

Tribal Coordination Protocol / Procedures

Tribal Coordination Letters

Updated/Last Reviewed: 5/29/25

When does this process/ procedure begin and who begins it?

When sending out project Start of Study letters for projects that have a **federal nexus** including permits, land, funding, jurisdiction, or any other direct involvement from a federal agency. The NCDOT project manager or their NCDOT designee.

What elements do I need to begin this process/ procedure?

- ☐ Project Vicinity Map
- ☐ Tribal coordination letter template.
- ☐ Tribal Coordination Table and Contact List

Instructions:

1. View the Tribal Coordination Table and Contact Information and determine which Tribe(s) should be contacted regarding the project.
2. Use the Tribal Coordination Start of Study Letter template to develop the letter to send to the Tribe(s).
3. **In compliance with the informal delegated consultation agreements between the FHWA, USACE and Tribes, the letter must**
 - **be on NCDOT Letterhead and identify the lead federal agency,**
 - **be signed by an NCDOT official,**
 - **and transmitted by an NCDOT official's email***
 - *** if contacting the Catawba Nation, the letter must be distributed via hard copy (mail).**
 - **Matt Wilkerson must be cc'd on all letters to the Tribes.**
4. If the project is State funded, the USACE should be cc'd on the letter.
5. If the project impacts Tribal Lands*, or known tribal resources are at or nearby the project:

If the project is Federally funded, the Corps Project Manager should be cc'd on the letter.

If the project is State funded, then the Corps-Tribal 2017 MOU is invoked, and the Corps will handle all contact.

6. The Federally recognized Tribes on the North Carolina counties list that have accepted this protocol for undertakings where FHWA or the USACE is the lead federal agency must be provided project information. The Federally recognized Tribes on the North Carolina counties list that have not consulted with FHWA or the USACE on past NCDOT projects are included for reference only and are not currently included on the contact information sheet. It is important here to acknowledge that other federally recognized Tribes associated with USFS property and the Trail of Tears may need to be contacted for NCDOT projects. Projects with USFS property that have the potential to impact the Trail of Tears will continue to be addressed on a case by case basis in coordination with USFS staff. Non-Federally Recognized Tribes within the state of North Carolina are included on the North Carolina counties list as, even though they do not have a statutory right to be included in the Section 106 process, an agency may invite them to participate if they have a demonstrated interest in a project. Notify the lead federal agency if any federally recognized Tribe requests project coordination occur at a government to government level between the federal government and the Tribe.
7. If you have provided an opportunity for Tribes to comment on your undertaking prior to requesting an archaeological review of your project, and the Tribe raised no issues then you do not need to forward the "No

Survey” documentation to the Tribe(s). For projects where we did not ultimately decide to recommend an archaeological survey (after consideration of available information including information provided by other consulting parties and/or Indian tribes) and a "No Survey" form is generated, the NCDOT project manager does not need to transmit the form to any Tribe on the list unless the Tribe previously requested additional information, or that an archaeological survey be conducted. If a review of the undertaking resulted in a “No survey” recommendation and you have yet to contact the Tribe(s), you may include the “No Survey” recommendation as part of your Tribal Protocol consultation request documentation provided to the Tribe(s). Any actual survey results are to be forwarded to the appropriate Tribe(s) by the NCDOT project manager unless otherwise directed by their federal agency contact(s).

8. All of the above correspondence, as well as any replies, or survey recommendations from the Tribe(s), or from NCDOT should be included as attachments in the NEPA/SEPA document and/or maintained as part of the project’s administrative record.

