

## DISCLOSURE OF OWNERSHIP/PRINCIPALS

<b>Business Entity Type (Please select one)</b>						
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust	<input checked="" type="checkbox"/> Non-Profit Organization	<input type="checkbox"/> Other
<b>Business Designation Group (Please select all that apply)</b>						
<input type="checkbox"/> MBE	<input type="checkbox"/> WBE	<input type="checkbox"/> SBE	<input type="checkbox"/> PBE	<input type="checkbox"/> VET	<input type="checkbox"/> DVET	<input type="checkbox"/> ESB
Minority Business Enterprise	Women-Owned Business Enterprise	Small Business Enterprise	Physically Challenged Business Enterprise	Veteran Owned Business	Disabled Veteran Owned Business	Emerging Small Business
<b>Number of Clark County Nevada Residents Employed:</b> 54						
<b>Corporate/Business Entity Name:</b> Overton Power District No. 5						
<b>(Include d.b.a., if applicable)</b> OPD 5						
<b>Street Address:</b> 615 N. Moapa Valley Blvd.				<b>Website:</b> www.opd5.com		
<b>City, State and Zip Code:</b> Overton, NV 89040				<b>POC Name:</b> Luke Whitney		
				<b>Email:</b> Lwhitney@opd5.com		
<b>Telephone No:</b> (702) 397-2512				<b>Fax No:</b> (702) 397-2583		
<b>Nevada Local Street Address:</b>				<b>Website:</b>		
<b>(If different from above)</b>						
<b>City, State and Zip Code:</b>				<b>Local Fax No:</b>		
<b>Local Telephone No:</b>				<b>Local POC Name:</b>		
				<b>Email:</b>		

All entities, with the exception of publicly-traded and non-profit organizations, must list the names of individuals holding more than five percent (5%) ownership or financial interest in the business entity appearing before the Board.

Publicly-traded entities and non-profit organizations shall list all Corporate Officers and Directors in lieu of disclosing the names of individuals with ownership or financial interest. The disclosure requirement, as applied to land-use applications, extends to the applicant and the landowner(s).

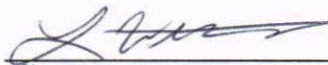
Entities include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations.

Full Name	Title	% Owned (Not required for Publicly Traded Corporations/Non-profit organizations)

**This section is not required for publicly-traded corporations. Are you a publicly-traded corporation?** ☐ Yes ☒ No

- Are any individual members, partners, owners or principals, involved in the business entity, a Clark County, Department of Aviation, Clark County Detention Center or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?  
☐ Yes ☒ No (If yes, please note that County employee(s), or appointed/elected official(s) may not perform any work on professional service contracts, or other contracts, which are not subject to competitive bid.)
- Do any individual members, partners, owners or principals have a spouse, registered domestic partner, child, parent, in-law or brother/sister, half-brother/half-sister, grandchild, grandparent, related to a Clark County, Department of Aviation, Clark County Detention Center or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?  
☐ Yes ☒ No (If yes, please complete the Disclosure of Relationship form on Page 2. If no, please print N/A on Page 2.)

I certify under penalty of perjury, that all of the information provided herein is current, complete, and accurate. I also understand that the Board will not take action on land-use approvals, contract approvals, land sales, leases or exchanges without the completed disclosure form.

 Signature	Luke Whitney Print Name
Staking Engineer Title	5-6-21 Date

APN: {034-00-001-019}

WHEN RECORDED MAIL TO:  
OVERTON POWER DISTRICT  
ATTN: LUKE WHITNEY  
615 N Moapa Blvd PO Box 395  
Overton, NV 89040

#### GRANT OF NON-EXCLUSIVE EASEMENT

County of Clark, a political subdivision of the State of Nevada, ("**Grantor**") for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, grants and conveys to Overton Power District No. 5 ("**Grantee**"), its successors and assigns, a perpetual right and non-exclusive easement:

1. to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for the distribution of electricity underground, consisting of cables, conduit, duct banks, manholes, vaults, transformers (aboveground or underground), service boxes/meter panels (aboveground or underground), cabinets (aboveground or underground), bollards (aboveground), and other equipment, fixtures, apparatus, and improvements ("**Utility Facilities**") in, upon, over, under and through the property described in Exhibit "A" hereto and by this reference made a part of this Grant of Non-Exclusive Easement ("**Easement Area**");
2. for the passage of vehicles and pedestrians within, on, over and across the Easement Area; and
3. for the ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from, the Easement Area; and
4. to remove, clear, cut or trim any obstruction or material (including trees and other vegetation) from the surface or subsurface of the Easement Area as Grantee may deem necessary or advisable for the safe and proper use and maintenance of the electric line systems and communication facilities in the Easement Area.

Grantee, its affiliates, successors and assigns will be responsible for any damages, proximately caused by Grantee ~~constructing~~ operating, adding to, maintaining, or removing the Utility Facilities, to any improvements owned by Grantor and to any tangible personal property. Grantee further agrees that, if Grantee performs work that damages the Easement Area, Grantee will restore the Easement Area to its before condition. However, this paragraph does not apply to, and Grantee is not responsible for, any damages caused to obstructions or materials being removed, cleared, cut or trimmed when Grantee exercises its rights under numbered paragraph 4 above. Nor does this paragraph apply to, and Grantee is not responsible for, any damages proximately caused by Grantor's negligent or intentional actions or omissions,

Grantee may use the Utility Facilities to provide service to the general public. Grantor covenants for the benefit of Grantee, its successors and assigns, that no building, structure or other real property improvements – except for curb, gutter, sidewalk, pavement, concrete flatwork and other improvements that are compatible with the Utility Facilities will be constructed or placed on or within the Easement Area without the prior written consent of Grantee, such structures and to include, but not be limited to, drainage, trees, bridges, and signage. Grantee's consent will not be unreasonably withheld.



Grantor retains, for its benefit, the right to maintain and use the Easement Area for its own purposes; provided, however, that all such purposes and uses do not interfere with Grantee's rights herein and are in all respects consistent with the Grantee's rights herein.

If Grantee determines that the Easement Area is no longer needed for the Utility Facilities, this easement shall terminate after Grantor requests and Grantee executes and records a written relinquishment of the easement.

If requested by Grantor Grantee agrees, at its sole cost and expense, within 120 calendar days of written request by Grantor or such time as mutually agreed upon by the parties in writing, to expeditiously adjust, modify, change, and remove and/or relocate Grantee's Utility Facilities as necessary for public convenience and/or safety or for construction, reconstruction, repair and/or maintenance of Grantor's improvements which exist now or in the future, including any public improvements and/or any public safety improvements.

Grantee shall bear the entire cost and expense incurred in connection with Grantor's construction, maintenance, repair and/or renewal, and any and all modification, revision, relocation, removal or reconstruction of the Utility Facilities.

Grantee shall not assign this Grant of Non-Exclusive Easement to a non-affiliated entity without the written consent of the Grantor. Grantee may assign or transfer this Grant of Non-Exclusive Easement to any entity controlling, controlled by, or under common control with the Grantee by providing written notification to Grantor.

This Grant of Non-Exclusive Easement is subject to the Terms and Conditions set forth in Exhibit "B" and the Best Practices outlined in Exhibit "C". If the Grantee fails to conform to any of the conditions set forth in these Exhibits, the Grantor shall give the Grantee notice of the violation. If Grantee fails to remedy the violations within ten days after receipt of notice, the Grantor may undertake to correct the violations and the Grantee shall pay the costs incurred by the Grantor in remediation of violations. Such reimbursement shall take place within 30 days after receipt of invoice. If any violation cannot be remedied by the Grantor undertaking that commitment, the Grantor may seek, in addition to other remedies, equitable relief in court.

This Non-Exclusive Grant of Easement is granted subject to any and all existing rights.

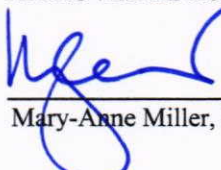
**GRANTOR:**  
**COUNTY OF CLARK**  
**a political Subdivision of the State of Nevada**

\_\_\_\_\_  
Lisa Kremer  
Director, Real Property Management

**GRANTEE:**  
**OVERTON POWER DISTRICT NO. 5**

\_\_\_\_\_  
By: \_\_\_\_\_  
Title: Staking Engineer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mary-Anne Miller, County Counsel

[Notary page follows]

STATE OF NEVADA}  
COUNTY OF CLARK}

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_ by Lisa Kremer as  
Director of Real Property Management Department of County of Clark, Nevada.

\_\_\_\_\_  
Signature of Notarial Officer

Notary Seal area →

This instrument was acknowledged before me on May 6, 2021 by Luke Whitney  
Staking Engineer

Kristi D. Eames  
Signature of Notarial Officer

Notary Seal area →





APN: 034-000-001-019  
OPD 1115-58-02

**EXHIBIT "A"**

A portion of the Southeast Quarter (SE 1/4) of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian, Clark County, Nevada, being more particularly described as follows:

**Commencing** at a point on the East Section Line that is South 00°01'54" East 133.72 feet from the East Quarter Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian; Thence coincident with the centerline of an existing overhead power line the following four (4) courses:

- 1) South 63°56'39" West 342.45 feet to the center of an existing power pole;
- 2) South 64°15'29" West 326.20 feet to the center of an existing power pole;
- 3) South 36°08'05" West 420.46 feet to the center of an existing power pole;
- 4) South 36°13'58" West 378.07 feet to the center of an existing power pole;

Thence departing said centerline, South 76°18'35" East 108.33 feet to the **Point of Beginning**;  
Thence North 13°41'25" East 12.50 feet;  
Thence North 76°18'35" West 23.21 feet;  
Thence North 19°12'08" East 13.84 feet;  
Thence South 77°13'33" East 20.13 feet;  
Thence North 19°12'08" East 261.73 feet to a point on a line 12.50 feet distant from, and parallel with a portion of the aforementioned centerline;  
Thence coincident with said parallel line, North 36°13'58" East 34.14 feet;  
Thence departing said parallel line, South 19°12'08" West 293.25 feet;  
Thence South 77°13'33" East 35.22 feet;  
Thence South 19°12'08" West 50.32 feet;  
Thence North 77°13'33" West 65.41 feet;  
Thence North 19°12'08" East 11.36 feet;  
Thence South 76°18'35" East 25.62 feet;  
Thence North 13°41'25" East 12.50 feet to the **Point of Beginning**, as shown on the "EXHIBIT MAP TO ACCOMPANY LAND DESCRIPTION" attached hereto and made a part hereof.

Containing 5,435 Square Feet.

Basis of bearing is the Geodetic bearing of the line between the East Quarter and the Southeast Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Base and Meridian (North 00°01'54" East). Both Corners being occupied with BLM 2013 brass caps.

