



Miami Tribe of Oklahoma

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May 7, 2018

Cynthia Johnson Elmore
Metro Historic Preservation Officer
Louisville Metro Planning and Design Services
444 S. 5th Street, Ste. 300
Louisville, KY 40202

Re: Programmatic Agreement for Administration of the City of Louisville's Community Development Programs – Comments of the Miami Tribe of Oklahoma

Dear Ms. Elmore:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

Although the Miami Tribe of Oklahoma is not a signatory to the Indiana NRCS Prototype Programmatic Agreement, we reserve the legal right to be notified and consulted regarding any unanticipated discoveries that are determined to have Native American affiliation. This includes the ability to be consulted with in a timely manner regarding identification and evaluation of discovered properties to determine if they are properties to which the tribe attaches religious or cultural significance. Additionally, if a discovered property is one to which the Tribe attaches religious or cultural significance, the Tribe maintains the full array of rights regarding consultation and involvement in the Section 106 process.

To the extent that any applicable state law is contrary to, inconsistent with, or would frustrate the purposes of the Native American Graves Protection and Repatriation Act (NAGPRA), federal law preempts such state law. Further, should human remains or cultural items be discovered, the obligation following law enforcement clearance is to notify the appropriate Federally Recognized Indian Tribes to begin the consultation process.

In the case of an unanticipated discovery, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

Respectfully,

A handwritten signature in cursive script that reads "Diane Hunter".

Diane Hunter
Tribal Historic Preservation Officer
Miami Tribe of Oklahoma