

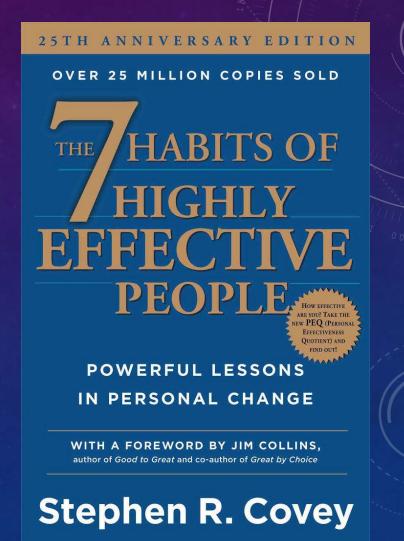
INTRODUCTIONS

Name

Agency / Department

PART I – THE END GAME

- Begin with the End in Mind
 - Habit #2 the ability to envision what you cannot at present see
 - Mental Creation
 - Physical Creation



FINISHED PROJECTS – MCN EUFAULA WALKING TRAIL







FINISHED PROJECTS – MCN 10TH STREET





FINISHED PROJECTS – MCN K BAR ROAD







FINISHED PROJECTS – CPN POND WALKING TRAIL



FINISHED PROJECTS – CPN SIDEWALK SAFETY PROJECT





FINISHED PROJECTS – CPN RAINBOW ARCH BRIDGE





END GAME – NEPA



United States Department of the Interior BUREAU OF INDIAN AFFAIRS

Okmulgee Agency P.O. Box 8002 Muskogee, OK 74402-8002



Real Estate Services

Pariet Orean assess

The SEA has been approved and is enclosed with a Findi and a Notice of Availability (NOA). A copy has been po Office, any comments received will be provided to th conclusion of the 30-day public review period the Okmulg comments have been adequately addressed before impleme rom: david.cremer@dot.go

o: pamela_jumey@crosstimbersconsulting.con

c: darcel.colins@dot.go:

iubject: CatEx_Gordon Cooper Sidewalk_CPN

Pate: Thursday, November 12, 2015 11:22:00 AP

This e-mail documents compliance with NEPA and other environmental requirements for the project. Please keep a copy of it with your project files.

Regarding the following project: Gordon Cooper Sidewalk Safety Project

Project Description:

The proposed project is the construction of a 0.7-mile sidewalk that parallels Gordon Cooper Road along the west side. The sidewalk has been identified as TTP Route 8082. The length of Gordon Cooper that the road follows is identified as Route 8804.

The funding for this project is the result of a safety fund application through the FHWA. The Citizen Potawatomi Nation (CPN) has an active Strategic Transportation Plan where pedestrian safety is one of the emphasis areas. This project provides pedestrian access and increases recreational opportunities for tribal members and visitors to the CPN tribal complex area.

Gordon Cooper Road is a city street. The CPN has an MOU with the City of Shawnee where the CPN has agreed to maintain this portion of Gordon Cooper Road.

CPN trust land and private property lie to the west of the road. The proposed construction lies outside of the existing ROW and would be constructed along CPN trust land or private property. Temporary Construction Easements would be executed with both owners of the private property. The proposed construction is located north of the CPN tribal complex. The project location is described with a point of beginning 0.25 mile east of the southwest corner of Section 30, Township 10 North, Range 4 East (IM). The sidewalk would then travel north for 0.7 miles.

The proposed project is a linear transportation project that would be constructed over land that lies between farmed fields and Gordon Cooper Road. From NRCS soil maps, the underlying soil is classified as prime farmland and most of the land to the west of the proposed project area is farmed. However, the proposed sidewalk would be constructed on non-tilled land.

The total disturbance would be 0.74 acres with a permanent loss of 0.52 acres. The permanent loss would be the result of the excavation and replacement of sidewalk path materials.

The total budget for the sidewalk is \$144,500. All of the funding will have a federal nexus.

NEPA:

The FHWA has determined that this project meets the requirements of a Categorical Exclusion (CE) as defined in 23 CFR 771.117(a) and does not involve unusual circumstances as described in 23 CFR 771.117(b). The project is categorically excluded from further NEPA analysis because it meets these requirements and falls within the following action(s) of 23 CFR 771.117: (c)(23)—Federally-funded



The FONSI

NEPA

- BIA
 - NEPA BIA Guidebook

Authority to use FHWA Cat Ex

- FHWA
 - FHWA Categorical Exclusions
 - TTP Environmental Checklist

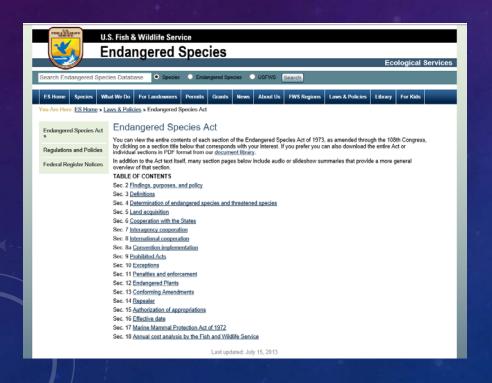
HOW TO GET THERE.....

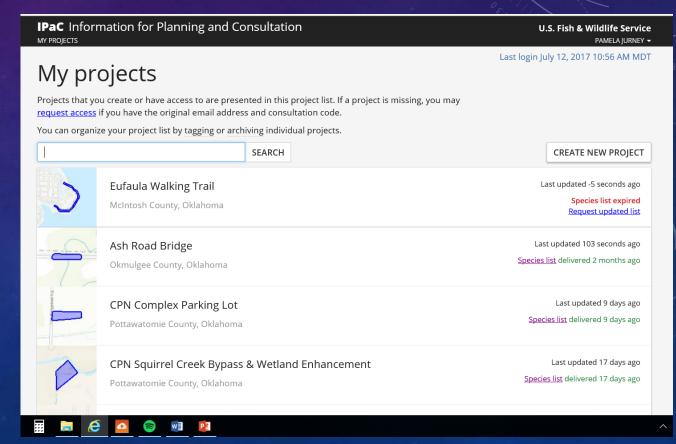
- Project Initiation
- Biological Survey (Section 7)
 - Threatened & Endangered Species
 - Water Resources
 - Wetlands / Floodplains
- Archaeological Survey (Section 106)
 - SHPO / OAS
 - THPO
- Special Circumstances
 - Scoping Letters / Permits

BIOLOGICAL SURVEY

- FIELD SURVEY
 - Potential Habitat for Threatened & Endangered Species
 - Water Resources
 - Wetlands
- STUDY AREA RESEARCH
 - USFWS IPaC (Section 7)
 - National Wetlands Survey
 - Floodplains
 - Environmental Checklist

- USFWS IPaC
 - Information for Planning and Consultation
 - https://ecos.fws.gov/ipac/





- USFWS IPaC
 - Project Home

Documents IPaC-generated documents Species List: Oklahoma Ecological Services Field Office Project location (shape file) Uploaded documents that support this project Upload documents relevant to your project design. These can be used as supporting documentation either when evaluating determination keys or when making manual effect determinations. YOU HAVE NOT UPLOADED ANY DOCUMENTS TO SUPPORT THE FINDINGS OR CONCLUSIONS FOR THIS PROJECT. UPLOAD A DOCUMENT OR USE DRAG AND DROP

<u>IPaC - Species List</u>

IPaC Information for Planning and Consultation MY PROJECTS

U.S. Fish & Wildlife Service

PAMELA JURNEY *

Eufaula Walking Trail McIntosh County, Oklahoma

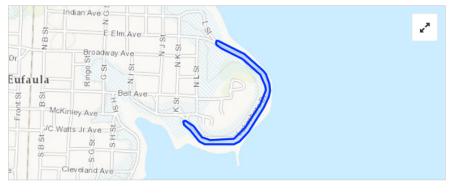
PROJECT HOME

REGULATORY REVIEW

LOCAL OFFICE OK ESFO +



Lake Eufaula (3,233 feet / 0.63 mile), McIntosh County



LOCATION

McIntosh County, Oklahoma

CREATED

September 16, 2015

LAST UPDATED July 21, 2017

1 MEMBER

2 DOCUMENTS

What's next?

