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Exhibit 3.1 – FHWA Program Agreement

(NOTE: BIA Program Agreement is slightly
different to reflect BIA references)

**TRIBAL TRANSPORTATION PROGRAM
AGREEMENT
BETWEEN
THE (INSERT NAME OF TRIBE)
AND THE
UNITED STATES DEPARTMENT OF
TRANSPORTATION**

ARTICLE I – AUTHORITY AND PURPOSE

Section 1. Authority. This Tribal Transportation Program Agreement (hereinafter “the Agreement”) is entered into by the Administrator, Federal Highway Administration, (hereinafter “Administrator”), for and on behalf of the United States Department of Transportation (hereinafter “DOT”) and by the (INSERT NAME OF TRIBE) (hereinafter “the Tribe”) (collectively hereinafter the “Parties”), under the authority of the Constitution and By-Laws of the Tribe and by resolution of the Tribal Government, a copy of which is attached hereto, and under the authority granted by Chapter 2 of Title 23, United States Code, as amended by Section 1119 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, (July 6, 2012) and the Delegations of Authority set forth in 49 CFR § 1.85. This agreement will be implemented in a manner consistent with Executive Order 13175 (Nov. 6, 2000, 65 Fed. Reg. 67249) (Consultation and Coordination with Indian Tribal Governments); the Presidential Memorandum on Tribal Consultation dated November 5, 2009; the DOT’s Order regarding

Programs, Policies, and Procedures Affecting American Indians, Alaska Natives, and Tribes (DOT 5301.1, November 16, 1999); and the U.S. DOT Tribal Consultation Plan found at <http://www.fhwa.dot.gov/tribal/news/consultation.html>; all as amended by MAP-21. This Agreement authorizes the Tribe to perform the planning, research, design, engineering, construction, and maintenance of highway, road, bridge, parkway, or transit facility programs or projects that are located on or which provide access to the (INSERT NAME OF TRIBE) Reservation (ALASKA NATIVE VILLAGE/CONSORTIUM) or a community of the Tribe and are eligible for funding pursuant to the Indian Reservation Roads (IRR) Program regulations (25 CFR Part 170). This Agreement is made pursuant to 23 U.S.C. § 202(b)(7) and 25 CFR Part 170, as amended by section 1119 of MAP-21, and in accordance with the Indian Self-Determination and Education Assistance Act (hereinafter “the ISDEAA”), Pub. L. 93-638, as amended (25 U.S.C. § 450 et seq.).¹

Section 2. Purpose. The purposes of this Agreement are as follows:

- (1) to transfer to the Tribe all of the functions and duties that the Secretary of the Interior would have performed with respect to a program or project under Chapter 2 of Title 23, United States Code, other than those functions and duties that cannot be legally transferred under the ISDEAA, together with such additional activities as the Tribe may perform under MAP-21 and 25 CFR Part 170;

¹ The Tribe and FHWA have recognized that each Party has a different understanding as to the application of the ISDEAA (Act) and its implementing regulations (25 CFR Parts 900 and 1000) to this Agreement. It is expressly understood that through the execution of this Agreement, neither party waives any rights regarding the application of the aforementioned Act and its regulations to this Agreement and no precedent is established for future agreements with this Tribe or any other Indian Tribe. The parties agree to work in good faith to resolve this issue in future agreements.

- (2) to carry out the Federal Highway Administration's (FHWA) statutory requirements pursuant to section 1119 of MAP-21 and to maintain and improve its unique and continuing government-to-government relationship with and responsibility to the Tribe; and
- (3) to provide the Tribe or its designee, under a Referenced Funding Agreement (RFA), its formula share of TTP funds pursuant to MAP-21 and 25 CFR Part 170, and those additional amounts as the Administrator determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project, together with such additional Federal Lands Highways funds as the Tribe may receive or otherwise be entitled to through a formula or competitive grant, award, earmark or other appropriation to the Department of Transportation (DOT). The Bureau of Indian Affairs's (INSERT REGION NAME) Regional Office shall continue to receive the funds identified in 23 U.S.C. § 202(a)(6) for certain program management and oversight (PM&O) activities and project-related administrative expenses as further identified in Article II, Section 2 and in approved RFAs (Attachment A).

ARTICLE II – TERMS, PROVISIONS, and CONDITIONS

Section 1. Effective Date and Term. This agreement shall become effective upon the date of its approval and execution by authorized representatives of the Tribe and the Administrator and shall remain in effect until amended pursuant to Article V, Section 10 (*change to 9 if Article V Section 9 is deleted*) or terminated pursuant to Article V, Section 8.

Section 2. Funding.

A. Subject to the availability of funding and in accordance with 23 U.S.C. § 202(b)(7), the Administrator shall provide to the Tribe or its designee, through an electronic transfer, a single annual lump sum funding amount equal to the amount that the Tribe would otherwise receive for the TTP formula in accordance with 23 U.S.C § 202(b)(3), and such additional amount, as determined by the Administrator that would have been withheld by the BIA for the administration of the Tribe's TTP or projects. The Parties agree to annually provide the Tribe the amounts that would have been withheld for the costs of the BIA for administration of the Tribe's program or projects as provided in 23 U.S.C.§ 202(b)(7)(E) and further identified in Attachment A to this Agreement.

B. Upon the execution of this Agreement and the RFA by both Parties, and subject to the availability of funds and the determination of the Tribe's annual funding percentage per 23 U.S.C § 202(b)(3), the Administrator shall notify the Tribe or its designee, in accordance with Article IV, section 5, that the funds identified in the RFA are available. The Tribe shall submit electronic banking information under an ACH Vendor/Miscellaneous Payment Enrollment Form (see Attachment B) to the Administrator and the Administrator shall provide to the Tribe a single advance payment in the amount identified in the attached RFA within thirty (30) calendar days of his receipt of the Payment Enrollment Form. The Parties agree that the RFA will be renegotiated annually on a Federal fiscal year basis.

C. Pursuant to 23 U.S.C.§ 202(b)(7)(B), all funds shall be paid to the Tribe without regard to the organizational level at which the Department of the Interior or the DOT has previously carried out under the Federal Lands Highways Program, the programs, functions, services, or activities (PFSAs) involved.

D. Pursuant to 25 CFR §§ 170.607 – 170.608, Contract Support Costs are an eligible cost and the Tribe may use their TTP Program allocation to pay such costs. The Tribe shall include a line item for Contract Support Costs in the Tribe's project construction budgets. The

Tribe may also include, as eligible Contract Support Costs, one-time start-up costs and preaward costs incurred by the Tribe in the initial year of this Agreement in accordance with 25 U.S.C. §§ 450j-1(a)(5) and (6). The parties acknowledge that TTP funds are distributed pursuant to a statutory formula to the federally recognized Tribes in the United States. A Tribe's total share of TTP funds includes all direct and indirect costs associated with the TTP. The Parties expressly acknowledge there are no additional TTP funds available for any additional indirect costs which are incurred.

E. Funds advanced to the Tribe under this Agreement shall be used by the Tribe as permitted under 23 U.S.C. § 202(a)(1) and 25 CFR Part 170, as amended by MAP-21, other applicable laws, and as authorized under this Agreement. The Tribe reserves the right to reallocate funds among the eligible projects identified on an FHWA-approved TTP Transportation Improvement Program (TTPTIP), so long as such funds are used in accordance with Federal appropriations law. Funds advanced to the Tribe pending disbursement for a purpose authorized under the Agreement shall be placed in appropriate savings, checking or investment accounts. For purposes of this Agreement, such funds when invested or deposited by the Tribe shall be subject to the following:

(i) Advanced funds not immediately spent for program activities may be invested only in obligations of the United States, in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed by the United States;

(ii) If not invested, advanced funds must be deposited into accounts that are insured by an agency or instrumentality of the United States or must be fully collateralized to ensure protection of the funds, even in the event of a bank failure;

(iii) Interest and investment income that accrue on any funds provided for by agreement become the property of the Tribe in accordance with the provisions of 25 U.S.C. § 450j(b) and may be used on projects and activities identified on an FHWA approved TTPTIP; and

(iv) Upon the receipt of funds under this Agreement, the Tribe shall expend the funds for the purposes set forth in this Agreement and as authorized by law; provided however that the Tribe may accumulate multiple annual allocations of TTP funds when necessary to fund an eligible project which requires more than one fiscal year of funding and is identified on a tribal TIP or a tribal priority list (25 CFR Part 170).

F. The Tribe may use funds provided under this agreement for flexible financing as provided in 23 U.S.C. § 122; 25 CFR §§ 170.300 – 303, and other applicable laws, as amended by MAP-21.

G. 1. The Tribe may issue bonds or enter into other debt financing instruments under 23 U.S.C. §122, as amended by MAP-21, with the expectation of payment of TTP funds to satisfy the instruments, including, but not limited to, the repayment of loan principal and interest on such debt instruments. When the Tribe elects to use flexible financing to advance construct an eligible project or projects under this Agreement, the Administrator agrees (i) to maintain the project(s) on the FHWA-approved TTPTIP until all debt instruments, including interest thereon, are repaid in full by the Tribe, and (ii) at the option and direction of the Tribe (after receipt of electronic banking information on the Payment Enrollment Form by the Administrator), to provide all or a portion of the funds the Tribe is eligible to receive under this Agreement directly to a trustee or other depository so designated by the Tribe pursuant to the provisions of any RFA received by the Administrator thereunder.

2. The designation of an eligible debt financing instrument for reimbursement with funds awarded under this Agreement shall not –

- a) constitute a commitment, guarantee, or obligation on the part of the United States to provide for payment of principle or interest on the eligible debt financing instrument entered into by the Tribe; or
- b) create any right of a third party against the United States for payment under the eligible debt financing instrument.

H. As authorized by 25 CFR § 170.301, the Tribe may use TTP funds to:

- (i) leverage other funds; and
- (ii) pay back loans or other finance instruments for a project that:
 - (a) the Tribe paid for in advance of the current year using non-TTP funds, including Tribal funds; and
 - (b) was included in an FHWA-approved TTPTIP.

I. The Tribe may use TTP funds awarded under this Agreement to meet matching or cost participation requirements for any Federal or non-Federal transit grant or program.

J. The Parties agree that this Agreement is entered into, and that funds are made available to the Tribe, in accordance with the ISDEAA pursuant to 23 U.S.C. § 202(b)(7), as amended by section 1119(a) of MAP-21. Payments made by the Administrator under this Agreement shall be made in accordance with Article II, Section 2.B. herein. In the event funds

due the Tribe under this Agreement are not paid to the Tribe in accordance with the requirements of Article II, Section 2.B., the Parties shall rely upon the dispute resolution provisions set forth in Article II, Section 4 of this Agreement.¹

Section 3. Powers. The Tribe shall have all powers that the Secretary of the Interior would have exercised in administering the funds provided to the Tribe for such program under 23 U.S.C. § 202(b)(7)(H), except to the extent that such powers are powers that inherently cannot be legally transferred under the ISDEAA. Such powers shall include, but are not limited to the Secretary of the Interior's powers under 25 CFR Part 170, together with such duties and responsibilities as may be performed by an Indian Tribe under the 25 CFR Part 170 regulations or as are otherwise permitted by law.

Section 4. Dispute Resolution. In the event of a dispute arising under this Agreement, the Tribe and the Administrator agree to use mediation, conciliation, arbitration, and other dispute resolution procedures authorized under 25 CFR § 170.934. The goal of these dispute resolution procedures is to provide an inexpensive and expeditious forum to resolve disputes. The Administrator agrees to resolve disputes at the lowest possible staff level and by consent whenever possible.

Section 5. Construction of this Agreement. This Agreement shall be construed in a manner to facilitate and enable the transfer of programs authorized by 23 U.S.C. § 202, as amended by MAP-21.

¹ The language of footnote 1 is incorporated by reference herein.

Section 6. Activities to be Performed. The activities covered by this Agreement are:

- Transportation Planning;
- Construction Management;
- Program Administration;
- Design;
- Construction;
- Road Maintenance as authorized under 23 U.S.C. § 202(a)(8)(A), as amended by MAP-21 (the greater of 25% of the funds allocated to a Tribe through the TTP funding formula as defined in 23 USC 202(b) or \$500,000 may be expended for the purpose of maintenance, excluding road sealing which shall not be subject to any limitation);
- Development and negotiation of Tribal-State Road Maintenance agreements authorized under 23 U.S.C. § 202(a)(8)(C), as amended by MAP-21;
- **(INSERT ANY ADDITIONAL ITEMS);** and
- Other TTP Program-eligible activities authorized under Chapter 2 of Title 23 (including TTP Safety and Bridge) or 25 CFR Part 170, as each may be amended by MAP-21, or other applicable law.

Section 7. Limitation of Costs. The Tribe shall not be obligated to continue performance under this Agreement that requires an expenditure of funds in excess of the amount of funds awarded under this Agreement or the RFA. If, at any time, the Tribe has reason to believe that the total amount required for performance of this Agreement, or a specific activity conducted under this Agreement or the RFA would be greater than the amount of funds provided under this Agreement or the RFA, the Tribe shall provide reasonable notice to the Administrator. If the Administrator does not increase the amount of funds allocated under this Agreement or the RFA, the Tribe may suspend performance of the Agreement until such time as additional funds are made available.

Section 8. Carryover. Any funds provided to the Tribe under this Agreement or the RFA which have not been expended at the conclusion of the fiscal year in which such funds were

allocated shall remain in the custody of the Tribe and be used for the purposes authorized under this Agreement. Determination of the priority and amount of funds to be used for each program, function, service or activity shall be the responsibility of the Tribe, except as limited by law or otherwise proscribed by this Agreement.

Section 9. Applicable Regulations. 25 CFR Part 170, and any amendments thereto apply to this Agreement.¹ The Tribe may seek a waiver of these regulations to the extent permitted by law and as set out in 25 CFR §§ 170.625 and 170.626.

Section 10. Use of Tribal Facilities and Equipment. (INSERT ANY SPECIAL EQUIPMENT ISSUES) The Parties agree that the Tribe shall be permitted to utilize TTP and other Federal Lands Highway funds awarded under this Agreement to pay such lease/rental rates, as well as to maintain such facilities and equipment when performing PFSAs under this Agreement. For purposes of this Agreement, in those cases where the Tribe reasonably determines, and provides written notice and analysis documentation to the Administrator that the purchase of equipment is more cost effective than the leasing of equipment, the Parties agree that the purchase of construction equipment shall be an allowable cost to the Tribe, as permitted under 25 CFR Part 170, Appendix A to Subpart G, so long as not more than 25% of the Tribe's TTP Program funds or a maximum of \$500,000 are used for this purpose.

ARTICLE III – RESPONSIBILITIES OF THE TRIBE

Section 1. A. Health and Safety. In exercising responsibility for carrying out the eligible programs and projects under this Agreement, the Tribe assures the Administrator that within available funding, they will meet all applicable health, safety, and labor standards related to the administration, planning, engineering and construction activities performed. To this end,

¹ The language of footnote 1 is incorporated by reference herein.

and within available funding, the Tribe agrees to obtain or provide qualified personnel, equipment, materials, and services necessary to administer the transportation programs, including opportunities that provide for Indian preference in employment and sub-contracting as mandated by 25 U.S.C. § 450e(b).

B. Program Standards and Regulations. The Tribe agrees to initiate and perform the contracted programs and projects in accordance with the requirements of 25 CFR Part 170, as amended by MAP-21. Additionally, the Tribe may, at its sole option, adopt applicable FHWA or BIA policies, procedures, program guidelines and memoranda, or develop tribal policies, procedures, program guidelines and memoranda which meet or exceed federal standards to facilitate operation or administration of any aspect of the programs assumed by or delegated to the Tribe under this Agreement.

C. Plans, Specifications and Estimate (PS&E) Approval Authority.

(1) Tribal and BIA-owned facilities. The Tribe is authorized to review and approve plans, specifications and estimates (“PS&E”) project packages in accordance with the requirements of 25 CFR §§ 170.460 through 170.463, as amended by 23 U.S.C. § 202(b)(5), and will provide a copy of said PS&E approval to the facility owner and FHWA. The Tribe hereby:

- a) provides assurances under this Agreement that the construction will meet or exceed applicable health and safety standards;
- b) agrees to obtain the advance review of the PS&E from a State-licensed civil engineer who has certified that the PS&E meets or exceeds the applicable health and safety standards; and
- c) agrees to provide a copy of the State-licensed civil engineer’s certification to the Deputy Assistant Secretary for Tribal Government Affairs, with a copy to the Federal Lands Highways Associate Administrator and BIA.

(2) Facilities owned or maintained by a public authority other than the Tribe or the BIA. In the interest of building stronger government-to-government relations in transportation planning and coordination, the Tribe voluntarily agrees to perform its PS&E review and approval function as to facilities owned or maintained by a public authority, as that term is defined in 23 U.S.C. § 101(a)(20), as follows. For a facility owned or maintained by a public authority other than the BIA or the Tribe, in addition to satisfying the requirements of paragraph (C)(1) herein, the Tribe further agrees to:

- (a) provide the public authority an opportunity to review and comment on the Tribe's PS&E package when it is between 75 and 95 percent complete, unless an agreement between the Tribe and the public authority states otherwise;
- (b) allow the public authority at least 30 days for review and comment on the PS&E package, unless the Tribe and the public authority agree upon a longer period of time;
- (c) before soliciting bids for the project(s), certify in writing to the Administrator that it afforded the public authority an opportunity to review and comment on the PS&E package and received no written comments from the public authority that prevent the Tribe from proceeding with the project.¹

¹ The Parties agree that these procedures establish no precedent for future agreements with this Tribe or any other Indian Tribe, nor waives any rights of the Parties.

D. Transportation Planning and Inventory. Within available funding, the Tribe further agrees to carry out a transportation planning process and provide this information to the BIA, with courtesy copies to FHWA, as may be reasonably necessary for the BIA to maintain an updated inventory of TTP eligible facilities per 23 U.S.C. § 202(b)(1), and to develop the annual TTP Transportation Improvement Program (TTPTIP).

E. Easements, Maintenance and Utility Agreements, Environmental Assessments. In coordination with local jurisdictions and to the extent required by Federal law and 25 CFR Part 170, the Tribe agrees to develop appropriate construction easements, maintenance and utility agreements needed for the construction of TTP facilities carried out under this Agreement. The Tribe agrees to perform all environmental and archeological review functions under this Agreement in accordance with 25 CFR Part 170, Section 6002 of SAFETEA-LU, codified at 23 U.S.C. § 139, and other applicable laws, as amended by MAP-21.

F. Construction.

1) In accordance with the FHWA-approved TTPTIP, the Tribe agrees to initiate and complete TTP construction projects in accordance with the approved PS&E and any Tribally-approved change orders and shall periodically ensure that construction engineering is performed according to applicable FHWA, BIA or Tribal standards which meet or exceed federal standards.

2) The Tribe agrees to expend TTP funds on:

(a) program and administrative expenses authorized under:

- (i) this Agreement;
- (ii) 25 CFR Part 170, as amended by MAP-21;
- (iii) OMB Circular A-87; or
- (iv) other applicable laws; and

(b) construction activities on projects that are listed on an FHWA-approved TTPTIP.

3) Once a TTP construction project is completed, the Tribe will prepare for the Administrator a final construction report and as-built plans for final inspection in accordance with 25 CFR Part 170.

4) The Tribe agrees to allow FHWA Officials or by mutual agreement, a delegated representative of FHWA, the opportunity to visit project sites on a monthly basis or at critical project milestones, provided that FHWA gives the Tribe reasonable advance written notice. These visits are intended to allow FHWA to carry out its oversight and stewardship responsibilities for the TTP or project(s) assumed by the Tribe under this Agreement. FHWA will not provide direction or instruction to the Tribe's contractor or any subcontractor at any time.

G. Reporting Requirements. The Tribe shall provide the Administrator a courtesy copy of its annual single agency audit report; semi-annual progress reports which contain a narrative of the work accomplished; and semi-annual financial status reports using an SF 425 – Federal Financial Report or such similar form as designated by the DOT. The Tribe shall provide the Administrator the semi-annual reports within ninety (90) days following the conclusion of the reporting period, which shall run from October 1 to March 31 and from April 1 to September 30. The Tribe understands the stewardship and oversight responsibilities of the FHWA and recognizes that the success of this Program Agreement requires that the FHWA receive timely all required reports in a timely manner.

ARTICLE IV – RESPONSIBILITIES OF THE ADMINISTRATOR

Section 1. Provision of Funds. The Administrator shall provide funds pursuant to the RFA to the Tribe to carry out this Agreement in accordance with Article II, Section 2 of this Agreement.

