

## 5.0 CONSULTATION AND COORDINATION

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### 5.1 HISTORY OF PUBLIC INVOLVEMENT

This Environmental Impact Statement (EIS) represents the efforts and involvement of a broad range of participants, including public agencies, tribal councils, private organizations, and individuals. The lead agency, the Bureau of Land Management (BLM) Kingman Field Office (KFO), met and consulted with various federal, state, county, tribal, and local agencies throughout the process. Interested parties were invited into the process through various formal and informal methods, including meetings with public agencies, tribes, interest groups, and individuals; scoping meetings; letters of invitation; e-mail correspondence; BLM website; and distribution of postcards and newsletters. This section summarizes those activities.

#### 5.1.1 Summary of Scoping Meetings, Issues and Comments

Scoping, the first step in the EIS process, was conducted from November 20, 2009 through January 8, 2010. The scoping period was initiated with the publication of the Notice of Intent (NOI) in the Federal Register on November 20, 2009. Three public meetings and an agency meeting were held during the 45-day scoping period in Kingman, Dolan Springs, and White Hills, Arizona.

During initial scoping, 71 comment submissions were received and entered into a comment database. Within the 71 comment submissions, 398 issues were identified and categorized into 15 main categories of issues and 41 categories of sub-issues, allowing the Project team to identify areas of concern and quantify issues on both broad and detailed levels.

Based on additional studies, refinement of the preliminary Project description, and comments received during initial scoping, the Wind Farm Site was revised to include land managed by the Bureau of Reclamation (Reclamation) while eliminating some Federal and private land previously identified as the subsequent phases of the Project. In addition, a potential opportunity to interconnect with the Moenkopi-El Dorado transmission line located about six miles south of the Wind Farm Site was identified, which if considered would require the construction of a new transmission line on public and private lands. Because these changes to the Project occurred after conclusion of the initial scoping period on January 8, 2010, and development was proposed on land administered by an additional Federal agency, a supplemental scoping period was established to allow stakeholders the opportunity to review updated Project information and identify additional comments or issues for consideration in the EIS.

The supplemental scoping period for the Project was initiated with publication of a NOI on July 26, 2010 in the Federal Register and concluded on September 9, 2010. Four public scoping meetings were held during the supplemental scoping period, with one at each of the three initial scoping meeting communities and an additional meeting in Peach Springs, Arizona. Public comments received during the supplemental scoping period also were entered into the database; 20 comment submissions were received after the first scoping period but before the supplemental scoping period (January 8 through July 25, 2010), and an additional 22 comment submissions were received during the formal supplemental scoping period (July 26, 2010 through September 9, 2010). Within these 42 comment submissions, 76 issues were identified.

In total, 113 comment submissions were received, in which 474 issues were identified and categorized into the main categories and sub-issues. BLM considered all input received after January 8, 2010, the official close of the first scoping period, through and including the comments received during the supplemental scoping period.

Two broad categories of comments were identified, Actions and Alternatives, and Environmental Impacts. The Actions and Alternatives category included comments about various aspects and components of the proposed Project, as well as suggestions for and concerns about alternative facilities or decisions that people felt should be considered in the EIS. Comments in this category also identified topics relative to the planning and EIS preparation process, including public review opportunities. The Environmental Impacts category included comments about the proposed Project’s potential impacts on natural, human, and cultural resources, and identified the social and economic concerns that people felt should be addressed in the EIS. The comments from these two broad categories were further categorized in 15 main issue categories. Table 5-1 summarizes the volume of comments received on each of the 15 main issue categories.

**Table 5-1 Percent of Comments by Issue**

<b>Main Issue</b>	<b>Percent of Total Issues Identified – All Comments Received</b>
Project Description	17.3
Project Need	3.4
Project Alternatives	5.3
National Environmental Policy Act (NEPA) Process	7.0
Air Quality	2.7
Biological Resources	23.0
Cultural Resources	2.3
Cumulative Effects	4.2
Geology and Minerals	3.3
Hazardous Materials and Safety	1.3
Land Use, Recreation, and Transportation	8.0
Noise	4.2
Socioeconomics	9.3
Visual Resources	5.7
Water Resources	3.0
<b>Total</b>	<b>100.0</b>

A more detailed discussion of the scoping process, including a summary of public comments and issues identified in both the initial and supplemental scoping periods, is documented in the Scoping Summary Report dated March 2010 and the Supplemental Scoping Report dated November 2010. Both reports are available on the BLM website, [www.blm.gov/az/st/en/prog/energy/wind/mohave.html](http://www.blm.gov/az/st/en/prog/energy/wind/mohave.html).

**5.1.2 Federal, Tribe, State, Local Government Agencies and Organizations Consulted**

Agency and tribal coordination is an important step in a successful collaborative process for several reasons. First, early involvement with other federal and state agencies and tribal and local governments establishes a solid working relationship with each agency. It builds trust and credibility between agencies in support of the analysis in the EIS. Finally, it helps ensure that BLM decisions are supported by other agencies and conform to applicable regulatory requirements.

Interested agency and interested party letters were distributed at the beginning of scoping to Tribes, agencies, and stakeholder groups to introduce the Project and solicit their participation in the scoping process. Interested agency letters also included an invitation to a separate agency meeting. The following is a distribution list for the letters.

