



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

December 12, 2019

Ms. Tracy Horst
Environmental Compliance Director
Choctaw Nation of Oklahoma
P.O. Box 1210
Durant OK 74702

Dear Ms. Horst:

EPA has received via email the analyses of the threatened and endangered species (ESA) and historic properties (NHPA) for the proposed McAlester Travel Plaza and gasoline station.

EPA has reviewed the supporting documentation and letter from Mr. Ian Thompson, the Tribal Historic Preservation Officer (THPO), indicating that the Algonquin Consultants survey discovered two historic archaeological sites and one other isolated site. However, since these twentieth century historic sites are ineligible for inclusion on the National Register of Historic Places and these sites would not fill any current archaeological records, nor are they Choctaw homestead sites, the THPO approved the 80-acre site for construction.

The ESA survey was conducted to identify the presence or absence of the American Burying Beetle (ABB), a listed endangered species. The habitat associated with the ABB is diverse and no ABB were captured in the traps that were required to be put down in specified areas for a minimum of 5 consecutive nights by the U.S. Fish and Wildlife Service regulations. The agency has been provided the results of the survey and has not requested consultation. Other listed species have been noted in the area, but the habitat for these species does not exist within the 80-acre proposed construction site. This letter confirms that the facility has satisfactorily completed the procedures to address the screening process for ESA and NHPA.

Additionally, per 40 CFR § 49.156(f)(6)(iii) prior to the submission of the Notification of Coverage for the PBR, you need this written confirmation from EPA's review of your ESA and NHPA analyses. Please submit the Notification of Coverage (NOC) for the permit by rule (PBR-GDF) for the gasoline dispensing facility. Upon receipt of the information, EPA will post this NOC information on EPA Region 6's website noting this as an EPA final action and you may then start construction. Please note the EPA's final action is subject to appeal only for the individual source's use of the PBR and must be made within 60 days of the EPA's final action. As a reminder your source must also comply with all the construction, operational, and notification requirements of 40 CFR § 49.164. Construction under the PBR will be invalid if construction is not commenced within 18 months after the date of posting of the NOC.

If you have any questions, please contact Bonnie Braganza at 214 665-7340 or email Braganza.bonnie@epa.gov.

Sincerely,

12/12/2019

 Jeff Robinson

Jeff Robinson

Signed by: JEFFERY ROBINSON

Branch Chief

Air Permits, Monitoring & Grants Branch