**DRAFT** Meeting Summary

R-Project Discussion October 28, 2021

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

Teams meeting – Calendar Invite

Attendees:

NPPD: Jim Jenniges, Paul Brune, Bonnie Hostetler

POWER Engineers: Ben Bainbridge

Holland and Hart: Sandi Snodgrass (joined late)

USFWS: Laurel Hill, Mark Porath, Jeff Runge, Angela Burgess

**Meeting Summary**

Process Issues

* Draft meeting that is summary available for review will be discussed and finalized at the next technical meeting.
* Next two meetings fall on federal holidays. **ACTION**: Cancel those two meetings and reschedule for Thursday, Nov. 18.
* **ACTION:** add standing agenda items to review previous meeting minutes and review HCP updates list.

Update on third-party scope of work

* USFWS had internal meetings for input on the third-party scope of work. Received input from Solicitor’s office and National HCP coordinator.
* USFWS has decided to go with competitive bid for the third-party work on NEPA.
* USFWS believes more developed/revised HCP is needed to review and finalize the third-party scope of work. NPPD disagrees; such an approach is not consistent with initial NEPA process for this project.
* Need to set up a call with USFWS Solicitor, Field Office, and NPPD legal team to review the court case and identify the topics the SEIS will need to address to respond to the court’s decision. This would help define the third-party scope of work.
  + **ACTION**: Sandi will put together an agenda for a call that includes the Solicitor.

HCP revisions

* Whooping crane discussion will need to incorporate any updated science.
* NPPD will provide updated information on transmission restrictions and mobile generation deployment.

Permit Area discussion

* USFWS is concerned that negative surveys cannot sufficiently support absence to modify permit area.
* NPPD is concerned that the take estimate would be applied to acres where ABB have never or very rarely been captured, which could unjustifiably inflate take numbers.
* Can prioritize areas within the permit area to focus avoidance/minimization for greatest benefit to ABB.
* Thedford Substation is completely constructed. It constituted 13 acres of the permanent disturbance under the ITP. Can’t be part of the Project because it is complete. Need to explain that the construction was done when the original incidental take permit was in effect.
* **ACTION:** summarize the previous permit and project history in the HCP. Will include Thedford Substation.
* **ACTION:** USFWS to set up a FileShare site to transfer large files and Ben to provide larger memo with Attachment A mapping.
  + <https://fileshare.fws.gov/?linkid=KZi4zr6VWWUyVq3EU2lgmKCZjirOgZy28YDODS6ncAGbVD1eXFiuOw>
* **ACTION: Next steps on Permit Area.** USFWS to review and further discuss internally before the next technical meeting. NPPD would like to finalize on the next call if at all possible.

ABB 4(d) rule

* Need the clarification as to whether the USFWS can issue take coverage for an activity that is not prohibited take under a 4(d) rule.

**Next Technical call:**

* Review of previous calls notes.
* Review of HCP Updates list.
* Brief discussion wrapping up the Permit Area.
* Clarification regarding take and the 4(d) rule.
* Access for Construction.

**ACTION ITEMS:**

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| **Action** | **Responsibility** | **Status** |
| Cancel next two technical meetings and reschedule for November 18 1:00 – 3:00 MST | Ben Bainbridge | Initiated |
| Add review of previous minutes and HCP Updates list to each meeting agenda. | Jim Jenniges | Initiated |
| Schedule call and topics for discussion with Field Office, USFWS Solicitor, and NPPD to discuss SEIS Scope and the court’s decision. | Bonnie Hostetler/Sandi Snodgrass | Initiated |
| USFWS to set up a FileShare site to transfer large files | Laurel Hill | Complete |
| Upload full memo with all mapping regarding Permit Area | Ben Bainbridge | Initiated |
| USFWS to review and further discuss Permit Area internally before the next technical meeting | Mark Porath | Initiated |
| Clarification on 4(d) rule – can USFWS issue take for a non-prohibited activity | Angela Burgess/Sandi Snodgrass | Initiated |