



U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Office of Trust Services



Photo Fabian Keirn, BIA

MID-YEAR ACCOMPLISHMENTS

Trust Land Services • Resource Stewardship • Results that Matter

June 2022

Office of Trust Services



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Deputy Director*

Purpose of the Report

The Office of Trust Services (OTS) prepares mid-year accomplishments reports to inform Tribes and OTS employees across the country of the significant contributions our programs make to Indian Country.

We take pride in the fact that our jobs help provide climate resilience, support efforts for ecosystem restoration, contribute to the reduction of fractionated Indian lands, and provide opportunities to Tribes to support, manage, protect, and develop their trust lands and natural resources. Our work is challenging. We may be supporting the management of irrigation, dam, and power facilities, or protecting lives, property, and land from Wildland Fires, developing policy for the management of invasive species, traveling long distances to assist with timber sales and continuous forest inventory projects, formulating and communicating policy and directives or collaborating with partners to advance our goals.

Our Mission

The mission of the Office of Trust Services is to protect, develop, manage, and enhance Indian trust resources for the benefit of American Indian and Alaska Native peoples and expand economic opportunities through effective trust management that recognizes and support a Tribe's self-governance.

Who We Serve

The Bureau of Indian Affairs (BIA) Office of Trust Services (OTS) has offices nationwide, and assists Tribal governments and allottees in managing, protecting, and developing their trust lands and natural resources, which total 56 million surface acres and 60 million acres of subsurface mineral estates. OTS Programs aid landowners in the stewardship of their cultural, spiritual, and traditional resources, and help Tribal governments create sustainable sources of revenue and jobs for their communities.

Employee Demographics

Central Office staff are located in Washington, DC, Albuquerque, NM, Billings, MT, Boise, ID and Lakewood, CO. Additional Field staff positions are located at each of the twelve Regions and 83 Agencies nationwide. The chart to the right shows a breakdown of our trust positions.

Visit our website at <https://www.bia.gov/bia/ots> for more information about BIA Trust Services.

Demographics of Trust Services Positions

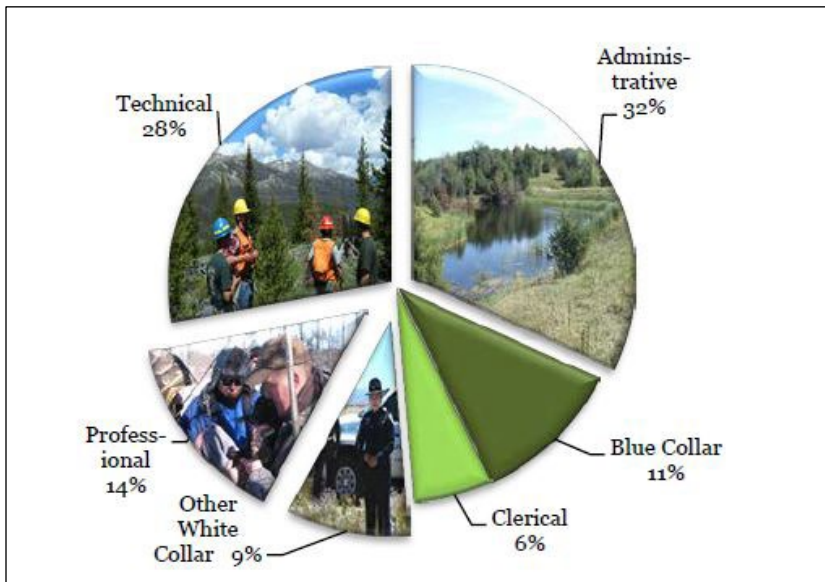


Table of Contents

Division of Energy and Minerals (DEMD)	3
Branch of Business Services (BBS)	4
Branch of Renewable and Distributed Generation (BRAD)	5
Branch of NIOGEMS and Geotechnical Data Services (GDS)	7
Division of Forestry and Wildland Fire Management (DFWFM)	8
Timber Team.....	10
Wildland Fire Management.....	12
Aviation, Safety and Fire Operations.....	13
Fuels Management	15
Wildfire Prevention	17
Post Wildfire Recovery	18
Division of Land, Titles and Records (LTRO)	19
Division of Natural Resources (DNR)	20
Agriculture Program (AG)	20
Branch of Fish, Wildlife and Recreation (FW&R).....	21
Branch of Environmental and Cultural Resource Management (BECRM)	24
Division of Probate Services (DPS)	27
Division of Real Estate Services (DRES)	28
HEARTH Act	29
Fee to Trust.....	30
Broadband	31
Division of Water and Power (DWP)	34
Branch of Safety of Dams (SOD)	34
Branch of Irrigation and Power (I&P)	38
Branch of Water Resources (WR)	40
Federal Power Compliance (FPC) with Federal Energy Regulatory Commission (FERC).....	43
Branch of Geospatial Services (BOGS)	45
Indian Energy Service Center (IESC)	48
Land Buy Back Center (LBBC)	53
Branch of Tribal Climate Resilience (TCR)	55

Division of Energy and Mineral Development (DEMD)



Division of Energy and Mineral Development

Summary of Economic Activity on Indian Lands

In the realm of natural resources, energy and mineral projects are the number one economic driver in Indian Country. This includes renewable and distributed energy, and aggregate resources, which show increased growth for the last several years.

DEMD is the only office within the Federal government with the central responsibility of assisting Indian mineral owners in identifying, quantifying, and providing technical support towards the development of their vast energy and mineral resources and ensuring that they realize maximum revenue from their development.

The chart below summarizes the Economic Activity on Indian Lands as of FY 2019, which is the most recent Department of the Interior report.

Table - Summary of Economic Activity on Indian Lands (FY2019)

DOI Activity (FY2019)	Direct Economic Contribution (Sales in billions)	Jobs	Value Added (billions, \$)	Total Economic Contribution (billions, \$)
Grading	0.03	864	n/a	0.07
Irrigation water*	1.07	28,331	1.57	2.86
Energy**	6.63 (83%)	49,946 (60%)	7.82 (81%)	12.59 (78%)
Other minerals***	0.20 (2%)	1,714 (2%)	0.24 (2%)	0.41 (3%)
Timber	0.05	465	0.03	0.13
Total Contributions to the National Economy	7.98	78,320	9.66	16.06

*Includes value of crops and jobs produced from irrigation water.

** **Renewable energy:** Tribal renewable energy production was associated with about \$100 million in value added, about \$171 million in economic output, and supported an estimated 775 jobs.

*** **Sand and gravel or other industrial minerals:** Tribal sand and gravel production was associated with about \$240 million in value added, about \$410 million in economic output, and supported an estimated 1,714 jobs.

Source: U.S. Department of the Interior Economic Report, Fiscal Year 2019

Branch of Business Services (BBS)



Fort Independence Indian Community, Grinding Rocks Aggregate (GRA), Independence, California

Branch of Business Services

The BBS supports Tribal economic development goals by monetizing Tribes' resources by creating strategic, comprehensive income-generating portfolios through financial and economic analysis, and by advising Tribes on business structures, or foundational infrastructures, best-suited for project financing options and new venture partnerships.

Fort Independence Grinding Rocks Aggregate Business Technical Assistance

The Business Services Team assisted the Tribe in the establishment of an Aggregate business operation branded as [Grinding Rocks Aggregates](#) (GRA). GRA has subsequently won a bid with the Los Angeles Division of Water and Power to provide ~3.5MM of aggregate material over 3 years, a \$10.89M contract value. GRA is also in final negotiations to close on \$2M in financing. This new venture will also create twenty-two (22) new tribal jobs with pay and benefits averaging \$100,000 per employee.

Fort Independence Trucking Business

The Business Services Branch is now helping GRA to vertically integrate, and startup a Trucking business, to service lucrative hauling contracts that GRA will require to deliver material.

Wind River Energy Commission

The Business Services Team provided technical assistance for the takeover of the Circle Ridge Oil Field resulting in 125% more income in 2021, and a projected total income of over 250% forecasted for 2022.

The Team is also providing production and reservoir analysis and assistance in the financial evaluation of several other potential oil field acquisition targets, including Steamboat Field.

Outreach and collaboration with university partners

The Business Services Team and the Colorado School of Mines are coordinating on the use of [National Science Foundation \(NSF\) grant](#) funds on projects that support tribal needs and will deliver technical training to students and tribal partners.

Southern Ute Indian Tribe

The Team is working on economics for a Methane Seep Project (\$100M capex) for Southern Ute Tribe funded by an Energy and Mineral Development Program (EMDP) grant; working with tribal engineer to draft project scope and development timeline.

Branch of Renewable and Distributed Generation (BRAD)



Solar panels installed in a wheat field and heavy equipment collecting biomass materials

Jicarilla Apache Tribe

The Team is evaluating current value on oil and gas royalties on Tribal lands that will give an outlook on future cash flow from oil and gas revenues and Tribal severance tax. Evaluating upside potential (or the potential increase in value, measured in monetary or percentage terms, of an investment) to then build a plan to exploit upside potential on Tribal lands to increase cash flow and jobs and economic opportunities on Tribal lands.

Branch of Renewable and Distributed Generation

The [Branch of Renewable and Distributed Generation](#) provides American Indian Tribes and Native Alaskan Villages technical assistance and consultation to develop renewable energy and distributed generation projects on their land.

Priority areas for focused advisory services

- Energy Transition Planning
- Electric Vehicle Transition Planning
- Microgrids for Climate and Energy Resiliency
- Clean Heating Alternatives
- Biomass from Wildfire Mitigation
- Emergency Hydrogen Markets

Optimized Energy Portfolios for Tribal Goals

- Economic Growth
- Economic Diversification
- Energy Independence
- Environmental Sustainability

Active Grant Projects

The Branch continues work on fifty-six (56) active grant projects for both the Energy and Mineral Development Program and the [Tribal Energy Development Capacity \(TEDC\) Grant](#) Program. The Branch is closing the following nineteen (19) grant projects:

Status: High Viability

- Five (5) projects have high viability for development
- Likely to obtain project financings and be built within the next 2-3 years
- Includes three microgrid projects and two solar projects, all community scale

Status: Moderate Viability

- Eight (8) projects have moderate viability
- Likely to move into the next phases of development studies

Status: Low Viability

- Six (6) projects have low viability
- Likely not be further pursued

Branch of Renewable and Distributed Generation (BRAD)



Technical Advising Services

Summary highlights of technical assistance provided directly to Tribal entities.

- Preliminary solar feasibility studies for tribal communities as well as schools
- First steps evaluations of a portfolio of clean energy development opportunities
- Economic evaluation for retrofitting hydropower at an existing dam
- Best practices for acquisition of pipeline systems, including exhaustive inspection checklists and financial evaluations
- Location specific, detailed, hydrogen market analysis
- Helium pipeline cost estimate
- Expert gas measurement assistance in evaluating a portable prover and gas measurement records

Integrated portfolios

In addition to some specific Tribal examples provided above, new initiatives were undertaken to provide cross functional technical advising services from all DEMD Branches, with the intent to help Tribes formulate integrated strategic portfolios for energy and mineral development projects. So far in FY 2022, over five (5) Tribes received these services, with actionable plans drafted for energy and mineral portfolio development.

Grant Assistance

Technical advisory services include providing grant assistance to tribes inquiring about the grant programs. Increased efforts to support tribes with grant applications was a key theme from the Department's April 2021 consultation on tribal renewable and conventional energy development.

The Division has responded to over 40 requests for grant assistance, providing varying levels of support and technical resources as needed. Best practices and standards for solar feasibility studies has been developed and is meant to help tribes improve the accountability and quality of work performed by consultants. A road map has been developed to guide tribal leadership on best practices for development of geothermal energy (heat pumps, direct use, or power generation).

Market Trends

Technical advisory staff are regularly monitoring industry trends with the aim to inform Tribal and BIA leadership about important issues and/or opportunities for energy and mineral development on Indian Land.

- Economic impacts of potential directives to stop oil and gas leasing on land. Influence of oil and gas price fluctuations on tribal leasing activity
- Winter heating fuel outlooks and related economic burdens to tribes
- Technological development in energy resource evaluation methods
- Energy transition market opportunities, including hydrogen, electrical vehicles, and expanded clean energy project development

Branch of NIOGEMS and Geotechnical Data Services (GDS)



National Indian Oil & Gas, Energy and Mineral System

The [National Indian Oil & Gas, Energy and Minerals System \(NIOGEMS\)](#) was developed in the early 1990s to consolidate various natural resource, realty, and geo-technical data into a single management software application. It is a map-oriented computer application that provides Tribes and federal users with access to natural resource data on Indian and non-Indian owned lands, both in and around reservations, to track and make decisions on leasing, developing, and managing energy and mineral resources.

Rights-of-Way (ROW) Module Deployed

The Rights-of-Way (ROWs) Module H1 2022 was deployed to map the Tracts associated with given ROWs from the Trust Asset and Accounting Management System (TAAMS). This has been requested by Tribes and Federal Agencies to better manage ROWs over Trust lands.

Soils Layer Developed

The Soils Data Layer H1 2022 as developed allows for a high-level assessment of aggregate potential on Trust Lands. Aggregate has great potential for creating jobs and income for Tribes.

Continued Assessment of a central server for Tribal Users

The difficulty of maintaining NIOGEMS on Tribal servers has led the NIOGEMS Branch to assess the feasibility of hosting Tribal users on a federal server.

Continued Training

Training Sessions are increasing as Travel Restrictions are being lifted. The two-day NIOGEMS training course is provided free of charge to all NIOGEMS users.

DEMD Branch of Geotechnical Data Services

Designed over 60 maps to support the Division of Energy and Mineral Development's [EMDP/TEDC grant](#) programs and technical assistance projects, serving approximately 40 Federally recognized Tribes and Alaska Native Villages.