## **FEDERAL**

### **U.S. Department of Agriculture**

Natural Resources Conservation Service, Arizona State Office  
Natural Resources Conservation Service, Kingman Field Office

### **U.S. Department of Defense**

Air Force Region 9 Environmental Office  
Luke Air Force Base  
Office of the Deputy Under Secretary of Defense (Installations and Environment)  
Region IX, Navy Region Southwest Environmental Department  
U.S. Air Force, Environmental Division, Chief  
U.S. Air Force, Office of Deputy A/S of USAF, Environment, Safety, Occupational Health  
U.S. Army Corps of Engineers  
Los Angeles District Office  
South Pacific Division, Los Angeles District, Arizona/Nevada Area Office

### **U.S. Department of Energy**

Division of NEPA Affairs  
National Renewable Energy Laboratory  
Office of Environmental Policy and Compliance (EH-23)  
Western Area Power Administration

### **U.S. Department of Interior**

Bureau of Indian Affairs  
National Office  
Western Area Regional Office, Environment Quality Services  
Bureau of Reclamation  
Deputy Commissioner  
Lower Colorado Dams Office  
Lower Colorado Regional Office  
National Park Service  
Lake Mead National Recreation Area  
Air Resources Division  
Grand Canyon National Park  
Natural Sounds Program  
NEPA/Section 106 Specialist  
Natural Resources Library  
Office of Environmental Policy & Compliance  
Office of Surface Mining, Reclamation and Enforcement  
Minerals Management Service, Environmental Division  
Office of Surface Mining  
U.S. Fish and Wildlife Service  
Division of Environmental Quality  
Fish and Wildlife Service, Chief, Division of Federal Projects  
Flagstaff Office  
U.S. Geological Survey  
Flagstaff  
National Office

### **U.S. Department of Transportation**

U.S. Federal Aviation Administration  
National Headquarters Office, Obstruction Evaluation Service  
Western U.S. Operations  
Western-Pacific Region

U.S. Federal Communication Commission

### **U.S. Environmental Protection Agency**

Office of Federal Activities, EIS Filing Section  
Region 9 – Environmental Review Office

### **Library of Congress**

**TRIBES**

Chemehuevi Tribal Council  
 Chairman  
 Cultural Resource Director  
 Colorado River Indian Tribes  
 Chairman  
 Museum Director  
 Fort Mojave Tribal Council  
 Chairman  
 Director, Aha Makav Cultural Society  
 Havasupai Tribe  
 Chairwoman  
 Natural Resources Department  
 Hopi Tribe  
 Chairman  
 Director Cultural Preservation  
 Hualapai Tribe  
 Chairman  
 Tribal Historic Preservation Officer  
 Kaibab Paiute Tribal Council  
 Chairwoman  
 Las Vegas Paiute Tribe  
 Chairperson  
 Cultural Resources Coordinator  
 Moapa Band of Paiute Indians  
 Chair, Cultural Committee  
 Environmental Committee  
 Pahrump Paiute Tribe  
 San Juan Southern Paiute Tribe  
 President  
 Yavapai-Apache Nation  
 Chairman  
 Tribal Archaeologist  
 Yavapai-Prescott Indian Tribe  
 President  
 Director, Cultural Resources

**STATE OF ARIZONA**

Corporation Commission  
 Department of Environmental Quality  
 Phoenix Main Office  
 Water Resources Division  
 Department of Revenue  
 Department of Transportation  
 Kingman District Office  
 Permitting Department  
 State Engineer’s Office  
 Game and Fish Department  
 Governor’s Office  
 State Geological Survey  
 State Historic Preservation Office  
 State Land Department  
 State Parks Department

**MOHAVE COUNTY**

Board of Supervisors  
 County Manager’s Office  
 Development Services Department  
 Economic Development Department

**LOCAL**

City of Kingman  
 Mayor  
 Airport Authority  
 City Manager  
 Community Development  
 Boulder City  
 Mayor  
 City Manager  
 Bullhead City  
 Mayor  
 Lake Havasu City  
 City Manager

**OTHER STAKEHOLDER GROUPS**

Arizona Antelope Association  
 Arizona Chapter of the Wildlife Society  
 Arizona Desert Bighorn Sheep Society  
 Arizona Mule Deer Society  
 Arizona Riparian Council  
 Arizona Sportsman  
 Arizona Wildlife Federation  
 Arizona Wildlife Outfitters  
 Audubon Society, Arizona Chapter  
 Bullhead 4 Wheelers  
 Center for Biological Diversity  
 Cerbat Ridge Runners  
 Defenders of Wildlife  
 Desert Bighorn Council  
 Dolan Springs Chamber of Commerce  
 Friends of Grand Canyon  
 Grand Canyon Wildlands Council  
 Kingman Area Chamber of Commerce  
 Mohave Sportsman’s Club  
 Northwest Arizona Watershed Council  
 Public Lands Advocacy  
 Sierra Club  
 The Grand Canyon Trust  
 The Nature Conservancy  
 The Peregrine Fund  
 The Sonoran Institute  
 Walapai 4 Wheelers  
 Western Resource Advocates  
 Western Watersheds Projects  
 Wild Earth Guardians

## **5.2 CONSULTATION AND COORDINATION WITH GOVERNMENTS AND AGENCIES**

BLM is required by law to prepare NEPA analysis and documentation in cooperation with any other Federal agency which has jurisdiction by law (40 CFR 1501.6). Additionally, qualified Federal agencies, tribes, or other governments can enter into formal cooperation under this provision and are called cooperating agencies.

### **5.2.1 Cooperating Agencies**

Cooperating agency letters of invitation were sent at the initiation of scoping to those agencies and tribal governments identified by the BLM, as having a jurisdiction over the Project or special expertise regarding resources to be analyzed in the EIS. Cooperating agencies are allowed opportunities for participation through interagency meetings and active engagement in the preparation of the EIS, in addition to other opportunities throughout the NEPA public participation process. Specific roles of the lead and cooperating agencies, as well as coordination opportunities and the issue resolution process, are defined in individual Memorandums of Understanding entered into between BLM and each cooperating agency for the Project.

In response to BLM's invitation, six entities agreed to serve in the formal role as a cooperating agency, including Reclamation, Western Area Power Administration (Western), National Park Service (NPS), Arizona Game and Fish Department (AGFD), Mohave County, and the Hualapai Tribe. Several of the invited entities declined to serve in the capacity of a cooperating agency, but indicated an interest in being informed about the Project. BLM has continued to communicate and collaborate with these agencies and tribes throughout the process through meetings, conference calls, newsletters, the BLM website, and/or other consultation.

