



**United States Department of the Interior  
BUREAU OF LAND MANAGEMENT**

El Centro Field Office  
1661 S. 4<sup>th</sup> Street  
El Centro, CA 92243  
www.blm.gov/ca/elcentro



November 18, 2016

*In Reply Refer To:*

CACA-49698-02 / 2800(P)  
CAD670.60

**CERTIFIED MAIL 7011 1150 0000 8092 1567  
RETURN RECEIPT REQUESTED**

**DECISION**

Jesse Groner	:	Right-of-Way Grant
Avangrid Renewables	:	CACA-49698-02
1125 NE Couch St., Suite 700	:	FLPMA
Portland, Oregon 97209	:	

**Right-of-Way Grant CACA-049698-02 Executed**

On May 13, 2016, the Bureau of Land Management (BLM), El Centro Field Office (ECFO), received your application for four (4) 10,000 gallon open topped water tanks and access turnouts (hereafter fire tanks) off McCain Valley Road to be used by and only for Fire Services to assist in fire protection and safety efforts associated with the overall Tule Wind Project. The fire tanks are a part of the emergency response and evacuation procedures outlined in Tule Wind LLC's Environmental Health & Safety Plan (EH&S) and the Fire Protection Plan (FPP).

Enclosed is your copy of right-of-way (ROW) grant, serial number CACA-049698-02, (Enclosure 1) which allows the use of public land for the fire tanks for the Tule Wind Project. It was approved by the Bureau of Land Management (BLM) on November 18, 2016. This ROW is for a term of 25 years, from November 18, 2016 to December 31, 2041.

**Rental Fees**

You will also be charged rent for the use of public land based on 1) the acreage involved, (0.25 acre, rounded) and 2) the county in which the grant is located. As of November 8, 2014, a new rent schedule has been published for Land Use Authorizations, which addresses small uses up to 25 acres, and affects the way we charge rent. According to the new schedule (Enclosure 2), your new rent is calculated to be \$2,785.00 per year. Rental will be required prior to the authorization of the ROW grant for 2016-2017.

You will be billed annually beginning 2018 for the term of the grant unless otherwise terminated and the grant relinquished. You also have the option to pay the rent for the full term of the grant (November 2016 through December 2041) which would bring the total due to the BLM to \$72,410.00. Please remit a check in the amount of **\$5,570.00 for 2016-2017** within **30 days** of receipt of this letter. Please submit checks payable to *DOI- Bureau of Land Management*, and

reference serial number CACA-49698-02 for this project. Upon receipt of the check, the BLM will send you a receipt for your records.

### How to Appeal This Decision

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary of the Interior, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed form 1842-1 (Enclosure 2). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) and the Office of the Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-1712, Sacramento, CA 95825 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 regulations 43 CFR §2801.10 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.

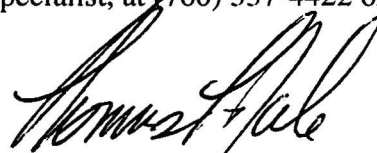
### Standards for Obtaining a Stay

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 no appeal is taken, this decision constitutes the final administrative action of this department. No appeal, protests or petition for reconsideration will be entertained from this decision after the appeal period has expired.

**Please be aware that you may not conduct any activities related to your right-of-way project on public land until you have received a Notice to Proceed from this office.** If you have any questions contact Veronica Vogan, Realty Specialist, at (760) 337-4422 or [vvogan@blm.gov](mailto:vvogan@blm.gov).



Thomas F. Zale  
Field Manager

Enclosures:

1. BLM ROW Grant Form 2800-14, serial number CACA-49698-02
2. Form 1842-1