APPENDIX C

Agency Correspondence

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Engineering, Compliance & Construction, Inc.

415 North McKinley Street, Suite 1180 • Little Rock, Arkansas 72205 • Phone 501.663.8247 • Fax 501.664.5005 • www.ecci.com

July 7, 2009

Mr. Charles Wallis, Section 106 Coordinator
Historical Archeologist
State Historic Preservation Office
Oklahoma Historical Society
Oklahoma History Center
2401 North Laird Avenue
Oklahoma City, OK 73105

RE: Section 106 Review

Dear Mr. Wallis;

The Modoc Tribe of Oklahoma is proposing to construct a Social Services Building. The proposed construction project is applying for funding through the Federal emergency Management Agency (FEMA). As per the requirements of the National Environmental Policy Act (NEPA) and 44 CFR 10, an Environmental Assessment (EA) is being prepared for the proposed project.

The proposed property location is located in Section 29, Lot 10, Township 28N, Range 23 East in Ottawa County, Miami, Oklahoma. The street address is identified as South Highway 69A, Miami, Oklahoma 74354. The proposed project location site coordinates are as follows: Latitude: 36º 52' 38.130" North, Longitude: 94º 50' 48.536" West. I have attached an aerial photograph showing the proposed project location. The property is tribally leased trust land. Their are several other tribal buildings/offices located within a one-mile radius of the proposed project location. Properties in the immediate area include; Miami High School, The Leonard Learning Center (a tribal owned daycare center), the Inter-tribal Council Building, the Northeastern Indian Health Care Clinic, and the Ottawa Peoria Cultural Center.

A review of the National Register of Historic Properties and the Oklahoma Landmarks Inventory Database did not find the proposed project property as a registered historic resource.

However, as a component of the Environmental Assessment we request that the SHPO review the proposed project action and provide comments regarding potential impacts to historic or cultural resources from the proposed project. I have attached a topographic map and aerial photograph showing the site location. I have also attached color photographs of the site. I hope that this information will be sufficient for your review. Thank you for you assistance in this matter.

Sincerely

Pennye L. Derryberry Bray
ECCI Senior Environmental Scientist

Proposed Project Location Facing Northeast

Proposed Project Location Facing Northeast (Hwy 69A on left)

Subject Property Facing East (Looking at I-44)

Property facing North from Oklahoma Visitor's Center (adjacent)


Property Boundaries
Proposed Building Location
Industrial Pkwy
44
S Treaty Rd
S 580 Rd
Seneca St
683 ft
© 2009 Tele Atlas
Image USDA Farm Service Agency
Imagery Date: Jun 15, 2006
36°52'37.84" N 94°50'42.93" W
Eye alt 2364 ft
Google

Telephone Record

Date: July 10, 2009

RE: Modoc Tribe of Oklahoma Environmental Assessment, Historical/Cultural Impacts

From: Mr. Charles Walls, Section 106 Coordinator, SHPO Office, Oklahoma Historical Society

Mr. Walls called in regard to my correspondence requesting a NEPA Section 106 determination on the proposed Modoc Social Services Building property. According to Mr. Walls, a Section 106 determination must be requested by the Federal Agency administering the funding. He was able to provide a review of potential historical/cultural resources in the project area. He found no record of potential historic or cultural resources associated with the proposed property. In addition, a review of the National Register of Historic Places (NRHP) indicated that the property was not on the list or proposed eligible for the list. Mr. Walls recommended contacting the Oklahoma Archeological Survey for further information.

Engineering, Compliance & Construction, Inc.

415 North McKinley Street, Suite 1180 • Little Rock, Arkansas 72205 • Phone 501.663.8247 • Fax 501.664.5005 • www.ecci.com

July 15, 2009

Dr. Robert L. Brooks
Oklahoma Archeological Survey
University of Oklahoma
111 East Chesapeake, Bldg. #134
Norman, OK 73019-0575

RE: Potential Impacts to Cultural/Historical Resources

Dear Dr. Brooks;

The Modoc Tribe of Oklahoma is proposing to construct a Social Services Building. The proposed construction project is applying for funding through the Federal emergency Management Agency (FEMA). As per the requirements of the National Environmental Policy Act (NEPA) and 44 CFR 10, an Environmental Assessment (EA) is being prepared for the proposed project.

The proposed property location is located in Section 29, Lot 10, Township 28N, Range 23 East in Ottawa County, Miami, Oklahoma. The street address is identified as South Highway 69A, Miami, Oklahoma 74354. The proposed project location site coordinates are as follows: Latitude: 36º 52' 38.130" North, Longitude: 94º 50' 48.536" West. I have attached an aerial photograph showing the proposed project location. The property is tribally leased trust land. There are several other tribal buildings/offices located within a one-mile radius of the proposed project location. Properties in the immediate area include; Miami High School, The Leonard Learning Center (a tribal owned daycare center), the Inter-tribal Council Building, the Northeastern Indian Health Care Clinic, and the Ottawa Peoria Cultural Center.

