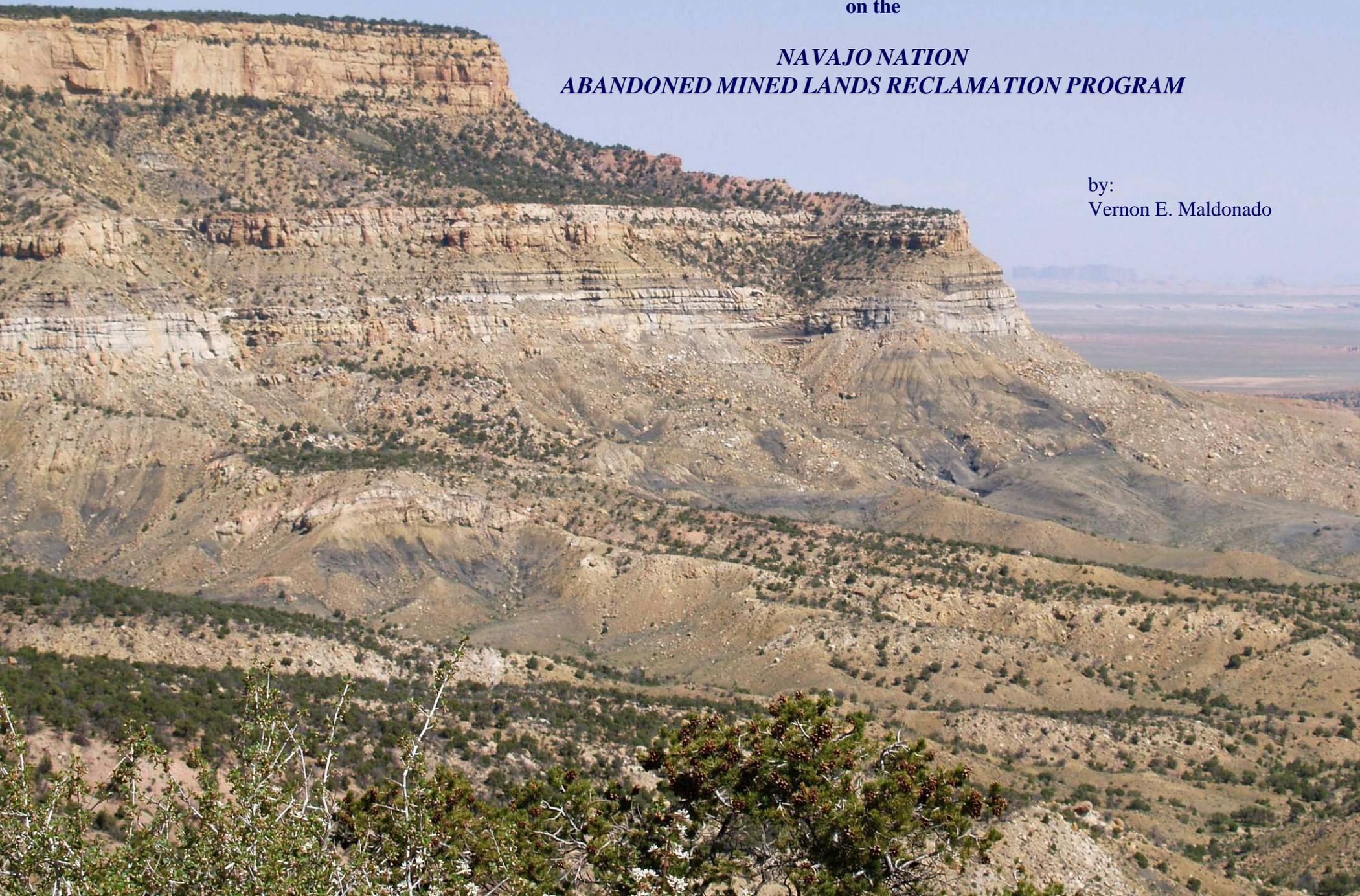


***OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
ANNUAL EVALUATION REPORT***

**Evaluation Year 2007
(July 1, 2006 through June 30, 2007)
on the**

***NAVAJO NATION
ABANDONED MINED LANDS RECLAMATION PROGRAM***

by:
Vernon E. Maldonado



INTRODUCTION

This annual evaluation report 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, (SMCRA)] to annually assess the accomplishments of the Navajo Abandoned Mine Lands Reclamation Program (NAMLRP). The NAMLRP is under the Executive Branch of the Navajo Nation's Division of Natural Resources. This annual report consists of OSM's oversight findings based on field inspections and meetings with the Navajo Abandoned Mine Lands Program during the 12-month evaluation period beginning July 1, 2006 and ending June 30, 2007.

OSM is responsible for approving State and Tribal AML Reclamation Programs to carry out the goals of Title IV of SMCRA. The primary goal of Abandoned Mine Lands (AML) Programs approved under SMCRA, is to mitigate the effects of past coal mining by reclaiming abandoned coal mines and coal processing facilities. Emphasis is placed on first correcting the most serious problems endangering public health, safety, general welfare, and property. SMCRA provides for reclamation of both coal and non-coal mines abandoned prior to May 1977; however, coal mines with physical hazards have funding priority. Once a State or Tribal Program has certified that all of its priority-1 & -2 coal hazards have been reclaimed, SMCRA authorizes the use of State or Tribal AML funds for Public Facility or Infrastructure Projects (PFP's), as a means of compensating affected communities for exposure to past and present mining related impacts.

On behalf of the Secretary of Interior, OSM administers the Abandoned Mine Lands (AML) Reclamation Fund by awarding grants to States and Indian Nations, to cover the costs associated with both Program administration and project construction. The OSM Western Region's (OSM-WR), Albuquerque Area Office (AAO) provides assistance to the NAMLRP by evaluating compliance with the National Environmental Policy Act (NEPA), inspecting final reclamation and inspecting PFP construction. The twelve month accomplishments of the Program are summarized by OSM-AAO in an annual evaluation report (AER). This annual evaluation report is for evaluation year 2007.

PART I. GENERAL INFORMATION

Program History:

On May 16, 1988, OSM approved the Navajo Abandoned Mine Lands Reclamation Program and associated Navajo AML Code / Plan. This approval provided authority for the Navajo Nation to use AML funds to reclaim abandoned mines on the Navajo Nation. NAMLRP did not apply for an Emergency Program, so OSM retained the authority for reclamation of "emergency" AML projects. OSM completed some emergency coal fire projects in the late 1980's and early 1990's.

On May 4, 1994, the Secretary of Interior concurred with the NAMLRP's certification that all known eligible priority-1 and priority-2 abandoned coal mine hazards were reclaimed. Since receiving certification in 1994, the NAMLRP used its AML funds almost exclusively for reclamation of eligible abandoned non-coal (uranium and copper) mines. The Northern Navajo AML Reclamation Project, completed in May 2004, was the final major non-coal reclamation project in the NAMLRP's Abandoned Mine Land Information System (AMLIS) inventory. For the most part, this project completed the Navajo Nations AML inventory of non-coal sites.

In 2004, NAMLRP implemented a Maintenance and Surveillance Program (MSP) to continually monitor and address any maintenance needs that arise on past reclamation work. AML maintenance projects entail the repair of previously reclaimed sites that have subsided, visibly eroded or where erosion appears eminent and where safety concerns reappear. Such "maintenance" projects are usually addressed annually and are combined into one contract. All contracts awarded by NAMLRP within the last 6 years, carry a 2-year warranty on reclamation work. Any maintenance work required on reclamation that is more than two years old, must be completed under new contracts. NAMLRP also secured funding (federal and Tribal) for a couple of small coal outcrop fires in 2004, 2005 and 2006.

In 2001, the NAMLRP amended its Navajo AML Reclamation Plan to use AML funds for the construction of public facilities or infrastructure as a means of mitigating or offsetting current and past mining related impacts to impacted communities.

In 2002, the NAMLRP funded its first Public Facility Projects (PFP). PFP's primarily repair, expand or add new infrastructure (water, sewer, electric power, roads) or public buildings (schools, offices, senior centers, recreation centers, other public buildings). PFPs have since been an important part of the Program's construction budget. In addition, the program has annually funded a large reclamation maintenance contract to address maintenance concerns on past reclamation projects.

In 2006 and 2007, AML construction funds were used not only for the construction of PFP's, and maintenance but also for reclamation of a couple of newly identified coal sites and coal outcrop fires.

The NAMLRP operates under an annual budget of approximately \$2.3 M. This figure represents the 10-year average distribution for the period beginning October 1, 1995 through September 30, 2005 and it translates to approximately 66% of its annual state share collections. State share collections averaged \$3.4 M during this same period. The 2007 distribution to the NAMLRP was \$1,964,171. The 34% of the NAMLRP fee collections that have not been distributed to the Navajo Nation; is called the Navajo Nation Tribal Share Balance. As of September 30, 2006 the undistributed Navajo Nation Tribal Share Balance was \$33,034,192.

SMCRA AML fee collections were due to expire on September 30, 2006. However, H.R. 6111 was approved by Congress on December 9, 2006, and thus Congress signed into law P.L. 109-432 effective December 20, 2006. P.L. 109-432 extends AML fee collection at reduced rates through FY-2021. In addition, it mandates that OSM begin full distribution of AML fees that have accumulated in each State or Tribal Share's undistributed balance. Overall it is a rather complicated amendment to the SMCRA which is difficult for most readers to interpret or understand. As a result, the full effect of the SMCRA amendment has raised several questions that have not yet been resolved. To implement the amendment, OSM will publish an interim final rule by September 30, 2007 and a final rule probably around the same time in 2008. These final rules will amend relevant part of 30 CFR Parts 700 through end.

