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February 7, 2015

U.S. Department of the Interior
Office of Regulatory Affairs & Collaborative Action
C/o Ms. Elizabeth Appel
1849 C Street, NW
Washington, D.C. 20240

RE: 1076-AF19

Dear Ms. Appel,

The Craig Tribal Association (CTA) hereby puts forth some comments, suggestions, or concerns to the proposed Notice of Proposed Rule Making on the Tribal Transportation Program Regulations, Docket ID: BIA 2014-0005.

170.5 What definitions apply to this part?

National Tribal Transportation Facility Inventory (NTTFI) means at a minimum, transportation facilities that are eligible for assistance under the Tribal Transportation Program that an Indian Tribe has requested, including facilities that meet at least one of the criteria:

(1). Were included in the Bureau of Indian Affairs System Inventory prior to October 1, 2004. Please strike this from the list because it was thereafter and currently that all 565 Tribal Nations in the U.S.A. were able to participate within this process at 100%. Having this in doesn't clearly identify the unmet need out in Indian Country and could hurt us as we strive to move forward with higher allocations for this program.

Transportation Planning means developing land use, economic development, traffic demand, public safety, health and social, strategies to meet transportation current and future needs. Please add to this sentence (cultural, historical, and archeological).

170.135 What is the Tribal Transportation Program Coordinating Committee (TTPCC)?

2) (b) The Committee consists of 24 Tribal Regional Representatives (two from each BIA Region) and two non-voting Federal Representatives (BIA and FHWA)

Please add that of the two representatives from each BIA Region, there will be primary representative and alternate from each Region.

170.443 What is required to successfully include a proposed Transportation Facility in the NTTFI?
Please take 170.443 from the proposed rule. This action would put financial hardship on Tribal governments that have no connectivity to our communities and are isolated in such manner as many Villages in Alaska. The Alternative action would be to allow proposed transportation facilities in the NTTFI the initial submittal, but after the 3rd year must show proof of environmental documentation, financial plan for construction, and construction schedule.

170.446 What minimum attachments are required for an NTTFI Submission?

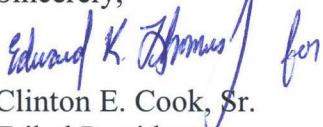
(f) Incidental cost verification: Provide an estimate, analysis and justification to verify the need of additional incidental items required to improve the road to an adequate standard. The analysis and justification must be specific to the route or facility being submitted.

Please take 170.446 (f) from the proposed rule. It's another unjustifiable cost burden to tribes within their planning process. These are pre-construction and construction types of activities and should not be a requirement for an inventory submittal.

The CTA feels that these proposed regulations should have been modified through a negotiated rule making process, versus the federal government making proposed changes and having consultations on regulations that will never get modified past the Notice of Proposed Rule Making Process. If, there is potential can you show us the matrix to make it happen? The meetings are somewhat staged and is generally formality within the system.

CTA thanks BIA an FHWA for allowing us to participate and submit comments on the NPRM on the Tribal Transportation Program. Thanks again for your time and consideration. We look forward in hearing from you all soon.

Sincerely,


Clinton E. Cook, Sr.
Tribal President
Craig Tribal Association