

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 26, 2019 - 4:30 p.m.  
Location: Pendleton Convention Center  
1601 Westgate  
Pendleton, Oregon

REPORTED BY:

BEVERLY A. BENJAMIN, CSR No. 710

Notary Public

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1                   ATTENDEES:

2 Barry Beyeler, Chairman

3 Hanley Jenkins, II, Vice Chairman

4 Todd Cornett, Council Secretary

5 Kent Howe, Councillor

6 Marcy Grail, Councillor

7 Betty Roppe, Councillor

8 Mary Winters, Councillor (telephonic)

9 Hearing Officer Alison Greene Webster

10 Patrick Rowe, Counsel

11 Kellen Tardaewether, Oregon Department of Energy, Senior

12       Siting Analyst

13

14                   PUBLIC SPEAKERS:

15 Jennifer Miller

16 Irene Gilbert

17 Margaret Mead

18 Fuji Kreider

19 Virginia Mammen

20 Cynthia Harvey

21 Mark Stokes

22 Ed Miltenberger

23 Terry L. Clarke

24

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1                   P R O C E E D I N G S

2                   June 26, 2019 - 4:30 p.m.

3                   Pendleton, Oregon

4

5                   CHAIRMAN BEYELER: Good afternoon. Welcome.

6 I'd like to call the June 26, 2019, meeting of the

7 Energy Facility Siting Council to order.

8       Mr. Secretary, please call the roll.

9       SECRETARY CORNETT: Barry Beyeler?

10       CHAIRMAN BEYELER: Here.

11       SECRETARY CORNETT: Hanley Jenkins?

12       VICE CHAIRMAN JENKINS: Present.

13       SECRETARY CORNETT: Ken Howe?

14       COUNCILLOR HOWE: Present.

15       SECRETARY CORNETT: Betty Roppe?

16       COUNCILLOR ROPPE: Here.

17       SECRETARY CORNETT: Marcy Grail?

18       COUNCILLOR GRAIL: Here.

19       SECRETARY CORNETT: Mary Winters? Are you on

20 the phone?

21       COUNCILLOR WINTERS: Yes, I'm on the phone.

22       SECRETARY CORNETT: Thank you.

23       Mr. Chair, you have a quorum.

24       CHAIRMAN BEYELER: Thank you.

25       Mr. Secretary, are there any agenda

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1 modifications?

2       SECRETARY CORNETT: Mr. Chair, at this time

3 there are no agenda modifications.

4       CHAIRMAN BEYELER: Thank you.

5       Well, I would like to note that the director

6 is in the house tonight. Welcome Janine to be here at

7 this outpost in eastern Oregon.

8       I have the following announcements: Comment

9 registration cards, the green cards, if you want to

10 speak tonight during the hearing, please fill one of

11 these out and bring them up to the hearing officer or

12 Cliff who is behind us here. And gov delivery sign-up

13 cards to receive project information by email are also

14 on the table right over here. And there is a little

15 card, a small card for notice for just B2H proceedings.

16       Those participating via the AT&T phone line,

17 please mute your phone. If you receive a phone call,

18 please hang up from this call and dial back after

19 finishing your other call.

20       If you would like to address the Council,

21 please do not use the speakerphone feature because it

22 will create feedback. Those of us with cell phones in

23 the room, please turn them to vibrate or silent so we

24 don't interrupt the meeting.

25       For those signed into the webinar, please do

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1 not broadcast your webcam.

2       The Energy Facility Siting Council meeting

3 shall be conducted in a respectful and courteous manner,

4 where everyone is allowed to state their positions at

5 the appropriate times, consistent with the Council rules

6 and procedures.

7       Willful, accusatory, offensive, insulting,

8 threatening, insolent, or slanderous comments which

9 disrupt the Council meeting are not acceptable.

10 Pursuant to the Oregon Administrative Rule 345-011-0080,

11 any person who engages in unacceptable conduct which

12 disrupts the meeting may be expelled.

13       I'm going to hand the meeting over to Alison

14 Greene Webster, who is the Council-appointed hearing

15 officer for the Boardman to Hemingway Project and will

16 be the presiding officer for tonight's public hearing.

17       Alison.

18       HEARING OFFICER WEBSTER: Good afternoon.

19 Before we get started, I believe Councillor Grail has a

20 statement.

21       COUNCILLOR GRAIL: Thank you.

22       For the record, this is Councillor Grail. I

23 do not intend to vote on any Energy Facility Siting

24 Council actions relevant to the proposed Boardman to

25 Hemingway transmission line. I was employed by Pacific

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1 Power from 2001 to 2006. I have no financial interest  
 2 in Pacific Power, PacifiCorp, or any related entity.  
 3 However, as a condition of my accepting  
 4 appointment to this Council, I agreed to recuse myself  
 5 from voting on any projects owned by Pacific Power.  
 6 Given Pacific Power's involvement with the proposed  
 7 Boardman to Hemingway transmission line, I will be  
 8 recusing myself from voting on any matters requiring  
 9 Council action on this project.  
 10 HEARING OFFICER WEBSTER: Thank you.  
 11 This is the public hearing in Umatilla County  
 12 on the draft proposed order on the application for a  
 13 site certificate for the Boardman to Hemingway  
 14 transmission line.  
 15 I am Alison Webster, a presiding  
 16 administrative law judge at the Oregon Office of  
 17 Administrative Hearings, and for this purpose the  
 18 EFSC-appointed hearing officer. I am serving as the  
 19 presiding officer for the hearing today.  
 20 It is June 26, 2019. It is now 4:36 p.m.  
 21 Pacific Time. We are located at the Pendleton  
 22 Convention Center in Pendleton, Oregon.  
 23 First up, we are going to hear from Kellen  
 24 Tardaewether, senior siting analyst at the Oregon  
 25 Department of Energy and the lead on the Boardman to

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1 Hemingway transmission line facility. She will provide  
 2 a county overview of the proposed transmission line  
 3 within Umatilla County and summarize the opportunities  
 4 for the public to participate in the EFSC process at the  
 5 draft proposed order phase.  
 6 MS. TARDAEWETHER: For the record, my name is  
 7 Kellen Tardaewether. I'm a senior siting analyst at the  
 8 Oregon Department of Energy. I'm orienting myself over  
 9 here. As most of you are aware, this is our fourth  
 10 hearing in a series of hearings, and at the first couple  
 11 I sat talking to Council. However, most of my  
 12 presentation are for the folks that are attending the  
 13 hearing. So I'm going to sit here so I can talk to you  
 14 and to Council.  
 15 So my presentation isn't very long tonight.  
 16 The goal of my presentation is to kind of highlight to  
 17 you folks, which you probably are aware of, but also for  
 18 Council members, some of the items that they may hear in  
 19 public comments tonight that are specific to Umatilla  
 20 County.  
 21 And then I'm also going to go over just some  
 22 high-level guidance for how to comment and why we are  
 23 commenting, or why we have these opportunities to  
 24 provide oral and written testimony at this point in the  
 25 state's process.

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1 You should be able to see this. Don't worry,  
 2 I'm not going to bombard you with the timeline here.  
 3 There is a couple points that I would like to go over  
 4 with this, what we describe as the procedural history  
 5 slide. What most folks know that have been around for a  
 6 while is that this project has been around for a while.  
 7 And what I'd like to comment about that is -- and most  
 8 folks are familiar with this proposed transmission line  
 9 proposed by Idaho Power has a federal permitting  
 10 component, and then it also has a state permitting  
 11 component.  
 12 So on this slide, the applicant, Idaho Power,  
 13 started the state process back in 2008 and 2010 and then  
 14 also started the federal review process. At the same  
 15 time there was a hearing where the state process, which  
 16 is the Energy Facility Siting Council, or EFSC, process,  
 17 why we are here, basically paused the state process,  
 18 proceeded through the federal review, received the, kind  
 19 of what's called the record of decision from the lead  
 20 agency, which is the Bureau of Land Management, or BLM,  
 21 so received kind of the final, the record of decision,  
 22 which the BLM issued their final route that they  
 23 selected as a result of the federal review.  
 24 So based on that final route from the federal  
 25 review, the applicant submitted a revised application to

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1 the state process, and that is -- I don't have a  
 2 highlighter, but that is what happened in July of 2017.  
 3 The Department, the Oregon Department of Energy,  
 4 reviewed that application and then deemed that  
 5 application incomplete.  
 6 Some of you folks attended the informational  
 7 meetings on the complete application in October, so we  
 8 were just here a little while ago. And at those  
 9 meetings we were giving you a heads up of the next  
 10 phase, which is the draft proposed order and the comment  
 11 period associated with that, and we are here today doing  
 12 that. And I'll talk about the significance of that here  
 13 in a little bit.  
 14 Looking ahead on this, we do have a hearing  
 15 tonight and also tomorrow tonight in Boardman. The  
 16 attendance and providing comments at the hearing is not  
 17 restricted to if you are a resident in any particular  
 18 county. So if you know someone that lives in Umatilla  
 19 or another county that can't make it tonight, they can  
 20 come to the hearing tomorrow night. That's open for  
 21 anyone.  
 22 This is the public's opportunity to provide  
 23 oral testimony and written testimony to the Council, and  
 24 we have Council members here and on the phone. However,  
 25 Council's review of the draft proposed order, of that

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1 document that we are talking about today, is going to  
 2 happen at a future Council meeting. So this is not  
 3 Council's review of the draft proposed order.  
 4 So at a future -- after the comment period  
 5 closes and at a future Council meeting, the Oregon  
 6 Department of Energy, or ODOE, staff is going to present  
 7 the draft proposed order to Council and also present how  
 8 we responded to comments received on the record at that  
 9 time. So that's in the future.  
 10 And then after that the Department is going to  
 11 issue what is called the proposed order. And the  
 12 proposed order is the document that reflects direction  
 13 from Council. It also reflects how we and the applicant  
 14 responded to all of the comments received.  
 15 At the time we issue the proposed order, we  
 16 issue a notice of the contested case, which is an  
 17 opportunity to participate potentially, like the appeal  
 18 process. However, we'll get to that in a little bit.  
 19 But those are just kind of looking ahead steps.  
 20 I know this map is not amazing. This is kind  
 21 of the general overview map. It's not intended to  
 22 inform you of the precise location relative to your  
 23 property. We actually -- and Cliff over in the corner,  
 24 hi -- he has access to -- if you were interested in the  
 25 location of the proposed transmission line relative to

