternative.

## **4.8 WATER RESOURCES**

### **4.8.1 Affected Environment**

#### **Floodplains**

EO 11988 requires Federal agencies to consider the effect of their actions on the floodplain, to evaluate alternatives to taking action in the floodplain and to provide opportunity for public comment if there is no practicable alternative.

#### **Wetlands**

EO 11990 requires federal agencies minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. To meet these

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<sup>14</sup> Id.

<sup>15</sup> Id.



objectives, the order requires federal agencies, in planning their actions, to consider project alternatives to sites with wetlands and limit potential damage if an activity affecting a wetland cannot be avoided.

## 4.8.2 Environmental Consequences

### ***Alternative 1: Installation of Leased Community Sites***

This alternative will not result in structures and fill being placed in a wetland or AFHB. Wetland boundaries would be determined in accordance with the latest regulatory guidance from the EPA and the U.S. Fish and Wildlife Service (FWS). AFHB determination will use best available data to make informed decision on the delineation of floodplain. In these situations Agency projects would implement the Eight-Step Process to avoid impacting floodplain values.

## 4.9 BIOLOGICAL RESOURCES

### 4.9.1 Affected Environment

#### Protected Species

There are seven species listed as Endangered (E), Threatened (T), Candidate (C), or Proposed (P) (see Table 1) by the USFWS under ESA that historically occurred, occur or may potentially occur within OST boundaries. There has been no change in the list. <sup>16</sup>

**Table 1: Threatened, Endangered and Candidate Species identified in OST.**

Common Name	Scientific Name	Federal Status	Habitat Requirements/Notes
Whooping Crane	<i>Grus americana</i>	E	Found in coastal marshes and estuaries, inland marshes, lakes, ponds, wet meadows, rivers, and agricultural fields.
Red Knot	<i>Calidris canutus</i>	T	Often found on sparsely vegetated, dry, sunny, slightly elevated tundra locations. Often on windswept ridges or slopes with low cover of stunted willow.
Sprague's Pipit	<i>Anthus spragueii</i>	C	Breeds in open grassland with good drainage and no shrubs or trees.

<sup>16</sup> For U.S. Fish and Wildlife Service Endangered Species Information, Planning and Consultation System : <http://ecos.fws.gov/ipac/> or <http://www.fws.gov/ipac/>

Common Name	Scientific Name	Federal Status	Habitat Requirements/Notes
Western Prairie Fringed	<i>Platanthera leucophaea</i>	T	Tall grass prairie and is found most often on unplowed, calcareous prairies and sedge meadows. Dependent on mycorrhizal fungi.
American Burying Beetle	<i>Nicrophorus americanus</i>	E	Unsure. Lives in many habitats, with a slight preference for grasslands and an open understory oak hickory forests. Carrion availability may be the greatest factor in finding a habitat.
Black-Footed Ferret	<i>Mustela nigripes</i>	E	Found near prairie dog populations, in short or middle grass prairies. Often houses in abandoned prairie dog burrows.
Northern Long-Eared Bat	<i>Myotis septentrionalis</i>	T	Hibernates in caves and mines. Swarms in surrounding wooded areas in autumn. Roosts and forages in upland forests and woods during late spring and summer.

ENDANGERED (E) - Any species that is in danger of extinction throughout all or a significant portion of its range.

THREATENED (T) - Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

PROPOSED (P) – Any species of that is proposed in the Federal Register to be listed under section 4 of the Act.

CANDIDATE (C) - Those taxa for which the Service has sufficient information on biological status and threats to propose to list them as threatened or endangered. We encourage their consideration in environmental planning and partnerships, however, none of the substantive or procedural provisions of the Act apply to candidate species.

## 4.9.2 Environmental Consequences

### ***Alternative 1: Installation of Leased Community Sites***

This alternative may have the potential to affect sensitive biological resources due to construction activities; a review of available information on the potential for species and critical habitat occurrence in the area will be conducted.

## **4.10 CULTURAL RESOURCES**

### **4.10.1 Affected Environment**

Oglala Sioux Tribe Cultural Affairs and Historic Preservation Office (OSTCAHPO) assumed the role of the State Historic Preservation Office as per *Tribal Ordinance No 08-09; Tribal Ordinance No.09-20; and Tribal Ordinance No. 10-13, and as per Oglala Sioux Tribal Cultural Affairs and Historic Preservation Plan, Version VIII, 2013.*

All Cultural Monitoring will conform to the *Cultural Resources Monitoring/Mitigation Plan, FEMA – Renovation/Construction (2015), Pine Ridge Reservation, Oglala Lakota County* (agreement signed by THPO and with prime Contractor (October 2015).