For the NAMLRP, which is a certified AML Program, the current interpretation is that it means that the Program will receive funding in accordance with each of the following:

- 1) Previously unappropriated fee collections - An amount equal to the existing Navajo Nation unappropriated balance of all allocations made before October 1, 2007 will be paid to NAMLRP in seven (7) equal annual installments (grants) beginning in FY-2008. Funds for these payments will come from the US Treasury not from the AML fund. As of September 30, 2006, NAMLRP has approximately \$33,034,192 in its unallocated Tribal share balance. So beginning in FY-2008 through FY-2014, NAMLRP will receive annual payments of approximately \$4,719,170 to payoff this balance.
- 2) Current fee collections – In 2007 and 2008 NAMLRP will receive each of its current (50%) fee collections from the previous year. These funds will have no new restrictions and can be expended in the same manner as past years funding. However, beginning with FY-2009, NAMLRP will no longer be entitled to receive its current (50%) tribal-share allocations (the past source of Program funding prior to 2008). Instead, they will receive annual payments from the US Treasury that are equivalent to, but in lieu of, the 50% amount of current fee collections from active coal mining during the previous fiscal year. One caveat is that these payments will be reduced down to 25%, 50% and 75% of the full amount for the first three years (2009, 2010 and 2011) respectively. The difference (the annual 3-year reduction amount of 75%, 50% and 25% respectively) will be added together and awarded to the NAMLRP later in the form of two separate and equal annual payments beginning in 2018. [Under the new law, the actual 50% Tribal share collections will henceforth be transferred (allocated) to OSM's Historical Production allocation on an annual basis for distribution by OSM to State AML Programs with Priority-1 coal hazards.]
- 3) Historical Share – Because NAMLRP is a certified AML Program, it is not eligible to receive any historical share funding. Historical share funding is reserved for programs that still have unreclaimed high priority coal hazards. Actual 50% State & Tribal share allocations are reallocated to this Historical Share fund in order to increase the level of funding going toward uncertified AML Programs that have unreclaimed high priority coal reclamation hazards in their inventory. Certified AML Programs receive equivalent US Treasury funds in lieu of their State / Tribal share funds, which are being reallocated to historical share funds, so NAMLRP will not lose any funds as a result of this reallocation.

- 4) Minimum Program Funding – Although SMCRA sets the minimum program funding level at \$2.0M, OSM has only funded to the \$1.5M level. The new SMCRA amendment raised the minimum funding level (threshold) from \$2.0M (actual \$1.5M funding) to \$3M for an uncertified AML Program to receive Minimum Program Funding. Under the new Law, these funds will come out of the Secretary’s 50% federal / discretionary share. Because NAMLRP is a certified AML Program, it is not eligible to receive minimum program funding [See 402(g)(8)(A)]. Since these funds are no longer subject to Congressional appropriation, the actual minimum program funding levels will not be decreased from the \$3M level, for qualifying programs (non-certified programs who’s funding level is less than \$3M).

OSM-Albuquerque Area Office’s current interpretation of P.L.109-432 is that for uncertified programs, Item-1 funds may be restricted to priority-1 or -2 coal hazards only. However, for certified programs like NAMLRP, Item-1 funds can be used without restrictions. Furthermore, for certified programs, OSM has not officially deciphered the SMCRA amendment to determine if Item-1 funds will be distributed through OSM’s grants procedures or if these funds will simply be distributed to the respective State or Tribe as general funds without restrictions on their use.

According to the SMCRA Amendment, Item-2 funds above must be used in accordance with Tribal Council direction, with priority given to addressing the impacts of mineral development. The Program will therefore be able to continue to use both sources of funding for public facility, infrastructure and reclamation projects. This interpretation as well as whether or not the funds will need to be awarded through the OSM grants process, is subject to change in OSM’s interim final rules or permanent rules, once adopted. Interim final rules to implement these statutory revisions must be published in the Federal Register by September 30, 2007 so that FY0-2008 distributions can be made. At approximately the same time, proposed Final Rules should be published in the Federal Register that will allow for a comment period of at least 60 days. These final rules will ultimately amend relevant parts of 30 CFR Parts 700 through end to fully implement the 2006 SMCRA amendment.

For grants awarded during FY-2008, 2009, and 2010, the new law extends from three (3) years to five (5) years, the time after which the Secretary may rescind (reclaim or recover) any unexpended tribal share grant awards (under either Item-1 or Item-2 funding above). In which case NAMLRP could lose those unexpended funds and the recovered funds would be re-allocated to States or Tribes as part of the historical coal production allocation. Thus construction grants must be completely expended within five (5) years of the award or the Secretary could (and likely will) re-allocate the balance to uncertified AML Programs.

For a complete history of the AML fee go to:
<http://cnie.org/NLE/CRSreports/06May/RL32993.pdf>

Projected 10-Year Funding Levels for NAMLRP by Year (in millions)

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
\$6.3	\$5.4	\$6.2	\$6.9	\$7.7	\$7.7	\$7.3	\$2.7	\$2.6	\$2.6

NAMLRP Goals and Objectives:

Aside from the maintenance of past AML reclamation sites, inaccessible mine features and reclamation of newly reported or previously undiscovered abandoned mine sites, most of the coal inventory workload is completed. Future program spending will increasingly consist of funding public facility and infrastructure projects. It is therefore anticipated that the percentage of NAMLRP funds that will be used for AML coal or non-coal reclamation or maintenance, will decrease in the future.

There is an enormous need for the construction of PFPs on the Navajo Nation. Projected Navajo AML funding is not sufficient to address all the Public Facility and Infrastructure needs of the Navajo Nation as a whole nor is it expected to, however, it will certainly continue to help offset some of the health related impacts and loss of life that Navajo families have incurred due to past and present coal, uranium and mineral mining.

Many Navajo Chapters, Navajo Agencies, the States of New Mexico, Arizona, and Utah as well as Federal entities have been helped by the additional funds that Navajo AML has provided in contribution to projects in need of supplemental funding. In many cases these additional funds made projects possible that otherwise would have either been delayed or never realized. The NAMLRP has proven to be a good partner for Tribal, State and Federal agencies to work with and also has a good reputation or rapport with the Navajo community at large.

PFPs have provided safe and dependable drinking water to many families for the first time. Many people believe that the electrical power provided by new power-line extensions have provided the greatest benefit to communities. Obviously, electricity provided innumerable conveniences and opportunities. PFPs have also provided facilities for health and fitness education and exercise facilities and equipment. Some of the new facilities address the needs of children such as child care facilities and National Head Start Programs. Other facilities have addressed the need of the elderly such as senior citizen centers that provide food services, care, training, and recreation. Mental health centers and group homes have provided treatment for persons with addictions and residence for persons with disabilities or illness. In some instances, these afflictions are thought to be attributable to uranium exposure or some other mining related exposure. In fact, many of the health issues faced by Navajo communities are thought to be related to mining related exposures to toxic chemicals and radioactive particulates in drinking water or in the air.

The construction of various public facilities has proven to be an effective means of offsetting current and past mining related impacts to the Navajo people. Whatever the type of PFP constructed, each facility in some way provides a benefit to the community and for any family coping with mining related illness or injury these benefits certainly can serve to ease a difficult life.

In 2006, the Los Angeles Times produced an excellent four part video series titled Blighted Homeland that puts a face and name on the health problems which are the legacy of how mining Uranium on Navajo lands has impacted our Navajo American citizens. This excellent video series can be viewed at the following link: <http://www.latimes.com/news/nationworld/nation/la-na-navajo-series,0,4515615.special>

Many Americans are so removed from the Navajo Reservation that they may not be aware that significant problems related to past coal and uranium mining still exist and affect the daily lives of numerous people. It is difficult to prove that any health problem was directly caused by uranium exposure (radiation), however, it is readily apparent on a statistical level that health issues in mining impacted areas are disproportionate to that of the general public. The health problems correlate directly to the mining areas and to the level and duration of human exposure to radioactive materials. Many young students need to study by candle light and don't have access to modern conveniences such as running water and refrigeration.

SMCRA has always maintained that 50% of the AML money collected from coal mining production within a State or Tribe should rightfully go back to that State or Tribe. When it was recognized by Congress in 1990 that some AML Programs would complete their AMLIS mine hazard inventory and still have State / Tribal share funds available, SMCRA was amended to allow AML funds to be used for Public Facility Projects and Infrastructure Projects (PFPs). The Omnibus Budget Reconciliation Act of 1990 amended SMCRA, by adding Section 411(e) and (f), which establish the funding of PFPs as an objective and priority under SMCRA. These new paragraphs incorporated provisions that allow certified AML Programs to use AML funds for the protection, repair, replacement, construction, or enhancement of public facilities in impacted communities. In effect, PFPs are intended to be a means of indirectly offsetting mining related impacts to communities impacted by past and present coal and mineral mining.

Any AML funded PFP / Infrastructure project whether it be a water development project, an electrical power line, a daycare Head Start center, a chapter house or a senior citizen center, will serve to ease life's daily burden in some way. SMCRA intended PFPs to be an indirect mechanism for offsetting mining related impacts on impacted communities. It is a novel approach to ease life's burden in ways that are feasible as a means to help compensate for the burdens that are otherwise impossible to cure or remedy. The hope is that this will somehow in effect allow the community to better cope with its mining imposed legacy.

Several Chapters of the Navajo Nation have expressed gratitude for the PFP and infrastructure projects that have been completed. The community representatives have made it clear that certain projects have addressed needs that can be felt within the community. The OSM Albuquerque Area Office (OSM-AAO) believes that this is a clear indication that the intent of SMCRA is being realized and is making a difference. Both OSM and NAMLRP recognize that there is no way to adequately compensate any individual or family member for the health effects that they endure due to uranium mining, however perhaps their load can be eased in some other way.

The NAMLRP management and staff have expressed to OSM that they are motivated by the knowledge that these projects have tangible benefit to the communities they serve. Morale is high, especially now that future funding is no longer in jeopardy. During the time leading up to the 2006 reauthorization, the Navajo Nation leadership and the Program Director worked diligently and made several trips to Washington, DC to inform Congress of their belief that the continued funding of PFPs is essential to the Navajo Nation. This proved to be worthwhile as the final wording of House Resolution 6111 provided continued funding for certified AML Programs. Now that funding is secure, NAMLRP is again redirecting and renewing its efforts toward project planning. A new round of project proposals and selections by the Navajo Nation Resources Committee can now be considered.

The AML funding level increase that will result from the recent passage of the SMCRA Amendments Act, contained in Public Law 109-432 as part of House Resolution 6111, will certainly serve to further accomplish the intent of Congress when it passed the Omnibus Budget Reconciliation Act of 1990, as it applies to Sec. 411 of SMCRA.

Program Staffing:

The NAMLRP has three office locations to serve the Navajo Nation. The main administrative office is in Window Rock, Arizona, where the NAMLRP Department Manager and administration / support personnel are located as well as two field personnel. Two field offices, the Shiprock, New Mexico Office, and the Tuba City, Arizona Office are primarily responsible for AML and PFP field activities though projects are also handled out of the Window Rock, Arizona office.

