CHAPTER 5—CONSULTATION AND COORDINATION

5.1 INTRODUCTION

This chapter describes the agency consultation and coordination that occurred prior to and during preparation of this Moab Master Leasing Plan (MLP)/Draft Environmental Impact Statement (EIS). The consultation process began with the publication of the Notice of Intent (NOI) on March 5, 2012, to prepare the Moab MLP/Draft EIS, as required under the National Environmental Policy Act (NEPA). The Bureau of Land Management (BLM) decisionmaking process is conducted in accordance with the requirements of NEPA, the regulations of the Council on Environmental Quality (CEQ), and the policies and procedures used by the Department of Interior (DOI) and BLM to implement NEPA. NEPA and its associated regulatory and policy framework require the following: 1) that all Federal agencies involve interested groups of the public, as well as State and local governments, other Federal agencies, and Federally-recognized Native American tribes, in their decisionmaking process; 2) that a reasonable range of alternatives is developed; and 3) that all potential impacts of proposed actions and alternatives are disclosed.

The Moab MLP/Draft EIS was prepared by an interdisciplinary team of specialists from the Canyon Country District Office and Booz Allen Hamilton, the contractor hired to assist in the preparation of the Moab MLP/Draft EIS. The BLM and cooperating Federal, State, and County agencies provided technical review and support.

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, workshops, correspondence (both traditional and electronic), and meetings with various public agencies and interest groups. This chapter summarizes these activities.

5.2 CONSULTATION AND COORDINATION

Federal laws require the BLM to consult with Native American Tribes, the State Historic Preservation Office (SHPO), the U.S. Fish and Wildlife Service (USFWS), and the Environmental Protection Agency (EPA) during the planning/NEPA decisionmaking process. This section documents the specific consultation and coordination efforts undertaken by the BLM throughout the entire process of developing the Moab MLP/Draft EIS.

5.2.1 Native American Tribes

The BLM is mandated to consult with Native American tribes concerning the identification of their cultural values, religious beliefs, and traditional practices that may be affected by actions on Federal lands. Laws and executive orders requiring consultation include the following:

- National Environmental Policy Act of 1969, as amended (NEPA)
- National Historic Preservation Act of 1966, as amended (NHPA)
- American Indian Religious Freedom Act of 1978 (AIRFA)
- Native American Graves Protection and Repatriation Act of 1990, as amended (NAGPRA)
- Federal Land Management and Policy Act of 1976 (FLMPA)
- Archaeological Resources Protection Act of 1979 (ARPA)
- Executive Order 11593 - Protection and Enhancement of the Cultural Environment
- Executive Order 12898 - Environmental Justice

- Executive Order 13007 - Indian Sacred Sites
- Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments.

Additionally, the BLM has developed guidelines for consultation with Native American tribes. BLM Manuals 8120 (*Tribal Consultation Under Cultural Resources*, BLM 2004) and H-8120-1 (*General Procedural Guidance for Native American Consultation*, BLM 2004) provide consultation requirements and procedural guidance to ensure that the consultation record demonstrates "that the responsible manager has made a reasonable and good faith effort to obtain and consider appropriate Native American input in decisionmaking" (H-8120-1, BLM 2004). Recommended procedures for initiating the consultation process include project notification, preferably by certified mail, follow-up contact (e.g., telephone calls), and meetings when appropriate (H-8120-1, BLM 2004).

Native American organizations were invited to participate at all levels of the planning process for the Moab MLP/Draft EIS. Early and continued consultation with Native American tribes throughout the planning process is an integral part of developing comprehensive planning documents which seek input from all affected and interested individuals, groups and organizations. Table 5-1 contains a list of Native American tribes consulted for this planning effort.

Table 5-1. Native American Tribes Contacted for Consultation

Tribal Organization	
Hopi Indian Tribe	Navajo Nation
Pueblo of Acoma	Pueblo of Jemez
Pueblo of Laguna	Pueblo of Santa Clara
Pueblo of Zia	Pueblo of Zuni
Paiute Indian Tribe of Utah	Southern Ute Tribe
Uinta and Ouray Reservation	Ute Mountain Ute Tribe
White Mesa Ute Tribe	

On January 19, 2012, BLM sent consultation letters to the tribes. To date, only the Hopi tribe has responded. The Hopi accepted the BLM's invitation to become involved in the MLP process, and on April 18, 2012, a meeting between representatives of the Hopi Cultural Preservation Office and BLM staff was held at the Hopi Cultural Preservation Office in Kykotsmovi Village, Arizona to discuss the MLP process and any general issues and concerns.

