

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
PROGRAMMATIC ENVIRONMENTAL ASSESSMENT FOR
THE OGLALA SIOUX TRIBE HOUSING MISSION**

BACKGROUND

On August 7th, 2015 FEMA announced that the President authorized Federal disaster aid to be available to the Oglala Sioux Tribe (OST) 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 OST of the Pine Ridge Indian Reservation.

This assistance can include grants for 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.

This PEA evaluates typical actions 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 includes future major disaster events such as flooding, fires, and tornados which result in similar impacts to housing and associated infrastructure. This PEA 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 PEA assesses environmental compliance for the following types of housing projects:

- Single Mobile Housing Unit (MHU);
- Repair to Permanent Housing.

In accordance with the National Environmental Policy Act (NEPA) of 1969, FEMA's regulations for implementing NEPA at 44 Code of Federal Regulations (CFR) Part 10, the President's Council on Environmental Quality (CEQ) NEPA implementing regulations at 40 CFR Parts 1500-1508, and in the spirit of Unified Review as outlined in Section 6 of the Sandy Recovery Improvement Act (SRIA) of 2013 FEMA prepared a draft Programmatic Environmental Assessment (PEA) to evaluate the potential environmental impacts resulting from FEMA's direct housing mission on the Pine Ridge Reservation.

Notice of the availability of the draft PEA was published in the Lakota Country Times (Martin, SD) on October 15, 2015 & October 22, 2015; and the Native Sun News (Rapid City, SD) on October 15, 2015 & October 21, 2015; covering a four week comment period. No substantive comments received.

CONDITIONS

Actions under this PEA and FONSI must meet the following conditions. Failure to comply with these conditions would make the FONSI determination inapplicable for the project and could jeopardize the receipt of funding.

In accordance with applicable local, tribal, and federal regulations, the Individual Assistance Program would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

The Individual Assistance Program will avoid and minimize potential impacts to the floodplain and shall not support occupation of the floodway.

Contractor and/or Subcontractors will properly handle, package, transport, and dispose of hazardous materials and/or waste in accordance with all local, state, and federal regulations, laws, and ordinances. If hazardous substances are released to the project area during construction, these federal, state, and local requirements must be followed in response and cleanup.

If during the course of work, unmarked graves, burials, human remains, or archaeological artifacts (prehistoric or historic) are discovered, the Individual Assistance Program shall stop work in the vicinity of the discovery, secure the site, and take all reasonable measures to avoid or minimize harm to the finds. All archaeological findings will be secured and access to the sensitive area restricted. The applicant will not proceed with work until HP staff completes consultation with the Tribal Historic Preservation Office (THPO), to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

The Individual Assistance Program must meet any project-specific conditions developed and agreed upon between the federal grant program and environmental planning or historic preservation resource or regulatory agencies during consultation or coordination.

FINDINGS

Based upon the information contained in the Final PEA, the potential impacts resulting from the two alternatives analyzed in the PEA, and in accordance with FEMA's regulations at 44 CFR Part 10 and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA finds that the implementation of the proposed action will not have significant impacts to the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared. This FONSI is based upon proposed actions fitting one of the four project types (alternatives) described in the Final PEA and meeting all conditions prescribed for that particular project type.

APPROVAL

Signed November 18, 2015

Steven E. Hardegen
Regional Environmental Officer, FEMA Region VIII