



Choctaw Nation of Oklahoma

Historic Preservation

P.O. Box 1210 • Durant, OK 74702-1210

Gary Batton
Chief

Jack Austin, Jr.
Assistant Chief

May 17, 2019

Re: CNO Durant Event Center and Casino Expansion Clearance

To whom it may concern,

The Choctaw Nation of Oklahoma Historic Preservation Department has conducted a desktop review for the tract noted above. This review involved consulting the Oklahoma Archaeological site files, the Choctaw Register of Historic Places, relevant historic maps, and aerial photography. No known historic sites are located on the property, and it has been previously disturbed.

The Historic Preservation Department recommends proceeding with the proposed work. In the unexpected event that human remains or intact archaeological deposits are encountered, we ask that ground-disturbing activities are halted immediately and that our office is contacted as quickly as possible.

Thank you,

A handwritten signature in black ink, appearing to read "Ian Thompson", is written over a horizontal line.

Ian Thompson PhD, RPA
Choctaw Nation of Oklahoma Tribal Historic Preservation Officer

August 2015



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services
9014 East 21st Street
Tulsa, Oklahoma 74129
918/581-7458 / (FAX) 918/581-7467



April 22, 2019

Online Project Review Concurrence Letter

To: Choctaw Nation of Oklahoma
Kim Merryman
P.O. Box 1210, Durant, OK 74702
kmerryman@choctawnation.com

Project Name: Choctaw Nation Travel Plaza East
4305 Choctaw Road
Durant, OK 74701

Consultation Code: Enter the Consultation Code from your Official Species
List - example: 02EKOK00-2019-E-04295

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Oklahoma Ecological Services Field Office (ESFO) online project review process. By providing this letter in conjunction with your complete project review package, you are certifying that you have accurately completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. Concurrence with “not likely to adversely affect” determinations does not provide any exemption for violations of section 9 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA) or “take” of federally-listed species. The Federal action agency is ultimately responsible for ensuring compliance with the ESA and any take that occurs due to your proposed action would be considered a violation under section 9 of the ESA.

This letter and the enclosed project review package complete the review of your project in accordance with the ESA. This letter also provides information for your project review under the National Environmental Policy Act (National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C.4321-4347, 83 Stat. 852), as amended.

A copy of this letter and the project review package must be emailed to **okprojectreview@fws.gov** for this certification to be valid. This letter and the project review package will be maintained in Service records. **Please allow the Oklahoma ESFO 45 days to review your information. If the Oklahoma ESFO determines that the package is not complete, or that additional coordination is necessary, we will contact your office. If, after 45 days from the date of your email submittal of your project review package, the Oklahoma ESFO has not contacted your office, consider your section 7 consultation complete.**

The proposed action consists of:

Construction of a new Travel Plaza with 22 fuel dispensing pumps on the current asphalt parking lot of the Choctaw Nation Event Center. The site will be approximately 5 acres with a 15,000 square foot travel plaza.

Project start and completion dates:

Construction start date approximately June 20, 2019.

Federal agency or federal program providing a permit, funding, grant, authorization, loan, etc. associated with the proposed project and how that agency is associated with your project:

Region 6 EPA Air Quality Permitting

Federal Agency/Program Point of contact (Name, phone, and email address):

Bonnie Braganza P. E.
Air Permits US Environmental Protection Agency, Region 6
214-665-7340 Braganza.Bonnie@epa.gov

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in “not likely to adversely affect/modify” determinations for listed species and critical habitat in relation to potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with determinations of “not likely to adversely affect” for listed species and critical habitat reached by proper use of this process. For projects where this particular determination is reached, additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages efforts to avoid or minimize adverse impacts to them from project effects. Some federal agencies have standing policies that grant limited protections to candidate species. Conservation of candidate species now may preclude future needs to federally list them as endangered or threatened, at which point their legal protection would become required. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered. You should re-visit the Service's Information, Planning, and Conservation (IPaC) website at <http://ecos/fws.gov/ipac/> within 90 days of project initiation to ensure species information is correct. If new species or critical habitat is identified, this letter is no longer valid and a new project package should be submitted to the Oklahoma ESFO.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Oklahoma is available at our website: <<http://www.fws.gov/southwest/es/oklahoma/>>. If you have any questions, please call 918-581-7458 or send an email message to OKProjectReview@fws.gov.

