Speaker 1: Welcome. Thank you for joining today's Coordinating Environmental Review: Tribal Housing and Related Infrastructure Webinar. Before we begin, please ensure that you have opened the WebEx chat panels by using the associated icons located at the bottom right hand side of your screen. Please note all audio connections are currently muted and this conference is being recorded. You are welcome to submit written questions throughout the presentation, which will be addressed at the Q&A sessions of the webinar. To submit a written question, select "All Panelists from the drop down menu in the chat panel, then enter your question in the message box provided and send.

To ask a question via WebEx audio, click the "Raise hand" icon on your WebEx screen, which is located above the chat panel on the right side To place yourself into the question queue. If you are connected via phone, please press pound-2 enter the question queue. If you require technical assistance, please send a chat to the event producer. With that, I will turn the webinar over to Heidi Frechette, HUD's Deputy Assistant Secretary for Native American Programs. Heidi, please go ahead.

Heidi Frechette: Great. Thank you so much, [foreign language 00:01:32] everyone. I want to start off by saying thank you or [foreign language 00:01:36] for attending this consultation session. This is our third and final session to get feedback from you all on coordinated environmental reviews for projects in Indian country. So for several years, HUD has been leading a workgroup charged with developing a coordinated environmental review for tribal housing and related infrastructure projects. As some of you may know, in late 2019, Congress directed HUD to establish the Tribal Housing and Related Infrastructure Interagency Task Force. The charge for this task force was to review environmental laws and authorities for opportunities for greater efficiencies, to explore whether environmental reviews can be expedited, if agencies funding similar types of projects in Indian Country developed aligned categorical exclusions, and to identify specific regulatory and policy improvements.

So I know all of you, that's how I view, this work is very important. We hear about this often from tribes and tribal leaders. During the Secretary's Consultation Session that we held earlier this year on the strengthening our tribal consultation policy, streamlining environmental requirements was brought forward as a tribal priority. So it's also a priority for HUD, a high priority. In fact, environmental streamlining requirements, through the work of the task force, is included in HUDs consultation plan of actions. So we are committed to the ideals of a government to government relationship with Indian nations. We honor and respect tribal consultation because it directs us in our collective efforts to ensure that Native American families have decent, safe and affordable housing.

So hearing from you on this important, impactful issue is essential to the taskforce work to coordinate environmental review projects in Indian country. So you as Indian country, you know what works, you know what doesn't. It's so important to have your voice. The taskforce has developed an implementation plan which describes actions to advance a coordinated environmental review. This implementation plan will guide the work of the task force for years to come. It also sets priorities through the establishment of timeframes to complete the actions.

So we're asking you for ideas, input feedback, to make sure that the final implementation plan has practical and actionable items that will ensure a coordinated environmental review when multiple agencies are funding housing and related infrastructure. So again, I want to say [foreign language 00:04:37] and thank you so much for being willing to assist in this important endeavor, your engagement. I know your time is precious. I know this is really complicated stuff. But it impacts the lives of our tribal folks every day. So we really want to address this issue.

So with that, I will now turn it over to ONAP's Environmental Compliance Officer, Danielle Schopp, who is leading the work of the task force. I'm sure many of you know her. She's going to facilitate this consultation. So please, please feel free to voice your opinions. Ask any questions you have. That's exactly what we want. We want that engagement, that discussion and that feedback. [foreign language 00:05:25] and thank you again so much. Danielle?

Danielle Schopp: Thank you. All right. So before we get started, I just wanted to make sure to go over some backgrounds, provide some context into the SMART and the task force. So I just want to go back to how this came about. That came about through a Government Accountability Office or GAO audit, who recommended that agencies involved in Native American Housing develop and implement a coordinated environmental review process. This recommendation was subsequently picked up by Congress since 2014 and directed us to start this. In 2019, I re-committed the comments to us to continue to work on this. We are reporting back to the Senate Appropriations Committee on our work. So people are definitely interested in following up to see how we're doing.

So here are the federal agencies that are involved. The task force is focused on housing and related infrastructure. You probably have a variety of agencies. We also added tribal representation to the effort. We solicited requests for nominations in March 2021, knowing that the taskforce was reinvigorated, about to start to plan our actions out. We wanted more tribal representatives throughout the process in a working group. We received nominations from seven tribes. We are excited to have all seven tribal representatives come on board and join the monthly meetings.

