

Decision Record
Idaho Power Langley Gulch Power Plant Rights-of-Way
IDI-36333 and IDI-36333-01

Proposed Action: Authorize rights-of-way to allow the construction, operation, and maintenance of the project components which will connect the Langley Gulch Power Plant (LGPP) to the existing transmission line system and provide water to LGPP.

Decision: It is my decision to grant the following rights-of-way to Idaho Power Company to allow the construction, operation, and maintenance of a buried water pipeline to serve LGPP across the following described public lands:

Boise Meridian, Payette County, Idaho

T. 7 N., R. 4 W., section 19: SW¹/₄SE¹/₄;
section 29: W¹/₂W¹/₂, E¹/₂SW¹/₄;
section 30: NE¹/₄NE¹/₄;
section 32: S¹/₂NE¹/₄, E¹/₂NW¹/₄, N¹/₂SE¹/₄;
section 33: S¹/₂NW¹/₄.

(as shown on the attached Exhibit A)

- **IDI-36333** - A new buried water pipeline. The right-of-way shall be granted subject to the applicable regulations at 43 CFR 2800, the standard right-of-way stipulations and for 30 years (expires December 31, 2039). The right-of-way granted is approximately 30 feet wide by 15,840 feet (3 miles) long and contains 10.9 acres, more or less. A temporary use area for an additional width of 270 feet and length of 15,840 (3 miles) is also granted for the purpose of construction for a 3-year period ending December 31, 2013. The temporary area encompasses an additional 98.2 acres.
- **IDI-36333-02** – Use of existing roads with a 10 foot wide right-of-way to provide access to the new buried water pipeline. The right-of-way shall be granted subject to the applicable regulations at 43 CFR 2800, the standard right-of-way stipulations and in conformance with their approved Plan of Development for 30 years (expires December 31, 2039). The right-of-way granted is approximately 10 feet wide by 18,460 feet (3.5 miles) long and contains 4.3 acres more or less. This right-of-way is on public lands described as follows:

Boise Meridian, Payette County, Idaho

T. 7 N., R. 4 W., section 19: S¹/₂SE¹/₄;
section 20: SW¹/₄SW¹/₄;
section 29: W¹/₂W¹/₂, E¹/₂SW¹/₄;
section 30: NE¹/₄NE¹/₄;
section 32: S¹/₂NE¹/₄, E¹/₂NW¹/₄, N¹/₂SE¹/₄;
section 33: S¹/₂NW¹/₄.

(as shown on the attached Exhibit A)

Rationale: The purpose of the new water pipeline, which would originate at a new pump station located near the Snake River, is to provide the water necessary for operation of the proposed LGPP. The water pipeline would start at the LGPP, which is located in Sections 33 and 28 of T. 7 N., R. 4 W. of the Boise Meridian in Payette County, Idaho. The 8.6-mile water pipeline would be located on BLM land for approximately 3 miles and on private land for approximately 5.6 miles, and would travel west from the LGPP to the Snake River. The LGPP is scheduled to be in service by 2012. The primary expected public benefit of the project would be the continued reliable supply of electricity to Idaho Power's residential, government, retail, commercial, and industrial users.

Environmental Assessment #DOI-BLM-ID-B010-2010-0014-EA was completed and documents that the impacts from granting the rights-of-way would be acceptable for the area. The key resource concerns identified in the EA are that the proposal is within the Long-billed Curlew Habitat Area of Critical Concern (ACEC) and the Consideration Zone for *Lepidium papilliferum*, (LEPA) a threatened species under the Endangered Species Act. Mitigation for the ACEC is a construction timing restriction which will be included in the grants. With this mitigation the rights of way would not be inconsistent with the purposes of the ACEC. The U.S. Fish and Wildlife's Biological Opinion for this proposal found the potential impacts to LEPA with mitigation including avoidance would not jeopardize the survival and recovery of the species.

