

Cherokee Nation Community Archery Parks – Vinita and Sallisaw – Public Notice

Cherokee Nation request comments regarding the environmental assessments and impacts of construction and development of two new Community Archery Park ranges in the cities of Vinita and Sallisaw, OK.

Through partnership with the Oklahoma Department of Wildlife Conservation, Cherokee Nation has proposed the development of Community Archery Parks in the following locations:

Vinita: The site is located in the city of Vinita, Craig County, Oklahoma. The legal description of the proposed site is a tract of trust status land situated in part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 25 North, Range 20 East, Craig County, Oklahoma, more particularly described as follows: Commencing at the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 842.00 feet; thence North 360.00 feet to the Point of Beginning; thence West 470.00 feet; thence North 330.00 feet; thence N61°02'52"E 537.12 feet; thence South 590.00 feet to the Point of Beginning, containing 4.96 acres more or less.

Sallisaw: The site is located in the city of Sallisaw, Sequoyah County, Oklahoma. The legal description of the proposed site is a tract of trust status land situated in part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 11 North, Range 23 East, Sequoyah County, Oklahoma, containing 4.2 acres more or less.

Please reference the individual Community Archery Park Environmental Assessments at:

Vinita: <https://cherokee.org/media/5ttoyvpi/2020-vinita-archery-park-ea.pdf>

Sallisaw: <https://cherokee.org/media/ktgeae3x/2020-sallisaw-archery-park-ea.pdf>

Cherokee Nation invites citizens and other interested parties to review and comment on the environmental assessments and impacts of the proposed Community Archery Parks for Vinita and Sallisaw, OK. Submission may be sent to:

Email: Jennifer-Pigeon@cherokee.org

Or

Mail: Cherokee Nation

ATTN: Jennifer Pigeon

PO Box 0948

Tahlequah, OK 74465-0948

CHEROKEE NATION GRANTS MANAGEMENT PROGRAM

ENVIRONMENTAL ASSESSMENT



VINITA ARCHERY PARK PROJECT

CRAIG COUNTY OKLAHOMA

Prepared By:

**CHEROKEE NATION
ENVIRONMENTAL PROGRAMS**

Prepared by:



Andrea Taylor, Manager
Cherokee Nation Environmental Programs

April 23, 2020

Date

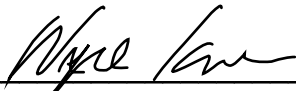
Reviewed by:



Brad Asbill, Environmental Specialist III
Cherokee Nation Environmental Programs

April 23, 2020

Date



Wayne Isaacs, Senior Director
Cherokee Nation Environmental Programs

04/24/2020

Date

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1.0 Purpose of and Need for Action

1.1 Introduction and Background

There are more archery hunters and shooters in the United States than ever before. However, there are few public archery ranges to meet their needs and even fewer with an elevated shooting platform.

The Cherokee Nation, in partnership with the Oklahoma Department of Wildlife Conservation (ODWC) and in cooperation with the U.S. Fish and Wildlife Service (USFWS), has prepared this Environmental Assessment (EA) to analyze potential effects on physical, biological, and recreation conditions that may result from the implementation of the proposed Vinita Archery Park project.

Funds for this project would be provided through a grant under the Wildlife and Sport Fish Restoration (WSFR) Program, administered by the USFWS. The WSFR Program provides funds to the states and insular areas fish and wildlife agencies for projects to restore, conserve, manage, and enhance wild birds and mammals and their habitat. The Program is authorized by the Wildlife Restoration Act (Pittman-Robertson PR) of 1937. Thus, the proposal is subject to the National Environmental Policy Act (NEPA) as implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations 155, et seq.) and U.S. Department of the Interior NEPA procedures.

1.2 Purpose and Need

Archery hunters need to practice often with a variety of distances and types of shots. They need to gain experience on how to properly strike a game animal from various distances and from both ground and elevated levels.

Access to archery ranges is becoming much more difficult because of city ordinances. It is essential that action is taken to develop and maintain additional archery shooting opportunities for the hunters and shooters of Oklahoma. Failure to develop additional archery ranges will result in an increase in wounding loss and missed opportunities at harvest. Lack of locations to participate could present a barrier, preventing some individuals from becoming involved in shooting sports. An archery range will also help to educate hunters on the importance of Fall Arrest Systems (FAS). The ranges will feature an elevated stand for archers to practice from and require the use of FAS.

Archery also plays a significant part of ancestry and modern culture of the Cherokee people. An Archery Range that is free and open to all would allow for the continuance of this part of the culture to be passed from tribal elders to their sons, daughters and grandchildren for many years to come.

This project will allow the Oklahoma Department of Wildlife Conservation to partner with the Cherokee Nation to plan, design and construct two community archery parks in the cities of Vinita and Sallisaw to meet this need. This document will focus on the park planned for Vinita, Oklahoma.

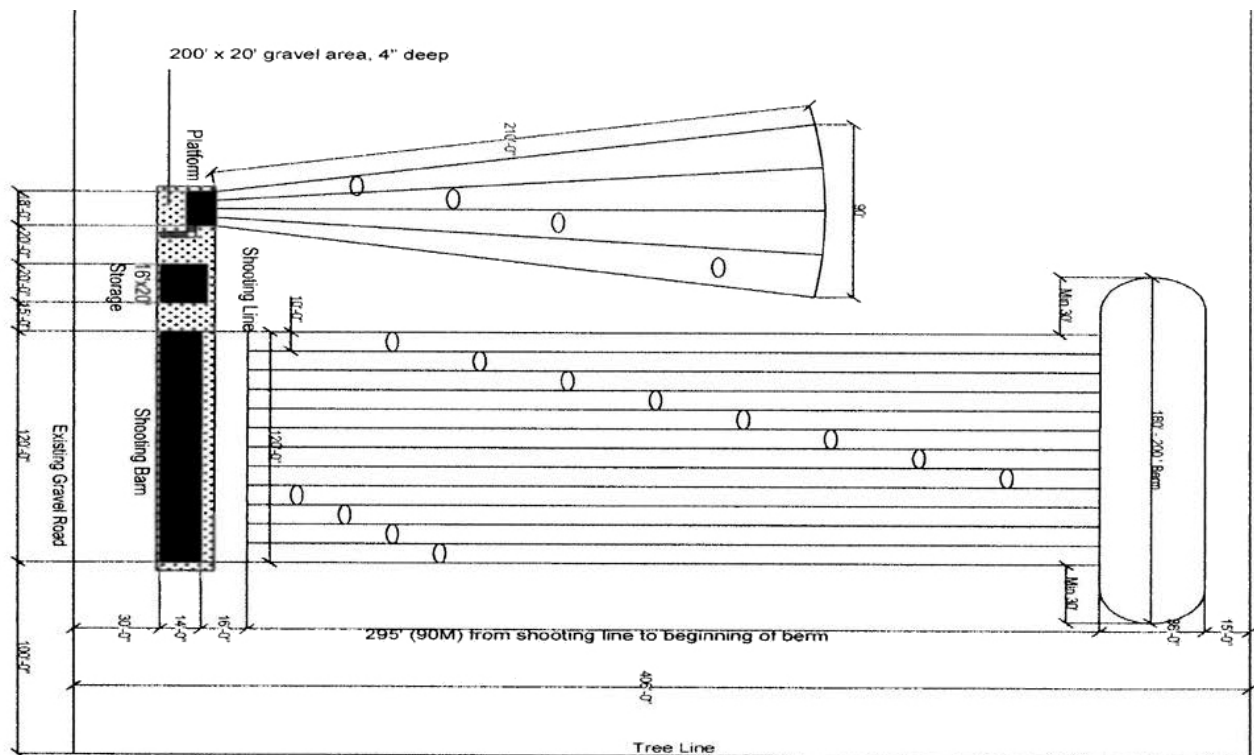
2.0 Alternatives

2.1 No Action Alternative

The No Action Alternative is defined as maintaining the conditions now present within the project site. The Cherokee Nation would not develop or alter the existing parcel under the Wildlife Restoration Grant Program. Construction of the recreational archery park would not occur. The USFWS/ODWC would not appropriate funds for construction of the recreational archery range. None of the amenities of the project would be provided, and the community would lack a valuable social, recreational and educational resource.

