



Supplemental Environmental Impact Statement

for the NPPD R-Project Habitat Conservation Plan

Welcome to the Public Meeting

for the

**Nebraska Public Power District R-Project
Revised Habitat Conservation Plan
Draft Supplemental Environmental Impact
Statement**

March 7, 2024

Supplemental Environmental Impact Statement

for the NPPD R-Project Habitat Conservation Plan

Agenda

- Zoom Webinar Review
- Question and Answer Logistics
- Introductions
- National Environmental Policy Act (NEPA) and Endangered Species Act (ESA) Background
- Project History
- R-Project and Revised Habitat Conservation Plan (HCP) Overview
- Supplemental EIS Overview
- Break
- How to Comment and Next Steps
- Question and Answer Session
- Verbal Comments

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Virtual Zoom Platform Instructions

- You are automatically muted when you join the webinar
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 - Comments or questions submitted in the chat are not considered official public comments
- To call in to the meeting:
 - Phone Number: 888 788 0099 (Toll Free)
 - Meeting ID: 891 6691 6071
 - Password: 592254
- Please close all apps and programs and limit other streaming or downloads
- This webinar is being recorded and will be online on the USFWS website



Chat



Raise Hand



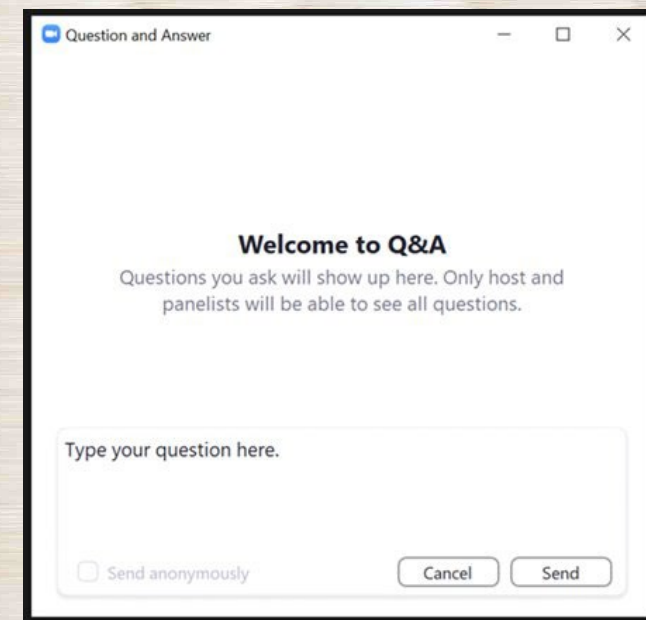
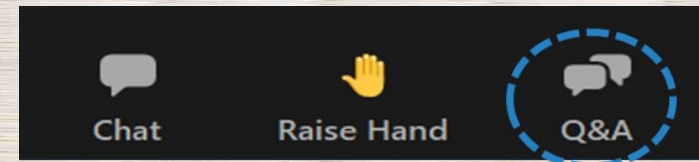
Q&A

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Question and Answer Logistics

- If you have a question for USFWS, type it in the Q&A box at the bottom of your screen.
- Questions can be typed in the Q&A feature throughout the presentations.
- Following the break, USFWS will respond to any questions that came in through the Q&A box.
- The Q&A box will be closed at the end of the Q&A session.



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Introductions

- Mark Porath, Project Leader, Nebraska Field Office
- Angela Burgess, HCP Regional Coordinator
- Jen Kolise, Regional Historic Preservation Officer
- Jeff Runge, Fish and Wildlife Biologist

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NEPA and ESA Background

- Federal Endangered Species Act (ESA) prohibits “take” of threatened and endangered species
 - Take: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.
- U.S Fish and Wildlife Service (the Service) can provide non-federal entities with exemptions to this prohibition through issuance of an Incidental Take Permit (Permit; ITP)
 - Incidental take: Take that occurs incidental to, and not the purpose of, carrying out an otherwise lawful activity
- Permit application requires the development of a Habitat Conservation Plan (HCP)
- Issuance of a Permit is a federal action under the National Environmental Policy Act (NEPA)

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Project History

- 2014 to 2019: Service prepared the Environmental Impact Statement (EIS) for the R-Project and associated HCP, publishing the Final EIS and Record of Decision (ROD) on February 8, 2019
- June 2019: The Service issued a Permit for the American burying beetle to Nebraska Public Power District
- July 2019: Lawsuit filed to challenge the Service's decision under NEPA, ESA, and the National Historic Preservation Act
- June 2020: U.S. District Court for the District of Colorado identified certain discrete errors in the Service's decision and ruled to vacate and remand the Permit
- Present: In response to the court decision, NPPD developed a revised HCP and Permit application

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Supplemental EIS Overview

Purpose:

- Responds to NPPD's Revised HCP and Permit application
- Address the issues identified by the court ruling
- Address new project information and updated data

Approach:

- Supplements the Final EIS
- Incorporates by reference content from the Final EIS

