Categorical Exclusion — New Authorization for Decatur-McCullough 230kV Transmission line

A. Background

NEPA Number: DOI-BLM-NV-S020-2012-0016-CX

March 15, 1982, Nevada Power company d/b/a NV Energy was granted a Right-of-Way (ROW) for a 230kV Transmission line. The grant was assigned serial number N-33006. On March 14, 2012, the grant expired. Although the grant has expired, the transmission line still exists and is in use, therefore NV Energy has applied for a new ROW grant to replace the original grant N-33006. the new application for this transmission line is assigned serial number N-91323.

BLM Office:

Bureau of Land Management
Red Rock/Sloan Canyon NCA Field Office
4701 N Torrey Pines Drive
Las Vegas, Nevada 89130

LLNVS02000

Lease/Serial/Case File No.:

N-91323

Proposed Action Title/Type:

ROW application to replace ROW grant N-33006 which expired March 14, 2012. Application is for the existing Decatur-McCullough 230kV transmission line. The application is assigned serial number N-91323.

Location of Proposed Action:

Located partially within the Sloan Canyon National Conservation Area within a designated BLM utility Corridor.

LEGAL DESCRIPTION

M.D.M., Clark County, Nevada T. 23 S., R. 62 E.,

sec 5 Lots 3,5 and 6, N1/2SE1/4NW1/4, SW1/4NE1/4, NE1/4NW1/4SE1/4, NE1/4SE1/4, NE1/4NE1/4NE1/4SE1/4SE1/4
sec 4 S1/2SW1/4, S1/2SW1/4SE1/4
sec 9 N1/2NE1/4
sec 10 N1/2N1/2, NE1/4NE1/4SE1/4NE1/4
sec 11 S1/2NW1/4, SW1/4SW1/4NE1/4, SW1/4SE1/4SW1/4NE1/4, N1/2N1/2NW1/4SE1/4, N1/2NE1/4SE1/4, NE1/4SE1/4NE1/4SE1/4
sec 12 S1/2NW1/4SW1/4, NE1/4SW1/4SW1/4, SE1/4SW1/4
sec 13 NE1/4NE1/4NW1/4, W1/2NE1/4, NE1/4NW1/4SE1/4, NE1/4SE1/4NW1/4SE1/4, SW1/4NE1/4SE1/4, SE1/4SE1/4
sec 24 E1/2E1/2
sec 25 E1/2E1/2
sec 36 E1/2E1/2
M.D.M., Clark County, Nevada T. 24 S., R. 62 E.,
sec 1 lot 2, SW1/4NE1/4, W1/2SE1/4
sec 12 W1/2E1/2
sec 13 W1/2W1/2E1/2, E1/2SE1/4SE1/4SW1/4
sec 24 E1/2W1/2, NW1/4NW1/4NW1/4NE1/4
sec 25 E1/2NW1/4, W1/2E1/2SW1/4, SE1/4SE1/4SW1/4SW1/4
sec 36 SE1/4SE1/4SE1/4, W1/2W1/2, NW1/4NW1/4NE1/4NW1/4
M.D.M., Clark County, Nevada T. 25 S., R. 62 E.,
sec 1 Lot 8
sec 2 Lot 5

Description of Proposed Action:

Description: NV Energy is applying for a ROW grant to replace expired grant N-33006. The original grant was for the Decatur-McCullogh 230kV Transmission line and access roads and as the line is still existing and in use, the new application is to replace the original grant. The ROW is 130' wide by 80,949' long or 241.58 acres. Original Grant N-33006 expired 03/14/2012. Because the transmission line is existing, there will be no construction activities. This action is also to correct in error in the location of the power line through section 5 Lots 3,5 and 6, N1/2SE1/4NW1/4, SW1/4NE1/4, NE1/4NW1/4SE1/4, NE1/4SE1/4, NE1/4NE1/4NE1/4SE1/4SE1/4, that portion of the line was relocated to the current location in 1999; however, was authorized under a different casefile. This action will clarify the location and will include it in this authorization.

This is a CX per 516DM 11.9 E. Realty (9) "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations." This ROW is a replacement of an expired ROW grant with no additional disturbance.

B. Land Use Plan Conformance

Land Use Plan Name:

Record of Decision for the Approved Las Vegas Resource Management Plan (1998).

Sloan Canyon National Conservation Area Record of Decision for the Approved Resource Management Plan and Approval of the North McCullough Wilderness Management Plan (2006)

Date Approved/Amended:

2006

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

The proposed action is in conformance with the applicable RMP because it is clearly consistent with the following LUP decision(s):

2.2.9 Lands and Realty. Management Direction. Land 2: "Other valid existing ROW grants may also be renewed at the end of the term and modified to meet the intent of the Sloan Canyon NCA Act and current regulations."

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. (9) "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations." This is the renewal of expired grant N-33006 and no additional right are requested.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

Comments providing substantive new information relevant to the analysis and mitigation measures have been incorporated into the Exhibit A stipulations which are attached to this document.

I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved use plan and that no further environmental analysis is required.

D. Approval and Contact Information

Mark R. Spencer 4/24/13

Mark R. Spencer
Field Manager
Red Rock/Sloan Field Office

Date

Contact Person

Cheri B Woodward
Las Vegas Field Office
4701 N Torrey Pines Drive
Las Vegas, Nevada 89130
phone: 702–515–5000

1.0 Special Stipulations

1.1 The proposed action occurs within year round habitat for the BLM sensitive species, desert bighorn sheep. If maintenance activities are required during the desert bighorn sheep lambing season (generally January-March) activities need to be coordinated with BLM and NDOW biologist.

2.0 General Stipulations

2.1. The right-of-way is issued subject to all valid existing rights.

2.2. No signs or advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.

2.3. The right-of-way shall be maintained in a sanitary condition at all times. Waste materials at those sites shall be disposed of promptly at an approved waste disposal site. "Waste", as used in this paragraph, shall mean all discarded matter of any kind.

2.4. Holder shall mark the exterior boundaries of the right-of-way with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Holder. Holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

2.5. Holder shall conduct all activities associated with construction, operation, maintenance and termination of this right-of-way within its authorized limits.

2.6. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

2.7. Holder shall maintain copy of the authorization along with stipulations on construction site at all times. In the event that the public land underlying the right-of-way encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800][2880], including any rights to have the holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW Holder.

2.8. Within 90 days of construction completion, the Holder shall provide the Authorized Officer with data in a format compatible with the Bureau's Arc-Info Geographic Information System to accurately locate and identify the right-of-way:

Acceptable data formats are:
Corrected Global Positioning System files with sub-meter accuracy or better, in UTM NAD 83; Zone 11;
ARCGIS export files on a CD ROM, shapefile, geodatabase.

Data may be submitted in any of the following formats:
ARCGIS interchange, shapefile or geodatabase format.
CD ROM in compressed or uncompressed format.

All data shall include metadata for each coverage, and conform to the Content Standards for Digital Geospatial Metadata Federal Geographic Data Committee standards. Contact the GIS Department at (702) 515-5000.

3.0 Air Quality

3.1. The Holder shall not violate applicable air standards or related facility siting standards established by or pursuant to applicable federal, state, or local laws or regulations. The Holder shall be responsible for dust abatement within the limits of the right-of-way and is responsible for obtaining all necessary permits from appropriate authorities for acceptable dust abatement and control methods (e.g., water, chemicals). The Holder shall be solely responsible for all violations of any air quality permit, law or regulation, as a result of its action, inaction, use or occupancy of the right-of-way.

Notwithstanding whether a violation of any air quality permit, law or regulation results, the Holder will cooperate with the Authorized Officer in implementing and maintaining reasonable and appropriate dust control methods in conformance with law and appropriate to the circumstances at the sole cost of the Holder.

Prior to relinquishment, abandonment, or termination of this right-of-way, the Holder shall apply reasonable and appropriate dust abatement and control measures to all disturbed areas. The abatement and measures shall be designed to be effective over the long-term (e.g., rock mulch or other means) and acceptable to the Authorized Officer.

3.2. During excavation, backfilling, and contouring, the disturbed soil should be wetted sufficiently in order to effectively reduce airborne dust and reduce soil erosion.

4.0 Cultural

4.1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf on public or Federal lands shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation. Any decision regarding suitable mitigation measures will be made by the Authorized Officer after consulting with the Holder. Holder shall be responsible for the resultant mitigation costs.

5.0 Hazardous Material/Pesticides/Liability

5.1. No hazardous material, substance, or hazardous waste, (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et seq.*, or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) shall be used, produced, transported, released, disposed of, or stored within the right-of-way area at any time by the Holder. The Holder shall immediately report any release of hazardous substances (leaks, spills, etc.) caused by the Holder or third parties in excess of the reportable quantity as required by federal, state, or local laws and regulations. A copy of any report required or requested by any federal, state or local government agency as a result of a reportable release or spill of any hazardous substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved federal, state or local government agency.

5.2. The Holder shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the right-of-way potentially affecting the right-of-way of which the Holder is aware.

5.3. As required by law, Holder shall have responsibility for and shall take all action(s) necessary to fully remediate and address the hazardous substance(s) on or emanating from the right-of way.

5.4. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers and any other information deemed necessary by the Authorized Officer.

The plan shall be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year.

Pesticides shall not be permanently stored on public lands authorized for use under this right-of-way.

5.5. The Holder shall comply with all applicable local, state, and federal air, water, hazardous substance, solid waste, or other environmental laws and regulations, existing or hereafter enacted or promulgated. To the full extent permissible by law, the Holder agrees to indemnify and hold harmless, within the limits, if any, established by state law (as state law exists on the effective date of the right-of-way), the United States against any liability arising from the Holder's use or occupancy of the right-of way, regardless of whether the Holder has actually developed or caused development to occur on the right-of-way, from the time of the issuance of this right-of-way to the Holder, and during the term of this right-of-way. This agreement to indemnify and hold harmless the United States against any liability shall apply without regard to whether the liability is caused by the Holder, its agents, contractors, or third parties. If the liability is caused by third parties, the Holder will pursue legal remedies against such third parties as if the Holder were the fee owner of the right-of-way.

Notwithstanding any limits to the Holder's ability to indemnify and hold harmless the United States which may exist under state law, the Holder agrees to bear all responsibility (financial or other) for any and all liability or responsibility of any kind or nature assessed against the United States arising from the Holder's use or occupancy of the right-of way regardless of whether the Holder has actually developed or caused development to occur on the right-of-way from the time of the issuance of this right-of-way to the Holder and during the term of this right-of-way.

5.6. Mineral material generated, and not needed for the development of the proposed action within the right-of-way site, requires a specific BLM use authorization in accordance with regulations at 43 CFR 3600 prior to the removal of in place excess mineral material. All mineral material needs to be used on site within the right-of-way or stockpiled on site for sale by the BLM.

6.0 Survey Monuments

6.1. Holder shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations, the holder shall secure the services of a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and Nevada Revised Statutes, Chapter 329, Perpetuation of Corners. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the holder shall be responsible for the survey cost.

7.0 Vegetation/Noxious Weeds/Land surface Treatment/Soil/Water/Riparian

7.1. There are no conflicts with any T/E plant species. This project occurs within the designated "low" density zone for cactus and yucca and has been previously disturbed. All cactus and yucca that might be impacted by this action must be disposed of in an off-site trash receptacle.

7.2. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the right-of-way stipulations.

This action will occur within a previously developed/urban setting in the Las Vegas Valley. The potential for noxious weeds to transfer from the proposed project area to BLM managed multiple use lands elsewhere is negligible; therefore, noxious weeds are not considered to be an issue for the proposed project.

7.3. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

7.4. Land surface treatment for areas previously undisturbed: Strip the top three to six inches of soil material with associated plant material over all surfaces to be disturbed by construction. Stockpile this material along the course of construction will be salvaged and transplanted out of harm's way but still within the right of way. At the conclusion, including trench backfilling and compaction, replace the stockpiled soil with plant debris uniformly back on the surface of the disturbed area.

7.5. Soil/Water/Riparian: If work is to occur in Ephemeral channels, need to consult with Army Corp of Engineers (ACOE) and Nevada Department of Environmental Protection (NDEP). If drilling boreholes, holder needs to follow Nevada Administrative Code (NAC) protocols for drilling.

8.0 Migratory Birds

8.1. To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between March 15th - July 30th.

If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.

9.0 **Threatened and Endangered Wildlife and Plant Species Stipulations**

9.1. The Holder will comply with the terms and conditions of the **Biological Opinion for this project** on file at the Bureau of Land Management, Las Vegas Field Office and included below.

Case Number: **N-91323**
NEPA Project #: **DOI-BLM-NV-S020-2012-0016-CX**
Sec. 7 Log #: **NV-052-13-090**

TERMS AND CONDITIONS for ROWs: BO File No. 84320-2010-F-0365

In order to be exempt from the prohibitions of section 9 of the Act, the Bureau must comply with the following terms and conditions and minimization measures, which implement the reasonable and prudent measures described above. These terms and conditions are non-discretionary.