Section 2. Authorize Project Work. The Administrator authorizes the Tribe to carry out preliminary engineering, construction engineering, development of management systems, construction, and maintenance of the programs and projects carried out by the Tribe under this Agreement for PFSAs and projects/facilities included on an FHWA-approved TTPTIP in accordance with the approved PS&E packages, this Agreement, and applicable laws and regulations.

Section 3. Coordination with BIA.

A. The Administrator shall coordinate with the Bureau of Indian Affairs (BIA) concerning transportation functions and activities delegated by law to that agency to aide the Tribe in the proper and efficient administration of the PFSAs performed by the Tribe under this Agreement.

B. The Administrator will encourage a representative of the BIA, with knowledge of the TTP Program, to meet at least annually with a designee of the Tribe and the Administrator to review their respective duties and obligations under MAP-21, the TTP, applicable regulations, and this Agreement with the goal of identifying actions which the Tribe, the Administrator and the BIA can take to ensure the Tribe's successful administration of the transportation PFSAs carried out under this Agreement.

Section 4. Coordination with Public Authorities. The Administrator, or his authorized FHWA representative, upon the Tribe's request, shall coordinate with representatives of a public authority to assist the Tribe during the public authority's review of a PS&E package or final

inspection of a completed project to ensure that the public authority's input during the review and comment period, or during the final inspection does not interfere with the Tribe's efficient administration of projects performed under this Agreement.

Section 5. Designated Officials. All notices, proposed amendments, and other written correspondence between the Parties shall be submitted to the following officials:

To the Tribe:

Chairman/President
(INSERT NAME OF TRIBE)
(INSERT ADDRESS)

To the FHWA:

Associate Administrator
Federal Lands Highways (HFL-1)
U.S. Department of Transportation
1200 New Jersey Ave, SE, Room E61-316
Washington, D.C. 20590

With a copy to:

Tribal Transportation Director
(INSERT NAME OF TRIBE)
(INSERT ADDRESS)

With a copy to:

Tribal Transportation Program Manager
(HFPPD-9)
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave, SE, Room E61-311
Washington, D.C. 20590

Section 6. Federal Construction Standards. The Administrator may provide information about Federal construction standards as early as possible in the construction process. If Tribal construction standards are consistent with or exceed applicable federal standards, the Tribe's proposed standards will be accepted. The Administrator may also accept commonly used industry construction standards, including design and construction standards adopted by the State of (INSERT STATE LOCATION).

Section 7. Joint Inspection. The Administrator shall conduct the final project inspection jointly with the Tribe and facility owner and shall notify the BIA Regional Office that construction has been completed in accordance with the project plans and specifications for the purpose of project acceptance, inclusion, or data update in the BIA's TTP Inventory.

Section 8. Technical Assistance. Upon the request of the Tribe and subject to the availability of funds, the Administrator shall provide or make available technical assistance to the Tribe to aide the Tribe in carrying out its responsibilities under this Agreement.

Section 9. Reporting. The Administrator shall provide the Tribe with semi-annual reports on program matters of common concern to the parties. The times for these reports are identical to those set out in Article III, Section 1(G).

Section 10. Notice of Additional Funds. If the Administrator receives notice of the availability of additional funding for any purpose authorized under this Agreement, including the availability of unspent TTP funds, the Administrator shall promptly notify the Tribe regarding such funding so that the Tribe may apply for any funds they may be eligible to receive on the same basis as any other Indian Tribe.

ARTICLE V – OTHER PROVISIONS

Section 1. Eligibility for Additional Funding and Services. The Tribe shall be eligible, under this Agreement, to receive additional TTP funds on the same basis as other Indian Tribes according to the Tribal Transportation Allocation Methodology (TTAM) set forth in 25 CFR Part 170, as well as other funds of the DOT, not included in this Agreement, which are available to Tribe on a competitive, formula, or other basis, including non-recurring funding such as High Priority Project funding, and Congressional earmarks such as Public Lands Highways Discretionary grants. Whenever there are errors in calculations or other mistakes regarding estimates of available funding which may need to be renegotiated, both Parties agree to take action as necessary to correct such errors.

Section 2. Access to Data Available to the Administrator to Administer the Program. The Tribe is administering a federal program under the authority of MAP-21, in accordance with the ISDEAA, and by resolution of the Tribal government. In order for the Tribe to carry out this program effectively and without diminishment of federal services to program beneficiaries, and

consistent with this Agreement, the Administrator shall provide the Tribe with all releasable data and information necessary to carry out the PFSAs assumed by the Tribe under this Agreement.

Section 3. Sovereign Immunity. Nothing in this Agreement shall be construed as—

- (1) affecting, modifying, diminishing, or otherwise impairing the sovereign immunity from suit enjoyed by the Tribe; or
- (2) authorizing or requiring the termination of any existing trust responsibility of the United States with respect to the Indian people.

Section 4. Trust Responsibility. Nothing in this Agreement shall absolve the United States from any responsibility to individual Indians and the Tribe, including responsibilities derived from the trust relationship and any treaty, executive order, or agreement between the United States and the Tribe.

Section 5. Federal Tort Claims Act/Insurance. In accordance with the provisions of Pub.L. 101-512, Title III, § 314, 104 Stat. 1959, as amended Pub.L. 103-138, Title III, § 308, 107 Stat. 1416 (25 U.S.C. § 450f, note), for purposes of Federal Tort Claims Act coverage under this Agreement, the Tribe and its employees are deemed to be employees of the Federal government while performing work under this Agreement. This status is not changed by the source of the funds used by the Tribe to pay the employee's salary and benefits unless the employee receives additional compensation for performing covered services from anyone other than the Tribe. The Tribe is also authorized to use the funds provided under this Agreement to purchase such insurance coverage as may be necessary and prudent, in the determination of the Tribe. In full recognition of and without undermining the federal tort claims protection provided in this section, the Parties understand and agree that prudent project management requires that Tribal contractors purchase adequate workers compensation, auto and general liability insurance when completing construction projects funded under this Agreement. Accordingly, the Tribe shall include in any construction contracts entered into with funds provided under this

Agreement a requirement that Tribal contractors maintain workers compensation, auto and general liability insurance coverage consistent with statutory minimums and local construction industry standards. The Parties understand and agree that this insurance requirement does not apply to the Tribe itself.

Section 6. Indian and Tribal Preference.

A. Federal law gives hiring and training preferences, to the greatest extent feasible, to Indians for all work performed under the TTP. Under 25 U.S.C. § 450e(b), Indian organizations and Indian-owned economic enterprises are entitled to a preference, to the greatest extent feasible, in the award of contracts, subcontracts, and sub-grants for all work performed under the TTP.

B. The Tribe's employment rights and contracting preference laws, including tribal preference laws, apply to this Agreement.

C. With respect to 23 U.S.C. 202(a)(10), the Tribe shall have established procurement management standards which shall provide for full and open competition in accordance with 25 C.F.R. Part 900, Subpart F, as authorized by 23 U.S.C. 202(b)(7)(G) and (H). Tribal labor and tribal force account procedures may be employed on any tribal transportation project pursuant to 23 U.S.C. 202 (a)(3). If the Tribe wishes to use a procurement method that is not provided for in its established procurement management standards or its tribal force account procedures for a particular tribal transportation project, the FHWA shall promptly review and respond to a written request from the Tribe justifying the alternative procurement method. In making its decision, FHWA shall work within the project procurement schedule and comply with the liberal construction requirements of 25 C.F.R. 170.2(h) and the federal obligations set forth in 25 C.F.R. 170.103.

Section 7. Severability. Should any portion or provision of this Agreement be held invalid, it is the intent of the Parties that the remaining portions or provisions thereof continue in full force and effect.

Section 8. Termination of the Agreement. On the date of the termination of the Agreement by the Tribe as authorized under 23 U.S.C. § 202(b)(7)(J), as amended by MAP-21, or if the Administrator makes a specific written finding and provides notice to the Tribe in accordance with this Agreement that the Tribe is no longer eligible to receive funding under this section as authorized under MAP-21, the Administrator shall allocate the funds that would have been provided to the Tribe under the Agreement to the Secretary of the Interior to provide continued transportation services in accordance with applicable law; provided however, that if the Tribe disputes the Administrator's eligibility determination, the Parties may utilize the dispute remedies available under Article II, Section 4 herein, and the Administrator shall suspend any decision to transfer funds to the Secretary of the Interior pending the outcome of the dispute. At the Tribe's election, the Tribe may perform such functions, services and activities as it chooses to include in an ISDEAA contract or agreement to be entered into with the Secretary of the Interior upon the termination of this Agreement.

Section 9. (INSERT ANY SPECIAL CONDITIONS/ISSUES, OTHERWISE DELETE and RENUMBER SUBSEQUENT SECTIONS)

Section 10. Amendments. Any modification of this Agreement shall be in the form of a written amendment and shall require the signed agreement of a duly authorized representative of the Tribe and the Administrator. The Parties agree to work together in good faith, following the implementation of this Agreement, to identify additional issues or matters that should be addressed in this Agreement subject to the Parties' mutual written consent.

Section 11. Good Faith. The Parties agree to exercise the utmost good faith in the implementation and interpretation of this Agreement and agree to consider and negotiate such additional provisions as may be required to improve the delivery and cost-effectiveness of transportation services.

Section 12. Successor Agreements.

A. Tribal Transportation Program Agreement. No later than six months prior to the expiration of this Agreement, the Parties shall commence negotiation of a successor Tribal Transportation Program Agreement. It is the intent of the Parties to have a successor Agreement in place to run concurrent with the highway reauthorization legislation which succeeds MAP-21.

B. Referenced Funding Agreement. Ninety (90) days before the expiration of each year’s RFA, the Parties shall commence negotiation of the subsequent year’s RFA.

(INSERT NAME OF TRIBE)

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

By _____
(INSERT NAME OF SIGNATORY)
(INSERT TITLE)

By _____
Victor M. Mendez, Administrator

Date

Date

Exhibit 3.2 – Example Tribal Resolution

[Insert Tribe name]
[Insert address]
[Insert City, State Zip Code]
[Insert Ph: (xxx) xxx-xxxx]
[Insert Email: www.xyz.xxx]

RESOLUTION: 13-??

Approving the [insert Tribe name]'s Assumption of Transportation Functions under Moving Ahead for Progress in the 21st Century Act (MAP-21), and Approving the Issuance of a Notice of Intent to FHWA and BIA.

WHEREAS, [insert Tribe name] Council is the governing body of the [insert Tribe name], a federally recognized Native Tribe; and

WHEREAS, the [insert Tribe name] Council finds that rebuilding roads, trails and bridges on, or which provide access to [insert Tribe name] improves the safety and security of Tribal members and nonmembers who live or work in the [insert Tribe name], and renews the sense of pride that all members have for our Tribe; and

WHEREAS, the Congress passed and the President signed the highway reauthorization MAP-21, the Moving Ahead for Progress in the 21st Century Act, Public Law No. 112-141; and

WHEREAS, MAP-21 authorizes the Secretary of Transportation to contract directly with Native Tribes to assume the responsibilities of and the associated funding for the Tribal Transportation Program (TTP) serving a Tribe; and

WHEREAS, 23 U.S.C. § 202(b)(7), as amended by Section 1119 of MAP-21, provides that a Native tribal government may carry out any TTP Program or project through a contract or agreement with the Secretary of Transportation in accordance with the Native Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and further provides that the Tribal government may assume "all functions and duties that the Secretary of the Interior would have performed" for the benefit of the Tribal government, with the exception of certain inherent federal functions; and

WHEREAS, the Tribe believes that establishing a comprehensive transportation program for the Tribe will further the long-term interests of the Tribe, afford the Tribe greater flexibility and control to prioritize transportation needs for the [insert Tribe name], and permit the Tribe to utilize flexible financing arrangements available by law to speed the development of transportation infrastructure in Native Village [insert village name]; and

WHEREAS, the [insert Tribe name] Council desires to assume the Secretary of the Interior's duties and functions with respect to the TTP Program serving the Native Village of [insert village name] and such other Tribal transportation programs-as may be appropriate under 23 U.S.C. § 202(b)(7), as amended by Section 1119 of MAP-21; and

WHEREAS, the Tribal Transportation Department possesses the financial stability and management capability required by section 1119 of MAP-21, and possesses the expertise and experience to assume the Secretary of the Interior's responsibilities in the area of transportation planning, design, construction and maintenance;

NOW, THEREFORE BE IT RESOLVED, that the [insert Tribe name] Council does hereby approve the Tribe issuing a Notice of Intent to the Secretary of the Interior and the Administrator of the Federal Highways Administration to assume the transportation duties of the Secretary of the Interior under the TTP Program, together with transportation-related activities for the Native Village of [insert village name], and instructs the Tribal President, the Tribal Transportation Services Consultant to take all necessary actions to develop with the Federal Highway Administration a mutually acceptable government-to-government agreement to administer the TTP Program serving the Village; and

BE IT FURTHER RESOLVED, that the Tribal President is hereby authorized and instructed to sign this Resolution and all necessary agreements and contracts for and on behalf of the Tribe in order to establish and assume the transportation duties of the Secretary of the Interior serving the Native Village of [insert village name].

CERTIFICATION

The [insert Tribe name] Council adopted this resolution numbered 13-?? during a special meeting held on this day the [insert date] in the Tribal Office with a quorum present.

For ?; Against ?; Abstain ?

Present ?; Absent ?

Dated this ? day of [insert month, year]

[insert Tribe name] President

Exhibit 4.1 – FHWA RFA**(NOTE: BIA RFA is slightly different to reflect BIA references)**Agreement Number: **DTFH69-(insert FY)-H-000XX****REFERENCED FUNDING AGREEMENT****Pursuant to **(INSERT NAME OF TRIBE)**'s
Tribal Transportation Program Agreement
With the Department of Transportation
for Fiscal Year **20XX****

(a) Authority.- This agreement, denoted a Referenced Funding Agreement (hereinafter “RFA”) is entered into by the Administrator, Federal Highway Administration (hereinafter “FHWA”) on behalf of the Secretary of Transportation, and by the **(INSERT NAME OF TRIBE)** (hereinafter the “Tribe”) (collectively hereinafter the “Parties”), pursuant to the Tribal Transportation Program Agreement (hereinafter “Program Agreement”) between the parties for comprehensive transportation planning, research, design, engineering, construction, and maintenance of highway, road, bridge, parkway, or transit facility programs or projects that are located on or which provide access to **(INSERT NAME OF TRIBE/Reservation/Alaska Native Village/Consortium)** along with related program administration activities, and associated transportation services authorized by Chapter 2 of title 23, United States Code, as amended by Section 1119 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, (July 6, 2012) and in accordance with the Indian Self-Determination and Education Assistance Act, Pub. L. 93-638, as amended (25 U.S.C. § 450 et seq.), and the Delegations of Authority set forth in 49 C.F.R. 1.85, and by resolution of the Tribal Council.

(b) Effective Date.- This RFA shall be effective as of October 1, 2012, following its approval and execution by authorized representatives of the Tribe and FHWA.

(c) Purpose.- The purpose of this RFA is to set forth specific conditions for Fiscal Year 2013 funding under the Program Agreement, including terms that identify the specific programs, functions, services and activities (PFSAs) to be performed, the funds to be provided, the time and method of payment, and such other provisions to which the Parties agree.

(d) Activities to be Performed.- The activities covered by this RFA and as further detailed in the Tribally-approved Transportation Improvement Program (TIP) attached hereto as an Exhibit are:

(Insert FY).(insert number of RFA; 1 for initial RFA, 2 for the first amendment, etc.)

Page 1

Tribe_____ FHWA_____

- Transportation Planning, including National Tribal Transportation Facility Inventory update;
- Construction Management;
- Program Administration;
- Design;
- Construction;
- Road Maintenance as authorized by section 202(a)(8)(A) of title 23;
- Repayment of Financing Instruments and IRR Program eligible costs as defined in the Tribe's Advance Construction Agreement;
- Development and negotiation of Tribal-State Road Maintenance agreements as authorized by section 202(a)(8)(C) of title 23.
- Other IRR Program-eligible activities authorized under Chapter 2 of Title 23 or 25 CFR, Part 170, as each may be amended by MAP-21, or other applicable law.

(e) Summary of Funds to be Provided.- The total amount of funding provided under this Funding Agreement is identified below:

Prior Year Funds

IRR Program Tribal Shares:	\$	TBD
IRR Transportation Planning Funds (2%)	\$	TBD
Other Funding (as described):	\$	TBD
<hr/>		
<hr/>		
Tribe's share of Program/Project-related administrative funds as authorized by section 202(b)(7)(E) of title 23	\$	<u>TBD</u>
Total Prior Year Funding		\$ TBD

FY 2013 Tribal Transportation Program Funding and other FLH funds:

TTP Funds	\$	TBD
TTP Transportation Planning Funds (2%)	\$	TBD
Tribal High Priority Projects Program Funds	\$	00.00
Tribal Transportation Facility Bridge Funds	\$	00.00
TTP Tribal Safety Program Funds	\$	00.00
Other Chapter 2 (FLH Program) Funds (as described)	\$	00.00

Tribe's share of Program/Project-related

(Insert FY).(insert number of RFA; 1 for initial RFA, 2 for the first amendment, etc.)

Page 1

Tribe_____ FHWA_____

administrative funds as authorized by
section 202(b)(7)(E) of title 23 \$ TBD

Total FY 2013 Funds: \$ TBD

Total Amount for this RFA: **\$ TBD**

SUMMARY

Amount of this RFA	\$	TBD
Amount provided through prior FY 2013 RFAs	\$	<u>0.00</u>
Total Amount provided to date through FY 2013 RFAs	\$	TBD

(f) Eligibility for Additional Funding and Services.- The Tribe shall be eligible for additional TTP funds on the same basis as other Indian Tribes according to the statutory distribution set forth in section 202(b) of title 23, as well as other funds, not included in this RFA, which are made available to Tribes on a competitive, formula, or other basis, including non-recurring funding. Whenever there are errors in calculations or other mistakes regarding estimates of available funding which may need to be renegotiated, both Parties agree to take action as necessary to correct such errors.

(g) Time and Method of Payment.- Subject to the availability of funds, and the execution of this RFA by both Parties, the Administrator shall provide to the Tribe or its designee the funds identified in Section (e) of this RFA in a single advance payment within thirty (30) calendar days. This transfer shall be made electronically. The final amounts available in the fiscal year are subject to the determination of the Tribe's share under Article II, Section 2.B of the TTP Agreement.

(h) Other Provisions.-

(1) Use of Funds Advanced.- Funds advanced to the Tribe shall be used by the Tribe as permitted under 23 U.S.C. § 202(a) and 25 CFR Part 170, both as amended by MAP-21, other applicable laws, and for the purposes authorized under the Program Agreement. The Tribe reserves the right to reallocate funds among the eligible projects identified on its FHWA-approved Transportation Improvement Program (TIP), so long as such funds are used in accordance with Federal appropriations law. Further, funds advanced to the Tribe pending disbursement for a purpose authorized under the Program Agreement shall be placed in appropriate savings, checking or investment accounts as further detailed in the Program Agreement. As provided in 25 CFR § 170.607, contract support costs are an eligible item out of the Tribe's Program

(Insert FY).(insert number of RFA; 1 for initial RFA, 2 for the first amendment, etc.)

Page 1

Tribe _____ FHWA _____

allocation and will be included in project construction budgets prepared by the Tribe. The Tribe may apply its most current negotiated Indirect Cost Rate to the funds paid under this RFA to determine the amount of funds that may be used by the Tribe to pay eligible contract support cost expenses associated with carrying out the Program Agreement.

(2) Carryover.- As provided in Article II, Sec. 8 of the Program Agreement, any funds which are paid to the Tribe under this RFA which have not been expended by the Tribe at the conclusion of the Federal fiscal year shall remain in the custody of the Tribe and be used for the purposes authorized herein and under the Program Agreement.

(i) **Amendments**.- Except as otherwise provided by the Program Agreement, any modification of this RFA shall be in the form of a written amendment and shall require the signed agreement of the Tribe and the Administrator.

(j) **Notice of Additional Funds**.- If the Department of Transportation receives notice of the availability of additional FY 2013 funding for any purpose authorized under the Program Agreement and RFA, including the availability of unspent TTP funds, the Administrator shall promptly notify the Tribe regarding such funding so that the Tribe may access and apply for any funds they may be eligible to receive.