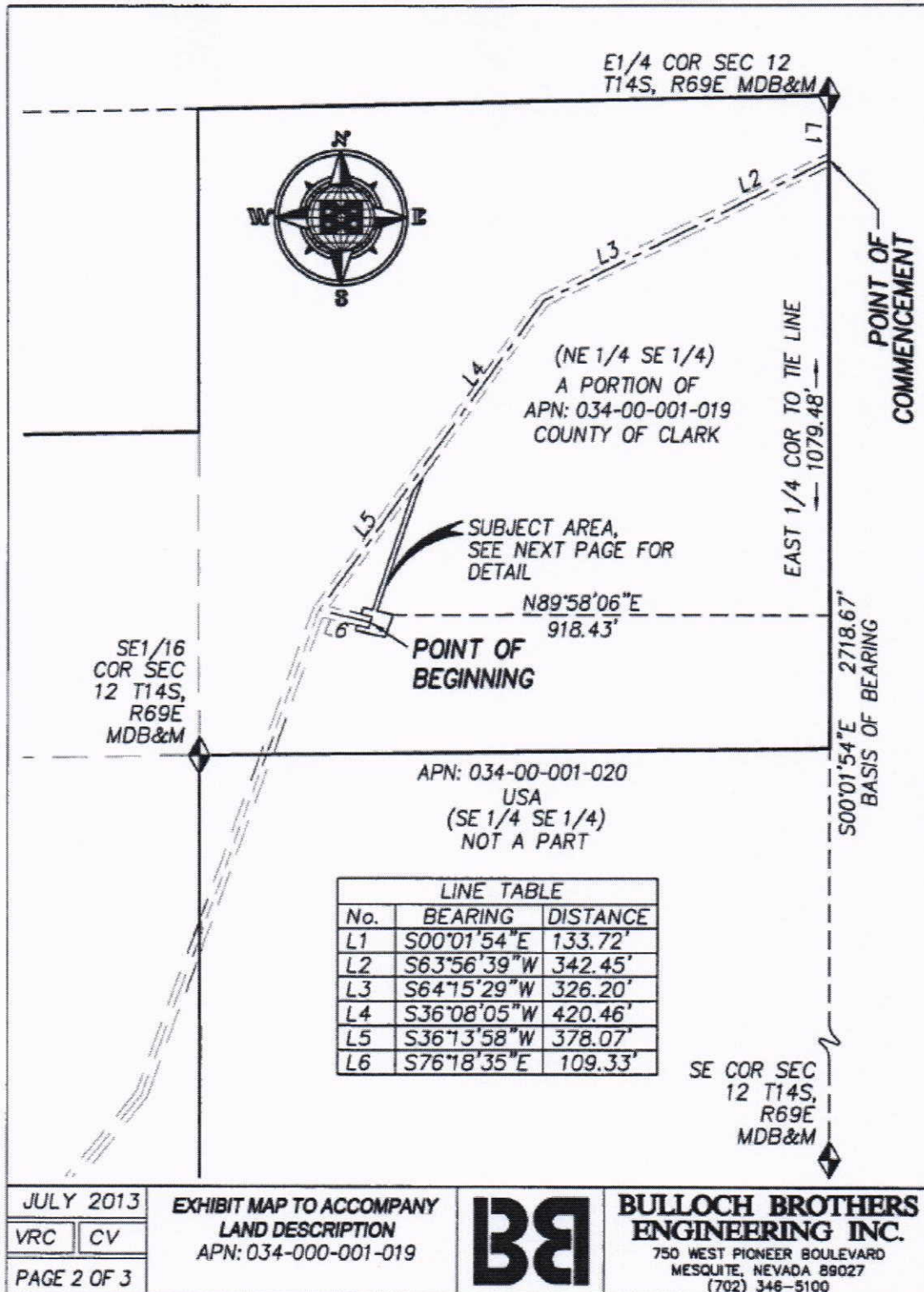
Prepared October 21, 2020 by  
Bulloch Brothers Engineering, Inc.  
750 W. Pioneer Blvd., Mesquite, NV  
Corbin L. Van Nest, P.L.S.  
Nevada License No. 14349



1 OF 3

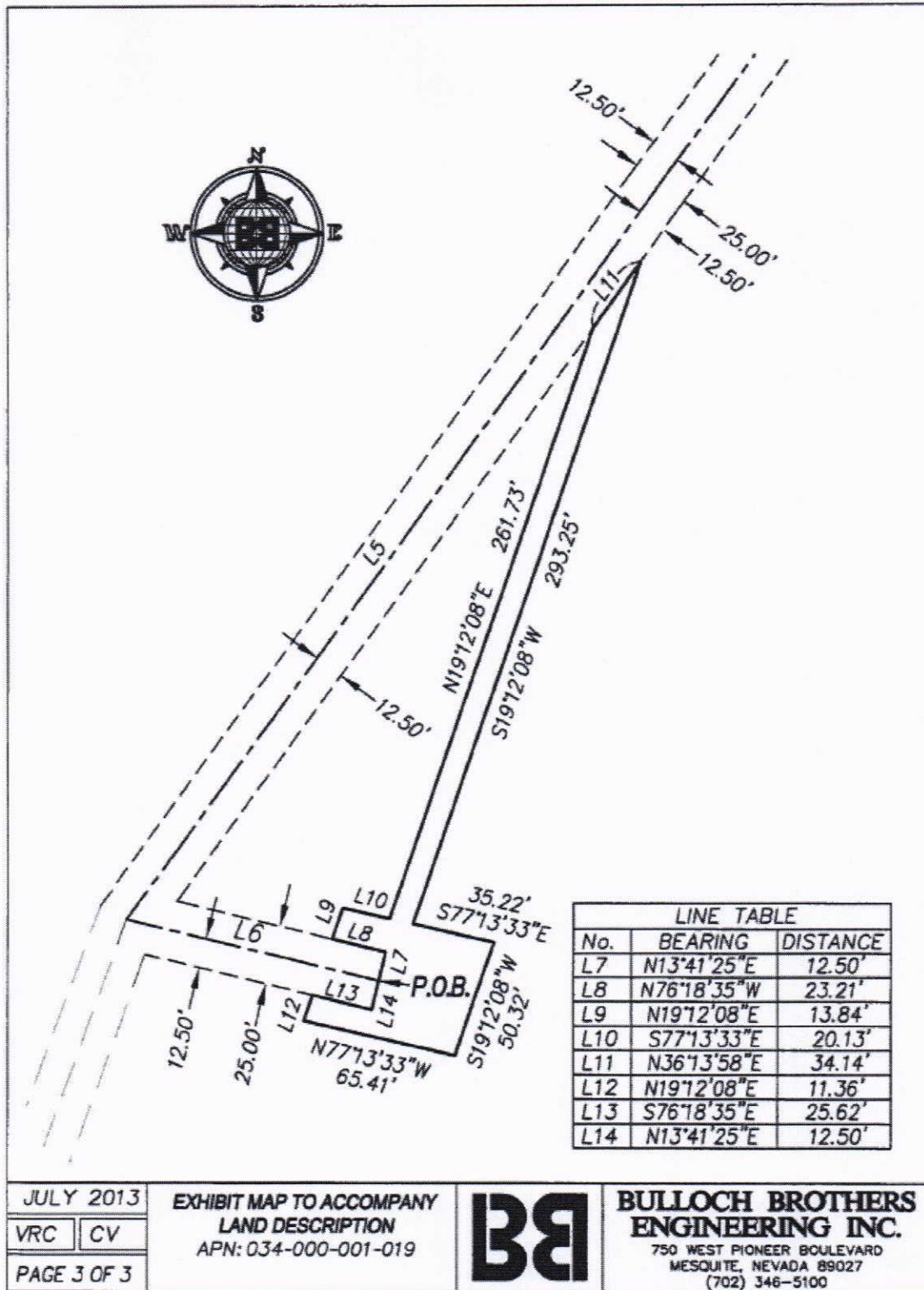
10-26-2020

# EXHIBIT A





# EXHIBIT A



JULY 2013  
VRC CV  
PAGE 3 OF 3

EXHIBIT MAP TO ACCOMPANY  
LAND DESCRIPTION  
APN: 034-000-001-019



**BULLOCH BROTHERS  
ENGINEERING INC.**  
750 WEST PIONEER BOULEVARD  
MESQUITE, NEVADA 89027  
(702) 346-5100

## EXHIBIT A

Portions of the Southeast Quarter (SE 1/4) of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian, Clark County, Nevada, being more particularly described as follows:

### Area 1:

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at a point on the East Section Line that is South 00°01'54" East 133.72 feet from the East Quarter Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian;  
Thence South 63°56'39" West 342.45 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point A**';  
Thence South 64°15'29" West 326.20 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point B**';  
Thence South 36°08'05" West 420.46 feet to an existing power pole;  
Thence South 36°13'58" West 378.07 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point C**';  
Thence South 20°07'07" West 322.96 feet to a point on the South Line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 12, said point being hereinafter referred to as '**Point D**', said point also being the **Point of Terminus** of Area 1. The sideline boundaries of said strips are to be lengthened or shortened so as to begin on the East Line of said Section 12, end on the South Line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 12, and to intersect at all angle points.

Area 1 contains 44,754 Square Feet.

### Area 2:

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Commencing** at aforementioned '**Point D**'; Thence continuing South 20°07'07" West 407.80 feet to a point on the East Line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said section 12, said point being the **Point of Beginning** of Area 2;  
Thence continuing South 20°07'07" West 345.36 feet to point at the center of an existing power pole, said point being hereinafter referred to as '**Point E**';  
Thence South 39°11'09" West 400.95 feet to an existing power pole;  
Thence South 39°25'28" West 435.19 feet to a point on the South Section Line of said Section 12 that bears South 89°44'10" West 1974.18 feet from the Southeast Corner of Section 12, said point also being the **Point of Terminus** of Area 2. The sideline boundaries of said strips are to be lengthened or shortened so as to begin and end on the East and south lines respectively of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 12, and to intersect at all angle points.

Area 2 contains 29,537 Square Feet.



## EXHIBIT A

### AREA 3:

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point C**'; Thence North  $76^{\circ}18'35''$  West 1020.82 feet to a point hereinafter referred to as '**Point F**', said point being the Point of Terminus of Area 3. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the westerly boundary of aforesaid 'Area 1, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 3 contains 25,219 Square Feet.

### AREA 1-A;

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point A**'; Thence South  $28^{\circ}42'37''$  East 143.16 feet; Thence South  $09^{\circ}51'05''$  East 54.83 feet to the Point of Terminus of Area 1-A. The sideline boundaries of said strips, are to be lengthened or shortened so as to begin and on the boundary of aforesaid 'Area 1, end on a line perpendicular to the last course, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-A contains 3,952 Square Feet.

### AREA 1-B;

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point B**'; Thence North  $45^{\circ}27'25''$  West 49.79 feet to the Point of Terminus of Area 1-B. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid 'Area 1, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-B contains 961 Square Feet.

### AREA 1-C;

A Strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point C**'; Thence South  $76^{\circ}18'35''$  East 109.33 feet to the Point of Terminus of Area 1-C. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid 'Area 1, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-C contains 2,382 Square Feet.

