

Appendix G

Section 106 Coordination



U.S. Department
of Transportation
**Federal Highway
Administration**

Kansas Division

October 11, 2023

6111 SW 29th, Suite 100
Topeka, Kansas 66614
(785)273-2600
(785)273-2620 (fax)
www.fhwa.dot.gov/ksdiv/index.htm

In Reply Refer To:
HDA-KS

Ms. Sherri Clemons
Tribal Historic Preservation Officer
Wyandotte Nation
P.O. Box 250
Wyandotte, OK 74370

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear M:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

Tech Location –A general description of the project is as follows: Project for improvements to the K-10 Corridor from west of the interchange at Evening Star Road to I-35 (approximately 16.5 centerline miles) in Johnson County, Kansas including the Cities of De Soto, Lenexa, and Olathe.

If you have any questions about the project, please contact me at (785) 273-2649 or javier.ahumada@dot.gov.

Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

Enclosures



U.S. Department
of Transportation
**Federal Highway
Administration**

Kansas Division

October 11, 2023

6111 SW 29th, Suite 100
Topeka, Kansas 66614
(785)273-2600
(785)273-2620 (fax)
www.fhwa.dot.gov/ksdiv/index.htm

In Reply Refer To:
HDA-KS

Ms. Robin Williams
Tribal Historic Preservation Officer
Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Ms. Williams:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Sincerely,

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Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Ms. Tonya Tipton
Tribal Historic Preservation Officer
Shawnee Tribe
29 S Hwy 69A
Miami, OK 74354

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Ms. Tipton:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Mr. Raphael Wahwassuck
Tribal Historic Preservation Officer
Prairie Band Potawatomi Nation
16281 Q Road
Mayetta, KS 66509

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Mr. Wahwassuck:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation of Oklahoma
627 Grandview Avenue
Pawhuska, OK 74056

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Dr. Hunter:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

Ecc: Ms. Deseray Wrynn

Enclosures



U.S. Department
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**Federal Highway
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Kansas Division

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Topeka, Kansas 66614
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In Reply Refer To:
HDA-KS

Ms. Stephanie Richardson
Tribal Historic Preservation Officer
Kaw Nation of Oklahoma
P.O. Box 50
Kaw City, OK 74641

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Ms. Richardson:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Mr. Brett Barnes
Cultural Preservation Director
Eastern Shawnee Tribe of Oklahoma
P.O. Box 350
Seneca, MO 64865

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Mr. Barnes:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Ms. Susan Bachor
Tribal Historic Preservation Officer
Delaware Tribe of Indians
5100 Tuxedo Blvd
Bartlesville, OK 74006

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Ms. Bachor:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

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In Reply Refer To:
HDA-KS

Ms. Devon Frazier
Tribal Historic Preservation Officer
Absentee Shawnee Tribe of Oklahoma
2025 S Gordon Cooper Dr
Shawnee, OK 74801

Subject: 10-46 KA-6549-01 K-10 Project Tribal Consultation Request

Dear Ms. Frazier:

In accordance with the National Historic Preservation Act, we are contacting your Tribe to request initiation of formal consultation for the K-10 Capacity Improvements Project. The Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT) is preparing an Environmental Assessment (EA) to identify whether there are any significant environmental impacts, including impacts on properties that may have historical religious and cultural significance. To determine this, the project area will be reviewed by professional archaeologists and by the Kansas State Historic Preservation Office and you will be notified if any sites of potential interest are identified during their review.

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If you have any questions about the project, please contact me at (785) 273-2649 or javier.ahumada@dot.gov.

Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

Enclosures

From: [Andrea Hunter](#)
To: [Brandon Yarbrough](#); [Deseray Helton](#); [Ahumada, Javier \(FHWA\)](#); [Steven Cross \[KDOT\]](#); [Cliff Ehrlich \(Cliff.Ehrlich@ks.gov\)](#); [Cameron McGown](#); [Greg Weatherd](#); [Clarke, David \(FHWA\)](#); [Colleen A. Bell](#)
Cc: [Robyn Arthur](#); [Eric Viera](#); [Samantha Prusak](#)
Subject: RE: K-10 Capacity Improvements Project - Agency Coordination Meeting
Date: Thursday, November 9, 2023 8:40:06 AM
Attachments: [Picture \(Device Independent Bitmap\) 1.jpg](#)

Mr. Ahumada,

A three days-notice of a meeting is not by far an appropriate amount of time to schedule a meeting. We have meetings that have been scheduled during this time for over a month. The lead agency will typically send out a doodle poll to partnering agencies so they all work together on scheduling a mutually agreed upon meeting date. The Osage Nation greatly appreciates your cooperation so that we may work collaboratively on this project.