A review of the National Register of Historic Properties and the Oklahoma Landmarks Inventory Database did not find the proposed project property as a registered historic resource. Information obtained from Mr. Charles Walls with the Oklahoma Historical Preservation Program did not identify any historic buildings or structures associated with the proposed site. However, Mr. Walls suggested that I contact you regarding potential impacts to cultural and/or archeological resources in the immediately surrounding area.

Therefore, as a component of the Environmental Assessment we request that you provide any comments you may have regarding potential impacts to historic, cultural or archeological resources from the proposed project. I have attached a topographic map and aerial photograph showing the site location. I have also attached color photographs of the site. I hope that this information will be sufficient for your review. Thank you for you assistance in this matter.

Sincerely

Pennye L. Derryberry Bray
ECCI Senior Environmental Scientist

Proposed Project Location Facing Northeast

Proposed Project Location Facing Northeast (Hwy 69A on left)

Subject Property Facing East (Looking at I-44)

Property facing North from Oklahoma Visitor's Center (adjacent)

Oklahoma Archeological Survey

THE UNVERSITY OF OKLAHOMA

July 20, 2009

Pennye L. Derryberry Bray
ECCI
415 N. McKinley St., Ste. 1180
Little Rock Arkansas 72205

Re: Modoc Tribe of Oklahoma proposed construction of a Social Services Building. Legal Description: SE ¼ SW ¼ NE ¼ Section 29 T29N R23E, Ottawa County, Oklahoma.

Dear Ms. Bray:

The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed the above referenced project in order to identify potential areas that may contain prehistoric or historic archaeological materials (historic properties). The location of your project has been crosschecked with the state site files containing approximately 18,000 archaeological sites that are currently recorded for the state of Oklahoma. No sites are listed as occurring within your project area, and based on the topographic and hydrologic setting; no archaeological materials are likely to be encountered. Thus an archaeological field inspection is not considered necessary. However, should construction activities expose buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items or building materials, this agency should be contacted immediately at (405) 325-7211. A member of our staff will be sent to evaluate the significance of these remains.

This environmental review and evaluation is performed in order to locate, record, and preserve Oklahoma's prehistoric and historic cultural heritage in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value. Thank you.

Sincerely,

Robert L. Brooks
State Archaeologist

:ls

Cc: SHPO

111 E. Chesapeake, Room 102, Norman, Oklahoma 73019-5111 PHONE: (405) 325-7211 FAX: (405) 325-7604
A UNIT OF ARTS AND SCIENCES SERVING THE PEOPLE OF OKLAHOMA

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Engineering, Compliance & Construction, Inc.

415 North McKinley Street, Suite 1180 • Little Rock, Arkansas 72205 • Phone 501.663.8247 • Fax 501.664.5005 • www.ecci.com

July 28, 2009

Oklahoma Natural Heritage Inventory
Oklahoma Biological Survey
111 East Chesapeake Street
Norman, OK 73019-0575

RE: Information Request

To Whom it May Concern

The Modoc Tribe of Oklahoma is proposing to construct a Social Services Building. The proposed construction project is applying for funding through the Federal emergency Management Agency (FEMA). As per the requirements of the National Environmental Policy Act (NEPA) and 44 CFR 10, an Environmental Assessment (EA) is being prepared for the proposed project.

The proposed property location is located in Section 29, Lot 10, Township 28N, Range 23 East in Ottawa County, Miami, Oklahoma. The street address is identified as South Highway 69A, Miami, Oklahoma 74354. The proposed project location site coordinates are as follows: Latitude: 36º 52' 38.130" North, Longitude: 94º 50' 48.536" West. The property is located on the Picher, Oklahoma Quadrangle, USGS Topographic Map. I have attached an aerial photograph showing the proposed project location. The property is tribally leased trust land. There are several other tribal buildings/offices located within a one-mile radius of the proposed project location. Properties in the immediate area include; Miami High School, The Leonard Learning Center (a tribal owned daycare center), the Inter-tribal Council Building, the Northeastern Indian Health Care Clinic, and the Ottawa Peoria Cultural Center.

Therefore, as a component of the Environmental Assessment we request that you provide any information you may having regarding occurrence of rare and/or endangered species of plants and /or animals within a 5-mile radius of the subject property. I have attached a topographic map and aerial photograph showing the site location. I hope that this information will be sufficient for your review. Thank you for your assistance in this matter.

