

PUBLIC INVOLVEMENT PLAN

Four Corners Power Plant and Navajo Mine Energy Project Environmental Impact Statement



June 2012

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I. PURPOSE OF THE PUBLIC INVOLVEMENT PLAN

- A.** In accordance with the National Environmental Policy Act of 1969 (NEPA), the Office of Surface Mining Reclamation and Enforcement (OSM) is preparing an Environmental Impact Statement (EIS) to analyze the potential environmental impacts associated with a lease amendment and rights-of-way (ROW) renewals for the Four Corners Power Plant (FCPP) and associated transmission lines and facilities as proposed by Arizona Public Service Company (APS) and Public Service of New Mexico (PNM), and the anticipated impacts associated with BHP Navajo Coal Company's (BNCC's) proposed new permit application for the Pinabete Mine permit area (i.e., development of a new mine area) and the renewal of the existing Navajo Mine Permit.
- B.** NEPA requires federal agencies to examine the potential environmental effects of proposed activities to allow for more informed decision-making. Public involvement is an important aspect of the environmental review process. The primary purpose of this Public Involvement Plan (PIP) is to support OSM in maximizing the effectiveness of public involvement in the preparation of the EIS.
- C.** The PIP sets forth the strategy and mechanisms by which OSM will provide and receive information from the public and stakeholders during preparation of the EIS. The primary mechanism for providing information is the EIS itself, supplemented by public meetings, informational materials and notifications. The mechanism by which OSM receives information is comments on the EIS. Public involvement efforts therefore focus on the EIS and consist of three primary activities: 1) initial public outreach/scoping, 2) public release and review of the Draft EIS, and 3) public release of the Final EIS. OSM is also conducting public involvement to meet specific requirements of the Surface Mining Control and Reclamation Act (SMCRA) and may hold informal conferences in conjunction with specific scoping meetings.
- D.** The PIP describes outreach activities during the course of the EIS process to adequately and most effectively communicate with the public and stakeholders. The PIP is developed in accordance with NEPA, Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), OSM implementing regulations for NEPA, applicable executive orders, SMCRA, and NEPA public involvement policies of the U.S. Department of the Interior (DOI), OSM and cooperating agencies.
- E.** The PIP provides an organized and coordinated approach for all public information and involvement efforts related to the EIS process. It includes provisions for communicating with project stakeholders, including but not limited to: elected officials, regulatory and government agencies, tribes, nongovernmental organizations (NGOs), local businesses, community members, and media.
- F.** The PIP identifies public involvement goals; describes the objectives and strategy for public involvement; identifies outreach tactics, methods and activities in different phases of the EIS process; provides an implementation schedule for outreach activities (Appendix A) and identifies appropriate project team personnel responsible for public involvement activities.
- G.** The PIP is a "living" document that is updated and revised periodically throughout the preparation of the EIS. Specifics in the PIP may change over the course of the project to meet changing demands and requirements. Appendices of the PIP contain detailed information and are designed to be developed and updated throughout the public involvement process.

- H. Aspects of the PIP will be summarized in the EIS. Upon completion of the environmental review process, the PIP will become part of the administrative record and the primary documentation of the public involvement activities undertaken during preparation of the EIS.

II. PROJECT BACKGROUND

- A. The APS, as operating agent and on behalf of the participant owners of the Four Corners Power Plant, recently executed a lease amendment (Lease Amendment No. 3) with the Navajo Nation to extend the life of the FCPP an additional 25 years, to 2041. Full implementation of the proposed FCPP lease amendment and ROW renewals are expected to require specific federal actions. Concurrent with the APS action, BNCC plans to develop a new mine area, referred to as the Pinabete Mine permit area, within its existing Navajo Mine Lease. Also located within the Navajo Reservation and near the FCPP, the development of the Pinabete Permit would supply coal to FCPP for up to 25 years beginning July 7, 2016. Full implementation of the proposed Pinabete Permit is also expected to require specific federal actions. In addition, the NEPA analysis will include associated transmission lines that are directly connected to the power plant and require renewal of ROW permits; and the renewal of the existing Navajo Mine Permit.

III. REGULATORY AND POLICY REQUIREMENTS FOR PUBLIC INVOLVEMENT

- A. **NEPA Requirements.** NEPA requires federal agencies to make diligent efforts to involve stakeholders in the development of environmental documents and stipulates public involvement during various stages of the environmental review process (National Environmental Policy Act of 1969, 42 United States Code 4321, as amended).
- B. **CEQ Public Participation Intent.** The importance and value of public participation are clearly recognized in CEQ regulations (CEQ NEPA Regulations, 40 CFR § 1501.4 [2005]). In determining the extent to which public participation is practicable per the letter and spirit of NEPA, the magnitude of environmental considerations associated with the proposed action and the extent of anticipated tribal and public interest must be considered.
- C. **Associated Consultation.** OSM will conduct compliance with Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) as provided for in 36 CFR § 800.2(d)(3) concurrently with the NEPA process, including the public involvement requirements. Native American tribal consultations will be conducted in accordance with DOI policy, and tribal concerns will be given due consideration, including impacts on Indian trust assets. OSM will also conduct scoping in compliance with the U.S. Army Corps of Engineers' (ACOE) Section 404 requirements. The scoping may also comply with the informal consultation requirements of SMCRA at the Tiis Tsoh Sikaad (Burnham) Chapter House and the Nenahnezad Chapter House locations.
- D. **DOI and OSM Requirements.** DOI policy for implementing NEPA can be found in the DOI Departmental Manual, Series 31 Environmental Quality Programs, Part 516 National Environmental Policy Act of 1969. General provisions for public involvement are described in Part 516, Chapter 1.7. Specific DOI policy for OSM can be found in Part 516, Chapter 13.
- E. **Lead and Cooperating Agencies.** While OSM is the lead agency for preparation of the EIS, the Navajo Nation, Bureau of Indian Affairs (BIA), Bureau of Land Management, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and National Park Service are cooperating agencies for the development of the EIS. A cooperating agency is any agency, other than the lead agency, which has jurisdiction by law or special expertise concerning an environmental impact involved in a proposal.

