

FINAL ENVIRONMENTAL ASSESSMENT

Sierra Pacific Power Company New Pass Peak Distribution Line Project

Decision Record

DOI-BLM-NV-C010-2015-0030-EA

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Carson City District
Stillwater Field Office
5665 Morgan Mill Road
Carson City, NV 89701
(775) 885-6000

June 2016



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**DECISION RECORD
NEW PASS PEAK DISTRIBUTION LINE PROJECT
CHURCHILL AND LANDER COUNTIES, NEVADA**

**Environmental Assessment
DOI-BLM-NV-C010-2015-0030-EA**

1.1 INTRODUCTION/BACKGROUND

On July 29, 2014, the Bureau of Land Management (BLM), Carson City District (CCD), Stillwater Field Office (SFO) received a right-of-way (ROW) SF-299 application from Sierra Pacific Power Company (SPPCo) to construct, operate, and maintain a new 24.9 kilovolt (kV) distribution line. The ROW would be 29,515 feet (5.59 mile) long, 40-foot-wide and project components would include construction of a permanent overhead single-pole and underground 24.9 kV electrical distribution line; a lower and upper adjacent 8-foot wide access road; and other project components, including temporary access roads, pull sites, and staging areas. The access road would be immediately adjacent to the distribution line where topography allows. With the exception of the last portion of the lower road that is less-defined, the majority of the road would be located entirely within the requested ROW. SPPCo would obtain a private easement to site the distribution line on the 948 feet (0.18 miles) that traverses the private parcel.

The general project area is located approximately 70 miles east-northeast of Fallon, Nevada, approximately six and a half miles north of US Highway 50 in the Edwards Creek Valley, and along the New Pass Range in Churchill and Lander Counties, Nevada. The ROW would occupy approximately 27 acres of BLM-administered land in Churchill and Lander Counties, Nevada.

The potential environmental impacts from the Proposed Action and No Action Alternatives were evaluated in Environmental Assessment (EA) # DOI-BLM-NV-C010-2015-0030-EA. Based on the analysis of potential environmental impacts detailed in the EA, it was determined that the impacts associated with the Proposed Action are not considered significant and therefore an environmental impact statement (EIS) will not be prepared. This is documented in the attached Finding of No Significant Impact (FONSI).

1.2 PUBLIC INVOLVEMENT

Comments were accepted on the New Pass Peak Distribution Line Project EA, DOI-BLM-NV-C010-2015-0030-EA, for a 30-day period from April 13, 2016 through May 13, 2016.

Letters to 13 individuals, organizations, tribes and agencies were mailed on April 13, 2016. Emails were also sent that day to 2 individuals, organizations and agencies. Notification of the availability of the EA to 103 other State and federal offices was made through the Nevada State Clearinghouse on April 14, 2016. The CCD published a news release on April 14, 2016 that was sent to media outlets listed on the Nevada BLM State Office media list. The Fallon Paiute Shoshone Tribe was notified of the proposed project with a letter sent on February 4, 2015. The letter included a description of the proposed project, a map of the project location, and an invitation for comments or feedback regarding the project. No formal response detailing any concerns has been brought forward by the Tribes to date, but consultation is ongoing.

The EA was also made available by hard copy at the CCD Office and on the Project's ePlanning webpage at: <http://1.usa.gov/1qHX5Oj>. During the comment period, comment letters were received one Federal agency and three State agencies by email. The Federal Agency that commented was the Department of Defense, Naval Air Station, Fallon. State agencies that commented include the State Land Use Planning Agency, the State Historic Preservation Office and the Nevada Division of Water Resources. Minor non-substantive changes were made to the EA as a result of the individual letters. Refer to Appendix F of the Final EA for the Response to Comments.

1.3 DECISION

Based on the analysis of the *New Pass Peak Distribution Line Project*, as described in EA# DOI-BLM-NV-C010-2015-0030-EA, and after carefully considering the comments and input received during scoping and the public comment period, it is my decision to issue a ROW grant to SPPCo which implements the Proposed Action and applicant committed avoidance and mitigation measures (AMMs) as described in Chapter 2 of the EA with BLM proposed AMMs as identified in Chapter 3 of the EA document. This decision is contingent upon meeting all terms and conditions outlined in the ROW grant and AMMs identified in the EA. The AMMs are described in detail in Chapters 2 and 3 of the EA and reiterated below in this Decision Record.

Additionally, based on the analysis in the *New Pass Peak Distribution Line Project* EA# DOI-BLM-NV-C010-2015-0030-EA, it is my decision to assign an interim Visual Resource Management (VRM) Class IV objective to allow for management decisions consistent with the resource allocations for the area until such time as permanent objectives are designated in the CCD Resource Management Plan (RMP) revision. Once the CCD RMP is final, the management decision regarding VRM would supercede the interim VRM objectives established through this EA and decision should they vary.