Sincerely,
/s/ Jonna Polk
Field Supervisor
Oklahoma Ecological Services Field Office

Enclosures:

- 1) ENTIRE PROJECT REVIEW
 - PACKAGE: Species Conclusion Table
 - IPaC Species List and Action Area map
 - This letter (Online Concurrence Letter)
 - (Optional) Additional maps
- 2) Other relevant project data/documents

I have included a current GIS map of the area and the previous Categorical Exclusion that was submitted in 2010.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467
<http://www.fws.gov/southwest/es/Oklahoma/>

In Reply Refer To:
Consultation Code: 02EKOK00-2019-SLI-1791
Event Code: 02EKOK00-2019-E-04295
Project Name: Choctaw Nation Travel Plaza East

April 22, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Non-federal entities conducting activities that may result in take of listed species should consider seeking coverage under section 10 of the ESA, either through development of a Habitat Conservation Plan (HCP) or, by becoming a signatory to the General Conservation Plan (GCP) currently under development for the American burying beetle. Each of these mechanisms provides the means for obtaining a permit and coverage for incidental take of listed species during otherwise lawful activities.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit through our Project Review step-wise process <http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm>.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oklahoma Ecological Services Field Office

9014 East 21st Street
Tulsa, OK 74129-1428
(918) 581-7458

Project Summary

Consultation Code: 02EKOK00-2019-SLI-1791

Event Code: 02EKOK00-2019-E-04295

Project Name: Choctaw Nation Travel Plaza East

Project Type: DEVELOPMENT

Project Description: Approximately 5 acres of what is currently a parking lot for the Choctaw Nation Event Center, a new Travel plaza will be constructed. This will include 22 fuel dispenser pumps. Travel Plaza building will be 14,566 square feet.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.955133424610025N96.4152668372204W>



Counties: Bryan, OK

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Least Tern <i>Sterna antillarum</i> Population: interior pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

Insects

NAME	STATUS
<i>American Burying Beetle <i>Nicrophorus americanus</i></i>	Endangered
Population: Wherever found, except where listed as an experimental population	
No critical habitat has been designated for this species.	
Species profile: https://ecos.fws.gov/ecp/species/66	

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The Migratory Birds Treaty Act of 1918.
 2. The Bald and Golden Eagle Protection Act of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.



Biological Resources/Endangered Species

After reviewing the USFWS Endangered Species Database to identify federally protected threatened and endangered species in Durant, Oklahoma at the project site, the following federally protected threatened and endangered species have been identified:

Common Name	Scientific Name	Federal Status	Record Status
Avian:			
Least Tern	Strena antillarum	Endangered	Current
Piping Plover	Charadrius melodus	Threatened	Current
Red Knot	Calidris canutus rufa	Threatened	Current
Whooping Crane	Grus Americana	Endangered	Current
Insect:			
American Burying Beetle	Nicrophorus americanus	Endangered	Current

Least Tern (Strena antillarum)

Description: The least tern is the smallest member of the gull and tern family with an approximate length of only 9". The least tern has narrow pointed wings with a wingspan of 20" and a forked tail. Their body is predominantly gray and white, with a black streak on the top of the head. Least terns are unique when compared to other members of its family because they dive into water for prey.

Habitat: Least terns can use a wide array of habitat types for foraging that includes large rivers, lakes, ponds, and shallow wetlands. Least terns only occur in Oklahoma during the breeding season from late-May to mid-July and require a very specific nesting habitat, one of open sand and gravel areas that are largely devoid of vegetation. In addition to specific nesting habitat requirements the least tern also tend to nest in colonies of 2 to 70 pairs. This type of behavior requires large swathes of sandy vegetation devoid ground for least terns.

Conclusion: Based on the lack of foraging, and complete lack of sand or gravel substrate for nesting this habitat is not suitable for the least tern. The entire site is currently, and has been an asphalt parking lot, since 2010. Therefore, it is our opinion that the proposed project is not likely to adversely affect the least tern.



Piping Plover (*Charadrius melodus*)

Description: The piping plover is a stocky shorebird that is approximately 5.5” inches in length with a wingspan of 19”. The plover is sand-colored with a white underside and orange legs. Adults have a black forehead and breast band as well as an orange bill with a black tip during breeding season.

Habitat: Piping plovers prefer mudflats as well as sandbars in order to forage for invertebrate prey. They appear in Oklahoma from March to May and again July to September and use the state as a stopover site, not typically as a breeding ground.

