



May 19, 2011

Breanne Potter
Assistant Commission Secretary
PUBLIC UTILITIES COMMISSION OF NEVADA
1150 East William Street
Carson City, Nevada 89701-3109

Re: Docket No. 09-06015 – Application of Nevada Power Company and Sierra Pacific Power Company d/b/a NV Energy for UEPA Permit to Construct the ON Line Project – Fourth Submission of Permits and Request for Issuance of Permit to Construct for Two Segments of Phase 2

Dear Ms. Potter:

On February 23, 2011, the Commission a compliance order approving Phase 2 of this Application (the “Phase 2 Compliance Order”) for a Permit to Construct for NV Energy’s One Nevada Transmission Line (“ON Line”) Project. NV Energy hereby requests that the Commission accept for filing the enclosed Right of Way Grants and Notice to Proceed issued by the U.S. Bureau of Land Management (“BLM”) for two of the three segments of Phase 2.

NV Energy also requests that the Commission issue a Permit to Construct for those two segments of Phase 2.

Background

In this proceeding, the Commission addressed NV Energy’s request for a Permit to Construct ON Line in three separate phases:

- (1) Phase 1: The installation of 345 kilovolt (“kV”) series compensation and appurtenant electrical facilities to expand Sierra Pacific’s existing Falcon Substation, located on private property, in Eureka County;
- (2) Phase 2: Three segments make up Phase 2 - (a) construction of the new 80-acre 500/345 kV Robinson Summit Substation and an upgraded access road; (b) a 4.5 mile 345 kV transmission and associated fiber optic line interconnection loop north to the 345 kV Falcon-Gonder Transmission Line; and (c) a 1.5 mile 500 kV transmission and associated fiber optic line from Robinson Summit Substation east to the 500kV transmission line alignment of Great Basin Transmission LLC; and
- (3) Phase 3: A new single-circuit 500 kV transmission and associated fiber optic line, approximately 235 miles long, from Robinson Summit through White Pine, Lincoln, Nye and Clark Counties to the Harry Allen 500 kV Substation, as well as new and improved

access roads, and relays, circuits and appurtenant equipment at the Harry Allen Substation.

With respect to Phase 2, BLM has now issued separate right-of-way grants for Segment (a) (the Robinson Summit Substation and related access road upgrade) and Segment (b) (the 4.5 mile 345 kV transmission line) and a single Notice to Proceed for both Segment (a) and Segment (b). BLM has not yet issued a right-of-way grant and Notice to Proceed for Segment (c) (the 1.5 mile 500 kV transmission line).

Pursuant to Ordering Paragraph 1 of the Phase 2 Compliance Order, NV Energy must submit the following compliance items to the Commission in order for the Commission to issue a Permit to Construct the Phase 2 facilities:

- (a) U.S. Bureau of Land Management (“BLM”) Record of Decision;
- (b) BLM Right of Way Grant;
- (c) BLM Notice to Proceed with Construction;
- (d) Surface Area Disturbance Permit approving the Dust Control Plan from the Nevada Division of Environmental Protection, Bureau of Air Pollution Control;
- (e) Stormwater General Permit from the Nevada Division of Environmental Protection, Bureau of Water Pollution Control;
- (f) Written verification from the Utilities that they have completed and will maintain at their site location upon commencement of construction the Stormwater Pollution Prevention Plan required for compliance with the Stormwater General Permit (NVR100000);
- (g) Special Use Permit issued by White Pine County; and
- (h) Encroachment Permits for Highway Crossing from the Nevada Department of Transportation.

On February 22, 2011, NV Energy filed Compliance Items 1(d), 1(e), 1(f) and 1(g) with the Commission.

On February 28, 2011, NV Energy filed Compliance Item 1(h) with the Commission.

On March 9, 2011, NV Energy filed Compliance Item 1(a), the Record of Decision of the BLM for Phase 2.

Request for Issuance of Permit to Construct for Two Segments of Phase 2

Compliance Items 1(b) and 1(c) are attached for Segments (a) and (b) of Phase 2. Accordingly, all required compliance items necessary for the issuance of a Permit to Construct for Segments (a) and (b) of Phase 2 have now been submitted to the Commission.

With the submission of all compliance items for Segments (a) and (b) of Phase 2 now complete, NV Energy requests that the Commission issue a Permit to Construct for these two segments.

The Phase 2 Compliance Order provides that upon Staff's verification of the completion of the compliance items, the Commission will issue a Permit to Construct with the following detailed description:

In White Pine County, the new 80-acre 500/345 kilovolt Robinson Summit Substation, along with an upgraded access road, the 4.5 mile 345 kilovolt transmission line interconnection loop north to the 345 kilovolt Falcon-Gonder Transmission Line, and a 1.5 mile 500 kilovolt transmission line from Robinson Summit Substation to GBT-South's 500 kilovolt transmission line alignment.

NV Energy realizes that this request is for the Commission to issue a Permit to Construct for only two of the three segments of Phase 2, and that to do so will require that the detailed description for this initial Permit to Construct differ from the detailed description issued for the entirety of Phase 2. We appreciate the Commission's consideration of this request. NV Energy makes this request because of the need to have the contractor initiate construction on Segments (a) and (b) now. Were NV Energy to delay the initiation of work on Segments (a) and (b) until it receives the BLM right-of-way grant and Notice to Proceed for Segment (c), delay damages will accrue under the construction contract the cost of which would be assessed to the ON Line Project.