Below is a summary of the Hopi tribe's concerns that were raised during the April 18, 2012, meeting. Only comments concerning management actions in the Moab MLP/Draft EIS are included below. Tribal concerns have been incorporated into the BLM's land management decisionmaking process.

The Hopi tribe raised the following issues and concerns:

- The Hopi Preservation Office supports the identification and avoidance of prehistoric archaeological findings of their ancestors as it considers them to be "footprints" and Traditional Cultural Properties (TCP).

- The Hopi Preservation Office recommends that the BLM not lease parcels with high densities of prehistoric sites, as the co-mingling of energy development and cultural resource protection has been demonstrated to result in indirect and direct adverse effects to cultural resources.

- The Hopi supported the conservation alternative in the previous RMP, rather than the one that was chosen, although they understood the intent of the preferred alternative was to implement a balanced management option. The Hopi thought the balanced alternative favored energy development and did not contain needed protections for cultural resources.

- The Hopi consider the Greater Chaco Landscape MLP to be a good model and one that they would like the BLM Canyon Country District Office to use as a guide. They sent a copy on January 30, 2012, in their response to the BLM's initial consultation letter.

- The Hopi expressed concern that the BLM's mixed-use model would not provide sufficient protection for the viewsheds of the National Parks.

- The Hopi do not want to provide concurrence on "no impact to cultural properties" for seismic operations because they ultimately lead to development and the Hopi aren't necessarily allowed to change their previous consultation decisions.

- The Hopi expressed concern with the issuance of categorical exclusions for oil and gas development, which they believed was segmenting larger projects.

- The Hopi had concerns with the eagle surveys, the Hopi "take" permits, and their own need for eagle feathers. The Hopi think BLM activities affect the eagle prey base, (e.g. prairie dogs and jack rabbits), and they requested that the BLM consider the prey base in approving and permitting activities on their land. The Hopi are concerned with energy development and the related impact on the prey base for eagles and want eagle habitat protected.

5.2.2 State Historic Preservation Office

Section 106 of the NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and afford SHPO reasonable opportunity to comment on such undertakings. A copy of the Moab MLP/Draft EIS will be sent to SHPO for their review and comment. The BLM will initiate SHPO consultation on the Proposed RMP Amendments and the BLM will finalize SHPO consultation before the Record of Decision is signed.

5.2.3 U.S. Fish and Wildlife Service

The BLM must consult with USFWS in accordance with Section 7 of the Endangered Species Act and the Fish and Wildlife Coordination Act prior to initiation of a project that may affect Federally-listed special status species.

The Moab MLP is considered a major Federal project and the BLM will initiate consultation with USFWS by submitting a Biological Assessment (BA) when the Proposed MLP for the Final EIS is determined. The USFWS may concur with the BLM's determination in the BA via memorandum, or prepare a Biological Opinion which advises the BLM on the actions that must be taken to protect Federally-listed special status species. The BLM will finalize Section 7 consultation before the Record of Decision is signed.

5.2.4 Environmental Protection Agency

The BLM initiated coordination with EPA early in the planning process. They were contacted about being a cooperating agency but they chose to participate on an informal basis especially with regard to air and water quality. EPA was provided copies of planning related documents for review and comment. In addition, a copy of the Moab MLP/Draft EIS will be provided to EPA for its review and comment.

5.2.5 Cooperating Agency Involvement

A cooperating agency is an eligible governmental entity that has entered into a written agreement with the BLM to establish cooperating agency status in the planning process. The BLM and the cooperating agency work together under the terms of the agreement. Cooperating agencies participate in the various steps of the BLM's planning process as feasible, given the constraints of their resources and expertise (43 CFR 1601.0-5 (e)). The BLM collaborates with cooperating agencies in identifying issues, collecting inventory data, formulating alternatives, estimating effects of the alternatives, and developing a preferred alternative. The following government entities have accepted the BLM's invitation to become cooperating agencies in the planning process for the Moab MLP:

- Grand County
- San Juan County
- State of Utah
- National Park Service (NPS)

A cooperating agency coordination meeting/training session was conducted on May 3, 2012. The meeting was attended by representatives from the State of Utah, Grand County, San Juan County, and NPS. The purpose of the meeting was to provide an opportunity to enhance coordination and share new information, inform the cooperating agencies about the MLP process, explain cooperating agency involvement in the process, and present a schedule of milestones and events. Meetings with the cooperating agencies and the BLM interdisciplinary team were held on February 5 and 6, 2014, in order to formulate the alternatives for the Moab MLP/Draft EIS. On May 7, 2014, a meeting was held with the cooperating agencies to discuss the preliminary alternatives for the Moab MLP/Draft EIS.