From the agency side, it's primarily senior, generally a senior career environmental staff. I do just want to note that all deliverables of the taskforce will continue to go through a full tribal consultation. Right now, we're asking for consultation and feedback on our work plan. We will explore adding additional tribal representatives in the future so we can better ensure to center the tribal experience and needs in our work.

Okay. For those new to the coordinated environmental review process, I just wanted to spend a few minutes talking about the research and outreach that was held in 2014 to produce a science ...

Speaker 1: Alright, ladies and gentlemen, I cannot hear Danielle. So I think she may have dropped

Danielle Schopp: Oh, I'm so sorry. I think my mute got buttoned when ...

Speaker 1: Go ahead, Danielle.

Danielle Schopp: Is this the slide where I left off? Okay.

Speaker 1: Yes.

Danielle Schopp: All righty, thank you. Okay. So for those new to the coordinated environmental review process. I just wanted to spend a few minutes talking about the research and outreach that was done in 2014 and 2015 to produce a final report on the coordinated environmental review. That finally report continues to guide our work today. Congress has directed us to implement the recommendations from that report.

So when Congress first directed the taskforce to develop a coordinated review in 2014, we engaged with a consultant and our federal partners to understand the challenges and issues tribes face in the housing and related infrastructure compliance review. We interviewed several dozen tribes.

We mapped out a typical housing project development process. We interviewed and collected information from tribal agencies on their environmental compliance process. Throughout the taskforce held roundtables and formal consultations, holding 10 round tables and several formal consultations to produce the report.

Sorry. Okay. So these are the 12 recommendations from the final report. These recommendations are what is driving the implementation plan. I'm not going to read them off to you here now because of they'll be incorporated throughout this presentation. So during this presentation, I'm going to be talking about actual action items or deliverables that the task force has figured out or the actual action items that the taskforce has decided would implement these recommendations.

Okay. So we are in the final stages of consultation on the implementation plan. Again, all the deliverables will also have their own consultations. But this implementation plan really will guide the work of the task force for the next several years. It sets priorities by establishing timeframes for each action item. The action items implement the final report recommendations. So that we have had two consultations on the implementation, this is our third. We are asking for written comments to be sent into HUD by October 22nd, 2021.

Okay. Now we'll dig into the proposed actions. Okay, so this is the only action item in the implementation plan that doesn't directly support a recommendation. It's kind of woven throughout many. This action item has come up through numerous listening sessions. Sometimes it has been described as developing an environmental review format or framework. I think that we're evolving into it probably being a tool. We're currently working to better understand this particular action item. We have consultants that have been interviewing tribes on what they think would work or would not work. The task force is wanting to just understand what would be practical for tribes. One of the ideas is a tool that would help identify environmental compliance requirements for each funding source.

It would include guidance, formats, and agency contacts that would allow tribes to expand their HUD part 58 review to address compliance factors for other federal funding sources. So give transparency and guidance so the tribe can produce one environmental review that would be accepted by another agency without further work. But on this, we'd really like to hear from you about what would help or not help in this matter. The issue here is really to be transparent and share information to get down to one environmental review.

Okay. So we have been working on this to ensure tribal input. We have several ways of doing this, adding tribal representatives to the taskforce. That has been really helpful to have an ongoing voice, presence and ideas from tribes. We're looking for existing groups and ways to connect at a regional level. We're wondering how to best protect tribes and agencies. So we're looking at creating or establishing an ongoing presence at existing regional meetings, and we'd love to hear thoughts and ideas of what has worked and where this might be helpful.

I'm just going to go talk. Okay. Sorry, I didn't talk about developing common categorical exclusions. So another issue and something that Congress has asked us to look at is whether it'd be helpful to develop common categorical exclusions. In this regard, our consultants and interviews haven't found a lot of instances where HUD funding and another agency funding are going into a housing project. we have different levels of review, meaning HUD might have a categorical exclusion from the National Environmental Policy Act and another agency does not. But we would love to know more and hear more about instances where you feel that common categorical exclusions would help.

