

**OFFICE OF SURFACE MINING RECLAMATION AND
ENFORCEMENT**

**Annual Evaluation Report
for the
Hopi Tribe
Abandoned Mine Land Reclamation Program**

**Evaluation Year 2000
(October 1, 1999 through September 30, 2000)**

PART I. INTRODUCTION

This report to the Congress of the United States is produced by the Office of Surface Mining (OSM) in fulfillment of its Statutory responsibility under the Surface Mining Control and Reclamation Act of 1977 as amended (SMCRA), to evaluate the performance of the Hopi Abandoned Mine Lands Reclamation Program (HAML). This report summarizes the finding and conclusions that OSM has made in its ongoing “oversight” of the approved Hopi Abandoned Mine Land Program for the 12 month period beginning October 1, 1999 through September 30, 2000.

The Hopi AML Program has completed all of its coal reclamation inventory and, therefore, is able to work exclusively on Public Facilities Projects (PFP’s) or Community Impact Projects with its AML funds. PFP’s are considered to be priority-4 projects under SMCRA. PFP’s are a mechanism under SMCRA to mitigate mining related impacts to the Hopi people from past and ongoing mining activity.

PART II. GENERAL

Hopi Government:

The Hopi Tribe has a Constitution and By-Laws, adopted by the Tribe and approved by the Secretary of the Interior in 1936. Under that Constitution the Tribe is organized as a Union of self-governing Villages with a representational form of government. The fact that the Villages are self governing affects how the Hopi AML Program conducts its business as well as how OSM evaluates the program. Villages are delegated authority by HAML to do certain things with regard to projects, however, the AML Program retains a strong presence by providing detailed guidance and requirements (restrictions) for how Village projects are prioritized, selected and completed. In addition, the AML Program coordinates Village-wide projects, in cooperation with the Hopi Tribe.

The Hopi Tribe inhabits thirteen (13) villages on the reservation, located on three mesas called First, Second and Third Mesa. The thirteen Villages, include Polacca, Walpi, Sichomovi and Tewa on 1st Mesa; Shungopavi, Sipaulovi and Mishongnovi on 2nd Mesa; and, Oraibi, Hotevilla, Bacavi, Kykotsmovi, Upper Moenkopi and Lower Moenkopi on 3rd Mesa. Twelve of the thirteen Villages elected to participate in the Program by undertaking a Public Facilities Project within their Village.

The Hopi Tribal Consolidation Plan of 1995 identifies and prioritizes Tribal goals and objectives into a strategic plan that acknowledges its values, resources and obstacles in a realistic way. It serves as the blueprint for how all Tribal decisions are made and it influences how the AML Program conducts its business with the Tribe, because it allows the Hopi Tribe and Villages to determine their own priorities for public facilities projects, and the use of the AML fund.

In 1998 and 1999 OSM approved grant applications for Public Facility Projects based solely upon the Tribal Chairman’s description of need and recommendation for approval. However, for future grants, OSM will now publish a notice in the Federal Register to provide for public comment in accordance with 30 CFR 875.15 (f). After evaluating any public comments and receipt of the Tribal Chairman’s

description of need, OSM will determine if the funding meets the requirements of the regulations and is in the best interests of the Hopi AML Program. If so, OSM will fund the grant application.

Program Staffing :

The Director, Hopi AML Program reorganized staff positions this year. The Hopi AML program now consists of seven employees, the Office of Mining and Mineral Resources Director (25% funded by AML), a Construction Superintendent, a Project Manager, an Administrative Secretary, two Equipment Pool Coordinator and one Equipment Operator. All seven positions are fully or partially funded under the AML program grant. An organizational chart of the Hopi Tribe is affixed to the back of this report. All the AML staff continue to work out of the new office in Kykotsmovi, Arizona.

Reclamation and Hopi AML Program History :

Actual full-scale coal production began with Peabody Coal Company's Black Mesa and Kayenta Mining Lease, which produces approximately 12 million tons / yr. of (Hopi / Navajo coal). These leases cover 64,000 acres of Navajo and Hopi Land. Approximately 90,000 acres of this land is under permit by Peabody Coal Company, of which about 30,500 acres are disturbed. ***The AML program presently seeks to remedy past and current impacts that coal mining has had on the Hopi people and their lifestyle.***

Prior to approval of the Hopi AML program, OSM's Federal Reclamation Program spent a total of \$1,259,909.00 to complete three reclamation projects on the Hopi Reservation. About \$864,374.00 of which was spent for reclamation of priority-1 and -2 reclamation hazards and \$395,535.00 for reclamation of priority-3 hazards.