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1 your property or other areas, then we can pursue it  
 2 further. However, this is just a high-level map to kind  
 3 of look at the overview within Umatilla County. There  
 4 is not a legend that goes with this.  
 5 There is green, the green coloring is  
 6 associated with forest lands. In kind of the bottom  
 7 center there is a pale yellow, and that is BLM lands.  
 8 And then the darker orange color are tribal reservation  
 9 lands of the Confederated Tribe and the Umatilla Indian  
 10 Reservation. That is just kind of like to decipher  
 11 that.  
 12 So here in Umatilla County, I outlined just  
 13 some siting opportunities and siting constraints. I  
 14 like discussing the transmission line within the context  
 15 of opportunities to locate a facility and constraints to  
 16 locate a facility because it is this long, relatively  
 17 narrow facility that essentially has to be sited to  
 18 avoid or minimize impacts, and then if there are  
 19 impacts, then those impacts may be mitigated.  
 20 So some of those -- some of the siting  
 21 opportunities are that the proposed transmission line is  
 22 sited within -- it doesn't say it on here. But in other  
 23 areas it's co-located with other transmission lines or  
 24 also located within existing utility right-of-ways in  
 25 Umatilla County. As you are aware, there is portions of

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1 the proposed transmission line that crosses forest  
 2 lands.  
 3 In other hearings, the issue of risks  
 4 associated with fire have been a recurring theme in  
 5 comments received. So in the draft proposed order, in  
 6 the Land Use section of the draft proposed order, we  
 7 discussed forest lands as Goal 4, Forest Lands. So you  
 8 can find more information of forest lands in the  
 9 evaluation for land use in the Land Use section in the  
 10 DPO, which is the draft proposed order.  
 11 A couple other notes about the transmission  
 12 line in forest lands is that the applicant has requested  
 13 a wider right-of-way through forest lands, and that is  
 14 to have a wider right-of-way to be able to maintain a  
 15 vegetative clearance area from limbs or falling trees.  
 16 So that is a component of it.  
 17 The proposed right-of-way in areas that -- the  
 18 vast majority of areas that are like EFU, or exclusive  
 19 farm use, is 250 feet. So that is just some context.  
 20 However, the site boundary, which is the area that the  
 21 applicant evaluated or like the micrositing corridor is  
 22 500 feet for the transmission corridor, which basically  
 23 that means the applicant in the application evaluated  
 24 impacts to resources within a 500-foot wide corridor.  
 25 However, the actual right-of-way will be 250 to 300 feet

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1 with some variations depending on the facility  
 2 components. So that's kind of some jargon that we use  
 3 if you have been reading the DPO that we discuss.  
 4 So the site boundary or the area that was  
 5 evaluated in the forest lands, it also includes access  
 6 roads, which are new roads that the applicant will  
 7 construct just for this project, and then what the  
 8 applicant describes as "substantially modified roads"  
 9 are included in this evaluation. So those are just some  
 10 interesting things.  
 11 But specific to the fire and to point folks to  
 12 resources, if you want to look into the applicant's  
 13 proposal of how they're going to reduce the risk of  
 14 fires associated with the transmission line or how they  
 15 are going to curtail or avoid or minimize impacts from  
 16 fires, and they are all attached to the draft proposed  
 17 order. So there is a vegetative maintenance plan, which  
 18 kind of is self-described. It describes how they are  
 19 going to maintain vegetation within the right-of-way.  
 20 There is the right-of-way clearing assessment,  
 21 which, again, talks about how they're going to maintain  
 22 clearance within the right-of-way. And then there's  
 23 also a fire suppression and control plan, and that talks  
 24 about specific to fire risks, and that plan incorporates  
 25 more during construction, minimizing the risks of fire,

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1 whereas the vegetative maintenance and the right-of-way  
 2 clearance are associated with construction but also with  
 3 operation.  
 4 There's also recording requirements in the  
 5 DPO. In the beginning section, it's called the  
 6 Council's General Standard of Review, the applicant,  
 7 there are conditions of approval associated with most  
 8 standards, and there's some conditions of approval that  
 9 would be in the site certificate that would require the  
 10 applicant's reporting requirements. Consistent with  
 11 their reporting, like annual inspections of clearance  
 12 and of maintenance, they would have to submit that  
 13 information to ODOE, to the Council, as part of  
 14 compliance with that condition.  
 15 So I wanted to also note, I want to talk about  
 16 noise a little bit. The noise associated with the  
 17 proposed transmission line, the Council does not have  
 18 its own noise standard. So we, the Department and the  
 19 Council, reviews compliance with the Department of  
 20 Environmental Quality's noise regulations. So it's  
 21 another state agency and their rules and regulations.  
 22 We, when I say "we," I mean the Department evaluates and  
 23 recommends to Council based on that.  
 24 The DEQ does not administer or enforce their  
 25 own noise rules. They decommissioned funding in that

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1 program several years ago. However, the rules are still  
 2 in place, and so that's what we use to evaluate. So if  
 3 you go find the noise section in the DPO, the discussion  
 4 is around the DEQ noise rules and compliance with those.  
 5 So that is just some context.  
 6 In the DEQ noise rules, applicants must  
 7 identify noise-sensitive properties. And so noise-  
 8 sensitive properties are real property that are  
 9 generally used for sleeping; so it's like a residence.  
 10 However, it also does identify other properties such as  
 11 churches, hospitals, and public libraries.  
 12 And so in Exhibit X, which is associated with  
 13 noise for this transmission line, the applicant in the  
 14 very, kind of beginning section, identifies the  
 15 methodology of how they went through and identified the  
 16 noise-sensitive properties in the draft proposed order.  
 17 In the application they describe them as NSRs, or a  
 18 noise-sensitive receptor. I know I'm kind of getting  
 19 into the weeds, but it matters, because it's a  
 20 significant issue and is brought up in every county. So  
 21 I just wanted to pull out a couple points associated  
 22 with noise.  
 23 So when we talk about a noise-sensitive  
 24 property, the application in the DPO talk about them as  
 25 noise-sensitive receptors, or NSRs. And then Section

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1 3.2 in the application and the DPO summarizes how the  
 2 applicant identified the NSRs, and then the evaluation  
 3 in the DPO is associated with compliance with the DEQ  
 4 noise rules. And I would put everybody to sleep if I  
 5 went into details with that. Again, that will be my  
 6 presentation to Council at a future Council meeting, but  
 7 I just wanted to point out a couple of those points  
 8 because it has come up in comments as well.  
 9 This is a difficult slide to see or to read.  
 10 Basically, this is a table that is taken from an  
 11 application, and it is also in the draft proposed order,  
 12 that lists the proposed facility components like towers  
 13 and communications stations and multi-use areas, which  
 14 are construction yards in Umatilla County. But I have  
 15 been using this slide to kind of outline and reiterate a  
 16 point in between the state and the Council's process, or  
 17 the EFSC review process and the federal review process.  
 18 As you can see here, there is only the  
 19 proposed route in Umatilla County. However, there are,  
 20 for instance, in the neighboring counties for Umatilla  
 21 County, Union and Morrow County, both of those counties  
 22 have alternatives. So the applicant has proposed the  
 23 proposed route and alternative routes. And what I want  
 24 to note about the Council's review process is it is a,  
 25 what we call a "standards-based review," which means the

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1 applicant proposes any variation of routes. And we as  
 2 staff go through the Council's standards that apply and  
 3 do an evaluation of whether or not the information  
 4 provided meets the standard, and we recommend approval  
 5 or denial for each route.  
 6 So in the draft proposed order, we are  
 7 recommending approval for the proposed route and all  
 8 alternative routes for Council. So that is our  
 9 recommendation. No spoiler alert there. It's on the  
 10 first page.  
 11 So the federal review, however, out of the  
 12 NEPA process, results in siting studies, engaging the  
 13 public and other agencies, and then the lead federal  
 14 agency selects its preferred route. And then the end  
 15 result of the federal review process is the federal  
 16 agency, the BLM, selecting a route and telling the  
 17 applicant that this is the route location on federal  
 18 lands.  
 19 So that is different from the Council's review  
 20 process, in that the Council is either going to approve  
 21 or deny either variation of routes. So the result,  
 22 Council will not assert a preference on a route. There  
 23 just may be certain conditions of approval that may be  
 24 associated with one route over another.  
 25 But I want to reiterate this, because I know

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1 folks have gone through several iterations of siting  
 2 studies of the transmission lines located here, and then  
 3 it was located over here, and now you're looking at  
 4 where it's located in this application. And Council  
 5 cannot evaluate a route that's not in the application,  
 6 because the Council's task is to evaluate what the  
 7 applicant proposes in the application, which are the  
 8 proposed route and the alternative routes. So I just  
 9 wanted to bring up that point.

10 We talked about this at the complete  
 11 application meetings, the informational meetings. And  
 12 the point is why it's important and why we really  
 13 emphasize in participating now. I think you folks  
 14 realize that because you're here.

15 However, the important part is if folks would  
 16 like to raise an issue, the time is now to raise an  
 17 issue. The instructions on the various ways that folks  
 18 can provide comments are on the web page. You can ask  
 19 staff that are available here. It's also in the notice  
 20 of the draft proposed order, which was mailed out to  
 21 residences and also issued via gov delivery and  
 22 published in newspapers.

