

MEMORANDUM OF AGREEMENT
AMONG THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE,
HUMBOLDT-TOIYABE NATIONAL FOREST;
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER;
THE NEVADA STATE HISTORIC PRESERVATION OFFICER;
AND THE
ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE CALIFORNIA 120KV TRANSMISSION LINE BY NV ENERGY
ON THE HUMBOLDT-TOIYABE NATIONAL FOREST, CARSON RANGER DISTRICT,
WASHOE COUNTY, NEVADA AND SIERRA COUNTY, CALIFORNIA

WHEREAS, NV Energy, a Nevada-based company that provides energy services, proposes to construct a transmission line that will cross multiple private properties, two Federal land management jurisdictions (Bureau of Land Management and Forest Service), two counties (Sierra and Washoe) and two states (California and Nevada); and

WHEREAS, the Humboldt-Toiyabe National Forest (HTNF), as lead Federal land-managing agency, plans to permit NV Energy's Bordertown to California 120kV Transmission Line (Undertaking) on the Carson Ranger District, pursuant to The Federal Land Policy and Management Act, as Amended October 21, 1976 and has determined that the action is an Undertaking subject to review under 54 U.S.C. § 306108 commonly known as Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800; and

WHEREAS, the Undertaking consists of construction, continuous operation, maintenance, and future upgrading of the Bordertown Transmission Line (see Attachment A for details); and

WHEREAS, the HTNF has defined the Undertaking's Area of Potential Effects (APE) as direct and indirect areas including transmission lines, access roads, and vegetation management zones on and adjacent to the transmission line corridor (see map in Attachment A and maps in Attachment B); and

WHEREAS, the HTNF has determined that the Undertaking may have an adverse effect on historic properties 26Wa102/111/1081/1082 (04170105924), 26Wa6207 (04170104032), 26Wa8472 (04170105929), 26WA9573 (04170113296), 26WA9575 (04170113298), 26WA9604, 26WA9929 (CA-SIE-1858/H), and 26WA9933 (04170114361) identified within the APE, which are eligible for listing in the National Register of Historic Places under the Secretary of Interior's Significance Criterion D, and has consulted with the California State Historic Preservation Officer (CASHPO) and the Nevada State Historic Preservation Officer (NVSHPO); and

WHEREAS, the HTNF has consulted with the Washoe Tribe of Nevada and California (Washoe Tribe), the Reno-Sparks Indian Colony (RSIC), and the Pyramid Lake Paiute Tribes (PLPT) (referred to collectively as Tribes) on historic properties that have religious and cultural significance and invited them to be concurring parties to the MOA. The RSIC and the Washoe Tribe have provided comments on the MOA; and

WHEREAS, the HTNF provided multiple opportunities for public comment on the proposed undertaking in coordination with the National Environmental Policy Act compliance per 36 CFR 800.8(a)(1), and considered and responded to comments regarding the effects of the undertaking on historic properties; and

WHEREAS, NV Energy has participated in the consultation and have been invited to

participate in this MOA as a Concurring Party; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the HTNF has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation, and the ACHP has chosen to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, the HTNF, the CASHPO, the NVSHPO, and the ACHP agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

The HTNF shall ensure that the following measures are carried out:

I. RESOLUTION OF ADVERSE EFFECTS

- A. The HTNF shall ensure the Historic Property Treatment Plan (HPTP), as detailed in Attachment B, is implemented prior to authorizing any Undertaking activity that may adversely affect (36 CFR § 800.16(i)) historic properties in the Undertaking's APE. In this treatment document, relevant contexts, historic property descriptions, and a variety of resource-specific treatment methods including avoidance and monitoring, data recovery, and public interpretation have been developed in consultation with the HTNF, the Tribes, the ACHP, the CASHPO, the NVSHPO, NV Energy, and representatives of the Basque community.
- B. Neither the HTNF nor NV Energy shall alter any plan, scope of services, or other document that has been reviewed and commented on pursuant to this MOA (except to finalize documents commented on in draft form), without first affording the parties to this MOA the opportunity to review the proposed changes and determine whether they shall require that this MOA be amended. If one or more such party determines that an amendment is needed, the parties to this MOA shall consult in accordance with Stipulation VII to consider such amendment.

