

## Chapter 5

# Consultation and Coordination

### Introduction

This chapter describes the public participation opportunities and outreach made available throughout development of the Draft Resource Management Plan and Environmental Impact Statement (RMP/EIS). This chapter also describes consultation and coordination efforts with tribes; federal, state and local agencies; and other stakeholders.

This Draft RMP/EIS was prepared by an interdisciplinary team of resource specialists, identified at the end of this chapter, from the South Dakota Field Office (SDFO) in Belle Fourche, South Dakota, and the Montana/Dakotas State Office in Billings, Montana. Technical review and support were provided by field offices, cooperators, and the State of South Dakota. Geographic Information System (GIS) analysis was completed by GIS specialists from the North Dakota Field Office, the Miles City Field Office, the Montana/Dakotas State Office, and resource specialists from the SDFO.

Butte, Harding, and Meade counties along with the State of South Dakota participated as cooperating agencies in the development of this Draft RMP/EIS. The Dakota Resource Advisory Council (RAC) also participated, and a discussion of their involvement is included later in this chapter. Custer, Lawrence and Pennington Counties signed on as Cooperating Agencies and were invited to Cooperating Agency meetings but did not attend meetings on a regular basis.

Members of the planning team have consulted formally and informally with numerous agencies, groups, and individuals during the preparation of this document. Consultation, coordination, and public involvement occurred as a result of scoping meetings, briefings, and meetings with federal, state, tribal, and local government representatives, informal meetings, and individual contacts.

### Public Participation Opportunities

Public outreach to inform and involve the public about the planning process and the Draft RMP/EIS has been ongoing throughout this RMP process. The public was invited to participate in development of the Draft RMP/EIS prior to its release for public review and comment. A press release with regional distribution was issued at the start of the scoping process to announce scoping meetings/open houses, and an informational fact sheet was distributed to a general mailing list.

In addition to informing the public through news releases and announcements, a website for the South Dakota RMP ([http://www.blm.gov/mt/st/en/fo/south\\_dakota\\_field/rmp.html](http://www.blm.gov/mt/st/en/fo/south_dakota_field/rmp.html)) was launched to provide access to planning documents, calendars, process information, and other updates. The website is updated as changes occur to provide status reports and new information on the planning process. Major public participation events are described in more detail below.

### Scoping

Scoping is the term used in the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA) (40 CFR, part 1500 et seq.) to define the early and open process for determining the scope of issues to be addressed in the planning process. The scoping process identifies land use issues, conflicts, and opportunities. These issues may stem from new information or changed circumstances, the need to address environmental protection concerns, or a need to reassess the appropriate mix of allowable uses based on new information. Scoping is the first stage of the planning process and closely involves the public in identifying issues, providing resource and other information, and developing planning criteria to guide document preparation.

A Notice of Intent (NOI) to prepare the Draft RMP/EIS was published in the Federal Register on July 19, 2007. This notice served as the beginning of the BLM's formal scoping process.

The BLM distributed press releases and public service announcements to South Dakota newspapers and television and radio stations, and prepared outreach materials, including fact sheets and informational flyers to distribute at meetings and in communities. The outreach materials provided an overview of the planning process and the importance of BLM public lands and mineral estate within the state of South Dakota.

Scoping meetings were organized in an open house format designed to encourage broad public participation, allow attendees to learn about the project and specific resources/resource uses, and encourage information discussions between the public and BLM resource specialists. Fact sheets that described preliminary planning criteria, project milestones, and information about the BLM were prepared and distributed. Site and resource maps and posters were displayed illustrating the importance of resources and management techniques practiced among different resources and land areas. A presentation highlighted key issues and summarized the planning process. The BLM hosted nine scoping open house meetings from August to October 2007. Table 5-1 summarizes dates, locations, and attendance at scoping meetings.