## EXHIBIT A

### AREA 2-A;

A Strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned 'Point E'; Thence South 59°16'09" East 95.54 feet to the **Point of Terminus** of Area 2-A. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid 'Area 2, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-2.

Area 2-A contains 2,098 Square Feet.

### Area 3-A:

**Beginning** at aforementioned 'Point F'; Thence South 13°41'25" West 25.00 Feet;  
Thence North 76°18'23" West 51.08 feet to a point hereinafter referred to as 'Point G';  
Thence continuing North 76°18'23" West 19.92 feet;  
Thence North 13°41'25" East 50.00 feet;  
Thence South 76°18'23" East 71.00 feet;  
Thence South 13°41'35" West 25.00 feet to the **Point of Beginning**.

Area 3-A contains 3,550 Square Feet.

### Area 3-B:

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned 'Point G'; Thence South 54°24'16" West 4.28 feet;  
Thence South 37°51'06" West 355.09 feet to a point hereinafter referred to as 'Point H';  
Thence South 55°43'55" West 374.76 feet to a point on the West line of the Southeast Quarter (SE 1/4) of aforesaid Section 21, said point being the **Point of Terminus** of Area 3-B. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the southerly boundary of aforesaid 'Area 3-A, end on the West line of the Southeast Quarter (SE 1/4) of aforesaid Section 21, and to intersect at all angle points.

Area 3-B contains 635 Square Feet.

### Area 3-C:

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned 'Point G'; Thence South 47°51'17" East 37.08 feet to the **Point of Terminus** of Area 3-C. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid Area 3-B, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area 3-B.

Area 3-C contains 103 Square Feet.

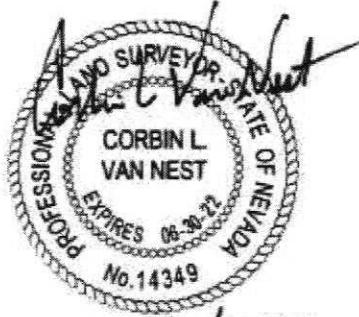
The sum of all areas described herein equals 2.60 Acres.



## EXHIBIT A

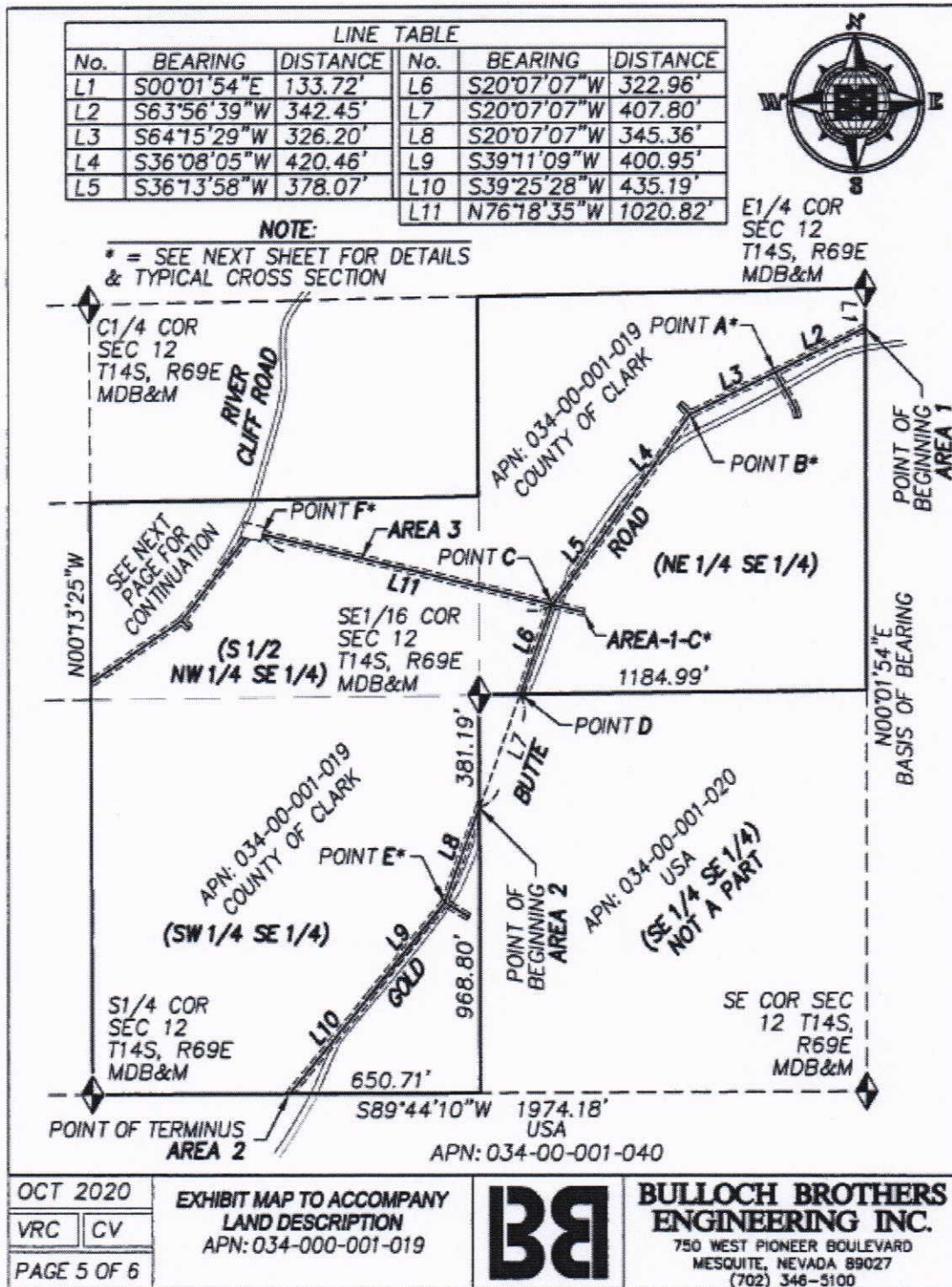
Basis of bearing is the Geodetic bearing of the line between the East Quarter and the Southeast Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Base and Meridian (North  $00^{\circ}01'54''$  East). Both Corners being occupied with BLM 2013 brass caps.

Prepared October 21, 2020 by  
Bulloch Brothers Engineering, Inc.  
750 W. Pioneer Blvd., Mesquite, NV  
Corbin L. Van Nest, P.L.S.  
Nevada License No. 14349



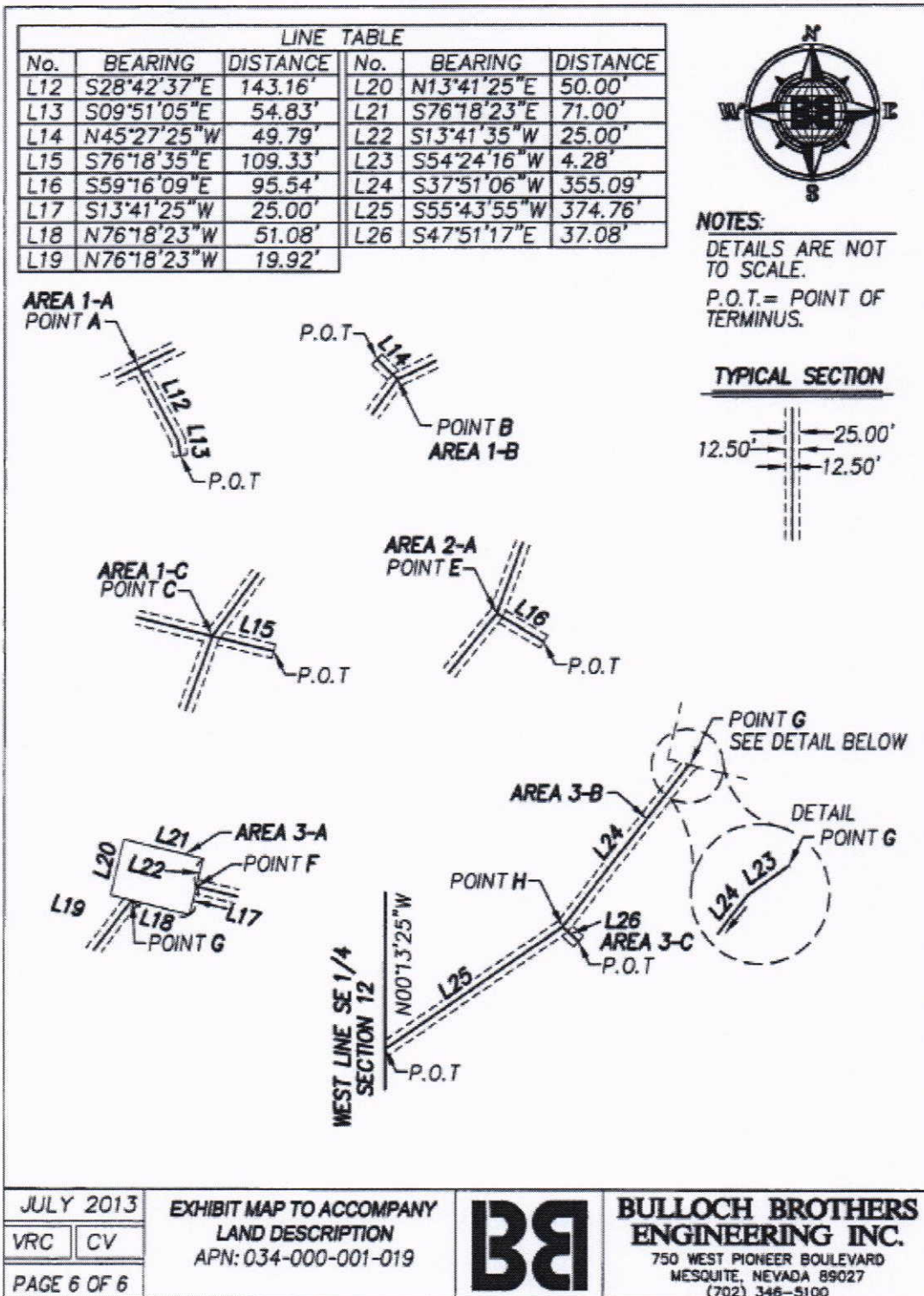
10/21/2020

# EXHIBIT A





# EXHIBIT A



## **EXHIBIT B**

### **Reserve Use Authorization**

#### **Terms and Conditions for Construction and Related Work within the Riparian Reserve Units**

#### **Overton Power District – Riverside Structure Replacement**

##### **Restoration**

If requested by the County, Overton Power District shall conduct post construction restoration in accordance with the provisions outlined in the *Best Practices for the Construction, Maintenance, and Operation of Infrastructure Through and Within the Riparian Reserves* document.

