PUBLIC HEARING

Input on Draft Proposed Order )
(DPO) for the Boardman to )
Hemingway Transmission Line )
Department of Energy, State of )
Oregon )
---------------------------------

BEFORE

HEARING OFFICER ALISON GREENE WEBSTER

Date: June 18, 2019 - 4:30 p.m.
Location: Four Rivers Cultural Center
676 SW 5th Avenue
Ontario, Oregon

REPORTED BY:

BEVERLY A. BENJAMIN, CSR No. 710
Notary Public
ATTENDEES:
1. Barry Beyler, Chairman
2. Hanley Jenkins, II, Vice Chairman
3. Todd Cornett, Council Secretary
4. Kent Howe, Councillor
5. Marcy Grail, Councillor
6. Betty Roppe (telephonic)
7. Hearing Officer Alison Greene Webster
8. Patrick Rowe, Counsel
9. Kellen Tardaewether, Oregon Department of Energy, Senior Siting Analyst

PUBLIC SPEAKERS:
10. Roger Findley
11. Dustin Baker
12. Gary Pearson
13. Jerry Bowman
14. Jay Chamberlin
15. Mark Stoke, Idaho Power
16. Irene Gilbert
17. Carl Morton
18. Michael Horton
19. Frank Jordan
20. Jim Foss
21. Arnold Tropf
22. Timothy Proesch
23. JoAnn Marlett

PROCEEDINGS
June 18, 2019 - 4:30 p.m.
Ontario, Oregon

CHAIRMAN BEYLER: Good afternoon and welcome. I would like to call the June 18, 2019, meeting of the Energy Facility Siting Council to order.

SECRETARY CORNETT: Mr. Chair, no agenda modifications at this time.

CHAIRMAN BEYLER: I have the following announcements: Comment registration cards for the hearing are just outside the door. Gov delivery sign-up cards to receive project information by email are also on the table just outside the door. Those participating via the AT&T phone lines, please mute your phone. If you receive a phone call, please hang up from this call and dial back in after finishing your other call. If you would like to address the Council, please do not use the speakerphone feature because it will create feedback.

For those signed on to the webinar, please do not broadcast your webcam.

Energy Facility Siting Council meeting shall be conducted in a respectful and courteous manner, where everyone is allowed to state their positions at the appropriate times, consistent with the Council rules and procedures.

Willful, accusatory, offensive, insulting, threatening, insolent or slanderous comments which disrupt the Council meeting are not acceptable.

Pursuant to Oregon Administrative Rule Chapter 345-011-0080, any person who engages in unacceptable conduct which disrupts the meeting may be expelled.

HEARING OFFICER WEBSTER: Thank you. Can you all hear me?

Alison Greene Webster, who is the Council-appointed hearing officer for the Boardman to Hemingway Project, and will be the presiding officer for tonight's public hearing.

CHAIRMAN BEYLER: Are there any agenda modifications at this time?

SECRETARY CORNETT: Mr. Chair, no agenda modifications at this time.

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## Input on Draft Proposed Order for the Boardman to Hemingway Transmission Line

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1. certificate for the Boardman to Hemingway transmission line. I'm Alison Greene Webster, a presiding administrative law judge at the Oregon Office of Administrative hearings, and EFSC-appointed hearing officer. I'm serving as the presiding officer for this hearing.

2. It is June 18, 2019. It is now 4:35 p.m. Mountain Time. We are located at the Four Rivers Cultural Center in Ontario, Oregon.

3. And first up order of business today, we are going to be hearing from Kellen Tardaewether, the senior siting analyst at the Oregon Department of Energy, and the lead on the Boardman to Hemingway transmission line facility. She'll provide a county overview of proposed transmission line within Malheur County and summarize the opportunities for the public to participate in the EFSC process at the DPO phase.

4. **MS. TARDAEWETHER: Thank you very much,** Ms. Webster.

5. For the record, my name is Kellen Tardaewether. I'm a senior siting analyst at the Oregon Department of Energy, and the lead on the Boardman to Hemingway transmission line proposed facility.

6. So let's see. Today I have an informational presentation. I'd like to go over a few specific facility-specific components and items that are within Malheur County. I don't want to take up a lot of time so my presentation is relatively short. I did draft a staff report that supplements or informs this presentation. It is available on the web page. I don't have print copies here at this meeting but it is available on the EFSC meeting web page.

7. So I'm going to go over a few county-specific items and then I'm also going to, even though I have my back turned to you, I am going to go over a few items about commenting on the proposed facility at this phase, and then the hearing officer will go over some very specific items that need to be checked off for the hearing for the oral testimony.

8. So this is the procedural history for the proposed facility in the EFSC process. When I say "EFSC," it is the Energy Facility Siting Council, and that's kind of just the short vernacular for it. As folks can see, and as most in the room here are aware, this project has been around for a while. It might be a little bit light but basically the notice of intent was submitted in 2010, and I'm pretty sure we're in 2019 now. So it's been around for a while.

9. The primary driver for that or the reason are route variations and siting studies that were conducted by the applicant, Idaho Power, during the NEPA review and the federal process. A lot of the folks in the room may have provided comments and feedback during that process. So that's just, I'm not going to spend a lot of time going over this, but this kind of gets us up to where we are today.

10. Now, the federal government, the lead agency for the NEPA review is the Bureau of Land Management, or the BLM. And they submitted or issued their record of decision, or their ROD, in 2017. Which based on that information the applicant submitted revised or amended application, and that's what kind of triggered the subsequent review and these milestones that you see from 2017 to 2019. All of it was based on this amended preliminary application, which we then deemed complete, which is the application that we came to these informational meetings, we were here about 8 months ago, and we talked about the complete application and what to expect at this point, and we're back. So that's kind of that short timeline or what's happened in the last about 22 months.

11. So looking ahead, as folks understand, that we're having one public hearing in each of the five counties that the proposed facility crosses. And those dates, times, and locations are in the notice of the DPO hearing.

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1. pretty much everywhere on the ODOE web page. I'd like to note that any folks, and if you talk to anybody, anybody can attend and provide comments at any of the hearings. So it's not county specific; if you're a resident of Malheur County, you don't have to only attend and provide comments at this one. If it works for your neighbor to come to the Baker County hearing, that's totally okay as well.

2. Kind of looking ahead, so those are the hearings on the DPO. And DPO is the draft proposed order. I just wanted to let Council know an administrative step that the Department is working on is we're going to issue a third amended project order. The project order is a document, it's an administrative document that generally starts and comes out at the beginning of the EFSC process. However, the project order can be amended at any time.