The Hopi AML Program was approved on June 28, 1988. ***Within six years, (June 9, 1994), the Hopi had received concurrence from the Secretary of the Interior with the Hopi Tribe's certification that it had reclaimed all coal related abandoned mine land problems under its jurisdiction.*** In accomplishing this goal, the Hopi AML program spent a total of \$1,188,524.00, of which \$773,686.00 was spent on reclamation of priority-1 and -2 hazards including dangerous highwalls, removal of hazardous equipment and facilities, portals and vertical openings. The remaining \$414,838.00 was spent reclaiming priority-3 hazards associated with gob piles, haul roads, highwalls, and spoil areas. ***Having certified completion of all know coal reclamation, the Hopi AML Program was able to direct AML funds toward Public Facilities projects.*** However, the Hopi Tribe no longer qualifies for minimum program funding, because it has no high priority coal hazards remaining in its inventory.

Coal production on the Hopi Reservation is relatively small compared to the Navajo Nation. Although the surface of the former Joint Use Area was divided into what is now called the Hopi Partitioned Lands and the Navajo Partition Lands, both the Hopi Tribe and the Navajo Nation share equally in the ownership of all minerals underlying the 1.8 million acre "Joint Use Area." All coal production on Hopi Lands, presently comes from mining on the Joint Use Areas. The Hopi AML Program is currently funded by the Hopi share of proceeds generated from active mining operations on the "joint use area."

As of September 30, 1999, the Hopi Tribe had collected \$20,882,023.00 in AML fees since its

conception. The State (Tribal) Share of the total collections is \$10,441,011.00 (50%) . As of the same date, \$6,389,294.00 had been distributed to the Hopi AML Program, leaving a balance of \$4,051,717.00 in the Tribal Share. In FY-2000, \$413,867.00 was distributed to the Hopi Tribe.

Program Maintenance :

The Hopi AML program submitted to OSM two substantive amendments to their AML plan in order to gain authority to use their AML funds for public facilities projects. There are no oversight issues with regard to program maintenance nor do any program maintenance deficiencies currently exist with regard to the Hopi AML Plan. Timeliness of program (AML Plan) maintenance has never been an issue with regard to the Hopi AML Program.

Public Outreach :

In conducting its daily business, the Hopi AML staff, are knowledgeable and sensitive to the uniqueness of the Hopi culture, language, the internal competition between factions of traditional versus contemporary progressive core values / views for what is best for long term survival of the Hopi people and culture, the widely scattered locations of the Hopi populous, Hopi Religion, and the unique system of governance. Typically, the Hopi AML program works at arms length and with respect for the Hopi system of government yet retains a Tribal presence in order to ensure that projects and construction work fulfill Federal Guidelines and Regulations.

Public Facilities Projects being completed on the Hopi Reservation include both Tribal wide projects (such as the Hopi Tribe's Coal Distribution Program and the Heavy Equipment Rental Program) and Village specific projects. Village Projects are much more difficult for the AML Program to coordinate and therefore require more time and effort. Because each Village is self governing, the Hopi AML Program divides available funds, after Tribal wide projects are funded, among the Hopi Villages that choose to participate in the AML Program (I.e., some Villages choose not to accept or be subject to federal funds). Participating Villages are allowed to prioritize and select their own Village Public Facilities projects. ***In many instances, the projects are partially funded by the Village or other available sources and AML funds comprise only a percentage of the total cost of the project. In some situations, AML contributes less than 50% of the total cost. For this reason, it is sometimes difficult for the AML Program to fully control or serve as the first line administrator for the projects in terms of scheduling and decision making.***

OSM relies exclusively on the Hopi AML Program to prioritize, select, plan, develop, and construct PFP's on the Hopi Reservation. The Hopi AML program keeps OSM informed of the status of projects and provides tours as necessary. OSM provides support to the Program in terms of grants funding, technical assistance and guidance. Hopi AML projects are not forced upon Villages nor are any Villages excluded from participation as long as funds are available. Early in the PFP prioritization for the Tribe (1997 and 1998), the Hopi AML Program visited each Village to make them aware of the Hopi AML Program's purpose, resources and limitations. In addition, the Hopi AML Program provides any assistance that a Village may require to plan and develop a Village project be it administrative, financial, or technical support.

Within the constraints of the approved AML Program, AML priorities for the Tribe as a whole and for individual Villages as well are determined by the Hopi government and not by the Hopi AML Program. Only those projects that qualify for funding under the AML Program as PFP are considered for funding by the Hopi AML program. The Hopi AML program has experienced success in presenting the framework within which the Tribe and Villages must operate in order to expend AML funds for PFP's, while simultaneously allowing the Hopi government to make critical decisions regarding details such as the dissemination of available funds within the Tribe, identification of possible PFP's to consider, and the prioritization of those projects.