Sincerely

Pennye L. Derryberry Bray
ECCI Senior Environmental Scientist

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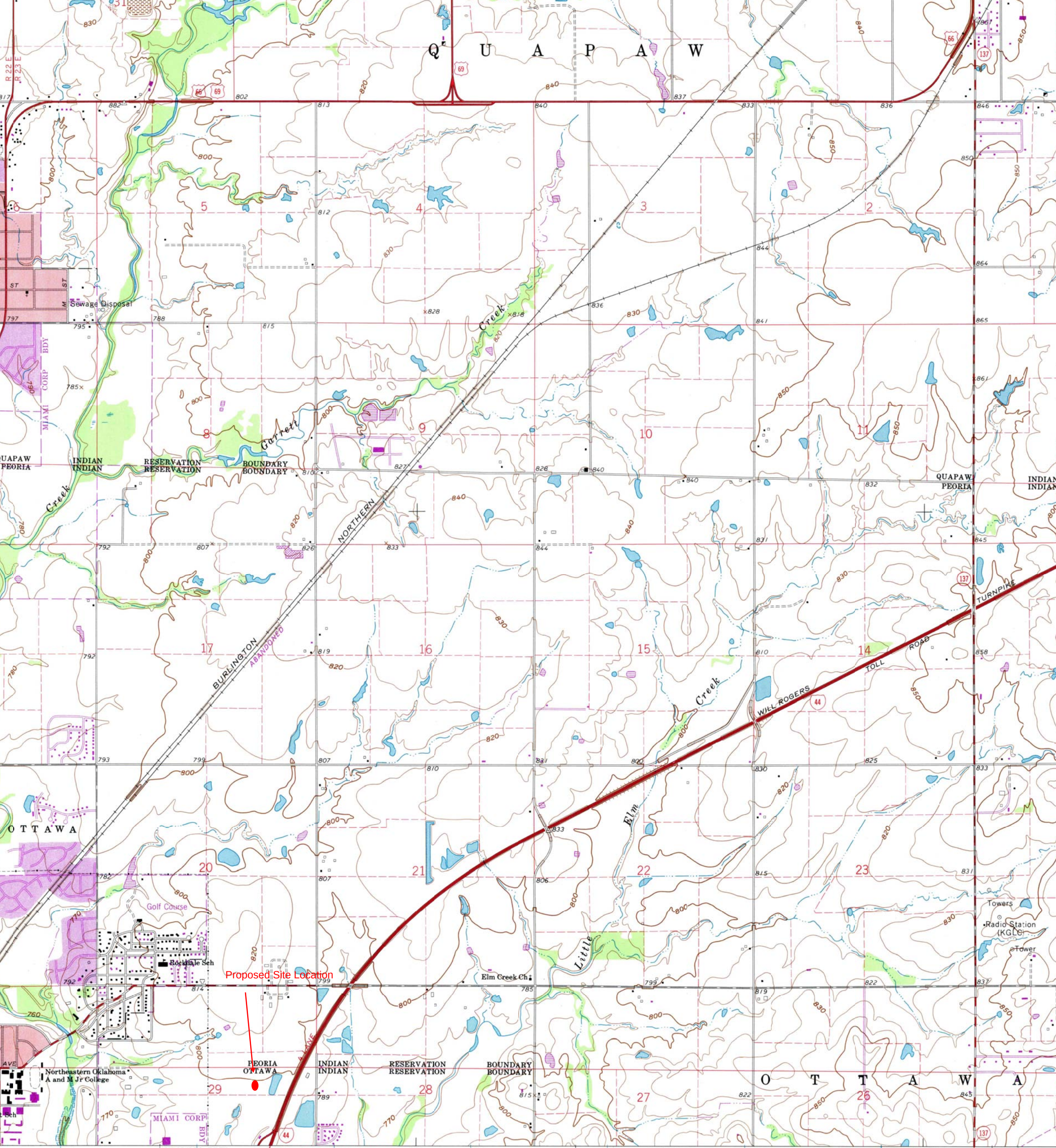
Q U A P A W
Sewage Disposal
Garrett Creek
INDIAN RESERVATION BOUNDARY
QUAPAW PEORIA
NORTHERN
BURLINGTON ABANDONED
WILL ROGERS TOLL ROAD
TURNPIKE
Elm Creek
Little Elm Creek
O T T A W A
Golf Course
Rockdale Sch
Proposed Site Location
Elm Creek Ch
Towers
Radio Station (KGLC)
Tower
Northeastern Oklahoma A and M Jr College
MIAMI CORP BDY
O T T A W A


Undeveloped
Property Boundaries
Industrial Pkwy
Proposed Building Location
Visitor's Center
44
S Treaty Rd
S 580 Rd
Seneca St
Tribal Buildings
683 ft
© 2009 Tele Atlas
Image USDA Farm Service Agency
Imagery Date: Jun 15, 2006
36°52'37.84" N 94°50'42.93" W
Eye alt 2364 ft
Google

From: Ian Butler [ian_b@ou.edu]
Sent: Wednesday, July 29, 2009 3:33 PM
To: Pennye Derryberry
Subject: Re: Information Request

Dear Ms. Derryberry Bray,

No database records found of either federal or state threatened or endangered species for the project location you describe.