Okay. So creating a planning playbook. In order to have a coordinated environmental review, we need a coordinated project. So the idea here is to create a guidance book that would help tribes and agencies coordinate funding sources for projects. This would help get at the recommendations from the final report of creating more predictable funding mechanisms. Well, we can't really do that, but maybe we can help provide a guidance tool to help with the funding that comes along. It would just help provide training for tribes and agencies.

Another action item is to develop resources to encourage wider use of NEPA efficiency tool. So NEPA already has tools and process of framework and processes to help reduce duplication. One of those is incorporating environmental review documents by reference. So for instance, an agency can take the information the tribe produces for HUD review and not duplicate it, Just bring it into their review is an incorporation to reduce duplication and burden. There is also some other tools within NEPA, with a lead agency and cooperating agency agreement, looking to understand, to help tribes and agencies understand how to use those existing tools. I'd like to pause here and just see if there have been any questions or anything in the chat.

Speaker 1: All right. Ladies and gentlemen, as a reminder, to ask a question via WebEx audio, you can click the raise hand icon on your WebEx screen. The icon is located above the chat panel on the right, that will place you in the question queue. If you are connected via phone for audio, you may press pound-two on your telephone keypad. You can also send your questions via chat as well.

Gary: Danielle, we do have one question in the chat.

Danielle Schopp: Sure.

Gary: Under action item number one, is there any statutory or regulatory language that requires agencies to work together to streamline the environmental process?

Danielle Schopp: I'm so sorry. Could you repeat that?

Gary: I'm sorry too. Under action item number one, is there any statutory or regulatory language that requires agencies to work together to streamline the environmental process?

Danielle Schopp: Bob, That's a great question. So I'm not aware of any statutory regulatory language for HUD, and our housing and related infrastructure projects that requires that. There might be some language possibly for other agencies' specific projects. I do think that this is a good time to raise attention and awareness that the NAHA's reauthorization bill, which is currently being considered by the Senate, and the house, does contain language that that would require, if you will, a HUD. That would require a single environmental review when HUD funding is the majority funding in the project. It would require basically other agencies to accept the tribes HUD participates environmental review.

Gary: Great. I would only add that there are Senate reports. At the Senate report that required us to convene the status force and get other agencies involved. So in a way, this is in response to a direction from Congress, not codified direction, but a report. That's it with the chat line.

Danielle Schopp: All right. I will continue. Okay. This is an item that we hear a lot about, is to ensure that review requirements are being applied consistently. We know and we hear that we need more training and communication to improve consistency among tribes and agencies in their approach to environmental review requirements. Action item number seven, I think is actually in my experience, probably the biggest one of practical coordination and streamlining. So NEPA is an umbrella analysis that looks at 15 to 16 other resources and federal environmental laws and authorities.

Often we talk about and we hear about NEPA reviews needing to be coordinated. The actual NEPA analysis oftentimes, it's easier to coordinate that than it is to coordinate and reduce duplication for compliance with what HUD would say are the related laws such as section 106, historic and cultural resources are the executive orders on floodplains and wetlands. So we are asking what related laws and authorities we should prioritize for coordination.

Because the NEPA review doesn't necessarily mean that these other laws and authorities, which are part of the NEPA review, are coordinated. So we also want to hone in on areas where that's duplication and challenging for tribes. Right now, in the implementation plan, we are focusing in on section 106 with an emphasis on archeology policies as well as floodplain in particular areas where FEMA has not produced flood insurance rate maps. So instances might be looking at whether a project is in a floodplain using different sources.

Okay. Here, we have started an environmental review process website. There is a taskforce website that has all of the documents that have been created in the past as well as the implementation plan that we're working on now. We're definitely looking at building that out to be a place a tool to further communication and coordination. So we're looking at ways to expand that website to meet tribal needs. We're looking at asking what would be on that website? What's useful? How can we make it practical?

Then finally, there is an action item to expand this effort to include actions that are not housing related. We put this out a little further down on the backburner because first, we need to get a coordinated process for housing and related infrastructure. But cross the federal government, there is a recognition that projects need to be coordinated environmental reviews. So hopefully, our taskforce will help create some best practices that will expand.

Okay. To follow up a interagency environmental review automated tool for tribes that are familiar with HEROS, HUD's Environmental Review Online System tool. One of the recommendations in the final report is to expand that beyond HUD reviews, to include other agencies and to allow other agencies and their considerations could be included. That is something that we'll continue to work on developing a feasibility and budget, but it would be a longer term process. First, we need to figure out the enterprise as well.