RPM 1: **Applies towards lands and realty, ROWs, and mining actions and other activities that involve vehicle and equipment use, excavations, or blasting.** *BLM, and other jurisdictional Federal agencies as appropriate, shall implement or ensure implementation of measures to minimize injury or mortality of desert tortoises due to project construction, operation and maintenance; and most actions involving habitat disturbance.*

Terms and Conditions:

1.a. *Field Contact Representative*—BLM shall ensure a Field Contact Representative (FCR) (also called a Compliance Inspection Contractor) is generally designated for each contiguous stretch of construction activity for linear projects or isolated work areas for non-linear projects. The FCR will serve as an agent of BLM and the Service to ensure that all instances of non-compliance or incidental take are reported. BLM has discretion over approval of potential FCRs; however, those who also may be acting as authorized desert tortoise biologists, and must also be approved by the Service (see Term and Condition 1.c). All FCRs will report **directly** to BLM and the Service.

The FCR, authorized desert tortoise biologist, and monitors (see Term and Condition 1.c.) shall have a copy of all stipulations when work is being conducted on the site and will be responsible for overseeing compliance with terms and conditions of the ROW grant, including those for listed species. BLM shall ensure the FCR and authorized desert tortoise biologists have authority to halt any activity that is in violation of the stipulations. The FCR shall be on site year-round during all project activities.

Within 3 days of employment or assignment, the project proponent and BLM shall provide the Service with the names of the FCR.

1.b. *Authorized desert tortoise biologist*—required to be on call to relocate any desert tortoises that enter the work area that are in harm's way per Terms and Conditions provided.

All authorized desert tortoise biologists (and monitors) are agents of BLM and the Service and shall report directed to BLM and the proponent concurrently regarding all compliance issues and take of desert tortoises; this includes all draft and final reports of non-compliance or take. The initial draft report shall be provided to BLM and Service within 24 hours of the observation of take or non-compliance.

1. c. Authorized desert tortoise biologists, monitors, and the FCR (see Term and Condition 1.a.) shall be responsible for ensuring compliance with all conservation measures for the project. This responsibility includes: (1) enforcing the litter-control program; (2) ensuring that desert tortoise habitat disturbance is restricted to authorized areas; (3) ensuring that all equipment and materials are stored within the boundaries of the construction zone or within the boundaries of previously-disturbed areas or designated areas; (4) ensuring that all vehicles associated with construction activities remain within the proposed construction zones; (5) ensuring that no tortoises are underneath project vehicles and equipment prior to use or movement; (6) ensuring that all monitors (including the authorized desert tortoise biologist) have a copy of the required measures in their possession, have read them, and they are readily available to the monitor when on the project site.

An authorized desert tortoise biologist will serve as a mentor to train desert tortoise monitors and will approve monitors if required. An authorized desert tortoise biologist is responsible for errors committed by desert tortoise monitors.

An authorized desert tortoise biologist shall record each observation of desert tortoise handled in the tortoise monitoring reports. Information will include the following: location (GPS), date and time of observation, whether the desert tortoise was handled, general health and whether it voided its bladder, location desert tortoise was moved from and location moved to, unique physical characteristics of each tortoise, and effectiveness and compliance with the desert tortoise protection measures. This information will be provided **directly** to BLM and the Service.

An authorized desert tortoise biologist should possess a bachelor's degree in biology, ecology, wildlife biology, herpetology, or closely related field. The biologist must have demonstrated prior field experience using accepted resource agency techniques. As a guideline, Service approval of an authorized biologist requires that the applicant have at least 60 days project experience as a desert tortoise monitor. In addition, the biologist shall have the ability to recognize and accurately record survey results and must be familiar with the terms and conditions of the biological opinion that resulted from project-level consultation between BLM and the Service. All tortoise biologists shall be familiar with the field manual (Service 2009).

Potential authorized desert tortoise biologists must submit their statement of qualifications to the Service's Nevada Fish and Wildlife Office in Las Vegas for approval, allowing a minimum of 30 days for Service response. The statement form is available on the internet at: *http://www.fws.gov/nevada/desert_tortoise/auth_dt_form.htm*.

Prior to final approval to begin work on the project, the authorized desert tortoise biologists will have read the required measures (terms and conditions and other stipulations) and have a copy of the measures available at all times while on the project site. BLM shall provide the appropriate agency contact for the project to the Service and the Service will include the forms with approval letters. Biologists and monitors should be visibly identifiable on the project site, which may include use of a uniquely designated hardhat or safety vest color.

1. d. *Desert tortoise monitor*—Desert tortoise monitors assist an authorized desert tortoise biologist during surveys and serve as apprentices to acquire experience. Desert tortoise monitors ensure proper implementation of protective measures, and record and report desert tortoises and sign observations in accordance with Term and Condition 1.c. They will report incidents of noncompliance to the authorized desert tortoise biologist or FCR. No monitors shall be on the project site unless supervised by an authorized desert tortoise biologist or approved by the BLM.

If a desert tortoise is immediately in harm's way (*e.g.*, certain to immediately be crushed by equipment), desert tortoise monitors may move the desert tortoise then place it in a designated safe area until an authorized desert tortoise biologist assumes care of the animal.

Desert tortoise monitors may not conduct field or clearance surveys or other specialized duties of an authorized desert tortoise biologist unless directly supervised by an authorized desert tortoise biologist or approved to do so by the Service; "directly supervised" means an authorized desert tortoise biologist has direct sight and voice contact with the desert tortoise monitor (*i.e.*, within approximately 200 ft of each other).

Within 3 days of employment or assignment, the project proponent and BLM shall provide the Service with the names of desert tortoise monitors who would assist an authorized desert tortoise biologist.

1.e. *Desert tortoise education program*—A desert tortoise education program shall be presented to all personnel on site during construction activities by an agency or authorized desert tortoise biologist, monitor, FCR or other approved by the BLM. The Service, BLM, and appropriate state agencies shall approve the program. At a minimum, the program shall cover desert-specific Leave-No-Trace guidelines, the distribution of desert tortoises, general behavior and ecology of this species, sensitivity to human activities, threats including introduction of exotic plants and animals, legal protection (the definition of "take" will also be explained), penalties for violation of State and Federal laws, reporting requirements, and project measures in this biological opinion. All field workers shall be instructed that activities must be confined to locations within the approved areas and their obligation to walk around and check underneath and vehicles and equipment before moving them (or be cleared by an authorized desert tortoise biologist). Workers and project associates will be encouraged to carpool to and from the project sites. In addition, the program shall include fire prevention measures to be implemented by employees during project activities. The program shall instruct participants to report all observations of desert tortoise and their sign during construction activities to the FCR and authorized desert tortoise biologist.

1.f. *Vehicle travel*— Project personnel shall exercise vigilance when commuting to the project area to minimize risk for inadvertent injury or mortality of all wildlife species encountered on paved and unpaved roads leading to and from the project site. Speed limits will be clearly marked, and all workers will be made aware of these limits. On-site, personnel shall carpool to the greatest extent possible.

During the desert tortoise less-active season (generally November through February), vehicle speed on project-related access roads and in the work area will not exceed 25 mph. All vehicles and construction equipment will be tightly grouped.

During the more-active season (generally March through October), and if temperatures are above 60 but below 95 °F for more than 7 consecutive days, vehicle speed on project-related access roads and in the work area will not exceed 15 mph. All vehicles and construction equipment will operate in groups of no more than three vehicles. An authorized desert tortoise biologist and desert tortoise monitor will escort or clear ahead of vehicles and equipment for ROW travel. The escort will be on foot and clear the area of tortoises in front of each traveling construction equipment group (see *Desert tortoise clearance*). The escort will use a recreational vehicle with ground visibility (*e.g.*, UTV); however, at least one authorized desert tortoise biologist and one desert tortoise monitor must ride together and survey both sides of the vehicle. The speed/pace will be determined by an authorized desert tortoise biologist and shall be slow enough to ensure adequate inspection.

New access and spur road locations will be sited to avoid potentially active tortoise burrows to the maximum extent practicable.

1.g. *Unauthorized access*—BLM shall ensure that unauthorized personnel, including the public and off-duty project personnel, do not travel on project-related temporary access roads, to the greatest extent practicable.

During the more-active season (generally March through October), and if temperatures are above 60 but below 95 °F for more than 7 consecutive days, project- and non-project-related activities on all access roads that intersect the ROW will be monitored and logged. During construction, the ROW will be fenced at public roads that intersect the ROW. Signs will say that access on the ROW is strictly prohibited except by authorized personnel and that violators will be prosecuted.

1.h. *Desert tortoise clearance*—not required for this project.

1.i. *Desert tortoise in harm's way*—Any project-related activity that may endanger a desert tortoise shall cease if a desert tortoise is found on the project site. Project activities may resume after an authorized desert tortoise biologist or desert tortoise monitor (see restrictions in Term and Condition 1.d.) removes the desert tortoise from danger or after the desert tortoise has moved to a safe area on its own.

1.j. *Handling of desert tortoises*—Desert tortoises shall only be moved by an authorized desert tortoise biologist or desert tortoise monitor (see restrictions in Term and Condition 1.d.) solely for the purpose of moving the tortoises out of harm's way. During construction, operation, and maintenance, an authorized desert tortoise biologist shall pen, capture, handle, and relocate desert tortoises from harm's way as appropriate and in accordance with the most current Service-approved guidance. No tortoise shall be handled by more than one person. Each tortoise handled will be given a unique number, photographed, and the biologist will record all relevant data on the Desert Tortoise Handling and Take Report (Appendix E) to be provided to BLM in accordance with the project reporting requirements.

Desert tortoises that occur aboveground and need to be moved from harm's way shall be placed in the shade of a shrub, 150 to 1,640 ft. from the point of encounter. In situations where desert tortoises must be moved more than 1,640 ft. (500 m), translocation procedures may be required. Translocation would likely result in a level of effect to the desert tortoise that would require the appended procedures.

If desert tortoises need to be moved at a time of day when ambient temperatures could harm them (less than 40 ° F or greater than 95° F), they shall be held overnight in a clean cardboard box. These desert tortoises shall be kept in the care of an authorized biologist under appropriate controlled temperatures and released the following day when temperatures are favorable. All cardboard boxes shall be discarded after one use and never hold more than one tortoise. If any tortoise active nests are encountered, the Service must be contacted immediately, prior to removal of any tortoises or eggs from those burrows, to determine the most appropriate course of action.

Desert tortoises located in the project area sheltering in a burrow during the less-active season may be temporarily penned in accordance with Term and Condition 1.k. at the discretion of an authorized desert tortoise biologist. Desert tortoises should not be penned in areas of moderate to heavy public use; rather they should be moved from harm's way in accordance with the most current Service-approved guidance (currently Service 2009).

Desert tortoises shall be handled in accordance with the Desert Tortoise Field Manual (Service 2009). Equipment or materials that contact desert tortoises (including shirts and pants) shall be sterilized, disposed of, or changed before contacting another tortoise to prevent the spread of disease. All tortoises shall be handled using disposable surgical gloves and the gloves shall be disposed of after handling each tortoise. An authorized desert tortoise biologist shall document each tortoise handling by completing the Desert Tortoise Handling and Take Report (Appendix E).

1.k. *Penning*—Penning shall be accomplished by installing a circular fence, approximately 20 ft. in diameter to enclose and surround the tortoise burrow. The pen should be constructed with 1-inch horizontal by 2-in vertical, galvanized welded wire. Steel T-posts or rebar should be placed every 5 to 6 ft. to support the pen material. Pen material will extend 18 to 24 in aboveground. The bottom of the enclosure will be buried 6 to 12 in or bent towards the burrow, have soil mounded along the base, and other measures implemented to ensure zero ground clearance. Care shall be taken to minimize visibility of the pen by the public. An authorized desert tortoise biologist or desert tortoise monitor shall check the pen at a frequency to ensure that the desert tortoise is secure and not stressed. No desert tortoise shall be penned for more than 48 hours without written approval by the Service. Because this is a new technique, all instances of penning or issues associated with penning shall be reported to the Service within 3 days (see Appendix E).

1.l. *Temporary tortoise-proof fencing*—Not required for this project.

1.m. *Permanent tortoise-proof fencing*—Not required for this project.

1.n. *Wildlife escape ramps*— Not applicable for the proposed action.

1.o. *Dust control*—Water applied to for dust control shall not be allowed to pool outside desert-tortoise fenced areas, as this can attract desert tortoises. Similarly, leaks on water trucks and water tanks will be repaired to prevent pooling water. An authorized desert tortoise biologist will be assigned to patrol each area being watered immediately after the water is applied and at approximate 60-minute intervals until the ground is no longer wet enough to attract tortoises if conditions favor tortoise activity.

1.p. *Blasting*— Not applicable for the proposed action.

1.q. *Power transmission projects*—Transmission line support structures and other facility structures shall be designed to discourage their use by raptors for perching or nesting (*e.g.*, by use of anti-perching devices) in accordance with the most current Avian Power Line Interaction Committee guidelines (see terms and conditions 2.b and 2.c.).

