



Choctaw Nation of Oklahoma

Historic Preservation

PO. Box 1210 • Durant, OK 74702-1210

Gary Batton
Chief

Jack Austin, Jr.
Assistant Chief

September 5th, 2024

Re: Pushmataha County Pumped Storage Hydroelectric Project (FERC Project No. 14890)

To whom it may concern,

The Choctaw Nation of Oklahoma Historic Preservation Department (CNHPD) has reviewed the Pumped Storage Hydroelectric Project (FERC Project No. 14890) in Pushmataha and McCurtain Counties, Oklahoma, and Red River and Lamar Counties, Texas. Southeast Oklahoma Power Corporation (SEOPC) proposes to construct a 1,200-megawatt (MW) closed loop hydroelectric facility including upper and lower dams and spillways, upper, lower, and regulating reservoirs, upper and lower concrete intake/outlet structures, headrace and tailrace tunnels, an underground pumping station/powerhouse, two pumping systems, a 99.96-mile transmission line that will extend from the facilities in Pushmataha County, Oklahoma, to Paris, Texas, and appurtenant facilities. The project area includes 10,660-acres of land that will surround the primary pumped storage facilities and 24,576-acres of land for the right-of-way that will surround the proposed transmission line. The total Area of Potential Effect (APE) is 35,235-acres.

The project area is within lands ceded by the Quapaw Tribe to the United States and subsequently reserved for the Choctaw Nation through the Treaty of Doak's Stand in 1820. Following the Treaty of Dancing Rabbit Creek in 1830, bands of Choctaw were forcibly relocated into what is now the Choctaw Nation of Oklahoma from their homelands in Alabama, Louisiana, and Mississippi. In 1837, the Chickasaw were moved into the Choctaw reservation, upon removal from their homelands in parts of Alabama, Kentucky, Mississippi, and Tennessee.

The Choctaw Nation of Oklahoma Historic Preservation Department (CNHPD) received a copy of the transmittal letter from Indya Messier, Project Manager with SWCA Environmental Consultants, on February 1, 2024. CNHPD requested additional information on March 1, 2024, but no additional information was provided. CNHPD received a copy of the pre-application document from the Choctaw Nation Environmental Protection Service on April 2, 2024. CNHPD attempted to contact Randa Horton (SWCA), the tribal liaison listed in the pre-application document, on June 7, 2024, but the phone line was disconnected. Without the materials from FERC or the project applicant necessary to review this project as required by the NHPA, and without knowing the precise project location, CNHPD conducted a preliminary review of the Choctaw Register of Historic Places for sites located within a 5-mile radius of the project area. CNHPD also requested and received site files pertaining to this project from the Oklahoma Archeological Survey (OAS). This search identified thirty-six (36) historic archaeological sites, including

fourteen (14) Choctaw Cemeteries, in addition to twelve (12) possible 1898 BLM GLO Structures in or adjacent to the project area.

CNHPD received copies of the shapefiles for this project on August 2, 2024. CNHPD has consulted historic maps, aerial photographs, LiDAR, and the Choctaw Register of Historic Places, a database containing Choctaw sites, place names, trails, and other pertinent historic information. Examination of a historic Bureau of Land Management (BLM) map (circa 1898) indicates the presence of at least five (5) late nineteenth century historic sites within the APE including three (3) historic structures in the area proposed for the pumped storage facilities (1 labeled "Church"), and two (2) structures located in the transmission ROW. Other historic maps consulted during review include the Alikchi (1901), Tuskahoma, IT (1901), Tuskahoma, OK (1909), McAlester, OK (1950), and Millerton, OK (1951) topographic maps. Aerial photographs dating to the following years were examined: 1955, 1954, 1980, 1995, 2003, 2008, 2010, 2013, 2015, 2017, 2019, and 2021. The Tuskahoma map dated to 1901 indicates at least six (6) structures within the APE, and the Tuskahoma map dated to 1909 indicates eighteen (18) structures within the APE. Historic allotment maps show at least fifty percent (50 percent) of the APE is located on lands originally allotted to Choctaws (Figures 1 and 2). A brief site visit by Choctaw Nation Historic Preservation Department staff located a Choctaw cemetery within the APE. This cemetery includes approximately 18 marked burials.