3. And as you can see, for instance, on this slide, the project order has been amended -- well, the first one was issued and then it has been amended twice. The reasons have been, there's many reasons, but primarily what has driven amending the project order is to reflect the information that's necessary in the application, driven from route changes. So the Department, because the project order serves as an
1 administrative guidance document that is referred to in the Council's rules, we anticipate to amend it to a third amended project order, and to be able to issue that soon.

2 So also for the Council's clarification, I know that you've been reviewing a lot of amendments recently for amending existing site certificates when we tend to have a DPO hearing. Which is kind of, I mean, there's some rule changes, but it's kind of the same thing as this except a lot of times we turn around and we have Council's review of the draft proposed order at, say, like, the next meeting if it's a 2-day meeting.

3 So these hearings are an extended, basically it's an extended hearing. So Council's review of the draft proposed order is going to happen at a future Council meeting. So I know that we provided Council the draft proposed order, keep those with you, and then I will provide or staff will provide a description of, and we'll get into the conditions and the discussion of the specifics in the draft proposed order at a later Council meeting.

4 And that's where we'll also go over how we addressed the public comments received on the record. We'll do that at a later Council meeting as well. So that is not what today is. That also is information for the public as well.

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1 so we're in Malheur County. These maps are from the application. They are also in the draft proposed order. I'd like to reiterate for the public that the draft proposed order is the Department, it's the Department of Energy's initial analysis and recommendations to Council about how the applicant has or has not met the Council's standards. So it is the Department's document, and that's why we encourage folks to comment on it and on the contents of the application, because it will change, and draft proposed orders do change based on the comments received.

2 So that said, I wanted to, in the time that I have, point out a couple specific items in Malheur County. And I framed this slide and the staff report in the context of siting opportunities and siting constraints, because as folks are aware and as Council is aware, it's a long, relatively narrow transmission corridor. And there are specific features for transmission lines that kind of make it easier or more difficult to site. And when I say "site," site, so like basically to locate.

3 So some of the siting opportunities that came out of the federal government's review process and permitting process as BLM telling the applicant where to locate the facility on public lands, on lands owned by the BLM. Part of that is also the BLM manages, for instance, the BLM Southeastern Oregon Resource Management Plan designates utility corridors. So utility corridors are where there are existing utilities. And so we view that as an opportunity because it's generally viewed as a positive thing if you co-locate transmission lines to reduce impacts.

4 Another feature is Malheur County is actually home to many ACECs. These are Areas of Critical Environmental Concern. Sorry, I know acronyms are everywhere. So ACECs are Areas of Critical Environmental Concern. These are areas that are designated as such by the Bureau of Land Management.

5 ACECs are also identified as Protected Areas under EFSC's Protected Area Standard. So there are several of them in Malheur County.

6 And an interesting note on that, to tie it to the draft proposed order, is because these ACECs are Protected Areas, they're discussed in the Protected Areas of the draft proposed order, they're also discussed in the Scenic Resources section of the DPO, some of them are discussed as Recreational Opportunities under Council's Recreational standard. Finally, some of them are -- actually, most of them are discussed under the Council's Historic, Cultural and Archeological Resources standard.

7 So this is very typical of what you'll see in the draft proposed order is that one resource will be discussed and referenced in several different places in the draft proposed order, and a particular resource may be afforded a different type of evaluation or protection, depending on if it qualifies or can be protected under one of the Council's standards.

8 A significant constraint within Malheur County is also greater sage-grouse habitat, and, say, for the BLM directed Idaho Power to avoid areas that are defined as core area habitat, which includes sage-grouse leks, which are kind of their mating habitat, for those that are familiar with the species.

9 Then there's also residential properties or other properties that may be sensitive to noise. A significant item that informed the route locations in Malheur County was the applicant engaging with the county and landowners to lessen the impacts to private property and agricultural areas. So that is, for instance, the Double Mountain alternative is an alternative proposed by the applicant, and it is only on BLM-managed land. It is proposed as a way of minimizing impacts to private property owners.

10 This might be kind of hard for folks to see.
I'm not going to get into the nitty-gritty of what this slide says. But I would like to use this opportunity as a time to talk about how alternatives are treated in the EFSC review. This may be hard to see. There's two tables up here; one is for the proposed route and one is for the Double Mountain alternative, which is an alternative route proposed in Malheur County. And it has, like, how many towers are proposed or how many multiuse/construction areas are proposed for each of these.

But I'd like to take a moment to comment on and remind Council, and let the public know, this kind of mirrors the information that I provided in the introduction of the staff report of, really, kind of delineating the difference between the NEPA review, which is the federal government's kind of environmental review process, and the Council's review process. This is very boiled down and just a complete summary. But the result of the federal NEPA review was the Bureau of Land Management issuing its agency preferred route, or issuing the route and they essentially told Idaho Power on federal lands which routes the proposed transmission line would be located.

Now, for EFSC's review an applicant proposes a facility, and that is what is in the application for site certificate. This is the draft proposed order on the application for site certificate. So whatever the applicant proposes is what we, as a Department staff, write up for Council's review. And the applicant's proposal included several areas where there were alternatives; in Malheur County we have this Double Mountain alternative.

Now, the result of Council's review is not going to or Council's scope of review does not result in Council kind of providing an opinion or a preference on a route. It's we discuss the Council's review process as a standard-based review. What does that mean? It basically means, did it meet the standard? Yes or no. So therefore, is it approved? Yes or no. So that I'm just kind of reiterating that point. It also is important to note that because of the route designated from the BLM's review or record of decision issued by the BLM on those federal lands, it really didn't -- the applicant was kind of bound to those sections on where the route was located. So that also kind of informed what alternatives the applicant proposed because they didn't have that option with that.

You can see, so going back to how this process step is reflected in the draft proposed order, so in the general standard of review, which I think is a fascinating section of the DPO myself, but there you'll see how the Department recommended to Council conditions reflecting alternatives. We basically are recommending approval of the proposed route and all alternative routes, and we lay that out in one of the conditions. In each section we did not come and make recommendations or conclusions because we're recommending approval of all proposed routes and alternative routes. We don't separate our recommendations to Council in each section. So unless there's a site certificate condition that would only apply to one of the alternative routes or the proposed route, we kind of don't really delineate between the alternatives and the proposed route. I don't know if that's -- it's probably a little bit confusing, but I will go into that more at a later date. But that is also how we kind of -- what you'll see with alternatives in the draft proposed order.

Another note about the general standard of review and some of the language Council may see when you're reading the draft proposed order and members of the public, is you'll see several of the conditions have language that say, prior to construction of a phase or a segment of the facility. And that's really interesting language that Council doesn't see or we don't include typically in other draft proposed orders or final orders or site certificates.