Produced eight (8) new NIOGEMS Tribal databases. Includes collection, analysis, and processing of datasets for well production, tribal land ownership, public land survey system, high resolution imagery, digital elevation models, and other geospatial administrative, energy and resource datasets.

Analyzed over 3,000 leases and ownership records for accuracy and digitized the records for display in Division maps in NIOGEMS.

Division of Forestry and Wildland Fire Management (DFWFM)



Planting a seedling and a Forester conducting a prescribed burn

Division of Forestry

The Forestry Program conducts management on Indian forest land in accordance with sustained yield principles in an effort to develop, maintain, and enhance forest resources. Indian Forestry has a unique standing among Federal land management programs in that Congress declared the United States has a trust responsibility toward the management of Indian forest lands pursuant to the [National Indian Forest Resources Management Act of 1990 \(NIFRMA\)](#) (Pub. L. 101-630, Title III, 104 Stat. 4532).

Service Area Statistics

This responsibility extends to the management of Indian forests covering

- 18.7 million acres in 26 States
- Commercial timber volume of approximately 66 billion board feet
- Allowable annual harvest of 738 million board feet

National Policy Memorandum (NPM)

The Forestry staff have submitted the Forest Management Deductions; Direct Pay Authority; and Carbon Policy documents to Regulatory Affairs and Collaborative Action (RACA). Staff continues to make edits and the NPM are on schedule for completion this calendar year.

Indian Forest Management Assessment Team (IFMAT)

As required by the [National Indian Forest Resource Management Act \(NIFMA\)](#), the Secretary must ensure Indian forest land management is independently assessed every 10 years. Forestry staff have worked closely with the IFMAT to gather information, including the Funding and Position Analysis, that will be used in the development of the IFMAT report which is scheduled for completion in 2023. [Ten-year IFMAT periodic assessments](#) on Indian Forest Lands were completed in 1993, 2003, and 2013.

Findings and recommendations developed by the IFMAT are used in guiding Indian forest management activities in the future and serve as a principal communication tool in explaining the challenges and opportunities of managing the Indian Timber Trust to the Department, the Office of Management and Budget, and Congress.

Continuous Forest Inventory (CFI)

The [Branch of Forest Resources and Planning \(BOFRP\)](#) has reduced the backlog of CFI projects and returned 70% of those projects back to the Tribes. This has been a huge undertaking made possible by a commitment to customer service. Staff continues to provide technical assistance to Regions, Agencies, and Tribes and has done several site visits to help with data collection and correction.

Division of Forestry and Wildland Fire Management (DFWFM)



Forestry Geospatial Information Services (GIS)

BIA Forestry is adding one GIS position to further coordinate, develop, and standardize the spatial component that the program currently lacks. Adding the Forestry GIS position is consistent with recent Bureau initiatives that placed GIS Coordinators and Cartographers in regional locations. Migrating numerical forestry data to a spatial platform is critical in transforming Indian forestry nationally.

Indian Trust Asset Reform Act (ITARA)

The [Indian Trust Asset Reform Act](#), P.L. 114-178, was signed into law on June 22, 2016. Title II of the law authorized the Secretary to establish and carry out an [Indian trust asset management demonstration project](#) for Tribal forestry and surface leasing programs. At present, two Tribes have been approved to participate in the ITARA Demonstration Project. A third Tribe has applied to participate, and their application has been reviewed by Forestry staff and the Office of the Solicitor (SOL). The application is in the signatory process by the Assistant Secretary – Indian Affairs (AS-IA).

The Division continues to provide outreach and information to the Intertribal Timber Council and Tribes. Staff will also provide updated ITARA information to the Tribal-Interior Budget Council at their next meeting.

Portable Infrastructure Projects Funded

Since 2018, BIA Forestry has funded 15 Portable Infrastructure Projects for Tribes. Portable Infrastructure Projects can include small sawmills, pelletizers, fuelwood processors, and chippers, as examples. This initiative can improve forest health, reduce the risk of wildfire, create local markets for forest and energy products, and provide jobs for tribal members.

Forestry received additional funding in the FY 2022 appropriation and will announce another opportunity to submit project proposals the week of June 6, 2022.

Timber Team



Timber Team

Summary of Accomplishments

The Timber Team has been very active through the first half of the fiscal year while completing project work for Tribes in five regions (Alaska, Eastern, Eastern Oklahoma, Great Plains and Northwest)

Metlakatla Indian Community, AK (Alaska Region)

- GIS forest cover-type mapping project (ongoing)
- Presented at the Intertribal Timber Council (ITC) Symposium held in Fairbanks, Alaska

Catawba and Cherokee Reservations, SC/NC (Eastern Region)

- Cruised 150 plots

Thlopthlocco Tribal Land, OK (Eastern Oklahoma Region)

- Cruised and provided management recommendations on 2,300 acres

Sisseton and Cheyenne River, SD (Great Plains Region)

- Assisted the Great Plains Regional Office staff to remeasure 80 continuous forest inventory (CFI) plots

Colville Reservation, WA (Northwest Region)

- Laid out approximately 300 acres of salvage timber on first visit
- Laid out 400 acres on second visit
- Other duties included internal leave tree making across 100 acres of green tree thinning units

Umatilla Reservation, OR (Northwest Region)

- Assist the local staff and Northwest Region with boundary marking and timber cruising for the Telephone Ridge Timber Sale

Flathead Reservation, MT (Northwest Region)

- Laid out 141 acres of salvage timber and cruised 106 plots

Remaining Work Schedule

June 13 – 17, 2022

- Rocky Mountain Region
- Crow Agency Fire School (Half Timber Team), MT
- Fort Belknap Indian Community, Fire Salvage (Other Half Timber Team), MT

June 20 – July 1, 2022

- Northwest Region
- Makah Tribe, WA, or Coquille Indian Tribe, OR (Stand Exams/Sale Prep) - *tentative*

July 11 – 15, 2022

- Rocky Mountain Region
- Crow Nation, MT, or Northern Cheyenne Reservations, WY/SD, (Sale Prep) - *tentative*

July 18 – 29, 2022

- Northwest Region
- Confederated Salish & Kootenai Tribes of the Flathead Nation, Reservation Timber Sale Prep, MT

Timber Team



August 14 – 27, 2022

- Northwest Region
- Umatilla Reservation Timber Sale Prep, OR

September 6 – 16, 2022

- Northwest Region
- Makah Tribe, WA, or Coquille Indian Tribe, OR (Stand Exams/Sale Prep) - *tentative*

September 26 – October 7, 2022

- Rocky Mountain Region
- Crow Nation, MT or Northern Cheyenne Reservation, WY/SD - *tentative*

Dates Available for Fire Salvage

The Timber team has a few open dates available for on-site assistance in the Fall of 2022.

- October 17 - October 29, 2022
- November 14 – November 18, 2022
- November 28 - December 16, 2022

Vacant Positions

Currently the Timber Team has two vacant positions and one more will be vacant mid-June. Two attempts have been made to back fill with zero qualified applicants. Division Chief has requested for the positions to be advertised as Delegated Examining Unit (DEU). DEU means the federal job posting can be applied to any American citizen, since they are hard to fill.

With high turnover due to the nature of these positions, changes to the number of positions need to be examined for the remaining fiscal year.

Wildland Fire Management



President Biden visited the National Interagency Fire Center in Boise, Idaho on September 13, 2021

Division of Wildland Fire Management

The Division of Wildland Fire Management has stood up both the Fire Leadership Team (FLT) and the National Fire Leadership Team (NFLT) that meet on a weekly and biweekly basis, respectively. The FLT and NFLT are governance structures that provide Regional Office, Agency and Tribal participation and collaboration with Central Office wildland fire managers. Wildland fire management issues move quickly, and the need for Regional, Agency and Tribal engagement and participation is critical for the long-term success of the program.

The FLT/NFLT governance structure is not just to support the peak fire year suppression activities, but all aspects of the wildland fire program to include fuels, burned area emergency rehabilitation, prevention, and other support functions of the wildland fire program.

Updated Website

The [DWFM website](#) continues to be updated in coordination with the DOI Office of Information Management contractor, including reorganization of this public facing website for easier information consumption.

Budget Guidance

The DFWM continues to work to keep regional and unit level wildland fire budgets whole even though needs continue to exceed budget allocations. Adjustments to BIA wildland fire allocations are not consistent with annual pay increases for federal employees and/or Tribal employees.

A National Budget structure was developed for distributing and tracking Bipartisan Infrastructure Legislation (BIL) funding. In collaboration with the [Office of Wildland Fire](#)/DOI bureaus, BIA developed Base (includes Reserved Treaty Rights Land), Disaster Relief (DR) and BIL guidance, budget and business rules including reporting dates for National Fire Planning and Operations Reporting System (NFPORS) regional data entry.

Employee Engagement

Quarterly all staff meetings have been established to engage employees in DWFM for information updates including but not limited to policies, branch initiatives, program features and guest speakers. Employees have been engaged in the meetings held thus far and feedback has been favorable.

DWFM staff participated in the DOI's Tribal Colleges and Universities event by submitting videos for recruitment.

Aviation, Safety and Fire Operations



Fire employee communicates with helicopter pilot and onsite Engine Operator training

Aviation and Safety

National Aviation Training

DWFM hosted the National Aviation Training in San Diego to give fire management officers, line managers and helicopter managers the opportunity to meet Federal biennial refresher mandates within one work week. The training included 37 attendees participating from 10 BIA regions.

Safety Program

Specific to COVID mitigations, the Safety program developed and implemented a NIFC (in-office) tracking sheet to assist with employee tracking in the event of COVID exposure or a COVID positive report and participated in interagency efforts to provide COVID guidance to field operations consistent with Indian Affairs guidance, CDC guidance, and state/local guidance.

Safety provided input for the development of a Firefighter Wellness Proposal and continues committee participation in Risk Management, Mental Health, Leadership, Fire Shelter/Personal Protective Equipment, Safety and Health, that works to promote and enhance firefighter safety, health, and wellness through continual communication with regional and field level units and regional safety program managers.

The Critical Incident Stress Management (CISM) program has 52+ BIA/Tribal fully trained Peer Supporters and scheduled an Assisting Individuals and Groups in Crisis Training for October 2022.

Fire Operations, Fleet, Planning and Training

Engine Operator Training

Three Engine Operator (ENOP) Train the Trainer Trainings were scheduled and hosted this year that included participants from 11 of the BIA regions. Operations continues to be heavily involved as we move further into fire season with the [National Multi-Agency Coordinating Group \(NMAC\)](#), which prioritizes and allocates suppression resources when there are critical shortages of national resources such as smokejumpers, airtankers, or Type 1 Incident Management Teams.

Fleet Program

The Interagency Hotshot Crew (IHC) and Helicopter Program Fleet transitioned to the DOI Fleet Program this year. There is currently a nationwide shortage of vehicles which equates to a higher unit vehicle maintenance.

The program will be recruiting a Fleet Manager position this fall and is developing a process to improve overall fire fleet management. The program continues to support expenditure of working capital to replace over 30 vehicles, including IHC crew carriers, tractors-trailer-dozer (modules), IHC Superintendent trucks, Helitack chase vehicles, command trucks, and water tenders.

Fire Operations, Fleet, Planning and Training



Light Detecting and Ranging (Lidar)

In collaboration with USGS, Rocky Mountain Research Station and Indian Country, DWFM is investigating incorporation of new technological advancements for quantifying wildfire risk spatially and temporally. The program has engaged Forestry Central and Regional Office staff with collaborative work products for the Bipartisan Infrastructure Law (BIL), Light Detecting and Ranging (Lidar) and Active Management.

BIA has invested in Lidar at four reservations to improve strategic placement of treatments that are a critical component of fuels management to maximize cost effectiveness, efficiency, and risk reduction. Lidar can provide cost effective strategic landscape level planning that supports multi-year integrated resource management regimes.

Terrestrial Laser Scanning (TLS) Technology

DWFM is also exploring development of Terrestrial Laser Scanning (TLS) technology and its application for fuels management and post wildfire recovery and is hosting field training in collaboration with the San Carlos Apache Tribe in June 2022.



Final Program of Work Planning

The program has completed annual Final Program of Work (FPOW) planning documents and worked with staff and regions to complete the FY22 FPOW for Base, Disaster Relief and Bipartisan Infrastructure Legislation (BIL) funds. Direction was provided to regions for additional FPOW planning requirements as the DOI Office of Wildland Fire (OWF) requested.

Staff have provided BLM and the Forest Services with inputs regarding BIA Reserved Treaty Rights Lands (RTRL) Fuels information for their [Tribal Forest Protection Act \(TFPA\)](#) assessments.

Fuels Management Program



Fuels Management Program

The Fuels Management program in Indian Country manages a variety of ecosystems across the United States that range from arid, to humid, warm to cold and sea level to over 10,000 feet elevations. The areas of responsibility are a broad spectrum of ecosystems spanning from Alaska to Florida.

National Fire Plan Operations and Reporting System (NFPORS)

The Fuels Program led bureau engagement for the New Gen [National Fire Plan Operations and Reporting System](#) (NFPORS) communication and worked with the Office of Wildland Fire (OWF) and the NFPORS developer to correct any major flaws in NFPORS reports that had extensive implications on Bipartisan Infrastructure Legislation (BIL) reporting/accountability requirements.

The program is working with NFPORS developers and managers and the [National Wildfire Coordinating Group \(NWCG\)](#) Geospatial subcommittee to provide guidance during development of Next-Generation NFPORS.

BIA Fuels Dashboard

The program also continues development of a BIA Fuels dashboard which combines national BIA Fuels datasets, maps, and websites in a single webpage. Work is on-going with the Budget staff to incorporate fuels information into the Tableau dashboard created by the Budget division.

Datasets were updated in January and will continue throughout the year. Contract requirements have been completed to exercise the next contract option for the fuels database application.