NAMLRP currently has a staff of 21 full-time equivalent (FTE's) positions. Both the reclamation work and the public facility / infrastructure projects are being accomplished with this staffing. Approximately seven of the 21 occupied positions currently share time with the Navajo Nation's Uranium Mill Tailings Remedial Action Program (UMTRA), which is also under the direction of Ms. Madeline Roanhorse, Department Manager.

Beginning in 2004 and continuing through 2007, the Shiprock and Tuba City offices were reorganized (streamlined) to facilitate joint cooperation on AML reclamation work with a mixture of PFP's. Staff and management also pursued various training opportunities. Many employees now have extensive experience with NEPA and the understanding of federal requirements for obtaining funding for PFP's has greatly improved. This knowledge is translating into improved project proposals (both in terms of ideas and content) coming from Chapters to the AML Program. Federal, State (Arizona, Utah and New Mexico) and Tribal entities have all shown an improved willingness to partner with NAMLRP on various projects after their first experience.

In 2005, NAMLRP also prepared a 5-year Strategic Plan (FY 2006–2010) for submission to the Navajo Division of Natural Resources (DNR). The Strategic Plan contains a plan of action for meeting NAMLRP's internal goals and objectives and for concurrently merging them with the goals and objectives of other Departments within the Navajo DNR. NAMLRP continues to operate in accordance with this Strategic Plan. The Strategic Plan is currently being revised to incorporate changes needed as a result of the passage of the 2006 SMCRA amendment.

Beginning in 2008, NAMLRP will receive funding at twice its past funding level. Past funding averaged around \$3M annually. Future funding will average over \$6M and some years will be as much as \$7.7M. Obviously such funding increases will affect future staffing levels to some extent. It is too early at this time for NAMLRP to propose its new staffing level increases for 2008 or exactly what positions it will add, however the program is currently actively evaluating how the increased funding and workload will affect program staffing. OSM expects that there will be some changes reflected in the next grant application.

It is anticipated that the increase in funding levels projected over the next few years may require further reorganizing or an increase in staff.

Planning is already underway to determine how the funding increase will be administered to effectively plan, select, design and complete future projects. Project selections are done in cooperation with the Navajo Nation Resources Committee, however, it is always a difficult process to determine how best to utilize the limited funds. \$30M is not a lot of money when one considers the vastness of the Navajo Nation and the fact that there are 110 Chapters on the Navajo Nation, approximately 55 of which have been determined to be “impacted by past or present mining” (impacted chapters), thus qualifying them for receiving PFP funds.

NAMLRP has been able to efficiently use its administration and construction grant funds. The NAMLRP is considered by OSM to be a very cost effective Program. The amount of construction activities completed annually easily justifies the Program’s staffing level, in fact, the multi-faceted Program accomplishes a lot with a staff of only 21 FTE’s, given the number of contracts active at one time, the distances between projects, the vastness of the Navajo Nation, the number of impacted Chapters, the difficult terrain and extreme weather conditions.

Fee Collection Status:

According to SMCRA, 50% of State or Tribal Share Collections are supposed to be distributed back to the State or Tribe from which collections originated. Through FY-2005 (as of June. 30, 2005), \$96,754,139 in Navajo Nation (Tribal Share) fees has been collected from active mining on Navajo Nation land and a total of \$64,143,260 of those Tribal Share fees were actually distributed, leaving an “undistributed” Tribal Share Balance of \$32,610,879. Thus, OSM has distributed approximately 66% of the 50% that it is supposed to return. The remaining 34% of the 50% (\$32,896,407) represents the undistributed Tribal Share Balance, yet to be distributed to the Navajo. This amount is slightly higher (over \$33M) as of June 2007.

Data published on OSM’s web page show the Navajo Tribal Share distribution for FY-2006 was \$2,055,772. The distribution for FY-2007 was slightly less at \$1,964,171. The Tribal Share Balance as of September 30, 2006 (the beginning of OSM, FY-2007) was \$33,034,192. This figure is not yet published and available for the end of FY-2007 (June 30, 2007).

The vast majority of the AML funds expended by NAMLRP has gone toward coal and uranium mine reclamation and mine safeguard projects. PFP’s are relatively new on the scene so relatively few dollars have been spent thus far on PFP’s.

Grants Administration

The following AML grants were either active or closed out during the evaluation period:

Grant Number	3-yr Const. Grant Period Ends	Grant Amendment	Amount (Incls Admin. & Const.)
GR207810	12/31/04	Ext. to 12/31/05	\$8,249,799.
GR307810	12/31/05		\$3,202,765.
GR407810	12/31/06	Ext. to 07/31/07	\$4,044,524.
GR507810	12/31/07	Adds \$713,000.	\$3,112,749
S06AP11660*	12/31/08		\$2,788,006
S07AP12344*	12/31/09	Adds \$1,119,504	\$1,119,504

** The numbering system changed now that OSM has switched its accounting software from ABACIS to the Department-Wide FBMS.*

In October 2003, the Navajo Nation Contract Accounting Department converted to new Financial Management Information System (FMIS) accounting software for all of its operations. Although the Contract Accounting Department converted in October 2003, the Grant Agreement Accounting Division did not have full access to archived records until February 2004. Access to these records is essential to reconciling accounts.

The NAMLRP accounting staff informed OSM during EY-2004 that this is causing delays in submitting programmatic and financial reports to OSM on time. OSM was aware that the situation is beyond the control of NAMLRP and therefore continued to approve the Navajo Nation's requests for late mandatory report submittals as a result of this situation.

The Navajo Nation's new electronic accounting system is still not working, although Navajo Nation Finance Department continues to work on correcting the problem. NAMLRP informed OSM-AAO numerous times that it has formally expressed to the Navajo Nation Finance Department the importance of accurate bookkeeping and expedient close-out reporting of NAMLRP grants to OSM. Meetings were held during EY-2006 and EY-2007 with NAMLRP, OSM-AAO and Navajo Nation Finance Department to ascertain a resolution to the problem. Although improvements have been made, OSM is still not getting timely cost reports from Navajo Nation's Contract Accounting Department. This is a computer software problem in that the new system cannot generate the proper reports from the available data.

The NAMLRP accountant in Window Rock is still now able to generate certain electronic financial reports, however, he is still not able to access all information needed by the AML Program. As a result of this problem, the OSM-AAO grants specialist obtains drawdown information but cannot verify where or how money is being spent.

The Navajo Nation has not made any drawdowns to either its Administration sub-account or its Construction sub-account since the conversion to the new accounting system at the end of 2003. As a result, the Navajo Nation has spent approximately \$11M of its own money that has not been reimbursed through drawdown of Federal Treasury funds. This is not a problem for OSM however it is costly to the Navajo Nation and gives the appearance on OSM's books that the Navajo AML Program is not spending its grant money.

Although this situation is probably costly to the Navajo Nation in terms of interest losses, OSM does not anticipate finding any accounting problems with expenditure data or the use of funds, once the system is fully upgraded. It is more a matter of getting the new system to function properly so that the proper reports can be generated. However, until then OSM cannot close out the grants (construction and administration) without this information in the form of financial status reports and closeout reports (interim and final).

In May 2005 the OSM grants specialist provided to NAMLRP a written listing of due dates for late reports to forward to Navajo Finance Department. He also requested that the Program submit official requests for time extensions for overdue grant reports. NAMLRP has complied with OSM requests.

Again in EY-2007, NAMLRP is providing hand prepared reports to OSM. It is difficult for OSM to criticize the Navajo AML Program for this problem when OSM is having an identical problem with its new FBMS accounting system.

Independent Financial Audits:

Audit reports for 2004 did not identify any problems with NAMLRP that OSM needs to follow up on, aside from what is noted above regarding Grants. A 2005 audit identified numerous problems. Additional information was provided to the auditor and as a result, all of the audit findings were addressed to the auditor's satisfaction and were eventually dropped. NAMLRP ended up with a clean audit. The Program was not audited during EY-2007.

Program Maintenance:

To date, the NAMLRP amended their AML Plan only twice. There are no oversight issues with regard to maintenance of the Navajo AML Plan and the Plan is considered to be consistent with SMCRA. It is not anticipated that the changes in the 2006 SMCRA Amendment will require any corresponding revisions to the Navajo AML Plan.

PART II. NOTEWORTHY ACCOMPLISHMENTS

OSM would like to highlight the following items that NAMLRP has excelled in. Program accomplishments are also summarized in the tables contained in Part IV of this report.

Program and Project Management:

The Office of Surface Mining, Albuquerque Area Office (OSM-AAO) is very pleased with the NAMLRP. The management and leadership have consistently proven to be honest, dedicated and highly productive. The NAMLRP Department Manager (Director) also has responsibility for the Navajo UMTRA Program which operates in unison with the U.S. Department of Energy.

As mentioned before, the NAMLRP has office locations in Window Rock, Arizona, Tuba City, Arizona and Shiprock, New Mexico. All three offices work on both reclamation projects and public facility projects, including NEPA compliance. The three AML offices support each other and coordinate well on projects. All three offices provide support and assistance to OSM in gathering information for oversight purposes and in leading and coordinating oversight inspection tours in the field for both PFP's and AML reclamation. This cooperation facilitates OSM's oversight of the Program and the preparation of annual reports such as this one.

For EY-2007, NAMLRP should be recognized for the following items:

- Successful performance of annual inspections and maintenance of past coal reclamation and non-coal mineral reclamation work. Upon determining which reclamation projects were in need of maintenance work, the Program prioritized that list based upon the urgency of the problems. This translated into the incorporation of large maintenance work projects into both of the reclamation contracts awarded during EY-2006 and EY-2007. Project development and designs were completed in a timely manner.
- On short notice by OSM, NAMLRP submitted a request for funding for a coal outcrop fire. The Program designed a successful approach for extinguishing the coal fire. Due to limited funding for the project, NAMLRP partnered with the Hopi AML Program's Rental Program and with Peabody Coal Company to do the work. The project was opened for bid and contract was awarded for the project. However, Hopi AML's Rental Program provided a water truck and driver for water suppression at the project. Peabody Western Coal Company performed road upgrades, provided red dog gravel and furnished and delivered water. The project started on September 5, 2006 and was successfully completed on March 31, 2007.
- Successful completion and startup of several Public Facility Projects. OSM-AAO continues to be impressed at how many projects that NAMLRP has been able to successfully manage concurrently while also implementing intense cooperation with other leverage funding sources and Chapters / Tribal offices.
- AML reclamation and PFP's have been consistently brought on line every year, contracts are awarded, and construction is completed on schedule and usually within budget.
- NAMLRP revised their policy and procedures in FY-2006. The intent of the procedural revisions is to improve the quality of Chapter / community project proposals.
- NAMLRP continues to work to gather GPS data on all of its AML sites. This data will serve to document locations of projects as well as locations of highly radioactive burial sites for previously reclaimed uranium sites. Should issues arise years from now, this data may prove to be quite valuable.

