

Finding of No Significant Impact
Trust Acquisition of the Terral Site (T166) for Gaming for The Chickasaw Nation

Based on the Environmental Assessment (EA) for the Terral Gaming Project, it is my determination that acquiring the Terral Site in Jefferson County, Oklahoma, in trust and the subsequent development of a gaming facility by the Chickasaw Nation (Nation) will have no significant impact on the quality of the human environment with implementation of the mitigation measures and best management practices specified in the EA. In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969, 42 U.S.C § 4321 *et seq.*, as amended, an Environmental Impact Statement will not be required.

The EA analyzed two alternatives:

Alternative A, Proposed Action: Under Alternative A, the United States would acquire the 30.05-acre Terral Site in trust for the benefit of the Nation, and the Nation would develop a gaming facility consisting of 37,197 square feet. Approximately 10.48 acres will be reserved for native vegetation and habitat.

Alternative B, No Action: Under Alternative B, the United States would not acquire the Terral Site in trust, and the Nation would not develop a gaming facility.

The EA was made available for public comment from March 18 to April 18, 2016. No comments were received.

Potential impacts to land resources, water resources, air quality, biological resources, cultural resources, socioeconomic resources and environmental justice, transportation and circulation, land use, public services and utilities, visual resources, noise, and hazardous materials are each evaluated in the EA. The EA describes the Best Management Practices (BMPs) in Section 2.1.3 that have been incorporated into the project design to eliminate or substantially reduce any environmental consequences to less than significant. In addition, the EA describes additional mitigation measures in Section 5.0 which will be implemented to further mitigate potential environmental impacts. The EA concludes the project design and implementation of BMPs would ensure that impacts to these resources would be less than significant. Based on a review of the EA and its analysis of potentially affected resources, I have determined that Alternative A would best meet the purpose and need for acquiring the Terral Site in trust.

Land Resources - The proposed gaming facility will result in changes to the existing topography. A grading plan will be developed in compliance with standard engineering practices. Parking lot and building stormwater runoff will be captured in storm drains and a proposed detention pond. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to land resources. *See* EA § 4.1.1.

Water Resources - The Terral Site will utilize a groundwater system consisting of multiple water well locations that will be pumped into a water treatment facility that will deliver potable water to a central water storage tank. Water will be supplied by groundwater wells constructed in accordance with all regulations to ensure that the Red River Aquifer will be protected. There are

no surface water features within or immediately adjacent to the Terral Site. No wetlands exist on the Terral Site. Due to the distance of the Terral Site from any city wastewater system, the facility will be designed with a full detention lagoon system with aerators making treatment more efficient. The Terral Site will be designed to accommodate all stormwater runoff. The Terral Site is outside flood prone areas. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to water resources. *See EA § 4.2.1.*

Air Quality - Jefferson County and the State are designated attainment areas for all criteria pollutants. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to air quality. *See EA at § 4.3.1.*

Biological Resources - The Terral Site is primarily comprised of agricultural areas with native and nonnative grassland. There are no unique or sensitive ecosystems or biological communities on the Terral Site. There are no natural communities that may be adversely affected during site development. With implementation of mitigation measures, development of Alternative A would result in less-than-significant impacts to biological resources. *See EA § 4.4.1.*

Cultural Resources - There are no known historic properties or known archeological sites or cultural materials within the Terral Site's area of potential effect. No known historic, cultural, archaeological, or religious resources would be affected by the development of the proposed gaming facility. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to cultural resources. *See EA § 4.5.1.*

Socioeconomic Conditions - The proposed gaming facility would generate substantial temporary and ongoing employment opportunities and wages that would be primarily filled by the available labor force in the town of Terral and surrounding communities in Jefferson County. However, a significant impact to the local unemployment rate is not anticipated. Due to the relatively small number of employees, the proposed gaming facility would have a limited potential to impact regional housing stock or the housing market. The proposed gaming facility would provide beneficial impacts for the Nation, the only environmental justice community in the vicinity of the Terral Site. Development of Alternative A would result in less-than-significant impacts to socioeconomic conditions. *See EA § 4.6.1.*

Transportation Networks - The Nation will secure all necessary and required permits from Jefferson County and the Oklahoma Department of Transportation (ODOT) prior to beginning road work on Highway 81 (addition of turn lanes) and Peterson Road. The Chickasaw Nation Roads Department will be responsible for administering and overseeing all new road projects, including working cooperatively with the counties, utilities, and ODOT as needed. Projected traffic volumes will average 3,896 weekday vehicle trips. A traffic impact study was completed to evaluate potential impacts to area intersections, and concluded that there will be no adverse impacts to intersection capacity. Intersections will continue to operate at acceptable levels of service. Development of Alternative A would result in less-than-significant impacts to transportation networks. *See EA § 4.7.1.*

Land Use - The Terral Site is located on unzoned rural land. Surrounding land uses include agricultural and residential uses. The Terral Site is located outside of the corporate limits of

any municipality in Jefferson County, and the County has no zoning ordinance that applies to such rural land. The proposed gaming facility would not disrupt neighboring land uses, prohibit access to neighboring parcels, or otherwise significantly conflict with neighboring land uses. Development of the Terral Site will remove only 0.001% of farmland from service. Development of Alternative A would result in less-than-significant impacts to land use. *See EA § 4.8.1.*

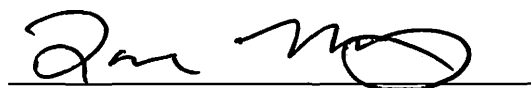
Public Services - Because water would be supplied by on-site groundwater wells, there would be no impact to municipal water supply services. The increase in patrons and employees may increase the need for law enforcement in the area. The Chickasaw Nation Lighthorse Police Department and the Jefferson County Sheriff maintain a cross deputization agreement to provide enhanced law enforcement in Jefferson County. Increased revenue would improve the ability of the Nation's police department to respond to law enforcement needs and allow for the employment of on-site security. If necessary, additional law enforcement services will be provided through the cross deputization agreement. The Terral Volunteer Fire Department is the primary fire responder, and has expressed its willingness to continue serving the Terral Site. The Waurika EMS Department would continue providing EMS services. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to public services. *See EA § 4.9.*

Visual Resources - Vegetation will be landscaped to enhance the overall aesthetics. The use of lighting in parking areas would be limited to dusk, nighttime, and foggy conditions. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to visual resources. *See EA § 4.10.1.*

Noise - Construction would be short-term and temporary, and BMPs are expected to reduce construction noise levels to the extent feasible. The proposed gaming facility would not result in traffic noise impacts and mitigation is not necessary. Vibration and noise levels from the Site would not result in levels that require mitigation. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts from noise. *See EA § 4.11.1.*

Hazardous Materials - There is no known hazardous materials contamination on the Terral Site. There are no known adjacent sites with hazardous materials that could affect the planned uses of the Terral Site. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts from hazardous materials. *See EA § 4.12.1.*

Cumulative Impact and Indirect Effects - Development of Alternative A would result in less-than-significant cumulative or indirect impacts to the resources identified above. *See EA § 4.13.*



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1/19/17
Date