

## Basis of Decision

March 21, 2016

NuStar Logistics LP

This document along with the technical support document provides the information for the issuance of the draft permit that was on public noticed from February 11, 2016 through March 11, 2016.

There were no requests for a public hearing. We got one comment from the Cochiti Pueblo who requested additional information. The commenter did not provide specifics or concerns on the draft permit and therefore EPA will issue the final permit without any changes to the draft permit. The response to comments is attached to this document.

The State Historic Preservation Officer concurred with the EPA analyses of no potential to effect. EPA's analyses of Section 7(a) of the ESA indicated "no effect" since this action is establishing operating parameters for an existing facility that has operated since 2002 and 2014.

On 4-8-16, we had a conference call with the Cochiti tribe to discuss our comments and understand their issues prior to issuance of the final permit.