(k) **Successor Funding Agreements**.- Ninety (90) days before the expiration of this RFA, the Parties shall commence negotiation of a successor RFA.

(INSERT NAME OF TRIBE)

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

By _____
(INSERT NAME OF SIGNATORY),
(INSERT TITLE)

By _____
Joyce A. Curtis, Associate Administrator,
for Office of Federal Lands Highway

Date

Date

LOA: Fund (15X0G60050); Budget Year (0000); BPAC (114G600500); Object Class Code (25304)

(Insert FY).(insert number of RFA; 1 for initial RFA, 2 for the first amendment, etc.)

Exhibit 5.1 – ACH Bank Form (SF 3881) and Instructions

ACH VENDOR/MISCELLANEOUS PAYMENT ENROLLMENT FORM

OMB No. 1510-0056

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion. See reverse for additional instructions.

PRIVACY ACT STATEMENT	
The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.	

AGENCY INFORMATION	
FEDERAL PROGRAM AGENCY	
[REDACTED]	
AGENCY IDENTIFIER:	AGENCY LOCATION CODE (ALC):
[REDACTED]	[REDACTED]
ACH FORMAT:	
<input type="checkbox"/> CCD+ <input type="checkbox"/> CTX	
ADDRESS:	
[REDACTED]	
[REDACTED]	
CONTACT PERSON NAME:	TELEPHONE NUMBER:
[REDACTED]	([REDACTED])
ADDITIONAL INFORMATION:	
[REDACTED]	

PAYEE/COMPANY INFORMATION	
NAME	SSN NO. OR TAXPAYER ID NO.
[REDACTED]	[REDACTED]
ADDRESS	
[REDACTED]	
[REDACTED]	
CONTACT PERSON NAME:	TELEPHONE NUMBER:
[REDACTED]	([REDACTED])

FINANCIAL INSTITUTION INFORMATION	
NAME:	
[REDACTED]	
ADDRESS:	
[REDACTED]	
[REDACTED]	
ACH COORDINATOR NAME:	TELEPHONE NUMBER:
[REDACTED]	([REDACTED])
NINE-DIGIT ROUTING TRANSIT NUMBER:	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
DEPOSITOR ACCOUNT TITLE:	
[REDACTED]	
DEPOSITOR ACCOUNT NUMBER:	LOCKBOX NUMBER:
[REDACTED]	[REDACTED]
TYPE OF ACCOUNT:	
<input type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS <input type="checkbox"/> LOCKBOX	
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL: (Could be the same as ACH Coordinator)	TELEPHONE NUMBER:
[REDACTED]	([REDACTED])

AUTHORIZED FOR LOCAL REPRODUCTION

SF 3881 (Rev. 2/2003)
Prescribed by Department of Treasury
31 U.S.C. 3322; 31 CFR 210

Save Data Only	Clear Form	Save Data & Form
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Instructions for Completing ACH Banking Form (SF 3881)

1. Obtain this form at <http://www.gsa.gov/portal/forms/download/116290>
2. Agency Information Section - Federal agency prints or types the name and address of the Federal program agency originating the vendor/miscellaneous payment, agency identifier, agency location code, contact person name and telephone number of the agency. Also, the appropriate box for ACH format is checked.
3. Payee/Company Information Section - Payee prints or types the name of the payee/company and address that will receive ACH vendor/miscellaneous payments, social security or taxpayer ID number, and contact person name and telephone number of the payee/company. Payee also verifies depositor account number, account title, and type of account entered by your financial institution in the Financial Institution Information Section.
4. Financial Institution Information Section - Financial institution prints or types the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Also, the box for type of account is checked, and the signature, title, and telephone number of the appropriate financial institution official are included.

Exhibit 7.1 - Projected Program Amount Letter

The Honorable [insert Tribal chairperson name]
[insert name of Tribal Government]
[insert Tribal address]

[date]

Dear Chairperson [name]

In accordance with 25 CFR 170.425 the Federal Highway Administration (FHWA) Federal Land Highways (FLH) (or the BIA) is providing the [insert Tribe's name] with a *projected* Tribal Transportation Program (TTP) amount to aid the [insert Tribe's name] in programming the [insert TTIP year] Tribal Transportation Improvement Program (TTIP).

The projected program amount is [insert projected \$ amount].

The amount is not to be construed as an official Federal allocation nor is it to be used as leverage for other funding. According to the Program Agreement between the [insert Tribe's name] and the FHWA (or the BIA), the Referenced Funding Agreement (RFA) provides the funding amount to be received for the program. The projected program amount is not the RFA amount. *The projected amount is to be used for planning purposes only in assisting the [insert Tribe's name] in developing the TTIP.*

Please contact me if you have any questions concerning this letter.

Sincerely,

[insert name]
Transportation Planning Specialist

Exhibit 7.2 – FHWA or BIA Approved TTIP Form

FHWA Approved TTIP Form

Example: Transportation Improvement Plan spreadsheet for IRR funds (four years financially constrained). Identify funding for core construction categories. Preliminary Engineering (PE), Construction Engineering (CE), Construction (CN), Transit, and Maintenance. If you are using IRR construction funds for general planning or maintenance, include as an individual project.

FLHIRRTIP SUBMITTAL DOCUMENT

Date:

TRIBE:

Current FY:

FUNDING SOURCE: (examples: IRR, IRRBP, 2% Planning, PLH-D)

PROJECT INFORMATION:

PROJECT NAME

PROJECT NUMBER

LOCATION

TYPE OF WORK

LENGTH (miles) COUNTY (name)

STATE (name) CONSTRUCTION YEAR (fiscal year)

COMMENTS:

Activity	CURRENT FY	CURRENT FY+1	CURRENT FY+2	CURRENT FY+3	CURRENT FY+4	TOTAL
Administration						\$0
Planning						\$0
Preliminary Engineering						\$0
Construction						\$0
Construction Engineering						\$0
Transit						\$0
Maintenance						\$0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0

Exhibit 7.3 - TTIP Certification

Transportation Planning Process and Tribal Transportation Improvement Program (TTIP) Certification Statement

As agreed upon in the Tribal Transportation Program (TTP) Agreement with the United States Department of Transportation for the [insert reservation name, Alaska native village, or service area], the [Tribe] hereby certifies that it has fulfilled the functions and duties of the Secretary of the Interior in accordance with the requirements of 25 CFR 170 in carrying out a planning process and in developing the Tribal Transportation Improvement Program including:

1. Facilitating Public Involvement on the TTIP with all stakeholders,
2. All projects in the TTIP are consistent with the Tribal Long Range Transportation Plan,
3. All projects listed in TTIP are on the National Tribal Transportation Facility Inventory (NTTFI),
4. TTIP contains all TTP program funded projects programmed for construction in the next 4 years,
5. TTIP is financially constrained,
6. TTIP contains uncompleted project(s) from previous TTIP carried-over,
7. Consultation and coordination with State DOT and/or MPO's for regionally significant projects are complete (if applicable).

[Name and title]

[Entity]

[Date]

Exhibit 7.4 - Microsoft Access TTIP Data Base File


 Office of Federal Lands Highway US Department of Transportation - Federal Highway Administration		Indian Reservation Roads Program Transportation Improvement Program				
Consortium: _____		Date: _____				
Tribe: _____		Current FY: _____ 0				
Funding Source: _____ (examples: IRR, IRRBP, 2% Planning, PLH-D)						
PROJECT INFORMATION:						
		Include In STIP <input type="checkbox"/>	STIP Amount: _____ \$0			
Project Name: _____						
Location: _____						
Type of Work: _____						
Route Number: _____		Project Number: _____				
Length: _____ Miles		County: _____				
State: _____		Construction Year: _____				
Comments: _____						
Activity	CURRENT FY	CURRENT FY+1	CURRENT FY+2	CURRENT FY+3	CURRENT FY+4	TOTAL
Administration	\$0	\$0	\$0	\$0	\$0	
Planning	\$0	\$0	\$0	\$0	\$0	
Preliminary Engineering	\$0	\$0	\$0	\$0	\$0	
Construction	\$0	\$0	\$0	\$0	\$0	
Construction Engineering	\$0	\$0	\$0	\$0	\$0	
Transit	\$0	\$0	\$0	\$0	\$0	
Maintenance	\$0	\$0	\$0	\$0	\$0	
TOTAL						
APPROVED _____ DATE _____ <div style="text-align: center;">IRR Program Manager, FHWA FLH</div>						
CONCURRED _____ DATE _____ <div style="text-align: center;">Bureau of Indian Affairs</div>						

Exhibit 7.5 - Pre-Project Planning Score Worksheet

I. General Project Information

1. Project name: _____

2. TTP route number: _____

3. Type of work: _____
(Resurfacing, signalization, reconstruction, etc.)

Length or area: _____

Historical cost for type of work: _____

PS&E (usually between 10-25% of the overall project costs) \$ _____

CE (usually between 10-15% of the overall project costs) \$ _____

Estimated Project Cost: \$ _____

(Use these estimates for documenting the project in the TTIP)

II. Purpose and need of project: (Answer these two questions: (1) What is the problem? (2) What are the consequences of not addressing the problem?)

.

.

Cooperation with other government agencies needed? Yes No

Agency name: _____

Is project regionally significant? Yes No

Note: Regionally significant projects are typically projects anywhere in the State that have direct impact on a regional transportation system or those projects that serve regional transportation needs (e.g., major activity centers, major planned developments such as major retail malls, sport complexes, employment centers, or transportation terminals) and are normally part of the metropolitan or regional transportation network model. For more information contact the State Department of Transportation or the Metropolitan Planning Organization in your area.

III. Existing Facility: Will facilities be impacted? Example: utilities, culverts, bridges, etc. If so, what will the cost be for removing / replacing?

Type	Estimate Cost (\$)

IV. Socioeconomic/Environmental: Are any expected to be impacted?

Type	Yes	No
Endangered Species		
Historical/Archeological		
Wetlands		
Public hearing needed		
Other?		

V. Proposed Project Development: (place a check mark next to the proposed entity to perform the work)

Type	Tribe	BIA Region/Agency	FLH	Estimate Cost (\$)
Survey				
NEPA*				
Preparing NEPA Documents				
Preparing environmental resource documents				
Design				
Safety Audit				
Power line – Overhead				
Other Cost				
Right-of-Way Relocation				
Type of ROW	Fee ___ Non-Fee ___			

* FLH and BIA are Lead Federal agencies responsible for writing NEPA decision

Exhibit 7.6 - TTIP Approval Letter

The Honorable [insert Tribal chairperson name]
[insert name of Tribal Government]
[insert Tribal address]

[date]

Dear Chairperson [name]

The Federal Highway Administration (FHWA) Federal Land Highways (FLH) received the [date of TTIP] Tribal Transportation Improvement Program (TTIP) and supporting documents from [Tribe] requesting approval.

In accordance with 25 CFR 170.426, the FHWA and the Bureau of Indian Affairs (BIA) have reviewed the [date of TTIP] TTIP, as transmitted by your email dated [date].

Based on your certification of the transportation planning process, review of self-certification supporting documentation, and our involvement in the your Tribal planning processes, the FHWA (or BIA) hereby finds that the TTIP is based on a transportation planning process that substantially meets the requirements of 25 CFR 170, and is therefore approved.

Approval of the TTIP is not to be construed as an eligibility determination. Each project must satisfy the specific requirements of the program from which Federal funds are solicited as well as other Federal requirements before funds are expended.

If you have any questions concerning our transportation planning finding and the TTIP approval, please contact me at [insert phone number]

Sincerely,

[insert name]
Transportation Planning Specialist

Exhibit 8.1 – Project Charter Form

PROJECT CHARTER					
This Project Charter is entered into between the undersigned parties.					
Tribal Government:		Project No:			
State:		TTP Route No. & Section:			
County:		Project Length (miles):			
		Surface Type:			
Project Background Information					
Project Location(s):					
Road Ownership:					
Inventory Data:					
Proposed project Purpose and Need:					
Design Standards					
Design speed:		Design ADT:		Terrain:	
Design loading:		Percent Trucks		Maximum Superelevation:	
Bridge width:		Accident data:			
NEPA					
Documents			Lead Agency		
NEPA Studies:					
NEPA Document compilation:					
NEPA Document approval:					
Roles & Responsibilities					
Work Tasks	Reviews	Approvals	POC contact	Milestone Date	Estimate Cost
Survey & Mapping					
Geotechnical-Sampling, Testing, Reporting					
Design and PS&E					
Contract Documents					
Right-of-Way					
Utility Relocation					
Advertise & Award Project					
Administer Construction Contract					
Construction					

Inspections					
Engineering Services					
Permits-monitoring & termination					
Maintenance Activities					
Compliance w/environmental commitments					
Final Inspections					
Project Close out					

Amendments

This Project Charter may be modified by mutual agreement of the parties. The Charter shall be effective as of **xx** day of **(insert month, year)**.

Tribal Government:

By:
 Title:

County:

By:
 Title:

BIA Region:

By:
 Title:

FHWA Division:

By:
 Title:

State:

By:
 Title:

Exhibit 9.1 - OUTLINE FOR A DOCUMENTED CATEGORICAL EXCLUSION (CE)

The following format generally complies with requirements for documented categorical exclusions (CEs) (23 CFR 771.117 (d)).

INTRODUCTION - The CE begins with an introduction with a brief description of the:

- proposed project,
- project location,
- project sponsors, and
- project funding.

PURPOSE AND NEED - This section briefly describes the condition or conditions that require relief and the purpose in taking action.

PROPOSED ACTION - In this section of the CE, the project details are identified. This includes the actions for the entire footprint of the project that will be awarded under contract, including but not limited to:

- type of work,
- corridor location,
- length,
- road width,
- number of lanes,
- design speed,
- surface type,
- major structures,
- material sources,
- staging areas,
- waste areas,
- mitigation areas, and
- any other major features.

It should be clear to the reader how the proposed action will address the problem identified in the purpose and need.

ENVIRONMENTAL ACTIVITIES - To demonstrate that a federally-funded action is categorically excluded under the National Environmental Policy Act (NEPA), the project must demonstrate compliance with the following related environmental laws and Executive Orders. In analyzing the project impacts for compliance with these laws, you must consider the effects of the entire area of the proposed action described above. Please note that this is not a comprehensive list of all environmental laws but a list of those that are typically addressed.

Clean Water Act and Executive Order 11990- Wetlands Finding – The Clean Water Act regulates any discharge of a pollutant into waters of the United States. The most common type of discharge from road construction projects is fill material into wetland areas and waters of the U.S. If wetlands are determined to be in the area of potential construction impact, a wetland delineation, if required, must be completed following the methods in the 1987 Army Corps of Engineers Wetland Delineation Manual. Executive Order (EO) 11990 requires a finding must demonstrate that there is no practical alternative to the proposed construction in wetlands, and

the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use.

For this requirement, the CE must identify the number of wetlands identified from the delineation that will be impacted by the proposed action and any mitigation, if applicable. Furthermore, FHWA must demonstrate compliance with EO 11990 by providing a finding that there is no practicable alternative to construction in wetlands.

Coastal Zone Management Act- If the project is within an area with an approved coastal zone management plan, the CE must have a consistency determination to demonstrate that the project is consistent to the maximum extent practicable with the enforceable policies of the plan. Coordination with the agency responsible for the State's Coastal Zone Management Plan must occur. If possible, the CE should show the date of responsible agency's concurrence with the consistency determination.

Endangered Species Act- The Endangered Species Act (ESA) provides for the conservation of endangered and threatened species and the ecosystems upon which they depend. Section 7 of the act requires Federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) and National Oceanic Atmospheric Administration (NOAA) -Fisheries, as appropriate, to insure that actions they authorize, fund or carry out are not likely to jeopardize the continued existence of threatened or endangered (T&E) species or result in the destruction or adverse modification of critical habitat for these species. A Biological Assessment may need to be prepared if there are known listed species in the project area. Contact USFWS and NOAA for a listing of these species in your area.

The CE should document what T&E species are in the project area and the project's effect to these species. The CE should use the effect determinations as provided in the ESA and document when the consulting agency (NOAA Fisheries or USFWS) concurred with FHWA's effect determination if the project was determined to have a potential effect to T&E species. The CE should describe any commitments and mitigation if applicable.

National Historic Preservation Act- The National Historic Preservation Act (NHPA) applies to all properties on or eligible for inclusion on the National Register of Historic Places (NRHP). A cultural resources survey, if required, must be completed to identify potentially eligible properties. Consultation with the State Historic Preservation Officer (SHPO), and/or the Tribal Historic Preservation Officer (THPO) as appropriate will result in concurrence on the identification and assessment of these properties.

The CE needs to document compliance with Section 106 of the NHPA by documenting what the project's effects are to properties on or eligible to NRHP and the date SHPO/THPO concurred with the effect determinations. The CE should describe any mitigation, if applicable.

Section 4(f)- A Section 4(f) analysis is needed only when an alternative uses a resource protected under Section 4(f) of the US DOT ACT 1966. These resources include publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from a historic site of national, state, or local significance as determined by such officials. A use is defined as permanently incorporating the 4(f) resource into a transportation facility. A 4(f) analysis must document that (1) there is no prudent and feasible alternative to the use of such land, and (2) such program includes all possible planning

to minimize harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use.

The CE should demonstrate compliance with Section 4(f). If it was a full or programmatic Section 4(f), it should briefly describe the activities conducted and how the conclusions were reached. If a *de-minimis* 4(f) applied to the project, this Section should document how the requirements of the *de-minimis* were met.

Public Involvement - In this section of the CE, there should be a brief discussion of the agency coordination and public involvement activities.

Permits - This section should list all permits and any stipulations known at this time. This could include, but is not limited to:

- 404 authorization from the U.S. Army Corps of Engineers for dredge or fill materials into waters of the U.S.
- Water quality certification may be required from the appropriate Regional Water Quality Control Board (Section 401).

Environmental Commitments - This section should describe any environmental commitments agreed to in order to avoid, minimize, or mitigate impacts. These commitments are often identified during the design of the project, recommended in environmental studies/evaluations, and/or result from public involvement or agency consultations.

CONCLUSION - On a separate and last page of the CE, provide the conclusion that project qualifies as a categorical exclusion. The CE should reference categorical exclusion justifications in 40 CFR 1508 and 23 CFR 771.117. The language normally used is:

Based on the information listed above, FHWA has determined this project; (1) will not have a significant effect on the human environment, and (2) falls within the category of actions covered by FHWA's categorical exclusion regulations. Therefore, this work meets the definition of a Categorical Exclusion (CE) contained in 40 CFR 1508.4. FHWA finds this work constitutes an action covered under the National Listing of Categorical Exclusions, 23 CFR 771.117 (a) because: 1) the action will not induce significant impacts to planned growth or land use for the area; 2) the action will not require the relocation of any people; 3) the action will not have a significant impact on any natural, cultural, recreational, historic, or other resource; 4) the action will not involve significant air, noise, or water quality impacts; 5) the action will not have significant impacts on travel; and 6) the action will not otherwise, either individually or cumulatively, have any significant environmental impacts. Furthermore, FHWA finds this work constitutes an action within the National Listing of Categorical Exclusions, 23 CFR 771.117 (d)(1), modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g. parking, weaving, turning, climbing). The proposed rehabilitation does not include any unusual circumstances as listed in 23 CFR 771.117(b) that would make the CE classification improper.

In the **yellow-highlighted section**, the CE should reference which category the project qualifies, in this example it is 23 CFR 771.117 (d) (1).

SIGNATURES – Following the **CONCLUSION**, the CE should have two signature blocks as shown below. Fill in the yellow highlighted areas as appropriate.

