

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Environmental Impact Statement for the Menominee Indian Tribe of Wisconsin's Proposed 223-Acre Fee-to-Trust Transfer and Casino-Hotel Project in the City of Kenosha, Kenosha County, Wisconsin.

AGENCY: Bureau of Indian Affairs, United States Department of Interior.

ACTION: Notice of Availability.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) as the lead Federal agency, with the Menominee Indian Tribe of Wisconsin, the National Indian Gaming Commission (NIGC), the City of Kenosha and Kenosha County, as cooperating agencies has prepared a final Environmental Impact Statement (FEIS) for the proposed approval of a 223-acre fee-to-trust transfer and the construction of a casino-hotel complex. This notice also announces that the FEIS is available for public review. Hard copies are available at the locations shown at the bottom of this announcement and upon request at the address provided below in the ADDRESSES section.

DATES: The Record of Decision (ROD) on the proposed action will be issued no sooner than 30 days after the release of the FEIS. Thus, any comments on the FEIS must arrive at the addresses indicated below by July 30, 2012.

ADDRESSES: You may request a copy of the FEIS, by contacting Scott Doig, Regional Environmental Protection Specialist, Midwest Region, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, Minnesota 55437, telephone (612) 725-4514, fax (612) 713-4401.

FOR FURTHER INFORMATION CONTACT: Scott Doig, Regional Environmental Protection Specialist, Midwest Region, Bureau of Indian Affairs at the address provided above.

SUPPLEMENTARY INFORMATION: The Menominee Indian Tribe of Wisconsin (Tribe) has asked the BIA to take 223 acres of land into trust on behalf of the Tribe, on which the Tribe proposes to develop a casino-hotel complex. The proposed project is located at the site of the existing Dairyland Greyhound Park, at 5522-104th Ave., Kenosha, WI 53144. The property is approximately one half (0.5) mile east of Interstate 94, and approximately thirty-five (35) miles south of Milwaukee, WI. The BIA serves as lead agency for compliance with the National Environmental Policy Act (NEPA). The Tribe, the NIGC, the City of Kenosha and Kenosha County, as entities having jurisdiction and special expertise relevant to potentially affected resources, are acting as cooperating agencies.

The project design includes taking the 223-acre Dairyland Greyhound Park property into trust for the Tribe, and the development of a casino-hotel complex, while potentially retaining the current greyhound racetrack, structure, concourse, and kennel facilities. Future development includes a water park, a second hotel, and an RV park. Interim

Class III gaming would be conducted inside the existing clubhouse until the new casino is built. A range of project alternatives is considered in the FEIS, including: (1) preferred casino-hotel complex; (2) reduced intensity; (3) off-site expansion of existing Keshena, WI facilities; (4) hotel-conference center/recreational development; and (5) no action. Environmental issues addressed in the FEIS include land and water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions, transportation and circulation, land use, public services, noise, hazardous materials, visual resources, environmental justice, cumulative effects, indirect effects, and mitigation.

The BIA has afforded other government agencies and the public opportunity to participate in the preparation of this FEIS. The BIA published a Notice of Intent to Prepare an EIS (NOI) for the proposed action in the Federal Register on June 23, 2004, with a correction published on July 7, 2004. The BIA held a public scoping meeting on August 3, 2004 in Kenosha, WI. A Notice of Availability for the Draft EIS (DEIS) was published in the Federal Register on September 23, 2005. The document was available for public comment from September 23, 2005, to November 21, 2005, and a public hearing was held on October 25, 2005, in Pleasant Prairie, WI. An extended comment period for the DEIS was announced in the Federal Register on February 3, 2006; the document was available for public comment from February 3, 2006, to March 6, 2006. Applicable information including population and traffic densities were updated in the Preliminary Final Environmental Impact Statement and completed in January, 2012.

Locations where the FEIS is Available for Review: The FEIS will be available for review at the following branches of the Kenosha Public Library: Simmons, 711 59th Place, Kenosha, WI 53140; Southwest, 7979 38th Avenue, Kenosha, WI 53142; Northside, 1500 27th Avenue, Kenosha, WI 53140; Uptown, 2419 63rd Street, Kenosha, WI 53143. General information for the Kenosha Public Library system can be obtained by calling (262) 564-6100. The FEIS will also be available for review at the Waukegan Public Library, 128 North County Street, Waukegan, IL 60085. General information for the Waukegan Public Library can be obtained by calling (847) 623-2041. An electronic version of the FEIS can be viewed at the following website: <http://www.kenoshaeis.com>

Authority: This notice is published pursuant to Sec. 1503.1 of the Council of Environmental Quality Regulations (40 CFR, Part 1500 through 1508) and Sec. 46.305 of the Department of Interior Regulations (43 CFR Part 46), implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 et seq.), and is in the exercise of authority delegated to the Assistant Secretary – Indian Affairs by 209 DM 8.