1. Approve the SF-299 ROW Application and Amended Plan of Development submitted by SPPCo in February 2015.

This management decision for the New Pass Peak Distribution Line Project is issued pursuant to 43 Code of Federal Regulations (CFR) §2800. This Decision is effective immediately upon signature and acceptance of the ROW grant by both parties (BLM and SPPCo), and payment of rental and monitoring fees. This decision will remain in effect while appeals are pending before the Office of Hearings and Appeals (OHA) unless OHA grants a stay under §4.2 I (b) of this title. The SF-299 Right of Way Application and Plan of Development for the Project is hereby approved subject to the terms and conditions of the ROW grant and mitigation measures identified below for implementation of the Project. SPPCo must conduct activities as described in the Plan of Development (as described in Chapter 2 of the EA under the Proposed Action), in accordance with the terms and conditions attached to the ROW grant and the mitigation measures contained in this Decision.

The rationale for the attached FONSI supports this decision. The Proposed Action coupled with the ROW terms and conditions, and mitigation measures detailed in Chapter 3 of the EA and listed in this decision document, have led to my decision that all practicable means to avoid or minimize environmental harm have been adopted and significant impacts will not result from implementation of the Proposed Action as identified in the EA. This decision is consistent with

the 2001 CCD Consolidated Resource Management (CRMP), the 1986 Shoshone-Eureka Resource Management Plan and the 2015 Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah (Approved Greater Sage-Grouse Plan Amendments).

2. Establish an interim Visual Resource Management class for the Project Area

This decision for establishing this area as an interim VRM Class IV for the New Pass Peak Distribution Line Project is issued pursuant to Section 102(a)(8) of the Federal Land Policy and Management Act (FLPMA) and guidance described in BLM Manual 8400, with additional guidance provided in Manual H-8410-1 (Visual Resource Inventory) and H-8431 (Visual Resource Contrast Rating). This section of the FLPMA established the policy that public lands be managed in a manner that protect the quality of scenic values (43 USC §1701(a)(8)). To meet this responsibility, the BLM utilizes the VRM system which is described in these BLM manuals.

The rationale for the attached FONSI supports this decision. Additionally, based on the analysis in the SPPCo, New Pass Peak Distribution Line Project EA# DOI-BLM-NV-C010-2015-0030-EA, it is my decision to assign an interim VRM Class IV objective to allow for management decisions consistent with the resource allocations for the area until such time as permanent objectives are designated in the Carson City District Resource Management Plan revision. Once the Resource Management Plan is final, the management decision regarding VRM would supersede the interim VRM objectives established through this EA and decision should they vary. The primary resource uses within the New Pass Peak area are grazing and an existing communications site, thus establishing an interim VRM Class IV objective would be in compliance with current guidelines and policy for VRM.

The visual contrast rating analyses for the two Key Observation Points (KOPs) selected for the New Pass Peak Distribution Line Project show that impacts from the new distribution line and related infrastructure would be low to negligible. For views from KOP 1, no distribution line facilities or construction activities would be visible and changes to the existing landscape for the new distribution line and related infrastructure would be consistent with VRM Class IV objectives and would result in a negligible adverse effect. For views from KOP 2, the new distribution line facilities would introduce new features in the view. However, the form, line, color, and texture of these new features would be similar to and more distant than those of existing distribution line features (i.e., Austin 201 Distribution Line) located along Alpine Road within the Edwards Creek Valley. These new features would be barely distinguishable in the distant middleground and background in this view. Further, the new distribution line features would be subordinate to these existing features and contrast would be very weak to none. Therefore, visual effects associated with the new distribution facilities are anticipated to be low to negligible for views from KOP 2.

Mitigation Measures Identified in Chapters 2 and 3 of the EA.

The project applicant, SPPCo, is committed to implementing the environmental protection measures (as described in Chapter 2 of the EA) listed below

General Measures

1. The limits of the temporary construction ROW would be marked with staking or flagging. All identified environmentally sensitive areas would be fenced for avoidance.
2. Prior to construction, all construction personnel would be instructed on the protection of sensitive biological, cultural, and paleontological resources that have the potential to occur within the project area.
3. All construction vehicle movement would be restricted to the 300-foot temporary construction corridor, pre-designated access roads, and public roads.
4. Smoking would only be permitted in paved or cleared areas. All cigarettes would be completely extinguished and disposed of in a trash receptacle.
5. Non-specular conductors (mechanically or chemically treated aluminum surfaces to reduce reflectivity) would be installed to reduce visual impacts.
6. Existing roads used during construction would be left in a condition equal to or better than their preconstruction condition, as directed by the BLM.

Soil Disturbance

7. In areas where significant grading would be required, at least four inches of topsoil (where present) would be stockpiled and used for restoration work prior to reseeded.
8. Construction would be prohibited when the soil is too wet to adequately support construction equipment.