ENDANGERED SPECIES REVIEW

Review this project's effect on listed species pursuant to the Endangered Species Act, as part of the overall regulatory review.

RESUME REVIEW

SPECIES LIST

An official species list was delivered 2 years ago. Species lists are considered valid for 90 days.

REQUEST UPDATED LIST

Local office

Oklahoma Ecological Services Field

CONSULTATION – SECTION 7

USFWS – Project Review

Species Conclusion Table

No Effect

Online Concurrence Letter

- May Affect, Not Likely to Adversely Affect
- May Affect, Likely to Adversely Affect

Surveys?

https://www.fws.gov/endangered/



U.S. Fish & Wildlife Service

Oklahoma Ecological Services Field Office

Southwest Region

Search

General Office Location (PDF

Driving Directions

USFWS OKLAHOMA ON-LINE PROJECT REVIEW PROCESS

- Looking for a species list?
- Seeking USFWS/Service's environmental review of a project?
- · Conducting scoping for a project?
- Initiating consultation for endangered species impacts from a project?
- · Looking for guidance on endangered species, migratory birds, eagles, or NEPA for your project?

Then you have come to the right place!

This website provides an on-line Project Review Process for use by landowners, applicants, consultants, agency personnel, and any other individual or entity requiring U.S. Fish and Wildlife Service (Service) review or approval of their project within Oklahoma. Complete this on-line process before contacting our office.

This on-line Project Review Process provides step-by-step instructions:

- 1. Allowing you to identify federally listed threatened and endangered species, federal candidate species, federally proposed species, federally designated critical habitat, and other federal trust resources that may be present in
- 2. Allowing you to determine if your project will adversely affect any of the above listed resources.
- 3. Informing you if additional consultation with the Service is necessary

At the end of this Project Review Process you will:

- Have a complete Project Review Package, which is required for our review.
- 2. Be able to determine if additional consultation with the Service is necessary OR be able to certify that you have completed required coordination with the Service under the Endangered Species Act1 (ESA).

Please note that response times described in Steps 7a and 7b have changed from 60 days (65 for hardcopy submissions) to 45 days (50 for hardcopy

8/19/2015 The Online Concurrence Letter (from Step 7a) and the Online Project Review Request Form (Step 7b) have been updated. Please use these new documents with your project submission.

The range of the American burying beetle in Oklahoma has been updated, as a 3/25/2015 result of positive survey findings along the western edge of the ABB's range in 2014. This change results in a range expansion by 3% in Oklahoma, or an additional 576,738 acres

Our email return receipt for okprojectreview@fws.gov can provide only one response per email address every four hours. If you submit multiple requests within a four hour window, you may use the return receipt email from your initial project request as proof of additional project submittals.

¹Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended

Last updated: July 11, 2016 All images by FWS unless otherwise noted

Project Reviews

Endangered Species Species in Oklahoma (PDF)
 What species occur in my
project area?

- Species of Concern (PDF)
 Species Fact Sheets

Critical Habitat

- · What is it? (PDF)
- Critical Habitat Mappe

General Info:

- Plants and the ESA (PDF) Eagles and Migratory
- Wind Energy

Communication Towers

Service Guidance on the Siting, Construction, Operat

- Approved Surveyors
- How to be a Surveyor (PDF)
- How long is an animal survey valid? (PDF)
- · How long is a plant survey valid? (PDF)

Additional Documents BEST Management Practic Species Watershed Maps.

Archaeological Survey / Review of Project Area

- Consultation
 - http://www.achp.gov/106summary.html



PO Box 6566 Norman, OK 73070 Office: 405-329-5425 Fax: 405-692-5415 Email: bes.archeology@att.net Website: www.bcsearcheology.com

A Cultural Resources Survey Report of the Muscogee (Creek) Nation K Bar Road Improvements Okfuskee County, Oklahoma

B

Jason Zan

Prepared for

Cross Timbers Consulting, LLC

on behalf of

Muscogee (Creek) Nation



Bison Technical Report No. 52-14

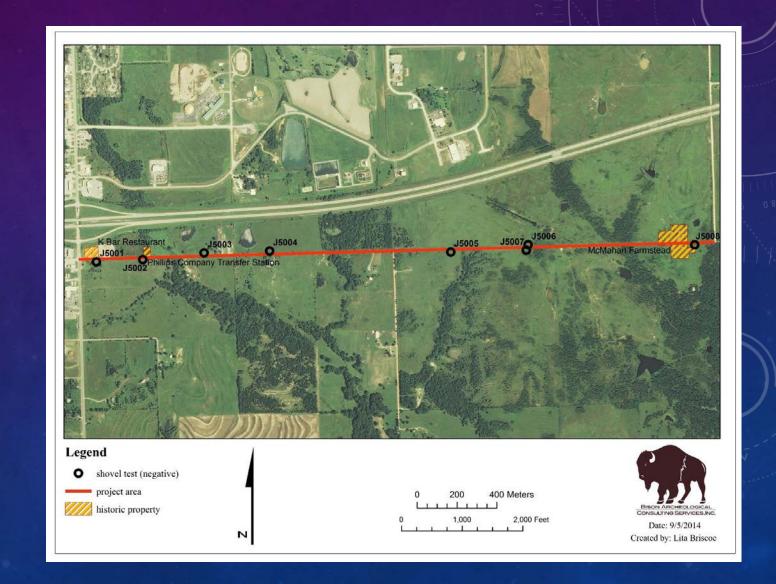
September 2014

Archaeological Survey





- Archaeological Report
 - Sensitive Information
 - Not for public



CONSULTATION – SECTION 106

- Concurrence
 - Part of public document



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office

Oklahoma History Center * 800 Nazih Zuhdi Drive * Oklahoma City, OK 73105-7917 (405) 521-6249 * Fax (405) 522 0816 * www.ekhistory.org/shpo/shpom.him

April 15, 2015

Mr. Charley LaSarge, TTP Manager Creek Nation Transportation Division P.O. Box 580 Okmulgee, OK 74447

RE: File #0235-15; Creek Nation Proposed Reconstruction of K-Bar Road (Route 1377), Proportics Listed on the Attachment to this Letter

Dear Mr. LaSarge:

We have received and reviewed the documentation concerning the referenced project in Okfuskee County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in

If you have any questions, please contact Catharine M. Wood, Historical Archaeologist, at 405/521-

Should further correspondence pertaining to this project be necessary, please reference the above underlined file number. Thank you.

Sincerely.