### **5.2.2 Formal Consultation**

#### **5.2.2.1 Biological Resources**

The requirement for consultation with the U.S. Fish and Wildlife Service (USFWS) prior to initiation of a federal action (project) that may affect any federally listed species or its habitat are identified in 50 CFR Part 402. The Mohave County Wind Farm Project is considered a Federal action and, in accordance with Section 7 of the Endangered Species Act, early coordination with USFWS was initiated. On December 12, 2011, the USFWS provided an evaluation of federally listed threatened or endangered species known to occur in Mohave County and the potential to be affected by the Project. In this evaluation, the USFWS agreed with the BLM's initial determination that no federally listed threatened or endangered species, and/or critical habitat would be affected by the Project with the rationale that they currently do not occur in the area (Section 4.5). The USFWS identified concerns about potential impacts to the non-essential population of California condor and the candidate Sonoran population of desert tortoise.

Additionally, the USFWS was contacted on December 16, 2010 about the potential for California condors to utilize the Project Area. On the same date, the USFWS provided information through the Peregrine Fund that California condors have been moving their use away from the Project Area for about a decade.

The BLM contacted the USFWS concerning the Project impacts on the golden eagle in accordance with the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668d), and BLM Instruction Memorandum 2010-156. Formal coordination activities have occurred, and BP Wind Energy retained a consultant to prepare an Eagle Conservation Plan (ECP) as part of a Bird Conservation Strategy (BCS) which was identified as a requirement for the Project in 2011. BP Wind Energy has worked closely with USFWS, AGFD, BLM, and Reclamation to develop the ECP/BCS that is consistent with the 2011 Draft ECP Guidance from USFWS (USFWS 2011a). Since the initial contact with agencies in 2008 and as part

of BP Wind Energy’s consultation with USFWS concerning the preparation of the ECP/BCS, BP Wind Energy has held seven in-person meetings and 19 conference calls with the agencies, as well as communication via email or telephone with agency experts concerning the preparation and requirements for the ECP/BCS. The full chronology of the coordination is included in Table 1 of the ECP/BCS, which will be included as an attachment to the Department of the Interior Record of Decision (ROD) for the Project. The potential impacts to the golden eagle with Alternative E, the Agencies’ Preferred Alternative, which was developed in consultation with the USFWS, are discussed in detail in Section 4.5.6.

A cooperative agreement was entered into with AGFD (Memorandum of Understanding AZ-2010-05) and this agency has participated in review of the Project and the development of this EIS to provide its special expertise and knowledge regarding biological resource issues.

#### **5.2.2.2 Archaeological and Historic Resources**

In conjunction with preparing the EIS, BLM also is serving as the lead Federal agency in considering effects of the Project on properties listed in or eligible for the National Register of Historic Places (National Register), pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq.) and implementing regulations and policies. BLM has been consulting with the cultural resource specialists of cooperating agencies, including Western, Reclamation, and NPS, as well as the Arizona State Historic Preservation Officer (SHPO) and interested tribes.

On March 29, 2010, BLM formally initiated consultations with SHPO by sending a letter providing information about the Project and copies of the cultural resources overview and survey plan that had been prepared for the Project. SHPO provided comments by letter dated April 30, 2010. BLM revised the cultural resource survey plan to address SHPO’s suggestions regarding the evaluation of historic roads. BLM held tours for interested agencies and tribes in March 2010 and April 2011. In January 2012, BLM provided copies of all the cultural resource reports prepared for the Project to SHPO, other agencies, and tribes, and consulted about determinations of National Register eligibility and the effect of the Project on National Register-eligible properties. The Arizona SHPO concurred with BLM’s determinations of National Register eligibility and finding of adverse effect by letter dated March 1, 2012. In April 2012, copies of the draft EIS were distributed to SHPO and agencies.

Because one or more National Register-eligible properties could be disturbed by construction of the wind farm, BLM developed, in consultation with SHPO, Reclamation, Western, NPS, interested Indian tribes, and BP Wind Energy, a Section 106 Memorandum of Agreement (MOA) (Appendix G). In April 2012, BLM formally notified the Advisory Council on Historic Preservation that BLM had made a determination of adverse effect and invited the Council to participate in the MOA, but the Council notified BLM by letter dated May 7, 2012, that they concluded that the Council’s participation was not needed to resolve the adverse effect. In July 2012, BLM sent a draft MOA to the agencies and tribes, and hosted a meeting on August 15, 2012 at the BLM KFO to review the draft MOA. Representatives of Reclamation, Western, and NPS participated in the meeting. SHPO provided comments on the draft MOA in a letter dated August 17, 2012. The BLM revised the draft MOA based on comments from the tribes, SHPO, and other consulting parties and distributed a revised agreement for review and comment in October 2012.

The MOA stipulates that a Historic Properties Treatment Plan (HPTP) be prepared and implemented to address adverse impacts on properties eligible for the National Register. The HPTP would be completed after final design of the Project identifies which historic properties cannot be avoided. Final design will be initiated if and when a ROD is issued, authorizing development of an action alternative. The HPTP will include measures to address indirect visual impacts on traditional Hualapai cultural resources. In response to suggestions from the Hualapai Tribe, those measures will include developing educational programs,

curriculum materials, or public outreach to preserve information about the traditional cultural importance of the area for the Hualapai Tribe and to reinforce continued cultural connections to the area. Except for safety reasons during construction, the project is not expected to restrict access for traditional religious purposes or resource collection by tribes. The HPTP would be the major component of a Cultural Resource Management Plan (CRMP) that is being prepared in accordance with recommendations of the BLM *Programmatic Environmental Impact Statement on Wind Energy*. The CRMP would include procedures for complying with laws other than Section 106, such as the Native American Graves Protection and Repatriation Act, and perhaps measures to mitigate impacts on other elements of the cultural environment that are not historic properties. Section 4.6.7 provides additional information about the HPTP and CRMP. The BLM will continue to consult with the involved agencies throughout the EIS process and during post-EIS development of any action alternative in accordance with the MOA.