NV Energy believes that the detailed description provided in the Phase 2 Compliance Order can be appropriately modified for the Permit to Construct for Segments (a) and (b) of Phase 2, by omitting the language regarding the 1.5 mile segment. With that modification and the insertion of the word "and" in the second line, the detailed description for the Permit to Construct would read:

In White Pine County, the new 80-acre 500/345 kilovolt Robinson Summit Substation, along with an upgraded access road, and the 4.5 mile 345 kilovolt transmission line interconnection loop north to the 345 kilovolt Falcon-Gonder Transmission Line.

Please contact me if you have any questions about this submission and request for issuance of Permit to Construct.

Very truly yours,

/s/ Christopher A. Hilen /s/
Christopher A. Hilen
Associate General Counsel

Enclosures

cc: Service List Docket 09-06015
Mark Harris, ARRA Electrical Engineer



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Ely District Office
HC33 Box 33500 (702 N. Industrial Way)
Ely, Nevada 89301-9408

http://www.blm.gov/nv/st/en/fo/ely_field_office.html

APR 29 2011

In Reply Refer To:
2850 (NVL0100)
N-89507, N-89508

CERTIFIED MAIL #7010 0780 0000 5766 7084-RETURN RECEIPT REQUESTED

DECISION

Sierra Pacific Power	:	FLPMA Title V
Attn: Matt Gingerich	:	Substation and
P.O. Box 10100	:	Transmission Line
Mailstop S4B20	:	Right-of-Way
Reno, NV 89520	:	

RIGHTS-OF-WAY GRANTS ISSUED

Enclosed are your copies of right-of-way (ROW) grant N-89507; for the Robinson Summit Substation, telecommunications, access roads, and appurtenant facilities, and right-of-way grant N-89508; for two 4-mile 345kV transmission and fiber optic lines to the Robinson Summit Substation across public land near Robinson Summit, west of Ely, Nevada.

Please be aware that you may not conduct any activities related to your Right-of-Way project on public land until you have received a notice to proceed, from this office.

Cost recovery and rental fees have been received.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842.1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt 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 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named on this decision and to the Interior Board of Land Appeals and to the appropriate Office of the

Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall 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 appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions please contact Stephanie Trujillo at (775) 289-1831, or strujill@blm.gov.



For Rosemary Thomas
District Manager
Ely District Office

Enclosures

cc: Paul Aguirre
NV Energy
P.O. Box 98910 MS 30
Las Vegas, NV 89151

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER NV-89507



-
1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).
 2. Nature of Interest:
 - a. By this instrument, the holder:

Sierra Pacific Power Company
Attn: Mr. Mathew Gingerich
P.O. Box 10100
Mailstop S4B20
Reno, NV 89520

receives a right to construct, operate, maintain, and terminate a substation, known as the Robinson Summit Substation with telecommunication and appurtenant facilities, and an access road on public lands, described in Exhibit A.
 - b. The long term right-of-way or permit area granted herein is 60 acres for the substation and 15 acres for the access road, containing 75 acres. The short term right-of-way is a 200 foot buffer adjacent to the long term right-of-way and contains 45 acres.
 - c. This substation right-of-way shall terminate 50 years from its effective date and the short term right-of-way shall terminate 5 years from its effective date unless, prior thereto, they are relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
 - d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

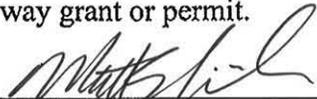
3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit B, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.


(Signature of Holder)

MANAGER LAND OPS
(Title)

4/6/11
(Date)


(Signature of Authorized Officer)

~~FM Egan Field Office~~ ADM
(Title)

4/29/2011
(Effective Date of Grant)

EXHIBIT - A
Sierra Pacific Power Company
Access Road and Substation
N-89507
LEGAL DESCRIPTION

Township	Range	Meridian	Section	Subdivision	Acres/Length
T. 17 N.	R. 60 E.,	MDM	Sec. 3	Lot 4, SW ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄	
			Sec. 10	NW ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄	
			Sec. 11	SW ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄ ,	
			Sec. 12	SW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄	
			Sec. 14	NW ¹ / ₄ NW ¹ / ₄	
			Sec. 15	NE ¹ / ₄ NE ¹ / ₄ , NW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄	
T. 18 N.	R. 60 E.	MDM	Sec 21	NE NE	
			Sec 22	NW NW , SWNW, NWSW, SWSW	
			Sec 27	NWNW, SWNW, NWSW, SWSW	
			Sec 34	NWNW, SWNW, NWSW, SWSW, SESW	

Substation: 60 acres
Access Roads: 15 acres
Total Acres: 75 acres long term
45 acres short term

The short term (construction) right-of-way is an additional 200 ft buffer around the long term right-of-way.

Total Acres: 120

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER NV-89508



-
1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

 2. Nature of Interest:
 - a. By this instrument, the holder:

Sierra Pacific Power Company
Attn: Mr. Mathew Gingerich
P.O. Box 10100
Mailstop S4B20
Reno, NV 89520

receives a right to construct, operate, and maintain a 345 kV Interconnection consisting of two single circuit Electric Transmission Lines and a fiber optic line associated with the Robinson Summit Substation for the On Line project.

 - b. The right-of-way or permit area granted herein vary and are legally described in Exhibit A.

 - c. This instrument shall terminate 50 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

 - d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

 - e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

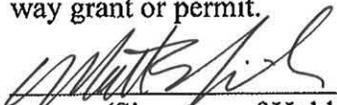
3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit B, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.