Sincerely,

Ian Butler
Information Technology Analyst I
Oklahoma Biological Survey
111 East Chesapeake St.
Norman, OK 73019
405.325.1985

On Jul 28, 2009, at 2:28 PM, Pennye Derryberry wrote:

To Whom It May Concern,

I am a consultant working with the Modoc Tribe of Oklahoma on a project to construct a new social service building. The tribe is applying for funding through a grant from FEMA. Attached you will find a request for information regarding rare and endangered species of plant and animals within the vicinity of the proposed project. Thank you for your assistance.

Sincerely,

Pennye L. Derryberry Bray
Senior Environmental Scientist
ECCI
415 North McKinley Street STE. 1180
Little Rock, AR 72205
Telephone:(501) 663-8247
Fax: (501) 664-5005

<OK biological survey.pdf>

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Engineering, Compliance & Construction, Inc.

415 North McKinley Street, Suite 1180 • Little Rock, Arkansas 72205 • Phone 501.663.8247 • Fax 501.664.5005 • www.ecci.com

August 2, 2009

Mr. Ken Collins
US Fish and Wildlife Service
9014 East 21st. Street
Tulsa, Oklahoma 74129

RE: Information Request

Dear Mr. Collins,

The Modoc Tribe of Oklahoma is proposing to construct a Social Services Building. The proposed construction project is applying for funding through the Federal emergency Management Agency (FEMA). As per the requirements of the National Environmental Policy Act (NEPA) and 44 CFR 10, an Environmental Assessment (EA) is being prepared for the proposed project.

The proposed property location is located in Section 29, Lot 10, Township 28N, Range 23 East in Ottawa County, Miami, Oklahoma. The street address is identified as South Highway 69A, Miami, Oklahoma 74354. The proposed project location site coordinates are as follows: Latitude: 36º 52' 38.130" North, Longitude: 94º 50' 48.536" West. The property is located on the Picher, Oklahoma Quadrangle, USGS Topographic Map. I have attached an aerial photograph showing the proposed project location. The property is tribally leased trust land. There are several other tribal buildings/offices located within a one-mile radius of the proposed project location. Properties in the immediate area include; Miami High School, The Leonard Learning Center (a tribal owned daycare center), the Inter-tribal Council Building, the Northeastern Indian Health Care Clinic, and the Ottawa Peoria Cultural Center.

Therefore, as a component of the Environmental Assessment we request that you provide any information you may having regarding occurance of rare and/or endangered species of plants and /or animals within a 5-mile radius of the subject property. I have attached a topographic map and aerial photograph showing the site location. I hope that this information will be sufficient for your review. Thank you for your assistance in this matter.

Sincerely

Pennye L. Derryberry Bray
ECCI Senior Environmental Scientist

From: Ken_Collins@fws.gov
Sent: Monday, August 10, 2009 9:38 AM
To: Pennye Derryberry
Subject: Re: Modoc Social Services Building

Dear Penneye,

Thank you for your August 2, 2009, request regarding scoping under the National Environmental Policy Act (NEPA) for a proposed project In Ottawa County , Oklahoma. Your proposed project would be funded by the Federal Emergency Management Agency (FEMA) and would involve construction of a Social Services building for the Modoc Tribe of Oklahoma. You specifically requested information on the occurrence of federally-listed threatened and endangered species within a 5-mile radius of your proposed project.

General information on the occurrence of federally-listed species may be obtained form our web site: <http://www.fws.gov/southwest/es/oklahoma>. There you will find, by county, a list of species currently protected under the Endangered Species Act of 1973, as amended (ESA). Specific information on the occurrence of federally-listed species is available through a number of sources and usually depends on the types of habitat present in the proposed project area. We suggest you use the species list from our website and your knowledge of the habitat types within your project area to determine which species are likely to occur within your project area. If suitable habitat for a federally-listed species is not found in your project area or your proposed action would not impact, directly or indirectly, suitable habitat for a particular federally-listed species, you can assume that the species in question is not likely to be impacted by your proposed project.

Under NEPA, the Service can provide scoping comments or review detailed environmental documents such as an environmental assessment (EA) or an environmental impact statement (EIS). Due to the volume of requests we receive for scoping information, we rarely provide detailed comments as a part of the NEPA scoping process. Information necessary to complete NEPA scoping is available from many sources, most accessible over the Internet/World Wide Web. Additionally, we often are asked to review projects for which the Federal action agency, in this case FEMA, has determined are categorically excluded under NEPA. If a proposed project meets the requirements for a categorical exclusion (CE) under NEPA, as determined by the Federal action agency, comments from the U.S. Fish and Wildlife Service (Service) are not required. By definition, a CE does not rise to the level of significant affects on the environment. However, if FEMA determines a CE is not appropriate, the Service will review and comment on any EA or EIS associated with the proposed project.

