

Comment Set B0018, cont.
The Nevada Hydro Company Inc

**REVISED "ADDITIONAL MITIGATION MEASURES"
LEAPS TRANSMISSION-ONLY ALTERNATIVE
(Continued)**

B0018-37 cont.

Number	Mitigation Measure
B-7i(LE) (Cont.)	<p>Mitigation for the loss of unoccupied designated critical habitat for the gnatcatcher on non-federal lands in San Diego County shall be implemented as follows. Permanent impacts to unoccupied designated critical habitat shall include off-site acquisition and preservation of designated critical habitat at a 2:1 ratio. Temporary impacts to unoccupied designated critical habitat shall include 1:1 on-site restoration.</p> <p>Any acquired coastal California gnatcatcher habitat shall be approved by the Lead Agencies and other agencies with jurisdiction over the project.</p> <p><u>Mitigation for the loss of California gnatcatcher occupied habitat on non-federal lands in Riverside County under the Riverside County MSHCP (or designated critical habitat for the toad) shall be implemented as follows. Permanent impacts to more than 10 percent to occupied habitat and/or designated critical habitat shall require a DBESP, or equivalent. If the loss is the least environmentally damaging alternative the impacts to occupied habitat or designated critical habitat shall include 1:1 on-site restoration.</u></p> <p>A Habitat Management Plan for any required, off-site mitigation shall be prepared by a biologist approved by the Lead Agencies and other agencies with jurisdiction over the project. The Habitat Management Plan must be approved in writing by the Lead Agencies and other agencies with jurisdiction over the project prior to the initiation of any activities which may impact (directly or indirectly) the coastal California gnatcatcher or its habitat. The Applicant shall work with the Lead Agencies and other agencies with jurisdiction over the project until a plan is approved by all. The Habitat Management Plan shall provide direction for the preservation and in-perpetuity management of all acquired coastal California gnatcatcher. The Habitat Management Plan shall include, but shall not be limited to: [1] Legal descriptions of all acquired coastal California gnatcatcher habitat approved by the Lead Agencies and other agencies with jurisdiction over the project. [2] Baseline biological data for all coastal California gnatcatcher habitat. [3] Designation of a land management entity approved by the Lead Agencies and other agencies with jurisdiction over the project to provide in-perpetuity management. [4] A Property Analysis Record prepared by the designated land management entity that explains the amount of funding required to implement the Habitat Management Plan. [5] Designation of responsible parties and their roles (e.g., provision of endowment by the Applicant to fund the Habitat Management Plan and implementation of the Habitat Management Plan by the designated land management entity). [6] Management specifications including, but not limited to, regular biological surveys to compare with baseline; exotic, non-native species control; fence/sign replacement or repair, public education; trash removal; and annual reports to Lead Agencies and other agencies with jurisdiction over the project.</p> <p>The Applicant shall provide compensation for the permanent loss of gnatcatcher critical habitat at a ratio of 2:1 through acquisition and preservation of gnatcatcher critical habitat or other habitat acceptable to USFWS. The Applicant shall also provide on-site restoration of all and temporary loss disturbance of critical habitat at a ratio of 1:1. The mitigation shall include off-site purchase and preservation of gnatcatcher critical habitat or other habitat acceptable to USFWS. The remainder of the mitigation shall be implemented as is applicable.</p>
B-8a(LE)	<p>Conduct pre-construction surveys and monitoring for breeding birds. All vegetation clearing, except tree trimming or removal, shall take place between September 16 and February 14 (i.e., outside of the general avian breeding season of February 15 through September 15). Tree removal or trimming shall take place between September 16 and December 31 (i.e., outside the raptor breeding season of January 1 through September 15). If project construction (not vegetation clearing or tree trimming/removal) cannot occur completely outside the general avian breeding season, then pre-construction surveys for bird species' nests shall be conducted by a qualified biologist within 300 feet of the construction zone no more than seven days prior to the initiation of construction that would occur between February 15 and September 15.</p> <p>If project construction (not vegetation clearing or tree trimming/removal) cannot occur completely outside the raptor breeding season, then pre-construction surveys for active raptor nests shall be conducted by a qualified biologist within 500 feet of the construction zone no more than seven days prior to the initiation of construction that would occur between January 1 and September 15.</p> <p>If no active nests are observed, construction may proceed. If active nests are found, work may proceed provided that construction activity is (1) located at least 500 feet from raptor nests, (2) located at least 160 to 250 feet from occupied burrowing owl burrows, (3) located at least 300 feet from all other bird nests, and (4) noise levels do not exceed 60 dB(A)hourly Leq at the edge of nesting territories as determined by a qualified biologist in coordination with a qualified acoustician.</p>

