

## CHAPTER 4

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# CONSULTATION AND COORDINATION



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### 4.1 Preview of this Section

This section summarizes the public involvement and scoping process conducted for the preparation of the Draft EIS. Summaries of agency and government-to-government consultation are provided. The individual preparers of the Draft EIS, with their areas of expertise and/or responsibility, are also listed.

### 4.2 Public Involvement

#### 4.2.1 Federal Register Notices and Newspaper Advertisements

On January 25, 2010, the BLM published a Notice of Intent in the *Federal Register* (Volume 75, Number 15, pages 3916-3917) notifying the public that the BLM had formed a team to prepare an EIS on restoration activities proposed for the 3 Bars Ecosystem. The Notice stated that public comments on the proposal would be accepted until February 24, 2010. However, the BLM stated at the public scoping meetings that it would consider all comments received prior to the close of the scoping period or 15 days after the last public meeting, whichever was later, during development of the Draft EIS. The last scoping meeting was on February 23, 2010, and scoping comments were accepted through March 10, 2010. The dates and locations of the scoping meetings were announced at least 15 days in advance through local new media, newspapers, and the BLM web site at: [http://www.blm.gov/nv/st/en/fo/battle\\_mountain\\_field.html](http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html).

#### 4.2.2 Scoping Meetings

Public meetings were held in Battle Mountain on February 22 and Eureka, Nevada, on February 23, 2010. The scoping meetings were conducted in an open-house style. Informational displays were provided at the meeting, and handouts describing the project, the NEPA process, and issues/alternatives were given to the public. In addition, a formal presentation provided the public with additional information on program goals and objectives. Representatives from the BLM and their consultant responsible for preparing the EIS were present to answer questions from the public.

The BLM received 24 comment letters on the proposed 3 Bars Project EIS. In addition, comments were recorded from informal discussions with the public at the public scoping meetings. However, not all individuals commenting orally at the meeting were able to be identified, making it difficult to determine the exact number of individuals presenting comments at the meetings. Based on written and oral comments given during the scoping period, 637 catalogued individual comments were recorded during scoping on the 3 Bars Project EIS.

A *Scoping Comment Summary Report for the 3 Bars Ecosystem and Landscape Restoration Project EIS* (Scoping Report; AECOM 2010) was prepared that summarized the issues and alternatives identified during scoping. This document was made available to the public in February 2012 on the 3 Bars Project website at: [http://www.blm.gov/nv/st/en/fo/battle\\_mountain\\_field/blm\\_information/national\\_environmental/0.html](http://www.blm.gov/nv/st/en/fo/battle_mountain_field/blm_information/national_environmental/0.html).

## **4.3 Agency Coordination and Consultation**

### **4.3.1 Endangered Species Act Section 7 Consultation**

As part of this EIS, the BLM consulted with the USFWS as required under Section 7 of the Endangered Species Act. The BLM prepared a formal initiation package that included: 1) a description of the program, listed threatened and endangered species, species proposed for listing, and critical habitats that may be affected by the program; and 2) a *Biological Assessment for the 3 Bars Ecosystem and Landscape Restoration Project*. The Biological Assessment (BA) evaluated the likely impacts to listed species, species proposed for listing, and critical habitats from the 3 Bars Project and identified management practices to minimize impacts to these species and habitats. Consultation is ongoing and will be completed before publication of the Record of Decision.

### **4.3.2 Cultural and Historic Resource Consultation**

The BLM consulted with the Advisory Council on Historic Preservation and Nevada SHPO as part of Section 106 consultation under the National Historic Preservation Act to determine how proposed treatment actions could impact cultural resources. Consultation is ongoing and will be completed before publication of the Record of Decision. Formal consultations with the Nevada SHPO and Native American tribes also may be required during implementation of projects at the local level (**Appendix B**).

## **4.4 Government-to-Government Consultation**

Federally-recognized tribes have a unique legal and political relationship with the government of the United States, as defined by the U.S. Constitution, treaties, statutes, court decisions, and executive orders. These definitive authorities also serve as the basis for the federal government's obligation to acknowledge the status of federally recognized tribes.