<i>Date</i>	<i>Location</i>	<i>Attendance</i>
August 14, 2007	Faith, South Dakota	2
August 16, 2007	Buffalo, South Dakota	12
August 28, 2007	Belle Fourche, South Dakota	15
August 30, 2007	Union Center, South Dakota	2
September 10, 2007	Sturgis, South Dakota	23
September 13, 2007	Hot Springs, South Dakota	4
September 25, 2007	Wall, South Dakota	4
September 27, 2007	Rapid City, South Dakota	17
October 9, 2007	Pierre, South Dakota	10
Total		89

To accommodate and encourage public participation, public scoping meetings were held with two separate open sessions: one session from 2:00 p.m. to 4:00 p.m. and another session from 6:00 p.m. to 8:00 p.m. Posters, maps, and an overview slide presentation were used to provide information about the planning process and resources/resource uses in the planning area. BLM personnel staffed a check-in table near the entrance where the public could sign in, collect fact sheets, handouts and other RMP resource information. Community centers or town halls were used as much as possible to encourage broad participation. A large gym or other public venue was set up with posters and staff around the perimeter with a small audience seating area near the center for a digital slide presentation. A 15- to 30-minute presentation highlighted key issues and summarized the planning process, and attendees were encouraged to visit with BLM specialists about resources and resource uses in the planning area.

The SDFO received 24 written submittals as a result of scoping efforts. All submittals indicated an interest in BLM public land and resource management. Many submittals offered substantive comments, while others conveyed a desire or an opinion. A total of 370 individual comments were analyzed and considered by resource specialists as part of this Draft RMP/EIS.

## **Consultation and Coordination**

### **Tribal Consultation**

In accordance with the National Historic Preservation Act and in recognition of the government-to-government relationship between tribes and the federal government, letters were sent to tribal governments and officials on March 7, 2007. These letters provided information about the Draft RMP/EIS and provided an opportunity for recipients to partner with the BLM as a cooperating agency. While no tribes became an official cooperating agency, coordination through letters and updates has continued throughout the process. The opportunity for meetings and briefings will continue to occur with the release of the Draft RMP/EIS.

In addition to the scoping open houses, meetings with tribal governments/officials were held to communicate with and gather input from the tribes. Table 5-2 lists the meetings that have taken place to date.

<b>Table 5-2 Meetings with Tribal Governments/Officials on the South Dakota RMP</b>	
<i>Date</i>	<i>Meeting Details</i>
July 25, 2007	RMP Consultation. Met with from the Lower Brule and Standing Rock Reservations in Rapid City, South Dakota. Discussions included a PowerPoint presentation on the RMP planning process, discussion about the preliminary issues and concerns that had been identified, and a question/answer session.
December 11, 2008	Met with Mandan Hidatsa Nation Resources (MHA) Committee from MDA in New Town, North Dakota. Discussions included a PowerPoint presentation on the RMP planning process, discussion about preliminary issues and concerns that had been identified, and a question/answer session.
January 10, 2008	RMP Consultation. Met with MDA Tribal Council in New Town, North Dakota. Discussions included the ND and SD RMPs, including presentation by ND and SD Field Managers on the RMP planning process, preliminary issues and concerns, and a question/answer session. Much of the discussion focused on oil and gas development.
March 13, 2008	RMP Consultation. Met with Natural Resources staff of the Northern Cheyenne in Lame Deer, Montana. Discussions included the RMP planning process, discussion about preliminary issues and concerns that had been identified, and a question/answer session.
March 25, 2008	Met with representatives of GCC Dacotah Cement in Rapid City, South Dakota to discuss the RMP planning process and GCC Dacotah Cement limestone mining. The Rosebud Sioux Tribe Treaty Commission was present.
October 17, 2012	Presentation and discussion about the SD RMP was held at a Tribal meeting in Spearfish, SD. The Three Affiliated Tribes (Mandan-Hidatsa-Arikara), Northern Cheyenne, Crow Creek, Lower Brule, Rosebud, Pine Ridge Oglala, Cheyenne River, Yankton, Santee and Sisseton-Wahpeton Sioux attended this meeting.

**U.S. Fish and Wildlife Service Consultation**

Federal agencies are required to comply with provisions of the Endangered Species Act of 1973, as amended. This includes a requirement to consult with the U.S. Fish and Wildlife Service (USFWS) on any action that may affect species listed as threatened and endangered or result in destruction or adverse modification of habitat designated as critical for listed species. In addition, federal agencies must confer with the USFWS on any action that is likely to jeopardize the continued existence of any species proposed to be listed or any action that may result in the destruction or adverse modification of critical habitat proposed to be designated for listed species.