The Pre-Application Document (PAD) lists at least forty (40) previously recorded pre-contact period archaeological sites within the project area, these archaeological sites are representative of the region's deep history spanning the archaic period to early contact period. One National Register of Historic Places Property, the Grobin Davis Mound Group (NR 84002637), falls within the proposed transmission line ROW (Figure 4). The Grobin Davis Mound site is an approximately 25-acre ancestral Caddo mound center. The site was listed on the National Register of Historic Places in 1984 and is currently owned by the Archaeological Conservancy.

Lands reserved for the pumped storage facilities are intersected by the historic Kiamichi Trail (K-Trail) (Figure 3). The trail was likely constructed during the early twentieth century for access to the fire lookout tower, built between 1926 and 1928 under the auspices of the Oklahoma Forestry Commission. The proposed transmission line will likely destroy 2.5-miles of the existing trail. The transmission line Right-of-Way (ROW) will also intersect several other trails of unknown age including, but not limited to, the Wildhorse Trail, Uphilly Bowers Trail, the Nolia Trail, and the Stevens Trail. Many of these trails continue to be used today, mostly for recreational purposes.

A major discrepancy exists between the number of cultural resources listed in the PAD as within the proposed project boundary and the actual number of cultural resources encompassed by the proposed project boundary as defined by the project shapefiles. The PAD lists sixteen (16) previously recorded historic archaeological sites within the proposed project boundary; however, of these sixteen (16) sites, only one (1) historic archaeological site (Site 34PU281) falls within the proposed project boundary as defined by the shapefiles (Figure 5). Site 34PU281 is a multi-component habitation site with both historic and pre-contact period occupations. The site is currently unevaluated for the National Register of Historic Places (NRHP).

Ambiguity in the project boundary (or APE) has made it difficult to capture exactly which cultural resources could be adversely affected by this project. Aside from construction, CNHPD shares concern regarding spillway drainages, draught conditions, and any other unanticipated effects of this project that could adversely affect previously recorded cultural resources located along the Kiamichi River to the east and to the west of the proposed pump facilities. Previously recorded historic archaeological sites outside the project boundary shapefile but listed in the PAD as within the project boundary include: 34PU244, 34PU253, 34PU257, 34PU263, 34PU264, 34PU267, 34PU272, 34PU275, 34PU285, 34PU286, 34PU292, and 34PU294. Sites 34PU244, 34PU257, 34PU263, and 34PU275 are known to contain "historic native" or Choctaw burials. Wall Cemetery and the Maytubby Cemetery are also located within 5-miles of the proposed pump facilities. Site 34PU264 is the Dukes' family farmstead. Gilbert Dukes served as Principal Chief of Choctaw Nation between 1900 and 1902. Most of these historic sites have been determined culturally affiliated with Choctaw Nation but have not been assessed for the NRHP.

It is highly probable that most of the project area has not received a cultural resources survey up to modern standards. It is likely to contain a number of archaeological sites that are culturally affiliated with the Caddo, Choctaw, and other groups. Given the number of structures shown on maps dating to the first decade of the 1900s, the project area is likely to contain several Choctaw homestead sites, which our office considers potentially eligible for the NRHP for significance under Criteria A and D. The project area also has a high potential for containing additional Choctaw cemeteries and unmarked, isolated Choctaw burial places.

If this undertaking proceeds, CNHPD is requiring a Phase I cultural resources survey of the entire APE by a reputable cultural resource management firm with experience in the area. For this undertaking to comply with the NHPA, FERC will need to engage in a meaningful consultation process with the Choctaw Nation of Oklahoma, other federally recognized Tribes with a historic interest in the area, the Oklahoma State Historic Preservation Officer, and the Oklahoma Archaeological Survey under the National Historic Preservation Act. FERC will need to work out a formal plan with these parties to mitigate adverse effects to any properties identified within the APE that are eligible or potentially eligible for inclusion on the National Register of Historic Places. The Tribal cemetery that has been located within the APE is of utmost concern to the Choctaw Nation. FERC must consult with Choctaw Nation under the Native American Graves Protection and Repatriation Act.

