

S E C T I O N 4

Consultation and Coordination

This section identifies a brief history of the public involvement activities undertaken to date during preparation of the EIS. It identifies the agencies, cooperating agencies, and other organizations that have been consulted, or that have conducted preliminary review of material presented in the EIS. This section also includes the names and expertise of the analysts, authors, and reviewers who have participated in the preparation of this document. Finally, a list of recipients of the EIS is also included.

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4.1 CONSULTATION WITH FEDERAL, STATE, AND LOCAL AGENCIES AND AFFECTED TRIBES

Throughout the EIS process, the Bureau of Land Management (BLM) has strived to involve the potentially affected tribes in the proposed Project area: the Burns Paiute, Warm Springs and Klamath Tribes. On April 24, 2009 the BLM Burns District Office initiated Section 106 government-to-government consultation with a letter to the Burns Paiute Tribe (BPT). BLM requested to meet and consult with the Burns Paiute Tribal Council (Council) and present the proposed Project. On May 9, 2009 the BLM sent a follow-up letter to the BPT also requesting their participation as a cooperating agency in an EIS to be prepared for the proposed transmission line. The BLM enclosed a proposed Memorandum of Understanding (MOU) between the BPT and the BLM clarifying the National Environmental Policy Act (NEPA) responsibilities of the BPT and the BLM and specified the conditions, time schedules, and procedures to be followed in the development and preparation of the EIS. On June 15, 2009 the BLM and the Council held a Section 106 government-to-government consultation meeting at the Tribal Gathering Center. The BLM briefed the Council on the status of the North Steens Echanis 230-kV Transmission Line Project and the MOU, and invited the Tribe to participate in the EIS as a cooperating agency.

On October 8, 2009 the Legislative Commission on Indian Services in Salem advised the BLM that the federally recognized tribes to be considered as consulting parties in the Section 106 process are the BPT, the Confederated Tribes of Warm Springs, and the Klamath Tribe. On October 29, 2009 BLM sent a letter to the three tribes as well as the other consulting parties inviting them to participate in the Section 106 process and comment on the proposed Project and the APE. On November 10, 2009 the BLM invited the three tribes, federal agencies, and the other consulting parties to participate in a Section 106 Consultation Meeting and Cultural Resources Work Group Session for the Project to be held December 7, 2009 at the BLM District Office in Hines, Oregon.

The USFWS met with the Council on November 2, 2009 to present information about the portion of the Project's proposed transmission line project that would cross the Malheur National Wildlife Refuge (MNWR). At this meeting arrangements were made to show Council Tribal members where the West Route Alternative would cross MNWR. Two Council Tribal members participated in this field trip on November 12, 2009. Formal government-to-government consultation with the BPT began on December 14, 2009 in a formal letter request from the USFWS to the BPT.

The Section 106 Consultation Meeting and Cultural Resources Work Group Session met at the BLM Burns District office on December 7, 2009. The meeting was attended by the BPT, BLM, USFWS, Harney County Court, ASCC, ENTRIX and Columbia Energy Partners (CEP). The Confederated Tribes of Warm Springs and Klamath Tribes were invited but did not attend. The BPT considered the meeting an opportunity to gather Project information that they would share with their tribal council. They requested another Section 106 consultation meeting between the BLM and the Council to discuss the proposed Project. The BPT also briefly discussed that the Project has the potential to affect sites of religious and cultural significance and that additional consultation is necessary. The BLM is planning an additional Section 106 government-to-government consultation meeting between the BLM, USFWS, and the Council. The BLM contacted the Klamath Tribes and the Confederated Tribes of Warm Springs to determine if the tribes wished to participate in the Section 106 government-to-government consultation process, and comment on the proposed Project and APE.

BLM continues its consultation efforts with the BPT and future Section 106 government to government consultation meetings may be conducted to gain a better understanding of any sites of religious or cultural significance that may be within the Project APE, and to discuss future tribal participation in the Project and consultation.

4.2 PUBLIC INVOLVEMENT AND SCOPING

Public involvement begins early in the NEPA process with scoping, and continues throughout the preparation of the EIS and Record of Decision. This section summarizes public involvement activities for this project, including a summary of the scoping process that has occurred for this project; a list of names of Federal, State, or local agencies, major organizations or individuals consulted; and a list of agencies, organizations, and people who will receive copies of the Draft EIS.

