

## **D-2 Tribal Consultation**





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

Aviation Safety

800 Independence Ave., SW.  
Washington, DC 20591

President Misty M. Nuttle  
Pawnee Nation of Oklahoma  
PO Box 470  
Pawnee, OK 74058

Transmitted via e-mail and mail: [mnuttle@pawneenation.org](mailto:mnuttle@pawneenation.org)

**RE: Invitation for Government-to-Government Tribal Consultation for Drone Package Delivery Operations in Omaha, Nebraska**

Dear President Nuttle,

The purpose of this letter is to initiate formal government-to-government consultation regarding a proposal under consideration by the Federal Aviation Administration (FAA) to authorize commercial Unmanned Aircraft Systems (UAS) operators to deliver goods to customers (referred to as package delivery) using unmanned aircraft (also referred to as drones) in accordance with 14 Code of Federal Regulations Part 135 (Part 135) in the state of Nebraska. The FAA is the lead federal agency for government-to-government consultation for the proposed project. Amazon.com Services LLC, doing business as Amazon Prime Air, is the proponent of the project. We wish to solicit your views regarding potential effects on tribal interests in the area.

The primary purpose of government-to-government consultation is to ensure that Federally Recognized Tribes are given the opportunity to provide meaningful and timely input regarding proposed FAA actions that uniquely or significantly affect the Tribes. This policy is provided in Federal Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*; Presidential Memorandum, *Uniform Standards for Tribal Consultation*; DOT Order 5301.1A, *Department of Transportation Tribal Consultation Policy and Procedures*; and FAA Order 1210.20, *American Indian and Alaska Native Tribal Consultation Policy and Procedures*.

**Consultation Initiation**

With this letter, the FAA is seeking input concerning any Tribal lands or sites of religious or cultural significance that may be affected by the proposed operation. Early identification of Tribal concerns, or known properties of traditional, religious, and cultural importance, will allow the FAA to consider ways to avoid or minimize potential impacts to Tribal resources. We are available to discuss the details of the proposed project with you.

**Proposed Activity Description**

The FAA is preparing an Environmental Assessment to assess the potential environmental impacts of commercial package delivery operations using drones in Nebraska under Part 135. Since 2019, the FAA has been issuing air carrier certificates to UAS operators in accordance with Part 135 so that operators can conduct package delivery flights. Generally, these approvals are associated with issuing a new or amended Part 135 air carrier Operations Specifications as the operative approval. For your reference, the project description used for consultation under Section 106 is enclosed with this letter.

**Confidentiality**

We understand that you may have concerns about the confidentiality of information on areas or resources of traditional, religious, and cultural importance to your Tribe. We are available to discuss these concerns and develop procedures to ensure the confidentiality of such information is maintained.

**FAA Contact Information**

We anticipate that this letter will arrive by regular mail no later than June 11, 2026. Your timely response over the next 30 days will greatly assist us in incorporating your concerns into our environmental review of the operation. In addition, we respectfully request your response in the event that the Pawnee Nation of Oklahoma would like to consult with the FAA in a government-to-government relationship about this proposal. Please contact Christopher Hurst via email at [9-faa-drone-environmental@faa.gov](mailto:9-faa-drone-environmental@faa.gov) within 30 days of receipt of this letter to confirm your intent to participate in this government-to-government consultation.

Sincerely,

Enclosure:

Attachment A – Section 106 Consultation Package

CC: Mr. Matt Reed  
Tribal Historic Preservation Officer

**RE: Invitation for Government-to-Government Tribal Consultation for Drone Package Delivery Operations in Omaha, Nebraska**

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Derek Hufty  
Manager, General Aviation and Commercial Branch (AFS-750)  
Emerging Technologies Division  
Office of Safety Standards, Flight Standards Service

**Attachment A**  
**Section 106 Consultation Package**



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

Aviation Safety

800 Independence Ave., SW.  
Washington, DC 20591

Mr. Matt Reed  
Tribal Historic Preservation Officer  
Pawnee Nation of Oklahoma  
PO Box 470  
Pawnee, OK 74058

