

Appendix A – Scoping Exhibits

Exhibit A – Federal Register Notice

Exhibit B – Display Advertisement

Exhibit C – Postcard Mailer

Exhibit D – Stakeholder Notification Letter

Exhibit E – Public Service Announcement

Exhibit F – Public Service Announcement Distribution Database

Exhibit G – Notification Flier

Exhibit H – Notification Flier Distribution Database

Exhibit I – Information Repository Locations Database

Exhibit J – Open House Scoping Meeting Internal Room Layout and Staffing Plan

Exhibit K – Fact Sheet Booklet

Exhibit L – Poster Station Overview Handout

Exhibit M – Comment Form

Exhibit N – Informal Conference Fact Sheet

Exhibit O – Informal Conference Comment Form

Exhibit P – Poster Displays

Exhibit Q – Recipients of Project Overview Video

Exhibit R – Recipients of Scoping Meeting Poster Stations Video

Exhibit S – Scoping Comment Period Extension Notifications

Exhibit T – Media Log

Appendix

Exhibit A – Federal Register Notice

1



Federal Register / Vol. 77, No. 138 / Wednesday, July 18, 2012 / Notices

42329

the BLM has determined that these proposed supplementary rules would not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Executive Order 12988, Civil Justice Reform

The BLM has determined that these proposed supplementary rules would not unduly burden the judicial system and that they meet the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

The BLM has found that these proposed supplementary rules do not include policies that would have tribal implications.

Information Quality Act

The Information Quality Act (Section 515 of Pub. L. 106–554) requires Federal agencies to maintain adequate quality, objectivity, utility, and integrity of the information that they disseminate. In developing these supplementary rules, the BLM did not conduct or use a study, experiment, or survey or disseminate any information to the public.

Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

These proposed supplementary rules would not constitute a significant energy action. The proposed supplementary rules would not have an adverse effect on energy supplies, production, or consumption, and have no connection with energy policy.

Paperwork Reduction Act

These proposed supplementary rules do not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

Author

The principal author of these supplementary rules is Stanley Buchanan, Boise District Law Enforcement Ranger, Bureau of Land Management.

For the reasons stated in the Preamble, and under the authority of 43 CFR 8365.1–6, the Morley Nelson Snake River Birds of Prey NCA, Bureau of Land Management, proposes to issue supplementary rules for BLM-administered lands covered under the Snake River Birds of Prey NCA RMP, to read as follows:

Supplementary Rules for the Morley Nelson Snake River Birds of Prey National Conservation Area

Definitions

Rock Climbing: A sport/technique in which participants climb up, down or across natural rock formations, usually with ropes and other equipment. Rock climbing is similar to scrambling (another activity involving the scaling of hills and similar formations), but climbing is generally differentiated by its sustained use of hands to support the climber's weight as well as to provide balance.

Rappelling: A descent of a vertical surface, as a cliff or wall, by sliding down a belayed rope that is passed under one thigh and over the opposite shoulder or through a device that provides friction, typically while facing the surface and performing a series of short backward leaps to control the descent.

Improved Campsite: A specific location identified by the BLM for camping. Improved campsites include individual sites in developed campgrounds and developed recreation sites for camping that may or may not contain picnic tables, shelters, parking sites, and/or grills. All improved campsites are identified by a BLM map or sign.

Open Fires: Any fire not in a BLM-approved metal fire ring.

On BLM-administered public land within the Morley Nelson Snake River Birds of Prey National Conservation Area, you must comply with the following supplementary rules:

1. Rock climbing and rappelling are prohibited on all lands administered by the BLM within the NCA.
2. Open fires are prohibited on all lands administered by the BLM within the NCA. Campfires may only be located on improved campsites within BLM-approved metal fire rings on all lands administered by the BLM within the NCA. Additional restrictions may be imposed during periods of high fire danger.
3. Paintball guns and equipment may not be used within the Snake River Canyon or within ¼ mile of the canyon rim.

Penalties: On public lands under Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a) and 43 CFR 8360.0–7, any person who violates any of these supplementary rules may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months or both. Such violations may also be subject to

enhanced fines provided for by 18 U.S.C. 3571.

Steven A. Ellis,

Bureau of Land Management, State Director, Idaho.

[FR Doc. 2012–17448 Filed 7–17–12; 8:45 am]

BILLING CODE 4310-GG-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Notice of Intent To Initiate Public Scoping and Prepare an Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine Energy Project

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of Intent to initiate public scoping and prepare an Environmental Impact Statement.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4231–4347; the Council on Environmental Quality's (CEQ) regulations for implementing NEPA, 40 CFR Parts 1500 through 1508; and the Department of the Interior's (DOI) NEPA regulations, 43 CFR Part 46, the Office of Surface Mining Reclamation and Enforcement (OSM), Western Region (WR), Denver, Colorado, intends to prepare an Environmental Impact Statement (EIS). The EIS will analyze the impacts for several related actions. It will analyze impacts for the BHP Navajo Coal Company (BNCC) Proposed Pinabete Permit and for the Navajo Mine Permit Renewal, both of which are located on the Navajo Reservation in San Juan County, New Mexico. The EIS will also analyze the impacts for the Arizona Public Service Company (APS) Proposed Four Corners Power Plant (FCPP) lease amendment, located on the Navajo Reservation in San Juan County, New Mexico, and associated transmission line rights-of-way renewals for lines located on the Navajo and Hopi Reservations in San Juan County, New Mexico and Navajo, Coconino and Apache Counties in Arizona. The EIS will also analyze impacts for the Public Service Company of New Mexico (PNM) transmission line rights-of-way renewal associated with the FCPP and located on the Navajo Reservation in New Mexico. This Notice refers to these proposals collectively as the "Project." OSM is requesting public comments on the scope of the EIS and significant issues that should be addressed in the EIS.

DATES: This notice initiates the public scoping process. To ensure consideration in developing the draft EIS, we must receive your electronic or written comments by the close of the scoping period on September 17, 2012. At the scoping meetings, the public is invited to submit comments and resource information, and identify issues or concerns to be considered in NEPA compliance process.

We will host public scoping meetings where you may submit written and oral comments. These open house public scoping meetings will be held at the following locations:

- Hotevilla, Arizona, on Thursday, August 9, 2012, from 3:00 p.m. to 7:00 p.m. at the Hotevilla Village.
- Cortez, Colorado, on Friday, August 10, 2012, from 5:00 p.m. to 9:00 p.m. at the Montezuma-Cortez High School.
- Burnham, New Mexico, on Saturday, August 11, 2012, from 9:00 a.m. to 1:00 p.m. at the Burnham Chapter House, Navajo Indian Reservation.
- Nenahnezad, New Mexico, on Monday, August 13, 2012, from 5:00 p.m. to 9:00 p.m. at the Nenahnezad Chapter House, Navajo Indian Reservation.
- Farmington, New Mexico, on Tuesday, August 14, 2012, from 5:00 p.m. to 9:00 p.m. at the Farmington Civic Center.
- Shiprock, New Mexico, on Wednesday, August 15, 2012, from 5:00 p.m. to 9:00 p.m. at the Shiprock High School.
- Durango, Colorado, on Thursday, August 16, 2012, from 4:00 p.m. to 8:00 p.m. at the Durango Public Library.
- Window Rock, Arizona, on Friday, August 17, 2012, from 5:00 p.m. to 9:00 p.m. at the Navajo Nation Museum.
- Albuquerque, New Mexico, on Saturday, August 18, 2012, from 11:00 a.m. to 3:00 p.m. at the Indian Pueblo Cultural Center.

Times, dates, and specific locations for these meetings will also be announced through the OSM WR Web site <http://www.wrcc.osmre.gov/FCPPEIS.shtm>, press releases, local newspapers, radio announcements and other media, at least 15 days prior to each event.

Hopi and Navajo interpreters will be present at meetings on the Hopi and Navajo Reservations.

If you require reasonable accommodations to attend one of the meetings, contact the person listed under **FOR FURTHER INFORMATION CONTACT** at least one week before the meeting.

ADDRESSES: Comments may be submitted in writing or by email. At the top of your letter or in the subject line of your email message, please indicate that the comments are "Four Corners-Navajo Mine EIS Comments."

- *Email comments should be sent to:* fcppnavajoenergyeis@osmre.gov.
- *Mail/Hand-Delivery/Courier:*

Written comments should be sent to: Marcelo Calle, OSM Western Region, 1999 Broadway, Suite 3320, Denver, Colorado 80202-3050.

FOR FURTHER INFORMATION CONTACT: For further information about the Project and/or to have your name added to the mailing list, contact: Marcelo Calle, OSM Project Coordinator, at 303-293-5035. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION:

- I. Background on the Project
- II. Background on the Four Corners Power Plant
- III. Application for the Pinabete Mine Permit and the Navajo Mine Permit Renewal
- IV. Alternatives and Related Impacts Under Consideration
- V. Public Comment Procedures

I. Background on the Project

The purpose of the Project is to facilitate ongoing operations at the FCPP, and on BNCC's Navajo Mine Lease to provide for long-term, reliable, continuous, and uninterrupted base load electrical power to customers in the southwestern U.S., using a reliable and readily available fuel source. The Project proposes to accomplish this while complying with tribal trust responsibilities, both to support economic opportunities on Navajo Nation and Hopi tribal trust lands, and to help provide for economic development of the Navajo Nation and Hopi Tribe through lease and right-of-way revenues, royalties, tribal taxes and jobs. The EIS will address the direct, indirect, and cumulative impacts of these actions at the FCPP, the proposed Pinabete Permit area, and the existing Navajo Mine Permit area, including any connected Federal actions relating to operations on the Navajo Mine Lease and at FCPP.

At this time the Navajo Nation, Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), U.S. Environmental Protection Agency (USEPA), U.S. Fish and Wildlife Service

(USFWS), National Park Service (NPS), and U.S. Army Corps of Engineers (USACE) will cooperate with OSM in the preparation of the EIS. The USACE will use this public scoping as part of the Clean Water Act (CWA) Section 404, 33 U.S.C. 1344, permitting public noticing process. The USACE will have material available on the proposed impacts to waters of the United States, and will accept comments during the meetings described below. This scoping process is intended to fulfill the USACE's public meeting or hearing requirement for the proposed action.

OSM will conduct compliance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (NHPA Section 106) as provided for in 36 CFR 800.2(d)(3) concurrently with the NEPA process, including public involvement requirements and consultation with the State Historic Preservation Officer and Tribal Historic Preservation Officer. Native American tribal consultations will be conducted in accordance with applicable laws, regulations, and Department of Interior policy, and tribal concerns will be given due consideration, including impacts on Indian trust assets. Federal, tribal, state, and local agencies, along with other stakeholders that may be interested in or affected by the Federal agencies' decisions on the Project, are invited to participate in the scoping process and, if eligible, may request or be requested by OSM to participate as a cooperating agency.

Interested persons may view information about the proposed Project on our Web site at <http://www.wrcc.osmre.gov/FCPPEIS.shtm>. The Web site contains information related to the comment period during which persons may submit comments, and the locations, dates, and times of public scoping meetings.

As part of its consideration of impacts of the proposed Project on threatened and endangered species, OSM will conduct formal consultation with the USFWS pursuant to Section 7 of the Endangered Species Act (ESA), 16 U.S.C. 1536, and its implementing regulations, 50 CFR Part 400. Formal consultation will consider direct and indirect impacts from the proposed Project, including operation of the FCPP, continuing operation and maintenance of existing transmission lines and ancillary facilities, and all mining and related operations within the Navajo Mine Lease.

In addition to compliance with NEPA, NHPA Section 106, and ESA Section 7, all Federal actions will be in compliance with applicable requirements of the Indian Business Site

Leasing Act, 25 U.S.C. 415; the General Right-of-Way Act of 1948, 25 U.S.C. 323–328; the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1201–1328; the CWA, 33 U.S.C. 1251–1387; the Clean Air Act, 42 U.S.C. 7401–7671q; the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001–3013; and Executive Orders relating to Environmental Justice, Sacred Sites, and Tribal Consultation, and other applicable laws and regulations.