Once projects are selected, Hopi AML works with the Tribe and individual Villages to scope out the details of the selected projects, and to provide assistance in developing the contract specifications. Theoretically, if the AML Program were a minor contributor to a large Tribal-wide project, the project may be administered by the Hopi Tribe with only limited involvement by the AML program to monitor the work and expenditures.

Hopi AML secures the necessary environmental assessments and clearances necessary to obtain funding and Authorization to Proceed from OSM for all projects. Construction work was performed either through contract with the successful competitive bidder or performed by workers hired locally and supervised by an assigned project manager. OSM has not raised any concerns with the cost effectiveness of the Program or its PFP projects to date. The Hopi program monitored all project construction through all phases and was available to the Village project manager as well as being a liaison to OSM. The Hopi AML scheduled and sponsored oversight tours of construction projects as necessary and provided information to OSM in a timely manner and as requested.

Economy / Employment :

Hopi Villages have opted to design, and administer construction activities using local labor in order to promote the local economy and employment. This approach has had the indirect benefit of providing a training ground for local Hopis in both vocational and administrative areas. As a result, several Hopi Villages have learned to develop proposals for other programs as well as developing an internal workforce. The Hopi AML program in cooperation with the Hopi Tribe and Villages, strives to use PFP's as training opportunities for the local workforce in order to develop marketable skills and foster pride among the Hopi people. Because projects are typically completed within budget and within projected deadlines OSM has not required any changes to how projects are managed. ***OSM's preference is for the AML Program, as the grant recipient and accountable party for AML fund expenditures, to maintain as much control over PFP development and construction as possible.***

Schedules for PFP's or community impact projects are coordinated and negotiated between the Hopi Tribe or Village and the Hopi AML Program. ***The ability to use AML funds for PFPs has enabled the Hopi AML program to directly address the mine related impacts to the public that were envisioned by SMCRA. Community Impact Projects (CIP's) are considered as well as PFP. There is a great need for basic services and infrastructure on the Hopi Reservation.***

Prioritization of Public Facilities Projects:

Federal Regulation 30 CFR 875.15 (d) requires that where the head of the governing body of an Indian Tribe or Nation determines that there is a “need” for the construction of a public facility related to the coal or minerals industry, the Director of OSM must concur in that determination.

Accordingly, OSM’s has examined the Hopi Tribe’s proposals for PFP’s and in every case has seen fit to concur with all of the Hopi Tribe Chairman’s statements of need for such projects. Although all the proposed projects must meet the requirements of the AML Program and regulations for allowable costs, within these restraints, OSM intends to continue to respect the Hopi Chairman’s determination of priorities and needs, as well as the decisions of the individual Village governments. OSM has found that the Hopi AML Program has adequately sought out public involvement on the Hopi Reservation in determining project priorities and selecting projects.

Although in the past OSM has concurred with the Hopi AML Program’s method for allocating funds among individual Villages who choose to participate in the AML program, and among Hopi Reservation-wide projects, ***OSM wants the AML Program to maintain control over projects as much as possible so that projects remain viable and on schedule once funded.*** OSM has found the Hopi AML program to be extremely cooperative, professional and responsible. In addition, the program appears to have established trust and a strong rapport among the Hopi Tribe, and Villages and community.

This year, Hopi AML requested that OSM also publish Federal Register notices, in accordance with 30 CFR 875.15 (f), to seek public input for future grant applications (grant applications contain descriptions of proposed PFP) proposed for funding. OSM published a Notice in the Federal Register on May 9, 2000 (65 FR 26851) to announce receipt of a request for \$200,000. to fund upgrading the waste water treatment facility at the Village of Kykotsmovi (Kykotsmovi Waste Water Treatment Project). Publication of the notices is required and could potentially impact upon decisions or priorities for Tribal-wide projects or the general allocation of AML funds. OSM does not anticipate getting a very big response to these notices because it is unlikely that most of the “affected public” on the Hopi Reservation to which these notices pertain, rely on notices in the Federal Register for their information needs. In fact, no comments were received in response to the May 9th notice.

Past & Current Grant Funding for PFP’s :

In 1996, OSM approved a \$241,606.00 grant to the Hopi AML Program for program “administration,” of which approximately \$28,000.00 was not used and was de-obligated. In addition, three grants totaling \$435,000.00 were awarded for project “construction” work, of which, \$304,858.00 has been spent so far. Projects costs include: \$200,000.00 for the Bacavi Plaza Rehabilitation Project, \$200,000.00 for the Upper Moenkopi Youth Center and Community Center, and an additional \$35,000.00 for asbestos removal at the community & youth centers. The total grant award for FY-1996 was \$676,606.00.