##### **Southwestern Willow Flycatcher, Yellow-billed Cuckoo, and Migratory Birds**

To minimize adverse effects to the southwestern willow flycatcher, yellow-billed cuckoo, and other migratory bird species, Overton Power District shall implement the following protective measures during construction activities:

1. It is recommended that construction be scheduled outside of the migratory bird breeding season (February 15 – August 31). If Overton Power District schedules construction during the migratory bird breeding season, Overton Power District shall employ a qualified avian biologist (deemed qualified by the County) to conduct a survey for nesting birds within seven days of any ground-disturbance activities.
2. Any active nests would require an appropriate exclusion buffer, determined through coordination with the County. No construction activity, including travel, would be permitted within the exclusion buffer.

##### **Desert Tortoise**

To minimize adverse effects to the desert tortoise, Overton Power District shall implement the following protective measures during construction activities:

1. It is recommended that construction be scheduled outside of the active desert tortoise season (March 1 – October 31). If Overton Power District schedules construction during the active season, Overton Power District shall employ a qualified desert tortoise biologist (deemed qualified by the County) to be present on site during all construction activities.
2. The qualified desert tortoise biologist shall perform a pre-construction clearance survey of the work areas including the transmission line alignment, pull sites, and structure sites. If a desert tortoise is observed, the COUNTY Senior Biologist shall be contacted immediately.
3. All project personnel shall check under vehicles or equipment before moving them. If project personnel encounter a desert tortoise, they will contact the qualified desert tortoise biologist. The desert tortoise will be allowed to move a safe distance away prior to moving the vehicle.
4. Any open holes and/or trenches must be completely covered at the end of each workday.
5. Overton Power District shall implement protective measures to reduce adverse effects associated with predation of desert tortoise. Personnel shall dispose of all trash and food-related waste in secure, self-closing receptacles to prevent the introduction of subsidized food resources for predators.



## EXHIBIT B

Terms and Conditions for Construction and Related Work  
within the Riparian Reserve Units

Overton Power District – Riverside Structure Replacement

### Biologist Responsibilities

1. The avian and desert tortoise biologists (BIOLOGIST) will be responsible for overseeing compliance with all the protective measures outlined in this document. The BIOLOGIST shall work with Overton Power District to resolve any non-compliance issues identified, but is ultimately responsible for reporting unresolved non-compliance issues directly to COUNTY.
2. The BIOLOGIST shall present an environmental awareness program to all on-site construction personnel that will address the following: purpose of the Riparian Reserve Units, legal protection of the southwestern willow flycatcher, yellow-billed cuckoo, and desert tortoise, and definition of "take", general species behavior and ecology, sensitivity to human activities, desert-specific leave-no-trace guidelines, species protective measures, legal penalties for violation of state and federal laws protecting the species, and reporting requirements. The program shall also instruct all on-site personnel to report all observations of southwestern willow flycatcher, yellow-billed cuckoo, and desert tortoise, and their sign to the BIOLOGIST.

### Weed Management

Overton Power District shall implement the following measures during construction, operation, and maintenance to prevent the introduction and spread of noxious and invasive weeds:

1. Overton Power District shall limit the size of vegetation and ground disturbance to the minimum area practicable.
2. All vehicles and equipment shall be cleaned prior to arriving on the property or project site.
3. Existing weed infestation(s) shall be avoided.
4. Certified weed-free materials will be used, where applicable.
5. The BIOLOGIST shall document presence of weeds, and report to County, listed on the Nevada Noxious Weed List on the State of Nevada, Department of Agriculture's website:  
[http://agri.nv.gov/Plant/Noxious\\_Weeds/Noxious\\_Weed\\_List/](http://agri.nv.gov/Plant/Noxious_Weeds/Noxious_Weed_List/)
6. Any temporary disturbance area shall be restored at the completion of construction activities in accordance with the actions described in the *Best Practices to be used for the Construction, Maintenance, and Operation of Infrastructure Through and Within the Riparian Reserves* document.

### General Protective Measures

1. Overton Power District shall confine all construction activities, vehicles, and equipment within the boundaries of the project area. All work shall be confined to the smallest practicable area. Overton Power District's personnel shall only travel on County approved roads.
2. Overton Power District shall maintain all vehicles and equipment in good working condition and shall repair any vehicle or equipment immediately if there is leakage of motor oil, antifreeze, grease, or other hazardous materials. Hazardous spills shall be immediately cleaned up and disposed of at an authorized facility.
3. Vehicular traffic during construction shall be confined to open roads and approved work areas. Cross-country travel is prohibited. The speed limit will be 25 miles per hour during the less-active desert tortoise season (November through February) and 15 miles per hour during the more-active season (March through October).

## EXHIBIT B

Terms and Conditions for Construction and Related Work  
within the Riparian Reserve Units

Overton Power District – Riverside Structure Replacement

### Reporting Requirements

1. The BIOLOGIST shall record data on each southwestern willow flycatcher, yellow-billed cuckoo, and desert tortoise observed. The data shall include date and time of observation, tag number (if applicable), GPS location where the animal was first observed.
2. The BIOLOGIST shall record data if noxious or invasive weed populations are observed. The data shall include date and GPS location.
3. If a nest is damaged as a result of project activities, the COUNTY Environmental Specialist shall be contacted immediately.
4. If a desert tortoise is killed or injured as a result of project activities, the COUNTY Senior Biologist shall be contacted immediately.

COUNTY Senior Biologist  
Scott Cambrin  
702-455-3859  
Scott.Cambrin@ClarkCountyNV.gov

COUNTY Environmental Specialist  
Caryn Wright  
702-455-2972  
Caryn.Wright@ClarkCountyNV.gov

5. All data collection activities shall be conducted in accordance with COUNTY's Data Management Guidelines, available online at:  
[https://www.clarkcountynv.gov/government/departments/environment\\_and\\_sustainability/desert\\_conservation\\_program/project\\_handbook.php](https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/desert_conservation_program/project_handbook.php)
6. Within 30 days of the completion of construction activities the BIOLOGIST shall provide a report to COUNTY that details the effects of the project on desert tortoise and other sensitive species in the project area. This report shall include information on any instance where nests were damaged or desert tortoises were killed, injured, or handled; the circumstances of the incident; and any action taken to prevent further incidents. This report shall also include a record of other MSHCP covered, evaluation, and watch list species observed during project activities as well as the date, time, and location of the observation. Photos of species shall be provided when available.



## EXHIBIT C

# BEST PRACTICES FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF INFRASTRUCTURE THROUGH AND WITHIN THE RIPARIAN RESERVES

The sections below describe the requirements for minimization and restoration on the RIPARIAN RESERVES, an explanation of the categories of disturbance that may be permitted on the RIPARIAN RESERVES, the parameters of success for restoration activities, and best practices for restoration. These best practices shall be used as part of the evaluation of RIPARIAN RESERVES special use permit requests.

## 1 GOAL

The goal for activities that may temporarily or permanently disturb the RIPARIAN RESERVES is to minimize impacts to the greatest extent practicable. For those areas that are disturbed, the goal for restoration on the RIPARIAN RESERVES is to restore the maximum amount of the structure and function of areas that have been disturbed.

## 2 STANDARDS

In general, minimizing the aerial extent (aka footprint) of disturbed areas for all three categories of disturbance is strongly recommended. In those instances where disturbance is not avoided, restoration shall be required. The objective of restoration is the replacement of the maximum amount of cover and structure of living and dead native vegetation. Dead vegetation provides shelter for wildlife and vertical structure (known as "vertical mulch") that traps and shelters seeds of native species, thus allowing for increased germination rates compared to sites with less overall cover. In general, a project will be considered successfully restored when the following conditions are met (in comparison to pre-disturbance conditions or undisturbed reference sites):

- Meet or exceed the specified percent cover of native perennial vegetation
- Meet or exceed the specified percent cover of native annual vegetation
- Meet or exceed the specified species richness of native perennial vegetation
- Meet or exceed the specified species richness of native annual vegetation
- No increase in non-native species richness
- No increase in non-native species cover
- Lack of significant erosion
- Site is visually integrated into the surrounding undisturbed landscape

Remedial actions to meet restoration criteria will be taken when sites are not progressing towards meeting success standards. Monitoring and reporting periods will be extended if restoration criteria are not being met. See Section 5.4 for additional details on how success will be determined.

## 3 SITE RELEASE

After project completion, if the County has determined that restoration is on a trajectory towards recovery, no additional reclamation will be necessary. If restoration is not on a trajectory towards recovery, an additional review of restoration task success may be conducted by the County to determine if additional remediation is necessary.

## 4 CATEGORIES OF DISTURBANCE

Three categories of disturbance are described below: D-1, Overland Drive and Crush; D-2, Clear and Cut; and D-3, Clear and Cut with Soil Removal. Category D-2, Clear and Cut is strongly discouraged and existing access roads shall instead be used to access work areas. Each category is described in more detail below.

### 4.1 D-1. OVERLAND DRIVE AND CRUSH.

## EXHIBIT C

### Best Practices

Disturbance caused by accessing a site without significantly modifying the landscape. Vegetation is crushed but not cropped. Soil is compacted, but no surface soil is removed. Examples include utility line tensioning and pulling areas, tower pad sites, overland access to fiber optic meter sites, salvaged soil or rocks stockpiling areas, and spur roads to electrical distribution line structures. Even though vegetation may be damaged or even destroyed, the surface soil and seed bank remains in place. Some crushed vegetation will likely resprout after disturbance ceases. These activities would result in minimal to moderate disturbance. This method has a low risk for invasion of non-native plant species.

#### D-1 OVERLAND DRIVE AND CRUSH RESTORATION REQUIREMENTS

General restoration actions for Overland Drive and Crush disturbances include:

##### Pre-construction:

- 1 Conduct pre-construction monitoring
- 2 Seed collection
- 3 Cactus and yucca salvage and temporarily relocate outside of disturbance area and within the right-of-way

##### Post-construction:

- 1 Earthworks: selectively decompact terrain, if required by County, or erase tracks
- 2 Replace salvaged cactus and yucca within areas unlikely to be redisturbed within the right-of-way
- 3 Reseed
- 4 Treat for noxious and/or invasive weeds
- 5 Install restoration signs
- 6 Monitor and report

#### 4.2 D-2. CLEAR AND CUT.

Disturbance caused by accessing the project site, but having to clear all vegetation in order to improve or provide suitable access for other equipment. All vegetation is removed, soils are compacted, but no surface soil is removed. Examples include temporary access roads where the road is improved for access and could also include some examples from D-1 above. Clear and cut activities would result in moderate disturbance. This method has a moderate risk for invasion of non-native plant species.

#### D-2 CLEAR AND CUT RESTORATION REQUIREMENTS

General restoration actions for Clear and Cut disturbances include:

##### Pre-construction:

- 1 Conduct pre-construction monitoring
- 2 Seed collection
- 3 Cactus and yucca salvage and temporarily relocate outside of disturbance area and within right-of-way
- 4 Scrape and separate to the side of disturbance surface vegetation (i.e., vertical mulch), surface rocks, and surface soil. In other words, three passes are required - one to collect the vertical mulch and a second pass to collect surface rocks, and a third to collect the surface layer of soil.

