

# Transcript

February 26, 2025, 6:27PM

**AS** **Andrea Smith** 4:03

Afternoon, everybody.

Welcome to the NB RC fall round new grantee training session for our NEPA conversation.

Just doing a little technical.

Help with our consultant, Austin Rizzo of the Clark Group, who is going to actually be conducting today's session.

So you had a court getting into the meeting, so we'll get that resolved hopefully momentarily.

But wanted to at least start by welcoming all of you to today's session.

And just a couple of simple housekeeping measures.

That I wanted to make sure everybody is good on and that's pretty much you can keep your camera offer on.

That is totally up to you.

But we do ask that during the presentation, if you can keep your microphone.

Muted just this isn't a huge group, but obviously there's distractions that happen, and if everybody's muted, then we make sure we can not disrupt the session. There is going to be plenty of time for question and answer today, so making sure folks get their questions answered from.

Austin the Clark Group serves as a consultant to.

The mbrc.

So she will be the person who's our primary contact and will likely be the one that you will hear from, or someone on her team as you move through the NEPA process.

I think other than making sure folks know we're going to post today's recording, so the slide deck from today.

From today's session will be.

We posted on our website and also.

The transcript so of the chat. So if there are questions that you pose in the chat, we will make sure that transcript also gets.

Uploaded so slide deck, the recording and the chat transcript. So you will have a full picture of everything that we talk about today.

Certainly if after the session questions come up, you can always reach out to the team via our admin at mbrc.

Dot Gov e-mail address.

And we expect that if you have not already begun to see some communications from the Clark Group within the GMs, that will begin probably before the week is out or or into next week. There may be some additional questions or information they may be seeking from you, so.

Just making sure you know those initial assessments of your projects are complete. And they will now be starting to reach out in communications about what the next steps are for you as it relates to NEO.

So apologies, I'm going to pause briefly only because it looks like Austin is for whatever reason isn't getting the link when she registers.

So I'm I'm just going to pause for a moment.

Appreciate the patience and we'll get this started momentarily.

Appreciate everyone's patience as we work through those sort of technical things.

You never know when they're going to happen.

So Austin has joined the meeting.

And with us having covered the housekeeping, I'm going to turn it over to Austin so she can.

Dig into to all things nipa.

**AR** **Austin Rizzo** 11:29

We're getting closer.

I still need my share function if possible.

**AS** **Andrea Smith** 11:55

Like you can share it, but I'm fine if you want me to.

Just if you don't see it as an option, I'm.

**AR** **Austin Rizzo** 11:59

Is.

It just worked right when when he's talked, I can share now.

**AS** **Andrea Smith** 12:03

OK, great.

**AR** **Austin Rizzo** 12:05

Yeah. Let me just.

Share.

Alright.

OK. And Andrea, you went all over all the beginning stuff.

**AS** **Andrea Smith** 12:37

Did I did the initial sort of overview and the housekeeping I given them your name and told them who you are.

But so you are good to roll.

**AR** **Austin Rizzo** 12:50

OK.

We'll skip over all of this then.

OK.

Well, maybe I'll just give a little bit of an intro.

My name is Austin Rizzo.

I am the director of Environmental Services with the our consulting firm, which we call the Clark Group.

And so our job is just to work on behalf of the Northern Border Regional Commission to ensure that they are environmentally compliant and specifically what we're going to be going over today is nipa.

So we'll talk about what is nipa, why it's important and then what does the nipa process look like.

Like for Nbrc funded projects, including requirements and time commitments, I'm sure you're all interested in that.

So NIPA stands for the national Environmental Policy Act.

And it was created back in United States in 1970 with the goal of promoting the protection, preservation and enhancement of the environment.

And it was enacted in response to growing concerns about the environmental impact of large scale development projects, things like dams, highways and industrial facilities. So back in that time, there was just a lot of development occurring across the United States.

They were building big and they were building fast.

And because of that, there were several environmental disasters that were occurring around this time, which kind of acted as a culminating event that helped shape Environmental Protection.

In the US, so just to give everyone an example, in 1969 there was the Santa Barbara oil spill that occurred, which dumped 100,000 barrels of oil into the Southern California waters.

