



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SHAWNEE AGENCY
624 W. INDEPENDENCE, SUITE 109
SHAWNEE, OK 74801

In Reply Refer To:
Real Estate Services
TR-4609-P5

APR 03 2026

Case Number: 53429

Certified Mail - Return Receipt Requested 7021 0950 0000 6516 7470

CITIZEN POTAWATOMI NATION, OKLAHOMA
1601 SOUTH GORDON COOPER DRIVE
SHAWNEE, OK 74801

NOTICE OF DECISION

Dear Applicant:

This decision is a result of our analysis of an application filed by CITIZEN POTAWATOMI NATION, OKLAHOMA for trust acquisition of fee lands. The property is described as follows:

See "Exhibit A" for legal descriptions.

Regulatory Authority

The applicable regulations are set forth in the Code of Federal Regulations (CFR) Title 25, Part 151. The regulations specify that it is the Secretary's policy to accept lands "in trust" for the benefit of Tribes when such acquisition is authorized by an Act of Congress; and, (1) when such lands are within the exterior boundaries of the Tribe's reservation, or adjacent thereto, or within a Tribal consolidation area, or (2) when the Tribe already owns an interest in the land; or (3) when the Secretary determines that the land is necessary to facilitate Tribal self-determination, economic development, or Indian housing.

This acquisition facilitates Tribal Self-Determination. Therefore, it is within the land acquisition policy as set forth by the Secretary of the Interior.

Pursuant to 25 CFR Part 151, the Secretary will consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located within or contiguous to the tribe's reservation, and the acquisition is not mandated:

- (a) The existence of Statutory Authority for the acquisition and any limitations contained in such authority;
- (b) need of the individual Indian or the Tribe for additional land;
- (c) the purpose for which the land will be used;
- (d) if the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;
- (e) impact on the State and its political subdivisions resulting from removal of the land from the tax rolls;
- (f) jurisdictional problems and potential conflict of land use which may arise;
- (g) whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status; and,
- (h) the extent to which

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the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions.

Our review of the requirements to evaluate this Tribal request as set forth in 25 Code of Federal Regulations, § 151.10 (a) through (h), determined the following:

1. 25 CFR § 151.10 (a) Statutory authority for the acquisition of the property.

25 USC §5108 INDIAN REORG ACT 6/18/1934 & 25 USC § 2216(b) INDIAN LAND CONSOL ACT 1983 AS AMND

2. 25 CFR § 151.10 (b) – The need of the individual Indian or a Tribe for additional land.

The tribe has a need for more land to continue with more Economic Development opportunities. The need for this additional land is to expand its economic base and create sustainable revenue in order to support their Tribal programs and services.

3. 25 CFR § 151.10 (c) – Purpose for which the property will be used.

The current and proposed use is for economic development that is necessary to facilitate Tribal Self Determination.

4. 25 CFR § 151.10 (d) – If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs.

N/A

5. 25 CFR § 151.10 (e) – Impact on State and its political subdivisions resulting from the removal of this property from the tax rolls.

The Office of the Governor, State of Oklahoma, Pottawatomie County Board of Commissioners, Oklahoma Tax Commission, Pottawatomie County Assessor officials are the state and local entities having regulatory jurisdiction over the land in question. Comments were requested from these entities concerning the potential impact on regulatory jurisdiction, real property taxes, and special assessments resulting from removal of the land from the tax rolls. No comments were received.

6. 25 CFR § 151.10 (f) – Jurisdictional problems and potential conflicts of land use.

There are no known jurisdictional problems or potential conflicts of land use concerning this property. The tribe co-exists with the state and local community very well and has not received any negative responses or comments regarding the roads, water and sewer, fire protection, zoning, emergency services or school districts.

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7. 25 CFR § 151.10 (g) – Whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities.

It is determined that the Bureau of Indian Affairs (BIA) and the Tribe are equipped to handle the additional responsibilities resulting from the acquisition of the property in trust. More specifically, the Tribe has a trained law enforcement 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 of trust lands and are cross deputized with the State of Oklahoma.

8. 25 CFR § 151.10 (h) – Environmental Compliance:

National Environmental Policy Act Compliance

This acquisition involves no change in land use; therefore, it is categorically excluded from further environmental review. An exception review checklist was prepared to ensure the action remains categorically excluded and all twelve items received a negative response. The Deputy Regional Director, Trust, signed a exclude the action. No further NEPA compliance is required.