II. Background on the Four Corners Power Plant

The FCPP, located on tribal trust lands in the New Mexico portion of the Navajo Reservation, is a coal-fired electric generating station, which currently includes five units generating approximately 2,100 megawatts, and provides power to more than 500,000 customers. Nearly 80 percent of the employees at the plant are Native American. APS operates the FCPP, and recently executed a lease amendment (Lease Amendment No. 3) with the Navajo Nation to extend the term of the lease for the FCPP an additional 25 years, to 2041. Continued operation of the FCPP is expected to require several Federal actions, including:

- Approval from BIA of Lease Amendment No. 3 for the FCPP plant site, pursuant to 25 U.S.C. 415. Lease Amendment No. 3 has been signed by the Navajo Nation after Navajo Nation Council approval.
- Issuance by BIA of renewed rights-of-way, pursuant to 25 U.S.C. 323, for the FCPP plant site and its switchyard and ancillary facilities; for a 500 kilovolt (kV) transmission line and two 345 kV transmission lines; and for ancillary transmission line facilities, including the Moenkopi Switchyard, an associated 12 kV line, and an access road; (collectively the “Existing Facilities”). The Existing Facilities are located on the Navajo Reservation, except for the 500 kV transmission line which crosses both Navajo and Hopi tribal lands. The Existing Facilities are already in place and would continue to be maintained and operated as part of the proposed action. No upgrades to the transmission lines or ancillary transmission line facilities are planned as part of the proposed Project.
- Issuance by the BIA of renewed rights-of-way to PNM for the existing 345 kV transmission facilities. The transmission facilities are already in place, and will continue to be maintained and operated as part of the proposed action. No upgrades to these transmission lines are planned as part of the proposed Project.

The desired future operation of the FCPP plant site involves removing Units 1, 2, and 3 from service on or before 2014, installing pollution control upgrades on Units 4 and 5, and continued operation of the independent switch yard and transmission lines. This scenario would substantially reduce coal consumption and air emissions, and lower the power output of the plant to approximately 1,500 megawatts. The ash disposal area would expand in future years within the current FCPP lease boundary. There is no proposed change to the exterior boundary of the FCPP site, the switch yard, or any of the transmission lines and ancillary facilities as part of the proposed actions.

III. Application for the Pinabete Mine Permit and the Navajo Mine Permit Renewal

Concurrent with the proposed FCPP lease amendment approval and renewed rights-of-way grant actions, BNCC proposes to develop a new approximately 5,600-acre permit area, called the Pinabete Permit. This proposed permit area lies within the boundaries of BNCC’s existing Navajo Mine Lease, which is located adjacent to the FCPP on tribal trust lands on the Navajo Reservation. BNCC proposes to conduct mining operations on an approximately 3,100-acre portion of the proposed Pinabete Permit area. The proposed Pinabete Permit area would, in conjunction with the mining of any reserves remaining within the existing Navajo Mine Permit area (Federal SMCRA Permit NM0003F), supply low-sulfur coal to the FCPP at a rate of approximately 5.8 million tons per year. Development of the Pinabete Permit area and associated coal reserves would use surface mining methods and, based on current projected customer needs, would supply coal to FCPP for up to 25 years beginning in 2016. The proposed Pinabete Permit area would include previously permitted but undeveloped coal reserves within Area IV North of the Navajo Mine Lease, and unpermitted and undeveloped coal reserves in a portion of Area IV South of the existing Navajo Mine Lease. Approval of the proposed Pinabete Permit is expected to require several Federal actions, including:

- Approval by OSM of the new SMCRA permit.
- Approval by the BLM of a revised Mine Plan developed for the proposed maximum economic recovery of coal reserves.
- Approval of a Section 404 Individual Permit by the USACE for the impacts to waters of the United States from proposed mining activities.

- Approval of a Section 402 National Pollutant Discharge Elimination System (NPDES) permit or permit revision by the EPA.

- Approval by the BIA of a proposed realignment for approximately 2.8 miles of BIA 3005/Navajo Road N–5082 (Burnham Road) in Area IV South to avoid proposed mining areas.

- Approval or grant of permits or rights-of-way for access and haul roads, power supply for operations, and related facilities by the BIA.

In addition, OSM expects BNCC to submit a renewal application in 2014 for its existing Navajo Mine SMCRA Permit No. NM00003F. The EIS will therefore also address alternatives and direct, indirect, and cumulative impacts of the 2014 renewal application action.

IV. Alternatives and Related Impacts Under Consideration

The proposed actions will be considered in a single EIS that will address alternatives and direct, indirect, and cumulative impacts of the Project.

Alternatives for the Project that are under consideration include:

- (a) The proposed actions described above;
- (b) A no action alternative, which would result in the expiration of the FCPP lease and associated rights-of-way, but would not result in the expiration of BNCC’s Navajo Mine Lease; and
- (c) Any environmentally preferable alternatives that may be identified in accordance with 40 CFR Part 1500 and 43 CFR Part 46.

The purpose of the public scoping process is to determine relevant issues that could influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS and related compliance efforts. The final range of reasonable alternatives to be considered will be determined based in part on the comments received during the scoping process.

At present, OSM has identified the following preliminary issues and potential impacts:

- Threatened and endangered species, including the Razorback sucker (*Xyrauchen texanus*), Colorado pikeminnow (*Ptychocheilus lucius*), and Southwestern Willow Flycatcher (*Empidonax traillii extimus*);
- Air quality and climate change;
- Surface and ground water quality;
- Environmental Justice considerations;
- Cultural and historic resources;
- Biological resources;
- Visual resources;
- Public Health;
- Socioeconomics; and

- Noise and vibration.

V. Public Comment Procedures

In accordance with the CEQ's regulations for implementing NEPA and the DOI's NEPA regulations, OSM solicits public comments on the scope of the EIS and significant issues that it should address in the EIS.

Written comments, including email comments, should be sent to OSM at the addresses given in the ADDRESSES section of this notice. Comments should be specific and pertain only to the issues relating to the proposals. OSM will include all comments in the administrative record.

If you would like to be placed on the mailing list to receive future information, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, above.

Hopi and Navajo interpreters will be present at meetings on the Hopi and Navajo Reservations.

If you require reasonable accommodation to attend one of the meetings, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** at least one week before the meeting.

Availability of Comments

OSM will make comments, including name of respondent, address, phone number, email address, or other personal identifying information, available for public review during normal business hours. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to appeal the subsequent decision.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—will be publicly available. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be available for public review to the extent consistent with applicable law.

Dated: June 8, 2012.

Allen D. Klein,

Regional Director, Western Region.

[FR Doc. 2012-17437 Filed 7-17-12; 8:45 am]

BILLING CODE 4310-05-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1189 (Final)]

Large Power Transformers From Korea; Revised Schedule for the Subject Investigation

AGENCY: United States International Trade Commission.

ACTION: Notice.

DATES: *Effective Date:* July 12, 2012.

FOR FURTHER INFORMATION CONTACT: Edward Petronzio (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On February 16, 2012, the Commission established a schedule for the conduct of the final phase of the subject investigation (77 FR 16559, March 21, 2012). The Commission is revising its schedule as follows: the Commission will make its final release of information on August 3, 2012; and final party comments are due on August 7, 2012.

For further information concerning this investigation see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: July 12, 2012.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2012-17416 Filed 7-17-12; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Modification Under the Clean Water Act

Notice is hereby given that on July 2, 2012, a proposed Consent Decree Modification ("Modification") in *United States and State of New Hampshire v. City of Portsmouth, New Hampshire*, Civil Action No. 09-CV-283-PB, was lodged with the United States District Court for the District of New Hampshire.

The Modification modifies a Consent Decree between the parties which was entered by the federal district court on September 24, 2009 ("Decree"). The Decree resolved claims of the United States and State of New Hampshire against the City of Portsmouth, New Hampshire (the "City"), pursuant to Section 301(a) of the Clean Water Act ("CWA"), 33 U.S.C. 1301(a).

The Decree required the City, among other things, to control discharges from the combined sewer overflow ("CSO") outfalls, propose a schedule for construction of a secondary wastewater treatment facility for approval by the United States Environmental Protection Agency, and upon inclusion of the schedule in the Decree, comply with the construction schedule. The City encountered unexpected geological conditions that impaired the City's ability to meet the previously-designated CSO mitigation construction schedule. The Modification extends the completion deadline for the CSO projects by one year—until October 2014. Pursuant to the requirements in the Decree, the City proposed a detailed schedule for constructing secondary treatment facilities. The Modification requires the City to complete construction of secondary treatment facilities by March, 2017.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Modification. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, and either emailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of New Hampshire v. City of Portsmouth, New Hampshire*, Civil Action No. 09-CV-283-PB, D.J. Ref. 90-5-1-1-09308.

During the public comment period, the Modification, may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the

Exhibit B – Display Advertisement

| | |
|--|--|
|  | <p>The Office of Surface Mining Reclamation and Enforcement INVITES YOU TO PARTICIPATE IN THE Four Corners Power Plant and Navajo Mine Energy Project EIS</p> |
| <p>The Office of Surface Mining Reclamation and Enforcement (OSM) is in the early stages of preparing an Environmental Impact Statement (EIS) to evaluate the potential environmental impacts from continued operation of the Four Corners Power Plant, rights-of-way renewals for associated transmission lines, renewal of the Navajo Mine Permit in 2014, and a proposed new mine permit area within the existing Navajo Mine Lease area. Community input is requested on the scope, environmental resources and issues to be considered in the Draft EIS. This scoping will also satisfy the public involvement and noticing requirement for Section 106 of the National Historic Preservation Act.</p> | <p>Open House Information Sessions Arrive at any time during the specified hours. There will not be a formal presentation.</p> |
| <p style="text-align: center;">The OSM welcomes your input!</p> <p>Attend an open house information session to learn about the project and speak to project team members. Comments will be accepted at the meeting and can also be submitted via mail, hand delivery, courier, or email.</p> <p style="text-align: center;"><u>SUBMIT WRITTEN COMMENTS TO:</u> Mr. Marcelo Calle, OSM Western Region, 1999 Broadway, Suite 3320, Denver, CO 80202-3050 FCPNavajoEnergyEIS@osmre.gov</p> <p style="text-align: center;">Comments must be postmarked or received by Sept. 17, 2012, to be considered in the EIS.</p> | <p>Hotevilla, AZ: Thursday, Aug. 9, 3 to 7 p.m. <i>(Hopi interpreters available)</i> Hotevilla Village, Auditorium 1 Main St., Hotevilla, AZ 86030</p> <p>Cortez, CO: Friday, Aug. 10, 5 to 9 p.m. Montezuma-Cortez High School, The Commons Area 206 W. Seventh St., Cortez, CO 81321</p> <p>Burnham, NM: Saturday, Aug. 11, 9 a.m. to 1 p.m. <i>(Navajo interpreters available)</i> Tiis Tsoh Sikaad (Burnham) Chapter House, Large Meeting Room 12 miles east of U.S. 491 on Navajo Route 5, and half-mile south on Navajo Route 5080</p> <p>Nenahnezad, NM: Monday, Aug. 13, 5 to 9 p.m. <i>(Navajo interpreters available)</i> Nenahnezad Chapter House, Multipurpose Hall County Road 6675, Navajo Route 365, Fruitland, NM 87416</p> <p>Farmington, NM: Tuesday, Aug. 14, 5 to 9 p.m. Farmington Civic Center, Exhibition Hall 2 200 W. Arrington St., Farmington, NM 87401</p> <p>Shiprock, NM: Wednesday, Aug. 15, 5 to 9 p.m. <i>(Navajo interpreters available)</i> Shiprock High School, Commons Highway 64 W, Shiprock, NM 87420</p> <p>Durango, CO: Thursday, Aug. 16, 4 to 8 p.m. Durango Public Library, Program Room 1 1900 E. Third Ave., Durango, CO 81301</p> <p>Window Rock, AZ: Friday, Aug. 17, 5 to 9 p.m. <i>(Navajo interpreters available)</i> Navajo Nation Museum, Resource Room Highway 264, Postal Loop Road, Window Rock, AZ 86515</p> <p>Albuquerque, NM: Saturday, Aug. 18, 11 a.m. to 3 p.m. Indian Pueblo Cultural Center, Silver and Turquoise Room 2401 12th St. NW, Albuquerque, NM 87104</p> |
| <p style="text-align: center;">PROPOSED ACTIONS:</p> <p>In accordance with the National Environmental Policy Act, OSM is conducting an environmental review of the following proposed actions:</p> <ul style="list-style-type: none"> • Power Plant Lease Amendment – Arizona Public Service recently executed a lease amendment with the Navajo Nation to extend the term of the lease for the Four Corners Power Plant to 2041. • Energy Transmission Lines – Transmission lines directly connected to the power plant and owned by Arizona Public Service and Public Service Company of New Mexico require rights-of-way renewals. • Navajo Mine 2014 Permit Renewal – OSM expects BHP Navajo Coal Company to submit a renewal application in 2014 for its existing Navajo Mine SMCRA Permit. • New Coal Mine Area – BHP Navajo Coal Company is proposing to develop a new mine area, referred to as the Pinabete Mine Permit area, within its existing Navajo Mine Lease to supply coal to the power plant for up to 25 years, beginning July 2016. <p>Potential environmental impacts from these proposed actions will be analyzed in the EIS.</p> | |
| <p style="text-align: center;">For more project information, visit http://www.wrcc.osmre.gov/FCPEIS.shtm or call Marcelo Calle, OSM EIS Coordinator, at 303-293-5035.</p> | |

Exhibit C – Postcard Mailer



FOUR CORNERS POWER PLANT AND NAVAJO MINE ENERGY PROJECT

Environmental Impact Statement

The Office of Surface Mining Reclamation and Enforcement (OSM) is in the early stages of developing an Environmental Impact Statement (EIS) to evaluate potential environmental impacts from continued operation of the Four Corners Power Plant, rights-of-way renewals for associated transmission lines, renewal of the Navajo Mine Permit in 2014, and a proposed new mine permit area within the existing Navajo Mine Lease area.