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NEPA Process Overview

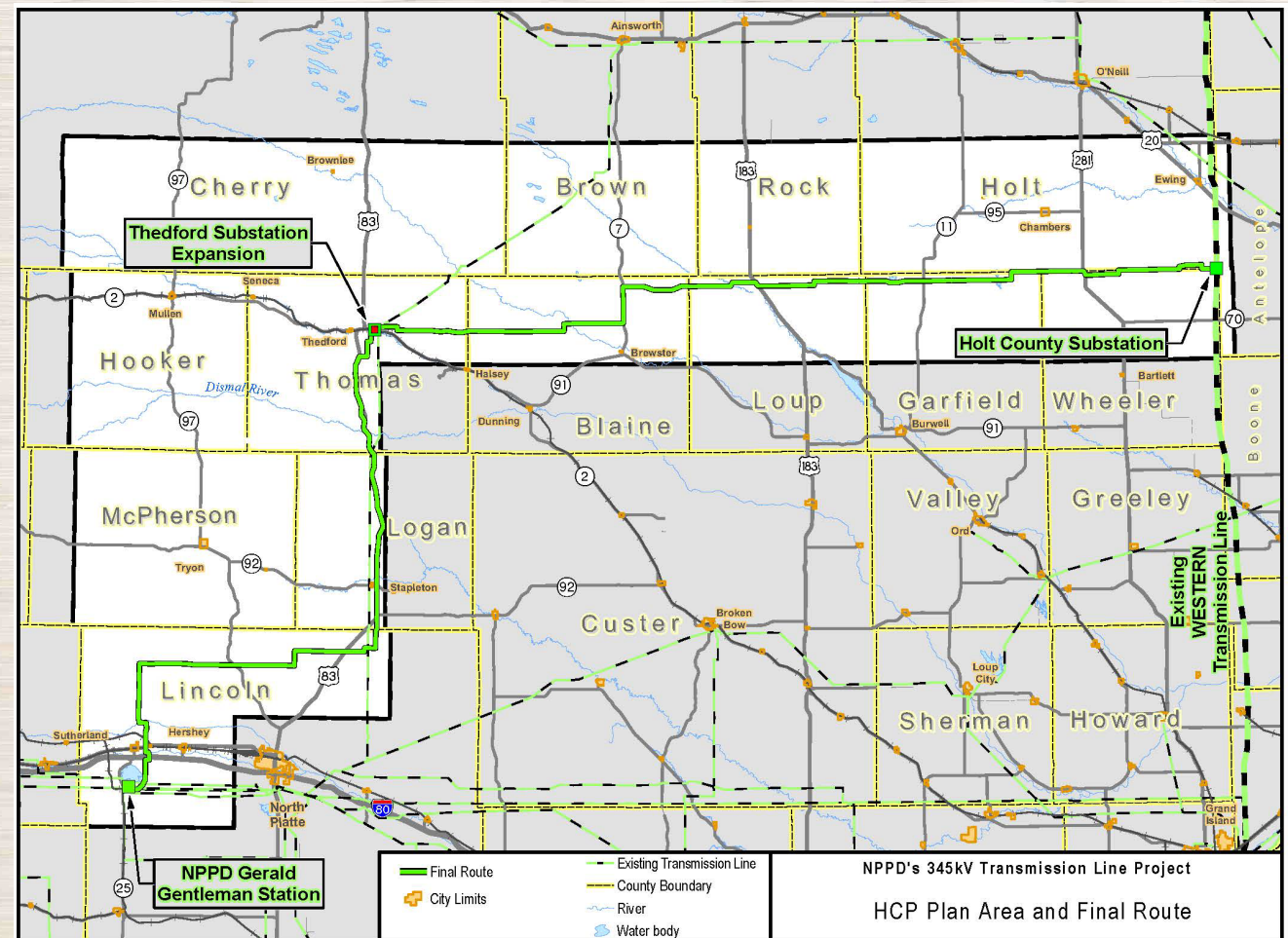


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R-Project Background

- 226-mile-long, 345 kV transmission line in Nebraska proposed by NPPD
- Extends from the Gerald Gentleman Station to the Thedford substation before connecting to the Holt County substation
- Construction, maintenance, and emergency repairs of the R-Project is expected to result in take of the American burying beetle, requiring an ITP

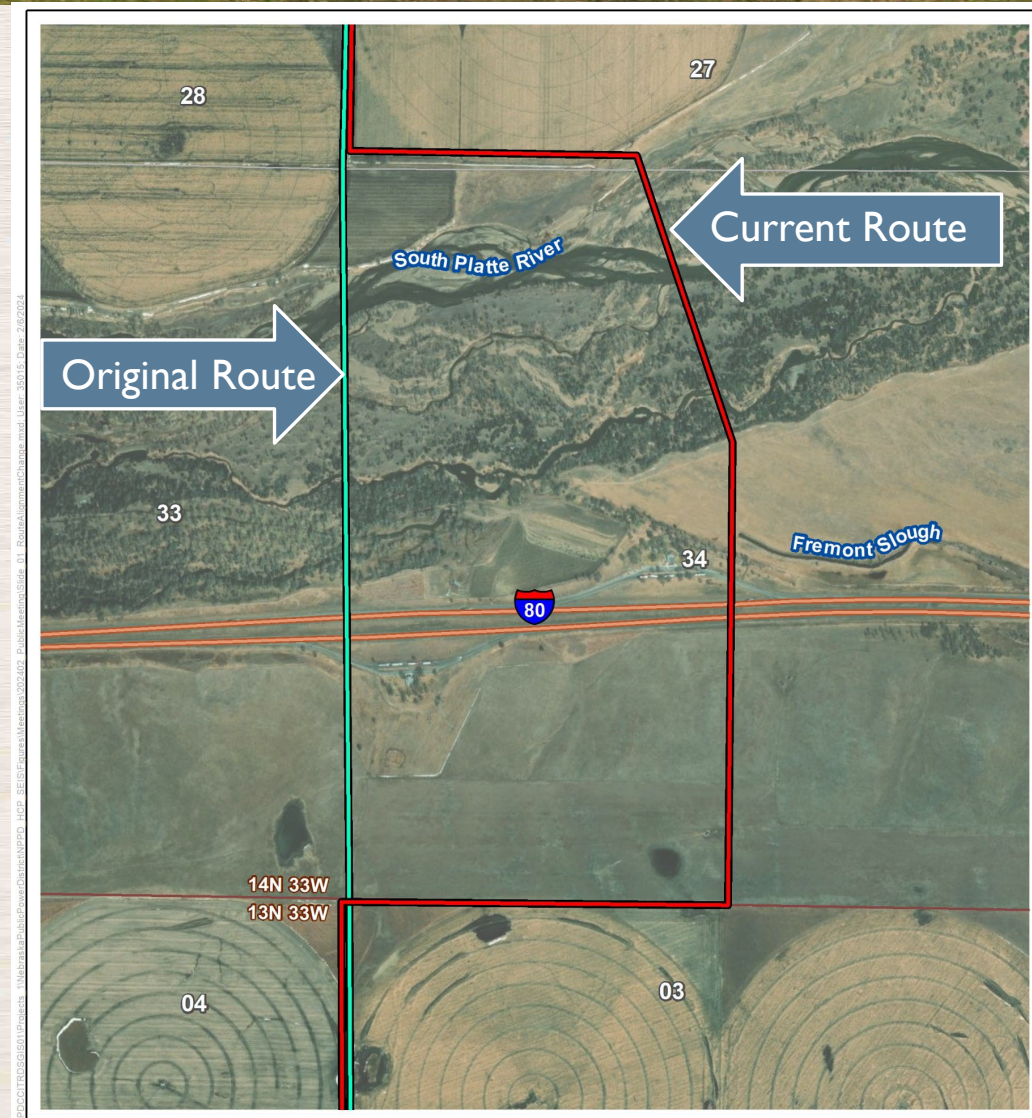
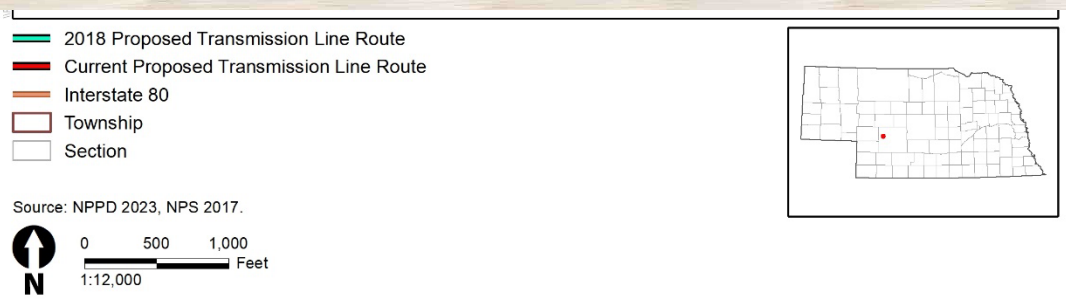


