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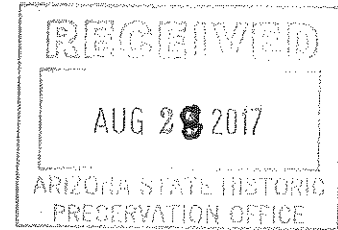
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Department of Energy

Washington, DC 20585

August 24, 2017



Ms. Kathryn Leonard
State Historic Preservation Officer
Arizona State Historic Preservation Office
1100 W. Washington Street
Phoenix, AZ 85007-2935

Subject: Section 106 Consultation under the National Historic Preservation Act for the proposed Nogales Interconnection Project, Docket No. DOE/EA-2042

Dear Ms. Leonard:

The U.S. Department of Energy (DOE) Office of Electricity Delivery and Energy Reliability is in the process of preparing its final Environmental Assessment (EA) for the proposed Nogales Interconnection Project pursuant to its obligations under the National Environmental Policy Act (NEPA). In our most recent correspondence, DOE submitted an April 13, 2017 letter requesting concurrence on the Area of Potential Effect (APE) and the scope of future identification efforts. Concurrence with the approach was provided by Mr. David Jacobs on April 24, 2017. At the direction of DOE, SWCA Environmental Consultants performed a Class III cultural resources survey on May 1-3 and June 30, 2017. The results are reported in the attached Class III Cultural Resources Survey for the Nogales Interconnection Project.

Description of the proposed Project

Nogales Transmission, L.L.C. (Nogales Transmission or the Applicant) applied to DOE for a Presidential permit for the proposed Nogales Interconnection Project (the Project). DOE's proposed action is the decision regarding whether or not to issue a Presidential permit to the Applicant that would authorize the construction, connection, operation, and maintenance of the proposed transmission line at the proposed international border crossing at the U.S.-Mexico border in Nogales, Santa Cruz County, Arizona. DOE does not have approval authority for any of the proposed facilities that extend beyond the immediate area of the border crossing. Although DOE does not have siting authority, the proposed transmission system is evaluated in DOE's Environmental Assessment, because it is a "connected action" (an action closely related to DOE's decision) to the Presidential permit. The proposed transmission system would be capable of delivering up to 300 megawatts (MW) of power to Mexico.

The proposed Project would be constructed on 150-foot-wide right-of-way (ROW) and would consist of the following components: a new, approximately 3-mile-long, overhead 138-kilovolt (kV) alternating current (AC) transmission line between the existing UNS Electric, Inc. Valencia Substation and a new Gateway Substation; a new, approximately 11-acre Gateway Substation, with capacity for direct current (DC) interconnection of up to 300 MW constructed on land currently owned by Tucson Electric Power; a new, approximately 2-mile-long, overhead 230-kV AC transmission line extending south from the new Gateway Substation to the proposed international border crossing; and associated access roads. Minor modifications within the existing footprint of the Valencia Substation would also be made. A portion of the proposed ROW for the new transmission line from the new Gateway Substation to the proposed U.S.-Mexico border crossing would be adjacent to the Coronado National Forest but would not be located directly on U.S. Forest Service land. The proposed transmission line would cross the

U.S.-Mexico border at the proposed international border crossing approximately 0.6 mile west of Arizona State Route 189/Mariposa Road, just west of the Mariposa Port of Entry.

DOE is the lead federal agency implementing Section 106 of the National Historic Preservation Act compliance, and DOE is preparing an EA to satisfy the requirements of NEPA. Four route alternatives are analyzed in the EA; the Applicant has identified Alternative 3 as its preferred alternative, and the Section 106 consultation is limited to Alternative 3.