Your input in this environmental analysis process is important. OSM welcomes your comments to identify the environmental issues that should be considered in the development of the Draft EIS. Your input will help OSM make a well-informed decision on the proposed actions.

How to Submit Comments

There are a number of ways you can submit comments on the proposed actions and environmental factors that should be considered in the EIS. Comments must be postmarked or received by **Sept. 17, 2012**.

- Attend an open house scoping meeting (see reverse for meeting information);
- Email comments to FCPPNavajoEnergyEIS@osmre.gov; or
- Send comments via postal mail, hand delivery or courier to:

Mr. Marcelo Calle
OSM Western Region
1999 Broadway, Suite 3320
Denver, CO 80202-3050

Proposed Actions

In accordance with the National Environmental Policy Act, OSM is conducting an environmental review and requests your comments related to these actions:

- **POWER PLANT LEASE AMENDMENT**
Arizona Public Service recently executed a lease amendment with the Navajo Nation to extend the term of the lease for the Four Corners Power Plant to 2041. Environmental Impacts from this lease amendment will be analyzed.
- **ENERGY TRANSMISSION LINES**
Transmission lines directly connected to the power plant and owned by Arizona Public Service and Public Service Company of New Mexico require rights-of-way renewals. Environmental Impacts from the renewal of rights-of-way permits will be analyzed.
- **NAVAJO MINE 2014 PERMIT RENEWAL**
OSM expects BHP Navajo Coal Company to submit a renewal application in 2014 for its existing Navajo Mine SMCRA Permit. The EIS will therefore also analyze impacts of the 2014 renewal application action.
- **NEW COAL MINE AREA**
BHP Navajo Coal Company is proposing to develop a new mine area, referred to as the Pinabete Mine Permit area, within its existing Navajo Mine Lease to supply coal to the power plant for up to 25 years, beginning July 2018. Environmental Impacts from the proposed mine area will be analyzed.

Open House Scoping Meetings

Please attend one of the following meetings to learn about the project and speak to project team members. This scoping will also satisfy the public involvement and noticing requirement for Section 106 of the National Historic Preservation Act. Arrive at any time during the hours specified.

| | |
|--|--|
| <p>HOTEVILLA, Ariz. (Hopi interpreters available) Thursday, Aug. 9, 3 to 7 p.m. Hotevilla Village (Hotevilla Youth and Elderly Center), Auditorium 1 Main St., Hotevilla, AZ 86030</p> <p>CORTEZ, Colo. Friday, Aug. 10, 5 to 9 p.m. Montezuma-Cortez High School, The Commons Area 206 W. Seventh St., Cortez, CO 81321</p> <p>BURNHAM, N.M. (Navajo interpreters available) Saturday, Aug. 11, 9 a.m. to 1 p.m. Tlis Tsoh Sikaad (Burnham) Chapter House, Large Meeting Room 12 miles east of U.S. 491 on Navajo Route 5, and half-mile south on Navajo Route 5080</p> <p>NENAHNEZAD, N.M. (Navajo interpreters available) Monday, Aug. 13, 5 to 9 p.m. Nenahnezad Chapter House, Multipurpose Hall County Road 6675, Navajo Route 365 Fruitland, NM 87416</p> | <p>FARMINGTON, N.M. Tuesday, Aug. 14, 5 to 9 p.m. Farmington Civic Center, Exhibition Hall 2 200 W. Arrington St., Farmington, NM 87401</p> <p>SHIPROCK, N.M. (Navajo interpreters available) Wednesday, Aug. 15, 5 to 9 p.m. Shiprock High School, Commons Highway 64 W, Shiprock, NM 87420</p> <p>DURANGO, Colo. Thursday, Aug. 16, 4 to 8 p.m. Durango Public Library, Program Room 1 1900 E. Third Ave., Durango, CO 81301</p> <p>WINDOW ROCK, Ariz. (Navajo interpreters available) Friday, Aug. 17, 5 to 9 p.m. Navajo Nation Museum, Resource Room Highway 264, Postal Loop Road Window Rock, AZ 86515</p> <p>ALBUQUERQUE, N.M. Saturday, Aug. 18, 11 a.m. to 3 p.m. Indian Pueblo Cultural Center, Silver and Turquoise Room 2401 12th St. NW, Albuquerque, NM 87104</p> |
|--|--|

To learn more about the project, visit <http://www.wrcc.osmre.gov/FCPEIS.shtm> or call Mr. Marcelo Calle, OSM EIS Coordinator, at 303-293-5035.

Exhibit D – Stakeholder Notification Letter



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Western Region Office
1999 Broadway, Suite 3320
Denver, CO 80202-3050



July 27, 2012

Dear Sir or Madam:

SUBJECT: PREPARATION OF ENVIRONMENTAL IMPACT STATEMENT (EIS)
FOR THE FOUR CORNERS POWER PLANT AND NAVAJO MINE
ENERGY PROJECT

This letter is to inform you that the Office of Surface Mining Reclamation and Enforcement (OSM), Western Region, Denver, Colo., is preparing an Environmental Impact Statement (EIS) to evaluate potential environmental impacts from continued operation of the Four Corners Power Plant, rights-of-way renewals for associated transmission lines, renewal of the Navajo Mine Permit in 2014, and a proposed new mine permit area within the existing Navajo Mine Lease area.

In accordance with the National Environmental Policy Act of 1969, OSM and cooperating agencies will evaluate the environmental impacts associated with the following proposed actions:

- **Power Plant Lease Amendment** - Arizona Public Service recently executed a lease amendment with the Navajo Nation to extend the term of the lease for the Four Corners Power Plant to 2041. Environmental impacts from this lease amendment will be analyzed.
- **Energy Transmission Lines** - Transmission lines directly connected to the power plant and owned by Arizona Public Service and Public Service Company of New Mexico require rights-of-way renewals. Environmental impacts from the renewal of rights-of-way permits will be analyzed.

1



- **Navajo Mine 2014 Permit Renewal** - OSM expects BHP Navajo Coal Company to submit a renewal application in 2014 for its existing Navajo Mine Surface Mining Control and Reclamation Act (SMCRA) Permit No. NM0003F. The EIS will therefore also analyze impacts of the 2014 renewal application action.
- **New Coal Mine Area** - BHP Navajo Coal Company is proposing to develop a new mine area, referred to as the Pinabete Mine Permit area, within its existing Navajo Mine Lease to supply coal to the power plant for up to 25 years, beginning July 2016. Environmental impacts from the proposed mine area will be analyzed.

The purpose of the proposed actions is to facilitate ongoing operations at the Four Corners Power Plant and on BHP Navajo Coal Company's Navajo Mine Lease to provide long-term, reliable, continuous and uninterrupted base load electrical power to customers in the southwestern United States using a reliable and readily available fuel source. The proposed actions would comply with tribal trust responsibilities to support economic opportunities on Navajo Nation and Hopi tribal trust lands and to help provide for economic development of the Navajo Nation and Hopi Tribe through lease and right-of-way revenues, royalties, tribal taxes and jobs. The EIS will address the direct, indirect, and cumulative impacts of these connected and other actions at the Four Corners Power Plant, the proposed Pinabete Mine Permit area, and the existing Navajo Mine Permit area, including any other connected federal actions relating to operations on the Navajo Mine Lease and at the Four Corners Power Plant.

Environmental issues to be addressed in the EIS include, but are not limited to, the following resource areas: threatened and endangered species, air quality and climate change, surface and ground water quality, environmental justice, cultural and historic resources, biological resources, visual resources, public health, socioeconomics, and noise and vibration.

Cooperating agencies for the development of the EIS include the Bureau of Indian Affairs, Navajo Nation, Hopi Tribe, 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.

Compliance with the National Environmental Policy Act, National Historic Preservation Act, and Endangered Species Act obligations will be accompanied by compliance with other applicable requirements of, without limitation, the Indian Business Site Leasing Act, the General Right-of-Way Act of 1948, the Surface Mining Control and Reclamation Act, the Clean Water Act, the Clean Air Act, the Native American Graves Protection and Repatriation Act, and Executive Orders relating to Environmental Justice, Sacred Sites, and Tribal Consultation, and related laws and regulations.

The public is encouraged to submit written comments through Sept. 17, 2012. OSM is holding nine open house scoping meetings to support an early and open public involvement process for determining the scope of issues to be addressed in the EIS. Open house scoping meetings will inform the public of the proposed actions and give community members an opportunity to submit comments. Input from the public will be used to help identify environmental issues to be analyzed in the EIS and will help OSM make a well-informed decision on the proposed actions. This scoping will also satisfy the public involvement and noticing requirement for Section 106 of the National Historic Preservation Act.

Members of the public may arrive at any time during each open house scoping meeting. Project team members will be available to provide information and answer questions about the proposed actions. Navajo and Hopi interpreters will be present at the open house scoping meetings on the Navajo and Hopi Reservations noted below. The open house scoping meeting schedule is as follows:

Hotevilla, AZ: - Hopi interpreters available
Thursday, Aug. 9, 3 to 7 p.m.
Hotevilla Village (Hotevilla Youth and Elderly Center),
Auditorium
1 Main St., Hotevilla, AZ 86030



Cortez, CO:

Friday, Aug. 10, 5 to 9 p.m.

Montezuma-Cortez High School, The Commons Area
206 W. Seventh St., Cortez, CO 81321

Burnham, NM: - Navajo interpreters available

Saturday, Aug. 11, 9 a.m. to 1 p.m.

Tiis Tsoh Sikaad (Burnham) Chapter House, Large Meeting Room
12 miles east of U.S. 491 on Navajo Route 5, and half-mile
south on Navajo Route 5080

Nenahnezad, NM: - Navajo interpreters available

Monday, Aug. 13, 5 to 9 p.m.

Nenahnezad Chapter House, Multipurpose Hall
County Road 6675, Navajo Route 365, Fruitland, NM 87416

Farmington, NM:

Tuesday, Aug. 14, 5 to 9 p.m.

Farmington Civic Center, Exhibition Hall 2
200 W. Arrington St., Farmington, NM 87401

Shiprock, NM: - Navajo interpreters available

Wednesday, Aug. 15, 5 to 9 p.m.

Shiprock High School, Commons
Highway 64 W, Shiprock, NM 87420

Durango, CO:

Thursday, Aug. 16, 4 to 8 p.m.

Durango Public Library, Program Room 1
1900 E. Third Ave., Durango, CO 81301

Window Rock, AZ: - Navajo interpreters available

Friday, Aug. 17, 5 to 9 p.m.

Navajo Nation Museum, Resource Room
Highway 264, Postal Loop Road, Window Rock, AZ 86515

Albuquerque, NM:

Saturday, Aug. 18, 11 a.m. to 3 p.m.