In 1997, OSM approved a \$331,812.00 grant for program administration. This amount plus the \$28,000.00 carried over in order to close out the 1996 grant resulted in \$359,812.00 being available. To date, \$187,355.00 of this amount has been spent (costed out) leaving an unobligated balance of

approximately \$172,456.66 available. This administration grant has not been closed out. OSM awarded a \$100,000.00 construction grant for construction work associated with the Hopi High School Water Quality Project all of which was spent.

In 1998, OSM approved a \$524,948.00 grant for program administration and a new office (pre-engineered double wide modular office) and interior furniture, etc., for the new AML office located within the Village of Kykotsmovi. OSM awarded a \$200,000.00 construction grant for the Village of Sipaulovi Cultural and Religious Project. There were no carry over funds for the construction grants, however, there was a small amount (\$28,000) de-obligated in 1998 from the administration grant.

In 1999, OSM approved a \$941,202.00 grant for Program administration and the purchase of three (3) Semi-Tractor Trucks with Side-Dump Trailers. The Office of Mining & Mineral Resources and AML Program have jointly fund the Hopi Public Coal Program. This Tribal-wide program distributes coal for residential heating to central locations within the Reservation. In addition, during this period, the Hopi AML Program conducted oversight and inspections of construction activities at the Villages of Sipaulovi and Kykotsmovi. In addition, the program conducted preplanning / design and environmental clearances on projects for the Villages of Hotevilla, and Shungopavi.

In 2000, OSM approved a \$401,791.00 grant for Program administration and to monitor ongoing PFP's (Villages of Kykotsmovi and Sipaulovi) and for project development and construction (Villages of Hotevilla and Shungopavi). In addition, the grant covered costs associated with inspecting and monitoring of all the coal reclamation projects completed during the earlier years of the Program as well as any maintenance work needed per these inspections. (See related comment under the section titled Noteworthy Accomplishments below)

For a description and photographs of projects related to these construction costs see Part IV - Results of Construction Grants and Part VI - Photographs of Public Facilities Projects.

PART III. NOTEWORTHY ACCOMPLISHMENTS

The Hopi AML Program is considered to be a well managed Program with knowledgeable staff. Environmental assessments and architectural design work on most projects are performed under competitive contract by outside firms. Due to the potential for projects to encounter minor delays at the Village level, OSM will encourage the AML program to continue to maintain a strong presence in the management and monitoring of Village projects.

This year, the Hopi AML Program, as a special initiative, determined that it was going to inspect all of the old coal reclamation projects it completed to determine if any maintenance work is needed. OSM was invited to accompany the Hopi AML inspector on a tour of these old reclamation projects on September 13 - 14, 2000. Only one project, Keams Canyon, was determined to need maintenance work. Due to settling of backfill material, a portal partially reopened. Due to the close proximity to local residents, the AML program determined the hazard to constitute a priority-1 hazard under SMCRA. OSM was notified shortly thereafter that maintenance reclamation work is being planned and scheduled for completion as soon as possible. We also visited the ongoing Sipaulovi Cultural & Religious Project during this inspection tour.

OSM tries to visit / inspect each project and routinely reviews project and grant files during the year. No important issues have been identified with regard to Public Facilities Projects to date. This year there was not a lot of construction activity to speak of. Most projects are in the planning and development stages. There is a lot of work going on within the Villages with regard to securing matching funds, etc. for projects. This year's (EY-2000) grant application for the Hopi AML program proposed Projects for Hotevilla and Shungopavi for funding and monitoring of work at Kykotsmovi and Sipaulovi. The status and description of all projects is discussed in the Section below.

In Fiscal Year 1999 the Program, as part of the Public Facilities Project purchased three diesel trucks with side dumps. For the second year these trucks hauled coal from the Peabody Coal Company mining operations to a local public coal yard where the general Hopi population receive free coal for the winter season. This program has proven to be very successful and will continue for as long as there is a need for the coal resource as a heating fuel.

The Rental Program provides a much-needed service to the general public, Tribal programs and private contractors doing business on the Hopi Reservation as well as generating Program income. Program owned heavy equipment is often the only equipment readily available within a sixty-mile radius, making this program very successful. Heavy equipment is available at reasonable rental fees throughout the year.