II. STANDARDS

- A. All work carried out pursuant to this MOA shall meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards); http://www.nps.gov/history/local-law/arch_stnds_9.htm.
- B. The HTNF shall ensure that the final reports and cultural materials, excluding any human remains and/or associated grave goods, resulting from the historic preservation work stipulated in this MOA are curated at the Nevada State Museum in accordance with 36 CFR Part 79.

III. DURATION

Unless terminated pursuant to Stipulation VIII or amended pursuant to Stipulation VII of this agreement, this MOA will be in effect following its execution by the Signatory Parties until the HTNF in consultation with the other parties to this MOA, determines that all terms of this MOA have been satisfactorily fulfilled, or for five (5) years after execution of this MOA, whichever comes first. Upon a determination

that all terms of this MOA have been satisfactorily fulfilled, HTNF will immediately notify the other parties to this MOA in writing that all terms of this MOA have been satisfactorily fulfilled.

IV. POST-REVIEW DISCOVERIES AND UNANTICIPATED EFFECTS

If properties are discovered that may be historically significant or unanticipated effects on historic properties found, the HTNF shall implement the Inadvertent Discovery Plan, included as Attachment C of this MOA.

V. MONITORING AND REPORTING

- A. The HTNF shall ensure the RSIC and Washoe Tribe have been afforded the opportunity to monitor activities associated with implementing the HPTP and/or ground disturbing activities within the vicinity of historic properties and in the APE. The Tribes shall be given at least 48 hours advanced notice to arrange for an official Tribal Monitor.
- B. Within thirty (30) days after the HTNF has determined that fieldwork required under Stipulation I has been completed for any given historic property or properties, the HTNF will ensure preparation and concurrent distribution to the CASHPO and NVSHPO, for review and comment, a brief letter that summarizes the field efforts and the preliminary findings that result from them. The same content will be provided to the RSIC and the Washoe Tribe for informational purposes, not for comment.
- C. The CASHPO and NVSHPO will provide written comments within ten (10) days following receipt of the above-mentioned brief letter. Failure of these parties to respond within this time frame shall not preclude the HTNF from authorizing implementation of the Undertaking's activities, as the HTNF may deem appropriate.
- D. The HTNF will provide all signatories with an annual report regarding the status of the undertaking and implementation of the HPTP. The annual report will be submitted by March 1st of each year and continue until construction of the proposed undertaking is complete.
- E. Within twelve (12) months after the HTNF has determined that all fieldwork required by Stipulation I has been completed, the HTNF will ensure preparation and subsequent concurrent distribution to the CASHPO and NVSHPO, for a 30-day review and comment period, a technical report that documents the results of implementing and completing the HPTP. The same content will be provided to the RSIC and the Washoe Tribe for informational purposes, not for comment.

VI. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the HTNF shall notify other signatories and consult with such party to resolve the objection. If the HTNF determines that such objection cannot be resolved, the HTNF will:

- A. Forward all documentation relevant to the dispute, including the HTNF's proposed resolution, to the ACHP. The ACHP shall provide the HTNF with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the HTNF shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The HTNF will then proceed according to its

final decision.

- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the HTNF may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the HTNF shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. The HTNF's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VIII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VII, above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the HTNF must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The HTNF shall notify the signatories as to the course of action it will pursue.

IX. USE BY OTHER FEDERAL AGENCIES

If another federal agency that is not a party to or subject to this MOA receives an application for funding/license/permit for the Undertaking as described in this MOA, the agency may request to be an added signatory to the MOA. Within thirty (30) calendar days of their receipt of the notification, any signatory may request that the MOA be amended in accord with the process outlined in Stipulation VII above.