### **5.2.2.3 Tribal Consultation**

The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive Orders (EOs), and court decisions. The BLM has a responsibility to consider and consult on potential effects to natural resources related to tribal treaty rights or cultural use. In recognition of this relationship, BLM consults with tribal governments on a government-to-government basis pursuant to NEPA; Section 106 of the National Historic Preservation Act (NHPA); EO 13175; and other laws, EOs, and policies in accordance with BLM Manual 8120, *Tribal Consultation under Cultural Resources*. Although such consultations typically focus on Section 106 compliance and matters related to cultural resources, tribes are invited to comment on other issues of concern to their communities or governments.

On September 14, 2009, the BLM KFO initiated government-to-government consultation with federally recognized Indian tribes that have traditional cultural ties or interests in the area of the proposed Mohave County Wind Farm by sending certified letters to elected leaders of the following federally recognized tribes:

- Hualapai Tribe
- Fort Mojave Indian Tribe
- Colorado River Indian Tribes
- Las Vegas Paiute Tribe
- Moapa Band of Paiutes
- Havasupai Tribe
- Chemehuevi Tribe
- Hopi Tribe
- Yavapai-Prescott Indian Tribe
- Kaibab Band of Paiute Indians
- San Juan Southern Paiute Tribe
- Yavapai-Apache Nation

The letters described the proposed Project and invited the tribes to participate as formal cooperating agencies for preparation of the EIS. BLM also invited the Pahrump Paiute Tribe, which is not federally recognized; however, the tribe did not respond to indicate it had an interest in the proposed Project.

On November 20, 2009, BLM initiated formal Section 106 consultation by sending certified letters to elected tribal officials, with copies to the lead staff of tribal cultural resource departments. The tribes were invited to attend a coordination meeting and field tour on January 12, 2010. BLM staff followed up with contacts to tribal staff by telephone and electronic mail. In December 2009, BLM postponed the planned meeting because of a conflict with a tribal listening session that the Department of the Interior scheduled in Phoenix. In February 2010, after coordinating with tribal staff to select a new date, BLM sent letters rescheduling the meeting for March 16, 2010 and provided the tribes with copies of the Cultural Resources Class I Overview prepared for the Project and requested their review and comment. The Hualapai Tribe provided comments on the ethnographic background section of the document and shared information about traditional Hualapai perspectives on the White Hills and Senator Mountain, which has been incorporated in this EIS.

Representatives of the Hualapai, Las Vegas Paiute, and Yavapai Prescott tribes attended the meeting on March 16, 2010 at the KFO, followed by a tour of the proposed Project Area. The KFO Manager attended the meeting and tour. The director of the Aha Makav Cultural Society, affiliated with the Fort Mojave Tribe, planned to attend but was unable to do so. The KFO Archaeologist met with her the next day at her office to share information about the Project and to offer a separate tour. The Hopi Tribe responded to the invitation indicating they would be unable to attend the meeting but wished to continue to receive copies of cultural resource reports for review and comment.

During the March 2010 field tour, Hualapai Tribe staff identified several topographic features in the Project Area and surrounding areas (some with Hualapai place names) as areas of traditional cultural concern that could be subject to visual effects from the proposed wind farm. These locations were subsequently incorporated into the visual impact analysis for the EIS and, during the spring of 2010, tribal staff participated in field visits to those places to take photographs for the visual analysis. During the spring of 2010, the Hualapai Tribe also signed a Memorandum of Understanding to serve as a cooperating agency and provide special expertise for preparation of the EIS. In addition to participating in the preparation and review of the EIS, staff of the tribe's Department of Cultural Resources participated in the review of cultural resource reports and served as crewmembers for cultural resource surveys for the Project.

In the summer of 2010, the boundaries of the proposed Project were revised to eliminate the eastern portion in the White Hills and add lands to the west that are administered by the Reclamation. On August 27, 2010, an EIS public scoping meeting for the modified Project was held at the Hualapai Tribe Cultural Center in Peach Springs. Visual simulations from key observation points identified by the tribe were available at the meeting for inspection and comment. Three members of the Tribal Council attended the meeting, as did the KFO Manager.

On October 26, 2010, BLM sent letters to the tribes to update them on the revised Project boundaries and to share a summary of the preliminary results of cultural resource surveys. The letters invited the tribes to participate in a field tour of the sites, and to continue participating in Section 106 consultations. The BLM also offered to meet with the tribes to discuss any concerns they might have. The Compliance Officer of the Yavapai-Prescott Indian Tribe and the Director of the Hopi Cultural Preservation Office responded with letters acknowledging receipt of the information and requested continued involvement.

On March 8, 2011, BLM sent letters inviting the tribes to attend a consultation meeting and field tour of the Project Area on April 19, 2011. The Project applicant and URS, the cultural resource consultant, provided assistance with the meeting and tour, which was attended by eight cultural committee members or staff from the Hualapai Tribe, Fort Mojave Tribe, and Colorado River Indian Tribes. The Moapa Band of Paiutes planned to attend but had to cancel on the prior day. The KFO Manager attended the tour and BLM followed up by email and distributed copies of the meeting notes to the tribes. BLM offered to

arrange for a future tour for the Moapa Band of Paiutes and other tribes that did not attend the meeting; there were no requests for another meeting or field visit at that time.

On March 21, 2011, the Hopi Tribe sent a letter expressing concern about potential impacts on bald eagles and other birds. On May 11, 2011, BLM provided reports of wildlife studies conducted for the EIS and offered to arrange for a meeting to discuss the Hopi concerns; the Hopi Tribe did not request a meeting.

