

\$1,373,353. There are no annual start-up or capital costs.)

*Estimated Total Annual Cost to the Federal Government: \$963,792*

#### Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Millicent L Brown,

*Senior Manager, Records Management Branch Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID FEMA-2020-0016]

#### Meeting To Implement Pandemic Response Voluntary Agreement Under Section 708 of the Defense Production Act

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** Announcement of meetings.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is holding a series of meetings to implement the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic.

**DATES:** The first meeting took place on Thursday, March 4, 2021, from 3 to 5 p.m. Eastern Time (ET). The second meeting took place on Wednesday, March 10, 2021, from 3 to 5 p.m. ET. The third meeting took place on

Thursday, March 11, 2021, from 3 to 5 p.m. ET. A fourth meeting will take place on Thursday, March 18, 2021, from 3 to 5 p.m. ET.

#### FOR FURTHER INFORMATION CONTACT:

Robert Glenn, Office of Business, Industry, Infrastructure Integration, via email at [OB3I@fema.dhs.gov](mailto:OB3I@fema.dhs.gov) or via phone at (202) 212-1666.

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is provided as required by section 708(h)(8) of the Defense Production Act (DPA), 50 U.S.C. 4558(h)(8), and consistent with 44 CFR part 332.

The DPA authorizes the making of “voluntary agreements and plans of action” with, among others, representatives of industry and business to help provide for the national defense.<sup>1</sup> The President’s authority to facilitate voluntary agreements was delegated to the Secretary of Homeland Security with respect to responding to the spread of COVID-19 within the United States in Executive Order 13911.<sup>2</sup> The Secretary of Homeland Security has further delegated this authority to the FEMA Administrator.<sup>3</sup>

On August 17, 2020, after the appropriate consultations with the Attorney General and the Chairman of the Federal Trade Commission, FEMA completed and published in the **Federal Register** a “Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic” (Voluntary Agreement).<sup>4</sup> Unless terminated prior to that date, the Voluntary Agreement is effective until August 17, 2025, and may be extended subject to additional approval by the Attorney General after consultation with the Chairman of the Federal Trade Commission. The Agreement may be used to prepare for or respond to any pandemic, including COVID-19, during that time.

On December 7, 2020, the first plan of action under the Voluntary Agreement—the Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Personal Protective Equipment (PPE) to Respond to COVID-

19 (Plan of Action)—was finalized.<sup>5</sup> The Plan of Action established several sub-committees under the Voluntary Agreement, focusing on different aspects of the Plan of Action.

These meetings were or will be chaired by the FEMA Administrator or his delegate, and attended by the Attorney General or his delegate and the Chairman of the Federal Trade Commission or his delegate. In implementing the Voluntary Agreement, FEMA adheres to all procedural requirements of 50 U.S.C. 4558 and 44 CFR part 332.

*Meeting Objectives:* The objectives of all of the meetings are as follows:

1. Gather committee Participants and Attendees to ask targeted questions for situational awareness.

2. Establish priorities for COVID-19 PPE under the Voluntary Agreement.

3. Identify tasks that should be completed under the appropriate Sub-Committee.

4. Identify information gaps and areas that merit sharing (both from FEMA to the private sector and vice versa).

*Meetings Closed to the Public:* By default, the DPA requires meetings held to implement a voluntary agreement or plan of action be open to the public.<sup>6</sup> However, attendance may be limited if the Sponsor<sup>7</sup> of the voluntary agreement finds that the matter to be discussed at a meeting falls within the purview of matters described in 5 U.S.C. 552b(c). The Sponsor of the Voluntary Agreement, the FEMA Administrator, found that these meetings to implement the Voluntary Agreement involve matters which fall within the purview of matters described in 5 U.S.C. 552b(c) and the meetings will therefore be closed to the public.

Specifically, these meetings to implement the Voluntary Agreement may require participants to disclose trade secrets or commercial or financial information that is privileged or confidential. Disclosure of such information allows for meetings to be closed pursuant to 5 U.S.C. 552b(c)(4). In addition, the success of the Voluntary Agreement depends wholly on the willing and enthusiastic participation of private sector participants. Failure to close these meetings could have a strong chilling effect on participation by the private sector and cause a substantial risk that sensitive information will be prematurely released to the public,

<sup>1</sup> 50 U.S.C. 4558(c)(1).

<sup>2</sup> 85 FR 18403 (Apr. 1, 2020).

<sup>3</sup> DHS Delegation 09052, Rev. 00.1 (Apr. 1, 2020); DHS Delegation Number 09052 Rev. 00 (Jan. 3, 2017).

<sup>4</sup> 85 FR 50035 (Aug. 17, 2020). The Attorney General, in consultation with the Chairman of the Federal Trade Commission, made the required finding that the purpose of the voluntary agreement may not reasonably be achieved through an agreement having less anticompetitive effects or without any voluntary agreement and published the finding in the **Federal Register** on the same day. 85 FR 50049 (Aug. 17, 2020).

<sup>5</sup> See 85 FR 78869 (Dec. 7, 2020). See also 85 FR 79020 (Dec. 8, 2020).

<sup>6</sup> See 50 U.S.C. 4558(h)(7).

<sup>7</sup> “[T]he individual designated by the President in subsection (c)(2) [of section 708 of the DPA] to administer the voluntary agreement, or plan of action.” 50 U.S.C. 4558(h)(7).

resulting in participants withdrawing their support from the Voluntary Agreement and thus significantly frustrating the implementation of the Voluntary Agreement. Frustration of an agency's objective due to premature disclosure of information allows for the closure of a meeting pursuant to 5 U.S.C. 552b(c)(9)(B).