Then finally, using paperwork burdens for administrative activities. So in the final report, there were some HUD specific regulatory and policy improvements that were suggested relating to residential property thing, which HUD did finalize the rule in January 2022 to exempt 1000 gallon residential propane tanks from HUD's regulation. We will continue to explore ways of making things easier for the HUD part 58 environmental review. So with that, really like to just promote a discussion and general feedback, input and comments.

So here are some questions that we thought might provoke some thoughts about weight, ideas to reduce duplication and burden, what steps the taskforce should prioritize and what challenges you faced when using multiple federal funding sources. Do you have any best practices or examples that we should look at. Here, anything that you offer from specific input on the implementation plan or just telling us about a challenge that you face would be really helpful. So I'm going to open it up here and allow some time for people to gather their thoughts and provide us with some input and ideas, feedback.

Speaker 1: As a reminder, ladies and gentlemen, to ask a question via WebEx audio, click the raise hand icon on your WebEx screen, which is located above the chat panel on the right to place yourself in the question here. If you are connected for audio via phone, pressing pound-two on your telephone keypad will enter you into the question queue.

Gary: Danielle, there are a couple of comments in the chat room. One of them is that FEMA does not map a lot of the reservations. Another one from the same party is training on current forms would be helpful.

Speaker 1: All right, Danielle, I think you have us on mute.

Danielle Schopp: Yep, I'm sorry. I'm sorry, I can't see the chat functions myself.

Gary: If you go down to the right hand bottom, there's a little thing that says chat and participants, you could chat. But if you want me to repeat them again.

Danielle Schopp: I got it.

Gary: Okay. Two comments are FEMA does not map a lot of reservations. Then suggestion is training on current forms would be very helpful. Maybe that's meant to be and current forms, maybe to update the forms is what is meant here. Then here is another question. Many tribes have developed Tribal Historic Preservation offices. Is there any consideration to utilize these offices to conduct archeological surveys?

Danielle Schopp: That is a great question. So our step right now is to develop a subgroup to work out 106 coordination. That would involve the National Association of Tribal Historic Preservation Officers as well as maybe some TIPOS themselves and the Advisory Council on Historic Preservation, so bringing in the historical and cultural professionals from tribe as well as agencies.

Speaker 1: All right. We do have a couple of questions on the WebEx audio if you're ready for them.

Danielle Schopp: Yes.

Speaker 1: All right. Marilyn Weaver your line is unmuted you may go ahead. Marilyn, be sure to unmute yourself in WebEx as well. Your line is unmuted.

Marilyn Weaver: Can you hear me?

Speaker 1: Yes, we hear you. Go ahead.

Marilyn Weaver: Oh, thank you. We appreciate all of you having these meetings for us and to help us develop something. It is truly appreciated. RHA has a comment or maybe something to be thought about. Currently in our position, we're looking at seeing if we can move that how long an ER is good for from five years to 10 years. When working with over 30 villages in our region, and they only get so much funding every year. Sometimes they have to wait a year or two before they have enough funding to do any type of work in their villages, construction in their villages. Sometimes by the time there's enough funding and approvals for what they want done, the ER is no longer good. So we would like to see if there would be a consideration of maybe the existing from five years to 10 years.

Danielle Schopp: Thank you. That consideration has been raised. I think that is something we will be looking at as a HUD policy. But I'm curious to know, if that's also a policy that you're finding with other agencies, the five year.

Marilyn Weaver: I think it varies. I think mainly it was not such a roadblock that additional manpower and staff time and working with villages needs to be done. It's just trying to be efficient, trying to be able to utilize our resources that are available to us in the best possible way.

Danielle Schopp: Thank you for your comments.

Marilyn Weaver: You're welcome. Thank you.

Speaker 1: All right. We are moving to the next caller in queue. William Globals, your line is unmuted.

William Patrick...: Good afternoon. This is William Patrick Goggles, Northern Raphoe. I do have a couple of comments. Sandra Seabay that works in our office is on the thrift. We appreciate her membership there. A couple of items. One is well, we work with HUD ONAP on a project. They can only give us the option when you're awarded an allocation or a grant. To do environmental, if you're given the option of whether you perform the ER or you have a HUD perform the ER. Has there been consideration given that all the federal agencies that are working in a country provide a safe option to the tribes that if they have the capacity to perform the ER they can? If not, they can rely on the federal agency to do that. Have you ever had discussions regarding that option?