(Signature of Holder)

MANAGER LAND OPS

(Title)

4/6/11

(Date)



(Signature of Authorized Officer)

~~FM Egan Field Office~~ ADM

(Title)

4/29/2011

(Effective Date of Grant)

EXHIBIT - A
 Sierra Pacific Power Company
 345 kV Transmission & Fiber Optic Interconnection Lines
 N-89508
LEGAL DESCRIPTION

Township	Range	Meridian	Section	Subdivision	Acres/Length
T. 17 N.	R. 60 E.,	MDM	Sec. 1	SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	
			Sec. 12	NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$	
T. 17 N.	R. 61 E.,	MDM	Sec. 6	Lot 3,4, SW $\frac{1}{4}$ NW $\frac{1}{4}$	
T. 18 N.	R. 61 E.,	MDM	Sec. 19	NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			Sec. 30	NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			Sec. 31	Lot 4, 5, 8, 9, 12, 13 NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$	

Length: 3.75 miles
Width: 360 ft

Length: .25 miles
Width: 560 ft

Total Acres: 181

ON LINE

EXHIBIT B
STIPULATIONS
N-89507, N-89508

1. Hereinafter, holder means any party granted this right-of-way and/or temporary use permit, its agents, contractors, representatives, or other persons directed by holder to construct, maintain, repair, restore, relinquish, abandon, modify, rehabilitate, or terminate this right-of-way, and holder's successors, or assigns.
2. This grant is subject to all valid rights existing on the effective date of this grant.
3. There is reserved to the authorized officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant, and such grants shall be subject to all valid rights associated with this grant.
4. The holder shall maintain the right-of-way in a sanitary condition at all times during construction, maintenance or other operations during the term of this right-of-way. Any waste material, to include all discarded matter, will be disposed of promptly at a State of Nevada approved sanitary landfill site by the holder. "Waste" means all discarded matter including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
5. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 U.S.C. 2601 et. seq. (1982) with regards to any toxic substances that are used, generated by, or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
6. The holder of the Right-of-Way agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 6901, et. seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent.
7. Any relocation, additional construction, or use that is not in accord with the right-of-way grant, shall not be initiated without prior written approval of the authorized officer.
8. The holder shall conduct all activities directly or indirectly associated with the construction, maintenance, operation, and termination of the right-of-way within the authorized limits of the right-of-way except as otherwise specified in the approved Construction, Operation and Maintenance (COM) Plan or other written approval of the Authorized Officer.

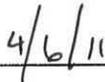
9. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
10. The holder shall be fully liable to the United States for any damage or injury incurred by the United States in connection with the use and occupancy of the right-of-way area by the holder. The holder shall fully indemnify the United States for liability, damage, or claims arising in connection with the holder's use and occupancy of the right-of-way area.
11. No less than 60 days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. The inspection will be held to agree to an acceptable termination (and rehabilitation) plan. The authorized officer must approve the plan in writing prior to the holder commencing any termination activities.
12. The holder shall comply with the provision of Title VI of the Civil Rights Act of 1964, and will not engage in any discriminatory actions prohibited by 43 CFR Part 17, to the end that no person in the United States shall, on the grounds of race, color, national origin, or gender, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under the program for which the holder has received a Federal authorization.
13. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
14. Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation and maintenance phases of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
15. To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities; for emergency fire suppression; or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axles, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs will be swept out and refuse will be disposed of in waste receptacles. Cleaning sites will be recorded using global positioning systems or other mutually acceptable equipment and provided to the District Office Weed Coordinator or designated contact person.

16. Removal and disturbance of vegetation would be kept to a minimum through construction site management (e.g. using previously disturbed areas and existing easements, limiting equipment/materials storage and staging area sites, etc.)
17. Mixing of herbicides and rinsing of herbicide containers and spray equipment would be conducted only in areas that are safe distance from environmentally sensitive areas and points of entry to bodies of water (storm drains, irrigation ditches, streams, lakes, or wells).
18. Methods used to accomplish weed and insect control objectives would consider seasonal distribution of large wildlife species.
19. No noxious weeds will be allowed on the site at the time of reclamation release. Any noxious weeds that become established will be controlled.
20. Land disturbing construction and vegetation clearing activities will be scheduled outside of the migratory bird breeding season (March 15 through July 30 -- in upland desert habitats and ephemeral washes containing upland species and March 1 through August 30 -- riparian and higher elevation areas). Where construction is required during the breeding season, the area impacted will be surveyed for nests prior to construction. If no nests are found, construction could proceed. Project area surveys will be done to ensure 100 percent coverage. Methods will be selected based on the plant community and/or topography. Field notes and reports will thoroughly describe methodology and rationale for use and archived.
21. If active migratory bird nests (i.e., containing eggs or young, or a mated pair is observed exhibiting territorial defense, carrying nesting materials, and/or transporting food) are encountered during the surveys, land disturbing construction activities will be avoided while the birds are allowed to fledge. An appropriate construction avoidance buffer area, to be determined for the species and in conjunction with the USFWS and BLM, will apply to all active nests for migratory bird species.
22. Gaps or narrow open hollow spaces in the proposed facilities or structures capable of trapping cavity-nesting birds will be inspected and closed, if necessary to prevent unintentional take of migratory birds. In addition, open-ended posts will also be inspected and capped and any holes towards the top of a hollow post would be filled, as necessary.
23. In the event that the public land underlying the right-of-way encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the Patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800] [2880], including any rights to have the holder apply to BLM for amendments, modification, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interest of the United States in all matters relating to the right-of-way, or portion thereof, within the convey land and shall be subject applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and condition of the ROW shall be considered a civil matter between the patentee/grantee and the ROW holder.
24. Monitoring data, when complete, will be shared with the BLM for internal use only.