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Route Adjustment

- NPPD has shifted a segment of the proposed transmission line route 0.5 mile east from its original location to reduce effects on the O'Fallon's Bluff site
- After the shift, the transmission line continues north/northwest and then west to rejoin the original route
- Adds 1 mile to the total length of the transmission line



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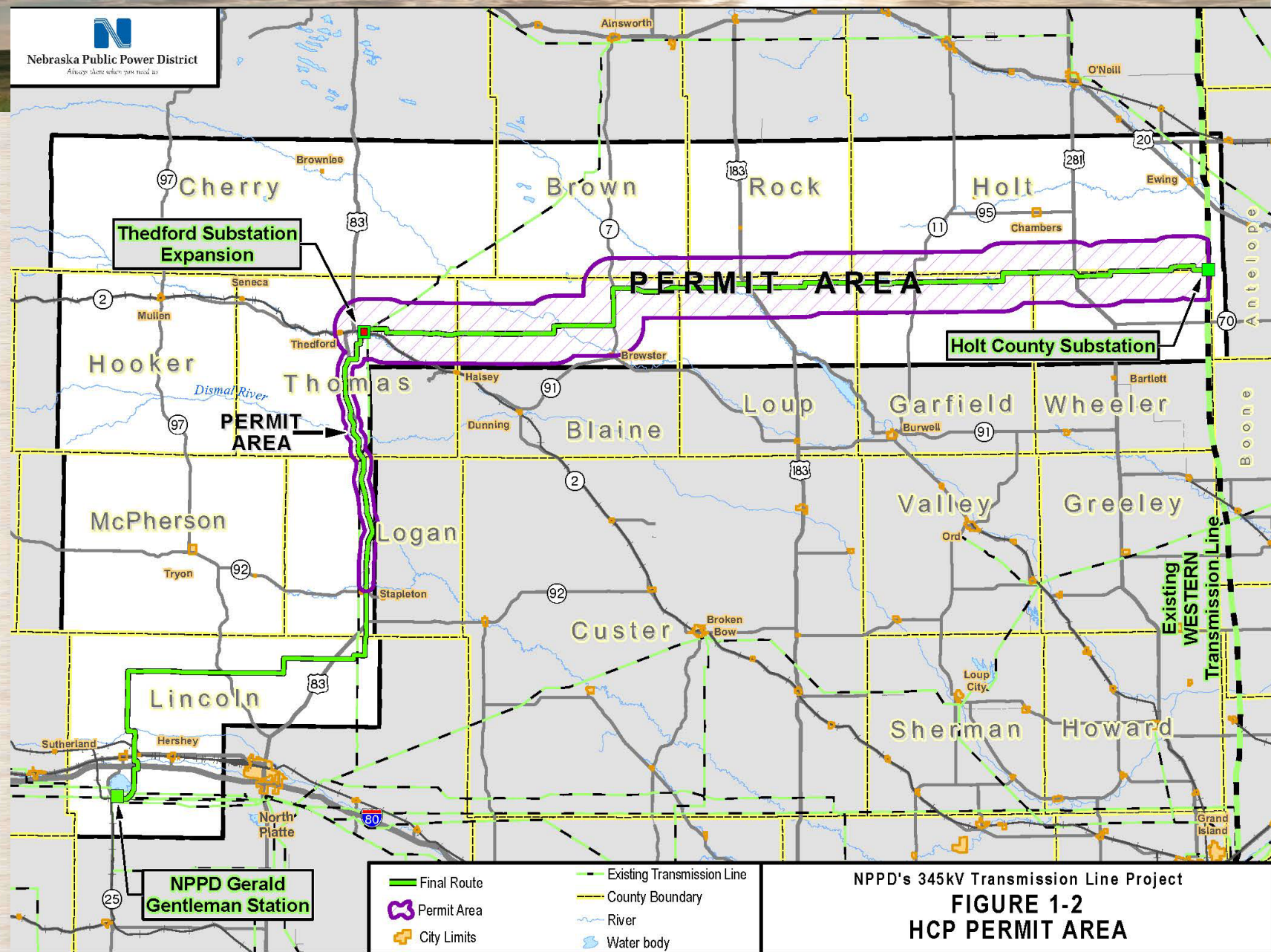
Habitat Conservation Plan Overview

