

Data Submitted (UTC 11): 1/25/2015 12:00:00 AM

First name: Rene

Last name: Mabe

Organization:

Title:

Comments: I am the owner of the historic Peavine Ranch, listed in the National Register of Historic Places (NRHP) on April 6, 2000. On December 12, 2014, the Humboldt-Toiyabe National Forest, Carson Ranger District released Bordertown to California 120kV Transmission Line Draft Environmental Impact Statement (DEIS) identifying the Poeville Alternative as the preferred alternative. The Poeville route is the only alternative proposed that causes direct impacts to this historic property. Please give the following comments serious consideration as you develop the Final EIS for this project.

1)The Poeville Alternative violates the terms of the existing Memorandum of Agreement (MOA) issued for the Alturas Transmission Line 106 compliance:

The DEIS proposes actions that would violate the terms of the (MOA) that was issued in compliance with the programmatic agreement and Section 106 of the National Historic Preservation Act (NHPA) regulations (36 CFR 800) for the Alturas Transmission Line Project. The Poeville alternative proposes to utilize the existing utility corridor as the Alturas line. Cultural resources protected or mitigated under this existing MOA cannot be negated by the addition of the new 120kV line within the same utility corridor. Site avoidance, data recovery, component evaluation, marker construction, recordation and landscaping were specific compliance items of the MOA for the Peavine ranch property (SHPO, 1998). The Peavine Ranch was listed in the NRHP after this MOA was completed. The construction of this proposed transmission line would constitute an adverse impact to this site and nullify the mitigation that the 1998 MOA put in place.

2)Adverse direct, indirect, and cumulative impacts to NRHP site are not mitigated with alternative route adjustment, design features, nor proposed mitigation:

The following are some of the direct impacts that would occur on the Peavine ranch as proposed within the Poeville alternative: (DEIS, Table 2.3-1, page 2-9)

- *8 power pole structures, each requiring a construction pad up to 1 acre in size.

- *8 excavation and pole foundations, backhoe excavation and blasting could be used. Concrete foundations could be cast-in-place and vary from 12-40 feet below ground surface and 3-12 feet in diameter (at each site).

- *Without having an engineered alternative, I am assuming some of these poles could be up to 3-pole structures requiring guyed anchors set back up to 60 feet from the pole structures.

- *Power pole assembly at each of the 8 sites for a single pole is disclosed to require ground disturbance of an 85 foot radius

- *Tree removal within the 90 foot ROW plus any that may have the potential to fall on the transmission line wire.

- *Construction equipment, up to 75 tons in weight, could be used at each site.

The DEIS stated that the "Peavine Ranch Northside of U.S. 395" Alternative was dropped from further consideration: "To address the concerns about effects to the historic setting of the Peavine Ranch, the USFS consulted with the SHPO to develop mitigation measures. Concerns would be addressed through implementation of design features for the Poeville Alternative. Consequently, this alternative was dismissed because it would not be economically practical to construct the proposed transmission line across U.S. Highway 395 if there are no mitigation benefits to gain from doing so." (page 2-26)

According to the design features on page 2-21, "to avoid impacts to private property and historic setting of Peavine Ranch, the Poeville Alternative was moved to the perimeter of the Peavine Ranch property." Adjusting the line to the perimeter does not diminish the direct adverse impacts listed above. Page 2-21, 2.8.3 is entitled "Peavine Ranch Off Property Route Adjustment". However, the adjustment described in the paragraph and

maps show that the line was moved to the perimeter of the Peavine Ranch. This wording is misleading to the public. This places the line directly on the property, in the path of the historic dump, and in close proximity of the historic buildings. The new ROW requirements would dictate the removal of brush and old growth trees that were described as part of the historic context when it was listed as an NRHP site.

The justification for dropping this alternative from further study is erroneous. I believe this is still a viable alternative to mitigate the impacts to the Peavine Ranch. If the Agency does not analyze the environmental effects of this route deviation, then it will not be considered as a viable solution for mitigation during the 106-consultation process.

The DEIS, on page 3-141 and Table 3.15-1, states that it is in conformance with the Archeological Resource Protection Act of 1979. "Design features (Appendix B) have been developed to prohibit the collection or disturbance of archeological sites encountered during construction or maintenance of the project." This statement is false as the construction of the transmission line on the Peavine ranch will not be able to avoid the destruction and disturbance of the historic resources on the property.

The DEIS, Appendix B, page B-11, lists the proposed design features specific to the Peavine Ranch for mitigating the impacts associated with the alternative.

CU 8 - CU 11 attempt to mitigate the visual impacts of the alternative. These measures require the placement of power lines 25 feet higher on the pole, but do not indicate if a larger or taller pole would be necessary to provide this height. It is unknown if the impacts of this mitigation would actually cause a larger "foot print" on the ground. CU 12 proposes mitigation measures that include an off-site historical marker discussing ranching in the general area. An interpretive marker was erected at the intersection of Red Rock Road and Virginia Street as mitigation for the Alturas Transmission Line. There is no further need for another marker.