This Draft RMP/EIS is considered to be a major project, and this document describes potential impacts to threatened and endangered species as a result of management actions proposed in the Draft RMP/EIS. Contacts were made with the USFWS early in the planning process, and an initial list of federally listed, threatened or endangered plant, animal, or fish species or habitats present in the planning area was provided in 2008. Seven federally listed threatened species and seven endangered species are known to occur or use habitat within the planning area. In addition, three candidate species are known to occur in the planning area.

While the USFWS declined to serve as a formal cooperating agency during the planning process, informal meetings were held with the USFWS in July 2010 to discuss issues and alternatives. A draft biological assessment evaluating potential impacts of the preferred alternative on federal threatened and endangered species will be submitted to the USFWS concurrently with the public release of this Draft RMP/EIS. The proposed Final RMP/EIS will include the final biological assessment and resulting USFWS biological opinion. Consultation with the USFWS will continue throughout the RMP process. Table 5-3 lists the federally endangered, threatened, or candidate species known to occur or use resources in the planning area.

<b>Table 5-3 Federally Listed Threatened and Endangered Species or Candidate Species that May Occur within the South Dakota Planning Area</b>			
<i>Common Name</i>	<i>Scientific Name</i>	<i>Federal Status</i>	<i>State Status</i>
<b>Birds</b>			
Interior Least Tern	<i>Sterna antillarum athalassos</i>	Federally Listed Endangered	State Endangered
Piping Plover	<i>Charadrius melodus</i>	Federally Listed Threatened	State Threatened
Whooping Crane	<i>Grus americana</i>	Federally Listed Endangered	State Endangered
Greater Sage-Grouse	<i>Centrocercus urophasianus</i>	Candidate	
Sprague's Pipit	<i>Anthus spragueii</i>	Candidate	
<b>Mammals</b>			
Black-footed Ferret	<i>Mustela nigripes</i>	Federally Listed Endangered	State Endangered
Gray Wolf	<i>Canis lupus</i>	Federally Listed Endangered	
<b>Fish</b>			
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Federally Listed Endangered	State Endangered
Topeka Shiner	<i>Notropis topeka</i>	Federally Listed Endangered	
<b>Insects</b>			
American Burying Beetle	<i>Nicrophorus americanus</i>	Federally Listed Endangered	
Dakota Skipper	<i>Hesperia dacotae</i>	Candidate	

### State Historic Preservation Office Consultation

The BLM cultural resource management program operates in accordance with 36 CFR Part 800, which provides specific procedures for consultation between the BLM and the State Historic Preservation Office (SHPO). The SHPO participated as a cooperating agency and was consulted early during Draft RMP/EIS development concerning cultural resources that may be affected. Coordination and consultation with the SHPO will continue throughout the South Dakota RMP planning process.

### Air Quality Consultation

On February 22, 2012, the BLM hosted a conference call concerning the SDFO RMP/EIS air quality impact analysis with an Air Quality Technical Workgroup consisting of representatives from the U.S. Environmental Protection Agency (EPA), U.S. Forest Service (USFS), U.S. Fish and Wildlife Service (USFWS), and the U.S. Department of Agriculture, National Park Service (NPS). This call formally initiated collaborative planning and review activities under the Memorandum of Understanding among the U.S. Department of Agriculture, U.S. Department of the Interior, and U.S. Environmental Protection Agency, Regarding Air Quality Analysis and Mitigation for Federal Oil and Gas Decisions through the National Environmental Policy Act Process. During the February 22, 2012 call, the BLM presented background information on existing air quality within the planning area, predicted oil and gas activities, estimated emissions associated with the RFD, and a proposed air quality analysis approach for the SDFO RMP revision. The BLM solicited comments from each of the MOU agencies and will continue to coordinate with these agencies throughout the development process for the SDFO RMP revision.

### Resource Advisory Council

Resource Advisory Councils (RACs) were created in 1995 to advise the BLM on land management programs and issues. RAC members are chosen by the Secretary of the Interior in consultation with the governor of the state in which they serve. One of the strengths of the RAC is their ability to provide assistance and input on a wide variety of land use issues. The Dakotas RAC consists of a 15-member advisory group who represent three broad interest categories: commodity interests, non-commodity interests, and government/academic interests.