- The NAMLRP has done an excellent job with short term and long term planning and budgeting for both its program administration and construction sub-accounts.
- The Program Accountant has been competent and capable and is responsive to OSM's needs.
- NEPA compliance documents submitted during 2006-2007, for both mine reclamation projects and for PFPs, were complete, well organized and did not require substantial revision. OSM is usually able to issue a FONSI for most of the submissions on the first round, without having to request additional information.

In addition, NAMLRP should be recognized for its overall contributions to the Navajo Community in accordance with the goals and objectives of SMCRA.

The benefit and positive impact that PFP's have provided to the communities (Chapters) of the Navajo Nation cannot be adequately expressed and likely exceed the expectations of the 1990 SMCRA revisions to the Omnibus Reclamation Act, which incorporated the authority for AML funds to be used for PFP's and infrastructure projects.

Thanks to PFP's, many Navajo homes now have access to electricity, running water, bathroom facilities, health care, or recreation opportunities for the first time. NAMLRP is known within the Navajo community for being responsive to community needs and concerns and for following through on its goals and objectives. This type of reputation is earned one day at a time and not by any single project.

Chapter communities have continuously and candidly expressed to OSM their appreciation for the technical assistance that the NAMLRP has provided. That technical assistance has enabled Chapters to develop project proposals that meet OSM grant requirements. In addition this technical assistance has facilitated the negotiation of leveraged funds from other Tribal, State and Federal sources. Projects completed thus far have already addressed needs of the elderly, the disabled / developmentally challenged, teenagers, preschoolers, and the general public as a whole by providing health facilities, recreational facilities, educational facilities and senior centers as well as providing new water sources, electricity, solid waste disposal and waste-water treatment. The funding and construction of PFP's have and will continue to improve the lives of people on the Navajo Nation. The Navajo Nation's AML Staff is commended for their outstanding dedication to their work and to their community.

Public Outreach and Project Selection:

Currently, OSM-AAO's policy is that the only eligible use of AML funds is for projects that are public in nature that address or serve to offset mining related impacts to communities. When the interim rules and final rules are published to implement the 2006 SMCRA amendment, this policy may change.

The NAMLRP in cooperation with the Navajo Nation Resources Committee have formally adopted the following criteria for use in selecting PFP's for funding.

- 1) *Project to Mitigate Threats of Public Health and Safety. Highest priority will be given to projects dealing with imminent threats to human life by addressing existing conditions that have caused or could cause substantial physical harm to persons, property and /or the immediate environment. (Category-1)*
- 2) *Projects Related to Basic Service and Infrastructure. Second priority will be given to projects that provide the basic human necessities to improve the quality of life. (Category-2)*
- 3) *Secondary /Optional Services. These projects, which will receive the third or lowest priority for AML funding, will include community service projects, such as recreational and cultural facilities, mining-related research facilities, projects for open-space benefits or those which address economic development. (Category-3)*

NAMLRP revised their policy and procedures in FY-2006. The new procedures adopted a deadline of June 30, 2007 to receive PFP proposals from Chapters, for in-house review by Navajo AML. The procedures also required Navajo AML to re-orient the chapters on the new revisions and to provide technical assistance to the Chapters for proposal writing, preparation of NEPA documents, and basic community planning. The intent of the procedural revisions is to improve the quality of Chapter / community project proposals. In all, 12 proposals were received which will be reviewed for eligibility. Eligible projects will be forwarded to the Project Review Committee for funding consideration.

The NAMLRP has gone beyond what is required by OSM regulations with regard to public involvement for project selection, by holding public orientation meetings with Chapters impacted by past or present mining activities, to explain responsibilities, and the eligibility & selection requirements for funding PFP's, to provide technical assistance in development / refinement of project proposals and to resolve NEPA concerns and get projects designed, contracted out, and ultimately to construction. The demand for PFP's continues to demand substantial involvement in public outreach by the NAMLRP. Public involvement for PFP's also includes substantial involvement in working with Tribal, State, Federal and Private entities.

Award Nominations:

The Shonto Coal Fire was completed in the first quarter of 2007. This is the third underground coal outcrop fire addressed by NAMLRP. The project was successfully completed but went slightly over budget. NAMLRP submitted the Shonto Coal Fire project as its 2007 award nomination project. Although the project was not selected by OSM to receive this year's award, it was nonetheless a great project. It addressed a complex field situation, due to the unpredictable nature of underground coal fires. The problem was addressed by the NAMLRP in partnership with the Hopi AML Rental Program and Peabody Coal Company, in order to reduce costs. The project construction took place in the dead of winter under difficult field conditions. Photos of the project are in the appendix to this report. OSM appreciates the project nomination.

Navajo Public Facility Project History:

NAMLRP is one of the first AML Programs in the nation to implement provisions of Section 411(e) and (f) of SMCRA which govern the funding and construction of Public Facility Projects. Therefore, NAMLRP pioneered and inspired much of the process & basis that OSM-AAO uses to evaluate PFP's authorized under SMCRA. OSM-AAO has also gained valuable experience from its review, approval and oversight of this aspect of the Program. Two other Programs, the Hopi AML and Wyoming AML also use AML funds for Public Facility / Infrastructure Projects.

There are no performance standards in SMCRA or its implementing regulations that govern the construction of PFP's. However, regulations for public facility projects at 30 CFR 875.15 (c), (d), (e) and (f), require substantial public involvement in the prioritization and selection of projects and they specify what types of projects are considered eligible.

For projects funded under 30 CFR 875.15 (public facility projects), Program effectiveness is based on getting projects to the construction phase in a timely manner with successful completion of projects in accordance with the approved grant amount. In other words, accomplishing what was set out in the grant application in a cost effective manner that ensures that completed projects meet the original scope of work and the intended function of the facility.

Most PFP's funded through NAMLRP are joint funded projects. Joint funded projects are often referred to as leverage funded projects, meaning that funding for the project consists not only of NAMLRP funds but may also consist of funds from any combination of individual Navajo Nation Chapters, Tribal funds, State funds (New Mexico, Arizona or Utah), or funds from other Federal agencies.

In accordance with the NAMLRP's approved AML Plan, the amount of leverage funding is one of the items considered when selecting a PFP for funding. The concept of leveraged funding is intended to increase the overall benefit obtained from the limited amount of AML funds available to the Navajo Nation. This concept is reinforced by the Natural Resources Department's 5-year strategic plan.

PFP submissions that were funded by NAMLRP to date can be grouped into four main categories:

- 1) Facility projects to newly construct or renovate existing Chapter Houses, Community Centers, Multi-Purpose Buildings, Senior Citizen Centers and Head Start facilities;
- 2) Building improvement projects to upgrade plumbing, heating, cooling or electrical systems;
- 3) Infrastructure projects such as development of new water wells, water lines, sewer lines and electrical power lines, sanitation facilities, road improvements and industrial projects;
- 4) Commercial/business development projects such as the Monument Valley Vendor Village.

In 2002, the NAMLRP received their first PFP proposals in response to a Request for Proposals (RFP). In all, a total of 110 proposals were submitted to NAMLRP. A five member “Project Review Committee” was established, from respective Navajo Nation departments, to review and rank each of the proposals, in accordance with the proposal procedures developed by the NAMLRP. Twenty (20) of the 110 project proposals were selected for funding. By the end of EY-2006 all twenty projects were completed. (See Tables 2 through 4 for a detailed tabulation of project status).

NAMLRP issued a second RFP in Navajo FY-2003. In response to the RFP, NAMLRP received 38 new PFP proposals. NAMLRP reviewed the proposals internally for eligibility and then forwarded all eligible projects on to the Project Review Committee for review and selection. The Project Review Committee determined that six (6) of the 38 met the funding eligibility requirements and they selected for funding.

By EY-2004, contracts were awarded for two of the six projects and both were in active construction (Chinle Valley School- Group Home Renovation and the Huerfano Chapter- Multi-Purpose Building). Both projects have since been completed.

Two additional projects were funded with set-aside funds by the NAMLRP (the renovation of Navajo historic building for AML office space in Window Rock, Arizona and the Cane Valley water & sanitation project). The Cane Valley project was completed in EY-2003 and the historic building office renovation project was completed in EY-2005.

In EY-2005, NAMLRP submitted three (3) new PFP’s to OSM for a Finding of No Significant Impact (FONSI) and an Authorization to Proceed (ATP). These projects included: Bodaway/Gap - Hardy Power-line Extension (funded in EY-2003), Nenahnezad - Navajo Preparatory School Phase-2, and Bread Springs - Water Well & Chlorinator).

Among the 38 PFP proposals received in response to the 2003 Request for Proposals (RFP), 12 were funded and 26 were not. Several of these 26 project proposals were eligible for funding even though they were not selected for funding. Consequently, NAMLRP issued a third RFP in FY-2004 to select from among the remaining 26 (eligible but unfunded) project proposals. So, in FY-2004 the Project Review Committee selected another six (6) proposals from the original list recommended for funding by the Project Review Committee. Thus, to date a total of 12 of the 38 project proposals from the 2003 RFP were funded.

For FY-2007, a total of twelve PFP proposals were received and are currently in the review phase. The PFP funding request will be submitted with the FY-2008 NAMLRP grant application.

In summary, with regard to its Public Facilities segment of the Program, NAMLRP is doing an effective job of project development, public participation and construction management. With this workload NAMLRP staff is being utilized very effectively, the Program is highly productive and it is making efficient use of it’s AML funds in accordance with SMCRA, Section 411(e) and (f).

AML Maintenance Work:

Projects done early on by the NAMLRP, when it did not have much experience in reclamation work, have needed more maintenance than later reclamation work. NAMLRP has greatly improved its quality of reclamation over the years. For several years now NAMLRP has been incorporating a 2-year warranty period in all their reclamation contracts. NAMLRP conducts field inspections of previously reclaimed projects before the expiration of the warranty period to see if any maintenance work is needed. If so, NAMLRP schedules and coordinates the work with the original contractor.

