



SCOPING REPORT

LITTLE RIVER BAND OF OTTAWA INDIANS TRUST ACQUISITION AND CASINO PROJECT

FEBRUARY 2016

LEAD AGENCY:

Midwest Region Office
Bureau of Indian Affairs
Department of the Interior
Norman Pointe II Building
5600 W. American Blvd., Suite 500
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SECTION 1.0

Introduction

SECTION 1.0

INTRODUCTION

The Bureau of Indian Affairs (BIA) has initiated the Environmental Impact Statement (EIS) process for the Little River Band of Ottawa Indians (Tribe) proposed 60-acre trust acquisition and casino project in Fruitport Township, Muskegon County, Michigan. The Proposed Action consists of the following components:

- 1) Issuance of a two-part determination by the Secretary of the Interior under Section 20 of the Indian Gaming Regulatory Act (IGRA) that gaming on the project site would be in the best interest of the Tribe and not detrimental to the surrounding community (25 USC § 2719 [b][1][A]);
- 2) The transfer of a 60-acre trust property from fee to trust status; and
- 3) Development of the trust parcel with a variety of uses including, but not limited to, a casino, hotel, parking, and other supporting facilities (Proposed Project).

This scoping report describes the EIS scoping process, identifies cooperating agencies, explains the purpose and need for the Proposed Action, describes the Proposed Project and alternatives, and summarizes the issues identified during the scoping process.

The National Environmental Policy Act (NEPA) integrates environmental considerations into the planning process and decisions of federal agencies. NEPA provides an interdisciplinary framework to ensure that federal agency decision-makers consider environmental factors. The key procedure required by NEPA is the preparation of an EIS for any major federal action that may significantly affect the quality of the environment. Public involvement, which is an important aspect of NEPA procedures, is provided for at various steps in the development of an EIS. The first opportunity for public involvement is the EIS scoping process.

1.1 SCOPING PROCESS

The “scope” of an EIS is the range of environmental issues to be addressed, the types of project effects to be considered, and the range of project alternatives to be analyzed. The EIS scoping process is designed to provide an opportunity for the public and other federal and state agencies to help determine the scope of the EIS and alternatives.

The first formal step in the preparation of an EIS is publication of a Notice of Intent (NOI) to prepare an EIS. The BIA published the NOI for the Proposed Action in the *Federal Register* on September 21, 2015 (80 FR 57014; **Appendix A**). The NOI described the Proposed Action and announced the initiation of the formal scoping process, information regarding the public scoping meeting, and the 30-day public scoping comment period that concluded on October 21, 2015. A newspaper notice announcing the

scoping process and meeting details was published in the Muskegon Chronicle on September 21, 2015 (**Appendix B**). Direct mailings were sent to interested parties, including 18 public agencies. A list of commenters is included as **Appendix C**, all comments received during the scoping process are included as **Appendix D**, and a transcript of the public scoping meeting is provided as **Appendix E**.

1.2 COOPERATING AGENCIES

Under NEPA, the BIA is the lead agency for the evaluation of the Proposed Action and alternatives consistent with the Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508). The BIA may request that other agencies having jurisdiction by law or having special expertise with respect to anticipated environmental issues be “cooperating agencies.” Cooperating agencies participate in the scoping process and, at the lead agency’s request, may provide information to be included in the EIS. A cooperating agency normally must use its own funds in undertaking its responsibilities under NEPA. However, CEQ NEPA regulations require that, to the extent possible, a lead agency fund “those major activities or analyses it requests from cooperating agencies” (40 C.F.R. § 1501.6).

The BIA has formally requested the Environmental Protection Agency (EPA), Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), Michigan Department of Transportation (MDOT), Muskegon County, Fruitport Township, City of Muskegon, and the Little River Band of Ottawa Indians to act as cooperating agencies. These request letters are included in **Appendix F**.

1.3 PUBLIC INVOLVEMENT

Public involvement opportunities provided during scoping included the public comment period and scoping meeting. Comments were submitted both verbally and in writing at the public hearing and via mail and e-mail.

1.3.1 PUBLIC NOTICE

The public was notified of scoping activities for the EIS through the publication of the NOI in the *Federal Register* (**Appendix A**), a newspaper notice in the Muskegon Chronicle (**Appendix B**), the project website (www.littlerivereis.com), and direct mail to potentially interested agencies.

1.3.2 PROJECT WEBSITE

A project website, www.littlerivereis.com, was launched on September 21, 2015. The website provides information on the Proposed Action and alternatives, EIS process, and comment opportunities. It also provides documents developed to date, including the NOI. Additional documents will be posted to the website as they are developed. This Scoping Report will be posted on the website when issued by the BIA.

1.3.3 PUBLIC MEETING

A public scoping meeting was conducted on October 15, 2015 to provide project information and to solicit public input on the EIS scope and alternatives. The meeting was intended to obtain input early in the NEPA process on issues and potential impacts to be assessed in the EIS, the purpose and need for the project, and alternatives to consider or eliminated from detailed analysis. The public scoping meeting was conducted in the format of a formal public hearing. A court reporter/stenographer was present at the public scoping meeting so that participants could provide individual, oral comments, which were recorded verbatim (**Appendix E**). Over 450 people attended the meeting, 46 of whom provided oral comments. Comment forms were available for attendees to provide input during the scoping meeting or to take home and mail later. During the public scoping meeting, 39 comment letters/forms were submitted (**Appendix D**), as well as 758 form letters.

1.3.4 MAIL AND E-MAIL

Through the public scoping notices, the public was invited to submit comments via mail during the 30-day public review period, which concluded on October 21, 2015. In that time period, 37 comments were submitted (**Appendix D**).