And what that is intending to capture is that if final approval and construction happens after all preconstruction conditions are met, but what that means is it's all not going to be built all at once. And so what that captures is that there may be a small segment or a small portion that is proposed by the applicant to be constructed in a phase, meaning that some of these conditions may be in preconstruction compliance, maybe like five or ten times, depending on how it's proposed to construct the facility.

So those are some interesting notes. I have -- what is my time actually?

HEARING OFFICER WEBSTER: It's 4:55.

MS. TARDAEWETHER: So I am going to speed it up. Folks, I'm going to -- because this is for you folks. Hi. So I'm going to do this because I don't like having my back to you, if that's okay. I'm just going to do this quick. Again, the Hearing Officer is going to go over some more specifics for providing oral testimony and comments, but I do have a couple things, and I want to kind of get to the last slide because that's what I think is the most helpful because it actually is, like, real words.
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1. So again, some folks got the notice. We outline all the ways we need to receive comments for them to be formal comments received. This is a really important phase because commenting now preserves your right to continue to participate later in the process. So this slide really kind of captures -- there's two components here: One is like the time frame, the time to comment is now, to preserve the right to comment, later, we have a July 23 comment deadline; then the second criteria is the content of the comments. And I know it's not very helpful to be like, What is sufficient specificity? But that is what rules say because it's what it says. So to raise an issue with sufficient specificity: A person must present facts that support the person's position on an issue. Generally these are facts that also helps to identify, like, a location in the draft proposed order or the application. This is the Department's document; so we want help from you folks of telling us what you think we missed or how we can make it better, or that it's amazing just as it is. I was kidding. This is the slide that I like because this is kind of helpful because it goes over, without giving examples because we can't do that, but kind of effective commenting and less effective commenting. Effective commenting reference a specific Council standard or OAR, we call them rules or Council's rules, providing specific information supporting whether or not a standard has been met, state supporting facts and comments and attaching the reference materials, and then reference specific pages in the application or the DPO, because those give us something to read and to understand what the issue is. Less effective commenting are just statements of support or opposition without any supporting documentation, only providing the copy of a report, raising issues that may be outside of Council's jurisdiction or just unsubstantiated comments. I'm sorry, I just kind of rushed through those, but I did want to go through that. I am going to pass this back over to the presiding officer for the hearing and she will go over and we'll get this started. Thank you.

2. HEARING OFFICER WEBSTER: Thank you, Kellen. The purpose of this public hearing is to provide an opportunity for the public and the applicant, if they wish to do so, to present oral and written testimony on the Boardman to Hemingway Transmission Line application for site certificate and draft proposed order. The 62-day record of public hearing comment period on the draft proposed order closes on July 23, 2019, at 5 p.m., Pacific Daylight Time. Anyone who wishes to provide oral testimony must fill out a registration form -- it's like this -- located near the entrance. Department staff can provide a form to you if you have not received a form to fill out. Any forms that have not been filled out and provided to Department staff, please do so at this time if you want to make a comment, as I am going to begin establishing the time each commenter will have in person and over the teleconference line.

3. I will call each person up to testify individually and will also indicate who the next person will be to testify so they can be prepared. There are empty seats at the testimony table if you want to use those to get yourself ready. Do we know if we have any government/tribal members that are here? No? Okay. Do you know how many phone people? IT PERSON: I don't. HEARING OFFICER WEBSTER: No, you don't know? IT PERSON: I don't know. HEARING OFFICER WEBSTER: If there are people on the phone that want to comment, you may do so if we can get it technologically figured out.

4. SECRETARY CORNETT: You need to ask them. HEARING OFFICER WEBSTER: Are there people on the line that would like to comment? Apparently, I will take that silence as nobody that's listening in wants to make a comment.

5. Commenters in person will provide oral testimony first and then I will repoll and hear testimony from participants on the phone line. So those of you on the phone, you'll have a second chance. When the in-person commenters are finished, I will call by name the commenters on the phone.

6. At this time, there are a total of 12 in-person commenters and nobody yet on the phone; so we have a total of 12 at this time. The notice of the DPO allotted 3 hours for public testimony, which is 180 minutes. I'm going to save or allow 30 minutes for anyone that joins after we've begun the public testimony.

7. At this time there are 12 commenters, and a total of 150 minutes. So I would say we'll give each commenter about 10 minutes. I don't know if you'll need that long. We'll give ourselves some wiggle room there. If you need more, and you ask nicely, you may get it. I'm kidding. But you'll have 10 minutes to give your testimony.
We will now begin the public testimony. It is a person must present facts that support the person's position on the issue.

To raise an issue with sufficient specificity, the applicant an adequate opportunity to respond. If the commenter is still speaking, if we have some free time I will let you continue; I won't just cut you off. But we will transition to the next speakers as soon as reasonably possible.

Please be respectful of the allotted time and the other speakers. If I or a Council member asks for a clarification or questions the commenters, the time will be stopped for the question and response and then restarted to provide the commenter with the full time allotment.

Any requests made to EFSC will be brought up at the conclusion of the public testimony opportunity of the hearing.

Today's hearing as well as all of the public hearings on the Boardman to Hemingway draft proposed order are being documented by a certified court reporter, and there will be transcripts of the testimony made available after the completion of the public hearings. We're also recording the hearing today. The presentations, written comments, and oral testimony are part of the decision record for the proposed facility.

We are ready for the next slide.

Pursuant to OAR 345-015-0220(5)(a) and (b), please note the following: "A person who intends to raise any issue that may be the basis for a contested case must raise the issue in person at the hearing or in a written comment submitted to the Department of Energy before the deadline stated in the notice of the public hearing," which we've said is July 23rd of this year.

"A person who intends to raise any issue that may be the basis for a contested case must raise the issue with sufficient specificity to afford the Council, the Department of Energy and the applicant an adequate opportunity to respond, including a statement of facts that support the person's position on the issue."

To raise an issue in a contested case proceeding, the issue must be: Within the Council's jurisdiction; raised in writing or in person prior to the close of the hearing record, or close of the comment period, which is July 23, 2019; raised with sufficient specificity to afford Council, the Department of Energy, and the applicant an adequate opportunity to respond.

To raise an issue with sufficient specificity, a person must present facts that support the person's position on the issue.

We will now begin the public testimony. It is from Idaho Power that it had filed a Notice of Intent with EFSC to build a 5,000 kilovolt power line from Hemingway, Idaho, to Boardman, Oregon, better known as the B2H line. Idaho Power was on a 'fast track' with the proposed power line and planned on construction in 2012 with power flowing in 2013. Proposed in the B2H route were 54 miles of line in Malheur County all on private land with 38 miles going over prime farm land designated as Exclusive Farm Use or EFU. The landowners immediately met and organized Stop Idaho Power (SIP), which has about 300 members. The one and only stated goal of SIP was 'to keep the B2H power line off EFU land in Malheur County.' SIP started having meetings with Idaho Power trying to convince them the power line was in the wrong location. After a series of meetings, Idaho Power reconsidered its position and halted its Notice of Intent and initiated meetings with all concerned landowners," government officials, "government agencies, environmental groups and others to determine the best route for the B2H power line. Though it has taken" many "years...to get back to this point in the process, the B2H power line through Malheur County has met 90 percent of SIP's goal. There are two areas near Adrian [Oregon] where B2H crosses EFU land."
Hello. My name is Gary Pearson. And while I

MR. GARY PEARSON: Thank you.