Blasting

9. At a minimum, all explosive storage facilities would maintained in accordance with applicable regulations.
10. Potential rockslide/landslide areas would be avoided to the maximum extent practicable and a blasting geologist would be consulted prior to blasting in these areas.
11. Blasts would be designed to minimize ground vibrations that can cause slope instability and impacts to wells or springs.
12. Blasting within 500 feet of wells or springs would be avoided to the maximum extent practicable.
13. Prior to blasting activities, underground utilities would be located and marked to determine their location in relation to the ROW.
14. SPPCo and its contractor would perform pre- and post-blast inspections of existing structures that may sustain damage due to blasting operations.
15. SPPCo and its contractor would take proper precautions to avoid or minimize damaging buildings, houses, sheds, or other man-made buildings located within 150 feet of blasting operations. Precautions may include rippling the charge detonations further apart or reducing the amount of charge material that detonates simultaneously.
16. Blasting mats would be used to prevent or minimize the amount of fly-rock cast into the air following detonation.
17. A signaling system would be used to alert individuals of an impending blast. The signaling system would include the following components:

- A warning signal: 5 minutes prior to the blasting signal, a 1-minute series of long audible signals would be sounded at the blast site.
- A blasting signal: 1 minute prior to the blast, a series of short, audible signals would be sounded at the blast site.
- An all-clear signal: a prolonged, audible signal would be sounded at the blast site following the post-blast inspection of the blast area.

Signs explaining the protocol would be posted at the staging areas and other appropriate locations to inform construction personnel of the signaling protocol.

18. If any damage to structures occurs due to blasting operations, SPPCo and its contractor would initiate repairs as quickly as possible. In the event of damage to any water supply systems, SPPCo and its contractor would provide an alternative water source until the original water supply system is restored.

Noxious Weeds

19. Prior to preconstruction activities, a qualified biologist would identify all visible noxious weeds present on the land to be included in the ROW grant and provide this information to the BLM. A determination would be made by the BLM of any noxious weeds that require flagging for treatment. SPPCo would treat the noxious weeds as required by the BLM.
20. Gravel or fill material would be sourced from a supplier or borrow pit that does not have a noxious weed population, as determined by a qualified biologist.
21. All off-road equipment would be cleaned (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to initially moving equipment onto public land. Equipment would be cleaned again at an appropriate site if it leaves the project site prior to re-entry.
22. Disturbances to areas infested with noxious weeds would be avoided to the extent possible.
23. Equipment or vehicles used in known areas infested with noxious weeds would be thoroughly cleaned before they are moved to a new location.
24. During the fall immediately following construction completion, disturbed areas would be reseeded with an appropriate mix approved by the BLM to establish ground cover.

Vegetation

25. Wherever practicable, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting.
26. All temporary construction areas, including pull sites and staging areas that have been disturbed, would be recontoured and restored as required by the BLM. The method of restoration typically would consist of installing cross drains for erosion control, placing water bars in the road, and reseeded with a seeding mix approved by the BLM, to the extent practicable. Seed would be certified as weed-free by a qualified biologist.

Water Features

27. Wherever practicable construction vehicles and equipment staging or storage and construction activities would be located at least 100 feet away from any streams,

wetlands, and other water features.

Wildlife and Sensitive Species

28. SPPCo would bury the portion of the distribution line underground that crosses identified Greater Sage Grouse (GRSG) Priority Habitat.
29. Prior to construction (inclusive of ROW clearing and access road construction), biological surveys of the ROW and the access roads would be conducted by a qualified biologist contracted by SPPCo who is familiar with the biology and species likely to be encountered in the area. Potential habitat for a listed species identified during the preconstruction survey would be fenced for avoidance. If avoidance is infeasible, consultation with appropriate jurisdictional agencies would be conducted prior to work in the area(s). Additionally, if land clearing activities are conducted in the avian breeding season (March 1 to August 31), nesting bird surveys would be conducted to identify nests and evidence of breeding birds.
30. Excavations left open overnight would be covered or fenced to prevent livestock or wildlife from falling in. All covers would be secured in place and strong enough to prevent livestock or wildlife from falling in.
31. If a sensitive plant or animal species is identified during construction, work near the sensitive species would be halted, and a qualified biologist familiar with the habitat and species likely to be encountered in the project area would be consulted to determine an appropriate buffer and other protective measures. The appropriate resource agencies would be notified of the discovery within 24 hours. If avoidance is infeasible, consultation with the jurisdictional resource agency would be conducted prior to continuing work in the immediate area of the species. Any federal- or state-listed species discovered on public land would also be reported to the BLM.
32. Structures would be constructed to conform to those practices described in the Suggested Practices for Raptor Protection on Power Lines Manual developed by the Edison Electric Institute.