NAMLRP now also uses GPS to record AML site locations, boundaries, etc. when visiting these old sites. Almost all reclaimed sites in their inventory now have GPS data on file.

In 2005, 2006, and 2007 the contracts awarded for the Chaco Plains, Wupatki, and Midlands Projects respectively both included project maintenance work. All three of these projects contracts were for maintenance work on old reclamation sites.

Project development for both the Midlands AML Reclamation Project and the High Desert AML Maintenance Project was initiated in 2006.

The Midlands Reclamation Project entered construction in September 2006 and was successfully completed in April 2007. The Midlands AML Reclamation Project included: 1) Cow Springs Mine (two underground mine opening were addressed); 2) Montezuma Chair Mine (consisting of addressing subsidence at a previously reclaimed portal and a gabion drop structure installation); 3) Twin Peaks Mine (where an erosion control structure was implemented); 4) Chindee Wash (five soil and surfaces run off control structures were installed); and 5) Window Rock Mine. Navajo AML Program submitted this project as their project nomination to OSM for consideration for the 2007 reclamation awards.

Project Development for the High Desert AML Project was completed in 2007 and was submitted to OSM for approval. Construction on the High Desert Project is expected to begin in September 2007.

Project development for the Northern Navajo Phase-III AML Maintenance Project started in EY-2007. This project was renamed to Morrison AML Maintenance Project. The project will include eight to twelve sites. The scattered waste piles located on the Shiprock Fairgrounds will be included in this project. The project is scheduled to be completed by December 2008.

In 2007, Navajo AML also initiated project development Eastern Agency sites that were determined to be eligible sites. The preliminary field inventory was completed and 28 mine sites were identified on the 59 mine claims investigated. Eleven sites were determined not to lie within the Tribal Trust land areas and 20 other sites could not be located. The Land status was verified for 48 of the sites by Navajo Land Department which determined that six of the sites are on Tribal Trust Land and therefore maybe eligible for reclamation. These six sites will be incorporated in the FY-2008 AML Grant, for project development and construction.

GPS Data Collection:

NAMLRP continues to work to gather GPS data on all of its AML sites. This data will serve to document locations of projects as well as locations of highly radioactive burial sites for previously reclaimed uranium sites. Should issues arise years from now, this data may prove to be quite valuable. Navajo AML and Navajo EPA are participating in the coordination and development of a Abandoned Uranium Mines (AUM) database. Based their January 2006 Memorandum of Agreement (MOA) and the Project Management Plan, they are working on the following initiatives: 1) Brownfields Grant Development; 2) development of a site-specific work plan for AUM sites; 3) EPA training on US-EPA regulations; and, 4) a comprehensive review of Regional Chapter Atlases. Some costs for this effort are being covered by the US-EPA Brownfield grants and by the US-Army Corp of Engineers.

Computer Network:

During EY-2006, NAMLRP continued to maintain a secure WAN/LAN connection with a VPN Security Firewall between the three (3) NAMLRP offices in Window Rock, AZ, Tuba City, AZ and Shiprock, NM. This allows NAMLRP network to create shared folders on each LAN user workstation to transfer large files which are unable to do with email. Specifically, NAMLRP accomplished the following tasks during the evaluation period:

- NAMLRP's desktop workstations are all running Windows XP Professional which allows Remote Desktop Access possible across the WAN/LAN at remote offices.
- The ISP provider used by NAMLRP (DSL internet connection) provides good access to OSM-TIPS AutoCAD and GIS software License Servers. NAMLRP relies on it's ability to access TIPS and GIS commercial software programs to develop their technical specification for AML projects.
- Navajo AML with the cooperation of Army Core of Engineers have hired TerraSpectra Geomatics to development a tracking database for all past Navajo AML projects using ArcGIS 9.1 software.
- In April 2007 OSM-TIPS Service Manager assisted Navajo AML Reclamation Program with replacing a Domain Server in Window Rock. OSM assisted with the setup, reconfiguration the DNS and DHCP and setting for the VPN connection between the three Navajo AML offices. OSM also assisted the Shiprock AML Reclamation Office with the setup and installation of a new member File Server.
- Navajo AML purchased a new portable Dell laptop computer for Tuba City AML office and configured to access Navajo AML LAN network and wireless internet access.
- Navajo AML installed two (2) new HP3005n black laser printers one in Window Rock AML office and the other in Shiprock AML office to serve as LAN printers.
- Navajo AML purchased a Public Broadcasting System (PA system) with two (2) 12-inch Peavey PR12 speakers, MP600 power mixer with handheld microphone for use during Public Relation presentation.
- Throughout the year, Navajo AML maintained all Navajo AML computers by downloading and installing the current Microsoft Security Patches recommended for each system. Updating the antivirus software, scan for virus and running disk defragmenter.
- NAMLRP continues its present URL location at (www.aml.navajo.org).

- NAMLRP provided comments, recommendations and needs to the OSM Albuquerque Field Office Director for input at the TIPS Steering Committee meetings.

PART III. RESULTS OF ENHANCEMENT AND PERFORMANCE REVIEWS

The regulatory objective of the annual evaluation process is to evaluate the effectiveness of AML Programs in:

- 1) Administering the responsibilities of their AML Plan and the obligations under approved grant(s);
- 2) Complying with Title IV of SMCRA by eliminating high priority hazards associated with abandoned mines; and,
- 3) Complying with any special initiatives important to OSM as the lead Federal agency.

Aside from reclamation maintenance work and reclamation of newly undiscovered mine sites that are added to the AMLIS inventory, NAMLRP has completed its non-coal (uranium and copper) reclamation inventory. The Northern AML Reclamation Project was the last major AML reclamation project to address hazards in the AMLIS inventory. It was completed in 2004. With the completion of the Northern AML Project 90% of the Navajo Nation's non-coal mine reclamation inventory is completed. The remaining 10% of the inventory consists of low priority (priority-3) sites which NAMLRP has determined will not be addressed by the Program. In most cases, these sites are either impossible to safely access with heavy equipment or they are of very low priority.

Although in the past NAMLRP has been actively involved in both AML reclamation and PFP construction, in the future most of the work that NAMLRP will undertake will consist of public facility / infrastructure construction projects. OSM currently uses two principles of excellence to annually evaluate the effectiveness of the NAMLRP, one for PFP's and the other for AML reclamation. Together, these two evaluation topics allow OSM to assess Program accomplishments, administration, compliance with the National Environmental Policy Act (NEPA) and cost effective use of grant funds.

Principle 1: Accomplishments in Planning and Implementation of Public Facility Projects under Section 411 (e) and (f) of SMCRA

Under this principle, OSM annually evaluates the AML Program's effectiveness three ways:

- 1) Its ability to get Public Facility or Infrastructure Development projects through the project development (address environmental compliance issues, develop project designs and contract scope of work, and gain project approvals & funding) and into construction in a timely manner.
- 2) Its ability to complete projects on schedule and in accordance with contract specifications.
- 3) Its ability to develop, coordinate and administer projects in a cost effective manner that meets their intended purpose/function.

[Disclaimer: OSM does not evaluate the quality of construction or compliance with applicable building code. Although DOI and OSM expect any federally funded building construction to meet applicable building code, that is not a function of SMCRA nor is OSM equipped to make such assurances or inspections.]

[Note: Navajo Nation building code compliance falls under the federal standards. A quality control professional inspects the designs to ensure that these standards are met before the building is approved for construction.]

The Window Rock office and two field offices worked continually throughout the year to coordinate with the Tribal government, the Resources Committee of the Navajo Nation Council and other Federal, State or Tribal joint funding Agencies to ensure that projects reached construction in a timely manner. The three AML offices also coordinated with Navajo Design & Engineering Services and Navajo Division of Finance Department to develop contracts, to bid them out, and to get them through the Navajo Nation's final signature / approval process.

The fact that engineering designs have been provided by Navajo Nation together with the fact that NAMLRP has secured leveraged funds from various other Tribal, State, and local sources, has made the Program extremely cost effective. The Navajo Nation has already enabled their limited amount of AML funds to go further and accomplish more for the Navajo people. On the average, NAMLRP has funded only 40% of the total cost of each PFP and leverage funds have provided the other 60% of funding.

EY-2003 saw the following four projects (all funded in 2002) completed:

1. Navajo Parks and Recreation, Antelope Canyon Access Road,
2. Black Mesa Chapter, Kitsilli Powerline Extension,
3. Canoncito Band of Navajo's, To'hajiilee Behavioral Health Center and,
4. Dennehotso Chapter, Cane Valley Community Water Systems Project (set aside funds).

Seven other projects started construction but were not completed until 2004. These projects include:

1. Beclabito Chapter, Head Start Phase-I
2. Coalmine Canyon Chapter, Multi-Purpose Facility
3. Cove Chapter, Senior Citizen Center
4. Fort Defiance Chapter, Blue Canyon Power Line Extension
5. Lake Valley Chapter, Senior Citizen Center
6. Oljato Chapter, Senior Citizen Center
7. Twin Lakes Chapter, Senior Citizen Center

Two of the original 20 projects (Rock Springs Chapter – Multi-Purpose Building and Manuelito Chapter – Power Line Extension Projects) were relatively behind in their project development schedule so funds were returned to NAMLRP. The remaining seven projects were either in the procurement process (SAS process) or in the project design & development phase.

Six PFP's were funded in EY-2003. One of which, the Chinle Valley- School Group Home & Dormitory Renovation, entered into construction in EY-2004 and was completed in early EY2005. The other five PFP's were in the design, planning or contracting phases (Cameron-Dzil Li Bei Elementary School Plumbing Upgrades, Standing Rock- Chapter House Renovation, Tuba City- Moenave Powerline Extension, White Cone- Multi-Purpose Building, and Huerfano-Multi-purpose building).

In EY-2005, NAMLRP had 11 PFP's in construction. Eight (8) of these PFP's were completed during EY-2005, two (2) were completed in EY-2006 and one (1) was still in construction as of June 30, 2006.