- F. *Additional Agency Coordination and Consultation.*** OSM will coordinate with tribal and federal agencies throughout the NEPA environmental review process and related permitting/consultations for the proposed action, specifically including:
- Consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act;
 - Consultation with the State Historic Preservation Officer/Tribal Historic Preservation Officer under Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) as provided for in 36 CFR § 800.2(d)(3).
- G. *Native American and Tribal Consultations.*** OSM will coordinate with the tribal groups in a government-to-government consultation process. OSM will determine the appropriate level of tribal consultation in relation to this EIS. Potentially affected federally recognized tribes will be consulted as appropriate and in compliance with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. Federal cooperating agencies will consult with tribal governments as requested by the tribes.
- H. *Administrative Record.*** In addition to informing the EIS, public involvement efforts will be documented in the administrative record. All final public involvement notification and informational materials will be submitted at appropriate times during the EIS process and will be actively maintained as appendices of this PIP. Upon completion of the environmental review process and finalization of the EIS, the PIP will be finalized and included in the administrative record as the primary source of documentation of the public involvement activities conducted.

IV. STAKEHOLDER ISSUES AND CONCERNS

Stakeholder issues and concerns pertaining to this EIS may include the following:

- Impacts to traditional, cultural, historical and sacred sites
- Public health impacts from power plant and mine operations
- Past environmental violations at the power plant and/or mine
- Disposal of coal combustion residue
- Environmental impacts to surface and ground water
- Impacts to threatened and endangered species, including the razorback sucker (*Xyrauchen texanus*), Colorado pikeminnow (*Ptychocheilus lucius*), and southwestern willow flycatcher (*Empidonax traillii extimus*)
- Air pollution and mercury deposition from the power plant
- Environmental justice considerations
- Impacts to visual resources
- Impacts to socioeconomics

V. DISTINCT AND CHALLENGING FEATURES OF THE EIS

Distinct and challenging features of this EIS may include the following:

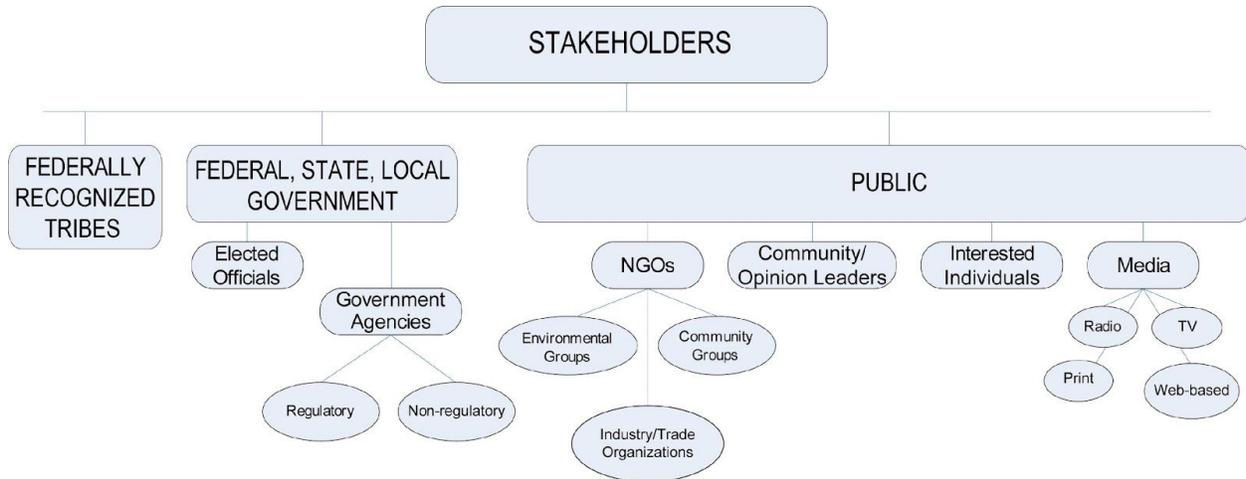
- There is a history of concerned citizens and community groups
- Legal challenges
- Project is largely located on tribal land and covers a large geographic area
- Extensive number of regulatory and cooperating agencies involved
- Project creates interest from not only the local population but from national and regional organizations and special interest groups
- Stakeholder language and cultural differences
- Environmental justice concerns
- Multiple purposes for completing the EIS; involvement of multiple proponents (APS, BNCC, and PNM) as the action proponents
- Utilization of natural resources to develop and maintain the tribal economy and jobs
- Accessibility to technology (i.e., Internet) in rural and remote locations to effectively target and inform impacted populations

VI. TARGET AUDIENCES

The target audiences (see Figure 1) for public outreach and involvement efforts specific to this EIS include the following:

- Local elected officials and government agencies that have heightened interest in coal mining and energy activities and the potential effects on their constituents
- Government and regulatory agencies with jurisdiction over potentially affected resources
- Navajo Nation Government and Hopi Tribal Council and their communities
- Those potentially affected by, or having the perception they are potentially affected by, this project
- NGOs concerned with air quality, biological resources, visual resources, socioeconomics, environmental justice, cultural resources, public health, and water resources
- Community members generally interested in the region and its resources, and/or environmental issues
- Other specific target audiences include Diné Citizens Against Ruining Our Environment, San Juan Citizens Alliance, Energy Minerals Law Center, Center for Biological Diversity, Western Mining Action Network, Western Mining Action Project, Western Environmental Law Center, New Mexico Environmental Law Center, Sierra Club, Amigos Bravos
- Specific stakeholders will be further identified in the project notification mailing list database.

Figure 1. Target Audiences



VII. PUBLIC INVOLVEMENT OBJECTIVES AND STRATEGY

A. Public Involvement Program. The public involvement program is defined as the strategy, objectives and activities related specifically to meeting and exceeding NEPA public outreach requirements for an EIS. The program is focused on the content of the EIS. OSM intends to involve stakeholders in the environmental process through early and open communication.

B. Public Involvement Objectives. The public involvement process is intended to inform interested and affected stakeholders, develop trust and credibility, support and improve relations, and avoid misunderstandings based on a mutual exchange of information. Public involvement also provides interested individuals the opportunity to express their concerns and have those concerns considered when decisions are made. This is most effective when the public is informed and involved early in the environmental review process and when the mechanisms for conveying and receiving information are clearly understood by both the government and public. The public involvement objectives for the EIS include:

- Comply fully with NEPA, Section 106, Section 404, Section 7, and SMCRA throughout the EIS process.
- Ensure the public is receiving correct and consistent information about the EIS and environmental review process.
- Ensure that the mechanisms and processes by which the government provides information to and receives information from the public are effectively used and clearly understood by both the government and public.
- Educate the public about the roles of the lead and cooperating agencies. Ensure that the public has a basic understanding of which agency is responsible for what action in this process.
- Clearly communicate the public’s role in the EIS process and clarify the type of public input that will be most relevant and useful to the specific proposal and alternatives development and educating stakeholders on how to develop and submit substantive comments.
- Inform and consult with tribes and continue to build and sustain positive relationships.