The BLM consults with federally recognized tribes, consistent with the Presidential Executive Memorandum dated April 29, 1994, on *Government-to-Government Relations with Native American Tribal Governments*; and Executive Order 13175 dated November 6, 2000, on *Consultation and Coordination with Indian Tribal Governments*.

The BLM consults with federally recognized tribes before making decisions or undertaking activities that will have a substantial, direct effect on federally recognized tribes, or their assets, rights, services, or programs. The BLM initiated consultation with various tribes and bands of the Western Shoshone to identify their cultural values, religious beliefs, traditional practices, and legal rights that could be affected by BLM actions. This included sending out letters to the tribes and groups that could be directly affected by vegetation treatment activities,

requesting information on how the proposed activities could impact Native American interests, including the use of vegetation and wildlife for subsistence, religious, and ceremonial purposes, and conducting meetings and site visits with the interested tribes by the BLM’s Native American Coordinator. The results of the meetings and trips are summarized in the *3 Bars Ecosystem and Land Restoration Project: Native American Contacts Review* (Bengston Consulting 2012). Tribes consulted for the project are:

- Te-Moak Tribe of Western Shoshone and constituent bands:
  - Battle Mountain Band
  - South Fork Band
  - Elko Band
- Duckwater Shoshone Tribe
- Ely Shoshone Tribe
- Yomba Shoshone Tribe.

## 4.5 List of Preparers of the 3 Bars EIS

The following specialists (and company/agency and area of specialty) that participated in the development of the EIS are listed below (**Table 4-1**). Agencies included the BLM, NDOW, National Park Service, and Eureka County Board of Commissioners. Subcontractors that provided assistance to the BLM during preparation of the EIS included AECOM, Bengston Consulting, Blankenship Consulting, Eastern Nevada Landscape Coalition, and Sammons/Dutton Consulting.

**TABLE 4-1**  
**List of Preparers of the 3 Bars EIS**

Contributor	Areas of Specialty	Years of Experience	Highest Degree/Education
<i>Bureau of Land Management</i>			
Ethan Arky	Recreation, Wilderness, Visual, and Auditory Resources	1	B.S., Recreation, Park, and Leisure Studies
Kent Bloomer	Noxious Weeds and Invasive and Non-native Species, and Health and Human Safety	5	M.A., Geography
Chris Cook	Field Manager	15	M.S., Anthropology
Ethan Ellsworth	Wildlife, Special Status Species	20	Ph.D., Wildlife Resources
Steve Foree	Team Leader, Project Manager, Contracting Officer’s Representative, and Native American Coordinator	32	B.S., Biology
Kathy Graham	Geographic Information System Mapping	16	B.S., Wildlife Management
Dorothy Harvey	IT Specialist and Acting Public Affairs Officer	20	B.S., Business Technology
Ashley Johnson	Range, Soils, and Vegetation	4	M.S., Rangeland Management/Watershed Management