SECTION 2.0

Proposed Action and Alternatives

SECTION 2.0

PROPOSED ACTION AND ALTERNATIVES

2.1 PURPOSE AND NEED

The purpose and need for the Proposed Action is to improve the Tribe's short-term and long-term economic condition and promote its self-sufficiency, both with respect to its government operations and its members. Revenues from the operation of the project would be used for the following purposes:

- Funding governmental programs and services, including, but not limited to, housing, educational, job, natural resource protection, environmental protection, cultural preservation, and health and safety programs and services.
- Hiring additional staff, upgrading equipment and facilities, and generally improving governmental operations.
- Providing capital for other economic development and investment opportunities, allowing the Tribe to diversify its holdings over time, creating a more stable source of government funding.

Each of these purposes is consistent with the limited allowable uses for gaming revenues, as required by Indian Gaming Regulatory Act (IGRA; 25 U.S.C. § 2710[b][2][A]). The project would also provide employment opportunities for tribal members as well as local non-tribal residents. Additionally, operation of the hotel, casino, and related facilities on trust land would require the purchase of goods and services, increasing opportunities for local businesses, further stimulating the local economy.

2.2 ALTERNATIVES TO BE ANALYZED WITHIN THE EIS

The proposed project site is within Fruitport Township, Muskegon County, Michigan, approximately 5 miles south of the City of Muskegon (**Figure 1**), on 86.5 acres with the following Assessor Parcel Numbers (APNs): 300-0011-10, 300-0026-00, and 300-0028-00. The Tribe acquired these parcels in 2008. Of the 86.5 acres encompassing the project parcels, 60 acres would be transferred into federal trust status, while 26.5 acres would remain in fee title. The project site is bounded by Interstate 96 to the northeast, Harvey Street to the west, and Ellis Road to the south (**Figure 2** and **Figure 3**). The EIS will evaluate a reasonable range of alternatives to meet the purpose and need for the Proposed Action, which include the following:

1. Alternative A – Proposed Project;
2. Alternative B – Reduced Intensity Gaming Facility;
3. Alternative C – Non-gaming Facility;
4. Alternative D – Custer Site; and
5. Alternative E – No Action/No Development.

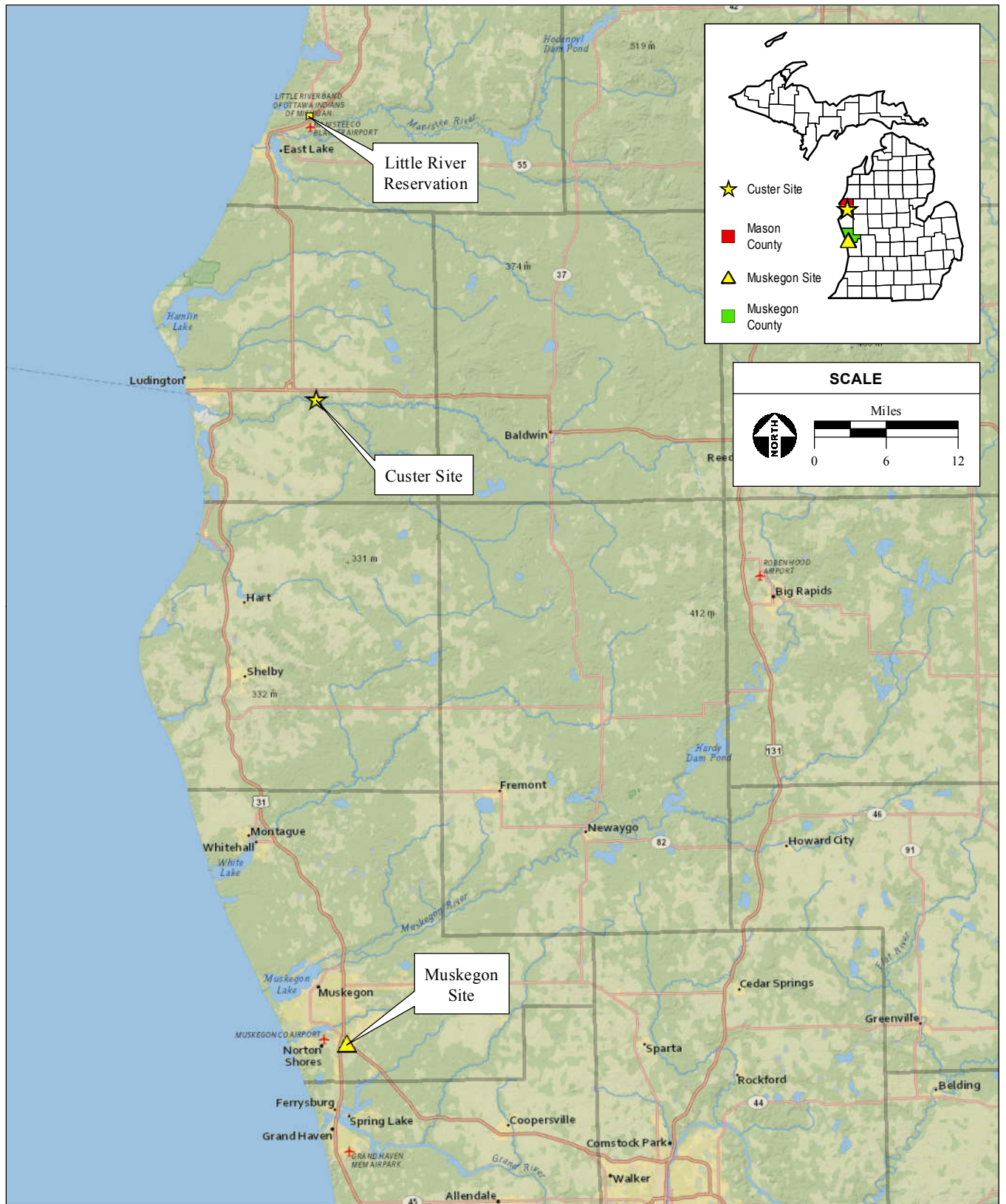
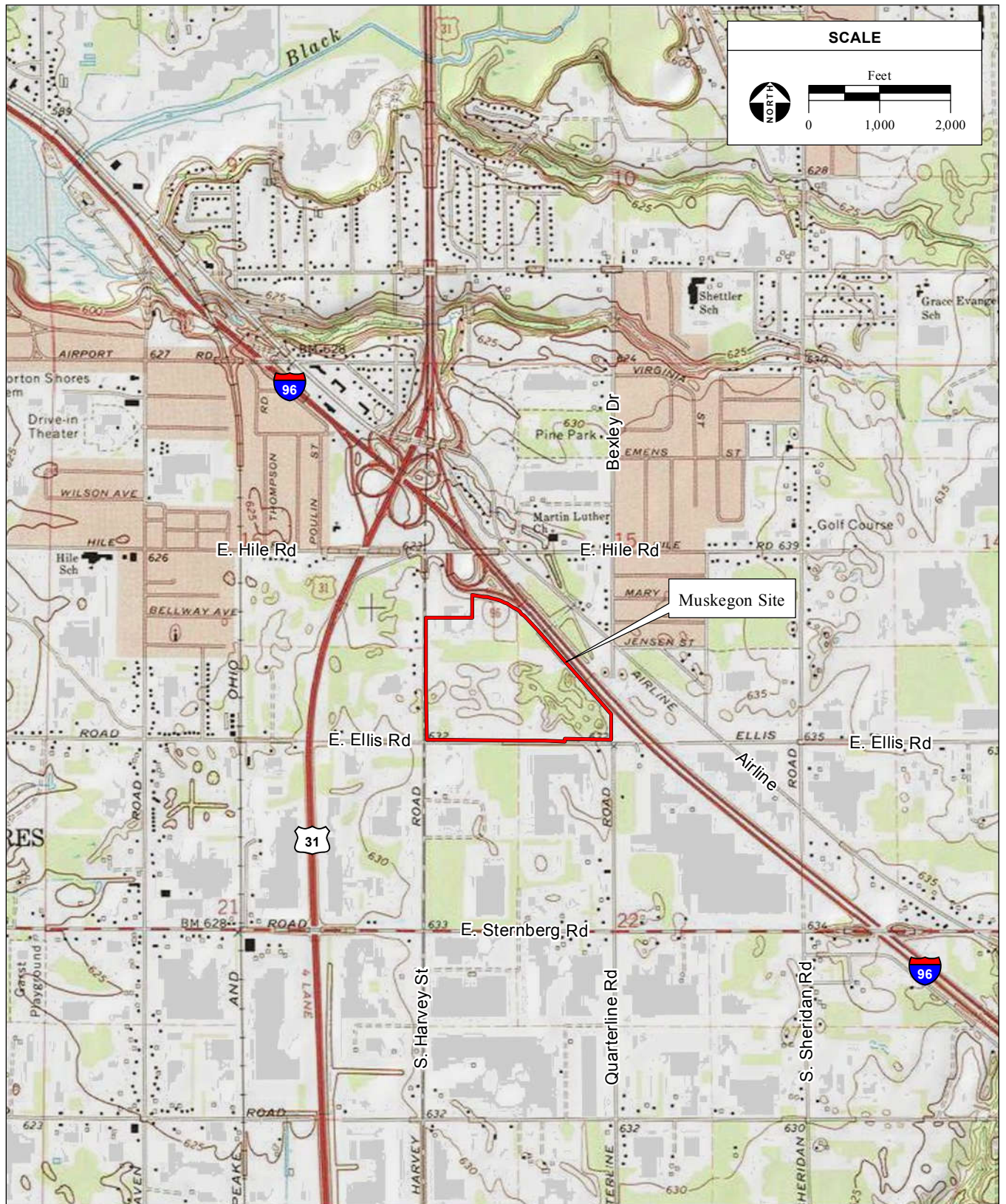