Danielle Schopp: Thank you for your comment. So that is a good point. I think that we can look at how we're communicating that within ... Well, with tribes and also with Congress, to back up a little bit that that would require statutory changes in federal agencies' funding programs. So HUD's ability to have tribes assume federal environmental responsibility comes from statutory authority. So I just wanted to clarify that that would be Congress taking action on statutes. One thing that we've heard consistently is why can't the tribe part 58 review satisfy another federal agency's environmental review on the same project. That there is language again, and then the HUD's reauthorization that would accomplish that when there is HUD funding. But thank you for your comments. We appreciate that.

William Patrick...: Well, I've been thinking that for some time, that there needs to be a statutory change in NEPA by facilitating that type of option. I've worked with BIA, IHS, rural development. They don't have that option that HUD has. Somewhere I guess someone needs to I guess encourage congress or federal agencies or the national, working with the American Indian organizations to pursue that change of statutory authority that allows federal agencies to give that options to tribes. I may pursue that. I don't know, depending on my workload. But I think that change in statute and NEPA needs to happen. I just don't think federal agencies are going to do it on their own without being required to do it. That's pretty much the way I see it. Thank you.

Danielle Schopp: Thank you.

Speaker 1: As a reminder, ladies and gentlemen, if you have a question and you would like to ask it over the phone, and you're dialed in via regular audio, pressing pound-two on your telephone keypad will enter you into the question queue. I think we have a few comments maybe in chat as well.

Gary: Yes, there are. Excuse me. There are a few comments in the chat. First one is a comment that using tribal hard dollars with HUD funding has been difficult. I'm curious to hear why that's the case. Do you have any idea, Danielle?

Danielle Schopp: No. I could speculate.

Gary: I don't know. Maybe the tribe has different environmental requirements, I don't know.

Danielle Schopp: Or I'm wondering if it has to do with timing of the project in the HUD environmental video.

Gary: I see.

Danielle Schopp: I'm not sure. I would like to know more about that as well.

Gary: Okay. There's another question or comment here. This individual agrees on training on current and new forms that may come up would be very helpful. He was away from the housing department in Mescalero for two years. On his return back to the department, he's noticed a lot of new forms that have been created since is his is two years that he's been away. Training on these new and current forms would be very helpful. I believe we can provide that through TA, if his tribe would just get in contact with his local ONAP office, possibly set up some training for that. Do you have any comments?

Danielle Schopp: Yeah. I'd also like to add that the change in forms has to do with HUD implementing HEROS. HEROS is available for tribes. I think we need to do more training and outreach on the use of HEROS. But with the use of HEROS, it kind of changed the forms so that it could be interchangeable with the IT system. Along with those forms, there are those new things called HEROS partner worksheets. Those help guide a tribe or a grant recipient through the process of how to comply with the different laws and authorities. So for instance, there's one on flood points. It will ask a series of questions. So to guide you to what sort of floodplain review you can need to do. So there are a lot more forms and they're probably connected to our online review system because there's paper copies out there.

Gary: Here is another question I've been asking myself frequently. What is THRIITF?

Danielle Schopp: Jerry, what is THRIITF?

Gary: Well, yeah, it's the tribal housing. Oh my goodness. You should know, right?

Danielle Schopp: I know, it doesn't roll off the tongue. Tribal Housing-

Gary: It doesn't, it's a terrible acronym.

Danielle Schopp: It is. I call it THRIFT, but it's THRIITF, Tribal Housing Related Infrastructure Inter-agency Task Force.

Gary: That's a mouthful.

Danielle Schopp: Yeah. That's in the Senate Appropriations direction to start this up. So we would have come up with a much better acronym maybe. But that's what was handed to us.

Gary: Okay. So we have another comment here. The comment is, "I would totally support getting tribal offices, authority to do archeological site reviews. This is one item that really delays projects, especially with BIA." There's too few comments supporting allowing tribes to I guess conductor a review on archeological issues.