C. Communication Strategy. A focused, targeted communication strategy reaches out as early and effectively as possible to stakeholders and the general public. The following key elements are incorporated into the communication strategy:

- Ensure and employ a consistent, program-level outreach strategy and key messages.
- Prepare the project team, particularly designated spokespersons, with key messages, talking points, responses to anticipated stakeholder questions, principles of risk communication and dry run practice sessions, in order to effectively respond to and engage with the media and stakeholders.
- Incorporate specific activities and expertise for tribal outreach, including providing Hopi and Navajo interpreters and translated informational materials at public meetings. Dolph Barnhouse of Luebben, Johnson and Barnhouse, will assist in the engagement of tribal stakeholders and will provide strategic input on how best to facilitate meetings which are cognizant of the Navajo and Hopi cultures.
- Hold open house scoping information sessions to disseminate pertinent project information and to receive input about the environmental factors to be considered in the development of the Draft EIS and potential project alternatives. There will be no formal component to the scoping meetings. Rather, a video will be prepared that will present project details to the viewer in a concise and consistent manner. This video will be translated into both Navajo and Hopi languages. Participants will have the opportunity to comment on the action in a variety of ways, including dictating them to a court reporter, or submitting written comments at the meetings or via mail or email.
- For the Draft EIS, hold dual format public hearings in which a traditional presentation and oral comment session is preceded by an informal, open house information session staffed by project team members. This format meets the needs of both those who want to interact informally one-on-one with project representatives during the open house session and those who want to provide formal oral comments to OSM about the Draft EIS during the public meeting oral comment session. As with the scoping meetings, a video will be prepared that will present project details to the viewer in a concise and consistent manner. This video will be translated into both Navajo and Hopi languages. Participants will have the opportunity to comment on the action in a variety of ways, including dictating them to a court reporter, or submitting written comments at the meetings or via mail or email.
- Leverage existing communication channels and resources—including, but not limited to, electronic media, the Internet, community bulletins and organizations—to target key audiences and expand the dissemination of information and the ability to solicit useful comments.
- Employ notification efforts that identify and reach out directly to target audiences (such as postcard invitation mailers and email), in addition to required newspaper advertisements, to enhance and expand outreach to key stakeholders. Additionally, fliers will be disseminated via postal mail or in-person by BIA staff prior to both the scoping meetings and public hearings at venues likely frequented by the general public in each area (grocery stores, gas stations, laundromats, etc). Provide additional notification (such as letters and news releases) to elected officials, media (traditional and electronic) and interest groups to more broadly inform their constituents and readers. Clearly explain in notification materials the format of the meeting (open house or dual-format) to clearly manage meeting attendee expectations.

- Offer and provide briefings to local elected officials, agencies, and other key stakeholders to inform them early in the process about the purpose of conducting the EIS and the purpose of and need for the proposed action.
 - Develop fact sheets and other informational materials on the proposed action and specific issues of stakeholder concern. Make informational materials available at public meetings, stakeholder meetings, briefings and online, and provide translated information in Hopi and Navajo to the extent practicable.
 - Provide multiple modes of communication with the public, including information repositories, the EIS project website, direct mailing, and electronic media.
 - Develop media kits, including all relevant informational materials, in addition to designating a central point of contact to whom the media can address all questions, and provide to media outlets expressing interest in the project.
- D. **Rapid Response.** There is always the potential for unforeseen circumstances to occur that call for immediate outreach and communication among the team and/or to specific audiences. This includes such events as local media coverage that demands an immediate response and requires correcting information. Time is of the essence in these and other emergency-type circumstances. As part of outreach planning and in coordination with OSM, a small, core Rapid Response team will be established with the ability and authority to prepare immediate communication protocol, plans, and materials.
- E. **Media Relations.** It is anticipated that this project will receive media attention and could potentially be a high-profile media story. Spokespersons for the project should be designated and may include the OSM project manager and OSM Public Affairs staff assigned to this project. Project spokespersons should be trained in media relations, project key messages and talking points prior to initial outreach and notifications for this project. Rapid response, described above, as well as a proactive media relations strategy can minimize incorrect information and biased media coverage.
- F. **Strategic Overriding Communication Objectives.** Strategic overriding communication objectives focus on what the communicator would like stakeholders to take away as a result of project communications. Strategic overriding communication objectives are essentially the take-home message, and for the EIS process, include the following:
- Ensure members of the public understand the EIS process, their role in the EIS process, and how their input will be used in making the final decision.
 - Encourage members of the public to provide comments and increase understanding that their comments are the mechanism by which they provide input for consideration in the final decision.
 - Ensure members of the public understand the purpose of the proposed action.
 - Ensure members of the public understand OSM's commitment to environmental protection and the public involvement process.

G. Key messages. Key messages are the actual written or spoken messages that support the strategic overriding communication objectives. Developing succinct and understandable key messages and using them consistently will ensure more successful and clear communication with stakeholders. Key messages also help ensure consistency when communicating with the public. Key messages include the following:

- The purpose of the EIS is to evaluate potential impacts from continued operation of the Four Corners Power Plant, establishment of the Pinabete portion of the Navajo Mine, renewal of the Navajo Mine Permit, and ROW renewal for the associated transmission lines.
- OSM's role is to conduct a comprehensive and sound environmental impact analysis and public involvement process in order to make a well-informed decision on the project proposal.
- OSM strives to provide thorough project information to enable members of the public to make informed and substantive comments on issues that may impact them.
- Becoming informed and submitting comments is your opportunity to be involved in the development of the EIS.

VIII. INITIAL PUBLIC OUTREACH AND SCOPING MEETINGS

Objective: Notify the public of intent to prepare an EIS, inform public of the proposed action, identify public role in the NEPA process, and receive public input on the proposed action, potential alternatives, and environmental considerations for development of the EIS.