Then there was a Cuyahoga River in Cleveland. OH, that burned. Due to the thick amounts of industrial waste that covered the surface of the river. And that river didn't just burn once, it burned several times.

And as you can imagine, it's not.

Just that the river's burning. I mean, you could think about just how gross.

That river must have been during this time.

And then around this time, the book silent Spring came out by Rachel Carson, and that book shed a light on the impacts of the pesticide DDT, and not only what it was doing to our species. Our bald eagles, which were the populations, were declining because their eggs were.

Breaking because of this DDT, but it was also having a major impact on human health and humans weren't aware of this at the time.

So that book shed a big light on that. And again, with all the environmental disasters occurring, they finally decided that they needed to pass some Environmental Protection laws.

And so during that time, again nepot.

ISM Act was passed the Clean Air Act, the Clean Water Act and the Environmental Protection Agency was also formed around this time.

So the primary purpose of Napa is to ensure that federal.

Agencies consider the environmental effects of their proposed actions, and they make informed decisions based on that information before they act, and so that word before is really critical here. I've heard some people refer to NEPA.

It basically causes an agency to take a look before they leap, so before they go ahead with whatever their proposed action is or before.

They fund another, you know, grantee for their proposed action.

That we need to take a critical look at what the potential impacts of that project could be and then make a decision based off of that.

But NEPA what?

It doesn't do, is it?

Doesn't dictate an agency's decisions or actions. It just ask the agency.

Please make an informed decision.

And so that's again what we're going to be going over today.

So nipa is often referred to as an umbrella statute because it encourages federal agencies to incorporate other environmental and historic preservation requirements into the nipa analysis for a more streamlined decision making process.

And so laws that would be typically fall under this umbrella would be the Endangered Species Act, the Clean Water Act, the Clean Air Act, Migratory Bird Treaty act, the National Historic Preservation Act.

And so, unlike the Nipah statute, many.

Of these other federal statutes do have what we would call legal teeth that will force individuals or agencies to comply with their provisions.

So, again, NEPA that does not dictate your actions.

But some of these, like you have a project and it could potentially impact a federally listed species.

The US Fish and Wildlife Service has rules against that, and so we wouldn't be able to break the Endangered Species Act so nipa's very complex in that way.

It itself does not have legal teeth, but the environmental regulations that fall within neipa that we have to go through, that those processes as well. Those may have teeth.

And so for nbrc projects.

The reason why I'm bringing this up today is because we are going to run into a few of these requirements that we we often see so.

Many times in our projects we we might be in floodplains or we might have a project that's near wetlands and so we would be we would be required to do what's called an 8 step analysis to be compliant with a couple executive orders related to them.

Or if you have a project that is clearing some prime habitat for federally listed species, we may need to do a Section 7 consultation under the Endangered Species Act with the Fish and Wildlife Service.

Or very commonly, you may have to do what's called a section 106 consultation for the National Historic Preservation Act in order to make sure, again, that your project is not having any major impacts on cultural resources.

So what triggers nipa?

So the primary driver for triggering a nipa analysis is the undertaking of a federal government of a major federal action.

So if a federal agency is undertaking a major federal action, that agency must consider the potential impacts on the human environment.

And so this major federal actions kind of a little bit of a misleading term. We think Major has to be big. But really what that means is that's any activity that's undertaken.

Funded, authorized or approved by the federal agency.

And so that's really why we're here today, because your projects are funded by nbrc. That is considered a major federal action and that is why NIPA applies to all nbrc funded projects.

So I have this slide to kind of give an idea of the types of analysis that we'd be doing under NEPA.

So in this example, which is very common nbrc project, we would see is a grantee is applied for funding in order to replace their water or sewer main in town and so in order to do that, they're going to have to go in and rip up the road.

That the water, the existing water and sewer main are in.

And dig it up and and put a new one in.

And so to do that, the project's gonna take probably anywhere three to six months in the summer.

They're gonna bring in some large, heavy equipment.

And so this is kind of we start with the scope of your projects.

