

NEPA Process/Requirements Minutes



Date: May 21, 2020

Location:

Call In: 1-510-338-9438; Access code: 625 931 038
WebEx 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, ICF	Russ Grimes, Reclamation	Laurie Warner Herson, Sites Integration
Ryan Davis, Reclamation	Erin Heydinger, Sites Integration	Nicole Williams, ICF
Linda Fisher, Sites Integration	Nate Martin, Reclamation	Natalie Wolder, Reclamation
	Ray Sahlberg, Reclamation	

Agenda:

Discussion Topic	Topic Leader	Time Allotted
1. Introductions – Roll Call/Purpose of Meeting	Laurie	5 min
2. Prior Action Items	Laurie	10
a. Authority to more fully describe federal role.		
b. 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.		
c. 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.		
3. Status of Reclamation Feasibility Report	Ryan	10
4. Assume Federal Investment, Need for EIS	Nicole/ Russ	30 min
a. Joint Document - Recirculated <u>Revised Draft</u> EIR/ <u>Supplemental Draft</u> EIS		
b. Document Format		
i. Secretarial Order and page / time limits		
ii. Scope of NEPA document		
iii. 508 compliance		
c. Reclamation review cycles (e.g., number/duration) for a <u>Revised supplemental</u> Draft EIS		
5. Next Steps	All	5 min
a. Confirm Points of Contact for Technical Questions		
b. Biweekly or Monthly Meetings?		

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: <ul style="list-style-type: none"> 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	