



**OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT**

**Annual Evaluation Summary Report
For the
Crow Tribe
Abandoned Mine Land Reclamation Program
Evaluation Year 2010**

September 10, 2010



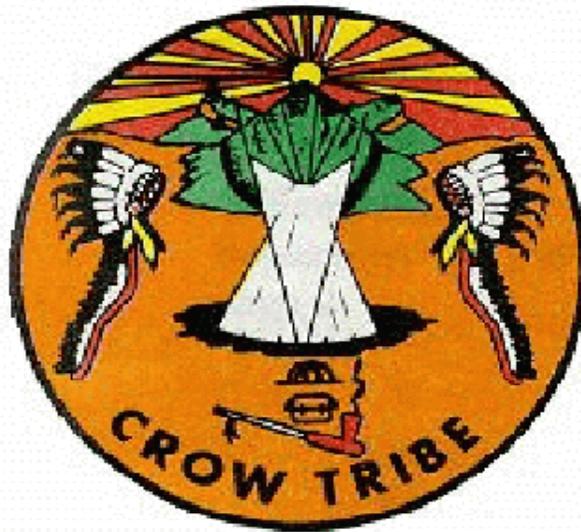


TABLE OF CONTENTS

2010 ANNUAL EVALUATION REPORT		1
I. General		1
A. Introduction.....		1
B. General Information on the Crow Program		2
II. Noteworthy Accomplishments.....		3
A. Accomplishments and Inventory Reports.....		3
B. Progress in Reclamation of Outstanding Coal Problems.....		3
III. Results of Performance Reviews		5
A. Performance Topics		5
B. AML Grant Fiscal and Administrative Controls		5
C. Evaluation of Abandoned Mine Land Inventory System (AMLIS)		6
D. Evaluation of Overall Reclamation Success		7
E. Evaluation of Cultural Resources		12
F. Public and Interagency Participation		12
IV. Conclusions.....		13
APPENDIX A: Crow Tribe Comments and CFO’s Responses to the Draft Annual Evaluation Summary Report		A-1

Cover Photo- Crow construction crew stock piling cover soil at the Squirrel Creek Coal Mine.

**CROW TRIBE
ABANDONED MINE LANDS RECLAMATION PROGRAM
2010 ANNUAL EVALUATION REPORT**

I. General

A. Introduction

The Surface Mining Control and Reclamation Act (SMCRA) created the Office of Surface Mining Reclamation and Enforcement (OSM) within the Department of the Interior. The purpose of OSM was to oversee the regulation of coal exploration, surface coal mining and reclamation operations, and the reclamation of lands adversely affected by past mining practices. SMCRA also provided that, if certain conditions are met, a State may assume primary authority for the reclamation of abandoned mine lands (AML) within its borders.

Because legislation for Tribes did not exist under SMCRA, a supplemental appropriations bill (Public Law 100-71) was enacted on July 11, 1987 to authorize the right for the Crow, Hopi, and Navajo Tribes to obtain the Secretary of the Interior's approval of Abandoned Mine Land Reclamation (AMLR) programs without first having regulatory programs as required by Section 405 of SMCRA. The Crow Tribe developed an AMLR Program which was approved by OSM on January 4, 1989, and established the Crow Office of Reclamation (COR) to administer its abandoned mine land program (AMLP). On May 29, 2007, in accordance with Section 411 of SMCRA, the Crow Tribe certified to the Secretary of Interior that all priorities stated in Section 403(a) for eligible lands and waters pursuant to Section 404 had been achieved. On April 1, 2008, the Secretary of Interior concurred with the certification and published that certification in *Federal Register* notice 73 FR 17247-17249.

Once a Tribe has an approved AMLR program, OSM has the responsibility to make investigations, evaluations, and inspections necessary to determine if the Tribal program is being administered in accordance with approved program provisions. This evaluation of the Crow Tribe AMLR program was conducted by the OSM Casper Field Office (CFO) for the 2010 evaluation period beginning July 1, 2009 and concluding June 30, 2010. Evaluation methods were based upon OSM Directive AML-22 and a Performance Agreement (PA) between the Crow Tribe and OSM. This agreement incorporated a shared commitment by the Tribe and OSM in determining how annual evaluations would be conducted. The process was designed to evaluate whether the Tribe, through its AMLP, was achieving the overall objective of Section 102 of the SMCRA. Section 102 states that AMLP are to:

"... promote the reclamation of mined areas left without adequate reclamation prior to the enactment of this Act and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public ..."