RECOMMENDED BY:

Name of Tribal representative,
Title of Tribal representative,
Name of Tribe

Date

APPROVED BY:

Name of TTP Environmental Protection Specialist,
Environmental Protection Specialist,
Tribal Transportation Program,
Federal Highway Administration

Date

Purpose and Need for Project Include narrative on why the project is needed, what is to be achieved, and what would happen if the project was not constructed:

Design Criteria for Roadway:

Functional Classification: _____
 Current ADT: _____ vpd ()
 Design Year ADT: _____ vpd ()
 DHV: _____ Trucks: _____ % Directional Distribution _____ %
 Design Speed: _____
 Posted Speed: _____
 Setting: Urban Suburban Rural
 Topography: Flat Rolling Other Explain:

Roadway Character (Existing and Proposed):

	Existing	Proposed
Number of Lanes:	_____	_____
Surface Type:	_____	_____
Travel Lane Width (ft):	_____	_____
Shoulder Width (ft):	_____	_____
Median Width (ft):	_____	_____
Clear zone (ft):	_____	_____
Average ROW Width (ft):	_____	_____

Design Criteria for Bridges / Culverts (if known):

	Existing	Proposed
Bridge Number:	_____	_____
Sufficiency Rating:	_____	_____
Estimated Remaining Life:	_____	_____
Bridge Type:	_____	_____
Number of Spans:	_____	_____
Structure Length:	_____	_____

Are any substructure elements (e.g., piers, abutments, wingwalls, footers, etc.) below the Ordinary High Water Mark (OHWM)? Yes No

Will additional rip-rap be added? Yes No

1a). TTIP

Is the project in the Tribal Transportation Improvement Plan (TTIP)? Yes No

If yes: Phase: _____ Date: _____

Block 2. Alternatives Considered	
2) Were other alternatives considered for the proposed action? If YES, describe all reasonable alternatives considered including a description of the preferred: Does the project impact wetlands, floodplains, Section 4(f) properties, or threatened and endangered species? If YES, describe all avoidance, minimization, and mitigation considered including a description of the preferred:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Block 3. Right-of-Way, Relocations, Utility Coordination	
3a) Will the proposed action require new right-of-way (ROW) or easement or temporary construction easement? If YES, provide the following information: Approximate area of temporary ROW/easement: _____ acre(s) Approximate area of permanent ROW/easement: _____ acre(s) Reason for ROW/easement: Current Land Use: Will any tribal trust, individual trust or individual restricted land be involved in this project? Will the project use any Public Park ROW? Is it anticipated that construction will require a borrow site, construction staging area for batch plant or equipment, or a waste site outside the project area? Provide additional information for questions answered yes:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>4e) Will the proposed action cause economic impacts (temporary or permanent, positive or negative) to the local economy (e.g., adjacent highway-related and other businesses, employment gains or losses, etc.), local tax base or property values?</p> <p>If YES, describe impacts and any proposed measures to minimize economic impacts:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4f) Will the proposed action result in impacts on fire, police, emergency services, health and educational facilities, school bus route, religious institutions, public transportation, or pedestrian and bicycle facilities?</p> <p>If YES, describe impacts and any proposed measures to minimize impacts:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4g) Will the proposed action result in impacts to community cohesion (e.g., separation from community facilities or isolated portions of a neighborhood)?</p> <p>If YES, describe impacts and any proposed measures to minimize community division or separation:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4h) Will the proposed action induce secondary growth?</p> <p>If Yes, explain:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4i) Does the project incorporate bicycle or pedestrian facilities into the overall design or operations.</p> <p>If Yes, explain:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Block 5. Historic and Cultural Resources (Section 106) (SHPO/THPO CONCURRENCE REQUIRED)</p>	
<p>5) Describe the Area of Potential Effect (APE) and attach a figure showing the APE. (The Area of Potential Effect for highway projects is typically the limit of highway construction where there could be surface disturbance extending out to the clear zone. The APE may extend further in some instances due to visual or noise impacts.)</p> <p>Will there be any new ground disturbance associated with the project? If so, the SHPO/THPO (THPO with formal assumption of SHPO responsibilities) must be consulted under Section 106. An archaeological survey will likely be necessary.</p> <p>Are there any historic, cultural, Traditional Cultural, burial, or archaeological resources, <u>including historic bridges or roads</u>, that are/or may be eligible for or listed in the National Register of Historic Places (NRHP) (i.e., older than 50 years old)? If so, the SHPO/THPO must concur with eligibility determination. If no, please provide a summary of how this was determined.</p> <p>For any resources listed in or eligible for listing in the NRHP, will the proposed action have an effect on these resources?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>NOTE: FHWA, in coordination with the Tribe, will need to complete Section 106 consultation & documentation <u>separately</u> from the CE Process. Please contact FHWA to initiate the Section 106 process.</p>	

PRESENCE/LEVEL OF EFFECT DOCUMENTATION							
If YES: Describe properties or resources impacted by project:							
	Presence				Level of Effects		
	Not Present	Potentially Eligible Resource Present	Eligible Resource Present	Listed Resource Present	No Historic Properties Affected	No Adverse Effect	Adverse Effect
Cultural Resources	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Prehistoric Archaeology	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Historic Archaeology	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Historic Structure	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Historic District	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Historic Transportation Corridor	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Is SHPO/THPO Coordination complete?						<input type="checkbox"/> Yes <input type="checkbox"/> No	
Attach concurrence(s) letter: Date(s) received:							
NOTE: If Section 106 consultation results in an "adverse effect" finding, then additional consultation will be needed.							
Block 6. Section 4(f) and Section 6(f)							
6a) Will the proposed action have a constructive use or a temporary or permanent occupancy of any Section 4(f) resource (publicly owned parks, recreation areas, and wildlife/waterfowl refuges, and NRHP eligible or listed historic properties)?						<input type="checkbox"/> Yes <input type="checkbox"/> No	
Avoidance is always preferred. If YES, a Section 4(f) individual, programmatic, or <i>de minimis</i> evaluation will need to be prepared. Consult with FHWA to determine appropriate 4(f) document.							
Describe all 4(f) mitigation alternatives, including variations in design, used to minimize impacts:							
NOTE: FHWA, in coordination with the Tribe, will need to complete 4(f) documentation <u>separately</u> from the CE Process. Section 4(f) has a public information component.							
6b) Does the proposed action require the use of any property (public recreation sites or facilities) protected by Section 6(f) of the Land & Water Conservation Fund Act (LWCFA)?						<input type="checkbox"/> Yes <input type="checkbox"/> No	
If YES, describe any property that may be impacted that was purchased or improved through the LWCFA, size /acreage impacted, and the impact (e.g., temporary or permanent, conversion to non-recreation uses).							
Concurrence from official with jurisdiction of resource obtained?							
Attach correspondence: Date received: _____						<input type="checkbox"/> Yes <input type="checkbox"/> No	
NOTE: FHWA, in coordination with the Tribe, will need to complete 6(f) documentation <u>separately</u> from the CE Process.							

Block 7. Threatened and Endangered Species	
<p>7a) Are there any federally listed threatened or endangered species with potential to occur in the project area? This list is obtained from the USFWS Ecological Services Field Office website.</p> <p>If yes, is there any potential suitable habitat located within or near the project area? If NO, please provide FHWA with a brief rationale of this determination for the project file.</p> <p>Will the proposed action affect any federally threatened or endangered species or protected critical habitat? If YES (“may affect”), FHWA will NEED to consult with USFWS for concurrence. If NO (“no effect”), please provide FHWA with a brief rationale of this determination for the project file.</p> <p>If YES, and it was previously a BIA project, please provide a summary of the informal consultation with the USFWS. Please attach USFWS concurrence letters of effect determination.</p> <p>USFWS Concurrence, Date Received: _____</p> <p>If a determination was made that adverse impacts may occur, contact FHWA for further guidance.</p> <p>NOTE: Summary of project commitments need to be described in Block 18b- Environmental Commitments.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> No, “No effect”</p> <p><input type="checkbox"/> Yes, “May affect, but not likely to adversely affect”</p> <p><input type="checkbox"/> Yes, “May affect, and is likely to adversely affect”</p>
<p>7b) Will the proposed action affect any of the following:</p> <p>Birds or bird nesting areas?</p> <p>Water that is important for fish or wildlife?</p> <p>Bald or Golden Eagles or potential habitat?</p> <p>If YES, please describe any measures to avoid or minimize impacts:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>NOTE: FHWA will need to complete all Section 7 consultation & documentation <u>separately</u> from the CE Process.</p>	
Block 8. Farmland	
<p>8) Does the proposed action involve acquisition of prime, unique, statewide or local important farmland or use of farmland that would be converted to non-agricultural use?</p> <p>If YES, Indicate the size of area impacted: Farmland: _____ acres</p> <p>Describe or attach:</p> <ul style="list-style-type: none"> • Farmland conversion impacts or coordination with the Natural Resources Conservation Service (NRCS) • Farmland Conversion Impact Rating Sheet (Form AD-1006). 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p>9c) Are stream(s) present within the project area?</p> <p>If YES, will the stream(s) be impacted? (i.e., work will occur below ordinary high watermark)</p> <p>Name stream(s) impacted:</p> <p>Is the stream(s) identified as wild and scenic, national recreation, or listed on the National Rivers Inventory (NRI)?</p> <p>Is there impact(s) to navigable waters of the U.S?</p> <p>Is the stream(s) intermittent, ephemeral or perennial?</p> <p>Discussion:</p> <p>Are there other surface waters present within the project area?</p> <p>If YES, will the water body (s) be impacted?</p> <p>Name of water body:</p> <p>What type of water body (lake, pond, sand pit, or reservoir):</p> <p>What is the size of the water body impact:</p> <p>Discussion:</p> <p>Provide measures evaluated or proposed to avoid or minimize impacts to waters of the U.S:</p> <p>NOTE: Attach photos and plan sheets that show the location of the stream channel or water bodies. The photos should be taken up and down the impacted stream channel and of any adjacent ditches.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>9d) Will the proposed action require the following permits under the Clean Water Act?</p> <ul style="list-style-type: none"> • Section 404 Nationwide Permit (USACE) • Section 404 Individual Permit (USACE) • Section 401 Individual Water Quality Certification <p>Has coordination with USACE been initiated?</p> <p>If YES, attach any coordination with USACE or other applicable resource agency.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Water related permits such as Section 404 and 401 are typically acquired after approval of the CE during final design. This is typically handled by the Tribe. Tribes would be responsible for determining appropriate mitigation and developing a mitigation and monitoring plan if necessary.</p>	

Block 10. Floodplains

<p>10a) Is the proposed action located within the 100-year base floodplain?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>10b) Will the proposed action cause an encroachment or impacts to the 100-year Zone A floodplain? If YES, describe potential impacts and include the Federal Emergency Management Agency (FEMA) map with the project location identified. Include any consultation with the floodplain administrators for the project area:</p> <p>If there is encroachment to the 100-year floodplain, FHWA should be contacted to determine appropriate level of documentation.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Block 11. Regulated Materials</p>	
<p>11a) Is there any known or potential contamination at the project site (e.g., previous land uses with possible hazardous waste involvement), or additional remediation work that has to be done regarding hazardous or contaminated material?</p> <p>Will a building (age) or insulated pipe possibly containing asbestos or lead based paint be removed as part of this project?</p> <p>If a bridge replacement is part of the proposed action, is there the potential that lead paint was used on the structure?</p> <p>Discussion:</p> <p>NOTE: If YES, and there is the potential for CERCLA, SARA, RCRA, TSCA, UST/LUST, lead, or asbestos issues on the project, notify and coordinate with FHWA.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>11b) Will the project action impact any registered or known groundwater monitoring wells? If Yes, identify any groundwater monitoring wells in the right of way, in the adjacent right of way, and the owner of said wells.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Block 12. Air Quality / Noise</p>	
<p>12a) Is the proposed action in an air quality non-attainment or maintenance area?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>12b) Will the project involve the addition of one or more through lanes?</p> <p>Will the project involve a change in vehicle mix or speed?</p> <p>Will the project involve a change in vertical or horizontal alignment?</p> <p>Will the project involve new roadways or change the shielding effect of existing roadways?</p> <p>If YES to any of the questions above, then a noise analysis is warranted, provided there are noise sensitive land uses in the project area. Attach Noise Analysis to CE Form.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>12c) If yes to any of the questions in 12b, are there possible sensitive noise receptors present? If Yes, how many noise sensitive receptors are within the proposed action area? _____ If Yes, what type(s) of noise sensitive receptors are present? List below:</p> <p>Attach a map of the sensitive noise receptors.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>12d) If a noise analysis was performed, are the predicted noise levels approaching or exceeding noise abatement criteria stated in 23 CFR 772 Table 1 for the appropriate land use activity category?</p> <p>Will there be a substantial increase in decibels over existing level?</p> <p>If YES, describe impacts and mitigation measures, if applicable.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p>NOTE: Mitigation for noise impacts has a public information component.</p>	
<p>Block 13. Water Quality</p>	
<p>13a) Indicate if any of the groundwater resources, drinking and/or non-drinking water resources listed below are present in the project area:</p> <p><u>Groundwater Resources:</u></p> <p>Well Head Protection Area</p> <p>Community Wells</p> <p>Residential Wells</p> <p>Sole Source Aquifer(s)</p> <p><u>Drinking Water:</u></p> <p>Surface water intake structures</p> <p><u>Non-Drinking water:</u></p> <p>Agricultural groundwater wells and surface water intake structures</p> <p>Irrigation re-use pit; Irrigation canal;</p> <p>Storm water detention impoundments;</p> <p>Agricultural waste impoundments;</p> <p>Ground water connected wetlands & surface water</p> <p><u>Water Quality Impacts:</u></p> <p>For the resources marked Yes above, discuss the following.</p> <p>If the resource is present but will not be impacted, state how the impact will be avoided.</p> <p>If an impact to water quality will occur, indicate which water resource will be impacted and list any mitigation measures proposed to minimize impacts.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>13b) Does the proposed action require a NPDES storm water permit?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Note: Water related permits such as NPDES can be acquired by the Tribe after approval of the CE during final design.</p>	
<p>Block 14. Wild and Scenic Rivers / Nationwide Rivers Inventory</p>	
<p>14a) Will the project involve construction in, across, or adjacent to a river designated as a component of, or proposed for inclusion in the Wild and Scenic River System? (i.e. Is the project is within 1/2 mile of a protected river area)</p> <p>If YES, discuss or attach record of consultation with the responsible agency for managing the listed or study river:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>14b) Will the project cross over a river or portion of river that is listed on the Nationwide Rivers Inventory (NRI)?</p> <p>If Yes, list in Block 18b the Best Management Practices or recommendations by NPS to be</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

implemented to reduce impacts to these rivers.	
Block 15. Construction Impacts	
15a) Will the proposed action involve construction-related impacts such as detours, lane/road closures, loss of parking, air quality impacts (dust), etc.? If YES, provide details of proposed measures to minimize impacts (erosion control, Best Management Practices, dust abatement).	<input type="checkbox"/> Yes <input type="checkbox"/> No
15b) Will the proposed action require temporary channel crossing structures such as shoofly, work platform, causeway, or crossing? If YES, provide details on temporary structure alternatives (type of structure, temporary impacts involved, how long needed, etc): Are impacts caused by the: Installation before or during active aquatic life migration periods? Impacts to streambed or width of channel? Flow characteristics of the stream – frequency and duration of flow? If impacts are YES, provide mapping and photos showing following information: <ul style="list-style-type: none"> • Identify maximum limits of impacts below the ordinary high water mark. Identify ordinary high water mark on photos. • Identify maximum limits of impacts within the floodway. • Identify any fringe or adjacent wetlands. Discussion:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
15c) Maintenance of Traffic During Construction (if applicable) Is a temporary bridge proposed? Is a temporary roadway proposed? Will the project involve the use of a detour or require a ramp closure? Will provisions be made for access by emergency services? Will provisions be made for access by local traffic and so posted? Will provisions be made for through-traffic dependent of businesses? Will provisions be made to accommodate any local special events or festivals? Will the proposed Maintenance of Traffic substantially change the environmental consequences of the	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>action?</p> <p>Is there controversy associated with the proposed method for maintenance of traffic?</p> <p>Are there impacts to bicycles or pedestrian routes?</p> <p>If YES to any of the above questions, provide additional discussion.</p> <p>List in Block 18b the commitments or recommendations for maintenance of traffic to be implemented to reduce impacts.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>15d) Detours Attach a detour map.</p> <p>Approximate length of detour: _____</p> <p>Select the best description of the planned detour:</p> <p><input type="checkbox"/> Detour will use local roads with no improvements.</p> <p><input type="checkbox"/> Detour will involve improvements to local roads with no resulting impacts on safety or the environment.</p> <p><input type="checkbox"/> Detour will involve improvements to local roads and will impact safety and/or the environment.</p> <p><input type="checkbox"/> Detour will use only state owned road</p> <p>Describe impacts:</p>	
<p>Block 16. Public Involvement</p>	
<p>16a) Will the project involve controversy concerning community and /or natural resource impacts?</p> <p>Discussion:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>16b) Is a public information meeting held or tentatively planned?</p> <p>If YES, give Date & Location:</p> <p>Discussion:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Block 17. Aesthetics and other values</p>	
<p>17a) Will the project be visually intrusive to the surrounding environment?</p> <p>If Yes, discuss.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>17b) Will the project provide multiple use opportunities?</p> <p>If Yes, discuss.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Block 18. Permitting and Environmental Commitments</p>	

18a) Indicate whether the proposed action is likely to require actions by agencies listed above or by other Agencies (e.g., permits, approval) and attach correspondence.	
USACE Section 404 Permit	<input type="checkbox"/> Yes <input type="checkbox"/> No
Floodplain Development Permit	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 401 Water Quality Certificate	<input type="checkbox"/> Yes <input type="checkbox"/> No
NPDES / SWPPP	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 106 – Historic and Culturally Significant Properties	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 4(f) – Parklands, Recreation Areas, Refuges, Historic	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 6(f) – Land & Water Conservation Funds	<input type="checkbox"/> Yes <input type="checkbox"/> No
Coast Guard Permit	<input type="checkbox"/> Yes <input type="checkbox"/> No
Local Building or Site Development Permits	<input type="checkbox"/> Yes <input type="checkbox"/> No
Local Clearing and Grubbing Permit	<input type="checkbox"/> Yes <input type="checkbox"/> No
Erosion and Sediment Control Plan	<input type="checkbox"/> Yes <input type="checkbox"/> No
Others (list below):	<input type="checkbox"/> Yes <input type="checkbox"/> No
18b) Environmental Commitments: Describe any measures, including Best Management Practices, recommended by resource agencies through informal consultation or those measures to be taken to mitigate project impacts. Include any environmental commitments agreed upon or those resources to be avoided. All commitments made and documented in this form are to be listed here.	

Enclosed Attachments

- Project Vicinity Map (State, local, and project maps)
- State Historic Preservation Office (SHPO) letter(s) of concurrence
- FHWA Section 4(f) approval documentation
- U.S. Fish and Wildlife Service letter(s) of concurrence
- Wetland Determination Memorandum
- U.S. Army Corps of Engineers / Clean Water Act correspondence
- Natural Resource Conservation Service Farmland Conversion Form AD1006
- Tribal consultation letter(s)
- Other Agencies (e.g., USEPA, NPS, BIA, USCG)

INSERT Tribe Name/Project Name & Number:

19. Environmental Documentation Recommendation

19a. The Project is listed as a CE, per FHWA 23 CFR 771.117(c), and is recommended for FHWA approval. Yes No N/A

The Project is listed as a CE, per FHWA 23 CFR 771.117(d), and is recommended for FHWA approval. Yes No N/A

Prepared by: _____ **Date:** _____
 (print) (sign)

Title & Organization*: _____
 Phone & email: _____

Reviewed by:** _____ **Date:** _____
 (print) (sign)

Title & Organization*: _____
 Phone & email: _____

Tribal Review/Concurrence of Environmental Documentation Recommendation:**

Reviewed/Concurred by: _____ **Date:** _____
 (print) (sign)

Title & Name of Tribe: _____
 Phone & email: _____

*Organization refers to either the Contractor or the Tribe, depending on who prepared the Form.

**Add additional "Reviewed by" and "Concurred by" as necessary, per Tribal processes.

Exhibit 9.3 - OUTLINE FOR AN ENVIRONMENTAL ASSESSMENT (EA)

The following format generally complies with requirements for EAs and finding of no significant impacts (FONSIs) as specified in 23 CFR 771.119 and 771.123 and in FHWA's Technical Advisory T6640.8A, "Guidance for Preparing and Processing

*Environmental and Section 4(f) Documents” at
<http://environment.fhwa.dot.gov/projdev/impta6640.asp>*

The following outline is generally used for chapters when preparing an EA.

1. Cover Sheet
2. Signatory Sheet
3. Table of Contents
4. List of Abbreviations
5. Description of the Proposed Action
6. Purpose of and Need for the Project
7. Alternatives
8. Affected Environment or Environmental Setting
9. Environmental Consequences ⁷
10. Section 4(f) (if applicable)
11. Coordination
12. Appendices

1. **COVER SHEET**- The cover sheet lists the title of the project, the type of NEPA document (Environmental Assessment), the location, the project sponsor, and the date (month & year).

2. **SIGNATORY SHEET** - The signatory sheet contains the following:

- a. The title, *Environmental Assessment*
- b. The information, *Submitted Pursuant to Public Law 91-190, National Environmental Policy Act*
- c. *Our* full title, *U.S. Department of Transportation, Federal Highway Administration*
- d. The list of cooperating agencies
- e. A signature block, including the date, for the TTP Field Team Leader.
- f. The contact person, including address and phone number.