25. Sierra Pacific Power Company, will comply with and be bound by all terms and conditions identified in the Record of Decision associated with the Environmental Impact Statement FES 10-59.
26. The holder shall not initiate any construction or other surface disturbing activities on the right-of-way without the prior written notice to proceed issued by the authorized officer. The authorized officer may issue separate notices to proceed for discrete subsets of activity under one or more of the rights-of-way. Such notice or notices shall serve as written approval of all or part of the Construction, Operation and Maintenance Plan as required by right-of-way grants N-89507, N-89508, and N-82076.



Signature



Date

Exhibit C
Ely Resource Management Plan (RMP), August, 2008
BEST MANAGEMENT PRACTICES

Air Resources

1. Use dust abatement techniques on unpaved, unvegetated surfaces to minimize airborne dust.
2. Post and enforce speed limits (e.g., 25 miles per hour) to reduce airborne fugitive dust.
3. Cover construction materials and stockpiled soils if they are a source of fugitive dust.
4. Use dust abatement techniques before and during surface clearing, excavation, or blasting activities.

Water Resources

1. Avoid the application of fire retardant or foam within 300 feet of a stream channel or waterway, when possible, except for the protection of life and property. Aerial application and use of retardants and foams would be consistent with national policy guidelines established by the National Office of Fire and Aviation, as amended.
2. Fire engines that have surfactant foam mixes in tanks must be fitted with an anti-siphon (back flow protection valve) if filled directly from a stream channel.
3. Construct a containment barrier around all pumps and fuel containers utilized within 100 feet (30.5 meters) of a stream channel. The containment barrier would be of sufficient size to contain all fuel being stored or used on site.
4. Prior to use on lands administered by the Ely Field Office, all fire suppression equipment from outside the planning area utilized to extract water from lakes, streams, ponds, or spring sources (e.g., helicopter buckets, draft hoses, and screens) will be thoroughly rinsed to remove mud and debris and then disinfected to prevent the spread of invasive aquatic species. Rinsing equipment with disinfectant solution will not occur within 100 feet of natural water sources (i.e., lakes, streams, or springs). Ely suppression equipment utilized to extract water from water sources known to be contaminated with invasive aquatic species, as identified by the U.S. Fish and Wildlife Service and Nevada Department of Wildlife, also will be disinfected prior to use elsewhere on lands administered by the Ely Field Office.
5. Do not dump surfactant foam mixes from fire engines within 600 feet of a stream channel.
6. Do not conduct fire retardant mixing operations within 600 feet of a stream channel.
7. Remove all modifications made to impound or divert stream flow by mechanical or other means to facilitate extraction of water from a stream for fire suppression efforts when suppression efforts are completed.

8. When drafting or dipping water during fire operations, continuously monitor water levels at the site that water is being removed from. Do not allow water extraction to exceed the ability of the recharge inflow to maintain the water levels that exist at the time initial attack efforts began. If the water level drops below this predetermined level, all water removal would cease immediately until water levels are recharged.
9. When possible, do not cross or terminate fire control lines at the stream channel. Terminate control lines at the edge of the riparian zone at a location determined appropriate to meet fire suppression objectives based on fire behavior, vegetation/fuel types, and fire fighter safety.
10. Construct access roads and fords that cross stream channels to BLM road standards.
11. Do not construct new roads or mechanical fire control lines or improve existing roads within 300 feet of a stream channel unless authorized by the BLM Field Manager or Authorized Officer.
12. Limit stream crossings on travel routes and trails to the minimal number necessary to minimize sedimentation and compaction. The BLM Authorized Officer will determine if any impacts need to be rehabilitated by the permittee.
13. Conduct mixing of herbicides and rinsing of herbicide containers and spray equipment only in areas that are a safe distance from environmentally sensitive areas and points of entry to bodies of water (storm drains, irrigation ditches, streams, lakes, or wells).
14. A water well may be accepted by the BLM Ely Field Office upon completion of operations. The BLM authorized officer will make the determination whether to accept the well based upon the submission of the well completion forms and relevant hydrogeologic data reports. The well must be installed by drillers licensed by the state of Nevada according to specifications in Nevada Revised Statutes Title 48, Ch. 534.

Soil Resources

1. Require the use of specialized low-surface impact equipment (e.g., balloon tired vehicles) or helicopters, as determined by the BLM Authorized Officer, for activities in off-road areas where it is deemed necessary to protect fragile soils and other resource values.
2. During periods of adverse soil moisture conditions caused by climatic factors such as thawing, heavy rains, snow, flooding, or drought, suspend activities on existing roads that could create excessive surface rutting. When adverse conditions exist, the operator would contact the BLM Authorized Officer for an evaluation and decision based on soil types, soil moisture, slope, vegetation, and cover.
3. When preparing the site for reclamation, include contour furrowing, terracing, reduction of steep cut and fill slopes, and the installation of water bars, as determined appropriate for site-specific conditions.
4. Upon completion or temporary suspension of mining operations, backfill all holes and trenches and recontour the pit to the natural slope, if possible, with pit walls greater than 3 feet in height knocked down and sloped at 3 horizontal to 1 vertical or to the original topography, whichever is less.
5. Restoration requirements include reshaping, re-contouring, and/or resurfacing with topsoil, installation of water bars, and seeding on the contour. Removal of structures such as culverts, concrete pads, cattle guards, and signs would usually be required. Fertilization and/or fencing of the disturbance may be required. Additional erosion control measures (e.g., fiber matting and barriers) to discourage road travel may be required.