As a result of the PA and in concert with the Tribe, specific topics were identified for review, and review methodologies were developed for the evaluation period. The review methodologies are described in detailed oversight work plans, developed for the review of each specific topic. The reviews were designed to result in an overall measure of the Tribe's success in achieving planned reclamation goals. The specified topics selected for review were those identified by OSM and the Tribe from past experience which have the most potential for preventing the Tribe from achieving their planned reclamation goals. By focusing on end results, OSM was able to determine the root causes of problems (if any) and concentrate its resources on prevention by providing assistance to the Tribe for any needed program improvement.

B. General Information on the Crow Program

The Crow Reservation, an area of approximately 2,226,000 acres, is located in south-central Montana adjacent to the Wyoming border. Adjoining the reservation to the north is the 1,100,000 acre Crow Ceded Area, where the Crow Tribe of Indians holds extensive mineral rights. Prior to 1904, the Ceded Area was a part of the reservation. Congress required the Tribe to return the surface rights of the area to the United States through legislation enacted in 1904. Parts of the surface were then acquired by non-Indians. The Tribe retained ownership to the minerals, and has AMLR jurisdiction for the Ceded Area.

Numerous small abandoned mines are located on the reservation and the Ceded Area. Historically, coal was mined for local domestic use by residents of the area. Prior to the effective date of SMCRA, coal mining on the Crow Reservation resulted in physical hazards related to abandoned equipment and facilities, subsidence, vertical openings, portals, highwalls and impoundments. Un-reclaimed environmental problems consisted of spoil piles, pits, gob piles, haul roads, and minor highwalls.

All accessible high priority sites on the Crow Reservation and the Ceded Area have been reclaimed, and during the past few years the Tribe has concentrated its efforts on remaining low priority coal sites. Effective April 1, 2008, the Director of OSM, on behalf of the Secretary, concurred with the Crow Tribe's certification that all coal-related AML problems have been abated or reclaimed. The Crow Tribe intends to implement a non-coal reclamation program under its current AMLR plan and may be required to revise its AMLR plan in the future to implement a non-coal program under section 411 of SMCRA. However, any coal-related problem(s) that may be found to occur must be given priority for reclamation over non-coal projects.

The COR-AMLP staff is made up of 3.0 full-time construction related employees and 1.55 administrative personnel. This staff is responsible for the direction of all construction activities as well as all administrative functions of the program. To assure an acceptable level of control, OSM, in their approval of the Crow Tribe AMLR program, required that administrative functions such as grant application preparation, progress report preparation, payroll, procurement, property management, and all financial activities be separate from the Tribal systems.

One environmental and engineering firm, Maxim Technologies, Inc., has been contracted to conduct inventories, produce environmental documents and conduct design engineering for projects on an as needed basis. All construction to date has been

accomplished by manual labor using hand tools. During past evaluation years, the COR-AMLPL has been a major employer on the reservation, hiring as many as 60 laborers and foremen. Due to decreased numbers of abandoned coal mine sites and inaccessibility to others, the number of construction sites has been limited, resulting in a reduction of employment to approximately 36 laborers and foremen during this evaluation year. The construction season generally begins in April and continues through November.

The following is a list of acronyms used in this report:

AML	Abandoned Mine Land
AMLIS	Abandoned Mine Land Inventory System
AMLPL	Abandoned Mine Land Program
AMLR	Abandoned Mine Land Reclamation
ATP	Authorization to Proceed
COR	Crow Office of Reclamation
CFO	Casper Field Office
EY	Evaluation Year
FY	Fiscal Year
OIG	Office of the Inspector General
OSM	Office of Surface Mining
PA	Performance Agreement
PAD	Problem Area Description
SMCRA	Surface Mining Control and Reclamation Act
WR	Western Region

II. Noteworthy Accomplishments

A. Accomplishments and Inventory Reports

Since implementation of their approved AMLR program, the COR-AMLPL has eliminated safety hazards and threats to the environment posed by un-reclaimed mines. Reclamation has involved both coal and non-coal mines as provided in SMCRA. The accomplishments of the Crow AMLPL since its inception are listed in Table 1. The reclamation accomplishments reflected in this Table have enhanced surrounding areas and returned the land to a condition that is of greater use to the Crow Tribe and others.

