

# ***CHAPTER 1.0***

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***INTRODUCTION***

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The Notice of Availability (NOA) of the Draft Environmental Impact Statement (EIS) for the proposed Spokane Tribe of Indians West Plains Casino and Mixed Use Project (Proposed Project) was published by the Bureau of Indian Affairs (BIA) in the Federal Register on March 2, 2012. The Draft EIS was made available for public comment for a 75-day period that concluded on May 16, 2012. During the comment period, a public hearing was held at the Sunset Elementary School Gymnasium on March 26, 2012 during which time verbal and written comments on the Draft EIS were received.

The BIA received approximately 277 individual comment letters during the comment period for the Draft EIS. A substantial number of these comment letters were “vote” letters for or against the project that did not provide substantive comments. Pursuant to the National Environmental Policy Act (NEPA), Section 1503.4(b), “the lead agency shall consider and respond to all substantive comments received on the Draft EIS (*or summaries thereof where the response has been exceptionally voluminous*).” Therefore, only substantive comments considered representative of the majority of comments have been included and specifically responded to within the Final EIS. A complete copy of all comments received on the Draft EIS, including a transcript of comments provided at the public hearing, is maintained by the BIA as part of the administrative record for this project. A log of all of the comment letters received as well as speakers at the public hearing is provided in **Appendix Q** of the Final EIS.

The Final EIS is organized into two volumes. Volume I contains the selected comment letters that are considered substantive and representative of the majority of comments received on the Draft EIS (**Section 2.0; Attachment A**); general summaries of comments received on the Draft EIS and responses broken down by key issues of concern (**Section 3.0**); and individual responses to representative comment letters (**Section 4.0**). Substantive changes are also noted within the responses to comments presented in **Sections 3.0 and 4.0**. Volume II is composed of the revised text of the EIS<sup>1</sup> and provides supplementary appendices (**Appendices Q through Y**) that were not included in the Draft EIS.

The response to comments provided herein, along with the revised EIS text, will be considered by the BIA prior to issuing a decision on the Proposed Action. Following the 30-day waiting period for this Final EIS, the BIA may decide on the Proposed Action. At the time the BIA makes its decision, a concise public Record of Decision (ROD) will be prepared that states: what the decision is, identifies all the alternatives considered in reaching the decision, and discusses preferences among alternatives based on relevant factors including economic and technical considerations and the BIA’s statutory mission (40 C.F.R § 1505.2). The ROD also identifies and discusses all factors that were considered in making the decision and discusses whether all practicable mitigation measures have been adopted to minimize environmental effects. If all practicable measures are not adopted, the BIA must state why such measures

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<sup>1</sup> A version of Volume II that notes the changes in underline (added text) and strike-out (~~deleted text~~) is available online at <http://www.westplainseis.com/>.

were not adopted. The Council of Environmental Quality (CEQ) requires that, “Mitigation and other conditions established in the environmental impact statement or during its review and committed as part of the decision shall be implemented by the lead agency or other appropriate consenting agency” (40 C.F.R. § 1505.3). Specific details of any adopted mitigation measures shall be included as appropriate conditions in the ROD by the lead agency.