Mr. Pearson, your name and address.

MR. GARY PEARSON: Thank you.

Hello. My name is Gary Pearson. And while I

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Act, many acres of EFU land are [now] being converted
from surface flow...to either" drip or sprinkler
irrigation. "Making this switch requires energy to run
pumps and motors. Also SIP understands that the greater
Boise area is experiencing a booming population growth.
Both these factors together contribute to greater
consumption of electrical power each year. Though some
of this increased demand has been met through the use of
renewable energy...such as wind and solar, irrigators
need power 24/7...not only when the wind blows or the
sun shines. SIP applauds Idaho Power for looking into
the future and trying to provide for our needs.

"Sincerely, Roger Findley."

HEARING OFFICER WEBSTER: Thank you,
Mr. Findley.

Just before we hear from Mr. Pearson, the next
one up after Mr. Pearson will be Jay Chamberlin.

And Mr. Findley, for the record, if you could
please state your address.

MR. ROGER FINDLEY: 3535 Butte Drive, Ontario,
Oregon.

HEARING OFFICER WEBSTER: Thank you.
Mr. Pearson, your name and address.

MR. GARY PEARSON: Thank you.

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In summary, SIP is generally well pleased
with Idaho Power for stopping the fast track process in
2010 and listening to all the stakeholders. Through a
21 collaborative [process] we have devised the best
possible route for the B2H power line through Malheur
County. SIP would like to see Idaho Power go ahead and
construct the power line. Most...members of SIP are
engaged in farming. With pressure from the Clean Water
Act, many acres of EFU land are [now] being converted
from surface flow...to either" drip or sprinkler
irrigation. "Making this switch requires energy to run
pumps and motors. Also SIP understands that the greater
Boise area is experiencing a booming population growth.
Both these factors together contribute to greater
consumption of electrical power each year. Though some
of this increased demand has been met through the use of
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Oregon.
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Mr. Chamberlin, your name and your address and then your comments.

MR. JAY CHAMBERLIN: Thank you. My name is Jay Chamberlin. I’m general manager of the Owyhee Irrigation District. My address is 422 Thunderegg Boulevard, Nyssa, Oregon 97913. I’d like to thank the Council for this opportunity to hear our concerns. No. 1, the Department of Energy needs to ensure that the tower placed between mileposts 255 through 258 are placed in consultation with the Owyhee Irrigation District’s staff in order to provide good, high clearance, and minimal structural interference with existing irrigation canals, structures, and roadways.

We would also like to see the term "...and existing irrigation waterways" added after "protected areas" on page 246 of the draft proposed order.

Also the statement on page 589 of the draft proposed order that a water right transfer is unnecessary is inaccurate. The proposed tower placement near milepost 255 on existing irrigated lands will require a water right transfer to allow that those water rights be transferred to other portions of land, if indeed that tower is placed there.

And other than that, I think we, as an irrigation district, have been part of the process all along. It certainly isn't where we would like it to see, but we have worked and we would certainly be willing to continue to do such so that we can have as least amount affected our waterways and transmission systems ourselves as possible.

Thank you.

HEARING OFFICER WEBSTER: Thank you. Following Ms. Gilbert we will hear Michael Horton.

MS. IRENE GILBERT: Should I start?

HEARING OFFICER WEBSTER: Yes, please do, with your name and your address, please.

MS. IRENE GILBERT: Irene Gilbert, 2310 Adams Avenue, and I’m here representing myself but also Friends of the Grande Ronde Valley, and I am a member of Stop B2.H so I certainly hope my comments would be considered coming from that group also.

A few things first is, in particular with the B2H group, there are now over 500 members, as I understand, individual members and multiple nonprofits who are members of that group. And we are focused on impacts to the entire route, along the entire route. So Stop B2H has not said we prefer that you move the line from here to there; it only moves the impacts on the resources and people from one group of people to another.

So I think one of the things that’s happened with this line is that it’s kind of been a divide and conquer thing where people who don’t want this line to happen, and actually there was a meeting in La Grande with probably 400 people in the room, and when they were asked, Does anyone support this line, no one did. But people want, nobody wants to have to experience the impact so they argue that it should hurt other things. So we are not doing that.

Today I’m going to focus on just actually about 25 pages of the draft proposed order, the section regarding noise. And these are not all the issues but I thought I would list some of them. I’m not going to meet the standard to provide rules; I will give that to you folks later in written testimony prior to the July 23rd deadline.

But starting off, the Oregon standards allows for more noise than is recommended by the World Health Organization and the standard that is used in most other countries. In Malheur County alone, there are 26 residences that are considered "noise sensitive residences" within one-half mile of the transmission line. That means that they will be subject to noise increases. Only a few of them actually exceed the standards and the rest are ignored. The noise at residences not exceeding the standard could increase by up to 10 decibels.

Given that the Oregon Health Authority has stated in their report regarding noise from wind turbines that an increase of 3 decibels is perceived as doubling the noise at a location. So as you can see, there are a lot of people who are going to be experiencing noise impacts that aren’t being told that that's going to happen. There's also documentation of people actually exceeding the standard that are residing more than a half mile from the proposed transmission line. So there are a lot of people that don't know what's going to happen here who will get a surprise.

There was no modeling of helicopter, road legal vehicles or auxiliary equipment in establishing the noise impacts, which is actually required in modeling the impacts of this development in relation to the 50 dBA noise limit. Idaho Power chose to ignore a piece of the statute that requires that.

No modeling or inclusion of schools, churches, hospitals or public libraries in the noise modeling. That's also required.