- Required part of a Permit application
- Draft Revised HCP is available for public comment, concurrent with the Draft SEIS
- NPPD's plan to avoid, minimize, and mitigate for take of the American burying beetle
- Minor updates since the original HCP
- Key elements:
 - Covered species
 - Permit area
 - Permit term
 - Covered activities
 - Conservation strategy

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HCP Permit Area

- Area within which incidental take is authorized
- Portions of the R-Project area with a greater than 1% probability of American burying beetle occurrence



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HCP Covered Species

- Species for which the applicant is requesting take authorization = covered species
- Revised HCP includes one covered species: the American burying beetle, which is listed as Threatened under the ESA
- The HCP also includes “evaluated species” for which take authorization is not being requested



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HCP Covered Activities

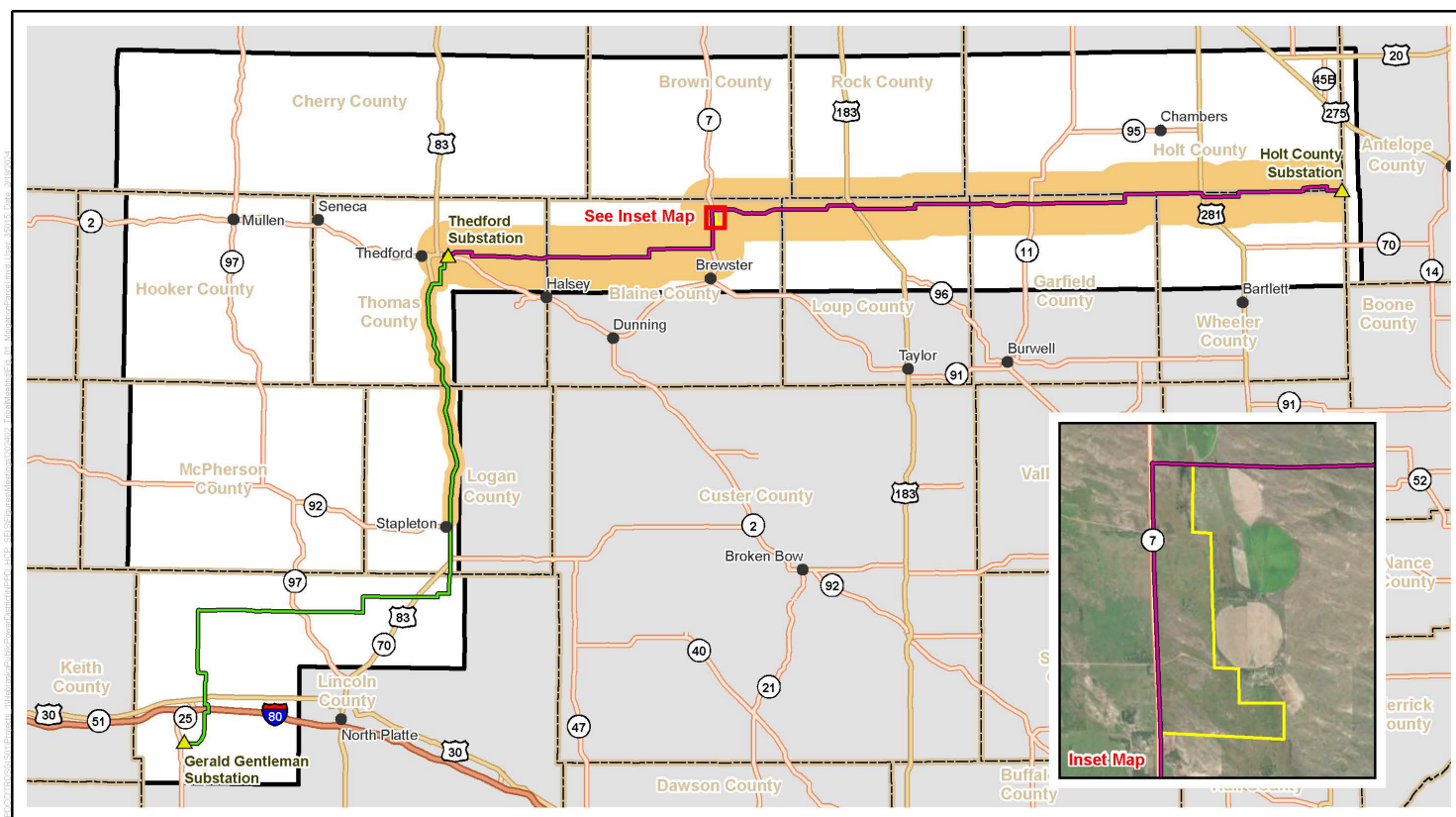
- Activities that could cause take and for which the Service provides incidental take authorization
- Covered Activities in the R-Project HCP include:
 - Construction of the transmission line (e.g., temporary access, site preparation, structure installation, tree removal, creation of temporary work areas)
 - Maintenance and emergency repairs of the transmission line, including permanent access roads
 - HCP implementation activities (e.g., monitoring or mitigation measures)

