



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Great Lakes Agency
916 West Lakeshore Drive
Ashland, Wisconsin 54806

IN REPLY REFER TO:
Executive Direction

Notice of Availability and Decision to Proceed

with the

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians Casino Drive North Project, Allegan County, Michigan

The Bureau of Indian Affairs (BIA), in conjunction with the Match-E-Be-Nash-She-Wish Band (Band), is proposing to provide and utilize federal funding to facilitate an undertaking, identified above. The Band proposes to construct a new 1,225-foot-long roadway connecting 130th Avenue to the existing facility roads. The proposed road will cross Buskirk Creek with a new 92-foot, four lane bridge. A new stormwater basin will be constructed on the northwest side of the bridge. A pedestrian path will be constructed to the east of the new roadway. The proposed road will be called Casino Drive North. An environmental assessment (EA) was prepared and subsequently reviewed and adopted by the BIA pursuant to 516 DM 3.6. In consideration of the information provided to the BIA and the overall NEPA review process, no long-term adverse effects to historic properties, Federally-listed threatened and endangered species, water resources including wetlands, or any other federally regulated resources are anticipated. If any adverse impacts to, or inadvertent discoveries of, historic/cultural resources, Federally-listed species, and/or any other regulated resources are made, the project shall be suspended and the Band and the BIA promptly notified. Project operations are expected to comply with all applicable laws, rules, regulations, codes, ordinances, permits, permissions, authorizations, stipulations, and best management practices. If these conditions are met, the proposed project, as described in the EA's preferred alternative, would not significantly affect the quality of the human environment; therefore, an environmental impact statement will not be required. **The finding of no significant impact (FONSI) and EA are available for public review upon request.**

Based on these circumstances, it is my decision to proceed with the project.

Regional Director, Midwest Region

This decision is subject to appeal within 30 days of the above date pursuant to 25 CFR Part 2. Instructions regarding the filing of an appeal are provided in 25 CFR Part 2, and include, but are not limited to, the following general requirements. An appellant must file a written notice of appeal in the Office of the Superintendent, Bureau of Indian Affairs, Great Lakes Agency, at the above address, and must also send a copy to the Office of the Regional Director, Bureau of Indian Affairs, Midwest Regional Office, Bishop Henry Whipple Building, One Federal Drive, Ft. Snelling, MN 55111, and to all known interested parties. The notice of appeal shall include the name, address, and phone number of the appellant, be clearly labeled or titled with the words "NOTICE OF APPEAL", have on the face of any envelope in which the notice is mailed or delivered, in addition to the address, the clearly visible words "NOTICE OF APPEAL", must contain a copy or a sufficient statement of the decision being appealed, and certify that copies of the notice of appeal have been served on interested parties. A written statement of reasons shall be submitted by the appellant explaining why the decision is being appealed. The statement of reasons may be included in or filed with the notice of appeal. If the statement of reasons is not filed with the notice of appeal, the appellant shall file a separate statement of reasons within 30 days of the above date. It should be clearly labeled "STATEMENT OF REASONS" and have on the face of any envelope mailed or delivered, in addition to the above address, the clearly visible words "STATEMENT OF REASONS". An appeal document is considered properly filed with the Great Lakes Agency by personal delivery during regular business hours or by mail. A notice of appeal that is sent by mail is considered filed on the date it is postmarked. No extension of time shall be granted for filing a notice of appeal and untimely appeals shall not be considered.