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## MEMORANDUM

**DATE:** November 10, 2021

**TO:** Nebraska Public Power District (NPPD); U.S. Fish and Wildlife Service (USFWS)

**C:**

**FROM:** Ben Bainbridge  
Biologist

**SUBJECT:** 128143 NPPD R-Project Access Revision

### MESSAGE

Based on field reconnaissance and discussions with the USFWS during the evaluation of a potential take-avoidance scenario, NPPD will make the following change to Access and Covered Activities in the HCP:

- **Current HCP (Section 2.4.5, page 21)**

- Access Scenario 1 includes the use of existing two-tracks and **greenfield overland travel** with no improvements. Access Scenario 1 will not create any new disturbances. Existing vegetation will be left in place. Access Scenario 1 is reserved for ATVs, light vehicles, and low-ground-pressure equipment that can travel with no improvements to the path. *NOT A COVERED ACTIVITY.*
- Access Scenario 2 includes new temporary access routes, existing two-tracks that will require some improvement, and overland travel with large or heavy vehicles and equipment that may require improvements for access. Improvements to existing access (including two-tracks) and new access routes may require blading and the placement of fill material on geofabric where required. *COVERED ACTIVITY.*
- Access Scenario 3 includes new permanent access routes that will be left in place following the completion of construction activities. Access Scenario 3 predominantly will be used at substation locations and specific circumstances where a route **may be left in place at the landowner's request.** *COVERED ACTIVITY.*

- **Revision**

- Temporary Access – All construction travel off currently existing and maintained roads would be included under Temporary Access. Temporary Access would include all construction access, including the use of overland travel, creation of new access paths, and improvement of existing two-tracks for construction. All Temporary Access would have an assumed width of 14 feet, although the final

width will be dependent on terrain. Temporary Access would apply to all construction equipment regardless of ground pressure. All improvements would be rehabilitated at the end of construction and reseeded with an appropriate seed mix. Compacted areas may be disced or ripped to loosen soil prior to reseeding. Areas where a sidehill is flattened for safety during access would not be recontoured but would be reseeded. *COVERED ACTIVITY*.

- Permanent Access – Access where improvements would be left in place following construction. NPPD will cap the Permanent Access at 19 acres of disturbance. *COVERED ACTIVITY*.



In the previous HCP, all construction-related overland travel with no improvements (i.e., drive and crush) was classified as Access Scenario 1 and was not a Covered Activity. Studies have shown that the largest truck in NPPD's fleet can drive over a buried beetle with no mortality (Willemssens 2015); however, the USFWS has expressed concern that take could occur from overland travel with no improvements if an American burying beetle is not fully buried but is only under the leaf and grass litter. NPPD is also not confident that all of Access Scenario 1 could be traversed by just overland travel and some improvements may be needed.



The access revision would add 188 acres to Covered Activities in the Permit Area. In the previous HCP, these 188 acres were classified under Access Scenario 1 and were not included as a Covered Activity. The previous HCP estimated that 10% of Access Scenario 2 acreage would be converted to permanent access, for a total of 19 acres. To remain consistent with the permanent acres presented in the previous HCP, NPPD would cap Permanent Access at 19 acres.

Note that while all Temporary Access would be reclaimed at the end of construction, NPPD would obtain an easement for all Temporary Access and would follow the same path for use during operation and maintenance and emergency repairs.

Ben Bainbridge  
Biologist

Willemssens, K.A. 2015. Soil preferences of *Nicrophorus* beetles and the effects of compaction on burying behavior. Dissertations and Student Research in Entomology. University of Nebraska – Kearney. Kearney, NE.