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Number	Mitigation Measure
B-8a(LE) (Cont.)	<p>In the case of raptors (except the burrowing owl), the noise level restriction stated above does not apply. Otherwise, if the noise meets or exceeds the 60 dB(A) Leq threshold, or if the biologist determines that the construction activities are disturbing nesting activities, the biologist shall have the authority to halt or <u>redirect</u> the construction and shall devise methods to reduce the noise and/or disturbance in the vicinity. This may include methods such as, but not limited to, turning off vehicle engines and other equipment whenever possible to reduce noise, installing a protective noise barrier between the nest site and the construction activities, and working in other areas until the young have fledged. If noise levels still exceed 60 dB(A) Leq hourly at the edge of nesting territories and/or a no-construction buffer cannot be maintained, construction shall be deferred in that area until the nestlings have fledged. All active nests shall be monitored on a weekly basis until the nestlings fledge. The qualified biologist shall be responsible for documenting the results of the surveys and the ongoing monitoring and for reporting these results to the Lead Agencies and other agencies with jurisdiction over the project.</p>
B-8b BIO-APM-27	<p>Removal of raptor nests. (1) Prior to construction, the Applicant shall remove all existing raptor nests from structures that would be affected by project construction. (2) Removal of nests shall occur outside the raptor breeding season (January to July). (3) If it is necessary to remove an existing raptor nest during the breeding season, a qualified biologist shall survey the nest prior to removal to determine if the nest is active. A nest would be considered active if it contains eggs or fledglings. If the nest does not contain eggs or nestlings and is inactive, it shall be removed promptly. If a nest is determined to be active, the nest shall not be removed and the biologist shall monitor the nest to ensure nesting activities/breeding activities are not disrupted. If the biological monitor determines that project activities are disturbing or disrupting nesting activities, the monitor shall make feasible recommendations to reduce the noise and/or disturbance in the vicinity of the nest. [BIO-APM-27]</p>
B-9a	<p>Survey for bat nursery colonies. A CDFG-approved biologist shall conduct a habitat assessment for bat nursery colonies prior to any construction activity. Then, the approved biologist shall conduct a survey for bat nursery colonies or signs of such colonies prior to construction. Direct impacts to a nursery colony site shall not be allowed, and approach of, or entrance to, an active nursery colony site shall be prohibited. Before any blasting or drilling in the vicinity of a nursery colony site, the CDFG-approved biologist shall work with the construction crew to devise and implement methods to minimize potential indirect impacts to the nursery colony site from falling rock or substantial vibration (while a nursery colony is active). The methods shall include an option to halt or <u>redirect</u> any construction activity that would cause falling rock, substantial vibration impacts, or any other construction-related impact to a nursery colony as determined by the approved biologist, until the colony is inactive. Should falling rock block the entrance to a nursery colony site, the contractor shall work with the approved biologist to re-open an entrance to the site.</p>
B-10a(LE) ²	<p>Utilize collision-reducing techniques in installation of transmission lines. The Applicant shall install the transmission lines utilizing Avian Power Line Interaction Committee standards for collision-reducing techniques as outlined in "Mitigating Bird Collisions with Power Lines: The State of the Art in 1994" (APLIC, 1994).</p> <p>Placement of towers and lines shall not be located above existing towers and lines, topographic features, or tree lines to the maximum extent practicable. Power lines should be clustered in the vertical and horizontal planes to the maximum degree feasible, aligned with existing geographic features or tree lines, and located parallel (rather than perpendicular) to prevailing wind patterns.</p> <p>Overhead lines that are located in highly utilized avian flight paths shall be marked utilizing fixed mount Firefly Flapper/Diverters, swan flight diverter coils, or other diversion devices, if proven more effective, as to be visible to birds and to reduce avian collision with power lines.</p> <p>Where such markers are installed, the Applicant shall fund a study to determine the effectiveness of the markers as a collision prevention measure since there are few, if any, studies that show if such markers work, especially on transmission lines. The Applicant shall develop a draft study protocol and submit it to the Lead Agencies and other agencies with jurisdiction over the project for review. The Applicant shall continue to work with these agencies until approval of a final study protocol is obtained. If the study shows the markers to be ineffective, the Applicant shall coordinate with the agencies with jurisdiction over the project to develop alternate collision protection measures.</p> <p>The Applicant shall implement an avian reporting system for documenting bird mortalities to help identify problem areas. The reporting system shall follow the format in Appendix C of "Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006" (APLIC, 2006) or a similar format. The Applicant shall submit a draft reporting protocol and reporting system to the Lead Agencies and other agencies with jurisdiction over the project for review and approval. The Applicant shall continue to work with these agencies until approval of a final reporting protocol and reporting system is obtained <u>from the Lead Agencies</u>. The Applicant shall develop and implement methods to reduce mortalities in identified problem areas. The methods shall be approved by the Lead Agencies and other agencies with jurisdiction over the project prior to implementation. Bird mortality shall continue to be documented in the problem areas per the avian reporting system to determine the effectiveness of the mortality reduction methods and to determine if new methods need to be developed.</p>