##### Post-construction:

- 1 Earthworks: Replace surface soil, decompact terrain, recontour, replace vertical mulch and rocks
- 2 Process, remove, or color caliche
- 3 Perennial tree and shrub outplanting
- 4 Replant cactus and yucca within areas unlikely to be redisturbed within the right-of-way
- 5 Reseed



## EXHIBIT C

### Best Practices

- 6 Treat for noxious and/or invasive weeds
- 7 Application of County-approved simulated landscape patina colorant to rocks and/or newly exposed caliche to camouflage the restoration area
- 8 Installation of restoration signs
- 9 Monitor and report

#### 4.3 D-3. CLEAR AND CUT WITH SOIL REMOVAL.

Disturbance caused by removing all vegetation in the impact zone, the soils are compacted and the surface soil is displaced and (for projects requiring underground installation) the subsurface soils also are displaced. These activities result in heavy disturbance and are most likely to lead to invasions of non-native plant species. Examples include pipelines, buried fiber optic lines, and access roads that require grading and filling.

#### D-3 CLEAR AND CUT WITH SOIL REMOVAL RESTORATION REQUIREMENTS

General restoration actions for Clear and Cut with Soil Removal disturbances include:

##### Pre-construction:

- 1 Conduct pre-construction monitoring
- 2 Seed collection
- 3 Cactus and yucca salvage and temporarily relocate outside of disturbance area and within right-of-way
- 4 Scrape and separate to the side of disturbance surface vegetation (i.e., vertical mulch) and surface rocks, surface soil, and subsurface soil. In other words, three to four passes are required - one to collect the vertical mulch, a second to collect surface rocks, and a third and possible fourth pass to collect each layer of soil depending on depth of disturbance.

##### Post-construction:

- 1 Earthworks: Replace soils (in proper order), decompact terrain, recontour, bank stabilization, replace vertical mulch and rocks
- 2 Process, remove, or color caliche
- 3 Perennial tree and shrub outplanting
- 4 Replant cactus and yucca within areas unlikely to be redisturbed within the right-of-way
- 5 Reseed
- 6 Treat for noxious and/or invasive weeds
- 7 Application of County-approved simulated landscape patina colorant to rocks and/or newly exposed caliche to camouflage the restoration area
- 8 Installation of restoration signs
- 9 Monitor and report

## 5 DETAILED DESCRIPTIONS OF RESTORATION REQUIREMENTS

The restoration plan shall be divided into five sections: 1) Survey and Planning Activities, 2) Pre-construction Actions, 3) Post-construction Actions, 4) Monitoring, and 5) Reporting. These sections shall describe sequential actions for a project, and each is described in more detail below.

### 5.1 SURVEY AND PLANNING ACTIVITIES

The following is a description of survey and planning activities required of proponents prior to the start of pre-construction actions. This includes: 1) project area survey; 2) identification of disturbance levels; 3) seed collection; 4) establishment of pre-construction site conditions 5) special status plant inventories; 6) determination of restoration actions; and 7) report to County.

## EXHIBIT C

### Best Practices

1. Project Area Survey. All aspects of the project shall be surveyed, including but not limited to, permanent facility locations, permanent access roads, temporary use areas, stockpiling areas, pulling and tensioning sites, tower locations, spur roads, and temporary access roads. Surveys shall be recorded as GPS point features and delivered to the County as ArcView shapefiles or ArcInfo export files. Baseline pre-construction qualitative and quantitative monitoring of vegetation shall be performed by the project proponent to document the pre-construction conditions.
2. Identification of Disturbance Levels. Disturbance levels will be identified for each portion of the project area, and depicted on a map at a scale of no greater than 1:2,400.
3. Seed Collection. An appropriate seed mix for the project area shall be developed and approved by the County as part of the project application process. If the project area includes more than one habitat type, the restoration plan may be divided into two or more zones with different seed mixes required for each zone. Seed collection activities may occur when seeds are available. Seed collection may be conducted on public lands (not on the RIPARIAN RESERVES) or acquired through an approved seed company and be conducted by an approved/qualified seed company. Only mature seed shall be collected. Pounds of seed will be calculated based upon approved seed mixture and seeding rate.

If collecting seed, no more than 50 percent of seed shall be collected from any one population. After collection, the seeds shall be cleaned, tested for pounds live seed, certified weed free, and stored. All seeds shall be stored dry in a dry insect/rodent proof container that is labeled with location and date of collection and collector's name. A summary of seed collected or procured shall be provided.

Cutting Collection. Dormant hardwood cuttings can be collected to plant in a riparian project as "nonrooted cuttings," or to send to a nursery to be rooted, grown for a year, and then outplanted on the project site as a "rooted cutting." Three types of nonrooted cuttings are used: live stakes (12 to 16 inches long), branched cuttings (2 to 6 feet long), and pole cuttings (12 to 16 feet long). The type of cutting will depend on the timeframe of the project. Cuttings will be collected and stored, as described in Luna, et al (2006).

4. Establishment of Pre-construction Site Conditions. The project proponent shall complete qualitative and quantitative monitoring, in coordination with the County Environmental Specialist, to establish pre-construction baseline site conditions. Monitoring protocols are further described below under the Section 5.4 Monitoring. The photos, field data sheets, data tables and summary information shall be reported and provided to County prior to the start of salvage activities, with the exception of cactus and yucca flagging.
5. Special Status Plant Inventories. If requested by County, special status plant inventory surveys consisting of transect lines that cover 100 percent of potential habitat shall be conducted. Transect lines walked and encountered plant individuals shall be recorded as GPS point features and delivered to the County as ArcView shapefiles or ArcInfo export files. A summary of findings shall be included in the Pre-construction Survey Report and Restoration Plan.
6. Determination of Restoration Actions. Determination of proposed restoration activities shall be provided. Restoration actions shall be depicted on maps at the same scale as those provided for disturbance levels.
7. Report to County. A Pre-Construction Survey Report and Restoration Plan shall be provided to and approved by the County prior to the start of pre-construction activities that includes all information identified above.



## EXHIBIT C

Best Practices

### 5.2 PRE-CONSTRUCTION ACTIONS

The following is a description of restoration actions that shall be performed prior to the construction of the project. This includes 1) salvage of cactus and yucca; 2) salvage of vertical mulch and surface rocks; and 3) salvage of surface and subsurface soils.

1. Salvage of Cactus and Yucca. The project proponent shall identify on site with flagging tape all cacti and yucca that are present within the construction area and will mark the north orientation for all cacti. During survey all yucca clusters shall be counted as separate plants. This flagging and survey may be conducted during pre-construction monitoring. A list describing quantity and species will be forwarded to the County upon completion of task.

Project proponent shall obtain any necessary permits to handle cactus and yucca from the Nevada Division of Forestry. All cacti and yucca under 8 feet (2.4384 m) in height will be salvaged, except for cylindropuntia cacti (aka cholla), including *Opuntia echinocarpa*, *O. acanthocarpa*, and *O. ramosissima* over 3 feet (0.9144m) tall. Any individuals over the heights noted above are not required to be salvaged and will instead become a part of the salvaged "vertical mulch". All live cactus to be salvaged will be tagged in such a way to note the north-facing side of each individual prior to removal from the soil.

The temporary storage area will be prepared before transplanting begins. Salvaged live cactus and yucca shall be removed with no less than 2 inches (5.08 cm) of the root structure intact. Salvaged live material shall be shaded until moved to the temporary storage area, stored on site within the right-of-way, and planted to a depth of no more than original depth of soil cover. All cactus shall be planted with their original north-south orientation. It is recommended to plant similar species together, with individuals of similar size together as to allow for greater control of watering rates. Watering guidelines are as follows:

- Water thoroughly immediately after transplant
  - Water thoroughly 2 weeks after transplant
  - Water additionally as needed but no more frequently than every two weeks to avoid root rot
  - Watering rates and quantities shall be determined according to the size and species of each plant.
2. Salvage of Vertical Mulch and Surface Rocks. After completion of cactus and yucca salvage and storage, remaining live and dead above ground vegetation materials shall be removed and stored within right-of-way for future restoration use as vertical mulch. Other perennial native vegetation is not salvaged live due to low rates of success compared with other restoration methods and higher costs associated with live salvage, as described in Abella and Newton (2009).

Rocks no larger than 12 inches (30.48 cm) in diameter, gravel and cobble on the surface shall be removed and stored in small piles or windrows within the right-of-way for later replacement in area of salvage. Larger rocks and boulders that must be removed for construction should also be salvaged. Under no circumstances shall cactus and yucca be buried by the salvaged rock or vertical mulch piles.

3. Salvage of Surface and Subsurface Soils. The top 4 inches (10.16 cm) of soil shall be scraped and stored in uncompacted piles no more than 4 feet (1.2192 m) high within the right-of-way. The salvaged top soil shall not be mixed with deeper soils, as this decreases the viability of seeds found in the topsoil, as described in Scoles-Sciulla and DeFalco (2009).

To the extent practical, root crowns and roots of perennial vegetation shall be left in place to assist recovery of the area post-construction. Subsurface soils that must be removed for construction purposes shall also be salvaged and stored in piles separate from the salvaged top soil within the right-of-way. Under no circumstances shall cactus or yucca be buried by the salvaged soil piles.



## EXHIBIT C

### Best Practices

Salvaged soil should be labeled and protected from erosion and inadvertent use as fill. Overall handling should be kept to a minimum.

### 5.3 POST-CONSTRUCTION ACTIONS

The following is a description of the actions that may take place after the end of construction. This includes 1) earthworks, 2) decompact terrain, recontour drainage, bank stabilization, 3) process, remove, or color caliche, 4) erase equipment tracks, 5) replace vertical mulch and surface rocks, 6) replant cactus and yucca, 7) perennial tree and shrub outplanting, 8) reseed, 9) install restoration signs, and 10) post-construction monitoring.