Fuels Program Funding

Program staff developed a strategy to distribute funds as apportioned to DWFM via continuing resolutions and provided significant guidance to Indian Country with directions for development of base fuels program work, supplemental requests, RTRL project proposals and BIL business rules and programs of work.

Analyses were conducted of investments of fuels allocations and their relationship to the current program needs and priorities; those analyses were utilized to project outcomes, prepare a plan for investment, and program enhancement opportunities via the additional funding provided through the BIL and support revisions to the Fuels Funding Allocation Model.

Fuels Management Program



Data System Compliance

Program Staff continue to ensure 100% compliance with BIA policy of providing a perimeter to the following data systems:

- [Landscape Fire and Resource management Planning Tool \(LANDFIRE\)](#), a shared program between the wildland fire management programs of the USDA Forest Service and U.S. Department of the Interior, providing landscape scale geospatial products to support cross-boundary planning, management, and operations.
- [Wildfire Hazard Potential \(WHP\) map](#) a geospatial product produced by the USDA Forest Service, Fire Modeling Institute to help inform evaluations of wildfire hazard or prioritization of fuels management needs across very large landscapes.
- And other datasets to provide analysis of US Forest Service 10-year fuels prioritization data and areas where contiguous tribal lands will be affected.

FY 2022 Planning Statistics

Relief

26 Treatments Planned for 2,585 Acres Treated (Rx, Mech, Other). Three (3) LiDAR Activities Planned for 5,256,023 Acres of Monitoring

Base Funding

585 Treatments and Activities Planned for 243,467 acres. One (1) LiDAR Activity Planned for 1,300,000 Acres of Monitoring (of this 233 Planned Treatments are Prescribed Fire for 90,847 Acres)

Reserved Treaty Rights Lands

Currently 16 Treatments planned for 13,952 Acres (of this Planning total, 7 Planned Treatments are Prescribed Fire for 11,810 Acres). Total planned data is fluid as some treatments were not yet identified in NFPORS and additional projects will likely be approved.

Accomplishments Reported in NFPORS as of June 2022

Disaster Relief

73 acres accomplished to date

Base Funding

Approximately 92,797 acres accomplished. Included in total are 70 Prescribed Fires for 63,588 acres

Reserved Treaty Rights Lands

Approximately 797 acres accomplished. Included in total are two (2) Prescribed Fires for 276 acres

Wildfire Prevention Program



Wildfire Prevention Program

The mission of the Wildfire Prevention Program is to reduce the frequency of human-caused wildfires across Indian Country.

Risk Assessment, Planning and Reporting

Staff provided leadership and direction for the development of the [Wildfire Prevention Spatial Assessment and Planning Strategies \(WPSAPS\)](#) mobile application to collect field data. WPSAPS is a web-based application developed by an interagency group and designed to make wildfire prevention program risk assessments, planning and accomplishment reporting more efficient and effective. It provides users with a research-informed set of prevention actions based on a geospatial assessment of the risks, hazards, and values to be protected in their management unit.

Prevention has initiated A-123 Internal Reviews and Self Assessments and all required responses to data calls have been completed.

National Fire Prevention Team Visit

A 10-person Interagency National Fire Prevention and Education Team (Team) was brought into the Southwest Geographic Area of New Mexico and Arizona from May 11 – 31, 2022 to assist all agencies with wildfire prevention outreach and communication.

The Team was able to assist the Tribes and Agencies across both states through direct assistance or by providing products for posting or distribution.

Navajo Region

Team helped develop a Public Service Announcement on the upcoming State 1 Fire Restrictions; provided box of prevention materials

Western Region

Team participated in a half hour radio show interview on the local KYAY radio station

Southwest Region

Team produced a [YouTube video on Fire Prevention](#) in Mescalero featuring a local residents speaking on the importance of fire safety; Team also hosted a media event at Northern Pueblo Agency for the Eight Northern Pueblos providing a fire safety messaging talk and distributed prevention material and handouts to all Eight Northern Tribes.

In addition to the above, boxes of various brochures on Fire Safety, Preparing Homes for Wildfire, Ready-Set-Go and other prevention handouts and items were sent to the Tohono O'odham Nation, BIA Navajo Region, and 4 BIA Agencies (Jicarilla, Ute Mountain, Mescalero and Southern Pueblos).

Post Wildfire Recovery (PWR) Program



Foresters assessing the damage caused by a fire

Remote Automatic Weather Stations (RAWS)

The Program has provided constant oversight and monitoring of Remote Automatic Weather Station (RAWS) performance, identifying issues related to poor or missing data, responding to requests for maintenance due to station damages and/or component failures. These stations monitor the weather and provide weather data that assists land management agencies with a variety of projects such as monitoring air quality, rating of fire danger, and providing information for research applications.

DWFM staff has coordinated with all regions to determine additional needs for RAWS stations and desire to bring existing stations under the national maintenance contract. As a result, a new contract solicitation has been prepared with the addition of 5 stations to enhance support to Indian Country, other interagency partners, and the National Weather Service.

Post Wildfire Recovery Program

The Post Wildfire Recovery Program continues to provide technical assistance to agency and tribal post wildfire programs as they begin or continue implementation of stabilization and rehabilitation projects. To assist with program support to tribes and agencies, a Natural Resource Specialist, with a focus in watershed, is being recruited to join the PWR Program staff.

Cerro Pelado Fire burns 46,605 Acres

Staff are currently assigned to the Cerro Pelado fire in Santa Fe National Forest, New Mexico; discovered April 22, 2022 – 45,605 acres. Tribal trust and fee lands burned on three Pueblos (Jemez - 3,235 acres, Cochiti - 849 acres, and Santo Domingo - 30 acres). An interagency Burned Area Emergency Response (BAER) team arrived on May 22, 2022 and is engaged and working with the three pueblos to discuss fire suppression repair, emergency stabilization and long-term recovery and restoration efforts.

To date, the PWR program has identified over \$14.2 million of Burned Area Rehabilitation (BAR) project needs for FY22, which have been approved to address non-emergency treatments such as cultural planting, reforestation, and invasive plant and noxious weed mitigation. This need will be met by the regular BAR allocation (\$5 Million) and the Disaster Relief Funding (\$15.5 Million). DWFM has identified over \$1.1 million in FY22 Emergency Stabilization funding needs for 30 projects to stabilize imminent post-wildfire threats to human life and property, and to critical natural and cultural resources.

Land Titles and Records Office (LTRO)



Landscape of the Badlands in South Dakota

Land Titles and Records Office

Policies and Handbooks

In the first half of FY22 LTRO completed numerous standard operating procedures (SOP) to coincide with the upcoming issuance of a LTRO Handbook. The handbook itself is under review with the Office of Regulatory Affairs and Collaborative Action (RACA) for finalization.

Representation Tract Viewer

Working with the Branch of Geospatial Services (BOGS), LTRO established a Representation Tract Viewer to allow BIA staff to search for and research tracts and associated data. It is currently being piloted at two Regions and with the Division of Real Estate Services (DRES) with plans to open it up further after future development.

Fee to Trust

LTRO participated and presented on National Fee-to-Trust training outlining the LTRO Document Recording process.

National Parcel Project On-Going

The National Parcel Project, which is creating mappable polygons from Trust Asset and Accounting Management System (TAAMS) records, is continuing with the Regional Cartographic Technicians in most regions.

TAAMS Probate Module

Assisted with development, implementation, and training for the new TAAMS Probate Module which has automated many processes in the probate distribution process.

Communication

Monthly LTRO Manager meetings address training, workloads, policies, challenges, and questions from BIA and Tribally contracted LTRO Offices.

National Training

Participated and presented on National Fee-to-Trust training outlining the LTRO Document Recording process.

FY 2022 Challenges

Add positions and staff for DLTR to better serve Regions and Tribes.

Review Regional LTRO Organizational Charts to study workflow processing, reviewed personnel retention options in regard to grades and positions, and further develop business rules and processes.

Support the ongoing creation of nationwide GIS dataset (Parcel Project) which represents all records currently housed in TAAMS. This will include the innovation, development, adaptation, and management of the dataset.

Division of Natural Resources (DNR), Agricultural Program (AG)



Garlic mustard plant (noxious weed), Pasqueflower (not an invasive species), and grazing buffalo

Agricultural Program

The program managed and supported the distribution of funds to regions and tribes for agriculture and range projects and programs.

Managed and supported the distribution of funds to regions and tribes for AG and range invasive species plant projects and programs. Coordinating and distributing funds to numerous proposals on Noxious Weed Projects. Supporting the prevention, control, eradication of invasive species on Indian reservations and treaty-ceded territories. This funding is instrumental in protecting valuable tribal grazing lands.

BIA Collaboration

Represented BIA on many DOI collaborative efforts, work groups, task forces, relating to Noxious Weeds, Invasive Species, DOI Bison Management, Native Seed Revegetation, DOI Integrated Pest Management, and other Agriculture and Rangeland issues.

Connected Regional Rangeland staff with professional organizations, and other sources of professional knowledge benefitting their job amidst the COVID 19 environment and workplace.

Communication

Continued to assist in communicating information from Central Office to regional personnel and other BIA/Interior staff. Helped distribute newsletters, notices of job opportunities, and other significant publications pertinent to Agriculture and Rangeland Management.

Continued to share and promote opportunities for Ag and Rangeland managers to participate in inter-agency workgroups and listen in on meetings. Helped manage shared spreadsheets and provided technical assistance to regional staff.

Distribution of Hemp Rules

DNR Coordinated information distribution of 2019 Farm Bill Hemp rules and regulation per Agriculture Marketing Service.

Branch of Fish, Wildlife and Recreation (FW&R)



Branch of Fish, Wildlife and Recreation

Rights Protection Implementation (RPI)

RPI supports the implementation of Federal court orders that resulted from decisions in complex, off-reservation treaty rights litigation. Indian Affairs monitors and provides technical assistance annually for 49 rights protection contracts and compacts. This program ensures compliance by implementing effective tribal self-regulatory and co-management systems.

RPI funding is foundational in fulfilling court-upheld Treaty obligations. RPI funding maintains tribal resource management capacity by retaining key personnel, data systems, policies, and procedures for sound co-management in coordination with State and Federal resource management agencies.

Tribal Management Development Program (TMDP)

TMDP provides the core funding for several fish and wildlife management and economic development functions. The program supports tribal self-determination by allowing tribes to plan and implement proper management of tribal fish and game programs on Indian reservations. Twenty-four (24) tribes rely on TMDP funding to maintain key staff positions, data systems, equipment, conservation law enforcement and office space required to manage and protect valuable Trust resources on vast tribal acreages whose resources are entrusted to the Tribes through Treaties.

Seven (7) projects focused on Alaska subsistence management. Additional funding in FY 21 for Alaska Subsistence allowed for the advancement of five (5) intertribal organizations focusing on management systems and cooperation with Alaska State government to better manage the shared resource and its allocation amongst user groups.

Three (3) intertribal organizations/ corporations (Lake Roosevelt, Upper Columbia United Tribes, Chugach) receive TMDP funding. This funding provides a central framework and incentive for parties to work together in providing sound management of resources held in Trust for the benefit of multiple tribes. The Upper Columbia United Tribes (UCUT) represent nearly 20,000 enrolled tribal members and has management authority and responsibility over approximately 2 million acres of reservation land, 14 million acres of aboriginal territories, over 500 miles of navigable waterways, 40 interior lakes, and 30 dams and reservoirs. The natural resources managed by the UCUT yields millions of dollars annually to the fishing, hunting, sustainable forestry, and recreation economies in North Idaho, Eastern Washington, and beyond.

The Circle of Flight is an award-winning Midwest waterfowl, wetland, and wild rice enhancement program that continues to leverage funding at a 3:1 ratio, providing tremendous benefit to Tribal entities eligible to participate in the Great Lakes program.

Branch of Fish, Wildlife and Recreation (FW&R)



Bear in wildflowers, Pasqueflower, Stillaguamish tribal fishery program photo

The [Intertribal Bison Council](#) (IBC) and the [Native American Fish and Wildlife Society](#) provide a forum promoting cohesion, and sound management of important tribal resources, including bison. These organizations provide a unifying umbrella to promote collaboration and the use of best science/techniques in the management of tribal trust resources. The Branch continues to participate in the DOI Bison Initiative to restore bison on federal lands. Including funding support for Yellowstone quarantined Bison at the Fort Peck Tribes Bison Quarantine Facility.

Special project funding allowed Rosebud Sioux Tribe to make great progress towards completion of their Wolokota Bison Restoration project, a top priority for the [DOI Bison Restoration Initiative](#).

Wildlife & Parks Program (TPA)

This program supports the Wildlife and Parks program at the agency or tribal level. Funding is provided to tribes through a local priority setting process determined by the tribe and BIA to fund tribal activities in the areas of fisheries, wildlife, outdoor recreation, and public use management, conservation enforcement, and related fields. Activities conducted are determined by tribes, and cover a broad array of diverse fisheries, wildlife, conservation enforcement, public use, habitat management, and related programs.

Fish, Wildlife and Parks Projects (Hatchery Operations & Maintenance)

Twenty-two (22) tribal hatcheries were funded under the DNR Hatchery Operations Program, providing base funding for the operation of tribal fish hatcheries in the Northwest and Midwest regions. This subset of tribal hatcheries is considered extremely important in the fulfillment of court-upheld, off-reservation treaty rights.

A total of 159 projects were awarded under the DNR, FWR, Hatchery Maintenance Program, to 56 individual tribal hatcheries. Fish hatchery maintenance funding provides support to fish and shellfish producing Tribes in support of associated hatching, rearing, and stocking programs. Tribal hatcheries are often the only means of providing a valid treaty right to subsistence harvest.

One maintenance project allowed a tribal hatchery to meet new State water standards and prevent threat of closure.

On-reservation fish stocking programs (12) provide for subsistence important to the local tribal economies. Tribal fish stocking programs also provide important opportunities to steer youth towards activities promoting positive community values and careers in natural resources management.