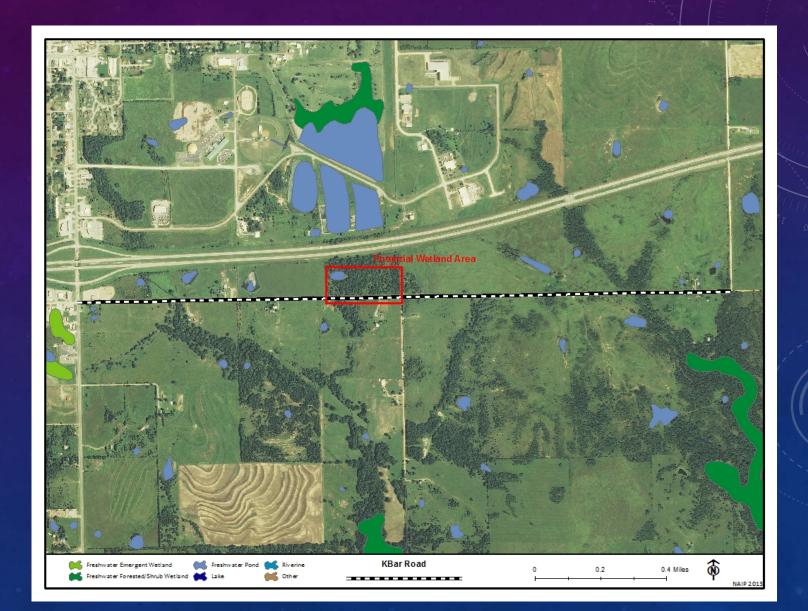
Melvena Heisch
Deputy State Historic
Preservation Officer

MH:pm

Attachment

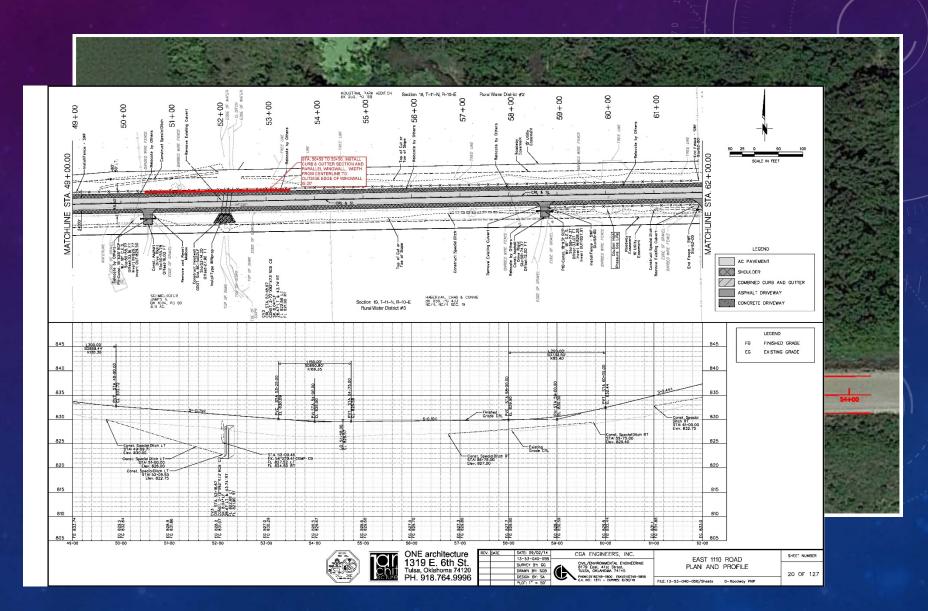
STUDY AREA RESEARCH – WATER RESOURCES

NationalWetlandsSurvey



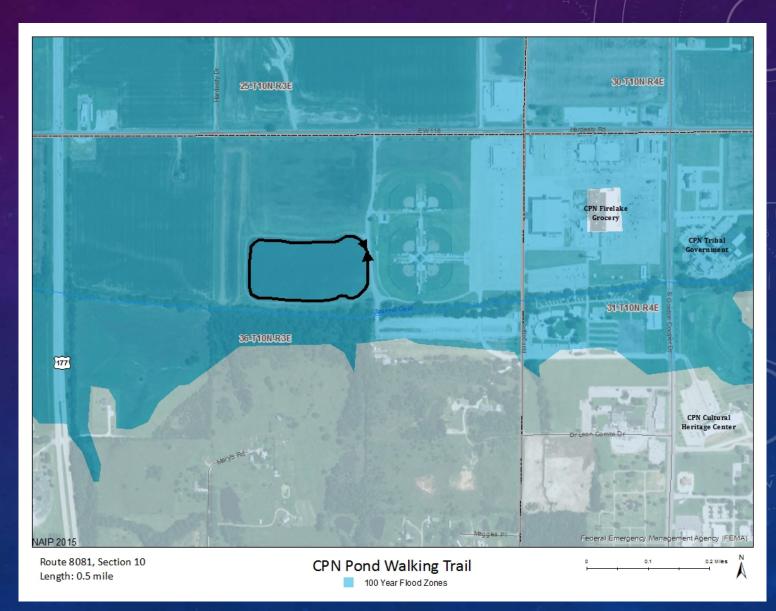
STUDY AREA RESEARCH – WATER RESOURCES

Permit 14 –
Linear
Transportation
(US Army
Corps of
Engineers)



STUDY AREA RESEARCH – WATER RESOURCES

Floodplains



CONCLUSION OF PART I – THE END GAME

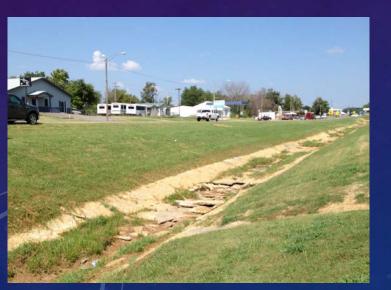
- Project Initiative
- Big Items
 - Section 7
 - Section 106
 - Water Resources
- Let's Get This Party Started.....
 - Setting up a road project

PART II – THE PROCESS OF SETTING UP A PROJECT

What does it take to go from an idea to a completed project?

Long Range Transportation Plan

National Tribal Transportation Facility Inventory
(NTTFI)



Transportation Improvement Plan

Design & Environmental

Construction



MUSCOGEE (CREEK) NATION



LONG RANGE TRANSPORTATION PLAN 2014 - 2034

DEPARTMENT OF THE INTERIOR Bureau of Indian Affairs 25 CFR Part 170

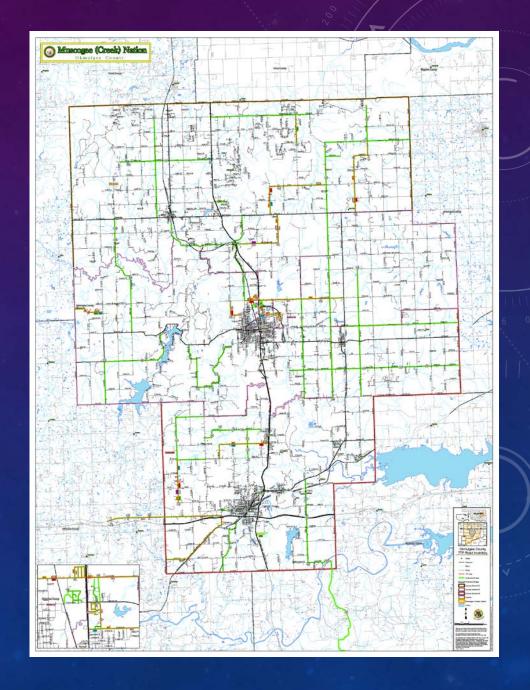
Tribal Transportation Program
Bureau of Indian Affairs, Interior: Final rule.

170.409 What is the purpose of long-range transportation planning?

(a) The purpose of long-range transportation planning is to clearly demonstrate a Tribe's transportation needs and to develop strategies to meet these needs. These strategies should address future land use, economic development, traffic demand, public safety, and health and social needs. The planning process should result in a LRTP.

170.410 How does a long-range transportation plan relate to the NTTFI?

A LRTP is developed using a uniform process that identifies the transportation needs and priorities of a Tribe. The NTTFI (see § 170.442) is derived from transportation facilities identified through an LRTP. It is also a means for identifying projects and activities for the TTP.



170.411 What should a long-range transportation plan include?

A LRTP should include:

- (a) An **evaluation** of a full range of transportation modes and connections between modes such as highway, rail, air, and water, to meet transportation needs;
- (b) **Trip generation studies**, including determination of traffic generators due to land use;
- (c) Social and economic development planning to identify transportation improvements or needs to accommodate existing and proposed land use in a safe and economical fashion;

- (d) Measures that address health and safety concerns relating to transportation improvements;
- (e) A review of the existing and proposed transportation system to identify the relationships between transportation and the environment;
- (f) Cultural preservation planning to identify important issues and develop a transportation plan that is sensitive to Tribal cultural preservation;
- (g) Scenic byway and tourism plans;
- (h) Measures that address energy conservation considerations;
- (i) A prioritized list of short- and long-term transportation needs; and
- (j) An analysis of funding alternatives to implement plan recommendations.