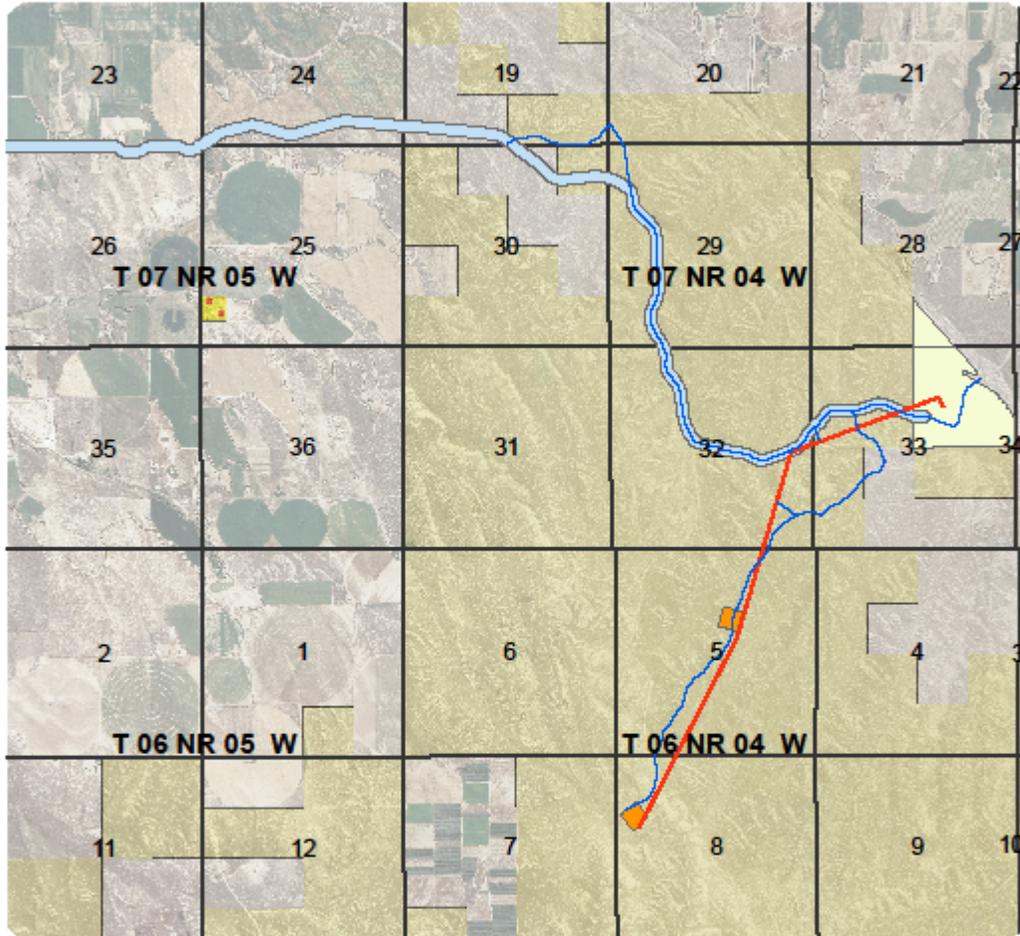
Conformance with Land Use Plans: This proposed action is subject to the Cascade Resource Management Plan which was approved July 1, 1988. The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): Rights-of-way, under Title V of FLPMA, will be considered in the Cascade Resource Area except where specifically identified in the RMP for avoidance. (Resource Management Guidelines, page 43.) The subject area is not identified for avoidance.

However, the proposals lie within the Long-billed Curlew Habitat Area of Environmental Concern (ACEC). The Management Guidelines for the ACEC state "Rights-of-way construction activities for transmission lines, pipelines and other major projects will not be allowed during the nesting and brood-rearing periods" (ACECs, page 36). Thus, the grants will contain a stipulation which restricts construction activities from March 15 to June 30 each year which is the brood-rearing period.

Relationship to Statutes, Regulations, and Other Requirements: This document was prepared in conformance with the policy guidance provided in BLM's NEPA Handbook H 1790-1 (BLM 2008); Department of the Interior National Environmental Policy Act Procedures (Department Manual 516, Environmental Quality 516 DM 1-7) (USDOI 2005); BLM is responsible for ensuring that use of public lands occurs in a manner consistent with The Federal Land Policy Management Act (FLPMA) of 1976, and the applicable RMP (discussed above). The decision is also subject to the requirements of the ESA, the National Historic Preservation Act (NHPA), the CWA, and the Clean Air Act (CAA). As the lead agency, BLM is responsible for analyses and documents that conform to NEPA, CEQ, and other pertinent federal laws and regulations.

Public Involvement: Public open house meetings were held for the LGPP and associated project components for the purpose of obtaining conditional use permits from Payette and Canyon counties. Two meetings were held specifically for siting the transmission lines in Payette and Canyon County. A Scoping/Information Package was mailed in March 2010 and the BLM consulted with the Shoshone-Paiute Tribes through the Wings and Roots process. All comments which were received during all of these public scoping/outreach efforts were carefully considered and incorporated into the EA, where appropriate.

Exhibit A
 Langley Gulch Power Project
 IDI-36332 / IDI-36332-01 / IDI-36332-02
 IDI-36333 / IDI-36333-01
 September 20, 2010



Payette County, Idaho

- | | |
|---|---|
|  Public Lands |  230kV Transmission Line |
|  Private Lands |  Water Pipeline |
|  Langley Gulch power plant |  Roads |
| |  Staging Areas |