Danielle Schopp: Yeah, and this is something that I appreciate this comment because it's something that I don't completely understand the challenges that tribes are facing around this. I have heard that it's a frequent issue with BIA projects. So any more information, that would be great. Once we get the sub working group set up, we will definitely dive into archeology and BIA's processes.

Gary: Well, that's it for the chatbox.

Speaker 1: I do not see any questions in queue. But I do want to remind everybody that to ask a question via WebEx audio, go ahead and press the "raise hand" icon that is above your chat box. If you are connected for audio on the phone, pressing pound-two will enter you into the question or comment queue. All right. So far, I do not see any additional questions in queue via phone or WebEx audio.

Gary: There also none in the chat box. I'm still curious about combining hard cash from the tribe with tribe funding and how that is a difficult situation. Then again, it would be great to hear examples of experiences, both good examples of working together, coordinating the reviews as well as examples of when things didn't work well.

Speaker 1: I do see a question in queue. Paul, your line is unmuted. You may go ahead.

Paul: I do have a question about using HUD funding in tribal hard dollars.

Gary: Sure.

Paul: Well, what ends up being difficult was our tribe buys a lot of property because our reservation is really checkerboarded. Then they give us a good parcel of property because the tribe bought it with hard dollars. Then you want to use some type of HUD funding with it for let's say infrastructure or whatever you're going to build there. Then the tribes says, "Well, we'd like to add this and add this because it's our property." According to the HUD guidelines, you're not allowed to do that or not allowed to put that many houses in this certain area, environmentally and things like that. So it runs into a difficult problem there when you have a lot of hard dollar and checkerboard because we're limited to how far apart we can build and try using their own funding and trying to group it with another source of funding. That seems to be a little bit of a struggle for us. Just one of the comments there.

Gary: Okay, great. That's interesting.

Danielle Schopp: Yeah, this is Danielle. I just wanted to kind of follow up to see if I can get a little more understanding or make sure I'm hearing you. I'm guessing that it sounds like so HUD's environmental reviews, maybe this isn't in construction of single family homes perhaps, or whatever. Our regulations around single family homes, it's one level of review if it's five or less housing units located 2000 feet apart or whatever. My mic is open right now. But we call that scattered body, essentially. If there's more housing, and they're located closer together than that, it would be a different level review of an environmental assessment. Is that the issues that you're referring to, a challenge about the level of review?

Gary: Yes, I think that that's what-

Danielle Schopp: Being determined by the number of houses?

Gary: Yeah, I believe that's pretty much what we're running into, is that type of problem.

Danielle Schopp: Okay, thank you for that. So to me, we'll follow up and add that into our work around categorical exclusions because it sounds like that is an issue of HUD's own categorical exclusions, making it problematic for you.

Gary: I have a question. This is Gary, again, I have a question for the questionnaire. Do you have a lot of projects that combine HUD money with money from other agencies?

Paul: A lot of ours is actually ... We fund a lot of our own stuff, but we get such a little bit amount of money. So our council would say, "Hey, can we use some of our HUD funding for this? We'd like to use it." But the HUD funding comes with such restraints, and then we have our own property, and we use a lot of our own tribal hard dollars to build and do things. So that's where it comes into problems because okay. I know what the tribe wants to do. But if you use any HUD funding, you can't do this, and you can't do that. So we're kind of limited to what we can do if we use HUD funding basically.

Gary: That's where it comes difficult for us. We do a lot of individual single home and maybe a duplex home, that type of thing. The tribe says, "Okay, build a house on this. Here's the property. Go ahead, you can use your HUD funding for this, but the tribe bought the property. It's funny because they'll buy a piece. But 10 feet away, it's not tribal property, it's it's non reservation property. It's so checkerboarded here that we don't own that piece right across the street, the roads or the county. It gets a little bit difficult to use HUD funding in correlation with tribal funding.

Paul: Okay, well, that's a very helpful comment. We'll use that. Thank you so much.

Speaker 1: I do you see another comment in the chat box as well from Michelle Tinnin.

Gary: Do you see one? I'm sorry.