A. Preparation Activities

1. **OSM Points of Contact and Spokespersons.** The OSM program manager would serve as the primary contact for ongoing interactions with stakeholders during the preparation of the EIS and as the point of contact for receiving official public comments. There may be a second point of contact that would handle media inquiries. The OSM program manager and the media point of contact would work closely to ensure consistency and accuracy of responses.
2. **Stakeholder Database.** A stakeholder database/ mailing list will be developed (Appendix F) using existing mailing list resources provided by OSM and cooperating agencies. It will be validated and updated over the course of the project. The list will be maintained in Excel format and coded by stakeholder category to facilitate data sorting.
3. **Project Website.** A project website will be created and maintained by OSM to provide EIS-related information to the public. When publicly available, the Draft and Final EIS documents will be posted to the website. The website address will be listed on all public materials and may include a function for submitting comments online.
4. **Information Repositories.** Public information repositories will be established and project-related materials will be sent to each as the materials become available. Potential information repository locations are listed in the following table.

Information Repository Locations	
Location	Address
Navajo Nation	
Navajo Nation Library	Highway 264 Loop Road Window Rock, AZ 86515
The Navajo Nation Division of Natural Resources, Minerals Department	P.O. Box 9000 Window Rock, AZ 86515
Hopi Reservation	
Hopi Public Mobile Library (Hopi Reservation)	1 Main St. c/o Hopi Education Department P.O. Box 123 Kykotsmovi, AZ 86039
Public Libraries	
Farmington Public Library	2101 Farmington Ave. Farmington, NM 87401
Shiprock Branch Library	US Highway 491 Shiprock, NM 87420
Albuquerque Main Library	501 Copper NW Albuquerque, NM 87102
Durango Public Library	1900 E. Third Ave. Durango, CO 81301
Cortez Public Library	202 N Park St. Cortez, CO 81321
Tuba City Public Library	P.O. Box 190 Tuba City, AZ 86045
Chinle Community Center	1 US Highway 191 Chinle, AZ 86503
Octavia Fellin Public Library (Gallup)	115 W. Hill Ave. Gallup, NM 87301
Chapter Houses	
Tiis Tsoh Sikaad (Burnham Chapter) House	P.O. 7359 Newcomb, NM 87455
Nenahnezad Chapter House	P.O. Box 438 Fruitland, NM 87416
Coalmine Canyon Chapter House	P.O. Box 1464 Tuba City, AZ 86045
Upper Fruitland Chapter House	P.O. Box 1257 Fruitland, NM 87416
Shiprock Chapter House	P.O. Box 3810 Shiprock, NM 87420

OSM Offices	
Office of Surface Mining Reclamation and Enforcement, Farmington Area Office	501 Airport Drive, Suite 208 Farmington, NM 87401
Office of Surface Mining Reclamation and Enforcement	1999 Broadway, Suite 3320 Denver, CO 80202-3050
BIA Offices	
Chinle Agency	P.O. Box 7H Chinle, AZ 86503
Eastern Navajo Agency	P.O. Box 328 Crownpoint, NM 87313
Fort Defiance Agency	P.O. Box 619 Fort Defiance, AZ 86504
Shiprock Agency	P.O. Box 3538 Shiprock, NM 87420
Western Navajo Agency	P.O. Box 127 Tuba City, AZ 86045
Ramah Navajo Agency	HC-16, Box 14 Ramah, NM 87321
Hopi Agency	P.O. Box 158 Keams Canyon, AZ 86034
Southern Pueblos Agency	P.O. Box 26567 Albuquerque, NM 87125
Southern Ute Agency	P.O. Box 315 Ignacio, CO 81137
Ute Mountain Ute Agency	P.O. Box KK Towaoc, CO 81334

B. Outreach Activities

1. **Federal Register Notice.** A Notice of Intent to prepare an EIS published in the Federal Register would begin the scoping public comment period for the EIS.
2. **Notification Advertisements.** A display advertisement announcing the preparation of the Draft EIS, opportunity for public comment, and scoping meeting dates, times, and locations will be placed in local newspapers. The first publication date would occur within 3 days of the Federal Register notice and at least 15 days prior to the local scoping meeting; the second and third publication dates would occur consecutively the day of and the day prior to the local scoping meeting (assuming the local newspaper is published daily).

Newspapers			
Meeting Location	Newspaper	Coverage/Circulation*	Publication Dates
Hotevilla, AZ August 9, 2012	Arizona Daily Sun (daily)	Flagstaff and Northern Arizona/ Cir 10,464	Tuesday, July 24, 2012** Wednesday, August 8, 2012 Thursday, August 9, 2012
	Navajo-Hopi Observer (Wednesdays)	Flagstaff/ Cir 15,000	Wednesday, July 25, 2012** Wednesday, August 1, 2012 Wednesday, August 8, 2012
	Hopi Tutuveni (1 st and 3 rd Tuesday of each month)	Hopi Reservation/ Cir 6,000	Tuesday, August 7, 2012
Cortez, CO August 10, 2012	Cortez Journal (Tuesdays, Thursdays, and Saturdays)	Montezuma County/ Cir 7,000	Tuesday, July 24, 2012** Tuesday, August 7, 2012 Thursday, August 9, 2012
	Four Corners Free Press (monthly)	Cortez/ Cir 2,500	Wednesday, August 1, 2012**
Burnham, NM August 11, 2012	San Juan Sun (Wednesdays)	San Juan County/ Cir 15,000	Wednesday, July 25, 2012** Wednesday, August 1, 2012 Wednesday, August 8, 2012
	The Daily Times (daily)	Farmington/ Cir 15,727	Tuesday, July 24, 2012** Friday, August 10, 2012 Saturday, August 11, 2012
Nenahnezad, NM August 13, 2012	San Juan Sun (Wednesdays)	San Juan County/ Cir 15,000	Wednesday, July 25, 2012** Wednesday, August 1, 2012 Wednesday, August 8, 2012
	The Daily Times (daily)	Farmington/ Cir 15,727	Tuesday, July 24, 2012** Sunday, August 12, 2012 Monday, August 13, 2012
Farmington, NM August 14, 2012	The Daily Times (daily)	Farmington/ Cir 15,727	Tuesday, July 24, 2012** Monday, August 13, 2012 Tuesday, August 14, 2012
	San Juan Sun (Wednesdays)	San Juan County/ Cir 15,000	Wednesday, July 25, 2012** Wednesday, August 1, 2012 Wednesday, August 8, 2012
Shiprock, NM August 15, 2012	San Juan Sun (Wednesdays)	San Juan County/ Cir 15,000	Wednesday, July 25, 2012** Wednesday, August 8, 2012 Wednesday, August 15, 2012
	The Daily Times (daily)	Farmington/ Cir 15,727	Tuesday, July 24, 2012** Tuesday, August 14, 2012 Wednesday, August 15, 2012
Durango, CO August 16, 2012	The Durango Herald (daily)	Durango/ Cir 8,409	Tuesday, July 24, 2012** Wednesday, August 15, 2012 Thursday, August 16, 2012
	The Durango Telegraph (Thursdays)	Durango/ Cir 5,500	Thursday, July 26, 2012** Thursday, August 9, 2012 Thursday, August 16, 2012

