

## 4.0 Consultation and Coordination

This chapter summarizes the agency and public consultation and coordination conducted in support of this EIS process.

### 4.1 Public Participation

This environmental document was prepared in consultation and coordination with various federal, state, and local agencies, organizations, and individuals. Agency consultation and public participation have been accomplished through a variety of formal and informal methods, including scoping meetings, responses to e-mails, meetings with individual public agencies and non-governmental organizations.

Public involvement in the EIS process includes the steps necessary to identify and address public concerns and needs. The public involvement process assists agencies in: 1) broadening the information base for decision making; 2) informing the public about proposed actions and potential long-term impacts that could result from proposed NOA and SOA projects; and 3) ensuring that public needs are understood by the agencies.

Public participation is required by NEPA at four specific points in the EIS process: scoping period, review of Draft EIS, review of Final EIS, and receipt of the ROD.

- **Scoping:** The public is provided a 30-day scoping period to provide potential issues and concerns associated with the Proposed Action. Public input obtained during scoping is combined with issues identified by lead and cooperating agencies to form the scope of the alternatives and analysis in the EIS.
- **Draft EIS Review:** A 45-day Draft EIS comment period is initiated by publication of a Notice of Availability for the Draft EIS in the Federal Register. This allows the public to review and provide comment on the alternatives considered and the impact analysis in the Draft EIS. These public comments are combined with comments from lead and cooperating agencies to form the basis for revising the Draft EIS into the Final EIS.
- **Final EIS Review:** A 30-day Final EIS review period is initiated by publication of a Notice of Availability for the Final EIS in the Federal Register.
- **ROD:** Subsequent to the 30-day review period for the Final EIS, a ROD is prepared.

#### 4.1.1 Scoping

The BLM initiated the scoping process by publishing a NOI to prepare an EIS in the Federal Register on April 16, 2012. Public scoping meetings were conducted on May 7, 8, 9, and 10 in Ely, Elko, Eureka, and Reno, Nevada, respectively.

The scope of this EIS reflects input received from the public and the appropriate government agencies. Key issues identified during the scoping process include the following:

- **Water Resources**
  - Potential impacts to water drawdown of the aquifers;
  - Potential impacts to surface and groundwater quantities;

- Request to complete a characterization of the surface waters and springs and gain an understanding of groundwater movement; and
- Potential impacts to water quality (e.g., dewatering, contaminated ponds, HLFs, and RDAs).
- Ruby Lake NWR
  - Potential impacts to the historic setting and cultural resources at the Ruby Lake NWR.
  - Potential impacts to visual resources and change in scenic values at the Ruby Lake NWR.
  - Concerns regarding degraded environmental quality and biological integrity of the Ruby Lake NWR.
  - Potential impacts regarding the alteration of the groundwater regime and the relict dace, Ruby Valley's only native fish species.
  - Potential impacts to the Ruby Marshes from fugitive dust containing mercury and arsenic.
  - Potential impacts to valuable wildlife habitat and recreational opportunities.
- Wildlife and Special Status Species
  - Potential impacts to greater-sage grouse, a potential candidate for listing under the ESA.
  - Potential impacts to bald eagles and/or golden eagles, their habitat, and regional populations.
  - Potential impacts to mule deer migration within the proposed SOA and NOA plan boundaries.
- Wild Horses
  - Potential impacts to designated HMAs.
  - Potential impacts to wild horses and burro herds from groundwater drawdown and/or contamination.
- Social and Economic Values
  - Potential impacts to Eureka County infrastructure without the benefits of tax revenues.

#### **4.1.2 Public Review of the Draft EIS**

The 45-day public comment period on this Bald Mountain Mine North and South Operations Area Projects Draft EIS will begin upon publication of the NOA of the Draft EIS in the Federal Register.

#### **4.2 Consultation and Coordination with Federal, State and Local Agencies**

The NDOW, USFWS, White Pine County, Eureka County and the State of Nevada Sagebrush Ecosystem Program are serving as cooperating agencies for the preparation and review of this EIS. Issues related to agency consultation and review included mining regulation and reclamation, biological resources, wild horses, socioeconomics, and land and water management. Cultural resource consultations apply to the potential for impacts to important historic, archaeological or traditional sites important to Native Americans.

The USFWS provided input on the potential for federally listed, proposed, and candidate species within the proposed NOA and SOA projects. USFWS also provided comments associated with water quality, visual impacts in relation to cultural settings, biological resources, and noise impacts to the Ruby Lake NWR.

The USEPA provided input on a wide variety of topics including: the development of alternatives mitigation measures, surface water and groundwater quality and quantity, management of leachate,

waste rock management, closure and reclamation, air quality, waters of the U.S., sensitive species, ecological risk, environmental justice, and socioeconomic.