3. **TABLE OF CONTENTS**

4. **LIST OF ABBREVIATIONS** – Provides a list of abbreviations one would find listed in the EA for the reader to easily reference.

5. **DESCRIPTION OF THE PROPOSED ACTION** – This is the opening chapter of the EA that contains introductory information such as a brief project description, lead, cooperating, and partner agencies, funding and a description of the following items:

⁷ The Chapters on *Affected Environment* and *Environmental Consequences* can be combined.

- a. **Location of the Proposed Project** – This text is often accompanied by maps and figures.
- b. **Scope and Nature of the Proposed Work**

- i. **Funding**
- ii. **Planning by Others**

6. **PURPOSE OF AND NEED FOR THE PROJECT** - This chapter of the EA describes the condition or conditions requiring relief and purpose in taking action. Often the EA describes the problems and the consequences of not taking action. This section should clearly demonstrate that a need exists and should define the need in terms understandable to the general public. It is critically important to provide sufficient data to convince the reader that the need exists. Therefore, it is recommended that each need be discussed in turn, with accompanying data. The purpose and need will be the basis for development of the alternatives, including the identification of the preferred alternative. Charts, tables, maps, and other illustrations are encouraged as useful presentation techniques.

7. **ALTERNATIVES** – This chapter identifies the alternatives developed throughout the scoping and NEPA process. In it, it describes the:

- a. **No Action Alternative** – The no action alternative provides the baseline and the consequences should nothing be done to address the conditions requiring relief. It is preferable to give an estimated cost for the *no action* alternative.
- b. **All Reasonable Alternatives** – All reasonable alternatives should be developed to a comparable level of detail. If a preferred alternative has been identified, this should be documented in this chapter, and the reasons should be stated why it is preferred. It is preferable to give estimated costs.
- c. **Other Alternatives - Alternatives** that were considered but rejected should be briefly discussed with the reasons why they were eliminated or rejected.
- d. **Entire Action** – As stated for CEs, the alternatives should take into account the entire action, not just the road project itself. This would include, but would not be limited, to the following:

- i. **Type of work**
- ii. **Corridor location**
- iii. **Length**
- iv. **Road width**
- v. **Number of lanes**
- vi. **Design speed**
- vii. **Surface type**
- viii. **Major structures**
- ix. **Material sources**
- x. **Staging areas**
- xi. **Waste areas**
- xii. **Mitigation areas**
- xiii. **Other major features**

- 8. *AFFECTED ENVIRONMENT OR ENVIRONMENTAL SETTING.*** In this chapter of the EA, there needs to be a description of the environmental conditions in the study area. For this chapter, the study area needs to be defined, and it may need to be defined differently depending on the resource described. The setting topic areas usually covered are (only topics applicable to the particular project should be covered):
- a. *Geology*
 - b. *Soils*
 - c. *Climate*
 - d. *Air Quality*
 - e. *Noise*
 - f. *Waters and Water Quality*
 - g. *Wetlands*
 - h. *Vegetation, including T&E species*
 - i. *Wildlife and Fish, including T&E species*
 - j. *Land Use*
 - k. *Socioeconomics*
 - l. *Transportation*
 - m. *Historic and Archaeological Resources*
 - n. *Hazardous Materials*
 - o. *Public Services and Utilities*
 - p. *Recreation*
 - q. *Aesthetics*
- 9. *ENVIRONMENTAL CONSEQUENCES*** – In this chapter, the EA describes how the environmental topic areas listed in the chapter above will be affected by all the reasonable alternatives. The discussion should be limited to information and issues that have a bearing on potential important impacts, including the mitigation. Impacts may be adverse or beneficial, and the data and analyses should be commensurate with the importance of the impacts. Cumulative and secondary impacts need to be summarized for each alternative. In this chapter of the EA, the text must show how all applicable executive orders and environmental laws and regulations were met (some are listed in the text on CEs). Photographs, illustrations, tables, figures, and other graphics should be used with the text.
- 10. *SECTION 4(F)*** – In the EA, insert a section for 4(f) analysis if needed. Some of the 4(f) discussion may be pertinent to both the *Environmental Setting* and *Environmental Consequences* chapters also.
- 11. *COORDINATION*** – Comments received from public involvement efforts should be described in this chapter. Usually a chronology of coordination and consultation efforts is provided.
- 12. *APPENDICES*** – Usually pertinent coordination results are provided in the appendices such as concurrence letters under Section 7 of the ESA, Section 106 of the NHPA, Consistency Concurrence for the Coastal Zone Management Act, etc.

Exhibit 9.4 – EXAMPLE NOTICE OF AVAILABILITY**PUBLIC NOTICE OF AVAILABILITY
& SOLICITATION OF PUBLIC COMMENT**

For

**Petty Creek Road Improvement Project
Missoula County, Montana**

The Western Federal Lands Highway Division (WFLHD) of the Federal Highway Administration (FHWA), in partnership with the United States Forest Service (USFS), the Montana Department of Transportation (MDT), and Missoula County, MT is pleased to announce the availability of the Environmental Assessment (EA) for the Petty Creek Road Improvement Project. The proposed project involves improvements to an 11.8-mile segment of the Petty Creek Road.

The purpose of this public notice is to announce the availability of the Petty Creek Road Improvement Project EA for public review and comment.

The Amended EA and Section 4(f) de minimis evaluation will be available for review starting **May 7th, 2010** at the following locations:

- Alberton, MT Town Hall/Library, 607 Railroad Ave, Alberton, MT 59820.
- Lolo National Forest, Fort Missoula Building 24, Missoula, MT, 59804.
- Missoula County Public Works Department, 60889 Training Dr, Missoula, MT 59808.
- Federal Highway Administration, 610 East 5th St, Vancouver, WA 98661.

The EA is also available online at <http://www.wfl.fhwa.dot.gov/projects/mt/>. A copy of the EA may also be requested by contacting the Federal Highway Administration at 360-619-7700. Send comments by email to pettycreek@mail.wfl.fhwa.dot.gov or by mail to the address below by **June 7th, 2010**.

A public meeting will be held on **May 11, 2010**. The public meeting will be located at Alberton School at 306 Railroad Ave., Alberton, MT at 7 pm. This meeting will be a question and answer format. FHWA representatives will do a brief presentation of the status of the project at 7 pm and then answer any project-related questions.

Contact Information

Western Federal Lands Highway Division
610 East 5th St • Vancouver, WA 98661
(360) 619-7700

Exhibit 9.5 – EXAMPLE REEVALUATION**RE-EVALUATION OF VALIDITY OF CATEGORICAL EXCLUSION**
FOR [Insert Tribe Name], [Insert Project Name], [Insert TTP Route #(s)/section #(s)]

Purpose of Re-Evaluation: FHWA’s NEPA-implementing regulations in 23 CFR 771.129 require the following:

§ 771.129 Re-evaluations.

(c) After approval of the ROD, FONSI, or CE designation, the applicant shall consult with the Administration prior to requesting any major approvals or grants to establish whether or not the approved environmental document or CE designation remains valid for the requested Administration action. These consultations will be documented when determined necessary by the Administration.

Proposed improvements to [Insert Name of Road project] were approved by FHWA under a Categorical Exclusion (CE) on [Insert date of approval of CE] for [Insert Name of project].

The CE authorized improvements to [length of road] miles of [Insert Name of Road project] for the following actions:

- [Insert description of CE approved improvements, either in bullet format or as paragraph text, include beginning and ending points]
- xxx
- xxx

Re-Evaluation of CE:

The following information should be completed by [Insert Name of Tribe] and submitted to FHWA:

Approved Scope of Work, described above, has changed: ____YES ____NO

If YES*, describe changes:

Environmental effects described in the original CE have changed: ____YES ____NO

Discussion (explain why there are changes or no changes to environmental effects):

***If there are changes to scope or environmental effects, then additional evaluation may be required; discuss with FHWA on course of action.**

Recommendation on CE Validity:

The Tribe recommends that the CE is still valid*: ___ YES ___ NO

*If there are changes to scope or environmental effects, then additional evaluation may be required.

DESCRIBE JUSTIFICATION FOR RECOMMENDATION:

Prepared by:

_____ Date: _____
(print) (sign)

Title & Organization*: _____
Phone & _____
email: _____

Tribe Review/Concurrence of Environmental Documentation Recommendation:**

Reviewed/Concurred by: _____ Date: _____
(print) (sign)

Title & Name of _____
Tribe: _____
Phone & email: _____

FHWA REVIEW/APPROVAL BY:

_____ Date: _____
(print) (sign)

Title & Organization: _____
Phone & _____
email: _____

*Organization refers to either the Contractor or the Tribe, depending on who prepared the Form.

**Add additional "Reviewed by" and "Concurred by" as necessary, per Tribal processes.

ATTACHMENTS:

Map of proposed project [provide map showing Begin & End, smaller vicinity map]

Original CE, dated [Insert date of originally approved CE]

Supporting Documentation, as appropriate (submit separately to FHWA), if none insert "N/A".

Exhibit 11.1 - PS&E Certification Letter

The Honorable [insert Tribal chairperson name]
[insert name of Tribal Government]
[insert Tribal address]

[date]

Dear Chairperson [name]

The purpose of this letter is to provide a certification of the Plans, Specifications and Engineer's Estimate (PS&E) for the [insert project name] project.

I certify that the PS&E:

- Meets or exceeds all the design, health, and safety standards in accordance with 25 CFR 170.454, 455, 456, and Appendix B to Subpart D – Design Standards for the TTP;
- Meets or exceeds all the design, health, and safety standards in accordance with USC 23 Chapter 1, 109(a);
- Meets or exceeds all the design, health, and safety standards in accordance and in compliance with all the [insert State name] design standards; and

Please contact me if you have any questions concerning this letter.

Sincerely,

[Insert name], P.E.
Project Engineer

State of Registration:
Expiration Date:
Registration Number:

Exhibit 11.2 - HIGHWAY DESIGN STANDARDS CERTIFICATION

Project Number and Name: _____

Route, Section Number(s) and Location: _____

Type of Project: New Construction Reconstruction RRR Other (describe)

Description of Work: _____

- System:**
- | | |
|---|--|
| <input type="checkbox"/> TTP BIA | <input type="checkbox"/> National Highway System (NHS) |
| <input type="checkbox"/> TTP Tribal | <input type="checkbox"/> State Transportation Plan Non NHS |
| <input type="checkbox"/> TTP County, Borough or Municipal | <input type="checkbox"/> Off State Transportation Plan |
| <input type="checkbox"/> TTP State | <input type="checkbox"/> Other (describe) |

Functional Classification Description: _____

Owner Agency & Address: _____

Terrain: ...select...

Design Vehicle: _____

ADT - Show Station Range						
TRAFFIC	YEAR	AVERAGE	SEASONAL	DHV	PERCENT TRUCKS	D
Current						
Design						

Design Standards: AASHTO (type)..select.. County/Borough State Other (describe)

GEOMETRIC AND BRIDGE CRITERIA - Show Station Range			
GEOMETRIC AND BRIDGE CRITERIA	STANDARD	AS DESIGNED	EXCEPTION
1. Design Speed	Minimum = Design Speed should equal or exceed Posted or Regulatory Speed of completed facility	Posted or Regulatory = ?	Example: Yes - see (1) below

GEOMETRIC AND BRIDGE CRITERIA - Show Station Range			
GEOMETRIC AND BRIDGE CRITERIA	STANDARD	AS DESIGNED	EXCEPTION
2. Traveled Way Width			Example: Yes - see (2) below
3. Shoulder Width			Example: No
4. Crown	? %	? %	Example: N/A
5. Horizontal Curvature			
6. Superelevation	e(max) = ?% Δ = 0.??%	e(max) = ?% Δ = 0.??%	
7. Grades	?%	?%	
8. Vertical Curvature	K (crest) = K (sag) =	K (crest) = K (sag) =	
9. Stopping Sight Distance			
10. Horizontal Clearance to structure (not clear zone)			
11. Vertical Clearance to Structure			
12. Bridge Width			
13. Bridge Loading			
14. Bridge Railing	NCHRP 350		
15. Design Flood	FLH Project Development and Design Manual Exhibit 7.1-A	Example: No	
16. Pavement Design Service Life	?-year	?-year	Example: N/A

Descriptions of and reasons for exceptions to standards (list separately):

(1)

Analysis of risks and design features proposed to mitigate exceptions (list separately):

Describe guidelines used and any variances from recommended Roadside Design (clear zone, guardrail) guidelines:

Approval of Design Exceptions:

There are no exceptions to applicable standards.

The exceptions to the design standards as noted and their related risks have been reviewed with the appropriate agencies and parties and are considered acceptable for this project.

PREPARED BY: _____
Lead Designer, Consultant Firm Stamp and Date

APPROVAL IS RECOMMENDED: _____
Design Manager or Project Manager, Consultant Firm Stamp and Date

Tribal Road Department: _____ Date: _____
I CONCUR WITH THE ABOVE RECOMMENDATIONS (optional):

Owning Agency: _____ Date: _____

Maintaining Agency: _____ Date: _____
(if different from above)

THE ABOVE RECOMMENDATIONS ARE APPROVED:

Tribal Transportation Program, Federal Lands Highway Office Date: _____

Exhibit 11.3 - PS&E CERTIFICATION CHECKLIST

PS&E Certification Checklist	
Tribe:	
Agency with Jurisdiction over Facility:	
Project Name:	
Project Location:	
Type of Work:	
State: County or Borough:	
Action Item	v
1. The project facility is included in the National Tribal Transportation Facility Inventory.	
2. The project is on a FHWA approved TTIP.	
3. Public involvement has been completed in accordance with 25 CFR 170.435 through 170.441.	
4. Appropriate construction easements, maintenance and utility agreements have been obtained in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 for fee lands and 25 CFR 169 for trust lands.	
5. Cultural resources and environmental requirements listed in Appendix A to Subpart D of 25 CFR 170 have been met.	
6. This PE&E package meets or exceeds applicable design, health and safety standards listed in Appendix B to Subpart D of 25 CFR 170.	
7. No design exceptions are required for the design or specifications in this PS&E.	

<p>8. For other than facilities under Tribal and BIA jurisdiction, the owner public authority was provided an opportunity to review and comment on the Tribe's PS&E package when it was between 75 and 95 percent complete.</p>	
<p>9. All applicable federal, state, and local permits (environmental, land use, etc.) have been obtained, and the resulting relevant conditions/commitments have been incorporated into the PS&E as appropriate.</p>	
<p>Tribal Signature: _____ Date: _____</p>	

EXHIBIT 11.4 - TRIBAL REQUEST FOR SERVICES

from: _____

(Insert Name of Federal agency you are requesting services from)

NOTE: Before using this form, please check with the Federal Agency you are requesting services from.

Please provide the information requested below. **Be as detailed and specific as possible.** Your answers will help determine whether we have the ability to meet your needs.

Name of Project: _____

Location of Project: (Please attach a map.)

State: _____

County/Borough/Tribal Lands: _____

GPS Coordinates: Latitude _____ Longitude _____

Purpose, Need, and Major Objectives of Project:

What transportation need does the existing road serve?

What transportation need will the new project solve?

What type of vehicles will use this transportation project?

What is the population base or traffic volume that it will serve?

What is the desired season of use? (e.g. year round all weather, seasonal use only, etc.)

Why is this project so important?

What would result if the project does not get delivered?

Is this project adjacent to or associated with other anticipated work?

Existing Conditions: (Please attach photos.)

What does the existing road template look like? Width, road surface type, road surface condition, drainage conditions, culvert condition, slope condition, bridge condition:

Scope of Project: (Attach any scope defining documents.)

Starting point of project: _____

Ending point of project: _____

Length of project: _____

Major items of work anticipated: Check all that apply.

- | | |
|--|---|
| <input type="checkbox"/> reconstruct new roadway | <input type="checkbox"/> recondition existing roadway |
| <input type="checkbox"/> spot alignment improvements | <input type="checkbox"/> bridges |
| <input type="checkbox"/> large culverts | <input type="checkbox"/> fish passage culverts |
| <input type="checkbox"/> slope stabilization | <input type="checkbox"/> retaining walls |
| <input type="checkbox"/> repairing frost heaves/soft spots | <input type="checkbox"/> aggregate surface |
| <input type="checkbox"/> paved surface | <input type="checkbox"/> Other: _____ |

Is a current Right-of-Way or are Easements in place for construction and maintenance of the entire new project?

- Yes No

Who are the underlying landowners?

Do the landowners support the project?

Are utilities located within the roadway template that would be affected when constructing the new project?

Where are the closest material sources and disposal sites?

When are the typical construction months?

Work accomplished to date either by you, or work to have been known performed by others: (Please attach work documents. Check all that apply.)

- | | | |
|--|---|--|
| <input type="checkbox"/> scoping reports | <input type="checkbox"/> conceptual studies | <input type="checkbox"/> technical reports |
| <input type="checkbox"/> alternative analysis clearances | <input type="checkbox"/> environmental studies | <input type="checkbox"/> environmental |
| <input type="checkbox"/> construction permits clearance | <input type="checkbox"/> plan sets | <input type="checkbox"/> right-of-way |
| <input type="checkbox"/> utility relocation | <input type="checkbox"/> construction procurement | <input type="checkbox"/> construction |

Requested development activities and deliverables: (Specify activities and objectives you want the requested Federal Agency to perform. Check all that apply.)

- | | | |
|--|---|--|
| <input type="checkbox"/> scoping reports | <input type="checkbox"/> conceptual studies | <input type="checkbox"/> technical reports |
| <input type="checkbox"/> alternative analysis clearances | <input type="checkbox"/> environmental studies | <input type="checkbox"/> environmental |
| <input type="checkbox"/> construction permits clearance | <input type="checkbox"/> design plan sets | <input type="checkbox"/> right-of-way |
| <input type="checkbox"/> utility relocation | <input type="checkbox"/> construction procurement | <input type="checkbox"/> construction |
| <input type="checkbox"/> Other: _____ | | |

Critical delivery dates of major deliverables listed above:

<u>Major Deliverable</u>	<u>Critical Date</u>	<u>Reason for criticality</u>
<i>Design plans completed</i>		
<i>Construction end</i>		
<i>Construction start</i>		

What work will you perform: (Specify activities and objectives you will perform. Check all that apply.)

- staff*
- technical reports*
- environmental clearances*
- right-of-way clearance*
- procurement*
- construction*
- scoping reports*
- alternative analysis*
- construction permits*
- utility relocation*
- conceptual studies*
- environmental*
- plan sets*
- construction*

Current cost estimate for this project:

Engineering: _____

Construction: _____

Construction Administration: _____

What guidelines to be followed: Include requirements such as road standards, agency specific regulations, MOUs with regulatory agencies, etc. Please be specific: (e.g., 36 CFR NEPA, AASHTO Very Low Volume Local Roads Guidelines, etc.)

Issues or unusual aspects of this project that we need to be aware of:

(Risks, environmental issues, public controversy, realty issues, etc.)

Funding Information:

Is the project approved through federal/state/local/tribal planning committee? (Attach supporting STIP, Tribal Transportation Improvement Program, or approval document.)

What specific type and amount of the funds are to be used for this work?

Who has the funds at the current time?

Is there any time criteria or expiration date limit associated with the funding?

How will you compensate the Federal Agency performing this work (transfer funds, check, etc.)?

Requestor Information

Contact for technical questions:

Name: _____

Phone Number: _____

E-mail Address: _____

Authorized person to enter into agreement:

Name: _____

Phone Number: _____

E-mail address: _____

Date submitted: _____

Attach Additional Pages for Comments or to provide more information.

Please return completed form to an FHWA Tribal Coordinator, or it email to TTP_FIELD@dot.gov

Exhibit 12.1 - Tribe Certification Letter for Soliciting Bids

Victor M. Mendez
FHWA Administrator

[date]

Dear Mr. Mendez,

I certify that we afforded the public authority an opportunity to review and comment on the PS&E package for at least 30 days and received no written comments from the public authority that prevent the Tribe from proceeding with the project (Program Agreement - Article III, Section 1C(2)(c)).

In addition, we agree to initiate and complete TTP construction projects in accordance with the approved PS&E (Program Agreement - Article III, Section 1B).

Further, we confirm that we have Contracting Procedures (advertise bids, award, and contracts) documented and in place in order to perform the contracted programs and projects in accordance with the requirements of 25 CFR Part 170, as amended by MAP-21 (Program Agreement – Article III, Section 1B).