All THPO consultation will conform to the agreement between FEMA EHP and THPO as per: *Initiation of the Section 106 Consultation Process – FEMA Housing Mission, 4237-DR-Oglala Sioux Tribe of the Pine Ridge Indian Reservation* (signed November 2015).

### **4.10.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

This alternative has the potential to affect historic or cultural resources. Destruction or alteration of any site, structure or object of historic, prehistoric or paleontological importance shall be avoided.

## **4.11 HAZARDOUS MATERIALS**

### **4.11.1 Affected Environment**

The OST Department of Public Health and Environment provides guidance and regulatory relief for the management and disposal of damaged or destroyed structures. Small appliance refrigerant recovery is also regulated by the OST. A Chlorofluorocarbon Hotline is available to leave messages, report violations or to request assistance for either the state or federal chlorofluorocarbon programs.

### **4.11.2 Environmental Consequences**

#### ***Alternative 1: Installation of Leased Community Sites***

The proposed action has the potential to distribute known hazardous materials or create any potential hazard to human health. If hazardous constituents are encountered during the proposed construction operations, appropriate measures for the proper assessment, remediation, and management of the contamination would be initiated in accordance with applicable Federal,

state, and local regulations. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials.

## **4.12 CUMULATIVE IMPACTS**

The CEQ regulations<sup>17</sup> implementing the procedural provisions of NEPA of 1969<sup>18</sup> defines cumulative effects as:

*“the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or local) or person undertakes such other action”.*<sup>19</sup>

Based on these regulations, if the alternative does not have direct or indirect effects there can be no cumulative effects resulting from the project because there would be no impacts added to past, present, or reasonably foreseeable actions.

The CEQ regulations also describe cumulative impacts as impacts that “can result from individually minor but collectively significant actions taking place over a period of time.” On a programmatic level and combined with other actions affecting housings alternatives could lead to cumulative impacts depending on the scale (number of projects) or geography (localized area) in which the actions are performed.

### **4.12.1 Summary of Cumulative Impacts**

Individual projects proposed under this SPEA and PEA are not anticipated to cause significant impacts, even when combined with other actions. Other than the “No Action Alternative,” project impacts that are implemented at an individual or cumulative scale, such as to produce significant impacts generally can be reduced below the level of significance by mitigating for individual impacts using the mitigation measure.

The proposed activity requires full review by designated tribal departments and that the appropriate routing slip shall be attached to the four application copies for circulation to the following designated tribal departments for review and sign-off:

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<sup>17</sup> 40 Code of Federal Regulations [CFR] Section 1500-1508

<sup>18</sup> 42 United States Code [USC] Section 4321

<sup>19</sup> 40 Code of Federal Regulations [CFR] Section 1508.7

- Tribal Land Office; the Tribal Environmental Specialist; the Water Resources Department; and Solid Waste Management.
- Badlands Bombing Range Project; the Groundwater Protection Program; and the Natural Resources Regulatory Agency.
- Rural Water Supply System; the Water and Sewer Program; and the Health and Human Services Committee Coordinator.
- Revenue Office; the Tribal Employment Rights Office; and the Housing Authority.

## SECTION FIVE | SUMMARY OF IMPACTS

The following table summarizes the potential impacts of each alternative on the resource areas discussed in Section 4. **Table 2** is organized by each resource area for each alternative. Permits and conditions are summarized, but to are not all inclusive.

**Table 2: Summary of Impacts**

<b>Resource Area</b>	<b>Alternative 1: Installation of Leased Community Sites</b>	<b>Permits and Conditions Required</b>
Physical Resources	This alternative applies to the one-to-one relocation of residential unit with single MHU adjacent to additional Leased Community Sites. The damaged structure will then be removed and deposited in accordance with tribal guidelines and accepted practices.	OST Permit
Transportation Facilities	This alternative applies to restoration or replacement of existing. No significant adverse long term impacts are expected to the transportation volume, capacity, and time of transit.	OST Permit
Safety and Occupational Health	This alternative would have no significant impact to public safety or occupational health if BMPS are applied. OST members are expected to benefit from the proposed action. All solid or hazardous wastes that might be generated during the replacement must be removed and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster).	Compliance with OST and Federal Permits
Socioeconomic and Environmental Justice	This alternative during the construction period will provide a safer and more stable environment for residence and may provide some short term benefits by providing employment and a multiple effect of increased expenditures in the local economy.  Efforts would be made during installation to minimize short-term disruption to the local economy. Low income and minority populations may benefit during the construction process through the provision of construction jobs and multiplier effects of expenditures in the local economy.	none
Air Quality	This alternative would have no change to vehicle emission.	none
Noise	This alternative may have short term adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise impacts on residences can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.	none