1. Dilkon - Sewage Lagoon(completed in 2005)
2. Ft. Defiance - Power Line Extension(completed in 2005)
3. Chinle Valley School - Group Home Renovation.....(completed in 2005)
4. Standing Rock - Chapter House(completed in 2005)
5. Twin Lakes - Infrastructure development for Senior Center..(completed in 2005)
6. Rough Rock - Senior Center(completed in 2005)
7. Tache/Blue Gap - Senior Center(completed in 2005)
8. San Juan - Multi-Purpose Building(completed in 2005)
9. Coalmine Canyon - Waterline Extension(completed in 2006)
10. Moenave - Power Line Extension.....(completed in 2005)
11. Nenahnezad - Navajo Preparatory School Renovation(ongoing)

In EY-2006, NAMLRP had the following 15 PFP's enter into construction (several of which were completed). Obviously, some projects cross fiscal years before construction is complete.

1. White Cone Chapter – Site Development for a Multi-Purpose Building
2. Shonto - Infrastructure Development Project
3. Nenahnezad - Navajo Preparatory School Renovation, Phase 2
4. Crownpoint - Dine' Youth Recreation Facility
5. San Juan - Multi-Purpose Building
6. Coalmine Canyon - Waterline Extension and Bathroom Additions
7. Bodaway/Gap - Hardy Powerline Extension
8. Bread Springs Chapter – Water Well & Chlorinator Building for a new school
9. Upper Fruitland – Chapter House Facility
10. Shiprock/Hogback Chapter - Veterans Center Office Building
11. Shiprock – Infrastructure Project

During EY-2006, NAMLRP completed the Dilkon Sewage Lagoon Project, and the Monument Valley Vendor Village Project. Not completed but in some phase of construction were the Navajo Preparatory School Renovation Project, the Shonto Business Development Infrastructure Project and the Shiprock Veterans Center Project.

EY-2007 was the sixth consecutive year that the NAMLRP managed the funding and construction of Public Facility Projects (PFP's) under Sec. 411(e) and (f). During EY-2007, NAMLRP had either started or completed the following nine (9) PFPs:

1. Nenahnezad - Navajo Preparatory School

2. Shiprock - Infrastructure Project
3. Shiprock - Veterans Center Building
4. Upper Fruitland - Chapter House Building
5. Shiprock/Hogback Chapter-Shiprock Veterans Center/Office Building
6. Crownpoint - Youth Facility Heating and AC Project
7. Lupton Chapter – Multi-Purpose Building
8. San Juan - Multi-Purpose Building
9. Bread Springs - Water Well & Chlorinator Building (Note: Bread Springs is a jointly funded project with BIA and US Army Corps of Engineers.)

For a complete listing of active projects during 2007, Tables 2 through 5, at the end of this report, list the status of all PFP's and their individual funding levels.

Summary:

For the past five years, the NAMLRP has been one of three AML Programs in OSM's Western Region that have been heavily involved in construction of Public Facility and Infrastructure projects, as authorized under SMCRA Sec. 411(e) and (f). PFP's continue to be completed in a timely manner, within budget and each has delivered the product specified by the relevant contract. In all instances, AML funds have been used exclusively for SMCRA authorized and eligible projects that are public in nature. There have been no abuses of AML funds and funds have been awarded only to mining impacted Chapters. NAMLRP has adhered to all OSM regulatory mandates and grant requirements within its control. It continues to strive to achieve the best long term benefit for the residents of the Navajo Nation.

PFP's continue to be a huge success for NAMLRP, the Navajo Nation, OSM and the Department of Interior. This OSM oversight review has concluded that NAMLRP is doing an outstanding job of:

- 1) Community outreach and working with Chapters to get a PFP proposal developed for submission to NAMLRP for funding consideration;
- 2) Objectively evaluating and ranking PFP proposals received in accordance with the selection criteria for referral to the Resources Committee. Funded PFP's meet the intent of Section 411(f) of SMCRA. The types of PFP's being selected for funding by NAMLRP directly relate to public infrastructure, water development and safety and health as intended and outlined by SMCRA.
- 3) Projects that are selected for funding are entering construction in a timely manner and being completed on schedule. NAMLRP has completed a tremendous amount of work in getting Public Facility Projects funded, contracted out and ready for construction.
- 4) PFP's are being constructed in accordance with approved designs. (I.e., the products being delivered are consistent with design specifications and the completed buildings are being used for their intended purpose.)
- 5) Continued its positive working relationship with the Navajo community, Navajo Nation governmental, and State agencies and continues to seek outside funding sources to complement AML funds.
- 6) No individuals, Chapters or other government agencies have reported any concerns regarding the NAMLRP or any of its projects during EY-2007.

Reliance on leveraged funding from Chapters, Navajo Nation, State entities, and other Federal Agencies, ensures that the NAMLRP is cost effective. In many cases project construction was made possible because of AML funding. In other cases, AML funding was but a small part of the overall funding contributed from other sources for the project.

To accomplish this evaluation, OSM:

- 1) Inspected PFP's before, during or after construction.
- 2) Documented the status of all PFP's selected for funding by the Navajo Nation Resources Committee including if the projects are in the project development or construction stage;
- 3) Evaluated whether the stated goals and objectives for the project (scope of work) was completed on time and within budget.

Principle 2 AML-Reclamation Accomplishments During the Evaluation Period
(Directive AML-22, Principle 5)

The OSM-AAO annually reports on the status and accomplishments of each State and Tribal AML Program within its jurisdiction. This principle enables OSM-AAO to submit current information to OSM-HQ regarding the NAMLRP's coal and non-coal reclamation accomplishments. With the completion of the Northern AML reclamation project in EY-2004, NAMLRP completed reclamation of all scheduled and safely accessible sites listed in its non-coal Abandoned Mined Lands Inventory.

NAMLRP reclamation contracts contain a 2-year warranty clause. NAMLRP performed a 2-year warranty inspection on April 2004 of the Monument Valley 4 AML project (22 previously performed AML reclamation projects located from Monument Valley to Bluff). As a result of these field assessments performed under the NAMLRP Maintenance and Surveillance Plan, ten previously reclaimed coal projects were selected for correction of minor erosion problems (maintenance work).

During the evaluation period, NAMLRP scheduled and coordinated a field tour for OSM inspection of construction at the Shonto coal outcrop fire projects in October 2006. In April 2007, post-construction inspection tours were conducted for Cow Spring Mine (NA-0011, a reclamation maintenance site), Montezuma Chair Mine (NA-001, a reclamation maintenance site), Chindee Wash Mine (NA-0031, a reclamation maintenance site), and Window Rock Mine, (NA-0001). An inspection tour was sponsored in May 2007 to view the Twin Peaks Mine (NA-0051, a reclamation maintenance site). A pre-proposal tour was conducted for the Coppermine Project in January 2007 and a pre-construction tour in June, 2007. [See Project photos in appendix.]

Reclamation work at all sites inspected was of excellent quality, hazards were effectively abated or safe-guarded, and biological restrictions specified for NEPA compliance were always complied with (such as scheduling of construction around the breeding season). Cultural resources were clearly flagged in the field to ensure protection or avoidance of damage by contractors.

OSM found that all reclamation work inspected was designed to enhance long-term stability of the reclaimed land. Reclamation work was also found to be both timely and cost effective.

In addition to field inspections, OSM and NAMLRP met on several occasions during the year in Albuquerque and Shiprock, New Mexico and in Window Rock and Flagstaff, Arizona. Five field visits were made during the evaluation period, one to look at pre-construction and two to inspect completed Public Facility Projects and two to inspect AML reclamation work.

AML Reclamation:

The Northern AML Reclamation Project was completed in EY-2004, this contract included the Beclabito-4, Cove-4 and Sanostee-1 and. This completed the bulk of non-coal mine reclamation inventory in AMLIS for the Navajo Nation, pending any new sites being reported.

Project development for the Burnham AML Coal Reclamation Project was completed in EY-2004 and construction was completed during EY-2005. This project included one coal outcrop fire (Burnham #1 Coal Outcrop Fire, NA-0055) and two adjacent AML reclamation sites (NA-0056 and NA-0057). The coal outcrop fire was especially challenging because water had to be delivered from 18 miles away over dirt roads. Approximately 120,000 gallons of water was used in the excavation of the fire. The entire project consumed over 300,000 gallons of water. This project was nominated for an OSM Award (see previous discussion under Awards, Pg. 9).

During EY-2005 NAMLRP had one reclamation maintenance project (Burnham AML Coal Reclamation) and a coal outcrop fire (Burnham #1 Coal Outcrop fire) in construction. The Program was also busy doing project development for the Chaco Plains Reclamation Project.

In EY-2006, Navajo completed construction on the Burnham #2 coal fire, reclaimed a couple of newly identified abandoned coal mine sites and also did some maintenance work on several previously reclaimed areas. This work was accomplished in two projects each under separate contract, the Chaco Plains Reclamation Project and the Wupatki Reclamation Project.

The Chaco Plains AML Reclamation Project consisted of:

1. Burnham #2 Coalfire Project (NA-0058, a newly identified AML site)
2. Burnham BIA Pit Reclamation Project (NA-0060, a newly identified AML site)
3. Dozer Cut Pit Reclamation Project (NA-0059, a newly identified AML site)
4. John Joe, Little Water Mine Reclamation Project (NA-0044, a recl. maintenance site)
5. Naschitti 2 Mine Reclamation Project (NA-0061, a newly identified AML site)
6. Newcomb Mine - Drainage Reconstruction Project (NA-0047, a recl. maintenance site)

Project development for the Chaco Plains AML Reclamation Project was completed in EY-2005 and construction was completed during EY-2006. Chaco Plains included one coal outcrop fire, the Burnham #2 Coal Outcrop Fire (NA-0058). Two maintenance project sites (NA-0044 and NA-0047) and three newly identified abandoned mine sites (NA-0059, NA-0060, NA-0061) were also included as part of the Chaco Plains Project.

The coal outcrop fire involved a partnership with the Navajo Nation Solid Waste Management department because the surface above the coal fire was covered with solid waste from illegal dumping. Navajo Solid Waste removed and disposed of 250 cubic yards of solid waste to a certified landfill. These activities were scheduled in sequence in order to reduce mobilization costs. NAMLRP incorporated two new techniques into the reclamation. First, was the use of rock to develop rock ledges to simulate natural rock outcrops and which serve as a stabilizer or bench support. Second, is the use of gabion structures. The project was completed on time and within budget.

The Wupatki Reclamation Project consisted of:

1. Cameron Project #2 Maintenance Project
2. Cameron Project #4 Dam & Spillway Reconstruction Project
3. Monument Valley #4 Maintenance Project

Project development for the Wupatki AML Maintenance Project was completed in EY-2005 and construction was completed in EY-2006. Wupatki included ten maintenance project sites (NA-0041, NA-0105, NA-0113, NA-0129, NA-0149A, NA-0149B, NA-0194, NA-0198, NA-0204, NA-0234). The project was completed during EY-2006 on time and within budget.