Conclusion: Based on the lack of aquatic environment with densely vegetated edges, along with the lack of mudflats for foraging, this habitat is not suitable for the piping plover. In addition, the complete lack of sandy substrate for nesting renders this site undesirable. The entire site is currently, and has been an asphalt parking lot, since 2010. Therefore, it is our opinion that the proposed project is not likely to adversely affect the piping plover.

Red Knot (*Calidris canutus rufa*)

Description: A migratory shorebird 9-10” in length with a 23” wingspan. It has a rust-colored head, neck, and belly during breeding season. This bird migrates from its summer breeding grounds in the Arctic Tundra to Chile where the bird overwinters.

Habitat: Rufa red knot forage on mudflats and search for mollusks, invertebrates, and seeds. Long distant migrants typically do not stopover in Oklahoma; however, inclement weather events sometimes ground them. Of note - fewer than five birds that are seen in Oklahoma, annually.

Conclusion: Fewer than five birds are reported in Oklahoma annually with those reports 85% have been during the bird’s fall migration from the Arctic Tundra. Ideal foraging habitat for the rufa red knot is very limited in Oklahoma with preferred sites on mudflats with abundant mollusks, invertebrates, and seeds. The project site lacks exposed mudflats for foraging which renders this habitat unsuitable for the red knot. The entire site is currently, and has been an asphalt parking lot, since 2010. Consequently, it is our opinion that the proposed project will not adversely affect the rufa red knot.



Whooping Crane (*Grus Americana*)

Description: The whooping crane occurs only in North America and is North America's tallest bird, with males approaching 1.5 m (5 ft) when standing erect. The whooping crane adult plumage is snowy white except for black primaries, black or grayish alula (specialized feathers attached to the upper leading end of the wing), sparse black bristly feathers on the carmine crown and malar region (side of the head from the bill to the angle of the jaw), and a dark gray-black wedge-shaped patch on the nape. The common name "whooping crane" probably originated from the loud, single-note vocalization given repeatedly by the birds when they are alarmed. Whooping cranes are a long-lived species; current estimates suggest a maximum longevity in the wild of at least 30 years.

Habitat: Whooping cranes currently exist in the wild at 3 locations and in captivity at 12 sites. The July 2010 total wild population was estimated at 383. There is only one self-sustaining wild population, the Aransas-Wood Buffalo National Park population, which nests in Wood Buffalo National Park and adjacent areas in Canada, and winters in coastal marshes in Texas at Aransas. In addition, there is a small captive-raised, non-migratory population in central Florida, and a small migratory population of individuals introduced beginning in 2001 that migrate between Wisconsin and Florida in an eastern migratory population. The last remaining wild bird in the reintroduced Rocky Mountain Population died in the spring of 2002. The captive population contained 152 birds in July, 2010, with annual production from the Calgary Zoo, International Crane Foundation, Patuxent Wildlife Research Center, Audubon Species Survival Center, and the San Antonio Zoo. The total population of wild and captive whooping cranes in July, 2010, was 535.

Critical Habitat: There is final critical habitat for this species (published in the Federal Register on May 15, 1978). Your location is outside the critical habitat.

Conclusion: This project is outside the critical habitat for this species. Consequently, it is our opinion that the proposed project will not adversely affect the Whooping Crane.

American Burying Beetle (*Nicrophorus americanus*)

Description: The American burying beetle is a large beetle, approximately 1-2' in length. It has an overall black coloration and four red-orange markings on its back as well as a prominent red-orange coloration on the area between the head and wing covers.

