Decision Record

Categorical Exclusion
PacifiCorp Right-of-Way Renewal Application
WYW-071293

BLM

Worland Field Office, Wind River/Bighorn Basin District, Wyoming

March 2011

The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2010-0073-CX

DECISION RECORD
Categorical Exclusion
DOI-BLM-WY-R010-2010-0073-CX
WYW-071293
Right-of-Way: Powerline -- Renewal

It is my decision to authorize renewal of right-of-way, serial number WYW-071293, as described in the proposed action, Categorical Exclusion No. DOI-BLM-WY-R010-2010-0073-CX. This Authorization will be granted subject to the Terms and Conditions as attached.

Authorities: Title V of The Federal Land and Policy Management Act of 1976 as Amended; 43 CFR § 2800.

Compliance and Monitoring: Designated Bureau of Land Management personnel will monitor and review project operations as needed to ensure that mitigation measures are in compliance with the terms and conditions of the grant.

Terms / Conditions / Stipulations: Attached

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Name of Plan: Washakie Resource Management Plan Date Approved: September 1988
This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR § 1610.5. The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):): WRMP ROD pg 14; "The RMP delineates preferred right-of-way corridors, right-of-way avoidance areas, right-of-way exclusion area, and area available for right-of-way under certain circumstances.

This proposal would be within an area available for linear right-of-way generally open to rights-of-way, and thus it would be in conformance with the land use plan.

Rationale for the Decision: This project, when implemented with the terms and conditions as described, will result in no long term impacts to the environment. Authorization will allow the holder continued use of the right-of-way.

Appeals:

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (BLM Worland Field Office; P. O. Box 119; 101 S. 23rd St.; Worland, WY 82401) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (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.

for Don Krump
Assistant Field Manager, Minerals and Lands
Worland Field Office

3-4-11
Date

Attachments:
DOI-BLM-WY-R010-2010-0073-CX
Terms and Conditions