So we we start by understanding all the complexities of your project and then we start taking a look at the impacts of the project on that existing environment around not just the habitat and the animals, but we also are looking at the impacts to the existing community.

And then we're also looking at the impacts of that community and the environment around two year project and I'll go over what that means.

So if we start here in the bottom right, we know that for the project you're going to have to shut the road down for a little bit.

So we'd be looking at how long is the road being shut down.

Are there any mitigation measures you can put in place?

Like maybe only shutting down one lane or.

So we'd be taking a look at those impacts. So transportation and parking.

If we move up to the right, we know there are some residential area places, so there are people sleeping.

So how are we gonna mitigate the impacts of that heavy machinery?

Will they be only working during normal business hours?

Will they be stopping equipment when they're not in use?

If we keep moving around up towards the left corner.

We know the project is near some cultural resources.

So we'll be taking a look at if there's any potential impact.

To those existing cultural resources, maybe archaeological artifacts that are nearby.

We also know that through the town there's a nice river with some landlocked or some Atlantic salmon that are federally listed, and we know there's going to be sediment disturbance due to the project.

So we'll be looking at, we know there could be sediment runoff.

So how are we going to mitigate that to ensure that that spotting habitat for that salmon?

Are not impacted.

And then finally, if you go down to the bottom left, we have a nearby contaminated site with contaminated soils and we want to ensure we know we're going to be doing some digging.

So is there any potential impact that we're going to?

Are we going to be overlapping with that contaminated soil?

Could the construction workers be at risk or nearby residents be at risk?

So we're taking a full look.

And again.

That's just kind of looking at how.

The project impacts the surrounding environment, but we're also looking like, let's say you're building near a flood plain and you're building a residential house.

We want to ensure that you're not putting your people in a hazardous area and so we we'd be taking a look at the potential impacts to your project from that flick lane.

So it's kind of like a holistic, holistic look on where we're going through the analysis.

But I did want to kind of showcase some of the just a couple of the things. We'll be taking a look at.

And I know for a lot of you, you're probably thinking my project's tiny.

It's so small, it's going to help the community like, let's just get this funding rolling and I do just want to mention like across the US, if you think about all the tiny projects occurring and what those cumulative impacts could be, you know the Cuyahoga River wasn't bur.

Because of 1 factory it was burning because of lots of pollution from all the way

down the river.

And so that's why nipa analysis, even for small projects, is really important.

So there are different levels of NEPA analysis.

There's three starting at the lowest level. This is a CAD X or a categorical exclusion, and so this is the first level of NEPA analysis. It's used when a project has been predetermined by a federal agency to not have a significant impact on the human environment.

It's important to note that a CAD X is not a waiver or an exemption from NEPA.

I know a lot of people say it's an exemption, but it's just a lower.

Of nipa.

At every federal agency has their own CAD tax list that is specific to the types of projects that that federal agency does.

So Nbrbc has a CAD tax list that we're working with.

So that's, that's the lowest tier of nipah. The 2nd is called an environmental assessment or an EA.

And this is where.

We basically need the this analysis is used when the project impact is unknown or does not have a reasonable.

Foreseeable significant effect on the quality of the human environment, and so an EA will help us determine whether we need a more significant assessment and environmental impact statement or if we can proceed with what's called the finding of no significant impact.

So we would go through an analysis and come out to a conclusion of I I don't.

There'd be a big impact from the project. And then finally the the highest level is an environmental impact statement.

That's when we.

I have a reasonably foreseeable significant effect on the quality of the human environment.

That's when we believe that project is going to have a big impact.

So for nbrbc, we are usually just existing in these two environments, either at the project's going to be a CAD X or we're going to need to do an EA.

And fortunately, we have not had to do an EIS yet due to the nature of the types of projects nbrbc is currently funding.

So I do want to briefly talk about the difference between NEPA across different federal agencies.



So it's really important to understand each federal agency implements nipa differently.

It's based off of the types of projects that that federal agency covers, and so that each federal agency has to adhere to their own specific procedures and guidelines.

And so one of the biggest things I've run into before is.

We've had.

Grantees will apply to, let's say, USDA or HUD.

And they've applied for a very similar project, and they're like, well, USDA cadix this project.