B. Progress in Reclamation of Outstanding Coal Problems

The COR-AMLPL continues to pursue coal reclamation projects in order to maintain their certification. Authorizations to Proceed (ATP) were issued for the following projects in evaluation year (EY) 2009:

Takes A Horse Mines Nos. 2-6	ATP issued 7/25/2008;
Squirrel Creek Mine	ATP issued 8/14/2008;
Woodson Mines Nos. 1-4	ATP issued 8/14/2008.

No ATPs were issued in EY 2010. The AMLR program has dedicated its work efforts on several community improvement projects, construction of a new joint AMLPL/Coal

Regulatory Program office and completing reclamation on several sites authorized in EY 2009.

TABLE 1 - ABANDONED MINE LAND RECLAMATION ACCOMPLISHMENTS SINCE PROGRAM APPROVAL							
Problem nature	Unit	Coal-related problems				Noncoal-related problems	
		Abatement status			Total	Abatement status	
		Unfunded	Funded	Completed		Funded	Completed
Priority 1 & 2 (Protection of public health, safety, and general welfare)							
Clogged streams	Miles	-	-	-	-	-	-
Clogged stream lands	Acres	-	-	1.0	1.0	-	-
Dangerous highwalls	Lin. Feet	-	-	1,765	1,765	-	352
Dangerous impoundments	Count	-	-	1	1.0	-	-
Dangerous piles & embankments	Acres	-	-	21.6	21.6	-	3.3
Dangerous slides	Acres	-	-	22.0	22.0	-	1
Gases: hazardous/explosive	Count	-	-	-	-	-	-
Underground mine fires	Acres	-	-	-	-	-	-
Hazardous equip. & facilities	Count	-	-	32	32.0	-	-
Hazardous water bodies	Count	-	-	1	1.0	-	-
Industrial/residential waste	Acres	-	-	-	-	-	-
Portals	Count	-	-	13	13	-	-
Polluted water: agric. & indust.	Count	-	-	2	2	-	-
Polluted water: human consumption	Count	-	-	-	-	-	-
Subsidence	Acres	-	-	16.0	16.0	-	-
Surface burning	Acres	-	-	-	-	-	-
Vertical opening	Count	-	-	4	4	-	-
Priority 3 (Environmental restoration)							
Spoil areas	Acres	-	-	4.0	4.0	-	3
Benches	Acres	-	-	2.0	2.0	-	-
Pits	Acres	-	-	6.0	6.0	-	4
Gob piles	Acres	-	-	7.0	7.0	-	-
Slurry ponds	Acres	-	-	0.1	0.1	-	-
Haul roads	Acres	-	-	4.0	4.0	-	-
Mine openings	Count	-	-	1	1.0	-	-
Slumps	Acres	-	-	3.6	3.6	-	-
Highwalls	Lin. Feet	-	-	100	100.0	-	300
Equipment/facilities	Count	-	-	31	31.0	-	-
Note: All data in this table are taken from AMLIS, July 29, 2010.							

III. Result of Performance Reviews

A. Performance Topics

The Crow AMLP PA was signed on December 16, 2009 and applies to both EY 2010 and 2011. The PA describes the topics selected for review to evaluate the performance of the AMLP. On-the-ground, performance-based results were the principal focus of program evaluation and documentation. As identified in the PA, the following topics were selected for evaluation: 1) AML Grant Fiscal and Administrative Controls, 2) Evaluation of Abandoned Mine Land Inventory Systems (AMLIS), 3) Overall Reclamation Success, 4) Compliance with Section 106 of the National Historic Preservation Act, and 5) Public and Interagency Participation.

Results of the 2010 evaluations are summarized below. The evaluations included field visits to AML projects, interviews with COR-AMLP staff, and reviews of AMLP's project specifications, grant applications and reports, and internal Tribe and AMLIS inventories. The evaluation results are described in detail in evaluation reports on file at OSM-CFO. Each topic was reviewed according to the methodology described in detailed oversight work plans.