1.r. *Timing of construction*—The BLM shall ensure that when possible, the project proponent schedules and conducts construction, operation, and maintenance activities within desert tortoise habitat during the less-active season (generally October 31 to March 1) and during periods of reduced desert tortoise activity (typically when ambient temperatures are less than 60 or greater than 95 °F).

All vehicles and equipment that are not in areas enclosed by desert tortoise exclusion fencing will stop activities in desert tortoise habitat during rainfall events in the more-active season (generally March 1 to October 31), and if temperatures are above 60 but below 95 °F for more than 7 consecutive days. The Field Contact Representative (FCR) or designee will determine, in coordination with the BLM and Service, when it is appropriate for project activities to continue.

RPM 2: **Predator Control— Applies to all actions.** *BLM, and other jurisdictional Federal agencies as appropriate, shall ensure their agency personnel, the project proponent, and their contractors implement the following measures to minimize injury to desert tortoises as a result of predators drawn to the project area from construction, operation, and minor maintenance activities:*

Terms and Conditions:

2.a. *Litter control, applies to all projects*—A litter control program shall be implemented to reduce the attractiveness of the area to opportunistic predators such as desert kit foxes, coyotes, and common ravens. Trash and food items will be disposed of properly in predator-proof containers with predator-proof lids. Trash containers will be emptied and construction waste will be removed daily from the project area and disposed of in an approved landfill. Vehicles hauling trash to the landfill or transfer facility must be secured to prevent litter from blowing out along the road.

2.b. *Deterrence*—The project proponent will implement measures to discourage the presence of predators on site (coyotes, ravens, etc.), including elimination of available water sources, designing structures to discourage potential nest sites, and use of hazing to discourage raven presence.

2.c. *Monitoring and predator control*—Projects that may create nest sites for ravens: The project proponent will monitor for the increased presence of ravens and other potential human-subsidized predators in the vicinity of the project area. A qualified biologist (not necessarily an authorized desert tortoise biologist) shall conduct monthly nest surveys of potential nest sites (*e.g.*, power transmission towers/poles) during the raven breeding season (generally February 1 to April 30) and document the presence of all nests and the species using them. During these monthly surveys, an authorized biologist will also document any sign of predation of desert tortoises below the nest and in the vicinity of the transmission line. If sign of predation is found under a nest, control measures will be implemented in coordination with the Service. The frequency of these nest surveys may be modified as agreed upon by BLM and the Service.

2.d. *Evaporation ponds and open water sources*—Not applicable for the proposed action.

RPM 3: **Impacts to Desert Tortoise Habitat—Applies towards all actions that involve habitat impacts.** *BLM, and other jurisdictional Federal agencies as appropriate, shall ensure their agency personnel, the project proponent, and their contractors implement the following measures to minimize loss and long-term degradation and fragmentation of desert tortoise habitat, such as soil compaction, erosion, crushed vegetation, and introduction of weeds or contaminants from construction, operation, and minor maintenance activities:*

Terms and Conditions:

3.a. *Habitat protection plans*—BLM shall ensure that the applicants develop and implement an approved fire prevention and response plan, erosion control plan, and a weed management plan approved by BLM prior to surface disturbance.

3.b. *Restoration plan*—BLM shall ensure that the applicant develop and implement a restoration/reclamation plan. The plan will describe objectives and methods to be used, species of native plants and/or seed mixture to be used, time of planting, success standards, actions to take if restoration efforts fail to achieve the success standards, and follow-up monitoring. The plan will be prepared and approved prior to the surface disturbance phase of the project. Reclamation will be addressed on a case-by-case basis.

3.c. *Minimizing new disturbance*—Cross-country travel outside designated areas shall be prohibited. All equipment, vehicles, and construction materials shall be restricted to the designated areas and new disturbance will be restricted to the minimum necessary to complete the task (*e.g.*, such as construction of one-lane access roads with passing turnouts every mile rather than a wider two-lane road).

All work area boundaries shall be conspicuously staked, flagged, or otherwise marked to minimize surface disturbance activities.

3.d. *Weed prevention*—Vehicles and equipment shall be cleaned with a high pressure washer prior to arrival in desert tortoise habitat and prior to departure from areas of known invasive weed and nonnative grass infestations to prevent or at least minimize the introduction or spread these species.

3.e. *Chemical spills*—Hazardous and toxic materials such as fuels, solvents, lubricants, and acids used during construction will be controlled to prevent accidental spills. Any leak or accidental release of hazardous and toxic materials will be stopped immediately and cleaned up at the time of occurrence. Contaminated soils will be removed and disposed at an approved landfill site.

3.f. *Residual impacts from disturbance*— Remuneration fees are not required for this project as the ROW is existing and no new disturbance is authorized.

RMP 7: **Compliance and Reporting—Applies towards all actions.** *BLM, and other jurisdictional Federal agencies as appropriate, shall ensure their agency personnel, the project proponent, and their contractors implement the following measures to comply with the reasonable and prudent measures, terms and conditions, reporting requirements, and reinitiation requirements contained in this biological opinion:*

Terms and Conditions:

7.a. *Desert tortoise deaths*—The deaths and injuries of desert tortoises shall be investigated as thoroughly as possible to determine the cause. The Service (702/515-5230), BLM wildlife staff (702/515-5000) and appropriate state wildlife agency must be verbally informed immediately and within 5 business days in writing (electronic mail is sufficient). The Authorized Desert Tortoise Biologist shall complete the Desert Tortoise Handling and Take Report (Appendix E).

7.b. *Non-compliance*—Any incident occurring during project activities that was considered by the FCR, authorized desert tortoise biologist, or biological monitor to be in non-compliance with this biological opinion shall be immediately documented by an authorized desert tortoise biologist. Documentation shall include photos, GPS coordinates, and details on the circumstances of the event. The incident will be included in the annual report and post-project report.

7.c. *Fence inspection*—Fencing is not required for this project.

7.d. *Project reporting requirements*— Project proponents will provide BLM with compliance reports. Quarter (non-appended actions), annual, and comprehensive final project reports will be submitted to BLM and the Service's Nevada Fish and Wildlife Office in Las Vegas. Annual reports are required for all appended actions (except those completed and provided in a prior annual report). Annual reports will cover the calendar year and are due April 1st of the following year (*e.g.*, the annual report for calendar year 2013 is due April 1, 2014). Quarterly reports for non-appended actions are due 15 calendar days following the quarter. Final project reports are due within 60 days following completion of the project or each phase of the project. The Programmatic Biological Opinion Report to the Fish and Wildlife Service (Appendix G) will be used for quarterly, annual, and final project reports, and shall include all Desert Tortoise Handling and Take Reports (Appendix E). If available, GIS shape files will be included.

7.e. *Operation and maintenance*—A written assessment report shall be submitted annually to the Service outlining the operation and maintenance activities that occurred over the past year.

Report to include: It will include frequency of implementation of minimization measures, biological observations, general success of each of the minimization measures. All deaths, injuries, and illnesses of endangered or threatened species within the project area, whether associated with project activities or not, will be summarized in the annual report. The report is due April 1 of each year.

7.f. *Restoration monitoring*—Vegetation restoration success shall be monitored by project proponent and reported to BLM and the Service. Monitoring will include both qualitative and quantitative data collection and analysis. Monitoring frequency and parameters for restoration success will be described in the required restoration/reclamation plan.

8: Minimization Measures

8.a. Overnight parking and storage of equipment and materials, including stockpiling, shall be in previously disturbed areas or areas cleared by a tortoise biologist. If not possible, areas for overnight parking and storage of equipment shall be designated by the tortoise biologist in coordination with BLM and project proponent, which will minimize habitat disturbance.

8.b. Ravens and other avian tortoise predators: All towers and poles will be fitted with "bird-be-gone" or other perch deterrent devices to minimize the potential for increased predation from aerial predators following construction.

8.c. Vehicles: All project/event-related individuals shall check underneath stationary vehicles before moving them. Tortoises often take cover under vehicles. All vehicle use will be restricted to existing roads. New access roads will be created only when absolutely necessary and only when approved by BLM. Workers shall not drive or park vehicles where catalytic converters can ignite dry vegetation and to exhibit care when smoking in natural areas. Fire protective mats or shields shall be used during grinding or welding.

Minimization Measures to Minimize Threat of Nonnative Plants

8.d. Rehabilitate, reclaim, or revegetate areas subjected to surface-disturbing activities where feasible. Habitat will be reclaimed so that pre-disturbance conditions can be reached within a reasonable time frame. Reclamation may include salvage and transplant of cacti and yucca, recontouring the area, scarification of compacted soil, soil amendments, seeding, vertical mulch, and transplant of seedling shrubs. If necessary subsequent seeding or transplanting efforts may be required, should monitoring indicate that the original effort was not successful.

8.e. Complete a Weed Risk Assessment for the proposed project prior to construction activities. This document will address the presence of any weeds; the potential for weeds within the project area to be spread to non-infested areas within the project area; the potential for introducing weeds into the project area via vehicles, equipment, fill material, and water brought in from an outside source; and minimization to reduce the potential for spreading weeds.

8.f. If off-site fill material is used, survey the site where the fill source comes from for noxious plants. Only fill from non-contaminated sites shall be used.

8.g. Certify that all plant material including animal feed and material used for erosion control (straw, etc.) is weed-free.

8.h. Clean all equipment of weed and grass seeds, stems, stalks, etc., prior to arrival and release from the project site. The washdown will concentrate on the undercarriage, with special emphasis on axles, crossmembers, motor mounts, and on and underneath steps, running boards and front bumper/bushguard assemblies.

8.i. Should there be concentrated areas of noxious weeds within the project area, additional spraying of equipment may be required to prevent the contamination of uninfested areas.

8.j. Wash sites will be mapped for future monitoring of weed infestations.

8.k. Mechanized treatments will not be conducted on slopes greater than 30 percent to minimize erosion.

8.l. Treatments that compact and disturb the soil to the degree that runoff and erosion would be increased should be ripped and properly drained.

8.m. Untreated islands of natural vegetation would be left to minimize negative impacts of the natural community.

8.n. When herbicide use is approved by BLM and the Service, applicant will follow information and guidelines provided on label and pesticide use permit.

8.o. Use appropriate buffer strips when herbicide is applied near streams, lakes, and ponds. Buffer strip widths will be based on the chemical to be applied and determined specifically when future actions are proposed to be appended to this PBO.

8.p. Implement water monitoring studies to ensure buffer strips and administrative controls were adequate to prevent water quality and aquatic environment impacts.

APPENDIX E. DESERT TORTOISE HANDLING AND TAKE REPORT

If a desert tortoise is killed or injured, immediately contact the U.S. Fish and Wildlife Service and BLM, by phone at the numbers below and complete Section 1 of the form.

Completed forms should be submitted to the BLM and Fish and Wildlife Service:

Bureau of Land Management
4701 North Torrey Pines Drive
Las Vegas, Nevada 89130
702-515-5000
U.S. Fish and Wildlife Service
4701 North Torrey Pines Drive
Las Vegas, Nevada 89130
702-515-5230

Project Name: Decatur-McCullough 230kV Transmission Line NEPA No.: DOI-BLM-NV-S020-2012-0016-CX Case File No./SRP No.: N-91323 BLM Section 7 log no.: NV-052-13-090	Report Date:
Fish and Wildlife Service Append File No.- n/a	
Authorized Desert Tortoise Biologist: _____ Employed by:	
Section 1: Complete all information below if a desert tortoise is injured or killed in addition to initial contact described above.	
If tortoise was injured ☐ or killed ☐ (check appropriate box):	
Date and time found: _____ Found by: _____ GPS location (NAD 83): easting: _____ northing: _____ No. of photos taken: _____ Disposition: _____ _____ _____ Attach report with photos that describe in detail, the circumstances and potential cause of injury or mortality. For injuries include name of veterinarian and detailed assessment of injuries.	

Section 2: Complete all information below for each desert tortoise handled.

All instances of desert tortoise handling must be reported in this section and be included in the quarterly, annual, and final project reports.

Desert tortoise number: _____

Date and time found: _____ Sex of tortoise: _____

Air temperature when found: _____ Air temperature when released: _____

Tortoise activity when found: _____

Handled by: _____ Approx. carapace length _____

GPS location (NAD 83) found: easting: _____ northing: _____

GPS location released: easting: _____ northing: _____

Approximate distance moved: _____

Did tortoise void bladder; if so state approximate volume and actions taken:

_____

_____

Post handling or movement monitoring and observations:

_____

_____

_____

Section 3: Complete for each tortoise burrow penned.

All instances of desert tortoise penning must be reported in this section and be included in the quarterly, annual, and final project reports.

Date and time of pen construction:

Began: _____ Completed: _____

Date and time pen removed: _____

Pen constructed by: _____

Why was tortoise penned? _____

How frequently was pen monitored? _____

Observations of desert tortoise behavior including time and date of observation:

_____

_____

_____

_____

_____

Include photos of pen and burrow with report.