Most sincerely,



Ian Thompson PhD, RPA
Tribal Historic Preservation Officer

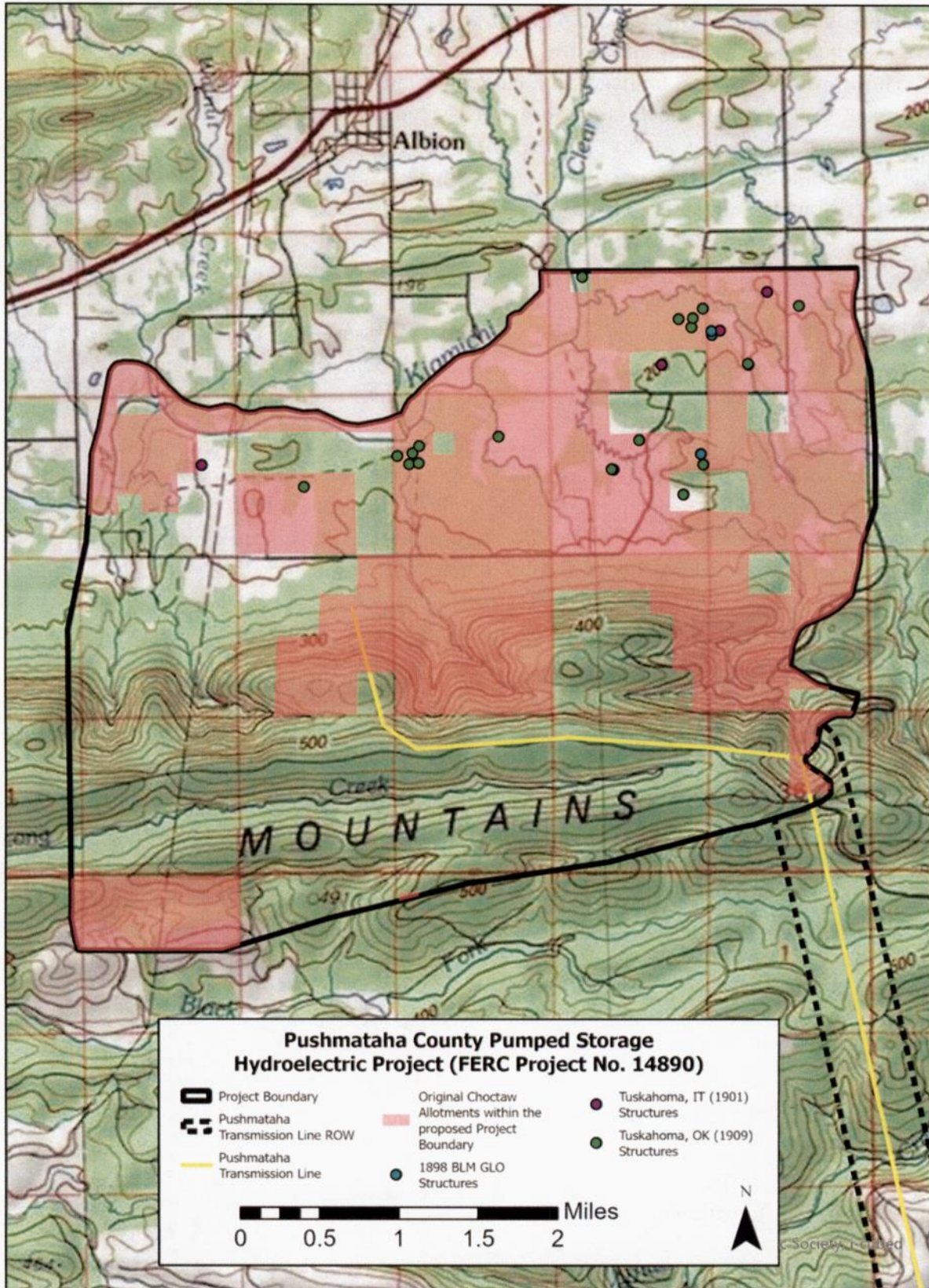


Figure 1: Map showing Choctaw allotted lands and historic sites within the project area.