Indian Pueblo Cultural Center, Silver and Turquoise Room
2401 12th St. NW, Albuquerque, NM 87104

Regardless of whether you are able to participate in the open house scoping meetings, you may send written comments via postal mail, hand delivery or courier to:



Mr. Marcelo Calle
OSM Western Region
1999 Broadway, Suite 3320
Denver, CO 80202-3050

You may also email your written comments to **FCPPNavajoEnergyEIS@osmre.gov**. All comments must be postmarked or received by the end of the comment period on **Sept. 17, 2012**, to be considered in the development of the Draft EIS.

For more information, please visit the project website at **<http://www.wrcc.osmre.gov/FCPPEIS.shtm>** or call Marcelo Calle, OSM EIS Coordinator, at 303-293-5035.

Sincerely,

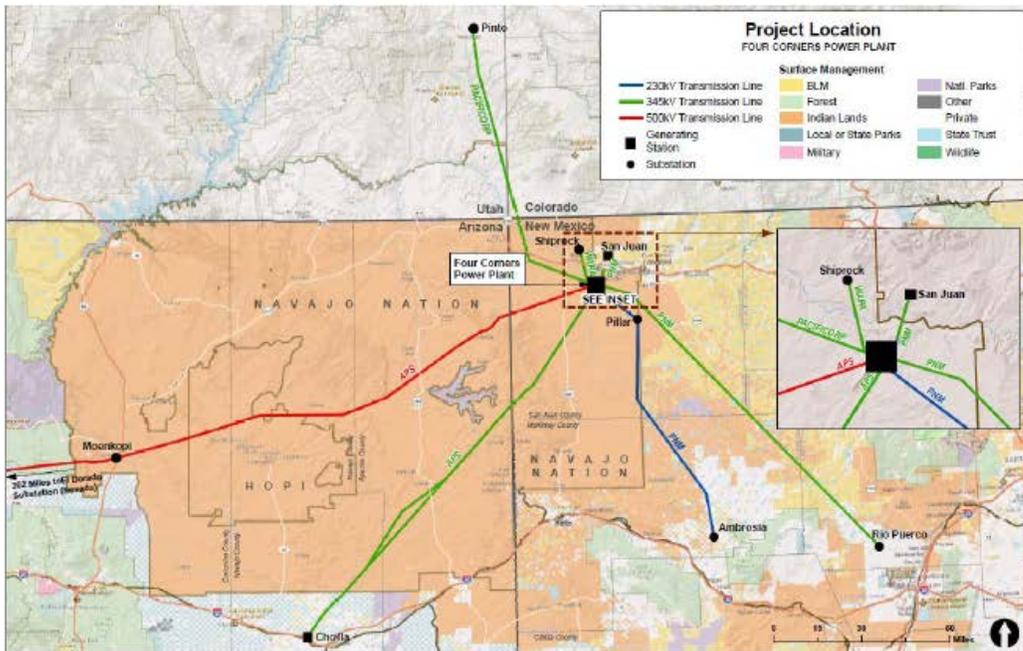
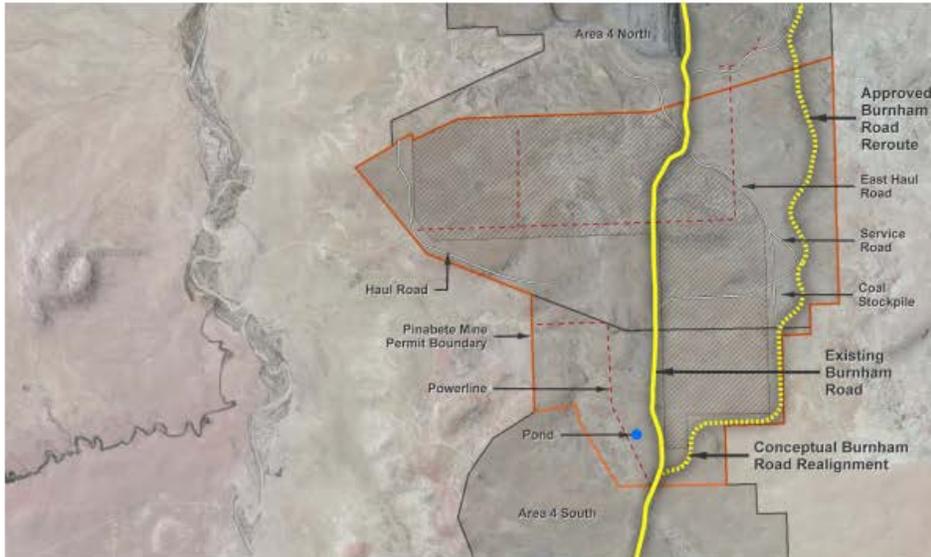


Marcelo Calle
EIS Coordinator

Enclosure: Four Corners Power Plant and Navajo Mine Energy
Project Area Maps (two pages)



Enclosure (continued): Four Corners Power Plant and Navajo Mine Energy Project Area Maps



Enclosure: Four Corners Power Plant and Navajo Mine Energy Project Area Maps

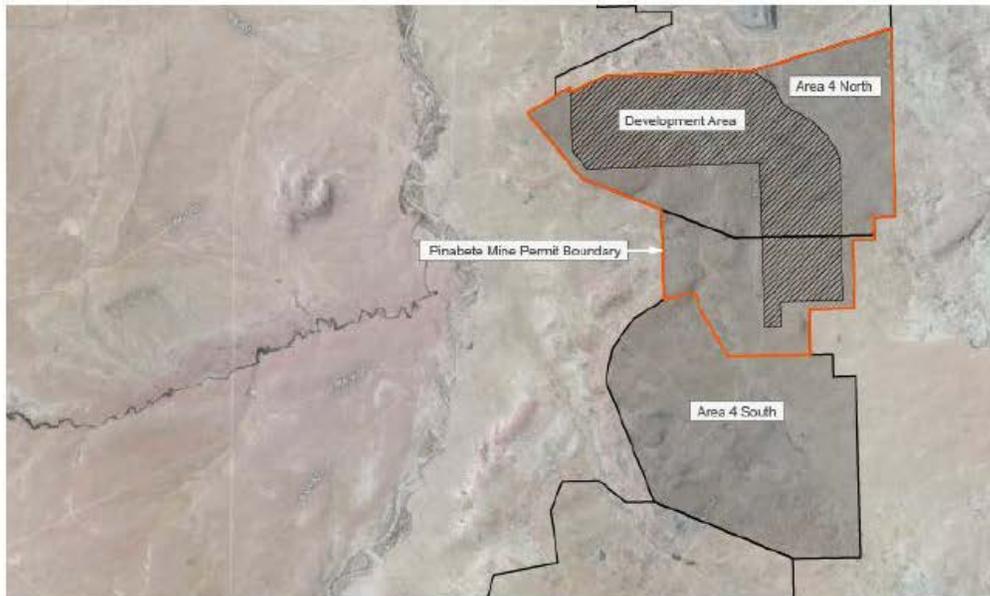
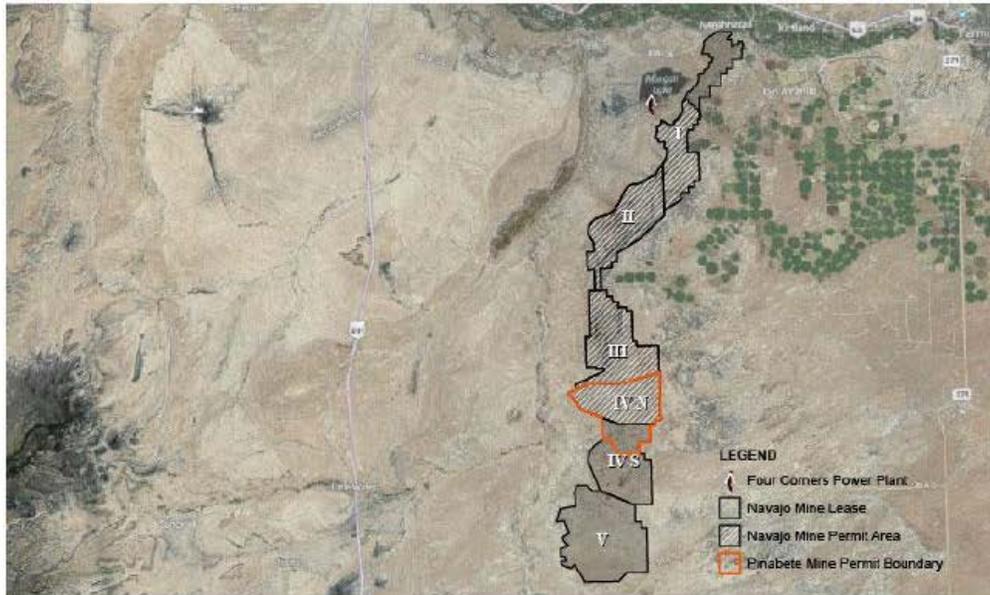


Exhibit E – Public Service Announcement



News Advisory

Office of Surface Mining Reclamation and Enforcement
Washington, D.C.

Contact: Marcelo Calle
Office of Surface Mining Reclamation and Enforcement (OSM) Western Region
(T) 303-293-5035

PUBLIC SERVICE ANNOUNCEMENT

**Open House Scoping Meetings for
Four Corners Power Plant and Navajo Mine Energy Project**

July 31, 2012

(30 – 50 Seconds)

FOR IMMEDIATE RELEASE

ANNOUNCER OR PRE-RECORDING

THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT INVITES THE PUBLIC TO ATTEND OPEN HOUSE SCOPING MEETINGS TO PROVIDE INPUT ON THE FOUR CORNERS POWER PLANT AND NAVAJO MINE ENERGY PROJECT. THE SCOPING MEETINGS ARE IN PREPARATION FOR AN ENVIRONMENTAL IMPACT STATEMENT THAT WILL EVALUATE POTENTIAL ENVIRONMENTAL IMPACTS FROM CONTINUED OPERATION OF THE FOUR CORNERS POWER PLANT, RIGHTS-OF-WAY RENEWALS FOR TRANSMISSION LINES, RENEWAL OF THE NAVAJO COAL MINE PERMIT, AND A PROPOSED NEW MINE PERMIT. THIS SCOPING WILL ALSO SATISFY THE PUBLIC INVOLVEMENT AND NOTICING REQUIREMENT FOR SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT.

THE SCOPING MEETINGS WILL TAKE PLACE ON *(Select appropriate date)*

AUGUST 9TH, AT HOTEVILLA VILLAGE FROM THREE TO SEVEN P-M,
AUGUST 10TH, AT MONTEZUMA-CORTEZ HIGH SCHOOL FROM FIVE TO NINE P-M,
AUGUST 11TH, AT BURNHAM CHAPTER HOUSE (TIIS TSOH SIKAAD) FROM NINE A-M TO ONE P-M,
AUGUST 13TH, AT NENAHNEZAD CHAPTER HOUSE IN FRUITLAND FROM FIVE TO NINE P-M,
AUGUST 14TH, AT FARMINGTON CIVIC CENTER FROM FIVE TO NINE P-M,
AUGUST 15TH, AT SHIPROCK HIGH SCHOOL FROM FIVE TO NINE P-M,
AUGUST 16TH, AT DURANGO PUBLIC LIBRARY FROM FOUR TO EIGHT P-M,
AUGUST 17TH, AT THE NAVAJO NATION MUSEUM IN WINDOW ROCK FROM FIVE TO NINE P-M,
AUGUST 18TH, AT THE INDIAN PUEBLO CULTURAL CENTER IN ALBUQUERQUE FROM ELEVEN A-M TO THREE P-M,

FOR MORE INFORMATION, PLEASE CALL 303-293-5035. THAT'S 303-293-5035.