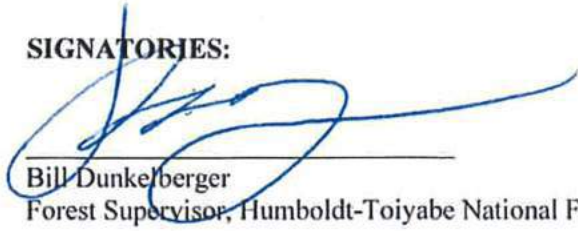
X. ANTI-DEFICIENCY ACT

The HTNF's obligations under this MOA are subject to the availability of appropriated funds, and the stipulations of this MOA are subject to the provisions of the Anti-Deficiency Act. The HTNF shall make reasonable and good faith efforts to secure the necessary funds to implement this MOA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs the HTNF's ability to implement the stipulations of this agreement, the HTNF shall consult in accordance with the amendment and termination procedures found at Stipulations VII and VIII of this agreement.

This MOA may be executed in counterparts, each of which shall constitute an original, and all of which shall constitute one and the same agreement.

Execution of this MOA by the HTNF, the CASHPO, the NVSHPO, and the ACHP, and implementation of its terms evidence that the HTNF has taken into account the effects of this Undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

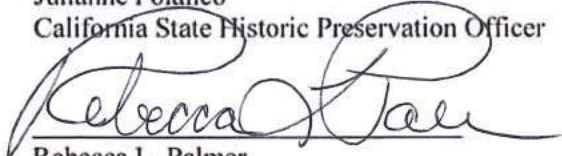


Bill Dunkelberger
Forest Supervisor, Humboldt-Toiyabe National Forest

5/10/19
Date

Julianne Polanco
California State Historic Preservation Officer

Date



Rebecca L. Palmer
Nevada State Historic Preservation Officer

5/13/19
Date

John M. Fowler
Executive Director, Advisory Council on Historic Preservation

Date

CONCURRING PARTIES:

Lee Simpkin
Environmental Manager, NV Energy

Date

Serrell Smokey
Tribal Chairperson, Washoe Tribe of Nevada and California

Date

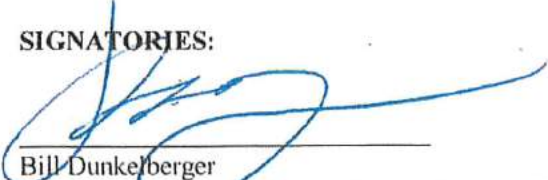
Arlan D. Melendez
Tribal Chairperson, Reno-Sparks Indian Colony

Date

Vinton Hawley
Tribal Chairperson, Pyramid Lake Paiute Tribe


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Tribal Chairperson, Pyramid Lake Paiute Tribe

Date

ATTACHMENT A

Description of NV Energy's Bordertown to California Transmission Line Project

The *Final Environmental Impacts Statement for the Bordertown to California 120 kV Transmission Line Project* (Bordertown FEIS) published in December 2018 identifies the Peavine/Poeville Alternative as the "Selected Alternative" and is summarized in this Appendix (Appendix A).

Beginning at the Bordertown Substation, in Sierra County, California near Bordertown, Nevada the Peavine/Poeville powerline would parallel the existing Alturas 345 kV transmission line for approximately 2.2 miles, with 0.4 miles within the designated Section 368 energy corridor. The powerline would continue south approximately 6.0 miles generally parallel to the California-Nevada State line, approximately 0.6 to 0.9 miles east on the Nevada side of the state line. The last 2.2 miles would be reconstructed within an existing utility easement, replacing the H-frame pole structures of the inactive #632 line, parallel to the existing #114 120 kV and #106 120 kV powerline line west through Verdi, Nevada to the California Substation located in Sierra County, California.

The Peavine/Poeville Alternative would be approximately 11.9 miles long. Approximately 10.8 miles would be constructed in Nevada and 1.1 miles in California. Approximately 4.3 miles or (46.9 acres) would cross National Forest System (NFS) land, 0.4 miles or (4.36 acres) would cross Bureau of Land Management (BLM) land and 7.2 miles or (78.5 acres) would cross private land. The Bordertown Substation would be expanded by approximately 3.7 acres on BLM land. The California Substation would not be expanded, as all needed modifications would be within the existing fenced area of the substation located on private land.