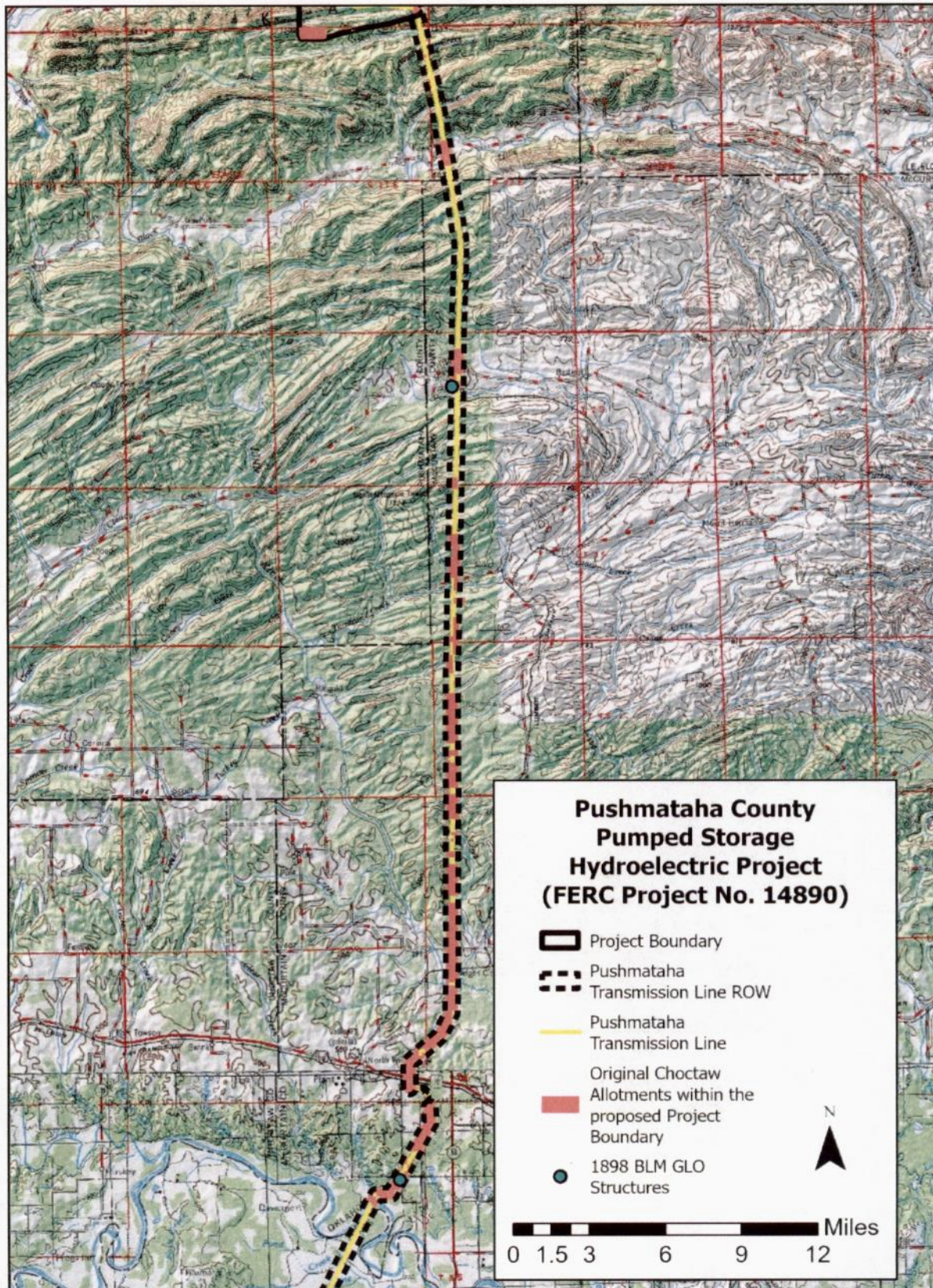


Figure 2: Map showing Choctaw allotted lands and historic sites within the ROW.