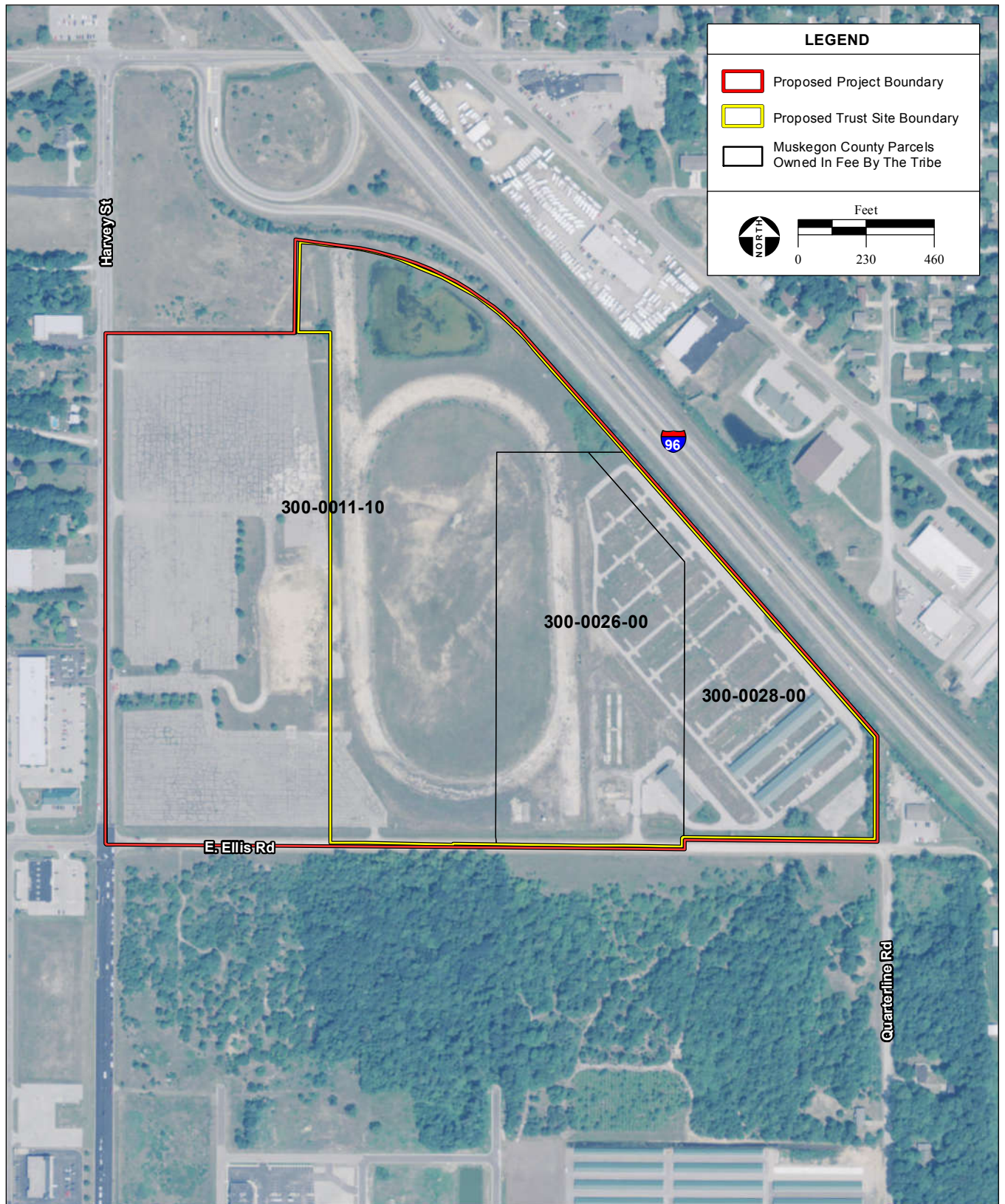
Figure 1
Regional Location



SOURCE: "Muskegon East, MI" USGS 7.5 Minute Topographic Quadrangle, T9N, R16W, Sections 15 and 22, Michigan Baseline & Meridian; ESRI Data, 2013; AES, 11/30/2015

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Figure 2
Site and Vicinity - Muskegon Site



SOURCE: USDA aerial photograph, 7/21/2014; AES, 12/1/2015

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Figure 3
Aerial Photograph and Trust Site Boundaries – Muskegon Site

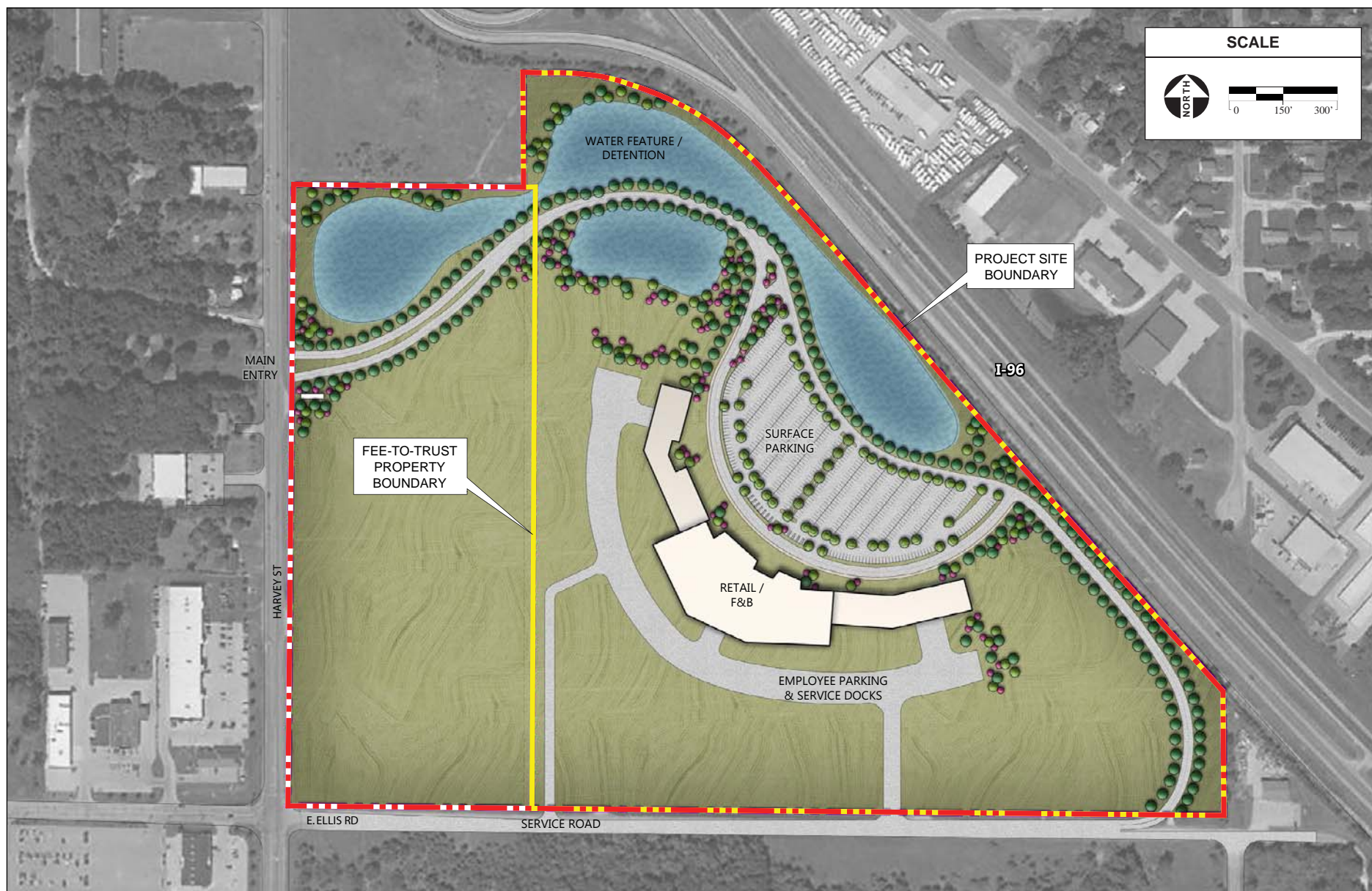
Table 2-1 identifies and summarizes the development alternatives to be analyzed in detail in the EIS. Alternative A, the Little River Band of Ottawa Indians' Proposed Project, is considered the Proposed Action. The BIA (Lead Agency), however, may not identify a Preferred Alternative until completion of the environmental analysis. If it is clearly known at the time, a Preferred Alternative may be identified in the Draft EIS; otherwise, BIA will do so in the Final EIS or Record of Decision (ROD). As described in NEPA Section 1502.14(e), a Preferred Alternative is the alternative that the agency believes would fulfill its statutory mission and responsibilities, considering economic, environmental, technical, and other factors.