23 This slide has a lot of words, but really  
 24 there is two concepts that I want to take away, and then  
 25 I'm going to get to the last slide and then pass it

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1 over, and then we'll start the public testimony.  
 2 But the important part about this slide is  
 3 that the timing matters. The Oregon Department of  
 4 Energy, the Department, has to receive your oral  
 5 testimony at hearing or written comments before the  
 6 close of the record, which at this time is July 23rd.  
 7 So that is the time to comment. And Council cannot  
 8 consider comments received before the DPO was issued or  
 9 after the close of the record.

10 The second part of this slide is the content  
 11 of your comments. And this comes from statute, we  
 12 wouldn't do this to you, but comments must be provided  
 13 with sufficient specificity to afford the Department,  
 14 the Council, and the applicant an adequate opportunity  
 15 to respond. And my next slide is some help that we can  
 16 offer what that actually means.

17 So here's some examples of effective comments  
 18 and ineffective comments. The point is that this is a  
 19 draft document, this is the Department's document. We  
 20 want folks to review it and provide feedback on if we  
 21 got something wrong, if you think that we did not meet a  
 22 standard, if we missed something, we want to be able to  
 23 respond to that.

24 So ways of helping us do that is providing  
 25 effective comments, is referencing specific Council

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1 standards or rules or statute. If you can provide  
 2 specific information about why a certain Council  
 3 standard hasn't been met, it helps us understand that  
 4 comment better.

5 If you can support or provide facts and attach  
 6 reference materials and help point to how those  
 7 reference materials support your position with that  
 8 issue. And then also if you point to specific places in  
 9 the draft proposed order or in the application to where  
 10 your issue is or where you think that something is not  
 11 accurate -- of course, if it's accurate, you can do that  
 12 too -- then that helps us and kind of gives us kind of a  
 13 guidance to understanding the comment and the issue.

14 So just less effective comments are just  
 15 statements only supporting or opposing the project, only  
 16 providing your report or your reference material but not  
 17 making a connection with the standard or how it's  
 18 associated with an issue. If there is issues raised  
 19 outside of the Council's jurisdiction, then Council  
 20 doesn't have -- there is no way for them to respond to  
 21 it, and/or just making unsubstantiated statements.

22 Does Council have any questions? Or we'll  
 23 just move right into that public testimony. So I'm  
 24 going to pass it back over to Alison Greene Webster, the  
 25 hearing officer.

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1 CHAIRMAN BEYELER: There is a time limit on  
 2 the 23rd as well, is there not, of 5 p.m.?

3 MS. TARDAEWETHER: 5 p.m., yes, Pacific,  
 4 because Ontario is Mountain Time. So that's one thing  
 5 to take into consideration.

6 Thank you.

7 HEARING OFFICER WEBSTER: Thank you, Kellen.  
 8 Just to reconfirm what she indicated, the  
 9 purpose of the public hearing is to provide an  
 10 opportunity for the public and the applicant, if they  
 11 wish to do so, to present oral and written testimony on  
 12 the Boardman to Hemingway transmission line application  
 13 for site certificate and draft proposed order. The  
 14 62-day record of the public hearing comment period on  
 15 the draft proposed order closes July 23, 2019, at 5 p.m.  
 16 Pacific Time.

17 Anyone who wishes to provide oral testimony  
 18 must fill out a registration card located near the  
 19 entrance. Department staff can provide you a form if  
 20 you have not received one to fill out and you would like  
 21 to give comment tonight. If you have not filled out a  
 22 form and you want to do so, you can do so at this time,  
 23 as I am going to begin establishing -- I have three  
 24 comments right now; so I don't think we need to do a  
 25 really strict time limit, but I would encourage you to

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1 be succinct and pointed in your comments.  
 2 Is there anybody on the phone that would like  
 3 to give comment tonight? Hello, is there anybody on the  
 4 phone that wants to comment tonight? Hearing none, I  
 5 will circle back around later, but we will just assume  
 6 for now that everybody that wants to give comment will  
 7 be doing so in person tonight.  
 8 As I said, at this point I have three cards,  
 9 and if I get more, please bring them up to me. I will  
 10 say, that if you need 15 minutes, feel free to use that,  
 11 otherwise, we'll keep going.  
 12 Please be respectful of the allotted time,  
 13 which is, in this case, tonight, as long as you need,  
 14 and of other speakers. If I or a Council member asks a  
 15 clarifying question, the time will be stopped for the  
 16 question and response and then restarted to provide you  
 17 the opportunity to complete your statement.  
 18 Any requests made to the Council will be  
 19 brought up at the conclusion of the public testimony  
 20 opportunity of the hearing.  
 21 Today's hearing, as well as all of the public  
 22 hearings on the Boardman to Hemingway draft proposed  
 23 order, are being documented by a certified court  
 24 reporter, and there will be transcripts of the testimony  
 25 made available after the completion of the public

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1 hearings. We are also recording the hearing today. The  
 2 presentations, written comments, and oral testimony are  
 3 part of the decision record of the proposed facility.  
 4 Pursuant to OAR 345-015-0220(5)(a), (b),  
 5 please note the following: "A person who intends to  
 6 raise any issue that may be the basis for a contested  
 7 case must raise the issue in person at the hearing or in  
 8 a written comment submitted to the Department before the  
 9 deadline July 23rd at 5 p.m.  
 10 "A person who intends to raise any issue that  
 11 may be the basis for a contested case must raise the  
 12 issue with sufficient specificity to afford the Council,  
 13 the Department, and the applicant an adequate  
 14 opportunity to respond, including a statement of facts  
 15 that support the person's position on the issue."  
 16 To raise an issue in a contested case  
 17 proceedings the issue must be: Within the Council's  
 18 jurisdiction, raised in writing or in person prior to  
 19 the close of the record of the hearing comment period,  
 20 again, July 23 at 5 p.m., raised with sufficient  
 21 specificity to afford Council, the Department, and  
 22 applicant an adequate opportunity to respond.  
 23 To raise an issue with sufficient specificity,  
 24 the person must present facts that support the person's  
 25 position on the issue.

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1 We will now begin the public testimony. It is  
 2 5:05 p.m. When I call you up to speak, please provide  
 3 your name and address for the record at the beginning of  
 4 your testimony.  
 5 And the first person we will have tonight is  
 6 Jennifer Miller.  
 7 MS. JENNIFER Miller: My name is Jennifer  
 8 Miller. I live in Hermiston, Oregon. My address is 445  
 9 Southeast 9th Drive.  
 10 I don't have a bunch of written things down,  
 11 just a few comments, I guess. Then maybe when I write  
 12 my letter, I can be more specific. I didn't know how  
 13 specific I needed to be this evening.  
 14 I'm a member of the Oregon and California  
 15 Trails Association. So, of course, the Oregon Trail is  
 16 definitely one of the issues that I have issues with.  
 17 The trail is finite in how much there is, and when it  
 18 gets ruined, it's never going to be able to be brought  
 19 back, no matter what kind of mitigation can happen.  
 20 Because "mitigate" just means you're trying to fix a  
 21 little something on the side in replacement of what has  
 22 been destroyed. And once it's been destroyed it cannot  
 23 be brought back.  
 24 So I appreciate that, especially on BLM lands  
 25 and some places that measures have been taken to try to

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1 preserve the trail and keep things away as much as  
 2 possible. But no matter what, the support roads that  
 3 are going to be built are going to cross sections of the  
 4 trail, and so it will be destroyed or permanently  
 5 changed.  
 6 Also, depending on where the actual  
 7 transmission line gets put is also going to affect the  
 8 trail. Not necessarily right on top the trail, but  
 9 visually the viewshed is going to definitely be changed  
 10 forever.  
 11 And just speaking as a person who lives in  
 12 eastern Oregon, I like being able to see a wide viewshed  
 13 instead of just being super narrow. If I didn't want to  
 14 see things, then I would go live in Portland and see  
 15 towers and things like that. That's not where I live.  
 16 I live here.  
 17 Some questions that came up about the noise.  
 18 When the decisions are made whether noise would affect a  
 19 place or not, was there a person who actually went to  
 20 each of those places, physically boots on the ground, to  
 21 see how that would affect -- I guess it's just a  
 22 question. I don't know how that process worked. Can  
 23 you answer that?  
 24 HEARING OFFICER WEBSTER: I can't. And I  
 25 don't think Council can or the staff can at this point

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1 because the purpose is to hear from the public tonight.  
 2 But it's a concern that you can raise and a question  
 3 that you can present to be considered later.  
 4 MS. JENNIFER MILLER: Okay. I was just  
 5 wondering.  
 6 Of course all of my ideas ran right out of my  
 7 head. I can't think of anything else right now.  
 8 HEARING OFFICER WEBSTER: You had the trail  
 9 concern, the noise concern. Was there another one?  
 10 MS. JENNIFER MILLER: And the weed suppression  
 11 and the fires that was mentioned, too. So I appreciated  
 12 the comments that Kellen made.  
 13 I know that wildfires are becoming  
 14 increasingly more serious all the time. And so that is  
 15 a big concern of mine, that in the county level, that if  
 16 there were to be a fire, the demands and the pressure  
 17 would be on the local fire departments. And I think  
 18 that is too large of an area, too much demand for the  
 19 local communities to be able to support the cost, the  
 20 manpower, and just the wherewithal to be able to deal  
 21 with the kind of fire that might be very far-reaching  
 22 because of the cause.  
 23 I've also spent some time under electric  
 24 lines, and I hear how much snapping of electricity is  
 25 being lost as the electricity is being transported. And

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1 to me that is a concern, that this proposed line is  
 2 going to transport all this energy and not all of it  
 3 will even be able to be delivered because of the loss  
 4 that happens over the miles that electricity is being  
 5 transported.  
 6 Another concern I have is there are no  
 7 off-ramps in Oregon. I don't want to pay for something  
 8 I don't get any benefit from. I think that's a fair  
 9 statement. I mean, our taxes, I'm assuming, would go up  
 10 to pay for this transmission line that will pay for  
 11 electricity to go to California or somewhere else,  
 12 wherever the highest bidder is. We get pretty cheap  
 13 electricity because we are right by the dam, and that  
 14 goes into our grid. So I have a concern about paying  
 15 higher bills because that electricity is going to  
 16 somebody else that I'm paying for.  
 17 I think that's it.  
 18 HEARING OFFICER WEBSTER: Thank you,  
 19 Ms. Miller.  
 20 Next is Irene Gilbert.  
 21 MS. IRENE GILBERT: Irene Gilbert, 2310 Adams  
 22 Avenue. I don't imagine you can figure out who one of  
 23 the groups are that I'm here for. I'm also here for  
 24 myself as a citizen and also as the legal research  
 25 analyst for Friends of the Grande Ronde Valley.