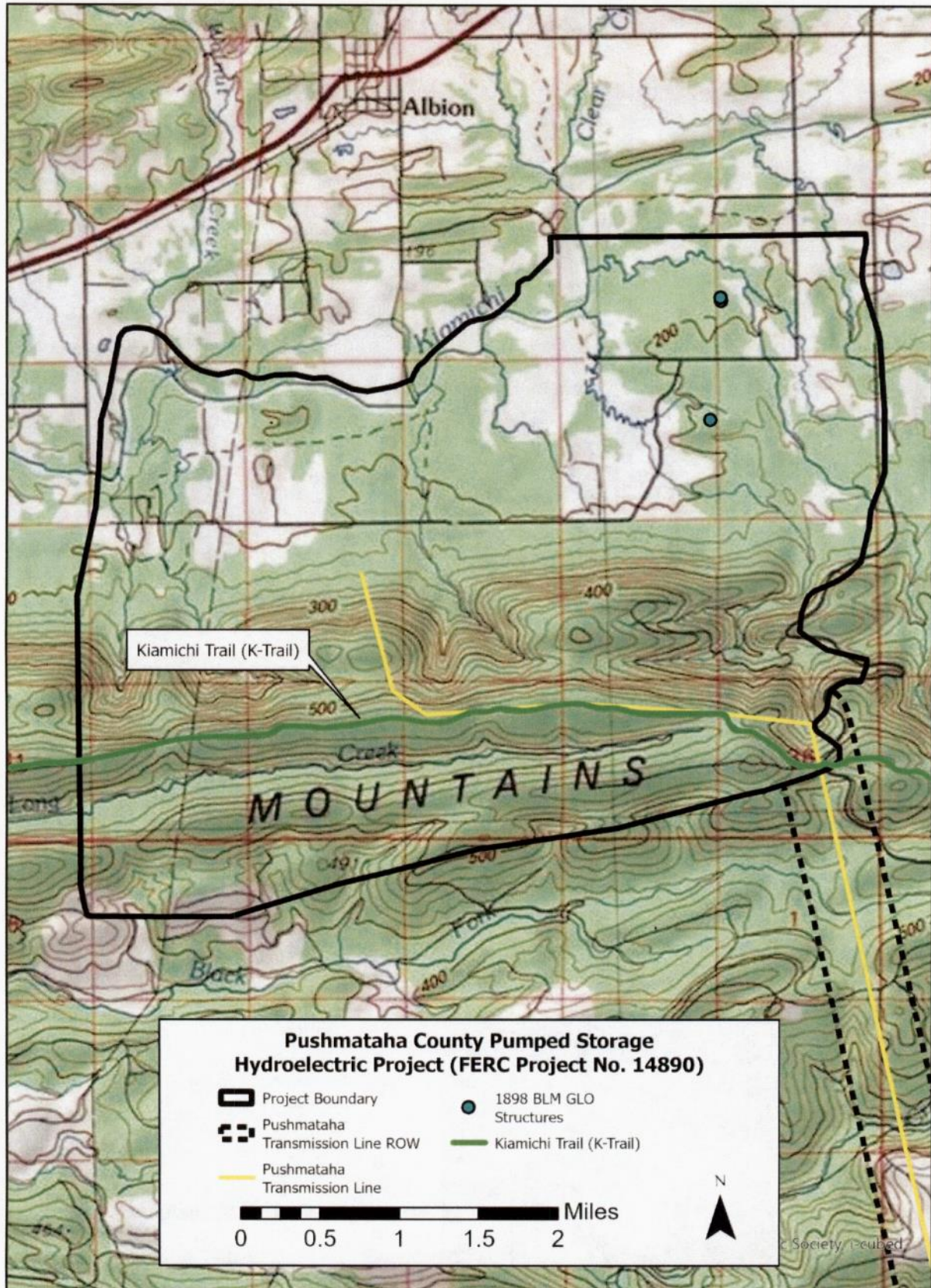


Figure 3: Map showing the location of the historic K-Trail.