Window Rock, AZ August 17, 2012	Navajo Times (Thursdays)	Window Rock/ Cir 24,000	Thursday, July 26, 2012** Thursday, August 9, 2012 Thursday, August 16, 2012
	Gallup Independent (daily)	Gallup/ Cir 14,807	Tuesday, July 24, 2012** Thursday, August 16, 2012 Friday, August 17, 2012
	The Tribune-News (Wednesdays and Fridays)	Holbrook, Winslow, Navajo Nation/ Cir 4,464	Wednesday, July 25, 2012** Wednesday, August 15, 2012 Friday, August 17, 2012
Albuquerque, NM August 18, 2012	Albuquerque Journal (daily)	Albuquerque/ Cir 84,826	Tuesday, July 24, 2012** Friday, August 17, 2012 Saturday, August 18, 2012
<p>* Source: CisionPoint</p> <p>** This publication date is currently set at approximately 15 days prior to the first scoping meeting; however, the ad may be published sooner to better coincide with the publication of the Notice of Intent in the Federal Register.</p>			

3. **Postcard Mailer.** Postcard mailers notifying elected officials, regulatory agencies, community groups, potentially interested NGOs, media, and other identified stakeholders about the EIS, opportunity for public comment, and the scoping meetings will be sent via direct mail to the stakeholder mailing list concurrently with publishing the Notice of Intent in the Federal Register and in newspapers. The mailer will include a brief description of the proposed action; scoping meeting dates, times and locations; how the public can comment if they cannot attend a scoping meeting; comment period dates; and the project website address.
4. **Notification Fliers.** To further reach tribal community members and remote locations where interested stakeholders may reside, notification fliers will be disseminated, concurrently with the publication of the Notice of Intent in the Federal Register and in newspapers, to appropriate community centers, post offices, town halls, and other gathering places to inform the public of meeting dates and times including the comment period and how to submit comments. A list of potential locations would be developed and reviewed by the project team.
5. **News Release.** Electronic news releases to media outlets announcing intent to prepare an EIS; the dates and locations of the scoping meetings; how the public can comment; the comment period dates; and the project website, will be disseminated by OSM. Media outlets may include online media, television, radio and print newspapers. News releases may also be sent to NGOs as appropriate. Below is a list of some potential media outlets.

Newspapers

- Arizona Daily Sun, Flagstaff, Arizona
- Navajo-Hopi Observer, Flagstaff, Arizona
- Navajo Times, Window Rock, Arizona
- Albuquerque Journal, Albuquerque, New Mexico
- The Daily Times, Farmington, New Mexico

- Gallup Independent, Gallup, New Mexico
- San Juan Sun, San Juan County, New Mexico
- Cortez Journal, Cortez, Colorado
- The Durango Herald, Durango, Colorado
- The Durango Telegraph, Durango, Colorado
- Four Corners Free Press, Cortez, Colorado
- Hopi Tutuveni, Hopi Reservation (English)
- The Tribune-News, Holbrook, Winslow, Navajo Nation

Radio

- Navajo Nation Office of Broadcast Services
 - i. NNRN (Navajo Nation Radio Network) – Navajo and English Languages
 - ii. NNTV (Navajo Nation Television Network), Window Rock, Arizona (currently off-air)
- KHAC-KWIM, Window Rock, Arizona (radio) – Navajo Language
- KTBA, Tuba City, Arizona (radio) – Navajo and Hopi Languages
- KTNM, Window Rock, Arizona (radio) – Navajo Language
- KNDN, Farmington, New Mexico (radio) – Navajo Language
- KYAT, Gallup, New Mexico (radio) – Navajo Language
- KGLP, Gallup, New Mexico (radio)
- KUYI, Keams Canyon, Arizona (radio) – Hopi Language
- KDJI, Holbrook, Arizona (radio)
- KINO, Winslow, Arizona (radio)

Television

- KOB, Albuquerque, New Mexico (television)
- KOBH, Farmington and Four Corners, New Mexico (television)
- KRQE, Albuquerque, New Mexico (television)
- All Navajo TV Network, online streaming (currently off-air)

6. **Website.** The EIS project website will include information about the proposed action, alternatives, other aspects of the EIS; and public meeting dates, locations, times; and informational materials and notices. The website address is <http://www.wrcc.osmre.gov/FCPPEIS.shtm>.
7. **Stakeholder and Tribal Notification Letters.** Federal, state and local government agencies and elected officials with jurisdiction in the project area and anticipated to be interested in the proposed action will be sent a stakeholder notification letter regarding the intent to prepare an EIS. The letter will include a description of the proposed action and scoping meeting dates and locations. OSM will conduct government-to-government consultation with federally recognized tribes as appropriate.

8. **Risk Communication Training and Dry Run.** A risk communication training and dry run will be held for project team participants before the scoping meetings. The purpose of the training is to review risk communication principles and techniques; review key messages and discuss how difficult questions should be answered; address any other concerns and issues; and discuss details of room setup and information station assignments. A risk communication training and dry run is a very effective method to prepare the project team for interacting with stakeholders and the public and ensuring consistency of message. Project team participants should also be aware of basic culturally sensitive topics as well as how body language may be perceived.
9. **Scoping Meetings.** OSM will host open house style informational meetings. The purpose of the meetings is to inform the public about the proposed action and NEPA process and to request input from the public on the issues to be addressed in the EIS as well as alternative actions to be analyzed. The meetings will be comprised of visual displays/poster stations and will be staffed by team members to answer questions. Scoping meetings at Tiis Tsoh Sikaad (Burnham) and Nenahnezad Chapter Houses may also serve as informal conferences for the OSM’s SMCRA-related public participation.