Branch of Fish, Wildlife and Recreation (FW&R)



Buffalo grazing in a field, Pasqueflower, Alaska Region intern working on noxious weed removal

Endangered Species Program

A total of 49 projects were awarded from the FWR, Endangered Species program which is the primary program achieving Indian Affairs and tribal responsibilities associated with compliance with the [Endangered Species Act \(ESA\)](#), P.L. 93-205, and the related protection and preservation of trust lands and resources.

Nine of these projects were critical to obtaining permits from U.S. Fish and Wildlife Service (FWS) allowing the harvest of timber and oil and gas resources on tribal lands.

One project was required to continue monitoring fish populations as stipulated in conditions placed upon ESA permits acquired from FWS or National Marine Fisheries Services.

Other projects seek to improve the status of species either listed by the Environmental Site Assessment (ESA) process or the equivalent process implemented by individual tribes. Tribally important species include California Condor, Buffalo, Gray Wolf, Lahontan Cutthroat Trout, Black Footed Ferret, Chinook Salmon, and others.

Invasive Species Program

A total of 65 projects were awarded funds under the Invasive Species Program which supports the prevention, control, and eradication of invasive species on Indian reservations and treaty-ceded territories.

This funding has been instrumental in protecting valuable tribal grazing lands from the impact of feral and invasive animals.

Three projects provide important protections against invasive mussels from reaching the Columbia River Basin, a key initiative of Department of Interior.

Conservation Law Enforcement Officer Program (CLEO)

A total of 20 CLEO programs were funded, supporting the sound management of tribal trust resources and enforcement of tribal natural resource laws on trust lands.

DNR FW&R Programs also supported 44 Tribal Youth Initiative Projects that engaged youth in Natural Resource activities.

DNR FW&R Programs supported 78 Tribal priority projects funded through reimbursable agreements with the Environmental Protection Agency (EPA) Great Lakes Restoration Initiative (GLRI) to protect, restore, or enhance tribal wetlands and other habitats in the Great Lakes basin. These projects will protect an estimate 1,400 acres, control 860 acres of invasive species, and open 30 miles of aquatic connectivity. Additionally, 19 of the projects will specifically increase tribal capacity to ensure Tribes are active partners in Great Lakes discussions and planning efforts.

Branch of Environmental & Cultural Resource Management (BECRM)



Dancers preparing for Grand Entry at Sisseton Wahpeton pow wow, July 2021

Branch of Environmental and Cultural Resource Management

BECRM provides leadership, guidance, policy, and support for the protection of environmental and cultural resources, working with federal, state, and Tribal governments to ensure compliance with environmental law on Indian trust lands, restricted lands and federal facilities owned or operated by Indian Affairs.

This includes oversight and guidance for implementing a range of environmental laws and regulations, including the National Environmental Policy Act (NEPA), Comprehensive Environmental Response, Compensation and Liability Act and the National Historic Preservation Act.

New Categorical Exclusions

BECRM worked with the DOI, Office of Environmental Policy and Compliance (OEPC) and Council on Environmental Quality (CEQ) to update NEPA compliance and prepared two new NEPA Categorical Exclusions (CatEx) with CEQ approval pending. If approved, this will reduce resources spent analyzing proposals determined to not have potentially significant environmental impact and focus staff time on proposals that may have significant environmental impacts, positively impacting tribes.

Technical Assistance

Technical assistance focused on the Bureau of Indian Education (BIE) Headquarters environmental program and 12 BIA BECRM associated Regional Offices.

- Closed out BIA EMS/EMAP contract for BIA/BIE facilities with public drinking water systems
- Reviewed and commented on National Environmental Policy Act (NEPA) documents submitted by 12 Regions
- Explained technical spreadsheets of BIA-owned Water Systems serving Bureau of Indian Education (BIE) schools.
- Participated in review of three remediation project requests for cleanup to comply with environmental requirements and provided recommendations for approval to DOI Office Remediation and Damage Assessment.

NEPA Tracker 2.0

Program reviewed Information Technology (IT) hosting agreement for BIA NEPA 2.0 Tracker with Office of Chief Information Officer. BECRM maintained access for all BIA employees to NEPA Tracker at 100 percent availability while also assuring NEPA Tracker access for Regional Points of Contact (POCs) 100 percent of the time. Provided management and technical assistance for all 12 Regions.

Training

Conducted five (5) virtual Environmental Training Sessions

- Asbestos Hazard Emergency Response Act, 2-hour,
- Solid Waste Management
- National Environmental Policy Act (NEPA) training,
- Safe Drinking Water Act
- Wastewater

Environmental Quality (EQ) Program



Environmental Quality Program

The EQ program provided oversight, and policy, leading to regulatory compliance; thorough documentation of environmental conditions and impacts; and protection of the environment and cultural resources.

Emergency Management and Accreditation Program (EMAP)

Through contractor, completed 55 Environmental Management Assessment and Performance (EMAP) Audits and completed 55 virtual EMAP follow up site visits.

Developed Service Line Agreement (SLA) to transfer BIA Environmental Management System (EMS) and environmental audit EMAP for BIA/BIE tribal schools.

Briefed BIE Environmental staff to facilitate the development and transfer of EMS/EMAP duties. Provided BIE with EMAP compliance audit information and discussed information required to complete environmental databases.

Central Hazmat Funding

Central Hazmat Fund (CHF) Technical Review Committee (TRC) participation. The TRC is responsible for approval of funding for DOI bureaus Comprehensive Environmental Response, Compensation, and Liability (CERCLA) or "Superfund" contaminated sites. The TRC reviews all requests for funding and makes final recommendations on which projects receive funding.

Kept information and guidance current on the EDL/Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Superfunds Amendments and Re-authorization Act (SARA) SharePoint IT site. Information and guidance available for DRES document assistance.

Maintain Central Hazmat Fund Database Cost Tracking and ensure accurate costs are being reported in a timely manner. Worked with Regional Environmental Scientist offices to ensure contaminated sites that require funding are funded on Tribal/allotment trust or restricted properties.

Received Central Hazmat Fund for cleanup work at the Tuba City Dump (TCD) site. BECRM Manager served on the Tuba City Dump site project management team as the Central Office participant.

Participant on Interagency Abandoned Mine Lands Committee and U.S. Environmental Protection Agency (EPA) Uranium Mining Initiatives group. Member of cleanup workgroup on the Gay Mine site on the Fort Hall Reservation, Idaho. This is a Potential Responsibility Project (PRP) financed project and led by the EPA.

Upper Columbia River (UCR) Natural Resource Damage Assessment and Restoration (NRDAR) case management team representative.

Oversight of Tar Creek superfund project management activities in Oklahoma, Missouri, and Kansas.

Museum Program



Hopi Chairman, Secretary Haaland, Staff Curator Justin Giles at presentation of Hopi flag, Hall of Nations

Environmental Disposal Liabilities (EDL)

Worked with OEPC on the Environmental Disposal Liabilities (EDL) database reporting and cleanup of sites listed. Provided guidance and approved funding to regions for ongoing work and future removal of Environmental Disposal Liabilities (EDL) sites requiring longer cleanup.

All sites reviewed quarterly to ensure at least 90% accuracy of the projects and the relevant documentation. Sites also reviewed for compliance and to suggest possible remedial/removal actions that would accelerate the removal of sites from DOI EDL list.

Worked with the Division of Financial Reporting and Analysis (FRA) to report the BIA liabilities associated with actual and potential asbestos contamination.

Reviewed and approved environmental projects and expenditures for the Division of Facilities, Maintenance, & Construction (DFMC) – Asbestos Hazard Emergency Response Act (AHERA) inspections, fuel spills, groundwater cleanup, mold, and asbestos removal.

Native American Graves Protection Act (NAGPRA)

Drafted four NAGPRA notices for Federal Register publication accounting for human remains and funerary objects. Conducted a tribal consultation that resulted in determinations of affiliation and NAGPRA notices accounting for return of human remains and funerary objects.

Provided Native American Graves protection Act (NAGPRA) work with three (3) museums and universities housing BIA museum collections.

Museum Program

Developed and provided museum management documentation for BIA repositories. Currently, 78.9% of all repositories housing BIA museum collections are in good condition.

Conducted annual inventory of BIA and BIE repositories. Due to COVID no site visits were conducted, facilities housing BIA museum collections were visited virtually.

Participated in meetings of the Department's international cultural heritage property working group regarding international repatriation, foreign auctions of sacred objects, and legislative actions to prevent trafficking of Native American cultural objects.

Public Service Announcement (PSA) on Hall of Tribal Nations released announcing addition of tribal flags to the museum collection. Donated Tribal flags line the halls of the Assistant Secretary – Indian Affairs in Washington, DC. The PSA announced expansion of the Hall of Tribal Nations scope to a virtual educational museum program.

Museum collection successfully moved from Reston, VA, to the Main Interior building in Washington, DC.

Division of Probate Services (DPS)



Division of Probate Services

The primary mission of DPS is to compile inventories of Indian Trust assets and family information, and to coordinate the timely distribution of trust assets with the Office of Hearings and Appeals (OHA), the BIA Division of Land Titles and Records (DLTR), and the Bureau of Trust Funds Administration (BTFA).

Probate Regulations Modified

During the second quarter of FY 2022, modified probate regulations were implemented and finalized.

- Expanded the use of trust funds in IIM accounts for burial expenses
- Clarified documents needed for presumptive death cases
- Established a less burdensome document requirement for cash only estates that are less than \$300
- Revamped the purchase at probate process to ensure heirs were named and a probate order issued without waiting for the sale to be final.

TAAMS Probate Module

TAAMS System changes were submitted to accommodate the new regulations. A train the trainer approach was provided to TAAMS users as the regulation was finalized and during the TAAMS conversion. Throughout the first quarter, extensive testing was conducted to ensure the newly developed probate module will function.

DPS worked with Probate partners (Office of Hearings and Appeals, Land Titles and Records and Bureau of Trust Funds Administration) to ensure a smooth transition. The modernized Probate tracking system was successfully implemented in the second quarter of FY 2022.

Test training sessions indicated a full 7-day class was needed for the probate staff. The program accomplished the monumental task of conducting over 45 virtual classes, training over 300 students prior to implementation. BIA Probate staff, Superintendents, Regional Directors, Office of Hearings and Appeals and the Bureau of Trust Funds Administration, Tribal Compact and Contract employees were the target audience. A representative from a compact tribe was included in the testing of the module.

The train the trainer concept ensures Regional Legal Administrative Specialists were trained and able to continue training staff on an on-going basis. This has worked well. The program continues to conduct short sessions as improvements are made to the system. Comprehensive training session will be conducted in the fourth quarter of FY 22.

Challenges, Opportunities and Best Practices

DPS merged the Probate process with TAAMS. A new business process flow chart is being developed to address aspects of the process that have become system generated. This improvement ensures timely and smooth movement of case between our trust offices. Ongoing testing, procedure changes and system enhancements are in process. This merge resulted in digital documents lowering our carbon footprint and aligns with the federal climate change initiative.

Division of Real Estate Services (DRES)



Division of Real Estate Services

Accomplishments and Going Forward

The Division of Real Estate Services (DRES) had various ongoing high priority initiatives again this fiscal year including Fee-to-Trust, Broadband, Rights-of-Ways, Mortgages and HEARTH.

Ongoing work includes Right of Ways (ROWs), Appraisals, Mortgages and Cadastral Surveys, Excess Government Land Transfers, Proclamations, policy updates, TAAMS enhancements, technical assistance, training, and implementation of new or updated regulations.

DRES made a focused effort to examine BIA policies, handbooks, legislation, and program areas to identify time-saving alternatives for various *leasing and conveyance processes*. This activity helps ensure timelines are being met and demonstrates benefits to Indian tribes and individuals are our highest priority.

DRES issued an updated Administrative Fees National Policy Memorandum (NPM-TRUS-42), approved on March 17, 2022. The NPM standardizes controls for collecting, tracking, and retaining administrative fees for certain goods and services provided by the BIA on behalf of Indian Tribes. For some time, the subject of BIA's ability to collect, track, and retain fees has caused confusion and created risk that BIA may be violating the Anti-Deficiency Act. This policy clarifies BIA's authority to collect under 25 U.S.C. §413 and retain certain administrative fees for realty transactions under 25 U.S.C. §14b.

Communication Best Practices

DRES recognizes data and evidence are key to prioritizing agency efforts to deliver on mission, service, and decision-making. A greater emphasis was placed on collaboration to make better use of data in TAAMS from all BIA Regions and Agencies.

The DRES established five (5) User Groups (teams including subject matter experts from various regions). The Mineral, Surface Leasing, Rights of Way, Acquisition and Disposal and the Fee-to Trust Strike Team User Groups were assigned the following responsibilities:

- Update outdated handbooks, policies, procedures
- Prepare National Policy Memorandums (NPMs) on high priorities
- Write TAAMS Business Rules
- Perform User Acceptance Testing on TAAMS Modules
- Draft TAAMS System Change Requests

Oil and Gas Partnerships

DRES participated in seven (7) Federal Partner Meetings on oil and gas issues since October 2021. This included the Rocky Mountain, Uintah & Ouray, Fort Berthold, Navajo, Oklahoma/Texas/Kansas, and Southwest Partners meetings to address oil and gas issues. The DRES also participated in the Indian Energy Minerals Steering Committee (IEMSC) Meeting with BIA, BLM, ONRR, and BTFA in December 2021.

HEARTH Act



Lockbox for Outstanding Payments

The DRES monitors the Lockbox for outstanding payments and to ensure distribution of pending funds to Tribes or Beneficiaries. The DRES holds monthly conference calls with each Region to discuss pending reports and coordinates with the Bureau of Trust Funds Administration (BTFA) on the Monthly Lockbox Reports.