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1 I want to go over several different things.  
 2 One is about the forestland and the impacts that this  
 3 development is going to have on forestland. What I  
 4 found is that the assessment of what is forestland is  
 5 pretty questionable in terms of the amount of forestland  
 6 that they're saying the transmission line will affect.  
 7 And I know in Union County they used prevailing use of  
 8 the land, which is inconsistent with litigation that  
 9 said that it had to do with the soil classification.  
 10 And so first off, the amount of acres is I  
 11 think fairly low. Also, the way they value forestland  
 12 is really questionable. In Union County, we're going to  
 13 lose they say 530 acres. They value that the economic  
 14 value is \$97,000 for 50 years.  
 15 In Umatilla County, they're going to lose  
 16 245 acres, according to the developer, and they value  
 17 that at \$120,000. So I guess the people in Umatilla  
 18 County have better trees or something, I don't know.  
 19 I've been really curious about the difference in how  
 20 they value those.  
 21 One thing also with the forestland that are  
 22 impacted, they only include the ones that are within the  
 23 site boundary, and there is a lot of activity that's  
 24 going to occur outside of the site boundary, and they're  
 25 not including those impacts in their statement of the

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1 impacts to forestland.  
 2 One of the things that's very concerning to me  
 3 is the way Idaho Power did their application. There was  
 4 actually a contested case about what was included in the  
 5 site boundary, and the rules of the statute are pretty  
 6 clear. It says that it's going to be the development  
 7 and all the related or supporting facilities like roads  
 8 and transmission lines and that sort of thing.  
 9 Well, one of the developers didn't include a  
 10 transmission line, and so there was a contested case.  
 11 And I'm sure that the people on the Energy Facility  
 12 Siting Council recall that. The decision of the Council  
 13 was that if the developer did not include one of these  
 14 related and supporting facilities, it wasn't considered  
 15 part of the site. So it was left up to the developer to  
 16 make that decision.  
 17 Now, this developer, when they filed their  
 18 application, they included as the site basically the  
 19 right-of-way. They have some little isolated circles  
 20 around some multi-use areas, but they did not include a  
 21 lot of the access roads. And so what that has meant is  
 22 that they didn't do surveys of those areas, they didn't  
 23 do wildlife impacts, they didn't do any of the things  
 24 they have to do for the site.  
 25 Well, now we are at this point in the



1 application and Idaho Power is asking the Oregon  
2 Department of Energy and the Energy Facility Siting  
3 Council to authorize an exception or a variance to the  
4 Goal 4 forestland impacts under the land management  
5 rules.

6 That's going to be very problematic because,  
7 for one thing -- I have some quotes from some site  
8 certificates that the Department of Energy and the  
9 Energy Facility Siting Council have issued that say  
10 clearly: Site certificates are authorizing a  
11 development at a designated site. And the Department of  
12 Energy and the Energy Facility Siting Council do not  
13 have the authority to authorize construction activities  
14 outside of the site boundaries.

15 So we have the developer here who has avoided  
16 all of the things that they have to do to clear a site,  
17 and now they're saying that the Energy Facility Siting  
18 Council should give them an exception to go forward.  
19 Well, that really isn't an option that's available to  
20 them from anything I can read in the statutes or rules.

21 Their options are: They can go back and add  
22 all those roads, which would be nice because all of the  
23 people along those roads, they didn't get notified if  
24 they were affected by noise, they haven't received  
25 notice. So it's going to be a real surprise to them

1 Anyway, this is a problem. And when it comes  
2 to you folks and you see the draft proposed order and  
3 you see that they are asking for this, I would suggest  
4 that you really carefully read the comments that you get  
5 about it.

6 I'm going to look through here because I have  
7 a bunch of little notes on a whole bunch of little  
8 pieces of paper.

9 What Idaho Power is saying also -- another  
10 thing I found interesting about the application is where  
11 the transmission line is going through forests, one  
12 thing they say they value that area, that timberland,  
13 for eternity, very low.

14 They've also said that their evaluation of the  
15 value of this land will be reduced because the owners of  
16 the forestland won't be able to graze cattle or raise  
17 crops in this right-of-way. So we've got a 300-foot  
18 right-of-way with forest owners, and I can tell you I'm  
19 a forest owner, I don't have any equipment to plant the  
20 plants and do agriculture that way.

21 Anyway, I got the figures for what it would  
22 take to fence these corridors because that's what it  
23 would take. And actually I did do some fencing around  
24 this 6-acre plot, and it cost me over \$3,000 to put that  
25 fence in.

1 when Idaho Power starts trying to run roads through  
2 people's forestland when there has been nothing done so  
3 far. So you have a bunch of noise-sensitive properties.  
4 You have people who are just clueless.

5 Now, Idaho Power's answer to that is that they  
6 are saying that they will ask for an alternative process  
7 and approvals through that method. What that method  
8 requires is the only way under the Forest Service rules  
9 that you can do that is if you can change the  
10 classification of the land from forestland to like  
11 agricultural or grazing.

12 Idaho Power is saying that -- I don't know how  
13 they can do this, but that's their plan is to require  
14 these landowners somehow to allow their forestland to  
15 all of a sudden not be forestland any longer, for it to  
16 be agricultural land, and then they can cut the trees  
17 and be okay. It's not going to fly.

18 In my mind, they either have to refile and  
19 include all these roads or they are going to have to  
20 deal with the local counties and get approval through  
21 their processes for all of these roads, whereby all of  
22 these citizens will get notice, they will get to  
23 participate in that. Or another option would be just to  
24 abandon the project, and I vote for that. We'll see how  
25 that turns out.

1 But according to the -- I went to the people  
2 who do this thing, and the cheapest that I could find  
3 was to do a mile of fencing was \$1,900 for 1 mile. And  
4 the other one was about \$1,600, not counting the  
5 building of the fence.

6 So as you can see, nobody is going to be  
7 putting cattle in the middle of -- I'm the only one who  
8 is foolish enough to try to fence off agricultural in  
9 the middle of a tree farm.

10 So another issue is noxious weeds. And  
11 actually all of the weed folks in all five counties, I  
12 believe, came up with this document, and this has 31  
13 things that the weed management folks were requiring of  
14 the developer. I could not find these things in the  
15 draft of their weed management plan. So they are not  
16 listening to the counties, from what I can see.

17 And just an interesting kind of a statement,  
18 BLM -- this is a thing from BLM, it says that: Noxious  
19 and invasive weeds in agricultural and natural areas  
20 cost our country \$13 billion a year. Noxious and  
21 invasive weeds are the second-most important reason for  
22 the loss of biological diversity and habitat  
23 destruction. The Bureau of Land Management estimates  
24 that 2,300 acres per day of land, their land, is being  
25 lost to noxious weeds and invasive plants and nearly

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1 4,000 acres per day are estimated to be lost to weeds  
 2 nationally. So weeds are a big deal, a big deal for  
 3 agriculture, for animals, for everything.  
 4 And Oregon has a statute that says that for  
 5 noxious weeds the person who is the developer, or owner  
 6 in this case, the person that is building this, has to  
 7 assure that noxious weeds are not allowed to go to seed.  
 8 The other thing that they're required to do is  
 9 they're required to clean all their equipment when it  
 10 goes onto a public road or when it goes from one  
 11 person's property to another person's property.  
 12 The developer has said in their application  
 13 they are planning to doing a cleaning station at their  
 14 multipurpose area. Well, that's not consistent with  
 15 cleaning their equipment when it goes from one person's  
 16 property to another. So it's apparent that they don't  
 17 plan on doing that at this point unless their site  
 18 certificate demands that of them.  
 19 They also say they're only going to manage the  
 20 weeds for 3 to 5 years; that they would only be  
 21 responsible for the right-of-way, the 250 feet; and that  
 22 they would not be responsible for weeds that come from  
 23 the surrounding area.  
 24 So they're going to dig up this land, which we  
 25 all know creates a perfect place for noxious weeds to

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1 grow, and then take no responsibility if the surrounding  
 2 area sends seeds in and they take root along the  
 3 right-of-way. They are taking no responsibility for  
 4 anything that happens outside the right-of-way. They  
 5 say that they shouldn't be responsible for things like  
 6 vehicles that bring weeds in, like trespassers.  
 7 Basically, I'm not sure what they're taking  
 8 responsibility for, other than they say they will  
 9 monitor and treat weeds once a year, which isn't going  
 10 to keep them from going to seed, by the way. I did look  
 11 at some of the noxious weeds and when they go to seed,  
 12 and the periods when they go to seed are different for  
 13 different types of noxious weeds. It means they start  
 14 going to seed in the spring, they are also seeding clear  
 15 into the fall. It would require at least two trips a  
 16 year to deal with it.  
 17 By the way, there was one thing with Malheur  
 18 County, they said that they had to treat the noxious  
 19 weeds, not only at the right-of-way but 50 feet outside  
 20 the right-of-way. So I guess they were a little more  
 21 with it than the rest of those counties.  
 22 Let's see, some of the problems. The  
 23 construction contractors is going to do the weed  
 24 management plan for this developer. I think that's a  
 25 problem.