Thank you,

Dr. Andrea A. Hunter
Director, Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056
Phone: (918) 287-5671 | Fax: (918) 287-5376
[Email](#) | [Website](#)



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-----Original Appointment-----

From: javier.ahumada@dot.gov <javier.ahumada@dot.gov> **On Behalf Of** Brandon Yarbrough
Sent: Wednesday, November 8, 2023 12:24 PM
To: Andrea Hunter; Deseray Helton; Ahumada, Javier (FHWA); Steven Cross [KDOT]; Cliff Ehrlich (Cliff.Ehrlich@ks.gov); Cameron McGown; Greg Weatherd
Cc: Robyn Arthur; Eric Viera; Samantha Prusak
Subject: FW: K-10 Capacity Improvements Project - Agency Coordination Meeting
When: Monday, November 13, 2023 1:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Zoom

Good afternoon, if the Osage Nation would like to contribute as a Participating Agency to the K-10 Capacity Improvement project NEPA environmental assessment in Johnson County, Kansas, please join us next Monday, November 13, 2023 at 1:00pm. Details below.

Thank you,

Javier Ahumada, CPM

Environmental, Civil Rights and Innovation Coordinator

Federal Highway Administration | Kansas Division Office

6111 SW 29th St., Suite 100 | Topeka, KS 66614 | [\(785\) 273-2649](tel:(785)273-2649)

 **Please consider the environment before printing this email.**

-----Original Appointment-----

From: Brandon Yarbrough <byarbrough@HNTB.com>

Sent: Tuesday, November 7, 2023 1:47 PM

To: Brandon Yarbrough; Ahumada, Javier (FHWA); Steven Cross [KDOT]; Cliff Ehrlich (Cliff.Ehrlich@ks.gov); Cameron McGown; Greg Weatherd

Cc: Robyn Arthur; Eric Viera; Samantha Prusak

Subject: K-10 Capacity Improvements Project - Agency Coordination Meeting

When: Monday, November 13, 2023 1:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).

Where: Zoom

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please join FHWA and KDOT for the Agency Coordination Meeting for the K-10 Capacity Improvements Project.

Tentative Agenda

- Project Overview
- Project Coordination Plan
- Purpose and Need
- Sensitive Corridor Areas
- Open Discussion
- Next Steps

Topic: K-10 Agency Scoping Meeting

Time: Nov 13, 2023 01:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84417611331>

Meeting ID: 844 1761 1331

One tap mobile

+16694449171,,84417611331# US

+16699006833,,84417611331# US (San Jose)

Dial by your location

- +1 312 626 6799 US (Chicago)

Meeting ID: 844 1761 1331

Find your local number: <https://us02web.zoom.us/j/84417611331>

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.



U.S. Department
of Transportation
**Federal Highway
Administration**

Kansas Division

November 28, 2023

6111 SW 29th, Suite 100
Topeka, Kansas 66614
(785)273-2600
(785)273-2620 (fax)
www.fhwa.dot.gov/ksdiv/index.htm

In Reply Refer To:
HDA-KS

Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation of Oklahoma
627 Grandview Avenue
Pawhuska, OK 74056

Subject: KA-6549-01 Environmental Assessment for K-10 Corridor, Johnson County, Kansas

Dear Dr. Hunter:

This letter is regarding the Environmental Assessment (EA) being prepared by the Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT), for improvements to K-10 west of the interchange at Evening Star Road to the I-435/I-35/K-10 Interchange in Johnson County, Kansas. As part of the NEPA Concurrence Process for the project, a Draft Purpose and Need Statement and Coordination Plan have been prepared for the proposed project.

