



June 25, 2025

Joe Stippel, PE  
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RE: Boardman to Hemingway Transmission Line Site Certificate Condition GEN-GS-02(b) Pre-construction Compliance Verification for Structures/Roads associated with 241/2 to 247/1; 211/3 to 214/3; and multi-use area (MUA)-02 in Malheur County

Dear Mr. Stippel,

The Energy Facility Siting Council (Council) issued the Second Amended Site Certificate for the Boardman to Hemingway Transmission Line on August 23, 2024. The Second Amended Site Certificate authorizes construction, operation and maintenance of a 500 kilovolt (kV) transmission line and related or supporting facilities in Morrow, Umatilla, Malheur, Baker and Union counties. The Second Amended Site Certificate is a binding agreement between the State of Oregon and the certificate holder;<sup>1</sup> the site certificate contains numerous requirements that must be satisfied prior to construction (herein referred to as pre-construction conditions).

On June 19, 2025, IPC submitted a request for preconstruction compliance verification for specific structures, access roads and one multi-use area (MUA) in Malheur County. The structures include: 211/3 to 214/3; 241/2 to 247/1; and MUA-02. This letter is specific to these structures and MUA. All conditions applicable to structures 211/3 to 214/3; 241/2 to 247/1; the associated structure roads; and multi-use area (MUA)-02 in Malheur County, were evaluated and included in Table 1. Based on review of preconstruction compliance documentation submitted from October 2023 through June 2025, the Department, in consultation with state and local agencies and a third-party environmental consultant (Haley-Aldrich Inc), concur that the applicable preconstruction conditions, as presented in Table 1, have been satisfied.

Because the ongoing evaluation of preconstruction compliance has not been limited to structures in Malheur County until the recent notification of the structure locations for which IPC intended to commence construction, this evaluation also covers numerous preconstruction conditions for the entirety of the facility. However, at this time, this verification letter does not apply to the entirety of the facility.

Table 1: Preconstruction Conditions Satisfied for 211/3 to 214/3; 241/2 to 247/1; and MUA-02

Condition No.	Summary
GEN-GS-01	Construction commencement notification. (Approved June 23, 2025)
GEN-GS-02(a)	Construction schedule demonstrating compliance with site certificate requirements (i.e., spatial and seasonal restrictions.) <b>Conditionally approved on June 23, 2025. Schedule for structures 241/1 – 244/3 overlap with seasonal/spatial restriction for raptor nest buffers (CON-FW-04). Certificate holder must adhere to the spatial buffers of the condition unless the nest is determined inactive by updated data.</b>
GEN-GS-03(a)	Facility Description (Approved Oct. 30, 2024)
GEN-HC-01	National Historic Trails Mapset/Avoidance. (Approved June 23, 2025).
GEN-LU-07	Baker County Road Approach/ROW Permits (Approved Oct. 30, 2024)
GEN-LU-08	Malheur County Permits (Approved June 23, 2025)

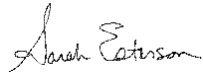
<sup>1</sup> ORS 469.300(26)

Table 1: Preconstruction Conditions Satisfied for 211/3 to 214/3; 241/2 to 247/1; and MUA-02