As the state agency with jurisdiction and special expertise related to impacts on wildlife, the NDOW provided input on important big game ranges, potential adaptive management strategies, small game including greater sage-grouse brooding and nesting habitat, sensitive species, nongame species, habitat loss, closure and reclamation, and surface water and groundwater quality and quantity.

White Pine County provided input on issues related to potential employment opportunities and socioeconomic impacts to county residents. Eureka County also provided input on issues relating to potential employment opportunities, socioeconomic impacts to county residents, and potential impacts to water quantity and quality.

### **4.3 Consultation with Tribes**

Under EO 13084, the BLM is required to establish regular and meaningful consultation and collaboration with Native American tribal governments on the development of regulatory policies and issuance of permits that could significantly or uniquely affect their communities. On June 11, 2012, the BLM initiated government-to-government consultation for the proposed NOA and SOA projects (entitled Bald Mountain Mine Project EIS) by sending letters to the following federally recognized Native American tribes: South Fork Band Council, Ely Shoshone Tribe of Nevada, Battle Mountain Band Council, Wells Band Council, Te-Moak Tribe of the Western Shoshone Indians of Nevada, Confederated Tribes of the Goshute Indian Reservation, Duckwater Shoshone Tribe of the Duckwater Reservation, Moapa Band of Paiute Indians of the Moapa River Reservation, Yomba Shoshone Tribe of the Yomba Reservation, and Las Vegas Paiute Tribe of the Las Vegas Indian Colony. The letters were sent to inform the various tribes of the proposed undertaking and to solicit their concerns regarding the possible presence of properties of traditional religious and cultural importance in the study area.

Prior to the government-to-government consultation letter, the BLM sent a letter to the Native American tribes listed in **Table 3.13-1** informing them of the aforementioned public scoping meetings. The meetings offered the public an opportunity to learn more about the proposed NOA and SOA projects, ask questions, and express any concerns they may have with the proposed NOA and SOA projects.

On July 2, 2012, the BLM had a face-to-face meeting with the Duckwater Shoshone Tribe of the Duckwater Reservation to provide updates on the proposed NOA and SOA projects and to discuss any concerns the Tribe may have regarding the proposed NOA and SOA projects. The Tribe expressed no concerns during the meeting. On August 10, 2012, the BLM had a face-to-face meeting with the Yomba Shoshone Tribe also to provide updates on the proposed NOA and SOA projects and to discuss any tribal concerns. During the meeting, the Tribe expressed concerns with potential adverse effects to groundwater during mining operations and closure, and how the EIS would describe mitigation recommendations to avoid environmental consequences.

The BLM continues to provide opportunities to meet and coordinate with tribal governments and interested tribal members to address their concerns and to work together in developing appropriate measures to protect sites of tribal importance or concern that may be identified within the study area.

### **4.4 List of Agency, Tribal, and Private Organization Contacts**

While preparing the Draft EIS for the proposed NOA and SOA projects, the BLM communicated with and received input from various federal, state, and local agencies, and tribal and private organizations. The following sections list these entities.

**4.4.1 Federal Agencies**

U.S. Department of Agriculture Farm Service Agency  
U.S. Department of Agriculture Natural Resources Conservation Service  
U.S. Environmental Protection Agency  
U.S. Fish and Wildlife Service  
U.S. Fish and Wildlife Service Ruby Lake National Wildlife Refuge

**4.4.2 State Agencies**

Nevada Bureau of Air Pollution Control  
Nevada Department of Wildlife  
Nevada Wildlife Commission  
Nevada Division of Environmental Protection  
Nevada Division of Lands  
Nevada Natural Heritage Program  
State Historic Preservation Office  
Nevada Sagebrush Ecosystem Program

**4.4.3 Local Agencies**

Eureka County Board of Commissioners  
Lander County  
White Pine County

**4.4.4 Tribal Organizations**

Battle Mountain Band Council  
Cedar City Band of Paiutes  
Confederated Tribes of the Goshute Indian Reservation  
Duckwater Shoshone Tribe of the Duckwater Reservation  
Elko Band Council  
Ely Shoshone Tribe of Nevada  
Indian Peaks Band  
Kaibab Band of Paiute Indians  
Las Vegas Paiute Tribe of the Las Vegas Indian Colony  
Lovelock Paiute Tribe  
Moapa Band of Paiute Indians of the Moapa River Indian Reservation  
Paiute Indian Tribe of Utah  
Reno-Sparks Indian Colony  
Skull Valley Band of Goshutes  
South Fork Band Council  
Te-Moak Tribe of the Western Shoshone Indians of Nevada  
Wells Band Council  
Winnemucca Indian Colony of Nevada  
Yomba Shoshone Tribe of the Yomba Reservation

**4.4.5 Private Organizations and Companies**

Great Basin Resource Watch  
Western Watersheds Project  
Wild Horse Preservation Campaign