§ 170.502 — Are management systems required for the IRR Program?

(a) To the extent appropriate, the Secretaries must, in consultation with tribes, develop and maintain the following systems for the IRR Program:

1. Pavement management;
2. Safety management;
3. Bridge management; and

(b) Other management systems may include the following:

1. Public transportation facilities;
2. Public transportation equipment; and
3. Intermodal transportation facilities and systems.

(c) All management systems for the IRR Program must meet the requirements of 23 CFR part 973.
§ 170.503 A tribe may enter into an ISDEAA contract or agreement to develop, implement, and maintain an alternative tribal management system for that tribe, provided that such systems are consistent with Federal management systems.

§ 170.503 How are IRR Program management systems funded?

BIA uses IRR Program management funds to develop the nationwide IRR Program management systems. If a tribe elects to develop its own tribal management system based on the nationwide management system requirements in 23 CFR part 973, it may use for this purpose either:

(a) The funds defined in 23 U.S.C. 204(j) for IRR Program tribal transportation planning; or
(b) IRR Program construction funds.

§ 170.504 When and how are bridge inspections performed?

IRR bridge inspections must be performed at least every 2 years to update the NBI using criteria that meets or exceeds applicable Federal standards (23 CFR 650.305).

(a) Federal standards for bridge inspections are found in 23 CFR part 650, subpart C.
(b) Tribes may develop alternative bridge inspection standards, provided that these standards meet or exceed applicable Federal standards.

§ 170.505 How must bridge inspections be coordinated?

This section applies to bridge inspectors working for BIA; for tribes under an ISDEAA contract or self-governance agreement; or for State, county, or local governments. Before performing an inspection, inspectors must:

(a) Notify affected tribes and State and local governments that an inspection will occur;
(b) Offer tribal and State and local governments the opportunity to accompany the inspectors; and
(c) Otherwise coordinate with tribal and State and local governments.

§ 170.506 What are the minimum qualifications for certified bridge inspectors?

The person responsible for the bridge inspection team must meet the qualifications for bridge inspectors as defined in 23 CFR part 650, subpart C.

§ 170.507 Who reviews bridge inspection reports?

The person responsible for the bridge inspection team must send a copy of the inspection report to the BIA regional office. The regional office:

(a) Reviews the report and furnishes a copy to the affected tribe for review, comment, and use in programming transportation projects; and
(b) Sends the report to BIADOT for quality assurance and inclusion in the National Bridge Inventory (NBI).

Appendix A to Subpart D—Cultural Resource and Environmental Requirements for the IRR Program

All BIA work for the IRR Program must comply with cultural resource and environmental requirements under applicable Federal laws and regulations, including, but not limited to:

2. 16 U.S.C. 4601, Land and Water Conservation Fund Act (Section 6(f)).
7. 42 U.S.C. 7401, Clean Air Act.
11. 50 CFR part 402, Endangered Species Act regulations.
16. 23 CFR part 777, Mitigation of Impacts To Wetlands and Natural Habitat.