2.2 Proposed Action Alternative

The proposed project will include an elevated shooting platform with four stationary targets at various distances. Also included will be a covered adult shooting platform (ground level) with nine shooting stations and eight targets at various distances. There will also be a covered youth shooting platform (ground level) with five shooting stations and four targets at various distances. Final design is not yet complete, but safety berms will be built where needed. Also, ADA sidewalks will be included where needed to make the facility ADA compliant. A small gravel parking lot will be included, with a turnabout large enough for buses. Finally, there will be 16 3-D targets throughout the range and a restroom.



Reference Site Plan



Site Map

Project Reference Photos:



Shooting Barn and Platform (Reference Photo)



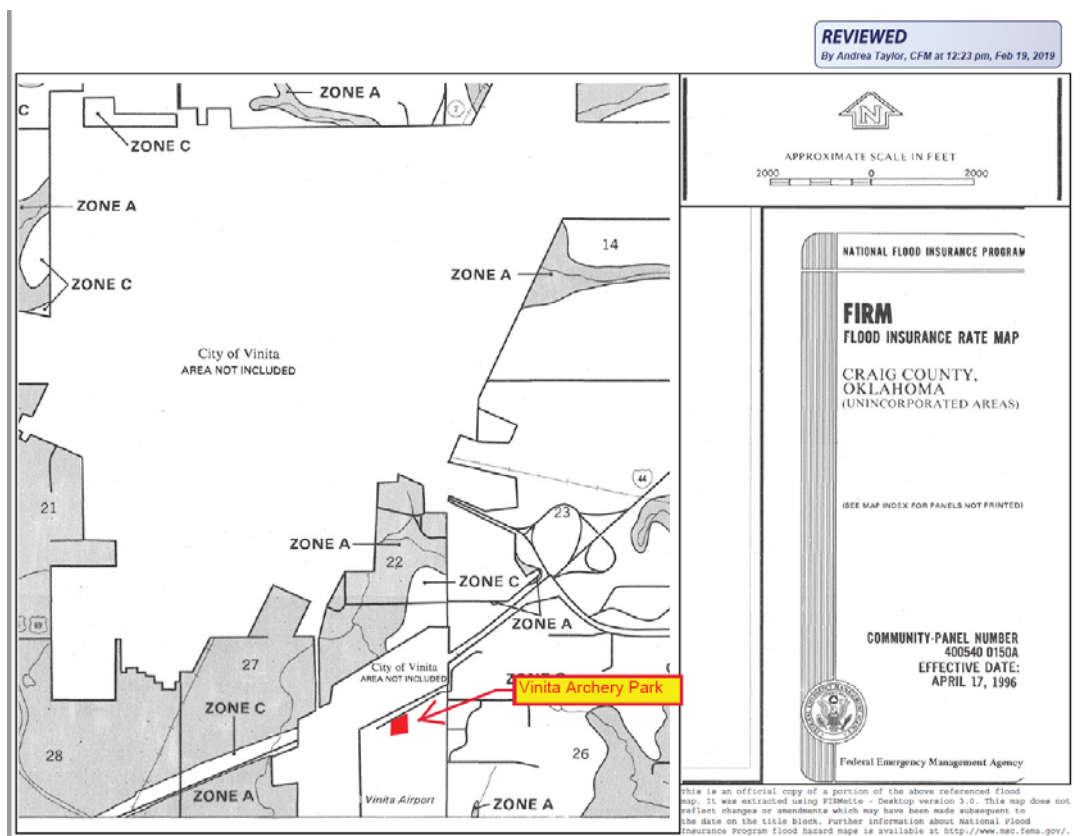
Shooting Barn (Reference Photo)



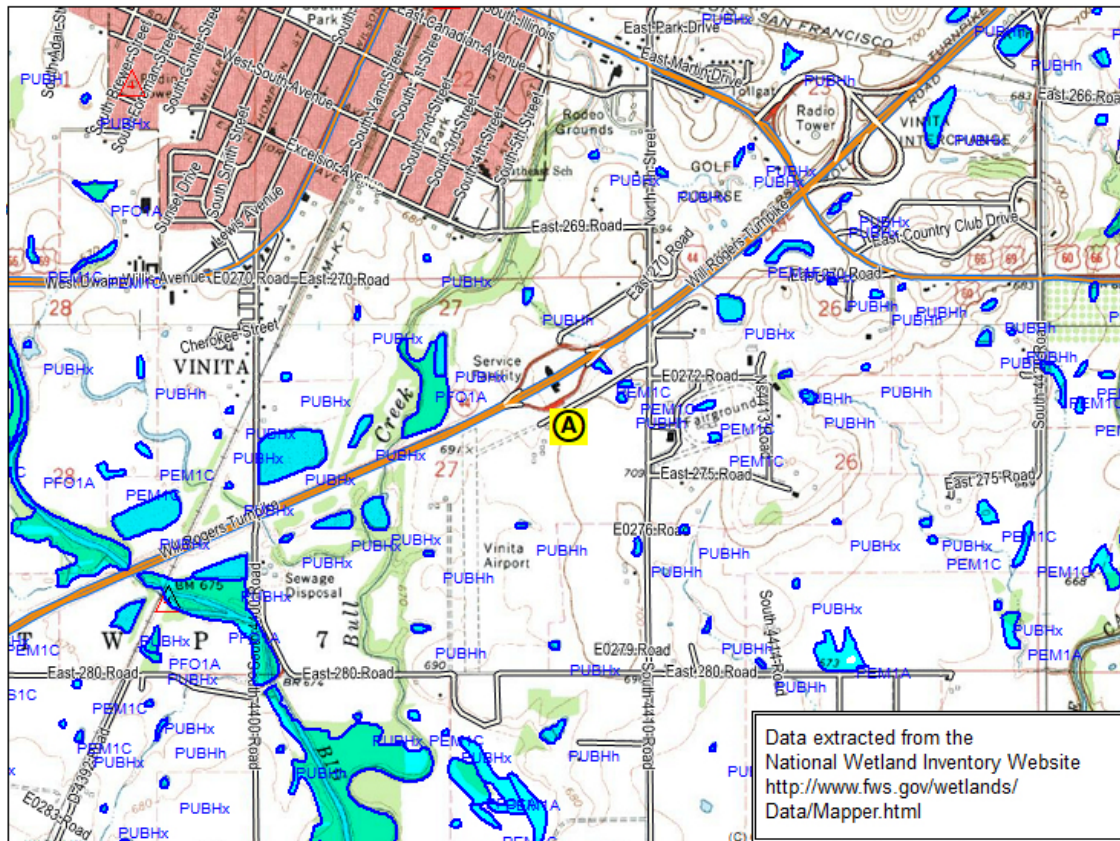
Shooting Platform (Reference Photo)