Resource Area	Alternative 1: Installation of Leased Community Sites	Permits and Conditions Required
Public Services and Utilities	<p>This alternative has the potential to require approval by the OST Environmental Committee for site development. The potential installation of new waterlines, new power lines, and wastewater system will require coordination with the OST guidelines and regulations.</p> <p>During construction, delays in fire, emergency, law enforcement and school services may continue, but these would be short term impacts. Once completed, public services would be restored to pre-disaster levels. No long term impacts would occur under this alternative.</p>	OST Permit
Water Resources	This alternative will not result in structures and fill being placed in a wetland or AFHB. Wetland boundaries would be determined in accordance with the latest regulatory guidance from the EPA and the USFWS. AFHB determination will use best available data to make informed decision on the delineation of floodplain. In these situations agency projects would implement the Eight-step Process to evaluate effects and identify potential alternatives to avoid impacting floodplain values.	Comply with all appropriate federal and Tribal permits.
Biological Resources	This alternative may have the potential to affect sensitive biological resources, wetlands or natural waterways due to construction activities; a review of available information on the potential for species and critical habitat occurrence in the area will be conducted.	Continued Consultation with USFWS will be necessary to assess permanent and temporary impacts. Compliance with OST
Cultural Resources	This alternative has the potential to affect historic or cultural resources. All THPO consultation will conform to the agreement between FEMA EHP and THPO as per: <i>Initiation of the Section 106 Consultation Process – FEMA Housing Mission, 4237-DR-Oglala Sioux Tribe of the Pine Ridge Indian Reservation</i> (signed November 2015).	Consultation and Coordination under the NHPA and associated regulations OST Permit
Hazardous Materials	The proposed action would not disturb any known hazardous materials or create any potential hazard to human health. If hazardous constituents are encountered during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination would be initiated in accordance with applicable federal, state, and local regulations. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials.	OST Permit

## SECTION SIX| PUBLIC INVOLVEMENT

### 7.1 PUBLIC NOTICE OF AVAILABILITY FOR DRAFT COMMENTARY

#### PUBLIC NOTICE OF INTENT TO PREPARE A SUPPLEMENTAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT (SPEA)

The Federal Emergency Management Agency (FEMA) is providing notice of its intent to prepare a Supplemental Programmatic Environmental Assessment (SPEA) to evaluate the housing mission for the Oglala Sioux Tribe (OST) on the Pine Ridge Indian Reservation. We provide this notice to advise other Federal and State agencies, Native American tribes, non-governmental organizations, and the public of our intention as well as to obtain suggestions and information on the scope of issues to consider during the planning process. These actions are part of our effort to comply with the general provisions of the National Environmental Policy Act (NEPA); NEPA regulations; other Federal laws and regulations, Executive Orders; and policies for compliance with those laws and regulations including 44 Code of Federal Regulations [CFR] Parts 9 and 10.

On August 7th, 2015 U.S. Department of Homeland Security's Federal Emergency Management Agency announced that federal disaster aid has been made available to the Oglala Sioux Tribe of the Pine Ridge Indian Reservation and ordered federal aid to supplement recovery efforts in the area affected by severe storms, straight-line winds, and flooding during the period of May 8-29, 2015. The President's action makes federal funding available to the affected members of the Oglala Sioux Tribe of the Pine Ridge Indian Reservation. Assistance can include grants for semi-permanent housing and home repairs, low-cost loans to cover uninsured property losses, and other programs to help individuals and business owners recover from the effects of the disaster.

All Federally-funded projects will be completed in compliance with applicable Federal, Tribal, State and local laws, regulations, Executive Orders, etc. Some specific items of work may include, but not be limited to reviews under the Clean Air Act, Clean Water Act, Endangered Species Act, National Historic Preservation Act, Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), and Executive Order 12898 (Environmental Justice).

The SPEA assesses environmental compliance for the following types of housing projects:

- Leased Community Sites

You can obtain more detailed information about the SPEA and PEA from Steven Hardegen, FEMA Region VIII, Regional Environmental Officer, Denver, Colorado ([steven.hardegen@fema.gov](mailto:steven.hardegen@fema.gov)). U.S. Department of Homeland Security ~ FEMA, Region VIII Denver Federal Center Building 710, Box 25267 Denver, Colorado 80225-0267.

Comments should be made in writing to the FEMA point of contact listed above and post-marked within three (3) days of publication of this notice.



### **7.3 PUBLIC COMMENTS**

This document will be released for a three (3) day public comment period. Comments will be recorded here.

## SECTION SEVEN | LIST OF PREPARERS

This PEA was prepared by:

FEMA Region VIII, Denver, CO

- Steven Hardegen – FEMA Regional Environmental Officer
- Charlie Bello – FEMA Tribal Environmental Specialist

## SECTION EIGHT | REFERENCES

BIA Pine Ridge website: [www.bia.gov](http://www.bia.gov)

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