Please understand that consultation under section 7 of the ESA is a separate responsibility and typically that responsibility is not met merely by complying with the NEPA. Under ESA consultation, FEMA as the Federal action agency, must evaluate the effects of their proposed project on Federally-listed threatened and endangered species. Once that evaluation is complete, FEMA must submit a letter to the Service stating the outcome of that evaluation, complete with adequate documentation and sufficient justification for that determination. Once we receive FEMA's determination, the Service's responsibility is to review that determination, and the associated documentation provided with that request. If a proposed action is determined to have no effect on federally-listed species, the Service does not need to review and comment on the proposed action. More information on the section 7 consultation process may be found on our website, as provided above.

We appreciate the opportunity to review your project. Please feel free to contact me if you have any questions regarding our response. My contact information is provided below.

Thank you.

Ken Collins
Fish and Wildlife Biologist
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129

(918) 581-7458 (Ext 230)
(918) 581-7467 (Office fax)

><{{{'> <'}}}><

"Pennye Derryberry" <PDerryberry@ecci.com>

08/05/2009 11:13 AM

To <ken_collins@fws.gov>
cc
Subject T

Good Morning Mr. Collins,

I am working with the MODOC Tribe of Oklahoma on the preparation of an Environmental Assessment for the construction of building that will be funded through a grant from FEMA. I have attached a letter requested information on Endangered and Threatened Species in the area and potential impacts from the proposed project. Please feel free to telephone me if you have any questions.

Sincerely,

Pennye L. Derryberry Bray
Senior Environmental Scientist
Engineering Compliance and Construction, Inc.
415 North McKinley Street STE. 1180
Little Rock, AR 72205
Telephone:(501) 663-8247
Fax: (501) 664-5005

[attachment "USFWS.pdf" deleted by Ken Collins/R2/FWS/DOI]

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American Burying Beetles Project Evaluation Form

1. County Ottawa **2.** State OK **3.** Legal Description: Lot 10, S 29, T28N, R23E

4. City in or near: Miami **5.** Type of project Construction of Social Services building and parking

6. Project starting date to be determined ending date unknown at this time

7. Existing or previous land use: undeveloped tribal trust land

8. General habitat: Tall grass prairie with fescue
(pasture, forest, woodland, native prairie, etc)

9. Soil type from County Soil Survey Parsons silt loam, Taloka silt loam, Eram-Verdigris complex

10. Type of project: Linear project _____(proceed to 11) Non-linear project X (proceed to 15)

11. Right-of-way: new_____ (proceed to 12) existing_____(proceed to 13) n/a_____ (proceed to 13)

12. If new right-of-way: Temporary width_____Permanent width_____ Width of Actual disturbance _____
(area cleared, graded, vehicle use, etc)

13. Length of project _____ **14.** Trench excavation: depth_____ width_____
(Feet or miles)

15. Project size 10-12 acres **16.** Actual area of disturbance approx. 1.0 -1.5 acres
(area cleared, graded, vehicle use, etc)

17. Method and equipment used to clear project area unknown at this time
(trencher, backhoe, bulldozer, etc)

18. Type of long-term maintenance of project area lawn areas will be mowed as needed

19. Type of equipment used to implement project: Lawn areas will be maintained with a lawn mower, herbicides and pesticides may be used as needed following all applicable directions and regulations.

20. Staging area: new_____(go to 21) existing_____(go to 22) n/a X (go to 22)

21. Size of staging area_____ **22.** Access road: new X (go to 23) existing___(go to 25) n/a___(go to 25)

23. Access road: length ~100 ft. width ~ 24 ft. **24.** Access road: permanent X temporary___

25. Excavated soil is stockpiled where during construction onsite, near construction location

26. Method and equipment of soil replacement Soils will be replaced with native soils to the extent practicable, top soil will be brought in as needed. It is expected that a front-end loader or other heavy equipment will be used as needed.

27. Revegetation process and equipment:
Once final stabilization of the soils is complete the site contractor will either seed or sod the disturbed areas using grasses appropriate for the site conditions.

28. Erosion control measures used: Silt fences will be used as necessary, bare areas will be stabilized and temporarily seeded as needed to control erosion.

29. List type of chemicals or petroleum products used at site and how stored This information is not currently known. However, it is expected that there may be small volumes of hydraulic and lubricating oils as well as diesel fuel. The materials will be stored onsite following applicable regulations and best management practices.

30. Enclose a map depicting the general location of project.

31. Enclose a map depicting detailed diagram of project activities.
A conceptual drawing of the building is all that is currently available.

