

NEPA Process/Requirements

Minutes

Agenda

|  |  |  |  |
| --- | --- | --- | --- |
| **Date:** | May 21, 2020 | **Location:** | Call In: 1-510-338-9438; Access code: 625 931 038WebEx Link included in Outlook Invitation |
| **Time:** | 10:00 AM to 11:00 AM |

|  |  |  |  |
| --- | --- | --- | --- |
| **Leader:** | Sites Integration/ICF | **Recorder:** | Sites Integration |
| **Purpose:** Assuming Federal Investment - Discuss Logistics of Preparing a Joint CEQA/NEPA Document |
| **Attendees:** |
| Monique Briard, ICFRyan Davis, ReclamationLinda Fisher, Sites Integration | Russ Grimes, ReclamationErin Heydinger, Sites IntegrationNate Martin, ReclamationRay Sahlberg, Reclamation | Laurie Warner Herson, Sites IntegrationNicole Williams, ICFNatalie Wolder, Reclamation |
| **Agenda:** |  |  |
| **Discussion Topic** | **Topic Leader** | **Time Allotted** |
| 1. Introductions – Roll Call/Purpose of Meeting
 | Laurie | 5 min |
| 1. Prior Action Items
	1. Authority to more fully describe federal role.
	2. Authority Team will prepare a matrix to identify: the differences between the 2017 EIR/EIS, what will be proposed in the revised EIR/EIS, what is proposed in Reclamation’s feasibility report, and what will be proposed in the Authority’s feasibility report; and, the potential differences in the analysis/results between the 2017 EIR/EIS and the Revised EIR/EIS.
	3. Authority to consider inclusion of an alternative in the EIR/EIS that is in Reclamation’s feasibility report once we have a draft of the revised feasibility report.
 | Laurie | 10 |
| 1. Status of Reclamation Feasibility Report
 | Ryan | 10 |
| 1. Assume Federal Investment, Need for EIS
	1. Joint Document - Recirculated Revised Draft EIR/~~Supplemental Draft~~ EIS
	2. Document Format
		1. Secretarial Order and page / time limits
		2. Scope of NEPA document
		3. 508 compliance
	3. Reclamation review cycles (e.g., number/duration) for a Revised ~~supplemental~~ Draft EIS
 | Nicole/Russ | 30 min |
| 1. Next Steps
	1. Confirm Points of Contact for Technical Questions
	2. Biweekly or Monthly Meetings?
 | All | 5 min |

|  |
| --- |
| **Meeting Minutes:** |

Agenda Item 1

* Authority provided introduction and purpose of meeting – assuming federal investment and joint EIR/EIS, need to discuss the logistics of preparing the joint document

Agenda Item 2

* Discussed the ongoing status of action items from April 23, 2020 meeting:
	+ Item a. is under review at the Authority Board level
	+ ICF has initiated Item b. – completion pending refinement of value planning alternatives and review of Reclamation revised Feasibility Report
	+ Item c. also pending final decision; however, the Authority may not choose to conduct analysis of Delevan pipeline/intake included in Feasibility Report

Agenda Item 3

* Reclamation provided an update on the status of the Feasibility Report
	+ Reclamation to receive complete report for review week of 5/25
	+ Will be sent to Policy June 8 for 1 month review
	+ After commissioner and assistant Secretary review will go to OMB for 2-3 months
	+ November/December 2020 determination

Agenda Item 4

* Discussed the ‘type’ of document – given new alternatives and because original alternatives will not be carried forward, Reclamation indicated that appropriate NEPA document would be a Revised EIS
	+ New public review period (minimum 45-days)
	+ No new NOI, just NOA when released
* Reclamation indicated that NODOS/Sites has been paused within Reclamation due to stalled process and when the project is taken off paused status will determine timing of the ROD
* Discussed page limitations – Reclamation will research existing waivers (see action item #4, below); however, even with waiver there will be a need to show a reasonable effort to reduce size and improve accessibility
* Discussed review periods – Reclamation indicated that with a July 2021 release, there should be sufficient time for their review process
	+ Planning is typically in charge of the review process; Environmental supports the review process
	+ Planning typically has a month of review time, but environmental generally has two weeks.
	+ Reclamation will want to review the document at least twice.
		- technical staff from Planning and Environmental look at the document and make comments
		- after the comments from technical folks have been incorporated the document gets sent to the Front Office and solicitor
	+ After the two types of review described above, there may be additional review; normally Regional Director/solicitor and comments should be addressed before going through the next level of review.
		- Reclamation may schedule review team briefing for Deputy Secretary
		- The document sent to the review team put together by the Deputy Secretary should be the document expected to post for the public Reclamation Environmental indicated at least 2 rounds of review
* ICF and Authority to revisit project schedule and work with Reclamation to develop revised schedule that includes Reclamation process; also coordinate with Nate on other topics via email
* Reclamation confirmed 508 compliance; recommended keep figures simple so as to be able to describe figures; no formal criteria/guidance provided; ICF to review recent Reclamation document(s) to develop 508 compliant template.

Agenda Item 5

* Authority suggested setting regular meetings and discussed communication protocols with Reclamation

|  |  |  |
| --- | --- | --- |
| **Action items** |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Action Item** | **Owner** | **Deadline** | **Notes** |
| **1** | Authority to more fully describe federal role | Authority | ongoing |  |
| **2** | Authority Team will prepare a matrix to identify: the differences between the 2017 EIR/EIS, what will be proposed in the revised EIR/EIS, what is proposed in Reclamation’s feasibility report, and what will be proposed in the Authority’s feasibility report; and, the potential differences in the analysis/results between the 2017 EIR/EIS and the Revised EIR/EIS. | Authority/ICF | ongoing |  |
| **3** | Authority to consider inclusion of an alternative in the EIR/EIS that is in Reclamation’s feasibility report once we have a draft of the revised feasibility report. | Authority | ongoing |  |
| **4** | Reclamation Environmental to look at existing waivers and provide summary to ICF/Authority as to the scope/content of waivers (e.g., schedule, pages/length, other) | Reclamation | 6/8 | ICF and Authority will follow up with Reclamation but need to confirm soon to develop annotated outline for the EIR/EIS  |
| **5** | Authority and ICF to develop a project schedule that includes Reclamation review process, including checking with other recent projects and sources and will coordinate with Reclamation to confirm assumptions | Authority/ICF | 4 weeks | Follow up meeting with Reclamation management on 5/26 also included discussion of schedule for EIS and the Authority committed to have schedule for discussion at 6/23 meeting |
| **6** | ICF to follow up with additional questions regarding EIS format/requirements via email | ICF | 5/22 | Email sent 5/22 to confirm:* All standard topics related to NEPA will be included
* NEPA guidance/modifications to climate change assessments and cumulative assessments not applicable since guidance hasn’t been approved yet
* Reclamation will review the Indian Trust Asset database and provide the Authority the results.
 |
| **7** | ICF to review recent Reclamation document(s) to develop 508 compliant template. | ICF | ongoing |  |