



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Southern Plains Regional Office

Post Office Box 368

Anadarko, Oklahoma 73005

MAR 09 2018

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

The Honorable John Barrett
Chairman, Citizen Potawatomi Nation
1601 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Dear Chairman Barrett:

The Southern Plains Regional Office has reviewed and considered your “Cecelia Tract” fee to trust application. You request approval of a conveyance to the United States of America in trust for the Citizen Potawatomi Nation (CPN) of Surface Rights Only in a parcel of land located in Section Thirty-Six (36), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, containing 6.133 acres, more or less, and being more particularly described in Certificate of Survey dated January 24, 2011. A copy is enclosed herein.

Our review procedures in transactions of this type include satisfaction of the requirements stipulated in 25 Code of Federal Regulations, Part 151 – Land Acquisitions, together with Applicable Statutes, Departmental Policies, Rules or Regulations, including processes specified in Fee to Trust Handbook, Release #16-47. Version IV (rev. 1) Issued: 6/28/16, Replaces: Version IV, Issued: 5/16/16. The assessments and considerations in the following documentation are provided in justification of our decision in this matter.

25 CFR 151.3 (a) (1) (3)

This property is located within the boundaries of the Citizen Potawatomi Nation Reservation, being that area of land constituting the former reservation of the tribe in the State of Oklahoma as defined by the Secretary of the Interior. We have determined this acquisition is necessary to enhance the tribal agricultural/Indian housing programs. There is no anticipated change in land use for the subject tract. It is located contiguous to other tribal land(s) of the same nature and character; furthers land consolidation plans; and facilitates tribal self-determination. Also, it provides opportunities for employment, training and needed wages for tribal members and others in the local workforce while raising their current standard of living.

25 CFR 151.10:

The following analysis is provided in support of our decision regarding the subject request for acquisition of land to trust status:

\$124 million in payroll income, and over \$416 million in Oklahoma production of goods and services.” In 2008, the Nation’s annual economic impact was \$394 million. In 2009, the Nation’s annual economic impact was \$389 million. Clearly, the state, counties, local communities, cities and residents benefit from the lands’ proximity to the Citizen Potawatomi Nation, outweighing any marginal loss or expense they might incur as a result of a minimal reduction in tax revenue.

- (f) No jurisdictional problem(s) or potential conflicts of land use are anticipated, and there will be no change in land use. The property is within the reservation boundaries of the Citizen Potawatomi Nation, and is owned by the tribe in fee. The tribe has law enforcement authority on the reservation, and has a trained law division, a drug court, a district court, and a supreme court all having legal jurisdiction over trust land. Tribal police are certified to enforce federal and tribal laws on trust lands and are cross-deputized with the State of Oklahoma. The tribe also has a prosecuting attorney who represents tribal interests in matters of civil, criminal, and juvenile law, and is a public defender. Furthermore, the tribe has an agreement in place with the County Sheriff to hold those charged with a crime at the local county jail until a proper hearing and trial is scheduled. As with all tribal and trust land, the tribe relies on local and county emergency services to respond to threats of life and property, since emergency communication systems are already in place. Local and tribal police have worked hand in hand to mitigate emergency situations for well over a decade. Currently, tribal police provide law enforcement for the Citizen Potawatomi Nation Housing Authority and the entire tribal complex, including tribal administration, and other enterprises which are located in the cities of Shawnee and Tecumseh.
- (g) The Bureau of Indian Affairs and Citizen Potawatomi Nation are equipped to handle the additional responsibilities resulting from the acquisition of the land in trust status. Presently, the tribe is responsibly and professionally managing operations upon its tribal lands, while administrative and land management trust services are provided by the tribal realty services division, in conjunction with the Bureau of Indian Affairs. The services were compacted in 1998.
- (h) The Bureau of Indian Affairs prior to approval of this transaction shall rely upon the required Environmental Compliance Review Memorandum (ECRM) to show compliance with 516 DM 6, appendix 4, National Environmental Policy Act, Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations.

Therefore, based upon a comprehensive review and consideration of all applicable information of record in this transaction, the Regional Director, Bureau of Indian Affairs, Southern Plains Regional Office, or his designee, hereby issues their notice of intent to accept title to the subject property in the name of The United States of America in trust for the Citizen Potawatomi Nation. This decision may be appealed to the Interior Board of Indian Appeals, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203, in accordance with the regulations in 43 CFR 4.310-4.340 (copy enclosed). Your Notice of Appeal to the Board must be signed by you or your attorney

and must be mailed within thirty (30) days of the date you receive this decision. It should clearly identify the decision being appealed. If possible, attach a copy of the decision. You must send copies of your Notice of Appeal to (1) the Assistant Secretary – Indian Affairs, 4140 MIB, U.S. Department of the Interior, 18th and C Streets, N.W. Washington D.C. 20240, (2) each interested party known to you, and (3) this office. Your Notice of Appeal sent to the Board of Indian Appeals must certify that you sent copies to these parties. If you file a Notice of Appeal, the Board of Indian Appeals will notify you of further appeal procedures.

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing of the Notice of Appeal

I hereby certify that I have mailed a copy of this letter to the enclosed list of all interested parties whose names and addresses are known to me.

For further information, please contact the Division of Trust Services, Sandra Ray, Realty Officer, 405-247-1559.

Sincerely,



ACTING Regional Director

Enclosures (2)