Transmitted via e-mail and mail: [jreed@pawneenation.org](mailto:jreed@pawneenation.org)

**RE: Section 106 Consultation for Drone Package Delivery Operations in Omaha, Nebraska**

Dear Mr. Reed,

The Federal Aviation Administration (FAA) is currently evaluating Amazon Prime Air's proposal to conduct commercial drone delivery operations in Nebraska. Amazon Prime Air must obtain approval from the FAA prior to introducing operations and operating the MK30 drone. The FAA has determined that its proposed action, which would encompass all FAA approvals necessary to enable operations, is an undertaking as defined under the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (36 CFR § 800.16(y)). The purpose of this letter is to initiate Section 106 consultation with the Pawnee Nation of Oklahoma and to solicit your views regarding potential effects on tribal interests in the area. The FAA has begun an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) to analyze the proposed action. FAA intends to complete consultation for Section 106 of the NHPA concurrently with the NEPA process.

**Project Description**

Amazon Prime Air is proposing to transport consumer goods via drone delivery in the communities around Omaha, NE by using the MK30 drone. The MK30 drone would take off from a Prime Air Drone Delivery Center (PADDC), which has already been constructed, and quickly rise to a cruising altitude of between 180 to 377 feet above ground level (AGL). The MK30 drone weighs approximately 87 pounds and can transport a small package up to about 5 pounds. The MK30 drone has an approximate 7.5-mile service radius. Once at the delivery site, the MK30 drone hovers in place at about 13 feet AGL and drops the package to the ground. Once the package has been delivered, the drone flies back to the PADDC at roughly the same altitude.

Amazon Prime Air is proposing up to 1,000 MK30 drone flights per day from the proposed PADDC located in the Omaha metropolitan area, with each flight taking a package to a customer delivery address before returning. There is variability in the number of flights per day based on customer demand and weather conditions. Initially, Amazon Prime Air expects to fly much less than 1,000 flights per day from each PADDC and gradually ramp up to the proposed level as consumer demand increases. Drone flights are planned to occur up to 365 days a year, with operations being conducted between 6:00 A.M. and 10:30 P.M. There are no ground disturbing activities associated with this proposed action.

**Area of Potential Effects**

In accordance with 36 CFR § 800.4(a)(1), the FAA has defined the Area of Potential Effects (APE) in consideration of the undertaking's potential direct and indirect effects. The proposed APE consists of a 15-mile

diameter circle centered on the Omaha metropolitan area, which is generally developed and populated. The APE has been coordinated with the Nebraska State Historic Preservation Office (SHPO) and PADDCC operations are only expected to occur within the proposed 15-mile APE. The enclosed map (see Attachment A) shows the proposed APE in detail.

### **Identification of Historic Properties**

The proposed undertaking does not have the potential to affect below ground or archeological resources because the undertaking does not include ground disturbance but could result in auditory or visual effects. Therefore, the FAA focused its identification efforts on above-ground historic properties.

### **Consultation**

The FAA is now soliciting the opinion of the tribes concerning any tribal lands, or sites of religious or cultural significance that may be affected by the proposed operations area. We anticipate that this letter will arrive by regular mail no later than June 11, 2026. Your response over the next 30 days will greatly assist us in incorporating your concerns into our environmental review of the operation. If you have any questions or need additional information, please contact Christopher Hurst via email at [9-faa-drone-environmental@faa.gov](mailto:9-faa-drone-environmental@faa.gov) within 30 days of receipt of this letter.

Sincerely,

Enclosure:  
Attachment A – Proposed Area of Potential Effects

**RE: Section 106 Consultation for Drone Package Delivery Operations in Omaha, Nebraska**

**DEREK W  
HUFTY**

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Derek Hufty  
Manager, General Aviation and Commercial Branch (AFS-750)  
Emerging Technologies Division  
Office of Safety Standards, Flight Standards Service

**Attachment A**  
**Proposed Areas of Potential Effects**