The Proposed Action is located on previously disturbed vacant land located within the City of Vinita, Oklahoma. The project also includes minimal ground disturbance and consists of maintaining the current green space condition by adding an outdoor recreational resource. Resource issues considered for potential impacts from the Proposed Action and then dismissed from further analysis in this EA are listed below, with rationale for the dismissal:

- **Water Resources** – No surface, ground water, floodplain or wetland resource is located onsite
- **Air Resources** – The entire State of Oklahoma is currently and historically is in Attainment with all of EPA's National Ambient Air Quality Standards.
- **Socioeconomic Conditions** – The project is expected to have a minor beneficial impact to the local economy with some increased visitation by providing additional recreational opportunity to the public.
- **Resource Use Patterns** – Green space remaining green space



FEMA FIRMette



USFWS – Wetland Map

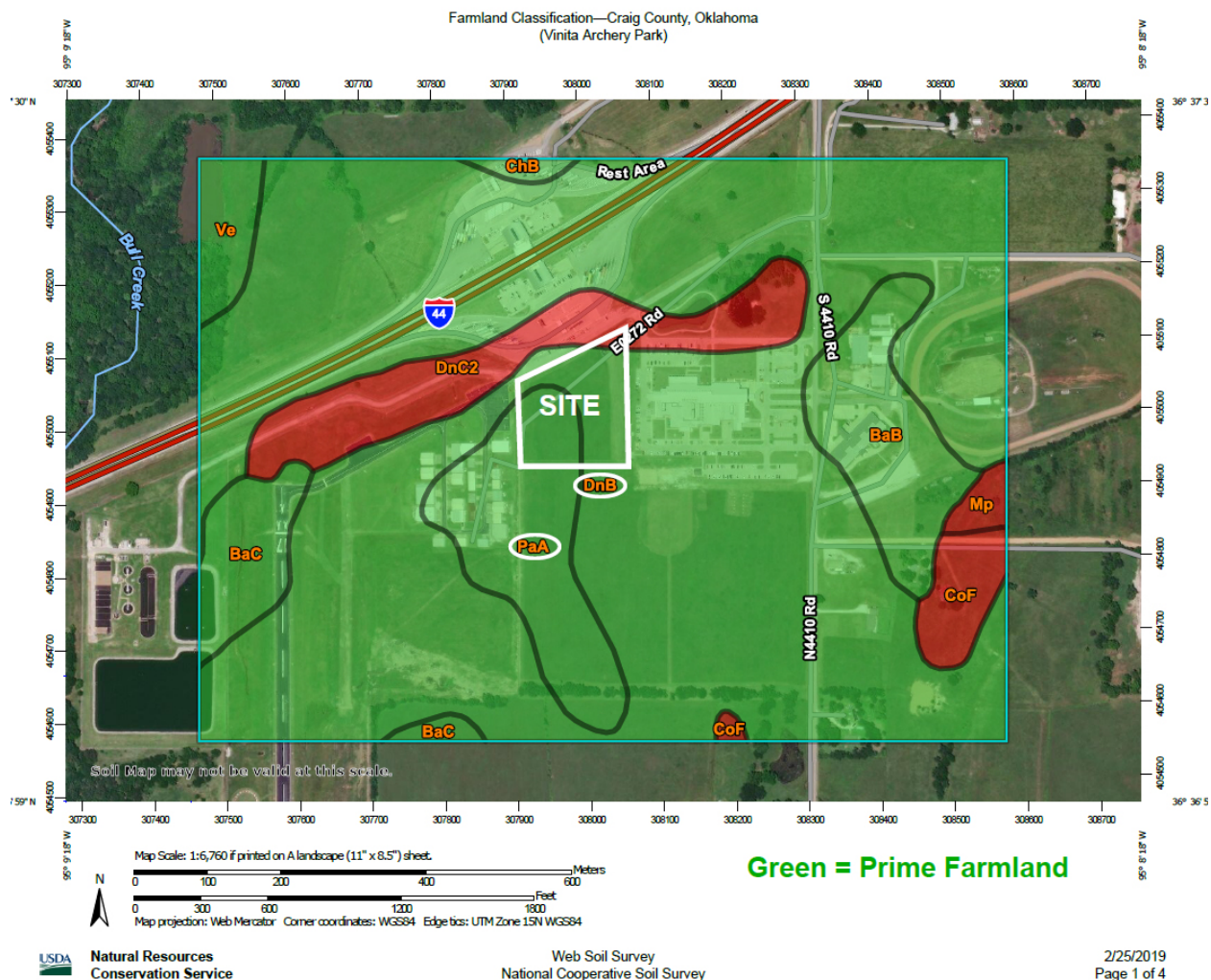
3.0 Description of the Affected Environment

3.1 Land Resources

The site is located in the city of Vinita, Craig County, Oklahoma. The legal description of the proposed site is a tract of trust status land situated in part of the SE¼ NE¼ of Section 27, Township 25 North, Range 20 East, Craig County, Oklahoma, more particularly described as follows: Commencing at the SE corner of the SE¼ NE¼; thence West 842.00 feet; thence North 360.00 feet to the Point of Beginning; thence West 470.00 feet; thence North 330.00 feet; thence N61°02'52"E 537.12 feet; thence South 590.00 feet to the Point of Beginning, containing 4.96 acres more or less.

The project site is currently an open grassland and is maintained by occasional mowing. The surrounding land use patterns are predominately commercial, which is the ideal compatible land use to pair with an Archery Range. The Cherokee Nation Vinita Health Clinic is located to the east. The Vinita Municipal Airport is located to the west and Interstate 44 and the Turnpike McDonalds is located due north.

The soils found onsite include Dennis silt loam (DnB) and Parsons silt loam (PaA) both of which are classified by the Natural Resources Conservation Service Web Soil Survey Map as having a Prime Farmland designation.



USDA Prime Farmland Map

3.2 Living Resources

The U.S. Fish and Wildlife Service’s (USFWS) information, planning and conservation (iPaC) planning tool was used to generate an official list of threatened and endangered species. The list below shows the seven species potentially found at the project location

<i>Endangered Species</i>	<i>Preferred Habitat</i>	<i>Status</i>
<i>Gray Bat</i>	<i>Inhabits caves year round</i>	<i>Endangered</i>
<i>Northern Long-Eared Bat</i>	<i>Hibernates in caves and mine during winter / Inhabits trees in summer</i>	<i>Threatened</i>
<i>Least Tern</i>	<i>Preferred habitat islands and sandbars along large rivers</i>	<i>Endangered</i>
<i>Piping Plover</i>	<i>Prefers sandy beaches</i>	<i>Threatened</i>
<i>Red Knot</i>	<i>Prefers sandy, gravel, or cobble beaches</i>	<i>Threatened</i>
<i>Ozark Cavefish</i>	<i>Inhabits cave streams</i>	<i>Threatened</i>
<i>American Burying Beetle</i>	<i>Prefers open tall grasslands and wooded areas</i>	<i>Endangered</i>

The project site consists of an open grassland that is maintained by occasional mowing. This is considered favorable habitat of only one of the above listed species, the American Burying Beetle (ABB).