DRES also hosts monthly Regional Realty Officer and Lockbox Coordinator meetings to provide updates on high priority topics, policy updates and nationwide issues. During these calls, Regions will provide updates on pending workloads and assistance needed. These calls help build communication from the field and central office.

HEARTH Act Leasing

The Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) offers a voluntary, more efficient land-leasing process for Tribes by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. § 415. Once a Tribes' HEARTH Act leasing regulations are approved by the Secretary of the Interior, Tribes are authorized to negotiate and enter into business, agriculture, residential, wind and solar, wind energy evaluation, public, educational, and recreational surface leases without further approval from the Secretary. [Click here](#) for more information on the HEARTH Act.

Once approved, the Tribe's HEARTH Act leasing regulations are the controlling authority for any lease executed under such leasing Ordinance.

DRES processed and the Assistant Secretary – Indian Affairs approved HEARTH Act regulations for twenty (20) Tribes.

In support of Tribal self-determination, the Secretary of the Interior encourages all Tribes to draft Tribal HEARTH Act regulations and submit them to the BIA for review and approval.

Upcoming HEARTH Act Training

The BIA HEARTH Act Coordinator (HAC) and Office of the Solicitor (SOL) have scheduled two HEARTH Act training sessions with a target audience of Tribes and entities serving Tribal governments.

Training Dates

June 15, 2022, and June 22, 2022

Target audience

- U.S. Department of Agriculture (USDA)'s Rural Development
- U.S. Department of Housing and Urban Development (HUD), Office of Native American Programs
- National Tribal Land Association
- Tribal 638 compacted or contracted entities
- All BIA Regional and Agency Offices

Fee to Trust



Fee to Trust Strike Team

On September 17, 2021, the Bureau of Indian Affairs established the FTT Strike Team (Team) of subject matter experts from the BIA Region on temporary 120-day details to DRES titled (Phase I). Their task was to assist in advancing 1,194 identified and pending FTT applications nationwide. They began by analyzing report data and reviewing data call responses, to determine the best approach for progress. At the end of the first 120 days the Team was reinstated for an additional 120-day detail titled (Phase II) which concluded on May 27, 2022.

Team Results

- Review of 407 FTT cases completed
- Drafted or assisted in drafting 93 Notice of Decision (NODs) of those, 84 were approved by the Regional Directors
- Sent 63 Acceptance of Conveyances (AOCs) to the Region, resulting in all 63 deeds approved in TAAMS
- Weekly monitoring of progress on Under Federal Jurisdiction (UFJ) and High-profile cases. 42 UFJ's had been completed in FY21. Six months into FY22, 69 UFJ's have been completed.

Phase I Focus

During Phase I, the Team concentrated on processing cases that were ripe for a NOD and AOC and worked with the field on FTT case clean-up in TAAMS.

The Team provided suggestions to enhance the Indian Affairs Performance Management System (IAPMS). The 2100 measure for FTT currently captures applications that are pending a determination throughout the application process and culminating in completed determinations.

The Team conducted 8 hours of FTT training November 30 and December 1, 2021, for the Alaska Region, open to other regions, 24 field staff were in attendance.

Phase II Focus

During Phase II, the Team completed a National Policy Memorandum, *NPM-TRUS-43: Modernize the Land Description Review Process for Trust Acquisitions*. This policy was approved by the Director, BIA and issued April 26, 2022. It improves the efficiency and quality of processing FTT acquisitions and implements Realty staff Land Description Training requirements.

NPM-TRUS-43 replaces the Bureau of Land Management (BLM) Indian Land Surveyor's (BILS) Land Description Review (LDR) requirement from the FTT Handbook with a *Realty Land Description Review (RLDR)* or a *Land Description Examination & Validation (LDEV)*.

The team initiated a TAAMS FTT Module Quality Assurance project (TAAMS case clean-up). The project was completed in phases following the 9 steps of the FTT application process and was coordinated with the Regional Realty Officers. After the completion of each phase the Strike Team would verify the required actions were completed by each Region.

Broadband



Acquisition & Disposal Business Rules

The Team finalized and released the signed National Acquisition and Disposal (A&D) Business Rules, issued May 16, 2022. The Business Rules for A&D and the FTT TAAMS Module address processes not already found in regulations, an Indian Affairs Manual (IAM), or the CGI TAAMS Training Manual.

National Fee to Trust Training

A comprehensive National FTT Training was provided to the field on May 23-25, 2022. Approximately 225 BIA staff and 50 Tribal staff were in attendance.

Topics discussed

FTT Handbook, TAAMS, Reservation Proclamations, Gaming, FTT statutory and regulatory authority, FTT audits and reporting, mandatory and discretionary FTT acquisitions, changes to the delegation of authority, UFJ policies, and overview of *NPM-TRUS-43: Modernize the Land Description Review Process for Fee-to-Trust Acquisitions*.

Guest Programs conducting Training

Land Titles and Records Office (LTRO), Division of Resource Integration and Services (DRIS), Geographic Information System (GIS) Strike Team, Office of Indian Gaming (OIG), Division of Environmental and Cultural Resources Management (DECRM), and the Office of the Solicitor (SOL)

Broadband

The DRES worked under the AS-IA's prioritization of Infrastructure across Indian Country and with the Solicitor to establish the BIA's new policy on Rights-of-Way (ROWs) and Business leases for projects funded by the American Rescue Plan Act and Infrastructure Investment and Jobs Act (IIJA) also known as Bipartisan Infrastructure Law (BIL), as well as telecommunication and renewable energy projects.

Inter-Agency Work Groups

DRES' participates in two (2) bi-monthly interagency working groups (DOI's Broadband Updates and the Streamlining Federal Permitting Working Group) to collaborate and share information on the progress for program alignment, rulemaking, and agency policy updates for broadband activities and projects on public lands.

It is the policy of the BIA, consistent with applicable laws, to support Tribal Nations in exercising their sovereignty to govern their lands and pursue economic self-sufficiency, conservation practices, and climate resiliency. On [January 26, 2021, President Biden issued a Memorandum to the heads of Executive Agencies reaffirming Executive Order 13175](#), which, among other things, directs federal agencies to utilize waiver authorities for the benefit of Indian tribes. This memorandum reaffirms the policy that projects on Indian land are most successful when supported and directed by Tribes.

Broadband



BIA Policy supporting Infrastructure

Infrastructure continues to be a high priority for the Department and BIA as it is very important to Indian Country. The BIA has determined that ROW and Business Lease applications for the purpose of infrastructure provide a direct benefit to the Indian land, especially during this unprecedented time when infrastructure and access to broadband is very important to tribal communities. To this end, National Policy Memorandum, *NPM-TRUS-44: Streamlining the ROW and Business Lease Application Process for BIL, Telecommunication, and Renewable Energy* was signed and issued April 15, 2022.

NPM-TRUS-44 Highlights

All Regions, Agencies and OTS Offices are directed to promptly and immediately review a ROW and business lease application for infrastructure, telecommunication, and renewable energy purposes before and within our regulatory timeframe.

All BIA offices are to complete pending ROWs and business leases in an expedient manner, in accordance with the NPM.

DRES will continue to monitor and report to Senior Management the progress in completing these pending ROWs and business leases.

DOI Indian Affairs Policy Rollout Sessions

The Principal Deputy Assistant Secretary – Indian Affairs (PDAS-IA) signed distribution letters to Tribal Leaders, Federal Partners and Industrial Developers notifying them of the NPM and BIL Rollout Sessions. The DOI and Central Office DRES will host the following events.

Session 1: Federal Agency Briefing on the National Policy Memorandum for Permitting

Indian Affairs invites Federal Partners including BIA and Tribes with Contract/Compact functions to participate in the BIL Rollout Session regarding Streamlining the ROW and Business Lease Application Process for BIL, Telecommunication, and Renewable Energy Projects.

Date: June 21, 2022

Time: 4:00 p.m. – 5:00 p.m. EST

Session 2: Tribal Industry Briefing on the BIA National Policy Memorandum for Permitting

Indian Affairs invites Tribal Leaders and Industry Partners to participate in the BIL Rollout Session regarding Streamlining the ROW and Business Lease Application Process for BIL, Telecommunication, and Renewable Energy Projects.

Date: June 23, 2022

Time: 2:00 p.m. – 3:00 p.m. EST

Broadband



DRES documentation for Rollout Sessions

DRES prepared the following documents on behalf of the AS-IA and PDAS as part of the BIL planning and rollout phases included talking points, action plans, communication plans, implementation considerations, streamlining efficiencies, data calls, briefings, Senate Committee Testimonies, NPM, public announcements, new releases, training presentations, and risk assessments.

Tribal Broadband Connection Program MOU

The U.S. Department of Interior's (DOI) Bureau of Indian Affairs, and the Department of Commerce's (DOC) National Telecommunications and Information Administration (NTIA), coordinated on a MOU regarding Coordination and Cooperation to support the Tribal Broadband Connection Program (TBCP) and related considerations for the additional \$2 billion appropriated for the TBCP by the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (IIJA).

The MOU defines the relationship between NTIA and BIA in complying with environmental, historic preservation, and cultural resources requirements related to the TBCP, as mandated by the Broadband Connectivity Programs established by the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Act).

New funding source for Tribal Broadband Projects

The TBCP, provides a new funding source for Tribal broadband projects to assist in migrating the effects of the COVID-19 pandemic exacerbating the digital divide across Indian Country.

2021 Notice of Funding Opportunity

The NTIA received applications requesting significantly more in funding than the \$980 million available for grants under the Act. Of the additional \$2 billion in funding appropriated for the TBCP by the IIJA, a portion may be used to fund TBCP applications submitted in response to a June 3, 2021, TBCP Notice of Funding Opportunity (NOFO). The object is to expand broadband deployment in unserved areas and promote digital inclusion.

DRES support for MOU

The DRES assisted drafting and finalizing the MOU, and drafted the Briefing Paper for AS-IA, PDAS-IA, DBIA and DOI Leadership's review and approval. The MOU was signed by the AS-IA on June 6, 2022.

Division of Water and Power (DWP), Branch of Safety of Dams (SOD)



Lower White Medicine Dam on the Blackfeet Indian Reservation in Montana

Safety of Dams Branch

Accomplishments and Going Forward

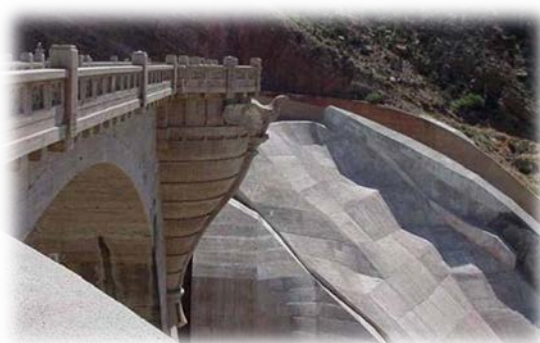
The Safety of Dams (SOD) Branch is currently responsible for the safety of 141 high-hazard potential dams on 42 Indian reservations. Annual funding provides for dam rehabilitation projects, maintenance, and program activities.

SOD Branch Mid-Year Accomplishments (October 2021 to May 2022)

In fiscal year 2022, the SOD Branch performed routine scheduled activities for program high-hazard dams, including Periodic Reviews, Comprehensive Reviews, Early Warning System (EWS) maintenance, emergency preparedness, and non-routine design and construction activities.

- Advanced 9 Hazard Potential Classification studies
- Completed 7 Periodic Review reports for 7 dams and 8 Periodic Reviews (11 dams) are ongoing
- Completed 8 Comprehensive Review reports and 28 Comprehensive Review reports are ongoing
- Awarded Four CR/PR Task Orders totaling approximately \$4.1M
- Awarded an Emergency Action Plan Task Order for \$0.6M
- Completed Emergency Action Plan Tabletop Exercises for 12 dams and Emergency Action Plan Exercises for 18 dams are in the planning stage
- Held six (6) EWS Working Group meetings, which have improved communications, increased transparency, and provided additional opportunities for input from Tribes, BIA Regions, and BIA Agencies
- Completed 2021 annual maintenance and initiated 2022 annual maintenance for all EWS sites
- Conducted infrastructure improvements and site maintenance activities at 20 EWS sites on 14 reservations
- Awarded three EWS Task Orders totaling approximately \$1.1M
- Completed Hydraulic Hazard Studies for 16 dams and 15 studies are on-going
- Completed Site-Specific Extreme Precipitation Studies for 5 dams and 3 studies are ongoing
- Completed Dam Failure Inundation Studies for 9 dams and 18 studies are ongoing
- Completed Dam Failure Consequence Assessment Studies for 6 dams and 6 studies are on-going
- Disbursed \$2.4 million in Operations and Maintenance funding in support of all 141 high-hazard dams on 42 reservations

Branch of Safety of Dams (SOD)



Construction project for Coolidge Dam on the San Carlos Indian Reservation completed

Dam Construction Projects Completed

Four Horns Dam Estimated value \$15M

Tribe: Blackfeet Indian Reservation, MT

The construction is complete with some final site grading planned for Spring 2022.

Headgate Rock Dam Estimated value \$1.6M

Tribe: Colorado River Indian Reservation, AZ

The cable replacement for the ten radial gates and the two canal gates was completed in February 2022.

Wildhorse Dam Estimated value \$800k

Tribe: Duck Valley Indian Reservation, ID

The gate rehabilitation project was completed in December 2021.

Coolidge Dam Estimated value \$20M

Tribe: San Carlos Indian Reservation, AZ

The final construction inspection will be performed in April 2022.

Dam Construction Projects in-Progress

Standing Pine Dam Estimated value \$120k

Tribe: Choctaw Indian Reservation, MS

The contract has been awarded to repair the breached dam.

Charley Day Dam Estimated value \$3.5M

Tribe: Navajo Nation, AZ

Construction is in-progress and is anticipated to be complete by the end of summer 2022.

To'hajiilee Dam Estimated value \$4M

Tribe: Navajo Nation, NM

Construction is anticipated to start end of summer 2022.