****Tribal Lands are defined as (A) All lands within the exterior boundaries of any Indian reservation; and (B) all dependent Indian communities 16 U.S.C. 470w(14). Tribal lands include lands held in trust by the United States for a tribe external to the boundaries of a reservation if the lands are under Federal superintendence, but does not include allotment external to the boundaries of a reservation.***

| List Version: 12/07/2021 COUNTY | Div | Absentee Shawnee Tribe of Indians of Oklahoma | Catawba Indian Nation | Cherokee Nation | Eastern Band of Cherokee Indians | United Keetoowah Band of Cherokee Indians | Monacan Indian Nation | Muscogee (Creek) Nation | Nansemond Indian Tribe | Tuscarora Nation | Pamunkey Indian Tribe (USFWS) | Coharie Indian Tribe (State) | Haliwa-Saponi Indian Tribe (State) | Lumbee Tribe of NC (State) | Meherrin Indian Nation (State) | Saponny (State) | Waccamaw Siouan Tribe (State) | Occaneechi Band of the Saponi Nation (State) |
|---------------------------------------|-----|--|-----------------------------|--------------------|--|---|-----------------------------|----------------------------|---------------------------|---------------------|-------------------------------------|------------------------------------|--|-------------------------------------|--------------------------------------|--------------------|-------------------------------------|--|
| ALAMANCE | 7 | | X | | | | X | | | | | | | | | | | X |
| ALEXANDER | 12 | | X | X | X | X | | | | | | | | | | | | |
| ALLEGHANY | 11 | | X | X | X | X | | | | | | | | | | | | |
| ANSON | 10 | | X | | | | | | | | | | | | | | | |
| ASHE | 11 | | X | X | X | X | | X | | | | | | | | | | |
| AVERY | 11 | | X | X | X | X | | X | | | | | | | | | | |
| BEAUFORT | 2 | | X | | | | | | | | | | | | | | | |
| BERTIE | 1 | | X | | | | | | X | X | | | | | | | | |
| BLADEN | 6 | | X | | | | | | | | | | | | | | X | |
| BRUNSWICK | 3 | | X | | | | | | | | | | | | | | | |
| BUNCOMBE | 13 | | X | X | X | X | | X | | | | | | | | | | |
| BURKE | 13 | | X | X | X | X | | | | | | | | | | | | |
| CABARRUS | 10 | | X | | | | | | | | | | | | | | | |
| CALDWELL | 11 | | X | X | X | X | | | | | | | | | | | | |
| CAMDEN | 1 | | X | | | | | | X | | | | | | | | | |
| CARTERET | 2 | | X | | | | | | | X | | | | | | | | |
| CASWELL | 7 | | X | | | | X | | | | | | | | | | | X |
| CATAWBA | 12 | | X | X | X | X | | | | | | | | | | | | |
| CHATHAM | 8 | | X | | | | | | | | | | | | | | | |
| CHEROKEE | 14 | | X | X | X | X | | X | | | | | | | | | | |
| CHOWAN | 1 | | X | | | | | | X | | | | | | | | | |
| CLAY | 14 | | X | X | X | X | | X | | | | | | | | | | |
| CLEVELAND | 12 | | X | X | X | X | | | | | | | | | | | | |
| COLUMBUS | 6 | | X | | | | | | | | | | | | | | X | |
| CRAVEN | 2 | | X | | | | | | | | | | | | | | | |
| CUMBERLAND | 6 | | X | | | | | | | | | | | | | | | |
| CURRITUCK | 1 | | X | | | | | | X | | X | | | | | | | |
| DARE | 1 | | X | | | | | | | | | | | | | | | |
| DAVIDSON | 9 | | X | | | | | | | | | | | | | | | |
| DAVIE | 9 | | X | | | | | | | | | | | | | | | |
| DUPLIN | 3 | | X | | | | | | | X | | | | | | | | |
| DURHAM | 5 | | X | | | | | | | | | | | | | | | |
| EDGECOMBE | 4 | | X | | | | | | | X | | | | | | | | |
| FORSYTH | 9 | | X | | | | | | | | | | | | | | | |
| FRANKLIN | 5 | | X | | | | | | | | | | | | | | | |
| GASTON | 12 | | X | X | X | X | | | | | | | | | | | | |
| GATES | 1 | | X | | | | | | X | | | | | | | | | |
| GRAHAM | 14 | | X | X | X | X | | X | | | | | | | | | | |
| GRANVILLE | 5 | | X | | | | X | | | | | | | | | | | |
| GREENE | 2 | | X | | | | | | | X | | | | | | | | |
| GUILFORD | 7 | | X | | | | | | | | | | | | | | | |
| HALIFAX | 4 | | X | | | | | | | X | | | X | | | | | |
| HARNETT | 6 | | X | | | | | | | | | X | | | | | | |
| HAYWOOD | 14 | | X | X | X | X | | X | | | | | | | | | | |
| HENDERSON | 14 | | X | X | X | X | | X | | | | | | | | | | |
| HERTFORD | 1 | | X | | | | | | X | X | | | | | X | | | |
| HOKE | 8 | | X | | | | | | | | | | | X | | | | |
| HYDE | 1 | | X | | | | | | | | | | | | | | | |
| IREDELL | 12 | | X | X | | | | | | | | | | | | | | |
| JACKSON | 14 | X | X | X | X | X | | X | | | | | | | | | | |
| JOHNSTON | 4 | | X | | | | | | | X | | | | | | | | |

