

EXCEPTION CHECKLIST FOR BIA CATEGORICAL EXCLUSIONS

Date: 08/11/2020

Transaction or Project Name:

2522 W. Mason St.

Brief description of the proposed transaction or project:

Gaming Fee-to-Trust Application

Property description including Native Allotment number, landowner name, and legal description:

Any change in land use or ground disturbing activity? If yes, please explain:

516 DM 10.5 Categorical Exclusion letter, the specific title and the text of the category:

516 DM 10.5.I Land conveyance and other transfers.

516 DM 10.5.I. Land Conveyance and Other Transfers. Approvals or grants of conveyances and other transfers of interests in land where no change in land use is planned.

Evaluation of extraordinary circumstances for the categorically excluded action listed above (43 CFR 46.215)

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| 1. This action would have significant impacts on public health or safety. | No |
| 2. This action would have significant impacts on: natural resources and unique geographical features as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild and scenic rivers; national natural landmarks; sole or prime drinking water aquifers; prime farmlands wetlands; floodplains; national monuments; migratory birds; and other ecologically significant areas. | No |
| 3. This action would have highly controversial environmental effects or unresolved conflicts concerning alternate uses of available resources. | No |
| 4. This action would have highly uncertain environmental effects or involve unique or unknown environmental risk. | No |
| 5. This action will establish a precedent for future actions. | No |
| 6. This action is related to other actions with individually insignificant but cumulatively significant environmental effects. | No |
| 7. This action will have significant impacts on properties listed or eligible for listing in the National Register of Historic Places. | No |
| 8. This action will have significant impacts on a species listed or proposed to be listed as endangered or threatened, or Critical Habitat of these. | No |
| 9. This action threatens to violate federal, state, local, or tribal law or requirements imposed for protection of the environment. | No |
| 10. This action will have disproportionately high and adverse effect on low income or minority populations. | No |
| 11. This action will limit access to, and ceremonial use of, Indian sacred sites on federal lands, by Indian religious practitioners, and/or adversely affect the physical integrity of such sites. | No |
| 12. This action will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or may promote the introduction, growth, or expansion of the range of such species. | No |

This checklist may be used to determine if an environmental assessment is required for a single, independent proposed action that is determined to be a BIA-approved categorical exclusion as listed in Department of Interior 516 DM 10.5. The person preparing this checklist must have supporting information or reasonable assurance that the proposed action will not have significant or adverse effects on any of the twelve situations above. If so, it is reasonable to answer "No" to the exceptions above. If not, an environmental assessment must be prepared to further investigate and determine whether an action will have a significant impact on the quality of the human environment.

A "Yes" to any of the above exceptions will require that an EA be prepared

NEPA Action: CE

Preparer's Name: Thomas Wilkins **Date:** 04/15/20

Regional Office/Agency Environmental Coordinator:

Reviewed and Recommended: Benjamin Daniels **Date:** 08/10/20

Regional Wildlife Biologist Approval:

Reviewed and Recommended: Benjamin Daniels **Date:** 04/22/20

Regional/Agency Archeologist:

Concur with Item 7: Timothy Guyah **Date:** 06/16/20

Environmental Professional (Phase 1) Approval :

Reviewed and Recommended: Benjamin Daniels **Date:** 08/10/20

Regional Director/Agency Superintendent:
Concur: Tammie Poitra Date: 08/11/20