4.2.1 Summary of the Scoping Process

The scoping process is discussed in detail in Section 1.6. Scoping activities conducted by BLM during the EIS process are summarized below:

- The Notice of Intent (NOI) to prepare an EIS for the North Steens 230-kV Transmission Line Project was published in the Federal Register on July 27, 2009.
- The 30-day public scoping period formally concluded on August 26, 2009. The scoping period was subsequently extended to September 18, 2009 to allow for additional comments and one additional public meeting.
- BLM prepared a scoping bulletin to provide the public with an overview of the proposed project and explain the scoping and environmental review process.
- The BLM hosted five scoping meetings in July and September, 2009 to explain the project and receive input on environmental concerns. Meetings were held at Diamond and Frenchglen, Burns, and Bend. At the meetings, the public and agencies were given an opportunity to learn about the proposed action, discuss regulatory processes and project details with the BLM, project consultants, and proponent representatives, and provide formal written comments. Echanis representatives were present to provide an overview of the project and respond to questions. A total of 100 people attended the public scoping meetings.

Issues, concerns, and comments provided during the scoping meetings focused on the following:

- Requests that other transmission line routes with fewer overall environmental effects be considered in the EIS.
- The possible effects of the project (both the transmission line and the Echanis Project) on viewsheds and tourism.
- Effects of the transmission line on migratory birds and raptors (collisions and electrocution).
- Loss of wildlife habitat from access road construction.
- Increased predation on local wildlife (including sage grouse) from raptors using poles as perches.
- The increased temporary demand on public services, including schools and emergency services, from construction workers and their families.
- The cumulative effects of other wind energy projects proposed in the vicinity.
- Effect the transmission line (and the Echanis Project) would have on local employment, demand for services, and tax revenue collections.
- The need to provide renewable energy and combating global climate change.

Issues and concerns identified in the written scoping comments were similar to the comments received at the scoping meetings, but with greater emphasis on the following:

- The technical and procedural aspects of the NEPA EIS, including the scientific basis of the environmental analysis.
- Questions related to the justification of the proposed project (both the transmission line and the Echanis Project) based on the need for electricity produced by renewable sources.
- Specific comments about the consistency of the proposed project with guidelines and requirements in the Steens Mountain Cooperative Management and Protection Area (CMPA) Act (Steens Act), the Federal Land Policy and Management Act (FLPMA), and National Wildlife Refuge System Administration Act (NWRSA).
- Potential effects on sensitive species of high conservation concern, including sage grouse, golden eagles, ferruginous hawks, burrowing owls, sandhill cranes, pronghorn, bighorn sheep, pika, Preble's shrew, pygmy rabbit, and other small mammal species .
- Specific mitigation measures and monitoring programs to address effects to wildlife and vegetation.
- Effects of the project on the viewsheds, including Steens Mountain, Kiger Wild Horse viewing area, Diamond Loop Back Country Byway, Kiger Gorge, and other recreational areas.
- Construction activity effects, including construction and maintenance of access roads, operation of construction and maintenance vehicles, tower placement, conductor pulling and reel sites, and material storage sites.

As with the concerns raised during the scoping meetings, the concerns raised in the written scoping comments were equally balanced by a large number of positive comments that emphasized the benefits the proposed wind energy project would have on local employment, demand for services, Harney County tax collections providing renewable energy in winter months, addressing the need for sustainable energy, and combating global climate change. See the October 2009 North Steens 230-kV Transmission Line Project Scoping Report for a complete listing and analysis of the public and agency comments received during the EIS scoping process.

