



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

MAY 25 2011

Ms. Priscilla Wade
Environmental Protection Specialist
Bureau of Indian Affairs-SWRO
Southwest Region
1001 Indian School Road NW
Albuquerque, NM 87104-2303

Dear Ms. Wade:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) prepared by the Bureau of Indian Affairs for the proposed Pueblo of Jemez 70.277Acre Fee-to-Trust Transfer and Casino Project, Dona Ana County, New Mexico. The Pueblo of Jemez, a Federally-recognized Indian Tribe, and the Pueblo of Jemez Tribal Gaming Enterprise, are proposing to construct a tribal casino in New Mexico.

Based on our analysis, EPA rates the DEIS as “LO” (Lack of Objections). However, EPA offers suggested recommendations and minor comments for preparation of the Final EIS (FEIS).

1. Section 4.4.1 – Alternative A, Proposed Action: Temporary Casino, Permanent Casino and Hotel Complex (p. 128): This section describes an anticipated increase in vehicle trips per hour due to casino patron and employee vehicle activity. The FEIS should indicate if the 994 vehicle trips per hour estimate are additional traffic beyond current roadway activity. EPA asks that the FEIS also include discussion on the current vehicle capacity of roadways providing access to the build site and discuss whether or not project vehicle activity estimates are beyond the current capacity of those roadways.
2. General Comment: Any demolition, construction, rehabilitation, repair, dredging or filling activities have the potential to emit air pollutants. EPA recommends best management practices be implemented to minimize the impact of any air pollutants. Furthermore, construction and waste disposal activities should be conducted in accordance with applicable local, state and federal statutes and regulations. EPA supports this project’s adherence to the December 22, 2000 NMED Natural Events Action Plan for Dona Ana County, as well as the Dona Ana County Erosion Control Regulations.

EPA appreciates the opportunity to review the DEIS. Please send our office two copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. If you have any questions or concerns, please contact Michael Jansky of my staff at jansky.michael@epa.gov or 214-665-7451 for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhonda Smith", with a large, stylized flourish extending to the right.

Rhonda Smith
Chief, Office of Planning
and Coordination