The Bordertown Record of Decision (ROD) will authorize the following construction related improvements and restoration activities for the Peavine/Poeville Alternative:

Proposed Substation Modifications

The Bordertown Substation would be partially rebuilt and modified with the addition of new components in order to accommodate the transmission line. The Bordertown Substation would be expanded by 3.7 acres on BLM-administered public land. Proposed modifications to the Bordertown Substation would include vegetation clearing and grading; and expansion of the existing chain-link fence for security and to restrict unauthorized persons and wildlife from entering (Appendix A of the FEIS). The site would be graded to near level and surfaced with gravel. Noxious weeds would be treated and monitored to prevent spreading onto adjacent land.

The California Substation is located on private land owned by NV Energy. All needed modifications at the California Substation would be accommodated within the existing fenced area of the substation. The footprint of the existing substation would not be expanded. The exact layout of the modifications at the California Substation would depend on the selected alternative. A preliminary plan showing the modifications proposed for the California Substation is provided in Appendix A of the FEIS.

Proposed Transmission Line

The proposed 120 kV transmission line would consist of bundled aluminum conductor steel-reinforced cable supported on single circuit pole structures. A combination of single-pole structures, two-pole H-frame structures, and three-pole dead end/angle structures would be used. Single-pole structures would be used less frequently where confined space prevents the use of two-pole H-frame or three-pole dead end/angle structures, which are wider than the single-pole structures. The Right-of-Way (ROW) would be reduced to 40 feet in constrained areas where single pole structures are used. (For purposes of the analysis,

the maximum ROW width of 90 feet is used.) The span distance between the poles would average 800 feet but could range from 200 feet to 2,000 feet depending on terrain or obstructions. See Appendix A of the FEIS for an illustration of each type of proposed pole structure.

Transmission Line Construction

Construction of the transmission line would consist of the establishment of staging areas; construction of access roads, widening existing roads; establishment of pole sites and transmission wire setup sites; and installation of the pole structures and conductor and shield wires. Vegetation would be cleared, as needed. Table 2.3-1 of the FEIS provides the area of ground disturbance for each construction activity. The exact location of these project elements would be determined prior to construction. Project design features, which are measures specifically formulated to protect environmental resources during construction of the transmission line, are provided in Appendix B of the FEIS.

Staging Areas

Up to four staging areas may be needed to store construction materials, equipment, tools, fuel, service trucks, spare parts, and vehicles. The staging areas would house portable, self-contained toilets and possibly portable offices or serve as equipment maintenance areas. Staging areas would measure approximately 500 feet in length by 500 feet in width. Staging areas would use previously disturbed ground and may be located on BLM-administered public land or private land, but no staging areas would be located on NFS land (design feature GP 6 in the FEIS). Any hazardous materials such as fuel, lubricants, and solvents, would be handled and stored in accordance with applicable regulations, including 40 CFR 262. Handling, storage, and clean-up of hazardous materials at staging areas would be described in a Spill Prevention, Control, and Countermeasures (SPCC) Plan, which would be included as part of the Construction, Operation, and Maintenance Plan (COM Plan) (design feature HM 1 in the FEIS). Staging areas would include secondary containment to capture and contain any potential spills or leaks.

Construction Access

Existing Roads

Existing roads would be used for construction and maintenance access as much as possible; however, some existing roads would be widened up to 30 feet, including cut and fill slopes to accommodate construction equipment. Roads that would be widened include designated National Forest System (NFS) roads (i.e., roads shown on the Carson District Motor Vehicle Use Map) and non-system roads. Widening of existing roads on BLM-administered public lands would not be required because there is adequate access to the Bordertown Substation. Roads within occupied or unoccupied potential habitat for the federally-listed threatened plant, Webber ivesia (*Ivesia webberi*), and the Forest Service sensitive plant, Dog Valley ivesia (*Ivesia aperta* var. *canina*), would not be widened (design feature SV 6 in the FEIS). While widening is not allowed within these habitats, blading and installation of erosion control measures (design feature SV 6 in the FEIS) would be permitted. Several designated NFS roads have seasonal use restrictions from April 1 to November 18 that would be followed during construction (design feature RT 1 in the FEIS). All designated NFS roads widened for construction or maintenance access would be restored to the original roadbed. A description of restoration activities that would be performed following construction and maintenance activities is provided in Section 2.3.3.2 of the FEIS.