Cultural and Paleontological Resources

33. An intensive cultural resource inventory survey would be conducted prior to construction. Unevaluated cultural sites would be evaluated to determine their eligibility for inclusion on the National Register of Historic Places. Wherever possible, SPPCo would avoid cultural sites identified as eligible. Where avoidance is not practicable, a treatment plan would be developed through consultation between the BLM, State Historic Preservation Office (SHPO), applicable Tribes, and interested parties.
34. Prior to construction, SPPCo and its contractors would train workers and individuals involved with the project regarding the potential to encounter historic or prehistoric sites and objects, proper procedures in the event that cultural items or human remains are encountered, prohibitions on artifact collection, and respect for Native American religious concerns. As part of this training, all construction personnel would be instructed to inspect for paleontological and cultural objects when excavating or conducting other ground-disturbing activities.
35. If previously undocumented cultural resources are found, work would be halted immediately within a minimum distance of 300 feet from the discovery, and a professional archaeologist (approved by the BLM) would be mobilized to the site to

evaluate the find. Any potential resources would not be handled or moved. The professional archaeologist would then determine whether the find needs to be evaluated by a paleontologist or Native American representative. The appropriate specialist(s) would then make a determination of the significance of the find and the steps to be followed before proceeding with the activity. Any cultural and/or paleontological resource discovered during construction on public or federal land would be reported immediately to the BLM. Work would not recommence until the BLM issues a notice to proceed. The BLM would notify and consult with SHPO and appropriate Tribes on eligibility and suitable treatment options. If significant resources are discovered, they would be recovered, transported, and stored at an approved curation facility that meets the standards specified in 36 CFR Part 79.

36. If human remains are encountered during project construction, all work within 300 feet of the remains would cease, and the remains would be protected. If the remains are on land managed by the BLM, BLM representatives would be immediately notified. If the remains are Native American, the BLM would follow the procedures set forth in 43 CFR Part 10, Native American Graves Protection and Repatriation Regulations. Native American human remains discovered on state or private lands would be treated under the provisions of the Protection of Indian Burial Sites section of the Nevada Revised Statutes (NRS) in Chapter 383. The Nevada SHPO would consult with the Nevada Indian Commission and notify the appropriate Native American tribe. Procedures for inadvertent discovery are listed under NRS 383.170.

Hazardous Materials and Waste

37. All construction vehicles would be maintained in accordance with the manufacturers' recommendations. All vehicles would be inspected for leaks prior to entering the jobsite. All discovered leaks would be contained with a bucket or absorbent materials until repairs can be made.
38. All hazardous waste materials would be properly labeled in accordance with 40 CFR Part 262. A list of hazardous materials expected to be used during construction of the project is presented in Table 2.3 in the EA.
39. Hazardous material storage, equipment refueling, and equipment repair would be conducted at least 100 feet away, or as required by applicable regulations, from streams or other water features. SPPCo staff or an approved contractor would ensure all hazardous materials are stored in approved containers generally stored within the line trucks or ancillary equipment and removed and safely and properly disposed after use, as applicable, according to state and federal regulations.
40. Spilled material of any type would be cleaned up immediately. A shovel and spill kit would be maintained on site at all times to respond to spills.
41. All sanitary wastes would be collected in portable, self-contained toilets at all construction staging areas and other construction operation areas and managed in accordance with local requirements.

Air Quality

42. Driving speeds would be limited to 35 miles per hour on unpaved roads and on the ROW. A water truck would also be used to apply water to the access roads to control dust.
43. During construction, all areas subject to ground disturbance would be watered as needed

to control dust.

44. Asphalt roads would be swept if visible soil material is tracked on it by construction vehicles.
45. Excavation and grading activities would be suspended when winds (instantaneous gusts) visible dust creates a health hazard to neighboring property owners and/or impacts to vehicular traffic.

Fire Prevention and Response

46. SPPCo would designate a Fire Marshal (SPPCo Fire Marshal), who would coordinate with a Fire Marshal to be designated by the prime contractor (Contractor Fire Marshal) and the BLMs fire management representative, as necessary.
47. The Contractor Fire Marshal would be responsible for the following tasks:
 - Conducting regular inspections of tools, equipment, and first aid kits for completeness.
 - Conducting regular inspections of storage areas and practices for handling flammable fuels to confirm compliance with applicable laws and regulations.
 - Posting smoking and fire rules at centrally visible locations on site.
 - Coordinating initial response to contractor-caused fires within the ROW.
 - Conducting fire inspections along the ROW.
 - Ensuring that all construction workers and subcontractors are aware of all fire protection measures.
 - Remaining on duty and on site when construction activities are in progress and during any additional periods when fire safety is an issue, or designating another individual to serve in this capacity when absent.
 - Reporting all wildfires in accordance with the notification procedures described below.
 - Initiating and implementing fire suppression activities until relieved by agency or local firefighting services in the event of a project-related fire. Project fire suppression personnel and equipment, including water tenders, would be dispatched within 15 minutes from the time that a fire is reported
 - Coordinating with the SPPCo Project Manager regarding current fire potential conditions and fire safety warnings from the BLM and communicating these to the contractor's crews
48. The SPPCo Construction Foreman or Contractor Fire Marshal would immediately notify firefighting services of any fires on site. A list of emergency fire contacts for the project area is presented in Table 2.4 of the EA.
49. Contractors would be notified to stop or reduce construction activities that pose a significant fire hazard until appropriate safeguards are taken.
50. If an accidental fire occurs during construction, immediate steps to extinguish the fire (if it is manageable and safe to do so) would be taken using available fire suppression equipment and techniques. Fire suppression activities would be initiated by SPPCo and its contractor until relieved by agency or local firefighting services.
51. Smoking would only be permitted in designated cleared areas and would be prohibited while walking or working in areas with vegetation or while operating equipment. In areas where smoking is permitted, all burning tobacco and matches would be completely extinguished and discarded in ashtrays, not on the ground.