Overall during EY-06 NAMLRP successfully completed twelve maintenance and four (4) reclamation projects. In addition to construction activities, NAMLRP conducted site assessments at over fifty AML sites to assess the need for any maintenance work through the Maintenance Surveillance and Assessment Team (MSAT). MSAT conducts assessments and report the status of each AML sites with GIS maps, photos, MSAT forms, and a written report. The MSAT reports serve as the initial value engineering for developing maintenance projects and for development of the grant application for the following fiscal year.

During EY-2007, NAMLRP completed project development and construction of the Midlands AML Reclamation Project. This project included under one contract, the Shonto Coal Fire (NA-0062) and five AML reclamation maintenance projects (NA-0001, NA-0008, NA-0011, NA-0051, and NA-0031). The Shonto coal outcrop fire is discussed below under coal outcrop fires. These five (5) mine sites are:

1. Cow Spring Mine (NA-0011, a reclamation maintenance site)
2. Montezuma Chair Mine (NA-001, a reclamation maintenance site)
3. Twin Peaks Mine (NA-0051, a reclamation maintenance site)
4. Chindee Wash Mine (NA-0031, a reclamation maintenance site)
5. Window Rock Mine, (NA-0001, a reclamation maintenance site)

NAMLRP uses contractors to complete all of the on the ground construction work and all other aspects of reclamation such as project design and environmental compliance are done in-house by the NAMLRP. NAMLRP provided the project specifications, held pre-proposal tours and pre-construction conferences, awarded the contracts, and then monitored the construction work.

Construction contractors proved to be reliable by completing construction work on schedule and by adhering to project specifications. OSM field inspections of recent AML reclamation projects demonstrated state of the art reclamation techniques that have proven to be effective in this area of the southwest (New Mexico and Arizona).

Visual inspection of past (early 1990's) and current reclamation sites and the techniques (late 1990's to present) used by NAMLRP contrast strongly. The more recent reclamation techniques require far less repair and maintenance are better vegetated and are much more stable.

Coal Outcrop Fires:

In EY-2004, NAMLRP applied for and received \$16,000 in Federal Share funding to address the Burnham #1 coal outcrop fire located in Burnham Chapter. The construction work to address this coal outcrop fire was completed in 2004. The site was reclaimed and the fire was fully addressed.

In EY-2005, NAMLRP submitted another application to OSM to fund a coal outcrop fire in the same general area. This coal outcrop fire is referred to as Burnham #2 coal outcrop fire and was addressed in the Chaco Plains contract. Project development for this fire was completed in the fall of 2005 and construction on the fire project was completed in April 2006. The cost of the Chaco Plains project was about \$400,170.

In EY-2006, NAMLRP applied for and received supplemental funds of \$18,000 in OSM Federal Share funding to be added to Tribal set-aside funds to address the Shonto coal outcrop fire to address the Shonto Coal Outcrop Fire. Project development to address this coal fire was completed in EY-2006. Construction occurred mostly in both EY-2006 and EY-2007. NAMLRP estimated that it would cost somewhere between \$600,000 and \$700,000 to extinguish the Shonto Coal Fire, actual costs ended up being slightly higher.

NAMLRP partnered with the Hopi AML Program and Peabody Western Coal Company in the completion of this coal fire project. The fire is on Navajo Nation Partition Land (surface) so the coal resource is jointly owned with the Hopi Tribe. Hopi AML contributed to the project by donating a water truck & driver to haul water to the site. NAMLRP also requested assistance from Peabody Western Coal Company. Peabody Western Coal Company offered to donate and also haul water from Kayenta Mine. Together, this partnership helped considerably to lessen the financial burden on NAMLRP.

NEPA Compliance:

NAMLRP did an excellent job of preparing National Environmental Policy Act (NEPA) Packages for the Burnham Projects and for the Chaco Plains and Wupatki Reclamation Projects this year. Impacts were accurately assessed in the environmental documents and biological studies and clearances were contained in the package.

AML Maintenance & 2-Year Warranties:

NAMLRP routinely inspects past reclamation for erosion and other problems. Problems identified are prioritized, logged for engineering design to address the problem and collected into a large project for contract award and for OSM approval / funding.

Overall Program Accomplishments:

- Table 1 at the end of this report lists reclamation projects, by grant number, that were active during EY-2007;
- Tables 2 through 7 list by evaluation year, PFP's that have been funded to date;
- Table 8 lists EY-2007 AMLIS hazard accomplishment data; and.
- Table 9 lists cumulative data (year to date) for AMLIS hazards.

NAMLRP enters its project development costs in AMLIS under "other" such as NEPA compliance, indirect costs, value engineering, surveying and technical design / plans, etc. Project development is a valid construction cost (rather than an administrative cost). Construction contracts awarded by NAMLRP combine several mine sites (or Problem Area Descriptions) under one contract. This is done as a cost saving measure. Construction costs are broken down into key construction costs as a percentage of the total cost for each site so that they can be entered into AMLIS.

PART IV. ABANDONED MINE LAND INFORMATION SYSTEM (AMLIS)

AMLIS Database:

Navajo Finance Department collects financial information and processes draw downs for NAMLRP and other Navajo Nation programs. In EY-2004, OSM-AAO and NAMLRP met and agreed that NAMLRP will enter all non-coal reclamation and cost data into AMLIS when the construction grant is closed out. That is the earliest time that the AMLIS cost information is available to the NAMLRP for entry into AMLIS. Until the closeout, detailed cost information is not available from the Navajo Nation Finance Department to NAMLRP.

Table-8 at the end of this report, contains a list of accomplishments for 2007. Table-8 shows completion of \$1,007,899 worth of AMLIS accomplishments for EY-2007. Table-9 contains a cumulative tabulation (year to date) of hazards and the cost associated with safeguarding all AMLIS hazards. Table 9 shows that to date the Navajo AML Program has spent \$24,475,105 to eliminate AMLIS related hazards.

NAMLRP is commended by OSM for accomplishing the goals & priorities identified under SMCRA by completing its coal and non-coal inventory, subject to newly discovered sites or problems. When NAMLRP received Certification in May 1994, NAMLRP formally agreed to perform any necessary maintenance work on previously reclaimed sites. Consistent with this agreement, the need for any maintenance work was assessed and needed reclamation maintenance was performed on previously reclaimed sites in 2004, 2005, 2006 and 2007 reclamation projects. OSM commends the NAMLRP for this ongoing effort.

Although not really part of the National Inventory of mine hazards, NAMLRP is also commended for its continued success with development and management of PFP's. PFP's have proven to be an effective use of AML funds on Navajo Lands. NAMLRP has demonstrated that SMCRA, Sections 411(e) and 411(f) provisions for PFP's can be an effective means of off-setting past and current mining related impacts on the Navajo Nation.

Table 1
NAMLRP – Active Grants
(Reclamation Projects by Grant Funding)

Grant Number	Grant term		AML Recl. & PFP Projects	06/30/06 Status	
GR207810	01/01/02 to 12/31/04	1	Aneth, Rockwell - Waterline Ext.	Completed	
		2	Beclabito - Head Start	Completed	
		Extended to 2005	3	Black Mesa - Powerline	Completed
			4	Coalmine Mesa - MPF	Completed
			5	Coalmine Canyon - Waterline Ext./B.Rm.	Completed
			6	Coppermine - Powerline Ext.	Completed
			7	Cove - Sr. Citizen Center	Completed
			8	Ft. Defiance - Powerline Ph-2	Completed
			9	Lake Valley - Sr. Citizen Center	Completed
			10	Manuelito – Powerline Ext.	Disencumbered
			11	Monument Valley – Vendor Mall \$300,000 in AML pd. Dec 2005.	Completed
			12	Antelope Canyon - Access Rd.	Completed
			13	Oljato - Sr. Citizen Center	Completed
			14	Rough Rock - Sr. Citizen Ctr.	Completed
			15	San Juan - Multi-Purpose Bldg.	Completed
			16	Tachee / Blue Gap - Sr. Citizen Ctr.	Completed
			17	ToHajiilee - BHS Ctr.	Completed
			18	Twin Lakes - Infrastructure	Completed
			19	Northern AML Reclamation Project Includes: Sanostee-1 Cove-4 Beclabito-4	Completed
		20	AML Maintenance - Wupatki (10 sites)	Completed	
		21	AML Maintenance - Chaco Plains (Noncoal)	Completed	
Set-Aside funded	2002	1	Dennehotso, Cane Valley (set-asides)	Completed	
GR307810	01/01/03 to 12/31/05	1	Chinle Valley School	Completed	
		2	Standing Rock - Chap. House Renovation	Completed	
		3	Tuba City – Moenave Powerline Ext.	Completed	
		4	Cameron Dzil Lebei –School Water Project	Completed	
		5	White Cone – MPB, Ph. 2	Ongoing	
		6	Huerfano – MPB	Completed	
GR407810	01/01/04 to 12/31/06	1	Wupatki AML Recl. Maint. Project (10 sites)	Completed	
		2	Shonto – Infrastructure (Scheduled for completion in Dec. 2006)	Ongoing	
		3	Shiprock / Hogback - Veterans Bldg.	Ongoing	
		4	Shiprock - Infrastructure	Pending	
		5	Crownpoint - Dine' Youth Center Renovation	Pending	
		6	Upper Fruitland - Chapter House Renovation	Pending	
		7	Dilkon - Sewage Lagoon Ph-2	Completed	
		8	AML Maintenance - Chaco Plains (Coal)	Completed	
Set-Aside funded	2004	1	Window Rock - Historic Bldg. Restoration	Completed	
GR300816	2004 - 2005	1	Burnham Coal Fire #1 \$16,000 Fed.Sh.	Completed	
GR400816	2005 - 2006	1	Burnham Coal Fire #2 \$26,000 Fed. Sh.	Completed	
GR500816	2006 - 2007	1	Shonto Coal Fire-Phase #2 \$18,000 Fed Sh.	Pending	
GR507810	01/01/05 to 12/31/07	1	Chaco Plains - Coal AML Maintenance	Completed	
		2	Bread Springs - School Well/Chlorinator	Ongoing	
		3	Bodaway/Gap - Hardy Power-line Ext.	Completed	
		4	Nenahnezad - Navajo Prep. School Ph-2	Ongoing	
GR607810	01/01/06 to 12/31/09	1	Midlands - AML Maintenance (ATP issued)	Complete	
S07AP12344	01/01/07 to 12/31/09	1	High Desert – AML Recl. of Coppermine	Pending	

- Items in Orange were funded with Set-Aside funds.

