Project Readiness

Planning and Constructability

STIP / TIP / TTIP / TAM Plan

The Rosebud Sioux Tribe (RST) has long identified the need for the Project, however, due to funding limitations completion of the Project has not been possible. It was listed as a priority project in the 2007 Long Range Transportation Plan (LRTP) and is listed in the current draft 2026 LRTP and 2024 Pavement Preservation Plan. It is listed in the current Tribal Transportation Improvement Program (TTIP) as Kilgore Road BIA Rt.1 to NE line and is the No. 1 priority project. The RST Priority List can be found at: https://inputcentral.com/RSTBUILD

Consistency with Other Plans

The Project is listed in the draft 2026 LRTP, 2024 Pavement Preservation Plan and aligns with the 2021 Tribal Transportation Safety Plan (TTSP) and 2020 Road Safety Audit (RSA). Public engagement meetings were conducted during the development of the 2020 RSA, 2021 TTSP, and most recently for the draft 2026 LRTP. The groups identified a number of transportation safety issues and needs based projects, and this project is number one on the Tribe's Priority List.

Freight Plans

The project is not considered a freight project and is not included in a freight plan.

Property Acquisition / Right-of-Way (ROW)

It was discovered during preliminary engineering design that there is no platted right-of-way documents filed at the county courthouse for fee land or with the BIA Lands Titles and Records office for BIA Route 1. Unfortunately, this is a common issue with BIA roads, especially roads which were constructed many years ago when requirements for right-of-way on trust lands were lacking.

Cherry County has jurisdiction of the 6.2 miles of Kilgore Rd that is in Nebraska, and it is expected right-of-way documents are filed at the county courthouse. It is also anticipated that the existing ROW is narrow, and additional ROW will be needed due to a wider road, longer culverts, and wider ditches that will need to be inside ROW for maintenance by the Cherry County Highway Department.

Due to the need for right-of-way, cadastral/boundary survey, plats, exhibits, and appraisals will be completed for the entire 17-mile project. Because acquisition costs for right-of-way are a capital cost, it is not included in this project but will be paid through TTP or a future construction grant.

Construction Techniques and Phasing

This is a planning project so no construction techniques, non-standard project delivery methods, or construction phasing will be used. These will be evaluated during the planning stages for innovative project delivery.

Proposed Schedule

This Project is positioned to begin promptly upon grant obligation, with consultant contracting in early 2027. The schedule is based on time of award and obligation as well as anticipated risk and mitigation strategies. The planning and preconstruction activities included in the grant application are fees for survey, preliminary design, public engagement, coordination with utilities, NEPA, final design, right-of-way exhibits and appraisals, and project management. RST anticipates final design will be completed by the end of 2031.

Planned Project Milestones	
BUILD Funds Obligation	June 2026 - June 2027
RST Consultant Contract	July 2027 – September 2027
Permissions to Survey, Topographic, Cadastral, Environmental and Geotechnical Surveys	October 2027 – December 2028
Preliminary Engineering Design	January 2029 – March 2030
RST & Cherry County Initial Review	October 2029 – December 2029
Public and Stakeholder Meetings	January 2030 – March 2030
Preliminary Review of Utilities Location and Notice to Utility Owners	November 2029 – April 2030
NEPA Process – Agency Consultations	October 2029 – December 2029
NEPA Process – Impacts Evaluation	January 2030 – March 2030
NEPA Process – Environmental Assessment Submittal and Reviews	April 2030 – September 2030
Final Engineering Design	October 2030 – December 2031
Final Determination of Impacts to Utilities, Coordination, and Agreements for Relocation	October 2030 – June 2031
ROW Plats & Temp Easement Exhibits	January 2031 – March 2031
Appraisals/Market Study	January 2031 – June 2031
RST & Cherry County Final Review	April 2031 – June 2031
ROW & TE Acquisition *	September 2031 – December 2031
PS&E Approval	December 2031

*Right-of-Way and temporary construction easement acquisition (capital cost) estimated at $933,000 are not included and will be paid for using TTP funds or a future construction grant.

NEPA and Permitting

NEPA Class of Action

The NEPA process has not begun, and the class of action has not yet determined but is anticipated to be an environmental assessment.

NEPA Status and Milestones.

NEPA compliance has not begun. Even though preliminary engineering has begun on BIA Route 1 including some environmental surveys, the NEPA process has not been started, and no state or federal agencies have been solicitated for information.

Environmental Investigations and Clearances

National Environmental Policy Act (NEPA) clearance is required prior to final engineering, right-of-way and temporary construction easement acquisition, and construction. Environmental surveys have been started for the 10 miles of BIA Route1.

The Rosebud Sioux Tribal Historic Preservation Office (THPO) will perform the cultural resource survey for the project located within the Rosebud Indian Reservation. The consultant archeologist will perform the cultural resource survey in the Nebraska portion of the project. Field delineating existing wetlands, Other Waters of the US, cultural resources, and threatened endangered species within the area of potential impact is essential for determining grading impacts. The first choice for limiting impacts is avoidance, although it may not be possible, and could risk not achieving transportation safety goals. If mitigation is needed, the RST Transportation Program's consultant will work with the oversite agencies for a mitigation plan.