APPENDIX G. PROGRAMMATIC BIOLOGICAL OPINION (FILE NO. 84320-2010-F-0365) REPORT TO THE FISH AND WILDLIFE SERVICE

The information below should be completed by BLM or the Authorized Desert Tortoise Biologist for the project/action. Reports for all appended actions are required annually (due March 1 of each year for prior calendar year activities) and upon completion of the project/action.

Project Name: Decatur-McCullough 230kV Transmission line
NEPA no.: DOI-BLM-NV-S020-2012-0016-CX
Case File no./SRP no.: N-91323
BLM Section 7 log no.: NV-052-13-090

☐ Annual Report ☐ Project Completion Report

1. Date: _____

2. Fish and Wildlife Service File No (for appended actions): n/a

3. Species and critical habitat affected:

☐ Desert tortoise ☐ Desert tortoise critical habitat

Other (identify):

4. Project/action status:

☐ Not begun ☐ In progress* ☐ Completed date _____

If in progress, state approximate percent complete: _____

5. Desert tortoise habitat disturbed:

Non-critical habitat		Critical habitat	
Proposed disturbance (ac)	Actual disturbance (ac)	Proposed disturbance (ac)	Actual disturbance (ac)
0		0	

6. Habitat of other species disturbed (identify species, non-critical, and critical habitat affected below):

7. Summary of individual desert tortoises taken (appended action):

	Desert Tortoise: Adults	Juveniles	Eggs
Exempted			
Actual			

Describe other individuals taken:

8. Name of authorized desert tortoise biologists and monitors on the project and the dates they were on the project.

9. Describe all non-compliance issues and events.

10. Desert tortoise burrow observed during activity/event:

Total number desert tortoises observed: _____

Total number desert tortoises burrows observed: _____

Attach a summary report detailing each desert tortoise and/or desert tortoise burrows observed during activity/event including tortoise activity when found, how the animal was avoided, what happened to the tortoise, the date and time encountered and GPS location (NAD 83 easting: _____ northing: _____)

11. Contact Information
Name_____ Company_____
Address_____
Phone_____

Signature_____ Date_____

Send completed form to:
Bureau of Land Management
Attn: Wildlife Staff
4701 North Torrey Pines Drive
Las Vegas, Nevada 89130
702-515-5000
U.S. Fish and Wildlife Service
4701 North Torrey Pines Drive

N-2763

N-33006

N-7299

N-10683

N=2557

N-4790

N-53121

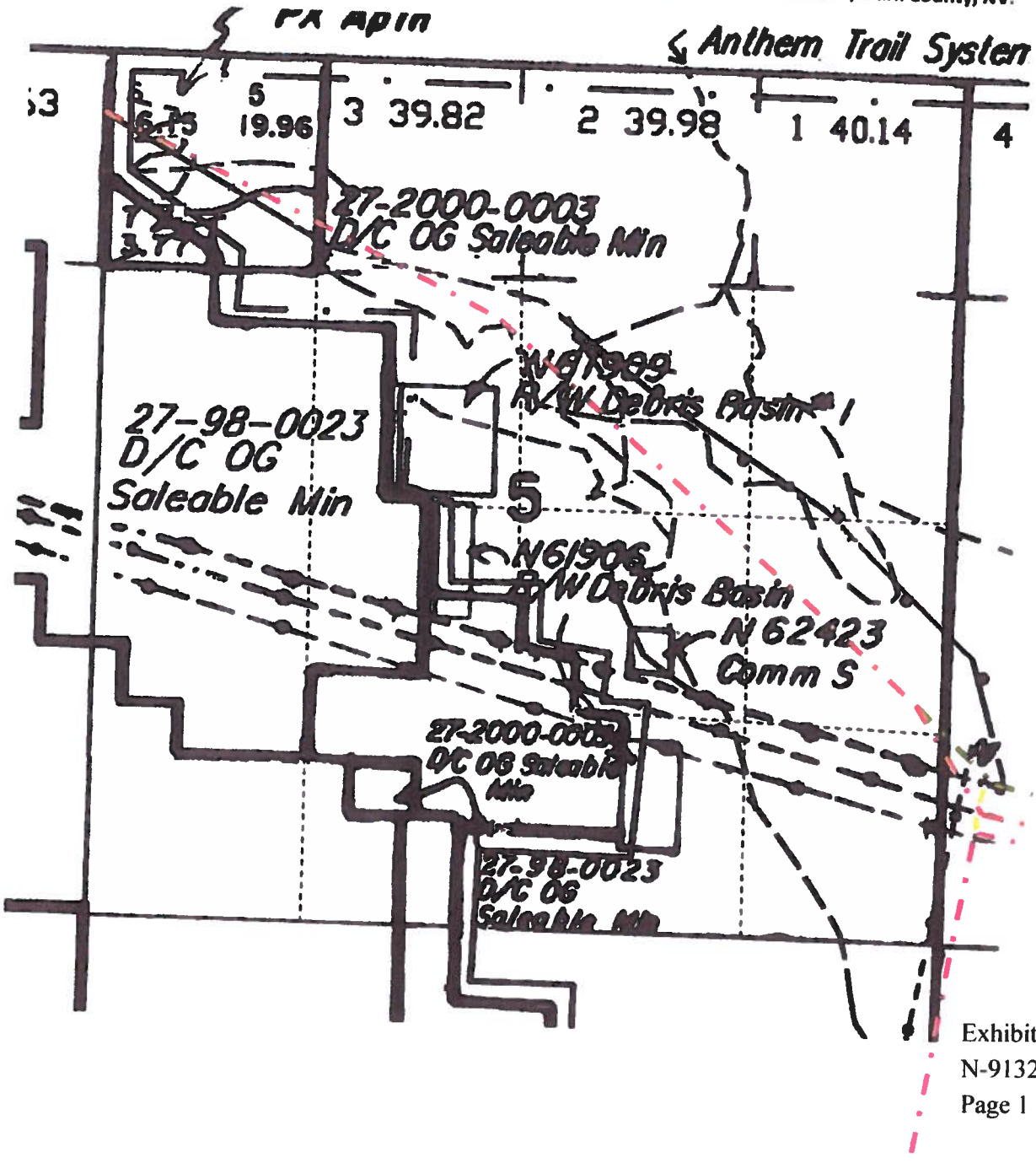
PL#0019-2012ld

New BLM Right-of-Way Grant to replace N-33006

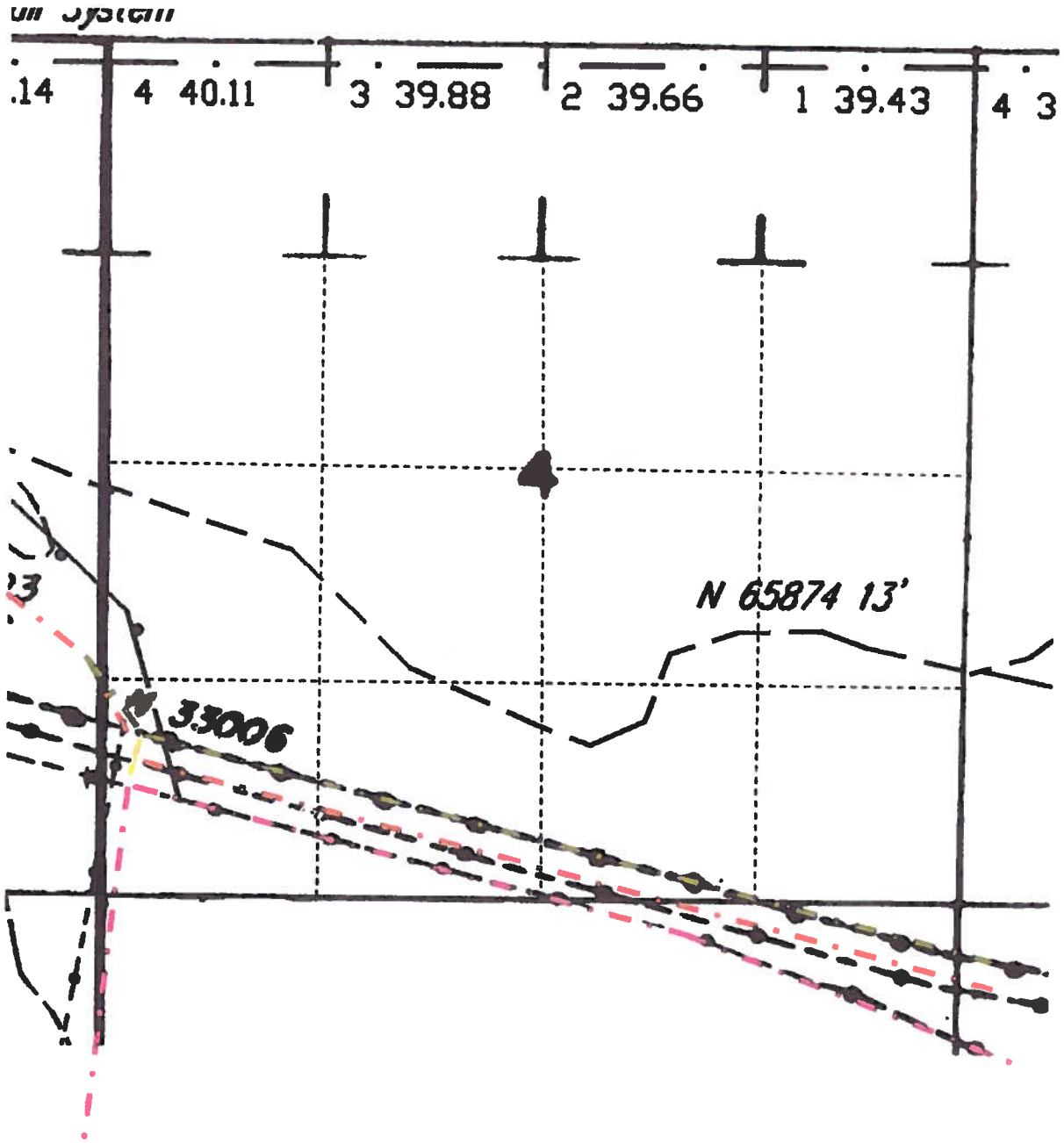
DESCRIPTION OF RIGHT OF WAY

An 130-foot wide by approximately 80,949-feet long right-of-way for an existing electrical line within the following:

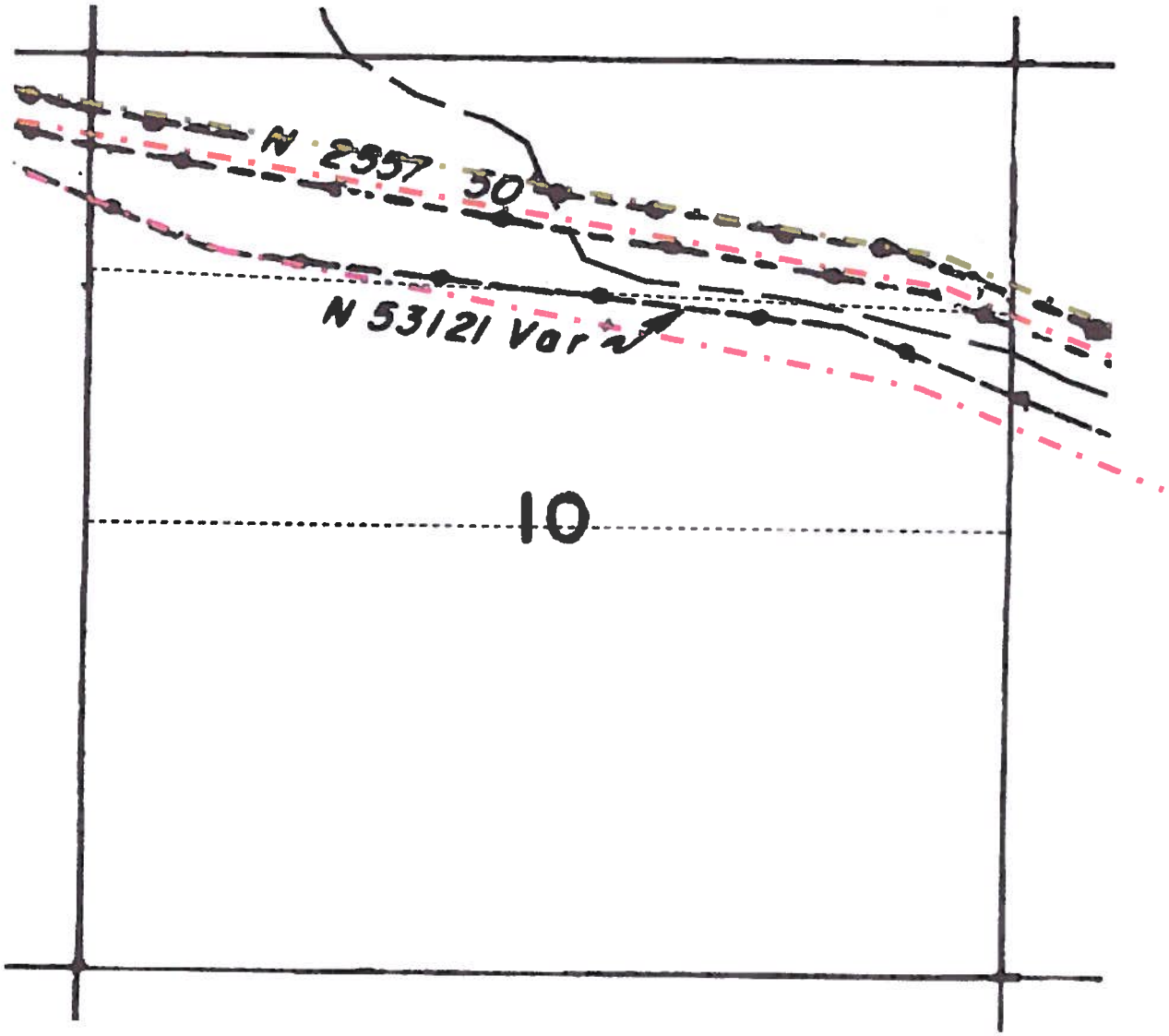
Government Lots 3, 5 and 6, the North Half of the Southeast Quarter of the Northwest Quarter (N ½ SE ¼ NW ¼), the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼), the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE ¼ NW ¼ SE ¼), Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) and the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter (NE ¼ NE ¼ NE ¼ SE ¼ SE ¼) of Section 5, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