170.413 What is the public's role in developing the long-range transportation plan?

BIA, FHWA, or the Tribe must solicit public involvement. If there are no Tribal policies regarding public involvement, a Tribe must use the procedures in this section. Public involvement begins at the same time long-range transportation planning begins and covers the range of users, from stakeholders and private citizens to major public and private entities. Public involvement must include either meetings or notices, or both.

170.414 How is the Tribal long-range transportation plan used and updated?

The Tribal government uses its TTP long-range transportation plan to develop transportation projects as documented in a Tribal priority list or TTIP and to identify and justify the Tribe's updates to the NTTFI.

NAME	ORGANIZATION	EMAIL
Donna M-Gee	Wetunka Public Schools	ducagee wetunka. Klz. of
JOHN ROBERTS	Hughes Coury EMEZGENCY More.	
Tonya Soruse	men	+sprouse amening
Greg Collins	City of Coweta	gcollinsecityotcaveta-okigod
FALPH BARNETT		Marnettecity of pristour of
nihe Dups	oppulgee co 22	
BOB HARDRIDGE	CHAMILIGEE CO. DIST 2	
Motor & Nichall	okastace co Dist#2	
/11/	MAYOR City of Bixby	', ', ', ', ', ', ', ', ', ', ', ', ', '
JAREN COTTLE	CITY OF BIXSY	jeottle a bixby.com
Monito Mahelin	MANUA VITO-NOTE Comi	jamith & residy muskog re oo 6
Mile Carl	Matignal Council	
ROBERT CARR	Sity of Jents	rearra jenksok org
PONT ENENOUDSES	CITY OF BIKBY	djenevoldsch@olp.net
JAMEN Lyour	Morro Public School	Slyon - @ Morris - KIZOKAT

LRTP: PRIORITY LIST

170.420 What is the Tribal priority list?

The Tribal priority list is a list of all transportation projects that the Tribe wants funded. The list:

- (a) Is not financially constrained; and
- (b) Is provided to BIA or FHWA by official Tribal action, unless the Tribal government submits a TTIP.

MUSCOGEE (CREEK) NATION PRIORITY LIST

ROUTE NUMBER	ROUTE NAME	ROUTE NAME COUNTY	
1432	Gun Club Road East Okmulgee		6.0
1457	Industrial Park Roads	Okmulgee	1.0
1854 & 1861	Texanna Road	McIntosh	4.7
1553	Butler Creek Church Road	2.0	
1221	Iron Post	Creek	5.0
1206	Iron Post North	Creek	5.0
1849	Little Coweta	McIntosh	4.0
1937	Dustin South	Hughes	4.0
1435	Twin Hills	Okmulgee	6.0
1006	Oneta Road	Wagoner	2.0
1563	Wainwright Road	Muskogee	11.2
1418	Nichols Park Road	Okmulgee	2.3
1405	10 th Street	Okmulgee	9.0
1443	Duck Creek Road	Okmulgee	
1822	Hanna West	McIntosh	2.3
1402	Rock Store Road	Okmulgee 3.0	
1328	Micawber Road East	Okfuskee	3.0

NATIONAL TRIBAL TRANSPORTATION FACILITY INVENTORY

170.442 What is the National Tribal Transportation Facility Inventory?

National Tribal Transportation Facility Inventory (or NTTFI) means at a minimum, transportation facilities that are eligible for assistance under the Tribal transportation program that an Indian Tribe has requested.



NTTFI

170.444 How is the NTTFI updated?

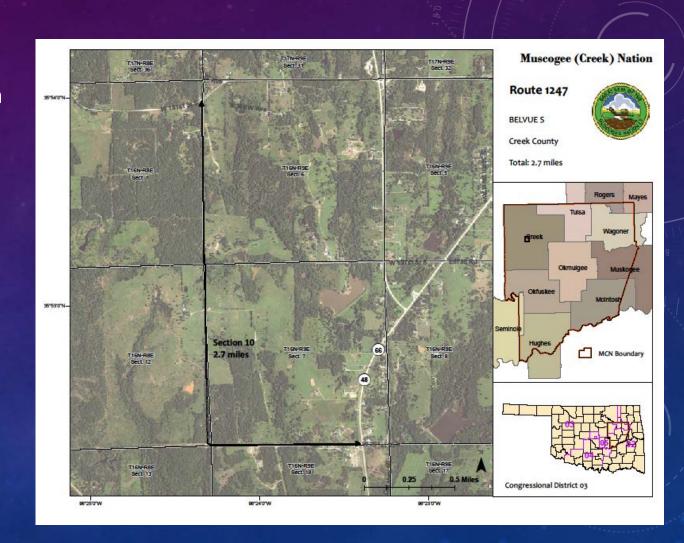
- (a) Submitting data into the NTTFI for a new facility is carried out on an annual basis as follows:
- (1) BIA Regional Offices provide each Tribe within its region with a copy of the Tribe's own NTTFI data during the first quarter of each fiscal year.
- (2) Tribes review the provided data and are responsible for entering all changes/updates into the database. This work must be completed by March 15. The submissions must include, at a minimum, all required minimum attachments (see § 170.446) and authorizing resolutions or similar official authorizations.
- (3) The BIA Regional Office reviews each Tribe's submission. If any errors or omissions are identified, the BIA Regional Office will return the submittals along with a request for corrections to the Tribe no later than May 15. If no errors or omissions are found, the BIA Regional Office validates the data and forwards it to BIADOT for review and approval.
- (4) The Tribe must correct any errors or omissions in the data entries or return the corrected submittals back to the BIA Regional Office by <u>June 15</u>.
- (5) Each BIA Regional Office must validate its regional data by July 15.
- (6) BIADOT approves the current inventory year submissions from BIA Regional Offices by <u>September 30</u> or returns the submissions to the BIA Regional Office if additional work is required.

NTTFI

170.446 What minimum attachments are required for an NTTFI submission?

The minimum attachments required for a facility to be added into the NTTFI include the following.

- (a) A long-range transportation plan.
- (b) A Tribal resolution or official authorization that refers to all route numbers, names, locations, lengths, construction needs, and ownerships.
- (c) A Strip map. See § 170.5.
- (d) Average Daily Traffic (ADT) documentation.
- (e) A typical or representative section photo or bridge profile photo.
- (f) Incidental cost verification.
- (g) Acknowledgement of Public Authority responsibility.

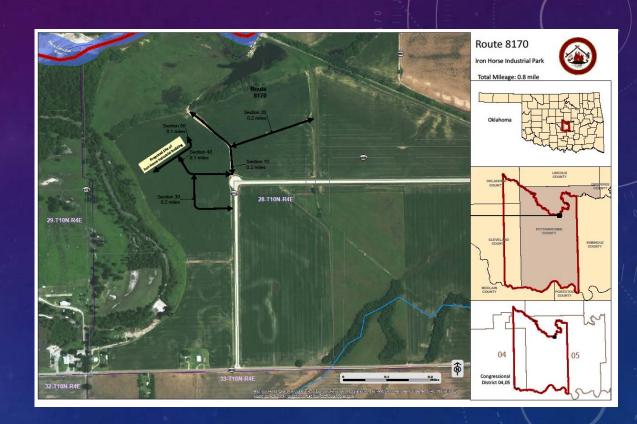


NTTFI

170.443 What is required to successfully include a proposed transportation facility in the NTTFI?

(a) A proposed transportation facility is any transportation facility, including a highway bridge, that will serve public transportation needs, meets the eligibility requirements of the TTP, and does not currently exist. It must meet the eligibility requirements of the TTP and be open to the public when constructed. In order to have a proposed facility placed on the NTTFI, a Tribe must submit all of the following to the BIADOT/FHWA Quality Assurance Team for consideration.