National Historic Preservation Act (NHPA) Compliance

This action involves no surface disturbing activity; therefore no Federal undertaking will occur. Consultation with the State Historical Preservation Officer is not required.

Endangered Species Act (ESA) Compliance

The BIA has made a determination of "no effect" on threatened or endangered species per section 7(a)(2) of the ESA as of 1/12/2026. No further compliance is required for the ESA.

Hazardous Substances Determination

A Phase 1 Environmental Site Assessment dated 12/10/2025 (Addendum/Revised) found no Recognized Environmental Conditions associated with the proposed acquisition. The assessment is within 180 days of acquisition; therefore no further action is required.

Conclusion

Based upon our completion of the required casework in this fee to trust acquisition and a complete preliminary approval of this transaction, we request this property be accepted into trust status.

Notice of Appeal

Any party who wishes to seek judicial review of this decision must first exhaust administrative remedies. The Regional Director's decision may be appealed to the Interior Board of Indian Appeals (IBIA) in accordance with the regulations in 43 C.F.R. 4.310-4.340.

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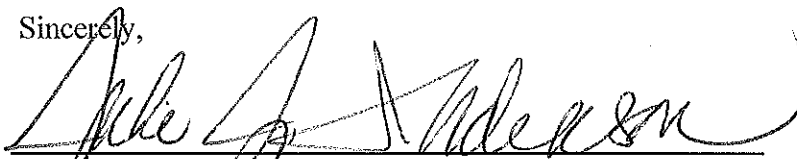
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If you choose to appeal this decision, your notice of appeal to the IBIA must be signed by you or your attorney and **must be either postmarked and mailed (if you use mail) or delivered (if you use another means of physical delivery, such as FedEx or UPS) to the IBIA within 30 days from the date of receipt of this decision.** The regulations do not authorize filings by facsimile/fax or by electronic means. Your notice of appeal should clearly identify the decision being appealed. You must send your **original** notice of appeal to the IBIA at the following address: Interior Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203. You must send **copies** of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, U.S. Department of the Interior, MS-4141-MIB, 1849 C Street N.W., Washington, D.C. 20240; (2) each interested party known to you; and (3) the Regional Director. Your notice of appeal sent to the IBIA must include a statement certifying that you have sent copies to these officials and interested parties and should identify them by names or titles and addresses.

If you file a notice of appeal, the IBIA will notify you of further 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 a notice of appeal.

Sincerely,

Acting


REGIONAL DIRECTOR

Enclosure(s)

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cc:

BY CERTIFIED MAIL:

STATE OF OKLAHOMA THE HONORABLE KEVIN STITT, GOVERNOR
STATE CAPITOL BUILDING
2300 NORTH LINCOLN BOULEVARD
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POTTAWATOMIE COUNTY ASSESSOR
P.O. BOX 1748
SHAWNEE, OK 74802-1748
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OKLAHOMA TAX COMMISSION ATTENTION CHAIRMAN
300 NORTH BROADWAY AVENUE
OKLAHOMA CITY, OK 73194
CERTIFIED MAIL RETURN RECEIPT:
7021 0950 0000 6516 9313

POTTAWATOMIE COUNTY BOARD OF COMMISSIONERS ATTENTION
COMMISSIONERS
14101 ACME ROAD
SHAWNEE, OK 74804
CERTIFIED MAIL RETURN RECEIPT
7021 0950 0000 6516 9320

POTTAWATOMIE COUNTY TREASURER
PO BOX 3069
SHAWNEE, OK 74802-3069
CERTIFIED MAIL RETURN RECEIPT
7021 0950 0000 6516 9337

OFFICE OF THE TULSA FIELD SOLICITOR
PO BOX 470330
TULSA, OK 74147
CERTIFIED MAIL RETURN RECEIPT
7021 0950 0000 6516 9344

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Applicant Name: CITIZEN POTAWATOMI NATION, OKLAHOMA

LEGAL DESCRIPTION EXHIBIT A

Tract ID:

Tract Name: GILBERT & SONS PROPERTY

Table with 6 columns: Land Area, Land Area Name, Tract Number, LTR0, Region, Agency, Resources. Values include 821, CITIZEN POTAWATOMI, ANADARKO, OK, SOUTHERN PLAINS REGIONAL OFFICE, SHAWNEE AGENCY, Surface Only.