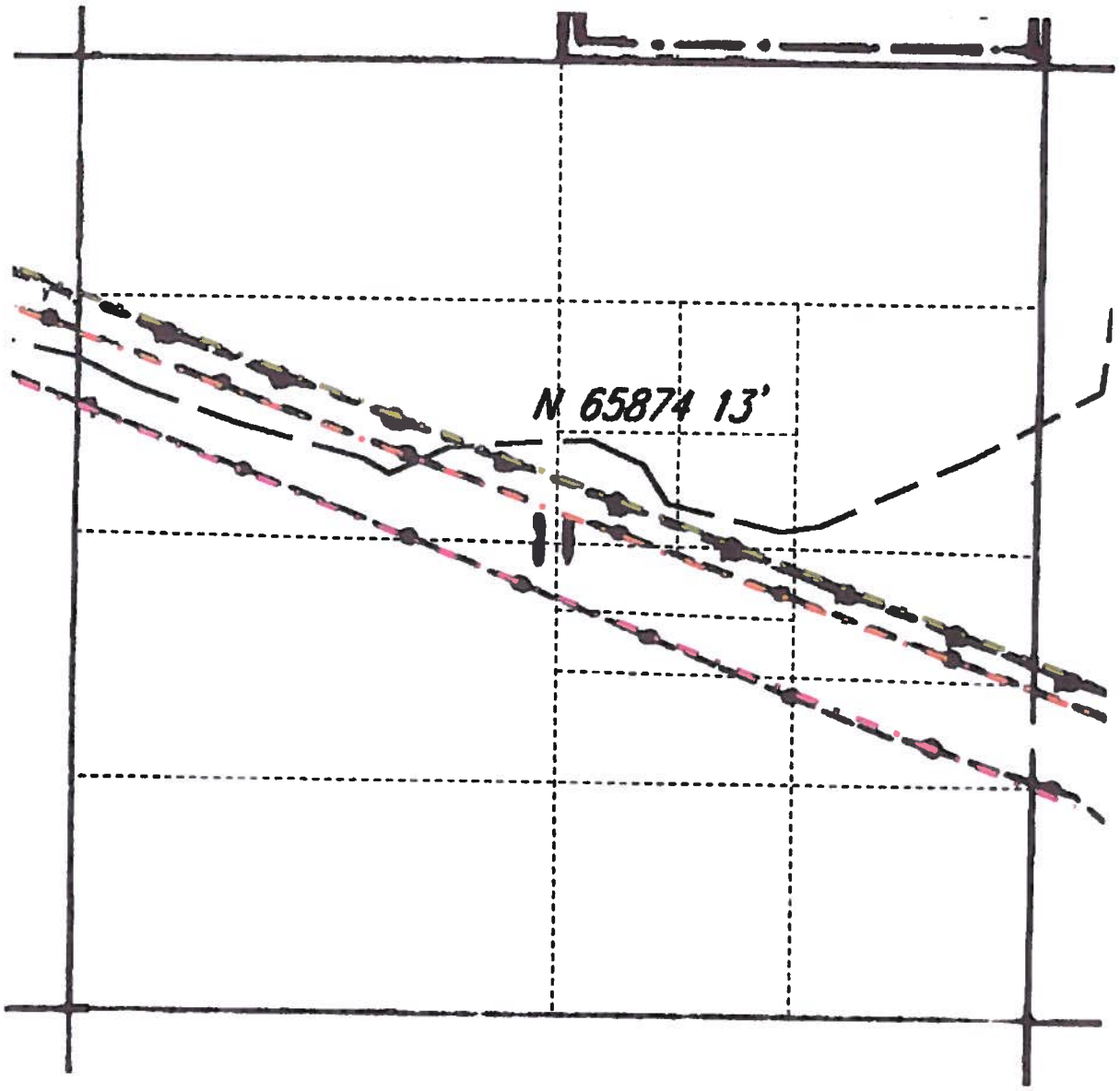
The South Half of the Southwest Quarter (S ½ SW ¼) and the South Half of the Southwest Quarter of the Southeast Quarter (S ½ SW ¼ SE ¼) of Section 4 and the North Half of the North Half of the Northwest Quarter of the Northeast Quarter (N ½ N ½ NW ¼ NE ¼) and the North Half of the Northeast Quarter (N ½ NE ¼) of Section 9, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



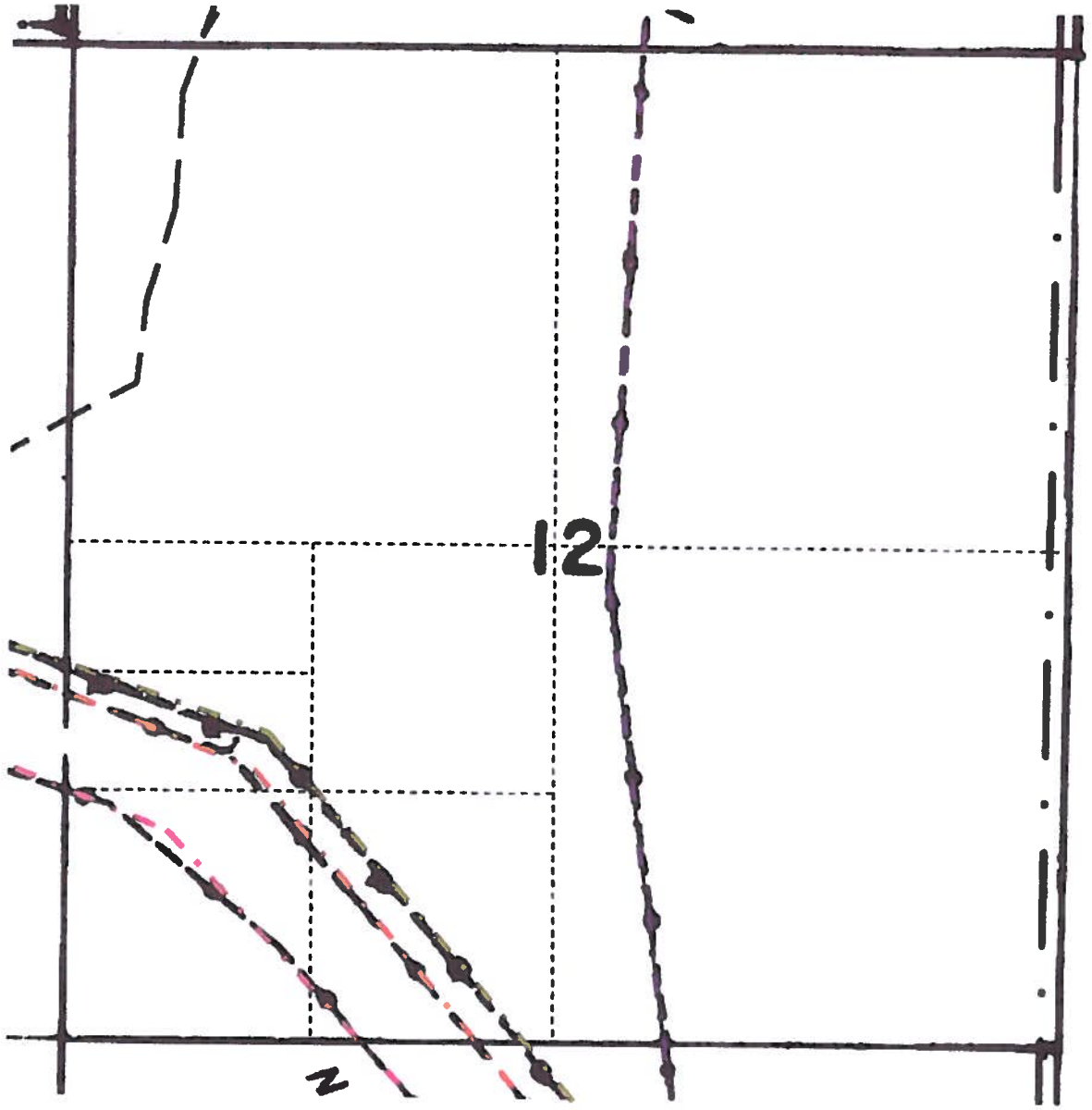
The North Half of the North Half (N ½ N ½) and the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE ¼ NE ¼ SE ¼ NE ¼) of Section 10, Township 23 South, Range 62 East, M.D.M., Clark County, NV



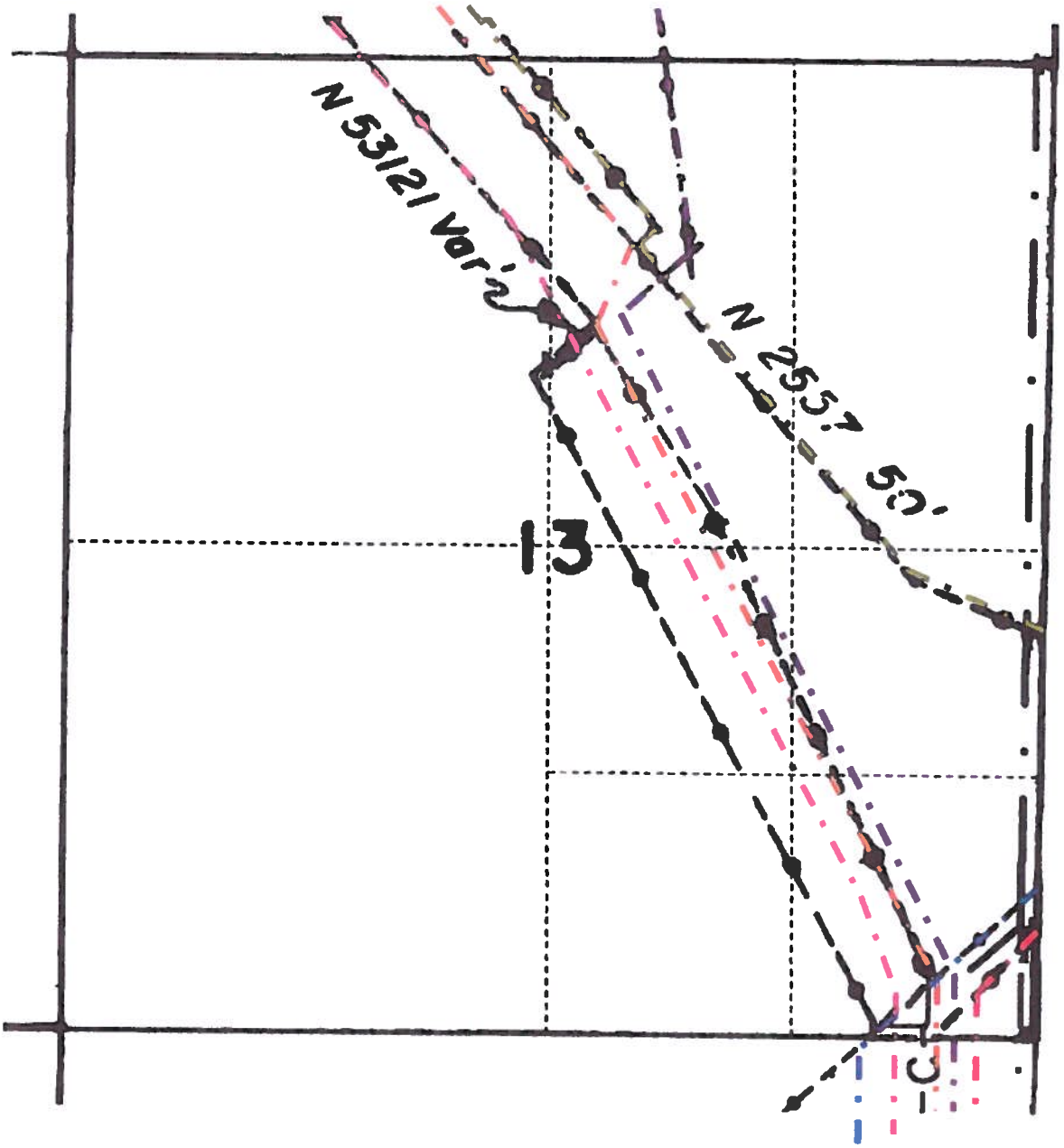
The South Half of the Northwest Quarter (S ½ NW ¼), the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW ¼ SW ¼ NE ¼), the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SW ¼ SE ¼ SW ¼ NE ¼), the North Half of the North Half of the Northwest Quarter of the Southeast Quarter (N ½ N ½ NW ¼ SE ¼), the North Half of the Northeast Quarter of the Southeast Quarter (N ½ NE ¼ SE ¼) and the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼ NE ¼ SE ¼) of Section 11, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