Open grassland on site around 24 inches in height – Not maintained by grazing or frequent mowing (Preferred ABB habitat)

3.3 Cultural Resources

The project site had been previously surveyed for other projects in June/July 2008. The results of the survey found “no cultural resources were observed in the study area” (Reference 1).

4.0 Environmental Consequences

4.1 Land Resources

- **No Action Alternative** –The No Action alternative would have no immediate adverse effect on land resources. However, there is the potential that the land would be developed in the future and thus the greenspace area would be lost.
- **Proposed Action Alternative** – If the Proposed Action Alternative is chosen, it would not likely have any adverse effect on land resources. The project area is designated as Prime Farmland according to the USDA Web Soil Service. An AD-1006 form was sent to USDA, the total point value is 82. Sites that receive a point total of less than 160, require no further coordination with the Farmland

Protection Act. In addition, Jake Boyett, NRCS Conservationist, determined that “the proposed site does not appear to effect any NRCS structures.”

4.2 Living Resources

- **No Action Alternative** – If the Proposed Action Alternative is chosen, it would not have any adverse effect on living resources.
- **Proposed Action Alternative** – Due to lack of habitat present at the site, the Proposed Action will have no effect on Gray Bat, Northern Long-Eared Bat, Least Tern, Piping Plover, Red Knot, and Ozark Cavefish. Implementation of the Proposed Action will result in disturbance of approximately 4.96 acres of potential habitat for the American Burying Beetle (ABB). Of that amount, 4.85 acres will be a permanent cover change, and 0.11 acres will be a permanent change. Measures outlined in the Cherokee Nation Conservation and Mitigation Program will be implemented. Due to impacts to ABB habitat, it was determined that the project may affect, and is likely to adversely affect the ABB. USFWS Oklahoma Ecological Services office has concurred that incidental take associated with this project would be covered under the Cherokee Nation’s Programmatic Biological Opinion, “Cherokee Nation Actions for years 2017-2026 (02EKOK00-2017-F-1556)” (see Reference 2).

4.3 Cultural Resources

- **No Action Alternative** – If the No Action Alternative is chosen, the proposed site would remain undeveloped. No effects to cultural resources would occur.
- **Proposed Action Alternative** – As stated in Section 3.3, previous surveys did not find significant cultural or historic resources. Cherokee Nation has received concurrences from the Oklahoma Archeological Survey (OAS) (dated 2/25/2019) and the State Historic Preservation Office (SHPO) (dated 3/8/2019). In the event that archeological deposits or features should be encountered during construction, work would cease immediately, and Cherokee Nation, OAS, and SHPO would be contacted for further consultation.

5.0 Mitigation Measures

5.1 Land Resources

No mitigation measures for land resources are necessary.

5.2 Living Resources

The Cherokee Nation Conservation and Mitigation Program (CMP), Permit Number 02EKOK00-2017-F-1556, will be utilized to mitigate potential impacts to the ABB. The project will disturb approximately 4.96 acres of potential ABB habitat outside of the ABB Conservation Priority Area (CPA). Of that amount, 4.85 acres will be a permanent cover change, and 0.11 acres will be a permanent change, resulting in 2.5 ABB Conservation Credits used.

5.3 Cultural Resources

The OAS, SHPO and Cherokee Nation must be notified of any chipped stone, tools, pottery, bone, historic crockery, glass, metal items, building materials or historic findings are uncovered to ensure destruction of these sites does not occur during construction. Should archeological evidence be discovered during the construction phase or excavation phase, activities will be halted and the Cherokee Nation, OAS and SHPO will be informed.

5.4 Public Involvement

Appropriate public involvement helps identify issues, resources, and resource uses that could be impacted, reducing the chances of overlooking a potentially significant issue or reasonable alternative. This Draft EA will be made available for a 30-day public comment period.

6.0 References

Reference One – Section 106 Consultation letters and responses received from, State Historic Preservation Office, Oklahoma Archeological Survey Office, and the Cherokee Nation. The Cherokee Nation assumed concurrence with the project from the Delaware Tribe, the United Keetoowah Band of Cherokee, the Caddo Tribe of Oklahoma, and the Wichita & Affiliated Tribes, because they were contacted but did not respond. Also, included Archeological Field Survey conducted in June/July 2008.

Reference Two –Section 7 Consultation sent to USFWS - Species Conclusion Table, Project Review Concurrence and US Fish & Wildlife Official Species List – concurrence assumed after 45 days.

Reference Three – AD-1006 Form, Natural Resource Conservation Web Soil Survey maps (Prime Farmland), completed March 5, 2019.

REFERENCE 1

Section 106 Consultation



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office

Oklahoma History Center • 800 Nazih Zuhdi Drive • Oklahoma City, OK 73105-7917
(405) 521-6249 • Fax (405) 522-0816 • www.okhistory.org/shpo/shpom.htm

March 8, 2019

Ms. Andrea Taylor, Manager
Cherokee Nation Environmental Programs
P.O. Box 948
Tahlequah, OK 74465

RE: File #1030-19; Cherokee Nation Proposed Vinita Archery Park Project

Dear Ms. Taylor:

We have received and reviewed the documentation concerning the referenced project in Craig County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future.

If you have any questions, please contact Catharine M. Wood, Historical Archaeologist, at 405/521-6381.

Should further correspondence pertaining to this project be necessary, please reference the above underlined file number. Thank you.

Sincerely,

Lynda Ozan
Deputy State Historic
Preservation Officer

LO pm





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Bill John Baker
Principal Chief
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S. Joe Crittenden
Deputy Principal Chief
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February 20, 2019

Lynda Ozan
Deputy Historical Preservation Officer
Oklahoma Historical Society
Oklahoma History Center
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105-7917

Dear Ms. Ozan:

In accordance with Section 106 of the National Historic Preservation Act, the Cherokee Nation respectfully requests your opinion on the possible impacts/effects of the following project:

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
 - a. 4 stationary targets at various distances
2. Covered Adult Shooting Platform (ground level) - **see photos**
(120' x 14' x 8' open shelter for 14 individual shooting bays with concrete/screening floor)
 - a. 9 shooting stations
 - b. 8 targets at various distances
3. Covered Youth Shooting Platform (ground level) - **see photos**
 - a. 5 shooting stations
 - b. 4 targets at various distances
4. Safety Berms built where needed (~300' from the shooting barn)
5. ADA sidewalks where needed to make facility ADA compliant (concrete/screenings)
6. 16 3-D Targets throughout the range
7. Restroom facility w/HVAC (10' x 14')
8. Storage Building (10' x 20')
9. Benches

COPY

10. Fencing and gates

11. Gravel for parking (large enough for bus turnaround) (1 1/2" crusher and screenings may be used in some areas).

Legal Description:

A tract of land situated in part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 25 North, Range 20 East, Craig County, Oklahoma, more particularly described as follows:

Commencing at the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 842.00 feet; thence North 360.00 feet to the Point of Beginning; thence West 470.00 feet; thence North 330.00 feet; thence N61°02'52"E 537.12 feet; thence South 590.00 feet to the Point of Beginning, containing 4.96 acres more or less.