On July 12, 2011, BLM distributed copies of the draft cultural resource survey report to the tribes and requested their review and comments on the report and evaluations of the eligibility of the recorded cultural resources (which include nine prehistoric sites) for the National Register of Historic Places (National Register). The letter also informed the tribes of an expansion of the proposed Project boundaries that required supplemental cultural resource survey. In January 2012, BLM distributed to the tribes a report of the supplemental survey along with final reports for the seven other cultural resource studies completed for the Project, and requested comments on evaluations of eligibility for the National Register and a determination of effect. The Hopi Tribe responded in February 2012, indicating that they had reviewed the cultural resource report and deferred participation in the Section 106 MOA to the Hualapai Tribe, but requested continued consultation.

Copies of the draft EIS were distributed to the consulted tribes in April 2012, and on May 14, 2012, a public meeting to receive comments on the draft EIS was held at the Hualapai Tribe Cultural Center in Peach Springs. Several tribal members, including members of the tribal council and tribal government staff, attended the meeting. In July 2012, a draft Section 106 MOA was sent to the consulting tribes and agencies. Follow-up contacts by telephone and email were made to each of the tribes to confirm that they had received the draft MOA and to encourage them to attend a meeting to discuss the draft MOA at the BLM KFO on August 15, 2012. Representatives of the Hualapai Tribe, Fort Mojave Indian Tribe, Colorado River Indian Tribes, and Yavapai Prescott Tribe attended the meeting. The BLM revised the MOA based on comments from the tribes, SHPO, and other consulting parties. A copy of the signed MOA is provided in this Final EIS as Appendix G.

As a result of consultations, Indian tribes identified concerns about direct and indirect impacts to archaeological and ancestral sites; visual effects to places of traditional cultural or religious importance; disruption to spiritual values associated with landscape features; and the cumulative effects of energy projects on traditional territories that are of cultural importance for a range of environmental and heritage values. At the suggestion of the Hualapai Tribe, indirect impacts would be addressed by preserving information about the traditional cultural importance of the area for the Hualapai Tribe and reinforcing continued cultural connections to the area through development of educational programs, curriculum materials, or public outreach. All the prehistoric sites documented during the surveys, which the Hualapai and other tribes regard as ancestral, were determined to be eligible for the National Register under Criterion D for their informational value (see Section 3.6.1.1), and any direct impacts would be mitigated by recovery and preservation of artifacts and information before the sites are disturbed. The Hualapai Tribe suggested that the prehistoric sites might also be eligible under Criterion A (see Section 3.6.1.1); BLM will consider any information the tribes provide identifying associations with events that have made a significant contribution to the broad patterns of tribal history. BLM will continue to consult with tribes about their concerns as the HPTP and CRMP are prepared and implemented during post-EIS development of any action alternative approved by the ROD (as discussed in Sections 4.6.6 and 5.2.2.2).

### **5.3 PUBLIC PARTICIPATION – SCOPING**

A variety of means of disseminating information have been employed throughout the public participation process, including publication of notices in the Federal Register, posting on the BLM website, informational newsletters, news releases, and fact sheets. Each of these is briefly described below.

#### **5.3.1 Notice of Intent**

The public was first notified of the Mohave County Wind Farm Project and upcoming scoping meetings through a legal notification, and the NOI, which was published in the Federal Register on November 20, 2009. The NOI announced the intent to prepare an EIS, and advised that specific dates, locations, and times of scoping meetings would be announced through the local media and on the BLM website. In addition, the NOI provided Project information including a description of proposed facilities and Project location, information on how to submit comments and why they are important, and BLM contact information.

The public was notified of the supplemental scoping process and scoping meetings through a NOI published in the Federal Register on July 26, 2010. The NOI described the proposed changes to the Project Area, advised that scoping meetings would be announced through the local media and on the BLM website, and provided information on how to submit comments.

Both NOIs were used to inform the public that the NEPA commenting process was also being used to help satisfy the public involvement process for Section 106 of the NHPA and invited Tribes to participate in the scoping process and as a cooperating agency.

#### **5.3.2 Newspaper and Media Announcements**

The public was notified of the initial scoping meetings through a press release distributed on November 23, 2009, to newspapers and local and regional news outlets.

The public was notified of the supplemental scoping meetings through a second press release distributed on August 5, 2010, to newspapers and other news outlets in the vicinity of the Project Area and regionally. Both press releases were sent to county and municipal staff, elected officials, and Arizona congressional members.

#### **5.3.3 Additional Public Notice**

The public and many agencies were notified of the initial scoping period and public scoping meetings through a newsletter distributed to approximately 1,900 people in November 2009. The newsletter mailing list, which was updated throughout the Project, included persons with a prior interest in projects within the region, property owners to within 3 miles of the Project Area boundary, local officials including municipal and county staff, Federal and State agencies, potentially interested American Indian tribes, BLM right-of-way holders, mining claimants, other permittees, and other interested parties. Information on how to contact BLM or provide scoping comments was provided in the newsletter.

In addition to the newsletter, an “interested party” letter was sent directly to elected officials, public facilities, and special interest groups (see Section 5.1.2). The letter included a description of the Project, copy of the NOI, a project map, and information on how to provide scoping comments.

A second newsletter detailing the Project progress was mailed to persons on the mailing list in April 2010. Newsletter 2 outlined the results of the initial scoping meetings and the progress of the data collection and alternatives identification.

The public and agencies were notified of the supplemental scoping period and public scoping meetings through a postcard distributed to nearly 2,300 parties on the expanded mailing list on August 12, 2010. The mailing list for the supplemental scoping period was expanded based on requests received through the first scoping period and the inclusion of property owners within 3 miles of the revised Project boundary. The postcard noted that changes had been made to the Project since the initial scoping meetings that were held in December 2009, provided scoping meeting information, and encouraged the public to attend meetings and submit comments by September 9, 2010.