**TABLE 4-1 (Cont.)**

**List of Preparers of the 3 Bars EIS**

<b>Contributor</b>	<b>Areas of Specialty</b>	<b>Years of Experience</b>	<b>Highest Degree/Education</b>
<i><b>Bureau of Land Management (Cont.)</b></i>			
Casey Johnson	Range, Soils, and Vegetation	10	B.S., Range Resources Management
Cheryl LaRoque	Hazardous Materials	12	B.S., Environmental Science
Chad Lewis	Fuels, Forestry, Fire Management, and Air Quality	20	B.S., Forestry and Natural Resource Management
Nancy Lockridge	Land Use	10	A.A., Business
Shawna Richardson	Wild Horse and Burros	20	B.S., Natural Resource Management
Kat Russell	Cultural Resources, Geographic Information System, and Paleontology	30	B.A., Archaeology
Alden Shallcross	Riparian Soils, Water Quality and Quantity, and Wetlands, Floodplains, and Riparian Zones	2	M.S., Hydrologic Sciences
Jon Sherve	Minerals, Mining, and Geology	17	M.S., Hydrology/Hydrogeology
Gloria Tibbetts	NEPA, Environmental Justice, and Social and Economic Values	9	B.A., Environmental Studies, and Master of Public Administration
Josh Tibbetts	Fuels, Fire Management and Air Quality	13	Undergraduate Certificate - Biological Sciences for Federal Land Managers
Mike Vermeys	Noxious Weeds and Invasive and Non-native Species, and Health and Human Safety	16	B.A., Biology
<i><b>Nevada Department of Wildlife</b></i>			
Alan Jenne	Habitat	19	B.S., Wildlife Management
Mike Podborny	Wildlife	27	B.S., Wildlife Ecology
Mike Starr	Fisheries	2	B.S., Wildlife Ecology and Conservation
<i><b>Eureka County Board of Commissioners</b></i>			
Jake Tibbitts	Natural Resources and Socioeconomics	8	M.S., Geographic Information Science – Geospatial Rangeland
<i><b>National Park Service</b></i>			
Lee Kreutzer	Cultural Resources and Historic Trails	20	Ph.D., Archaeology
<i><b>AECOM</b></i>			
Kimberly Anderson	Noxious Weeds and Invasive Species and Human Health	13	M.S., Botany
Bill Berg	Geology, Topography, Minerals, and Paleontology	24	M.S., Geology
Robert Berry	Groundwater Resources	37	Ph.D., Geology and Geochemistry
Jim Burrell	Surface Water Resources	33	M.S., Surface Water Resources
Sergio Cappozi	Recreation	12	M.S., Forestry
Sue Coughenour	Document Production	26	General Studies Degree
Rollin Daggett	Fish and other Aquatic Resources	36	M.S., Aquatic Ecology
Richard Deis	Archaeology	22	M.A., Archeology
Doree DuFresne	Project Coordinator	25	B.S., Biology and Chemistry

**TABLE 4-1 (Cont.)**  
**List of Preparers of the 3 Bars EIS**

<b>Contributor</b>	<b>Areas of Specialty</b>	<b>Years of Experience</b>	<b>Highest Degree/Education</b>
<b><i>AECOM(Cont.)</i></b>			
Chris Dunne	Livestock Grazing, Rangeland, and Wild Horses	15	B.S., Natural Resources Management
David Fetter	Water Resources	8	B.S., Watershed Science
Steve Graber	Land Use, Wilderness Study Areas, and Socioeconomics	8	B.S., Natural Resources Management, B.A., Economics
Liza Gould	Fish and Wildlife Resources	13	B.S., Botany/Vegetation Ecology
Jim Harvey	Administrative Record	25	B.A., Physics, Mathematics/Economics
Steve Heipel	Cultural Resources	33	B.S., Anthropology
Ashley Lunde	Fire, Forestry, and Hazardous Materials	7	M.A., Environmental Studies and Political Science
Melanie Martin	Assistant Project Manager	13	M.S., Environmental Policy and Management and Natural Resources Management
Terra Mascarenas	Soil Resources	15	B.S., Soil and Crop Science
Tina Mirabile	Human Health	13	B.S., Geology, Master of Business Administration
Merlyn Paulson	Visual Resources	36	M.S., Landscape Architecture
Kathy Paulus	Administrative Record	26	M.Ed., Education
Stuart Paulus	Project Manager, Wildlife Resources, Fire Management	33	Ph.D., Wildlife Ecology
Brent Read	Geographic Information System Lead	11	M.S., Watershed Science, Geographic Information System
Peggy Roberts	Public Participation	15	M.S., Biology
Vince Scheetz	Air Quality	43	M.S., Systems Management
Jason Thoene	Geographic Information System	13	M.S., Geographic Information System
Petra Unger	Vegetation	19	Diploma (similar to M.S.), Biology
<b><i>Bengston Consulting</i></b>			
Ginny Bengston	Native American Resources	33	M.S., Forestry
<b><i>Blankenship Consulting</i></b>			
George Blankenship	Social Resources	33	M.S., Urban and Regional Planning
<b><i>Eastern Nevada Landscape Coalition</i></b>			
Moira Kolada	Rangeland Resources	6	M.S., Range Science and Wildlife Management
Betsy MacFarlan	Executive Director	20	M.S., Animal Science
<b><i>Sammons/Dutton</i></b>			
Ron Dutton	Socioeconomics	33	M.S., Economics

