

Tribal Consultation Under the National Historic Preservation Act

HUD National Webpage: <http://portal.hud.gov/hudportal/HUD>

HUD TDAT Tribal Database: <http://egis.hud.gov/tdat/Tribal.aspx>

ACHP Additional Information of Tribal Consultation: <http://www.achp.gov/nap.html>

Refer to Exhibit A-23 to determine if Tribes must be contacted.

Consultation Process:

http://portal.hud.gov/hudportal/documents/huddoc?id=env_notice_tribe_con.pdf

- a. Once tribes with a potential interest in the project are have been identified (A-21), the Certifying Officer (CO) mails/emails a letter to each tribe to invite consultation. The letter (and any publication notices), **must be on City/County letterhead, and signed by the Certifying Officer.**
- b. The letter that invites consultation should contain a request for assistance in identifying historic properties of religious and cultural significance in the project area - archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association - and any initial concerns with impacts of the project on those resources.
- c. Some tribes have both a tribal leader and a Tribal Historic Preservation Officer (THPO) listed in TDAT. Send letters to both and ask that the tribe's response indicate a single point of contact if possible.
- d. You must add a description of the project into the letter. The description should include, as applicable: the location and size of the property; type of project; type and scale of new building(s) or structures; construction materials; number of housing units; depth and area of ground disturbance; introduction of visual, audible or atmospheric changes; or transfer, lease or sale of property.
- e. Enclose a map showing the location of the project and the Area of Potential Effect (APE), which may be larger than the project property. For urban sites, a map generated from a site like Google Earth is preferred. **For rural sites**, a USGS topographic map is preferred.
- f. HUD's policy is to request a response to the invitation to consult within **30 days from the date the tribe receives the letter.** For gauging the beginning and end of the 30 day period, a CO may assume that an emailed letter is received on the date it is sent. For a hard copy letter, a CO may send the letter certified mail, or, if mail delivery is predictable and reliable, the CO may assume a 5-day delivery period, and assume that the period ends 35 days after the letter is mailed.

If a tribe wishes to be a consulting party, the tribe must provide within 30 days an indication of their desire to consult. The tribe does not need to actually provide

information about historic properties of religious and cultural significance within 30 days; that may take longer. If a tribe responds that they do not want to consult, document the response in the ERR. If a tribe does not respond to the invitation to consult within 30 days-email request or 35 days-USPS request, the CO should include documentation of the invitation in the ERR; further consultation is not required.

Tribes in Bold Have THPOs
All Other Tribes Are Consulting Parties
 See A-21 for Counties of Interest

Tribe	State	When to Contact
<p>Absentee-Shawnee Tribe Edwina Butler-Wolfe, Governor 2025 S. Gordon Cooper Shawnee OK 74801</p> <p>Joseph H. Blanchard, THPO 2025 S. Gordon Cooper Shawnee OK 74801 Tel: 405.275.4030, x 203 Fax: 405.878.4711 joseph.blanchard@astribe.com Website: http://www.astribe.com</p>	<p>TN</p>	<p>THPO</p> <p>Consult as a THPO for new construction and soil disturbance.</p> <p><u>Consult electronically by email.</u></p> <p>On all tribal correspondence copy: Staci Hester Cultural Preservation Director lhester@astribe.com</p>
<p>Alabama-Quassarte Tribal Town <i>Okmulgee Agency</i> Parpie Yargee, Chief P.O. Box 187 Wetumka, OK 74883 405-452-3987, x 227</p> <p>Historic Preservation Officer Pare Bowlegs 405-452-3987, x 228 pbowlegs@outlook.com</p>	<p>TN</p>	<p>Consult as a party of interest on new construction with soil disturbance.</p>
<p>Catawba Indian Nation ATTN: Caitlin Totherow, THPO 1536 Tom Steven Road Rock Hill, SC 29730 Tel: 803.328.2427, x 226 Fax: 803.328.5791 Email: caitlinh@ccppcrafts.com Website: http://www.ccppcrafts.com</p>	<p>NC, SC, TN - Monroe County only</p>	<p>THPO</p> <p>Initiate Section 106 consultation anytime you consult with SHPO, but only if disturbing any soil.</p> <p><u>They will not accept email.</u> When requesting consult, send photos of project area, and previous land use history.</p>