Tribal Contacts

| Tribe | Address | email | Send Letter via | Last Updated |
|---|--|---|-------------------------------|--------------|
| Absentee Shawnee Tribe of Indians of Oklahoma | Ms. Devon Frazier Cultural Preservation Department Absentee Shawnee Tribe of Indians of Oklahoma 2025 S. Gordon Cooper Drive Shawnee, OK 74801-9381 405-275-4030 ext 6243 | dfrazier@astribе.com 106NAGPRA@astribе.com | can transmit letter via email | 12/7/2021 |
| Catawba Indian Nation | Dr. Wenonah Haire Catawba Indian Nation Tribal Historic Preservation Office 1536 Tom Steven Road Rock Hill SC 29730 | hard copy only | hard copy only | 6/26/2019 |
| Cherokee Nation | Elizabeth Toombs Tribal Historic Preservation Officer PO BOX 948 Tahlequah OK 74465 | elizabeth-toombs@cherokee.org | can transmit letter via email | 9/5/2019 |
| Eastern Band of Cherokee Indians | Russell Townsend Tribal Historic Preservation Officer 2077 Governors Island Road Bryson City NC 28713 | rustown@ecbi-nsn.gov syerka@ecbi-nsn.gov cc: lisa.ebci.thpo@gmail.com | can transmit letter via email | 3/24/2025 |
| Monacan Indian Nation | Makayla Branham Monacan Indian Nation Tribal Office 357 S. Main Street Amherst, VA 24521 | consultation@MonacanNation.gov preservation@monacannation.gov | can transmit letter via email | 5/29/2025 |
| Muscogee (Creek) Nation | PO BOX 580 Okmulgee OK 74447 | section106@muscogeenation.com | can transmit letter via email | 4/3/2024 |
| Nansemond Indian Tribe | Chief Keith Anderson 1001 Pembroke Lane Suffolk, VA 23434 | contact@nansemond.gov | can transmit letter via email | 1/28/2022 |
| Occaneechi Band of the Saponi | Occaneechi Band of the Saponi Nation Office P.O. Box 536 Mebane, NC 27302 | TBD | TBD | 2/28/2025 |
| Tuscarora Indian Nation | Bryan Printup Tribal Historic Preservation Office 5226 Walmore Road Lewistown NY 14092 | bprintup@hetf.org | can transmit letter via email | 7/11/2019 |
| United Keetoowah Band of Cherokee Indians | Roger Cain Section 106 Coordinator PO BOX 746 Tahlequah OK 74465 | rcain@ukb-nsn.gov ukbthpo@ukb-nsn.gov | can transmit letter via email | 4/3/2024 |