

# Meeting Notes

## R-Project Discussion October 14, 2021

2:00-4:00 CDT/1:00-3:00 MDT  
Teams meeting – Calendar Invite

### Attendees:

Nebraska Public Power District (NPPD): Jim Jenniges, Joe Citta, Bonnie Hostetler

POWER Engineers: Ben Bainbridge

Holland and Hart: Sandi Snodgrass

U.S. Fish and Wildlife Service (USFWS): Laurel Hill, Mark Porath, Jeff Runge, Angela Burgess

Review the steps in the R-Project remand process (previously provided and restated on following page)

- Received consensus on major topics that nothing is missing from the steps involved.
- Roles and responsibilities for the remand steps
  - Jim will be the main point of contact for NPPD. Bonnie be responsible for the contract with the third-party NEPA contractor and NPPD's support of the NHPA Section 106 consultation process.
  - USFWS has identified the responsibilities of USFWS personnel for actions moving forward. It has not shared that list yet, but it is forthcoming. NPPD should include Mark, Angela, Laurel, and Jeff on email communication.
    - Mark, Angela, Laurel, and Jeff should be included on NEPA correspondence.
    - Meg Van Ness, the USFWS Regional Historic Preservation Office, should be copied on emails involving the NHPA.
    - For issues involving the American burying beetle (ABB), Jeff, Mark, Laurel, and Angela should be included, with Joe Skorupa on copied on emails.
    - For issues involving the whooping crane, Jeff, Matt Rabbe, Mark, Laurel, and Angela, should be included, with Joe Skorupa copied.
  - "NPPD R-Project" should be included in email subject lines for all correspondence.

Schedule going forward – set up reoccurring calls

- **ACTION:** NPPD to schedule recurring call every-other Thursday 1:00 – 3:00 MST (2:00 – 4:00 CST).
- Maintain flexibility to extend meeting invite as necessary (e.g., include Matt Rabbe on whooping crane calls).

SEIS scope of work

- Scope of work must be reviewed and approved by USFWS. NPPD provided a draft to help get the process started.

- Scope of work is first step to get the contract going through the NPPD procurement process.
- USFWS is meeting internally next week to discuss scope.
- The memorandum of understanding (MOU) is between NPPD and the USFWS on how they interact with the third-party contract. The parties will either need to revise the existing MOU or execute a new MOU.
- **ACTION: USFWS to provide NPPD with a final scope of work so contract documents can be completed.**

#### Changes to HCP

- ABB avoidance and minimization document being developed by USFWS is still going through internal review and will apply to northern ABB populations.
- The Monarch butterfly is now a candidate species, so additional consideration of that species may be required.
- **ACTION: NPPD to provide Permit Area information for next conference call on 10-28-2021.**
- **ACTION: USFWS and NPPD independently review the court remand and set up call with solicitor to discuss.**

- **NEPA**
  - o USFWS and NPPD reengage the third-party NEPA contractor.
  - o USFWS and the NEPA contractor prepare a draft supplemental EIS to address issues found by the court related to wind-energy projects and national historic trails and to include updated project or resource information.
  - o USFWS circulates the draft supplemental EIS for public comment.
  - o USFWS and the NEPA contractor review and respond to public comments, with input from NPPD as appropriate, and finalize the supplemental EIS.
- **NHPA**
  - o USFWS reinitiates the Section 106 consultation process with support from NPPD to address issues found by the court related to wind-energy projects and national historic trails.
  - o USFWS engages in additional tribal consultation.
  - o The consulting parties execute a revised programmatic agreement.
- **ESA**
  - o NPPD revises the HCP with USFWS input on key issues to include updated species and project information.
  - o NPPD submits a revised or new application for an incidental take permit.
  - o USFWS circulates the draft HCP for public comment with the draft supplemental EIS.
  - o USFWS prepares a new or revised biological opinion.
  - o USFWS prepares a statement of findings and a record of decision, then issues the incidental take permit (if the issuance criteria are met).