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1 That's probably enough to tell you. That  
 2 there are major problems with the weed management plan,  
 3 there are major problems with the forest management  
 4 issue, there are also major problems with noise.  
 5 Because the developer, in their analysis of  
 6 noise, they looked at a baseline that was developed by  
 7 actually taking noise measurements. So their baseline  
 8 for noise is considerably higher than the standard of  
 9 26 decibels, and they are considered out of compliance  
 10 if they raise the noise more than 10 decibels. Ten  
 11 decibels is a lot. Three decibels is perceived as  
 12 doubling the sound if you are listening to sound.  
 13 So 10 decibels is a great deal. They don't  
 14 even deal with noise unless there is at least that  
 15 10-decibel difference.  
 16 So in, I think it was 14 residences that were  
 17 considered noise-sensitive residences in Umatilla County  
 18 here, 4 of them exceeded the standard. They have  
 19 documented that there are people exceeding that noise  
 20 standard who are further than half a mile from the  
 21 transmission line; however, they're only looking at  
 22 noise sensitive properties within a half mile.  
 23 So one thing that I believe should happen is  
 24 they should look at a mile from the transmission line so  
 25 they can get all of those properties. The developer did

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1 not do noise monitoring around the lay-down areas and  
 2 that kind of thing, and they're supposed to do it for  
 3 the entire site. So there is a problem there.  
 4 There is certainly a problem where they are  
 5 not including roads in the development. The developer  
 6 read the rules saying they didn't have to include things  
 7 like -- there are about six different things that it  
 8 says you don't have to include for part of your  
 9 evaluation. But for baseline noise evaluation, some of  
 10 the things that are in there are roadworthy equipment or  
 11 vehicles, and helicopters. So they did not consider the  
 12 impact of helicopters and these big pieces of equipment  
 13 that are roadworthy when they did their noise  
 14 evaluation, and they have to do that.  
 15 All they looked at when they looked at the  
 16 noise was basically weather, and they limited that.  
 17 They only looked at the time frame between midnight and  
 18 5:00 in the morning to say, Hey, we don't have a lot of  
 19 exceedances of the noise standard, look at these  
 20 numbers.  
 21 Well, in Union County, the weather alone means  
 22 that people who are impacted by this can expect  
 23 22 percent of the time our weather is conducive to the  
 24 corona effect, which is a snap, crackle, and pop. That  
 25 means 80 days out of every year these poor devils are

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1 going to be experiencing a bunch of noise. That is like  
 2 inhumane to approve something like that.  
 3 And if the developer thinks that putting  
 4 noise-blocking blinds up is a way to mitigate for having  
 5 exceedances of the noise standard. So all these people  
 6 in all these counties that have beautiful views can  
 7 choose between going nuts with tinnitus and noise  
 8 impacts or not being able to see out the front window.  
 9 So those are not real good options in my mind.  
 10 I could go on for hours. And my last comment  
 11 I guess would be, I have done a lot of, spent a lot of  
 12 time reviewing rules and identifying various areas that  
 13 are problematic. I'm having a really hard time getting  
 14 through this application and the draft proposed order  
 15 and analyzing what it all means. And so I really  
 16 believe that you have a lot of people out here who are  
 17 laypeople, and I'm hearing from a lot of them saying,  
 18 I'm completely lost, I can't understand all this.  
 19 I think that July 23rd is really not realistic  
 20 for people -- I'll get through it by July 23rd because  
 21 I'm willing to working until 2:00 or 3:00 in the  
 22 morning, if that's what it takes to get through all of  
 23 these rules. But there are a whole lot of people out  
 24 there that have jobs -- I'm retired -- and they are  
 25 struggling.

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1 So it seems to me that 60 days is not a lot of  
 2 time for them, especially when the Department of Energy  
 3 has been working on this for years. So that's my final  
 4 comment.  
 5 Any questions?  
 6 HEARING OFFICER WEBSTER: What do you believe  
 7 would be a reasonable time if Council were to consider a  
 8 request to extend it?  
 9 MS. IRENE GILBERT: I think they should have  
 10 had 90 days anyway. It's not good for me because I plan  
 11 on going somewhere this summer, and I probably still  
 12 will. But from what I'm hearing from people, they are  
 13 just now starting to figure out, at least a starting  
 14 point, but they are overwhelmed.  
 15 HEARING OFFICER WEBSTER: So total of 90 days  
 16 or --  
 17 MS. IRENE GILBERT: A total of 90 days.  
 18 Another 30 days I think would be reasonable to give  
 19 people. Like I say, they are just starting to figure it  
 20 out.  
 21 HEARING OFFICER WEBSTER: Okay. I think, as I  
 22 indicated at the outset, we will approach, that Council  
 23 will approach that request I think at the end of the  
 24 public comment tonight.  
 25 MS. IRENE GILBERT: Thank you.

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1 And thank you for showing up. Thank you for  
 2 listening to me over and over. I hope I covered some  
 3 different things this time.  
 4 HEARING OFFICER WEBSTER: Thank you,  
 5 Ms. Gilbert.  
 6 We have Margaret Mead next.  
 7 MS. MARGARET MEAD: My name is Margaret L.  
 8 Mead. I live at 57744 Foothill Road, La Grande.  
 9 This doesn't meet a lot of your  
 10 specifications, but I feel like it's something that  
 11 needs to be said. And on behalf of a friend who  
 12 testified last week, he just had said, Would you please  
 13 say to the Council, listen to people talking. He had  
 14 the impression last week that people were more involved  
 15 with their computers or their laptops or whatever. And  
 16 I said, I really thought that people were taking notes.  
 17 So I'm just delivering that message. And I guess if I'm  
 18 the last speaker, it's irrelevant basically.  
 19 A myriad of reasons Idaho Power's preferred  
 20 route should not be approved have been presented in  
 21 previous testimony. My remarks primarily concern Idaho  
 22 Power's reason for choosing this particular route. It  
 23 is the least costly for them. Their cost estimation,  
 24 however, completely ignores the truly important costs,  
 25 that to the people who live along this proposed line.

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1 And yes, we, the people, matter. We live and  
 2 work here, we pay taxes, we are engaged in volunteer  
 3 activities that make our community better. We own  
 4 businesses, farms, ranches, and homes. We might have  
 5 been born here or we chose to live here, often because  
 6 of the natural beauty that surrounds us. We have a  
 7 quality of life that is not found in urban areas.  
 8 Should this line be built as proposed, that  
 9 quality of life will be greatly diminished. 74 percent  
 10 of the land along the preferred route is owned by  
 11 private persons, with only 26 percent being public.  
 12 What right does a corporation have to usurp  
 13 our private lands, this land individuals have cared for  
 14 and that provides a livelihood and/or a place of refuge,  
 15 our homes?  
 16 I understand eminent domain as a privilege  
 17 only for the government, which, theoretically, is for  
 18 the public's good. Corporations should not have the  
 19 capability to take from private persons. The cost to us  
 20 is great and immeasurable.  
 21 My Minnesota story, which I share because it  
 22 is similar to what millions of other people throughout  
 23 the United States have experienced. And I really hope  
 24 that the people who live along the proposed route won't  
 25 have to.

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1 You have heard many in eastern Oregon counties  
 2 speak to this personally what the effects would be on  
 3 them. For example, a tower being built where a house  
 4 currently stands. I grew up on a farm in the Red River  
 5 Valley of Minnesota, flatland with rich soil. In the  
 6 late '60s I had moved away by then. The freeway began  
 7 to be built in the area. It cut through my parents'  
 8 half section, leaving a 40-acre triangle on one side of  
 9 the freeway and the majority of acres in a triangle on  
 10 the other.  
 11 This ultimately resulted in a 4-mile drive  
 12 each way, often with farm equipment to get to the  
 13 smaller acreage, thus adding more time and cost, as well  
 14 as inconvenience of farming this smaller section. The  
 15 same applied to farming triangles; more costs, more  
 16 time, being much less efficient than farming a  
 17 rectangle.  
 18 In Minnesota we get rain; and, therefore, we  
 19 have deep and wide ditches. The freeway construction  
 20 screwed up the drainage system which wasn't fixed until  
 21 1996, when my mother had to pay \$90 an acre to have it  
 22 done. There was no governmental compensation for any of  
 23 these added expenses which exist still today.  
 24 From the time my parents knew their land was  
 25 going to be taken, until many years later, my mother was

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1 upset and often angry about it. And this, of course,  
 2 affected those around her. The inconvenience, the extra  
 3 costs, the constant noise, the pollution caused by the  
 4 diesel vehicles all contributed to this.  
 5 When Mom moved to town, my nephew moved to the  
 6 farm, and although he planted even more rows of trees  
 7 than what already existed in an attempt to block the  
 8 freeway noise, it bothered him and he eventually moved.  
 9 Yesterday I asked a local counselor if she was  
 10 seeing more people who were depressed or angry due to  
 11 this proposed B2H line. She said, Yes, whenever there  
 12 were additional stresses that caused people to feel  
 13 helpless, her business increased. It wasn't something  
 14 she wanted.  
 15 Our property is adjacent to the freeway near  
 16 Ladd Canyon. We look out on the foothills. I drive  
 17 Foothill home whenever possible. The beauty relaxes me  
 18 and is a type of medication. Should the power line be  
 19 constructed along there, and especially along the  
 20 Miracle Mile, the scenic value would be ruined.  
 21 These costs, emotional, personal hurt,  
 22 stress-related health issues, inconveniences, extra  
 23 work, immediate and ongoing expenses, as well as  
 24 long-term effects we can't yet know add up. They take a  
 25 toll on us, the citizens. Idaho Power will not be