B. AML Grant Fiscal and Administrative Controls

The Crow Tribe AML Grants administration was monitored throughout evaluation year 2010. An OSM Western Region (WR) Grants Specialist conducted a site visit to the Crow Tribe program and accounting offices to discuss their AMLP implementation for the current evaluation year. Discussions on the status of OSM grant agreement accounting, and letter-of credit draws were held with the Crow Tribe Certified Public Accountant (CPA) and her assistant; no deficiencies were noted. Grant-purchased property inventories (for property valued above \$5,000) for the Crow-AMLP were reviewed and verified with program staff; no deficiencies were noted. Interviews conducted with the Crow Tribe CPA confirmed that recent audits had no questioned or disallowed costs associated with OSM to Crow Tribe AML grants. The WR Grants Specialist will continue to monitor Crow Tribe AML grants administration in EY2011.

The Fiscal Year (FY) 2010 consolidated grant to the Tribe was \$1,926,909 consisting of \$1,318,208 in Prior Balance Replacement funds, \$497,886 in Certified in Lieu funds and 110,815 in de-obligated Tribal share moneys from past years. \$1,816,094 of these moneys was granted from the United States Treasury to the Crow Tribe to fund reclamation projects and mineral related impacts of their choosing. The FY2010 consolidated grant of \$1,926,909 was budgeted as 1) \$344,678 (17.9%) in administrative costs, 2) \$932,231 (48.4%) for reclamation construction costs, and 3) \$650,000 (33.7%) for non-reclamation projects consisting of \$150,000 in community district improvements and \$450,000 in educational grants and scholarships.

As a certified Tribe, the Crow Tribe is eligible to use any amounts from Prior Balance Replacement funds for the purposes established by the Tribal Legislature, with priority given for addressing the impacts of mineral development. Community Improvement grants were given by Tribal Legislature in equal amounts to each of six Tribal

districts/communities where each community decided how to best use the moneys for public improvements. In 2010, distributions of \$25,000 were made to each of the six Tribal communities, designated for the renovation of Community Halls and construction of recreational facilities. These moneys were used to supplement the previous construction of the community halls, such as the installation of kitchens, additional bath facilities, etc., and the construction of concrete pad basketball courts (Figure 1).

Individual Education Grants were provided by Tribal Legislature as scholarships to individuals, small improvement projects to local school districts and as summer employment opportunities for Indian youth. All scholarships, grants and employment opportunities are decided by the Tribal administration.

Employment through the AMLP as either a reclamation project laborer or in a youth employment project is a very important contributor to reservation economy. Most construction projects are conducted with hand labor, hiring work crews as necessary. The Crow AML program has maintained a construction crew of 36 laborers and crew bosses through the 2009 and 2010 work seasons. Youth employment through Individual Education Grants provides work and income to numerous young people during the summer months. Unemployment numbers vary greatly depending upon the source. The most reliable is the Bureau of Indian Affairs which records a 46.5% unemployment rate for calendar year 2005. The Crow Tribe Personnel Director reports a 76% unemployment rate as of May, 2010.



Figure 1. Basketball court constructed by the Crow AMLP with Prior Balance Replacement Funds.

C. Evaluation of Abandoned Mine Land Inventory System (AMLIS)

Our 2010 evaluation of AMLIS determined if the information the Tribe entered into AMLIS agrees with information in its files. This topic was mandated for review due to a September, 2004 report issued by Interior's Office of the Inspector General (OIG). The report criticized the accuracy of AMLIS data, based on the OIG review of AMLIS data

for four eastern States' AML programs. The OIG's review concluded that AMLIS data did not match data in those States' files and recommended establishing "a quality control system that ensures that States, Tribes, and OSM, as applicable, review and certify the accuracy of data entered into AMLIS." In response to the OIG's recommendation, OSM required its field offices to implement two requirements. The first requirement is to "assure that each State and Indian Tribe AMLP has procedures in place to ensure and certify the accuracy of data entered into AMLIS" as part of the EY2004 oversight. OSM Headquarters subsequently advised field offices to drop the certification requirement. As a result, the focus is ensure States and Tribes have requisite systems in place. The CFO and COR-AMLP chose to include this assurance as part of the EY 2006 oversight. EY 2006 oversight determined the Crow Tribe has such a system in place that is adequate to ensure accurate data is entered into AMLIS.