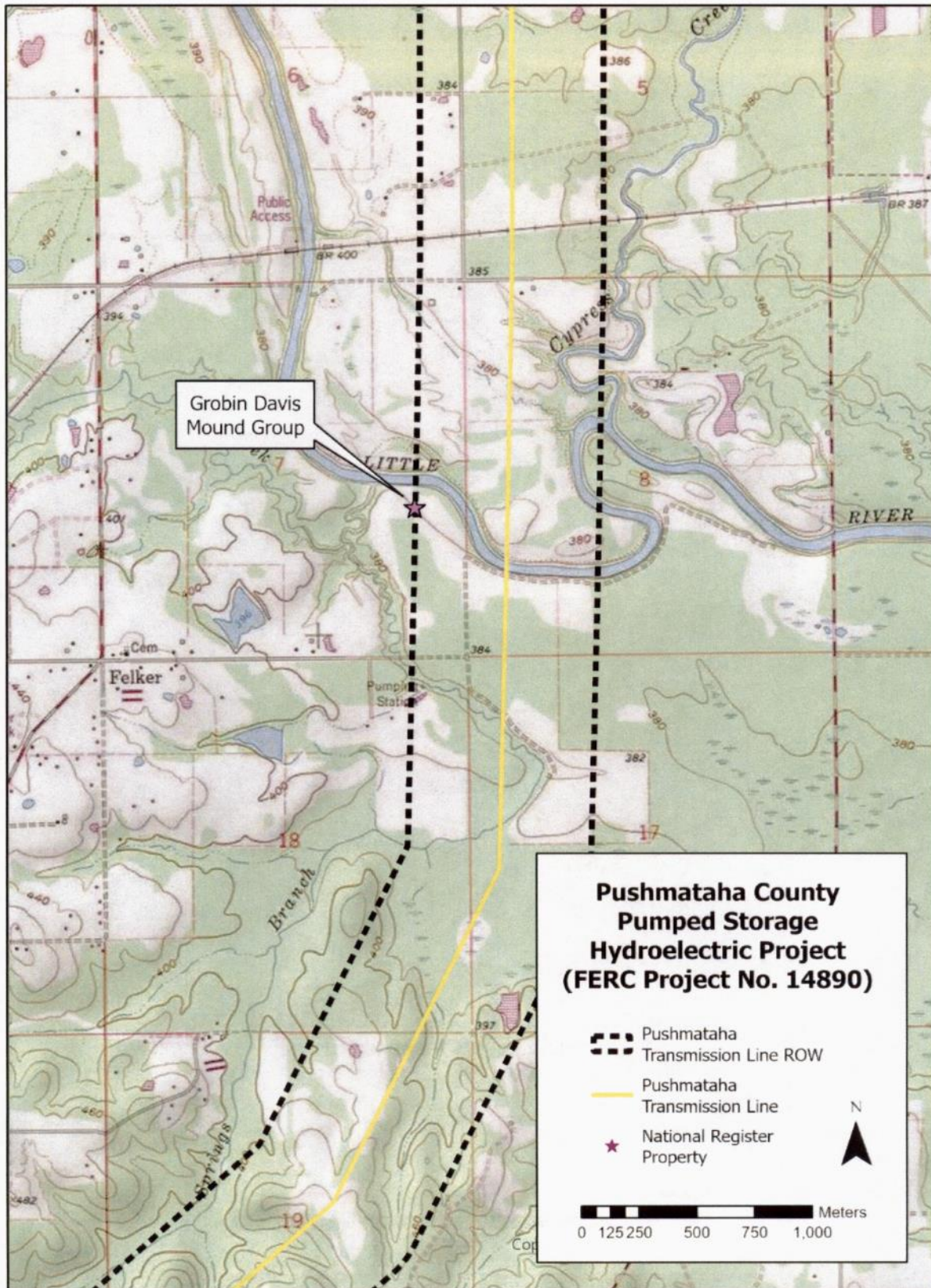


Figure 4: Map showing the location of the Grobin Davis Mound Group site, a NRHP listed property.