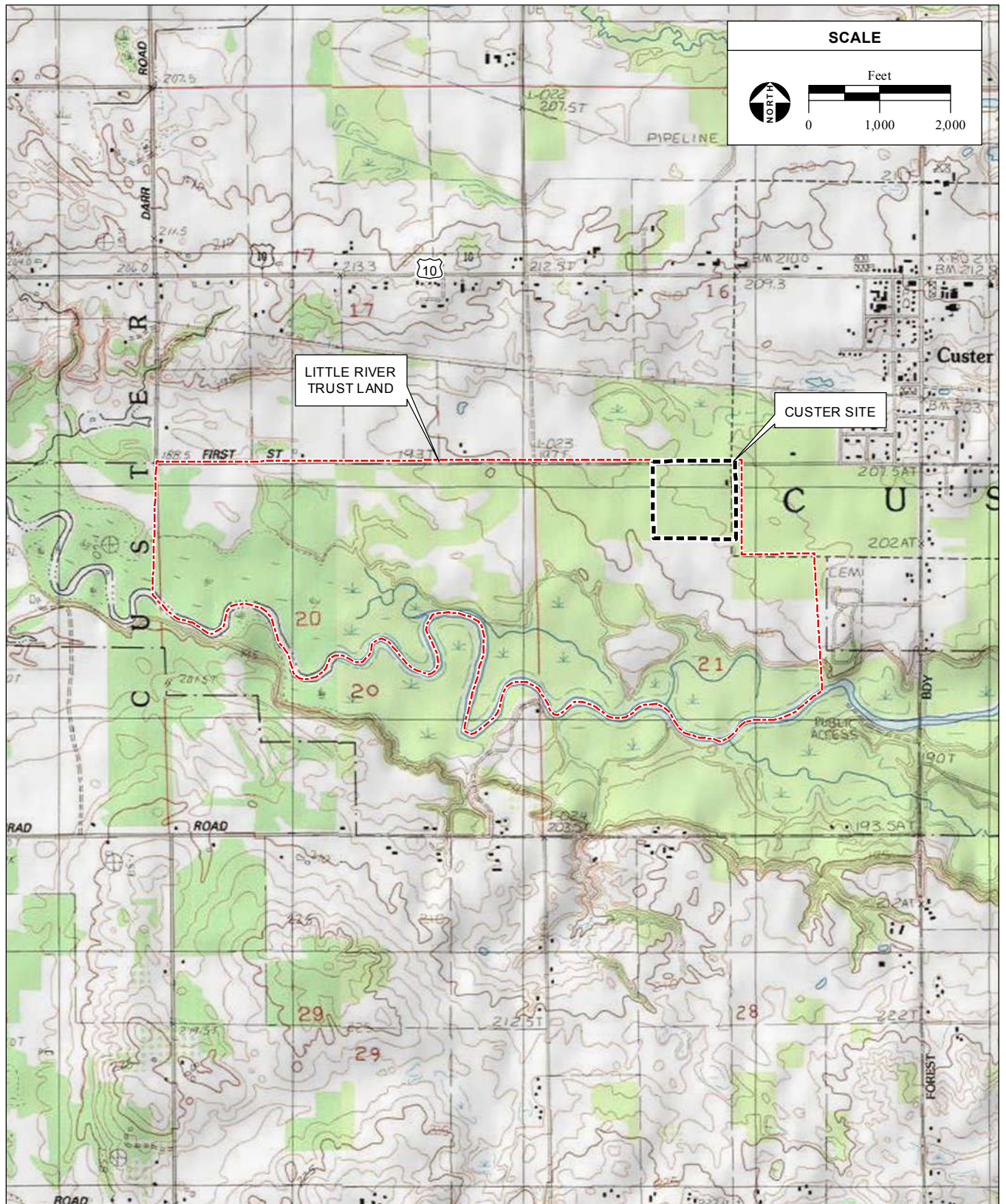
TABLE 2-1
SUMMARY OF ALTERNATIVES TO BE ANALYZED IN DETAIL IN THE EIS

Alternative	Description
Alternative A: Proposed Project	Alternative A would result in the transfer of 60 acres from fee to trust status, and the subsequent development of a casino, restaurants and bars, multi-purpose center, and an approximately 220-room hotel with a pool and fitness center. This alternative also includes other supporting facilities including internal roadways, drainage facilities, and surface and structured parking. Refer to Figure 4 for a detailed site plan.
Alternative B: Reduced Intensity Alternative	Alternative B would result in the transfer of the 60-acre parcel from fee to trust status and the subsequent development of the project site similar to Alternative A, but on a reduced scale. Alternative B would include a casino, restaurants, and bars. This alternative also includes other supporting facilities such as internal roadways, drainage facilities, and surface and structured. Under Alternative B, the casino and restaurant development would be reduced when compared to Alternative A, and no multi-purpose center, hotel, or connecting atriums would be developed. Refer to Figure 5 for a detailed site plan.
Alternative C: Non-gaming Alternative	Alternative C would result in the transfer of the 60-acre parcel from fee to trust status and the subsequent development the project site with retail stores only. No casino, multi-purpose center, or hotel would be developed. The retail building would be approximately 175,000 sf. Surface parking would be provided for customers and employees. Refer to Figure 6 for a detailed site plan.
Alternative D: Custer Site	Alternative D would result in the development of a casino on an alternate site within the Tribe's existing trust property located approximately 75 miles north of the Proposed Project, adjacent to the Township of Custer, Michigan, referred to as the Custer Site. Under Alternative D, the development would include a smaller casino, restaurants, back of house operations, internal roadways, and surface parking. Refer to Figure 7 for the regional location and Figure 8 for a detailed site plan.
Alternative E: No Action/No Development	NEPA Section 1502.14(d) requires analysis of the No Action Alternative. The No Action/No Development alternative assumes that existing uses on the 60-acre project site would not change in the near term.