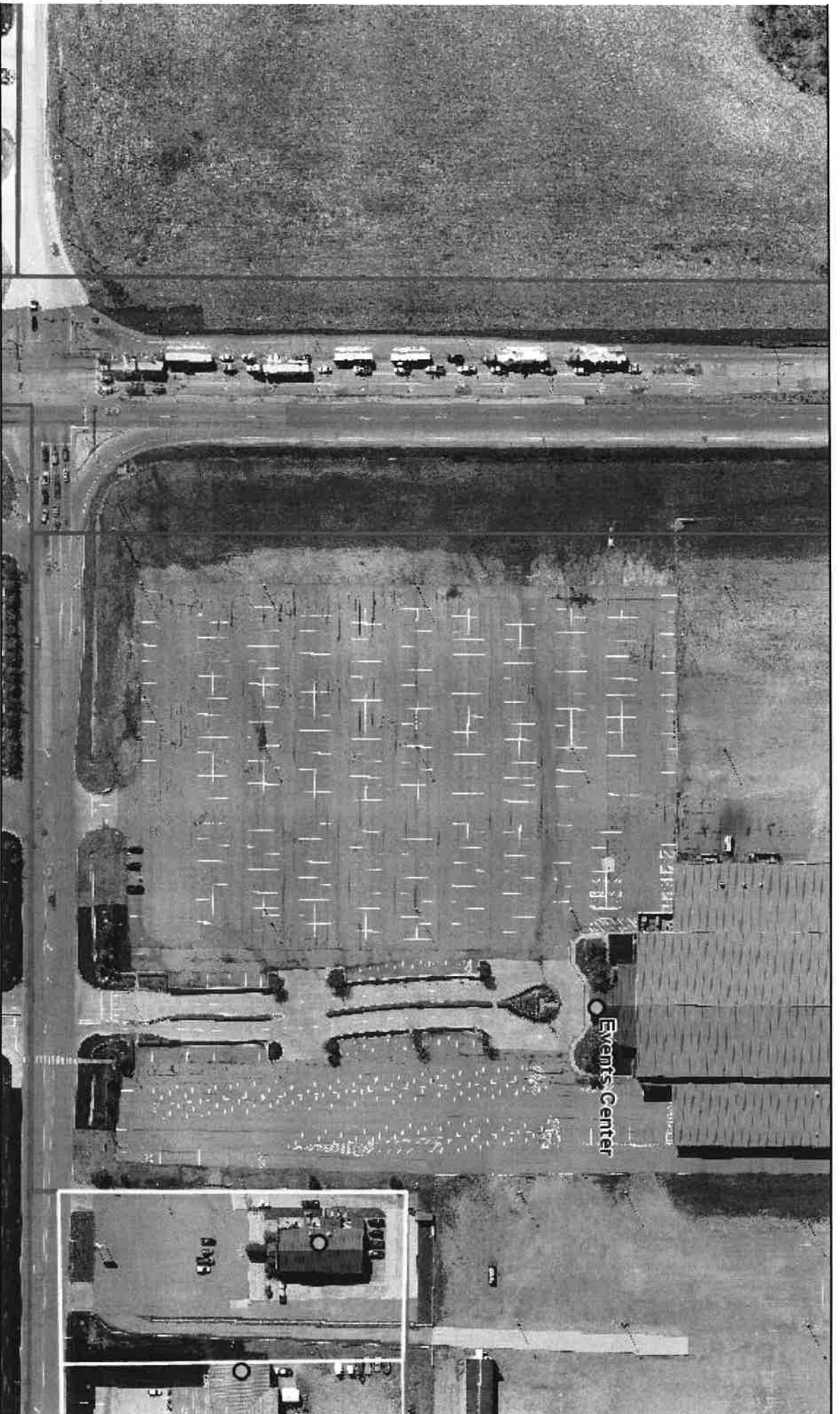
Habitat: American burying beetle prefers open, oak-hickory forests with native grass cover. They can also be found in close-canopied forests and tallgrass prairies. They need access to suitable soils for carcass burial and a diverse small mammal or bird community to prey upon.



Choctaw Nation of Oklahoma Environmental Protection Services

Conclusion: The American burying beetle is unlikely to be found at the project location. There is no vegetation or suitable soils for carcass burial at the project site, which is undesirable for the American Burying Beetle. It is our opinion that the proposed project will not adversely affect the American burying beetle or any of its habitat.