The Project Design Features specific to protecting cultural resources state that "cultural sites identified as eligible for inclusion on the NRHP would be avoided (Apx. B, CU 3, page B-8). The Poeville Alternative does not offer an alternative to avoid direct impacts to the Peavine Ranch, which is the only NRHP listed site within the entire planning area. The Final EIS should either include a project design feature that places the powerline underground for a distance of approximately 1450 feet, located within the strip of NDOT/NV Energy property between the frontage road and US 395; or analyze the previously dropped alternative location on the Northside of U.S. 395.

The National Historic Preservation Act regulations defines adverse effects as those that can diminish the integrity of the property's location, setting, design, materials, workmanship, feeling, or association. The proposed ROW, which requires the removal and maintained absence of old growth trees and shrubs, impacts the NRHP listing by diminishing site integrity of setting, design, feeling and association. The DEIS does not evaluate the effects resulting from the physical destruction or damage to this historic property; the alteration of the property; the change of the character or physical features within the property's setting that contributes to its historic significance; or the audible elements (refer to issue 6c below) that diminish the integrity of the properties significant historic features. The DEIS did not disclose how the Poeville Alternative affects the visual context as it relates to the NRHP listing. The discussion of foreground of the landscape at KOP 9 and KOP 10 on pages 3-13 and 3-14 was inadequate to assess the impact on the historic and open space values of the Peavine Ranch.

Additional direct/indirect impacts to the Peavine Ranch that have not been disclosed:

?Construction activities and associated vibrations at such a close proximity to fragile historic structures could result in foundation or other structural failure.

?The 85-foot disturbance radius for two of the eight power poles will remove my septic tank, leach field, and propane tank.

?There are no provisions to prevent staging areas, transmission wire setup sites, or widening of the road from occurring on the Peavine Ranch. Wire setup sites are approximately 600 feet radius in size (DEIS, Table 2.3-1, page 2-9).

3)Irreversible and irretrievable loss of cultural resources:

Page 3-141, Table 3.14-1 states "The action alternatives would not have any irreversible or irretrievable commitments of cultural resources". This is a false statement as it relates to my historic property and the implementation of the Poeville Alternative, identified by the line officer as the Preferred Alternative.

The Poleville Alternative does not consider avoidance of the Peavine Ranch, excavation and other ground disturbing activities will result in the destruction and degradation of NRHP listed historical resources. There are no provisions in place to protect the historic buildings from becoming permanently damaged or destroyed from direct or indirect construction activities i.e. associated vibrations that may result in foundation or other structural failures.

The old growth trees that provide shade and screening were noted as a component of the character of the property's physical features within the property's setting that contributed to its historic significance and listing in the NRHP. The long-term loss of these trees would constitute an irretrievable commitment that is not disclosed within the DEIS.

4)The loss of property value and the resulting loss of state, county, and city tax revenues was not addressed within the DEIS:

Land Use and Private Property Value was identified as one of the three key issues addressed within the DEIS. According to page 3-28, "The existence of a 120kV transmission line adjacent to vacant and undeveloped property may have negative impacts on property values between 10% and 15%". If the land values decrease, so does the total assessed tax value; resulting in a reduction of tax revenues. The DEIS does not assess the economic impacts this may present to the state and local governments nor the communities that they serve. The Poeville Alternative would impact 130 parcels of private land, over twice the amount of the Peavine/Poeville Alternative and 10 times that of the Mitchel and Peavine Alternatives. I believe this is a significant difference that must be considered within the FEIS.

The DEIS makes reference to the Warren and Schiffmacher LLC. Power Line Study stating, "Impacts on the property values of private properties developed with an existing house would be negligible." (page 3-29). This is a bold statement to make in the document without providing access to the Warren and Schiffmacher report for review.

This report is cited in the References, page 5-15 as "The Warren and Schiffmacher LLC. 2007. The Power Line Study: The Impact of a 120kV Power Line on Property Owner Behaviour and Property Values. Unpublished document prepared for Sierra Pacific Power Company." The FEIS should produce an unbiased, third party study that evaluates the loss of property value and how it impacts private property owners, state and local government's tax revenue, and how it will affect the fair market value of the affected 130 parcels of private land. Regardless of actual EMF measurements, to have utility ROWs, the Alturas 345kV, the proposed 120kV and the existing 120kV distribution line within 14 feet of my residence will significantly reduce the intrinsic and property value of my ranch.

5)The Poeville Alternative is not consistent with The Washoe County Master Plan and Development Code for North Valleys Rural Character Management Area (NVRCA).