52. Smoking and fire rules would be posted at construction staging areas, helicopter fly yards, and key construction sites during the fire season.
53. Fire suppression equipment would be present in areas where construction tools or equipment have the potential to spark a fire.
54. Extra precautions would be taken when fire danger is considered to be high.
55. All field personnel would be instructed regarding emergency fire response. The contractors would receive training on the following:
 - Initiating Fire Suppression,
 - Fire event reporting requirements,
 - Methods to determine if a fire is manageable,
 - Fire control measures to be implemented by field crews on-site,
 - When the worksite should be evacuated,
 - How to respond to wildfires in the vicinity, and
 - How to maintain knowledge of and plans for evacuation routes.
56. Flammable material including dead vegetation, dry grasses, and snags (fallen or standing dead trees), would be cleared a minimum of 10 feet from areas of equipment operation that may generate sparks or flames.
57. No open burning, campfires, or barbecues would be allowed along the ROW, at construction staging areas, helicopter fly yards and substations, on access roads, or in any other project-related construction areas.
58. All welding or cutting of power line structures or their component parts would be approved by the SPPCo Construction Foreman. Approved welding or cutting activities would only be performed in areas cleared of vegetation a minimum of 10 feet around the area. Welding or cutting activities would cease one hour before all fire response personnel leave a construction area to reduce the possibility of welding activities smoldering and starting a fire. Welder vehicles would be equipped with fire suppression equipment.
59. All internal combustion engines, both stationary and mobile, would be equipped with approved spark arresters that have been maintained in good working condition. Light trucks and cars with factory-installed (type) mufflers in good condition may be used on roads cleared of all vegetation with no additional equipment required. Vehicles equipped with catalytic converters are potential fire hazards and would be parked on cleared areas only.
60. The use of torches, fuses, highway flares, or other warning devices with open flames would be prohibited. SPPCo and its contractors would only use electric or battery-operated warning devices on site.
61. Equipment parking areas, small stationary engine sites, and gas and oil storage areas would be cleared of all extraneous flammable materials. "NO SMOKING" signs would be posted in these areas at all times.
62. Fuel tanks would be grounded.
63. SPPCo and the contractors would provide continuous access to roads for emergency vehicles during construction.
64. All motorized construction vehicles and equipment would be equipped with the following fire protection items:
 - One long handled round point shovel,
 - One ax or Pulaski fire tool,

- One 5-pound ABC Dry Chemical Fire Extinguisher,
 - One 5-gallon water backpack (or other approved container) full of water or other extinguishing solution,
 - Hard hat, work gloves, and eye protection.
65. Project construction worksites would include the following equipment:
- Power saws, if required for construction, equipped with an approved spark arrester and accompanied by one 5-pound ABC Dry Chemical Fire Extinguisher and a long-handled, round-point shovel when used away from a vehicle.
 - Fuel service trucks with one 35-pound capacity fire extinguisher charged with the necessary chemicals to control electrical and fuel fires.
 - At least two long-handled, round-point shovels and two 5-pound ABC Dry Chemical Fire Extinguishers at wood cutting, welding, or other construction work sites that have a high risk of starting fires.
 - At least one radio and/or cellular telephone to contact fire suppression agencies or the project management team.
 - Backpumps filled with water (two at each wood-cutting site, one at each welding site, and two at each tower installation or construction site, or any activity site at risk of igniting fires).
66. During periods of increased fire danger, a fire suppression vehicle would be available in the construction area or stationed near high-risk construction work sites and would be equipped with the following items:
- One water tank with a minimum capacity of 500 gallons,
 - 250 feet of 0.75-inch heavy-duty rubber hosing,
 - One pump with a discharge capacity of at least 20 gallons per minute. (The pump would have fuel capacity to operate for at least a 2-hour period.)
 - One tool cache (for fire use only) containing at a minimum:
 - Two long handled round point shovels,
 - Two axes or Pulaski fire tools, and
 - One chainsaw of 3.5 (or more) horsepower with a cutting bar of at least 20 inches in length.
67. If a fire is unmanageable, field crews would evacuate and call “911” or the district dispatch for the area (see Table 2.4 in the EA). All fires would be reported to the jurisdictional fire agency, regardless of size and actions taken.