A site map and example photos of the project are included. The project described above will be completed with funds from the US Fish & Wildlife Service through a grant process with the Oklahoma Department of Wildlife Conservation. The Oklahoma State Historic Preservation Office has also been contacted in regards to this project. If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

February 25, 2019

Andrea Taylor
Cherokee Nation Environmental Programs
P.O. Box 948
Tahlequah, Oklahoma 74465-0948

Re: OAS FY19-1134 Cherokee Nation Proposes Construction of the Vinita Archery Park Project.
Legal Description: NW ¼ SE ¼ NE ¼ of Section 27, T25N, R20E, Craig County, Oklahoma.

Dear Ms. Taylor:

The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed the above referenced project in order to identify areas that may potentially contain prehistoric or historic archeological materials (historic properties). The location of your project has been crosschecked with the state site files containing approximately 26,500 archaeological sites, which are currently recorded for the state of Oklahoma. Our records indicate that your project area has been previously surveyed for other projects, and that no significant prehistoric cultural resources were located. Thus, an additional field inspection is not considered necessary for your project. Should construction activities expose buried archeological 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.

This environmental review and evaluation is done in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. The responsible federal agency or their official delegate must also have a letter from that office to document consultation pursuant to Section 106 of the National Historic Preservation Act.

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.

Sincerely,

Charles T. Raitville III
Staff Archaeologist

Kay C. Stackelbeck, Ph.D.
Staff Archaeologist

: hjw
cc: SHPO





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S. Joe Crittenden
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February 20, 2019

Kerry Stackelbeck
State Archaeologist
Oklahoma Archeological Survey
111 E. Chesapeake, Room 102
Norman, OK 73019-5111

Dear Ms. Stackelbeck:

In accordance with Section 106 of the National Historic Preservation Act, the Cherokee Nation respectfully requests your opinion on the possible impacts/effects of the following project:

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
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COPY

11. Gravel for parking (large enough for bus turnaround) (1 1/2" crusher and screenings may be used in some areas).

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A site map and example photos of the project are included. The project described above will be completed with funds from the US Fish & Wildlife Service through a grant process with the Oklahoma Department of Wildlife Conservation. The Oklahoma State Historic Preservation Office has also been contacted in regards to this project. If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs



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April 8, 2019

Andrea Taylor
Cherokee Nation Environmental Programs
P.O. Box 948
Tahlequah, OK 74465-0948

Re: Vinita Archery Park Project



Ms. Andrea Taylor:

The Cherokee Nation (Nation) is in receipt of your correspondence about **Vinita Archery Park Project**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

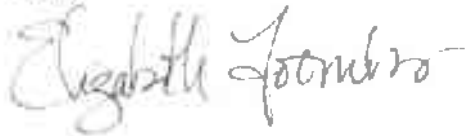
The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found instances where this project intersects or adjoins such resources, including land held in Trust by the Nation in SE 1/4, NE 1/4, S27, T25N, R20E. However, the Nation does not object to the project proceeding as long as the following recommendations are observed:

- The Nation requests that Cherokee Nation Environmental Programs (CNEP) re-contact this Office for additional consultation if there are any changes to the scope of or activities within the Area of Potential Effects:
- The Nation requests that CNEP halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project; and
- The Nation requests that CNEP conduct appropriate inquiries with other pertinent Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

Vinita Archery Park Project
April 8, 2019
Page 2 of 2

If you require additional information or have any questions, please contact me at your convenience.
Thank you for your time and attention to this matter.

Wado,

A handwritten signature in cursive script that reads "Elizabeth Toombs". The signature is written in dark ink and is positioned above the typed name and contact information.

Elizabeth Toombs, Tribal Historic Preservation Officer
Cherokee Nation Tribal Historic Preservation Office
elizabeth-toombs@cherokee.org
918.453.5389



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March 13, 2019

Elizabeth Toombs
Tribal Historic Preservation Officer
Cherokee Nation Tribal Historic Preservation Office
PO Box 948
Tahlequah, OK 74465

Dear Ms. Toombs:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) the Cherokee Nation respectfully requests your review and comment regarding the project below.

Vinita Archery Park Project

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4. Safety Berms built where needed (~300' from the shooting barn)
5. ADA sidewalks where needed to make facility ADA compliant (concrete/screenings)
6. 16 3-D Targets throughout the range
7. Restroom facility w/HVAC (10' x 14')
8. Storage Building (10' x 20')
9. Benches

Emailed 3/13/19

10. Fencing and gates

11. Gravel for parking (large enough for bus turnaround) (1 1/2" crusher and screenings may be used in some areas).

Legal Description:

A tract of land situated in part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 25 North, Range 20 East, Craig County, Oklahoma, more particularly described as follows:

Commencing at the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 842.00 feet; thence North 360.00 feet to the Point of Beginning; thence West 470.00 feet; thence North 330.00 feet; thence N61°02'52"E 537.12 feet; thence South 590.00 feet to the Point of Beginning, containing 4.96 acres more or less.

The project described above will be completed with funds from the US Fish & Wildlife Service through a grant process with the Oklahoma Department of Wildlife Conservation.

Pursuant to the 36 C.F.R. 800 regulations implementing compliance with Section 106 of the NHPA, we are providing general project area maps and information so that your Tribe has an opportunity to bring to our attention any interests and concerns about the potential for impacts to properties of cultural and religious significance.

By this letter, the Cherokee Nation is providing notification and seeking comments regarding these properties. This Office will assume concurrence with the proposed project if no response is received within thirty days of this letter's receipt pursuant to 36 C.F.R. Part 800 4(d)(1)(i).

If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3, 2-21-19
Print your name and address on the reverse
so that we can return the card to you.
Attach this card to the back of the mailpiece,
or on the front if space permits.

Article Addressed to:

**Chief Chester Brooks
Delaware Tribe of Indians
5100 Tuxedo Boulevard
Bartlesville, OK 74006-2838**



9590 9402 4413 8248 3109 63

Article Number (Transfer from service label)

7018 2290 0001 3294 2813

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X A Rapp
B. Received by (Printed Name)
A Rapp
C. Date of Delivery
2/22
D. Is delivery address different from item 1?
if YES, enter delivery address below:
 Yes No

3. Service Type
 Priority Mail Express®
 Adult Signature
 Registered Mail™
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3, 2-21-19
Print your name and address on the reverse
so that we can return the card to you.
Attach this card to the back of the mailpiece,
or on the front if space permits.

1. **President Terri Parton**

**Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005**



9590 9402 4413 8248 3109 56

2. Article Number (Transfer from service label)

7018 2290 0001 3294 2820

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Terri Parton
B. Received by (Printed Name)
Terri Parton
C. Date of Delivery
2/21/2019
D. Is delivery address different from item 1?
if YES, enter delivery address below:
 Yes No

3. Service Type
 Priority Mail Express®
 Adult Signature
 Registered Mail™
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3, 2-21-19
Print your name and address on the reverse
so that we can return the card to you.
Attach this card to the back of the mailpiece,
or on the front if space permits.

Article Addressed to:

**Chief Joe Bunch
United Keetoowah Band of
Cherokee
P.O. Box 746
Tahlequah, OK 74465**



9590 9402 4398 8248 5709 56

Article Number (Transfer from service label)

7018 2290 0001 3294 2837

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X JJ
B. Received by (Printed Name)
JJ
C. Date of Delivery
2/22
D. Is delivery address different from item 1?
if YES, enter delivery address below:
 Yes No

3. Service Type
 Priority Mail Express®
 Adult Signature
 Registered Mail™
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3, 2-21-19
Print your name and address on the reverse
so that we can return the card to you.
Attach this card to the back of the mailpiece,
or on the front if space permits.