The first Dakotas RAC meeting on the South Dakota RMP was held in the fall of 2007 and served as an introduction to the RMP planning process. The BLM made a presentation on the RMP process that highlighted planning area components and issues, an overview of the preliminary planning criteria, and project status. Following the initial meeting, Dakotas RAC members were updated on the RMP process and progress every six months. Subsequent briefings focused on key issues and milestones during the planning process, including Areas of Critical Environmental Concern (ACECs), information from cooperating agency meetings and public involvement efforts, and sage-grouse management. The RAC continued to be involved through briefings and updates during Draft RMP/EIS preparation. An Instructor of American Indian Studies program at Black Hills State University who serves as a RAC member representing the public at large attended cooperating agency meetings on a regular basis from 2008 to 2012. Other RAC members attended meeting periodically.

## Cooperating Agencies

A cooperating agency is any federal, state, or local government agency or Native American tribe that enters into an agreement with the lead federal agency to assist in development of an environmental analysis. Early in the planning process, the BLM mailed letters to federal, tribal, state and local representatives, inviting them to participate as cooperating agencies for the South Dakota RMP. Seven agencies accepted the invitation to participate, including:

- Butte County Commission
- Custer County Commission
- Harding County Commission
- Lawrence County Commission
- Meade County Commission
- Pennington County Commission
- State of South Dakota

Some of the agencies and tribes that declined to serve as participating agencies, as well as those agencies or tribes that did not respond, will continue to be involved and informed throughout the planning process through mailings and project status updates.

Ten cooperating agency meetings were held from August 2008 to January 2012 to coordinate and collaborate in the Draft RMP/EIS development. The primary role of cooperating agencies is to provide input during the RMP/EIS process on issues for which they have special expertise or jurisdiction. Representatives met with the BLM periodically throughout the planning process to discuss issues as a group. Cooperating agencies are expected to participate in the planning process at the earliest possible time and are available to enhance the interdisciplinary capability of the planning effort by providing specific information throughout the NEPA process. Memorandums of Understanding (MOUs) were developed and entered into between the SDFO and cooperating agencies. The MOUs set forth roles and responsibilities for cooperating agencies for RMP/EIS collaborative planning and production. Agencies coordinate and work with the BLM, sharing knowledge and resources to achieve desired outcomes for BLM lands and communities within statutory and regulatory frameworks.

The USFWS and USFS are cooperators for the larger Greater Sage-grouse planning effort, which includes the South Dakota RMP. The MOU between the BLM, USFWS and USFS was signed in March 2012.

## Plan Distribution

Since initial scoping the BLM has maintained a comprehensive mailing list of individuals; businesses; organizations; and federal, state, tribal, and local government representatives interested in development of the South Dakota RMP.

This Draft RMP/EIS is available on the BLM website at [http://www.blm.gov/mt/st/en/fo/south\\_dakota\\_field/rmp.html](http://www.blm.gov/mt/st/en/fo/south_dakota_field/rmp.html) and is available for public review at the following locations: Montana State Office (Billings, Montana), SDFO (Belle Fourche, South Dakota), Miles City Field Office (Miles City, Montana), and the Sioux Ranger District (Camp Crook, South Dakota).

Printed or CD copies of the document have been distributed to the government agencies, businesses, and organizations listed below. This Draft RMP/EIS, either on CD or in printed format, was also mailed to individuals who requested a copy.

## Federal Government

U.S. Army Corps of Engineers – Omaha District  
 U.S. Department Energy – Office of Environmental Management  
 U.S. Department of Justice  
 U.S. Environmental Protection Agency  
 U.S. Fish and Wildlife Service  
 U.S. Geological Survey  
 U.S. Department of Agriculture – Farm Service Agency  
 USDA – Forest Service  
 USDA – Natural Resources Conservation Service  
 USDI – Bureau of Indian Affairs  
 USDI – Bureau of Reclamation  
 USDI – Field Solicitor’s Office  
 USDI – National Park Service

## State Government

### South Dakota

A copy of the Draft RMP/EIS was sent to the State Cooperating Agency representative for the SDFO RMP, the South Dakota Office of the Governor, South Dakota Department of Agriculture, South Dakota Department of Environment and Natural Resources (DENR), and South Dakota Game, Fish and Parks (GFP).