Deadline to update Proposed Roads – November 7, 2017



TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)

170.421 What is the Tribal Transportation Improvement Program (TTIP)?

- (1) Is developed from and must be consistent with the Tribe's Tribal priority list or LRTP;
- (2) Is financially constrained
- (3) Must include public involvement;

Summary of	Project	s List	Muscogee (Creek) Nation					
Project Name	Project No.	Const. Yr	2017	2018	2019	2020	2021	Total
Rock Store Road		2019	\$0	\$0	\$2,494,669	\$0	\$0	\$2,494,669
ron Post Road North		2020	\$0	\$0	\$0	\$3,823,309	\$0	\$3,823,309
Twin Hills Road (Phase II)		2021	\$0	\$0	\$0	\$0	\$3,409,309	\$3,409,30
Newtown Church Road		2018	\$0	\$2,580,000	\$0	\$0	\$0	\$2,580,000
Ryals Road		2019	\$0	\$0	\$2,298,640	\$0	\$0	\$2,298,64
Salt Creek Church Road		2018	\$0	\$2,213,309	\$0	\$0	\$0	\$2,213,30
TTP - MCN Transportation Administration			\$600,000	\$600,000	\$600,000	\$600,000	\$600,000	\$3,000,00
Garnett Road		2017	\$483,309	\$0	\$0	\$0	\$0	\$483,30
Mason School Road		2020-2021	\$0	\$0	\$0	\$2,030,000	\$2,444,000	\$4,474,00
MCN Transit Authority			\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$2,500,00
MCN Road Mainenance			\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$7,500,00
TTP - MGMT & Project Planning			\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$250,00
Springhill Road		2018-2019	\$60,000	\$1,060,000	\$1,060,000	\$0	\$0	\$2,180,00
Transit Building Expansion		2017	\$1,085,000	\$0	\$0	\$0	\$0	\$1,085,000
Muscogee (Creek) Nation Hospital Parking Lot		2017	\$940,000	\$0	\$0	\$0	\$0	\$940,00
Kbar Road		2017	\$1,440,000	\$0	\$0	\$0	\$0	\$1,440,00
Duck Creek Road		2017	\$550,000	\$0	\$0	\$0	\$0	\$550,00
Beggs Walking Trail		2017	\$100,000	\$0	\$0	\$0	\$0	\$100,00
Okmulgee Sidewalk		2017	\$200,000	\$0	\$0	\$0	\$0	\$200,000
Equipment Storage Building		2017	\$550,000	\$0	\$0	\$0	\$0	\$550,000
Cromwell Community Center Parking Lot		2017	\$445,000	\$0	\$0	\$0	\$0	\$445,00
UNOFFICIAL			9	5/3/2017 8:22:42 AM				Page 1 of

TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)

170.422 How does the public participate in developing the TTIP?

Public involvement is required in the development of the TTIP.

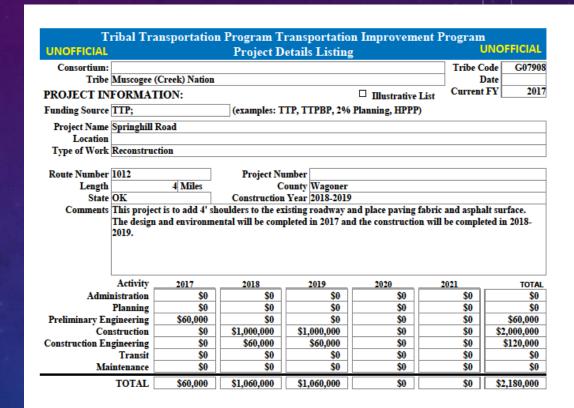
WHAT DOES PUBLIC INVOLVEMENT REALLY MEAN?



TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)

170.423 How are annual updates or amendments to the TTIP conducted?

- (a) The TTIP annual update allows:
- (1) Changes to schedules and funding amounts for identified projects and activities; and
- (2) The addition of transportation projects and activities planned for the next four years.



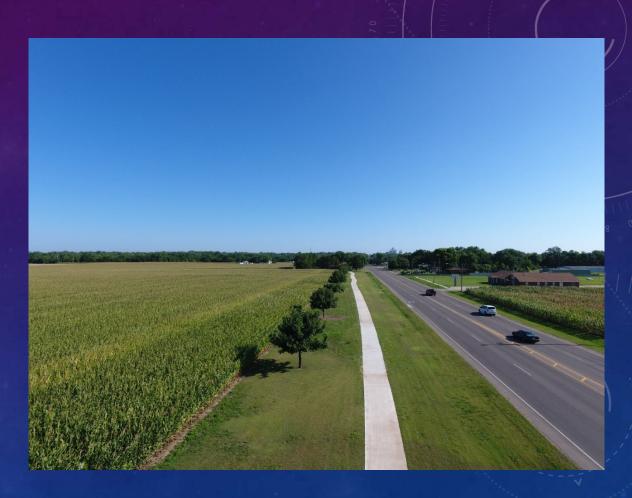
 UNOFFICIAL
 5/3/2017 8:22:42 AM
 Page 16 of 24

TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)

170.435 When is a public hearing required?

The Tribe, or BIA or FHWA after consultation with the appropriate Tribe and other involved agencies, determines whether or not a public hearing is needed for a TTPTIP, a LRTP, or a project. A public hearing must be held if a project:

- (a) Is for the construction of a new route or facility;
- (b) Would significantly change the layout or function of connecting or related roads or streets;
- (c) Would cause a substantial adverse effect on adjacent property; or
- (d) Is controversial or expected to be controversial in nature.



170.454 What design standards are used in the TTP?

(a) Depending on the nature of the project, Tribes must use appropriate design standards approved by FHWA. Appendix B to this subpart as well as the official Tribal Transportation Program Guide list the applicable design standards that can be used.





OPTIONS FOR DESIGN PROJECTS

Direct Service from BIA

PL 93-638 Contract

G2G Agreement

FHWA Agreement



Selecting an Engineering Company

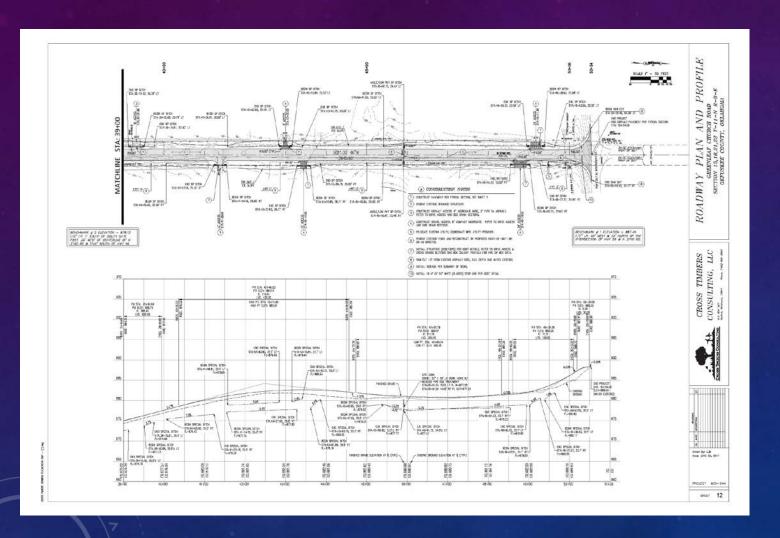
Tribal Purchasing Policies

Preparing a Request for Proposals (RFP)