- Items in Green are Projects that were in Active Construction during EY-2007.

- Item in Purple is the new grant numbering system under FBMS accounting system.

**Table 2
NAMLRP
Status of Public Facility Projects Funded in EY-2002¹**

	Grant GR207810					
	Chapter/ Entity	PFP	AML Funding	Leverage Funding	Total Funding	06/30/06 Status
1	Aneth, Rockwell	Waterline Ext.-Well	300,000.	674,030.	974,030.	Completed
2	Beclabito	HeadStart	200,000.	476,000.	676,000.	Completed
3	Black Mesa	Powerline	297,032.	675,458.	972,490.	Completed
4	Coalmine Canyon	MPF	300,000.	1,251,680.	1,551,680.	Completed
5	Coalmine Canyon2	Waterline Ext. (37% Set-Aside funds)	101,400.	732,200.	833,600.	Completed
6	Coppermine, West	Powerline Ext.	60,140.	1,019,221.	1,079,361.	Completed
7	Cove	Senior Center	300,000.	300,000.	600,000.	Completed
8	Dennehotso, Cane Valley ³	Water System (All Set-Aside funds)	124,000.	1,291,000.	1,412,000.	Completed
9	Ft. Defiance, BlueCanyon	(Ph-2) Powerline Extension	189,530.	95,540.	285,070.	Completed
10	Lake Valley	Senior Center	300,000.	300,000.	600,000.	Completed
11	MV A&C Council	Vendor Vill./Mall	300,000.	3,760,500.	4,060,500.	Completed
12	N.N.Parks & Rec. Dept.	AntelopeCanyon Access Rd.	129,000.	54,692.	183,692.	Completed
13	Oljato	Senior Center	295,000.	80,000.	375,000.	Completed
14	Rough Rock	Senior Center	300,000.	516,715.	816,715.	Completed
15	San Juan	MPF	300,000.	1,199,950.	1,499,950.	Completed
16	Tachee-Blue Gap	Senior Center	300,000.	517,064.	817,064.	Completed
17	To'Hajiilee	Behav. Health Clinic	300,000.	137,052.	437,052.	Completed
18	Twin Lakes	Infrastructure	214,730.	618,000.	832,730.	Completed
	TOTALS		\$4,310,832.	\$13,699,102.	\$18,006,934.	

1 Cost information in this table is subject to change as projects are completed.

2 Projects No. 5 funded with \$37,384 in set-aside funds and with \$64,016 in regular AML funds.

3 Project No. 8 was funded entirely with set-aside funds.

- Items in Green are Projects that were in Active Construction during EY-2006.

**Table 3
NAMLRP
Public Facility Projects Funded in EY-2003**

	Grant GR307810					
	Chapter/ Entity	PFP	AML Funding	Leverage Funding	Total Funding	06/30/06 Status
1	Chinle Valley School	Group Home & Dorm. Rennov.	\$300,000.	\$404,973.	\$704,973.	Completed
2	Standing Rock	Chapter House Rennovation	140,000.	103,533.	243,533.	Completed
3	Tuba City	Moenave Powerline Ext.	9,480.	791,137.	800,617.	Completed
4	Cameron	Dzil Li Bei Elem. Plumbing	299,700.	110,000.	409,700.	Completed
5	White Cone	Infrastructure for MPB	300,000.	30,000.	330,000.	Completed
6	Huerfano	MPB-Gym.	150,000.	1,976,051.	2,126,051.	Completed
	TOTALS		\$1,199,180.	\$3,415,694.	\$4,614,874.	

**Table 4
NAMLRP
Public Facility Projects Funded in EY-2004**

	Grant GR407810					
	Chapter/ Entity	PFP	AML Funding	Leverage Funding	Total Funding	06/30/06 Status
1	Shonto RBDO	Industrial Park	\$300,000.	\$40,000.	\$340,000.	Ongoing
2	Hogback	Shiprock Vet. Office Bldg.	300,000.	475,000.	775,000.	Completed
3	Shiprock	M/P, Infrastructure Dev., Phase 2	300,000.	500,000.	800,000.	Completed
4	Crownpoint	Dine' Youth Recr. Facil.	22,010.	500,000.	522,010.	Completed
5	Upper Fruitland	Chapter House Bldg.	300,000.	475,000.	775,000.	Completed
6	Dilkon	Sewage Lagoon Exp. Phase-2	107,590.	107,590.	215,180.	Completed
7	Shiprock	Veterans Ctr. Bldg.	\$300,000.	\$775,000. NM \$175,000. NN \$380,000. Fed.	\$1,535,000.	Ongoing
	TOTALS		\$1,329,600.	\$3,427,590.	\$4,962,190.	

- Items in Green are Projects that were in Active Construction during EY-2007.

**Table 5
NAMLRP
Public Facility Projects Funded in EY-2005**

Grant GR507810						
Chapter/ Entity	PFP	AML Funding	Leverage Funding	Total Funding	06/30/06 Status	
1	Bread Springs	Water Well & Chlorinator	300,000.	700,000.	1,000,000.	On-Going
2	Bodaway/Gap	Hardy Power-line Ext.	112,451.	26,640.	139,091.	Completed
3	Nenahnezad	Navajo Prep. School Ph-2	300,000.	11,916,461.	12,216,461.	Ongoing*
TOTALS			\$712,451.	\$12,643,101.	\$13,355,552.	

- Items in Green are Projects that were in Active Construction during EY-2007.

* Navajo Prep. School Ph-2 is 97% complete, \$275,000 has been spent. NAMLRP will consider it fully complete when all AML funded construction items are finished and paid out.

**Table 6
NAMLRP
Public Facility Projects Funded in EY-2006**

Grant GR607810			Leverage Funding		
Chapter/ Entity	PFP	AML Funding		Total Funding	06/30/06 Status
TOTALS		\$ 0.		\$ 0.	\$ 0.

[Note: No PFP's were funded in EY-2006.]

**Table 7
NAMLRP
Public Facility Projects Funded in EY-2007**

Grant S07AP12344			Leverage Funding			
Chapter/ Entity	PFP	AML Funding		Total Funding	06/30/07 Status	
1	Leupp Chapter	Leupp CH- Addition	\$300,000.	\$124,783.	\$424,783.	Pending
2	Lupton Chapter	Lupton MPB	\$300,000.	\$16,124.	\$316,124.	Pending
TOTALS			\$600,000.	\$140,907.	\$740,907.	

Table 8
NAMLRP
EY-2007 AMLIS Accomplishments *

Problem Type and Description	Completed EY-2007	Costs**
Benchs	0.0 acres	\$0.
Clogged Stream Lands	0.0 acres	\$0.
Dangerous Highwalls	0.0 linear feet	\$0.
Dangerous Impoundments	0 (count)	\$0.
Dangerous Piles & Embankments	0.0 acres	\$0.
Dangerous Slides	0.0 acres	\$0.
EF-Equipment/Facilities	0 (count)	\$0.
Gobs	0.0 acres	\$0.
Highwalls	0.0 feet	\$0.
Hazardous Equipment & Facilities	0 (count)	0.
Haul Roads	35 acres	\$77,487.50.
Industrial/Residential Waste	0.0 acres	\$0.
Mine Openings (prospects)	0 (count)	\$0.
Other (Erosion Maintenance)		\$458,936.50
Portals	2 (count)	\$18,400.00
Pits	0.0 acres	\$0.
Polluted Water: Agric. & Indust.	0 (count)	\$0.
Subsidence	6 acres	\$94,262.50
Spoil Areas	0 acres	\$0.
Surface Burning	0.0 acres	\$0.
Slump	0 acres	\$0.
Underground Mine Fires	5 acres	\$358,812.50.
Vertical Openings	0.0 (count)	\$0.
Water Problems	0 (count)	\$0.
NAVAJO TOTAL COSTS		\$1,007,899.

* *This table is based on a Problem Type Unit and Cost Detail Report from the Abandoned Mine Land Inventory System. The Navajo coal inventory is completed. Neither AMLIS nor this table contains an inventory of un-reclaimed non-coal. Non-coal hazards are not tracked by the AMLIS inventory, until they are funded or fully reclaimed.*

** *Costs associated with AMLIS keywords/ hazards are not entered by NAML until the grant is closed out.*

--- *Items in Green are Projects that were in Active Construction during EY-2007.*

Table 9
Navajo Abandoned Mine Reclamation Program
Cumulative AML Reclamation Accomplishments To Date

Problem Type and Description	Completed To Date*	Costs**
Benchs	58.25 acres	329,313.
Clogged Stream Lands	0.8 acres	0.
Dangerous Highwalls	92,411 linear feet	5,130,086.
Dangerous Impoundments	7 (count)	123,359.
Dangerous Piles & Embankments	569.37 acres	7,583,391.
Dangerous Slides	7 acres	220,394.
Equipment/Facilities	2.0 (count)	12,405.
Gobs	168.74 acres	843,846.
Highwalls	4,070 feet	203,561.
Hazardous Equipment & Facilities	5 (count)	29,087.
Haul Roads	265.56 acres	1,027,190.
Industrial/Residential Waste	7.5 acres	121,162.
Mine Openings (prospects)	87 (count)	259,723.
Other (Erosion Maintenance)	1,260.1 acres	2,616,296.
Portals	864 (count)	3,254,297.
Pits	139.4 acres	1,037,555.
Polluted Water: Agric. & Indust.	19.0 (count)	185,901.
Subsidence	18.14 acres	522,759.
Spoil Areas	264.6 acres	432,334.
Surface Burning	3.24 acres	26,000.
Slump	0.0 acres	0.
Underground Mine Fires	8.1 acres	458,988.
Vertical Openings	382 (count)	382,434.
Water Problems	1 (count)	4,337.
NAVAJO TOTAL COSTS		\$24,475,105.

--- Items in Green are for Projects that were in Active Construction during EY-2007.

** Keywords include EY-2007 accomplishments; however,*

*** Costs & total may not include all costs associated with EY-2007 accomplishments as some grant(s) May not be closed out.*