1. Earthworks. Replace salvaged soils in proper order, with subsurface below surface soils. Once all soils are replaced, rake or harrow to create microtopographic features that will greatly enhance restoration success as described in Abella and Newton (2009).
2. Decompact Terrain, Recontour Drainage, Bank Stabilization. Decompact soils by ripping and/or harrowing soils in areas that were impacted and/or compacted by the project, unless that compaction is part of the approved project design. Depth of compaction relief will depend on site-specific conditions. Care shall be taken to avoid "corn rows" and to prevent inverting the soil layers. Recontour soils to restore natural drainage patterns, or recontour to conform to approved project design. The soil shall be left adequately rough to provide microtopographic features. Strengthen unstable banks to prevent lateral migration of the channel, land loss, excess sediment supply, and to enhance habitat. A variety of stabilization measures can be utilized, ranging from the use of rock, channel shaping to create benches or appropriate plan form, and the use of native vegetation for bioengineering practices. The prescribed practice may include a combination of actions.
3. Process, Remove, or Color Caliche. Any cut rocks or newly exposed caliche shall be recolored with a County-approved permanent, non-toxic, landscape colorant, such as Permeon ®.
4. Erase Equipment Tracks. Remove tracks made by equipment by manual raking or other means that will not compact the soils. Rake or harrow as above to create microtopographic features that greatly enhance restoration success as described in Abella and Newton (2009).
5. Replace Vertical Mulch and Surface Rocks. Replace surface rocks by partially burying any large boulders or rocks and placing salvaged cobble and gravel to mimic surrounding, undisturbed areas. This camouflages sites and reduces likelihood of vandalism or illegal vehicular use that might jeopardize restoration success. Position vertical mulch to mimic the density and vertical structure of vegetation prior to construction, burying each dead shrub or cactus partially to reduce loss to wind.
6. Replant Cactus and Yucca. Salvaged cactus and yucca shall be replanted in restored areas not likely to be redisturbed in the next 10 years. Cactus will be replanted so that marked North indicator again faces north. All salvaged cactus and yucca will be planted to mimic the pre-construction distribution of each species, and in densities similar to pre-construction density. A watering term will be created for each plant. Watering guidelines are as follows:
  - Water thoroughly immediately after transplant
  - Water thoroughly 2 weeks after transplant
  - Water additionally as needed but no more frequently than every two weeks to minimize risk of root rot
  - Watering rates and quantities shall be determined according to the size and species of each plant
  - Watering shall continue for at least one growing season or until plants are well established



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Best Practices

7. Perennial Tree and Shrub Outplanting. Outplanting of dominant perennial trees and shrubs is recommended for sites at which sub-surface soils or root structures have been removed due to the low rate of seeding success for many desert species. Tree and shrubs will be from cuttings or seed collected as described in Section 5.1 and grown out in a nursery or from native plant nurseries which have acquired seed from the appropriate seed zone. All plant pots must be certified weed free. The ratio and quantity of to be outplanted shall be based on baseline and post-construction site conditions. Trees and shrubs will be planted in a random pattern, avoiding rows or grids. Protective sleeves or wire cages shall be installed when herbivory is anticipated. A watering berm will be created for each plant. Watering guidelines are as follows:
  - Water thoroughly immediately after transplant
  - Water thoroughly 2 weeks after transplant
  - Water additionally as needed but no more frequently than every two weeks to minimize risk of rot
  - Ensure that the quantity of water provided to each plant is sufficient to fully saturate and cool the soil surrounding the plant's roots to minimize the risk of root rot
  - Watering shall continue for at least one growing season or until plants are well established
8. Reseed. During the months of September - December, the County-approved, certified weed-free seed mix shall be applied to the entire prescribed disturbed area at a rate of no less than 125 live seeds per square yard (150 live seeds per square meter). If different zones were prescribed by the County, seed mixes shall only be used in the appropriate zones. Seeded areas should be raked or dragged to cover the seeds with approximately 1 inch (2.54 cm) of surface soil material.
9. Treat for Noxious and/or Invasive Weeds. Project proponents will survey for weeds at biologically relevant times of year, document their presence, and control or eradicate localized non-native/noxious species occurrences through the use of manual, mechanical, or chemical methods as determined to be appropriate by a qualified restoration or weed management professional. Weeds shall be treated or removed before they have gone to seed. Project proponents will take measures to minimize the spread of weeds to surrounding areas and to minimize any damage to native species and habitat.
10. Install Restoration Signs. Where restoration areas abut or intersect permanent utility roads or other roads that are designated "open" by the land manager, or other public roads, signs shall be posted within the project right-of-way, oriented so the sign surface is visible to those roads, and shall identify the area as a restoration area that should not be disturbed. The sign shall also identify the project proponent. If the restoration is adjacent and parallel to such a road described above, signs shall be posted every 500 feet (152.4 m). Signs shall be maintained by project proponent for a period of 5 years after restoration project is declared complete by the County.
11. Post-construction Monitoring. As further described below, the project proponent is responsible for a monitoring event post-construction, and the first year of monitoring after project completion has been accepted by the County. Project proponent is also responsible for funding the 5 years of post-restoration monitoring that will be conducted by County to determine the effectiveness of restoration techniques.

### 5.4 MONITORING

The following are the types of monitoring required before construction, during the construction and restoration activities, and after restoration activities have been completed.

1. Baseline pre-construction monitoring. Baseline pre-construction qualitative and quantitative monitoring shall be performed by the project proponent to document the pre-construction conditions.

## EXHIBIT C

### Best Practices

2. Post-construction monitoring. A minimum of 6 years of post-construction qualitative and quantitative monitoring will take place for each project. Project proponent shall conduct year one of six, and shall provide funds to the County for County to conduct monitoring in years two through six.
3. Compliance monitoring. Compliance monitoring by the County may take place throughout the term of the project. The goal of compliance monitoring is to determine if the activity (including minimization and restoration actions) is progressing as approved by the County.
4. Qualitative monitoring. The goal of qualitative monitoring is to document site conditions and evaluate the need for remediation to ensure that sites are progressing toward the success standard. Photo points will be established to document the pre-construction and post-construction restoration state of the vegetation and soil in each year of monitoring (a total of at least 7 years of photos.) Photo monitoring methods are described in a technical report produced for the US Forest Service in Hall (2002).

In addition to photo points, qualitative monitoring will include observations of:

- health and vigor of salvaged cacti and yucca, and outplanted trees and shrubs
- herbivory
- plant disease or infestation
- presence of non-native species
- presence of seedlings from species included in the applied seed mix
- additional native plant recruitment
- soil erosion
- vehicle incursions
- status of signage and other restoration structures

Note that some of the above observations will not apply to pre-construction qualitative monitoring.

5. Quantitative monitoring. The purpose of quantitative monitoring is to provide the information necessary to assess whether the restoration work is achieving the stated objectives of the approved restoration plan. Pre-construction conditions will be used to determine success criteria whenever possible, but if pre-construction data is unavailable for any reason, measurements will be compared to those made from a nearby undisturbed reference area. Undisturbed reference plots will consist of a 10 x 10 m plot located within 100 m of the disturbance area. Undisturbed reference plots must be of the same ecological community type as was present in the disturbance area before construction.

The following metrics shall be required, as determined by County, for quantitative monitoring of restoration sites:

*Special Status Plant Species Monitoring*, if requested by County, will be conducted using transects that cover 100 percent of potential habitat. Inventory efforts must be recorded as GPS line features and all species status species encountered must be recorded as GPS point features and delivered to the County as ArcView shapefiles or ArcInfo export files. Success standards related to special status plant species will be determined by County on a per-project basis.

*Weed Species Richness* is measured by counting the number of weed (non-native) plant species present within the disturbance area. A list of all non-native plant species observed during the project will also be provided.

*Native Plant Species Richness* is measured by counting the number of native plant species present within the disturbance area. A list of native plant species encountered within the disturbance area will be provided, and the project proponent will indicate which species is/are dominant on each site.



## EXHIBIT C

### Best Practices

*Vegetation Cover (aerial)* is measured by estimating the percentage of ground covered by living plant species within a sampling unit as seen from the top down.

The entire disturbance area at each site will be observed to determine estimates of vegetation cover. If a disturbance area is too large to assess as a whole or consists of multiple ecological community types, it may be divided into smaller sections for the purposes of quantitative and qualitative monitoring with prior approval from County.

Percent cover for native perennials will be documented for each individual species. Percent cover of annual natives will be documented collectively. Percent cover of non-native species will be documented for each individual species.

Project proponents will utilize the following cover classes: trace (very uncommon with much less than 1%), 0-1%, 1-2%, 2-5%, 5-10%, 10-25%, 25-50%, 50-75%, 75-95%, >95%.

#### Recovery Success Standards for Site Release:

Success standards related to the disturbance on the Riparian Reserve Units will be determined by the County on a per-project basis. Examples of standards may include:

- Native perennial species collectively within two cover classes of baseline measurements and dominant native perennial species present during baseline monitoring make up the majority of the vegetative cover
- Native annual species collectively within one cover class of baseline measurements
- Non-native species each below or matching cover class of baseline measurements and project proponent has made persistent efforts to control or eradicate weeds on site

#### Remedial Actions

Throughout the monitoring period, the project proponent will facilitate ongoing coordination with the County in the review and feedback on the progress of restoration. If data collected from monitoring indicated that restored areas may not be trending towards meeting recovery criteria, the revegetation effort will be re-evaluated on a site-specific basis. Localized site/environment conditions (e.g., trespass cattle, unauthorized OHV use, etc.) may not support or allow successful revegetation, or supplemental actions may need to be implemented, such as seedling, additional weed control and/or erosion control measures, or waiting to allow more time for more favorable conditions toward success.

### 5.5 REPORTING

The following reports shall be submitted by the project proponent to the County in accordance with the schedule outlined in Table 1.

All reports shall be submitted to the County contact below:

Attn: Environmental Specialist  
Desert Conservation Program  
Clark County Department of Environment and Sustainability  
4701 W. Russell Road, Suite 200  
Las Vegas, Nevada 89118

PRE-CONSTRUCTION SURVEY AND RESTORATION REPORT

## EXHIBIT C

### Best Practices

This report shall include a discussion of pre-construction survey results and the applicant's proposed restoration plan, prepared in accordance with the guidelines in this document. This shall include:

- A summary of the proposed disturbance activities.
- Project area survey and associated GIS shapefiles depicting the project area.
- A depiction of disturbance levels on a map with a scale no less detailed than 1:2,400. Disturbance levels shall be described using terms and definitions provided in this document (D-1 Overland Drive and Crush, D-2 Clear and Cut, and D-3 Clear and Cut with Soil Removal).
- A description of the applicant's proposed seed mix, to include species composition and application rates (pounds/acre), if applicable.
- Proposed determination of restoration actions (including monitoring protocol) and depiction of those actions on maps of the same scale provided for disturbance levels.
- Results of pre-construction qualitative and quantitative monitoring activities, to include photos, field data sheets, GIS data, and a written summary.

At the County's discretion, the Pre-construction Survey and Restoration Report may need to be revised to include the results of a special status plant survey before final approval. County will make this determination based on project disturbance locations and proximity to known or modeled habitat for rare plant species.

Following submittal and approval of the Pre-construction Survey and Restoration Report, County will determine the amount of the mitigation monitoring fee to be paid to County. The mitigation fee must be paid by the project proponent before any ground-disturbance activities may commence.

#### PRE-CONSTRUCTION ACTIVITIES REPORTING

Upon completion of cactus and yucca salvage, a list describing the quantity of each species salvaged will be provided to the County Environmental Specialist.

#### PROJECT COMPLETION REPORT (AS-BUILT)

Within 30 days of the completion of construction and restoration activities, including installation of signage for restoration areas, the project proponent shall submit a Project Completion Report to the County. This report shall include a summary of the project construction activities and restoration activities completed.

#### ONE-YEAR MONITORING REPORT

The project proponent is responsible for completing the first year of post-restoration monitoring activities. The results of monitoring shall be summarized in a report, to include photos, field data sheets, GIS data, and a written summary of monitoring activities, which shall be submitted to the County.