In addition SPPCo will also institute the following AMMs as part of the Proposed Action (as described in Chapter 3 of the EA) to reduce or eliminate impacts to resources.

General Wildlife

1. Prior to construction (inclusive of ROW clearing and access road construction), biological surveys of the ROW and the access roads would be conducted by a qualified biologist who is familiar with the habitat and species likely to be encountered in the area. Potential habitat for listed species identified during the preconstruction survey would be fenced for avoidance. If avoidance is infeasible, consultation with appropriate jurisdictional agencies would be conducted prior to work in the area(s). Additionally, if land clearing activities are conducted in the avian breeding season, nesting bird surveys would be conducted to identify nests and evidence of breeding birds.

2. All temporary construction areas, including pull sites and staging areas that have been disturbed, would be recontoured and restored as required by the BLM. The method of restoration typically would consist of installing cross drains for erosion control, placing water bars in the road, and reseeded with a seeding mix approved by the BLM, to the extent practicable. Seed would be certified as weed-free by a qualified biologist.
3. Wherever possible, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting.

Migratory Birds

1. In order to avoid nesting times for raptors (March 1-August 31) and other migratory birds and burrowing owl (April 1-July 31), project activities would be implemented outside the nesting season. If land clearing activities are conducted in either nesting season, preconstruction nesting bird surveys would be conducted to identify nests and evidence of breeding birds; appropriate no-work buffers would be applied around active nests.
2. Structures would be constructed to conform to those practices described in the Suggested Practices for Raptor Protection on Power Lines Manual developed by the Edison Electric Institute.
3. All environmentally sensitive areas, including migratory bird nests and appropriate buffers, would be fenced for avoidance.
4. Prior to construction, all construction personnel would be instructed on the protection of sensitive biological resources that have the potential to occur on site.
5. During the fall immediately following construction completion, disturbed areas would be reseeded with an appropriate mix, approved by the BLM, to establish ground cover.
6. Wherever possible, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting.
7. All temporary construction areas, including stringing sites and staging areas that have been disturbed, would be recontoured and restored as required by the BLM. The method of restoration typically would consist of seeding or revegetating, installing cross drains for erosion control, and placing water bars in the road. Seed would be certified as weed-free by a qualified biologist.
8. Prior to construction (inclusive of ROW clearing and access road construction), biological surveys of the ROW and the access roads would be conducted by a qualified biologist. If avoidance is infeasible, consultation with appropriate jurisdictional agencies would be conducted prior to work in the area(s).
9. If an animal species is identified during construction, work near the sensitive species would be halted and a qualified biologist familiar with the regional habitat and species would be consulted to determine an appropriate buffer and other protective measures.

Vegetation

1. Wherever practicable, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting.
2. All temporary construction areas including stringing sites and staging areas that have been disturbed would be re-contoured and restored as required by the land management

agency. The method of restoration typically would consist of seeding or revegetating, installing cross drains for erosion control, and placing water bars in the road. Seed would be certified as weed-free by a qualified biologist.

3. Prior to preconstruction activities, personnel would identify all noxious weeds present on the land to be included in the ROW Grant and provide this information to the BLM. A determination would be made by the BLM of any noxious weeds that require flagging for treatment. Personnel would treat the noxious weeds as required by the BLM.
4. Gravel or fill material would be sourced from a supplier or borrow pit that does not have a noxious weed population, as determined by a qualified biologist.
5. All off-road equipment would be cleaned (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to initially moving equipment onto public land. Equipment would be cleaned again at an appropriate site if it leaves the project site prior to reentry.
6. Disturbances to areas infested with noxious weeds would be avoided to the extent possible.
7. Equipment or vehicles used in known areas infested with noxious weeds would be thoroughly cleaned before they are moved to a new location.
8. During the fall immediately following construction completion, disturbed areas would be reseeded with an appropriate seed mix approved by the BLM to establish ground cover.