Scoping Meetings		
Meeting Date	Venue	Location
Thursday, August 9, 2012	Hotevilla Village	Hotevilla, Arizona
Friday, August 10, 2012	Montezuma–Cortez High School	Cortez, Colorado
Saturday, August 11, 2012	Tiis Tsoh Sikaad (Burnham) Chapter House	Burnham, New Mexico
Monday, August 13, 2012	Nenahnezad Chapter House	Fruitland, New Mexico
Tuesday, August 14, 2012	Farmington Civic Center	Farmington, New Mexico
Wednesday, August 15, 2012	Shiprock High School	Shiprock, New Mexico
Thursday, August 16, 2012	Durango Public Library	Durango, Colorado
Friday, August 17, 2012	Navajo Nation Museum	Window Rock, Arizona
Saturday, August 18, 2012	Indian Pueblo Cultural Center	Albuquerque, New Mexico

10. **Fact Sheets.** Fact sheets will be developed during the course of the project to provide information to the public about the proposed action and clarify areas of possible concern or misperception. Fact sheets will be made available at public meetings, in the information repositories and posted on the project website. Topics, as determined by the project team, may include:

- Proposed action, alternatives currently under consideration, purpose and need
- NEPA process and how to develop and submit substantive comments
- Threatened and endangered species
- Air quality

11. **Posters.** Poster displays will provide information about the proposed action and the EIS process. Posters will be developed on topics as determined by the project team, which may include:
 - Welcome
 - Map(s) of the study area
 - Proposed action and alternatives, purpose and need
 - Brief explanation of OSM and SMCRA with examples of surface mine reclamation at Navajo Mine
 - Basic roles of each cooperating agency
 - NEPA process and community involvement
 - Environmental resources
 - Socioeconomic and environmental justice
 - About the coal mine
 - About the Four Corners Power Plant
 - U.S. Army Corps of Engineers Section 404 permitting for impacts to waters of the United States from proposed mining activities and power plant
 - Threatened and endangered species and other issues of potential concern to stakeholders
 - Section 106 of the National Historic Preservation Act
 - Air quality
12. **Handouts.** Four handouts may be developed and made available to the public at the corresponding information stations. Handouts will include a comment form and poster station overview to guide attendees through the poster stations.
13. **Project Video.** A project video will be produced to show at the scoping meetings, briefings, and other appropriate venues. The video will be translated into both Navajo and Hopi. It is anticipated that some locations may not welcome the video and thus the video would not be shown. The video may also be enclosed with the stakeholder and tribal notification letters as an introduction to the project.
14. **Media Kits.** Media kits will be prepared and will include fact sheets, handouts, and the news release announcing the intent to prepare an EIS. Media kits will be distributed to members of the media attending the scoping meetings.
15. **Comments.** Comment forms will be available at the information repositories, the project website, and at each open house poster station. Project team members will encourage members of the public to fill out written comment forms. Comment forms may include instructions on how to compose a comment so it can be considered substantive. Certified court reporter(s) will be available at the scoping meetings for members of the public who may wish to provide their comments orally.

16. **Court Reporters and Interpreters.** One or two certified court reporters will be available at each scoping meeting to receive oral comments. The court reporter(s) will provide certified transcripts of the oral comments received at each meeting. One or two Hopi and Navajo interpreters will also be available at the scoping meetings.
17. **Special Services.** As needed, provisions will be made at the scoping meetings for hearing-impaired individuals if notified in advance. Individuals attending scoping meetings are expected to arrive using personal or public transportation. Scoping meeting locations will be wheelchair accessible and compliant with the Americans with Disabilities Act. Security will be arranged for the scoping meetings as needed.

C. Post-Meeting Activities

1. **Public Comment Compilation and Review.** Written comments will be compiled, categorized and distributed to the EIS project team. An internal team meeting will be held to discuss and consider comments.
2. **Public Involvement Summary Report.** A summary report (Appendix B) of the notifications, informational materials and scoping meetings will be developed.
3. **Mailing List Update.** The project mailing list will be updated with additional names and addresses obtained during the public comment period from meeting attendance lists and written/oral comments. The mailing list will continue to be updated with additional names and addresses of individuals requesting EIS information.
4. **Website Update.** The EIS project website will be updated with additional information regarding the proposed action and the project's status in the NEPA process.

IX. DRAFT EIS ACTIVITIES

Objective: Receive public comments on the content of the Draft EIS. Efforts focus on the content of the Draft EIS and include the public release of the Draft EIS, notifications and public meetings.

A. Outreach for the Public Release of the Draft EIS

1. **Federal Register Notice.** A Notice of Availability of the Draft EIS published in the Federal Register would begin the public comment period for the Draft EIS, which would be a minimum of 45 days.
2. **Notification Advertisements.** An advertisement announcing the availability of the Draft EIS, opportunity for public comment, and public meeting dates, times, and locations will be placed in the aforementioned newspapers. The first publication date would occur within 3 days of the Federal Register notice and at least 15 days prior to the local public meeting; the second and third publication dates would occur consecutively the day of and the day prior to the local public hearing (assuming the local newspaper published daily).
3. **Postcard Mailer.** Postcard mailers notifying elected officials, regulatory agencies, community groups, potentially interested NGOs, media, and other identified stakeholders about the availability of the Draft EIS, opportunities for public comment, and the public hearings will be sent via direct mail to the stakeholder mailing list concurrently with publishing the Notice of Availability in the Federal Register and appropriate newspapers. The mailer will include a brief description of the proposed action; the hearing dates, times and locations; how the public can comment if they cannot attend a hearing; comment period dates; and the project website address.