Danielle Schopp: I do. I see that. So Michelle Tinnin, pronounce that there. In the issue with multi-agency reviews was where the Chickasaw Nation did a cell tower with Cares Act funds. There were challenges with what affects consultation. I remember that. I was a part of the discussions. Yeah, so that's a really good instance where it wasn't NEPA per se. But it was part of the NEPA review in this case, this work and cultural resources where FCC and HUD had different requirements about who and how to consult with other tribes for projects. So that brings to light kind of those areas, specific areas outside of NEPA, part of the environmental review. That is one issue where we will be setting up a separate core group for.

Gary: Okay.

Danielle Schopp: Are there other questions in the chat?

Gary: There are. There's a comment here, I think this is a follow up on forms. The comment is, "I've gone onto HUD exchange website to download all the possible new forms and been looking them over. Now, I'd gotten in touch with our grants management specialist in Albuquerque regarding my comments and questions. She has done her part as best she could to help as well. It's just a lot of new forms to look over and get familiar with." So you're doing the right thing. You're going into your local ONAP office and talking to your GM specialist. You can always ask him or her to seek further guidance from headquarters as well if there's questions and then training is available.

Speaker 1: Looks like we have a question in queue as well. Are you guys ready for that? Philip for that? Philip, your line is unmuted. You may go ahead.

Philip Red: Hi. This is Philip Red, Chickasaw Nation. First of all, I want to thank Michelle for her support during the cell tower or the radio tower issue. Just really all along because I do call her on a regular basis when I have questions with other issues. She's been very helpful. We did have an issue with the tower construction notification system. We're told that we're supposed to apply for that and then these other tribes at North wanted us to consult with them.

Those types of things, if there's a clear cut procedure, that would be very helpful for the in between entities as far as who you want to responsible to know. I know also our governor just signed a letter for this consultation. There was a couple of things that we commented on. For action item one, it's almost like that it'll be good if the funding source was tied more to a property instead of just a funding source itself. Then you could have established levels of disturbance that would provide a threshold. So that way, if you need the environmental review or the categorical exclusion based on this threshold. Because a lot of times, we'll do projects with the maybe ICDBG funding. On one property, three different projects. We have to do three different environmental reviews for each ... We have to do one for each funding action.

So sometimes it gets to be a lot over time. Also that comment, category of exclusion, it may increase the initial time. For example, I know I just had a conversation with BIA yesterday regarding a US Fish and Wildlife consultation. He was saying that we do AIPAC online. He said, "Well, we have a another form we want you to fill out." Because although there's not critical habitat, there could be habitat. So we have another form, we want you to fill out. So really just conversations in between the people who are in charge of maybe approval for these actions at that level would be very helpful.

So that way we can have all these requirements that we know all what all these requirements are. But until agencies have the approval because I know to change what they would be met as far as what your requirements are, maybe we can establish procedures where you can use the same archeological dig or you can use the same documents or consultation letters that you use for ... Now I'm talking about on the on the same property because a lot of times that does happen to us as far as on the same property.

I know somebody I mentioned training, but one thing I have found with training is that in different areas of the country, we have different issues. So maybe that train needs to be more catered towards your area of the United States because it will really address issues that you are having in your area. As far as floodplain maps, this is action item seven. There's a new FEMA tool called the estimated base flood elevation viewer. Well, that is mapped here in Oklahoma.

So they need to clarify, can we use this new technology or should we stay with the FEMA maps? Not only just for HUD, we're actually working on another project now. So I'm trying to find, get a hold of the environmental person with that program to figure out, can I use estimated base flood elevation view or do you need to use FEMA maps? So really have a clear cut procedures of what you actually can use as far as for your environmental clearance?

I guess really the main the main areas that we covered, I mean, there was a few other ones, which I think Michelle is going to send them in if they didn't send it in from our governor's office. But just things that's really going to make it easier for us to complete our environmental reviews.

Danielle Schopp: Thank you. Yeah, thank you for submitting written comments. I haven't had a chance. Michelle forwarded them to me, and I'm still collecting them. So I haven't had a chance to read that. I'd love to hear, and thank you for all those great suggestions. I particularly like to make sure that I'm understanding the issue around the first issue you raised around having the environmental review tied to the property and not the funding source.

I'm wondering, I guess, in a HUD environmental review, we would want to aggregate future actions on that property. Our HUD environmental reviews generally are good for five years. So I'm wondering, just in that, how that might relate to or if it does, to the five year framework, or what other challenges or issues going back to that, that you can just help flesh out would be really helpful.