Exhibit F – Public Service Announcement Distribution Database

| RADIO STATION | LANGUAGE | MEETING LOCATIONS THE PSA COVERED | DATES AND TIMES PSA AIRED | RECORDING AIRED |
|--|--------------------|---|---|--|
| Navajo Nation Radio Network (NNRN) - KABR-FM, KTDB-FM, KRMH-FM, KGLP-FM, KYAT-FM, KHAC-AM, KWIM-FM,KTBA-AM | Navajo and English | | Airs at different times for each station | English PSA text version |
| KTBA-AM | Navajo and Hopi | Hotevilla, Ariz. Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 7, Three times a day between 7 and 8 a.m., 12 and 1 p.m., and 2 and 4 p.m. | PSA text version in English and Navajo |
| KHAC-AM | Navajo and English | Nenahnezad, N.M. Farmington, N.M. Durango, Colo. Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 7, Three times a day between 7 and 8 a.m., 12 and 1 p.m. and 2 and 4 p.m. | PSA text version in English and Navajo |
| KWIM-FM | Navajo and English | Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 7, Three times a day between 7 and 8 a.m., 12 and 1 p.m., and 2 and 4 p.m. | PSA text version in English and Navajo |

| | | | | |
|---------|--------------------|--|--|---|
| KTNN-AM | Navajo | Nenahnezad, N.M. Farmington, N.M. Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 3 or Aug. 6, At least once a day, times varied based on DJ's scheduling | Shortened version of English PSA listing the Fruitland, Farmington, Window Rock, and Albuquerque meetings |
| KNDN-AM | Navajo and English | Cortez, Colo. Nenahnezad, N.M. Farmington, N.M. Durango, Colo. Albuquerque, N.M. | Run start date: Aug. 11, Airing around two to three times a day at minimum depending on availability | Aired pre-recorded PSAs in Navajo for the Burnham and Nenahnezad meetings; Aired live readings of PSA for the meetings held on Aug. 14 through Aug. 18. |
| KYAT-FM | Navajo and English | Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 15, Airing one to two times per day | Shortened version of PSA in English and Navajo listing the Shiprock, Durango, Window Rock, and Albuquerque meetings |
| KGLP-FM | English | Window Rock, Ariz. Albuquerque, N.M. | Aug. 7 at 12:30 p.m.; may air more due to availability | PSA text version in English |
| KUYI-FM | Hopi and English | Hotevilla, Ariz. | Run start date: Aug. 3, Daily at 12 p.m. and 5 p.m. during the community calendar segment | Brief condensed version of PSA in English stating that various meetings will be held and listing the phone number for details on the meeting locations |
| KSJD-FM | English | Cortez, Colo. | Run start date: Aug. 7, Daily at 9 a.m. and 6 p.m. | PSA text version in English - only mentioning meetings in Shiprock and Cortez since that is where radio signal reaches and due to time availability |

| | | | | |
|------------------|---------|---|--|---|
| KVFC-AM | English | Cortez, Colo. Nenahnezad, N.M. Farmington, N.M. Shiprock, N.M. Durango, Colo. | Run start date: Aug. 10 or Aug. 11, Five to six times per day at various times throughout the day | PSA text version in English |
| KENN-AM | English | Nenahnezad, N.M. Farmington, N.M. Shiprock, N.M. | Run start date: Aug. 10 or Aug. 11, Five to six times per day at various times throughout the day | PSA text version in English |
| KGAK-AM | English | Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 2, Three to four times per day, times during the day vary | PSA text version in English, Announcing meetings approx. four days ahead of time |
| KKOB-AM | English | Nenahnezad, N.M. Farmington, N.M. Albuquerque, N.M. | Aired as a news story on Aug. 2 and also ran on sister stations KKLB-AM and KMGA-FM | Used PSA text version in English to develop news story |
| KKOB-FM | English | Albuquerque, N.M. | Aired as news story on Kkob-AM and sister stations KKLB-AM and KMGA-FM on Aug. 2 | Used PSA text version in English to develop news story |
| KSUT, KUSW-FM | English | Nenahnezad, N.M. Farmington, N.M. Shiprock, N.M. | Run start date: Aug. 2, Airing twice per day during the community calendar segment at 11:30 a.m. and 3 p.m.; PSA is also posted on the online community calendar | PSA text version in English - slightly shortened for air time but included all main details |
| KUUT-FM | English | Nenahnezad, N.M. Farmington, N.M. Shiprock, N.M. | Run start date: Aug. 2, Airing twice per day during the community calendar segment at 11:30 a.m. and 3 p.m.; PSA is also posted on the online community calendar | PSA text version in English - slightly shortened for air time but included all main details |

| | | | | |
|---------|-----------------------|--|--|---|
| KSJE-FM | English | Nenahnezad, N.M. Farmington, N.M. Shiprock, N.M. Albuquerque, N.M. | Run start date: Aug. 13 or Aug. 14, included in a newscast and then aired once a day or every other day. | PSA text version in English |
| KDNG-FM | English | Durango, Colo. | Run start date: Aug. 2, Airing twice per day during the community calendar segment at 11:30 a.m. and 3 p.m.; PSA is also posted on the online community calendar | PSA text version in English - slightly shortened for air time but included all main details |
| KUTE-FM | English | Cortez, Colo. Nenahnezad, N.M. Farmington, N.M. Durango, Colo. Albuquerque, N.M. | Run start date: Aug. 2, Airing twice per day during the community calendar segment at 11:30 a.m. and 3 p.m.; PSA is also posted on the online community calendar | PSA text version in English - slightly shortened for air time but included all main details |
| KDUR-FM | English | Durango, Colo. | Unknown | Unknown |
| KDGO-AM | English | Durango, Colo. | Run start date: Aug. 10 or Aug. 11, Five to six times per day at various times throughout the day | PSA text version in English |
| KANW-FM | Spanish, Bilingual | Albuquerque, N.M. | Unknown - only sponsored PSAs are guaranteed air time; PSA was added to a list of around 30 that announcers choose from to fill free air time | Unknown |

| | | | | |
|---------------------------------------|---------|---|---|--|
| KUNM-FM | English | Albuquerque, N.M. | Run start date: 4-7 days before each meeting, Will air once a day or every other day depending on time availability | PSA English text version - individual announcements for all meetings read from the community calendar |
| KIVA-AM | English | Albuquerque, N.M. | Unknown | Unknown |
| KABQ-AM | English | Albuquerque, N.M. | Unknown | Unknown |
| KABQ-FM | English | Albuquerque, N.M. | Unknown | Unknown |
| KWRK-FM (Sister outlet of KTNN-AM) | English | Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 15, At least once a day, times varied based on DJ's scheduling | Shortened PSA in English that mentions the Shiprock, Durango, Window Rock, and Albuquerque meetings |
| KYVA-AM (Sister outlet of KYAT-FM) | English | Window Rock, Ariz. Albuquerque, N.M. | Run start date: Aug. 16, Aired one to two times per day | Shortened version of PSA in English or Navajo (depending on language of station) listing the Durango, Window Rock and Albuquerque meetings |
| KYVA-FM (Sister outlet of KYAT-FM) | English | Window Rock, Ariz. Albuquerque, N.M. | | |
| KXXI-FM (Sister outlet of KYAT-FM) | English | Window Rock, Ariz. Albuquerque, N.M. | | |



FOUR CORNERS POWER PLANT AND NAVAJO MINE ENERGY PROJECT

OPEN HOUSE SCOPING MEETINGS

The Office of Surface Mining Reclamation and Enforcement (OSM) is preparing an Environmental Impact Statement (EIS) to evaluate the potential environmental impacts from:

- Continued operation of the Four Corners Power Plant
- Rights-of-way renewals for associated transmission lines
- Renewal of the Navajo Mine Permit in 2014, and
- A proposed new mine permit area within the existing Navajo Mine Lease area

OSM is hosting open house scoping meetings to provide information about the proposed actions and to solicit public comments about environmental issues to address in the Draft EIS. This scoping will also satisfy the public involvement and noticing requirement for Section 106 of the National Historic Preservation Act. Arrive at any time during the specified hours.

- **Hotevilla, AZ:**
(Hopi interpreters available)
Aug. 9, 3 to 7 p.m.
Hotevilla Village, Auditorium
- **Cortez, CO:**
Aug. 10, 5 to 9 p.m.
Montezuma-Cortez High School,
The Commons Area
- **Burnham, NM:**
(Navajo interpreters available)
Aug. 11, 9 a.m. to 1 p.m.
Tiis Tsoh Sikaad (Burnham) Chapter House,
Large Meeting Room
- **Nenahnezad, NM:**
(Navajo interpreters available)
Aug. 13, 5 to 9 p.m.
Nenahnezad Chapter House, Multipurpose
Hall
- **Farmington, NM:**
Aug. 14, 5 to 9 p.m.
Farmington Civic Center, Exhibition Hall 2
- **Shiprock, NM:**
(Navajo interpreters available)
Aug. 15, 5 to 9 p.m.
Shiprock High School, Commons
- **Durango, CO:**
Aug. 16, 4 to 8 p.m.
Durango Public Library, Program Room 1
- **Window Rock, AZ:**
(Navajo interpreters available)
Aug. 17, 5 to 9 p.m.
Navajo Nation Museum, Resource Room
- **Albuquerque, NM:**
Aug. 18, 11 a.m. to 3 p.m.
Indian Pueblo Cultural Center, Silver and
Turquoise Room

Comments must be submitted by Sept. 17, 2012, to be considered in the Draft EIS

Send written comments via postal mail, hand delivery or courier to:
Mr. Marcelo Calle, OSM Western Region, 1999 Broadway, Suite 3320, Denver CO 80202-3050
Comments may also be emailed to: FCPPNavajoEnergyEIS@osmre.gov

For more information, visit <http://www.wrcc.osmre.gov/FCPPEIS.shtm>
or call Marcelo Calle, OSM EIS Coordinator, at 303-293-5035

Exhibit H – Notification Flier Distribution Database

| MEETING LOCATION THE FLIER COVERED | LOCATION THE FLIER WAS POSTED | CATEGORY | STREET ADDRESS |
|---|--|------------------|---------------------------|
| Cortez, Colo. | Spruce Tree Coffeehouse | Coffee House | 319 E. Main St. |
| | Ute Coffee Shop | Coffee House | 17 S. Broadway |
| | Cortez Cultural Center | Community Center | 25 N. Market St. |
| | Cortez Recreation Center | Community Center | 425 Roger Smith Ave. |
| | City Market | Grocery Store | 508 E. Main St. |
| | Safeway Store | Grocery Store | 1580 E. Main St. |
| | Chevron | Gas Station | 717 S. Broadway |
| | Fralely Sinclair | Gas Station | 110 N. Broadway |
| | Crystal Brite Laundry 7 Dry | Laundromat | 126 N. Pinon Drive |
| | Speedy Wash Laundry Mat | Laundromat | 1215 E. Main St. |
| | Mesa Verde National Park | National Park | Visitor's Center |
| | U.S. Post Office Cortez | Post Office | 35 S. Beech St. |
| | Notah Dineh Trading Company and Museum | Trading Post | 345 W. Main St. |
| | Stagecoach Trading Post | Trading Post | 7399 Hwy 160 |
| Farmington, N.M. | BHP Billiton New Mexico Coal | Business | 300 W. Arrington St. |
| | Farmington Chamber of Commerce | Business | 100 W. Broadway |
| | Durango Joe's Coffeehouse | Coffee House | 1501 E. 20th St. |
| | Bonnie Dallas Senior Center | Community Center | 109 E. La Plata St. |
| | Farmington Civic Center | Community Center | 200 W. Arrington St. |
| | Farmington Recreation Center | Community Center | 1101 Fairgrounds Road |
| | Sycamore Park Community Center | Community Center | 1051 Sycamore St. |
| | Chevron | Gas Station | 2834 E. Main St. |
| | Natural Grocers | Grocery Store | Corner of 20th and Butler |
| | Smith's Food and Drug | Grocery Store | 600 E. 20th St. |
| | Apache Queen Laundry | Laundromat | 204 E. Apache St. |