Definition of the Area of Potential Effect

Through consultation between DOE and the Arizona State Historic Preservation Office (AZ SHPO), the area of potential effect (APE) for direct effects has been defined as a 200-foot-wide corridor along the proposed transmission line centerline of the Applicant's preferred transmission line route (Alternative 3); the existing Valencia Substation; the proposed Gateway Substation; and 12- to 16-foot-wide access roads where ground-disturbing activity would occur (Access Type C – existing, to-be-improved dirt roads; Access Type D – new dirt roads; and Access Type E – new dirt spur roads). Proposed use of existing access roads that would not require improvements (Access Types A – existing private dirt roads and B – existing public paved roads) were not included in the APE. All roads were surveyed at a 16-foot width for consistency. In addition, the APE for indirect effects has been defined as an area approximately 0.25 mile on either side of the proposed transmission line centerline. AZ SHPO concurred with both the direct and indirect APEs on April 24, 2017.

Nature and extent of proposed impacts

This consultation is being completed for the Applicant's preferred alternative, which was identified in DOE's EA as Alternative 3. A complete analysis of the potential impacts of the proposed Project is available in DOE's draft EA (Docket No. DOE/EA-2042). As indicated in our July 5, 2017 letter to your office, the draft EA is available on the project website at <http://nogalesinterconnectionea.com>. The public comment period closed on August 3, 2017. DOE is in the process of completing its final EA, which will also be made available on the website above. The proposed Project is not expected to impact any known cultural resources. The Applicant will be implementing a Construction Monitoring and Unanticipated Cultural Resources Discovery Plan, which they will submit to your office.

Agency's efforts to identify historic properties / Evaluation of previous surveys

A detailed description of previous research/records searches, validation of a Class III survey submitted as part of the Applicant's Presidential permit application, and additional survey work is described in detail in the attached Class III Cultural Resources Survey Report.

Description of the cultural resources

Two isolated occurrences were recorded. Neither are recommended as eligible for the National Register of Historic Places. One previously recorded site was evaluated: AZ EE:9:225(ASM). The site had been previously recommended not eligible for NRHP; DOE agrees with that recommendation. No newly identified archaeological sites were found.

Summary of tribal consultation efforts / Government-to-Government consultation

The proposed Project would not cross tribal reservation lands; however, each alternative could have the potential to impact cultural resources of significance to tribes. DOE invited all 22 of the federally recognized American Indian tribes in the state of Arizona to participate as a Section 106 consulting party via letter on September 19, 2016. The Tohono O'odham Nation accepted this invitation on December 12, 2016. The San Carlos Apache Tribe and the Navajo Nation declined to consult. No additional responses were received.

DOE obtained tribal claim area maps from the AZ SHPO. DOE also referred to the new Arizona Government to Government Consultation Toolkit (G2G Toolkit) website. DOE initiated its government-to-government consultation with American Indian tribes as required under the authority of EO 13175 in a September 13, 2016 letter to the tribal governments of the Tohono O'odham Nation and the Pascua Yaqui Tribe, as they have tribal claim areas that overlap with the proposed Project area.

The Tohono O'odham Nation also accepted the invitation to engage with DOE in government-to-government consultation. DOE held a telephone meeting with Mr. Peter Steere, the Tribal Historic Preservation Officer for the Tohono O'odham Nation, on October 28, 2016. Mr. Steere followed up with a letter via email on December 13, 2016 indicating that he has no issues or concerns regarding the U.S. portion of the proposed Project. DOE responded on January 9, 2017. DOE has held several phone meetings with Mr. Steere following the issuance of the draft Environmental Assessment.

Formal federal agency evaluation of eligibility

DOE concludes that a finding of "No Historic Properties Affected" is appropriate for this project. If you agree with the adequacy of the report and finding of project effect, please provide DOE with your concurrence.

DOE greatly appreciates your assistance with this project. You may reach me by email at Melissa.Pauley@hq.doe.gov, by phone at 202-586-2942, by fax at 202-586-8008, or by postal mail to the address listed below.

Sincerely,

Melissa Pauley

Melissa Pauley
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CONCUR

David Jacobs 28 AUG 17
Arizona State Historic Preservation Office

Enclosure:

Class III Cultural Resources Survey for the Nogales Interconnection Project
(1 Hardcopy and 1 Electronic Copy)

cc: Mr. David Jacobs, Arizona SHPO