Links to the Draft Purpose and Need Statement and Coordination Plan are provided on the project website at <https://k10.ksdot.gov/resources/environmental-documents/>. To remain on schedule, it is requested that your agency respond with any comments you may have on the documents within 30 days of receipt of this letter. Comments and information you provide during the EA will be used to determine if the proposed improvements may have impacts that warrant further consideration prior to design and construction of the project. Your comments will be incorporated into the environmental clearance process and ultimately the EA document, as appropriate.

If you have any questions about the project, please contact me at (785) 273-2649 or javier.ahumada@dot.gov.

Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

ecc: Ms. Deseray Wrynn, ONHPO



U.S. Department
of Transportation
**Federal Highway
Administration**

Kansas Division

November 28, 2023

6111 SW 29th, Suite 100
Topeka, Kansas 66614
(785)273-2600
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www.fhwa.dot.gov/ksdiv/index.htm

In Reply Refer To:
HDA-KS

Mr. Raphael Wahwassuck
Tribal Historic Preservation Officer
Prairie Band Potawatomi Nation
16281 Q Road
Mayetta, KS 66509

Subject: KA-6549-01 Environmental Assessment for K-10 Corridor, Johnson County, Kansas

Dear Mr. Wahwassuck:

This letter is regarding the Environmental Assessment (EA) being prepared by the Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT), for improvements to K-10 west of the interchange at Evening Star Road to the I-435/I-35/K-10 Interchange in Johnson County, Kansas. As part of the NEPA Concurrence Process for the project, a Draft Purpose and Need Statement and Coordination Plan have been prepared for the proposed project.

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Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

From: [Samantha Prusak](#)
To: [Samantha Prusak](#)
Subject: FW: KDOT, 10-46 KA-6549-01, K-10 Corridor Improvements Evening Star Road to I-35, Johnson CO, KS
Date: Thursday, May 30, 2024 12:20:53 PM
Attachments: [image001.png](#)
[KDOT_page_1.pdf](#)
[KDOT_page_2.pdf](#)

From: Andrea Hunter <ahunter@osagenation-nsn.gov>
Sent: Monday, December 11, 2023 9:54 AM
To: Ahumada, Javier (FHWA) <javier.ahumada@dot.gov>
Cc: Audra E. Whitehorse <audra.whitehorse@osagenation-nsn.gov>; Colleen A. Bell <colleen.bell@osagenation-nsn.gov>
Subject: KDOT, 10-46 KA-6549-01, K-10 Corridor Improvements Evening Star Road to I-35, Johnson CO, KS

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please see attached.

Thank you,



Dr. Andrea A. Hunter
Director, Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056
Phone: (918) 287-5671 | Fax: (918) 287-5376
[Email](#) | [Website](#)

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Osage Nation Historic Preservation Office

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Date: December 11, 2023

Kansas Department of Transportation
Javier Ahumada
6111 SW 29th St., Suite 100
Topeka, KS 66614

RE: KDOT, 10-46 KA-6549-01, K-10 Corridor Improvements from west of the interchange at Evening Star Road to I-35, Johnson County, Kansas (ONHPO File #2324-3471KS-10)

SENT VIA EMAIL

Dear Mr. Ahumada,

The Osage Nation Historic Preservation Office has received the NEPA scoping document for the proposed KDOT, 10-46 KA-6549-01, K-10 Corridor Improvements from west of the interchange at Evening Star Road to I-35, Johnson County, Kansas. **The Osage Nation requests a copy of the Draft Environmental Assessment (EA) for review and comment when it is completed.**

In accordance with the National Historic Preservation Act, (NHPA) [54 U.S.C. § 300101 et seq.] 1966, undertakings subject to the review process are referred to in 54 U.S.C. § 302706 (a), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969).