PART IV. RESULTS OF CONSTRUCTION GRANTS

Construction Projects:

Public Facilities Projects are intended to directly address community based and Reservation-wide socioeconomic impacts associated with mining of Hopi coal. These impacts are manifested in varying degrees and in a variety of ways in the resident human population (Hopi), the natural environment, and in community facilities, utilities and services. It should be recognized that the Hopi Villages are very old structures built high atop mesas in typically rocky or consolidated rock ledges. Therefore, installation of underground utilities such as sewers, electrical lines and pipe lines is often difficult or impossible and may not be an option. In addition, the Village structures are typically of rock construction with or without masonry and with adobe & plaster. Environmental assessments for all of these construction projects were prepared by contractors under contracts with the Hopi AML Program. The Hopi AML program divided available AML funds equally among the various villages in order to maintain and foster a reputation of fairness in how the program is perceived by the Hopi people.

A. Completed Projects:

Bacavi Plaza Restoration:

Bacavi Plaza Restoration Project-Phase II - restoration and enhance three Clan Houses within the Kiisonvi (plaza) of the Village of Bacavi). The project was completed on January 1998, within budget and on schedule. The total project cost was \$262,722.00. The Hopi AML Program funded \$200,000.00 and the Arizona Heritage Fund funded the remaining \$62,722.00.

Hopi Junior / Senior High School:

Hopi Junior / Senior High School Water Purification Project - Purchase and installation of a commercial

“Reverse Osmosis” water treatment system to remove minerals and salts as well as the associated sulfur-like smell from the water at the school. OSM funded through the Hopi AML Program 30% (\$100,000) of the project cost and the Bureau of Reclamation, Lower Colorado Region funded the other 70% (\$250,000). The project involved construction of a small detached building to house the solid-state treatment system. It also included the construction of a buried pipeline to convey brine water (waste product) to an evaporation pond 1/8 mile away.

Upper Village of Moenkopi Youth Center and Community Center:

The purpose of this public facilities project is to renovate the existing village community center and conversion of a church donated to the Hopi Tribe by the Church of Christ and Latter Day Saints into a youth center. The renovations consist of both complete interior remodeling including plumbing, electrical, heating, ventilation, cooking facilities and exterior remodeling including completely replacing roof trusses & decking, installing new roofing, doors and entry ways and handicap accessibility throughout. On June 25, 1997, OSM awarded \$200,000.00 to the Hopi AML Program to cover 67 percent of the costs associated with this project. The remaining 33 percent was to be covered by the Hopi Tribe’s Village Grant Program. In March 1998, OSM funded an additional \$35,000.00 to the project to cover additional costs associated with special handling requirements / procedures for removal and disposal of asbestos and for testing for asbestos and lead-containing paint. OSM funded a total of \$235,000.00 to the Hopi AML program through construction grants for this project.

The community center is utilized for various functions such as receptions, dinners, ceremonial dances, recreational dances, conferences, family reunions, graduation ceremonies, local elections and public meetings. The youth center houses some office space for administration activities and there is now a large multi-purpose recreational area / court including accessories & equipment for indoor basket ball, and bathroom facilities. The remodeling expanded existing office and classrooms into larger spaces and a new larger library / study room; upgraded bathrooms and provided modern accommodations for handicap accesses as well as upgrading of plumbing and electrical units.

B. Ongoing Projects:

The Hopi AML Program either completed or initiated the following public facilities projects during this evaluation period:

Village of Sipaulovi - Cultural Religious Project:

As mentioned above, the Village of Sipaulovi’s, Cultural and Religious Project was inspected this year. It was very hot, but construction work was ongoing. The project was in its final phase and near completion at the time of the inspection. The last of three roofs was being constructed on one of the Kivas. The scope of the project is to improve a number of village structures including the ceremonial Kivas, Kachina trails, Katsinkis area, parking lot, and to construct new retaining walls and storage areas. Basically, the scope of the project is somewhat flexible depending on how far the Village is able to make the money go. The AML Program funded \$200,000. for the project and the Village kicked in an additional \$54,185.00. The work completed thus far looked excellent. Care was taken to match the historic setting of the Village with colored stucco and native rock veneer, while structurally being built using modern construction techniques.

The goal of the project is to improve and enhance these community structures, eliminate the risks to human health and safety, and preserve these important cultural properties for future generations. The project design uses a combination of conventional and Hopi traditional construction techniques. In addition, it will provide employment and training work experience. Although various delays occurred over the course of the project, the project is being completed and the project goals are being realized.