Advertising RFP

Interviews

Selection and Contract



Basic Design Project

Ownership Research, Utilities, Easements

Survey

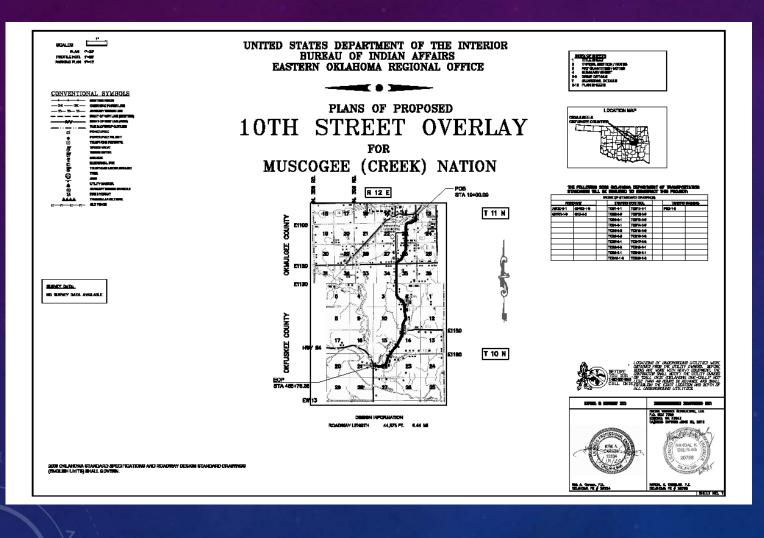
Stakeholders Meeting

30%, 70%, & 90% Plan Review

Final Plans

PS&E Package

Design is completed in coordination with the development of the Environmental Document





The Honorable John Barrett Citizen Potawatomi Nation 1601 S. Gordon Cooper Drive Shawnee, OK 74801

July 5, 2017

Dear Chairman Barrett

The purpose of this letter is to provide a certification of the Plans, Specifications and Engineer's Estimate (PS&E) for the Citizen Potawatomi Nation Westech Road Asphalt Overlay project.

- I certify that the PS&E:

 Meets or exceeds all the design, health, and safety standards in accordance with 25 CFR 170.454, 455, 456, and Appendix B to Subpart D Design Standards for the TTP;

 Meets or exceeds all the design, health, and safety standards in accordance with USC 23 Chapter 1,
- Meets or exceeds all the design, health, and safety standards in accordance and in compliance with
- all the Oklahoma design standards; and

Please contact me if you have any questions concerning this letter.

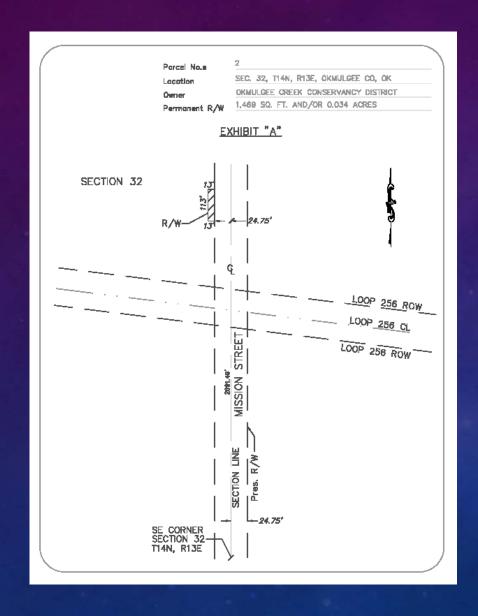
Sincerely,

Randall Oberlag, P.E.

Project Engineer State of Registration: Oklahoma Expiration Date: October 31, 2018 Registration Number: 20798

> P. O. Box 567, Guthrie, OK 73044 405-969-2862

DESIGN & ENVIRONMENTAL: RIGHTS-OF-WAY



25 CFR Part 169

Ownership Documents

Fee Land, Tribal Land, Trust Property

ROW Agent

Negotiate with landowners

Trust Property – BIA

Update Plans as needed

170.470 Which construction standards must Tribes use?

- (a) Tribes must either:
- (1) Use the approved standards referred to in § 170.454; or
- (2) Request approval for any other road and highway bridge construction standards that are consistent with or exceed the standards referred to in § 170.454.





CONTRACT DOCUMENTS & BID SPECIFICATIONS

CITIZEN POTAWATOMI NATION WESTECH ROAD ASPHALT OVERLAY PROJECT

SHAWNEE, OKLAHOMA

JULY 2017



TABLE OF CONTENTS

DESCRIPTION	PAGE NO.
SOLICITATION FOR BIDS	SFB 1
SPECIAL INSTRUCTIONS TO BIDDERS	SIB 1 thru SIB 2
BID PROPOSAL FORM	BPF 1 thru 5
NON-COLLUSION AFFIDAVIT	NCA 1
BUSINESS RELATIONSHIP AFFIDAVIT	BRA 1
CONTRACT AGREEMENT	CA 1 thru 4
MAINTENANCE BOND	MB 1 thru 2
PERFORMANCE BOND	PB 1 thru 2
STATUTORY BOND	SB 1 thru 2
INVOICE AFFIDAVIT	IA 1
CONTRACT CONDITIONS	CC 1 thru CC 4
SUPPLEMENTARY CONDITIONS	SC 1 thru SC 6
GENERAL CONDITIONS	GC 1 thru GC 29
DAVIS BACON WAGES	1 thru 6
PROJECT PLANS	ATTACHED



SETTING UP CONSTRUCTION OF PROJECT

Solicitation for Bids

Pre-bid Meeting

Open & Review Bids

Select Contractor

Contract Approval

Bonds

Insurance

PRE-CONSTRUCTION MEETING

Schedule

Asphalt or Concrete Designs

Material Submittals

Erosion Control Plan

Notice of Intent

Traffic Control Plan

Contract Time & Liquidated Damages





CONSTRUCTION MANAGEMENT

Inspectors

Daily Inspection Diary

Testing

Traffic Control

Invoices

Project Closeout

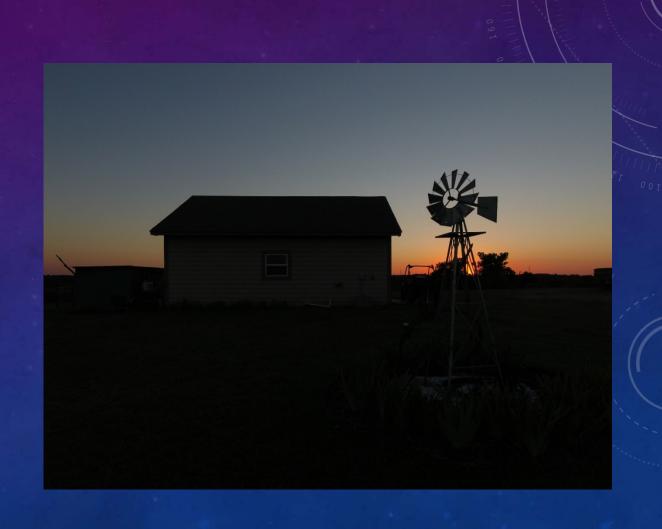
CONSTRUCTION COMPLETE: RIBBON CUTTING





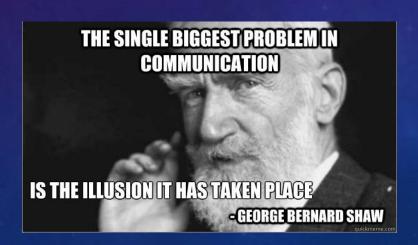
CONCLUSION OF PART II

QUESTIONS



PART III – CHALLENGES & TIPS

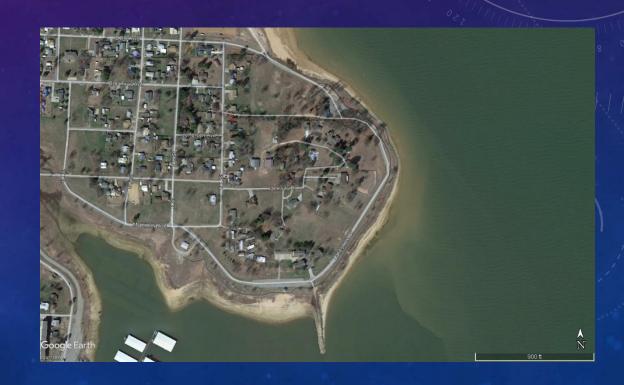
- Every project has unique challenges
- Lessons learned along the way
 - Honesty is the best policy
 - More is more
 - Communication is the key to success