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. **This project will directly impact ancestral Osage cultural resources that have significant cultural value to our Osage community today.** This area is of great concern to the Osage Nation as it falls within our former reservation lands and is in close proximity to several known cultural resources. **The Osage Nation anticipates reviewing and commenting on the completed Draft Environmental Assessment for the proposed KDOT, 10 -46 KA-6549-01, K-10 Corridor Improvements from west of the interchange at Evening Star Road to I-35, Johnson County, Kansas.**

When Section 106 consultation is required for the proposed KDOT, 10-46 KA-6549-01, K-10 Corridor Improvements from west of the interchange at Evening Star Road to I-35, Johnson County, Kansas, the Osage Nation requests that the Osage Nation Historic



Preservation Office be consulted and provided with the cultural resources survey report for the referenced project. The Osage Nation requires that cultural resource survey personnel and reports follow **the Secretary of Interior's standards and guidelines. Please provide detailed topographic maps depicting the locations of the shovel tests and test units excavated during the survey along with a table indicating their depth, soils, the amount and type of material found, and reason for termination.**

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.

Andrea A. Hunter

Andrea A. Hunter, Ph.D.
Director/Tribal Historic Preservation Officer

AAH

Audra Whitehurse, M.A.
Archaeologist



U.S. Department
of Transportation
**Federal Highway
Administration**

Kansas Division

April 30, 2024

6111 SW 29th, Suite 100
Topeka, Kansas 66614
(785)273-2600
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Mr. Raphael Wahwassuck
Tribal Historic Preservation Officer
Prairie Band Potawatomi Nation
16281 Q Road
Mayetta, KS 66509

In Reply Refer To:
HDA-KS

Subject: KA-6549-01 Environmental Assessment for K-10 Corridor, Johnson County, Kansas

Dear Mr. Wahwassuck:

This letter is regarding the Environmental Assessment (EA) being prepared by the Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT), for improvements to K-10 west of the interchange at Evening Star Road to the I-435/I-35/K-10 Interchange in Johnson County, Kansas.

As part of the NEPA Concurrence Process for the project, an Alternatives Analysis Memorandum has been prepared to document the development and screening of alternatives for the project.

Links to the Alternatives Analysis Memorandum are provided on the project website at <https://k10.ksdot.gov/resources/environmental-documents/>.

Additionally, as part of the alternative development process, the NEPA Study Area was expanded in select areas. The enclosed map depicts the updated study area.

To remain on schedule, it is requested that your agency respond with any comments you may have on the Alternatives Analysis Memorandum within 30 days of receipt of this letter. Comments and information you provide during the EA will be used to determine if the proposed improvements may have impacts that warrant further consideration prior to design and construction of the project. Your comments will be incorporated into the environmental clearance process and ultimately the EA document, as appropriate.

If you have any questions about the project, please contact me at (785) 273-2649 or javier.ahumada@dot.gov.

Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration



U.S. Department
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Kansas Division

April 30, 2024

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Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation of Oklahoma
627 Grandview Avenue
Pawhuska, OK 74056

In Reply Refer To:
HDA-KS

Subject: KA-6549-01 Environmental Assessment for K-10 Corridor, Johnson County, Kansas

Dear Dr. Hunter:

This letter is regarding the Environmental Assessment (EA) being prepared by the Federal Highway Administration (FHWA), in cooperation with the Kansas Department of Transportation (KDOT), for improvements to K-10 west of the interchange at Evening Star Road to the I-435/I-35/K-10 Interchange in Johnson County, Kansas.

As part of the NEPA Concurrence Process for the project, an Alternatives Analysis Memorandum has been prepared to document the development and screening of alternatives for the project.

Links to the Alternatives Analysis Memorandum are provided on the project website at <https://k10.ksdot.gov/resources/environmental-documents/>.

Additionally, as part of the alternative development process, the NEPA Study Area was expanded in select areas. The enclosed map depicts the updated study area.

To remain on schedule, it is requested that your agency respond with any comments you may have on the Alternatives Analysis Memorandum within 30 days of receipt of this letter. Comments and information you provide during the EA will be used to determine if the proposed improvements may have impacts that warrant further consideration prior to design and construction of the project. Your comments will be incorporated into the environmental clearance process and ultimately the EA document, as appropriate.

If you have any questions about the project, please contact me at (785) 273-2649 or javier.ahumada@dot.gov.

Sincerely,

Javier Ahumada
Environmental Coordinator
Federal Highway Administration

ecc: Ms. Audra Whitehurse, ONHPO