Please contact me if you have any questions concerning this letter.

Sincerely,

[Insert name],
[Tribe Name]

Tribal Representative

Exhibit 12.2 – TTP PS&E Advertisement Checklist

TTP PS&E ADVERTISEMENT CHECKLIST

Project Name: **Project Number:**

National Tribal Transportation Facility Inventory Route No.:

National Tribal Transportation Facility Inventory Sections:

DOCUMENT or MILESTONE

DATE

Project Agreement (with Owner for Maintenance)

TTP Design Standards Certification Form signed.....

Environmental Clearance (CE___ EA___ or EIS___)

Environmental Commitment Review by:_____

(Verified all commitments incorporated into the PS&E)

Permits (if applicable):

404 Permit (Individual No._____, or Nationwide No._____)

401 Permit

NPDES Permit (Notice of Intent).....

SWPPP filed

Encroachment Permit (State DOT, County, Municipality).....

Special Use Permit (for USFS projects).....

Other: (Any additional items to be included in SCRs)

[Right-of-Way and Utility Certification](#) (Certification Level ___)

Right-of-Way Agreements w/landowners or others

Right-of-Entry/Letter of Consent (if applicable).....

[Utility Data Quality Level Certification](#)

Utility Agreements.....

Fire Plan (USFS Projects).....

External Review Distribution (Agency:_____)

External PS&E Review comments reviewed/incorporated

Approvals (attach Standards Certification Form):

State.....

County

Other

Internal PS&E Review comments reviewed/incorporated

PS&E QA/QC Completed by: _____

Engineer Estimate (EE) Check by: _____

Unit Price Analysis performed by: _____

IF DEVELOPED BY A/E FIRM:

All Plan Sheets Stamped, Sealed and
..... Signed.....

Front Page of SCRs Stamped, Sealed and Signed
..... Instrument in place for A/E design support during construction.....

Name, phone #, and e-mail address of A/E Firm Contact:

Anticipated Advertisement Date.....

Recommended for Approval by Tribal Official

Signature: _____

Date: _____

Title: _____

Exhibit 13.1 – Project Monitoring Checklist**PROJECT STATUS DATA**

Tribe	
Project Name and Number	
Date on Inspection	
Route Number, Section and/or Mileposts	
County	
Project Description	
Percent Work Completed	
Percent Time Elapsed	
Original Contract Completion Date	
Current Contract Completion Date	
Award Amount	
Current Contract Estimate	

WORKMANSHIP

Item		Yes	No	N/A
General				
	Quality control plan has been prepared for the project	X		
	Contractor is undertaking processes included in approved QC plan	X		
	Personnel performing inspection work are qualified per the approved qualification program, or otherwise suitably experienced to perform successfully	X		
	Tribe or owner's representative is conducting sampling and testing to verify contractor data as defined in the quality assurance program.	X		
	Materials are tested according to applicable specifications.	X		
Environmental				
	Erosion and sediment control devices are installed properly and are well maintained (erosion control plan being followed)	X		
	Contract specific environmental requirements are in compliance	X		
	Inspections are conducted in accordance with contract requirements	X		
	Environmental permits are available onsite (SWPPP,/NPDES, 404, 401, etc.)	X		

Earthwork				
	Contract requirement being followed			
	Fill placement complies with contract requirements	X		
	Compaction test being performed and documented	X		
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements	X		
Structures				
	Contract requirements being followed			
	Pile Driving records are on file (including welder certifications and procedures)			X
	Placement, tying, and cover of reinforcing steel comply with contract requirements	X		
	Bolt certifications are on file along with test results			X
	Curing process complies with specifications	X		
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements	X		
Asphalt				
	Base is in good condition	X		
	Mix is delivered at proper temperature	X		
	Tacking complies with specifications	X		
	Mix is spread properly (thickness, crown, joints, uniform texture, continuous operation of paver)	X		
	Proper density is being obtained	X		
	Ride quality is in conformance with specifications			X
	Sampling, testing and overall operations (frequency/location) are conducted in accordance with contract requirements	X		
PCC				
	Mix spread to correct thickness			X
	Curing and tining applied in timely manner			X
	Dowel baskets properly installed			X
	Ride quality is in conformance with specifications			X
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements			X
Work Zone				
	Traffic control devices installed in accordance with Traffic Control Plan	X		
	Traffic control devices are clean and well maintained	X		
	Travel way is well delineated	X		
	Work zone inspections are completed and documented in accordance with contract requirements	X		
	Flaggers certified and properly attired			

DOCUMENTATION AND RECORD KEEPING

	Item	Yes	No	N/A
	Project field records support quantities submitted for payment	<u>X</u>		
	Inspector Daily Reports and Project Diary adequately support work progress, time charges etc. and filed properly	<u>X</u>		
	Contract modifications approved and documented	<u>X</u>		
	Acceptance sampling and testing reports are on file	<u>X</u>		
	Materials sampling and testing conducted as required	<u>X</u>		
	Failed tests are documented with cross-references to re-tests	<u>X</u>		
	Materials Certifications are on file	<u>X</u>		
	Approved mix designs are on file	<u>X</u>		

Comments/Photos:

	ACTION ITEM	RESPONSIBLE PARTY	DUE DATE	STATUS
1)				
2)				
3)				
4)				
5)				
6)				

Reported by:
Date:


Exhibit 13.2 – Safety Checklist

SAFETY CHECKLIST for Construction Projects	
Date of Review:	Conducted by:
General	
Is the project constructible using the construction Traffic Control Plan (TCP) as shown in the PS&E?	Y/N
Does the traffic control affect the design, such as material requirements from roadways used for public use during the construction?	Y/N
Are there traffic restrictions?	Y/N
Is there enough work area and staging areas for the Contractor to do the necessary construction operations?	Y/N
Does the construction traffic control allow for Contractor access?	Y/N
Is the speed based on the existing posted speed?	Y/N
Is the work site safe for both traffic and workers?	Y/N
Comments:	
Signing	
Are the signs being used per the new MUTCD?	Y/N
Do the sign messages convey the intended actions that are required to be taken?	Y/N
Do the signs have the proper legends, sizes, color combinations, and reflectivity?	Y/N
Do the signs have the proper legends, sizes, color combinations, and reflectivity?	Y/N
Is the location of the sign per the MUTCD?	Y/N
Are the signs properly spaced?	Y/N
Are the layout measurements tied to a physical feature so the Contractor can do the layout in the field?	Y/N
Is there proper sight distance to the sign?	Y/N
Is it physically possible to place the sign where indicated?	Y/N
Is there sufficient horizontal clearance?	Y/N
Any existing signing that needs to be replaced to be in accordance with the MUTCD?	Y/N
Any conflicting existing signing?	Y/N
Markings	
Have passing zones been verified?	Y/N
Matching existing?	Y/N
Handicap parking meets ADA requirements?	Y/N
Striping requirements per the new MUTCD?	Y/N
Meets Centerline warrants?	Y/N
Meets edge line warrants?	Y/N
Comments:	
Construction Signing	
Are the signs being used per the MUTCD?	Y/N
If the situation calls for a standard traffic control scheme, do the advance warning signs match those shown in the standard layouts in the MUTCD?	Y/N

SAFETY CHECKLIST for Construction Projects	
Do the sign messages convey the intended actions that are required to be taken?	Y/N
Do the signs have the proper legends, sizes, color combinations, and reflectivity? (The MUTCD provides that the minimum letter size for signs should not be less than five inches for low volume traffic.)	Y/N
Is the location of the sign per the MUTCD?	Y/N
Are the signs properly spaced?	Y/N
Are the layout measurements tied to a physical feature so the Contractor can do the layout in the field?	Y/N
Are there existing signs within the construction zone that may conflict with the Traffic Control Plan?	Y/N
Do any of the existing signs obscure the view of advance warning signs?	Y/N
If stage construction is used, is the signing from stage to stage consistent (sign types and locations)?	Y/N
If a numbered route, are the numbered routes used for the detour?	Y/N
If a detour is not provided could a detour work?	Y/N
Are all access points properly signed?	Y/N
Is it physically possible to place the sign where indicated?	Y/N
Is there sufficient horizontal clearance?	Y/N
Is there a need for any pedestrian or bicycle signing?	Y/N
Comments:	
Channelizing Devices	
Are the correct devices used for a particular operation? (Drums should be used instead of barricades, type II; Temporary concrete barriers should not be used as a channelizing device.)	Y/N
Are channelizing tapers located correctly?	Y/N
Are channelizing tapers the correct length?	Y/N
Are devices spaced correctly in the taper?	Y/N
Are devices spaced correctly in the work area?	Y/N
Do the devices meet MUTCD requirements for size, type, color, and reflectivity?	Y/N
Are the devices properly ballasted (weighted down)?	Y/N
Comments:	
Pavement Markings	
If short-term markings required, do they coincide with MUTCD 6D and Federal Lands Highway policy?	Y/N
Is marking consistent, especially during stage construction?	Y/N
Do existing pavement markings conflict with the proposed temporary markings?	Y/N
Comments:	
Lighting Devices	
Are warning lights used correctly? (Warning lights, type A should be used on drums or barricades to mark point hazards, or on the first two devices in a taper: Warning lights, type B, if used, should be used on signs and the batteries should be placed no higher than 12 inches off the ground: Warning lights, type C should be used on drums or barricades used in a series for delineation.)	Y/N

SAFETY CHECKLIST for Construction Projects	
Are arrow panels placed on the shoulder adjacent to the beginning of the taper? (If there is limited shoulder, the arrow board should be placed in the closed lane towards the beginning of the taper.)	Y/N
Is there adequate sight distance for the arrow board?	Y/N
Is the arrow panel being used correctly? (Arrow panels should not be used in "passing arrow" mode on two-lane two-way roadways, shoulder closures, or lanes shifts: For the cases listed above the arrow board can be used in the "caution" mode.)	Y/N
Comments:	
Barriers	
Are untreated temporary barrier ends exposed to traffic?	Y/N
Is the area between the barrier and the travel lanes relatively flat (approximately 10:1)?	Y/N
Are temporary barriers required due to drop-off close to the travel lanes?	Y/N
Are existing barriers being removed such that the hazards they were protecting are now a hazard during the construction?	Y/N
Is temporary barrier properly accounted for? (For stage construction, use the greatest amount of barrier required for a particular stage as the barrier quantity, and remember to account for storing barrier during stages with less than the greatest amount for moving barrier.)	Y/N
Are construction areas properly shielded?	Y/N
Should temporary barrier be bolted to the pavement or bridge deck do to their deflection?	Y/N
Are barriers flared away from the roadway in accordance with AASHTO Roadside Design Guide?	Y/N
Comments:	
Flaggers	
If flaggers are being used are the proper warning signs displayed?	Y/N
Is the flagging station visible to oncoming traffic?	Y/N
When the flagger is not on station, is the flagger sign covered or removed?	Y/N
Comments:	
Miscellaneous	
Does the Project Engineer have names and phone numbers of persons to contact in case of emergencies?	Y/N
If there are special construction events (i.e., roadway closures) are there provisions for the Contractor to notify the Project Engineer in advance so the Engineer can notify authorities?	Y/N
Are roadway drop-offs excessive?	Y/N
Does the Contract identify time restrictions placed so that the Contractor can only perform work during certain times?	Y/N
Is there a possibility of pedestrians and cyclists in the project area?	Y/N
For projects with stage construction, when the traffic control is switched from one stage to the next, are there provisions in the Contract to accomplish that operation?	Y/N
Can the traffic control switching be accomplished under traffic?	Y/N

Exhibit 13.3 – Construction Inspection Report

		<h2 style="margin: 0;">CONSTRUCTION INSPECTION REPORT</h2>			
U. S. Department of Transportation Federal Highway Administration					
DIVISION	REPORT NO.	DATE OF INSPECTION	DATE OF REPORT	PROJECT NUMBER	
INSPECTION MADE BY		QUALITY OF WORK <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory	PROGRESS OF WORK <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory	TIME ELAPSED %	WORK COMPLETED %
IN COMPANY WITH					
(check appropriate box) <input type="checkbox"/> Process Review / Product Evaluation <input type="checkbox"/> Inspection-In-Depth <input type="checkbox"/> Project <input type="checkbox"/> Final					
DESCRIPTION OF WORK GENERAL DISCUSSION EROSION CONTROL TRAFFIC CONTROL FOLLOW-UP PROCEDURE CONCLUSION					



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

CONSTRUCTION INSPECTION REPORT

(Continued)

Exhibit 13.4 - Final Letter of Acceptance

XY&Z Construction Company

[Insert address]

[Insert address]

[date]

RE: DPW Project No. [Insert project number]

Dear [name],

This letter is an acceptance to your work and acknowledges that all work on the project has been completed in accordance with the terms and conditions of the contract documents dated [Insert date]. This releases you on any further responsibilities. Further, the due to work performed is included as requested in your final request for payment.

Please contact me if you have any questions concerning this letter.

Sincerely,

[insert name]

Tribal Representative

cc: FHWA

Exhibit 13.5 - Final Letter of Acceptance For BIA Owned Facility

[Insert Tribe]
[Insert Tribal address]
[Insert Tribal address]

[date]

RE: DPW Project No. [Insert project number]

Dear [name],

This letter is an acceptance of all work on the referenced project. This acceptance is based on our review of daily and weekly status reports; participation in interim project construction reviews and final inspection; our review of progress reports, subcontracts, as-built-drawings, contract modifications, material certifications/testing reports; completion of contract modifications, final estimates, and no pending claims; and verification of environmental commits.

In summary, we find that all work on the project has been completed with the terms and conditions of the contract documents dated [Insert date]. Further, this releases you on any further responsibilities.

As a reminder, forward us the final as-built plans when completed.

Please contact me if you have any questions concerning this letter.

Sincerely,

[insert name]
BIA Representative

cc: FHWA

Exhibit 14.1 - Equipment Acquisition Request Form

This form is to be utilized for all construction/maintenance equipment acquisition by Tribal Governments who have an Indian Reservation Road Program Agreement with the Federal Highway Administration.

1. How will this equipment be utilized for the TTP program? (If more space is needed, provide attachment)

2. Cost Comparison:

Lease/Rent	Item	Purchase
		\$
		\$

3. Enter 25 percent of the annual TTP funds to be allocated to the Tribe this fiscal year, or \$500,000, whichever is greater. \$_____
4. What is the amount of TTP funds to be utilized for this acquisition?
\$_____
5. Attach cost analysis of all equipment both purchase and lease/rent. (Attach vendor quotes. Quotes may be provided in email and/or letter on company letter head)

Requestor: _____
 Name/Title

Date: _____

FHWA Approved By: _____
 Name/Title

Date: _____

Exhibit 15.1 – Progress Report

[Name of Tribe] Progress Report

Reporting Period: October 1 – March 31 or April 1 –September 30	Total Program Fund Received (during the Reporting Period):	Date Submitted:
Design Projects (Discuss each individual project as listed in the approved TTIP)		
Project Number: Location: Type of Work/Description: Consultant/Contractor: % Complete: Estimated Completion Date: On Time: Y/N Estimated Cost: Work Completed/In Progress/Status: Critical Issues/Problems:		
Construction Projects (Discuss each individual project as listed in the approved TTIP)		
Project Number: Location: Type of Work/Description: Contractor: % Complete: Estimated Completion Date: On Time: Y/N Amount Awarded: Work Completed/In Progress/Status: Critical Issues/Problems:		

Planning Activities
<p>Funds Programmed:</p> <p>Funds Utilized:</p> <p>Activities Undertaken & Status (National Tribal Transportation Facility Inventory; LRTP, TTIP, Studies, etc.):</p> <ul style="list-style-type: none"> • • • <p>Critical Issues/Problems:</p>
Maintenance Activities
<p>(Discuss maintenance activities as a summary, or discuss each individual project if listed as separate project(s) in the approved TTIP)</p>
<p>Funds Programmed:</p> <p>Funds Utilized:</p> <p>Activities Undertaken & Status (Mowing, Patching, Snow Removal, New Equipment, etc):</p> <ul style="list-style-type: none"> • • • <p>Critical Issues/Problems:</p>
Transportation Department Operations
<p>Funds Programmed:</p> <p>Funds Utilized:</p> <p>Activities Undertaken & Status Utilities, Salaries, Computers, etc):</p> <ul style="list-style-type: none"> • • • <p>Critical Issues/Problems:</p> <p>Funding Status:</p>
Other Items
<ul style="list-style-type: none"> • •

Technical Assistance		
Identify any Technical Assistance (Financial, Planning ROW, Design, Construction, etc.) needed:		
<ul style="list-style-type: none">• (Type and identify POC, phone and email address)••		
Submitted By		
Submitted by:	Signature:	Date:

Exhibit 15.2 – Example Narrative Progress Report



All Nations Tribal Transportation Consortium, LLC FY2010 Yearend Contract Narrative Report Indian Reservation Roads Program

**Submitted to the Federal Lands Highway, Federal Highway Administration
Copies to: Alaska Region Bureau of Indian Affairs
Bureau of Indian Affairs, Department of Transportation
Hoonah Indian Association
Wrangell Cooperative Association
Yakutat Tlingit Tribe**

This is the Fifth report of the All Nations Tribal Transportation Consortium, LLC. Significant progress continues to be made on projects during FY2010.

Members of the ANTTC in 2008:

1. Hoonah Indian Association (HIA)
2. Organized Village of Saxman (OVS)
3. Wrangell Cooperative Association (WCA)
4. Yakutat Tlingit Tribe (YTT)

Members of the ANTTC in 2009:

1. Hoonah Indian Association (HIA)
2. King Island Native Community (KINC)
3. Wrangell Cooperative Association (WCA)
4. Yakutat Tlingit Tribe (YTT)

Members of the ANTTC in 2010:

1. Hoonah Indian Association (HIA)
2. Wrangell Cooperative Association (WCA)
3. Yakutat Tlingit Tribe (YTT)*

* Withdrawal Resolution Received April 2010

As of September 30, 2010 payments received by the ANTTTC from the FHWA are shown below:

Date	Payments	Total
4/3/08	RFA #1 FY2008	\$322,876.01
6/12/08	RFA #2 FY2008	\$249,500.00
9/30/08	RFA #3 FY2008	\$594,329.96
10/1/08	RFA #4 advance on FY2009	\$435,000.00
5/14/09	RFA #1 FY2009	\$1,248,342.56
8/13/09	KINC Repayment RFA #1 2009	\$81,745.44
12/3/10	RFA #1 FY2010	\$322,871.00
6/15/10	ARRA RFA FY2009	\$1,182,361.00
7/29/10	RFA Amendment 1 FY2010	\$1,581,427.00
9/9/10	RFA Amendment 2 FY2010	\$122,022.66
9/30/10	Duplicate Pmt: Advance on FY2011	\$122,022.66
Total		\$6,262,498.29

In 2010 the ANTTTC members signed the negotiated agreement with Central Council Tlingit and Haida Indian Tribes of Alaska. The return of ANTTTC member funds held by the Central Council Tlingit and Haida Indian Tribes of Alaska were received in June of 2010. These funds have been distributed as follows to approve IRRTIP projects:

TRIBE NAME	RNDF Construction Funds - distribution
King Island Native Community	\$0.00
Hoonah Indian Association	\$395,195.00
Saxman, Organized Village of	0.00
Wrangell Cooperative Association	\$236,093.00
Yakutat Tlingit Tribe	\$70,811.80
Organization PM&O	\$123,900.20
Totals	\$826,000.00

Redistribution of Saxman Funds held by ANTTTC (CCTHITA Agreement)

TRIBE NAME	RNDF Construction Funds - distribution
King Island Native Community	\$0.00
Hoonah Indian Association	\$0.00
Saxman, Organized Village of	-\$52,906.00
Wrangell Cooperative Association	\$0.00
Yakutat Tlingit Tribe	\$0.00
Organization PM&O	\$52,906.00
Totals	\$0.00

FHWA FY2008 IRR Fund Distribution by Member

TRIBE NAME	Construction Funds	Population Adjustment Factor	2% Transportation Planning	IRRHPP	Total IRR 2008
Hoonah Indian Association	\$265,363	\$24,522	\$6,610		\$296,495.00
Saxman, Organized Village of	\$41,422	\$24,522	\$1,032		\$66,976.00
Wrangell Cooperative Association	\$274,459	\$24,522	\$6,836	\$249,500	\$555,317.00
Yakutat Tlingit Tribe	\$209,324	\$24,522	\$5,214		\$239,060.00
Organization PM&O					\$8,858.00
Totals	\$790,568	\$98,088	\$19,692		\$1,166,706.00