ArcGIS Web Map



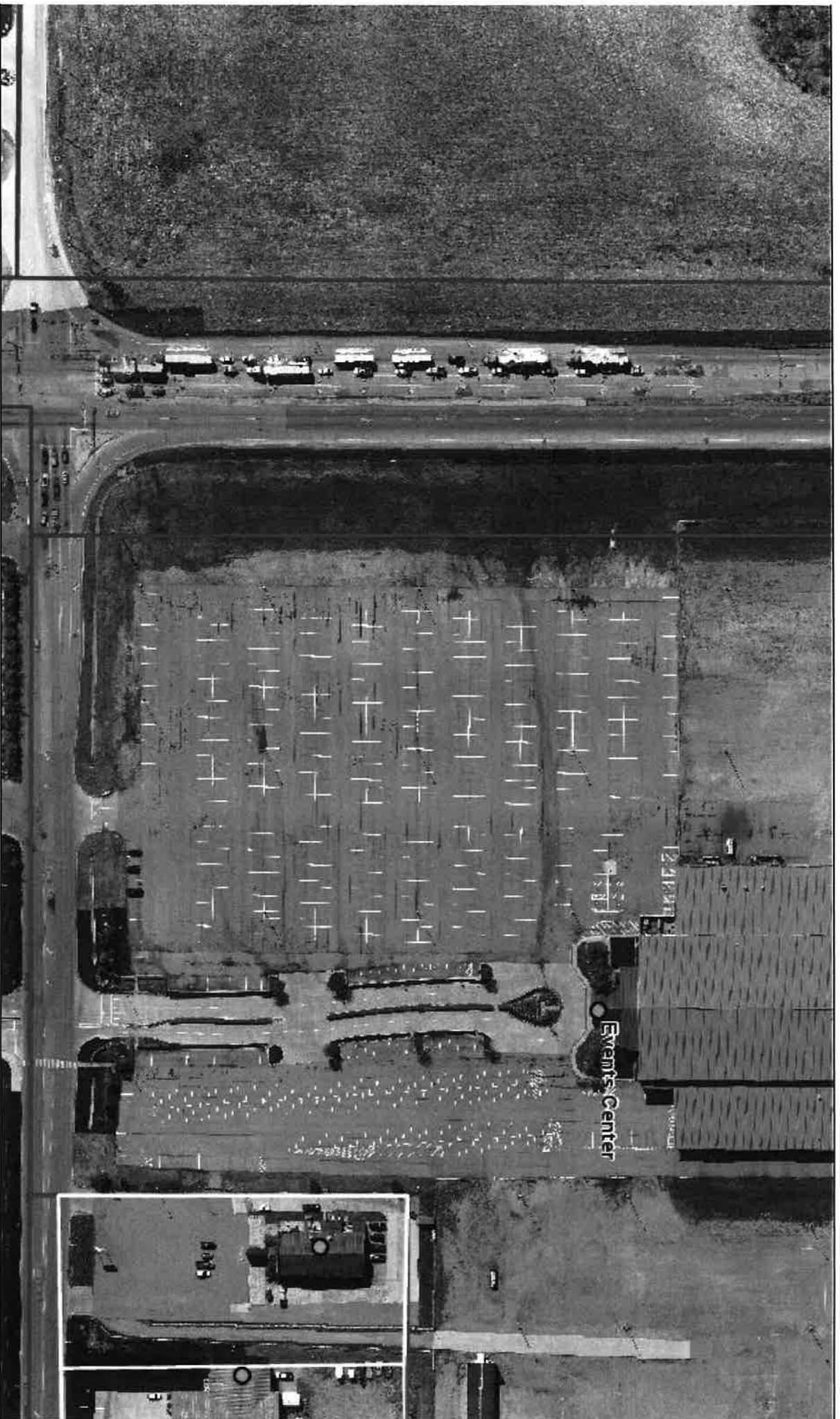
22/2019 3:26:38 PM

- Tribal Boundary
- CN Property
- Trust
- Green: Band_2
- Red: Band_1
- Blue: Band_3
- AtokaChillis
- Red: Band_2
- Green: Band_1
- Blue: Band_3
- Atoka_AffordableHousing
- Red: Band_1
- Red: Band_2
- Red: Band_1
- ChocChic
- Atoka_Campus
- Red: Band_1
- Blue: Band_3
- Blue: Band_2
- Red: Band_1
- Fee



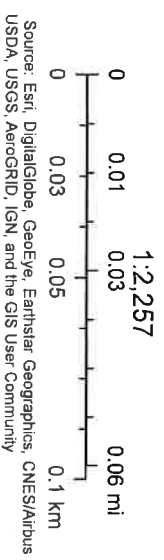
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
USDA, USGS, AeroGRID, IGN, and the GIS User Community

ArcGIS Web Map



22/2019 3:26:38 PM

- Tribal Boundary
- CN Property
- Choc/Chic
- Atoka_Campus
- Trust
- Fee
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- AtokaChilis
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Atoka_AffordableHousing
- Red: Band_1



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
USDA, USGS, AeroGRID, IGN, and the GIS User Community