A poster announcing each of the public meetings was distributed by mail to the Dolan Springs Community Center, White Hills Community Association, and Rosie’s Den in White Hills, Arizona prior to both the initial and the supplemental scoping meetings. Also, an electronic version of each meeting announcement poster was sent by e-mail to the Kingman Chamber of Commerce with a request to share the information with its members. The purpose of the poster was to increase public awareness of the scoping meetings.

A second postcard notification was sent to the Project mailing list on August 26, 2011. This postcard provided a brief update on the Project, including changes to the Project Area boundary, alternatives being considered, and progress of the EIS.

A BLM website ([www.blm.gov/az/st/en/prog/energy/wind/mohave.html](http://www.blm.gov/az/st/en/prog/energy/wind/mohave.html)) was established early in the Project to provide updates. The supplemental scoping period and scoping meeting dates were announced on the BLM website. While the BLM website is periodically updated, Project information on the website has included the NOI, public meeting information, Scoping Summary Report, Supplemental Scoping Report, Project newsletters, and frequently asked questions.

#### 5.3.4 Public Scoping Meetings

As mentioned in Section 5.1.1, three public scoping meetings were held for the initial scoping period and four meetings were held during the supplemental public scoping period. Locations, dates and attendance of each public meeting are shown in Table 5-2.

**Table 5-2 Public Scoping Meeting Attendance**

Location	Initial Scoping		Supplemental Scoping	
	Date	Attendance	Date	Attendance
Dolan Springs, Arizona Dolan Springs Community Center	December 8, 2009	21	August 26, 2010	15
Kingman, Arizona Hampton Inn	December 9, 2009	37	August 24, 2010	25
White Hills, Arizona White Hills Community Center	December 10, 2009	52	August 25, 2010	28
Peach Springs, Arizona Hualapai Cultural Center	–	–	August 27, 2010	15
<b>Total attendance at scoping meetings</b>		<b>110</b>		<b>83</b>

The scoping meetings for both the initial and supplemental scoping periods were held in an open house format. In addition, a brief formal presentation on the proposed Project and NEPA process was made at the initial scoping meetings. Attendees were given a handout of Frequently Asked Questions and a comment form. Display boards used at the scoping meetings presented information on the Project purpose and need, Project description, planning process, purpose of the scoping process, construction process,

preliminary noise analysis results, and visual simulations. The open house format allowed attendees to browse the information on the boards and speak informally to Project team representatives.

## **5.4 PUBLIC REVIEW OF THE DRAFT EIS**

Similar to the public scoping process, a variety of means of disseminating information was employed throughout the review of the Draft EIS, including publication of notices in the Federal Register, posting of the Draft EIS on the BLM website, informational newsletters, news releases, and public meetings to solicit comments. Each of these is briefly described below.

### **5.4.1 Notice of Availability**

The Notice of Availability (NOA) for the Draft EIS was published in the Federal Register on April 27, 2012, and advertised in local media. Public comments were accepted during a 45-day review period that began with the publication of the NOA and continued through June 11, 2012. Public meetings to share Project information and receive comments on the Draft EIS were also advertised in local media announcements and announced on the project web page of the Arizona BLM web site.

### **5.4.2 Newspaper and Media Announcements**

A press release to announce the release of the Draft EIS and subsequent 45-day comment period was distributed on April 27, 2012 to newspapers and other news outlets in the vicinity of the Project Area and regionally. The press release was also sent to county and municipal staff, elected officials, and Arizona congressional members.

### **5.4.3 Additional Public Notice**

The public and many agencies were provided advanced notification of the upcoming availability of the Draft EIS via a postcard mailed to approximately 1066 people on April 12, 2012. The postcard was mailed to inform individuals on the mailing list that the Draft EIS would be available to download from the BLM Project website and that hard copies of the Draft EIS would be available at the BLM Arizona State Office and Kingman Field Office as well as libraries in Boulder City, Dolan Springs, Kingman, and Peach Springs. The postcard also provided a return mail form for members of the public to request a compact disk (CD) copy of the Draft EIS.

A newsletter (Newsletter #3) was distributed on April 25, 2012 to the same people who were sent the postcard. Newsletter #3 was also mailed to local officials including municipal and county staff, Federal and State agencies, potentially interested Indian tribes, BLM right-of-way holders, mining claimants, other permittees, and other interested parties. The newsletter provided information on the NOA publication, public meeting locations and time, and information on how to provide comments or contact the BLM. In addition, a brief update on the Project site, the proposed alternatives, and an overview of impact assessment and analysis was included.

The postcard and newsletter provided the BLM Project website address. The Draft EIS was posted in the BLM's Project website at [www.blm.gov/az/st/en/prog/energy/wind/mohave.html](http://www.blm.gov/az/st/en/prog/energy/wind/mohave.html); the website included instructions on how to provide comments, and the dates and locations of the public meetings.

A poster announcing each of the public meetings was distributed by mail to the Dolan Springs Community Center, White Hills Community Center, and the Hualapai Cultural Center in Peach Springs, Arizona prior to the public meetings. The purpose of the poster was to increase public awareness of the public meetings.

#### 5.4.4 Public Meetings

Four public meetings were held during the Draft EIS public comment period. Locations, dates and attendance by the public for each meeting are shown in Table 5-3. Personnel representing the Mohave County Wind Farm Core Team were also in attendance, but are not counted in the total shown in Table 5-3.