And you know, we've had other projects that have been coddx by USDA and unfortunately, again, because every federal agency doesn't have that same cadix list to use nbrc may not be able to cadix the same kind of project that HUD cadix or USDA.

So that's just really important to understand because there's really nothing we can.

Do about that situation we have to nbrc is required to use their existing list.

And so we really have to work within those bounds.

The other thing to really note is that not only did are the cadets list different, but the NEPA process looks very different. Different.

So an environmental assessment for HUD will look very, very different than an environmental assessment for nbrc. And again, they've really tailored it to the needs of their federal agency.

Kind of the rationale behind it.

But again, that can sometimes cause some frustrations when you know someone else's cadence can be 11:50 pages and look like a form with some supporting documentation in another. Agencies will be a more elaborate assessment that that agency feels properly assesses the environmental impacts. So I.

Just want to flag that before we get into this.

So right now NB RC is, I would say, a relatively new federal agency.

And unfortunately, they don't have their own existing NEPA implementing procedures. We are in the, we are in the Labor's process of coming up with them. And so in the past they have used relied on HUD Hud's implementing procedures because it was a fairly similar federal AG.

See, so we we use their CAD X list for awhile and that was fairly useful. But we found that you know, how does how does pretty different from nbrc really. So we found another federal agency called the Denali Commission that funded much more

common projects that were the.

More similar to NbrC and so we found in the last couple years where we've made that transition, we've been able to actually cut a lot more projects, which has been wonderful.

But just we are again like I mentioned, we are in the process of working with NBRC to create their own implementing procedures and we think that in the future we'll actually be able to cater more projects than we are even currently.

So that is looking good, but we are in kind of this transition phase.

So right now, and this is a very general list that I have up here, oftentimes we're able to codify projects that are pretty standard renovations.

Or replacements.

Or some types of demolition if they're not gonna impact historic structures or additions if they're on adjacent disturbed land. We do some acquisition and installation of equipment.

Those are general like Cadexable and then we can.

Usually we can actually do some small new construction projects. Again, if it's on previously, just start blank.

We can sometimes cadex these projects.

Paddock's list we use, and I like.

I know I just have this up on a slide, but the cataclysm.

M.

Multiple pages and it's got a lot of. There's a lot of detail that we basically have to run your project through in order to decide if it actually fits under that cadix.

So I would use this list real.

I was actually hesitant to even put it up here to give people false hope.

But there's a lot more beyond, you know, this cadix list.

We have to run your project through. Is pretty complex and then in addition we have to ensure there are no, they call it extraordinary circumstances.

That would say like even though, like, let's say you're doing a minor demolition. But let's say you're in a floodplain by like, a really rare wetland.

It could potentially elevate the project and not fitting under a cataclysm end up requiring an EA.

So there's a lot that goes into making this decision, but these are some generalities.

Projects that usually require an EA are gonna be renovations that change the functional use of a property.

So let's say.

This is a terrible example, but let's say you have a police shooting range and they wanna transform. They wanna renovate the building and transform it into like a child care center.

Well, that's a big functional use.

Change of the property and that would require an EA.

A demolition again, if it's on like a eligible if it's eligible for being on a historic a historic place we we would probably need an EA for that. If there are additions.

Or large new construction projects.

And they're on undisturbed land. That will require an EA as well.

So the big difference is there's a couple for if you have to do a CAD X versus an EA, there's a couple of big things.

So the first is how long does it take to do the review? The environmental assessment or the I'll just call it the review.

And then is there a public comment period required?

So if it's a CAD X, usually we're looking at a really brief review.

Generally, it's gonna take about a month or so, maybe less.

Maybe even a couple days.

The caveat there is you can have a CAD X. Let's say it's a basic minor renovation, but it's on a property that's eligible for historic resources and we might need to do a section 106.

We might have to go out to the state Historic Preservation Office so that even though it's a CAD tax, it's going to require this, you know, additional review.

So that could tack on about a month to the project.

And so with the CAD tax, there's no public comment period.

Usually.

And you know, like if again you were in a floodplain, you have to do an 8 step analysis in that case, due to those other federal requirements, there may be a comment period. But generally speaking, cadences are pretty straightforward.