**MaryAnn Tierney,**

*Acting Deputy Administrator, Federal Emergency Management Agency.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

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AOR3030.999900]

#### Draft Environmental Impact Statement for the Proposed Southern Bighorn Solar Projects, Clark County, Nevada

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA), as the lead Federal agency, with the Bureau of Land Management (BLM), the Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), and the Moapa Band of Paiute Indians (Moapa Band) as cooperating agencies, intends to file a draft environmental impact statement (DEIS) with the EPA for the proposed Southern Bighorn Solar Projects (SBSPs or Project). The DEIS evaluates photovoltaic (PV) solar energy generation and storage projects on the Moapa River Indian Reservation (Reservation) and collector lines along with the use of existing access roads and an existing generation interconnection (gen-tie) line located on the Reservation, Reservation lands managed by BLM, and BLM lands. This notice also announces that the DEIS is now available for public review and that public meetings will be held to solicit comments on the DEIS.

**DATES:** The dates and times of the virtual public meetings will be published in the *Las Vegas Review-Journal* and *Moapa Valley Progress* and on the following website 15 days before the public meetings: [www.southernbighornsolar.com/](http://www.southernbighornsolar.com/). In order to be fully considered, written comments on the DEIS must arrive no later April 26, 2021.

**ADDRESSES:** You may mail, email, hand carry or telefax written comments to Mr.

Chip Lewis, Regional Environmental Protection Officer, BIA Western Regional Office, Branch of Environmental Quality Services, 2600 North Central Avenue, 4th Floor Mail Room, Phoenix, Arizona 85004-3008; fax (602) 379-3833; email: [chip.lewis@bia.gov](mailto:chip.lewis@bia.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Chip Lewis, BIA Western Regional Office, Branch of Environmental Quality Services at (602) 379-6750 or Mr. Garry Cantley at (602) 379-6750.

**SUPPLEMENTARY INFORMATION:** The proposed Federal action, taken under 25 U.S.C. 415, is the BIA's approval of two solar energy ground leases and associated agreements entered into by the Moapa Band with 300MS 8me LLC and 425LM 8me LLC (Applicants). The agreements provide for construction, operation and maintenance (O&M), and eventual decommissioning of the PV electricity generation and battery storage facilities located entirely on the Reservation and specifically on lands held in trust for the Moapa Band, in Clark County Nevada.

The PV electricity generation and battery storage facilities would be located on up to 3,600 acres of tribal trust land (2,600 acres for SBSP I and 1,000 acres for SBSP II) and would have a combined capacity of up to 400 megawatts alternating current (MWac)—300 MWac for SBSP I, and 100 MWac for SBSP II. The two solar Projects include the solar fields, access roads, collector lines, and connection with an existing transmission gen-tie line.

Construction of the 300MWac project is expected to take approximately 14–16 months, and construction of the up to 100MWac project is expected to take approximately 8–10 months. The two projects may be constructed simultaneously or sequentially. The electricity generation and storage facilities are expected to be operated for up to 50 years under the terms of the leases, with time for construction and decommissioning. Major onsite facilities include multiple blocks of solar PV panels mounted on fixed tilt or tracking systems, pad mounted inverters and transformers, collector lines, up to 1,000 MW-hours of battery storage, access roads, and O&M facilities. Water will be needed during construction for dust control and a minimal amount will be needed during operations for administrative and sanitary water use and for panel washing. The water supply required for the Projects would be leased from the Moapa Band. Access to the SBSPs will be provided via North Las Vegas Boulevard from the I-15/US 93 interchange.

The purposes of the proposed Project are, among other things, to: (1) Provide a long-term, diverse, and viable economic revenue base and job opportunities for the Moapa Band; (2) assist Nevada to meet their State renewable energy needs; and (3) allow the Moapa Band, in partnership with the Applicant, to optimize the use of the lease site while maximizing the potential economic benefit to the Moapa Band.

The BIA and BLM will use the EIS to make decisions on the land lease and right-of-way applications under their respective jurisdiction; the EPA may use the document to make decisions under its authorities; the Band may use the DEIS to make decisions under its Environmental Policy Ordinance; and the USFWS may use the DEIS to support its decision under the Endangered Species Act.

**Directions for Submitting Comments:** Please include your name, return address and the caption: "DEIS Comments, Proposed Southern Bighorn Solar Projects" on the first page of your written comments. You may also submit comments verbally during one of the virtual public meeting presentations or provide written comments to the address listed above in the **ADDRESSES** section.

To help protect the public and limit the spread of the COVID-19 virus, virtual public meetings will be held, where team members will provide a short presentation and remain available to discuss and answer questions. The PowerPoint presentation will be posted to the project website prior to the virtual meetings. Those who cannot live stream the presentation would be able to access the meeting presentation on the website and could join by telephone. Additionally, the live presentation will be recorded and made accessible for viewing throughout the comment period. The first public meeting will be held in the afternoon by video and telephone conference and the second public meeting will be held in the evening by video and telephone conference. The dates, times, and access information for the virtual meetings will be included in notices to be published in the *Las Vegas Review-Journal* and *Moapa Valley Progress* and on the project website at [www.southernbighornsolar.com](http://www.southernbighornsolar.com) 15 days before the meetings.

**Locations Where the DEIS is Available for Review:** The DEIS will be available for review at: BIA Western Regional Office, 2600 North Central Avenue, 12th Floor, Suite 210, Phoenix, Arizona; BIA Southern Paiute Agency, 180 North 200 East, Suite 111, St.