

## **CHAPTER 6**

# **PUBLIC INVOLVEMENT**

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### PUBLIC INVOLVEMENT PROCESS

The Air Force's environmental impact analysis process (AFI 32-7061) outlines the necessary requirements for public involvement as well as agency and government-to-government consultation when preparing an EIS. For RBTI, public involvement, agency consultation, and government-to-government relations have been conducted in accordance with AFI 32-7061, NEPA and its associated CEQ regulations, and other applicable laws and regulations.

#### **PUBLIC INVOLVEMENT**

AFI 32-7061 and CEQ regulations require an early and open process for identifying significant issues related to a proposed action and obtaining input from the public prior to making a decision that could significantly affect the environment. These regulations specify public involvement at various times during the development of an EIS. The public involvement process followed by the Air Force for RBTI has included:

- Community meetings prior to issuing a Notice of Intent (NOI) to prepare the RBTI EIS;
- Scoping comment period and meetings;
- Intergovernmental/ Interagency Coordination of Environmental Planning (IICEP) and agency consultation;
- Newsletters;
- Additional attendance at public meetings following the official scoping period; and
- Public comment period and hearings.

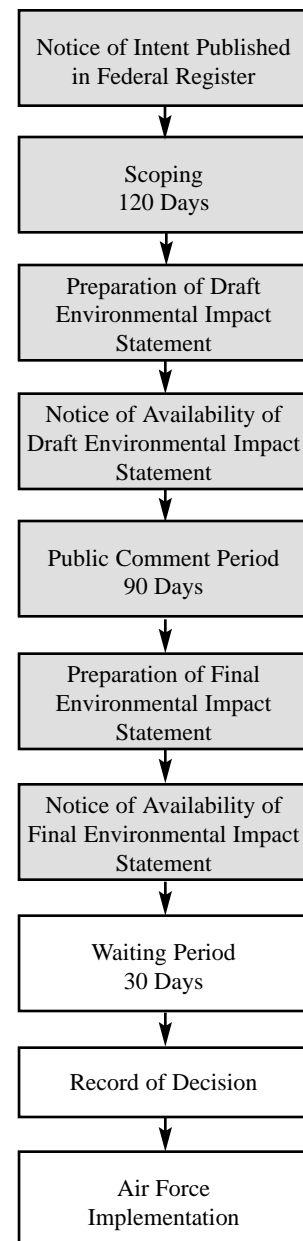
**Community Meetings.** Efforts for early public involvement began in December 1997, prior to issuance of the NOI to prepare the RBTI EIS. These efforts consisted of six informal community meetings in Texas and New Mexico. Representatives from Dyess and Barksdale AFBs met with community members in Texas (Monahans, Crane, and Ft. Davis) and New Mexico (Roy, Santa Rosa, and Santa Fe) to gain input on the RBTI alternative identification process. These meetings were announced, in advance, in local newspapers and through other media sources. At the meetings, the Air Force described the ideas behind RBTI and then discussed them with the attendees. Input from these community meetings helped shape the RBTI proposal and alternatives.

**Scoping Comment Period and Meetings.** Official notification of the Air Force RBTI proposal began with publication of the NOI on December 19, 1997, in the Federal Register. This started the scoping period during which the Air Force solicited comments from the public, interest groups, and agencies to help define the scope of analysis for the EIS and to aid in identification of additional alternatives. Press releases announcing the NOI publication were sent that same day to 50 newspapers covering the potentially affected areas in Texas, New Mexico, Arkansas, and Colorado.

In the week that followed, approximately 100 letters were sent to local, state, and federal government agencies and organizations outlining the Air Force proposal and announcing scoping meetings. This notification was performed as part of IICEP (described below). Then, during the first week of January 1998, another set of press releases was faxed to the same 50 newspapers to announce the

#### **The EIS Timeline**

 Accomplished Thus Far



locations and schedule for scoping meetings. Advertisements were also placed in local newspapers a week before the meetings. They included in Texas, Alpine Avalanche, Pecos Enterprise, Snyder Daily News, The Big Lake Wildcat, and The Van Horn Advocate; in New Mexico, Quay County Sun (Tucumcari), The Taos News, Union County Leader (Clayton), and Harding County Leader (Roy); in Arkansas, Boone County Headlight (Harrison); and in Colorado, La Junta Tribune-Democrat. The press releases and notices described the proposal and alternatives. They also provided the time, dates, and locations of the meetings.

In late January and early February 1998, scoping meetings were held in the following communities:

- New Mexico: Clayton, Roy, Tucumcari, and Taos
- Texas: Snyder, Pecos, Van Horn, Alpine, and Big Lake



Meetings were also held in Harrison, Arkansas, and La Junta, Colorado, due to the proposed decommissioning of Air Force Electronic Scoring Site facilities at both locations. The official scoping comment period continued from the NOI publication (December 19, 1997) until February 17, 1998. However, this period was extended to April 3, 1998, in response to public interest. About 530 people attended these 11 scoping meetings and almost 250 provided comments. In addition, the public and agencies submitted about 300 comment letters during the scoping period. All comments and letters were reviewed and used to help develop the scope of analysis for the draft EIS (refer to section 2.5).