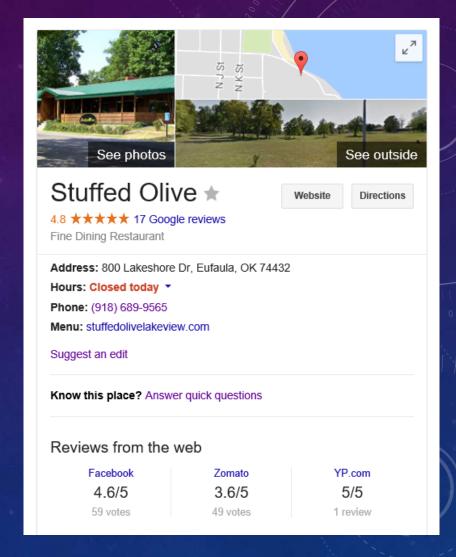
- Players: MCN, City of Eufaula, USACE
- Project: Walking Trail using TTP funds on USACE land leased to city

- Project Commencement: July 2014
- FONSI: October 2015
- Project Completion: June 2016



The Mayor & the Stuffed Olive

- USACE Environmental Review
 - USACE real estate modification to the lease agreement

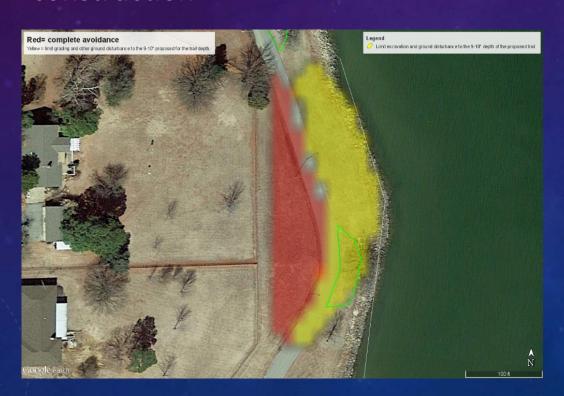


- Section 106Documentation
 - OAS required more test units
 - Redacted reports
 - Curation





- Section 106 Documentation
 - Avoidance
 - Archaeologist on site for part of construction







- Dirt
 - MCN / City must pay for dirt, OR
 - MCN must pay for relocation to another USACE site

- USACE issued FONSI for modification to lease agreement
 - BIA piggy-backed on USACE FONSI for construction of walking trail

FINDING OF NO SIGNIFICANT IMPACE EUFAULA WALKING TRAIL PROJECT MCINTOSH COUNTY, OKLAHOMA

In accordance with the National Environmental Policy Act of 1969, including guidelines in 33 Code of Federal Regulations, Part 230, the Tulsa District has assessed the environmental impacts of the construction of a walking trail at the existing Eufaula City Park on Eufaula Lake, Oklahoma. The Muscogee (Creek) Nation through the City of Eufaula, is proposing to fully fund, construct, and maintain a walking trail in order to improve overall recreational opportunities at Eufaula Lake. The proposed walking trail would be constructed within the Eufaula City Park, an existing and currently-developed recreation area cast of Lakeshore Drive, beginning near Elm Street and ending at McKinney Avenue Eufaula, Oklahoma. The trail would include a 10 foot wide aggregate base overlaid with asphalt pavement extending 0.63 miles. Construction of the walking trail is proposed to begin in 2015 and be completed in 2016. The enclosed environmental assessment (EA) indicates the project would have no significant impact on the quality of the natural or human environment. Therefore, an environmental impact statement is not required and will not be prepared.

1600T15

Richard A. Pratt Colonel, U.S. Army District Engineer

Enclosure: Environmental Assessment

STAFF SUMMARY 1. From: CESWT-OD-NRN FONSI: Muskogee (Creek) Nation, Bufaula 3b. Suspense: 09 October 2019 05 September 2015 4. Summary of Action Requesting Coordination Request for Col. Pratt's signature Copy: Eufaula Lake 5. Action Officer Name and Phone Stacy Dunkin X4906 Signature 7. Coordination Concur Non-Concur* OD-Dunlap K1K 10/4 RO- Commer

SWT Form 1041 August 2001

ALL OTHER VERSIONS ARE OBSOLETE

Proponent: CESWT-DE

MCN K BAR ROAD

- Race to Finish: Hospital Construction versus Road Construction
- Wetlands
 - Not on NWI
 - NWP 14 Linear Transportation
 - USACE required more minimization

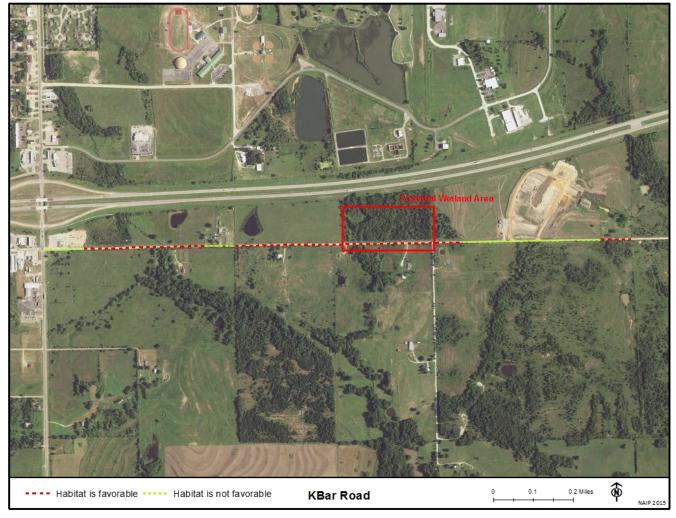


MCN K BAR ROAD

- American Burying Beetle
 - Assume presence
 - Biological Opinion (135 days)
 - Muddy Boggy Mitigation Bank
 - Temporary Impacts
 - Permanent Impacts
 - Conservation Priority Credit
 - **\$15,000 / credit**







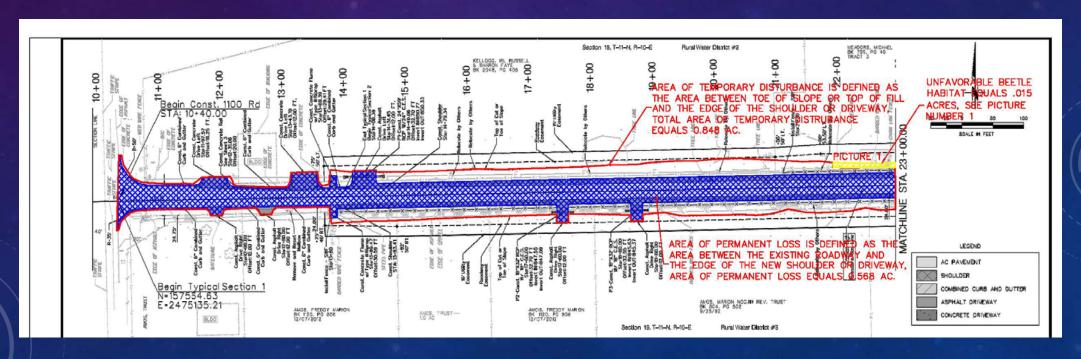


MCN K BAR ROAD – IMPACTS TO THE ABB

Based on the results of the Biological Assessment, it is estimated that 4.623 acres of temporary disturbance will occur and must therefore be mitigated at a 1:0.5 ratio. The permanent loss is estimated at 3.553 acres and must therefore be mitigated at a 1:2 ratio.