4. **Notification Fliers.** To further reach tribal community members and remote locations where interested stakeholders may reside, notification fliers will be disseminated, concurrently with the publication of the Notice of Availability in the Federal Register, to appropriate community centers, post offices, town halls, and other gathering places to inform the public of hearing dates and times including the comment period and how to submit comments.
5. **News Release.** News releases will be distributed to media outlets. News releases will announce the availability of the Draft EIS, the dates and locations of the public hearings, how the public can comment, the comment period dates, and the project website. Dissemination of news releases will be conducted by OSM and will be timed appropriately to give the public adequate notification of the comment period and the meeting dates. Media outlets may include online media, television, radio and print newspapers. News releases may also be sent to NGOs as appropriate.
6. **Website.** The Draft EIS will be posted on the project website. The website will also be updated to include public meeting dates, locations and times.
7. **Stakeholder and Tribal Notification Letters.** Federal, state and local elected officials and government officials with jurisdiction in the project area and anticipated to be interested in the proposed action and analysis results will be notified of the release of the Draft EIS. The letter may include a CD version of the Draft EIS. OSM would continue established government-to-government consultation with federally recognized tribes.
8. **Draft EIS Distribution.** The Draft EIS will be produced and mailed to appropriate regulatory agencies and information repositories. Stakeholders and individuals requesting a copy may receive a hard copy or electronic format, to be determined by the project team. The mailing of the Draft EIS may be enclosed with the stakeholder notification letter. An electronic version will be posted to the website.
9. **Risk Communication Training and Dry Run.** A risk communication training and dry run will be held for project team participants to prepare for the Draft EIS public hearings. The purpose of the training and dry run will be to review all materials that will be used at the public hearings, discuss details of room set-up and information station assignments, review risk communication principles and techniques, establish ground rules and talking points for project team participants, review scripts and presentation, review and discuss how frequently asked and/or difficult questions should be answered, and address any other concerns and issues. A dry run of the hearing presentation will also be conducted.
10. **Public Meetings.** OSM will host dual format public meetings to solicit comments from the public on the content, adequacy and accuracy of the Draft EIS. The first portion of the meeting will be an open house style information session comprised of poster stations and other visual displays; the second is a brief presentation and oral comment opportunity. The open house style information session will be informal and allow participants to converse with project team members and other personnel assigned to poster stations.

The open house format of the meetings meets the needs of people who are uncomfortable with public speaking. Providing a format where individuals can ask questions and receive answers gives the public an opportunity to have one-on-one contact with OSM, cooperating agencies and project team members. This contact promotes familiarity that leads to greater civility during the formal presentation session that would follow. The information session also promotes more constructive and relevant public comments since many issues are clarified in the process.

11. **Fact Sheets.** Fact sheets will be prepared to support the public involvement process. Fact sheets will be made available at public meetings, in the information repositories and posted on the website. Topics for the fact sheets will be selected by the project team.
12. **Posters.** Poster displays will provide information about the proposed action, alternatives, and Draft EIS findings. Posters will be developed on topics as determined by the EIS team.
13. **Handouts.** Handouts will be developed and made available to the public at corresponding open house poster stations; comment forms will be available at each poster station. Handouts will include comment forms and a poster station overview to guide attendees through the poster stations.
14. **Project Video.** The project video may be updated to display at the open house portion of the public meetings, briefings, and other appropriate venues. The video will be translated into both Navajo and Hopi.
15. **Media Kits.** Media kits will be prepared and will include fact sheets, handouts, and the news release announcing the availability of the Draft EIS. Media kits will be distributed to members of the media attending the public meetings.
16. **Court Reporters and Interpreters.** One or two certified court reporters will be available at each public meeting to receive oral comments. The court reporter(s) will provide certified transcripts of the oral comments received at each meeting. One or two Hopi and Navajo interpreters will also be available at the public meetings and would provide translation to project team members and the court reporter.
17. **Public Briefing Presentation.** A presentation will be made to attendees after the open house and prior to oral testimony. The presentation will last approximately 20 minutes and cover the following:
 - The NEPA process and the purpose of the public meeting
 - The purpose and need for the proposed action
 - Details of the proposed action and alternatives analyzed in the Draft EIS
 - A summary of potential environmental impacts as documented in the Draft EIS findings
18. **Oral Comments.** A more conventional hearing will be convened by a moderator and will commence up to two hours after the beginning of the open house information session. The moderator will open the meeting, explain the hearing's purpose, outline the agenda, and state the ground rules for participation. A brief presentation will describe the project and its place in the NEPA process. Following the presentation, the moderator will open the oral comment session, call public speakers to the lectern in the order in which they signed up, and enforce a three-minute time limit for oral comments. The formal portion of the meeting will be recorded by a certified court reporter.

19. **Speaker Request Card.** Those who wish to make oral comments will be asked to fill out a speaker request card, located at the reception table and throughout the venue. Commenters will be called to make their comments in the order in which they signed up and will have three minutes to provide oral comments. Each individual may speak only once and the combining of speaking times is not permitted. It will be noted that written and oral comments will be given the same consideration.
20. **Alternative Comments Station.** In order to maximize opportunities for input, written comment forms, a certified court reporter, and a digital voice recorder will also be made available at a separate public comments station.
21. **Special Services.** As needed, provisions will be made at public meetings for hearing-impaired individuals if notified in advance. Individuals attending public meetings are expected to arrive using personal or public transportation. Public meeting locations will be wheelchair accessible and compliant with the Americans with Disabilities Act. Security will be arranged for the public meetings as needed.

B. Post-Meeting Activities

1. **Comment Compilation and Review.** Written comments will be compiled, categorized and distributed to the EIS project team. Public comments, whether individually addressed or summaries (as appropriate), will be included in the Final EIS. An internal project team meeting will be held to discuss and consider comments.
2. **Public Involvement Summary Report.** A summary report (Appendix C) of the notifications, informational materials and public meetings will be developed.
3. **Mailing List Update.** The project mailing list will be updated with additional names and addresses obtained during the public comment period from meeting attendance lists and written/oral comments. The mailing list will continue to be updated with additional names and addresses of individuals requesting EIS information.
4. **Website Update.** The project website will be updated with additional information regarding the proposed action and the project's status in the NEPA process.

X. FINAL EIS ACTIVITIES

Objective: Notify the public of the completion of the environmental review process. These efforts include the public release of the Final EIS and notifications (Appendix D).

A. Notification of the Public Release of the Final EIS

1. **Federal Register Notice.** A Notice of Availability of the Final EIS published in the Federal Register would begin the 30-day wait period of the NEPA process.
2. **Notification Advertisements.** A display advertisement announcing the availability of the Final EIS will be placed in the aforementioned newspapers after the Notice of Availability is printed in the Federal Register.
3. **Postcard Mailer.** Postcard mailers announcing the availability of the Final EIS will be sent via direct mail to the stakeholder mailing list concurrently with the publishing of the Notice of Availability in the Federal Register.