Upon review of the One-year Monitoring Report, County shall make a determination regarding the preliminary success of restoration actions. If restoration is on a trajectory towards meeting recovery success criteria, then County shall assume responsibility for conducting all post-construction monitoring of restoration if the County makes a determination of preliminary success of restoration actions and the One-year Monitoring Report is completed satisfactorily.

If restoration is not on acceptable trajectory, then remedial action is required and the project proponent should consult with the County Environmental Specialist on the remedial action(s) to be taken. One additional year of monitoring (at a minimum) will be required until restoration conditions are satisfactory. The site(s) may only be released once restoration conditions are deemed satisfactory following six years (at a minimum) of monitoring post-construction restoration.

#### ADDITIONAL MONITORING REPORTS (IF REQUIRED BY COUNTY)



## EXHIBIT C

Best Practices

The project proponent shall continue to submit annual monitoring reports until restoration of disturbed areas is on an acceptable trajectory towards meeting the recovery success criteria.

## EXHIBIT C

Best Practices

Table 1.  
Schedule of Applications, Approvals, and Reporting

Action	Responsible Party	Sequence
Submit Reserve Use Request to County	Project Proponent	
Approve/deny Reserve Use Request	County	
Pre-construction Survey and Restoration Report submitted to County	Project Proponent	Only upon approval of the Reserve Use Request
If required by County, conduct special status plant species surveys and submit a revised Pre-construction Survey and Restoration Report to County	Project Proponent	
Approve any biocides proposed by the project proponent for use	Project Proponent	
Pre-construction work may begin	Project Proponent	Only upon approval of the final Pre-construction Survey and Restoration report
Pay mitigation fee to County for monitoring costs	Project Proponent	
Conduct yucca and cactus salvage, submit Pre-construction Activities report to County	Project Proponent	
Project construction may begin	Project Proponent	Only upon approval of the Pre-construction Activities Report
Project Completion Report to County	Project Proponent	
One-year Monitoring Report submitted to County	Project Proponent	
Evaluation of preliminary restoration success	County	
Additional Annual Monitoring Report(s) submitted to County (only if required by County)	Project Proponent	
Notify Project Proponent of completed restoration	County	Once six years of monitoring are completed and restoration is deemed successful



## 6 REFERENCES

- Abella, S.R., and A.C. Newton. 2009. "A Systematic Review of Species Performance and Treatment Effectiveness for Revegetation in the Mojave Desert, USA." Pp. 45-74 in *Arid Environments and Wind Erosion*, edited by A. Fernandez-Bernal and M.A. De La Rosa. Hauppauge, NY: Nova Science Publishers, Inc.
- Hall, Frederick C. 2002. "Photo Point Monitoring Handbook." Pp. 152: U.S. Geological Survey.
- Scoles-Sciulla, S. J., and L. A. DeFalco. 2009. "Seed reserves diluted during surface soil reclamation in eastern Mojave Desert." *Arid Land Research and Management* 23(1):1-13.
- Luna, Tara; Dumroese, R. Kasten; Landis, Thomas D. 2006. "Collecting dormant hardwood cuttings for western riparian restoration projects." Tech Tip 0624-2334-MTDC. Missoula, MT: U.S. Department of Agriculture Forest Service, Missoula Technology and Development Center. 8 p.

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OPD 1115-58-02

**EXHIBIT "A"**

A portion of the Southeast Quarter (SE 1/4) of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian, Clark County, Nevada, being more particularly described as follows:

**Commencing** at a point on the East Section Line that is South 00°01'54" East 133.72 feet from the East Quarter Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian; Thence coincident with the centerline of an existing overhead power line the following four (4) courses:

- 1) South 63°56'39" West 342.45 feet to the center of an existing power pole;
- 2) South 64°15'29" West 326.20 feet to the center of an existing power pole;
- 3) South 36°08'05" West 420.46 feet to the center of an existing power pole;
- 4) South 36°13'58" West 378.07 feet to the center of an existing power pole;

Thence departing said centerline, South 76°18'35" East 108.33 feet to the **Point of Beginning**;  
Thence North 13°41'25" East 12.50 feet;  
Thence North 76°18'35" West 23.21 feet;  
Thence North 19°12'08" East 13.84 feet;  
Thence South 77°13'33" East 20.13 feet;  
Thence North 19°12'08" East 261.73 feet to a point on a line 12.50 feet distant from, and parallel with a portion of the aforementioned centerline;  
Thence coincident with said parallel line, North 36°13'58" East 34.14 feet;  
Thence departing said parallel line, South 19°12'08" West 293.25 feet;  
Thence South 77°13'33" East 35.22 feet;  
Thence South 19°12'08" West 50.32 feet;  
Thence North 77°13'33" West 65.41 feet;  
Thence North 19°12'08" East 11.36 feet;  
Thence South 76°18'35" East 25.62 feet;  
Thence North 13°41'25" East 12.50 feet to the **Point of Beginning**, as shown on the "EXHIBIT MAP TO ACCOMPANY LAND DESCRIPTION" attached hereto and made a part hereof.

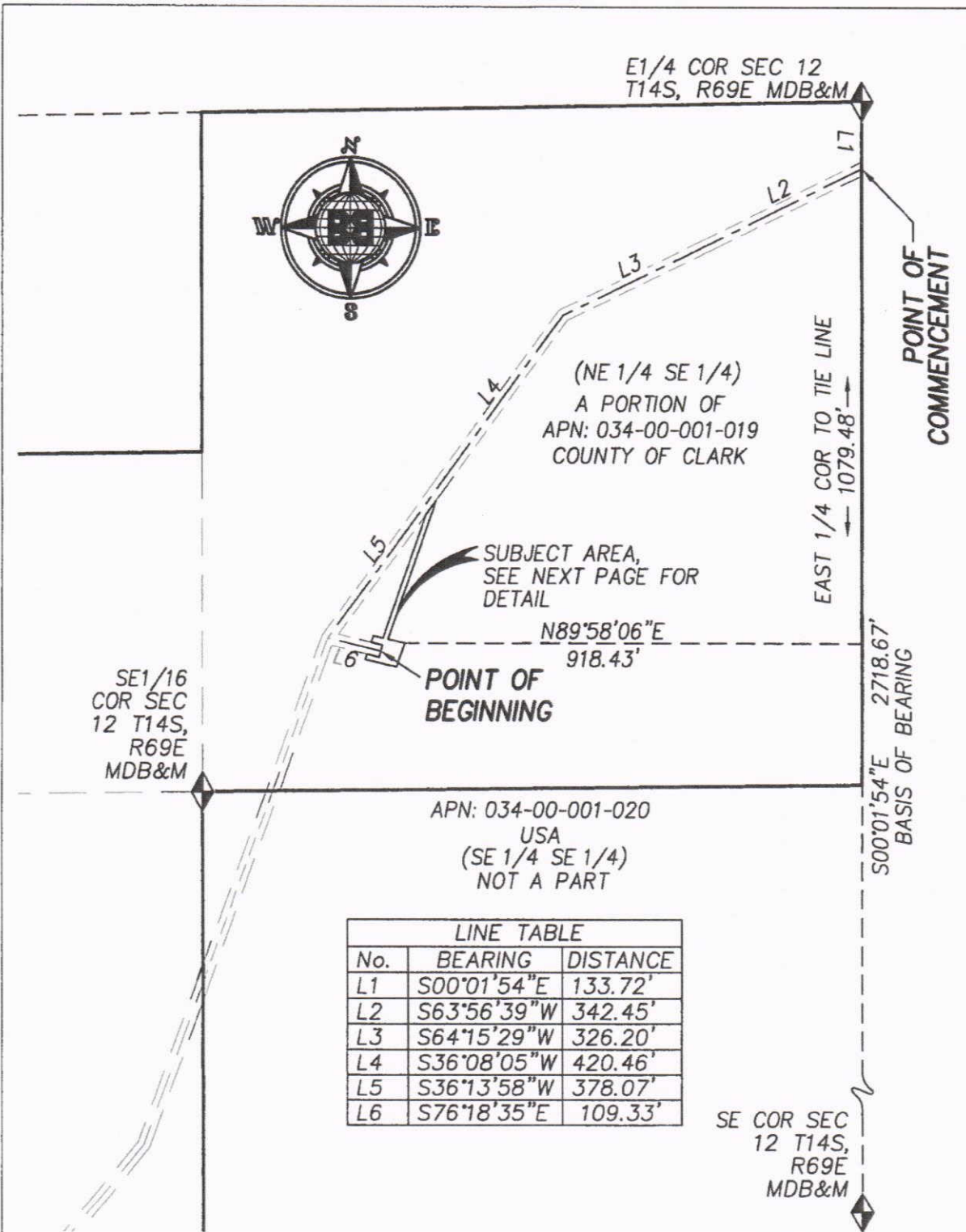
Containing 5,435 Square Feet.

Basis of bearing is the Geodetic bearing of the line between the East Quarter and the Southeast Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Base and Meridian (North 00°01'54" East). Both Corners being occupied with BLM 2013 brass caps.

Prepared October 21, 2020 by  
Bulloch Brothers Engineering, Inc.  
750 W. Pioneer Blvd., Mesquite, NV  
Corbin L. Van Nest, P.L.S.  
Nevada License No. 14349







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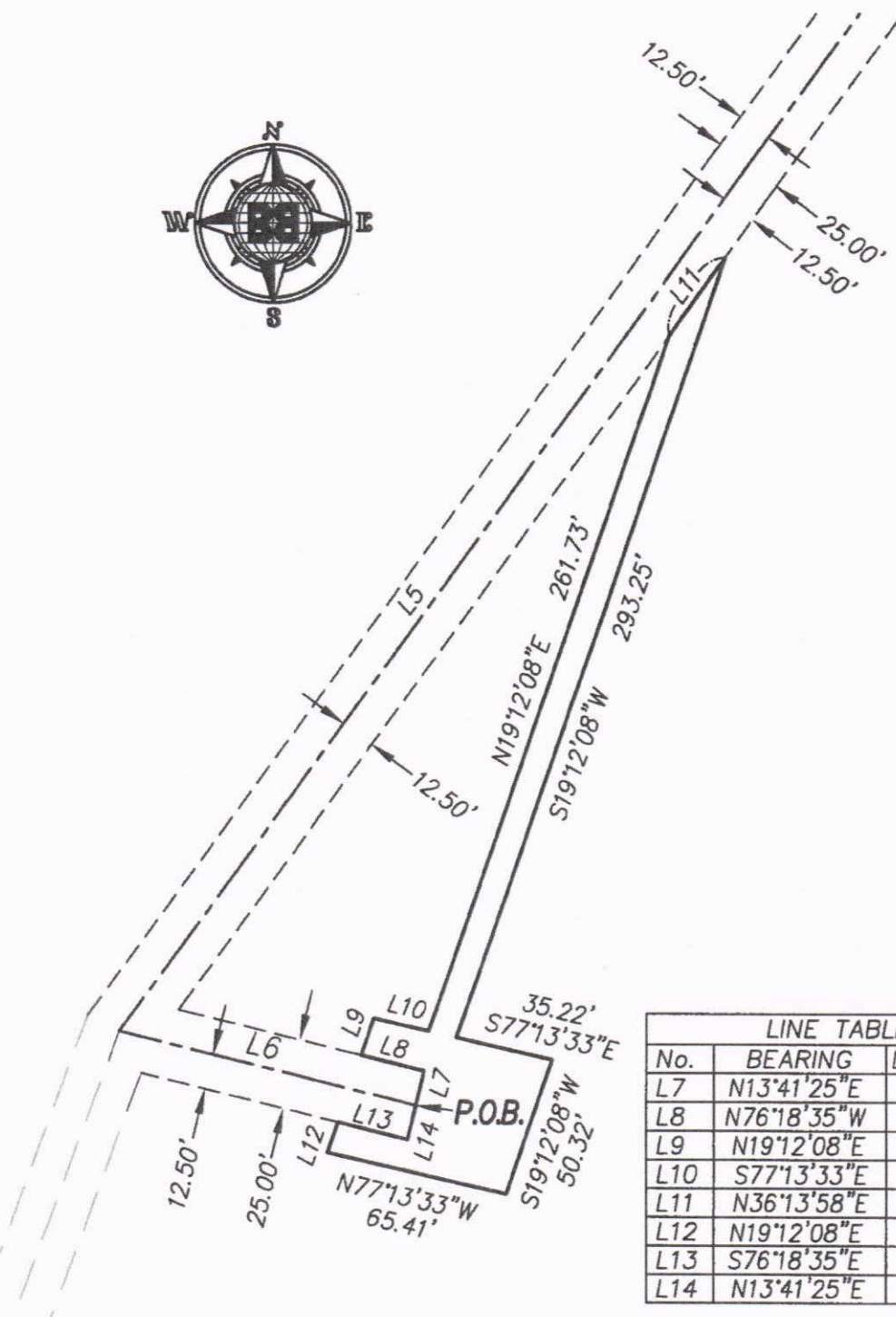
PAGE 2 OF 3