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Number	Mitigation Measure
B-10a(LE) (Cont.)	The area requiring markers for the new Valley-Serrano-Northern (Lake) and Northern-Southern (Lake-Pendleton or Lake-Case Springs) 500-kV transmission lines includes where the transmission line would cross Temescal Wash near Lee Lake, Cow Canyon, Horsethief Canyon, McVicker Canyon, Leach Canyon, Los Alamos Canyon, and Tenaja, and San Mateo Creeks.
B-12a(LE) ²	<p>Conduct maintenance activities outside the general avian breeding season. The Applicant shall educate all maintenance workers about the sensitivity of biological resources associated with the project and the necessity to avoid unauthorized impacts to them.</p> <p>In areas not cleared of vegetation in the prior two years, all vegetation clearing, except tree trimming or removal, shall take place between September 16 and February 14 (i.e., outside of the general avian breeding season of February 15 through September 15). Tree trimming or removal shall only take place between September 16 and December 31 (i.e., outside the raptor breeding season of January 1 through September 15).</p> <p>Other maintenance activities shall occur outside the general avian breeding season where feasible. For other maintenance activities that cannot occur outside the above-listed breeding seasons, a qualified biologist shall work with a qualified acoustician to determine if a maintenance activity would meet or exceed the 60 dB(A) Leq hourly noise threshold where nesting territories of the coastal California gnatcatcher, least Bell’s vireo, southwestern willow flycatcher, and burrowing owl occur. If the noise threshold would not be met or exceeded at the edge of their nesting territories, then maintenance may proceed. If the noise threshold would be met or exceeded at the edge of their nesting territories, pre-maintenance surveys for nests of these species shall be conducted by a qualified biologist (USFWS permitted biologist for gnatcatcher, vireo, and flycatcher) within 300 feet of the maintenance area no more than seven days prior to initiation of maintenance that would occur between February 15 and August 30 for the gnatcatcher, March 15 and September 15 for the vireo, April 15 and September 15 for the flycatcher, and February 1 and August 31 for the burrowing owl. If active nests are found, work may proceed provided that methods, determined by the qualified acoustician to be effective, are implemented to reduce noise below the threshold. These methods include, but are not limited to, turning off vehicle engines and other equipment whenever possible and/or installing a protective noise barrier between a nesting territory and maintenance activities. If the qualified acoustician determines that no methods would reduce noise to below the threshold, maintenance shall be deferred until the nestlings have fledged as determined the qualified biologist. Where noise-reducing methods are employed, active nests shall be monitored by the qualified biologist on a weekly basis until maintenance is complete or until the nestlings fledge, whichever comes first. The qualified biologist shall be responsible for documenting the results of the pre-maintenance nest surveys and the nest monitoring and for reporting these results to the Lead Agencies and other agencies with jurisdiction over the project.</p> <p>Animal Burrows/Dens. If any animal burrows or dens are identified during the pre-maintenance surveys for active bird nests, soil in a brush-clearing area shall be sufficiently dry before brush-clearing to prevent damage to burrows or dens. At any time of year where maintenance would occur in occupied SKR habitat, all equipment and vehicles shall remain on existing access roads/staging areas (e.g., they shall not pull off the shoulder) to prevent the crushing of SKR burrows.</p>
B-15a	Permanently close access roads along the transmission alignment. Monitor and manage the road closures to assure there is no public access to prevent an increase in disturbance to mountain lions and to prevent the introduction and spread of non-native plant species.
B-15b	Develop and implement an Invasive Weed Management Plan. Develop and implement a vegetation and invasive weed management plan to prevent and control noxious weeds and exotic plants of concern in project-affected areas during construction and over the term of any license issued for the project. The management plan shall include a pre-construction weed inventory; specific weed abatement methods, practices, and treatment timing; and long-term measures to control the introduction and spread of noxious weeds.
B-17a	Pay the Stephens’ kangaroo rat fee assessment per the current Riverside County rate. The Applicant shall provide funding for impacts to the SKR Fee Assessment Area.
V-2a	Reduce in-line views of land scars. Construct access or spur roads at appropriate angles from the originating, primary travel facilities to minimize extended, in-line views of newly graded terrain. Contour grading should be used where possible to better blend graded surfaces with existing terrain. The Applicant shall submit final construction plans demonstrating compliance with this measure to the Lead Agencies and other agencies with jurisdiction over the project for review and approval at least 60 days prior to the start of construction.