5.2.6 Consistency with Other Plans

According to guidance found in FLPMA (43 CFR 1610), the Moab MLP, as an amendment to the existing RMPs, must be consistent with the purposes, policies, and programs of FLPMA and other Federal laws and regulations related to public lands. If these other entities have not officially approved or adopted resource-related plans, the Moab MLP must, to the extent practical, be consistent with those entities' officially approved and adopted resource-related policies and programs. This consistency will be accomplished provided the Moab MLP incorporates the policies, programs, and provisions of public land laws and regulations. The plans listed below outline the State, local, and Federal management plans that may pertain to the Moab MLP. There are no applicable Native American tribal plans that require coordination with the Moab MLP.

State of Utah

- Dead Horse Point State Park Resource Management Plan (2007)
- Utah Division of Water Resources Utah State Water Plan (May 2001)
- Utah Division of Water Resources Southeast Colorado River Basin of the Utah State Water Plan (2000)
- Utah Division of Wildlife Resources Conservation Agreement and Strategy for the Colorado River Cutthroat Trout (March 1997)
- Utah Division of Wildlife Resources Rang-Wide Conservation Agreement for Roundtail Chub, Bluehead Sucker and Flannelmouth Sucker (January 2004)
- Utah Division of Wildlife Resources Statewide Management Plan for Mule Deer (November 2003)
- Utah Division of Wildlife Resources Statewide Management Plan for Bighorn Sheep (September 1999)

County Plans

- San Juan County, Utah: San Juan Master Plan (2008)
- Grand County, Utah: Grand County General Plan (2012)

Federal Plans

- Canyonlands National Park Natural Resource Management Plan
- Canyonlands National Park General Management Plans (NPS 1974, 2003, 2006)
- Canyonlands National Park Backcountry Management Plan (1995)
- General Management Plan and Development Concept Plan: Arches National Park (NPS 1989)

5.3 PUBLIC OUTREACH AND PARTICIPATION

Public participation is integral to ensuring that planning issues important to public land users are addressed. Public participation in the BLM planning process includes a variety of efforts to identify and address public concerns and needs. Public involvement assists the agencies in the following:

- Broadening the information base for decisionmaking.
- Informing the public about the Moab MLP/Draft EIS and the potential impacts associated with various management decisions.
- Ensuring that public needs and viewpoints are understood by the BLM.
- Satisfying the public participation requirements of FLPMA (43 U.S.C. 1712), the FLPMA implementing regulations (43 CFR 1610.2), NEPA (42 U.S.C. 4371), and the CEQ regulations (40 CFR 1501.7).

5.3.1 Public Scoping

On March 5, 2012, the BLM Canyon Country District Office initiated a planning process with the publication of the NOI in the Federal Register. The NOI announced the Canyon Country District Office's intent to prepare a MLP, potential amendments to the Moab and Monticello RMPs, and an associated EIS. The NOI also initiated the scoping period, which ended on May 7, 2012. The purpose of scoping, as required by NEPA, is to involve the public in the planning process and use the comments received to identify the issues to be addressed in the Moab MLP/Draft EIS (40 CFR 1501.7). These issues assist the BLM in the development of alternatives and analysis that will be evaluated in the EIS. Scoping also provides the public an opportunity to learn about the management of public lands and helps the BLM to identify the public's concerns regarding resources within the Planning Area.

Three public scoping meetings were held over a one-week period in March and April, 2012. The meetings were conducted in an open-house format for a duration of two hours each. Several informational posters and maps regarding specific resource uses and issues were displayed at the meetings. These posters and maps served as a starting point for attendees to discuss planning issues with BLM resource specialists and also helped participants to provide feedback and comments on specific policies and issues. Additionally, BLM resource specialists from a number of resource area disciplines were available to answer questions and provide additional information on these and other specific issues throughout the meeting.

The total registered attendance for all three scoping meetings combined was 100 people. Although the meetings were well attended and comment forms were provided, only 4 comments were received at the

meetings. Fourteen additional comments included on the forms provided at the meetings were delivered to the BLM at a later date.