Dam Design Projects in-progress

Sixteen (16) dam design projects are in progress - a significant increase and the most in program history.

A1 Dam, Fort Apache Indian Reservation (AZ)
Allen Dam, Pine Ridge Reservation (SD)
Antelope Dam, Rosebud Indian Reservation (SD)
Bonneau Dam, Rocky Boy's Reservation (MT)
Bootleg Dam, Fort Apache Indian Reservation (AZ)
Cooley Dam, Fort Apache Indian Reservation (AZ)
Davis Dam, Fort Apache Indian Reservation (AZ)
Ghost Hawk Dam, Rosebud Indian Reservation (SD)
Kicking Horse Dam, Flathead Reservation (MT)
Lake Pushmataha Dam, Choctaw Reservation (MS)
Menager's Dam, Tohono O'odham Nation (AZ)
Mission Dam, Flathead Reservation (MT)
Neopit Dam, Menominee Indian Reservation (WI)
Oglala Dam, Pine Ridge Reservation (SD)
Tufa Stone Dam, San Carlos Indian Reservation (AZ)
White Clay Dam, Pine Ridge Reservation (SD)

Branch of Safety of Dams (SOD)



Training

- Held the *Annual BIA/Tribal Safety of Dams Workshop* virtually on November 16-18, 2021. Over 100 tribal and federal dam safety employees attended. Devoted two of the three days to *Dam Tender Training*.
- Held two *Dam Tender Virtual Training Workshops* in March and May 2022. Over 60 federal and tribal dam safety staff attended. Workshops will be held every two months.
- Organized two in-person *Early Warning System* and *Dam Tender Training Sessions* that were held in April and May 2022.
- In process of developing a 3-day, *BIA-specific Dam Tender Training* to be held on a recurring basis starting Winter 2022/2023.

Human Resources

- Filled three vacant federal positions by pursuing all available assistance, which increased the federal staff from five to eight individuals.
- Hired a security specialist through the staff augmentation contract to address Independent Oversight Review dam securing recommendation.
- Hosting a BIA Pathways intern, Shasity Tsosie, through August 2022, and have selected a Sealaska Intern to begin in June.

Communications

- Continued periodic meetings across SOD program areas and with Regional SOD Officers
- Conducted an employee satisfaction survey that will occur annually
- Implemented a Decision Support Tool for the SOD Branch

Created a new SOD SharePoint site

- Migrated all Central Office final dam reports and records
- Site accessible by Central and Regional dam safety staff
- Working to implement access for tribal dam safety staff by FY2023
- Created a training library for BIA and tribal dam safety staff

Other Activities

- Completed screening of all 2,169 dams reported by Tribes as required by the WIIN Act
- Assisting BIE in assessing flooding issues at To'hajiilee School, Navajo Nation, NM

Branch of Safety of Dams (SOD)



Challenges

In general, dams on Indian lands are in much worse condition than dams managed by other federal dam safety programs. Two-thirds of the high-hazard potential dams (those that would probably cause loss of life if they failed) on Indian lands do not meet Federal dam safety standards. In order to minimize downstream risk, nine (9) Program dams are breached and many Program dams have been fully or partially drained.

The BIA's Safety of Dams Branch estimates that \$1.1B is required to address known deficiencies. In addition to the \$1.1B in known deficiencies, an unknown but not insignificant need likely exists for hidden deficiencies that cannot be detected. While the program has identified and prioritized actions at dams which pose unacceptable risk, addressing these issues remains a challenge. Beyond the financial resources necessary to address these issues, the program faces difficulties in obtaining enough human resources. The program has awarded a technical services contract to assist, but Inherently Federal duties remain that bottleneck the execution of the program.

Due to HR challenges, it took over two years for the Program to hire three GS-13s. Many additional federal personnel are needed. The BIA Regional and Agency Offices also have difficulty recruiting and keeping qualified and trained dam tenders and other related dam safety staff. Attracting and maintaining a qualified Federal staff remains the program's most significant challenge.

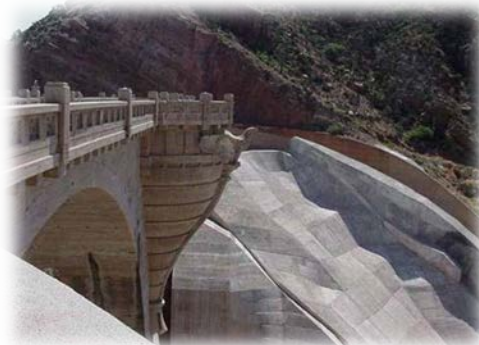
Opportunities

The fiscal year 2022 budget increase and the additional funding provided by the Bipartisan Infrastructure Law will afford the opportunity to accelerate the completion of several dam rehabilitation projects and provide an approximately 30 percent increase to the SOD Program operations and maintenance budget nationwide.

Best Practices

Rehabilitation funding is prioritized for dams that currently present the greatest life-safety risk. Risk is measured using the Dam Safety Priority Rating (DSPR), a methodology based on the risk-analysis processes developed by the Bureau of Reclamation and the U.S. Army Corps of Engineers. In addition to considering the condition of a dam, DSPR evaluates design methodology, construction methodology, and downstream population at risk should a dam failure occur.

Branch of Irrigation and Power (BIP)



Yakama Reservation Irrigation District and Coolidge Dam at the San Carlos Irrigation Project

Accomplishments and Going Forward

FY 2022 Design and Construction Projects funded by Appropriations, WIIN Act and BIL.

Northwest Region

Wapato Indian Irrigation Project (WA)
Flathead Indian Irrigation Project (MT)
Fort Hall Indian Irrigation Project (ID)
Mission Valley Power (MT)

Rocky Mountain Region

Blackfeet Indian Irrigation Project (MT)
Crow Indian Irrigation Project (MT)
Fort Belknap Indian Irrigation Project (MT)
Fort Peck Indian Irrigation Project (MT)
Wind River Indian Irrigation Project (WY)

Western Region

Colorado River Irrigation Project (AZ)
Duck Valley Indian Irrigation Project (NV)
Pyramid Lake Indian Irrigation Project (NV)
San Carlos Irrigation Project (AZ)
Uintah Indian Irrigation Project (UT)
Walker River Indian Irrigation Project (NV)

Southwest Region

Pine River Indian Irrigation Project (CO)

Navajo Region

Navajo Indian Irrigation Project (NM)

Water Infrastructure Improvements for the Nation (WIIN) Act

The \$10 million from the FY 2022 Water Infrastructure Improvements for the Nation (WIIN) Act provided funding for each of the 17 irrigation projects for several high priority construction projects as well as an irrigation equipment purchase.

FY 2023 Proposed Design and Construction Projects

The FY 2023 projects will be the same as the FY2022 projects listed to the left.

Budget Increase: Replace NIIMS and focus on Deferred Maintenance

The proposed FY 2023 budget increase in the mandatory payment account will allow for the replacement of the National Irrigation Information Management System (NIIMS) billing and collection software and to assure continued Irrigation Operations and Maintenance (O&M) payments on behalf of Tribes given increasing costs.

Any additional funding could be used to accelerate the completion of the deferred maintenance backlog for both irrigation projects and power utilities. The latest estimate of irrigation deferred maintenance (Quarter 4 2021) is approximately \$788 million.

Branch of Irrigation and Power (BIP)



Opportunities for Infrastructure

Rehabilitation and Modernization

BIA continues to develop modernization studies at BIA-owned irrigation projects and power utilities. The results of these studies will allow BIA to communicate with Tribes, irrigators and power utility customers with state-of-the-art information and collaborate on future infrastructure investments.

Recruiting Challenges, Staffing Shortages and Aging Infrastructure

Most BIA-owned irrigation projects and power utilities are experiencing critical staff shortages and serious challenges with recruiting new employees. While additional funding is needed for implementation, BIA would like to invite dialog with Tribes on how we can partner together in education, outreach and recruiting efforts on these human resource issues, along with its aging infrastructure and escalating capital costs for construction. Overcoming the deferred maintenance backlog for both irrigation projects and power utilities remain BIA's biggest areas of concern.

Branch of Water Resources (BWR)



Wildhorse Reservoir near the Sho-Pai Duck Valley Indian Reservation in central Nevada

Branch of Water Resources

Accomplishments Going Forward

Over the past years Branch of Water Resources (BWR) has been working with others establishing sound working relationships. Now that the COVID Pandemic is dissipating, and the federal government is working to get back to a normal working environment. Accomplishments include working with the Bureau of Reclamation and Indian Health Service to re-establish the BWR Water Resources Technician Training Program. Additionally, we have continued to work with the Regions, USGS, the Secretary's Indian Water Rights office, and other Central Office staff on projects necessary for success of the water resources program throughout the Country.

Human Resources

Currently the Branch Staff should be increased. One of the goals for this year is to advertise a program manager and a Water Rights Specialist to support the water programs more effectively.

Current staff have been in training to take over duties that are necessary for continued coverage of the water resources programs (Attorney Fee/Litigation Support Program, Constructing Indexing review for the various water right settlements, and all Branch Chief administrative duties necessary to support mission objectives).

Water Resource Ranking Team Meeting

The Branch held a water resources ranking team meeting virtually due to the Corona Virus pandemic. Ranking Team members included staff from various Regions, as well as a team member from the Secretary's Indian Water Rights Office (SIWRO) and the Central Office Solicitors' office. Water resources projects were ranked and scored for funding distribution. The Tribes and Region submitted projects for the Water Management Planning & Pre-Development Program and Projects for the Water Rights Negotiation/Litigation program.

Administrative Cost Funding to Regions

Administrative cost for water resources regional staff was distributed for FY2022 to support regional oversight activities

- Water Management Planning & Pre-Development projects
- Water Rights Settlements and litigation projects
- Water Rights Contracts
- Department of Justice Agreements

Funding also allows regional staff to participate on the Secretary's Indian Water Rights settlement and implementation Teams. Finally, this funding allows the Regions to provide technical assistants to tribes for all facets of work involving trust water resources.

Branch of Water Resources (BWR)



Funding for Water Settlement Claims

Funding Allocations for four (4) Indian Land and Water Settlement Claims has been distributed from the Bipartisan Infrastructure Bill (BIL).

Yearly funding including Indexing for the Mandatory fund for FY21 to the Confederated Salish and Kootenai Tribes' (CSKT) Water Rights Compact was distributed. Continued funding distribution for FY22 is anticipated to be distributed as soon as Indexing values have been determined.

Continued funding for 4 Water Rights Settlements including CSKT, Navajo Utah Water Rights Settlement, White Mountain Apache Water Rights Settlement and Blackfeet Water Rights settlement is currently being worked on. Branch staff is currently working on procedures to fund these settlements with various decisionmakers within in the Department. It is anticipated that final funding for Indexing will be distributed at the end of FY 2022.

A-123 Program Reviews

The Branch has performed two (2) virtual A-123 reviews for the Southwest and Navajo Regions. These reviews have allowed central office staff to gain the Regions perspective on tribal water needs on a regional level, as well as, viewing various projects being implemented by the Tribes for management of reservation water resources. Two Self-Assessments are currently being implemented for the Pacific and Western Regions.

Navajo Gallup Water Supply Project

The Navajo Gallup Water Supply project and the Navajo Nation continues to perform implementation activities for BIA's portion of the settlement that is planned to be completed in 2024 and appears to be on schedule. Final Funding for this Settlement has been allocated to the Navajo Region with FY 2019 funding allocations.

Attorney Fee and Litigation Program

An Attorney Fee and Litigation Program ranking team was set up which included a staff member from the Solicitor's, BIA, and Assistant Secretary's office. The Team has reviewed submitted proposals from the Tribes and is currently submitting recommendations for funding to the Assistant Secretary's office. It is anticipated that funding allocations will be distributed to the Regions by the end of June 2022. A request for proposals for this program will be sent to the Regions as soon as approval for FY 2022 is authorized. This will allow central office to receive proposals back from the regions in January 2023.

Water Resources Technician Training

The Branch has begun to re-establish the Water Resources Technician training program and is currently working with a non-profit organization that performs the AmeriCorps program for student interns. Fifteen students are planned to be interned into the water science careers and will attend water resources technician training at California Polytechnic University at San Luis Obispo (Cal-Poly) California.

Branch of Water Resources (BWR)



Annual Water Resources Workshop

The Branch of Water Resources began to plan for its Annual Water Resources Workshop anticipated to be held in August 2022. Sites being reviewed include Seattle Washington, Southern California, and Eastern Oklahoma. Attendees will include Water Resources staff from various BIA Regional offices, Bureau of Reclamation, USGS, Secretary's Indian Water Rights Office, Solicitor's Office (SIWRO), Conservation Legacy and selected tribes within the regional area.

The main topic for this year's workshop will discuss implementation procedures for Indian Water Rights Settlements, as well as discussion for improvement of the water resources programs. This workshop allows for staff collaboration and partnerships involving water resources projects throughout the country on behalf of Tribes. The Branch has anticipated a need to reschedule this workshop into 2023 dependent on the status of the Corona Virus pandemic. The Branch is currently seeking partnerships within the Department of Interior for this event.

Challenges, Opportunities and Best Practices

Human Resources

Currently the Branch Staff should be increased. One of the goals for this year is to advertise for a program manager and a Water Rights specialist to support the water programs more effectively.

Communications

The Branch is challenged with communication between the Regions and other bureaus, agencies, and offices to identify, need, process, and concerns within Indian country to identify "Best Practices" for the program.

Funding

Funding is a challenge for this program. Increased funding to this program could be used to develop and implement studies for technical information to address potential effects on all water resources issues.

- Drought conditions
- Fish and wildlife concerns involving water resources
- Water supply
- Tribal economies
- Water rights settlement negotiations

Funding could also be used to develop recommendations, terms, conditions, and amendments to address water projects that effect Indian trust water resources, to protect tribal interests, and to defend conditions if challenged in a trial type hearing. Funding also allows for meaningful participation in settlement negotiations to resolve issues through collaboration.