***IICEP and Agency Consultation.*** IICEP is a federally mandated process for informing and coordinating with other governmental agencies regarding proposed actions. Both NEPA and CEQ regulations require intergovernmental notification prior to making any detailed statement of environmental impacts. Through the IICEP process, concerned federal, state, and local agencies must be notified and allowed sufficient time to evaluate potential environmental impacts of a proposed action. In total, over 100 IICEP letters were sent to agencies and officials including (but not limited to) the FWS, Texas Parks and Wildlife Department, New Mexico Game and Fish, Governors' offices, as well as the State Historic Preservation Officers (SHPOs) in Texas, New Mexico, Colorado, and Arkansas. The FAA, although a cooperating agency for the RBTI EIS, was also included in the IICEP letter distribution. In addition, elected officials from New Mexico, Texas, Colorado, Arkansas, and Louisiana were notified of the proposal. Comments from these agencies and officials were reviewed for incorporation into the environmental analysis.

The IICEP process, which began in January 1998, also offered the Air Force the opportunity to seek data on resources under the jurisdiction of the agency or organization, and to gather information on issues with the RBTI proposal. In particular, the SHPOs from New Mexico and Texas, as well as the regional offices of the FWS, provided important data used in the EIS analysis. Meetings with several agencies have been conducted, including those with the FWS as part of consultation for Section 7 of the Endangered Species Act (refer to section 4.3 for further discussion of this consultation).

**Newsletters.** To provide additional information on the proposal and the environmental impact analysis process, the Air Force has, to date, sent out three newsletters to interested members of the public and agencies. Newsletter One was mailed to those agencies and individuals that had received IICEP letters. Sent two weeks prior to the scoping meetings, this newsletter described the proposal and alternatives, provided maps illustrating project elements, solicited public comments, and identified an Air Force point-of-contact for those wishing to gather more information. Newsletter Two, sent out following completion of the scoping period, was distributed to all those who received Newsletter One as well as to people who attended scoping meetings or submitted scoping comment letters. This newsletter, sent to over 900 individuals or agencies, described the results of scoping and previewed the next steps in the environmental impact analysis process. Newsletter Three announced the public comment period and the times and locations for public hearings. This newsletter was sent out prior to public distribution of the draft EIS to over 1,000 recipients.

**Post-Scoping Public Meetings.** Further public involvement came in April 1998 (following the formal scoping period), when Air Force representatives were invited to participate in two meetings held in Taos and Angel Fire by New Mexico Senators Domenici and Bingaman. As invited speakers, the Air Force presented the RBTI proposal. After the presentation, interest groups and the public had the opportunity to present their views and comments. While not part of the formal scoping process, the Air Force considered the comments raised at these meetings in the preparation of the draft EIS. Over 370 people attended in Taos and about 180 in Angel Fire; approximately 50 commentators spoke at each location.

**Public Comment Period.** The public comment period provided opportunities for government agencies, interest groups, and the public to express concerns regarding analyses conducted for the draft EIS. The official public comment period began with the publication of the Notice of Availability (NOA) on March 19, 1999, in the Federal Register. Over 900 copies of the draft EIS were sent out for public and agency review, including copies to approximately 50 public libraries. In addition, an electronic copy of the draft EIS and appendices was available via the Air Force web site. A six-page newsletter summarizing the proposal and alternatives and soliciting public comments was also distributed to over 900 individuals.

To further inform the public of the draft EIS availability, press releases were sent to approximately 50 newspapers in Texas, New Mexico, Arkansas, and Colorado. All press releases, newspaper advertisements, and newsletters invited the public to express their concerns. In response to the public, a 45-day extension was granted; therefore, the official comment period ended on June 16, 1999.

During the 90-day comment period, public hearings were conducted in communities potentially affected by the proposed action. Fifteen meetings were held in 11 locations in New Mexico (Roy, Angel Fire, Dulce, and Taos), Texas (Abilene, Snyder, Pecos, Alpine, and Big Lake), Harrison, Arkansas and La Junta, Colorado. Meetings in Arkansas and Colorado were held due to the proposed closure of the Air Force Electronic Scoring Site facilities. To ensure proper public notification of the public hearings, notices were placed, at least one week prior to the meetings, in 14 local newspapers advertising the time, dates and location of the meetings. During the hearing meetings, the public was given three means for comment: verbal testimony, written comment sheets, and computerized comment forms.

The public hearings were divided into three sessions. The first session was an "open house" format where displays were presented and Air Force personnel were available for individual questions. The second session was a formal presentation of the proposal and alternatives by the Air Force. The third session allowed the public to



provide verbal comments on the draft EIS. The verbal testimony was presided over by a judge and everyone was allowed a three-minute chance to speak. If time allowed, speakers were allowed additional time to testify. A court reporter recorded all testimony verbatim. The total attendance for all meetings was 1,576 people, with 387 oral and 246 written comments received. In addition, over 1,110 letters were received.

While RBTI public participation opportunities were designed to meet the requirements of NEPA, it was the Air Force's intent to provide the highest level-of-effort and go beyond these basic requirements. The goal was to provide everyone interested in RBTI an ample opportunity to review the information, ask questions, discuss concerns, and provide comments.

#### ***GOVERNMENT-TO-GOVERNMENT CONSULTATION***

Several laws and regulations require federal agencies to notify or consult with Native American groups or otherwise consider their interests when planning and implementing federal undertakings. In particular, the *Memorandum on Government-to-Government Relations with Native American Tribal Governments*, *Executive Order 13084*, and *DoD Policy on Indian and Native Alaskan Consultation* specifies the commitment to develop more effective day-to-day working relationships with sovereign tribal governments. As part of Government-to-Government Consultation for RBTI, 32 tribes and/or tribal-affiliated organizations that historically resided in the affected area were notified. At their request, ongoing discussions and consultations have continued throughout the NEPA process with the Jicarilla Apache Tribe and the Taos Pueblo in New Mexico.