No modeling of the entire site, including...
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| 1 areas where site boundary does not connect with the right-of-way boundary. I'm talking about things here like the lay-down areas. 4 I mentioned restricting the noise modeling to one-half mile, in spite of the fact that there's documentation, Idaho Power provided documentation of exceedances beyond this distance. So a bunch of people aren't getting noticed. 9 Limiting the notice to 250 feet from this line is just unbelievable when you consider the impacts that it will have beyond that area. 12 They only included in their monitoring of noise impacts foul weather, rain from .8 millimeters per hour to 5 millimeters per hour, with no documentation that the corona effect would not be perceived over 5 millimeters or that it would not exist with less than .8 millimeters per hour. 18 No inclusion in modeling of noise due to the "burn in period," damaged lines, oil or substances on the lines or other causes that also create noise from these transmission lines. 22 No addressing increase in noise impacts with the lineal noise source rather than point source, because lineal sources actually create a higher level of noise than the point generated source. 1 They documented exceedances beyond the 50 dBA and then modeled that there would be no future exceedances beyond 50 dBA. 4 They inferred that a noise consultant approved methods of limiting evaluation of increased noise to a period from 12:00 midnight till 5:00 a.m. There was no approval of that particular period in terms of looking at the noise occurring. They only approved that period for establishing the baseline. 10 Redefined "infrequent" or "unusual," and this is something that the Oregon Department of Energy did, they redefined "infrequent" or "unusual" to mean, get this, "not consistent, not continuous, and not representative of normal operating procedures." This definition is not consistent with any legal, dictionary, other agency or public definition and the Oregon Department of Energy lacks authority to make up interpretations when they're applying rules of another agency. 20 They are not requiring the developer to pay for actual sound testing if there is a future question regarding the accuracy of the modeling. Statutes require developers to pay for actual monitoring, not place the burden on the landowners to prove that the developer's predictions are not accurate. 1 And I'm still working on a list of issues with the proposed approaches to dealing with noise exceedances, but I can tell you that Idaho Power has stated in their application that they think a reasonable mitigation method is that they provide noise, basically blinds that will cut down on the noise impacts or pay for them. Now, I don't know about the rest of you, but for me, to have a power company move in and tell me that I don't get to see out my windows because my noise standards are too high seems pretty unbelievable. 11 They are averaging exceedances over a 300-mile line -- this is the developer -- where the impacts will be anywhere from 22 to 80 days a year where noise at specific residences will exceed the DEQ limits. That's not appropriate. 16 They're not requiring methods of mitigation that are being utilized by other utilities to minimize impacts. 19 They are allowing irrelevant reasons as supporting documentation of why the noise rules should be ignored such as federal rules that only apply to federal lands. And they're applying them to private and state lands. 24 They're accepting that this is the only way to meet the developer's perceived need when they provided, or the developer provided 12 other plans to the PUC that did not include Boardman to Hemingway. And in the last PUC notice they stated outright that Idaho Power should remain flexible in terms of changing their plans based on the change in energy environment. 6 The overarching concerns that drive me and others regarding the decisions coming from the Energy Facility Siting Council -- and I'm talking to you folks here directly -- is that you were all placed in your positions absent any requirement for knowledge, skills, and abilities. And the governor appointed you, and it's reasonable to assume that she appointed the folks on this committee because she felt they would do what she was hoping they would do. And so far they've approved everything that has come before them. 16 Some of you have personal interests, which mean that there may be a personal advantage to approving these. 19 Oregon Department of Energy only provides to the Energy Facility Siting Council supporting information that leads you to agree with their proposals. You do not receive the staff report that indicates reasons why you should be denying this particular energy development. The process makes it very difficult for the public to have their views heard.
1. because you don't get to respond to the decisions of the
2. Council directly. And the Department of Energy has made
3. it increasingly difficult for the public to access the

So you add to that the fact that there's no
reasonable time to review these proposed orders, and
you're talking about 600 pages in the draft proposed
order. These issues, and it's not the complete list,
came from 25 pages. I guess it was actually 24 pages of
that draft proposed order. So go figure.

Do I have any more time left?

HEARING OFFICER WEBSTER: You have 23 seconds.

MS. IRENE GILBERT: I was going to add a bunch
of other things. The developer has ignored things like
protected lands. There are three federal mitigation
sites at Ladd Marsh; they choose not to even mention
them. They ignore federal threatened and endangered
species protections. They will not provide any
protection of them. They don't honor the tribes and the

You've approved things as far as where the
views amount to someone floating on Wild and Scenic
River and looking up to energy development that's a mile
away, and seeing a bunch of turbines while you're on the
Wild and Scenic River.

Mr. Horton, if you want to start with your

HEARING OFFICER WEBSTER: Thank you.

MR. FRANK JORDAN: My name is Frank Jordan. I
live at 3370 Old Stage Road in Westfall.

And I have not been contacted at all by Idaho
Power to come out and look at where they are putting the
line. No one from Idaho Power has come out. No one
from Oregon Department of Energy has been on my property
cross.

I own property west of Vale that the power
line will be crossing. And my main concern is the power
line is basically using our driveways as their access
roads. We have a home within one-eighth of a mile of
the power line. We have fields that it's crossing. An
irrigation pond within feet of where they propose to
cross.

And I have not been contacted at all by Idaho
Power to come out and look at where they are putting the
line. No one from Idaho Power has come out. No one
from Oregon Department of Energy has been on my property
to look where the line is going. I find this kind of
disturbing that Idaho Power or the Oregon Department of
Energy would basically put a line somewhere without
actually going out and talking to the landowners and
seeing exactly where the line is proposed. That's my
only comment.

Thank you.

HEARING OFFICER WEBSTER: Thank you.

Following Mr. Jordan we will have Jim Foss.

As far as the placement of these, in Union
County, we have 80 percent on private land, we have
55 percent, federal land. So I could go on. I will go
on but not in this format.

So thank you for the time. You will get all
of the statutory references.

HEARING OFFICER WEBSTER: Thank you,
Ms. Gilbert.

MS. IRENE GILBERT: Thank you.

HEARING OFFICER WEBSTER: Before we hear from
Mr. Horton, the next one is Frank Jordan.

SECRETARY CORNETT: For the record, Council
Member Betty Roppe joined, so we do have a quorum at
this point in time.

HEARING OFFICER WEBSTER: Thank you.

Mr. Horton, if you want to start with your
name and address.

MR. MICHAEL HORTON: I'm Michael W. Horton.
My address is 106 Main Street, P.O. Box 1565, Nyssa,
Oregon 97913. I want to welcome Council to eastern
Oregon.

I'm secretary of the Joint Committee of the
Owyhee Project. The Joint Committee consists of
representatives from Owyhee Irrigation District,
Ridgeview Irrigation District, and Gem Irrigation

District. The Joint Committee manages the Owyhee Dam on
the Owyhee River along with two hydroelectric power
plants. One of the power plants is located at the base
of the Owyhee Dam and the other plant is located at the
head of the irrigation tunnel near the Owyhee Dam.

The Joint Committee operates and maintains a
69-kV transmission line which transmits power from the
Owyhee hydroelectric facilities to Idaho Power's power
grid system. The hydroelectric power plants were
partially funded by loans through the Department of
Energy. The 69-kV transmission line will be crossed by
the proposed 500-kV line somewhere to the east of
proposed milepost 256.