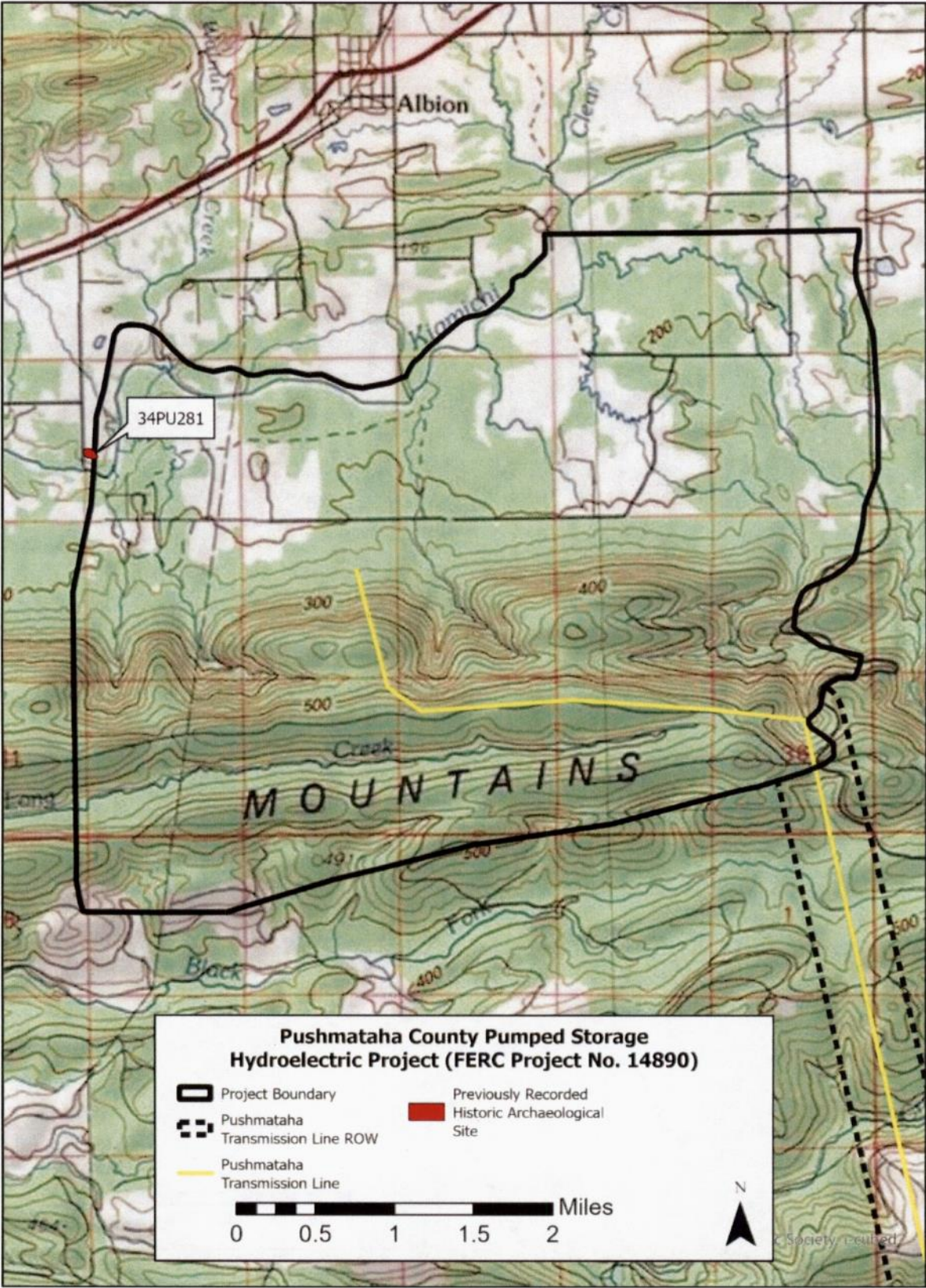


Figure 5: Map showing previously recorded historic sites within the project area.

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