New Temporary Access Roads

New temporary access roads (i.e., centerline travel road and spur roads) would be constructed to pole sites, transmission wire setup sites, and staging areas when there are no existing roads available. Access roads would be 30 feet wide and located within the 300- to 600-foot-wide corridor (variable-width corridor). The variable-width corridor would be centered on the transmission line and would measure 300

feet wide where slopes are 10 percent or less, and 600 feet wide where slopes are greater than 10 percent. Temporary roads would be constructed primarily by mowing or masticating vegetation in a manner that leaves root systems intact to encourage regrowth and minimize soil erosion (design feature VG 5 in the FEIS). Whole tree removal would be required where new access roads cross forested areas. Rocks or other obstructions would be bladed. If rocks cannot be removed with heavy equipment, explosives may be used. While new access roads wider than 30 feet would not be expected, occasional widening beyond 30 feet may be necessary in areas where extensive blading and side cuts are required. Erosion and sediment controls would be installed as identified in the project Storm Water Pollution Prevention Plan (SWPPP), which would be included as part of the COM Plan (design feature WA 1 in the FEIS).

Following construction, all temporary access roads would be recontoured and stabilized by seeding, mulching, placement of erosion control fabric, and installing erosion control features such as water bars (design feature VG 6 in the FEIS). Where deemed appropriate by the USFS, roads near sensitive resources may not be recontoured in order to avoid inadvertent disturbance to resources. Barriers would be installed on all restored access roads located on NFS land to prevent unauthorized vehicle use (design feature RT 3 in the FEIS). Vehicle access for transmission line maintenance is expected to be rare as the poles would be made of steel. Access would be necessary approximately every 10 years for tree removal within the line clearance area. When future vehicle access is needed for maintenance of the transmission line, the existing NEPA analysis would be reviewed and the access may be approved based upon the level of proposed new disturbance and or the change in environmental conditions. There are no permanent roads proposed to be kept for maintenance access.

Stream Crossings

Road construction across perennial streams would be avoided (design feature WA 13 in the FEIS). Where improvements are needed to cross ephemeral and intermittent streams, the side slopes of drainages would be reduced to a slope that would allow safe vehicle travel, and the slopes and drainage bottom would be rock armored. Once construction is complete, all drainage modifications would be recontoured and seeded based on existing site conditions (design feature WA 10 in the FEIS).

Power Pole Structures

Pole Sites

A pole site is the area needed for the construction and installation of the pole structure, and would be 0.5 to 1 acre in size depending on the type of pole structure. Clearing of vegetation at pole sites would be limited to the area excavated for the installation of the pole structures. Pole sites in steeper terrain (greater than 10 percent to 12 percent slopes) would be graded level for safe operation of equipment. Equipment pads would not be recontoured, but reseeded so that the pad would be available for future maintenance of the pole.

Excavation and Pole Foundations

Excavation for poles set directly into the ground with no foundation would be approximately three feet in diameter and approximately 10 to 13 feet deep. Three-pole dead-end/angle poles would be secured (guyed) by anchors installed in the ground approximately 60 feet from the pole base. The anchors would require excavating a hole approximately three feet in diameter and 15 feet deep. A truck-mounted power auger is the preferred method of excavation. However, backhoe excavation and blasting may be used as alternative excavation methods as geological and site conditions require. Poles that would be set in the ground without a foundation would be backfilled with native or imported fill material. Final pole foundation requirements would be determined after design and permitting requirements are completed.

