

From: [Shawn Howard](#)
To: [Braganza, Bonnie](#)
Cc: micah.isaacs@potawatomi.org; [Robinson, Jeffrey](#)
Subject: FireLake Express Grocery mNSR PBR
Date: Friday, July 22, 2016 4:00:13 PM
Attachments: [HUD Docs for mNSR.pdf](#)

Bonnie,

Per our conversation this morning see attached: (1) Affidavit of Publication for the combined Finding of No Significant Impact (FONSI) and Notice of Intent to Request for Release of Funds; (2) Tribal Request for Release of Funds and Certification; and (3) HUD's Release of Funds, all completed prior to construction of the grocery store.

The grocery store was construction with HUD funds. Prior to construction, an EA was completed in accordance with HUD NEPA regulations which included ESA and NHPA. A FONSI determination was made and published in the attached Affidavit of Publication (first attachment). The public was given an opportunity to comment; no comments were received. After the prescribed comment period, the Tribe requested HUD release the funds to proceed with construction (second attachment). HUD released the funds (third attachment).

With this information, which I am sure will suffice to proceed with PBR notification, you suggest we fall under Criterion D.2. Please advise.

Regards,

Shawn Howard, MPH, CFM
Assistant Environmental Director

Citizen Potawatomi Nation
1601 S. Gordon Cooper Dr.
Shawnee, OK 74801

📞 Phone: (405) 878-4672

📠 Fax: (405) 878-4678

✉️ showard@potawatomi.org

From: Robinson, Jeffrey [mailto:Robinson.Jeffrey@epa.gov]
Sent: Thursday, July 21, 2016 12:56 PM
To: Micah Isaacs <micah.isaacs@potawatomi.org>
Cc: Shawn Howard <Showard@POTAWATOMI.ORG>; Braganza, Bonnie <Braganza.Bonnie@epa.gov>
Subject: RE: Another important item

Did the BIA recognize in writing upon transfer of the land into Trust that there would be no impact on endangered or threatened species that might be present or migrate through the area? Please see the Appendix A "Criterion" in what Bonnie sent you earlier. We were hoping something along the lines of Criterion D existed when the land was transferred into Trust, but we would also be interested in any other acknowledgement you might have from BIA or any other entity that

potentially aligns one of the other Criterion. It might be that you submitted documentation to BIA that align with Criterion A or B.....if so, did they acknowledge that in the transfer documentation record?

From: Braganza, Bonnie
Sent: Thursday, July 21, 2016 12:04 PM
To: micah.isaacs@potawatomi.org
Cc: showard@potawatomi.org; Robinson, Jeffrey <Robinson.Jeffrey@epa.gov>
Subject: RE: Another important item

Thanks Micah. What Diane has is with respect to the Trust lands which was given to me earlier that is for a different environmental regulation. This does not suffice for the minor NSR air regulation- Permit by rule for the gasoline dispensing station. What is required is the attached form to be filled out and a copy of the latest EA if available and/or another Federal agency's decision on ESA.

The attached form is part of the PBR regulation. See 40 CFR 49.156(6) This must be sent prior to the PBR Notification form. What has been submitted including the letter from Shawn Howard is insufficient. I will help you on this project. Will talk to you next week. Thank you.

Bonnie Braganza P.E.
Air Permits
US Environmental Protection Agency
Region 6
1445 Ross Ave, Dallas TX 75202
214-665-7340

The world moves at such a rapid rate that waiting to implement changes will leave you two steps behind

From: Micah Isaacs [<mailto:micah.isaacs@potawatomi.org>]
Sent: Thursday, July 21, 2016 9:05 AM
To: Braganza, Bonnie <Braganza.Bonnie@epa.gov>
Cc: showard@potawatomi.org
Subject: Re: Another important item

Bonnie,

The most efficient way for you to receive the documentation needed is to contact Diane Evans in the Office of Water. She has all of the necessities regarding that property (Giverny 27 East) in CPN's TAS application. I will contact you about the PBR form next week when I return to the office. Thank you for your assistance.

Micah Isaacs

CPN Environmental Coordinator

Sent from my iPad

On Jul 18, 2016, at 2:48 PM, Braganza, Bonnie <Braganza.Bonnie@epa.gov> wrote:

Left a long voice message. Can you send me the documentation of BIA transfer. You have sent me all the documents from the tribe to BIA but the affirmation of BIA assignment is needed for our records. Also I would like to help you fill in the form for the PBR. I had earlier indicated that I do not have any facility and have contacted all our regional offices for a filled in form and have had no response. Thank you and I hope you are having a nice day.

Bonnie Braganza P.E.
Air Permits
US Environmental Protection Agency
Region 6
1445 Ross Ave, Dallas TX 75202
214-665-7340

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From: Micah Isaacs [<mailto:micah.isaacs@potawatomi.org>]
Sent: Wednesday, July 06, 2016 2:45 PM
To: Braganza, Bonnie <Braganza.Bonnie@epa.gov>
Subject: RE: Another important item

Bonnie,

Please see the completed environmental and historic screening process attached.
Please let me know when a Notification of Coverage form may be submitted to EPA.

Thanks,

Micah Isaacs
Environmental Coordinator
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1601 S. Gordon Cooper Dr.
Shawnee, OK 74801
Office: (405) 878-4672
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micah.isaacs@potawatomi.org

From: Braganza, Bonnie [<mailto:Braganza.Bonnie@epa.gov>]

Sent: Friday, June 10, 2016 11:42 AM
To: Micah Isaacs
Subject: Another important item

I believe your gasoline station can be covered by the Permit by rule. However, prior to the notification, EPA requires some kind of construction authorization or analyses that the ESA (endangered species act) and NHPA (national historic protection act) was reviewed and accepted. For both, it could be contained in a lease contract either from the tribal authority or Bureau of Indian Affairs. Please give me a call to discuss. We need to provide the analyses so if you can send me the latitude and longitude of the gas station we can start our analyses. Thank you

Bonnie Braganza P.E.
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US Environmental Protection Agency
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1445 Ross Ave, Dallas TX 75202
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