In addition, a notice that a Draft RMP/EIS has been completed was sent to the following State of South Dakota agencies, offices, and departments:

Office of the Governor  
 Army National Guard  
 Department of Agriculture  
 Department of Public Safety  
 Department of Revenue and Regulation  
 Department of Tourism and State Development  
 Department of Transportation  
 Division of Resource Conservation and Forestry  
 Division of Wildland Fire Suppression  
 Office of School and Public Lands  
 Public Utilities Commission  
 State Historic Preservation Office  
 State Lands

This Draft RMP was mailed to the States of Montana, North Dakota, and Wyoming. A notice that this Draft RMP is available was mailed to the following departments in states that border western South Dakota.

### Montana

Montana Department of Agriculture

Montana Department of Natural Resource and Conservation, Forestry Division  
 Montana Fish, Wildlife and Parks

### North Dakota

North Dakota Department of Agriculture  
 North Dakota Forest Service  
 North Dakota Game and Fish Department

### Wyoming

Wyoming Department of Agriculture  
 Wyoming Game and Fish  
 Wyoming State Forestry Division

## County/Local Government

Butte County Commission  
 Custer County Commission  
 Fall River County Commission  
 Harding County Commission  
 Lawrence County Commission  
 Meade County Commission  
 Pennington County Commission  
 Perkins County Commission  
 Stanley County Commission  
 City of Belle Fourche  
 City of Buffalo  
 City of Custer  
 City of Deadwood  
 City of Fort Pierre  
 City of Lead  
 City of Pierre  
 City of Sturgis  
 City of Wall

## Tribal Government

Three Affiliated Tribes (North Dakota)  
 Cheyenne River Sioux  
 Crow Creek Sioux  
 Lower Brule Sioux  
 Pine Ridge Oglala Sioux  
 Rosebud Sioux  
 Northern Cheyenne (Montana)  
 Standing Rock Sioux  
 Sisseton-Wahpeton Sioux  
 Yankton Sioux  
 Santee Sioux (Nebraska)

## Congressional

Congresswoman Kristie Noem

Senator John Thune  
 Senator Tim Johnson

**Businesses**

Barrick Gold of North Amer. Inc.  
 Continental Resources  
 Petro-Hunt  
 Western Land Services  
 American Colloid  
 West River Eagle  
 Howes Grazing Association  
 Moreau Grazing Association  
 Powertech Uranium Corp.  
 GCC Dacotah Cement  
 Wharf Resources  
 Wind Quarry LLC

**Organizations**

American Wind Energy Association  
 Badlands RC&D  
 Belle Fourche River Watershed Partnership  
 Biodiversity Conservation Alliance  
 Black Hills Back Country Horsemen of SD

Black Hills Mountain Bike Association  
 Black Hills RC&D  
 Black Hills Regional Multiple Use Coalition  
 Black Hills Sportsmen  
 Black Hills Wranglers  
 Defenders of Wildlife  
 Institute of Range and American Mustang  
 National Wild Turkey Federation  
 North Central RC&D  
 Prairie Hills Audubon Society  
 Rocky Mountain Elk Foundation  
 Sierra Club Black Hills Group  
 South Dakota Association of Conservation Districts  
 South Dakota Cattlemen's Association  
 South Dakota Farm Bureau  
 South Dakota Grassland Coalition  
 South Dakota Off Highway Vehicle Coalition  
 South Dakota Public Lands Council  
 South Dakota Cattlemen's Association  
 South Dakota Sheepgrowers Association  
 South Dakota Stockgrowers Association  
 South Dakota Trail Riders  
 South Dakota Wildlife Federation  
 The Nature Conservancy  
 Tatanka RC&D Council  
 World Wildlife Fund

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## Contractor Assistance

ARCADIS	Soil and Water Impacts and Technical Review
Logan Simpson Design	Visual Resource Management Inventory
MidDakota Vegetation Management	Preliminary Road Inventory