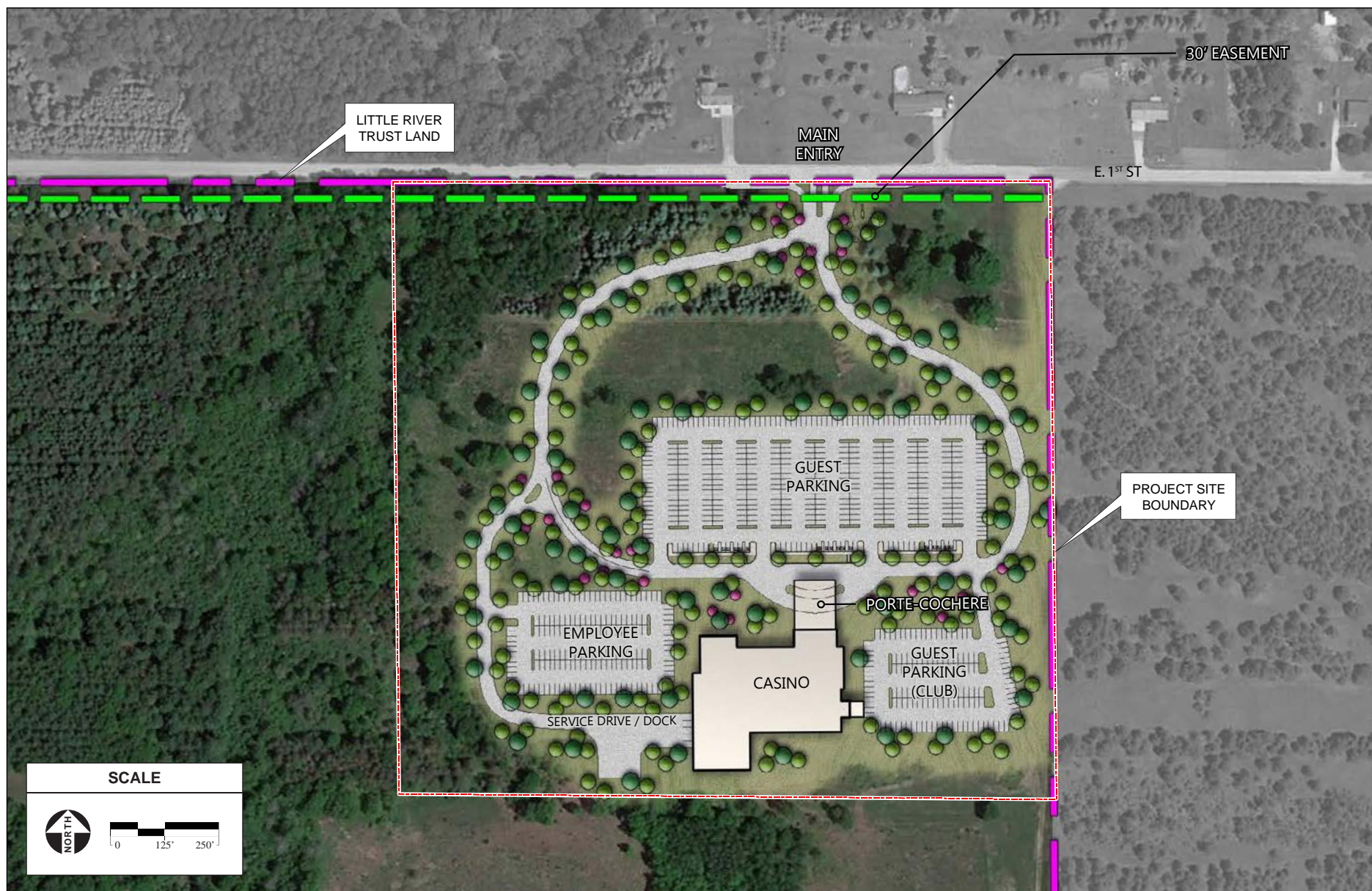




SOURCE: "Custert, MI" USGS 7.5 Minute Topographic Quadrangle, T18N, R16W, Sections 15 and 22, Michigan Baseline & Meridian; AES, 12/9/2015

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Figure 7
Site and Vicinity - Custer Site



SECTION 3.0

Issues Identified During Scoping

SECTION 3.0

ISSUES IDENTIFIED DURING SCOPING

3.1 INTRODUCTION

The Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) require a process, referred to as “scoping,” for determining the range of issues to be addressed during the environmental review of a Proposed Action (25 CFR1501.7). The scoping process entails a determination of issues by soliciting comments from agencies, organizations, and individuals. The Notice of Intent (NOI) comment period for Little River Band of Ottawa Trust Acquisition and Casino Project’s Environmental Impact Statement (EIS) began September 21, 2015 and closed on October 21, 2015. The issues that were raised during the NOI comment period have been summarized within this scoping report.

The following section lists each of the major issue areas raised by members of the public or government agencies in the scoping process. Specific issues and questions are discussed in each section and will be further addressed in the EIS. General comments, concerns, and questions not falling within one of the major issue areas below, or topics that do not fall within the scope of the EIS, are discussed at the end of the following section under the heading **Non-EIS Issues**. Additional issues not specifically raised but which the Bureau of Indian Affairs (BIA) intends to address in the EIS also are discussed. Copies of the comment letters submitted during the scoping process appear in **Appendix D**. A transcript of the public scoping meeting held at Fruitport Middle School in Muskegon County on October 15, 2015 is provided in **Appendix E**.

3.2 ISSUES IDENTIFIED DURING SCOPING

This section contains a summary of public comments received during the EIS scoping process. These comment summaries are categorized by issue area. Additional issues not specifically raised but which the BIA intends to address in the EIS also are discussed. A general summary of the expected scope of the EIS for each issue area category is also provided.

