

From: Gibby Russette [mailto:minman@cct.rockyboy.org]
Sent: Tuesday, September 07, 2010 3:24 PM
To: Sparks-McConkey, Pamela (CTR)
Subject: Re: FEMA's Scoping Notice of Chippewa Cree Tribe's Proposal for Relocation of New Health Clinic

Concur and please move forward, there no oil and gas leases in that area, and follow BIA leasing requirements.

----- Original Message -----

From: [Sparks-McConkey, Pamela \(CTR\)](#)
To: wintersteen.jennifer@epa.gov ; potts.stephen@epa.gov ; gregory.c.herring@usace.army.mil ; minman@cct.rockyboy.org ; jbaumberger@usbr.gov ; mark_wilson@fws.gov ; rick.bandy@mt.usda.gov ; livance@mt.gov ; SCarpenedo2@mt.gov
Sent: Tuesday, September 07, 2010 3:05 PM
Subject: FEMA's Scoping Notice of Chippewa Cree Tribe's Proposal for Relocation of New Health Clinic

To Agencies:

On July 10, 2010, President Obama declared a major disaster due to severe storms causing flooding and landslides (FEMA-1922-DR-MT) within the Chippewa Cree Tribe (CCT) tribal lands (120,000 acres). A Presidential Declaration provides the authority to make federal aid available to the CCT for emergency work and the repair or replacement of facilities damaged by severe storms/flooding and landslides (FEMA-1922-DR-MT).

As a direct result of the occurrence of floodwaters and slippage of saturated soils numerous structures, roads, and utilities were damaged beyond repair on the CCT's tribal land. The CCT has applied to the Federal Emergency Management Agency (FEMA) for funding assistance to reconstruct their Health Clinic facility to restore medical services for tribal members (attached scope of work and Figures 1 & 2). Authority for this proposal is provided by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 USC 51521 *et seq.*). The Stafford Act describes the declaration process, the types and extent of assistance that may be provided, and fundamental eligibility requirements. FEMA seeks cooperation with special consideration issues including floodplain and wetland management and compliance with other Federal laws and regulations, such as those pertaining to protection of the environment and historic preservation.

To ensure compliance with the National Environmental Policy Act (NEPA) and other applicable Federal laws and regulations, FEMA will be preparing an Environmental Assessment (EA) document. NEPA procedures provide a specific planning process that Federal agencies must follow before funding a project. To assist preparation of the EA, FEMA requests as a courtesy that your office review the attachment for an assessment regarding interagency requirements for formal consultation, regulatory permits, or authorizations.

Please respond within 15 calendar days of the date of this scoping notification. If our office receives no comments at the close of this period, FEMA will assume that your agency will not provide comment and will not express objections to the proposed project.

Comments may be faxed to (406) 352 - 5503 or emailed to pamela.sparks-mcconkey@associates.dhs.gov. Additionally, responses, comments, or concerns may be mailed to the attention of the Environmental Team Lead, at the following address:

Leroy White, Team Lead
Environmental Section
Federal Emergency Management Agency
93 Mack Road
Box Elder, Montana 59521

For questions regarding this matter, please contact Pamela Sparks at (571) 643-4665

-----Original Message-----

From: Potts.Stephen@epamail.epa.gov [mailto:Potts.Stephen@epamail.epa.gov]
Sent: Wednesday, September 08, 2010 3:28 PM
To: Sparks-McConkey, Pamela (CTR)
Cc: Wintersteen.Jennifer@epamail.epa.gov; Steg.Ron@epamail.epa.gov;
Bohan.Suzanne@epamail.epa.gov
Subject: Re: FEMA's Scoping Notice of Chippewa Cree Tribe's Proposal for
Relocation of New Health Clinic

Pamela,

Thank you for returning my call about this proposed project. As I stated over the phone it does not appear that the project to construct a new health clinic on the Rocky Boy's Reservation would result in significant environmental impacts.

Please include EPA on your mailing list to receive a copy of the FEMA's Draft Environmental Assessment for the project when it is available so that we may review it. The address of the EPA Montana Office in Helena is shown below. Please feel free to call if you have any questions. Thank you.

Stephen Potts, NEPA Coordinator
EPA Region 8 Montana Office
10 West 15th St., Suite 3200
Helena, Montana 59626
Phone: 406-457-5022; FAX: 406-457-5055
At Missoula Forest Service Office: 406-329-3313
E-mail: potts.stephen@epa.gov

From: "Sparks-McConkey, Pamela (CTR)" <Pamela.Sparks-McConkey@associates.dhs.gov>

To: Jennifer Wintersteen/MO/R8/USEPA/US@EPA, Stephen Potts/MO/R8/USEPA/US@EPA, <gregory.c.herring@usace.army.mil>, <minman@cct.rockyboy.org>, <jbaumberger@usbr.gov>, <mark_wilson@fws.gov>, <rick.bandy@mt.usda.gov>, <livance@mt.gov>, <SCarpenedo2@mt.gov>

Date: 09/07/2010 03:07 PM

Subject: FEMA's Scoping Notice of Chippewa Cree Tribe's Proposal for Relocation of New Health Clinic

Dear Madam/Sir:

On July 10, 2010, President Obama declared a major disaster due to severe storms causing flooding and landslides (FEMA-1922-DR-MT) within the Chippewa Cree Tribe (CCT) tribal lands (120,000 acres). A Presidential Declaration provides the authority to make federal aid available to the CCT for emergency work and the repair or replacement of

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Leroy White, Team Lead
Environmental Section
Federal Emergency Management Agency
93 Mack Road
Box Elder, Montana 59521

For questions regarding this matter, please contact Pamela Sparks at (571) 643-4665