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Number	Mitigation Measure
V-2b	Reduce visual contrast from unnatural vegetation lines. In those areas where views of land scars are unavoidable, the boundaries of disturbed areas shall be aggressively revegetated to create a less distinct and more natural-appearing line to reduce visual contrast. Furthermore, all graded roads and areas not required for on-going operation, maintenance, or access shall be returned to pre-construction conditions. In those cases where potential public access is opened by construction routes, the Applicant shall create barriers or fences to prevent public access and patrol construction routes to prevent vandalized access and litter clean-up until all vegetation removed returns to its pre-project state. The Applicant shall submit final construction and restoration plans demonstrating compliance with this measure to the Lead Agencies and other agencies with jurisdiction over the project for review and approval at least 60 days prior to the start of construction.
V-2c	Reduce color contrast of land scars. For non-USDA Forest Service-administered land areas where views of land scars from sensitive public viewing locations are unavoidable, disturbed soils shall be treated with Eonite or similar treatments to reduce the visual contrast created by the lighter-colored disturbed soils with the darker vegetated surroundings (Eonite and Permeon are commercially available chemical treatments that “age” or oxidize rock and are used specifically for coloring concrete or rock surfaces to tone down glare and contrast and simulate naturally occurring desert varnish). The Applicant will consult with the Authorized Officer (as determined by the Lead Agencies as appropriate) on a site-by-site basis for the use of Eonite. The Applicant shall submit final construction and restoration plans demonstrating compliance with this measure to the Lead Agencies and other agencies with jurisdiction over the project for review and approval at least 60 days prior to the start of construction.
V-2d	Construction by helicopter. In those areas where long-term land-scarring and vegetation clearance impacts would be visible to sensitive public viewing locations, or where construction would occur on slopes over 15 percent, the Applicant will consult with the Authorized Officer and appropriate land management agency, on a site-by-site basis regarding the use of helicopter construction techniques and the prohibition of access and spur roads. Agency consultations must be conducted and approvals received at least 120 days prior to the start of construction.
V-3a ³	Reduce visual contrast of towers and conductors. The following design measures shall be applied to all new structure locations, conductors, and re-conductored spans, in order to reduce the degree of visual contrast caused by the new facilities: All new conductors and re-conductored spans are to be non-specular in design in order to reduce conductor visibility and visual contrast. No new access roads shall be constructed such that they directly approach existing or proposed towers in a straight line from locations immediately downhill of the structures.
V-7a	Reduce visual contrast associated with ancillary facilities. The Applicant shall submit to Lead Agencies a Surface Treatment Plan describing the application of colors and textures to all new facility structures, buildings, walls, fences, and components comprising all ancillary facilities including substations. The Surface Treatment Plan must reduce glare and minimize visual intrusion and contrast by blending the facilities with the landscape. The [Surface] Treatment Plan shall be submitted to Lead Agencies for approval at least 90 days prior to (a) ordering the first structures that are to be color treated during manufacture, or (b) construction of any of the ancillary facility component, whichever comes first. If the Lead Agencies notify the Applicant that revisions to the [Surface Treatment] Plan are needed before the [Surface Treatment] Plan can be approved, within 30 days of receiving that notification, the Applicant shall prepare and submit for review and approval a revised [Surface Treatment] Plan. The Surface Treatment Plan shall include: [1] Specification, and 11” x 17” color simulations at life size scale, of the treatment proposed for use on project structures, including structures treated during manufacture. [2] A list of each major project structure, building, tower and/or pole, and fencing specifying the color(s) and finish proposed for each (colors must be identified by name and by vendor brand or a universal designation). [3] Two sets of brochures and/or color chips for each proposed color. [4] A detailed schedule for completion of the treatment. [5] A procedure to ensure proper treatment maintenance for the life of the project. The Applicant shall not specify to the vendors the treatment of any buildings or structures treated during manufacture, or perform the final treatment on any buildings or structures treated onsite, until the Applicant receives notification of approval of the [Surface] Treatment Plan by the Lead Agencies. Within 30 days following the start of commercial operation, the Applicant shall notify the Lead Agencies that all buildings and structures are ready for inspection.
L-1a	Prepare Construction Notification Plan. Forty-five days prior to construction, the Applicant shall prepare and submit a Construction Notification Plan to the Lead Agencies for approval. The [Construction Notification] Plan shall identify the procedures the Applicant will use to inform property and business owners of the location and duration of construction, identify approvals that are needed prior to posting or publication of construction notices, and include text of proposed public notices and advertisements. The plan shall address at a minimum the following components:

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B0018-37 cont.