Vegetation Resources

1. Where seeding is required, use appropriate seed mixture and seeding techniques approved by the BLM Authorized Officer.
2. The BLM Authorized Officer will specify required special handling and recovery techniques for Joshua trees, yucca, and some cactus in the southern part of the planning area on a site-specific basis.
3. Keep removal and disturbance of vegetation to a minimum through construction site management (e.g., using previously disturbed areas and existing easements, limiting equipment/materials storage and staging area sites, etc.).
4. Generally, conduct reclamation with native seeds that are representative of the indigenous species present in the adjacent habitat. Document rationale for potential seeding with selected nonnative species. Possible exceptions would include use of nonnative species for a temporary cover crop to outcomplete weeds. In all cases, ensure seed mixes are approved by the BLM Authorized Officer prior to planting.
5. Certify that all interim and final seed mixes, hay, straw, and hay/straw products are free of plant species listed on the Nevada noxious weed list.
6. An area is considered to be satisfactorily reclaimed when all disturbed areas have been recontoured to blend with the natural topography, erosion has been stabilized, and an acceptable vegetative cover has been established. Use the Nevada Guidelines for Successful Revegetation prepared by the Nevada Division of Environmental Protection, the BLM, and the U.S. Department of Agriculture Forest Service (or most current revision or replacement of this document) to determine if revegetation is successful.
7. The perennial plant cover of the reclaimed area would equal or exceed perennial cover of selected comparison areas (normally adjacent habitat). If the adjacent habitat is severely disturbed, an ecological site description may be used as a cover standard. Cover is normally crown cover as estimated by the point intercept method. Selected cover can be determined using a method as described in Sampling Vegetation Attributes, Interagency Technical Reference, 1996, BLM/RS/ST-96/002+1730. The reclamation plan for the area project would identify the site-specific release criteria and associated statistical methods in the reclamation plan or permit.
8. Utility companies will manage vegetation in their rights-of-way for safe and reliable operation while maintaining vegetation and wildlife habitat.
9. Re-spread weed-free vegetation removed from the right-of-way to provide protection, nutrient recycling, and seed source.

Fish and Wildlife

1. Protect active raptor nests in undisturbed areas within 0.25 mile of areas proposed for vegetation conversion using species-specific protection measures. Inventory areas containing suitable nesting habitat for active raptor nests prior to the initiation of any project.
2. When used to pump water from any pond or stream, screen the intake end of the draft hose to prevent fish from being ingested. Screen opening size would be a maximum of 3/16 inch (4.7 millimeters).

Special Status Species

1. Avoid line-of-sight views between the power poles along powerlines and sage grouse leks, whenever feasible.
2. Use current science, guidelines, and methodologies (Avian Power Line Interaction Committee 1994, 1996, 2005) for all new and existing powerlines to minimize raptor and other bird electrocution and collision potential.
3. When managing weeds in areas of special status species, carefully consider the impacts of the treatment on such species. Wherever possible, hand spraying of herbicides is preferred over other methods.
4. Do not conduct noxious and invasive weed control within 0.5 mile of nesting and brood rearing areas for special status species during the nesting and brood rearing season.
6. For streams currently occupied by any special status species, do not allow extraction of water from ponds or pools if stream inflow is minimal (i.e., during drought situations) and extraction of water would lower the existing pond or pool level.

Wild Horses

1. To protect wild horses and wildlife flag all new fences every 16 feet with white flagging that is at least 1 inch wide and has at least 12 inches hanging free from the top wire of the fence.
2. If a project involves heavy or sustained traffic, require road signs for safety and protection of wild horses and wildlife.

Cultural Resources

1. Ensure that all activities associated with the undertaking, within 100 meters of the discovery, are halted and the discovery is appropriately protected, until the BLM authorized officer issues a Notice to Proceed. A Notice to Proceed may be issued by the BLM under any of the following conditions:
 - Evaluation of potentially eligible resource(s) results in a determination that the resource(s) are not eligible;
 - The fieldwork phase of the treatment option has been completed; and
 - The BLM has accepted a summary description of the fieldwork performed and a reporting schedule for that work.
2. The operator will inform all persons associated with the project that knowingly disturbing cultural resources (historic or archaeological) or collecting artifacts is illegal.
3. The BLM may approve cross-country operations of seismic trucks and support vehicles on bare frozen ground or over sufficient snow depth (vehicle traffic does not reveal the ground) so as to prevent surface disturbance.
4. Perform viewshed reclamation when the setting of a site contributes to the significance of the property.

Paleontological Resources

1. When paleontological resources of potential scientific interest are encountered (including all vertebrate fossils and deposits of petrified wood), leave them intact and immediately bring them to the attention of the BLM Authorized Officer.

Visual Resources

1. On industrial facilities authorized by the Ely Field Office, utilize anti-glare light fixtures to limit light pollution.
2. During the implementation of vegetation treatments, create irregular margins around treatment areas to better maintain the existing scenic character of the landscape.

Travel Management and Off-highway Vehicle Use

1. Design access roads requiring construction with cut and fill to minimize surface disturbance and take into account the character of the landform, natural contours, cut material, depth of cut, where the fill material would be deposited, resource concerns, and visual contrast. Avoid construction of access roads on steep hillsides and near watercourses where alternate routes provide adequate access.
2. Where adverse impacts or safety considerations warrant, limit or prohibit public access when authorizing specific routes to areas or sites under permit or lease.

Noxious and Invasive Weed Management

1. Control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
2. When maintaining unpaved roads on BLM-administered lands, avoid the unnecessary disturbance of adjacent native vegetation and the spread of weeds. Grade road shoulders or barrow ditches only when necessary to provide for adequate drainage. Minimize the width of grading operations. The BLM Authorized Officer will meet with equipment operators to ensure that they understand this objective.