Condition No.	Summary
GEN-LU-09	Malheur County Setbacks (Approved June 23, 2025)
GEN-LU-10	North Powder CUP and Setbacks (Approved Oct. 30, 2024)
GEN-LU-11	Agricultural Mitigation Plan
GEN-LU-13	Right of Way Clearing Assessment (Approved May 3, 2024)
GEN-NC-01	Initiation of noise sensitive receptor (NSR) mitigation coordination (Conditionally approved June 23, 2024; subparts a-d of the condition are not yet satisfied.)
GEN-NC-02(a)	Landowner coordination on Noise Compliant Program (Approved June 23, 2025)
GEN-OE-01	County Notification of Contractor Qualifications (Feb. 20, 2024)
GEN-PS-02	Fire Prevention and Suppression Plan (Approved May 3, 2024)
GEN-FW-03	Noxious Weed Plan
GEN-FW-01	Reclamation and Revegetation Plan (Approved June 12, 2025)
GEN-FW-02	Vegetation Management Plan
GEN-FW-04	Habitat Mitigation Plan
	Habitat Mitigation Plan – Washington Ground Squirrel habitat (Approved May 3, 2024)
GEN-FW-05	Environmental Training
GEN-FW-06	Sensitive resource maps for flagging
GEN-HC-02	Historic Properties Mitigation Plan. <b>Conditionally approved on June 25, 2025. Tower 242/2 is 11.5 m (37.7 ft.) from IF 3B2H-SA-ISO-33, IF lies within the traditional use area claimed by the Northern Paiute (Nüümü) and is 11.5 m (37.7 ft.) from Pulling and Tensioning 242/2. The IF is left unevaluated until boundary probing is conducted around the IF to confirm its isolated nature. NRHP-eligibility testing may be required if probing determines the IF is representative of a larger archaeological deposit and direct (physical) or indirect (visual) effects cannot be avoided. OR Initial Class III page 3-175. 2025-06-24 IPC mapset identifies isolate with a buffer. Ensure isolate is avoided during construction.</b>
GEN-PA-01, GEN-SR-02	Ladd Marsh Wildlife Area (No Longer Applicable – Oct. 30, 2024)
GEN-PA-02	Morgan Lake Alt. Protected Area Map (Approved Oct. 30, 2024)
GEN-RC-01	Morgan Lake Alt. Tower Structures (Approved Dec. 11, 2024)
GEN-SP-01	1200-C/ESCP
GEN-SP-02(a)/GEN-WM-01(a)	Hazardous Waste Management and Spill Response Plan (HWMSRP) (Approved May 3, 2024)
GEN-SR-01	Confirmation of tower and conductor finish (Aug. 9, 2024)
GEN-SR-03	Tower Design Specs - Oregon Trail (Approved Oct. 30, 2024)
GEN-SR-04	Tower Design Specs – Birch Creek Area (Approved Oct. 30, 2024)
GEN-RF-01(a)	Site Rehabilitation Plan
GEN-RF-02(a)	Compensatory Wetland-Non Wetland Mitigation Plan (CWNWMP)
GEN-RF-04(a)	Removal Fill Permit
GEN-FP-01(a)	Fish Passage Design/Plans; final coordination on Ladd Creek crossings
PRE-OE-01	Construction Mgr Qualifications
PRE-OE-02	Construction Contractor Agreement (Approved Oct. 30, 2024)
PRE-OE-03(a)	Third Party Permits (Approved Nov. 22, 2024)
PRE-FW-01	Bird/TVES/Wetland Surveys
PRE-FW-02	Biological Surveys
PRE-FW-03	Sage Grouse Habitat Mitigation Plan
PRE-FW-04	Elk Traffic Study
PRE-LU-01	Road Standards in Umatilla County
PRE-LU-02	Baker County Aggregate Suppliers (Approved Oct. 30, 2024)
PRE-PS-02	(Malheur, Morrow) Traffic and Transportation Plan
PRE-PS-03	FAA/ODAV Review
PRE-PS-04	Environmental and Safety Training Plan
PRE-TL-01	Oregon Public Utilities Briefing
PRE-RF-01	Wetland Delineation Report/DSL Concurrence
PRE-RF-02	Updated Joint Permit Application
PRE-RT-01	Retirement Bond (Approved June 12, 2025)
PRE-SS-01	Geotechnical Investigation (Approved June 12, 2025)
CON-GS-02	Construction rights. (Approved for structures 211/3 to 214/3; 241/2 to 247/1; and MUA-02)

If you have any questions, please do not hesitate to contact me by phone at (503) 385-6128 or by email at [sarah.esterson@oregon.energy.gov](mailto:sarah.esterson@oregon.energy.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Esterson".

Sarah Esterson, Senior Policy Advisor  
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CC (via e-mail): Todd Cornett, Oregon Department of Energy  
Patrick Rowe, Oregon Department of Justice  
Wally Adams, Haley-Aldrich Inc.