Village of Shungopovi - Community Center Project:

The project scope includes the renovation of an existing Community Center for meetings and group activities as well as for Village administrations offices. It also will include removal of some asbestos materials from the roof and ceiling and replacement of some plumbing and electrical wiring. This project will get \$200,000 from the AML program and \$100,000 from the Village. The Village is looking for additional funding before starting the project. Because of problems with elevations in the design work this project has not gotten off the ground yet.

Village of Kykotsmovi - Sewage Lagoon Project:

The Village of Kykotsmovi Village project is planning to construct a sewage lagoon, expand sewer lines, and a sewage treatment facility on about five to ten acres.

Village of Kykotsmovi - Veterans Memorial Center Health and Fitness Center Addition:

The Village of Kykotsmovi is also planning an Expansion Project for the Veterans Memorial Center to include a Conference Room, a Physical Fitness Facility, a Kitchen and possibly a pool. The AML Program will supply \$200,000 and perhaps \$400,000. for this project if matching funds cannot be secured. This year a Federal Register notice was publish regarding the proposed project. In addition, a Public Meeting was held at the complex, in order to obtain public input regarding the priority and scope of the proposed project.

Village of Mishongnovi Wastewater Disposal Project :

This Project may not get off the ground, despite the best efforts of the Hopi AML Program. It is OSM's understanding that because of internal politics of the Village, the Village may have changed its mind about the Project. In any case, the Project never came back from the Village. The AML Program invested in architectural design engineering, planning time and an Environmental Assessment. Unfortunately, this may have to be a loss to the AML Program. This is an isolated instance for the Program. However, for this reason, OSM believes it is important for the Hopi AML Program to maintain as much control over projects as possible once the Village selects a project for funding.

The original project entailed the construction of five housing units for Clivus Multrum composting toilet facilities. These facilities were to replace existing privies and will be located on the northern edge of the Second Mesa on approximately 0.07 acres. The project was to consist of construction of a rock and cinder block retaining wall to provide support for a flat and stable bench consisting of fill dirt. Five cinder block facilities housing the Clivus Multrum composting units will be constructed. The existing road and retaining walls were to be improved in order to provide access for periodic removal of accumulated compost / waste material. Wiring and electricity were to be provided for each of the five units (facilities). All structures were to be veneered with natural stone from the surrounding area in order to conform with existing historic architectural features.

Village of Polaca - Day School / Multi-Purpose Building:

This project also became political. OSM understands that one of three of the first mesa Villages withdrew its funds because the BIA did not approve Federal matching funds for the project. Proposed funding was supposed to be 60% BIA and 40% AML for a total amount of \$1.3 million.

Village of Hotevilla - Community Center & Administration Office:

This project is in the planning stages. There are problems with getting land deeds and/or clearance. The land is being donated for the project. The Hopi AML Program may put the project aside until the land clear title situation can be straightened out.

Tribal Wide Project - Wildland Fire and Emergency Medical Station:

This project also did not materialize. It remains a Tribal priority, however, the site location may be changed to a new location. An Environmental Assessment was prepared for the project site and some geotechnical soils testing was done. The site location was abandoned when a private landowner offered a more suitable site that will not interfere with residential traffic. The project will be designed for the new location.

Several Villages have not applied for Public Facilities Project funds to date. These Villages are the Village of Tewa, the Village of Lower Moenkopi, the First Mesa Consolidated Villages (2), the Village of Old Oraibi, the Village of Mishongnovi, and the Spider Mound Community.

PART V. ACCOMPLISHMENTS AND INVENTORY REPORTS

Three topics were selected for evaluation during EY-2000.

Principle 1. The Hopi AML program should be responsive to public concerns regarding project priorities and project selection.

The primary emphasis of the AML Program has changed from abatement of AML hazards to public facility construction projects. Interacting with the public promotes public awareness of what the AML program is all about and what the program is striving to do. It also gives the public the opportunity to have input on Hopi AML's project planning, project selection, and priorities. Through quarterly meetings and telephone calls, the Hopi AML Program has kept OSM aware of ongoing public awareness activities. The Program's performance is considered to be highly successful for this principle element. OSM attended a public meeting for the Kykotsmovi Health and Fitness Center Project. The AML Program also is commended for putting together a successful forum on Tribal Trust and Tribal Sovereignty this year. Which was very informative and provided input and perspectives from both Tribal and Federal agencies. Public input is routinely gathered for all projects through meetings and various other forms of public outreach. Meetings are also routinely held with Village representatives. *Overall the review concluded that the Hopi AML Program is appropriately involving the public in the prioritization and design of projects and considering public input whenever possible.*

Principle 2. Programs should have systems in place to ensure accountability and responsibility for spending AML funds and a process to assure that such systems are working.