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1 compensating for these costs, many of which cannot be  
 2 paid for with money.  
 3 Most landowners would also not have the  
 4 resources to sue for damages; farming and ranching,  
 5 usually not being lucrative operations.  
 6 I have heard the Grande Ronde Valley is the  
 7 largest circular valley in the US. Please help us keep  
 8 its natural beauty and not discard it with the ugly  
 9 monstrosities Idaho Power wants to erect in this very  
 10 scenic area. There are other options if indeed this  
 11 line has to be built at all.  
 12 There are strong reasons for building  
 13 microgrids or none at all, but that is a different  
 14 chapter.  
 15 With all the testimonies you have heard, you  
 16 must have a strong sense of the devastating impact this  
 17 power line would have on the natural lands and all the  
 18 critters, including humans, who would be affected should  
 19 it be built as Idaho Power wishes.  
 20 I conclude with these questions: Does Idaho  
 21 Power have the right to determine the negative impacts  
 22 on our environment and our personal lives? Do we the  
 23 people not matter? Please hear us.  
 24 And I also request that the deadline be  
 25 extended because summer is a very busy time for many

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1 people along this route. Thank you.  
 2 HEARING OFFICER WEBSTER: Thank you.  
 3 I have received an additional comment request  
 4 So we'll hear from Fuji Kreider.  
 5 MS. FUJI KREIDER: Good evening. Fuji  
 6 Kreider, 60366 Marvin Road, La Grande.  
 7 I really did not plan on continue speaking  
 8 tonight, but I didn't realize that you might be actually  
 9 contemplating extending the comment period. So I  
 10 thought, I have to talk about this.  
 11 Margaret mentions the stress and all that is  
 12 going on. It's been very intense. It isn't just within  
 13 our group and these hearings of late, it's been going on  
 14 for quite some time. But I wanted to focus on the  
 15 media, which is since last week you all heard everyone  
 16 speaking very passionately about what's going on. The  
 17 phone, emails, everything has been nonstop, over the  
 18 top. People are so confused about where even to find  
 19 the table of contents, how to navigate the draft  
 20 proposed order, the application, et cetera.  
 21 Back when you had the informational meetings  
 22 last November, I asked Kellen and the staff that were  
 23 there, How long will it be for the comment period?  
 24 Kellen said, How long do you need? I said, We need at  
 25 last 6 months. You guys have had way longer than that.

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1 And we are just citizens, we don't have a staff,  
 2 et cetera.  
 3 Everybody kind of chuckled, and then it was  
 4 more like, Well, we have to give you at least 30 days,  
 5 but probably 45, maybe even 60 if we are lucky. So we  
 6 got lucky and got 60 days. I'm telling you it's not  
 7 enough. We are really finding it difficult to navigate  
 8 not just the application and the DPO and your standards  
 9 and that crosswalk between those, but then also you have  
 10 errata sheets, you have attachments, attachments that  
 11 don't have page numbers. It goes on and on.  
 12 And it's really kind of crazy making. So I  
 13 would encourage you tonight, this is my main message, to  
 14 extend the comment period, if possible.  
 15 Like I said, we originally asked for 6 months  
 16 initially. We'll take whatever we can get. Irene just  
 17 proposed another 6 months -- I mean another month, 30  
 18 days. That at a minimum, that would be fantastic. But  
 19 even if you could take it to the fall, would be great  
 20 because of all the farmers and the people that all  
 21 summer are having difficulty engaging with this.  
 22 And then my second request, it's kind of  
 23 related to time frame, but it comes after the fact, and  
 24 that is that I understand after the comment period is  
 25 over, then the staff will go through comments and give

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1 you guys, EFSC Council, a summary. I'm not sure what  
 2 those things are called. And you would use something  
 3 like that at a Council meeting.  
 4 And my request is that you have that Council  
 5 meeting back over here on the east side. As a matter of  
 6 fact, would be best to put it in La Grande. One,  
 7 because you can tell by the attendance you are getting  
 8 at these other meetings that that is where you have the  
 9 most passion, the people do. Not you, but the people  
 10 do. But even moreover, it's halfway. So it's 2 hours  
 11 from La Grande to Boardman, 2 hours from La Grande to  
 12 Ontario. It's right in the middle of these five  
 13 counties. And I really encourage you to consider having  
 14 that public meeting right where the heart of this is.  
 15 So that is all I have to say for tonight. You  
 16 know you'll get my written comments eventually in  
 17 writing with the appropriate standards and specificity.  
 18 Thank you.  
 19 HEARING OFFICER WEBSTER: Thank you,  
 20 Ms. Kreider.  
 21 It looks like I have some additional comment  
 22 cards coming.  
 23 Let's hear from Virginia Mammen.  
 24 MS. VIRGINIA MAMMEN: I'm Virginia Mammen. I  
 25 live at 405 Balsa, La Grande, Oregon.

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1 I also had not planned to speak tonight, but I  
 2 think there is one thing that hasn't been brought up  
 3 that I would like to bring up, and that is a  
 4 neighborhood. And that is my neighborhood that is being  
 5 considered as using the route for the staging and for  
 6 the transportation of equipment to the site that they  
 7 are planning to use.  
 8 This is a loop that goes from a main artery up  
 9 around the hill. It's strictly a residential area.  
 10 It's a narrow, rather steep road on both sides of the  
 11 loop, and at either end there is a short stub that would  
 12 take them either to -- at the bottom -- either to the  
 13 main artery or up to the site, which the stub on that  
 14 one right now is just a gravel road. I also live about  
 15 a block from the hospital.  
 16 Our neighborhood is a quiet neighborhood, and  
 17 I'm concerned about the beauty and I'm concerned about  
 18 all of the wild animals that we have in our yard, we do  
 19 live in the city, and the effect that it would have on  
 20 them. But I'm also very concerned about the people in  
 21 our neighborhood.  
 22 And here again, it's been mentioned, a lot of  
 23 people are just overwhelmed. Either they really don't  
 24 understand what is going to happen and they think  
 25 somebody else is going to take care of it, or they don't

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1 have any idea how to read and meet all of the standards  
 2 that are required for writing. But they are concerned.  
 3 And our loop, as I say, it has about 40 houses  
 4 on it. There are a lot of children. There are no  
 5 sidewalks. It's just a quiet neighborhood. We all know  
 6 each other. We look out for each other. There are  
 7 several blind curves the children go up and down the  
 8 road to go to school. They walk their dogs. A lot of  
 9 people walk the hill because it's a good exercise area.  
 10 So having large trucks -- and we understand  
 11 from one of the landowners that was contacted -- we were  
 12 not contacted, and yet we are very, very close to the  
 13 site entrance. He was contacted and told there might be  
 14 upwards to 150 or more trucks a day that might be coming  
 15 up that hill during the beginning and during the process  
 16 time.  
 17 We don't have very many cars on our street.  
 18 It's just the houses that are there that are using it.  
 19 And even 25 big trucks would make a big difference. But  
 20 if you go even -- in fact, having a moving van or a  
 21 truck for even one day causes some restriction of the  
 22 use of it because it makes it very definitely a one-way  
 23 kind of a -- you can't have a two-way street, you can't  
 24 pass very easily.  
 25 We have noticed, just my husband and I, we

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1 were coming along the main artery today that comes past  
 2 the hospital and then comes to the entrance to our loop,  
 3 and we were turning onto the main artery from another  
 4 street, and a very, very large dump truck was wanting to  
 5 turn onto the street we were turning off of. We had to  
 6 really get out of the way and move and go a different  
 7 direction so that truck could get to where it wanted to  
 8 go.  
 9 Then as we turned onto our street -- and I've  
 10 noticed this quite often. Turning onto it, you take up  
 11 a good part of the street to get around the corner, and  
 12 then you go a short distance and do the same thing  
 13 around another corner. And those are rather blind  
 14 corners that you are going around. Having dump trucks  
 15 going on the streets that are meant for just local  
 16 traffic is not going to be at all pleasant for any of  
 17 us.  
 18 And so the other business -- also knowing that  
 19 it's not going to be good for the hospital. We have a  
 20 helicopter that comes into our hospital, and it comes in  
 21 at various times. We are all pretty used to that,  
 22 except it does make a lot of noise and it does bother  
 23 some people more than others. If they are going to be  
 24 transporting by helicopter over our houses, this is  
 25 going to be just dreadful. We don't know really what's

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1 going to happen. A lot of people say, Oh, they won't do  
 2 that. I'm at a point where I don't trust anybody unless  
 3 I see it in writing they won't do certain things.  
 4 And so this is why I wanted to speak to you.  
 5 I know this is not meeting your standards, but there are  
 6 some things that don't have a written standard. It's  
 7 just common decency and not being bullied by somebody  
 8 who wants to have something that you have and they take  
 9 it away from you, and that is our peace and quiet.  
 10 Thank you.  
 11 HEARING OFFICER WEBSTER: Thank you.  
 12 All right. Let me circle back. Is there  
 13 anybody on the phone that wants to give comment? Is  
 14 there anybody on the phone that would like to give  
 15 comment?  
 16 Hearing none, I am thinking that we'll take a  
 17 break. We'll take about 15 minutes or so, and then  
 18 we'll reconvene so that Council can consider the  
 19 request. And in the meantime if there is anybody who  
 20 hasn't filled out a comment card that wants to give a  
 21 comment, please do so on the break, and when we come  
 22 back and reconvene, we'll give you the opportunity to  
 23 comment.  
 24 It is 5:49 now, and let's plan on coming back  
 25 about 5 after 6:00.

