



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Spokane District Office
Border Field Office
1103 N. Fancher Road
Spokane Valley, Washington 99212-1275

IN REPLY REFER TO:

285003 (ORW030)
WAOR 68394

September 11, 2015

CERTIFIED MAIL - Return Receipt No. 7014 1200 0001 0176 3788

DECISION

Avista Corporation :
P.O. Box 3727 MSC-21 : Right-of-Way Grant WAOR 68394
1411 E. Mission Avenue :
Spokane, WA 99220 :

Right-of-Way Original Grant WAW 04387 Closed
Right-of-Way Grant WAOR 68394 Issued
Rental Determined
Monitoring Fee Determined

Right-of-way grant WAW 04387 was issued on November 7, 1963 by the Act of March 4, 1911 to Washington Water Power Company, now Avista Corporation, for an aerial 230 kV transmission line across public lands in Franklin and Grant Counties, Washington. Avista Corporation applied to renew the transmission line authorization on August 20, 2013.

Current regulations require the Bureau of Land Management (BLM) to authorize this transmission line right-of-way under Title V of The Federal Land Policy and Management Act (FLPMA) of October 21, 1976. The transmission line has been issued a new serial number.

This is your notice that the original right-of-way grant, WAW 04387 under prior regulations is terminated and this right-of-way case file is now closed.

The new serial number for the authorization renewal is WAOR 68394. The aerial 230 kV transmission line crosses BLM managed lands on the following described lands:

Willamette Meridian, Franklin County, Washington

T. 10 N., R. 31 E., sec. 2, SW¹/₄SW¹/₄;

T. 10 N., R. 31 E., sec. 14, E¹/₂NE¹/₄;

T. 10 N., R. 31 E., sec. 24, NE¹/₄NW¹/₄, E¹/₂;

T. 10 N., R. 32 E., sec. 30, N¹/₂NW¹/₄;

T. 11 N., R. 31 E., sec. 20, E¹/₂;

T. 11 N., R. 31 E., sec. 28, SW¹/₄NE¹/₄, E¹/₂NW¹/₄, W¹/₂SE¹/₄, and SE¹/₄SE¹/₄; and

T. 11 N., R. 31 E., sec. 34, W¹/₂NW¹/₄, N¹/₂SW¹/₄, SE¹/₄SW¹/₄, and SW¹/₄SE¹/₄.

I have reviewed the documentation for this proposal (DOI-BLM-OR-135-2015-0010), and have determined that authorizing a right-of-way for this use would be categorically excluded from NEPA. Under authority of Title V of the Federal Land Policy and Management Act of 1976, a right-of-way grant will be issued to Avista Corporation approving the authorization of an aerial 230 kV transmission line, the Walla Walla-Wanapum line. The aerial transmission line granted herein is 100 feet wide, 26,604 feet long, and contains 61.1 acres.

Enclosed is a copy of your executed right-of-way (ROW) grant, serial number WAOR 68394, which allows the authorized use of a right to operate, maintain, and terminate a 230 kV transmission line on public land in Franklin and Grant Counties, WA. It was approved by the BLM on September 11, 2015.

The advance rent for the ROW was determined to be \$123,612.58 for the entire period of the grant until expiration on December 31, 2044. The monitoring fee for the ROW was determined to be Category 2, resulting in a fee of \$424.00 for a total amount of \$124,036.58. Both of these amounts have been received and a receipt is enclosed.

The issuance of this right-of-way grant may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of proof of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions about this decision or the enclosed right-of-way grant, please contact Heidi Lee Honner, Realty Specialist at (509) 536-1216.

Sincerely,

/s/ Lindsey Babcock

Lindsey Babcock, Field Manager
Border Field Office

3 Enclosures:

- 1 - Right-of-way grant, Maps, and Stipulations
- 2 - Receipt for Monitoring Fee and Rent Payments
- 3 - Form 1842-1