4. **Notification Fliers.** To further reach tribal community members and remote locations where interested stakeholders may reside, notification fliers announcing the availability of the Final EIS will be disseminated, concurrently with publishing the Notice of Availability in the Federal Register, to appropriate community centers, post offices, town halls, and other gathering places.
5. **News Release.** OSM will issue electronic news releases announcing the availability of the Final EIS.
6. **Website.** The Federal Register notice, newspaper advertisements, fact sheets, other informational materials, and the Final EIS will be posted on the project website.
7. **Stakeholder and Tribal Notification Letters.** Appropriate federal, state, and local agencies, government officials, and federally recognized tribes will be notified of the Final EIS release and will be provided with additional information and/or briefings as requested. Follow-up phone calls will be conducted as needed. The letter may include a CD version of the Final EIS.
8. **Final EIS Distribution.** The Final EIS will be produced and mailed to appropriate regulatory agencies and information repositories. Stakeholders and individuals requesting a copy may receive a hard copy or electronic format, to be determined by the project team. The mailing of the Final EIS may be included as an enclosure with the stakeholder notification letter. An electronic version will be posted to the website.

XI. PUBLICATION OF THE RECORD OF DECISION

Objective: Notify the public of the availability of the Record of Decision (ROD). These efforts include public notifications (Appendix E).

A. *Notification of the Availability of the ROD*

1. **Federal Register Notice.** A Notice of Availability of the ROD is published in the Federal Register.
2. **Notification Advertisements.** A Notice of Availability display advertisement announcing the availability of the ROD will be placed in the aforementioned newspapers after the Notice of Availability is printed in the Federal Register.
3. **Postcard Mailer.** Postcard mailers announcing the availability of the ROD will be sent via direct mail to the stakeholder mailing list concurrently with publishing the Notice of Availability in the Federal Register and newspapers.
4. **Notification Fliers.** To further reach tribal community members and remote locations where interested stakeholders may reside, notification fliers announcing the availability of the ROD will be disseminated, concurrently with publishing the Notice of Availability in the Federal Register and newspapers, to appropriate community centers, post offices, town halls and other gathering places.
5. **News Release.** Electronic news releases announcing the availability of the ROD and a summary of the decision made will be disseminated to identified media outlets.
6. **Website.** The project website will be updated and will remain active for six months after the ROD.

XII. APPEAL

[It may be anticipated that an appeal of the EIS would be filed. Stakeholder involvement and outreach for an anticipated appeals process would be included here, including information on issues, challenges, consultation, and public meetings as appropriate.]

XIII. PERSONNEL RESPONSIBILITIES

A. OSM Program Manager

1. Serve as the point of contact for APS, BNCC, cooperating agencies, regulatory agencies, contractors, and public inquiries.
2. Oversee the implementation of the PIP, including approval of notification and informational materials, ensuring appropriate personnel have reviewed and approved materials before their distribution.
3. Provide resources as necessary and available for successful execution of the PIP.
4. Support government-to-government consultation with federally recognized tribes.
5. Support public meetings. Coordinate project staff attendance at meetings, trainings and dry runs.
6. Oversee the compilation of comments for preparation of the Draft and Final EIS.
7. Work with contractor and appropriate personnel to develop and maintain website.
8. Provide technical direction to contractor providing assistance in executing above responsibilities.

B. OSM Media Point of Contact

1. In coordination with the OSM program manager, serve as a point of contact for ongoing interactions with the media during the preparation of the EIS and news media queries regarding the EIS process and public meetings. Relay inquiries to appropriate team members for technical assistance.
2. Review public involvement/informational materials and website content.
3. Attend material review meetings, trainings and dry runs.
4. Ensure consistency of project information and messages.
5. Distribute news releases.
6. Provide onsite public affairs support for the public meetings.

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1. Develop and maintain stakeholder database.
2. Develop key messages and provide strategic assistance.
3. Develop and place Federal Register notice, advertisements and notifications.
4. Develop and reproduce materials for public meetings, including fact sheets, posters, handouts, and media kits.

5. Provide support for development of project website content.
6. Develop project video.
7. Establish and maintain information repositories.
8. Host risk communication/message trainings and dry runs.
9. Coordinate public meeting logistics, including venues, equipment, interpreters and court reporters.
10. Assist with outreach efforts in Tribal communities as necessary.
11. Make arrangements for holding scoping meetings and public hearings in Tribal communities, including but not limited to: identify a facility, organize room layout, identify and coordinate with a local host, identify and coordinate with a lead translator (Navajo / Hopi), identify several facilitators also fluent in the language to assist with the meeting, and coordinate other accommodations as necessary.
12. Assist with compilation and categorization of public comments.
13. Develop public involvement summary reports.

XIV. REFERENCES

- A.** Council on Environmental Quality (CEQ) NEPA Regulations, 40 Code of Federal Regulations § 1501.4 (2005).
- B.** Department of the Interior Departmental Manual, Series 31 Environmental Quality Programs, Part 516 National Environmental Policy Act of 1969, Chapter 1.7 (2009) and Chapter 13 (2004).
- C.** The National Environmental Policy Act (NEPA) of 1969, 42 United States Code. 4321, as amended.
- D.** National Historic Preservation Act (16 U.S.C. § 470f) as provided for in 36 Code of Federal Regulations § 800.2(d)(3).

APPENDIX A. SCOPING IMPLEMENTATION SCHEDULE

DATE	EVENT	ACTION
[TBD]	Notice of Intent published in Federal Register	OSM
(See Section VIII.B.2)	Display advertisement runs in newspapers	K&A
Concurrent with Federal Register notice	Stakeholder notification letters (signed) mailed	K&A/Cardno /OSM
Concurrent with Federal Register notice	Website live/updated	OSM
Concurrent with Federal Register notice	Postcard announcements are mailed	K&A
Concurrent with Federal Register notice	Notification fliers are disseminated	K&A
Concurrent with Federal Register notice	News release distributed	OSM
Within two days of availability at scoping meetings	Fact sheets sent to information repositories (libraries)	K&A
[TBD]	Risk Communication training and dry run	K&A
Aug. 9, 2012, through Aug. 18, 2012	Scoping meetings	EIS Team
To commence as public comments are received	Review of public comments	EIS Team

APPENDIX B. PUBLIC INVOLVEMENT SUMMARY REPORT FOR SCOPING - TBP

APPENDIX C. PUBLIC INVOLVEMENT SUMMARY REPORT FOR DRAFT EIS - TBP

APPENDIX D. FINAL EIS NOTIFICATIONS - TBP

APPENDIX E. RECORD OF DECISION NOTIFICATIONS - TBP

APPENDIX F. STAKEHOLDER DATABASE - TBP