No public comment period.

And it's a pretty quick process.

For an environmental assessment, we are looking.

It's definitely a more robust review.

For nbrc, usually it's about 6 to 12 months.

Wants to develop and that's due to the EAS being approximately like 60 to 70 ish

pages long of a thorough review of the impacts of the project on different resource areas. And so at the end of that environmental assessment, there's a requirement for a 30 day public comment.

Period. And that's where the the public will be informed that there's a draft environmental assessment.

They'll be, you know, told about your project and if they want to comment on the project.

And share their concerns.

They're welcome to send their comments in the NB RC.

So that's kind of that. That will occur at the end of the environmental assessment being drafted.

So anyway, that's. That's the difference between a catastrophic.

Looks like.

So there's pretty much there's two steps for NEPA.

The first step is you have to make the nipa determination for the project.

So that's figuring out. Is it a cadix or an EA? And are there additional federal requirements?

And then the second step is actually doing the analysis.

So I'm just going to go over the first step first.

So here we have the grantee will complete the nbrc intake form.

I think you have all gone through this process already.

Let's say you have a proposed renovation project.

You would describe on your new intake form where the project is. The details of the project.

Are there any?

We have a bunch of questions that you would have already filled out, so you would send that intake form into nbrc and they will send it to the clerk group where we will analyze the project. And so there we would run it again through that CAD X list.

1st to see if it potentially can qualify as a CAD X, and then we'll also run it through those other requirements.

Doesn't need a section 106.

Doesn't need a Section 7 for endangered species. An 8 step for wetlands or floodplains.

So once we go through that process, we will let nbrc know and they get back to the grantees.

So I believe we will be reaching out.

I think we're at the step right now.

We're still processing projects, so the next step is reaching back out and informing the grantee.

Of what?

Your project's going to require.

I'm not going to go over the NEPA intake form because I think we've passed this step.

So the first scenario is you've been told you need a CAD X determination.

This would be a pretty again pretty quick process. The Clark Group will actually do this in House and we would we would complete the cadence documentation for you. And if you had any additional requirements like section 106 or an 8 step, we would do that in.

House. So there would be no burden on the grantee for that work.

I do want to mention that again, these other federal requirements.

So again, even if your project qualifies as a CAD X, you might have to go through these other requirements like an 8 step or a section 106. Again, these these can take a little bit of time to pull together and we might need to go back.

Out to you with follow up questions. In order to do this in House, this analysis in House because we don't know the details.

Full details of your project.

So there might be a little bit of back and forth and that does again tack on a little bit of time.

The second scenario, and it's likely that if you're in this call today, you may need an EA, and so we'll take a little bit more time in this step.

But again, you would have filled out you.

You've filled out your need.

Intake form, we've made an EPA determination and we've said it looks like it's going to be an EA.

Will then inform.

The grantee that they need to develop an EA.

So you'll get that guidance.

This will clearly tell you you need an EA.

It's gonna take approximately this much time.

Typical what?

Our guidance is, is that we suggest hiring a consultant.

To actually develop your environmental assessment, and this is because these again are pretty complicated documents.

And there are people that are. This is their profession and they can pretty quickly create, you know, like relatively quickly create an environmental assessment versus you going through the process.

So our suggestion again, go ahead, hire consultant, the consultant.

We'll use our EA template.

We have a template for them to use.

We have a lot of guidance for them to use.

And so we'll go back and forth a couple times with the consultant to ensure that that environmental assessment is up to nbrc standards and we just nbrc needs to be comfortable at the end of the day that they feel like they're environmentally compliant.

So that in the case that the public becomes interested or there aren't any problems with the project.

That they can back up their assertion to move forward. And so we just need to get it to a place where we think that analysis is really thorough and again, that look before you leap. We need to do a good job of that assessment.

So after we go back and forth a couple times with reviews and nbrc is comfortable with the draft EA, we'll go out for a 30 day public comment period.

Nbrc will give you an it's called a notice of availability, but it's just like a A1 pager that you're going to put in the newspaper or on your town's website that says here's our project. We have assessed the environmental impacts of it. If you would like.