Health and Safety

1. Consider nozzle type, nozzle size, boom pressure, and adjuvant use and take appropriate measures for each herbicide application project to reduce the chance of chemical drift.
2. All applications of approved pesticides will be conducted only by certified pesticide applicators or by personnel under the direct supervision of a certified applicator.
3. Prior to commencing any chemical control program, and on a daily basis for the duration of the project, the certified applicator will provide a suitable safety briefing to all personnel working with or in the vicinity of the herbicide application. This briefing will include safe handling, spill prevention, cleanup, and first aid procedures.

4. Store all pesticides in areas where access can be controlled to prevent unauthorized/untrained people from gaining access to the chemicals.
5. Do not apply pesticides within 440 yards (0.25 mile) of residences without prior notification of the resident.
6. Areas treated with pesticides will be adequately posted to notify the public of the activity and of safe reentry dates, if a public notification requirement is specified on the label of the product applied. The public notice signs will be at least 8 1/2" x 11" in size and will contain the date of application and the date of safe re-entry.
7. The recreation permittee will post warning signs at all known mine shafts and other hazardous areas that occur within 100 feet of a race course or pit/spectator area and will verbally inform race participants of all hazards at the pre-race meeting.
8. Properly dispose of all tailings, dumps, and deleterious materials or substances. Take measures to isolate, control, and properly dispose of toxic and hazardous materials.
9. Remove and properly dispose of all trash, garbage, debris, and foreign matter. Maintain the disposal site and leave it in a clean and safe condition. Do not allow burning at the site.
10. Do not drain oil or lubricants onto the ground surface. Immediately clean up any spills under 25 gallons; clean up spills over 25 gallons as soon as possible and report the incident to the BLM Authorized Officer and Nevada Division of Environmental Protection.
11. The operator will work with the BLM Authorized Officer on the containment of drilling fluids and drill hole cuttings. Adequately fence, post, or cover mud and separation pits, and hazardous material storage areas.
12. Locate powder magazines at least 0.25 mile from traveled roads. Attend loaded shot holes and charges at all times. Use explosives according to applicable federal and state regulations.
13. Containerize petroleum products such as gasoline, diesel fuel, helicopter fuel, and lubricants in approved containers. Properly store hazardous materials in separate containers to prevent mixing, drainage, or accidents.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Ely District Office

HC33 Box 33500 (702 N. Industrial Way)

Ely, Nevada 89301-9408

http://www.blm.gov/nv/st/en/fo/ely_field_office.html

In Reply Refer To:

2850 (NVL0100)

N-89507, N-89508

EMS TRANSMISSION 5/13/2011

DECISION

Sierra Pacific Power	:	FLPMA Title V
Attn: Matt Gingerich	:	Substation and
P.O. Box 10100	:	Transmission Line
Mailstop S4B20	:	Right-of-Way
Reno, NV 89520	:	

Notice to Proceed Approved

Enclosed is your authorized copy of the Notice to Proceed (NTP) associated with right-of-way (ROW) grants N-89507 and N-89508 for the Robinson Summit Substation, access road, and 345kV Transmission lines near Robinson Summit, west of Ely, Nevada.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842.1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt 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 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named on this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall 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 appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions please contact Stephanie Trujillo at 775-289-1831 or at strujillo@blm.gov.

/s/ Michael J. Herder -Acting

Rosemary Thomas
District Manager
Ely District Office

Enclosures

cc: NV Energy

Attn: Paul Aguirre
P.O. Box 98910 MS 30
Las Vegas, NV 89151

LS Power
Attn: Luke Papez
400 Chesterfield Ctr., Ste 110
St. Louis, MO 63017

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY NOTICE TO PROCEED

Right-of-Way or Temporary Use Permit (TUP) Serial Number
N-89507, N-89508

Date: 05/12/2011
Issuing Office: Egan Field Office

Right-of-Way or TUP name
Sierra Pacific Power Company
Robinson Substation & 345kV Transmission Line

Certified/Registered Mail-Return Receipt Requested

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder: **Sierra Pacific Power Company**

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached. Yes No

Activity	Location
This Notice to Proceed authorizes Sierra Pacific Power, to construct the new substation (known as "Robinson Substation"), an access road, and two 4-mile 345kV transmission lines associated with the ON Line Project, previously known as the Southwest Intertie Project - Southern Portion ("SWIP - Southern Portion"), pursuant to BLM right-of-way ("ROW") grants NVN-89507 and N-89508. ON Line - consists of a transmission line, which begins at the Harry Allen Substation, located in Dry Lake, Nevada, approximately 20 miles northeast of Las Vegas, Nevada, to Robinson Substation, located approximately 18 miles northwest of Ely, Nevada, where it will interconnect with Sierra Pacific Power Company's existing Falcon-to-Gonder 345-kV transmission line. A separate Notice to Proceed will be issued for construction of the ON Line 1.5 500kV interconnection transmission line. (See attached project description and mitigation measures/stipulations required for construction of the On Line Transmission Line).	See attached legal description

Authorized officer is:

Rosemary Thomas

(Name)

Ely District Manager

(Title)

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative.

Michael Dwyer, Project Manager

(Name of Authorized Officer's Representative)

BLM, Ely District Office
702 N Industrial Way, Ely, NV 89301

(Office, Street Address, City, State, Zip)

(775) 293-0523

(Office Phone Number)

(Cell Phone Number)

Rosemary Thomas
(Authorized Officer's or Representative's Signature)

5/13/2011
(Date)

Holders Acknowledgement when notice is delivered in person.