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1 (Recess taken.)  
 2 HEARING OFFICER WEBSTER: Let's reconvene,  
 3 it's 6 minutes after 6:00. The first order of business  
 4 is just to confirm that Council Member Mary Winters --  
 5 is she still on the line?  
 6 COUNCILLOR WINTERS: Yes, I'm still on the  
 7 line.  
 8 HEARING OFFICER WEBSTER: All right. Great.  
 9 I think you'll want to participate in the decision that  
 10 Council has before it, the request Council has before  
 11 it.  
 12 Before we get to that though, does the Council  
 13 have any questions for the applicant tonight?  
 14 MS. TARDAEWETHER: It looks like we have  
 15 another comment.  
 16 HEARING OFFICER WEBSTER: I have received one  
 17 more comment card. So before you answer that question  
 18 and the other question that was presented to you  
 19 earlier, let's hear from Cynthia Harvey.  
 20 MS. CYNTHIA HARVEY: Hello. My name is  
 21 Cynthia Harvey. My residence address is 77647 North  
 22 Loop Road, Stanfield, Oregon.  
 23 In March of this year we purchased 1100 acres  
 24 up in the Meacham area of timberland. As of today we  
 25 have never received notice from the State of Oregon or

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1 Idaho Power about this project. We have gone online,  
 2 and according to the map, they want to put five towers  
 3 on us. So we would be impacted greatly. It would take  
 4 all our stands of timber, all our best water resources,  
 5 and basically just destroy our property.  
 6 So I am concerned that we have never received  
 7 any kind of notice. So I want that stated in the  
 8 record.  
 9 HEARING OFFICER WEBSTER: When did you  
 10 purchase the property?  
 11 MS. CYNTHIA HARVEY: March.  
 12 HEARING OFFICER WEBSTER: Of 2019?  
 13 MS. CYNTHIA HARVEY: This year.  
 14 HEARING OFFICER WEBSTER: Any other things you  
 15 wanted to bring up tonight, any other issues?  
 16 MS. CYNTHIA HARVEY: Well, we have a lot of  
 17 issues, but I think the main one is the lack of  
 18 notification.  
 19 HEARING OFFICER WEBSTER: Thank you.  
 20 Is there anybody else, any public comment?  
 21 Going once, going twice, for now.  
 22 Council, questions we have for the applicant?  
 23 VICE CHAIRMAN JENKINS: I do.  
 24 HEARING OFFICER WEBSTER: Let's bring up  
 25 Mr. Stokes then.

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1 MR. MARK STOKES: Chairman Beyeler, Vice Chair  
 2 Jenkins, other Council members, good evening. My name  
 3 is Mark Stokes, and I'm an engineering project leader  
 4 with Idaho Power Company. My address is 121 West Idaho  
 5 Street, Boise, Idaho 83702.  
 6 HEARING OFFICER WEBSTER: Thank you.  
 7 Mr. Jenkins.  
 8 VICE CHAIRMAN JENKINS: Mr. Stokes, my  
 9 question relates to forest lands and several of the  
 10 comments that have been made this evening and previous  
 11 evenings about impacts to forest lands. The draft  
 12 proposed order and your application talk about  
 13 right-of-way widths, and you are analyzing 500 feet, and  
 14 in some forested areas you'll be as wide as 300 feet,  
 15 which would be de-timbered for that area.  
 16 And there is some question about whether or  
 17 not you need to go through some kind of review process  
 18 at a State level in order to do that. And I wanted to  
 19 give you an opportunity to talk about crossing forest  
 20 lands with a high-voltage power line.  
 21 MR. MARK STOKES: Okay. Vice Chair Jenkins,  
 22 I assume we are talking about private land that is  
 23 forested as well as US Forest Service Land?  
 24 VICE CHAIRMAN JENKINS: That's correct.  
 25 MR. MARK STOKES: Yeah, there is approximately

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1 7 miles of US Forest Service land that the project  
 2 crosses. We would and have been working with the Forest  
 3 Service on getting a Record of Decision from them, and  
 4 they will dictate how we handle things on the Forest  
 5 Service property.  
 6 Specific to the private property, the  
 7 discussion that you heard tonight, as far as the need  
 8 for a slightly wider right-of-way width, that is not  
 9 going to be the entire length through forested land.  
 10 That's going to be highly dependent on the topography of  
 11 any particular area and the identification of what we  
 12 would call "problem trees" that are tall enough that if  
 13 they were to fall over, they could potentially impact  
 14 the line. So it will be those areas that are  
 15 specifically targeted where we would have to go with a  
 16 little bit wider right-of-way, as far as the vegetation  
 17 management plan and clearing we would do.  
 18 Outside of that, on the private land,  
 19 obviously, as we go through and negotiate with  
 20 landowners for the right-of-way acquisition, the forest,  
 21 the timber value will be factored into all of that.  
 22 Did that address all of your question?  
 23 VICE CHAIRMAN JENKINS. Yeah.  
 24 So, Mark, one of the questions that has come  
 25 up I believe a couple of times in the testimony that we

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1 have heard is the conversion of these forest lands under  
 2 the power line to some other use, such as livestock  
 3 grazing. Are you aware of Idaho Power going through a  
 4 separate process in order to do that?  
 5 MR. MARK STOKES: That is a question I would  
 6 have to ask David to respond to, if he recalls what our  
 7 intent was there.  
 8 Are you on the line, David?  
 9 MR. DAVID STANISH: I am.  
 10 MR. MARK STOKES: Did you hear Vice Chair's  
 11 question?  
 12 MR. DAVID STANISH: I think what I heard was  
 13 you were wondering if --  
 14 MR. MARKS STOKES: David, hold on a second.  
 15 They are having a hard time hearing you.  
 16 HEARING OFFICER WEBSTER: Mr. Stanish, this is  
 17 Presiding Hearing Officer Webster. We need to ask you  
 18 to, I think, speak up a little bit. Because you are  
 19 coming through the phone, it's not clear and the court  
 20 reporter does want to take down everything you are  
 21 saying and get it accurate. So if you could speak up  
 22 and slow down a little bit, that would be great.  
 23 Do you want to repeat the question,  
 24 Mr. Stokes?  
 25 MR. MARK STOKES: Yes.

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1 David -- and correct me if I get any of this  
 2 wrong, Council Member. I think the question is on areas  
 3 that are designated as forestland at this point, is it  
 4 our intent to try to get those areas recategorized into  
 5 something under more of an agricultural use designation?  
 6 MR. DAVID STANISH: Okay. I understand.  
 7 This is David Stanish from Idaho Power.  
 8 The answer is no, we will not be seeking to  
 9 rezone forestland areas that are utilized for the  
 10 right-of-way. The zoning designation is reserved for  
 11 the property owner. It's up to them how they want to,  
 12 whether they would like to pursue a change in the  
 13 building designation or not.  
 14 I also heard a question of whether we were  
 15 going to go through a different process to authorize the  
 16 right-of-way through forestland, I believe. And the  
 17 answer to that is also no. In Exhibit K, we go to great  
 18 lengths to discuss compliance with the Forest Practices  
 19 Act and our choice of right-of-way --  
 20 HEARING OFFICER WEBSTER: Mr. Stokes, hold on.  
 21 So we are having a little bit of -- can you  
 22 hear me okay, Mr. Stanish? Can you hear me okay? We  
 23 were having some trouble hearing you.  
 24 For now let's try this: Mr. Stokes, were you  
 25 able to hear Mr. Stanish's response?

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1 MR. MARK STOKES: Well, it was basically I  
 2 think "no" on both counts, that our intent was not to  
 3 try to rezone any of those designated areas, in a  
 4 nutshell is what I heard from him.  
 5 We can certainly follow up with more detail on  
 6 that in our written comments as well.  
 7 VICE CHAIRMAN JENKINS: Thank you.  
 8 HEARING OFFICER WEBSTER: I believe that the  
 9 first answer was no, it will be up to the property owner  
 10 to seek rezoning? Was that what you heard him say?  
 11 MR. MARK STOKES: He indicated that we would  
 12 leave any rezoning up to the property owners' desires,  
 13 that we would not be asking for or pushing for that.  
 14 HEARING OFFICER WEBSTER: And then the second  
 15 no, they were not aware of any separate process --  
 16 MR. MARK STOKES: Yeah. No separate process  
 17 that we intend to work through.  
 18 HEARING OFFICER WEBSTER: Okay.  
 19 COUNCILLOR ROPPE: I have a question for Mark  
 20 Stokes.  
 21 On the last lady who spoke to us who said that  
 22 she had purchased her land in March of 2019 and she had  
 23 no contact with Idaho Power at all, and so she knew  
 24 nothing about the fact that you were going to be  
 25 putting, I think she said five towers on her land.

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1 Would you have had contact with the previous  
 2 owners and, if so, would that not have been their  
 3 responsibility to inform a buyer of that?  
 4 MR. MARK STOKES: It certainly -- my thoughts  
 5 and expectations that the previous owner should have  
 6 said something. In fact, we ran into a similar  
 7 situation on Tuesday night of last week, there was a  
 8 gentleman who just a little bit less than a year ago  
 9 purchased a piece property in Malheur County, and  
 10 neither the title company nor the previous owner  
 11 mentioned anything about the project to him.  
 12 Now, certainly we would have reached out to  
 13 the previous owner and tried to make contact, and we've  
 14 been doing that for well over 10 years now. And  
 15 unfortunately this -- we try to keep everything up to  
 16 date, but we are talking, I think it's roughly 700  
 17 landowners that we are trying to manage along that  
 18 300 miles. So it's pretty substantial.  
 19 Now that we are aware of this, we'll certainly  
 20 reach out and see what kind of issues there are and what  
 21 we can do.  
 22 COUNCILLOR ROPPE: I think your reaching out  
 23 would be very good. No. 1, you need to do that. But  
 24 No. 2, I think that that party needs to address the  
 25 previous owner as to why they did not disclose that you

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1 had been in contact with them.  
 2 MR. MARK STOKES: Yes.  
 3 HEARING OFFICER WEBSTER: Any other questions  
 4 for Mr. Stokes?  
 5 Anything you want to add?  
 6 MR. MARK STOKES: I have no further comments  
 7 for tonight.  
 8 HEARING OFFICER WEBSTER: Okay. So I guess,  
 9 Council, you have a request coming before you to extend  
 10 the comment period. What are your thoughts on that?  
 11 I'll start. Chair Beyeler?  
 12 VICE CHAIRMAN JENKINS: This is Hanley.  
 13 We are required to give 30 days notice; we  
 14 gave 60. But I think it's reasonable to extend the  
 15 hearing period for additional written testimony. The  
 16 request was for 30 days; I think that's reasonable. And  
 17 so I would make that as a motion that we extend the  
 18 written portion from July 23rd to August 22nd. July has  
 19 31 days. And so that would be then the final date for  
 20 submitting written testimony. That is a formal motion.  
 21 COUNCILLOR ROPPE: I'll second that motion.  
 22 CHAIRMAN BEYELER: A motion has been made and  
 23 seconded. Any further discussion?  
 24 SECRETARY CORNETT: Mr. Chair, just for  
 25 clarification, August 22nd at 5 p.m.