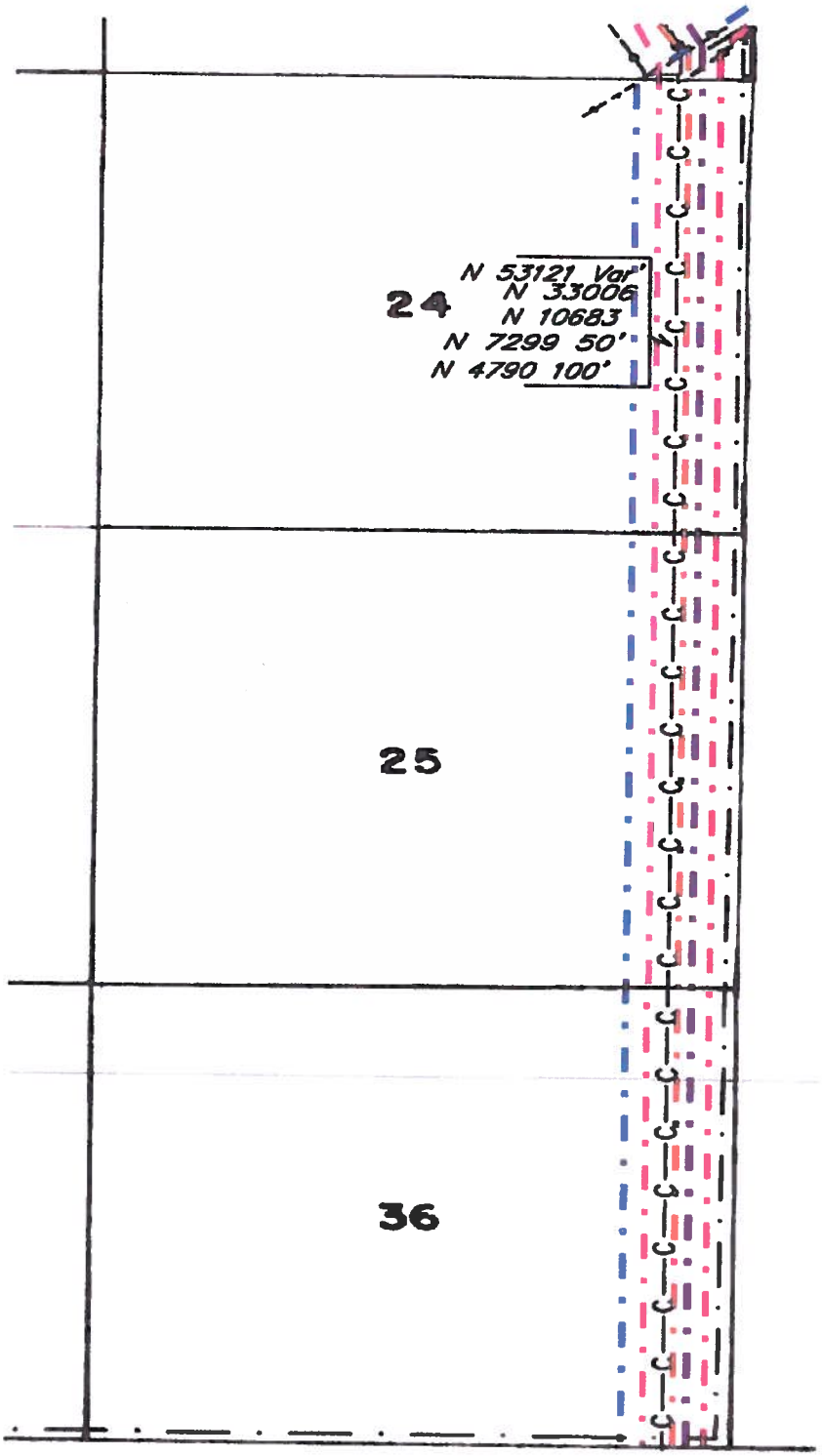
The South Half of the Northwest Quarter of the Southwest Quarter (S ½ NW ¼ SW ¼), the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE ¼ SW ¼ SW ¼) and the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 12, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



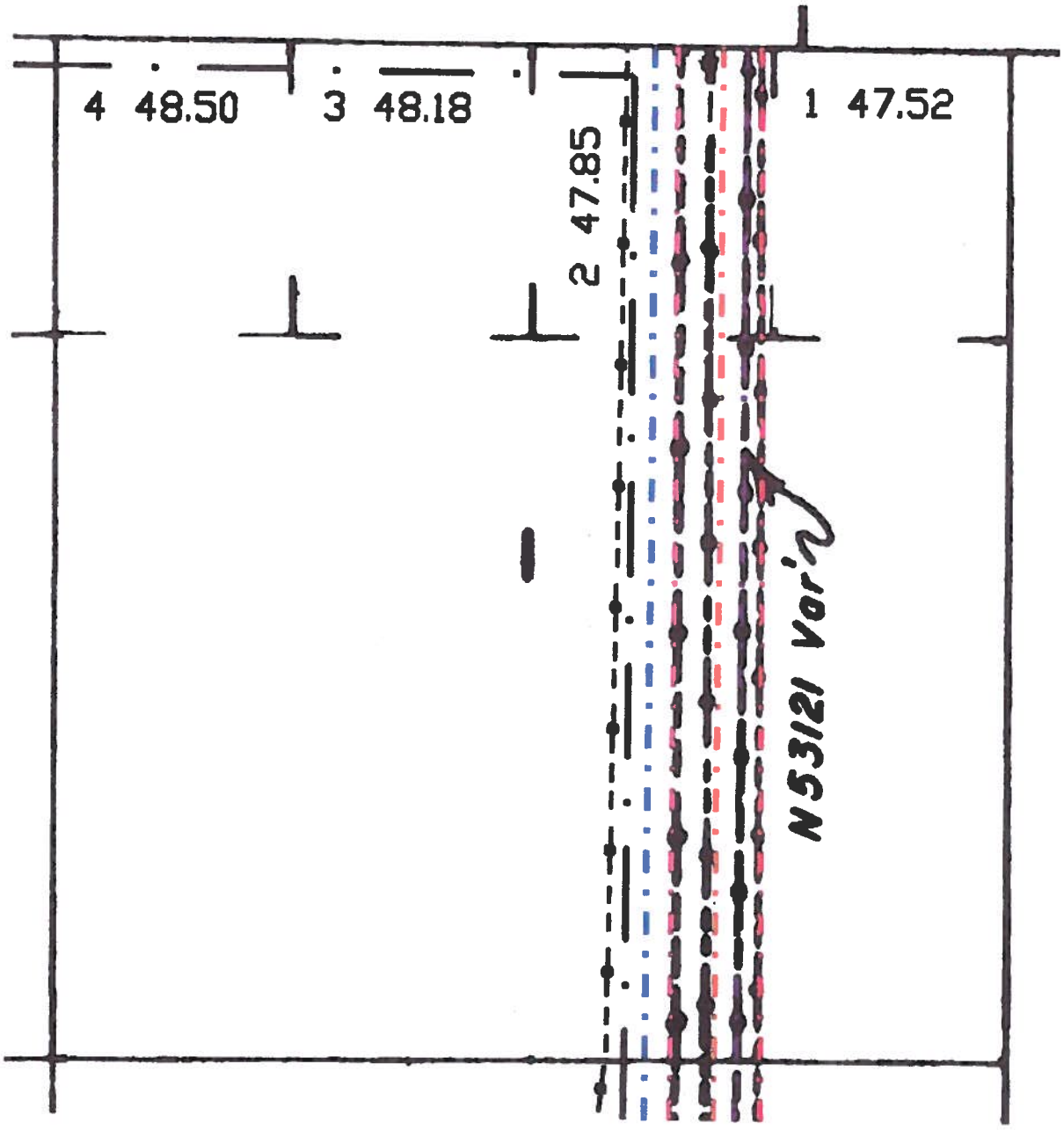
The Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE ¼ NE ¼ NW ¼), the West Half of the Northeast Quarter (W ½ NE ¼), the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE ¼ NW ¼ SE ¼), the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter (NE ¼ SE ¼ NW ¼ SE ¼), the Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW ¼ NE ¼ SE ¼) and the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 13, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



The East Half of the East Half (E ½ E ½) of Sections 24, 25 and 36, Township 23 South, Range 62 East, M.D.M., Clark County, NV.



Government Lot 2, the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) and the West Half of the Southeast Quarter (W ½ SE ¼) of Section 1, Township 24 South, Range 62 East, M.D.M., Clark County, NV.