EXHIBIT MAP TO ACCOMPANY  
LAND DESCRIPTION  
APN: 034-000-001-019



**BULLOCH BROTHERS  
ENGINEERING INC.**

750 WEST PIONEER BOULEVARD  
MESQUITE, NEVADA 89027  
(702) 346-5100



LINE TABLE		
No.	BEARING	DISTANCE
L7	N13°41'25"E	12.50'
L8	N76°18'35"W	23.21'
L9	N19°12'08"E	13.84'
L10	S77°13'33"E	20.13'
L11	N36°13'58"E	34.14'
L12	N19°12'08"E	11.36'
L13	S76°18'35"E	25.62'
L14	N13°41'25"E	12.50'

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EXHIBIT MAP TO ACCOMPANY  
LAND DESCRIPTION  
APN: 034-000-001-019



**BULLOCH BROTHERS  
ENGINEERING INC.**

750 WEST PIONEER BOULEVARD  
MESQUITE, NEVADA 89027  
(702) 346-5100



APN: 034-000-001-019

OPD 1115-58-02

### EXHIBIT "A"

Portions of the Southeast Quarter (SE 1/4) of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian, Clark County, Nevada, being more particularly described as follows:

#### Area 1:

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at a point on the East Section Line that is South 00°01'54" East 133.72 feet from the East Quarter Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Meridian; Thence South 63°56'39" West 342.45 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point A**'; Thence South 64°15'29" West 326.20 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point B**'; Thence South 36°08'05" West 420.46 feet to an existing power pole; Thence South 36°13'58" West 378.07 feet to a point at the center of an existing power pole, said point being hereinafter referred to as '**Point C**'; Thence South 20°07'07" West 322.96 feet to a point on the South Line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 12, said point being hereinafter referred to as '**Point D**', said point also being the **Point of Terminus** of **Area 1**. The sideline boundaries of said strips are to be lengthened or shortened so as to begin on the East Line of said Section 12, end on the South Line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 12, and to intersect at all angle points.

Area 1 contains 44,754 Square Feet.

#### Area 2:

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Commencing** at aforementioned '**Point D**'; Thence continuing South 20°07'07" West 407.80 feet to a point on the East Line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said section 12, said point being the **Point of Beginning** of **Area 2**; Thence continuing South 20°07'07" West 345.36 feet to point at the center of an existing power pole, said point being hereinafter referred to as '**Point E**'; Thence South 39°11'09" West 400.95 feet to an existing power pole; Thence South 39°25'28" West 435.19 feet to a point on the South Section Line of said Section 12 that bears South 89°44'10" West 1974.18 feet from the Southeast Corner of Section 12, said point also being the **Point of Terminus** of **Area 2**. The sideline boundaries of said strips are to be lengthened or shortened so as to begin and end on the East and south lines respectively of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 12, and to intersect at all angle points.

Area 2 contains 29,537 Square Feet.

**AREA 3:**

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point C**'; Thence North  $76^{\circ}18'35''$  West 1020.82 feet to a point hereinafter referred to as '**Point F**', said point being the Point of Terminus of **Area 3**. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the westerly boundary of aforesaid '**Area 1**', end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 3 contains 25,219 Square Feet.

**AREA 1-A;**

Strips of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point A**'; Thence South  $28^{\circ}42'37''$  East 143.16 feet; Thence South  $09^{\circ}51'05''$  East 54.83 feet to the **Point of Terminus** of **Area 1-A**. The sideline boundaries of said strips, are to be lengthened or shortened so as to begin and on the boundary of aforesaid '**Area 1**', end on a line perpendicular to the last course, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-A contains 3,952 Square Feet.

**AREA 1-B;**

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point B**'; Thence North  $45^{\circ}27'25''$  West 49.79 feet to the **Point of Terminus** of **Area 1-B**. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid '**Area 1**', end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-B contains 961 Square Feet.

**AREA 1-C;**

A Strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point C**'; Thence South  $76^{\circ}18'35''$  East 109.33 feet to the **Point of Terminus** of **Area 1-C**. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid '**Area 1**', end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-1.

Area 1-C contains 2,382 Square Feet.



**AREA 2-A;**

A Strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point E**'; Thence South 59°16'09" East 95.54 feet to the **Point of Terminus** of Area 2-A. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid 'Area 2, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area-2.

Area 2-A contains 2,098 Square Feet.

**Area 3-A:**

**Beginning** at aforementioned '**Point F**'; Thence South 13°41'25" West 25.00 Feet;  
Thence North 76°18'23" West 51.08 feet to a point hereinafter referred to as '**Point G**';  
Thence continuing North 76°18'23" West 19.92 feet;  
Thence North 13°41'25" East 50.00 feet;  
Thence South 76°18'23" East 71.00 feet;  
Thence South 13°41'35" West 25.00 feet to the **Point of Beginning**.

Area 3-A contains 3,550 Square Feet.

**Area 3-B:**

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point G**'; Thence South 54°24'16" West 4.28 feet;  
Thence South 37°51'06" West 355.09 feet to a point hereinafter referred to as '**Point H**';  
Thence South 55°43'55" West 374.76 feet to a point on the West line of the Southeast Quarter (SE 1/4) of aforesaid Section 21, said point being the **Point of Terminus** of Area 3-B. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the southerly boundary of aforesaid 'Area 3-A, end on the West line of the Southeast Quarter (SE 1/4) of aforesaid Section 21, and to intersect at all angle points.

Area 3-B contains 635 Square Feet.

**Area 3-C:**

A strip of land 25.00 feet in width, being 12.50 feet on each side of the following described centerline:

**Beginning** at aforementioned '**Point G**'; Thence South 47°51'17" East 37.08 feet to the **Point of Terminus** of Area 3-C. The sideline boundaries of said strip, are to be lengthened or shortened so as to begin and on the boundary of aforesaid Area 3-B, end on a line perpendicular to the centerline, and to intersect at all angle points.

**Excluding therefrom:** any portion contained within aforesaid Area 3-B.

Area 3-C contains 103 Square Feet.

The sum of all areas described herein equals 2.60 Acres.

Basis of bearing is the Geodetic bearing of the line between the East Quarter and the Southeast Corner of Section 12, Township 14 South, Range 69 East, Mount Diablo Base and Meridian (North  $00^{\circ}01'54''$  East). Both Corners being occupied with BLM 2013 brass caps.

Prepared October 21, 2020 by  
Bulloch Brothers Engineering, Inc.  
750 W. Pioneer Blvd., Mesquite, NV  
Corbin L. Van Nest, P.L.S.  
Nevada License No. 14349



10/21/2020





LINE TABLE					
No.	BEARING	DISTANCE	No.	BEARING	DISTANCE
L12	S28°42'37"E	143.16'	L20	N13°41'25"E	50.00'
L13	S09°51'05"E	54.83'	L21	S76°18'23"E	71.00'
L14	N45°27'25"W	49.79'	L22	S13°41'35"W	25.00'
L15	S76°18'35"E	109.33'	L23	S54°24'16"W	4.28'
L16	S59°16'09"E	95.54'	L24	S37°51'06"W	355.09'
L17	S13°41'25"W	25.00'	L25	S55°43'55"W	374.76'
L18	N76°18'23"W	51.08'	L26	S47°51'17"E	37.08'
L19	N76°18'23"W	19.92'			

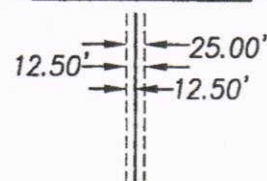


#### NOTES:

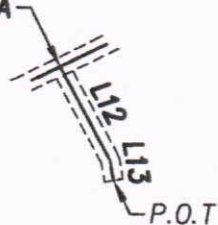
DETAILS ARE NOT TO SCALE.

P.O.T.= POINT OF TERMINUS.

#### TYPICAL SECTION

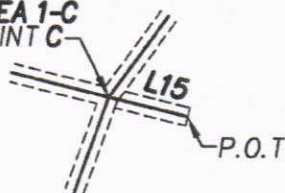


AREA 1-A  
POINT A

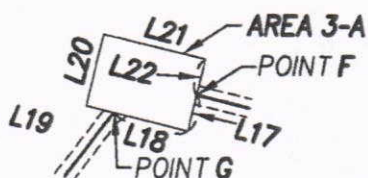
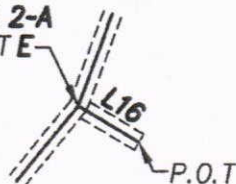


POINT B  
AREA 1-B

AREA 1-C  
POINT C



AREA 2-A  
POINT E



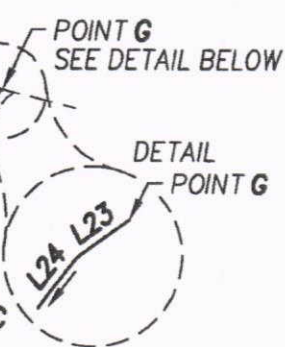
WEST LINE SE 1/4  
SECTION 12



AREA 3-B

POINT G  
SEE DETAIL BELOW

DETAIL  
POINT G



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EXHIBIT MAP TO ACCOMPANY  
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