Special Status Animal Species

AMMs for special status animal species were determined after reviewing the Revised Direction for *Proposed Activities within Greater Sage-Grouse Habitat* Instruction Memorandum (IM) No. NV-2015-017, incorporating the management direction from the 2015 Approved Greater Sage Grouse Plan Amendment, reviewing the Required Design Features (RDFs) listed in Appendix C of the Approved Greater Sage Grouse Plan Amendment, and consulting with the BLM Nevada State Office. As instructed in IM NV-2015-017, the BLM Stillwater Field Office informally consulted with the Nevada Department of Wildlife and with the BLM State Office. The BLM submitted a "Proposed Activities in Greater Sage-Grouse Preliminary Habitat Areas" form to the BLM State Office, which proposed to eliminate impacts to GRSG Other Habitat Management Area (OHMA) (i.e. formally referred to as "essential/irreplaceable habitat" or "Preliminary Priority Habitat" in the correspondence documentation) by burying a portion of the distribution line. The buried portion of the distribution line would start at the bottom of the existing switchbacks, and continue up the western slope of New Pass Peak, then follow the access road on top of the peak to the communications site (refer to Appendix D of the EA). The AMMs were also developed in conformance with the management decisions outlined in the Approved Greater Sage-Grouse Plan Amendments, specifically Management Decision SSS-4, as well the Management Decisions for Utility Corridors and Communication Sites (MD LR-1 through LR-3) and for Land Use Authorizations (MD LR-10).

Other AMMs related to environmental protections for GRSG incorporate applicable and general RDFs from Appendix C of the Approved Greater Sage-Grouse Plan Amendments.

These project AMMs include:

1. All environmentally sensitive areas would be fenced for avoidance.
2. Prior to construction, all construction personnel would be instructed on the protection of sensitive biological resources that have the potential to occur on site.

3. During the fall immediately following construction completion, disturbed areas would be reseeded with an appropriate seed mix approved by the BLM to establish ground cover.
4. Wherever possible, vegetation would be left in place. Where vegetation must be removed, it would be cut at ground level to preserve the root structure and allow for potential resprouting.
5. All temporary construction areas, including stringing sites and staging areas that have been disturbed, would be recontoured and restored as required by the land management agency. The method of restoration typically would consist of seeding or revegetating, installing cross drains for erosion control, and placing water bars in the road. Seed would be certified as weed-free by a qualified biologist.
6. Prior to construction (inclusive of ROW clearing and access road construction), biological surveys of the ROW and the access roads would be conducted by a qualified biologist. If avoidance is infeasible, consultation with appropriate jurisdictional agencies would be conducted prior to work in the area(s).
7. If an animal species is identified during construction, work near the sensitive species would be halted. A qualified biologist familiar with the regional habitat and species would be consulted to determine an appropriate buffer and other protective measures.
8. Locate new roads outside of GRSG habitat to the extent practical (RDF Gen 1).
9. Avoid constructing roads within riparian areas and ephemeral drainages. Construct low water crossings at right angles to ephemeral drainages and stream crossings (RDF Gen 2).
10. Limit construction of new roads where roads are already in existence and could be used or upgraded to meet the needs of the project or operation. Design roads to an appropriate standard, no higher than necessary, to accommodate intended purpose and level of use (RDF Gen 3).
11. Coordinate road construction and use with ROW holders to minimize disturbance to the extent possible (RDF Gen 4).
12. During project construction and operation, establish and post speed limits in GRSG habitat to reduce vehicle/wildlife collisions or design roads to be driven at slower speeds (RDF Gen 5).
13. Newly constructed project roads that access valid existing rights would not be managed as public access roads. Proponents will restrict access by employing traffic control devices such as signage, gates, and fencing (RDF Gen 6).
14. Require dust abatement practices when authorizing use on roads (RDF Gen 7).
15. Equip temporary and permanent aboveground distribution poles with structures or devices that discourage nesting and perching of raptors, corvids, and other predators (RDF Gen 11).
16. Implement project site-cleaning practices to preclude the accumulation of debris, solid waste, putrescible wastes, and other potential anthropogenic subsidies for predators of GRSG (RDF Gen 13).
17. Utilize mulching techniques to expedite reclamation and to protect soils if the site requires it (RDF Gen 15).

18. Restore disturbed areas at final reclamation to the pre-disturbance landforms and desired plant community (RDF Gen 17).
19. When authorizing ground-disturbing activities, require the use of vegetation and soil reclamation standards suitable for the site type prior to construction (RDF Gen 18).
20. Instruct all construction employees to avoid harassment and disturbance of wildlife, especially during the GRSB breeding (e.g., courtship and nesting) season. In addition, pets would not be permitted on site during construction (RDF Gen 19).
21. To reduce predator perching in GRSB habitat, limit the construction of vertical facilities and fences to the minimum number and amount needed and install anti-perch devices where applicable (RDF Gen 20).
22. Outfit all reservoirs, pits, tanks, troughs or similar features with appropriate type and number of wildlife escape ramps (RDF Gen 21).

Visual Resources

1. All new structures should be painted using dark greens or browns similar to Beetle, Juniper Green, or Shadow Gray, as found on the BLM Standard Environmental Color Chart CC-001 to reduce visibility from areas most likely to be viewed by the public.
2. Vegetation removed during the construction phase should be used as vertical mulching on any areas with surface disturbance.
3. Surface disturbance should be kept to the minimum required to install equipment. Surface disturbance on side slopes on the edge of ridge should be avoided where possible.
4. All maintenance on existing structures should include painting with dark colors when necessary to reduce the cumulative effects to the site.
5. All existing roads used during construction would be left in a condition equal to, or better than their preconstruction condition.

