

***Over The River*[™] Frequently Asked Questions**

What is Over The River[™] (OTR)?

A proposed temporary work of art by the artists Christo and Jeanne-Claude and OTR Corporation (collectively referred to as “applicant”). The proposal involves the construction, two-week display, and removal of approximately 5.9 miles of fabric panels suspended above the Arkansas River in eight select areas along a 42-mile stretch of river between the towns of Salida and Cañon City, Colorado.

Is the proposed project exclusive to lands administered by the Bureau of Land Management (BLM)?

No. The installation of this proposed project would involve the use of lands administered by the BLM, Colorado State Land Board (SLB), private lands, lands cooperatively managed by Colorado State Parks in the Arkansas Headwaters Recreation Area, and the Union Pacific Railroad rights-of-way.

Why is an Environmental Impact Statement (EIS) needed for *OTR*?

The BLM began an Environmental Assessment after the applicant submitted a land use application for their initial project proposal. It became evident that A Finding of No Significant Impact could not be determined due to the project’s complexity, potential for significant impacts, level of controversy related to the project proposal, and concerns about public safety. The applicant also made a specific request for an EIS to be completed. Therefore, an EIS-level National Environmental Policy Act (NEPA) analysis is necessary.

What is the purpose of a BLM land use permit?

A land use permit is an application used to process a request for the use of public lands for non-federal uses.

The Royal Gorge Field Office (RGFO) intends to avoid, minimize, or mitigate for potential environmental impacts to the extent possible as required by NEPA. The field manager is the federal official responsible for the decision on whether to issue the requested BLM land use permit and, if issued, the applicable terms, conditions, or other stipulations.

What is an EIS?

An EIS is a document required by NEPA for federal actions that have the potential to "significantly affect the quality of the human environment."

What is the BLM’s role in the EIS Process?

The BLM is the lead Federal agency with the final authority of determining whether, where, when, and under what terms and conditions, a BLM land use permit would be issued to the project applicant for *OTR*.

How is an EIS prepared?

The preparation of an EIS is broken into four phases; scoping, Draft EIS, Final EIS, and Record of Decision.

What is the purpose of scoping?

The purpose of scoping is to solicit comments from the public, identify a reasonable range of alternatives, identify issues requiring analysis, communicate information, and consult with

agencies and organizations with jurisdiction in the project area and special expertise with respect to environmental issues.

What will happen during the Draft EIS phase?

The BLM has overseen and guided the third-party AECOM contractor team of resource specialists to gather information and conduct a comprehensive and impartial assessment of the *OTR* proposal and a range of alternatives identified during scoping.

The publication of the Notice of Availability for the Draft EIS in the *Federal Register* on July 16, 2010 officially began the 45-day public review and comment period. The public and respective agencies will have an opportunity to submit written comments on the adequacy of the Draft EIS until August 30, 2010.

During the Draft EIS public comment period, the BLM with the assistance of the third-party contractor AECOM will conduct a combined public meeting and formal hearing in the following locations: Cañon City, Salida, Cotopaxi, and Denver.

What is the purpose of a reasonable range of alternatives?

Under NEPA, a range of reasonable alternatives provide for a comparative analysis of the proposed action with a no action alternative, and other possible alternatives. This type of comparative analysis allows a federal agency and cooperators to address issues brought forth during scoping and help the public understand the potential impacts that could occur. Providing a reasonable range of alternatives creates an opportunity for the deciding official to make a more informed decision.

What will happen during the Final EIS phase?

The Final EIS will respond to public comments made on the draft. The Final EIS will include responses to all substantive public comments received on the Draft EIS. The Final EIS is the document the BLM will use to determine the outcome of the land use application.

The BLM will consider public comment on the Final EIS during the 30-day waiting period before the issuance of the Record of Decision (ROD). These comments will be considered when developing the ROD.

What happens during the Record of Decision phase?

The BLM will issue a final decision after the Final EIS 30-day waiting period to either approve or not approve the land use application. This will be done in the ROD.

The ROD states the alternatives considered, the environmentally preferred alternative, and other factors that were considered in the decision-making process. If the BLM's decision is to permit *OTR's* land use authorization application, the ROD will also state any mitigation measures that the BLM determines *OTR Corp.* must implement that will avoid, minimize or mitigate identified impacts to the environment. Finally, the ROD describes any enforcement and monitoring programs that BLM will require of *OTR Corp.*

What is the projected schedule for the EIS?

Draft EIS – July 2010

Final EIS – February 2011

Record of Decision – April 2011

How can the public participate in the EIS process?

The public can review the analyses of environmental consequences from implementing each of the alternatives outlined in the Draft EIS. The public will have the opportunity to discuss their questions with resource specialists at any of the four Draft EIS public meetings. Comments addressing issues and concerns about the analyses may be submitted either in writing or during the formal hearing that will follow each meeting in Cañon City, Salida, Cotopaxi, and Denver; or submit written comments at any time throughout the EIS process. Comments will be fully evaluated and considered in the development of the Final EIS.

Written comments may be submitted either by:

Email

CO_OTR_Comments@blm.gov (enter OTR Comments in the subject line)

Hard Copy Mail

BLM RGFO

OTR Comments

3028 E. Main St

Cañon City, CO 81212

Fax

719-269-8599 (be sure to include a cover sheet with OTR Comments in the subject line)

Web Comment Form

www.blm.gov/co/st/en/fo/rgfo/planning/otr.html

How can I receive public notifications during the *OTR* EIS process?

You can mail, fax or email a request to be added to the *OTR* EIS project mailing list. Please indicate in your request whether you want to be notified by mail or email, and provide your name, name of affiliate you are representing if applicable, and mail or email address.