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HCP Conservation Strategy

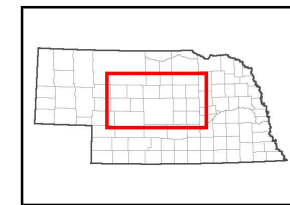
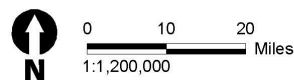
- Focused on avoidance, minimization, and mitigation of effects on the covered species (American burying beetle)
- Key components include:
 - Biological Goals and Objectives
 - Avoidance and Minimization Measures
 - Mitigation Measures, including 594 acres of land acquired by NPPD and conserved for American burying beetle habitat
- Monitoring, Performance and Success Criteria, Adaptive Management, and Reporting



R-Project

- Gerald Gentleman to Theftord Centerline
- Theftord to Holt County Centerline
- ▲ Substation
- Mitigation Parcel
- Permit Area
- Project Study Area
- Interstate Hwy
- U.S. Hwy
- State Hwy
- County Boundary

Source: NPPD 2023.



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Supplemental EIS Overview

- Purpose and need
- Approach to alternatives
- Alternatives analyzed in detail
- Approach to effects analysis
- Related renewable energy projects
- Overview of effects
- Summary of effects
 - Whooping crane
 - Other special status species
 - Cultural resources
- Section 106 and Tribal consultation

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NEPA Purpose and Need

- The Service's proposed action is the issuance of a Permit for the American burying beetle for covered activities proposed in the Revised HCP
- The purpose of evaluating NPPD's application, approving the revised HCP, and issuing a Permit is to fulfill the Service's responsibilities under ESA Section 10
- The Service needs to respond to NPPD's application and ensure the Permit and Revised HCP comply with applicable federal laws, regulations, treaties, and Executive Orders

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Approach to NEPA Alternatives

- The Service is required to analyze and evaluate the proposed action, no action alternative, and a reasonable range of alternatives to the proposed action
- To be carried forward for detailed analysis, alternatives must:
 - Meet the Service's purpose and need under Section 10 ESA and provide species conservation
 - Be technically and economically feasible, and avoid or minimize impacts to the American burying beetle to the maximum extent practicable
- Alternatives considered included:
 - Alternatives considered in the FEIS, including alternative routes
 - Alternatives based on outcomes of the court decision, comments received during scoping, input from cooperating agencies, and input from NPPD

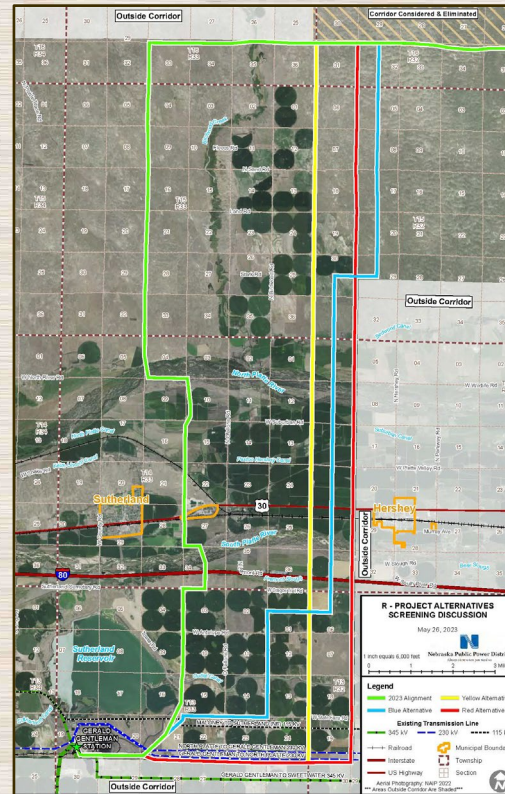
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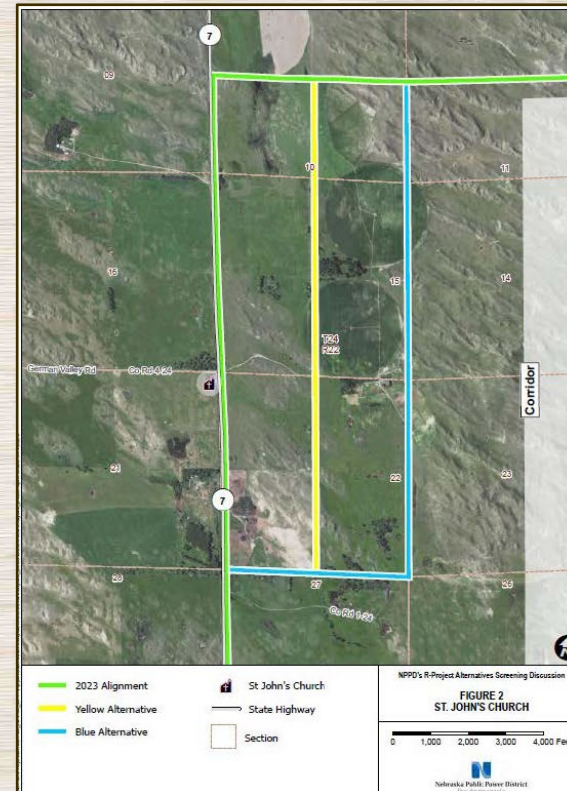
Routing Alternatives Considered

Routing alternatives considered include:

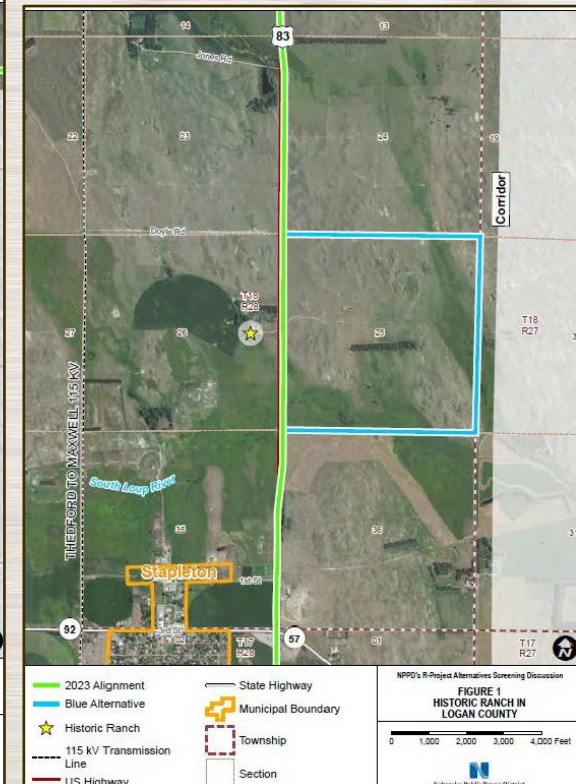
- Routes evaluated in the Final EIS
- Re-routes intended to avoid/minimize effects on historic trails, historic properties, and a conservation easement



Reroute to Avoid/Minimize Effects on Historic Resources



Reroute to Avoid/Minimize Effects on Historic Property – St. John's Church



Reroute to Avoid/Minimize Effects on Historic Property – Historic Ranch

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NEPA No Action Alternative

- The Service would not issue an ITP for the American burying beetle to NPPD
- NPPD would not implement the Revised HCP
- The R-Project would not be constructed
- Take of the American burying beetle from the proposed project would not occur
- The need for the R-Project would remain unmet

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NEPA Proposed Action (Preferred Alternative)

- The Service would issue a Permit for the current R-Project route and Revised HCP
- Largely similar to the FEIS proposed action, with the following differences:
 - Route adjustment near O'Fallon's Bluff
 - Inclusion of all construction access as a covered activity
 - Addition of a 40-acre "construction contingency" as a covered activity
 - Removal of the majority of the Holt County Substation
 - Modification of some avoidance and minimization measures
 - Marking the entirety of the proposed transmission line and 124 miles of its existing transmission lines with bird flight diverters
 - Removed mowing and windrowing of vegetation, carrion removal, and use of low-ground-pressure equipment as avoidance and minimization measures

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NEPA Alternative A: 2019 Final EIS R-Project and HCP

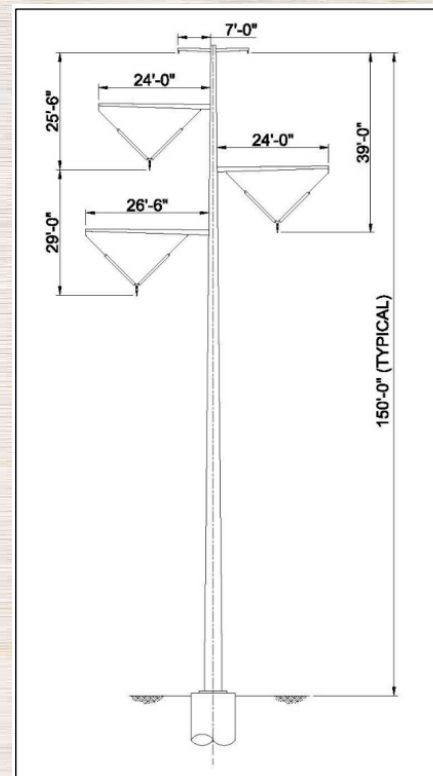
- Final EIS proposed action
- Permit for NPPD's Final EIS R-Project route and Final HCP
- Includes construction of the transmission line, expansion of two substations, construction of a new substation at the eastern terminus, operation and maintenance activities, and emergency repairs

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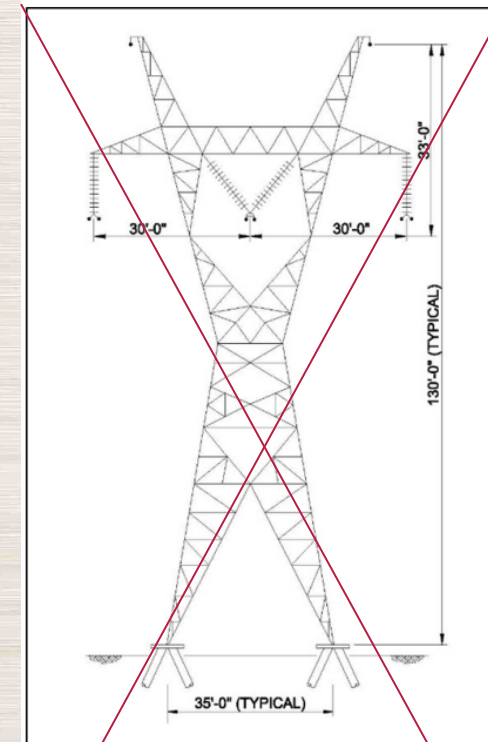
NEPA Alternative B: Tubular Steel Monopole Construction Only

- Permit for current R-Project route and Revised HCP
- Same as the proposed action except that the line would be entirely tubular steel monopoles, eliminating the use of lattice structures



Source: NPPD (2015a)

Figure 2-9. Proposed Monopole Structure with Concrete Foundation



Source: NPPD (2015a)

Figure 2-10. Proposed Lattice Tower Structure with Helical Pier Foundation

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Approach to NEPA Effects Analysis