4.2.2 Agencies, Organizations, or Individuals Consulted

The following agencies, organizations, or individuals were consulted as part of the DEIS process:

- Burns Paiute Tribe
- Klamath Tribe
- Confederated Tribes of Warm Springs
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- Oregon Department of Fish and Wildlife
- Bonneville Power Administration
- Harney County Court, Oregon
- Oregon State Historic Preservation Office

4.2.3 Agencies, Organizations, or Individuals who will Receive the DEIS

4.2.3.1 Federal

- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service – Bend Field Office
- Environmental Protection Agency
- Federal Energy Regulatory Commission
- Department of Energy

4.2.3.2 State and Local

- Oregon Department of Fish and Wildlife
- Harney County, Oregon
- Harney County Court, Oregon
- Oregon State Historic Preservation Office
- Oregon Department of Transportation

4.2.3.3 Tribes

- Burns Paiute Tribe
- Klamath Tribe
- Confederated Tribes of Warm Springs

4.2.3.4 Organizations

- Columbia Energy Partners
- Oregon Natural Desert Association (ONDA)
- Bonneville Power Administration
- Sierra Club – Oregon Chapter
- Pacific Power
- The Nature Conservancy
- Willamette Valley Soring Club
- Aeropower Services, Inc.
- Burns Mini Storage
- Energy Pipeline News
- First Wind
- Century Tel of Easter Oregon

- Diamond Valley Land Co., LCC
- High Desert Bank
- IBEW
- Membership Development Representative

4.2.3.5 Individuals

- Harney County Library
- Reference Department, Bend Public Library
- Government Documents, Multnomah County Library

4.2.4 Government-to-Government Consultation Process

Government-to-government consultation for this project is discussed in detail in Section 4.1 Consultation with Federal, State, and Local Agencies and Affected Tribes. Key dates include the following:

- April 24, 2009: the BLM Burns District Office initiated Section 106 government-to-government consultation with a letter to the Burns Paiute Tribe (BPT).
- May 9, 2009: the BLM sent a follow-up letter to the BPT requesting their participation as a cooperating agency in an EIS to be prepared for the proposed transmission line. The BLM enclosed a proposed Memorandum of Understanding (MOU) between the BPT and the BLM clarifying the NEPA responsibilities of the BPT and the BLM and specified the conditions, time schedules, and procedures to be followed in the development and preparation of the EIS
- On June 15, 2009 the BLM and the Burns Paiute Tribal Council held a Section 106 government-to-government consultation meeting at the Tribal Gathering Center.
- October 8, 2009: the Legislative Commission on Indian Services in Salem advised the BLM that the federally recognized tribes to be considered as consulting parties in the Section 106 process are the BPT, the Confederated Tribes of Warm Springs, and the Klamath Tribe.
- October 29, 2009: BLM sent a letter to the three tribes as well as the other consulting parties inviting them to participate in the Section 106 process and comment on the Proposed Action and Action Alternatives and the APE.
- November 10, 2009: the BLM invited the three tribes, federal agencies, and the other consulting parties to participate in a Section 106 Consultation Meeting and Cultural Resources Work Group Session for the Project to be held December 7, 2009 at the BLM District Office in Hines, Oregon.
- November 2, 2009: the USFWS met with the Council to present information about the portion of the Project's proposed transmission line project that would cross the Malheur National Wildlife Refuge (MNWR).
- November 12, 2009: two Council members participated in a field trip.
- December 14, 2009: Formal government-to-government consultation with the BPT began in a formal letter request from the USFWS to the BPT.
- December 7, 2009: the Section 106 Consultation Meeting and Cultural Resources Work Group Session met at the BLM Burns District office.

As explained in further detail in Section 4.1, additional Section 106 government-to-government consultation is ongoing.

4.2.5 Public Consultation – Draft EIS

4.2.5.1 Draft EIS Distribution

The Draft EIS was distributed for public review beginning July 8, 2010. Since initial scoping, BLM has maintained a mailing list of individuals; businesses; special interest groups; and federal, state, and Tribal, and local government representatives interested in the North Steens Transmission Project. In an effort to reduce printing costs, unless recipients expressly requested receipt of a paper copy of the Draft EIS, they were directed to download the Draft EIS from BLM’s website. Copies of the Draft EIS were available for public review at the following locations:

- Local libraries
- BLM Burns District Office

4.2.5.2 Public Comment Period

Concurrent with distribution of the Draft EIS, an NOA was published by BLM and EPA in the *Federal Register* on July 8, 2010, which marked the beginning of a 45-day review and comment period, scheduled to close August 24, 2010. In response to requests from governmental agencies, interest groups, and private citizens, the comment period was subsequently extended to September 17, 2010 to allow for submission of additional comments.