Philip Red: Well, so let's say for example, we have a property. We utilize ICDBG funding to build a headstart, and also a CYC. Now we want to go do an activity center. It's not exactly on the same footprint, but it was within the same two-acre area. So let's say if I'm going to go back, and we're going to have a new funding action for this. Let's say for example, we had to get A, an archeological dig on that property. Okay, well, they didn't really do the art dig on that particular piece of the property. So instead of really throwing away the whole environment review we did in the past, how about we go back and we just do an art dig on that section of the property. The rest of it can be carried over from the other action that happened within the same two-acre footprint.

Danielle Schopp: Okay.

Philip Red: So that's that.

Danielle Schopp: Thank you for that, that really helps.

Philip Red: Was there something else along that line that you asked?

Danielle Schopp: Well, that was the main thing that I wanted to really make sure that I was understanding those related issues with the funding voters and tying it to the property. So I look forward to reading the written comments and your example helped, really helped me better understand that. So thank you. The other issues that you raised I think are great issues and are exactly the things that the taskforce needs to drill down to. For instance, hearing your experience around endangered species and how HUD encourages the use of AIPAC. BIA doesn't use that. That's very helpful specific information.

I think that we're all aware that it's at that level of detail where we'll have to continue to work on and just asking for help from tribes and others to help us prioritize and identify those areas. So thank you for your comments on that as well as archeology and 106 consultation. I think that those fit into the related laws coordination and might get into some sub workgroups. We've got to involve US Fish and Wildlife and Natural Marine Fisheries, for any dangerous species coordination. So it's helpful to identify those topics so we can identify the right people for this group.

Philip Red: I'll clarify that real quick, because the BI, they do require AIPAC. But then even though it might say, "Critical habitat is not there," they actually require you to do additional documentation to not only show that critical areas and habitats out there, but also just habitat in general. So let's say if I'm going to do an AIPAC for a HUD project, well, I might as well go ahead and fill this extra form out if I was going to use this for BIA in the future because then I could go ahead and fill out that other form that BIA requires along with my HUD. That way, if we did another project out there, then we could just use that same environmental review. Now, I did find out yesterday that BIA actually allows you to use other entities, environmental reviews. They have something in their regulations that they're allowed to do that. That was something that Eric Carlson with the BIA, he's out in Muskogee office, he informed me of that yesterday.

Danielle Schopp: Yes, thank you. They do. I am curious to hear if anyone has had any issues or challenges because sometimes in other instances, when that happens with another agency, then they say, "Yes, and I also need you to do this because we can do this." So we're looking also for those kinds of experiences to understand in practical term how it's working.

Philip Red: Thank you.

Gary: Thank you. Excellent comments. So there's one more.

Danielle Schopp: All right.

Gary: I'm sorry.

Danielle Schopp: No, no. You're good. Gary, go ahead. If there's anymore question was what I was going to say.

Gary: There was one more comment question in the chat box. The question is, "Can I get a copy of the webinar?" Or I'm assuming that this consultation. I believe we have that on our website. Is that correct, Danielle?

Danielle Schopp: No. Yes. We will be posting. It takes several days for us to get it back and get it right. But we will be posting the webinar as well as the transcript.

Gary: Right. I believe we have the other two consultation webinars posted. But this so far has been best one.

Danielle Schopp: Make sure there's a transcript.

Gary: That's it in the chat box.

Speaker 1: Yep, I don't see any additional questions in queue.

Danielle Schopp: All right. Well, I agree with Gary, this has been the best one. Thank you so much for your specific comments, your input. We are just really excited and thrilled to hear directly from you. We will be incorporating this feedback into the implementation plan and into the taskforce work going forward. Again, we're asking for any written continents that you or your tribe want to send. We're asking for those by October 22nd. I would like to thank Heidi and Gary and the whole team for helping with this consultation. And you all bringing the dialogue.

Gary: Absolutely.

Heidi Frechette: Thank you, Danielle. Thank you, Gary and all the participants as well. This has been a great discussion. Thank you so much.

Gary: Yes. Thank you all. Please send in written comments. They would be very, very helpful. Like Daniel said, we have the transcript of this webinar. We will follow it closely and address all the comments here as well going forward.

Speaker 1: All right. That concludes our conference. Thank you for using Events Services. You may now disconnect.