Throughout the scoping period, 181 individuals, agencies, and groups provided comments concerning the future management of the Planning Area. Analysis of these comments resulted in the identification of 372 unique, substantive comments. The analysis of comments is included in the Scoping Report for the Moab MLP (October, 2012).

Table 5-2. Meeting Location and Attendance

Meeting Location	Meeting Date	Registered Attendance
Monticello, UT	March 27, 2012	8
Moab, UT	March 28, 2012	66
Salt Lake City, UT	April 3, 2012	26
Total		**100**

On May 14, 2014, the BLM Canyon Country District Office sponsored a three hour open house meeting to allow interested members of the public to review the preliminary range of alternatives for the Moab MLP/Draft EIS. Maps of the preliminary alternatives were available for viewing and BLM resource specialists and managers were present to answer questions. The meeting was announced in the Moab Times Independent and the Moab Sun News and was attended by 92 individuals. The maps of the alternatives were also posted on the Moab MLP website on the date of the meeting, which also kicked off a two-week public comment period. The BLM received 305 comments from individuals, organizations, and agencies concerning the preliminary alternatives, out of which 22 substantive comments were identified and considered in finalizing the alternatives for the Moab MLP/Draft EIS. Comments included a proposed alternative, identification of mapping errors, incorporating the recently acquired lands from the Utah State Institutional Trust and Lands Administration, and using comprehensive socioeconomic information. The comments were used to finalize the alternatives in the Moab MLP/Draft EIS.

5.3.1 Mailing List

The mailing list for public scoping was initially developed by the Canyon Country District Office and has been revised throughout the planning process. The mailing list included individuals, organizations, and government agencies that may have interest in the MLP process. Those interested in being added to the mailing list can submit their address when attending a public meeting, via the project website, or by contacting BLM staff at the Moab and Monticello Field Office locations.

5.3.2 Newsletters

A project newsletter was developed to keep the public informed of the planning process for the Moab MLP/Draft EIS. The March, 2012 newsletter provided basic background information regarding the project, including the purpose and need for developing the Moab MLP and issues the project may address. The newsletter also notified the public about the public scoping meetings to be held in Monticello, Moab, and Salt Lake City on March 27, March 28, and April 3, respectively. A postcard was mailed on January 17, 2014, which updated the public about the Moab MLP process and with information posted on the Moab MLP website.

5.3.3 Project Website

Information on the Moab MLP/Draft EIS can also be found at the project website (http://www.blm.gov/ut/st/en/fo/moab/MLP.html). The purpose of the website is to provide the public with further opportunity to learn about the Planning Area, related resource issues, the project purpose and need, and the planning process. The website provides the public with access to all pertinent documents associated with the planning process.

5.3.4 Socioeconomic Workshops

Two socioeconomic workshops were conducted by the BLM in Grand County on June 27, 2012, and in San Juan County on June 28, 2012. The purpose of these workshops was to discuss the County economic baseline data used in the preparation of the Moab MLP/Draft EIS. The workshops were attended by County elected officials and staff, as well as some members of the public. The information gained in the workshops was used to inform the Socioeconomic Baseline Report that accompanies the Moab MLP/Draft EIS.

5.3.5 Review of the MLP/Draft EIS and Future Public Participation

Public participation will continue with the release of this Moab MLP/Draft EIS. The public is provided with an opportunity to review and comment on the Moab MLP/Draft EIS during a specified 90-day comment period which will be announced in local media and on the Moab MLP website. Public meetings will also be conducted during the comment period to inform the public about the Moab MLP/Draft EIS. The time and place for these public meetings will also be announced through local media and on the Moab MLP website.

After the Moab MLP/Draft EIS is released to the public, the BLM will analyze all public comments received on the Moab MLP/Draft EIS and prepare the Moab MLP/Final EIS. After the Moab MLP/Final EIS is released to the public, the BLM will conduct a 60-day Governor's Office consistency review and a 30-day protest period. The BLM will resolve protests on the Moab MLP/Final EIS and issue the Approved Moab MLP/Record of Decision.

5.4 LIST OF PREPARERS

As required by NEPA regulations (40 CFR §1502.17), Table 5-3 lists the people primarily responsible for preparing the Moab MLP/Draft EIS, and presents their qualifications. Booz Allen Hamilton, a contractor selected to prepare the Moab MLP/Draft EIS, as directed by the BLM, has, in accordance with 40 CFR §1506.5(c), certified that it does not have any financial or other interest in the outcome of decisions to be made pursuant to the Moab MLP/Draft EIS. In addition to the specific responsibilities listed, many BLM staff members contributed substantial time consulting with other agency personnel in preparing the Moab MLP/Draft EIS.