3.2.1 ALTERNATIVES AND PURPOSE AND NEED

Comments

Specific issues and questions related to alternatives and purpose and need raised during scoping include:

- Build the casino without the hotel, to reduce impacts to local hotels from the development, or delay construction of the hotel until it is confirmed that the new hotel is necessary for accommodating visitors.

Scope

Alternatives expected to be analyzed within the EIS are identified and described in **Section 2.0**. As discussed therein, a reasonable range of alternatives has been developed in light of the purpose and need for the Proposed Action, including alternatives that do not include a hotel. The EIS will provide a complete description of all alternatives, list all anticipated agency approvals, and provide a thorough analysis of environmental consequences from project implementation.

3.2.2 GEOLOGY AND SOILS

Comments

No specific comments or questions related to geology and soils were raised during scoping.

Scope

The EIS will include a description of the geological, topographic, and soil conditions on the project site, as well as an analysis of potential impacts resulting from all alternatives on these resources. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.3 WATER RESOURCES

Comments

Specific issues and questions related to water quality raised during scoping include:

- Account for increased storm frequency and intensity in the design of the project due to climate change.
- Consider bioretention structures as a measure to manage stormwater runoff and to offset the increase in impervious surfaces.
- Stormwater should be retained on site and not pumped to neighboring sites.
- Describe how the Proposed Project may affect impaired water bodies listed by the Michigan Department of Environmental Quality (MDEQ) under Section 303(d) of the Clean Water Act (CWA).

Scope

The EIS will include a description of watersheds, drainage patterns, floodplains, groundwater conditions, and water quality on the project site and the surrounding vicinity, as well as analysis of potential impacts resulting from all alternatives on these resources. The EIS will address issues related to site drainage, stormwater runoff, water consumption, and wastewater generation, including impacts to surface water and groundwater quality. Mitigation measures to avoid impacts to water quality and water resources, if warranted, will be recommended in the EIS.

3.2.4 AIR QUALITY

Comments

Specific issues and questions related to air quality raised during scoping include:

- Consider gasoline consumption and vehicular emissions reduction due to the shorter distance traveled to a casino by local Muskegon residents.
- Consider implementing an anti-idle policy for internal combustion vehicles during construction.
- Discuss attainment status of Muskegon County with the National Ambient Air Quality Standards (NAAQS) and analyze construction and operation air emissions associated with the project.
- Conduct a general conformity analysis with the State Implementation Plan (SIP) for air quality.
- Discuss BIA's compliance with the Energy Independence and Security Act of 2007, and Executive Order (EO) 13514, Federal Leadership in Environmental, Energy, and Economic Performance (LEED).
- Estimate greenhouse gas (GHG) emissions associated with project alternatives.
- Consider using energy efficient materials for building construction, including south-facing windows, motion-activated lighting, and skylights.
- Consider using renewable energy (solar, geothermal, etc.).
- Discuss measures to reduce GHG emissions associated with the proposed project, including reasonable alternatives or other practicable mitigation or adaptation opportunities

Scope

The EIS will include a description of the regional climate, existing air quality, and pollutants of concern in the vicinity of the project site, as well as an analysis of the potential impacts that could result from implementation of each of the proposed alternatives. Potential impacts associated with GHGs and climate change will be analyzed within the cumulative section of the EIS. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.5 BIOLOGICAL RESOURCES

Comments

The following comment regarding biological resources was provided during scoping:

- Include consultation documents regarding Federal and State threatened and endangered species (U.S. Fish and Wildlife Service [USFWS], Michigan Department of Natural Resources) and wetlands (MDEQ).
- Discuss how sequencing established by the CWA 404(b)(1) will be applied (avoidance first, then demonstration of impact minimization, then mitigation for unavoidable impacts).

Scope

The EIS will include a description of the habitat, waters of the U.S., and wildlife (including federal and state listed threatened/endangered species) on the project site, as well as the assessment of reasonably

foreseeable impacts of the alternatives on these resources. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.6 CULTURAL AND PALEONTOLOGICAL RESOURCES

Comments

Specific issues and questions related to cultural and paleontological resources raised during scoping include:

- Include consultation documents regarding historic resources (Michigan Historic Preservation Office [MHPO]).

Scope

The EIS will contain a cultural resources analysis that identifies historical and archaeological resources located within the project site. Any reasonably foreseeable impacts to historical and archaeological resources will be analyzed within the EIS. The EIS process will include a cultural records search and consultation with the Office of the State Archeologist (OSA), MHPO, Native American Heritage Commission, and consultation under Section 106 of the National Historic Preservation Act (NHPA). Sensitive cultural information will be withheld from the EIS in order to protect that information. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.7 SOCIOECONOMIC CONDITIONS AND ENVIRONMENTAL JUSTICE

Comments

Specific socioeconomic issues and questions raised during scoping include:

- The EIS should include an economic study of the effects of the Proposed Project.
- The EIS should analyze environmental justice concerns, including disproportionate impacts and meaningful involvement by the community.
- The EIS should discuss how the Proposed Project will benefit the tribal community and to the local community.
- Discuss hotel occupancy trends and expected impact of the Proposed Project on local hotels.
- Discuss crime rates in relation to casinos, and potential impacts to county jails and courts.
- Consider the current social makeup of Muskegon County's population (including urbanization, unemployment, and crime rates) when analyzing potential impacts to the local community.
- Discuss gambling addiction, including a potential strain on limited resources provide by local agencies, churches, and ministries.
- If you become an employee of the casino, are you banned from gambling?
- Discuss potential impacts to local businesses in the community.
- Discuss impacts to Lakes Mall from increased traffic and sales.
- Discuss impacts to the City of Norton Shores.
- Discuss potential impacts to local nonprofits who depend on charitable gaming to supplement their annual budgets.