Permits and Approvals

No permits or approvals have been solicited for the Project. Through this Project's planning process necessary permits will be determined and listed in the NEPA document. It is anticipated that those permits and approvals will include concurrence from the Rosebud Sioux Tribal Historic Preservation Office, concurrence from the Nebraska State Historic Preservation Office, EPA Construction General Permit, Nebraska Department of Natural Resources, US Army Corps of Engineers 401 Certification and 404 permit, Section 7 consultation with US Fish and Wildlife for Threatened and Endangered Species, and NRCS farmland permit. Hydrology and hydraulic analysis of the large drainage structure on Kilgore Rd at Minnechaduza Creek will be completed but a FEMA floodplain has not been mapped in the area, and it is not anticipated that coordination with FEMA will be required. BIA Realty Office will review appraisals and acquisition documents for trust lands. The NEPA document will be submitted to the Federal Highway Administration Office of Tribal Transportation's Environmental Coordinator for review and approval.

Coordination with DOT.

Through the planning process coordination with local, state, and/or federal agencies will occur. Initial meetings and correspondence to solicit Project support have occurred with the Cherry County Commissioners, St. Francis Indian School staff, and leaders from the communities of St. Francis and Kilgore. Should the Project be awarded grant funding, the RST Transportation Program will work with the Federal Highway Administration Office of Tribal Transportation to administer the Project, submit reports for the grant, review plans, complete the NEPA process, and submit final Plans, Specifications, & Estimate. Because the Project connects to US Highway 20, coordination with the Nebraska Department of Transportation will occur.

Project Support

Public and Agency Involvement Process and Results

RST tribal member, Cherry County resident, stakeholder, and landowner input and support of this project will ensure long-term project success. Since the project is in the planning phase, a formal public engagement plan has not been developed. As the project moves along, RST with the assistance of Cherry County Commissioners will utilize tactics and community involvement to implement effective methods to share information, explore needs and concerns, establish and strengthen relationships, maintain dialogue with the affected communities, and to assess and mitigate impacts throughout all stages of the transportation decision-making process. A formal public/stakeholder engagement plan will be developed during the planning process.

The Project has received tremendous support from local and community agencies as well as state representative support. All support letters for the Project can be found at: https://inputcentral.com/RSTBUILD.

Risks and Mitigation

Through the planning and preconstruction activities, a risk mitigation plan will be developed to identify any risks, such as procurement delays, environmental uncertainties, increases in costs, legal acquisitions, and equipment and materials availability, to mitigate delays in the project areas moving into construction phases.

Due to the Project only completing planning and preconstruction activities, it is considered low risk. The Project will be administered and managed by RST Transportation Program staff who will lead design and liaison with the engineering consultant. Cherry County Commissioners are in support of the Project and will support the RST Transportation Program staff with correspondence, plan reviews, meetings, and landowner and stakeholder communications. Minimal challenges have been identified, and RST feels confident these can be mitigated through final design and permitting. Costs are based on prior experience and project planning including preliminary engineering, design, ROW, and NEPA. If actual construction costs exceed the BUILD grant funding, RST will dedicate additional TTP funding to cover overruns.

Technical Capacity Assessment

Roles and Responsibilities

The RST Transportation Program will administer the project with support and input from Cherry County, NE, St. Francis and Kilgore communities, and St. Francis Indian School. RST has diligently worked to identify and prioritize transportation project needs against available funds. They have successfully and responsibly administered their limited TTP funding on necessary and high-priority transportation improvement projects while making all efforts to leverage additional funds from competitive funding programs. They have experience with grant reporting and annual reporting to the Federal Highway Administration's Tribal Transportation Program Port Reporting. They have consistently proven to be a good steward of Federal funding and are well-versed in the reporting requirements associated with federal grants. RST has recently and successfully administered USDOT MPDG Rural, TIGER, TTPSF, Tribal Bridge Improvement Program, and other federal and state grant awards.

Federal Funding

RST is committed to maintaining their infrastructure investments as they are critical to the Reservation's economic competitiveness and quality of life for residents. They have a long history of planning, designing, and delivering successful capital projects. The Tribal Transportation Program (TTP) is the primary source of annual allocated transportation funding for the Tribe. RST has extremely limited resources for local funds, so they rely solely on federal funds to maintain a safe and efficient transportation system. RST has a long history of managing both federally funded projects, underscoring its capacity to successfully oversee, report on, and achieve significant outcomes in line with grant objectives. The Tribe has staff that are well-versed in the reporting requirements associated with federal grants.

Federal Regulations

In addition to compliance with the state of Nebraska and Cherry County for the 6.2 miles of Kilgore Rd, the final plans will specify compliance with all Tribal and Federal requirements including TECRO, Buy America provisions, ADA regulations, Uniform Relocation Assistance and Real Property Acquisition Act, Civil Rights requirements, Federal Motor Vehicle Safety Standards, and Federal Motor Carrier Safety Regulations.

Project Planning

The Project is listed on pages 102, 117-119, and 129-130, of the draft 2026 LRTP, pages 15-16 and 22 of the 2024 Pavement Preservation Plan, pages 11-12, and 63 in the 2020 RSA, and is the No. 1 Priority Project on the RST's Tribal Priority Listing. All planning documents can be found at: https://inputcentral.com/RSTBUILD.

Project Delivery

Recent projects of similar size and scope:

FY 2016 TIGER Discretionary Grant Program - BIA Route 7 to US Highway 83 Improvement Project, cost of $14.62 million. The construction of phase 1 was successfully completed, all TIGER funds expended, RST has complied with all grant requirements, and the grant agreement was closed in January 2026. RST will provide performance measures reports for three years following the project in accordance with the grant agreement.

TTP Bridge Program - Since FY2015, RST Transportation Program has completed planning and construction for 8 bridges, including Beads Creek, Crow Dog, Hollow Horn Bear, Lambert, Yellow Cloud, Old Hollow Wood, Two Strike, and Valandra, totaling $15,306,761. The planning and construction of these bridges complied with all Tribal and Federal regulations.