Number	Mitigation Measure
L-1a (Cont.)	<p>Public notice mailer. A public notice mailer shall be prepared and mailed no less than 15 days prior to construction. The notice shall identify construction activities that would restrict, block, remove parking, or require a detour to access existing residential properties, retail and commercial businesses, wilderness and recreation facilities, and public facilities (e.g., schools and memorial parks). The notice shall state the type of construction activities that will be conducted, and the location and duration of construction. The Applicant shall mail the notice to all residents or property owners within 1,000 feet of the right-of-way, any property owners or tenants that could be impacted by construction activities and specific public agencies with facilities that could be impacted by construction. If construction delays of more than seven days occur, an additional notice shall be prepared and distributed.</p> <p>Newspaper advertisements. Fifteen days prior to construction, within a route segment, notices shall be placed in local newspapers and bulletins, including Spanish language newspapers and bulletins. The notice shall state when and where construction will occur and provide information on the public liaison person and hotline identified below. If construction is delayed for more than seven days, an additional round of newspaper notices shall be placed to discuss the status and schedule of construction.</p> <p>Public venue notices. Thirty days prior to construction, notice of construction shall be posted at public venues such as trail crossings, rest stops, resource management offices, and other public venues to inform residents and visitors to the purpose and schedule of construction activities. For public trail closures, the Applicant shall post information on the trail detour at applicable resource management offices and post the notice on the trail within two miles of the detour. For recreation facilities, the notice shall be posted along the access routes to known recreational destinations that would be restricted, blocked, or detoured and shall provide information on alternative recreation areas that may be used during the closure of these facilities.</p> <p>Public liaison person and toll-free information hotline. The Applicant shall identify and provide a public liaison person before and during construction to respond to concerns of neighboring property owners about noise, dust, and other construction disturbance. Procedures for reaching the public liaison officer via telephone or in person shall be included in notices distributed to the public. The Applicant shall also establish a toll-free telephone number for receiving questions or complaints during construction and shall develop procedures for responding to callers. Procedures for handling and responding to calls shall be addressed in the Construction Notification Plan.</p>
L-1d APM LU-1	<p>Provide advance notice and appoint public affairs officer. The Applicant will provide advance notice to residents, property owners, and tenants within 300 feet of construction activities and will appoint a public affairs officer to address public concerns or questions. [APM LU-1]</p>
L-1e APM LU-4	<p>Notify property owners and provide access. To facilitate access to properties obstructed by construction activities, the Applicant will notify property owners and tenants in advance of construction activities. The Applicant will provide alternative access if feasible. [APM LU-4]</p>
L-1f APM LU-6	<p>Flag ROW boundary and environmentally sensitive areas. The limits of construction within the ROW will typically be predetermined, with activity restricted to and confined within those limits. The ROW boundary and limits of construction activity will be flagged in environmentally sensitive areas to alert construction personnel that disturbance to those areas will be minimized or avoided. [APM LU-6]</p>
L-1h	<p>Consult with Department of the Navy. During construction and operation of the project transmission line upgrade, the Applicant shall consult with the Department of the Navy to ensure that construction activities do not interfere with military activities at MCB Camp Pendleton.</p>
AG-1a	<p>Avoid interference with agricultural operations. The Applicant shall coordinate with property owners and tenants to ensure that project construction will be conducted so as to avoid or minimize interference with agricultural operations. Agricultural operations include, but are not limited to, the use of farm vehicles and equipment, access to property, water delivery, drainage, and irrigation.</p>
AG -1c	<p>Coordinate with grazing operators. The Applicant shall coordinate with grazing operators to ensure that agricultural productivity and animal welfare are maintained both during and after construction to the maximum extent feasible. Coordination efforts will address issues including, but not necessarily limited to: [1] Interference with access to water (e.g., provide alternate methods for livestock access to water), [2] Impairment of cattle movements (e.g., provide alternate routes; reconfigure fencing/gates), [3] Removal and replacement of fencing (e.g., during construction install temporary fencing/barriers, as appropriate, and following construction restore equal or better fencing to that which was removed or damaged), [4] Impacts to facilities such as corrals and watering structures, as well as related effects such as ingress/egress, and management activities (e.g., replacement of damaged/removed facilities in kind; provide alternate access).</p>

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**REVISED "ADDITIONAL MITIGATION MEASURES"
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B0018-37 cont.

