



DELAWARE TRIBE OF INDIANS

220 N.W. VIRGINIA • BARTLESVILLE, OKLAHOMA 74003

TELEPHONE: (918) 336-5272 • FAX: (918) 336-5513

September 17, 2003

Scott Vogel
Kansas Department of Transportation
Bureau of Design
Docking State Office Building
915 SW Harrison St., 9th Floor
Topeka, KS. 66612-1568

Re: 24-105 K-8248-01, Wyandotte County.

Dear Mr. Vogel,

Thank you for providing the survey report for the above referenced project. Although we understand that the grave of Chief Ne-Con-He-Con will not be directly impacted by the proposed highway project, **the Delaware Tribe does not agree with the archaeologist's conclusion that there is little potential for other graves in the immediate vicinity.** We are particularly concerned and believe it is likely that other Delaware burials exist within or near the project area.

However, the Delaware Tribe does not feel it necessary nor appropriate to pursue further archaeological mitigation but we do ask that an archaeologist and/or tribal representative be included in the scope of work for this project to monitor all earth moving activities within .2 of a mile of 14WY401. Please inform us when this project will begin and who will monitoring the excavation during construction.

If you have any questions, please contact this office at Brice Obermeyer, NAGPRA Director, 220 NW Virginia, Bartlesville, OK 74003 or by phone, (918) 336-5272, ext. 558.

Sincerely,

Brice Obermeyer
NAGPRA Director
Delaware Tribe of Indians