Mathew Gingerich

(Signature of Recipient)

Sierra Pacific Power Company, Attn: Mathew Gingerich
P.O. Box 10100 MS S4B20, Reno, NV 89520

(Firm Name)

Mathew Gingerich

(Name of Recipient)

5/13/2011
(Date)

HOLDER CASE FILE

NOTICE TO PROCEED
and
ADDITIONAL PROJECT DESCRIPTION AND MITIGATION
MEASURES/STIPULATIONS FOR CONSTRUCTING
ROBINSON SUBSTATION, ACCESS ROAD, & 2 345kV TRANSMISSION LINES
(NVN-89507, N-89508)

May 11, 2011

This Notice to Proceed authorizes Sierra Pacific Power Company to construct the new substation (known as "Robinson Substation"), a access road, and two 4-mile 345-kV transmission lines associated with the On Line project, previously known as the Southwest Intertie Project - Southern Portion ("SWIP - Southern Portion") pursuant to BLM right-of-way ("ROW") grants NVN-88507 and N-89508. The On Line Portion consists of a overhead transmission line which begins at the Harry Allen Substation, located in Dry Lake, Nevada, approximately 20 miles northeast of Las Vegas, Nevada, and traverses approximately 235 miles north through parts of Clark, Lincoln, Nye, and White Pine Counties in Nevada, to Robinson Substation, located approximately 18 miles northwest of Ely, Nevada, where it will interconnect with Sierra Pacific Power Company's existing Falcon-to-Gonder 345-kV transmission line. A separate Notice to Proceed will be issued for construction of the On Line 1.5 interconnection transmission line.

Attached are the legal descriptions of the ROW grants as well as the stipulations and mitigation measures prescribed in the ROW grants.

Further descriptions of the project features, along with detailed sets of stipulations and mitigation measures applicable during construction and operation of the project, are provided in a Construction, Operation, and Maintenance Plan ("COM Plan") approved by the BLM in May 2011 (and as subsequently approved by the BLM in future COM Plan modifications). This Notice to Proceed authorizes construction of the Robinson Substation, an access road, and two 4-mile 345 kV transmission lines or use only as expressly stated in the COM Plan and only for the particular location and use therein described. To the extent there may be any inconsistency between the ROW grant stipulations and mitigation measures and the more detailed stipulations and mitigation measures provided in the COM Plan, the COM Plan stipulations and mitigation measures shall apply.

Mitigation Measures:

- 1) During construction of Robinson Substation, Sierra Pacific Power Company shall implement the mitigation measures prescribed in COM Plan Section 6 (Mitigation of Environmental Concerns) and in Appendices A through F of the COM Plan.
- 2) Upon completion of work, the affected project area shall be treated in accordance with Appendix F of the COM Plan (Right-of-Way Preparation, Rehabilitation and Restoration Plan).

Special Stipulations:

- 1) COM Plan Appendix C1 (Historic Properties Treatment Plan) specifies the sites for which cultural data recovery is required (“Cultural Mitigation Sites”). Sierra Pacific Power Company shall not commence construction at a Cultural Mitigation Site until such time as the requisite data recovery activities for that Cultural Mitigation Site have been completed by Sierra Pacific Power Company in accordance with the Historic Properties Treatment Plan and BLM has notified Sierra Pacific Power Company in writing that the Preliminary Site Report / Fieldwork Completion Notification for that Cultural Mitigation Site has been accepted.

Attachments

1. Current legal description of ROW grant
2. Stipulations/mitigations from ROW grant

ON LINE

EXHIBIT B
STIPULATIONS
N-89507, N-89508

1. Hereinafter, holder means any party granted this right-of-way and/or temporary use permit, its agents, contractors, representatives, or other persons directed by holder to construct, maintain, repair, restore, relinquish, abandon, modify, rehabilitate, or terminate this right-of-way, and holder's successors, or assigns.
2. This grant is subject to all valid rights existing on the effective date of this grant.
3. There is reserved to the authorized officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant, and such grants shall be subject to all valid rights associated with this grant.
4. The holder shall maintain the right-of-way in a sanitary condition at all times during construction, maintenance or other operations during the term of this right-of-way. Any waste material, to include all discarded matter, will be disposed of promptly at a State of Nevada approved sanitary landfill site by the holder. "Waste" means all discarded matter including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
5. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 U.S.C. 2601 et. seq. (1982) with regards to any toxic substances that are used, generated by, or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
6. The holder of the Right-of-Way agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 6901, et. seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent.
7. Any relocation, additional construction, or use that is not in accord with the right-of-way grant, shall not be initiated without prior written approval of the authorized officer.
8. The holder shall conduct all activities directly or indirectly associated with the construction, maintenance, operation, and termination of the right-of-way within the authorized limits of the right-of-way except as otherwise specified in the approved Construction, Operation and Maintenance (COM) Plan or other written approval of the Authorized Officer.

9. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
10. The holder shall be fully liable to the United States for any damage or injury incurred by the United States in connection with the use and occupancy of the right-of-way area by the holder. The holder shall fully indemnify the United States for liability, damage, or claims arising in connection with the holder's use and occupancy of the right-of-way area.
11. No less than 60 days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. The inspection will be held to agree to an acceptable termination (and rehabilitation) plan. The authorized officer must approve the plan in writing prior to the holder commencing any termination activities.
12. The holder shall comply with the provision of Title VI of the Civil Rights Act of 1964, and will not engage in any discriminatory actions prohibited by 43 CFR Part 17, to the end that no person in the United States shall, on the grounds of race, color, national origin, or gender, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under the program for which the holder has received a Federal authorization.
13. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
14. Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation and maintenance phases of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
15. To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities; for emergency fire suppression; or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axles, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs will be swept out and refuse will be disposed of in waste receptacles. Cleaning sites will be recorded using global positioning systems or other mutually acceptable equipment and provided to the District Office Weed Coordinator or designated contact person.

