



**United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SOUTHERN PLAINS REGIONAL OFFICE
P.O. BOX 368
ANADARKO, OKLAHOMA 73005**

**FINDING OF NO SIGNIFICANT IMPACT
FOR**

**THE PROPOSED SECOND ATOKA WATER PIPELINE PROJECT LOCATED ON THE
FOLLOWING ABSENTEE SHAWNEE TRIBE ALLOTTMENTS: 820-427B, 460, 415,
416, 567, 512, 434, 535, 429, 508F, 508E, 508B, 508C, 458, 441B, 441C, 440G, 398 &
465 LOCATED IN CLEVELAND AND POTAWATOMIE COUNTIES**

The proposed Second Atoka Water Pipeline Project is an expansion of the existing Southeast Oklahoma Raw Water Supply System and will consist of the installation of a 72-inch steel water pipeline that will run parallel to the existing concrete pipeline within the existing 100-foot easement. The new pipeline will cross portions of 19 Absentee Shawnee tracts in Cleveland and Potawatomie Counties and two Citizen Potawatomi tracts in Potawatomie County, Oklahoma. The purpose and need for the project is to meet the projected water capacity needs of participating central Oklahoma communities through the year 2060.

An Environmental Assessment (EA) was prepared to assess the potential impacts of the proposed action to resources found within the study area. The study area for the purpose of this Finding of No Significant Impact is limited to the above described Absentee Shawnee tracts. The two Citizen Potawatomi tracts will be addressed under a separate FONSI following the finalization of a Habitat Conservation Plan for the endangered American Burying Beetle. Based on the final EA for the proposed Second Atoka Water Pipeline project, dated June, 2019, it has been determined that the proposed action will not have a significant impact on the quality of the human environment, therefore, an Environmental Impact Statement is not required.

This determination is supported by the following findings:

1. Consultation and coordination was solicited from Tribal Governments involved in the project and having jurisdiction in the project area, Federal and State agencies and local County entities. Documentation of consultation and coordination can be found in Appendix B of the EA.
2. The EA discloses the environmental consequences of the proposed action and the "no action" alternative. Re-routing the existing pipeline and the proposed pipeline to avoid BIA trust land would impose a significant economic and logistical hardship and was not considered as an alternative.
3. Protective measures and Best Management Practices will be used to minimize impacts to soil, water quality, prime farmland and to minimize impacts related to noise and light.

4. Impacts to wildlife are expected to be generally confined to the construction phase of the project. The proposed pipeline will be installed underground and the easement will be restored to current contours and land cover. Impacts to threatened and endangered species were evaluated and it was determined that the project will have no effect on threatened and endangered species in the project area with the exception of the American burying beetle (ABB). Potential impacts to the ABB on the Citizen Potawatomi tracts will be addressed via a Habitat Conservation Plan (HCP) and Incidental Take Permit (ITP) issued by the USFWS. The Citizen Potawatomi tracts will be addressed under a separate FONSI following completion of the HCP and ITP. The Absentee Shawnee tracts addressed within this FONSI lie outside of the ABB range; therefore, the project will have no effect on the ABB on the Absentee Shawnee tracts. Additionally, Construction will be required to stop if the presence of a potential threatened or endangered species is identified.
5. An archaeological survey was conducted within the project area and no historic or archaeological sites were identified. Should undiscovered archeological remains be encountered during project ground-disturbing activities, work will stop in the area of the discovery and the stipulations found in 36 CFR 800.11 will be followed.
6. During the Section 106 consultation process, the State Historical Preservation Office (SHPO) responded that there were no known historic properties within the referenced project's area of potential effect and the Oklahoma Archeological Survey confirmed the BIA's recommendation of a finding that No Historic Properties would be affected.
7. The proposed action is not expected to pose social or economic impacts or have a disproportionate adverse impact on minority or low income populations.
8. During the construction phase, preventative measures will be utilized to reduce the threat of petroleum based fuels and lubricants from heavy equipment from leaking or being spilled onto soils or surface waters. Fueling and servicing of equipment will be done in a manner consistent with BMPs for such activities.

Documentation of eligibility concerning this decision may be obtained by writing the Bureau of Indian Affairs, Southern Plains Regional Office, P.O. Box 368, Anadarko, Oklahoma, 73005. Sensitive documentation of eligibility concerning Tribal or State protected information may only be obtained or viewed by written permission from the present and historical Native American Tribes located within the project area, State Archeological Survey, State Historic Preservation Office and the Bureau of Indian Affairs.

ACTING 
Regional Director
Southern Plains Region
Bureau of Indian Affairs

6-18-19
Date