Hopi AML must be in compliance with OSM's Federal Assistance Manual. This topic was selected for review during this evaluation period and included financial progress & close out reports submitted to

OSM during the current evaluation period. The review was intended to show if Hopi AML is in compliance with the OSM Federal Assistance Manual. This performance and enhancement review was conducted continually throughout the Evaluation Year 2000 - October 1, 1999 to September 30, 2000.

The documents reviewed were financial progress and closeout reports for four grants: GR697800, GR707800, GR807800 and GR907800.

The OSM Federal Assistance Manual (FAM) at chapter 5-60A requires financial progress reports, form OSM-49, be submitted 90 days after the end of the reporting period. The OSM review concluded that the OSM-49 forms submitted by the Hopi Tribe for the three grants reviewed were all submitted within the 90 day reporting period, and the Hopi Tribe is in full compliance with the FAM. Additionally, the FAM requires that the reports be reviewed for mathematical accuracy. OSM routinely checks the OSM-49 forms for accuracy upon receipt in the Field Office, and prior to submitting the form to the OSM, Denver Division of Financial Management. OSM reviews indicated that no mathematical errors were found for the three grants reviewed. These documents are maintained in the Official Grant Files located in the Albuquerque Field Office. ***Overall, the review confirmed that the Hopi AML Program is in full compliance with the Federal Assistance Manual Chapter 5-60-A.***

Principle 3. Information on AML Program operations and accomplishments should be gathered and maintained in an effective manner.

This review is intended to show how well the Hopi AML program meets the AML reclamation goals as stated in the annual construction grant application. It is also expected to show how well Hopi AML uses the elements tracked by Abandoned Mine Land Information System (AMLIS) to formulate the goals for each project for which funding is requested. Finally it was intended to determine how well Hopi AML complies with OSM Directive AML-1 to maintain the AMLIS.

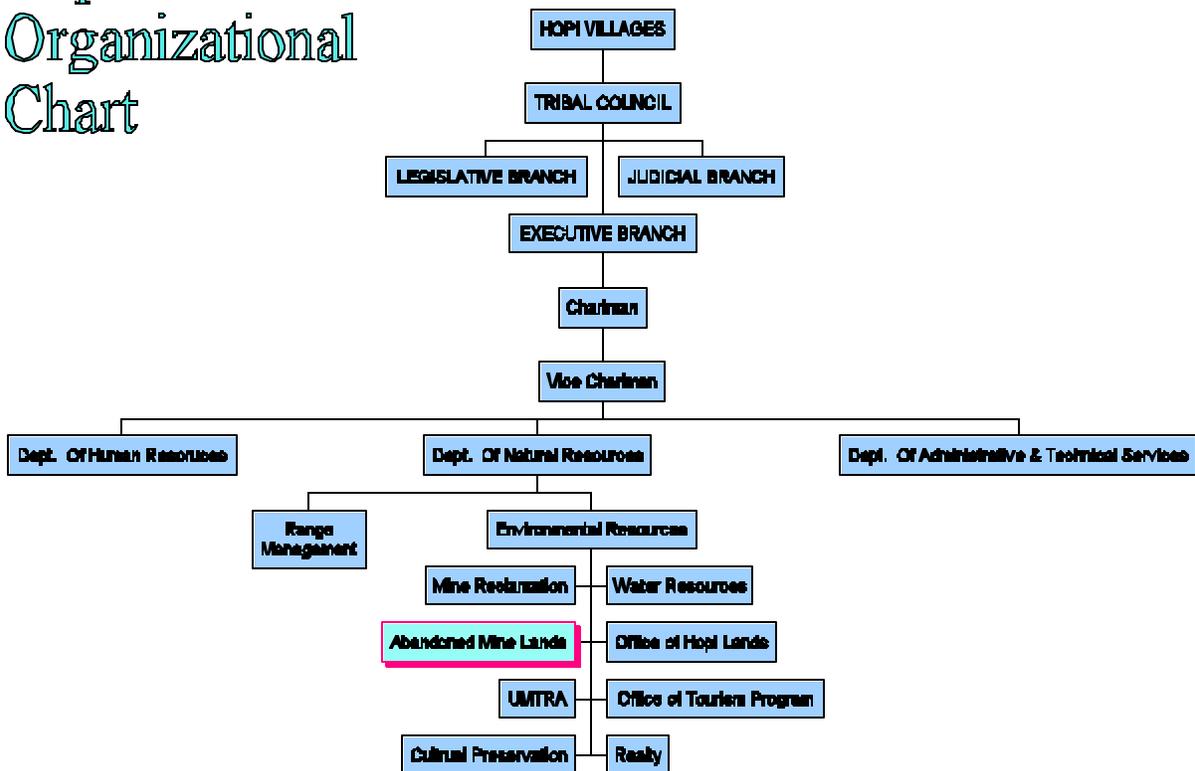
The Hopi AML program was not able to update AMLIS last year because AMLIS was not properly configured to accept public facilities data, only mine reclamation data. This year OSM modified the AMLIS to accept information regarding public facilities or public utilities projects. The Hopi AML program has not had access to AMLIS almost during this entire review period. At the start of the evaluation period, OSM asked the Hopi AML program to have all AMLIS data for its public facilities projects entered by the end of the evaluation year (September 30, 2000).