The Joint Committee requests additional
language be added to the draft proposed order to require
Department of Energy staff and irrigation districts'
staff be consulted on tower and line placements near the
intersections of the power lines and canals, tunnels,
and access roads.

The Joint Committee members share the same
concerns expressed tonight, that you've heard tonight on
the proposed placement on EFU lands.

Thank you.

HEARING OFFICER WEBSTER: Thank you.

Following Mr. Horton will be Jim Foss.
I'd like to touch on this one page, it's concern of mine.

The place in question isn't my home place. We have another -- we have other property just off the Owyhee River, off of Owyhee Avenue and Rock Springs Road. And the power, the transmission line started out above us, and then they changed it to come directly across us, and put a tower in the middle of our center pivot irrigation system. And they finally came out and realized the irrigation system went around there and they couldn't put the tower.

We've been told they were not going to put the tower there, that's just verbal, and that they would put a tower above us on private ground. And in talking to the neighbors, they put another tower across the Owyhee Avenue Road and stretched the lines down across our irrigation system of our property. And the irrigation system is a T-L Grand irrigation system, GPS-navigated, state-of-the-art -- we run it with our phones or can -- system. And it has a rover arm on it that will go out and catch the corners and then come back in. Again, it's GPS navigated.

So the concern is that the pivot, the irrigation system crosses in two places underneath this transmission line. And I have documentation from T-L engineers, and I'll read part of the statement, that they're concerned about losing the RTK fix, which is they have to have a fix to navigate the system, and it's self-steering. Again, it's off of GPS.

And so they state that if the pivot system has unshielded span cable, which is typical for T-L, Irrigation pivot control such as point control or precision point control, which is what we have, the magnetic field-induced voltage on the span cable could interfere with control signals, especially the end tower speed center signal or Garmin GPS serial lines. This would be true especially if the pivot spans are parallel to overhead lines directly above the pivot. That goes on to unshielded buried cable, which we do not have.

So it will virtually stop the pivot, it will veer off track. And then its safety shuts off and it will stop the irrigation system. I'm talking this one pivot that the line is going over. So that's a big concern of mine.

I'd like to touch on this one page, it's

Okay. "With the sprinkler pipe parallel and close or under the transmission line, the inductive coupling between the transmission line and the sprinkler boom can result in hazardous shock currents if a person touches the system while the boom is connected to the pivot point."

So when we put the system in, we were by law mandated to have a licensed electrician do this, and then we were inspected so that this would not be happening, my understanding of it. And now, they're wanting to drape this transmission line over the top of it and tell me that I can't -- now, the pivot may, it's vulnerable to be stuck, whether water runs to one spot and it gets stuck. So if it does get stuck under the transmission line, I can't touch the pivot, I can't touch the machine. It virtually puts me out of business. And that's my concern.

I've had a concern about the EFU but we've pretty well beat that up, and I believe everybody -- there is an alternative route; they just chose to come back over onto the landowners. If this goes across, it's assuming that they're able to get tower sites on private landowners above me and below me. Because, of course, they can't span clear across the valley.
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1. crossing the Owyhee River going through me. The Owyhee River, in my eyes and pretty much anybody that lives around there in that area, is wild and scenic, ladies and gentlemen. We have deer and we have turkeys, wild turkeys and pheasants, quail, all of that, just like they do up the river. But we have people making their livings and taking care of their -- pay their taxes and things as well.

And so that's my concern of crossing over our ground on the Owyhee.

VICE CHAIRMAN JENKINS: Ms. Webster, may I ask a question of Mr. Foss?

HEARING OFFICER WEBSTER: You may.

VICE CHAIRMAN JENKINS: The first three speakers that we had, Roger Findley, Gary Pearson, and Jay Chamberlin, talked about crossing agricultural land in the Adrian area. Is this your land that they were referring to?

MR. JIM FOSS: This is a Nyssa address, but it is, I'm assuming -- and that's all I can do -- I believe it's coming across over the hill, and we live on the Idaho side of the Snake River but we're in Oregon. So it's not there in Adrian; it's a Nyssa address. It's Rock Springs Road and Owyhee Avenue, which goes to the dam, right up the Owyhee River.

VICE CHAIRMAN JENKINS: But where this pivot is?

MR. JIM FOSS: Where the pivot is, yes. It's crossing quite a bit of private ground or different private ground owners there, two, maybe three. I'm not real sure. I'm one of them where they've dog-legged the thing down in here and then come across this versus the alternate route that they have to go stay out on the BLM. If I'm understanding the maps right.

VICE CHAIRMAN JENKINS: Thank you.

HEARING OFFICER WEBSTER: Thank you.

MR. JIM FOSS: You're welcome.

HEARING OFFICER WEBSTER: Just a reminder, if there's anybody who hasn't filled out a green form that does want to give public comment tonight, please fill it out.

Following Mr. Tropf we will hear from Timothy, Jay Chamberlin, talked about crossing agricultural land in the Adrian area. Is this your land that they were referring to?

MR. JIM FOSS: This is a Nyssa address, but it is, I'm assuming -- and that's all I can do -- I believe it's coming across over the hill, and we live on the Idaho side of the Snake River but we're in Oregon. So it's not there in Adrian; it's a Nyssa address. It's Rock Springs Road and Owyhee Avenue, which goes to the dam, right up the Owyhee River.

line down through there west of Mitchell Butte and Chalk Butte and go across the mouth of the canyon there where the siphon goes across and go south and hit the Glen Bridger transmission line, follow that Glen Bridger line right over into Idaho and drop right down into Murphy. Why can't they do that rather than even to come close to this farm ground?

And I heard that they had restrictions there. They've got restrictions for ATVs and stuff. What's more important? We've got to get what's most important here figured out.

And it looks to me like they can bring that...
Mr. Timothy Froesch: My name is Timothy Froesch. I live at 2104 Lake Owyhee Road, which is about 5 miles from Nyssa address also but closer to Adrian, as the Fosses didn't know. Nobody from Idaho Power, nobody from Oregon Department of Energy has contacted me. The last time I heard from them was when they came to my house, who showed me the map of what they were planning to do, and I really didn't know much about it. I mean, I haven't seen another map; I just have the map that was presented to me by Idaho Power yesterday. I talked to a representative from Idaho Power yesterday, who came to my house, who showed me the detailed map. And I haven't even seen whatever, the other map you guys are talking about, Double Mountain. So I don't even know how close that infringes on my property.

But to have this just being brought to light and you guys want to move forward with this project, is kind of devastating to me, especially for the amount of property that I purchased and for the price I purchased it for, there's a reason I purchased this property away from everything and everybody; not to be impeded on by anybody else, especially a big corporation.

So I feel kind of bullied into this whole thing.