**Table 5-3 Draft EIS Public Meeting Attendance**

<b>Location</b>	<b>Date</b>	<b>Attendance</b>
Peach Springs, Arizona Hualapai Cultural Center	May 14, 2012	23
Kingman, Arizona Hampton Inn	May 15, 2012	18
White Hills, Arizona White Hills Community Center	May 16, 2012	25
Dolan Springs, Arizona Dolan Springs Community Center	May 17, 2012	17
<b>Total attendance at the public meetings</b>		<b>83</b>

The public meetings for the Draft EIS were held in an open house format. A brief formal presentation on the purpose of the meeting (to solicit comments on the Draft EIS), the NEPA process, proposed alternatives and changes to the alternatives since the scoping meetings, and the findings of the impact analysis was made at the beginning of each meeting. Attendees were given a comment form. Copies of the Draft EIS on CD were available for attendees to take with them. The same information was shared at each location.

Following the formal presentation, attendees were invited to review the display boards that were placed around the meeting room and to ask questions of Project team members who were stationed at each display board. The display boards used at the public meetings presented information on the Project features, Project Area location, typical wind turbine construction process, and visual simulations for Key Observation Points 2, 13, 27, and 169. Display boards also provided maps of the Project Area and turbine corridors for each action alternative, as well as projected noise contours for each alternative. The open house format allowed attendees to browse the information on the boards and speak informally to Project team representatives.

#### 5.4.5 Distribution of the Draft EIS

With the exception of the Pahrump Paiute Tribe, which had asked to be removed from the project mailing list, all of the entities listed in Section 5.1.2, received a copy of the Draft EIS on CD. In addition to the organizations listed in Section 5.1.2, the following organizations were added to the project mailing list, and provided a copy of the Draft EIS on CD. A list of the private citizens who received a copy of the Draft EIS is included in the administrative record for the Project. The Draft EIS was also made available on the BLM Project website and paper copies were provided upon request. The Final EIS will be sent to those who submitted comments on the Draft EIS.

## **ORGANIZATIONS**

Arizona Public Service  
Boulevard Associates LLC  
CLXNW LLC  
Colorado River Basin Salinity Control Forum  
Hualapai Valley Solar LLC  
Joshua Tree LLC

Maverick Helicopter Tours  
Nevada Pac Mining Company  
Tiger Gold Inc.  
U.S. Borax Inc.  
White Hills Community Association  
Western States Minerals

### **5.4.6 Public Comments and Responses on the Draft EIS**

According to NEPA, federal agencies are required to identify and formally respond to all substantive public comments. A standardized content analysis process was conducted to analyze the public comments on the Draft EIS. Each comment letter and email message received was read, analyzed and considered by BLM, Reclamation, and Western to ensure that all substantive comments were identified. In performing this analysis, BLM, Reclamation, and Western relied on the Council on Environmental Quality's regulations to determine what constituted a substantive comment. A substantive comment does one or more of the following:

- Questions, with a reasonable basis, the accuracy of the information and/or analysis in the EIS.
- Questions, with a reasonable basis, the adequacy of the information and/or analysis in the EIS.
- Presents reasonable alternatives other than those presented in the Draft EIS that meet the purpose and need of the proposed action and addresses significant issues.
- Questions, with a reasonable basis, the merits of an alternative or alternatives.
- Causes changes in or revisions to the proposed action.
- Questions, with a reasonable basis, the adequacy of the planning process itself.

The BLM's NEPA handbook also identifies types of substantive comments including comments on the adequacy of the analysis; comments that identify new impacts, alternatives, or mitigation measures; and disagreements with significance determinations.

The comments received on the Draft EIS were organized by agency (federal, state, county and local), organization or company, and individuals. Each comment within each letter was assigned a number, and each numbered comment received a response. Appendix H provides copies of the letters and/or emails, with a side-by-side response to the numbered comments. Responses were prepared to address each substantive comment. The Final EIS includes revisions to the Draft EIS resulting from BLM's considerations of the public comments.

## **5.5 DISTRIBUTION OF THE FINAL EIS**

The U.S. Environmental Protection Agency (USEPA) and BLM will publish the Notice of Availability (NOA) for the Final EIS in the Federal Register and BLM will distribute a press release to local media.

The entities listed in Section 5.1.2 and 5.4.5, and persons who commented on the Draft EIS will receive a copy of the Final EIS on CD. Persons and agencies on the mailing list will be notified of the locations where copies of the Final EIS are available and the BLM website address where the document may be accessed electronically. In addition to the Final EIS, an updated Plan of Development, and supplemental plans such as drafts of the Integrated Reclamation Plan, Eagle Conservation Plan/Bird Conservation Strategy, Dust and Emissions Control Plan are available on the website.

## 5.6 ADMINISTRATIVE REMEDIES

This Final EIS is not a decision document. The publication of the NOA in the Federal Register for this Final EIS initiates a 30-day availability period in accordance with 40 CFR 1506.10(b)(2).

If the Secretary of the U.S. Department of the Interior (DOI) approves the Project, a joint ROD would be prepared following the conclusion of the 30-day availability period. The ROD would include resolution of any comments with merit received on the Final EIS, and would be signed by the Secretary of the DOI to document BLM's and Reclamation's decisions. Western would also prepare and sign a separate ROD for the Project, which is not subject to administrative appeal (see Department of Energy NEPA regulations at 10 CFR 1021, which indicates that a decision may be implemented once the ROD has been signed and availability of the ROD has been made public). If the Secretary of the DOI signs the ROD for the Project, that signature will constitute the final decision of the DOI and, in accordance with the regulations at 43 CFR §§ 4.410(a)(3), is not subject to administrative appeal under departmental regulations at 43 CFR Part 4. The RODs will be posted on the BLM website when they have been issued.

## 5.7 LIST OF PREPARERS

This EIS was prepared by URS Corporation, a third-party contractor, under the direction of the BLM. Representatives from the cooperating agencies contributed and participated in the NEPA process. Table 5-4 provides the individuals who contributed to the preparation or review of the Final EIS and their area or areas of responsibility.

