

**Finding of No Significant Impact**  
**Trust Acquisition of the Willis Site (T162) for Gaming for the Chickasaw Nation**

Based on the Environmental Assessment (EA) for the Willis Gaming Project, it is my determination that acquiring the Willis Site in Marshall 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 30.03-acre Willis Site in trust for the benefit of the Nation, and the Nation would develop a gaming facility/travel stop. *See* EA § 2.1. Approximately 21.64 acres will be reserved for open space. *See* EA § 2.1.2.

*Alternative B, No Action:* Under Alternative B, the United States would not acquire the Willis Site in trust, and the Nation would not develop a gaming/travel facility. *See* EA § 2.2.

Potential impacts to land resources, water resources, air quality, biological resources, cultural resources, socioeconomic conditions, transportation networks, land use, public services, 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 impacts. In addition, the EA describes mitigation measures in Section 5.0 which will be implemented to avoid or minimize environmental impacts. The EA concludes the project design and implementation of BMPs would ensure impacts to these resources would be less than significant.

Based on a review of the EA and its analysis of potentially affected resources, we have determined that Alternative A would best meet the purpose and need for acquiring the Willis Site in trust. We have further determined that a Finding of No Significant Impact (FONSI) is appropriate, and that an environmental impact statement is not required.

Land Resources - The proposed gaming/travel facility will result in changes to the existing topography. A grading plan will be developed in compliance with standard engineering practices. *See* EA § 4.1. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to land resources.

Water Resources - The Willis Site will be designed to accommodate increased stormwater runoff. A stormwater pollution protection plan will be developed before construction. The

Willis Site is outside the 100- and 500-year FEMA designated flood zones. Wastewater generated by the gaming/travel facility will be treated in a total retention lagoon system in accordance with Oklahoma Department of Environmental Quality Standards for On-Site Wastewater Treatment Systems. The lagoons would retain all inflow with no surface discharge. *See EA § 4.2.* With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to water resources.

Air Quality - Marshall County and the State are designated attainment areas for all criteria pollutants. Impacts from construction and operational activities would not be significant. *See EA § 4.3.* With implementation of BMPs, coupled with federal mobile source reduction measures, development of the Willis Site would not have a significant adverse cumulative effect associated with climate change. *EA § 4.3.1.* With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to air quality.

Biological Resources - The Willis Site is primarily comprised of agricultural areas with native and nonnative grassland. There are no unique or sensitive ecosystems or biological communities on the Willis Site. There are no natural communities that may be adversely affected during site development. No potentially jurisdictional wetlands and/or waters of the U.S. are located within the site. Habitat for the American Burying Beetle has the potential to exist on the Willis Site. Preconstruction surveys will be conducted in accordance with USFWS survey protocols. *See EA § 4.4.* With implementation of mitigation measures, development of Alternative A would result in less-than-significant impacts to the American Burying Beetle or other biological resources would be less than significant.

Cultural Resources - There are no neighboring tribes with significant historic connections to the Willis Site. Comments were solicited from the Caddo Nation of Oklahoma, the Choctaw Nation of Oklahoma, and Wichita & Affiliated Tribes. No comments were received. The Oklahoma State Historic Preservation Office found that no historic properties would be affected by the proposed project. *See EA § 4.5.* With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to cultural resources. .

Socioeconomic Conditions - The proposed gaming/travel facility would generate substantial temporary and ongoing employment opportunities and wages that would be primarily filled by the available labor force in the surrounding communities in Marshall County. Operation of the proposed gaming/travel facility would create 85 new jobs. Due to the relatively small number of employees, the proposed gaming/travel facility would have a limited potential to impact regional housing stock or the housing market. The proposed gaming/travel facility would provide beneficial impacts for the Nation, the only environmental justice community in the vicinity of the Willis Site. *See EA § 4.6.* Development of Alternative A would result in less-than-significant impacts to socioeconomic conditions.

Transportation Networks - The Nation will secure all necessary and required permits from Marshall County and the Oklahoma Department of Transportation (ODOT) prior to beginning road work on U.S. Highway 377. 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 1,302 weekly

vehicle trips. *See* EA § 4.7. A capacity analysis 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. There will be no significant adverse impacts to transportation networks in the vicinity of the Willis Site. Development of Alternative A would result in less-than-significant impacts to transportation networks. *See* EA § 4.7.

Land Use - The Willis Site is located on unzoned rural land. *See* EA § 4.8. A cemetery lies adjacent to the southern boundary, agricultural land to the north, single-family residential properties to the east, and U.S. Highway 377 and undeveloped land to the west.<sup>1</sup> The Willis Site is undeveloped. The Willis Site is located outside of the corporate limits of any municipality in Marshall County, which has no zoning ordinance that applies to such rural land. The proposed gaming/travel facility would not disrupt neighboring land uses, prohibit access to neighboring parcels, or otherwise significantly conflict with neighboring land uses. Development of the Willis Site will remove only 0.001 percent of farmland from service. *See* EA § 4.8. Development of Alternative A would result in less-than-significant impacts to land use.

Public Services - Water would be supplied by the Marshall County Water Corporation. There is sufficient municipal capacity to meet average and peak water demands of the proposed gaming/travel facility. The increase in patrons and employees may increase the need for law enforcement in the area. Increased revenue from the proposed gaming/travel facility would allow the Nation to improve its ability to respond to law enforcement needs. The Marshall County EMS and the Powell Willis Rural Volunteer Fire Department have indicated their willingness to provide emergency and fire protection services. *See* EA § 4.9. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts to public services.

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, no adverse effects associated with lighting would occur. *See* EA § 4.10.

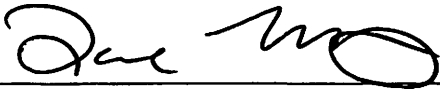
Noise - Construction would be temporary, and BMPs are expected to reduce noise from construction activities. *See* EA § 4.11. The operation of the proposed gaming/travel facility is not predicted to result in traffic noise impacts and mitigation is not necessary. *See id; see also* EA § 5.7. With implementation of BMPs, development of Alternative A would result in less-than-significant impacts from noise.

Hazardous Materials - There is no known hazardous materials contamination on the Willis Site. There are no known adjacent sites with hazardous materials that could affect the planned uses of the Willis Site. No adverse effects associated with hazardous materials would occur due to the operation of the proposed game/travel facility. *See* EA § 4.12.

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<sup>1</sup> *See* ESA § 3.4.

Cumulative and Indirect Effects - Development of the proposed game/travel facility would not result in cumulatively considerable adverse effects to land resources, water resources, air quality, biological resources, cultural resources, transportation, water supply, wastewater service, solid waste service, Kingston School Public Schools, recreation, law enforcement, energy providers, fire protection, emergency medical services, visual resources. With the implementation of BMPs, no cumulatively considerable adverse effects related to hazardous materials would occur as a result of the game/travel facility. There are no significant cumulative socioeconomic effects. There are no significant adverse indirect effects, including growth-inducing effects, relevant to any environmental issue area would occur. *See* EA § 4.13.



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1/19/17  
Date