And talking with Idaho Power, we talked about the eminent domain also, which I don't feel like is fair to somebody who's a private landowner. Especially I shouldn't have to follow a contractual agreement you guys had with somebody else just for the survey of the property. Here it is impeding clear through my property, and it's impacting my neighbors and everybody around me.

I have future plans for development for this land, not just to have Idaho Power take up the majority of my land. Like I said, if you zoom in on this, you guys are taking up a huge chunk of my property. The biggest chunk of my property that I have, which is like 88.8 acres, you guys are going to drive right through the middle of it to access your guys' tower and then your tower is going to be on my property, on my new proposed home site that I've been planning since I bought this property a year ago.

And to just have this brought to me, it wasn't even brought to me through the proper channels, it was a concerned neighbor that was concerned because he knew my future plans and knew what I had done and how much money and how much capital I have invested in doing this. This is my life savings. Yes, I'm younger than most of these people that are speaking out about this, but it's

1 continued property search and title search on these properties that impact private land, I think is kind of an oversight that needs to be addressed. Because now here I am owning this property for almost a year now and not been contacted whatsoever regarding this, but yet, your proposed site runs right on my property, and then your lines are going to drape from my property and my new proposed home site across that pivot that Mr. Foss discussed previously.

So I mean, I haven't seen another map; I just have the map that was presented to me by Idaho Power yesterday. I talked to a representative from Idaho Power yesterday, who came to my house, who showed me the detailed map. And I haven't even seen whatever, the other map you guys are talking about, Double Mountain. So I don't even know how close that infringes on my property.

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1 done any due diligence to continue to see, knowing this property was on the market. And now I feel like I'm being forced into allowing this to transpire because this is your guys' proposed route.

So I am not obligated to continue to follow the contractual agreement that you guys had with the previous owner for the surveying of this land. I purchased this property outright from the previous owner; there's no bank loan or anything on this property.

And so I have come ill-prepared for this meeting because I just found out about this, and I have not been contacted by anybody; not Idaho Power, like I said, not Oregon Department of Energy, nobody. This was brought to light to me by my neighbors. They said, Do you know about this? I said, No, absolutely not, nobody has contacted me whatsoever regarding this issue. But yet, the proposed route runs right through my property with the tower and an access road which is going to take up a huge chunk of my land.

So there's several issues that I am going to bring to your guys' attention in my formal written to you guys because, like I said, this was just brought to my attention. But to have this not discussed with me through any kind of proper channels and not doing a
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1. not from not doing my due diligence of the zoning of
2. this property to be developed, and coming up with that
3. kind of money to purchase a property of that magnitude.
4. I think that all of these things should be
5. considered, especially when encroaching on private land,
6. because it does impact us, everybody around us. And I
7. know you guys have been working on this project for a
8. long time, but I think there needs to be some other
9. proposed routes instead of encroaching on private land,
10. especially when we pay for this land, we've purchased
11. this land, not to be encroached on, not to be bullied
12. into doing something that a corporation wants to do
13. because it's convenient for them to transfer power to
14. other places.

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1. After talking to the representative from Idaho
2. Power, he basically told me that you guys are just going
3. to pump a bunch of power through there to Portland. How
4. does that benefit me? There is no benefit to any of us
5. for this proposed line. None. I'm not getting more
6. power, I'm not getting anything from it other than it
7. being a nuisance and it impacting us tremendously.
8. Also with the electromagnetic field that it
9. produces, I have four babies. If BLM wants all these
10. studies done to be able to run through BLM land, how it
11. impacts nature and the environment and the waterways,
12. my family, the future, the environment.

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1. And it's not every day that a property of this
2. size is purchased in Malheur County for the intentions
3. that we have, which I can go into in my written
4. statement. But I'm wanting this to be something for
5. everybody to enjoy. We have multiple things going on.
6. There are tons of wildlife, tons of geothermal activity.
7. I have four geothermal wells on this property that can
8. be utilized for multiple purposes.
9. The whole intention of this was to create
10. something for Malheur County, for the people here; not
11. just myself and not just capitalizing on this potential
12. that it has. But the road to the lake goes right
13. through my property. Everybody that goes to the lake
14. could enjoy this and be a part of this. I feel it is
15. detrimental to that development to have Idaho Power go
16. right through my property and then to take up this much
17. of my land.
18. I worked hard to have the money to be able to
19. purchase something of this magnitude. So to have it
20. impeded and to have it kind of looking like it's going
21. to be diminished to the capacity that nobody's even
22. going to want to recreate there. I mean, this is a huge
23. recreation area. On top of there's nothing like this
24. that's available to the people of this community in
25. Malheur County. Not only that, but the tourism that

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1. how does it impact my family and my children, my future?
2. This is already -- the reason we purchased the
3. property the way we did is to put it into a trust to
4. never be sold after it's developed, for it to stay in
5. the family to create a legacy. Not to have some power
6. lines running through there that, who knows. I mean,
7. you guys have been working on this 10 years. Are you
8. guys going to change it again in 10 years and want to
9. put more there? Am I slowly just going to get closed in
10. on? There's been no definitive answers to these
11. questions that I've asked. Like I said, I've never been
12. contacted by any representatives; I had to contact Idaho
13. Power to talk to them. Nobody has contacted me except
14. for my neighbors.
15. So I feel this was a big oversight on your
16. guys' part by not contacting me as the landowner. Like
17. I said, I put everything, my whole life savings into
18. this property and I want to continue to do that, but at
19. this juncture, I mean, it's a major devastating loss for
20. me financially if this continues to happen because it
21. impedes a lot of my property.
22. And I told the representative from Idaho Power
23. that I'm definitely not comfortable with this situation.
24. I mean, there's no open communication other than me
25. contacting them and having them come to my house.
HEARING OFFICER WEBSTER: Thank you.

Mr. Baker, if you could please state your name and your address for the record.

MR. DUSTIN BAKER: My name is Dustin Baker. I live at 2340 Rock Springs Canyon Road, about a mile and a half north and a little bit west of Jim Foss who testified earlier. I’m also a manager of Faith Land Company, and we own property on the Malheur River west of the irrigated land. And Idaho Power will cross that location. At this time their proposed route is across that location.

Regarding the Faith Land Company property, Idaho Power has been very good about contacting us, coming out and visited our location, helped site the towers, where they’re going to be, consulted with us on the best routes for their access roads, and were very thorough in that process. So I want to commend them on that.

However, in regards to the property that we own on Rock Springs Canyon Road, the property transmission line does not technically cross our property; the easement goes across the corner of our property. And so the power lines are sited just off of our property line. Idaho Power has not contacted us in regards to that property in any way, had no representatives from Idaho Power come and look at that proposed siting.