- Discuss the potential expansion of the tribal healthcare system, which currently has a location in Manistee.
- The Tribe has collaborated with Fruitport Township and the County to create a Municipal Services Agreement (MSA), which will abate any potential effects of the casino as follows:
 - Public Sewer System: the Tribe will pay half of upgrade and expansion cost for better service to all customers.
 - Public Water System: the Tribe will pay connection charges and water system improvements/new installations.
 - Mental Health: the Tribe will contribute \$25,000 per year to train psychologists.
 - Public Safety: the Tribe will cover direct and indirect crime costs as agreed to by the three parties of the MSA.
 - Seventh Generation Fund (General Community Benefits Contribution): the Tribe will contribute approximately \$2 million per year for the purpose of mitigating the potential impacts on the Township and the County.
 - Revenue Sharing Board: the Tribe will contribute approximately \$2 million per year to cover any additional costs that may be incurred due to the casino that are not reimbursed.
 - Jobs: the casino will generate 1200 jobs.
 - Economic Development: the development will have a positive impact on economic development in immediate and surrounding areas (on home values, unemployment rates, blight).

Scope

The EIS will include a description of the socioeconomic conditions of the Tribe and surrounding communities. The EIS will analyze reasonably foreseeable and disproportionate impacts of the alternatives on minority and low-income populations, and analyze socioeconomic issues such as employment, housing, local business revenue, property value, problem gambling, and crime rates. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.8 TRANSPORTATION/CIRCULATION

Comments

Specific issues and questions related to transportation raised during scoping include:

- Discuss accessibility from westbound Interstate 96 (I-96) and the intersection at Harvey Street and East Sternberg Road, including historic accidents and merging issues.
- Discuss Harvey Street and other roads, which may be inadequate to accommodate casino traffic.
- Discuss potential improvements to inadequate roadways.
- The EIS should analyze how the Proposed Project would affect traffic patterns.
- Will there be a new exit off I-96 at East Sternberg Road?
- Discuss public transportation with respect to the current capacity and the anticipated increase from the Proposed Project.

Scope

The EIS will include a description of the local traffic conditions, including an analysis of existing study area roadways and intersections with the potential to be significantly impacted by project traffic. In addition, pedestrian and transit conditions in the vicinity of the project site will be described. The EIS will additionally provide an estimate of the total daily trips and peak hour trips generated by the alternatives, and include an analysis of any reasonably foreseeable impacts to study area roadways and intersections.

3.2.9 LAND USE

Comments

No specific comments or questions related to land use were raised during scoping.

Scope

The EIS will identify existing public policies, including zoning and land use regulations, currently applicable to the project site. The potential for land use conflicts to be caused by the alternatives will also be included within the analysis within the EIS. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.10 PUBLIC SERVICES

Comments

Specific issues and questions related to public services raised during scoping include:

- Discuss how the Fruitport Township's water department will maintain access to their water mains once the land is taken into trust.
- There is adequate capacity in the wastewater system to treat the discharge from the proposed development.
- There is adequate water capacity for the proposed development.

Scope

The EIS will include a description of the municipal services provided to the project site, including water supply, wastewater treatment, utilities, solid waste collection and disposal, schools, fire protection, law enforcement, and emergency medical services. The EIS will provide an analysis of any reasonably foreseeable impacts to these services within the study area. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.11 NOISE

Comments

No specific comments or questions related to noise were raised during scoping.

Scope

The EIS will include a description of the surrounding ambient noise. The EIS will provide an analysis of any reasonably foreseeable impacts to sensitive noise receptors in the vicinity of the project site.

Mitigation measures, if warranted, will be discussed in the EIS.

3.2.12 HAZARDOUS MATERIALS

Comments

No specific comments or questions related to hazardous materials were raised during scoping.

Scope

The EIS will include a description of the potential hazardous materials on-site and in the vicinity of the project site. The EIS will disclose incidences of past and current hazardous materials incidents and involvements, if any. Additionally, the EIS shall address the potential for impacts associated with hazardous materials, or the use of these materials during construction and operation of the alternatives.

Mitigation measures, if warranted, will be discussed in the EIS.

3.2.13 AESTHETICS

Comments

Specific issues and questions related to aesthetics raised during scoping include:

- Will Lake Michigan be observable from the on-site hotel?
- The casino would be an aesthetic improvement to the existing vacant property, and complementary of the area in general.

Scope

The EIS will include a description of the project site and surrounding land uses and community character. The EIS will provide an analysis of any reasonably foreseeable impacts to aesthetics within the study area. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.14 INDIRECT EFFECTS

Comments

No specific comments or questions related to indirect effects were raised during scoping.

Scope

The EIS will provide an analysis of any reasonably foreseeable indirect and growth inducing effects from project implementation. Mitigation measures, if warranted, will be discussed in the EIS.

3.2.15 CUMULATIVE IMPACTS

Comments

No specific comments or questions related to cumulative impacts were raised during scoping.

Scope

The EIS will address the cumulative impacts of the Proposed Project and Alternatives in connection with reasonably foreseeable actions and projects. “Cumulative impacts” refer to the effects of two or more projects that, when combined, are considerable or compound other environmental effects. The EIS will discuss cumulative impacts and identify appropriate mitigation measures, as required by NEPA.

3.2.16 NON-EIS ISSUES

Comments

Specific issues and questions unrelated to the scope of the EIS raised during scoping include:

- Discuss Manistee Indian rights to develop land in Muskegon Indians’ territory.
- Discuss monopolization of casino industry by introducing a second casino owned by the Tribe.
- Allowing a second casino on non-tribal land would set a precedent for subsequent compact negotiations with other federally recognized tribes.

SECTION 4.0

EIS Schedule and Public Review

SECTION 4.0

EIS SCHEDULE AND PUBLIC REVIEW

The current schedule anticipates that the Draft Environmental Impact Statement (EIS) will be available for public review in Fall 2016. The public review period for the Draft EIS will be at least 45 days. A public hearing on the Draft EIS will be held during the review period. After public comment on the Draft EIS, the Bureau of Indian Affairs (BIA) will publish a Final EIS. The Secretary of the Interior will wait at least 30 days after the Final EIS is released before issuing a decision on the Proposed Action.