Table with 8 columns: Section, Township, Range, State, County, Meridian, Legal Description, Acres. Values include 36, 010.00N, 003.00E, OKLAHOMA, POTTAWATOMIE, Indian, 41.730.

METES AND BOUNDS: Surface & surface rights only: A tract of land being part of the Southwest Quarter of the Southeast Quarter (SW1/4-SE1/4) and part of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section Thirty-six (36), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, said tract written by Timothy G. Pollard, Professional Land Surveyor No. 1474, dated March 24, 2023, based on a Boundary Survey of said tract, completed March 24, 2023, using the True (Geodetic) Meridian for a Basis of Bearing, which is N89°51'25"W, 2640.11 feet between monuments as shown on Oklahoma Certified Corner Records (OCCR's) for the Southeast Corner and the Southwest Corner of the Southeast Quarter (SE1/4) of said Section 36, said tract further described as: COMMENCING at the Southeast Corner of the Southeast Quarter (SE1/4) of said Section 36; Thence N89°51'25"W, on the South line of said SE1/4, for a distance of 660.03 feet to the Southeast Corner of said SW1/4-SE1/4-SE1/4, said point being the POINT OF BEGINNING; Thence N89°51'25"W, on the South line of said SE1/4, for a distance of 660.03 feet to the Southeast Corner of said SW1/4-SE1/4-SE1/4; Thence N89°51'25"W, on said South line for a distance of 329.94 feet to the Southeast Corner of a tract of land recorded in Document No. 2017-12850; Thence N01°12'51"E for a distance of 360.00 feet to the Northeast Corner of a tract of land recorded in Document No. 2002-9584; Thence N89°51'25"W for a distance of 330.00 feet to the Northwest Corner of a tract of land recorded in Document No. 2002-9584; Thence S01°12'51"W for a distance of 360.00 feet to the Southwest Corner of said tract recorded in Document No. 2017-12850, said point being on the South line of said SW1/4-SE1/4; Thence N89°51'25"W, on the South line of said SW1/4-SE1/4, for a distance of 660.11 feet to the Southwest Corner of said SW1/4-SE1/4; Thence N01°14'02"E, on the West line of said SW1/4-SE1/4, for a distance of 1320.44 feet to the Northwest Corner of said SW1/4-SE1/4; Thence S89°49'19"E, on the North line of said SW1/4-SE1/4, for a distance of 1323.89 feet to the Northeast Corner of said SW1/4-SE1/4; Thence S01°24'03"W, on the East line of said SW1/4-SE1/4, for a distance of 824.82 feet to the Northwest Corner of the South Half of the North Half of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (S1/2-N1/2-SW1/4-SE1/4) of said Section 36; Thence S89°51'42"E, on the North line of said S1/2-N1/2-SW1/4-SE1/4-SE1/4, for a distance of 660.55 feet to the Northeast Corner of said S1/2-N1/2-SW1/4-SE1/4-SE1/4; Thence S01°27'42"W, on the East line of said SW1/4-SE1/4-SE1/4, for a distance of 494.95 feet to the POINT OF BEGINNING, LESS AND EXCEPT the following tract of land: A tract of land COMMENCING at the Southeast Corner of said SW1/4-SE1/4; Thence N89°51'25"W, on the South line of said SW1/4-SE1/4, for a distance of 370.00 feet; Thence N01°12'51"E for a distance of 391.64 feet to the Southeast Corner of a tract of land described in Document No. 2014-3806, said point being the POINT OF BEGINNING; Thence N89°51'25"W, on the South line of said tract recorded in Document No. 2014-3806, for a distance of 290.00 feet to the Southwest Corner of said tract of land recorded in Document No. 2014-3806; Thence N01°12'51"E, along a common line with tracts recorded in Document No. 2014-3806 and 2010-3980, for a distance of 465.00 feet to the Northwest Corner of a tract of land described in Document No. 2010-3980; Thence S89°51'25"E, along a common line with said tract recorded in Document No. 2010-3980, for a distance of 290.00 feet to the Northeast corner of said tract of land recorded in Document No. 2010-3980; Thence S01°12'51"W, along a common line with tracts recorded in Document No. 2010-3980 and 2014-3806, for a distance of 465.00 feet to the POINT OF BEGINNING. The total of said tract as surveyed contains 41.73 acres more or less and subject to easements, rights-of-way and encumbrances of record.

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