<p>Cherokee Nation of Oklahoma Bill John Baker, Chief P.O. Box 948 Tahlequah, OK 74465 Tel: (918) 453-5000 Nationwide Toll Free: 800-256-0671 Fax: (918) 456-6485 bill-baker@cherokee.org</p> <p>Richard Allen Environmental Analyst Cherokee Nation P.O. Box 948 Tahlequah, OK 74465 Tel: 918-453-5466 Fax: 918-458-5898 Richard-Allen@cherokee.org</p>	<p>TN</p>	<p>Contact the Tribe anytime the SHPO is consulted.</p> <p>Send consult requests to both the Chief and Mr. Richard Allen.</p> <p>You may send via USPS or email; however, email will get a much quicker response.</p>
<p>The Chickasaw Nation <i>The Chickasaw Tribal Legislature</i> Bill Anoatubby, Governor P.O. Box 1548 801 North Mississippi Ada, OK 74820 Tel: (580) 436-1460 Fax: (580) 436-3701</p>	<p>AL, TN</p>	<p>Contact the Tribe anytime the SHPO is consulted.</p> <p>Language to include when contacting this tribe:</p> <p>“Pursuant to statute, the State, as the recipient of HUD funds, assumes the role of the federal agency and the responsibility for compliance with environmental laws, including Section 106 of the national Historic Preservation Act and its implementing regulations, 36 CFR Part 800 “Protection of Historic Properties.” First and foremost, the goal of compliance is to avoid harm to historic properties. If any inadvertent discoveries occur, the regulations prescribe how to address them in 35 CFR 800 (b). [City/County] of Tennessee must certify to HUD that the project complies with Section 106,. Failure to comply could lead to HUD issuing a finding of non-compliance and possible corrective actions or sanctions. The [City/County] of Tennessee will pursue protection of any historic properties of religious and cultural significance in the project area, and we would greatly value your assistance in identifying such resources and helping to assess any potential project impacts on them. We hope that you will choose to begin consultation with us on this project within the requested 30-day timeframe.”</p> <p>Prefer to receive copy of SHPO clearance, any archeological studies, and copies of any other Tribal responses.</p>

<p>Choctaw Nation of Oklahoma Ian Thompson, Ph.D., RPA Tribal Archaeologist / NAGPRA P.O. Drawer 1210 Durant, OK 74701 800.522.6170, x 2216 ithompson@choctawnation.com</p> <p>Terry Cole, THPO P.O. Box 1210 Durant, OK 74702-1210 Tel: 280-924-8280 Fax: 580-920-3181 tcole@choctawnation.com</p> <p>website: www.choctawnation.com</p>	<p>LA, MS, TN – Shelby County only</p>	<p>THPO</p> <p>Initiate Section 106 consultation anytime you consult with SHPO, but only if disturbing any soil</p>
<p>Eastern Band of Cherokee Indians (EBCI) <u>Attention: Tyler B. Howe</u>, Tribal Historic Preservation Specialist Eastern Band of Cherokee Indians Qualla Boundary Reservation P.O. Box 455 Cherokee, NC 28719 Tel: 828.554.6852 E-mail: tylehowe@nc-choerokee.com</p>	<p>AL, GA, KY, MS, NC, SC, TN</p>	<p>THPO</p> <p>Initiate Section 106 consultation anytime you consult with SHPO</p> <p><u>Prefers request to consult via email.</u></p> <p>In the request list County and State where project is located, type of Federal funding, any information about previous ground disturbance at project site, if the project is replacing existing structures, and if the area is within a town/city. Also, send copies of topos.</p>
<p>Eastern Shawnee Tribe of Oklahoma Eastern Shawnee Tribal Council Robin Dushane, THPO P.O. Box 350 Seneca, MO 64865 Tel: (918) 666-2435, x 1845 Cell: (918)-533-4104 Email: rdushane@estoo.net</p>	<p>TN</p>	<p>Consult as a party of interest on new construction and projects with soil disturbance.</p> <p><u>Prefers request to consult via email.</u></p>