1. Article Addressed to:

**Chairperson Tamara Francis-Fourkiller
Caddo Tribe of Oklahoma
P.O. Box 487
Binger, OK 73009**



9590 9402 4398 8248 5709 49

2. Article Number (Transfer from service label)

7018 2290 0001 3294 2844

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tamara Francis-Fourkiller
B. Received by (Printed Name)
Tamara Francis-Fourkiller
C. Date of Delivery
2/21/2019
D. Is delivery address different from item 1?
if YES, enter delivery address below:
 Yes No

3. Service Type
 Priority Mail Express®
 Adult Signature
 Registered Mail™
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted Delivery
 Mail (see Restricted Delivery)

Domestic Return Receipt

Vinita Archery Park



GWYD DBF
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Office of the Chief

Bill John Baker
Principal Chief
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S. Joe Crittenden
Deputy Principal Chief
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February 20, 2019

Chief Chester Brooks
Delaware Tribe of Indians
5100 Tuxedo Boulevard
Bartlesville, OK 74006-2838

Dear Chief Brooks:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) the Cherokee Nation respectfully requests your review and comment regarding the project below.

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
 - a. 4 stationary targets at various distances
2. Covered Adult Shooting Platform (ground level) - **see photos**
(120' x 14' x 8' open shelter for 14 individual shooting bays with concrete/screening floor)
 - a. 9 shooting stations
 - b. 8 targets at various distances
3. Covered Youth Shooting Platform (ground level) - **see photos**
 - a. 5 shooting stations
 - b. 4 targets at various distances
4. Safety Berms built where needed (~300' from the shooting barn)
5. ADA sidewalks where needed to make facility ADA compliant (concrete/screenings)
6. 16 3-D Targets throughout the range
7. Restroom facility w/HVAC (10' x 14')
8. Storage Building (10' x 20')
9. Benches
10. Fencing and gates

COPY

11. Gravel for parking (large enough for bus turnaround) (1 1/2" crusher and screenings may be used in some areas).

Legal Description:

A tract of land situated in part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 25 North, Range 20 East, Craig County, Oklahoma, more particularly described as follows:

Commencing at the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 842.00 feet; thence North 360.00 feet to the Point of Beginning; thence West 470.00 feet; thence North 330.00 feet; thence N61°02'52"E 537.12 feet; thence South 590.00 feet to the Point of Beginning, containing 4.96 acres more or less.

The project described above will be completed with funds from the US Fish & Wildlife Service through a grant process with the Oklahoma Department of Wildlife Conservation.

Pursuant to the 36 C.F.R. 800 regulations implementing compliance with Section 106 of the NHPA, we are providing general project area maps and information so that your Tribe has an opportunity to bring to our attention any interests and concerns about the potential for impacts to properties of cultural and religious significance.

By this letter, the Cherokee Nation is providing notification and seeking comments regarding these properties. This Office will assume concurrence with the proposed project if no response is received within thirty days of this letter's receipt pursuant to 36 C.F.R. Part 800.4(d)(1)(i).

If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs



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Office of the Chief

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Principal Chief
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S. Joe Crittenden
Deputy Principal Chief
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February 20, 2019

President Terri Parton
Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

Dear President Parton:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) the Cherokee Nation respectfully requests your review and comment regarding the project below.

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 11/2" crusher and screenings may be used in some areas)
 - a. 4 stationary targets at various distances
2. Covered Adult Shooting Platform (ground level) - **see photos**
(120' x 14' x 8' open shelter for 14 individual shooting bays with concrete/screening floor)
 - a. 9 shooting stations
 - b. 8 targets at various distances
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 - a. 5 shooting stations
 - b. 4 targets at various distances
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10. Fencing and gates

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If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs



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Office of the Chief

Bill John Baker
Principal Chief
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S. Joe Crittenden
Deputy Principal Chief
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February 20, 2019

Chief Joe Bunch
United Keetoowah Band of Cherokee
P.O. Box 746
Tahlequah, OK 74465

Dear Chief Bunch:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) the Cherokee Nation respectfully requests your review and comment regarding the project below.

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
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9. Benches
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If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager

Cherokee Nation Environmental Programs



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Office of the Chief

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S. Joe Crittenden
Deputy Principal Chief
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February 20, 2019

Chairperson Tamara Francis-Fourkiller
Caddo Tribe of Oklahoma
P.O. Box 487
Binger, OK 73009

Dear Chairperson Francis-Fourkiller:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) the Cherokee Nation respectfully requests your review and comment regarding the project below.

Vinita Archery Park Project

Specific project description (on previously disturbed land):

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - **see photos**
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
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2. Covered Adult Shooting Platform (ground level) - **see photos**
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By this letter, the Cherokee Nation is providing notification and seeking comments regarding these properties. This Office will assume concurrence with the proposed project if no response is received within thirty days of this letter's receipt pursuant to 36 C.F.R. Part 800.4(d)(1)(i).

If you have any questions or require further information, please contact my office at (918) 453-5365. Thank you.

Sincerely,



Andrea Taylor, Manager
Cherokee Nation Environmental Programs

REFERENCE 2

Section 7 Consultation

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



March 27, 2019

Online Project Review Concurrence Letter

To: Andrea Taylor, Manager
Cherokee Nation Environmental Programs
PO Box 948
Tahlequah, OK 74464
(918) 453-5365 andrea-taylor@cherokee.org

Project Name: Vinita Archery Park

Consultation Code: 02EKOK00-2019-SLI-1147

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:

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level) - see photos on page 6
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
 - a. 4 stationary targets at various distances
2. Covered Adult Shooting Platform (ground level) - see photos on page 5
(120' x 14' x 8' open shelter for 14 individual shooting bays with concrete/screening floor)
 - a. 9 shooting stations

Project start and completion dates:

Estimated Start Date: March 1, 2019
Estimated Completion Date: July 31, 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:

Project will be funded with Indian Health Service Funds

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

Wayne Isaacs, Senior Director
Cherokee Nation Environmental Programs
918-453-5009 wayne-isaacs@cherokee.org

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

Withdrawal slip from Cherokee Nation Conservation Easement for impacts to the
ABB
Streamlined Form NLEB



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-1147
Event Code: 02EKOK00-2019-E-02695
Project Name: Vinita Archery Park

February 20, 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-1147

Event Code: 02EKOK00-2019-E-02695

Project Name: Vinita Archery Park

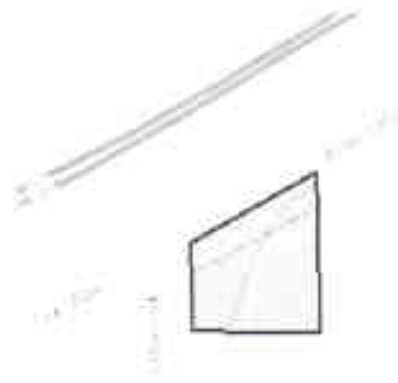
Project Type: RECREATION CONSTRUCTION / MAINTENANCE

Project Description: Archery Park on Previously Disturbed Land

1. Elevated Shooting Platform (18' x 10' platform with 12' high shooting level)
(Minimum of 4" compacted and level fine grade gravel base is to be provided – 1 1/2" crusher and screenings may be used in some areas)
 - a. 4 stationary targets at various distances
 2. Covered Adult Shooting Platform (ground level)
(120' x 14' x 8' open shelter for 14 individual shooting bays with concrete/screening floor)
 - a. 9 shooting stations
 - b. 8 targets at various distances
 3. Covered Youth Shooting Platform (ground level)
 - a. 5 shooting stations
 - b. 4 targets at various distances
 4. Safety Berms built where needed (~300' from the shooting barn)
 5. ADA sidewalks where needed to make facility ADA compliant (concrete/screenings)
 6. 16 3-D Targets throughout the range
 7. Restroom facility w/HVAC (10' x 14')
 8. Storage Building (10' x 20')
 9. Benches
 10. Fencing and gates
- Gravel for parking (large enough for bus turnaround) (1 1/2" crusher and screenings may be used in some areas).

