



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
134 Union Blvd  
Lakewood, Colorado 80228



In Reply Refer to:  
FWS/IR05/IR07

November 30, 2021

President Rodney Bordeaux  
Rosebud Sioux Tribe  
P.O. Box 430  
11<sup>th</sup> Legion Avenue  
Rosebud, South Dakota 57570

Dear President Bordeaux,

I'm writing in response to the letter dated September 17, 2021 to The U.S. Secretary of Interior, Deb Haaland from Ione Quigley, Tribal Historic Preservation Office, regarding the incidental take permit (ITP) issued for the R-Project Transmission Line (attached). On June 17, 2020, the Court issued a ruling (R-Project in Nebraska – Ruling in Case 1:19- cv -01945-WJM Oregon-California Trails Association et al v. Walsh et al) that vacated the ITP. The Nebraska Public Power District (NPPD) has asked us to begin coordination with them on next steps associated with developing a new ITP application and Habitat Conservation Plan for the proposed project. The U.S. Fish and Wildlife Service's (FWS) review of any ITP application requires the National Environmental Policy Act compliance and Government-to-Government consultation. The FWS recognizes the Rosebud Sioux Tribe's status as a sovereign nation, and communication of input opportunities will again be provided, and we look forward to Government-to-Government consultation.

The FWS recognizes that the Rosebud Sioux Tribe may have a deep spiritual, historical, and cultural connection to the project area and appreciates any information and input that you can provide. We look forward to working with you and the Tribal Council on this project. If you need further information, please contact Mark Porath, the Nebraska Project Leader at [mark\\_porath@fws.gov](mailto:mark_porath@fws.gov) or (308) 216-2077, or Steve Small, the Assistant Regional Director for Ecological Services, at (303) 236-4210. In addition, you may contact our Regional Native American liaison, Melissa Castiano at (303) 236-9898 or [Melissa\\_Castiano@fws.gov](mailto:Melissa_Castiano@fws.gov) to facilitate input from you or your Tribal agencies.

Sincerely,

Matthew Hogan  
Acting Regional Director

**INTERIOR REGION 5**  
**MISSOURI BASIN**

KANSAS, MONTANA\*, NEBRASKA, NORTH DAKOTA,  
SOUTH DAKOTA

\*PARTIAL

**INTERIOR REGION 7**  
**UPPER COLORADO RIVER BASIN**

COLORADO, NEW MEXICO, UTAH, WYOMING