The public had the opportunity to comment online through the project website, at public meetings, and via mail, email, or fax.

4.2.5.3 Public Meetings

Two public meetings were held during the Draft EIS public comment period. The public could ask questions about the Draft EIS and provide written comments at either of the meetings. The meetings were held in an open house format and individuals had the opportunity to speak with resource specialists about the Draft EIS. Meetings were held in Burns, Oregon on August 23, 2010 and in Bend, Oregon on August 24, 2010.

4.2.5.4 Public Comments

All comment submissions received by the BLM during the public comment period were reviewed and evaluated for substantive comments. Within the 258 submissions that were received during the comment period, 891 individual comments were recorded. Some submissions contained more than one comment.

An additional seven comment letters were received after the comment period closed on September 17, 2010. BLM responded to the substantive comments in these letters by making revisions to the Final EIS. If no changes were required in the FEIS, BLM still responded to the substantive comments in writing.

All comments were categorized by topic or resource. Table 4-1 summarizes the number of substantive comments received about the Draft EIS, by topic or technical resource.

Table 4-1 Summary of Substantive Comments Received During the Public Comment Period

<u>Resource</u>	<u>Number of Comment Received</u>
<u>Wildlife</u>	<u>214</u>
<u>Visual resources</u>	<u>63</u>
<u>Land use</u>	<u>54</u>
<u>Economic issues</u>	<u>53</u>
<u>Water</u>	<u>37</u>
<u>Energy</u>	<u>23</u>
<u>Alternatives</u>	<u>20</u>
<u>Cumulative effects</u>	<u>20</u>
<u>EIS</u>	<u>17</u>
<u>Regulatory consistency</u>	<u>16</u>
<u>Wild horses and burros</u>	<u>16</u>
<u>Wetlands</u>	<u>15</u>
<u>Recreation</u>	<u>14</u>
<u>Vegetation</u>	<u>14</u>
<u>Purpose and Need</u>	<u>13</u>
<u>Cultural resources</u>	<u>12</u>
<u>Noise</u>	<u>12</u>
<u>Geology and soils</u>	<u>12</u>
<u>Wilderness and Scenic Area</u>	<u>10</u>
<u>Suggestions for other locations</u>	<u>7</u>
<u>Operations, maintenance and decommissioning</u>	<u>4</u>
<u>Transportation</u>	<u>4</u>
<u>Construction issues</u>	<u>3</u>
<u>Air Quality</u>	<u>2</u>
<u>Decommissioning</u>	<u>2</u>
<u>Health and safety</u>	<u>2</u>
<u>Mitigation</u>	<u>2</u>
<u>Public Services</u>	<u>1</u>

4.2.5.5 Response to Public Comments

After the public submissions were reviewed and categorized, responses were developed for each substantive comment. These responses included clarifications and explanations, and noted any revisions that were made to the Final EIS as a result of the comment. A full list of public comments and responses can be found in Appendix G.

4.2.6 Final EIS

4.2.6.1 Final EIS Distribution

Since initial scoping, BLM has maintained a mailing list of individuals; businesses; special interest groups; and federal, state, and Tribal, and local government representatives interested in the North Steens Transmission Project. In an effort to reduce printing costs, unless recipients expressly requested receipt of a paper copy of this Final EIS, they were directed to download the Final EIS from BLM's website.

Copies of the Final EIS are also available for public review at the following locations:

- Local libraries
- BLM Burns District Office

Concurrent with distribution of the Final EIS, an NOA was published by BLM and EPA in the *Federal Register*, which marks the beginning of the 30-day availability period.