The Hopi AML program notified OSM that it's access to the AMLIS database was not dependable. Late in the evaluation period, OSM was able to re-install the AMLIS program on another computer in the Hopi Office. As a result of both the upgraded program and new installation, the Hopi AML program was finally able to access the AMLIS database and update the database. All Public Facilities can now be entered into the revised AMLIS once they are completed (under 411(f)). ***By updating AMLIS before September 30, 2000, the AML Program met OSM's expectations and performed successfully on this principle. All completed projects are entered into AMLIS and the database is up to date.*** Unfortunately, the system does not support funded projects only completed projects. Therefore, it is not useful to the AML program for planning purposes.

Executive Summary:

In conclusion, OSM is pleased with the performance of all aspects of the Hopi AML program, both with regard to operational efficiency and with regard to meeting the goals of SMCRA. No recommendations are prescribed by OSM to revise the Hopi AML program operations. OSM commends the Hopi AML program and staff for its efforts during the year to make the program successful and meet the intent and objectives of SMCRA.

Hopi Tribe Organizational Chart





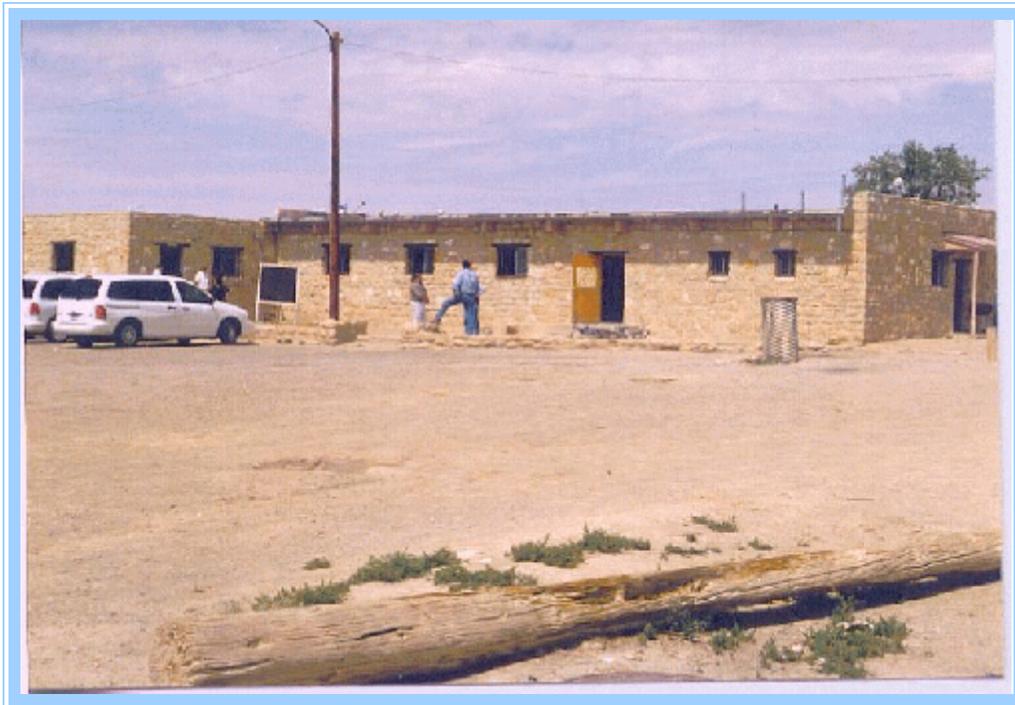
Site Location for Kykotsmovi Village - Sewage Lagoon Project

Two New Trucks for the Hopi Coal and Rental Program





New Side-Dump Trailer for Coal and Rental Program



**Shungopovi Community Center Project.
South Face of Existing Building.
Center is Scheduled for Interior Remodeling and Roof Construction.**

North Side of Existing Community Center



View of Interior of Building