Number	Mitigation Measure
C-1a	<p>Inventory and evaluate cultural resources in Final APE. Prior to construction and all other surface disturbing activities, the Applicant shall have conducted and submitted for approval by the Lead Agencies an inventory of cultural resources within the project's final Areas of Potential Effect. This survey will supplement inventories conducted for the <u>Sunrise EIS/EIR and FERC FEIS</u> and shall satisfy Section 106 requirements for inventory of historic properties within all Areas of Potential Effect. The nature and extent of this inventory shall be determined by the Lead Agencies in consultation with the appropriate State Historic Preservation Officer (SHPO) and other land-managing agencies and shall be based upon project engineering specifications and in accordance with the Secretary of the Interior's Standards and Guidelines (Secretary's Standards) (36 CFR 61).</p> <p>A report documenting results of this inventory shall be filed with appropriate State repositories and local governments. As part of the inventory report, the Applicant shall evaluate the significance of all potentially affected cultural resources on the basis of surface observations. Evaluations shall be conducted by professionals meeting the Secretary's Standards and in accordance with those Standards, to provide recommendations with regard to their eligibility for the NRHP, CRHR, or local registers. Preliminary determinations of NRHP eligibility will be made by the Lead Agencies, in consultation with other appropriate agencies and local governments, and the SHPO.</p> <p>As part of the inventory, the Applicant shall conduct field surveys of sufficient nature and extent to identify cultural resources that would be affected by tower pad construction, reconductoring activities, trenching for underground transmission lines, access road installation, and transmission line construction and operation. At a minimum, field surveys shall be conducted along newly proposed access roads, new construction yards, new tower sites, and any other projected areas of potential ground disturbance outside of the previously surveyed potential impact areas. Site-specific field surveys also shall be undertaken at all projected areas of impact within the previously surveyed corridor that coincide with previously recorded resource locations. The selected right-of-way and tower locations shall be staked prior to the cultural resource field surveys.</p>
C-1b	<p>Avoid and protect potentially significant resources. Where operationally feasible, regardless of cost, potentially register-eligible resources shall be protected from direct project impacts by project redesign; complete avoidance of impacts to such resources shall be the preferred protection strategy. On the basis of preliminary National Register of Historic Places (NRHP) eligibility assessments (Mitigation Measure C-1a) or previous determinations of resource eligibility, the Lead Agencies, in consultation with the SHPO, may require the relocation of the line, ancillary facilities, or temporary facilities or work areas, if any, where relocation would avoid or reduce damage to cultural resource values.</p> <p>Where the Lead Agencies decide that potentially NRHP- and/or CRHR-eligible cultural resources cannot be protected from direct impacts by project redesign, the Applicant shall undertake additional studies to evaluate the resources' NRHP- and/or CRHR-eligibility and to recommend further mitigative treatment. The nature and extent of this evaluation shall be determined by the Lead Agencies and the SHPO and shall be based upon final project engineering specifications. Evaluations will be based on surface remains, subsurface testing, archival and ethnographic resources, and in the framework of the historic context and important research questions of the project area. Results of those evaluation studies and recommendations for mitigation of project effects shall be incorporated into a Historic Properties Treatment Plan consistent with Mitigation Measure C-1c (Develop and implement Historic Properties Treatment Plan).</p> <p>All potentially NRHP- and/or CRHR-eligible resources (as determined by the Lead Agencies, in consultation with the SHPO) that will not be affected by direct impacts, but are within 50 feet of direct impact areas, will be designated as Environmentally Sensitive Areas (ESAs) to ensure that construction activities do not encroach on site peripheries. Protective fencing, or other markers (after approval by the Lead Agencies), shall be erected and maintained to protect ESAs from inadvertent trespass for the duration of construction in the vicinity. ESAs shall not be identified specifically as cultural resources. A monitoring program shall be developed as part of a Historic Properties Treatment Plan and implemented by the Applicant to ensure the effectiveness of ESA protection (as detailed in Mitigation Measure C-1e).</p>
C-1c	<p>Develop and implement Historic Properties Treatment Plan. Upon approval of the inventory report and the National Register of Historic Places (NRHP)-eligibility and CRHR-eligibility evaluations consistent with Mitigation Measures C-1a (Inventory and evaluate cultural resources in Final APE) and C-1b (Avoid and protect potentially significant resources), the Applicant shall prepare and submit for approval a Historic Properties Treatment Plan (HPTP) for register-eligible cultural resources to avoid or mitigate identified potential impacts. Treatment of cultural resources shall follow the procedures established by the Advisory Council on Historic Preservation for compliance with Section 106 of the National Historic Preservation Act and other appropriate State and local regulations, as explicated in Section D.7.8 of the <u>Sunrise DEIR/DEIS</u>. Avoidance, recordation, and data recovery will be used as mitigation alternatives; avoidance and protection shall be the preferred strategy. The HPTP shall be submitted to the Lead Agencies for review and approval.</p>