- Contents of the FEIS are incorporated by reference where feasible
- Effects characterized using the following terms:
 - Duration: short and long term
 - Intensity: low, moderate, and high
- **Environmental Resources Analyzed:**
 - Geology and Soils
 - Water Resources
 - Wetlands
 - Vegetation
 - Wildlife
 - Special Status Species
 - Land Use
 - Recreation and Tourism
 - Cultural Resources
 - Transportation
 - Visual Resources and Aesthetics
 - Air Quality and Greenhouse Gas Emission
 - Noise
 - Hazardous Materials and Hazardous Wastes
 - Health and Safety
 - Socioeconomics
 - Environmental Justice

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NEPA Related Renewable Energy Projects

- Court decision identified the need to consider reasonably foreseeable related renewable energy projects as indirect effects of the R-Project
- SEIS identifies 9 projects that would connect to the R-Project or identify it as a contingent facility
- Indirect effects of construction, operation, and maintenance addressed in the resource sections
- Limited information available for some projects; only 3 have known or proposed project areas

Project Name (Generator Type)	County	Capacity (MW)
Prairie Hills Wind (Wind)	Custer	200
Uncertain (Wind)	Holt	50
Sidney Solar (Solar)	Cheyenne	40
Steeple Wind Energy (Wind)	Holt	200
Big Blue Nebraska (Wind)	Jefferson	300
Big Blue II (Wind)	Jefferson	128
K-Junction Solar (Solar)	York	310
Greeley Wind Nebraska (Wind)	Greeley	115
Thunderhead Wind Energy Center (Wind) (already constructed/operating)	Antelope, Wheeler, Holt	300

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NEPA Effects Overview

- Overall, duration and intensity of effects would be the same as described in the 2019 FEIS
- Changes in effects between the current proposed action and Alternative A (FEIS proposed action) are mostly related to:
 - Change in the project route
 - Modified avoidance and minimization measures
 - Considering effects of related renewable energy projects
- Alternative B (Tubular Steel Monopole construction only) would have similar effects to the proposed action, but greater temporary ground disturbance due to staging and access areas for monopole installation

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NEPA Effects Overview

The following slides summarize key effects on the following resources:

- Special Status Species
 - Whooping Crane
 - Other Special Status Species
- Cultural Resources

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NEPA Effects Summary – Whooping Crane

Proposed Action:

- Habitat Effects: Temporary disturbance of 28.9 acres to potentially suitable habitat, 0.3% of potential habitat within 1 mile of the proposed route
- Collision Risk: NPPD would mark all 226 miles of the proposed transmission line to increase visibility/reduce collision risk
 - Considering effects of the R-Project and the proposed avoidance, minimization, and mitigation, risk of a whooping crane collision is projected to be less than 50% over the life of the R-project
 - No scientifically reliable evidence that take of whooping cranes from collision is reasonably certain to occur

Related Renewable Energy Projects:

- Increased potential for collision with wind projects (historically, no whooping crane fatalities documented from wind turbine collision)
- Foraging habitat loss within the migration flyway would increase migration energy expenditure

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NEPA Effects Summary – Other Special Status Species

- **Proposed Action:**
 - Types of effects include short- and long-term habitat disturbance and loss
 - Duration and intensity of effects on species analyzed in the SEIS would be the same as the FEIS proposed action with the following differences:
 - Greater disturbance under the proposed action would increase habitat disturbance and loss for some species
 - Updated AMMs for many special status species would reduce or offset effects
 - Effects on species not analyzed in the 2019 EIS (American bumble bee, variable cuckoo bumble bee, monarch butterfly, regal fritillary, tricolored bat, hoary bat) would be short and long term and low intensity

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NEPA Effects Summary – Other Special Status Species

- **Related Renewable Energy Projects:**
 - Short- and long-term, low- to moderate-intensity effects on special status insects from habitat loss, depending on project siting
 - Short- and long-term, moderate-intensity effects on American burying beetle from habitat fragmentation and alteration, disturbance, and individual mortality, depending on project siting
 - Short- and long-term, low- to moderate-intensity effects on birds and bats from habitat loss (wind and solar projects) and collision risk (wind projects only), depending on project siting
 - Short- and long-term, low-intensity effects on special status mammals (non-bat), reptiles, fish, and plants

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NEPA Effects Summary – Cultural Resources

Proposed Action:

Most effects incorporated by reference from the 2019 EIS:

- High-intensity effects on O'Fallon's Bluff (Oregon-California NHT), Sand Hill Ruts (Mormon Pioneer NHT), and St. John's Church
- Moderate- to high-intensity effects on Historic Ranch (LO00-001) and Sutherland State Aid Bridge (since demolished)
- Low- to moderate-intensity effects on Old Highway 83/ U.S. Route 183 Segment
- Low-intensity effects on Paxton-Hershey Canal
- Unknown effects on Archaeological Site 25LN113

Currently, known effects would be the same as described for the 2019 EIS proposed action, except for the O'Fallon's Bluff site (route change) and the Sutherland State Aid Bridge (removed)

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NEPA Effects Summary – Cultural Resources

Related Renewable Energy Projects:

- Effects would be largely dependent on project siting:
 - Site preparation (e.g., grading) and construction could have high-intensity effects on cultural resources
 - More access roads increase the potential for looting
 - Long-term effects on the historic setting, feeling, or association of some types of cultural resources

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Section 106 and Tribal Consultation

- The Service also has responsibilities to comply with Section 106 of the National Historic Preservation Act
- This process is ongoing parallel to the NEPA process and includes consultation with the Advisory Council on Historic Preservation, Nebraska State Historic Preservation Officer (Nebraska SHPO), Tribes, and other consulting parties
- SEIS Section 3.10, *Cultural Resources*, summarizes the Section 106 process and Tribal Consultations to date
- Section 106 and Tribal Consultations are still ongoing
- The Final SEIS will include updated information on the status of the Section 106 and Tribal consultation processes

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Keys to Making Effective Comments

- Be as specific as possible; avoid simply stating opposition or support, or making broad statements
- Provide as much detail as necessary to meaningfully participate and fully inform the agency of the commenter's position
- Clearly distinguish HCP and SEIS comments
- Provide references and/or citations when possible
- Refer to the corresponding section or page number of the SEIS or HCP
- Focus comments on
 - Analysis adequacy, clarity, and conclusions
 - ESA and NEPA requirements
 - Range of SEIS alternatives considered
 - Your area(s) of expertise
 - Errors or omissions

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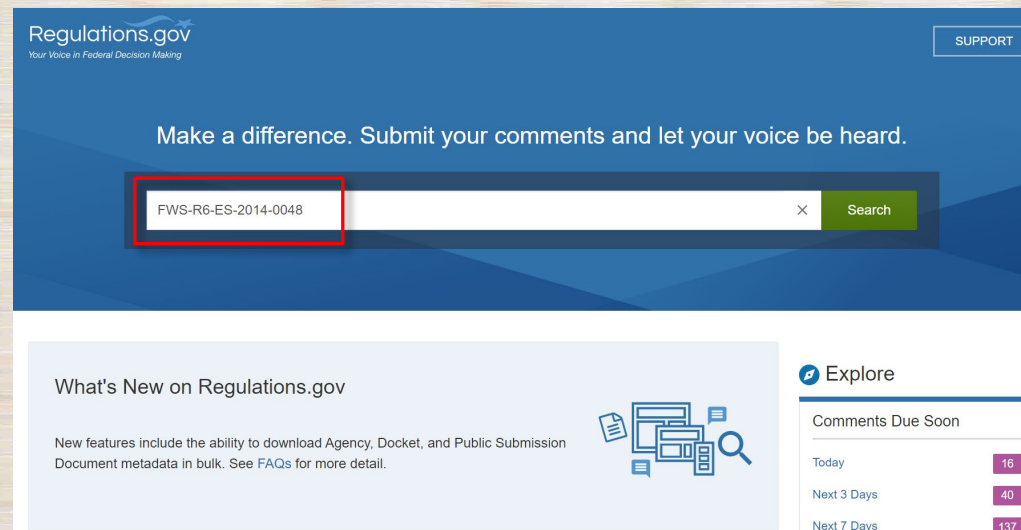
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Ways to Comment (Online)

Submit comments electronically:

www.regulations.gov

Follow the instructions for submitting comments on Docket No. FWS-R6-ES-2014-0048



All comments will be given the same weight. Comments must be received or postmarked by April 9, 2024, to be considered in the Final SEIS.

For additional information, visit: <https://www.fws.gov/project/r-project-transmission-line>.

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Ways to Comment (U.S. Mail)

Submit written comments:

Public Comments Processing

Attn: Docket No. FWS-R6-ES-2014-0048

U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W

5275 Leesburg Pike

Falls Church, VA 22041–3803

**All comments will be given the same weight. Comments must be received or postmarked by
April 9, 2024, to be considered in the Final SEIS.**

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Ways to Comment (Comment Today)

Submit comments in-person at today's public meeting

- Verbal comments will be accepted at this meeting
- You may have already indicated in your Zoom registration that you would like to submit a verbal public comment
- Names will be called from those cards in the order of registration
- If you did not pre-register, you can still comment once those who pre-registered people provide their comments
- Comments will be recorded by a court reporter and entered into the project record as formal public comments
- There will be a 3-minute time limit for all comments

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Stay Informed

- **R-Project Transmission Line Project Website:** www.fws.gov/project/r-project-transmission-line
- **Regulations.gov Docket:** <https://www.regulations.gov/docket/FWS-R6-ES-2014-0048>



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Timeline

- **Comment Period:** February 9, 2024, to April 9, 2024
- **Final SEIS, including responses to comments on the Draft SEIS:** Anticipated Late 2024
- **Record of Decision:** Anticipated Late 2024 to Early 2025

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Break – Five Minutes



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Question and Answer Session

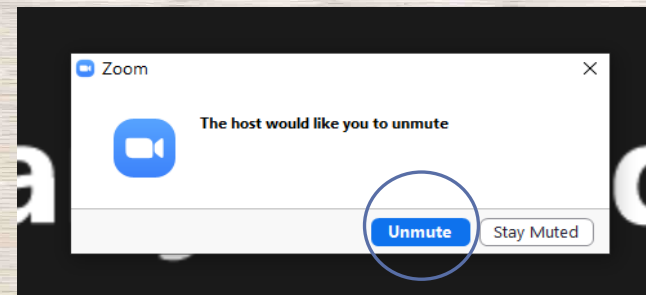
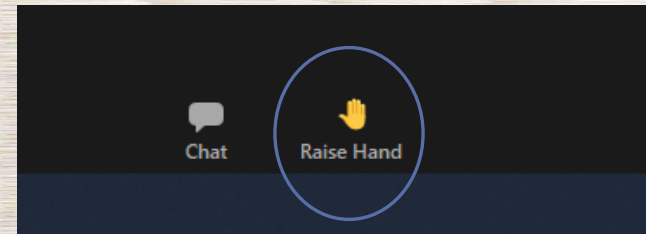
- This question-and-answer session provides an opportunity for the Service to answer informal questions regarding the Draft SEIS submitted throughout the public meeting.
- This portion of the meeting will NOT be recorded; questions will NOT be considered formal comments on the Draft SEIS
- After the question-and-answer session concludes we will begin the comment portion of the public meeting.

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Verbal Comments

- Participants who indicated they planned to provide public comment during pre-registration will be called on first.
- If you did not pre-register, you may use the “Raise Your Hand” feature to get into the queue. If calling by phone, use *9 to raise your hand.
- If you are on the phone, you can unmute and mute using *6.
- Please state your name and affiliation prior to delivering your comments.
- There is a 3-minute time limit.



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Timer

03:00

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**Thank you for coming.
The meeting is adjourned.**

www.fws.gov/project/r-project-transmission-line