[attachment "Chihppewa Cree Relocation of New Health Clinic - Scope of Work.docx" deleted by Stephen Potts/MO/R8/USEPA/US] [attachment "Figure 1 Alternative Sites.pdf" deleted by Stephen Potts/MO/R8/USEPA/US]
[attachment "Figure 2 Original Site.pdf" deleted by Stephen Potts/MO/R8/USEPA/US]

-----Original Message-----

From: Juhas, Catherine D NWO [mailto:Catherine.D.Juhas@usace.army.mil]
Sent: Wednesday, September 15, 2010 1:10 PM
To: Sparks-McConkey, Pamela (CTR)
Subject: RE: FEMA's Notice of Intent of Chippewa Cree Tribe's Proposal for Relocation of New Health Clinic

Hi Pam,

Reference is made to your email requesting comments on behalf of the Chippewa Cree Tribe regarding the proposed relocation of their health clinic.

Under the authority of Section 404 of the Clean Water Act, Department of the Army permits are required for the discharge of fill material into waters of the United States. Waters of the United States include the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters. Isolated waters and wetlands, as well as man-made channels and ditches, may be waters of the United States, which must be determined on a case-by-case basis.

Based on the information provided, it does not appear that any jurisdictional waters will be impacted by work at Site 1. However, it appears that there may be a waterway located in the southwest corner of Site 2. If your final design prescribes the placement of fill material in any of the jurisdictional areas described above, please complete and return the attached application form prior to doing any work. We will determine the type, if any, of permit required.

Also, if there appear to be any wetlands located on site, a delineation will be required. I have worked with the Chippewa Cree Tribal Water Resource Department on other permits associated with the floods of June 2010 and am aware that they have someone qualified to perform wetland delineations. I recommend contacting them if it appears that any wetlands will be impacted by this project.

Please let me know if you have any questions.

Cathy Juhas
US Army Corps of Engineers
Billings Regulatory Office
PO Box 2256
Billings, Montana 59103
(406) 657-5910

-----Original Message-----

From: Sparks-McConkey, Pamela (CTR)
[mailto:Pamela.Sparks-McConkey@associates.dhs.gov]
Sent: Tuesday, September 14, 2010 2:03 PM
To: Juhas, Catherine D NWO
Subject: FW: FEMA's Notice of Intent of Chippewa Cree Tribe's Proposal for Relocation of New Health Clinic

Catherine - As per our phone conversation I am forwarding to you FEMA's notice of intent for the request of federal funding to design/build the Rocky Boy's Reservation new health clinic at an alternate site. Please call if you have any questions of email's contents. Thank you.

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Pamela (Pam) Sparks  
Environmental Specialist, ERPMC Contractor  
Environmental & Historic Preservation  
93 Mack Road  
Box Elder, MT 59521  
Cell: 571.643.4665  
Fax: 406.352.5503  
FEMA Montana Floods DR-1922

From: Sparks-McConkey, Pamela (CTR)  
Sent: Tuesday, September 07, 2010 3:06 PM  
To: 'wintersteen.jennifer@epa.gov'; 'potts.stephen@epa.gov';  
'gregory.c.herring@usace.army.mil'; 'minman@cct.rockyboy.org';  
'jbaumberger@usbr.gov'; 'mark\_wilson@fws.gov'; 'rick.bandy@mt.usda.gov';  
'livance@mt.gov'; 'SCarpenedo2@mt.gov'

DHS\_fema\_K\_TU.S. Department of Homeland Security  
FEMA-1922-DR-MT  
93 Mack Road  
Box Elder, MT 59512

September 7, 2010

Subject: Chippewa Cree Tribe's Relocation of New Health Clinic  
FEMA-1922-DR-MT

Dear Madam/Sir,

On July 10, 2010, President Obama declared a major disaster due to severe storms causing flooding and landslides (FEMA-1922-DR-MT) within the Chippewa Cree Tribe (CCT) tribal lands (120,000 acres). A Presidential Declaration provides the authority to make federal aid available to the CCT for emergency work and the repair or replacement of facilities damaged by severe storms/flooding and landslides (FEMA-1922-DR-MT).

As a direct result of the occurrence of floodwaters and slippage of saturated soils numerous structures, roads, and utilities were damaged beyond repair on the CCT's tribal land. The CCT has applied to the Federal Emergency





## United States Department of the Interior Fish and Wildlife Service



Ecological Services  
Montana Field Office  
585 Shepard Way  
Helena, Montana 59601-6287

Phone: (406) 449-5225 Fax: (406) 449-5339

September 21, 2010

Ms. Pamela Sparks-McConkey  
Environmental Specialist, ERPMC Contractor  
Environmental & Historic Preservation  
93 Mack Road  
Box Elder, MT 59521

Dear Pam:

I apologize for the delay in responding to your request for the Fish and Wildlife Service to review your evaluation of the impacts to threatened and endangered species that would result from construction of a new clinic at either of two sites on the Rocky Boy's Reservation. The delay happened as a result of getting your request routed to the proper office to provide the response.

We have examined the project outline, aerial photomaps and the threatened/endangered species evaluation summary forms that were attached to your e-mail note dated September 13, 2010. We concur with your reasoning that construction of the proposed new clinic at either of the two sites under consideration will have no effect upon the black-footed ferret, pallid sturgeon, greater sage grouse or mountain plover. Furthermore, this project is unlikely to have any significant adverse effects upon any other fish, wildlife, or habitat resources under the purview of the U.S. fish and Wildlife Service.

Please telephone me at 406/449-5225, ext. 205, if you have any questions regarding this matter.

Sincerely,

R. Mark Wilson  
Field Supervisor