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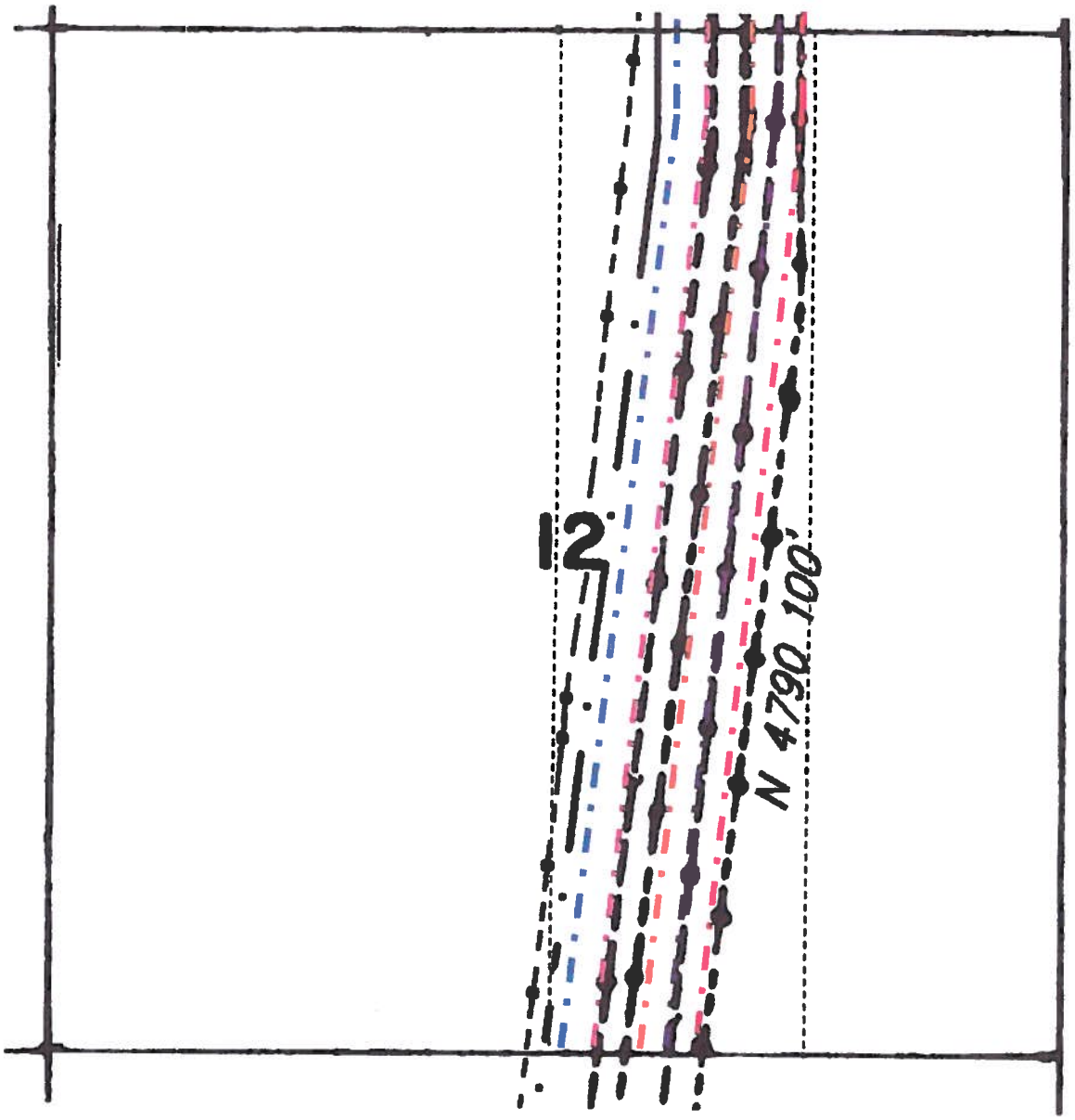
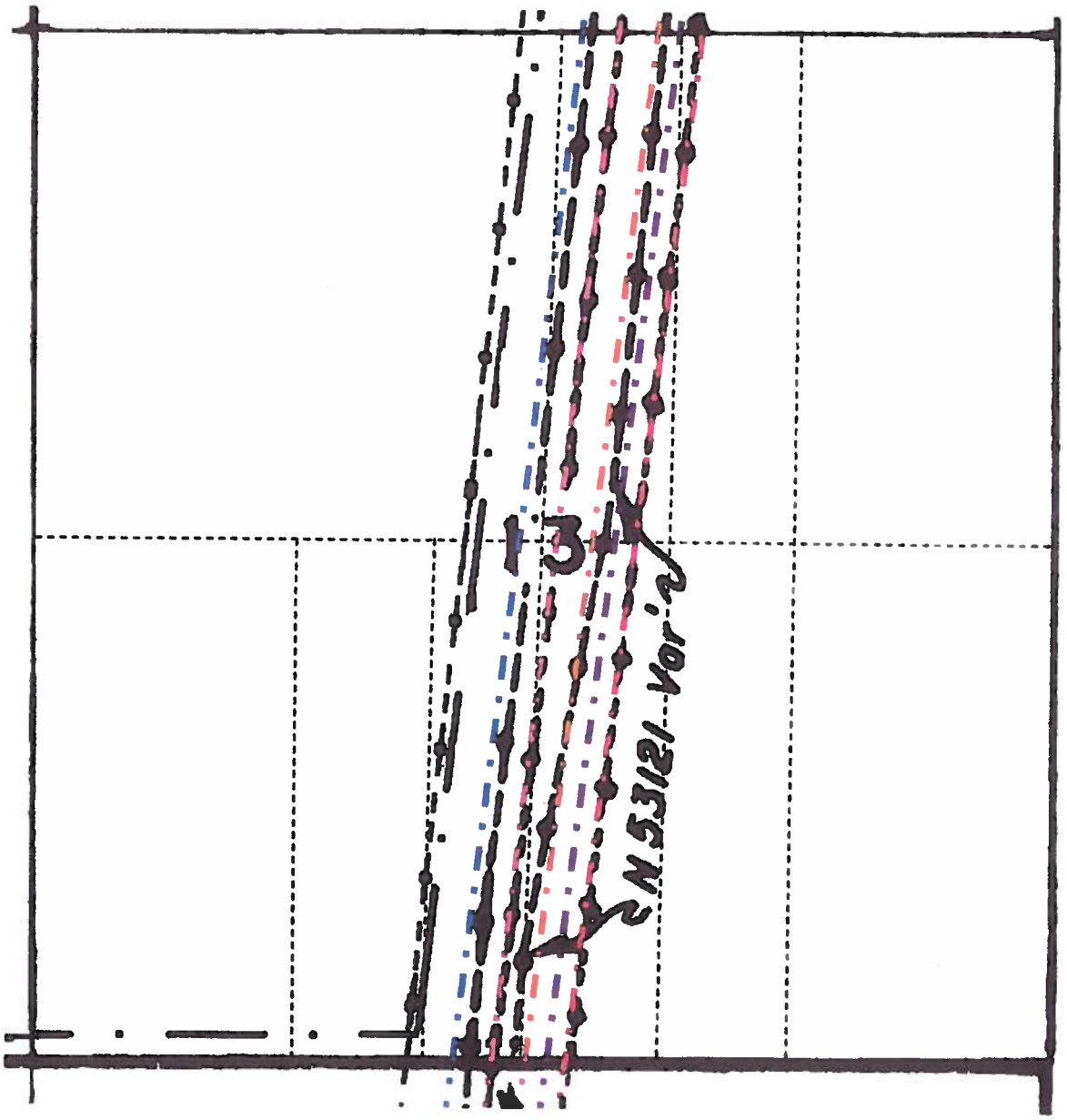
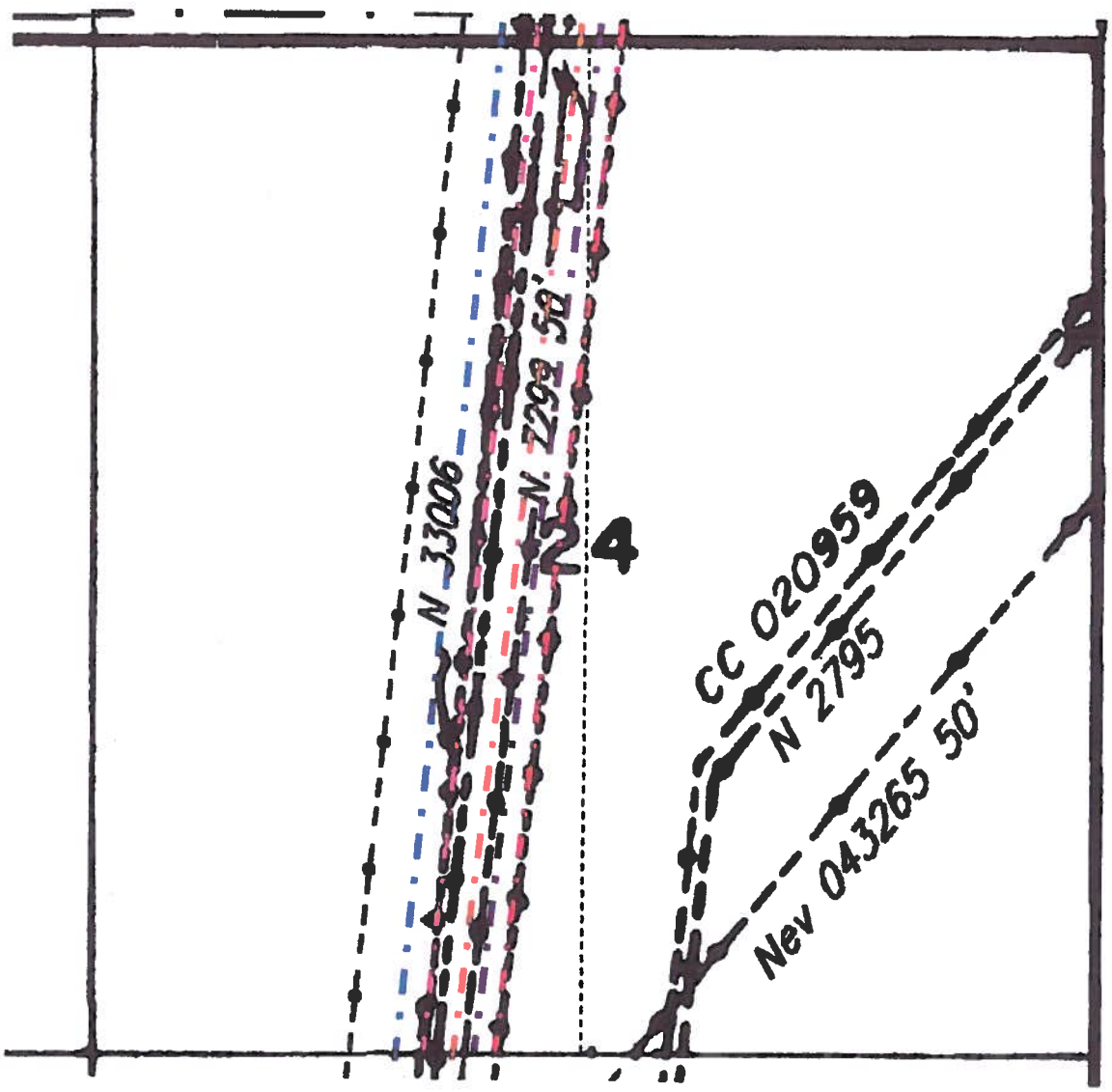


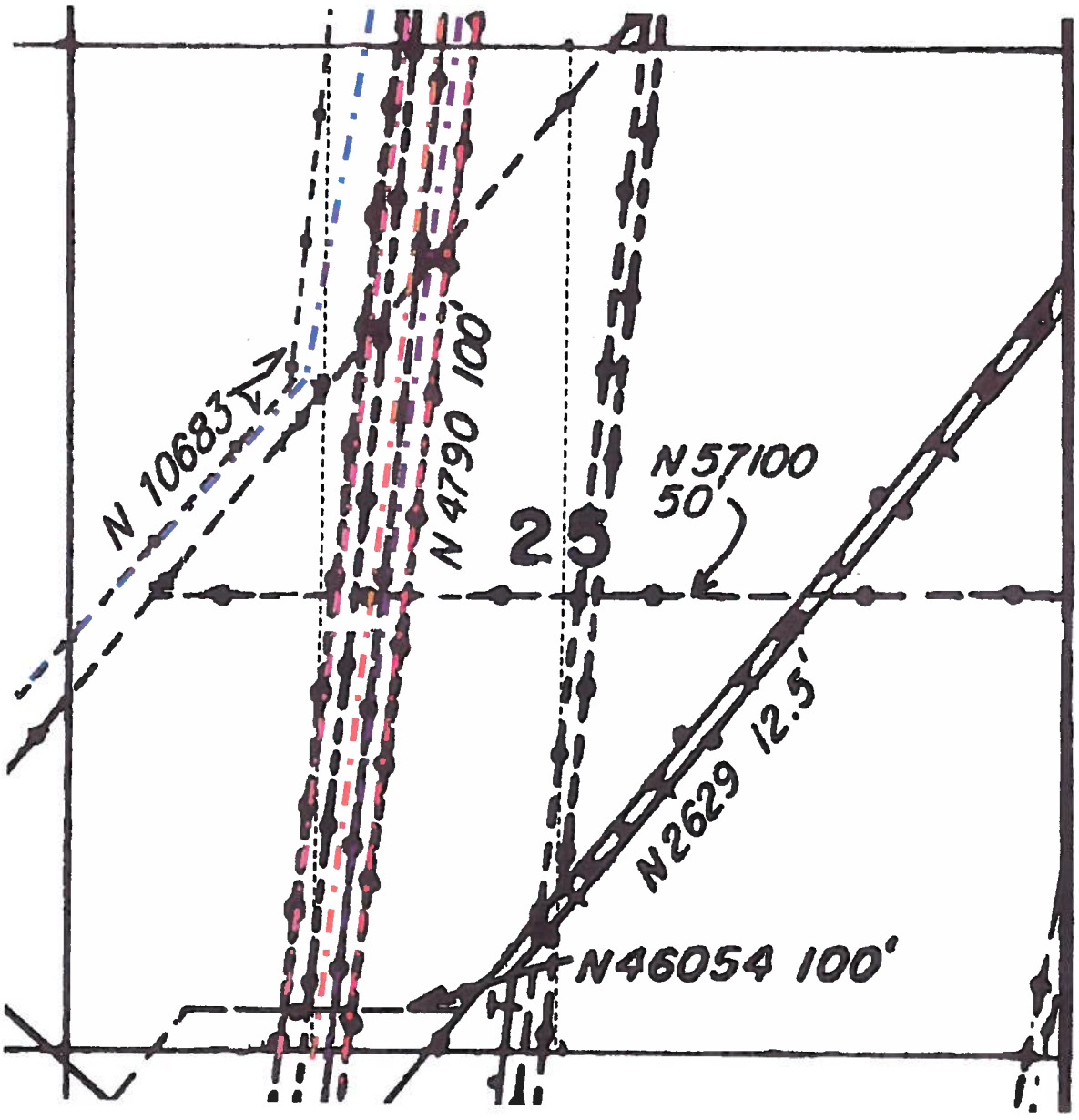
The West Half of the West Half of the East Half (W ½ W ½ E ½) and the East Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (E ½ SE ¼ SE ¼ SW ¼) of Section 13, Township 24 South, Range 62 East, M.D.M., Clark County, NV.