In places where guying three-pole dead-end/angle poles would not be feasible, self-supporting steel angle poles on foundations would be installed. Concrete foundations, where needed, would be cast-in-place and

dimensions would vary from 12 to 40 feet below ground surface and three to 12 feet in diameter. Waste water from wash-out stations would be captured for removal from NFS land to prevent any waste water from discharging off-site and into any surface waters (design feature GP 5 in the FEIS). Should rocky areas be encountered, foundation holes may be excavated using rock drills. Topsoil removed from foundation holes would be separated and stockpiled at the edge of active work areas to salvage the seed bank (design feature WA 6 in the FEIS). All excavations would be covered and temporarily fenced during weekends, holidays, night hours, or to protect the public and wildlife from injury (design feature WL 5 in the FEIS).

Power Pole Assembly

Materials, including the transmission poles, insulators, guy wire anchors, and all other associated hardware, would be delivered from staging areas to each of the pole sites. Assembly crews would build the structure and then attach insulators, travelers, and hardware to assemble a complete structural unit. Erection crews would follow and place the completed poles into the excavated holes using a large mobile crane or helicopter. Equipment pads would be established at the pole sites, where necessary, to support the equipment for the crew to erect the pole. Native soils previously excavated, imported backfill, and/or concrete would be placed around each pole and properly compacted. Guy wires to support the angle poles would be used to plumb the structure. Signs, flagging, or other readily visible marking would be used to indicate the presence of guy wires to reduce the potential for people and wildlife to run into the wires (design feature GP 9 in the FEIS). Where self-supporting steel angle poles are required, anchor bolts would be used to secure the pole structure to the poured concrete foundation.

Transmission Wire Setup Sites

Conductor and shield wire installation would be performed from transmission wire setup sites. Transmission wire setup sites would be up to 600 feet in radius. Six to 16 wire setup sites may be needed. The number of sites is a function of wire reel span lengths and engineering requirements for conductor sagging.

Construction-Related Ground Disturbance

Most ground disturbance would be temporary and would be restored following construction. Other disturbance would be permanent, such as pole structure footings at each pole site. Table 1 shows the average ground disturbance for each of the primary construction activities or areas.

Table 1. Temporary Ground Disturbance Required for Project Construction

CONSTRUCTION ACTIVITY OR AREA	APPROXIMATE CONSTRUCTION DIMENSIONS/DISTURBANCE
Pole Structures: Single pole Two-pole H-frame Three-pole dead-end/angle	85-foot radius (+/- 0.5 acre) 85-foot radius (+/- 0.5 acre) 120-foot radius (+/- 1.0 acre)
Transmission wire setup sites	Approximately 600 feet radius (+/- 26.0 acres)
Staging areas	500 feet long and wide (+/- 5.7 acres)
Widening existing roads	30-foot-wide (consisting of a traveled way measuring up to 14 feet wide plus any curve widening, turnouts, and side cut and fill slope areas)
New access roads (i.e., spur roads, centerline travel road, and cross country travel)	30-foot-wide (consisting of a traveled way measuring up to 14 feet wide plus any curve widening, turnouts, and side cut and fill slope areas)

CONSTRUCTION ACTIVITY OR AREA	APPROXIMATE CONSTRUCTION DIMENSIONS/DISTURBANCE
Tree removal under transmission line (i.e., transmission line clearance area)	Within 90-foot ROW plus any tree outside the ROW that may have the potential to fall on the transmission line wire; Construction of log landings (+/- 0.5 acre) would create additional disturbance

Vegetation Removal and Maintenance

Prior to construction, noxious weeds would be inventoried and treated within the ROW and areas within 100 feet of project ground disturbance (design feature NW 1 in the FEIS). Treatment methods would include manual and mechanical methods and the use of herbicides. A five-gallon backpack sprayer would be the primary method of herbicide application, but large infestations may require a truck-mounted sprayer. The following herbicides would be used for treatments (brand/shelf name in parentheses): Aminopyralid (Milestone); Clopyralid (Transline); Chlorsulfuron (Telar); Glyphosate (Roundup and Rodeo); Imazapic (Plateau, which is not labeled for use in California); and Triclopyr (Garlon).