A copy of it.

Please ask Kristen.

We'll give you one.

Once we go through that.

Very rarely do we get comments from the public, although that is that is the spirit of NEPA. If we did, that's fine. We can deal with them. But generally we don't get comments from the public and we can go ahead and finalize your EA and we will DRA.

What's called the finding of no significant impact?

Basically saying we we've assessed the project and we don't think it's going to have major impacts on the human environment.

And again, if we did receive comments, it's not a big deal.

We've dealt with these in the past.

We just addressed them.

We're very transparent about addressing the comments and and if we think they have merit and you know we we go again, we just dig into their comment and assess them.

And again, we usually end up always issuing a FONzie at the end.

So I mentioned hiring a consultant.

There are basically when you go to hire a consultant, there are some consultants that they sound like they understand how to do NEPA, but they may have done what's called like an environmental site assessment, which is different.

So when you go out with the RFQ, you want to clearly state that you need an environmental consultant to draft a NIPA environmental assessment for you.

These documents, again, are gonna be around.

60 to 75 pages long.

And they typically run between 10 to \$15,000.

So you're gonna need to budget accordingly.

And you would just work with nbrc on on doing that. If you need funds in order to go out for, you know, get an up consultant again and you would reach out to nbrc and have that discussion with them.

They may be able to issue what's called a partial notice to proceed, which Andrew has probably talked about already.

The other thing we've noted before, occasionally we'll get projects where they're in very preliminary stage of design.

But they're they're two preliminary to actually do a thorough environmental assessment on them.

We don't have enough details to really figure out what the impacts of the project are going to be.

And so in those cases, we'll ask the will work and inform you that how you like you need to get a little bit more design work done.

We usually suggest no no more than 30% design and the reason behind that is you don't put all your money in a full design, only to have that proposed action end up having too big of impact.

So we we need to go back, if so basically we just suggest.

25 to 30% design so you can again work with.

And BRC if you need a partial notice to proceed in order to get to get that preliminary design funds. And we had a project a little while back where. Gives off the coast of Maine and we ended up having to do a pretty extensive Section 7 due to the work in the ocean and so we were working with the NOAA National Oceanic and not going to get that acronym right. Anyway, we were working with Noah and.

They needed a lot more design.

Work done and so we had to go back to the grantee and ask them to go out for a partial notice to proceed, get a little bit more design work done, and then we could finish the consultation and could finish the environmental assessment after that.

So again, we've kind of run over this.

If you were told you, you're gonna have to do an EA once you get your consultant reach back out to us.

We'll give you the E8 template. Nbrc actually keeps it up on their website as well.

The most update updated template.

And then we also have an EA guidance document that will walk you through the process, walk your consultant through the process.

So we actually have a new checklist that you can go through to make sure that you're chronologically going through this checklist and making sure that you're hitting all the marks.

Thanks.

Right.

Again, I mentioned this already, but we have a 30 day public comment period allows the public to give feedback.

And usually like I mentioned, we don't usually get many comments and once that's done the the clerk group will actually write up the finding of no significant impact document.

So your contractor does not need to do that work.

We'll do it for them.

The other thing I want to mention is that there are often times there are other federal agencies or even state agencies that are Co funding these projects.

So depending on the agency and the funding source, there may be instances where nbrc can act as a cooperating agency and piggyback on the NEPA process of another federal agency, for instance.

And sometimes the grant cycles are off.



So let's say HUD is already funded your project.

And they've already completed their NEPA process.

There's an opportunity for Nbrc to come in and adopt Hud's analysis.

And so if you know that's occurring with your project, let's say we've already told you you need an EA and you're like, oh, no. Like, there's another federal agency that's already funded this exact same project, and they've already issued their nipa analysis.

Please let us know. So we.

Can cut down on this. We don't.

We don't do NEPA twice is what we're saying.

So please let us know if that's the case and we'll.

We'll look into it.

We can reach out to the other federal agency and coordinate with them, but that's a good thing to flag.

And then you put intake form does ask you that, but sometimes things change.

So let us know please.

The other thing is, sometimes states have their own nipah like procedures.