Federal Power Compliance (FWP) with Federal Energy Regulatory Commission



Two Medicine Dam at Blackfeet Indian Reservation

Federal Power Compliance with the Federal Energy Regulatory Commission

The Bureau of Indian Affairs (BIA), Federal Power Compliance Program partners with affected Indian Tribes and other federal bureaus and agencies to implement Secretarial authorities under Part I of the Federal Power Act (FPA) (16 U.S.C. 739a-825r). Specifically, Section 4 of FPA Part I authorizes the Secretary to ensure that reservation lands are only used for hydropower development after the Federal Energy Regulatory Commission (FERC) has made an affirmative finding that hydropower development will not be inconsistent with the purposes for which the reservation was originally created or acquired. The Secretary is authorized to condition FERC licenses as necessary for the protection and utilization of a reservation. BIA's Federal Power Compliance Program also assists Tribes as they participate in FERC proceedings and as they seek reasonable annual charges for the use of tribal lands.

Challenges, Opportunities and Best Practices

Request for Proposals

DWP has requested proposals from the Regions to try to support regional needs throughout the country. Proposals requests are due July 1, 2022. The current funding level is critical to support federally mandated efforts to protect tribal trust lands and resources in FERC proceedings to relicense hydroelectric facilities and in post-licensing implementation.

Identification of non-Federal Hydroelectric Projects

Challenges include ongoing identification of all existing and proposed non-federal hydroelectric projects that may directly or indirectly affect Indian reservations or resources (e.g., land, fish, wildlife, cultural resources, water, economic opportunities). Long-term funding will ensure affected tribes can fully participate in the multi-year licensing process and the post-licensing implementation that occur in 30 to 50-year implementation phases.

Federal Power Compliance (FPC) Program vacancy

DWP is working to classify a Federal Power Compliance Program position to move forward with this program on a national basis. The Northwest Region has added a staff member to support the Northwest Region's FPC program. DWP will be working with this new staff member to support the program.

Funding

Funding is a challenge for this program. Increased funding to this program could be used to develop and implement studies for technical information to address potential effects on fish and wildlife, water supply, cultural resources, and tribal economies.

Funding is used to develop recommendations, terms, conditions, and amendments to address hydroelectric project effects on Indian trust resources and to protect tribal interests, and to defend conditions if challenged in a trial type hearing.

Federal Power Compliance (FWP) with Federal Energy Regulatory Commission



Funding allows for meaningful participation in settlement negotiations to resolve licensing issues through collaboration. Right now, the program is allocated only \$650,000 per year for all work of this nature.

National and Regional Administrative Costs

Proposed funding is also directed toward BIA's national and regional administrative costs to allow the Department to participate and coordinate with other federal agencies and license participants in FERC relicensing procedures, and post-relicensing implementation of settlement agreements and license conditions. Additionally, some compensation for legal support through the Office of the Solicitor is also required from this budget. Increased funding would help in staffing necessary to support the Tribes.

Branch of Geospatial Services (BOGS)



Branch of Geospatial Services

The mission of the Branch of Geospatial Support is to assist Tribal governments and Indian Affairs to manage the cultural and natural resources of Indian Country by providing Geographic Information Systems software, training, and technical support.

Accomplishments and Going Forward

Additional Esri Licenses

During the past 6 months, BOGS worked with Esri and DOI to add 5,992 creator licenses. This greatly empowers tribes because it gives BIA the ability to add many more ESRI licenses for tribes. This potentially allows over 5,000 tribal employees access to GIS and to use the technology in ways that can significantly benefit the tribes.

Data Dashboards under Construction

BOGS is developing OTS data reporting dashboards with customizable content to allow easy monitoring of funding and visually show managers the status of high priority projects. Access to visual data and reports is expected to increase awareness of how much funding is going to projects that directly benefit tribes. Data mapping for each division is in process and started with BOGS.

A dashboard will provide quick access to FTT weekly status reports as requested by the Assistant Secretary-Indian Affairs. BOGS is expanding its dashboard team and developing templates to bring BIA the benefits of GIS for decision-making.

Electric Vehicle Charging Station Application

BOGS is creating an Electric Vehicle Charging Station mapping application showing potential sites for EV charging stations in Indian Country.

Collaboration

Over the last 6 months, BOGS has worked to establish/build relationships with other federal agencies.

- Organized small quarterly meetings with the BLM Indian Land Surveyors (BILS) and the RGCs to promote interaction and positive working relationships.
- BOGS met with USGS and Strategic Hazard Identification and Risk Assessment (SHIRA) team to demo tools for RGCs, and possibly bring these free tools to tribes.
- BOGS, tribal boundary working group and [Census](#) connected on shared issues and inform the rest of federal agencies about updates to BIA datasets such as the LAR.
- Met with [NOAA Fisheries](#) and RGC's to discuss some of the issues facing coastal tribes.

The Tribal Boundary Working Group (TBWG) helps develop accountability with the tribes. BOGS briefed TBWG about plans for the Land Area Representation (LAR) dataset in January 2022, to obtain tribal feedback for the LAR and on the working group in general. BOGS is developing a plan for consultation on the LAR which would allow tribes to have much more involvement and feedback on products BOGS produces.

Branch of Geospatial Services (BOGS)



Uintah & Ouray Litigation Mapping Project

BOGS is managing the Uintah & Ouray (U&O) litigation mapping project. This has been a longstanding six (6) year project of collaboration with the Solicitor to identify and add patents effecting the litigation to the current map. The Branch published an interactive map called the *Restored Reserved Mineral Patents application* which integrates previous mapped information plus the newly discovered patents. This will result in a map that will significantly benefit the tribe and solicitors.

Migration to Amazon Web Services (AWS)

BOGS began planning for a contract negotiation to migrate to the Amazon Web Services (an on-demand cloud computing platform and web services) almost two years ago. This transition is moving forward and will be key to BIA's GIS program and development going forward. (April 2022 – Began initial migration, June 2022 – Move users over to AWS, August 2022 – propose full production in BOGS).

BOGS recently started creating hubs for each region in AWS and turning control over to each Regional Geospatial Coordinator (RGC). The RGC has the ability to customize their own page, build GIS within their region, and interact with users as well as tribes. This is expected to have a long-lasting positive impact on GIS within the BIA as it has the potential to allow interaction with tribes for consultation purposes in the future. BOGs will be the first branch to move to AWS and will set the stage for other divisions in the future.

Challenges, Opportunities and Best Practices

System Center Configuration Manager (SCCM)

The BOGS branch chief and Help Desk worked with IT to initiate automated software updates for the Regions using SCCM. This improves the customer experience by removing the RGC as a point of contact for request for GIS software update, such as Arc Pro. SCCM moves updates to the background so each user will no longer have to submit update requests through configuration management for action. Automating this process is a time saver for RGCs and the BOGS helpdesk staff. It provides software users a much better experience as they are receiving updates directly and not waiting on the RGCs.

Growth in Training Program

BOGS increased training available to BIA GIS users, tribes, and regional staff to 36 courses, up from 24 in FY 2021. Courses allow users to enhance their GIS skills, learn mapping, and create products to benefit tribal communities. BOGS is planning to increase this training program even more in the future.

Outdated Help Desk System

The current helpdesk system is outdated. Over the last few months, BOGS worked with stakeholders and BIA Security to gather requirements and evaluate available software with these requirements.

Branch of Geospatial Services (BOGS)



Helpdesk Quality Assurance Project

The BOGS helpdesk staff focused on reconciliation of records over the last few months. Many records need to be updated, and data in the system verified with the RGCs. The database is now up to date.

Mapping Services

BOGS is working on creating mapping templates for the future. This will allow BOGS to have maps that are created in advance of leadership or other stakeholders' requests.

BOGS has also created a standardized process for printing large maps for leadership. Creating these templates increases efficiency and consistency across the BIA for GIS maps and allows for a quick turnaround on requests.

Standard Operation Procedure

BOGS is working on creating a master Standard Operation Procedure (SOP) for all processes across the Branch. This will provide each staff member access to a reference document on how all processes are done. This tool contributes to continuity of operations for the long term and reduces risk in the event of staff turnover. The SOP may also be used as a training tool as the branch grows.

Land Area Representation (LAR)

The LAR dataset is the BIA's official geospatial representation of American Indian Land areas. BOGS is in the process of reworking and modernizing the LAR. This will involve integrating the LAR into Amazon Web Services (AWS) and allowing users to interact with the dataset and propose changes through AWS. This ability could possibly allow tribes to propose changes this way.

BOGS has had a working group meeting on this process for months and is now starting to work with the regions on the actual process. The first region that BOGS has begun working with is the Midwest region. When complete, it will completely change the BIA GIS dataset available to the public, other federal agencies, and most importantly tribes.

Indian Energy Service Center (IESC)



Southern Ute oil rig, new IESC logo, and a wind turbine renewable energy project

Indian Energy Service Center

The Indian Energy Service Center (IESC) coordinates and processes Indian energy, mineral and renewable energy development and leasing activities across Interior's bureaus. IESC is staffed by BIA, the Office of Natural Resources Revenue (ONRR), the Bureau of Land Management (BLM), and the Bureau of Trust Funds Administration (BTFA). The IESC facilitates energy, mineral and renewable energy development in Indian Country.

The IESC upholds the Departments fiduciary trust responsibility on behalf of Individual trust beneficiaries and Federally recognized Tribes by:

- Expediting leasing, permitting, and reporting for conventional and renewable energy on Indian lands
- Provides resources to ensure development occurs safely and protects the environment
- Manages risks appropriately by providing funding and technical assistance to support assessment of the social and environmental impacts of energy development

Accomplishments

Communitization Agreements

The IESC has processed over 200 Communitization agreements, resulting in over one billion in estimated royalty revenue to Indian Tribes and allottees.

Tribal Grants for Orphaned Well Project

IESC collaborated with the Office of Environmental Policy and Compliance (OPEC) to develop a grant funding distribution instrument for \$150 million earmarked for Tribes in the Bipartisan Infrastructure Legislation (BIL). As of December 2021, IESC established a Data Analysis Team and completed preliminary data generation of a comprehensive inventory of orphaned oil and gas wells on Indian lands. The IESC received all the well data requests from BOGS and is currently reviewing next steps.

IESC coordinated with BIA leadership on a strategy for tribal outreach including consultation sessions to solicit tribal input on development of the orphaned well grant mechanism. A scope of work was prepared to procure the services of a contractor to support tribal consultation and outreach sessions.

Tribal Energy Development Organization (TEDO) Applications

The Red Lake Nation (Nation) was the first tribe to be approved for a Tribal Energy Development Organization (TEDO). A TEDO certification allows a Tribe to enter into a lease or business agreement under 25 U.S.C. 3504(a)(2) or a right of way under 25 U.S.C. 3404(b)(2)(B) without Secretarial review and without a TERA.

Indian Energy Service Center (IESC)



IESC received the Nation's initial TEDO application on December 20, 2021. IESC reviewed the document and drafted approval documents prepared for Assistant Secretary – Indian Affairs certification. The Red Lake TEDO was approved and the Certification published in the Federal Register on March 30, 2022.

On October 11, 2021, CSF Energy, a Confederated Tribes of the Umatilla Indian Reservation (CTUIR) tribal member owned energy consultation firm notified IESC of interest in a TEDO. IESC made a presentation to the CSF Energy Group, Tribe, Region and Agency on October 22, 2021.

Engineering, Production Accounting and Lease Reviews

The IESC activity at the BLM North Dakota State Office, [Federal Indian Minerals Office](#) (FIMO), Oklahoma Field Office and Wind River Agency

- 29 Application for Permit to Drill (APD) completions
- 10 APD AFMSS 2 Operation reviews (October 2021)
- 4 Sundry notice, authorization for Flaring reviews (October 2021)
- 6 Production Accounting reviews, ongoing
- 9 Suspension of Operations (SOP) complete
- 58 Lease Diligence Reviews completed
- 33 Well Data Requests and 83 Well Data pulls for Wind River Agency complete
- Royalty explanation requests, production history and decline curve analyses for 12 wells tied to 3 CAs.

Fort Berthold Activity

Rural Water Right of Way (ROW) Project

IESC facilitated a Rural Water ROW workgroup with membership from the Bureau of Reclamation (BOR), Ft. Berthold Indian Reservation (FBIR) Rural Water Department, Three Affiliated Tribes, MHA Energy Office, BIA Great Plains Region, Land Title and Records Office, and the BIA Ft. Berthold Agency. The workgroup accomplished a 30% increase in recorded ROWs in TAAMS for the FBIR Rural Water Department.

Beneficiary Support to BIA Agency

The IESC coordinated a workgroup to process, research, and report on Phase II Lockbox balances and outstanding invoices. Lockbox cleanup is a priority of the AS-IA.

Document Processing

The IESC assists the BIA agency by processing Accounts Receivable routing transactions, Lease Assignments, and Communitization Agreements.

Southern Ute BIA Agency

The IESC is processing and maintaining energy related leases and Communitization Agreements.

Uintah & Ouray BIA Agency

The IESC is assisting with a Lease Expiration Project, lease sale, Communitization Agreement project, energy related ROWs and Assignment processing.

Indian Energy Service Center (IESC)



Concho Agency

Riparian Acres Acquisition and Leasing in TAAMS - The Southern Plains Regional Office is coordinating with the Oklahoma Field office on process, procedures, and exchange of work. Three *Evidence of Authority to Operate on Indian Lands/ Designation of Operator* (DO) review and recommendations were completed as of April 2022.

The Designation of Successor Operator transferred from the BLM Oklahoma Field Office to BIA and the Agency requested IESC assistance. The BIA Fluid Minerals SOP will be updated to reflect this change.