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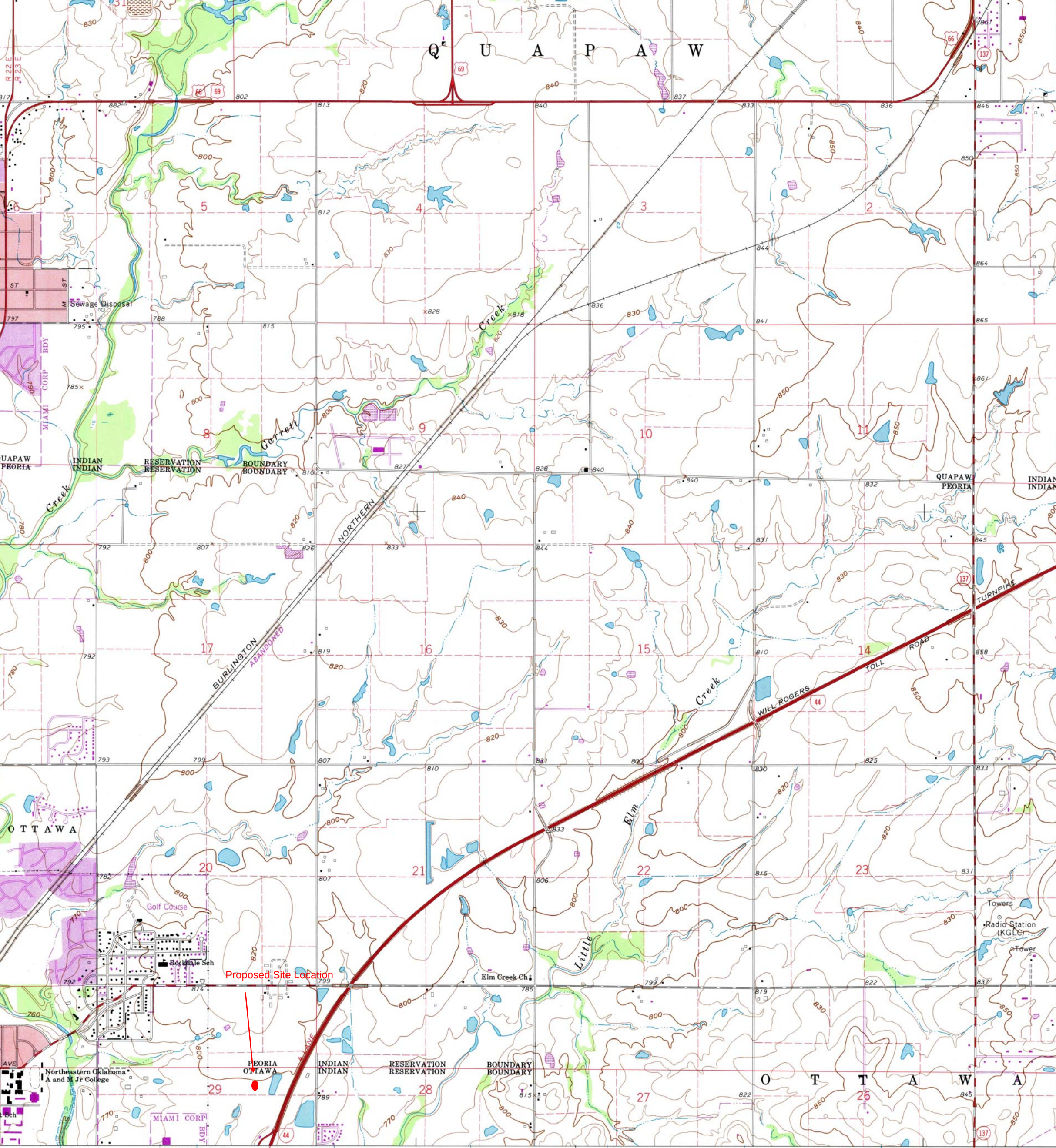
Q U A P A W
Sewage Disposal
Garrett Creek
INDIAN RESERVATION BOUNDARY
QUAPAW PEORIA
NORTHERN
BURLINGTON ABANDONED
WILL ROGERS TOLL ROAD
TURNPIKE
Elm Creek
Little Elm Creek
O T T A W A
Golf Course
Rockdale Sch
Proposed Site Location
Elm Creek Ch
Towers
Radio Station (KGLC)
Tower
Northeastern Oklahoma A and M Jr College
MIAMI CORP BDY
O T T A W A