Table 5-3. List of Preparers

Name	Education	Project Role
Bureau of Land Management		
Ann Marie Aubry	B.S., Geology, Northern Arizona University	Soil, Water, Riparian Resources, Floodplains (Moab)
Jed Carling	B.S., Rangeland Resources, Utah State University	Floodplains, Wetlands/Riparian Resources, Invasive Species/Noxious Weeds, Vegetation (Monticello)

Name	Education	Project Role
Rebecca Doolittle	B.S., Geology, Western Washington University	Mineral Resources (Moab)
Leonard Herr	B.S., Natural Resources, Humboldt State University	Air Resources
Don Montoya	B.S., Anthropology, Brigham Young University M.A., Anthropology, Brigham Young University Graduate Certificate, Museum Studies, Brigham Young University	Cultural Resources
Aron King	B.S., Anthropology, University of Oregon	Cultural Resources
Eric Jones	B.S., Geological Engineering, South Dakota School of Mines and Technology	Mineral Resources
Ted McDougall	B.S., Geology, Utah State University	Mineral Resources (Monticello)
Marie McGann		Mineral Resources
Laird Naylor	B.S., Biology, Botany, Southern Utah University M.S., Quaternary Studies (Archaeology, Quaternary Geology, Paleoecology), Northern Arizona University	Cultural Resources
Brent Northrup	B.S., Geology, University of Utah	Project Manager
Todd Parker	B.A., Environmental Education, Prescott College	Areas of Critical Environmental Concern (ACEC), Wild and Scenic Rivers, Recreation, Visual Resources, Wilderness, Wilderness Characteristics (Monticello)
Brian Quigley	B.S., Recreation Management, Utah State University	Monticello Oversight
Pam Riddle	B.S., Biology, Colorado Mesa University B.S., Environmental Science, Colorado Mesa University	Wildlife, Migratory Birds, Threatened and Endangered Species, Utah BLM Sensitive Species (Moab)
Amanda Scott	B.S., Wildlife Biology, University of Wyoming M.S., Rangeland Management, University of Wyoming	Wildlife, Migratory Birds, Threatened and Endangered Species, Utah BLM Sensitive Species (Monticello)
Katie Stevens	B.A., History, Loyola University Chicago, M.A., English Education, Northeastern Illinois University Ph.D., Educational Psychology, University of Illinois at Urbana-Champaign	Quality Assurance/Quality Control, ACECs, Recreation, Wild and Scenic Rivers, Visual Resources
Bill Stevens	B.A., History, Loyola University Chicago M.A., History, University of Toronto M.B.A., Accounting, University of Chicago Ph.D., Accountancy, University of Illinois at Urbana-Champaign	Socioeconomics, Wilderness, Areas with Wilderness Characteristics, Environmental Justice
Doug Wight	B.S., Forestry, Utah State University M.S., Forestry, Utah State University	Geographic Information Systems (GIS)

Name	Education	Project Role
Booz Allen Hamilton		
Jared Gunnerson	B.A., Political Science M.P.A., Natural Resource and Environmental Management	Resource Specialist—Cultural Resources, Paleontology, Lands and Realty
Bryan Klyse	B.A., Social Science (Environment) M.E.S.M., Environmental Science and Management	Technical Reviewer
Pamela Middleton	B.A., Biology (Botany Emphasis), Minor in Environmental Studies and Planning M.A.S., Environmental Policy and Management	Project Manager Resource Specialist—Wildlife and Fisheries, Special Status Species, Vegetation, Riparian Resources, Livestock Grazing
Richard Pinkham	B.A., Geography, Dartmouth College M.S., Natural Resources Policy/Resource Economics, Cornell University	Resource Specialist—Socioeconomics
Tymeri Schleicher	B.S., Environmental Science, Creighton University M.S., Environmental Science, Indiana University M.P.A., Public Affairs (Natural Resources), Indiana University	Resource Specialist—Air Quality, Soil and Water
Mike Sumner	B.S., Recreation Resource Management, Utah State University	Resource Specialist—Lands with Wilderness Characteristics, Mineral Resources, Recreation, Special Designations, Visual and Soundscapes

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