Federal Partnership Collaboration Meetings

The IESC facilitates regular meetings between Federal partners and Tribes to facilitate problem solving on shared oil and gas issues.

- Fort Berthold Federal Only Partners Meetings (10/19/21, 1/27/22)
- Fort Berthold Federal Partners Meetings with the MHA Nation-Big/Little Missouri (10/25/21, 1/31/22, 2/1/22)
- Navajo Federal Only Partners Meetings (10/14/21, 4/7/22)
- Oklahoma, Texas, Kansas Federal Partners Virtual Meeting (2/8/22)
- Rocky Mountain Region Federal Partners Meeting (3/10/22)

- Southwest Federal Partners Meeting (1/11/22)
- Uintah & Ouray Federal Partners Meeting (11/4/21)

Indian Energy and Minerals Steering Committee (IEMSC) and Executive Management Group (EMG)

These entities provide BIA, BLM, ONRR, BTFA coordination and oversight. Members include Senior executives.

- (12/6/21) EMG met to review the IESC Annual Operating Plan for FY 2022 and for IESC to provide an update on accomplishments and current projects.
- (12/8/21) IEMSC met to provide mineral status, mineral information updates, and to report progress on list of IESC action items to be completed by next meeting scheduled for December 7-9, 2021.

Nationwide Standard Operation Procedures Standard Operating Procedures Training (BIA, BLM, ONRR, BTFA)

- (12/7/21) SOP for Executives training was held virtually, 28 Senior executives attended including the first class with a Tribe (MHA Nation)
- (12/14-15/21) Virtual SOP Training for 24 students
- (3/29-30/22) Virtual SOP Training for 34 students

Indian Energy Service Center (IESC)



IESC Scope Increases

The IESC was notified by BIA Director memorandum dated March 23, 2022, certain Division of Real Estate Services functions are to be performed by IESC. The IESC scope increased to include DRES functions that will allow for modernized energy related business processes, thereby achieving better protection of Trust records and combined efficiencies in the area of energy and mineral development.

Delegation of Authority Updates

The IESC Indian Affairs Manual 48 IAM and Departmental Manual 381 DM 1 are in the process of being updated to reflect organizational realignments, roles, and responsibilities consistent with IESC's new delegation.

Mineral Royalty Accounting Distribution (MRAD)

The IESC will oversee twice-monthly distribution of allotted (individually owned) revenues to Individual Indian owners. IESC is now responsible for the oversight and certification of the transfer of financial data from ONRR to BIA and troubleshooting issues.

MRAD operations involves the following Departments and three integrated systems. Mineral Revenue Management Support System (MRMSS) – ONRR, Trust Asset and Accounting Management System (TAAMS) – BIA, Trust Funds Accounting System (TFAS) now the Innovest System – BTFA.

TAAMS Mineral User Group

The Trust Asset and Accounting Management System (TAAMS) User Group is a body of subject matter experts/Realty Specialists. The group meets regularly to identify user needs for the TAAMS system, draft system modification requests, complete user acceptance testing, business rule development/modifications, and works with the Contracting Officer's Representative for the TAAMS contract to address CGI, Inc. (TAAMS vendor issues or recommendations).

Mineral Bonds/Sureties for Nationwide collected Bonds

The IESC will house and maintain original BIA nationwide sureties for energy and mineral companies.

Energy and Mineral Company Bankruptcies

The IESC responds to Solicitor requests for information related to energy and mineral bankruptcies. Updates nationwide sureties as required.

Fluid Mineral Estate Procedural Handbook, 52 IAM X-H

The IESC will be responsible for maintenance and updates to the [Fluid Mineral Handbook](#), dated August 14, 2012. A pending update includes Communitization Agreement adjudication and Indian Solid Minerals Guidance and Development. A National Policy Memorandum must be issued to address policy changes until an IAM can be amended or approved.

Indian Energy Service Center (IESC)



Onshore Energy and Mineral Lease Management Interagency SOP, Indian Solid Minerals

The IESC is responsible for content maintenance, updates, and training.

OMB Circular A-123, Management's Responsibility for Internal Control

Nationwide annual review of transactions (sample offices only)

Challenges, Opportunities, Best Practices

The IESC supports Inter-bureau coordination on

- Administrative appeals and precedent-setting acreage/boundary determinations for leases affected by updated cadastral determinations along water ways on Indian lands as a result of river course migration.
- Lands affected by judicial review (active litigation in the US District Court System), with respect to lands underlying the bed of the (Big) Missouri River, which are subject to competing claims against title.

Going Forward

Two additional Tribal Listening Sessions are being planned for the Bipartisan Infrastructure Law (BIL) Section 40601 Orphaned Well Program. IESC will be assisting with grant review and on-going technical assistance for program development.

Renewable Energy Accelerated Deployment Initiative (READI) for Indian Country

The IESC established a work strategy to support the Department's goal to further clean energy initiatives. The READI process is aimed at presenting clean energy development options to Tribal and Individual Indian Owners and receiving input through structured and coordinated dialogue.

- Enhanced outreach and communication to Tribes on existing renewable energy development opportunities (i.e., assistance programs from the Department of Energy and Division of Energy and Mineral Development (DEMD))
- Consultation, outreach, and listening sessions to Tribes and Individual Indian owners
- BIA Regional and Agency Offices invited to participate - future events to be determined
- Regulatory updates, process development, and streamlining leasing procedures
- Potential additional public resources and support functions to include technical assistance, permit coordination, and others for Tribes

Clean energy implementation on Indian lands could be expanded through a comprehensive process similar to that of fluid minerals on Indian lands, subject to the preferences of the sovereign Tribal and Individual Indian owners. Expanding the clean energy focus may include establishing new regulatory provisions that provide for regularly advertised, competitive clean energy sales, lease title maintenance and designation, renewable facility energy permitting, revenue collection and disbursement, and comprehensive valuation, accounting compliance, and enforcement of these activities.

Land Buy Back Center (LBBC)



Land Buy Back Center

In the first half of Fiscal Year 2022, the Land Buy-Back Acquisition Center carried out land acquisition efforts at the following seven reservations – Blackfeet, Northern Cheyenne, Omaha, Sisseton, Turtle Mountain, Umatilla, and Winnebago.

Accomplishments at these locations include

- 2,623 sales processed
- \$52,213,859.74 paid to willing sellers
- 22,539 fractional interests in 5,016 tracts acquired
- the equivalent of 59,980 acres consolidated under Tribal ownership
- Tribal ownership increased to 50% or greater in 381 tracts

Since the first Buy-Back Program sales were processed in 2013, the Acquisition Center has purchased over 1 million fractional interests in more than 50,000 tracts of land at 53 locations. The equivalent of nearly 3 million acres has been restored to Tribal ownership, with Tribes gaining majority ownership in more than 20,000 tracts. Willing individual Indian sellers have been paid a total of nearly \$1.7 billion for interests sold.

The Land Buy-Back Program for Tribal Nations is scheduled to end in November 2022 under the terms of the Cobell Settlement. While Indian land fractionation has been reduced substantially through the Buy-Back Program, resources made available through the Cobell Settlement are not sufficient to purchase all fractional interests and many will remain after the Program ends. Without sustained consolidation efforts, Indian lands will continue to fractionate, diminishing the Buy-Back program's achievements.

In recognition of the benefits to be gained by sustained efforts to reduce fractionation, Congress provided authorization and an initial appropriation of \$7 million in Fiscal Year 2022 to re-establish a Trust Land Consolidation Program (TLCP) in BIA.

The re-established TLCP will utilize existing infrastructure in the Land Buy-Back Acquisition Center and adhere to best practices from the Buy-Back Program, including:

- Close coordination and collaboration with participating Tribes, including through cooperative agreements (the Indian Land Consolidation Act prohibits use of 638 contracts/compacts).
- Streamlined, standardized, and automated process and procedures for acquiring fractional land interests, specifically designed to minimize associated administrative costs; and

Land Buy Back Center (LBBC)



- Efficient and cost-effective appraisal methods for obtaining timely fair market values on large numbers of properties.

The TLCP will continue land consolidation efforts on a nationwide basis by purchasing additional fractional land interests from willing sellers at fair market value, thereby increasing the amount of Tribal trust land for conservation, stewardship, economic development, or other uses deemed beneficial by Tribes.

Continued efforts will further enhance the ability of Tribes to address the climate crisis while supporting environmental justice principles and Tribal sovereignty and self-determination, in support of Administration priorities and initiatives in Indian Country. Continued efforts will also further reduce Federal government cost associated with managing fractional land interests.

Branch of Tribal Climate Resilience (TCR)



Photo credit: Tammy Iyatunguk at Shishmaref High School, Grade 12, diminishing shoreline at Alaska village

Branch of Tribal Climate Resilience

The mission of the Branch of Tribal Climate Resilience (TCR) is to enable climate preparedness and resilience across all Indian Affairs programs and for all Federally recognized Tribal Nations and Alaska Native villages through technical and financial assistance, access to scientific resources and educational opportunities.

Program Changes

The Program has been redesignated in FY22 as a “Branch”. The Branch of Tribal Climate Resilience (TCR) is currently expanding in areas supporting training and educational opportunities, technical assistance at the regions, and implementing Bipartisan Infrastructure Law (BIL) opportunities for community relocation and climate adaptation strategies.

TCR’s Acting Branch Chief and Climate Science Coordinator is the Lead Author for the Development and/or coordination on the Tribes and Indigenous Peoples Chapter of the 5th National Climate Assessment.

Bipartisan Infrastructure Law (BIL) Funds

The Bipartisan Infrastructure Law added funding of \$216M over the course of 5 years with \$86M for Tribal Climate Resilience and Adaptation and \$130M for Community Relocation. A total of approximately \$46M will be available for funding from the Branch’s Annual Awards Program for FY 2022 through both TCR appropriations as well as BIL appropriations.

The new infrastructure funding has allowed for approximately 3 Pilot Projects (2 in Alaska and 1 in the Lower 48) to address Relocation, Managed Retreat (aka “partial relocation” or “site expansion”) and Protect-in-place decisions. The BIA is currently in a review process to analyze the communities to best meet our five (5) criteria.

- Community Readiness
- Risk Level
- Lessons Learned
- Existing Plans
- Land Already Identified

Pilot Project team identification and start up meetings

- Scoping Group
- Steering Committee
- Cohort Curriculum Development
- Federal Agency Overlapping projects identification
- Arctic Executive Steering Committee (AESC)- Community Resilience Working Group (CRWG) RMP Subgroup Meetings and WHCNAA Briefings

Branch of Tribal Climate Resilience (TCR)



Annual Awards Program

The following four (4) categories of funding have been added to the Annual Awards Program

- Category 10. Implementation of Climate Adaptation Strategies
Maximum award \$2,000,000
- Category 11. Implementation of Community Relocation, Managed Retreat, or Protect-in-Place Actions
Maximum award \$3,000,000
- Category 12. Relocation, Managed Retreat, or Protect-in-Place (RMP) Coordinator
Maximum award \$150,000 per year for up to three years
- Category 13. International Indigenous Traditional Ecological Knowledge (TEK) Virtual Exchange
Maximum: \$10,000

Maximum award amounts were raised for two categories

- Category 2: Adaptation Planning
Maximum increased from \$150,000 to \$250,000
- Category 7: Relocation, Managed Retreat, or Protect-in-Place Planning
Maximum increased from \$150,000 to \$300,000

Public Law 93-638

Conversion of Awards from utilizing Grant Solutions as financial assistance awards to using the funding mechanism P.L. 93-638.

Staffing

Pathways Interns

Three (3) current Pathways program student interns are in training and skill development.

Temporary Details

Employees served in temporary details to support TCR during the hiring and onboarding process for two (2) new employees. (One BIA, one National Oceanic and Atmospheric Administration (NOAA)).

Recruiting Permanent Positions

A Program Management Analyst and (8) Regional Climate Resilience Coordinator positions will be advertised through USAjobs.gov. Selections should be made soon.

Contract Employees

Eight (8) IDIQ Contractor positions have been awarded to add technical assistance for Alaska and the lower 48 States.

- Construction Analyst
- Environmental Protection Specialist
- Geologist or Hydrologist (AK only)
- Environmental Engineer, Civil Engineer
- Program Management Analyst

Branch of Tribal Climate Resilience (TCR)



Tribal Liaison Positions

Tribal Liaisons employed by Cooperative Agreements with Tribal Organizations are housed by USGS Climate Adaptation Science Centers. The Memorandum of Understandings (MOUs) have been renewed with some renewed Agreement Terms.

- Native American Fish and Wildlife Society
1 new hire, 2 vacancies in Alaska
- Affiliated Tribes of Northwest Indians
1 new hire, 1 vacancy Northwest
- Southwest
1.5 full time employees needed
- Great Plains Tribal Water Alliance
1 new hire, 1 vacancy, North Central
- College of Menominee Nation
1 new hire, 1 vacancy
- United South and Eastern Tribes
1 new hire, 1 vacancy, Northeast & Southeast

University of Oklahoma, Chickasaw Nation has 1 vacancy, however, TCR does not fund this position.

Cooperative Agreement

Our Education and Outreach Cooperative Agreement with the Institute of Tribal Environmental Professionals (ITEP) was renewed this year with YEAR three (3) funding. ITEP is setting up the NTICC National Tribal and Indigenous Climate Conference and assisting with Relocation, Managed Retreat, and Protect in Place Cohort Curriculum Development.

Challenges, Opportunities and Best Practices

Currently the Branch is waiting for the onboarding of additional Staff and IDIQ Contractors. This support is needed for the workload and effective TCR management.

Updated Awarding Official Technical Representative (AOTR) Certifications needed for all staff with the recent transfer from Financial Assistance Awards to P.L. 93-638 Contracts and Compacts. Implementation Projects will require all employees to take the P.L. 93-368 (Subpart J) certification program.

Participation from other federal agency employees willing to engage in calls and offer valuable feedback can be challenging.