During construction, vegetation would be removed as needed at pole sites, staging areas, transmission wire setup sites, and access roads. Removal of vegetation would generally consist of mowing or masticating shrub and grass vegetation in a manner that leaves root systems intact to encourage growth and minimize soil erosion (design feature VG 5 in the FEIS). In forested areas, whole tree would be removed using heavy equipment where terrain and slope stability permits and skidded to log landings for disposal. In areas that are not accessible with equipment or with excessive slopes and highly erodible soils, trees would be removed by helicopter. All slash would be chipped and removed from NFS land within six weeks to reduce insect and disease infestations (design feature VG 4 in the FEIS).

Trees within the proposed transmission line ROW/easement would be removed as necessary for compliance with National Electric Safety Code (NESC), National Energy Regulatory Commission (NERC) standards, California Public Utilities Commission (CPUC) regulations, Nevada Administrative Code (NAC), California Public Resources Code, California Code of Regulations, and Department of Forestry Fire Prevention standards. The NESC standards and the California and Nevada codes require that obstructions be no closer than 21 feet to an overhead transmission line. Figure 2.3-1 in the FEIS shows the typical tree clearance distances that would be required for compliance with the aforementioned codes and regulations.

Restoration of Construction-Related Activities

All construction access roads constructed on NFS land would be recontoured and reclaimed (design features RT 3 and VG 6 in the FEIS). All existing authorized NFS roads and motorized trails that are widened for construction access would be reclaimed and returned to the original roadbed. Non-designated roads on NFS land that would be widened and used for construction access would be reclaimed and reseeded. Restoration would include recontouring roads, installing erosion control features such as drain dips, ripping, chipping, and seeding (design feature VG 6 in the FEIS). Logs, branches, pine needles, brush, and rocks may be used to disguise the road for restoration purposes or other techniques approved by the USFS (design features RT 3 and RT 4 in the FEIS).

A detailed restoration plan would be included as part of the COM Plan for construction related ground disturbance, including disturbance associated with roads. The restoration plan would include revegetation success criteria based on USFS reference sites (design feature VG 7 in the FEIS). Restoration success would be monitored until restoration is deemed successful by the USFS. Restoration seed mixes used on NFS land would be approved by the USFS (design features NW 2, RT 7, and VG 2 in the FEIS). Restoration seed mixes would be certified as weed-free (design feature NW 7 in the FEIS). Sites where revegetation is not fully restored after approximately 5 years will be mitigated by improving habitat in other onsite areas or through off-site habitat restoration projects using mitigation funds provided by NV