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1 UNIDENTIFIED SPEAKER: Is that Pacific?  
 2 SECRETARY CORNETT: Pacific Time.  
 3 HEARING OFFICER WEBSTER: Specifically Pacific  
 4 Time.  
 5 CHAIRMAN BEYELER: Okay. Mr. Secretary, call  
 6 roll call for vote.  
 7 SECRETARY CORNETT: Kent Howe?  
 8 COUNCILLOR HOWE: Yes.  
 9 SECRETARY CORNETT: Betty Roppe?  
 10 COUNCILLOR ROPPE: Yes.  
 11 SECRETARY CORNETT: Hanley Jenkins?  
 12 VICE CHAIRMAN JENKINS: Yes.  
 13 SECRETARY CORNETT: Mary Winters?  
 14 COUNCILLOR WINTERS: Yes.  
 15 SECRETARY CORNETT: And Barry Beyeler.  
 16 CHAIRMAN BEYELER: Aye.  
 17 SECRETARY CORNETT: Motion carries.  
 18 HEARING OFFICER WEBSTER: So it's official  
 19 that we have extended the comment period, the public  
 20 comment period for written testimony to August 22,  
 21 5 p.m. Pacific Time.  
 22 Does anybody happen to know what day of the  
 23 week that is?  
 24 MR. PATRICK ROWE: Thursday.  
 25 HEARING OFFICER WEBSTER: Thursday,



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1 August 22nd, 5 p.m. Pacific Daylight Time, I think.  
 2 Unless it's Standard Time, but I believe it's Daylight  
 3 Time at this time of year.  
 4 One last opportunity for anybody to give  
 5 comment this evening. I don't know, do we want to -- we  
 6 will plan to stay around in case somebody comes in later  
 7 and wants to give comment. But we will go into recess  
 8 now until somebody comes in, if they do.  
 9 It is 6:24 p.m. We are in recess.  
 10 (Recess taken.)  
 11 HEARING OFFICER WEBSTER: It's 7:27. We are  
 12 reconvening for another member of the public to give  
 13 public comment.  
 14 If you would hand me your form there.  
 15 MR. ED MILTENBERGER: I haven't filled it out.  
 16 HEARING OFFICER WEBSTER: You can do it  
 17 verbally. If you would state your name and your  
 18 address, please.  
 19 MR. ED MILTENBERGER: Ed Miltenberger, 803  
 20 Southwest Court, Pendleton, Oregon. That's my mailing  
 21 address. The property is, we are located out in the  
 22 Gerdain [ph] District. My concern, is that where I  
 23 should start?  
 24 HEARING OFFICER WEBSTER: Yeah. What issues  
 25 did you want to raise about the B2H draft proposed

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1 order?  
 2 MR. ED MILTENBERGER: The issue I want to  
 3 bring up is just to state here that I'm concerned with  
 4 the fragile depth of the soil and the traffic across it  
 5 and the terrain steepness and the topographical outlay,  
 6 that it's going to be pretty hard on that piece of  
 7 property.  
 8 I know I avoid the "trail," as you might call  
 9 it, and I see they have listed it as a "road." It's  
 10 really not much of a road because the only thing they  
 11 use it for is servicing the springs up on top. And I  
 12 try to stay off of it as much as I can, so as light of  
 13 traffic as possible because it's so steep. There is  
 14 some parts of it that stay pretty wet and it tears it up  
 15 pretty bad.  
 16 Like I said, the soil is real fragile. The  
 17 grass that is on it is less than in 2 inches of soil,  
 18 and I know it takes more than 2 years for some of it to  
 19 come back in the tracks that I've laid.  
 20 So with that in mind, the runoff in the spring  
 21 is terrible up there because we do get a lot of snow,  
 22 and it stays on pretty good. But when it comes off, you  
 23 can tell by these ravines in the map, that, boy, there  
 24 are really torrents that come down out of there.  
 25 This road is a testimony to a great amount of

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1 erosion in a place where erosion really doesn't occur  
 2 because it is kind of on the knoll of a hill that  
 3 provides access to this road that is proposed into that  
 4 property.  
 5 HEARING OFFICER WEBSTER: Just to clarify,  
 6 it's a road that they are going to use as an access road  
 7 or is it going to be --  
 8 MR. EDWARD MILTENBERGER: Yeah, it is on the  
 9 plat, as an aerial plat of it. I see how it would  
 10 service probably three towers. So if there is any  
 11 activity in inspecting the towers in the future or just  
 12 setting them all up, it's going to be pretty hard on  
 13 this piece of property because it's so sparsely  
 14 vegetated. The grass out there is pretty fragile.  
 15 That's kind of what I'm looking out for is  
 16 that I don't get a runoff problem. It just winds up in  
 17 the middle of a ravine below it.  
 18 CHAIRMAN BEYELER: How large an acreage is it?  
 19 MR. ED MILTENBERGER: 380 acres.  
 20 CHAIRMAN BEYELER: Okay. So that's part of  
 21 the section.  
 22 HEARING OFFICER WEBSTER: Anything else you  
 23 want to bring up?  
 24 MR. ED MILTENBERGER: Not at this time, unless  
 25 there is -- I would be open to the idea of an improved

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1 road on the property, but not so much. It's like  
 2 unpredictable to say that any road up there as a  
 3 permanent access would do that property any good at all.  
 4 And if it winds up that way, I would want to be  
 5 compensated for the upkeep of the road and the  
 6 preparation to keep it from turning into a complete  
 7 runoff thing, or someone should be responsible for the  
 8 terrain.  
 9 HEARING OFFICER WEBSTER: Thank you.  
 10 MR. ED MILTENBERGER: That's about it.  
 11 HEARING OFFICER WEBSTER: It's 7:32 and we are  
 12 back in recess.  
 13 (Recess taken.)  
 14 HEARING OFFICER WEBSTER: We are reconvening  
 15 again. We have another member of the public who wants  
 16 the opportunity to comment. It is 7:50. We are going  
 17 to hear from Terry L. Clarke.  
 18 HEARING OFFICER WEBSTER: If you would state  
 19 your name and your address for the record.  
 20 MR. TERRY L. CLARKE: I'm Terry L. Clarke,  
 21 1325 Northwest Horn, Pendleton, Oregon.  
 22 I also represent TJJ Ranch, one of the  
 23 properties impacted by this proposed line.  
 24 So what I wanted to get on the record is that  
 25 we object to this, the construction of this line,

1 especially as it pertains to shipping power out of  
2 state. It's been our feeling that the Oregonians have  
3 paid for part of this project, for the construction of  
4 the windmills with our tax credits and all the incentive  
5 programs that we have had, and in doing so, I think we  
6 are short-circuiting ourselves. We have got a lot of  
7 new industry in the area with Amazon and what is  
8 happening with the ports, I think that power can be used  
9 here.

10 I think if the Siting Council allowed the  
11 construction of those windmills originally with the onus  
12 that there was adequate transmission lines in the area  
13 to take care of those, then the mistake is either then  
14 in allowing them to be constructed or now in allowing  
15 the power to be removed from the area. So I think this  
16 power belongs to Oregonians first.

17 As far as the impact to our properties, we see  
18 it's a grazing area that we've had for over -- we've  
19 been there over 50 years. The property has been used  
20 for grazing forever. I think the impact, allowing  
21 additional people and structure in the area has a  
22 negative impact to us, both from the view scape as well  
23 as the use of the property. I don't think all of the  
24 impacts have been properly addressed at this point.

25 If someone could show us in the future that

1 all the environmental concerns would be addressed and  
2 that we could maintain our view scape without any kind  
3 of adverse impact, then we might consider it. But at  
4 this point we wish to go on the record as objecting.

5 HEARING OFFICER WEBSTER: All right. Thank  
6 you.

7 MR. TERRY L. CLARKE: You are welcome.

8 HEARING OFFICER WEBSTER: There is no Council  
9 members here to ask questions; so I think we will  
10 just -- is there anything else you want to add?

11 MR. TYLER L. CLARK: No. I just am really  
12 concerned with in siting these originally, because  
13 windmills are so localized. There is wind in Idaho,  
14 there is wind in Washington, there is wind everywhere.  
15 Why would we build them here to take transmission lines  
16 to go 200 miles east to tie to something else. It  
17 doesn't make any sense. The windmills could have been  
18 there. They could have saved billions of dollars. This  
19 wouldn't even be an issue.

20 HEARING OFFICER WEBSTER: Mr. Clarke, thank  
21 you.

22 MR. TERRY L. CLARK: You are welcome.  
23 (Hearing concluded at 7:54 p.m.)  
24  
25

REPORTER'S CERTIFICATE

1 I, BEVERLY A. BENJAMIN, CSR No. 710, Certified  
2 Shorthand Reporter, certify:

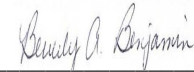
3 That the foregoing proceedings were taken before  
4 me at the time and place therein set forth;

5 That the testimony and all objections made were  
6 recorded stenographically by me and transcribed by me or  
7 under my direction;

8 That the foregoing is a true and correct record  
9 of all testimony given, to the best of my ability;

10 I further certify that I am not a relative or  
11 employee of any attorney or party, nor am I financially  
12 interested in the action.

13 IN WITNESS WHEREOF, I set my hand and seal this  
14 10th day of July 2019.  
15  
16  
17



18  
19  
20 BEVERLY A. BENJAMIN, CSR 710  
21 Notary Public  
22 P.O. Box 2636  
23 Boise, Idaho 83701-2636  
24  
25

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