<p>Kialegee Tribal Town Okmulgee Agency Jeremiah Hobia, Chief P.O. Box 332 Wetumka, OK 74883 jeremiah.hobia@kialegeetribe.net Tel: (405) 452-3263 Fax: (405) 452-3413</p>	TN	Consulting Agency
<p>Mowa Band of Choctaw Choctaw Agency Framon Weaver, Chief 1080 W. Red Fox Road Mt. Vernon, AL 36560 framonweaver@yahoo.com Tel: (251) 829-5500 Fax: (251) 829-5580</p>	TN, AL	<p>Consulting Agency</p> <p><u>Prefers request to consult via email.</u> Email should go to Chief with a cc to: Polly Rivers Tribal Coordinator polly.rivers@yahoo.com</p>
<p>Muscogee (Creek) Nation Okmulgee Agency George Tiger, Principal Chief P.O. Box 580 Okmulgee, OK 74447 Tel: (918) 756-8700</p> <p><u>Section 106 Contact</u> Emman Spain Tel: 918.732.7678 Fax: 918.758.0649 espain@mcn-nsn.gov</p>	AL, FL, GA, TN SC	<p>Consulting Agency</p> <p>Consult for new soil disturbance.</p> <p><u>Prefers request to consult via email.</u> Any reports sending with consult that are too big, put on disk and send to P.O. Box.</p> <p>On all tribal correspondence copy: David Proctor Tribal Historic Preservation Specialist davidp@mcn-nsn.gov</p>
<p>Poarch Band of the Creek Indians of Alabama Robert Thrower, THPO 5811 Jack Springs Road Atmore, AL 36502-5025 Tel: 251.368.9136 Cell: 251.253.5620 Fax: 251.368.0835 rthrower@pci-nsn.gov</p>	AL, FL, TN	<p>THPO</p> <p>Initiate Section 106 consultation anytime you consult with SHPO.</p>

<p>Quapaw Tribe of Oklahoma Everett Bandy, THPO P.O. Box 765 Quapaw, OK 74363-0765 Tel: 888.642.4724 Fax: 918.542.4694 Email: ebandy@quapawtribe.com</p>	<p>KY, MS, TN</p>	<p>THPO</p> <p>Initiate Section 106 consultation anytime you consult with SHPO.</p> <p>Email is okay.</p>
<p>Shawnee Tribe, OK Ron Sparkman, Chairman P.O. Box 189 Miami, OK 74354 Tel: 918-542-2441 Fax: 918.542.2922 rondede1@gmail.com</p> <p>Tribe Administrator Ms. Jody Hayes Tel: 918-542-2441 shawneetribe@shawnee-tribe.com</p>	<p>TN</p>	<p>Consult only on new construction and projects with soil disturbance.</p> <p><u>Prefers request to consult via email.</u></p>
<p>Thlopthlocco Tribal Town Okmulgee Agency George Scott, Town King P.O. Box 188 Okemah, OK 74859-0188 Phone: (918) 560-6198 Fax: (918) 623-0045 gscott@ttown.org</p> <p>Website: www.tttown.org</p>	<p>TN</p>	<p>Consulting Agency</p>

<p>United Keetoowah Band of Cherokee Indians United Keetoowah Band Tribal Council George Wickliffe, Chief 2450 Muskogee Ave., P.O. Box 746 Tahlequah, OK 74465 Tel: (918) 431-1818 Fax: (918) 456-1873</p> <p><u>HP contact</u> Lisa Baker, Acting THPO Cell: 918-822-1952 Fax: 918-456-1873 Ukbthpo-larue@yahoo.com llarue@unitedkeetoowayband.org</p>	<p>TN</p>	<p>The United Keetoowah Band of Cherokee Indians of OK wants to be consulted as a consulting party only on new construction and projects with soil disturbance.</p> <p><u>Prefers request to consult via email.</u></p>
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