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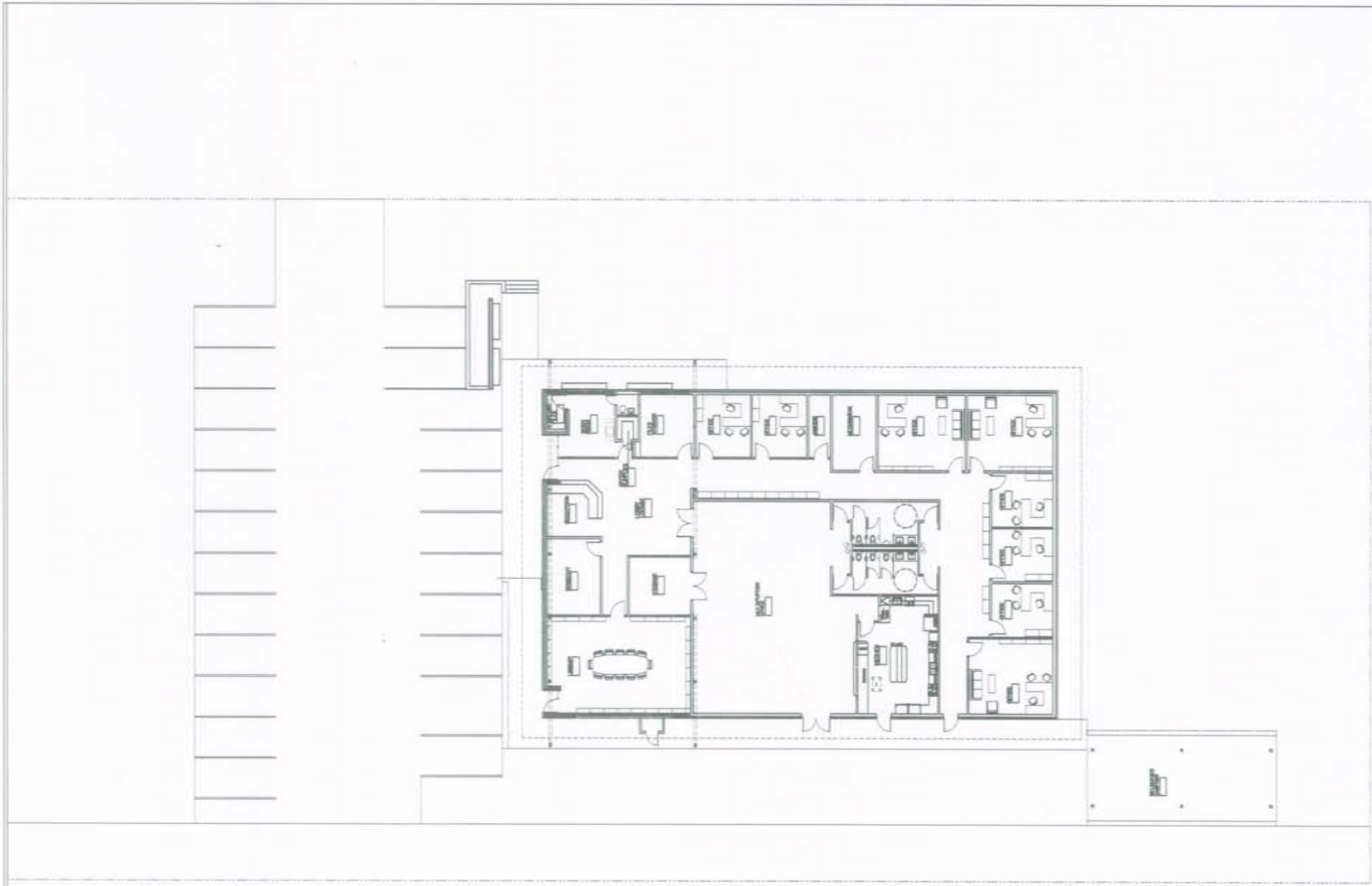

1 PROPOSED SITE PLAN
1" = 10'-0"

REVIEW SET ONLY - NOT FOR CONSTRUCTION

BCS
architecture

BCS Design, Inc.
A Full-Service Architectural Firm
WWW.BCSARCHITECTS.COM
19922 West 161st Street
Olathe, Kansas 66062
Phone: (913) 780-6820
Fax: (913) 780-5088

Former McKinley School Building

MODOC OFFICE BUILDING REMODEL

418 G Street SE
Miami, Oklahoma

SEAL

BCS PROJECT NO. (2006-80
DATE : SEPTEMBER 7, 2007
DRAWN BY : BCS STAFF
REVIEWED BY : DTC

REVISED:
100% CONSTRUCTION DOCUMENTS

SHEET NO.
A1-SITE

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From: Daniel_Fenner@fws.gov [mailto:Daniel_Fenner@fws.gov]
Sent: Tuesday, September 15, 2009 08:01
To: Starnes, Lynn B
Subject: Re: Modoc Office Building

I ran the project by Hayley Dikeman, our American burying beetle (ABB) lead, and she didn't have any concerns. Habitat within and surrounding the project does not appear to be suitable for ABBs.

Thanks,

Daniel

Daniel Fenner
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Oklahoma Ecological Services
9014 East 21st Street
Tulsa, Oklahoma 74129
(918) 581-7458 ext. 244 (voice)
(918) 581-7467 (fax)

-----Original Message-----
From: Starnes, Lynn B
Sent: Monday, September 14, 2009 12:52
To: 'Daniel_Fennerr@fws.gov'
Cc: 'Ken_Collins@fws.gov'
Subject: Modoc Office Building

Daniel,
I got started on something else today and forgot to send you the coordinates for this site. The site visit is tentatively scheduled for tomorrow. If you'd like to meet them and tomorrow does not work, the other option is Thursday. They plan to leave here early and get there about noon. Let us know if you'd like to catch up with Don Fairley and Bridget Zachary. Call Don at (940)367-3237 cell to coordinate.