| MEETING LOCATION THE FLIER COVERED | LOCATION THE FLIER WAS POSTED | CATEGORY | STREET ADDRESS |
|------------------------------------|--|------------------|--|
| | Crown Cleaners and Laundry | Laundromat | 2025 N. Sullivan Ave. |
| | Farmington Public Library | Library | 2101 Farmington Ave. |
| | E3 Children's Museum and Science Center | Museum | 302 N. Orchard Ave. |
| | Farmington Museum at Gateway Park | Museum | 3041 E. Main St. |
| | U.S. Post Office Farmington | Post Office | 1207 San Juan Blvd. |
| | U.S. Post Office Farmington | Post Office | Corner of 20th and Fairview |
| | Navajo Trading Co. | Trading Post | 126 E. Main St. |
| | Valencia Trading Post | Trading Post | 506 W. Maple St. |
| Durango, Colo. | Durango Joe's Coffeehouse | Coffee House | 732 E. College Drive |
| | Durango Joe's Coffeehouse | Coffee House | 12th and Camino Del Rio |
| | Durango Joe's South Coffeehouse | Coffee House | 1125 S. Camino Del Rio, Ste. 350 |
| | Ft. Lewis Community College, Student Union | College | 1000 Rim Drive |
| | The Commons - multiple offices, including SW Community College | College | 701 Camino Del Rio |
| | Durango Community Recreation Center | Community Center | 2700 Main Ave. |
| | Albertson's | Grocery Store | 311 W. College Drive |
| | Durango Public Library | Library | 1900 E. Third Ave. |
| | U.S. Post Office Durango | Post Office | 222 W. Eighth St. |
| Albuquerque, N.M. | Flying Star Café | Coffee House | 4026 Rio Grande Blvd. NW |
| | Flying Star Café | Coffee House | 3416 Central Ave. SE |
| | Flying Star Café | Coffee House | 4501 Juan Tabo Blvd. NE |
| | Flying Star Café | Coffee House | 8001 Menaul Blvd. NE |
| | Central New Mexico Community College Student Services Center | College | 525 Buena Vista Drive SE |
| | Southwestern Indian Polytechnic Institute | College | 9169 Coors Blvd. NW |
| | University of New Mexico Student Union | College | Building 60, Suite 3020, 1 University of New |

| MEETING LOCATION THE FLIER COVERED | LOCATION THE FLIER WAS POSTED | CATEGORY | STREET ADDRESS |
|------------------------------------|-----------------------------------|------------------|-----------------------------|
| | | | Mexico |
| | Alamosa Community Center | Community Center | 6900 Gonzales Road SW |
| | Barelas Community Center | Community Center | 801 Barelas Road SW |
| | Cesar Chavez Community Center | Community Center | 7505 Kathryn Ave. SE |
| | Dennis Chavez Community Center | Community Center | 715 Kathryn Ave. SE |
| | Heights Community Center | Community Center | 823 Buena Vista Drive SE |
| | Herman Sanchez Community Center | Community Center | 1830 William St. SE |
| | Jeanne Bellamah Center | Community Center | 11516 Summer Ave. NE |
| | Jewish Community Center | Community Center | 5520 Wyoming Blvd. NE |
| | Loma Linda Community Center | Community Center | 1700 Yale Blvd. SE |
| | Mesa Verde Community Center | Community Center | 7900 Marquette Ave. NE |
| | McKinley Community Center | Community Center | 3401 Monroe St. NE |
| | Singing Arrow Community Center | Community Center | 13001 Singing Arrow Road SE |
| | Taylor Ranch Community Center | Community Center | 4900 Kachina St. NW |
| | Valley Del Norte Community Center | Community Center | 1812 Candelaria Road NW |
| | Whittier Center | Community Center | 1100 Quincy St. SE |
| | Cherry Hills Library | Library | 6901 Barstow St. NE |
| | Erna Ferguson Library | Library | 3700 San Mateo Blvd. NE |
| | Ernie Pyle Library | Library | 900 Girard Blvd. SE |
| | Lomas/Tramway Public Library | Library | 9808 Eastridge Drive |

| MEETING LOCATION THE FLIER COVERED | LOCATION THE FLIER WAS POSTED | CATEGORY | STREET ADDRESS |
|---|--|-----------------|-----------------------|
| | Los Griegos Public Library | Library | 1000 Griegos Road NW |
| | Main Library | Library | 501 Copper Ave. NW |
| | North Valley Library | Library | 7704 Second St. NW |
| | San Pedro Library | Library | 5600 Trumbull Ave. SE |
| | South Valley Library | Library | 3904 Isleta Blvd. SW |
| | Taylor Ranch Library | Library | 5700 Bogart St. NW |
| | Tony Hillerman Library | Library | 8205 Apache Ave. NE |
| | Indian Pueblo Cultural Center | Museum | 2401 12th St. NE |
| | U.S. Post Office, Albuquerque Downtown | Post Office | 201 Fifth St. SW |

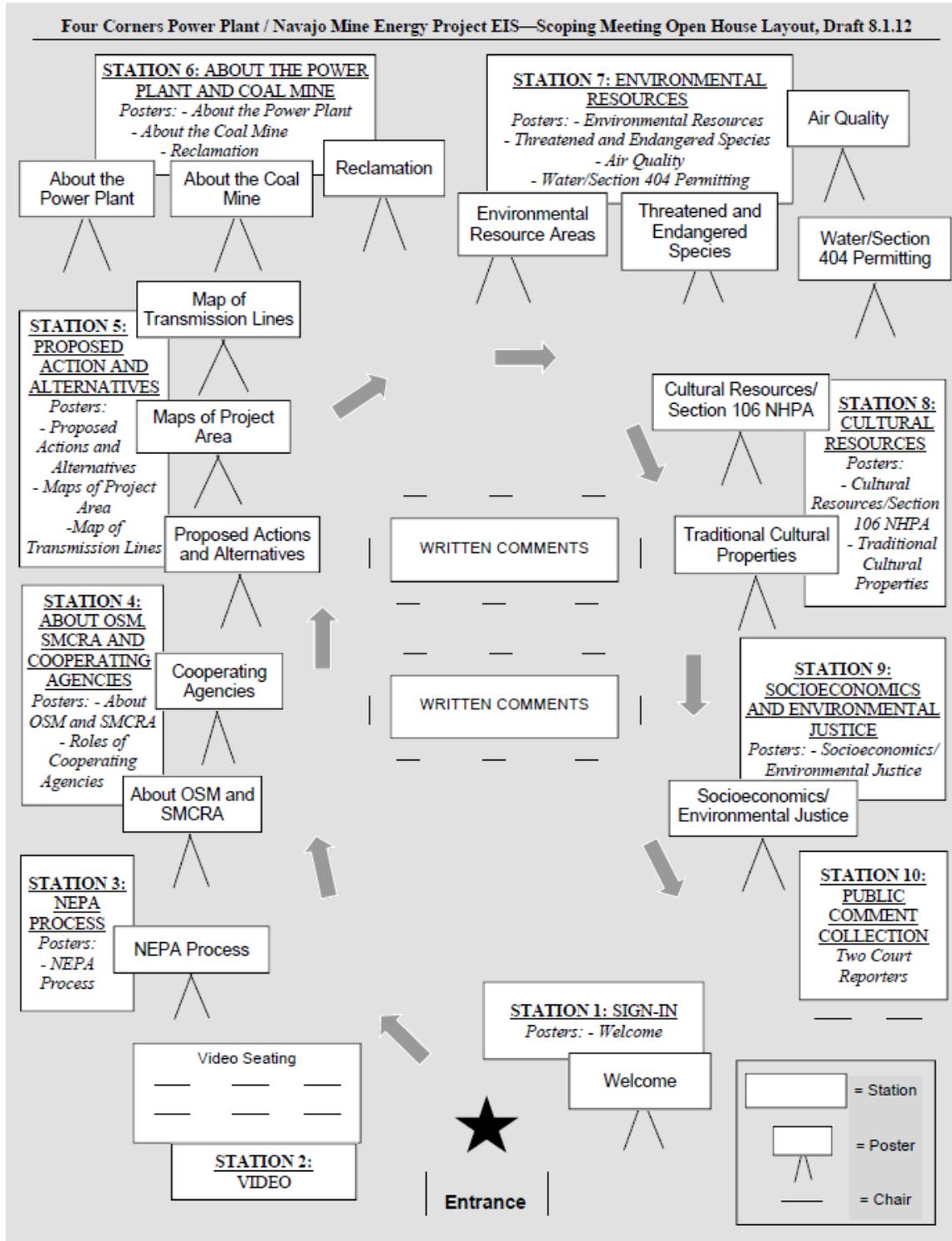
Exhibit I – Information Repository Locations Database

| TYPE OF LOCATION | NAME | MAILING ADDRESS | PHYSICAL ADDRESS |
|------------------|--|---|---|
| Navajo Nation | Navajo Nation Library | P.O. Box 9040 Window Rock, AZ 86515 | Highway 264 Post Office Loop Road Window Rock, AZ 86515 |
| Navajo Nation | Navajo Nation Division of Natural Resources, Minerals Department | P.O. Box 9000 Window Rock, AZ 86515 | Executive Office Building 1-2636 Window Rock Blvd. Window Rock, AZ 86515 |
| Hopi Reservation | Hopi Public Mobile Library (Hopi Reservation) | P.O. Box 123 Kykotsmovi, AZ 86039 | 1 Main St. c/o Hopi Education Department Kykotsmovi, AZ 86039 |
| Public Library | Albuquerque Main Library | 501 Copper Ave. NW Albuquerque, NM 87102 | 501 Copper Ave. NW Albuquerque, NM 87102 |
| Public Library | Cortez Public Library | 202 N. Park St. Cortez, CO 81321 | 202 N. Park St. Cortez, CO 81321 |
| Public Library | Durango Public Library | 1900 E. Third Ave. Durango, CO 81301 | 1900 E. Third Ave. Durango, CO 81301 |
| Public Library | Farmington Public Library | 2101 Farmington Ave. Farmington, NM 87401 | 2101 Farmington Ave. Farmington, NM 87401 |
| Public Library | Octavia Fellin Public Library (Gallup) | 115 W. Hill Ave. Gallup, NM 87301 | 115 W. Hill Ave. Gallup, NM 87301 |
| Public Library | Shiprock Branch Library | Farmington Public Library 2101 Farmington Ave. Farmington, NM 87401 | U.S. Highway 491 Shiprock, NM 87420 |
| Public Library | Tuba City Public Library | P.O. Box 190 Tuba City, AZ 86045 | 78 Main St. Tuba City, AZ 86045 |
| Chapter House | Chinle Chapter House | P.O. Box 1809 Chinle, AZ 86503 | Highway 191 |
| Chapter House | Coalmine Canyon Chapter House | P.O. Box 1464 Tuba City, AZ 86045 | Highway 160 and Main St. |
| Chapter House | Nenahnezad Chapter House | P.O. Box 438 Fruitland, NM 87416 | County Road 6675, Navajo Route 365 |
| Chapter House | Shiprock Chapter House | P.O. Box 3810 Shiprock, NM 87420 | East on Highway 64 |

| | | | |
|---------------------------------|---|---|---|
| Chapter House | Tiis Tsoh Sikaad (Burnham) Chapter House | P.O. Box 7359 Newcomb, NM 87455 | 12 miles east of U.S. 491 on Navajo Route 5, and half-mile south on Navajo Route 5080 |
| Chapter House | Upper Fruitland Chapter House | P.O. Box 1257 Fruitland, NM 87416 | N562 Building #006-001, North of Highway N36 Fruitland, NM 87416 |
| OSM Office | Office of Surface Mining Reclamation and Enforcement, Albuquerque Area Office | 505 Marquette Ave., NW, Suite 1200 Albuquerque, NM 87102 | 505 Marquette Ave., NW, Suite 1200 Albuquerque, NM 87102 |
| OSM Office | Office of Surface Mining Reclamation and Enforcement, Farmington Area Office | 501 Airport Drive, Suite 208 Farmington, NM 87401 | 501 Airport Drive, Suite 208 Farmington, NM 87401 |
| OSM Office | Office of Surface Mining Reclamation and Enforcement, Western Region | 1999 Broadway, Suite 3320 Denver, CO 80202-3050 | 1999 Broadway, Suite 3320 Denver, CO 80202-3050 |
| Bureau of Indian Affairs Office | Chinle Agency | P.O. Box 7H Chinle, AZ 86503 | Navajo Route 7, Building 136-C Chinle, AZ 86503 |
| Bureau of Indian Affairs Office | Eastern Navajo Agency | P.O. Box 328 Crownpoint, NM 87313 | Highland Road Code Talker St., Building 222 Crownpoint, NM 87313 |
| Bureau of Indian Affairs Office | Fort Defiance Agency | Branch of Natural Resources P.O. Box 1060, MC N463 Gallup, AZ 87301 | Bonita Drive, Building 251-3 Fort Defiance, AZ 86504 |
| Bureau of Indian Affairs Office | Hopi Agency | P.O. Box 158 Keams Canyon, AZ 86034 | 100 Main St. Keams Canyon, AZ 86034 |
| Bureau of Indian Affairs Office | Ramah Navajo Agency | HC-61, Box 14 Ramah, NM 87321 | HC-61, Box 14 Ramah, NM 87321 |
| Bureau of Indian Affairs Office | Shiprock Agency | P.O. Box 3538 Shiprock, NM 87420 | Nataani Nez Complex Building, Second Floor Highway 491 South |
| Bureau of Indian Affairs Office | Southern Pueblos Agency | 1001 Indian School Road, NW Albuquerque, NM 87104 | 1001 Indian School Road, NW Albuquerque, NM 87104 |

| | | | |
|---------------------------------|-------------------------|-------------------------------------|--|
| Bureau of Indian Affairs Office | Southern Ute Agency | P.O. Box 315 Ignacio, CO 81137 | 383 Ute Road, Building 1 Ignacio, CO 81137 |
| Bureau of Indian Affairs Office | Ute Mountain Ute Agency | P.O. Box KK Towaoc, CO 81334 | Phillip Coyote, Sr. Memorial Hall 440 Sunset Blvd. Towaoc, CO 81334 |
| Bureau of Indian Affairs Office | Western Navajo Agency | P.O. Box 127 Tuba City, AZ 86045 | East Highway 160 and Warrior Drive Tuba City, AZ 86045 |