FHWA FY2009 IRR Fund Distribution by Member

TRIBE NAME	Construction Funds	Population Adjustment Factor	2% Transportation Planning	IRRHPP	Total IRR 2008
King Island Native Community		\$32,428.00	\$12,433.00		\$44,861.00
Hoonah Indian Association	\$457,486.00	\$32,428.00	\$11,514.00		\$501,428.00
Wrangell Cooperative Association	\$732,451.00	\$32,428.00	\$18,434.00		\$783,313.00
Yakutat Tlingit Tribe	\$210,266.00	\$32,428.00	\$5,292.00	\$187,500.00	\$435,486.00
Organization PM&O					
Totals	\$1,400,203.00	\$129,712.00	\$47,673.00	\$187,500.00	\$1,765,088

FY2009 IRR American Recovery and Reinvestment Act

TRIBE NAME	ARRA	ARRA PAF	Total ARRA
Hoonah Indian Association	\$379,119.00	\$7,337.00	\$386,456.00
Wrangell Cooperative Association	\$606,983.00	\$7,337.00	\$614,320.00
Yakutat Tlingit Tribe	\$174,248.00	\$7,337.00	\$181,585.00
Organization PM&O			\$0.00
Totals	\$1,160,350.00	\$22,011.00	\$1,182,361.00

FY2010 Funding Shares

Member Tribe	RNDF Construction Funds	PAF	Total Construction	2% Planning	Total IRR
King Island Native Community			\$0.00		\$0.00
Hoonah Indian Association	\$400,966.34	\$32,104.00	\$433,070.34	\$10,081.72	\$443,152.06
Saxman, Organized Village of			\$0.00		\$0.00
Wrangell Cooperative Association	\$641,518.57	\$32,104.00	\$673,622.57	\$16,130.06	\$689,752.63
Yakutat Tlingit Tribe	\$45,510.00	\$0.00	\$45,510.00	\$1,145.00	\$46,655.00
Organization PM&O	\$20,761.00		\$20,761.00		\$20,761.00
Totals	\$1,108,755.91	\$64,208.00	\$1,172,963.91	\$27,356.78	\$1,200,320.69

FHWA FY2008-2010 IRR Funding for IRR TIP

<i>TRIBE NAME</i>	RNDF + PAF Construction Funds	IRR 2% Planning	IRRHPP	IRR Construction ARRA	2010 Advance on 2011	Accumulated Funding Received To Date
King Island Native Community	\$32,428	\$12,433	\$0	\$0		\$44,861
Hoonah Indian Association	\$1,608,064	\$28,206	\$0	\$386,456		\$2,022,726
Organized Village of Saxman	\$13,038	\$1,032	\$0	\$0		\$14,070
Wrangell Cooperative Association	\$1,973,576	\$41,400	\$249,500	\$614,320		\$2,878,796
Yakutat Tlingit Tribe	\$592,862	\$11,651	\$187,500	\$181,585		\$973,598
Organization PM&O	\$206,425	\$0	\$0	\$0	\$122,023	\$328,448
Totals	\$4,426,393	\$94,722	\$437,000	\$1,182,361		\$6,262,498

Expenditure Report:**September 30, 2010 Project Expenses to Date by Tribe**

Tribe/Project I.D.	Total	Expenditures	Balance
King Island Native Community			
KINC Transportation Planning E0425320	12,433	27,446	-15,013
KINC PM&C E0425330	32,428	17,479	14,949
KINC Woolley Crete Creek Road E0425321*	0	7,551	-7,551
KINC Totals	44,861	52,476	-7,615
Hoonah Indian Association			
HIA TP E0919820	105,000	62,446	42,554
HIA Transit E0919821	152,000	0	152,000
HIA Cannery Sidewalk Imp E0919824	109,000	0	109,000
HIA Community Safety E0919825	757,320	7,351	749,969
HIA Planning Study Access Road to Pelican E0919826	30,000	0	30,000
HIA Safety Enhancement E0919827	25,000	0	25,000
HIA Front Street Retaining Wall E0919828	276,381	0	276,381
HIA Sidewalk and Street Light Extension E0919829	75,724	0	75,724
HIA PM&C E0919830	187,109	163,109	24,000
HIA Ferry E0919840	10,000	0	10,000
HIA Maintenance E09RM198 ANTTC	295,192	35,502	259,690
HIA Totals	2,022,726	268,407	1,754,318
Organized Village of Saxman (Subject to ANTTC CCTHITA Agreement)			
OVS Transportation Planning E0942720	3,674	3,674	0
OVS PM&C E0942730	10,396	10,396	0
OVS Totals	14,070	14,070	0
Wrangell Cooperative Association			
WCA TP E0953220	105,000	43,868	61,132
WCA Rd Rehab E0953222	2,262,665	424,493	1,838,172
WCA Cassiar-Webber Recon E0953223	5,000	0	5,000
WCA Transit E0953225	10,000	0	10,000
WCA PM&C E0953230	251,370	215,370	36,000
WCA Maintenance E09RM532 ANTTC	244,760	4,700	240,060
WCA Totals	2,878,795	688,431	2,190,364

Tribe/Project I.D.	Total	Expenditures	Balance
Yakutat Tlingit Tribe			
YTT TP E0953320	71,145	13,811	57,334
YTT Rd Rehab E0953321	675,111	238,854	436,256
YTT Transit E0953325	5,000	0	5,000
YTT PM&C E0953330	103,208	103,208	0
YTT Maintenance E09RM533 ANTTC	119,136	20,000	99,136
YTT Totals	973,600	375,873	597,726
Program Management and Oversight			
Total ANTTC PM&O E0999930	206,425	75,114	131,311
ANTTC Advance on FY2011 E0999950	122,023	0	122,023
ANTTC Totals	328,448	75,114	253,334
Total	6,262,498	1,474,371	4,788,127

Project Narratives (does not include projects where no work was performed):

E0425321 King Island Native Community Project

KINC had been paying the ANTTC contractor for the ongoing work of developing the plans and specification. This has been done without notification to the ANTTC and without a contract with the engineering firm.

The ANTTC contract for the archaeology work was completed, and the ANTTC has submitted an invoice to KINC for payment.

The FHWA issued a categorical exclusion, and all PS&E package work was completed for KINC to take the project forward to construction.

E0919820 Hoonah Transportation Planning including 2%

A change has occurred in the makeup of the HIA tribal council and they have hired a tribal administrator. We are still pending a meeting to review and confirm their highest priority transportation projects before moving potential projects to the PS&E development stage.

The Tribal Administrator attended the Q-10 Consultation Meeting held in Anchorage in September.

E09RM198 Hoonah Indian Association Maintenance

We entered into a 3-way agreement with the City and Tribe for the performance of road maintenance activities.

The Tribe also worked with the City to address a safety issue associated with access along the piers. The ANTTC provided reimbursement to the Tribe for the work performed.

E0919825 Hoonah Indian Association Community Safety

A proposal for development of the PS&E was acquired, but all action has been postponed pending action by the HIA.

E0953220 Wrangell Transportation Planning including 2%

Worked with the BIA to finalize the addition of Shakes Island Bridge into the IRR Inventory. Action by BIADOT still pending.

E0953222 Wrangell Cooperative Association's Community Street Rehabilitation and Paving

Construction work began in July. We hired a project liaison and a project liaison trainee. In addition, the ANTTC took over the traffic control plan development. ANTTC hired 2 flaggers. All other work is being performed by the Southeast Road Builders, under contract. We also have a construction management contract with Bristol Environmental and Engineering Services.



Excavation on Etolin Street

The project has run into a number of issues which have caused delays including water and sewer lines shallower than shown on the as-built plans. All effort is underway to complete the project, but winter weather may cause us to enter into winter shutdown.

E0953321 Yakutat Road Rehabilitation

The PS&E development is in progress.

E0999930, E0425330, E0919830, E0953230, and E0953330 Program Administration and Compliance

All administrative costs are identified as direct costs under a project identified as Program Management and Compliance (PM&C). In the ANTTC IRRTIP, these are identified as projects. The member tribes share the cost of Management and Program Administration through a simple percentage calculation based on what each member tribe generates in the construction and 2% transportation planning portion of the Relative Need Distribution Formula plus the Population Adjustment Factor, and then divided by the members' sum of these same numbers to calculate the percentage to be applied to administrative expenditures.

ANTTC Administrative Costs include but are not limited to:

1. Salary and Benefit Package of Manager
2. Board Operational Costs
3. Board Travel Costs
4. Board Meeting Stipend
5. Manager Travel for non-project specific meetings
6. Office Supplies
7. Postage and Shipping Costs
8. Administrative Equipment purchase or lease
9. Financial Services
10. Legal Services for non-project specific activities
11. Memberships, licenses, and fees

Under ongoing implementation, the ANTTC negotiated a number of Memorandums of Agreements, and either amended its existing Indefinite Delivery Contract for Services, or entered into new contracts for services for project development work that needs to be performed to implement our numerous construction projects.

Meetings attended by the ANTTC Board and staff included:

1. IRRPCC meetings
2. Q-10 Consultation Meetings in Anchorage

ISSUES

Loss of Yakutat Tlingit Tribe as a member caused additional challenges to the ANTTC, when the resolution to withdraw was received the first week in April. The ANTTC contacted YTT in an effort to determine how they wanted to proceed. The ANTTC policy has always been to complete work for withdrawing tribes for existing sub-contracts, but to provide no additional work unless requested.

When notice of an upcoming June RFA was issued by FHWA, we contacted YTT and asked if they had begun the process of entering into an IRR Agreement. When we learned that they had, we asked if they would like us to have FHWA hold their portion of the RFA. Upon affirmation from YTT, we contacted FHWA and requested they withhold YTT's funds from the RFA.

We believe the least liability risk for the ANTTTC is to return funds of withdrawing tribes to the FHWA.

FINAL OBSERVATION

We continue to be very pleased with the technical assistance provided by FHWA.

Report Submitted by:

/s/

Julianne E. Baltar, CEO ANTTTC
December 31, 2010

Exhibit 15.3 – Standard Form 425, Federal Financial Report

Reset Form

FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment)			Page 1	of		
pages								
3. Recipient Organization (Name and complete address including Zip code)								
4a. DUNS Number	4b. EIN	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)			6. Report Type <input type="radio"/> Quarterly <input type="radio"/> Semi-Annual <input type="radio"/> Annual <input type="radio"/> Final	7. Basis of Accounting <input type="checkbox"/> Cash <input type="checkbox"/> Accrual		
8. Project/Grant Period From: (Month, Day, Year) To: (Month, Day, Year)				9. Reporting Period End Date (Month, Day, Year)				
10. Transactions						Cumulative		
<i>(Use lines a-c for single or multiple grant reporting)</i>								
Federal Cash (To report multiple grants, also use FFR Attachment):								
a. Cash Receipts								
b. Cash Disbursements								
c. Cash on Hand (line a minus b)								
<i>(Use lines d-o for single grant reporting)</i>								
Federal Expenditures and Unobligated Balance:								
d. Total Federal funds authorized								
e. Federal share of expenditures								
f. Federal share of unliquidated obligations								
g. Total Federal share (sum of lines e and f)								
h. Unobligated balance of Federal funds (line d minus g)								
Recipient Share:								
i. Total recipient share required								
j. Recipient share of expenditures								
k. Remaining recipient share to be provided (line i minus j)								
Program Income:								
l. Total Federal program income earned								
m. Program income expended in accordance with the deduction alternative								
n. Program income expended in accordance with the addition alternative								
o. Unexpended program income (line l minus line m or line n)								
11. Indirect Expense		a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share
		g. Totals:						
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation:								
13. Certification: By signing this report, I certify that it is true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)								
a. Typed or Printed Name and Title of Authorized Certifying Official					c. Telephone (Area code, number and extension)			
					d. Email address			
b. Signature of Authorized Certifying Official					e. Date Report Submitted (Month, Day, Year)			
					14. Agency use only:			

Standard Form 425
OMB Approval Number: 0348-0061
Expiration Date: 10/31/2011

Paperwork Burden Statement
According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0060), Washington, DC 20503.

Exhibit 15.4 – Instructions for SF 425 Used for Semi-Annual Reports

Line Number	Reporting Item	Instructions
Cover Information		
1	Federal Agency and Organizational Element to Which Report is Submitted	Enter "U.S. Dept of Transportation – FHWA"
2	Federal Grant or Other Identifying Number Assigned by Federal Agency	Enter the Agreement number from the top right of the Tribe's current year Referenced Funding Agreement.
3	Recipient Organization	Enter the name and complete address of the recipient organization including zip code. This is the Tribe or Tribal Consortium.
4a	DUNS Number	Enter the recipient organization's Data Universal Numbering System (DUNS) number or Central Contract Registry extended DUNS number.
4b	EIN	Enter the recipient organization's Employer Identification Number (EIN).
5	Recipient Account Number or Identifying Number	For the TTP program, leave this blank.
6	Report Type	Mark the "Semi-Annual" box, unless another reporting period requirement is listed in the Tribe's Program Agreement.
7	Basis of Accounting (Cash/Accrual)	Specify whether a cash or accrual basis was used for recording transactions related to the award(s) and for preparing this FFR. For cash basis accounting, expenses are recorded when they are paid. For accrual basis of accounting, expenses are recorded when incurred.
8	Project/Grant Period, From: (Month, Day, Year) To: (Month, Day, Year)	For the "From" date, enter the date the first Program Agreement with FHWA was approved by FHWA. For the "To" date, enter the ending date of this 6-month semi-annual report, which will be March 31 or September 30. If a Tribe is ending the FHWA Program Agreement, then the "To" date is the date that the Tribal Resolution was passed to end the Program Agreement.
9	Reporting Period End Date: (Month, Day, Year)	Enter the "To" date from line 8.
10	Transactions Enter cumulative amounts covering the time period listed on line 8.	
FHWA TTP Program Federal Cash		
10a	Cash Receipts	Enter the cumulative amount of actual cash received from FHWA under the TTP program during the time period listed in line 8. This should be the sum of all the amounts authorized by the executed Referenced Funding Agreements (RFA's) and RFA Amendments during that time period. Include funds received under ERFO, ACCESS, HPP, TTP Bridge, and TTP Safety in addition to the regular TTP, 2% planning and PRAE funds.
10b	Cash Disbursements	Enter the cumulative amount of disbursements of FHWA TTP funds (such as cash or checks) during the time period listed in line 8. Disbursements are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expenses charged to the award, and the amount of cash advances and payments made to subrecipients and contractors.
10c	Cash On Hand (Line 10a Minus Line 10b)	Enter the amount of Line 10a minus Line 10b.

Line Number	Reporting Item	Instructions
10d	Total Federal Funds Authorized	Enter the total FHWA TTP Program Federal funds authorized during the time period listed in line 8. This will be the same amount listed in line 10a.
10e	Federal Share of Expenditures	Enter the amount of expenditures of FHWA TTP Program funding during the time period listed in line 8. For reports prepared on a cash basis, this line will be the same amount as listed on line 10b. For reports prepared on an accrual basis, enter the expenditures that are the sum of cash disbursements for direct charges for property and services; the amount of indirect expense incurred; the value of in-kind contributions applied; and the net increase or decrease in the amounts owed by the recipient for (1) goods and other property received; (2) services performed by employees, contractors, subrecipients, and other payees; and (3) programs for which no current services or performance are required. Do not include program income expended in accordance with the deduction alternative, rebates, refunds, or other credits. (Program income expended in accordance with the deduction alternative should be reported separately on Line 10o.)
10f	Federal Share of Unliquidated Obligations	Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an expenditure has not yet been recorded. Enter the unliquidated obligations for the FHWA TTP Program funding during the time period listed in line 8. Those unliquidated obligations include direct and indirect expenses incurred but not yet paid or charged to the award, including amounts due to subrecipients and contractors. On the final report, this line should be zero. <i>Do not include any amount in Line 10f that has been reported in Line 10e. Do not include any amount in Line 10f for a future commitment of funds (such as a long-term contract) for which an obligation or expense has not been incurred.</i>
10g	Total Federal Share (Sum of Lines 10e and 10f)	Enter the sum of Lines 10e and 10f.
10h	Unobligated Balance of Federal Funds (Line 10d Minus Line 10g)	Enter the amount of Line 10d minus Line 10g.
Recipient Share: Do not complete Lines 10i, 10j and 10k for the TTP program.		
10i	Total Recipient Share Required	Enter zero
10j	Recipient Share of Expenditures	Enter zero
10k	Remaining Recipient Share to be Provided (Line 10i Minus Line 10j)	Enter zero
Program Income		
10l	Total Federal Program Income Earned	Enter the cumulative amount of interest or dividends earned from FHWA TTP Program funds during the time period listed in line 8..
10m	Program Income Expended in Accordance With the Deduction Alternative.	Enter zero. This does not apply to the TTP funds.
10n	Program Income Expended in Accordance With the Addition Alternative	Enter the amount of program income from line 10l that was added to funds committed to the total project costs and expended to further eligible FHWA TTP project or program activities, during the time period listed in line 8.

Line Number	Reporting Item	Instructions
10o	Unexpended Program Income (Line 10l Minus Line 10m or Line 10n)	Enter the amount of Line 10l minus Line 10n. This amount equals the program income that has been earned but not expended, as of the reporting period end date.
11	Indirect Expense , also called "Indirect Cost".	
11a	Type of Rate(s)	<p><u>First Line:</u></p> <p>Enter the indirect cost rate (ICR) negotiated by the Tribe with Department of the Interior National Business Center (NBC). State whether the indirect cost rate entered here is Final, Provisional, Predetermined, or Fixed.</p> <p>A Final rate is the most typically used type. This is an indirect cost rate applicable to a specific time period that is based on the actual, allowable costs of that period. Once established, a final, audited rate cannot be adjusted. A</p> <p>A Provisional rate is a temporary indirect cost rate that is applied to a limited time period that is used until a "final" rate is established with NBC for that same period. Provisional rates can be used for funding, interim reimbursement, and reporting of indirect costs. They must be finalized by submitting an "Indirect Cost Rate Proposal for a Final Rate" to NBC once the actual costs for the specified time period are known and can be verified through audited financial statements.</p> <p>A Predetermined rate is an indirect cost rate that applies to a specific current or future time period (usually the organization's fiscal year). Except under very unusual circumstances, a predetermined rate cannot be adjusted. Predetermined indirect cost rates may be negotiated for periods of up to 2 to 4 years.</p> <p>A fixed rate (also known as a fixed carry forward rate) is an indirect cost rate that applies to a specific current or future time period (usually the organization's fiscal year). It differs from the predetermined rate in that it is subject to later adjustment. Initially, the fixed rate is based on estimated costs for a set, future time period. When the actual costs for that period become available, a carry forward adjustment is used. A carry forward adjustment is the amount required to reconcile the difference between the estimated costs and the actual costs incurred for the agreed-upon time period.</p> <p><u>Second Line:</u></p> <p>Enter "Pass-through".</p>
11b	Rate %	<p><u>First Line:</u> Enter the indirect cost rate (ICR) in effect during the reporting period.</p> <p><u>Second line:</u> Enter the rate used on "pass-through" funds. A maximum rate of 3% is allowed.</p>
11c	Period From; Period To	Enter the beginning and ending effective dates for each of the rates.

Line Number	Reporting Item	Instructions
11d	The Base amount against which the rate(s) are being applied.	First Line: Enter the total direct costs during the time period listed in line 8. This is usually the total direct salaries and wages for administrative and planning, with or without fringe benefits. The Base does <u>not</u> include pass-through funds.
		Second line: Enter the total "pass through" funds during the time period listed in line 8.. This is all TTP-funded project related costs including major contracts or subcontracts, payments to participants, as well as all direct labor, equipment, and materials costs for TTP-funded projects carried out by the Tribe.
11e	Amount Charged	Enter the amount of indirect costs charged during the time period specified. (Multiply 11b. x 11d.)
11f	Federal Share	Enter the same amount as line 11e.
11g	Totals	Enter the totals for columns 11d, 11e, and 11f.
Note: If more than one indirect cost rate (ICR) has been used, enter the additional rates, calculations and indirect costs on a second attached sheet.		
Remarks and Certification		
12	Remarks	Enter any information deemed necessary to support or explain <i>FFR</i> data. Enter any explanations or additional information required by the Federal sponsoring agency including excess cash as stated in line 10c.
13a	Typed or Printed Name and Title of Authorized Certifying Official	Enter the name and title of the authorized certifying official.
13b	Signature of Authorized Certifying Official	The authorized certifying official must sign here.
13c	Telephone (Area Code, Number and Extension)	Enter the telephone number (including area code and extension) of the individual listed in Line 13a.
13d	E-mail Address	Enter the e-mail address of the individual listed in Line 13a.
13e	Date Report Submitted (Month, Day, Year)	Enter the date the <i>FFR</i> is submitted to the Federal agency using the month, day, year format.
14	Agency Use Only	This section is reserved for FHWA use.