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Number	Mitigation Measure
C-1c (Cont.)	<p>As part of the HPTP, the Applicant shall prepare a research design and a scope of work for evaluation of cultural resources and for data recovery or additional treatment of NRHP- and/or CRHR-eligible sites that cannot be avoided. Data recovery on most resources would consist of sample excavation and/or surface artifact collection, and site documentation. A possible exception would be a site where burials, cremations, or sacred features are discovered that cannot be avoided (see Mitigation Measure C-2). The HPTP shall define and map all known NRHP- and/or CRHR-eligible properties in or within 50 feet of all project APEs and shall identify the cultural values that contribute to their NRHP- and/or CRHR-eligibility. The HPTP shall also detail how NRHP- and/or CRHR-eligible properties will be marked and protected as ESAs (in accordance with Mitigation Measure C-1b) during construction.</p> <p>The HPTP shall also define any additional areas that are considered to be of high-sensitivity for discovery of buried register-eligible cultural resources, including burials, cremations, or sacred features. This sensitivity evaluation shall be conducted by an archaeologist who meets the Secretary’s Standards and who takes into account geomorphic setting and surrounding distributions of archaeological deposits. The HPTP shall detail provisions for monitoring construction in these high-sensitivity areas for proper implementation of Mitigation Measures C-1e and C-3a. It shall also detail procedures for halting [or redirecting] construction, making appropriate notifications to agencies, officials, and Native Americans, and assessing register-eligibility in the event that unknown cultural resources are discovered during construction. For all unanticipated cultural resource discoveries, the HPTP shall detail the methods, consultation procedures, and timelines for assessing register-eligibility, formulating a mitigation plan, and implementing treatment. Mitigation and treatment plans for unanticipated discoveries shall be approved by the Lead Agencies, other appropriate agencies and local governments, appropriate Native Americans, and the SHPO prior to implementation.</p> <p>The HPTP shall also identify all historic built environment resources (structures, roads, dams, etc.) that would be affected indirectly by visual intrusion of the project on qualities that contribute to their register eligibility. Although the current analysis has assessed the potential for indirect visual impacts to previously recorded historic built environment resources within 0.5 miles of the project, the HPTP shall include an identification effort focused on identifying any such resources that may not have been previously recorded. The scope of this identification effort shall be in accordance with 36 CFR 800, which requires a reasonable effort to identify potentially NRHP-eligible resources that would be adversely affected by indirect project impacts. The HPTP shall also detail the treatment for each affected resource that will minimize those long-term visual impacts (as detailed in Mitigation Measure C-6a).</p> <p>The HPTP shall include provisions for analysis of data in a regional context, reporting of results within one year of completion of field studies, curation of artifacts (except from private land) and data (maps, field notes, archival materials, recordings, reports, photographs, and analysts’ data) at a facility that is approved by the Lead Agencies, and dissemination of reports to local and State repositories, libraries, and interested professionals. The Lead Agencies will retain ownership of artifacts collected from the Lead Agencies’ managed lands. The Applicant shall attempt to gain permission for artifacts from privately held land to be curated with the other project collections. The HPTP shall specify that archaeologists and other discipline specialists conducting the studies meet the Secretary’s Standards (per 36 CFR 61).</p>
C-1d	<p>Conduct data recovery to reduce adverse effects. If NRHP- and/or CRHR-eligible resources, as determined by the Lead Agencies and SHPO, cannot be protected from direct impacts of the project, data-recovery investigations shall be conducted by the Applicant to reduce adverse effects to the characteristics of each property that contribute to its NRHP- and/or CRHR-eligibility. For sites eligible under Criterion (d), significant data would be recovered through excavation and analysis. For properties eligible under Criteria (a), (b), or (c), data recovery may include historical documentation, photography, collection of oral histories, architectural or engineering documentation, preparation of a scholarly work, or some form of public awareness or interpretation. Data gathered during the evaluation phase studies and the research design element of the Historic Properties Treatment Plan (HPTP) shall guide plans and data thresholds for data recovery; treatment will be based on the resource’s research potential beyond that realized during resource recordation and evaluation studies.</p> <p>If data recovery is necessary, sampling for data-recovery excavations will follow standard statistical sampling methods, but sampling will be confined, as much as possible, to the direct impact area. Data-recovery methods, sample sizes, and procedures shall be detailed in the HPTP consistent with Mitigation Measure C-1c (Develop and implement Historic Properties Treatment Plan) and implemented by the Applicant only after approval by the Lead Agencies.</p> <p>Following any field investigations required for data recovery, the Applicant shall document the field studies and findings, including an assessment of whether adequate data were recovered to reduce adverse project effects, in a brief field closure report. The field closure report shall be submitted to the Lead Agencies for their review and approval, as well as to appropriate State repositories, local governments, and other appropriate agencies. Construction work within 100 feet of cultural resources that require data-recovery fieldwork shall not begin until authorized by the Lead Agencies, as appropriate, to ensure that impacts to known significant archaeological deposits are adequately mitigated.</p>

Comment Set B0018, cont.
The Nevada Hydro Company Inc

REVISED "ADDITIONAL MITIGATION MEASURES"
LEAPS TRANSMISSION-ONLY ALTERNATIVE
(Continued)

B0018-37 cont.