4.3 LIST OF PREPARERS

4.3.1 EIS Team

Aarts, Jan	NEPA Manager, Land Use, Transportation, ACEC
Ahmed, Rabia	Economics
Boyes, Brad	Air Quality
Brena-Elliott, Jeanette	Noise
Clifford, Katie	Public Health & Safety
Demuth, Kimberly	Cultural Resources Lead
Elder, Lee	Recreation
Ferris, Jen	Archaeology
Freeman, Kevin	Project Sponsor
Ghitis, Eliza	Water Resources
Harvey, David	Arch. Historian
Jenniges, Sarah	GIS
Klungle, Melissa	Project Coordinator, Wild Horses and Burros
Lawrence, Deron	Wildlife
Lebednik, Gretchen	Botany, Wetlands
Onisko, Stephani	GIS

Pogue, Ben	Deputy Project Manager
Poremba, Gregory	Project Manager, NEPA Expert
Pratt, Jeremy	Project Sponsor/Project Manager
Ranzetta, Kirk	Visual Resources, Recreation, Wilderness
Sawyer, Jeri	Public Services, Energy
Scholz, Jenna	Water Resources
Shatt, Ryan	Geology and Soils
Slayton, Sandy	Wildlife, Vegetation, Wetlands, Water Resources
Wirkkala, Teresa	Economics

4.3.2 Applicant – Echanis, LLC (Columbia Energy Partners [CEP])

Chris Crowley, Jon Norling, Marl Kane

4.3.3 Lead and Cooperating Agencies

Bureau of Land Management (BLM) –

Bingham, Daryl	Natural Resource Specialist, (Flood Plains, Fish, Water Quality, Wetlands and Riparian Zones – BLM, Burns District Office, Andrews
Davies, Lindsay	Natural Resource Specialist, (Flood Plains, Fish, Water Quality, Wetlands and Riparian Zones – BLM, Burns District Office, Three Rivers
Franulovich, Michelle	Outdoor Recreation Planner (Recreation/OHV, Visual Resource Management) – BLM, Burns District Office
Haakenson, Eric	Wilderness Specialist (Wild and Scenic Rivers, Wilderness/WSA) – BLM, Burns District Office
Hazen, Kelly	GIS Specialist – BLM, Burns District Office
Karges, Rhonda	NEPA Coordinator (Environmental Justice, Social and Economic Values) – BLM, Burns District Office
Langlas, Maggie	Planning & Environmental Coordinator – BLM Oregon/Washington State Office
Linn, Doug	Botanist (Areas of Critical Environmental Concern, Plants, Biological Soil Crusts, Soils, Vegetation) – BLM, Burns District Office

Miller, Travis	Rangeland Management Specialist (Grazing Wild Horse and Burros) - BLM, Burns District Office
Obradovich, Matt	Wildlife Biologist (Wildlife and Migratory Birds) – BLM, Burns District Office
Renchler, Skip	Project Lead, Realty Specialist – BLM, Burns District Office
Richman, Lesley	Weeds Coordinator – BLM, Burns District Office
Ridenour, Dan	Fuels Planner (Air Quality, Fire Management) - BLM, Burns District Office
Suther, Joan	Andrews Field Manager – BLM, Burns District Office
Thomas, Scott	District Archaeologist (American Indian Traditional Practices, Cultural Heritage, Paleontological Resources) – BLM, Burns District Office
Wells, Rick	Geologist – BLM, Burns District Office

U.S. Fish & Wildlife Service (USFWS) Malheur National Wildlife Refuge –

Burnside, Carla	Refuge Archaeologist
Daystyck, Jim	Refuge Biologist
Harrison, Ben	Chief, Division of Natural and Cultural Resources, Region 1, U.S. Fish and Wildlife Service
Karges, Chad	Deputy Project Leader

U.S. Fish & Wildlife Service (USFWS) Bend Field Office -

Gilbert, Nancy	Field Supervisor – Bend Field Office
Mauer, Alan	Biologist

U.S. Army Corps of Engineers (USACE) -

Christofferson, Marina	Biologist
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Oregon Department of Fish and Wildlife (ODFW)-

Klus, Rod	Harney District Wildlife Biologist
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Bonneville Power Administration (BPA) -

Montano, Andrew	Environmental Protection Specialist
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Harney County Court, Oregon -

Grasty, Steve	Harney County Judge
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Mertz, Bryce Harney County GIS

Burns Paiute Tribe (BPT) -

Teeman, Diane Tribal Council Chair

4.3.4 Local Government, State Agencies and Tribes

Harney County Judge

Oregon Department of Fish and Wildlife District Biologist

Burns Paiute Tribe

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