Exhibit 16.1 – National Bridge Inventory Structure Inventory and Appraisal Sheet

Year:	State:	Structure:	Federal Agency:
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USE OF THIS DOCUMENT IS SUBJECT TO 23 USC SEC 409.

*****IDENTIFICATION*****				*****CLASSIFICATION*****	CODE
(1) STATE NAME:	CODE:			SUFFICIENCY RATING:	
(8) STRUCTURE NUMBER:				STATUS:	
(5) INVENTORY ROUTE (ON/UNDER):				(112) NBIS BRIDGE LENGTH:	
(2) HIGHWAY AGENCY DISTRICT:				(104) HIGHWAY SYSTEM:	
(3) COUNTY CODE:	(4) PLACE CODE:			(26) FUNCTIONAL CLASS:	
(6) FEATURES INTERSECTED:				(100) STRAHNET HIGHWAY:	
(7) FACILITY CARRIED:				(101) PARALLEL STRUCTURE:	
(9) LOCATION:				(102) DIRECTION OF TRAFFIC:	
(11) KILOMETERPOINT:				(103) TEMPORARY STRUCTURE:	
(12) BASE HIGHWAY NETWORK:	CODE			(105) FEDERAL LANDS HIGHWAYS:	
(13) LRS INVENTORY ROUTE & SUBROUTE:				(110) DESIGNATED NATIONAL NETWORK:	
(16) LATITUDE:	DEG	MIN	SEC	(20) TOLL:	
(17) LONGITUDE:	DEG	MIN	SEC	(21) MAINTAIN:	
(98) BORDER BRIDGE STATE CODE:		% SHARE:		(22) OWNER:	
(99) BORDER BRIDGE STRUCTURE NUMBER:				(37) HISTORICAL SIGNIFICANCE:	
*****STRUCTURE TYPE AND MATERIAL*****				*****CONDITION*****	CODE
(43) STRUCTURE TYPE MAIN - MATERIAL:				(58) DECK:	
	CODE			(59) SUPERSTRUCTURE:	
(44) STRUCTURE TYPE APPR - MATERIAL:				(60) SUBSTRUCTURE:	
	CODE			(61) CHANNEL AND CHANNEL PROTECTION:	
(45) NUMBER OF SPANS IN MAIN UNIT:				(62) CULVERTS:	
(46) NUMBER OF APPROACH SPANS:				*****LOAD RATING AND POSTING*****	
(107) DECK STRUCTURE TYPE:	CODE:			(31) DESIGN LOAD:	
(108) WEARING SURFACE / PROTECTIVE SYSTEM:				(63) OPERATING RATING METHOD:	
(A) TYPE OF WEARING SURFACE:	CODE:			(64) OPERATING RATING:	
(B) TYPE OF MEMBRANE:	CODE:			(65) INVENTORY RATING METHOD:	
				(66) INVENTORY RATING:	

(C) TYPE OF DECK PROTECTION:	CODE:	(70) BRIDGE POSTING:	
*****AGE AND SERVICE*****		(41) STRUCTURE OPEN, POSTED OR CLOSED:	
(27) YEAR BUILT:		DESCRIPTION:	
(106) YEAR RECONSTRUCTED:		*****APPRAISAL*****	CODE
(42) TYPE OF SERVICE - ON:		(67) STRUCTURAL EVALUATION:	
- UNDER:	CODE:	(68) DECK GEOMETRY:	
(28) LANES - ON STRUCTURE:	UNDER STRUCTURE:	(69) UNDERCLEARANCES, VERTICAL & HORIZONTAL:	
(29) AVERAGE DAILY TRAFFIC:		(71) WATERWAY ADEQUACY:	
(30) YEAR OF ADT:	(109) TRUCK ADT %:	(72) APPROACH ROADWAY ALIGNMENT:	
(19) BYPASS, DETOUR LENGTH:		(36) TRAFFIC SAFETY FEATURES:	
*****GEOMETRIC DATA*****		KM (113) SCOUR CRITICAL BRIDGES:	
(48) LENGTH OF MAXIMUM SPAN:		M *****PROPOSED IMPROVEMENTS*****	
(49) STRUCTURE LENGTH:		M (75) TYPE OF WORK:	CODE:
(50) CURB OR SIDEWALK - LEFT:	M RIGHT:	M (76) LENGTH OF STRUCTURE IMPROVEMENT:	
(51) BRIDGE ROADWAY WIDTH CURB TO CURB:		M (94) BRIDGE IMPROVEMENT COST:	
(52) DECK WIDTH OUT TO OUT:		M (95) ROADWAY IMPROVEMENT COST:	
(32) APPROACH ROADWAY WIDTH (W/SHOULDERS):		M (96) TOTAL PROJECT COST:	
(33) BRIDGE MEDIAN:	CODE:	(97) YEAR OF IMPROVEMENT COST ESTIMATE:	
(34) SKEW:	(35) STRUCTURE FLARED:	(114) FUTURE ADT:	
(10) INVENTORY ROUTE MIN VERT CLEAR:		M (115) YEAR OF FUTURE ADT:	
(47) INVENTORY ROUTE TOTAL HORIZ CLEAR:		M *****INSPECTIONS*****	
(53) MIN VERT CLEAROVER BRIDGE RDWY:		(90) INSPECTION DATE:	(91) FREQUENCY:
(54) MIN VER UNDERCLEAR REF:		M (92) CRITICAL FEATURE INSPECTION:	(93) CFI DATE
(55) MIN LAT UNDERCLEAR RT REF:		M (A) FRACTURE CRITICAL DETAIL:	A) /
(56) MIN LAT UNDERCLEAR LEFT:		M (B) UNDERWATER INSP: Yes	B) /
*****NAVIGATION DATA*****		(C) OTHER SPECIAL INSP: Yes	C) /
(38) NAVIGATION CONTROL:	CODE:	*****WASHINGTON OFFICE FIELDS*****	
(111) PIER PROTECTION:	CODE:	(DT) DEDUCT CODE:	
(39) NAVIGATION VERTICAL CLEARANCE:		M (RC) SPECIAL CODE:	
(116) VERT-LIFT BRIDGE NAV MIN VERT CLEARANCE:		M (DLU) DATE LAST UPDATE (MM/DD/YYYY):	
(40) NAVIGATION HORIZONTAL CLEARANCE:		M (TLU) TYPE LAST UPDATE:	
		PROGRAM CODE:	
		PROJECT NUMBER:	

Exhibit 16.2 – TTP Bridge Program Certification Checklist**TTP BRIDGE PROJECT** _____

Project Name: _____ Project Number: _____

Structure No. (item 8): _____ ID Number: _____ Region: _____

Agency: _____ Reservation: _____

County: _____ State _____

Project Location: _____

General Description of the Work: _____

Ownership: _____ BIA: _____ If non-BIA owned, provide the following:

Name of Owner: _____ Point of contact (name): _____

Point of Contact's phone number: _____

Sufficiency Rating: _____ (Note: Attach SI&A data sheet on which this project is based)

Status:

Type of Construction: _____ ADT (item 29): _____

Detour Length (item 19): _____ (miles) Truck ADT (item 109) _____ Function Class (item 26): _____

Do School Buses use this bridge? _____ How many trips per day? _____

Safety Issues involved with this project? _____

Does the bridge project have Right of Way? _____ If Yes, date obtained: _____

NEPA Compliance, Date: _____ Archeological/Cultural Resource Compliance, Date: _____

PS&E Approval, Date: _____

Estimated cost of the construction contract (funds Requested): \$ _____

Remarks: _____

We certify that the bridge project PS&E package is complete, approved, and the project is ready to proceed to construction and request funding:

Tribal Transportation Director (approval): _____


Date: _____

Exhibit 17.1 - High Priority Project Scoring Matrix

Score	10	5	3	1	0
Accident and fatality rate for candidate route ¹	Severe	N/A	Moderate	minimal	No accidents
Years since last TTP construction project completed.	Never	Last project more than 10 years ago	Last project 5-9 years ago	Last project within last 1 to 4 years	Currently has project
Readiness to Proceed to Construction or TTP Bridge Program Design Need	PS&E Complete and approved	Bridge Replacement PS&E development Project	Bridge Rehabilitation PS&E development Project	Non-bridge PS&E development Project	
Percentage of Project matched by other funds	N/A	80 percent or more by other funds	20 – 79 percent by other funds	1 – 19 percent	No other funds
Amount of funds requested ²	N/A	250,000 or less	250,001 – 500,000	500,001-750,000	Over 750,000
Geographic isolation	No external access to community	Substandard Primary access to community	Substandard Secondary access to community	Substandard access to tribal facility	
All weather access for: -employment -commerce -health -safety -educational resources -housing	Addresses all 6 elements	Addresses 4 or 5 elements	Addresses 3 Elements	Addresses 2 elements	Addresses 1 element

¹ National Highway Traffic Safety Board standards² Total funds requested, including preliminary engineering, construction, and construction engineering.

Exhibit 17.2 – TTP HPP Project Application (Non-Emergency/Disaster)

IRR High Priority Project Application (non-emergency / disaster)		
	Tribal / Applicant Information	Scoring Information
1	Name _____	18 ACCIDENT DATA (last 5 years)
2	Address _____	19 AADT _____
	line 1: _____	20 # of Fatality Accidents _____
	line 2: _____	21 # of Injury Accidents _____
3	County/State _____	22 # of Property Damage Accidents _____
4	BIA Region _____	23 Years Since Last IRR Project _____
5	Tribal Representative _____	24 Total Project Amount \$ _____
6	Title _____	25 Matching Funds Available \$ _____
7	Phone # _____	26 HPP Funds Requested \$ _____
8	Fax # _____	27 GEOGRAPHICAL ISOLATION
9	Tribal Authorization/ Resolution Date _____	28 Route Functional Classification _____
		29 Construction Need _____
		30 ALL WEATHER ACCESS
		31 Number of all weather access elements _____
Project Information		
10	Project Name _____	
11	Project Description _____	
12	Project Type _____	
13	Route Number _____	
14	Section Number _____	
15	Project I.D. # _____	
16	Project Length _____	
17	NBIS # (if applicable) _____	
32	Submitted By: _____ (name & title)	
	Signature: _____ Date: _____	
33	Reviewed By: _____ (name & title)	
	Signature: _____ Date: _____	

IRR HPP Regional Checklist Non-Emergency / Disaster	
<input type="checkbox"/>	<p>Tribal Annual IRR Allocation Verification</p> <p>Appropriate BIA Documentation Provided by Region</p>
<input type="checkbox"/>	<p>Eligible IRR HPP Activity (supporting documentation)</p> <p>IRR Inventory verification - (5704 summary sheet RIFDS) Tribal resolution - Priority</p>
<input type="checkbox"/>	<p>PS&E Verification</p> <p>Signed / Stamped Plan Cover Sheet & Engineers Estimate or PS&E Approval requirements per Title 23, Chapter 2, sec 202 (d) (2) (F) (ii).</p>
<input type="checkbox"/>	<p>Application Form Completed</p>
<input type="checkbox"/>	<p>Accident & Fatality Rate Data (if applicable)</p> <p>ADT Data for Candidate Route</p> <p>Certifiable source of data from law enforcement or governmental agency indicating the location and type of the accident.</p>
<input type="checkbox"/>	<p>Years since Last IRR Project</p> <p>BIA Federal Finance System Documentation</p>
<input type="checkbox"/>	<p>Percent Match Verification</p> <p>MOU of responsible agency or matching entity with contact information.</p>
<input type="checkbox"/>	<p>All Weather Access Verification</p> <p>Strip Map - Indicating project proximity to elements.</p>
<input type="checkbox"/>	<p>Other Attachments (not required)</p> <p>Complete Plans Photos</p>
<p>Regional Certification</p> <p>Prepared By: _____</p> <p>Date: _____</p> <p>Regional Roads Engineer: _____</p> <p>Date: _____</p>	

Instructions to IRR HPP Application Form (non-emergency / disaster)**Item # Description****Tribal / Applicant Information**

- 1 Name**
Input the name of the applicable Reservation / Tribal community / Native Alaskan Village / Rancheria.
- 2 Address**
Input the Mailing Address of the applicable Reservation / Tribal community / Native Alaskan Village / Rancheria.
- 3 County / State**
Input the county and state in which is applicable to the project
- 4 BIA Region**
Input the appropriate BIA Region
- 5 Tribal Representative**
Input the appropriate tribal contact representative.
- 6 Title**
Title of appropriate tribal contact representative.
- 7 Phone #**
Phone number of tribal contact.
- 8 Fax #**
Fax number of tribal contact.
- * **9 Tribal Authorization / Resolution**
Tribal Authorization by resolution required for HPP program according to Sec. 170.210 (f) 'Documentation from the tribe providing authority for BIA to place the project on an IRRHPP TIP if the project is selected and approved.' In addition the resolution must identify proposed HPP project as the highest priority. Attach to application.

Project Information

- 10 Project Name**
Input name of proposed HPP project.
- 11 Project Description**
Input as much information as necessary to adequately describe the overall proposed project, scope and location. For example: *Earthwork, Grading, Drainage, Aggregate, Pavement, Erosion Control etc.* Any other information regarding the up-grade or route enhancements.
- 12 Project Type**
Choose from the following: Construction, Non-Bridge PS&E Development, Bridge Replacement PS&E Development, Bridge Rehabilitation PS&E Development.
- 13 Route Number**
Input IRR Inventory Route Number(s)
- 14 Section Number**
Input IRR Inventory Section Number(s)
- 15 Project I.D. #**
Input BIA Project ID number if available.
- 16 Project Length**
Input over-all length of project.
- 17 NBIS #**
Input the National Bridge Inventory System number if appropriate to proposed project.

* Items that require
verification/attachments
per IRR HPP Checklist

Scoring Information

- 18 Accident Data (last 5 years)**
The following data is required for the Weighted Highway Index (WHI).
- * **19 AADT - Annual Average Daily Traffic**
AADT is ADT multiplied by 365. Input this number for route.
- * **20 # of Fatality Accidents**
Input the number of accidents on specified route and section in which there have been fatalities.
- * **21 # of Injury Accidents**
Input the number of accidents on specified route and section in which there have been injuries.
- * **22 # of Property Damage Accidents**
Input the number of accidents on specified route and section in which there have been property damage.
- 23 Years Since Last IRR Project**
Input the number of years since the last COMPLETED IRR Project.
- 24 Total Project Amount**
Input total project dollar amount
- * **25 Matching Funds Available**
Input the amount of applicable matching funds available. Match indicate dollars from a Non-IRR source to be utilized in the project. Will require certification. Utilized for percent match element of scoring matrix - evaluated against TOTAL project amount.
- 26 HPP Funds Requested**
Include the amount of HPP dollars requested to include preliminary engineering, construction, and construction engineering.
- 27 Geographical Isolation**
The following data is required in order to determine geographical isolation criteria.
- 28 Route Functional Classification**
Input the IRR Inventory Functional Classification for route and section.
- 29 Construction Need**
Input the IRR Inventory Construction Need for route and section.
- * **30 All Weather Access**
The following information is utilized to determine the number of all weather access elements per scoring matrix. Each element is required to directly access proposed project. (directly access means that element 'touches' project within the proposed project limits) Will require mapping information for certification.
- * **31 Number of All Weather Access Elements**
Input the number of all weather access elements:
Employment - Jobs or Employment
Commerce - Business or Trade
Health - Hospital, Clinic, Pharmacy, Dental etc.
Safety - Fire, Police, Law Enforcement etc.
Educational Resources - Elementary Schools, High Schools, Colleges, Library, Technical or Trade School etc.
Housing - Residential Housing
- 32 Submitted By**
Name and title of person submitting application.
- 33 Reviewed By**
Name and title of BIA Regional Reviewing Official.

* Items that require
verification/attachments
per IRR HPP Checklist

Exhibit 17.3 – TTP HPP Project Application (Emergency/Disaster)

IRR High Priority Project Application Emergency/Disaster	
Tribal / Applicant Information	Project Information
1 Name _____ 2 Address _____ line 1: _____ line 2: _____ 3 County/State _____ 4 BIA Region _____ 5 Tribal Representative _____ 6 Title _____ 7 Phone # _____ 8 Fax # _____ 9 Tribal Authorization/ Resolution Date _____ 10 Pending IRRHPP Application? _____ 11 Contacted Regional ERFO Coordinator? _____	14 Project Name _____ 15 Route Number _____ 16 Section Number _____ 17 Project I.D. # _____ 18 Project Length _____ 19 NBIS # (if applicable) _____ 20 Ownership of Route _____ 21 Terrain _____ 22 Surface Width _____ 23 Surface Type _____ 24 Amount Requested \$ _____ 25 Date of Event _____
Emergency/Disaster Information	
12	Description and Cause of Damage
13	Scope/Description of Proposed Repairs
26	Submitted By: _____ (name & title) Signature: _____ Date: _____
27	Reviewed By: _____ (name & title) Signature: _____ Date: _____



IRR HPP Regional Checklist - Emergency / Disaster

Tribal Annual IRR Allocation Verification

Appropriate BIA Documentation Provided by Region

Eligible IRR HPP Activity (supporting documentation)

IRR Inventory verification - (5704 summary sheet RIFDS)
Tribal resolution - Priority

Application Form Completed

Other Attachments

Photos

Location Map

Preliminary sketches or drawings illustrating the damage or proposed repairs.

Any official ERFO related documentation available

Regional Certification

Prepared By: _____

Date: _____

Regional Roads Engineer: _____

Date: _____

Instructions to IRR HPP Application Form - Emergency / Disaster	
Item #	Description
Tribal / Applicant Information	
1	Name Input the name of the applicable Reservation / Tribal community / Native Alaskan Village / Rancheria.
2	Address Input the Mailing Address of the applicable Reservation / Tribal community / Native Alaskan Village / Rancheria.
3	County / State Input the county and state in which is applicable to the project
4	BIA Region Input the appropriate BIA Region
5	Tribal Representative Input the appropriate tribal contact representative.
6	Title Title of appropriate tribal contact representative.
7	Phone # Phone number of tribal contact.
8	Fax # Fax number of tribal contact.
* 9	Tribal Authorization / Resolution Tribal Authorization by resolution required for HPP program according to Sec. 170.210 (f) 'Documentation from the tribe providing authority for BIA to place the project on an IRRHPP TIP if the project is selected and approved.' In addition the resolution must identify proposed HPP project as the highest priority. Attach to application.
10	Pending IRR Application Indicate yes or no. Eligibility per 170.205 (3) (b) 'Eligible applicants may have only one HPP application pending at any time. This includes emergency / disaster applications.
11	Contacted Regional ERFO Coordinator? Indicate yes or no. per 170.207 applicants are encouraged to apply for FHWA/ERFO Program funding if the project meets the requirements of the program.
Emergency / Disaster Information	
12	Description and Cause of Damage Input as much information as necessary to adequately describe event which occurred and subsequent damage to the route. Per 170.206. Declare major disaster declaration if known.
13	Scope / Description of Proposed Repairs Input as much information as necessary to adequately describe the overall proposed project, scope and location. For example: Earthwork, Grading, Drainage, Aggregate, Pavement, Erosion Control etc.

* Items that require verification/attachments per IRR HPP Checklist

Project Information	
14	Project Name Name of project.
15	Route Number Input IRR Inventory Route Number(s)
16	Section Number Input IRR Inventory Section Number(s)
17	Project I.D. # Input BIA Project ID number if available.
18	Project Length Input over-all length of project.
19	NBIS # Input the National Bridge Inventory System number if appropriate to proposed project.
20	Ownership of Route(s) Indicate who owns (responsible for) route(s).
21	Terrain Indicate terrain type - Flat, Rolling, Mountainous etc.
22	Surface Width Width of travel-way surface
23	Surface Type Surface type of route(s) - Aggregate, Pavement etc.
24	Amount Requested Dollar amount estimated for repairs described.
25	Date of Event Specify the date event occurred
26	Submitted By Name and title of person submitting application.
27	Reviewed By Name and title of BIA Regional Reviewing Official.

* Items that require
verification/attachments
per IRR HPP Checklist