The coordinates are 36.87653, -94.84634. The Modoc Office building is to go on the property off the county road driveway (already constructed)
and will be between that driveway, the county road and the s-shaped pond. According to our initial look, this site is out of the

floodplain. BIA bought this land with the purpose of allowing a tribal complex to be built. (No, BIA did not do any environmental consultations rather each tribe must do so separately.)

Let me know your druthers. LYNN

Lynn Starnes, Environmental Advisor
FEMA/State Joint Field Office
2637 Lakewood Village Drive
North Little Rock, AR 72116
337-591-5334 FEMA cell
501-918-3137 Desk

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
Miami Field Office
630 E. Steve Owens Blvd.
Miami, OK 74354
Phone (918)542-4771
Fax (918)542-3653

August 21, 2009

Pennye L Derryberry Bray
ECCI Senior Environmental Scientist
415 North McKinley Street, Suite 1180
Little Rock, Arkansas 72205

Pennye:

Enclosed is the Farmland Conversion Impact Rating you requested for the Modoc Tribe construction project. I used your soils map and map unit legend which changed the total acres from 12.0 to 12.6 and added the .6 acres to the Converted Indirectly line, making it 3.6. The scope of this conversion is very small and the actual percentage converted in Part IV, letter C is actually .0000726% of all prime farmland in Ottawa County and the form rounds it to 0.0%. If you need any more information or have any questions, please call.

Sincerely

Michael Ramming

Michael Ramming
District Conservationist
Miami Field Office

Encl.

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 8/1/09
Name Of Project Modoc Tribe of Oklahoma Social Services Building	Federal Agency Involved FEMA
Proposed Land Use Building, Parking, and Natural Areas	County And State Ottawa County, Oklahoma
PART II *(To be completed by NRCS)*	Date Request Received By NRCS 8/5/09

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply -- do not complete additional parts of this form).*	Yes ☑ No ☐	Acres Irrigated 2,362	Average Farm Size 199
Major Crop*(s)* Winter Wheat	Farmable Land In Govt. Jurisdiction Acres: 225,858 % 73	Amount Of Farmland As Defined in FPPA Acres: 166,445 % 53	
Name Of Land Evaluation System Used CALES	Name Of Local Site Assessment System None	Date Land Evaluation Returned By NRCS 8/21/09	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	9.0			
B. Total Acres To Be Converted Indirectly	3.6			
C. Total Acres In Site	12.6	0.0	0.0	0.0
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	12.1			
B. Total Acres Statewide And Local Important Farmland	0.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	43.8			
PART V *(To be completed by NRCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	82	0	0	0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	82	0	0	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	0	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	82	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

(See Instructions on reverse side)

Form AD-1006 (10-83)

This form was electronically produced by National Production Services Staff

APPENDIX D

Draft Public Notice

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Federal Emergency Management Agency

PUBLIC NOTICE

Notice of Availability of the Draft Environmental Assessment
For Construction of a Social Service building for the Modoc Tribe of Oklahoma
Ottawa County, Oklahoma
FEMA-DR1712-OK; PW#1850.

The Modoc tribe of Oklahoma has applied to the Federal Emergency Management Agency (FEMA) for assistance with the construction of a new building to replace a former social service building which was destroyed by a flood in 2007. The new structure would be located within Lot 10, Section 29, Township 28H, Ranges 23E in Ottawa County, Oklahoma, on the east side of Highway 69A.

In accordance with the National Environmental Policy Act of 1969, the Council for Environmental Quality (CEQ) regulations implementing NEPA (40 CFR Parts 1500-1508), the National Historic Preservation Act, and the implementing regulations of FEMA (44 CFR Part 9 and 10), an Environmental Assessment (EA) is being prepared to assess the potential impacts of the proposed action on the human and natural environment.

The EA evaluates alternatives for compliance with applicable environmental laws. The alternatives to be evaluated include (1) No Action, (2) The Proposed Action, the construction of a new building on trust land under joint ownership of multiple tribes. Consideration was given to rebuilding on the previous site (Alternative 3). This option was eliminated due to the property's location in a floodplain area which would present additional complications and costs.

The draft Environmental Assessment is available for review between the hours of 9:00 am and 4:00 pm, at the Modoc Tribe of Oklahoma office complex located at 418 G Street Southeast, Miami, Oklahoma.

The comment period will end 30 days from the initial notice publication date of this notice. Written comments regarding this proposed project can be mailed to the contact below. If no substantive comments are received the Draft EA will become final and a finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

John Ballard, Director
Modoc Tribe of Oklahoma Economic Development
418 G Street Southeast, Miami, Oklahoma.
Telephone: (918) 542-1190
FAX #: (918) 542-5415

APPENDIX E

Comments

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There were no comments received during the public comment period.