

APPENDIX G

Agency Consultation and Public Outreach Report

Reference: Summary of Meeting Notes with Agency Consultation/Outreach
Summary of Meeting Dates

Agency	Meeting Dates
Bureau of Land Management	March 9, 2020; May 1, 2020; May 28, 2020
California Department of Fish and Wildlife	August 29, 2019; March 2, 2020
California Department of Transportation	July 17, 2020; August 29, 2020; September 16, 2020; September 19, 2020; October 24, 2020; November 20, 2020; December 20, 2019; March 3, 2020; April 2, 2020; and May 15, 2020
U.S. Fish and Wildlife Service	October 23, 2019; June 9, 2020

Summary of Meeting Notes
Bureau of Land Management

On March 9, 2020, Stantec held a conference call with Penni Borghi of USFS and Tara McLain of BLM to discuss compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act. BLM announced they would be serving as federal lead for the entire project, with BIA and USFWS acting as NEPA cooperating agencies. Penni Borghi was assigned as Section 106 lead for USFS for this project. Penni directed Stantec to submit sections of the Section 106 reports (by state) to the respective field offices for review on a rolling basis, which will help expedite the BLM reviews. Penni confirmed that BLM is already consulting with tribes under Section 106 Native American Consultation (formal). The call also established the Area of Potential Effect as the US 395 right-of-way, meaning that the Area of Potential Effects (APE) would vary in width to match the right-of-way. To date, cultural reports have been submitted to the relevant BLM field offices in Oregon, California, and Nevada for review.

Stantec corresponded with Larry Ashton of BLM's Deschutes Field Office on April 10, 2020, during which Mr. Ashton noted that the two California districts crossed by the project would be preparing wildlife clearance documents outlining the BLM's concerns regarding potential project impacts on biological resources and would provide recommendations to avoid or minimize impacts. Mr. Ashton also indicated that the project would likely result in a "No Effect" determination for all potential federal Endangered-Species-Act-listed species in California, including Carson wandering skipper.

On May 1, 2020, Stantec received the wildlife clearance document from Melissa Nelson of the Eagle Lake Field Office via Larry Ashton. The following summarizes the comments and recommendations from Ms. Nelson. Ms. Nelson referred the applicant to sections of the *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (BLM 2015)* for information pertaining to greater sage-grouse avoidance, minimization, and mitigation strategies for construction of the project. She

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also indicated that greater sage-grouse habitat and other pertinent data would be provided when possible, and that habitat mitigation for greater sage-grouse may be required.

On May 1, 2020, Stantec received the wildlife clearance document from Katrina Krause of the Sierra Front Field Office via Larry Ashton. Ms. Krause summarized the special status species that may be affected where Sierra Front Field Office lands in Nevada and California overlap the project, which include burrowing owls, raptors and other migratory birds, and some reptiles (specifics not provided). Greater sage-grouse habitat is present within the project area, but there are no known leks in proximity to the project, and seasonal restrictions do not apply.

On May 28, 2020, Stantec received the wildlife clearance document from the Applegate Field Office via Larry Ashton. Mr. Ashton noted that, given the linear nature of the project along US 395, the project would not significantly impact greater sage-grouse, and no seasonal restrictions or mitigation measures would be recommended, and that because the field office is outside of the range of Carson wandering skipper, no seasonal restrictions or mitigation measures would be recommended. In addition, Mr. Ashton noted that the California Natural Diversity Database (CNDDDB) reports a Swainson's hawk nest within 50 meters of the road on the east side of US 395 about 5.5 miles south of Alturas. The nest should be considered active until it is formally surveyed, and, if active, a 0.5-mile line-of-sight-buffer should be applied. Impacts would be minimal outside of the species' breeding season (April 15 to August 15), but Mr. Ashton suggested that the applicant move the route to the west side of the road in this area if flexibility allows.

California Department of Fish and Wildlife

Stantec met with CDFW in Redding, California, on August 29, 2019, to provide the agency with project background, a summary of field surveys underway, and CEQA history pertinent to the project segment. During that meeting, CDFW requested that a Swainson's hawk survey be undertaken; that the project avoid sandhill crane nesting areas; that avoidance, rather than translocation, be the preferred mitigation for potential impacts to special status plants; that a "frac-out" response plan be developed; and that analyses include invasive species.

Stantec met with CDFW (Amy Henderson and Adam McKannay) on March 2, 2020, in Redding, California, to provide an overview of the completed 2019 biological field surveys and the surveys planned for 2020. CDFW recommended that Stantec biologists use the Nevada or Utah survey protocol for pygmy rabbits, that a protocol-level preconstruction Swainson's hawk survey be conducted, that biologists look for bank swallows in the Long Valley Creek area during surveys, and that biologists coordinate with BLM for greater sage-grouse lek information.

California Department of Transportation

On behalf of the applicant, Stantec has been coordinating frequently with Caltrans since early 2019. Agency-applicant meetings and calls were held on July 17, August 29, September 16, September 19, October 24, November 20, and December 20, 2019. As one of two public agencies with the greatest responsibility for approving the project, initial conversations centered on the potential for Caltrans to serve as CEQA lead. Other topics discussed included the potential for the applicant to co-locate fiber optic with other providers, routes to CEQA compliance, potential impacts to cultural sites along US 395, the timing and process of Caltrans' encroachment permit relative to the CEQA process, contracting mechanisms, the positioning of the telecom running line in relation to highway pavement, cultural and biological survey methods, and public and tribal outreach requirements. Stantec met or held conference calls with Caltrans on March 3, April 2, and May

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15, 2020. Caltrans received an updated running line in September 2020. As of September 2020, Caltrans will serve as a responsible agency under CEQA.

Prior to a 2019 site visit, Stantec cultural resources contractor, Pacific Legacy, contacted Russell Adamson, the Caltrans District 2 Archaeologist, to obtain copies of Caltrans' records for the project right-of-way. Mr. Adamson provided an Excel spreadsheet listing those resources so that Pacific Legacy might compare the results with holdings on file at the National Earthquake Information Center (NEIC). All resources in the Caltrans list appeared among those noted by the NEIC, and no further data were requested from Caltrans. Prior to inventory and evaluation surveys in 2020, Stantec made a similar request for Caltrans' cultural data.

U.S. Fish and Wildlife Service

On October 23, 2019, USFWS provided Stantec with lists of Federal Endangered Species Act-protected plant, fish, and wildlife species, including candidate and proposed species that are known or have the potential to occur in the BRSA. The BRSA is within the jurisdictions of two USFWS field offices, Klamath Falls and Reno, both of which provided official species lists for this project. Stantec obtained updated official species lists from the USFWS on June 9, 2020.