

Coordinating Environmental Review: Tribal Housing and Related Infrastructure

Background

Developing a Coordinated Environmental Review

Government Accountability Office (GAO) March 2014 report 14-255:

Recommended agencies involved in Native American Housing should develop and implement a coordinated environmental review process

December 2014, Senate Appropriations Committee directed HUD:

to “collaborate with the Council on Environmental Quality and affected agencies . . . to develop a coordinated review process to simplify tribal housing development and its related infrastructure needs.”

September 2019 Senate Appropriations directed HUD and supporting agencies:

to “address and implement the working group recommendations; explore whether environmental reviews could be expedited if agencies which fund similar types of projects developed aligned categorical exclusions; and identify specific regulatory and policy improvements.”

Federal Collaboration

Council on Environmental Quality (CEQ)

Department of the Interior – Bureau of Indian Affairs (BIA)

Department of Agriculture – Rural Utilities Service and Rural Housing Service (RUS and RHS)

Department of Commerce – Economic Development Administration (EDA)

Department of Energy (DOE)

Department of Health and Human Services – Indian Health Service (IHS)

Environmental Protection Agency (EPA)

Department of Housing and Urban Development (HUD)

Federal Highway Administration

Added Tribal Representatives

Issued Dear Tribal Leader letter requesting nominations in March 2021

Following tribes have joined the Task Force:

- Huslia
- Tlingit and Haida
- Association Village Council Regional Housing Authority
- Sault Ste. Marie Chippewa
- Choctaw of Oklahoma
- Cherokee Nation
- Northern Arapaho

2014/2015 Effort: Understanding the Current Process and Challenges



Final Report, December 2015

Final Report Recommendations

- Incorporate environmental review documents by reference
- Develop common categorical exclusions
- Address resource deficiencies at BIA
- Provide training for agency staff
- Provide training for tribes
- Continue review of related laws and authorities to identify opportunities for greater efficiencies
- Create regional consortiums between tribes and agencies
- Explore the development of an interagency environmental review automated tool
- Explore HUD-specific regulatory and policy improvements
- Create more predictable funding mechanisms
- Establish an ongoing environmental review interagency workgroup
- Explore expanding the scope of the effort



Seeking Input, Feedback and Ideas

Task Force is sharing [Implementation Plan](#) for Tribal review, input and feedback

- Next consultation via webinar October 7, 2021 4pm EDT
- Written comments October 22, 2021

Implementation Plan: Proposed Actions

Action item (1): Develop a coordinated approach for tribes and agencies to collect and share environmental information to reduce duplication of effort for environmental reviews for housing and housing-related infrastructure projects.

Recommendation(s) addressed: This action item stems from the listening sessions and comments on the status report. It is not discussed as a recommendation in the Final Report.

Action item (2): Ensure Tribal input

Recommendation(s) addressed: Create Regional Consortia; Establish an On-going Environmental Review Interagency Task Force

Action item (3): Develop common categorical exclusions

Recommendation(s) addressed: Develop Common Categorical Exclusions



Action item (4): Create a planning playbook

Recommendation(s) addressed: Create More Predictable Funding Mechanisms; Provide Training for Tribes

Action item (5): Develop resources to encourage wider use of NEPA efficiency tools


Recommendation(s) addressed: Incorporate Environmental Review Documents by Reference; Provide Training for Agency Staff; Provide Training for Tribes

Action item (6): Ensure that review requirements are being applied consistently

Recommendation(s) addressed: Provide Training for Agency Staff; Provide Training for Tribes

Action item (7): Identify opportunities for greater efficiencies within the Related Environmental Laws and Authorities

Recommendation(s) addressed: Continue Review of Related Environmental Laws and Authorities to Identify Opportunities for Greater Efficiencies



Action item (8): Develop a coordinated environmental review process website

Recommendation(s) addressed: Incorporate Environmental Review Documents by Reference; Provide training for agency staff; Provide training for tribes; Create More Predictable Funding Mechanisms

Action item (9): Expand effort to include actions that are not housing-related

Recommendation(s) addressed: Explore Expanding the Scope of this Effort



Action item (10): Develop an interagency environmental review automated tool

Recommendation(s) addressed: Explore the Development of an Interagency Environmental Review Automated Tool

Action item (11): Ease paperwork burdens for administrative activities (HUD)

Recommendation(s) addressed: Explore HUD-Specific Regulatory and Policy Improvements

Discussion



What are your ideas to reduce duplication and burden of environmental reviews?

What action steps do you think THRIITF should prioritize?

What challenges have you faced when using multiple federal funding sources and developing an environmental review?

Are there best practices or examples of coordinated environmental reviews that we should review?

Thank you!

Send comments to Codetalk@hud.gov

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