16. Removal and disturbance of vegetation would be kept to a minimum through construction site management (e.g. using previously disturbed areas and existing easements, limiting equipment/materials storage and staging area sites, etc.)
17. Mixing of herbicides and rinsing of herbicide containers and spray equipment would be conducted only in areas that are safe distance from environmentally sensitive areas and points of entry to bodies of water (storm drains, irrigation ditches, streams, lakes, or wells).
18. Methods used to accomplish weed and insect control objectives would consider seasonal distribution of large wildlife species.
19. No noxious weeds will be allowed on the site at the time of reclamation release. Any noxious weeds that become established will be controlled.
20. Land disturbing construction and vegetation clearing activities will be scheduled outside of the migratory bird breeding season (March 15 through July 30 – in upland desert habitats and ephemeral washes containing upland species and March 1 through August 30 – riparian and higher elevation areas). Where construction is required during the breeding season, the area impacted will be surveyed for nests prior to construction. If no nests are found, construction could proceed. Project area surveys will be done to ensure 100 percent coverage. Methods will be selected based on the plant community and/or topography. Field notes and reports will thoroughly describe methodology and rationale for use and archived.
21. If active migratory bird nests (i.e., containing eggs or young, or a mated pair is observed exhibiting territorial defense, carrying nesting materials, and/or transporting food) are encountered during the surveys, land disturbing construction activities will be avoided while the birds are allowed to fledge. An appropriate construction avoidance buffer area, to be determined for the species and in conjunction with the USFWS and BLM, will apply to all active nests for migratory bird species.
22. Gaps or narrow open hollow spaces in the proposed facilities or structures capable of trapping cavity-nesting birds will be inspected and closed, if necessary to prevent unintentional take of migratory birds. In addition, open-ended posts will also be inspected and capped and any holes towards the top of a hollow post would be filled, as necessary.
23. In the event that the public land underlying the right-of-way encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the Patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800] [2880], including any rights to have the holder apply to BLM for amendments, modification, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interest of the United States in all matters relating to the right-of-way, or portion thereof, within the convey land and shall be subject applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and condition of the ROW shall be considered a civil matter between the patentee/grantee and the ROW holder.
24. Monitoring data, when complete, will be shared with the BLM for internal use only.

25. Sierra Pacific Power Company, will comply with and be bound by all terms and conditions identified in the Record of Decision associated with the Environmental Impact Statement FES 10-59.

26. The holder shall not initiate any construction or other surface disturbing activities on the right-of-way without the prior written notice to proceed issued by the authorized officer. The authorized officer may issue separate notices to proceed for discrete subsets of activity under one or more of the rights-of-way. Such notice or notices shall serve as written approval of all or part of the Construction, Operation and Maintenance Plan as required by right-of-way grants N-89507, N-89508, and N-82076.



Signature

4/18/11

Date

EXHIBIT - A
Sierra Pacific Power Company
Access Road and Substation
N-89507
LEGAL DESCRIPTION

Township	Range	Meridian	Section	Subdivision	Acres/Length
T. 17 N.	R. 60 E.,	MDM	Sec. 3	Lot 4, SW ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄	
			Sec. 10	NW ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄	
			Sec. 11	SW ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄ ,	
			Sec. 12	SW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄	
			Sec. 14	NW ¹ / ₄ NW ¹ / ₄	
			Sec. 15	NE ¹ / ₄ NE ¹ / ₄ , NW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , NW ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , SW ¹ / ₄ NW ¹ / ₄	
T. 18 N.	R. 60 E.	MDM	Sec 21	NE NE	
			Sec 22	NW NW, SWNW, NWSW, SWSW	
			Sec 27	NWNW, SWNW, NWSW, SWSW	
			Sec 34	NWNW, SWNW, NWSW, SWSW, SESW	

Substation: 60 acres
Access Roads: 15 acres
Total Acres: 75 acres long term
45 acres short term

The short term (construction) right-of-way is an additional 200 ft buffer around the long term right-of-way.

Total Acres: 120

EXHIBIT - A
Sierra Pacific Power Company
345 kV Transmission & Fiber Optic Interconnection Lines
N-89508

LEGAL DESCRIPTION

Township	Range	Meridian	Section	Subdivision	Acres/Length
T. 17 N.	R. 60 E.,	MDM	Sec. 1	SE ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ SE ¹ / ₄	
			Sec. 12	NW ¹ / ₄ NE ¹ / ₄ , NW ¹ / ₄ NW ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄	
T. 17 N.	R. 61 E.,	MDM	Sec. 6	Lot 3,4, SW ¹ / ₄ NW ¹ / ₄	
T. 18 N.	R. 61 E.,	MDM	Sec. 19	NE ¹ / ₄ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄	
			Sec. 30	NW ¹ / ₄ NE ¹ / ₄ , SW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , SW ¹ / ₄ SE ¹ / ₄	
			Sec. 31	Lot 4, 5, 8, 9, 12, 13 NW ¹ / ₄ NE ¹ / ₄ , SW ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄	

Length: 3.75 miles
Width: 360 ft

Length: .25 miles
Width: 560 ft

Total Acres: 181

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **APPLICATION OF SIERRA PACIFIC POWER COMPANY AND NEVADA POWER COMPANY D/B/A NV ENERGY FOR UEPA PERMIT TO CONSTRUCT THE ON LINE PROJECT – FOURTH SUBMISSION OF PERMITS AND REQUEST FOR ISSUANCE OF PERMIT TO CONSTRUCT FOR TWO SEGMENTS OF PHASE 2** upon the persons listed below by:

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DATED this 19th day of May, 2011.

/s/ Patti Pastrell /s/
Patti Pastrell
Legal Secretary