Number	Mitigation Measure
C-1e	<p>Monitor construction. The Applicant shall implement full-time archaeological monitoring by a professional archaeologist during ground-disturbing activities at all cultural resource Environmentally Sensitive Areas (ESAs). These locations and their protection boundaries shall be defined and mapped in the HPTP.</p> <p>Archaeological monitoring shall be conducted by a qualified archaeologist familiar with the types of historical and prehistoric resources that could be encountered within the project, and under direct supervision of a principal archaeologist. The qualifications of the principal archaeologist and archaeological monitors shall be approved by the Lead Agencies.</p> <p>A Native American monitor may be required at culturally sensitive locations specified by the Lead Agencies following government-to-government consultation with Native American tribes. The monitoring plan in the HPTP shall indicate the locations where Native American monitors will be required and shall specify the tribal affiliation of the required Native American monitor for each location. The Applicant shall retain and schedule any required Native American monitors.</p> <p>Compliance with and effectiveness of any cultural resources monitoring required by an HPTP shall be documented by the Applicant in a monthly report to be submitted to the Lead Agencies for the duration of project construction. In the event that cultural resources are not properly protected by ESAs, all project work in the immediate vicinity shall be diverted to a buffer distance determined by the archaeological monitor until authorization to resume work has been granted by the Lead Agencies.</p> <p>The Applicant shall notify the Lead Agencies of any damage to cultural resource ESAs. If such damage occurs, the Applicant shall consult with the Lead Agencies to mitigate damages and to increase effectiveness of ESAs. At the discretion of the Lead Agencies, such mitigation may include, but not be limited to, modification of protective measures, refinement of monitoring protocols, data-recovery investigations, or payment of compensatory damages in the form of non-destructive cultural resources studies or protection within or outside the license area, at the discretion of the Lead Agencies.</p>
C-1f	<p>Train construction personnel. All construction personnel shall be trained regarding the recognition of possible buried cultural remains and protection of all cultural resources, including prehistoric and historic resources during construction, prior to the initiation of construction or ground-disturbing activities. The Applicant shall complete training for all construction personnel and retain documentation showing when training of personnel was completed. Training shall inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Training shall inform all construction personnel that Environmentally Sensitive Areas (ESAs) must be avoided and that travel and construction activity must be confined to designated roads and areas. All personnel shall be instructed that unauthorized collection or disturbance of artifacts or other cultural materials on or off the right-of-way by the Applicant, his representatives, or employees will not be allowed. Violators will be subject to prosecution under the appropriate State and federal laws and violations will be grounds for removal from the project. Unauthorized resource collection or disturbance may constitute grounds for the issuance of a stop work order.</p> <p>The following issues shall be addressed in training or in preparation for construction: [1] All construction contracts shall require construction personnel to attend training so they are aware of the potential for inadvertently exposing buried archaeological deposits, their responsibility to avoid and protect all cultural resources, and the penalties for collection, vandalism, or inadvertent destruction of cultural resources. [2] The Applicant shall provide training for supervisory construction personnel describing the potential for exposing cultural resources, the location of any potential ESA, and procedures and notifications required in the event of discoveries by project personnel or archaeological monitors. Supervisors shall also be briefed on the consequences of intentional or inadvertent damage to cultural resources. Supervisory personnel shall enforce restrictions on collection or disturbance of artifacts or other cultural resources.</p>
C-2a	<p>Properly treat human remains. All locations of known Native American human remains shall be avoided through project design and shall be protected by designation as ESAs. If the approved project route will affect sites known to contain human remains that cannot be avoided in their entirety during construction, the Applicant shall contact the California Native American Heritage Commission (NAHC). The NAHC will identify the Most Likely Descendant (MLD), within 48 hours, who will specify the preferred course of treatment in the event that additional human remains are discovered. The Applicant shall also contact the Lead Agencies and any additional land management agencies if the site is located on public lands administered by a State or federal agency other than the Lead Agencies. The Applicant shall follow all State and federal laws, statutes, and regulations that govern the treatment of human remains (see Section D.7.7). The Applicant shall assist and support the Lead Agencies in all required government-to-government consultations with Native Americans and appropriate agencies and commissions, as requested by the Lead Agencies. The Applicant shall comply with and implement all required actions and studies that result from such consultations.</p>