The second requirement implemented by OSM in response to the OIG's recommendation stated, "[o]nce these State and Indian Tribe procedures are in place, OSM will annually review a random sample of [PADs] to see if the information entered into AMLIS agrees with the information in the Problem Area Definition (PAD)." As a result, the focus is to make sure the data States and Tribes enter into AMLIS PADs agrees with the information in their files. The CFO and COR-AMLP chose to include this assurance as part of the EY 2010 oversight. The evaluation goal was to determine if information the Crow Tribe enters into AMLIS, for projects completed during the evaluation year, agrees with information in its files.

The COR-AMLP compiles data from various sources for input into AMLIS. These sources include project information spreadsheets, project diaries and close-out reports. Project completion data is tracked on an EXCEL spreadsheet. Information in the spreadsheet includes project name, contracts, salary and fringe of reclamation crews, year of completion and costs.

Information is entered into AMLIS by the Project Coordinator based on the above-mentioned data sources. Since AMLIS data is not intended to include maintenance project information, maintenance project data is housed in a separate location from other project data. Completion information entered into AMLIS for reclamation projects completed during the evaluation year was reviewed and compared to the information contained within the COR-AMLP files. We conclude that information COR-AMLP entered into AMLIS for completed projects agrees with the information in its files.

During 2010, the AMLIS system was being redesigned and rebuilt resulting in months of down time where entries could not be made, nor data retrieved. This has resulted in difficulties for the COR-AMLP in entering data onto individual PADs as well as difficulties for the OSM reviewer in retrieving and reviewing data entered into AMLIS. As the new E-AMLIS was not in operation when this report was prepared, data as shown in Table 1 was obtained from the Public Access portion of "Legacy AMLIS."

D. Evaluation of Overall Reclamation Success

Our 2010 evaluation of overall reclamation success determined if COR-AMLP's reclamation met project goals. The 2010 review sampled two reclamation projects completed during EY 2009 (Woodson Nos. 1, 2 and 4), and two reclamation project in construction during EY 2010 (Woodson No. 3 and Squirrel Creek). The projects completed in 2009 were evaluated to determine long-term reclamation success. All

reviewed projects addressed exposed coal and eroding coal waste associated with abandoned surface mines and re-vegetation of exposed coal dust areas resulting from erosion of previously reclaimed pits associated with abandoned surface coal mines.

We compared COR-AML^P's reclamation to project specifications, results of interagency consultation, and other information. Our evaluation focused on determining whether reclamation met project goals by implementing the scope of work to abate original hazards, complying with conditions (if any) resulting from interagency consultation, and improving overall site conditions compared to pre-reclamation conditions. Generally, we agreed projects met their goals if abatement and reclamation measures were intact and functional, and if no problems compromising those measures were apparent. We considered site conditions to be improved overall if hazards to public health and safety were abated, if reclamation reduced environmental problems such as erosion and sedimentation, and the site was successfully re-vegetated.

1. Woodson Mines Nos. 1, 2 and 4

The Woodson Mine Group (AMLIS PAD Nos. CR000244SGB, CR000245SGB and CR000247AMA) is comprised of three areas of surface coal exposures historically mined at the surface and left un-reclaimed. The mine sites cover approximately 0.6 acres and are located in the Tanner Creek watershed on private lands in Sections 9 and 10, T8S, R38E, Big Horn County, Montana. Site problems consisted of exposed and un-vegetated gob piles and outcrops, eroding into the drainage and open to possible ignition. The sites were reviewed as examples of current reclamation project execution and success.

At the request of COR-AMRP, the OSM-CFO issued an ATP on August 14, 2008 for the Tribe to proceed with reclamation construction. Reclamation activities consisted of work crews utilizing labor-intensive construction techniques to reclaim exposed coal seams and piles scattered along the 0.6 acre area. Work crews utilizing hand tools completed the following tasks:

- 1) salvage and stockpiling of suitable topsoil;
- 2) liming of exposed coal slack;
- 3) excavation and placement of fill and cover materials on areas of exposed coal;
- 4) re-contour cover and fill to meet slope and drainage requirements;
- 5) replacement of stockpiled topsoil;
- 6) fertilize, seed and mulch of reclaimed areas and all associated disturbances;
- 7) installation of erosion control measures as necessary; and,
- 8) installation of fence to protect reclaimed areas.

All work was completed in the fall of 2008. The sites were reviewed on July 14 of 2010 as part of the 2010 evaluation and were found to be re-vegetated, merging well with adjacent natural vegetation, and with no signs of rilling or other surface erosion (Figures 2 and 3). Execution of reclamation activities was consistent with project design, and was considered successful.



Figure 2. Second year vegetation at the Woodson #1 mine site. View to the east.



Figure 3. Second year vegetation at the Woodson No. 2 mine site, view to the east.

2. Woodson Mine No. 3

The Woodson No. 3 Mine (AMLIS PAD No. CR000246SGB) is a surface coal exposure historically mined at the surface and left un-reclaimed. The mine site covers

approximately 0.1 acres and is located in the Tanner Creek watershed on private lands in Section 10, T8S, R38E, Big Horn County, Montana. Site problems consist of exposed and un-vegetated gob piles and outcrops, eroding into the drainage and open to possible ignition. The site was reviewed as an example of reclamation project execution and success.

At the request of COR-AMRP, the OSM-CFO issued an ATP on August 14, 2008 for the Tribe to proceed with reclamation construction. Reclamation activities consisted of work crews utilizing labor-intensive construction techniques to reclaim exposed coal seams and piles scattered along the 0.1 acre site. Work crews utilizing hand tools completed the following tasks:

- 1) salvage and stockpiling of suitable topsoil;
- 2) liming of exposed coal slack;
- 3) excavation and placement of fill and cover materials on areas of exposed coal;
- 4) re-contour cover and fill to meet slope and drainage requirements;
- 5) replacement of stockpiled topsoil;
- 6) fertilize, seed and mulch of reclaimed areas and all associated disturbances;
- 7) installation of erosion control measures as necessary; and,
- 8) installation of fence to protect reclaimed areas.

At the time of this site review, July 14, 2010, all tasks listed above had been completed. Erosion control dikes constructed of local sandstone slabs placed on edge parallel to the slope contour worked as well as coconut rolls or other erosion control devices and merges into the hillside as a more natural feature (Figure 4). Re-contoured slopes also matched the existing natural environment. Fertilization, seeding and mulching were conducted in the fall on 2009. The site exhibits well established growth (Figure 5). The execution of reclamation activities was performed consistent with project design.

3. Squirrel Creek

The Squirrel Creek Mine (AMLIS PAD No. CR000248SGB) is comprised of a surface coal exposure historically mined at the surface and left un-reclaimed. The mine group covers an area of approximately 0.5 acres and is located in the Davis Creek drainage near the head of a severely eroded side drainage. The mine sites are located on private lands in Sections 23 and 24, T4S, R37E, Big Horn County, Montana. Site problems consisted of exposed and un-vegetated gob piles and outcrops, with three seeps eroding through the coal exposures and into the drainage. The site was reviewed as an example of current reclamation project execution and success.

At the request of COR-AMRP, the OSM-CFO issued an ATP on August 14, 2008 for the Tribe to proceed with reclamation construction. Reclamation activities consisted of work crews utilizing labor-intensive construction techniques to reclaim exposed coal seams and piles scattered along the 0.5 acre area. Work crews utilizing hand tools are to complete the following tasks:



Figure 4. Stone slab erosion control dikes at the Woodson No. 3 Mine site after one year.



Figure 5. First year vegetation at Woodson No. 3 site. View to the east.

- 1) salvage and stockpiling of suitable topsoil;
- 2) liming of exposed coal slack;
- 3) excavation and placement of fill and cover materials on areas of exposed coal;
- 4) re-contour cover and fill to meet slope and drainage requirements;
- 5) replacement of stockpiled topsoil;
- 6) fertilize, seed and mulch of reclaimed areas and all associated disturbances;
- 7) installation of erosion control measures as necessary; and,
- 8) installation of fence to protect reclaimed areas.