Exhibit J – Open House Scoping Meeting Internal Room Layout and Staffing Plan



| Station | Posters | Fact Sheets/ Handouts | Other | Staffers [to be identified] |
|---|--|--|---|--|
| Station 1: Welcome and Sign-in | <ul style="list-style-type: none"> 1. Welcome poster | <ul style="list-style-type: none"> Poster Station Room Layout handout Comment Form handout | <ul style="list-style-type: none"> Sign-in sheets (5) Clipboards Pens (8) Media kits (1) Table (2) Chairs (1) Easel | <p>Sign-In Table: Alfreda Cornfield Ken Bahe Tania Fragomeno Kara Mulvihill</p> <p>Staff floaters to monitor and assist as needed: Lewis Michaelson, Dolph or Nikki, Lewis + two language interpreters</p> <p>Media Interface: Rick Williamson</p> |
| Station 2: Video | N/A | N/A | <ul style="list-style-type: none"> TV/Video Player or Laptop (8-10) Chairs (4) Headphones Small sign that describes looping/languages available | Kara Mulvihill |
| Station 3: NEPA Process | <ul style="list-style-type: none"> 2. NEPA Process poster | <ul style="list-style-type: none"> Project Fact Sheet | <ul style="list-style-type: none"> Comment Form (1) Table (1) Chair (1) Easel | <p>These 3 can rotate: Kate Bartz (roaming) Carlos Jallo Marcelo Calle (roaming)</p> |

| Station | Posters | Fact Sheets/ Handouts | Other | Staffers [to be identified] |
|--|--|--|---|---|
| Station 4: About OSM, SMCRA and Roles of Cooperating Agencies | <ul style="list-style-type: none"> • 3. About OSM and SMCRA poster • 4. Roles of Cooperating Agencies poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (2) Easels | <p>Mychal Yellowman Rick Williamson (roaming) Any cooperating agencies (except ACOE, who will be at diff table)</p> |
| Station 5: Proposed Actions and Alternatives | <ul style="list-style-type: none"> • 5. Proposed Actions and Alternatives poster • 6. Maps of Project Area poster • 7. Map of Transmission Lines poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (2) Easels | <p>Rick Williamson (roaming) Harrilene Yazzie (roaming) Lyle Ben</p> |
| Station 6: About the Four Corners Power Plant and the Coal Mine | <ul style="list-style-type: none"> • 8. About the Power Plant poster • 9. About the Coal Mine poster • 10. Reclamation poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (2) Easels | <p>About the Power Plant: Dan Tormey or Megan Schwartz About the mine: Gene Hays, Marcelo Calle, Karen Jass Reclamation: Lawrence Begay, Krishna Baskota, Gene Hays, Marcelo Calle, Karen Jass,</p> |

| Station | Posters | Fact Sheets/ Handouts | Other | Staffers [to be identified] |
|--|---|--|--|---|
| Station 7: Environmental Resources | <ul style="list-style-type: none"> • 11. Environmental Resource Areas poster • 12. Threatened and Endangered Species poster • 13. Air Quality poster • 14. Water/ Section 404 Permitting poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (4) Easels | Env. Resource Poster: All at table T&E poster: Alex Birchfield, Craig Kling Air Quality: Brad Boyes Water/404: Paul Clark, Deanna Cummings |
| Station 8: Cultural Resources | <ul style="list-style-type: none"> • 15. Cultural Resources/ Section 106 NHPA poster • 16. Traditional Cultural Properties poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (1) Easel | Kurt Schweigert or Terry Rudolph |
| Station 9: Socioeconomics and Environmental Justice | <ul style="list-style-type: none"> • 17. Socioeconomics and Environmental Justice poster | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (1) Table • (2) Chairs • (1) Easel | David Kiernan or Craig Bloxham, Ben Pogue |
| Station 10: Public Comment Collection | <ul style="list-style-type: none"> • Small table sign | <ul style="list-style-type: none"> • Project Fact Sheet | <ul style="list-style-type: none"> • Comment Form • (2-4) Tables • (6-8) Chairs • Pens • Collection Envelope • (1) Table-top easel | Staff floater Two court reporters |

Exhibit K – Fact Sheet Booklet



The Office of Surface Mining Reclamation and Enforcement (OSM), a branch of the United States Department of the Interior, was created in 1977 when Congress enacted the Surface Mining Control and Reclamation Act. The Surface Mining Control and Reclamation Act of 1977 is the primary federal law that regulates the environmental effects of coal mining in the United States. OSM works with States and Tribes to ensure that citizens and the environment are protected during coal mining and that the land is restored to beneficial use when mining is finished.

The OSM Western Region, Denver, CO, is preparing an Environmental Impact Statement (EIS) to evaluate potential environmental impacts from a proposal to extend operation of the Four Corners Power Plant, renew rights-of-way for associated transmission lines, renew the Navajo Mine Permit in 2014, and issue a new mine permit area within the existing Navajo Lease area. This proposed new mine permit area is referred to as the Pinabete Permit. The EIS is being prepared in accordance with the National Environmental Policy Act of 1969 (NEPA).

While OSM is the lead agency for preparation of the Four Corners Power Plant and Navajo Mine Energy Project EIS, it works with several other agencies to ensure the development of a comprehensive and thorough environmental analysis. These other agencies are referred to as "cooperating agencies." A cooperating agency is any agency, other than the lead agency, that has jurisdiction by law or special expertise concerning a proposal. Cooperating agencies for the EIS include the Bureau of Indian Affairs, Navajo Nation, Hopi Tribe, 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.

The National Environmental Policy Act

Before U.S. federal agencies proceed with major federal actions, they must consider the potential impacts their proposed activities may have on the human, natural or cultural environment. An environmental analysis is mandated by the National Environmental Policy Act of 1969 (NEPA). NEPA requires federal agencies to examine the potential environmental effects of their actions to allow for more informed decision-making. An Environmental Impact Statement (EIS) is a detailed public document that provides an assessment of the potential effects a federal action may have on the environment. Community and agency involvement is a critical part of the NEPA process.



COOPERATING AGENCIES ASSISTING IN DEVELOPMENT OF THE EIS

| FEDERAL AGENCY | RESPONSIBILITIES/ACTIONS |
|--|--|
| Office of Surface Mining and Reclamation | <ul style="list-style-type: none"> Act as lead agency in preparing the EIS Approve or deny the application for a new mine area, known as the Pinabete Permit area Approve or deny the 2014 Navajo Mine Permit renewal Act as lead agency for Section 7 consultation with U.S. Fish and Wildlife Service and for National Historic Preservation Act Section 106 consultation |
| Bureau of Indian Affairs | <ul style="list-style-type: none"> Approve or deny the lease amendment for the Four Corners Power Plant Approve or deny renewal of associated rights-of-way for existing transmission lines and switchyards Approve or deny proposed realignment of Burnham Road within the Navajo Mine Lease area |
| Navajo Nation | <ul style="list-style-type: none"> Issue a biological opinion for tribally listed threatened and endangered species Consult with OSM to identify, evaluate, and consider potential impacts to cultural and historic resources Review and comment on the Surface Mining Control and Reclamation Act permit application package Issue Clean Water Act Section 401 water quality certifications Issue Title V Clean Air Act permit |
| Hopi Tribe | <ul style="list-style-type: none"> Issue a biological opinion for tribally listed threatened and endangered species Consult with OSM for potential impacts to cultural and historic resources |
| Bureau of Land Management | <ul style="list-style-type: none"> Issue a decision on the Pinabete Mine Plan to ensure maximum economic recovery of coal |
| U.S. Environmental Protection Agency | <ul style="list-style-type: none"> Ensure emissions comply with the Clean Air Act Issue a decision on the National Pollutant Discharge Elimination System permit application for the Pinabete area under Section 402 of the Clean Water Act |
| U.S. Fish and Wildlife Service | <ul style="list-style-type: none"> Issue a biological opinion for threatened and endangered species under Section 7 of the Endangered Species Act |
| U.S. Army Corps of Engineers | <ul style="list-style-type: none"> Approve or deny permit for fill in waters of the United States under Section 404 of the Clean Water Act |
| National Park Service | <ul style="list-style-type: none"> Review potential impacts to National Parks in the region |

ABOUT THE FOUR CORNERS POWER PLANT AND NAVAJO COAL MINE

Four Corners Power Plant

The Four Corners Power Plant is one of the largest coal-fired electric generating stations in the United States. The plant includes five units and generates approximately 2,100 megawatts, providing power to more than 500,000 homes in New Mexico, Arizona, California and Texas. The plant, operated by Arizona Public Service, is located on tribal trust lands in the New Mexico portion of the Navajo Reservation. Approximately 75 percent of employees at the plant are Native American.

The desired future operation of the Four Corners Power Plant site involves discontinuing operation of Units 1, 2 and 3 during or prior to 2014, installing pollution control upgrades on Units 4 and 5, and continued operation of the independent switchyard and transmission lines. This scenario would substantially reduce coal consumption and air emissions and lower the power output of the plant to approximately 1,500 megawatts. In future years, the ash disposal area would expand within the current Four Corners Power Plant lease boundary.

BHP Billiton Coal Company Navajo Mine Lease Area

In July 1957, the Navajo Nation granted a mining lease to Utah Construction & Mining Company, which as amended is 33,000 acres. Operation of the mine began in 1963 to supply the Four Corners Power Plant with coal. The 33,000-acre mining lease annually produces an average of 8.5 million tons of coal, which is transported via a dedicated rail to the Four Corners Power Plant. The Navajo Mine Lease area is located on tribal trust lands on the Navajo Reservation adjacent to the Four Corners Power Plant. Approximately 82 percent of employees at the coal mine are Native American.