The FEIS needs to consider project design features that are consistent with the Washoe County Master Plan and Development Code for North Valleys Rural Character Management Area (NVRCA). The Peavine Ranch is one of the few privately owned, sizable rural properties remaining intact and undeveloped within this management area. The document did not disclose how the Poewille Alternative affects the visual context as it relates to the NVRCA. The discussion of foreground of the landscape at KOP 9 and KOP 10 on pages 3-13 and 3-14 was inadequate to assess the impact on the historic and open space values of the Peavine ranch. To be consistent, the undergrounding option should be pursued to avoid impacts on the private property. Please refer to the following references within the management plan:

*"Future growth in the area will be managed to minimize negative impacts on the character of these communities, particularly those impacts related to the generation of light, air, and water pollution, open space, wildlife and wildlife habitat and the blending of new development with any existing development. The scenic value of the natural hills and valleys is an important component of the North Valleys' character (Washoe County Master Plan North Valleys Area Plan September 9, 2010, Page 2).

*"Scenic/Recreational/Cultural Resources

Goal Eight: Maintain open vistas and minimize the visual impact of hillside development. Policies NV.8.1: With the exception of temporary infrastructure for construction projects, Washoe County will require the underground placement of utility distribution infrastructure within the North Valleys Management Area." (Washoe County Master Plan North Valleys Area Plan September 9, 2010, Page 11).

6)Electric and Magnetic Fields (Public Health and Safety)

a.The consultant for Nevada Energy measured the electric and magnetic fields at the Peavine Ranch in November, 2013. The resulting report states, "electric fields ranged from 0.007 kV/m to 1.007 kV/m near the 345 kV transmission line. Trees and bushes were present along the residential driveway which provided shielding of the electric field" (EMF Evaluation for Proposed Bordertown to California 120kV Transmission Line, page 41, 2013). In the fall of 2014, NV Energy insisted in removing the shrubs and trees along my fence line (beneath #257 distribution line) that were providing this shielding. In addition, they topped a fir tree that was the last of the three planted as mitigation for shielding and visual impacts from the construction of the 345kV Alturas line. I contend that the shielding that was present during your data collection has been removed and the existing measurements may be higher today.

b.The DEIS states, "Trees and buildings can significantly reduce ground level electric fields by shielding the nearby area" (page 3-31). In addition, specific design features for the Poewille Alternative mitigating impacts to the cultural and visual resources of the Peavine Ranch included additional landscaping and planting of trees. This proposal has merit, however, it is in direct conflict with the requirement of the proposed action that requires tree removal within the 90-foot ROW plus any tree outside the ROW that may have the potential to fall on the transmission line wire (Table 2.3-1, page 2-9).

c.I was unable to find any reference within the DEIS or EMF report that addressed the noise emitted by the powerlines and how adding the 120kV will add to the noise pollution emitted by the Alturas 345kV line. The Alturas power line currently emits a constant buzzing sound. However, when fog, rain, or snow is present, a loud and constant popping noise occurs.

d.The disclosure of stray voltage/current impacts was not address in the DEIS and was given a one sentence statement in the EMF specialist report. As a landowner with three metal driveway gates directly beneath the proposed 120kV line, the distribution line, and within 60 feet of the 345kV Alturas pole, I would like to know what the proposed risk to my family is from stray voltage and currents. The DEIS did not disclose this information.

7)Inconsistencies exist within the DEIS and supporting documents regarding ROW width:

The DEIS discloses the width of the proposed Right of Ways (ROW) as 90-foot-wide. (DEIS, page 2-1 and Table 2.3-1, page 2-9). However, the Electric and Magnetic Field Evaluation report specifies the 90-foot ROW would only be necessary for the H-frame configuration and the single pole would require a 40-foot wide right-of-way (page 78). To avoid confusion when discussing mitigation and impacts associated with long-term ROWs, the FEIS should clarify and disclose the ROW width required on each private parcel so that landowners can better determine how this project affects them.

In Conclusion:

The Peavine Ranch consists of six private land parcels. The parcel located to the east of the historic buildings was purchased by my family after the NRHP listing and was not evaluated for eligibility at the time of the Alturas project. SHPO is currently evaluating the parcel to determine eligibility of the historic component for inclusion in an amendment to the NRHP listing for the Peavine Ranch. The change in the NRHP site boundary will affect your analysis within the FEIS.

Before the completion of the Final EIS, NV Energy should provide you with an engineering report, evaluating where the direct impacts would occur (pole placement, area of disturbance), and provide at least one viable alternative that would result in avoidance of the Peavine Ranch historical resources. Please include a project design feature that places the powerline underground for the distance of approximately 1450 feet, located within the strip of NDOT/NV Energy property between the frontage road and US 395. This mitigation would not be cost prohibitive as it is for a limited distance, level in terrain, and within the existing NDOT ROW for Hwy 395.

Placement of the above ground lines on the north side of HWY 395 should be fully evaluated in the FEIS as the direct impacts to this NRHP site have not been mitigated with proposed project design criteria and the Agency has not justified the dropping of this Alternative.

Thank you for the opportunity to comment on the Draft EIS for this project. I look forward to working with your staff in the future on the DEIS.

Sincerely,

Rene' M. Mabe