



Memorandum

DATE May 15, 2015

TO Wendy Austin, Hwy Environmental Specialist, Planning and Project Development

FROM Stacy Stupka-Burda, Section 106 Specialist, Planning and Project Development

SUBJECT Ponca Tribe of Nebraska -Tribal Consultation
13214_ENH-49(46)_Tecumseh Historic Square Preservation

A Section 106 consultation letter was sent to the Ponca Tribe of Nebraska by FHWA on 04/03/15 regarding Section 106 review for the project referenced above. To date, a response from the Ponca Tribe of Nebraska has not been received regarding this letter.

An email from FHWA dated 06/05/2012 provides guidance regarding the Section 106 Tribal Coordination process. Item 1 indicates that "if, based on the nature of the work, there is no potential to effect Native American sites (archaeological/historic/TCP), but the project is on tribal lands or within a known tribal affiliated area, then tribal coordination would consist of one letter with a 30-comment period asking for their concurrence. If they do not respond within 30 days, the FHWA would assume the tribe has no concerns for the project and no further coordination is required, keeping in mind that a tribe may voice concerns at any time in the life of the project."

The 30-day comment period for the letter sent to the Ponca Tribe of Nebraska has passed without receiving their response. Therefore, this project may proceed as planned.