So my concern is similar to Foss’s, is that the current proposed route will create additional roads, additional access, additional traffic, that we as private landowners will need to contend with and deal with. In my opinion, if they would have consulted with local landowners who know the area more thoroughly in this location, we could have helped them locate the power line approximately 1 mile directly to the west and farther to the south that would have avoided any of the exclusive farm use property and been off of private property.

I’m not sure their reasoning for wanting to continue to keep the power line as close to private property as they can. I don’t know if it’s easier for them to deal with private property owners than it is to deal with the BLM, Bureau of Land Management. But in this case, they could have done a much better job consulting with the local landowners in that specific area.

That’s what I’d like to say. Thank you.

MR. DUSTIN BAKER: Baker, yes.

HEARING OFFICER WEBSTER: Baker, yes.

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That’s what I’d like to say. Thank you.
SECRETARY CORNETT: So we have one more comment card, it's from Idaho Power Company. My understanding is only if the Council members have questions for them; is that correct? So if Council members have any questions based on the testimony that they've heard from others, if they'd like to follow up with any questions with Idaho Power Company, they are available to answer your questions.

VICE CHAIRMAN JENKINS: So I'd like Idaho Power to talk about the tower placement between milepost 255 and 258, if they could, please.

SECRETARY CORNETT: So we can also take a short break if Council and presiding officer is interested to give Idaho Power a little bit of time to think about responding or you could respond now if you'd like.

MR. MARK STOKES: If we could have a few minutes to at least look at the map.

HEARING OFFICER WEBSTER: Is Council good with taking a ten-minute break and reconvening?

VICE CHAIRMAN JENKINS: Sure.

HEARING OFFICER WEBSTER: It's 6:05 now. Let's reconvene at 6:15 to hear from Idaho Power.

(Recess taken.)

VICE CHAIRMAN JENKINS: Sure.

MR. MARK STOKES: Mark Stokes. I'm an engineering project leader for Idaho Power, address 1221 West Idaho Street, Boise, Idaho 83702.

HEARING OFFICER WEBSTER: Thank you. That's all I have. Thank you.

MR. STOKES: Okay. After looking at our comment about the tower placement between milepost 255 and 258. There was concern -- I'll just leave it at that.

VICE CHAIRMAN JENKINS: Sure.

MR. STOKES: Mark Stokes. I'm an engineering project leader for Idaho Power, address 1221 West Idaho Street, Boise, Idaho 83702.

And I guess to start off, I'd like to welcome all of the Council members here. I appreciate you traveling over here this week and next week as well. We'll all be seeing a lot of each other both weeks.

To address the specific question that was brought up, Councilman Jenkins, would you want to restate your question.

Mr. Stokes; correct?

SECRETARY CORNETT: So we can also take a short break if Council and presiding officer is interested to give Idaho Power a little bit of time to think about responding or you could respond now if you'd like.

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To address the specific question that was brought up, Councilman Jenkins, would you want to restate your question.

Mr. Stokes; correct?

SECRETARY CORNETT: So we can also take a short break if Council and presiding officer is interested to give Idaho Power a little bit of time to think about responding or you could respond now if you'd like.

MR. STOKES: If we could have a few minutes to at least look at the map.

HEARING OFFICER WEBSTER: Is Council good with taking a ten-minute break and reconvening?

VICE CHAIRMAN JENKINS: Sure.

HEARING OFFICER WEBSTER: It's 6:05 now. Let's reconvene at 6:15 to hear from Idaho Power.

(Recess taken.)

MR. STOKES: Okay. After looking at our comment about the tower placement between milepost 255 and 258. There was concern -- I'll just leave it at that.

VICE CHAIRMAN JENKINS: Sure.

MR. STOKES: Okay. After looking at our comment about the tower placement between milepost 255 and 258. There was concern -- I'll just leave it at that.

VICE CHAIRMAN JENKINS: Sure.

MR. STOKES: Okay. After looking at our comment about the tower placement between milepost 255 and 258. There was concern -- I'll just leave it at that.
MR. ARNOLD TROPF: Could I make one more
statement that I'm concerned with over there in Adrian, Oregon.

MR. ARNOLD TROPF: I'm a recipient of a heart
pacemaker. I've got a monitor that's supposed to work
with cell phone connections, and I, myself, and several
other people in Adrian--

MR. CARL MORTON: My name is Carl Morton.

MR. CARL MORTON: I'm Carl Morton.

MR. CARL MORTON: My name is Carl Morton,
M-o-r-t-o-n. We have property at 2185 Rock Springs
Canyon Road.

Our concern is that we have livestock in the
area, and we do have other properties next to the power
line that goes out toward Burns. When we're out there
it's very concerning because our horses can feel the
electricity, and the cows don't hang around it. We do
have irrigation systems that are aluminum, and when the
lightning storms come in we don't even change the water
just because of the issues of electricity.

We do have a very scenic area out there. As
Mr. Bowman stated, the eagles, we have deer around, we
have a lot of wildlife out there. And where your guys'
power line is going right next to our property is
probably within 50 feet. I'm pretty sure you wouldn't
like that power line next to your house. I don't want
to get up in the morning and see that thing or hear it.

We have grandkids, they're going to be around.

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area, and we do have other properties next to the power
line that goes out toward Burns. When we're out there
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like that power line next to your house. I don't want
to get up in the morning and see that thing or hear it.

We have grandkids, they're going to be around.
You know, we're very concerned. It's not a big issue to take that thing and go out on public ground, which is within 2 or 3 miles. There's another access route. The canal system that's right there, the irrigation systems that Mr. Chamberlin and Mr. Horton were speaking about, they are on fragile ground. It's over 80 years old. And you guys start traveling and pounding the ground there, it's fragile rock, it's going to tear that system up, which is the lifeblood of this valley. So what you guys need to do is stop and visit and really go out and get hands-on where this is going. Also, I don't think you've actually done any studies on archeology sites. I've been at one of these meetings and spoke to someone, I'm pretty sure they don't really know where they're at. And there is areas there that have Indian artifacts there. So I don't think that everything is being done by looking at where you're going with this. And we need to just stop and take a minute and get it right. And not only that, but you're taking value out of our property. We purchased these grounds to keep them and help supply the food chain of the United States and our local government and the county. Even though we're just a small drop in the bucket, we're still here. So please don't take the value out of our ground.

Thank you.

HEARING OFFICER WEBSTER: Thank you.

IT PERSON: No.

HEARING OFFICER WEBSTER: And what we'll do now is we will recess. I have 6:33, so we will be here for another hour and a half or so, and we'll reconvene if somebody wants to give comment.

Thank you.

Feel free to mill about and enjoy the snacks in the meantime.

(Hearing recessed at 6:33 p.m.)
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