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**[EXTERNAL] Proposed Roads Rule - 1076-AF45**

1 message

**David Kelly** <ostroads@gmail.com>

Tue, Sep 24, 2019 at 1:51 PM

To: comments@bia.gov

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Bureau of Indian Affairs,

We the Oglala Sioux Tribe of the Great Plains Region are not in support of the Proposed Rule change, Doc. Citation: 84FR 36040, CFR: 25 Part 170, Agency/Docket No. 190D0102 DRDS5A300000DR.5A311.IA000118, RIN: 1076-AF45, Doc. No.2019-15928 Tribal Transportation Program; Inventory of Proposed Roads.

The current rule requires all tribes to meet certain criteria in order to remain on the inventory as a proposed road, in accordance **23 United States Code (usc) parts 134 and 135**, requires proof of FISCAL CONSTRAINT, which requires said tribes to provide proof that funding is available to build the proposed road or roads. With what little funding we receive now through allocation, there would be absolutely no way a tribe would be able to accomplish building the majority of proposed roads within a reasonable time frame. Currently the BIA Deferred Maintenance Report already has a \$389,000,000.00 backlog with a target goal of 17% of roads in acceptable condition! Why are we not fixing what's already in the inventory? That leave over 80% in unacceptable condition? Therefore, this proposed rule change makes no sense?

This process of removing proposed roads from the inventory has been stalled two years and going on three years without consulting with TRIBES, therefore the November 7, 2019 requirement per statute should be up held!!

The current Oglala Sioux Tribe; Long Range Transportation Plan has laid out our tribes current **"ESTIMATES OF TOTAL COST TO UPGRADE TO CURRENT SAFETY STANDARDS = \$ 219,624,179.00**, for existing asphalt roads on our current NTTFI Inventory.

**"ESTIMATES OF TOTAL COST TO UPGRADE TO GOOD GRAVEL ROADS"= \$ 815,133,200.00**, for existing gravel roads on our current NTTFI Inventory.

Looking at these numbers alone, we the Oglala Sioux Tribe exceed the **BILLION** dollar amount and it would take us over 100 years to fix every single road at our current funding level.

Since the influx of allowing County, State, other Federal and every other means into the NTTFI, the program has losted its identity and has served as means of supplemental funding for other districts, we now have an opportunity to clean up the inventory on November 7, 2019 and look at the legitimacy of true Indian Reservation Roads,

***THEREFORE THE OGLALA SIOUX TRIBE IS OPPOSED TO ANY CHANGES TO THE CURRENT REGULATIONS IN REGARD TO PROPOSED ROADS.***

David A. Kelly

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