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/36.62157485954643N95.1472519748348W>



Counties: Craig, OK

Endangered Species Act Species

There is a total of 7 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. Note that 1 of these species should be considered only under certain conditions.

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.

Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Least Tern <i>Sterna antillarum</i> Population: interior pop. No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Towers (i.e. radio, television, cellular, microwave, meteorological) ▪ Wind Turbines and Wind Farms 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

Fishes

NAME	STATUS
Ozark Cavefish <i>Amblyopsis rosae</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6490	Threatened

Insects

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</i> 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	Endangered

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).

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (●)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

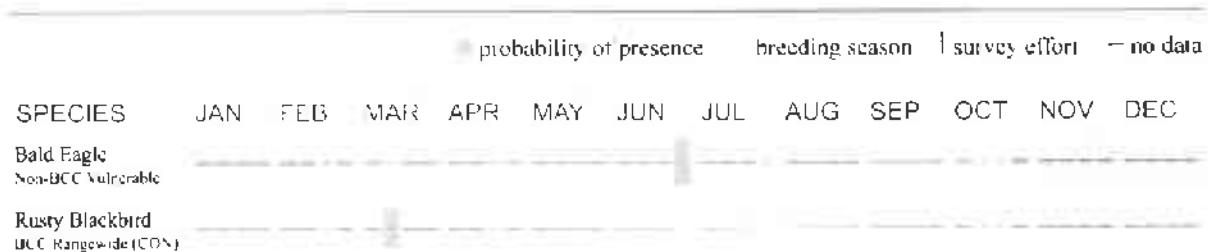
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

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

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.

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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

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Species Conclusions Table

Project Name: Vinita Archery Park, Craig County

Prepared by: Andrea Taylor, Manager

Date: 3/27/2019

Species / Critical Habitat	Habitat Determination	Notes / Documentation	ESA Determination
Birds			
Least Tern	No potential habitat present	US Fish and Wildlife Service Species Fact Sheet – Preferred habitat for the Least tern consists of islands or sandbars along large rivers for nesting. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing, not considered preferred habitat for the Least Tern.	No effect
Piping Plover	No potential habitat present	US Fish and Wildlife Service Species Fact Sheet - Preferred habitat for the Piping Plover consists of sandy beaches along large rivers for nesting. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing, not considered preferred habitat for the Piping Plover.	No effect
Red Knot	No potential habitat present	US Fish and Wildlife Service – Preferred habitat for the Red Know consists of sandy, gravel or cobble beaches, tidal mudflats, salt marshes, shallow coastal impoundments and lagoons, and peat banks. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing, not considered preferred habitat for the Red Knot.	No effect
Fishes			
Ozark Cave Fish	No potential habitat present	US Fish and Wildlife Service – The Ozark Cavefish lives in caves, sinkholes, and underground springs/aquifers that are untouched by light. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing. No bodies of water or cave resources were noted in the project area.	No effect
Insects			
American Burying Beetle	Potential habitat present	USFWS ABB Field Survey Protocol – Preferred habitat for the ABB consists of open tall grasslands and wooded areas. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing. This habitat is considered favorable for the ABB. The Cherokee Nation Conservation and Mitigation Program (CMP), Permit Number 02EKOK00-2017-F-1556, will be utilized to mitigate potential impacts to the ABB. The project will disturb approximately 4.96 acres of potential ABB habitat outside of the ABB Conservation Priority Area (CPA). Of that amount, 4.85 acres will be a permanent cover change, and 0.11 acres will be a permanent change, resulting in 2.5 ABB Conservation Credits used. See attached CMP Withdrawal Slip for calculation of Conservation Credits.	May affect, likely to adversely affect
Mammals			

Gray Bat	No potential habitat present	US Fish and Wildlife Service Species Fact Sheet – this species is known to inhabit caves year-round. It is also known to forage in trees for food. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing, not considered preferred habitat for the Gray Bat.	No effect
Northern long-eared bat	No potential habitat present	USFWS 4(d) Final Rule for the NLEB – This species is known to hibernate in caves and mines in the winter and roosts in trees in the summer. On February 25, 2019, a field survey was conducted to assess habitat conditions of the site. The site consisted of an open grassland that was/is maintained through occasional mowing, not considered preferred habitat for the Gray Bat.	No effect

Migratory Birds: There are several Migratory birds of concern within the project area. There will be no tree clearing associated with this project.



ENDANGERED SPECIES CONSERVATION & MITIGATION PROGRAM (CMP)

Cherokee Nation Project Name: Vinita Archery Park
 Project Description/Funding Source: Construction of an Archery Park / USFWS
 Federal Oversight Agency: Grant - ODWC with USFWS
 ABB Conservation Total Credits Used: 2.5
 County: Craig
 CMP Tracking Number: CN-2019-012

Acres Disturbed	Impact Duration	CPA?	Calculation	Credits Used
4.85	Permanent Cover Change	No	$4.85 * 0.5 = 2.43$	2.43
0.11	Permanent Change	No	$0.11 * 1 = 0.11$	0.11

Total Credits Used: 2.5
 Credits Remaining: 622.8

Prepared By: Andrea Taylor

REFERENCE 3

Prime Farmland Consultation

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 2/25/2019			
Name of Project Vinita Archery Park		Federal Agency Involved US Fish and Wildlife			
Proposed Land Use Recreational Archery Park		County and State Craig, Oklahoma			
PART II (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form: Jake Bovett	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated 1926	Average Farm Size 366
Major Crop(s) Winter wheat	Farmable Land in Govt. Jurisdiction Acres 364070	74.5	%	Amount of Farmland As Defined in FPPA Acres 319748	65.40 %
Name of Land Evaluation System Used CALES	Name of State or Local Site Assessment System NONE	Date Land Evaluation Returned by NRCS 3/5/2019			
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		5			
B Total Acres To Be Converted Indirectly		0			
C Total Acres In Site		5			
PART IV (To be completed by NRCS) Land Evaluation Information					
A Total Acres Prime And Unique Farmland		2.5			
B Total Acres Statewide Important or Local Important Farmland		0			
C Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		.001			
D Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		73			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		55			
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-105)</i>		Maximum Points	Site A	Site B	Site C
1 Area In Non-urban Use		(15)	15		
2 Perimeter In Non-urban Use		(10)	5		
3 Percent Of Site Being Farmed		(20)	0		
4 Protection Provided By State and Local Government		(20)	0		
5 Distance From Urban Built-up Area		(15)	0		
6 Distance To Urban Support Services		(15)	0		
7 Size Of Present Farm Unit Compared To Average		(10)	2		
8 Creation Of Non-farmable Farmland		(10)	0		
9 Availability Of Farm Support Services		(5)	5		
10 On-Farm Investments		(20)	0		
11 Effects Of Conversion On Farm Support Services		(10)	0		
12 Compatibility With Existing Agricultural Use		(10)	0		
TOTAL SITE ASSESSMENT POINTS		160	27		
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	55		
Total Site Assessment (From Part VI above or local site assessment)		160	27		
TOTAL POINTS (Total of above 2 lines)		260	82		
Site Selected: Site A		Date Of Selection 3/5/2019		Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Reason For Selection: Total Points less than 160.					
Name of Federal agency representative completing this form Andrea Taylor				Date 3/5/2019	