Unfortunately for the most part.

Federal agencies.

Generally not able to use a state's NEPA like procedures. There is one case where we can, which is if they receive clean water.

State revolving fund or drinking water.

State revolving fund money.

And that's the only instance where we can actually adopt A state's analysis.

So again good to flag and we can look into it.

Let's say you know, you know New York did the circa.

Still flag it for us and we can ask additionally about like, where did those where did the money come from?

And we can figure out if there's an opportunity for us to adopt.

So it's a little bit more complex, but still good to flag and.

We can investigate that further for you.

So I'm just going to wrap this up, but the important thing is, is that nipa needs to be completed before you can go ahead and make what's called an irretrievable or irreversible, irreversible commitment of resources.

And so those resources include funds to purchase land, property, equipment or services.

So again, we talked about a partial notice to precede that is different and nbrc will be very clear about how you can use that money.

But this is this is definitely an important thing to to remember.

So for projects that require a CAD X, the CAD X determination will need to be finalized.

And then Nbrc will issue a notice to proceed to the grantee to let you guys know that you can allocate your funds.

So they will say, you know, the NEPA hold has been lifted. You can spend your funds.

And so for a project that requires an EA.

The Fonzie will need to be signed by Nbrc before the project can move forward.

And so again, you'll be notified by nbrc that you've been issued a notice to proceed and you can spend your funds. However, your grant agreement talks about.

All right, I think that is it and we could pause and take some questions.

**AS** **Andrea Smith** 46:21

Then just one question I see so far in the chat, which is if you could talk a bit about a possible piggyback on to Vermont at 2:50 process.

And if you want a little more information, CJ is the person who put that in the chat.

You could come off mute and.

Ask your question with more detail if that's helpful.

**AR** **Austin Rizzo** 46:49

So I as I understand it, the Vermont Act 250 is a requirement of the state of Vermont and there are occasions where if you've gone through that process and you've done some analysis, you can pull some of that analysis in and use it as supporting evidence of.

Your finding.

But we wouldn't be able to use it in like in lieu of an environmental assessment.

What we have, we actually have a project right now where.

Using it to support the rationale that that there are no, that that we can go forward with a catac.

But but if you have follow up questions, I'm happy to answer.

**CK** **CJ King** 47:35

Well, so the ACT 250 process requires a series. I'm sure you know this.

A series of permits so researches, engineering and all kinds of other studies have already been done on the project.

Cultural consideration.

Historic consideration, wetland, etc.

All of these have already been considered.

And if it can be used at least as supporting and save some time of having to redo all kinds of engineering studies, that would be very helpful.

**AR** **Austin Rizzo** 48:13

Yes, you can certainly use it as supporting and you wouldn't need to redo it.

It just the only caveat is it has to be for the proposed action.

So you'd have to make sure that that overlap is there clearly.

**CK** **CJ King** 48:25

I.

I'm not sure what you mean by that. The ACT 250 process is specific to this project.

**AR** **Austin Rizzo** 48:32

Then that's great. That's that's good.

**AS** **Andrea Smith** 48:48

Any other questions for Austin or if folks had?

We did talk about the partial notice to proceed during the training last week.

But certainly if there were questions about that we can, we can answer them.

But if there's questions, you're welcome to come off mute and and ask it while we have the expert.

Awkward silence of of meetings when you want to make sure people get a chance and then it feels like people forgot so.

Anyway, appreciate again your time today.

Thank you Austin, for being willing to lead this discussion.

As I mentioned at the outset, you'll start to see some communications coming from the Clark Group.

Maybe some asking for some additional information or some clarifying questions, but be on the lookout for that.

At communication that will happen via the GMs and and certainly if you have any

questions about a partial notice to proceed or information like that. We did add some resources to the training slides from last Friday and then they're also available on our website.

Our compliance manual is a great resource for information, as is our GMs toolkit, so making sure folks know those resources remain available.

But if there are no last call for questions and if there aren't any, then just appreciate your time and enjoy the rest of your day.



**Austin Rizzo** 50:45

Thanks Sandra.

□ **Andrea Smith** stopped transcription