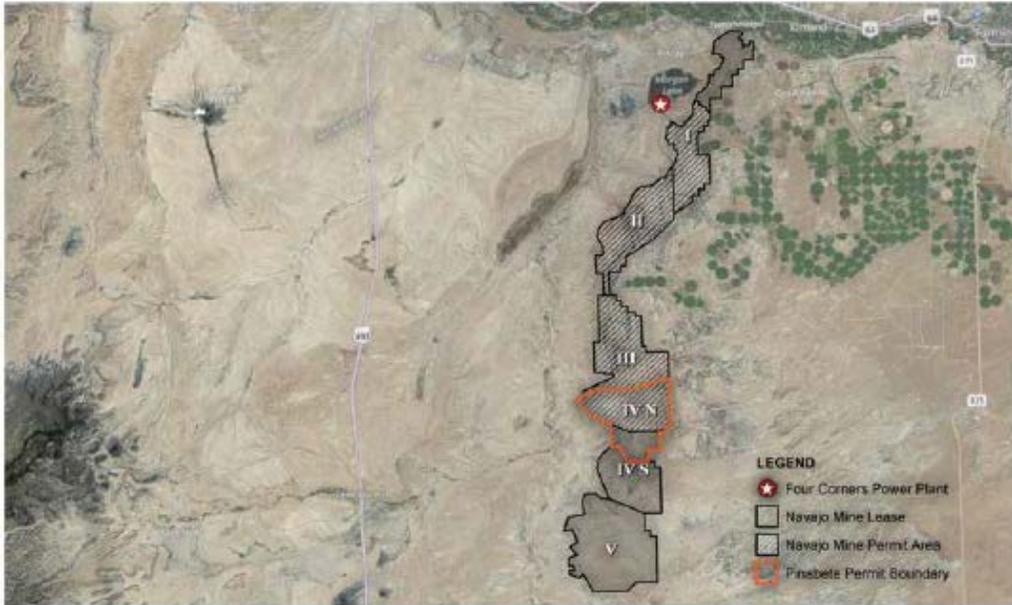


PROPOSED ACTIONS AND ALTERNATIVES

In accordance with NEPA, OSM and cooperating agencies will evaluate the direct, indirect and cumulative environmental impacts associated with the following proposed actions:

- **Power Plant Lease Amendment** – Arizona Public Service, as operating agent and on behalf of participant owners of the Four Corners Power Plant, recently executed a lease amendment (Lease Amendment No. 3) with the Navajo Nation to extend the term of the lease for the Four Corners Power Plant an additional 25 years, to 2041. Under the lease amendment, Arizona Public Service would proceed with discontinuing operation of Units 1, 2 and 3; installing emission reduction equipment on Units 4 and 5; and expanding the ash disposal area within the existing power plant boundaries. Environmental impacts from this lease amendment will be analyzed in the EIS.
- **Energy Transmission Lines Rights-of-Way Renewals** – Existing transmission lines owned and operated by Arizona Public Service or Public Service Company of New Mexico require rights-of-way renewals within the period of time this NEPA review is conducted. These transmission lines are considered connected actions to the continuing operation of the mine and power plant. There would be no new transmission lines. However, the environmental impacts from the continued operations of the transmission lines, in the event the rights-of-way permits are renewed, will be analyzed in the EIS.
- **Navajo Mine 2014 Permit Renewal** – OSM expects BHP Billiton Navajo Coal Company to submit a renewal application in 2014 for its existing Navajo Mine Surface Mining Control and Reclamation Act Permit (No. NM0003F). Therefore, the EIS will also analyze impacts of the 2014 renewal application.
- **New Coal Mine Area** – In spring 2012, BHP Billiton Navajo Coal Company submitted an application to OSM to develop a new 5,600-acre mine area, referred to as the Pinabete Permit area, within its existing Navajo Mine Lease. The Pinabete Permit area would supply coal to the Four Corners Power Plant for up to 25 years, beginning in July 2016. Environmental impacts from the proposed mine area will be analyzed in the EIS.

FOUR CORNERS POWER PLANT AND NAVAJO MINE ENERGY PROJECT AREA MAP



Alternatives

The NEPA process requires the evaluation of a range of alternatives to the proposed actions. The EIS will analyze the proposed actions and a "no action" alternative, as well as other reasonable alternatives that may be identified through the NEPA process, including public and agency comments. The range of reasonable alternatives to be considered will be determined based, in part, on public input received during the scoping process.

The no-action alternative would result in expiration of the Four Corners Power Plant lease and associated rights-of-way; expiration of BHP Billiton Navajo Coal Company's Surface Mining Control and Reclamation Act permit for the Navajo Mine; and there would not be a new Pinabete permit.



ENVIRONMENTAL RESOURCES TO BE ANALYZED

Threatened, Endangered and Sensitive Species

In accordance with Section 7 of the Endangered Species Act, OSM is consulting with the U.S. Fish and Wildlife Service to determine potential environmental impacts to threatened and endangered species and their critical habitat as a result of the proposed actions. OSM will also evaluate impacts to species protected under the Bald and Golden Eagle Act and Migratory Bird Treaty Act. OSM requires wildlife and raptor monitoring in compliance with Surface Mining Control and Reclamation Act permitting. This includes species listed by the Navajo and Hopi tribes, as well as those listed by the U.S. Fish and Wildlife Service.

The Navajo Nation, Hopi Tribe, and U.S. Fish and Wildlife Service would issue respective biological opinions for listed species.

A sample of threatened, endangered, and sensitive species in the area.



Environmental resource areas to be studied in the EIS are listed below. The public is encouraged to provide input on these or other environmental resource areas for consideration in the Draft EIS.

- Threatened and endangered species
- Air quality and climate change
- Surface and ground water quality
- Socioeconomics and environmental justice
- Cultural and historic resources
- Biological resources
- Visual resources
- Noise and vibration
- Public health and safety
- Land use and recreation
- Transportation
- Geology and minerals
- Topography and soils
- Agriculture and grazing
- Water rights
- Solid/hazardous waste

Air Quality

The Navajo Nation Environmental Protection Agency and the U.S. Environmental Protection Agency are both involved with the review of the continued operations of the power plant. The Clean Air Act's Regional Haze Rule requires the use of Best Available Retrofit Technology (BART) at older coal-fired power plants to reduce haze and improve visibility. In October 2010, the U.S. Environmental Protection Agency issued a proposed BART rule for the Four Corners Power Plant, which included installing additional nitrogen oxide and particulate controls. As part of BART compliance, approval of the lease renewals and the continued operation of the power plant would require the installation of additional nitrogen oxide controls on Units 4 and 5 by July 2018, and Units 1, 2 and 3 would close by January 2014.





Water Quality

Several Clean Water Act permits are needed for the proposed actions. In spring 2012, BHP Billiton Navajo Coal Company submitted an application to the U.S. Army Corps of Engineers for a Clean Water Act Section 404 permit that would allow the coal mine to discharge fill material into waters at specified disposal sites. Development of the Pinabete Permit area would impact approximately 5 acres of arroyos and dry channels over 25 years.

A Clean Water Act Section 402 permit, known as a National Pollutant Discharge Elimination System (NPDES) permit, is issued by the U.S. Environmental Protection Agency for discharge of certain pollutants into waters of the United States by industrial operators. The Navajo Nation would be responsible for issuing Section 401 water quality certifications to BHP Billiton Navajo Coal Company. BHP Billiton Navajo Coal Company is in the process of preparing an application for this permit.

Socioeconomics and Environmental Justice

The EIS will include analysis of how potential environmental impacts from the proposed actions could affect socioeconomics. Socioeconomics is a broad discipline and includes topics such as employment, tribal revenues, household income, business output, property values and disadvantaged populations. In the context of this project, the EIS will include a study of the socioeconomic effects of continued operations, the no action alternative (discontinuing operations at the mine and power plant), and any other reasonable alternatives identified.

In 1994, President Clinton issued Executive Order 12898, which requires federal agencies to consider environmental justice in carrying out their missions. Agencies are required to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority and low-income populations. Environmental justice studies are part of the larger socioeconomics analysis in the NEPA process.

Diné Natural Law will inform the environmental justice analysis and requires that "The rights to use the land, natural resources, sacred sites, and other living beings must be accomplished through the protocol of offering and these practices must be protected" (Source: The Fundamental Laws of the Diné, Title 1, Chapter 1, Part 5. Nahasdzáán dóó Yádlíhíł Bits'áádeé' Beehaz'áanii– Diné Natural Law).

Cultural Resources and National Historic Preservation Act

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to take into account the effects of proposed actions on historic properties listed on or eligible for listing on the National Register of Historic Places. OSM will consult with Tribal and State Historic Preservation Officers to determine whether there would be potential impacts to cultural and historic resources and how to minimize or avoid impacts. Tribal concerns will be given due consideration, including potential impacts on Indian trust assets.



NEPA PROCESS AND COMMUNITY INVOLVEMENT

Community Involvement is a critical part of the NEPA process. The public participates in the NEPA process by helping to identify environmental issues and potential alternatives during the scoping period and by evaluating the analysis of the proposed actions and alternatives during the public review period. All public comments are considered, and OSM will not proceed with any proposed actions until the NEPA process is complete. The table on page 8 describes the steps of the NEPA process and identifies the opportunities for public involvement.



How to Submit Comments on the EIS

In August 2012, OSM is holding nine open house scoping meetings to inform the public about the proposed actions and to receive comments on relevant issues to be considered in the EIS (see table on page 8 for schedule). During each open house, informational poster stations and project team representatives will be available to provide the public with an opportunity to learn more about the NEPA process and the proposed actions and alternatives currently under consideration. This scoping will also satisfy the public involvement and noticing requirement for Section 106 of the National Historic Preservation Act.

Government agencies, elected officials, tribes, organizations and individuals are encouraged to participate and comment in any of the following ways:

- Submit written or oral comments at the open house scoping meetings
- Submit comments via email at FCPPNavajoEnergyEIS@osmre.gov
- Send written comments via postal mail, hand delivery or courier to:

Mr. Marcelo Calle
OSM Western Region
1999 Broadway, Suite 3320
Denver, CO 80202-3050

All comments must be postmarked or received by the end of the comment period on Sept. 17, 2012, to be considered in the Draft EIS.

For More Information

Informational materials and project documents will be made available on the project website at <http://www.wrcc.osmre.gov/FCPPEIS.shtm>. More project information can also be obtained by calling Mr. Marcelo Calle, OSM EIS Coordinator, at 303-293-5035.

The public's participation in the EIS will help OSM make more informed decisions about the proposed actions. The scoping public comment period is from July 18, 2012, to Sept. 17, 2012. There will be an additional opportunity for the public to comment after the release of the Draft EIS, which is anticipated in fall 2013.

NEPA PROCESS AND TIMELINE

| MILESTONE | DESCRIPTION | ANTICIPATED SCHEDULE |
|--|--|---|
| Notice of Intent (NOI) to Prepare an EIS | Publication of the NOI in the Federal Register starts the initial public involvement phase. Notices are also published in local newspapers. | July 18, 2012 |
| Scoping Period | <p>The scoping process actively involves the public and other agencies in identifying the environmental issues to be addressed in the EIS and other potential alternatives to accomplish the purpose and need.</p> <p>The scoping period for this EIS provides for nine open house scoping meetings and a 60-day public comment period.</p> <p style="color: #0056b3; font-weight: bold;">Opportunity for Public Review and Comment</p> | <p>Scoping Period: July 18 – Sept. 17, 2012</p> <p>Open House Scoping Meetings: Hotevilla, AZ – Aug. 9 Cortez, CO – Aug. 10 Burnham, NM – Aug. 11 Nenahnezad, NM – Aug. 13 Farmington, NM – Aug. 14 Shiprock, NM – Aug. 15 Durango, CO – Aug. 16 Window Rock, AZ – Aug. 17 Albuquerque, NM – Aug. 18</p> |
| Draft EIS | The Draft EIS presents the analysis of potential environmental impacts for the proposed actions and alternatives. Public comments received during the scoping period are considered in the development of the Draft EIS. A notice announcing availability of the Draft EIS will be published in the Federal Register and local newspapers. The Draft EIS will be filed with the U.S. Environmental Protection Agency and made available to interested parties. | Fall 2013 |
| Public Meetings and Comment Period | <p>NEPA regulations require a minimum of 45 days for the public to comment on the analysis presented in the Draft EIS. Comments may be submitted at public meetings, via U.S. mail or email.</p> <p style="color: #0056b3; font-weight: bold;">Opportunity for Public Review and Comment</p> | Fall 2013 |
| Final EIS | The Final EIS is an update to the Draft EIS and includes responses to all comments received during the public meetings and comment period. A notice announcing availability of the Final EIS will be published in the Federal Register and local newspapers. The Final EIS will be filed with the U.S. Environmental Protection Agency and made available to interested parties. | Summer 2014 |
| 30-Day Wait Period | Regulations provide for a 30-day wait period after the Final EIS is published before the agency may take final action. | Summer/Fall 2014 |
| Record of Decision | After the 30-day wait period, OSM will select an alternative and issue a Record of Decision. A notice of the Record of Decision will be published in the Federal Register and local newspapers and made available to interested parties. | Fall 2014 |

Complete
 In Progress
 Next Steps