Andrea Taylor

From: Boyett, Jake - NRCS, Claremore, OK <Jake.Boyett@ok.usda.gov>
Sent: Tuesday, March 5, 2019 8:44 AM
To: Andrea Taylor
Subject: <EXTERNAL> RE: Vinita Archery Park - Prime Farmland
Attachments: Craig AD-1006-Vinita Archery.pdf

NOTICE: THIS EMAIL CONTAINS AN ATTACHMENT SENT FROM AN EXTERNAL SENDER.
IF YOU DO NOT KNOW THE SENDER OR WERE NOT EXPECTING THIS EMAIL,
DO NOT OPEN ANY EMAIL ATTACHMENTS AND DELETE THIS MESSAGE.
Thank you: The Cherokee Nation - Information Technology Department

Dear Andrea Taylor,

Please find the requested AD-1006 attached with the NRCS portions completed, **the proposed site does not appear to effect any NRCS structures.**

Thanks,

Jake Boyett
Resource Soil Scientist
Claremore Technical Office
918-283-7089



United States Department of Agriculture
National Resources Conservation Service

From: Andrea Taylor <Andrea-Taylor@cherokee.org>
Sent: Monday, February 25, 2019 1:45 PM
To: Boyett, Jake - NRCS, Claremore, OK <Jake.Boyett@ok.usda.gov>
Subject: Vinita Archery Park - Prime Farmland

Thank you,

Andrea Taylor MS, CHMM, CFM

Manager
Cherokee Nation
Environmental Programs
Office: (918) 453-5365
Cell: (918) 316-1060
andrea-taylor@cherokee.org

To protect, preserve and restore in a sustainable manner our Nation's naturally diverse ecosystems for the health and benefit of future generations.

Farmland Classification—Craig County, Oklahoma
(MINITA ARCHERY PARK)



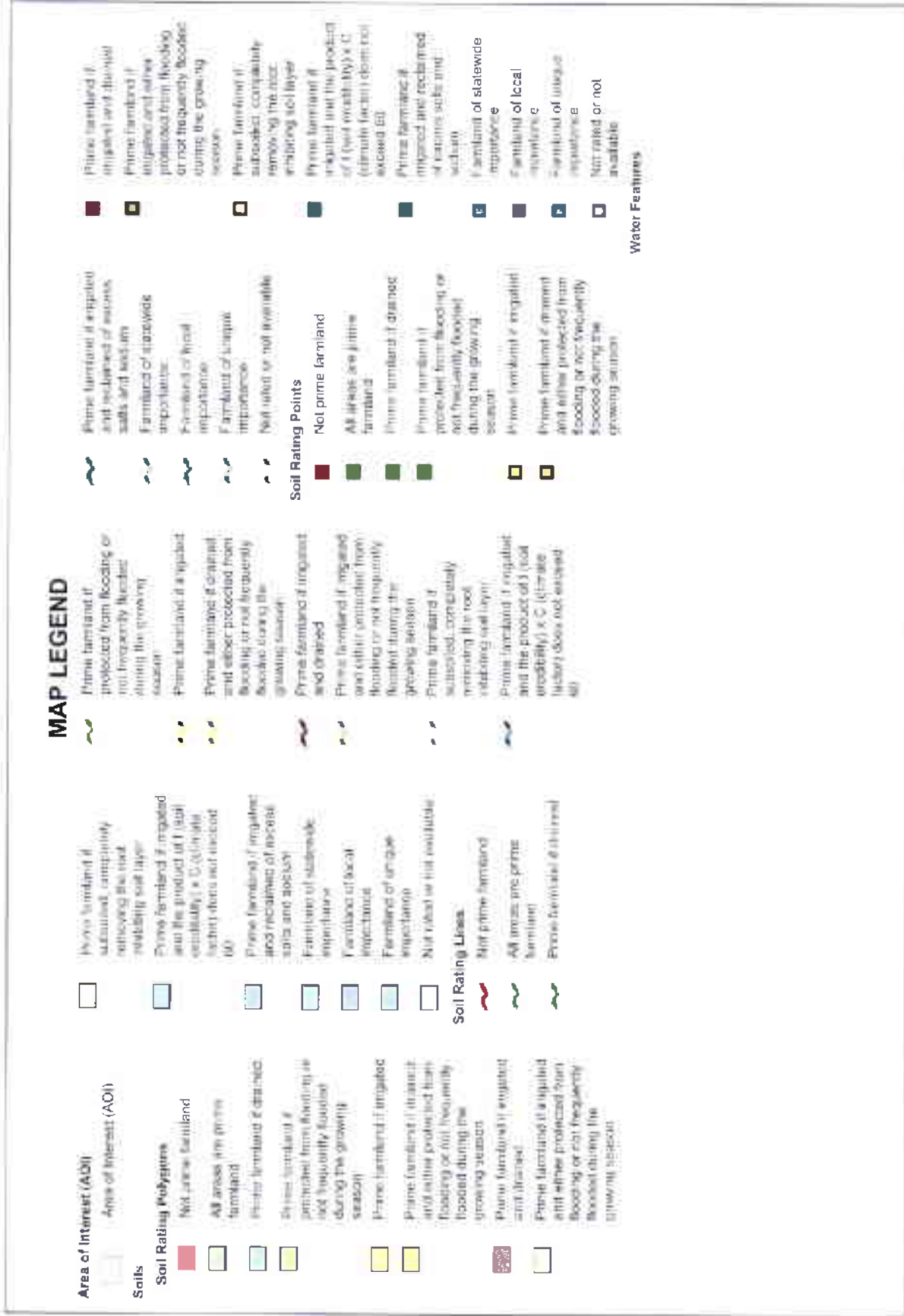
Soil Map (Title) (Scale) (Date) (Author) (Date)

Map Scale: 1:1,190 if printed on A portrait (8.5" x 11") sheet.

0 1/4 1/2 3/4 1 Miles

0 100 200 300 Feet

Map projection: West Mercator; Corner coordinates: WGS84; Elevation: UTM Zone 18N WGS84



MAP INFORMATION

Streams and Canals

Transportation



Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. This map does not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Craig County, Oklahoma
Survey Area Data Version 15, Sep 5, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 14, 2015—May 25, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DnB	Dennis silt loam, 1 to 3 percent slopes	All areas are prime farmland	3.4	57.8%
DnC2	Dennis silt loam, 3 to 5 percent slopes, eroded	Not prime farmland	0.3	5.6%
PaA	Parsons silt loam, 0 to 1 percent slopes	All areas are prime farmland	2.1	36.6%
Totals for Area of Interest			5.8	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower