AGENDA

R-Project Discussion October 14, 2021

2:00-4:00 CDT/1:00-3:00 MDT

Teams meeting – Calendar Invite

Introductions

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

* Discussion to reach consensus as to whether these are the basic steps of this remand process
* Roles and responsibilities for the remand steps

Schedule going forward – set up reoccurring calls (e.g., every other Friday 10-11:30)

* Purpose of the calls would be to provide an update on the status of various remand steps; discuss issues related to the HCP, SEIS, and programmatic agreement; and identify any decision points and data needs
* Standardized approach to each call (review previously circulated work product, discuss open issues on the agenda, memorialize areas of agreement, identify action items)

SEIS scope of work (draft previously provided and attached hereto)

* Process for third-party contractor used previously
* NPPD procurement process

Changes to HCP (preliminary draft of NPPD-identified changes attached)

* Review and modify as needed
* **NEPA**
  + USFWS and NPPD reengage the third-party NEPA contractor.
  + 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.
  + USFWS circulates the draft supplemental EIS for public comment.
  + USFWS and the NEPA contractor review and respond to public comments, with input from NPPD as appropriate, and finalize the supplemental EIS.
* **NHPA**
  + 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.
  + USFWS engages in additional tribal consultation.
  + The consulting parties execute a revised programmatic agreement.
* **ESA**
  + NPPD revises the HCP with USFWS input on key issues to include updated species and project information.
  + NPPD submits a revised or new application for an incidental take permit.
  + USFWS circulates the draft HCP for public comment with the draft supplemental EIS.
  + USFWS prepares a new or revised biological opinion.
  + USFWS prepares a statement of findings and a record of decision, then issues the incidental take permit (if the issuance criteria are met).