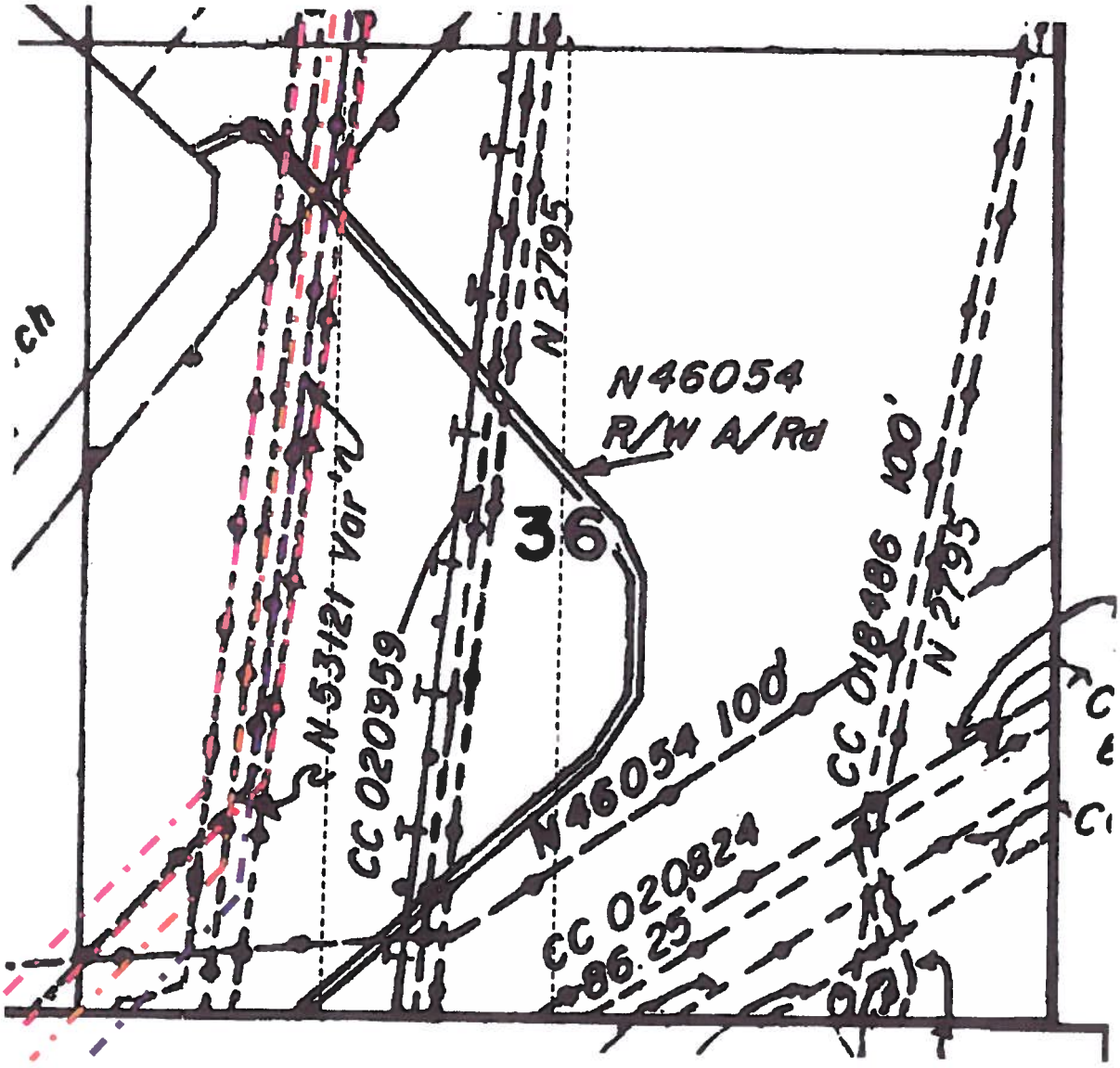
The East Half of the West Half (E ½ W ½) and the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW ¼ NW ¼ NW ¼ NE ¼) of Section 24, Township 24 South, Range 62 East, M.D.M., Clark County, NV.



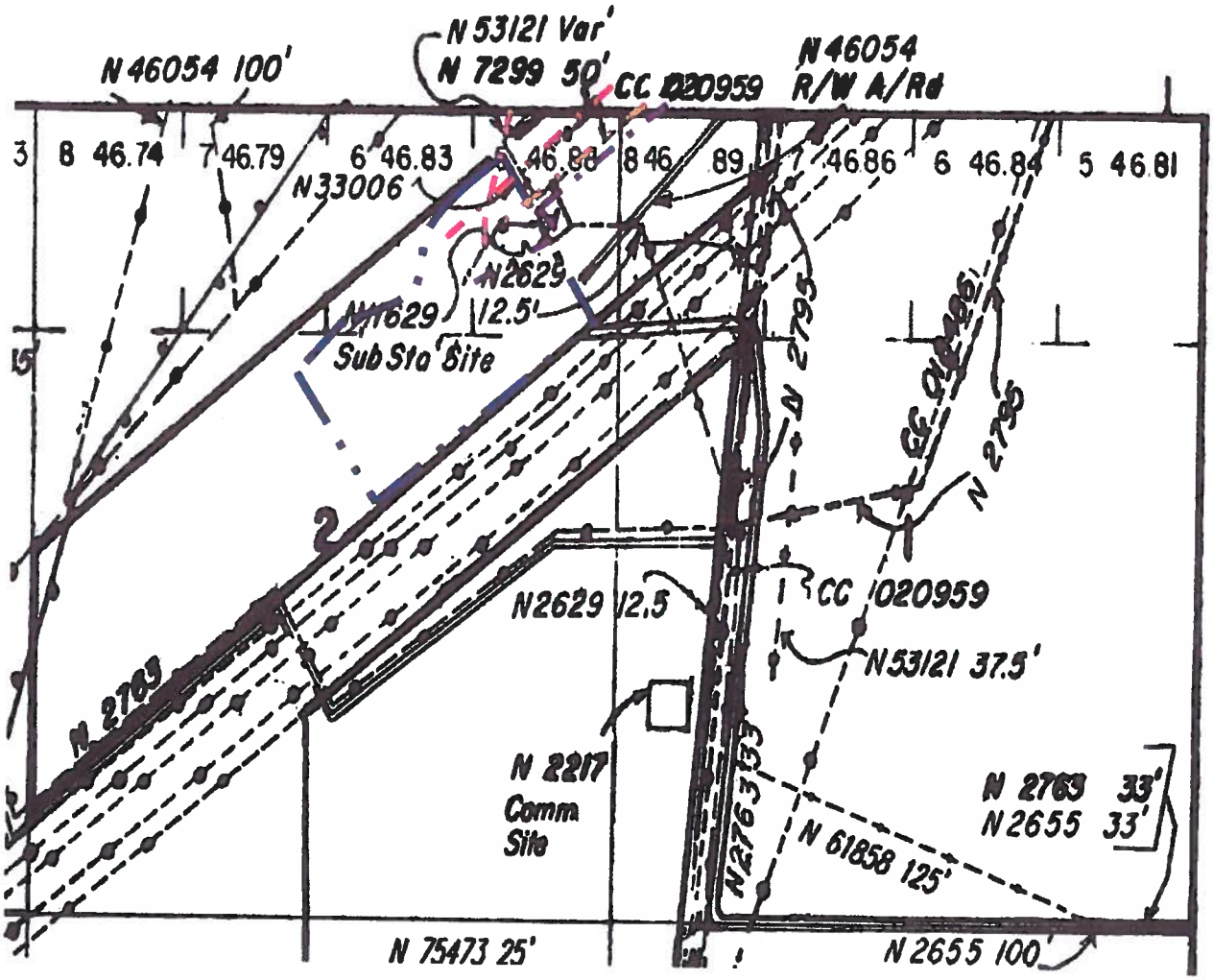
The East Half of the Northwest Quarter (E ½ NW ¼), the West Half of the East Half of the Southwest Quarter (W ½ E ½ SW ¼) and the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE ¼ SE ¼ SW ¼ SW ¼) of Section 25, Township 24 South, Range 62 East, M.D.M., NV.



The Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼ SE ¼) of Section 35, the West Half of the West Half (W ½ W ½) and the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW ¼ NW ¼ NE ¼ NW ¼) of Section 36, Township 24 South, Range 62 East, M.D.M., Clark County, NV.



A portion of Government Lot 8 of Section 1 and a portion of Government Lot 5 of Section 2, Township 25 South, Range 62 East, M.D.M., Clark County, NV.



Length: Approx.74,432-feet; Width-130-feet; 9,676,160-sq. feet; 222.55-acres

TOWNSHIP 23 SOUTH RANGE 62 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

CLARK COUNTY

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS, WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

SEE SUPPLEMENTAL PLAT 19

SEE SUPPLEMENTAL PLAT 20

SCALE

30 chains to the inch

WARNING STATEMENT

This plat is the Bureau's Record of Title and should be used only as a graphic display of the township survey data. Recorded surveys do not reflect title changes which may have been effected by alluvial movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

CURRENT TO	BY
2/1/13	DMS
08/31/05	GRC
11/30/05	MS
2/16/06	MS
11/5/07	MS
7/8/08	MS
11/26/08	MS
5/4/09	MS
6/26/09	MS
5/23/11	MS

N 050
T. 23S
R. 62E

Exhibit D
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PARTIALLY SURVEYED TOWNSHIP 24 SOUTH RANGE 62 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

PROTRACTION DIAGRAM NO. 308

CLARK COUNTY

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO.	T.	R.	SEC.	SUBDIVISION

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	BY
08/31/05	GRC
4/2/09	MS
6/26/09	MS

N 050
T. 24S
R. 62E

Exhibit D
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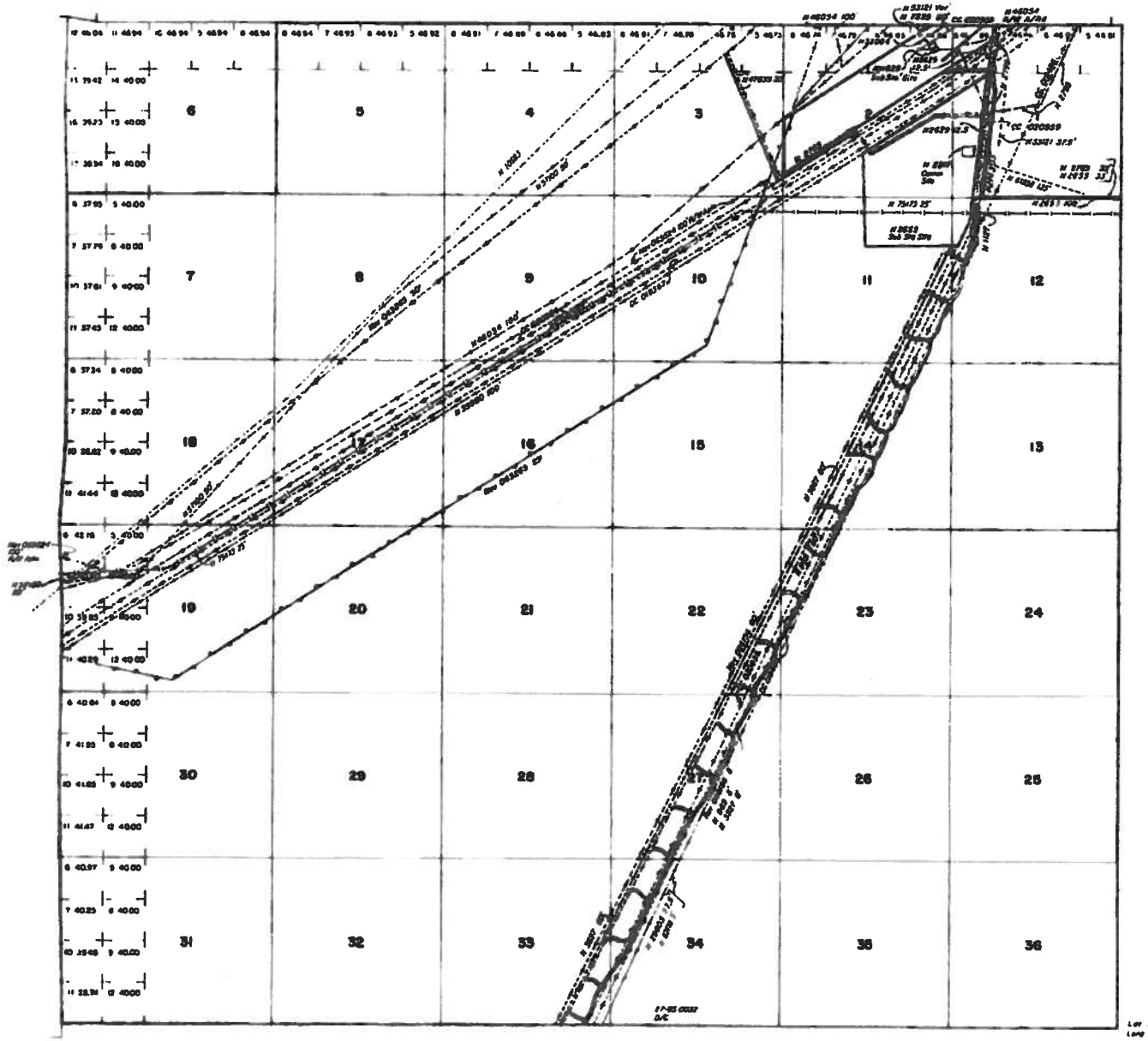
TOWNSHIP 25 SOUTH RANGE 62 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

CLARK COUNTY
LAS VEGAS GR DIST

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
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FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	BY
8-7-92	[illegible]
9/20/98	MS
3/9/99	[illegible]
12/4/02	MS
4/6/04	MS
6/29/04	MS
4/13/06	MS
4/2/09	MS

SCALE
30 chains to the inch

WARNING STATEMENT
This plat is the bureau's representation of the Record of Title and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

N-050
T. 25 S
R. 62 E

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