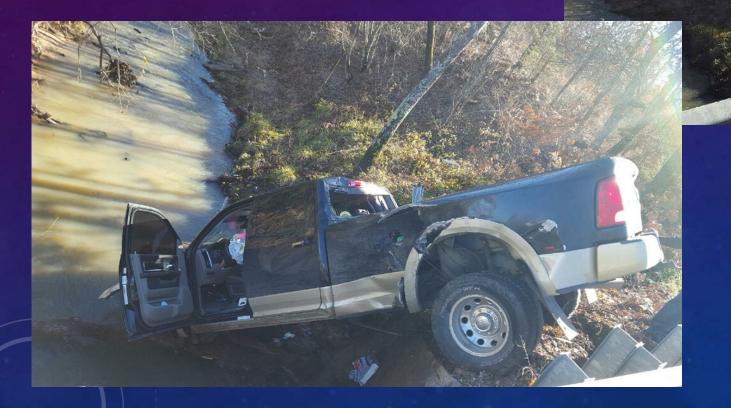
	Likely to Adversely Affect		Not likely to Adversely Affect
Sheet #	Temporary Disturbance (acres)	Permanent Loss (acres)	Unfavorable habitat (acres)
1 (17 of 127)	0.848	0.568	0.150
2 (18 of 127)	0.558	0.662	0.404
3 (19 of 127)	0.612	0.546	0.728
4 (20 of 127)	1.165	0.608	0.084
5 (21 of 127)	0.606	0.569	0.609
6 (22 of 127)	0.757	0.579	0.403
7 (23 of 127)	0.077	0.021	0.000
Total	4.623	3.553	2.378

9.4 Conservation Credits = \$141, 000



MCN 10TH STREET ROAD

BIA – CATEGORICAL EXCLUSION



CRASH WHILE ROAD WAS UNDER CONSTRUCTION
(NOT RELATED)

CPN SIDEWALK SAFETY PROJECT

Historic Properties - Section 106 Endangered Species (50 CFR 402) Wetlands and Waters of the US (Clean Water Act Sections 401 and 404, Executive Order 11990) Wetlands and Waters of the US (Clean X Water Act Section 402, Pollutant Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites - Section 4(f) (23 CFR 774) Floodplain Management Executive Order 11988) Coastal Zone Management (15 CFR 930)

Area of Statutory or Regulatory

Prime or Unique Farmland (7 USC 4201-4209)		X			See attached Documentation
Construction Impacts (Closures, Detours, Emergency Vehicle Access, etc.)	х				
Socio-Economic Impacts	х				
Environmental Justice (Title VI of the Civil Rights Act of 1964)	x				
* Attach a list of all environmental commitment	s/conditions				
Prepared By: Pamela Jurney Pamela.Jurney@crosstimbersconsulting.com			Title: Project Development Director, Cross Timbers Consulting		
Signature of Appropriate Tribal Officia	l:				
Date:					
	ay which s	ignifica	ntly cha	nges eith	nstruction of a highway on a new location; the ner the horizontal or vertical alignment or existing highway.
² Only required for proposed projects w contamination.	hich requi	re prop	erty acc	uisition	and property is suspected of hazardous materia



The FHWA has determined that this project meets the requirements of a Categorical Exclusion (CE) as defined in 23 CFR 771.117(a) and does not involve unusual circumstances as described in 23 CFR 771.117(b). The project is categorically excluded from further NEPA analysis because it meets these requirements and falls within the following action(s) of 23 CFR 771.117: (c)(23)— Federally-funded

existing at-grade railroad crossi (d)(4) Transportation corridor fringe parking facilities.

(d)(13) Actions described in (c)(26), (c)(27), and (c)(28) that do not meet these constraints.

(36 CFR 297)

(23 CFR 772)

(40 CFR Parts <u>51</u> & <u>93</u>)

Air Quality

Does your project meet one or more of FHWA's Categorical Exclusions?

Project Name and Identification No.: 0 Project Description (attach map/aeria

(c)(3) Construction of bicycle ar

warning devices where no subs

That receive less tha

With a total estimate 15% of the total estin (c)(26) Modernization of a high or adding auxiliary lanes (e.g., p . (c)(27) Highway safety or traffic control devices and lighting, if t

(c)(15) Alterations to facilities o

 (c)(22) Projects that would take (c)(23) Federally-funded project

 (c)(7) Landscaping. (c)(8) Installation of fencing, sig

See attached Documentation

Eldean Wing)

If yes, please list which one(s) here: (c)(3), (c)(23)(i)

NTTFI ROUTE #

FHWA – CAT EX

CPN RAINBOW ARCH BRIDGE

Environmental Checklist

Tribe Name: Citizen Potawatomi Nation

Project Name/Number: CPN Squirrel Creek Bridge (B170) Preservation | NTTFI Route No. and Section: Route 8702, Section 10

SECTION 1: PROJECT DETAILS

A. Project Description:

The Citizen Potawatomi Nation (CPN), proposes a preservation project to patch and preserve a historic concrete bridge structure. The bridge known as the Rainbow Arch Bridge is located on Rangeline Road, on property owned by the CPN in Pottawatomie County (NE/4 of Section 36, Township 10 North, Range 3 East) within the jurisdictional boundaries of the Citizen Potawatomi Nation.

The proposed project will include patching and repairing the concrete structure which will help preserve and stabilize the existing bridge. The proposed project will also include much needed erosion control features. The Citizen Potawatomi Nation has funded a project to include both the environmental assessment and the preservation design for the bridge restoration through their Federal Tribal Transportation Funding.

B. Purpose and Need:

Specifically the concrete repairs shall consist of removing spalled, delaminated, and deteriorated concrete and patching to match the surface of the surrounding concrete as close as possible. The concrete surface shall be repaired at the locations shown in the plans or as directed by the Engineer. A corrosion inhibitor shall be applied to exposed rebar as part of the work after the rebar is thoroughly cleaned with a steel brush. Small cracks will be sealed with an epoxy sealant. The existing asphalt deck shall be cold milled and replaced with a 3" concrete deck. Following the concrete repairs a cement surface shall be troweled on the entire bridge structure to give it a consistent color and texture.

C. Independent Utility and Logical Termini

The project complies with NEPA requirements related to connected actions and segmentation (i.e. the project must have independent utility, connect logical termini when applicable, be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made and not restrict further consideration of alternatives for other reasonably foreseeable transportation improvements). (FHWA Final Rule, "Background," Federal Register Vol. 79, No. 8, January 13, 2014.)

SECTION 2: ENVIRONMENTAL RESOURCE EVALUATIONS

During the environmental review process for which this Environmental Checklist was prepared, all applicable environmental requirements were evaluated. Outcomes for the following requirements are identified below and fully documented in the project file.

If yes, will a right of way action by the BIA be required? Yes No

Will the project involve right of way acquisitions or easements? ☐ Yes ☐ No If yes, the BIA may have additional environmental requirements. Please contact the FHWA Environmental



PART III – CONCLUSION

- Honesty is the best policy
 - Dealing with experts
 - No shortcuts
- More is more
 - Details provide answers
 - Less review time
- Communication is the key to success
 - Emails, phone calls, letters, meetings
 - Emails, phone calls, letters, meetings

Respect is

<u>earned.</u>
Honesty is

<u>appreciated.</u>

Trust is

<u>gained.</u>

Loyalty is

returned.

CONCLUSION

- PART I END GAME
- PART II SETTING UP
- PART III CHALLENGES & TIPS

- PRESENTERS:
 - Pamela Jurney
 - Tom Edwards