All work was in-progress at the time of the inspection on July 14, 2010 (Figure 6). Cover and top soils were being recovered from old pond construction spoil piles, moved to and stored on the site area. Three-strand barbed wire and wood and steel post fences had

been constructed on three sides of the site area. Execution of reclamation activities was consistent with project design and is expected to be completed in the fall of 2010.



Figure 6. Reclamation work currently being performed by Tribal work crews on a coal exposure and seep at the Squirrel Creek coal mine site.

E. Evaluation of Cultural Resources

Our 2010 evaluation of cultural resources was conducted as an ongoing review to ensure legal descriptions of AML project sites are accurately identified in cultural resource inventory reports included with requests for ATP. Accurate legal descriptions in cultural resources inventory reports enable OSM and COR to properly coordinate consultation regarding the protection of historic, cultural, and archaeological sites with the Tribal Historic Preservation Officer. The second concern was that the completion of a cultural resource evaluation process by the COR was no less effective than Section 106 of the National Historic Preservation Act when consulting with the Tribal Historic Preservation Office.

The COR-AMLMP has recognized that cultural resource studies conducted as part of the environmental regulation for each project are a benefit to the Tribe at large. Through collection of data contained in cultural resources inventory reports the COR-AMLMP has recorded a significant amount of the mining history of the Tribe.

No new projects were submitted to the Tribal Historic Preservation Office for review during evaluation year 2010. No review of AMLP compliance with cultural resource issues could be conducted.

F. Public and Interagency Participation

The AMLP goes to great lengths to develop and maintain good working relationships with all Tribal, State and Federal agencies, particularly, the Bureau of Indian Affairs. This effort continues in relationship development with local groups and to the landowners who have AML sites on their land. Habitat enhancement for wildlife is incorporated into

each project where it is feasible, and the retention of surface water for landowners is a high priority.

Generally, individual public meetings are not held for each AML construction project. Instead, project information is introduced during Tribal Legislative sessions. Individual Legislators relay the information to their respective districts in small town hall type meetings. If any concerns or problems are noted at the local level, the Legislator will dispatch that information to the AMLP who will promptly address the issue.

IV. Conclusions

OSM has completed its evaluation of topics specified in the PA between COR-AMRP and OSM. This evaluation specifically examined five topic areas to evaluate COR-AMRP performance:

- 1) AML Grant Fiscal and Administrative Controls,
- 2) Evaluation of AMLIS
- 3) Overall reclamation Success, and
- 4) Evaluation of cultural resources.
- 5) Public and Interagency Participation.

In FY Year 2010, the Crow Tribe received a consolidated AML grant of \$1,926,909. These moneys were distributed by the Tribal Legislature with \$1,276,909 going to the COR-AMLP for program administration and mine reclamation, and \$650,000 for non-reclamation projects in community district improvements and educational grants and scholarships. Sixty-six percent of the total grant went to coal reclamation projects. No problems or issues were found in their accounting systems.

In reviewing COR-AMLP's integration with AMLIS, we concluded that information being entered into the data system was correct; and that the COR-AMLP was current in maintaining data entries as much as the design and implementation of the new E-AMLIS system would allow. The development of E-AMLIS and abandonment of "legacy" AMLIS has required substantial down time of the AMLIS systems. We recommend that COR-AMLP make a priority of completing all data entries at the nearest opportunity.

COR-AMRP has conducted excellent reclamation at the sites reviewed in this evaluation. All projects completed conform to the treatment plans as developed and the quality of construction is clearly evident. We concluded that the projects we visited met their respective goals. COR-AMLP met the goals of abating hazards and improving site conditions at the three project areas. Sites containing exposed coal and eroding coal waste were properly excavated and/or buried, drainage control was established and re-graded areas were re-vegetated. Utilization of straw netting for erosion control and vegetation establishment provided excellent results at several sites.

COR-AMRP has demonstrated their attentiveness to cultural resource issues, the need for attention to detail, and completion of established process.

COR-AMLP has performed its duties well and has adhered to its approved AML Reclamation Program. COR-AMLP is recognized by OSM for the performance and quality of its work.

APPENDIX A: Crow Tribe Comments and CFO's Responses to the Draft Annual Evaluation Summary Report

The COR-AMLPA had no comments or corrections to offer other than "...it looks good to me."