**Table 5-4 List of Preparers and Reviewers**

Name	EIS Responsibility	Education
<b>Bureau of Land Management</b>		
Don Applegate	Recreation and Visual Resources	BS, Recreation Resources Management
Eddie Arreola	Renewable Energy Coordination Office Supervisory Project Manager	BS, Engineering AS, Engineering
Mike Blanton	Rangeland Management	
William Boyett	Invasive Weeds	MS, Biology BS, Biology
Dennis Godfrey	Public Affairs	BA, Communications/History
Kevin Grove	Wildlife Resources	BS, Wildlife Conservation Biology
Sherrie Landon	Paleontology	MS, Sedimentology/Paleontology BS, Environmental Geology
Len Marceau	Outdoor Recreation and Visual	BA, Recreation
Dave Maxwell	Air Resources	MS, Air Pollution/Environmental Health MBA, Business Administration MPA, Public Administration BS, Meteorology
John McCarty	Chief Landscape Architect	BS, Landscape Architecture
Paul Misiaszek	Geology and Mining	BS, Geology
Jackie Neckels	Planning and Environmental Coordinator, Arizona Renewable Energy Coordination Office	BA, Journalism and Mass Communications AA, Commercial Art
Craig L. Nicholls	Air Resources	MS, Atmospheric Science BS, Atmospheric Science
Sally Olivieri	GIS Analysis	
John Reid	Access and Transportation	BS, Recreation and Parks Administration
Karla Rogers	Visual Resources Management	
Ruben A. Sanchez	Kingman Field Office Manager	

<b>Name</b>	<b>EIS Responsibility</b>	<b>Education</b>
Connie Stone	Cultural Resources/Archaeology	PhD Anthropology MA, Anthropology BA, Anthropology
Melissa Warren	Lands and Realty	BS, Business Information Systems
Tim Watkins	Cultural Resources	
Bill Wells	Water Resources	MS, Watershed Management BS, Business Administration
Ammon Whilhelm	Wildlife Resources, Visual Analysis	BS, Fish and Wildlife Management
<b>J&amp;J Crockford Consulting</b>		
Jerry Crockford	BLM Third Party – Management Consultant/Project Manager	AA, Business Management AAS, Real Estate Years of Experience: 34
<b>URS Corporation</b>		
Peter Allen	Soils, Geology, and Geologic Hazards	BS, Civil Engineering
Tyler Besch	Transportation	BSP, Urban Planning
Lynn Bowdidge	Project Coordinator, Technical Review/QA/QC, Executive Summary	MS, Environmental Science BA, Communication
Sunny Bush	Public Health and Safety, Public Involvement Task Leader	BA, English BS, Hazardous Materials Management International Association of Public Participation Certification
J.P. Charpentier	Wildlife and Fisheries	MS, Wildlife Ecology BA, Psychology
Robert DeBaca, PhD	Wildlife, Vegetation, Wildland Fire, Invasive Species, Special Status Species, Wildlife Corridors	PhD, MS, BA, Biology BA, Environmental Conservation
Beth Defend	Project Manager	BA, Technical Journalism
Dennis Dudzik, PE	Technical Advisor	BS, Mechanical Engineering
Bob Estes	Climate and Air Quality	BS, Environmental Science
Jennifer Frownfelter	Principal-in-Charge, Land Use Compatibility	MS, Environmental Management MS, Public Policy BS, Environmental, Population, and Organismic Biology
Allison Getty	Lands/Realty, Recreation, Special Designations, Access	MA, Natural Resources BS, Natural Resources and Environmental Management
Peggy Goodrich	Climate and Air Quality	BA, Chemistry
Darla Hareza	Public Involvement Task Leader	Course work in Business Administration/Marketing Int'l Association of Public Participation (IAP2)
Jeff Heyman, PE, RG	Soils, Geology, and Geologic Hazards	BS, Geology, Engineering Geology
Kirsten Johnson	Cultural Resources History	MA, Public History and U.S. History BA, History
Rich Johnson	Microwave Radar/Other Communications	BA, Management
Timothy Johnson, GISP	Project Coordination Website Comment Analysis System	MAS, Geographic Information Systems BS, Environmental Resources
David Konopka	Visual Resources	BS, Natural Resources and Landscape Architecture Grad. Studies, Landscape Architecture

<b>Name</b>	<b>EIS Responsibility</b>	<b>Education</b>
David Lawrence	Visual Resources/Simulations	Coursework in Drafting Design, Music Business, and Production 3ds Max Design 2011, Certified Associate AutoCAD Civil 3D 2011, Certified Associate BLM Visual Resource Management 5-day Course
Peter Martinez	Administrative Record	MA, Geography BS, Geography
Mitch Meek	Graphics	BFA, Graphic Design
Jennifer Pyne, AICP	Water Resources	MEP, Environmental Planning BA, Politics
Meg Quarrie	Technical Editing	BA, Liberal Arts
Patty Renter	GIS Analysis	Visual Basic 2001 Business Administration 1990
Cary Roberts	Deputy Project Manager through Draft EIS Physical/Human Environment Task Leader	MS, Environmental Management BS, Ecology and Evolutionary Biology
A.E. (Gene) Rogge, PhD	Cultural Resources Task Leader Archaeology, Traditional Cultural Resources	PhD, Anthropology MA, Anthropology BA, Anthropology
Matt Spansky	Water Resources	BA, Geology
Joe Stewart, PhD	Paleontology	PhD, Systematics & Ecology MA, Systematics & Ecology BA, Biology
Mark Storm, INCE Bd. Cert.	Noise	BS, Aeronautics & Astronautics
Rachel Wagner	Project Coordination Website Comment Analysis System	BS, Applied Computing
Leslie Watson	Deputy Project Manager for Final EIS	BS, Zoology
<b>Cardno ENTRIX – Subconsultant to URS Corporation</b>		
Rabia Ahmed	Environmental Justice	MS, Economics BS, Economics and Statistics
Barbara Wyse	Socioeconomics	MS, Economics BA, Environmental Sciences and Policy