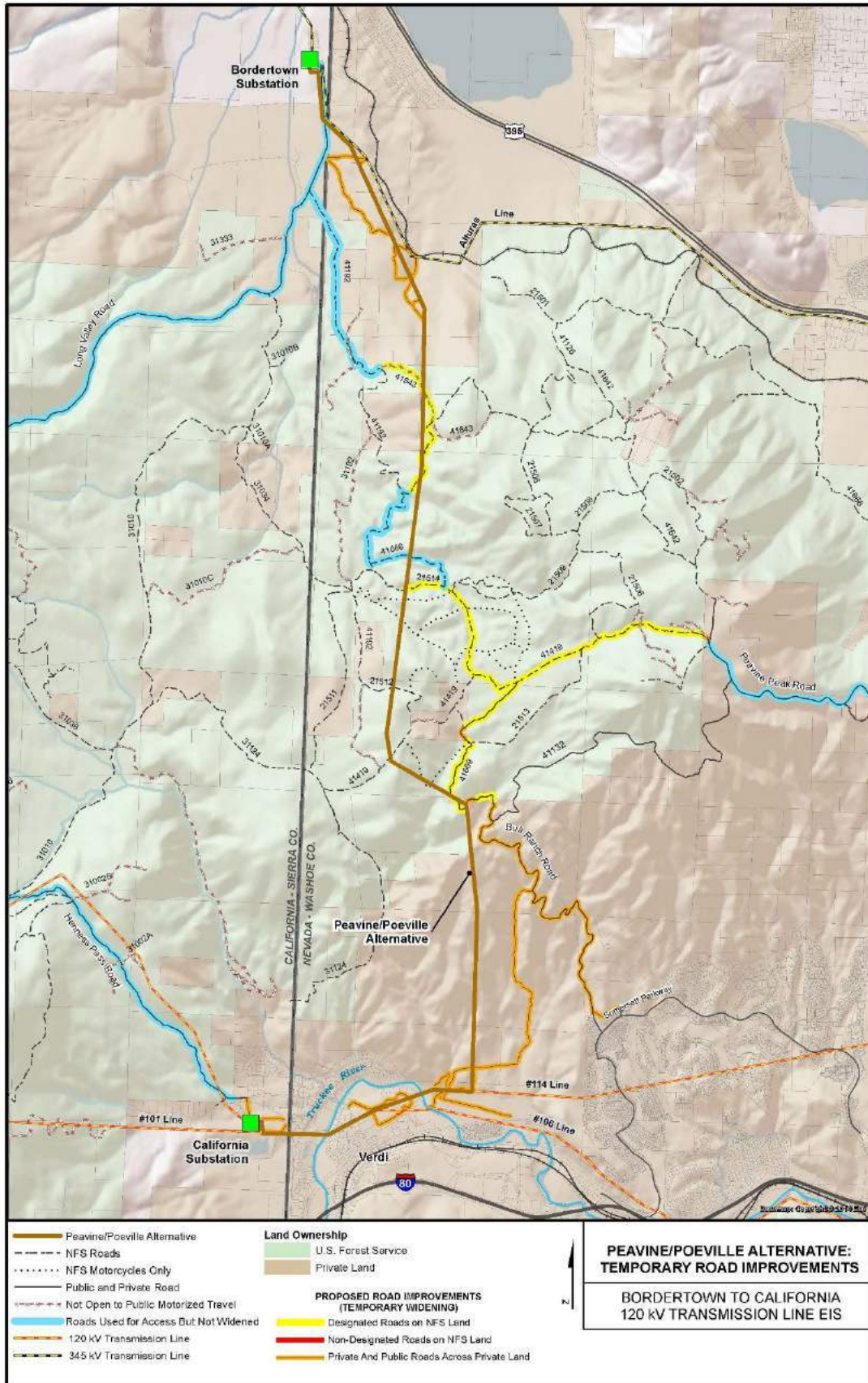
Energy. See design feature WL 8 in the FEIS.

Operation and Maintenance

The transmission line would be operated from the NV Energy Electrical Control Center in Reno, Nevada. NV Energy personnel at the Electrical Control Center would monitor voltage and power flow along the transmission line in accordance with standard operating procedures.

NV Energy would inspect the line annually to determine if maintenance is needed. Annual inspection would be made via helicopter or from the ground by walking to pole structures from existing roads (design feature GP 8 in the FEIS). An inspection that involves climbing pole structures is anticipated once every 10 years. The ROW would be patrolled after unexplained outages or significant natural incidents (such as fire, earthquake, flood, or extreme electrical storm) to observe facility conditions and the surrounding environment and to begin repairing any damages.

Trees that could interfere with the safe operation of the transmission line would be removed as needed. Tree and vegetation maintenance of the proposed transmission line would be done with a masticator or may be felled and lopped and scattered or chipped and broadcast onsite on a case- by-case basis, so that fuels do not build up along the corridor. Maintenance access would be by foot-travel, pickup truck, bucket truck, or off-highway vehicle (OHV) from the nearest designated NFS or maintenance road to the transmission line ROW.



Memorandum of Agreement Regarding the California 120kv Transmission Line By NV Energy on the Humboldt-Toiyabe National Forest, Carson Ranger District, Washoe County, Nevada And Sierra County, California

ATTACHMENT B

**Historic Properties Treatment Plan for
NV Energy's Bordertown to California Transmission Line Project**

This attachment contains information that may be exempt from Freedom of Information Act Requests.

Please consult the appropriate federal agency to obtain this information.