1.4 RATIONALE

Upon analyzing the impacts of the Proposed Action and following issuance of the EA for public review, I have determined that implementing the Proposed Action with the Applicant committed AMMs, as described in Chapter 2 of the EA, the terms and conditions attached to the ROW grant and the BLM proposed AMMs identified above in this decision (from Chapter 3 of the EA) will not have a significant impact to the human environment and that an EIS is not required. Refer to the attached FONSI.

1.5 AUTHORITY

The Proposed Action is in conformance with the FLPMA of 1976, the CRMP approved in 2001, the Shoshone-Eureka RMP approved in 1986, the Approved Greater Sage-Grouse Plan Amendments approved in 2015, the regulations at 43 CFR §2800, and with current BLM policies, plans and programs. The Proposed Action is consistent in relationship to statutes, regulations and policies of neighboring local, County, State, Tribal governments and other Federal agencies.

The SF-299 ROW Application in combination with the preceding mitigation measures, ROW grant terms and conditions, and the attached FONSI show that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not occur as a result of the proposed distribution line and associated infrastructure.

The Proposed Action is in conformance with the established land use the Carson City District CRMP, the Shoshone-Eureka RMP and the Approved Greater Sage-Grouse Plan Amendments as summarized below.

Carson City District Consolidated Resource Management Plan

Public lands administered by the BLM CCD, SFO are managed in accordance with the CCD CRMP, which is maintained and administered in compliance with the FLPMA of 1976, as amended.

The Proposed Action evaluated in the EA is consistent with management objectives and decisions established in the CCD CRMP. Specifically, the Proposed Action is consistent with the Communication Site and Right-of-Way Corridor Sections management actions and decisions. The Proposed Action is also in conformance with the VRM section of the CCD CRMP.

Shoshone-Eureka Resource Management Plan

A small section of public lands along the east side of the crest of New Pass Peak are within the BLM Battle Mountain District. These lands are administered by the Mount Lewis Field Office and are managed in accordance with the 1986 Shoshone-Eureka RMP, which is maintained and administered in compliance with the FLPMA of 1976, as amended.

The Proposed Action evaluated in the EA is consistent with management objectives and decisions established in the Shoshone-Eureka RMP and Record of Decision (ROD). Specifically, the Proposed Action is consistent with the Utility Corridors Management Decisions.

Approved Greater Sage Grouse Plan Amendments

The Proposed Action would be consistent with GRSG conservation measures outlined in the 2015 ROD and Approved RMP Amendments for the Great Basin Region, including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah (Approved Greater Sage Grouse Plan Amendment).

Specifically applicable to the Proposed Action are the Management Decisions SSS-4 as well as the management decisions for Utility Corridors and Communication Sites (MD LR-1 through LR-3) and for Land Use Authorizations (MD LR-10) and all applicable Required Design Features from Appendix C of the ROD.

1.6 APPROVAL FROM AUTHORIZED OFFICIAL:

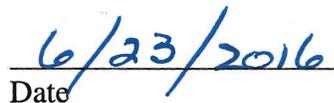
The New Pass Peak Distribution Line Project DOI-BLM-NV-C010-2015-0030 -EA and associated SF-299 and Plan of Development are approved for implementation with incorporation of right-of-way grant stipulations and the above described avoidance and mitigation measures. This decision is effective immediately upon signature and acceptance of the right-of-way grant by both parties (BLM and SPPCo), and payment of rental and monitoring fees in accordance with Title 43 of the Code of Federal Regulations at 2800.

Further this decision also establishes this area as an interim Visual Resource Management Class IV for the New Pass Peak Distribution Line Project and is issued pursuant to Section 102(a)(8) of the Federal Land Policy and Management Act of 1976, as amended, and guidance described in BLM Manual 8400, with additional guidance provided in Manual H-8410-1 (Visual Resource Inventory) and H-8431 (Visual Resource Contrast Rating).

This Decision is in conformance with the National Environmental Policy Act of 1969 (P.L. 91-190) as amended (72 USC 4321 et.seq.); the Carson City Consolidated Resource Management Plan of 2001, the Shoshone-Eureka Resource Management Plan of 1986, the Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah of 2015, the regulations at 43 CFR §2800, the Federal Land Policy and Management Act of 1976, as amended, and with current BLM policies, plans and programs.



Teresa J. Knutson, Manager
Stillwater Field Office
Carson City District Office



Date

1.7 APPEAL PROCEDURES

If you wish to appeal this decision, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Teresa J. Knutson, Stillwater Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NY 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal.

Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted.