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Commenter	Comment	Idaho Power's Response
Baker County	*Section IV Evaluation of Council Standards*	
	Throughout the DPO, the applicant defers a number of important plans such as weed management, emergency response, transportation, and restoration of agricultural lands to a future date that will come after obtaining a Site Certificate. The deferral of these plans makes evaluating the accuracy of the information or the impact to Baker County nearly impossible, and the sparse information provided as part of the application is insufficient for determining compliance with the applicable standards. The DPO deals with these deferred plans by generally stating that they will be approved by the ODOE staff with opportunity to comment by the County. The details of these plans matter, and Baker County objects to the premise that plans tied to satisfying a review standard can be created outside the process without coordination with the impacted entity or dispute resolution opportunity. Baker County requests that plans impacting Baker County be coordinated with Baker County, either by the applicant or through ODOE staff. If agreement cannot be reached between the applicant, Baker County and the ODOE staff, a dispute resolution process is appropriate and should be outlined prior to the final decision.	Idaho Power respectfully disagrees with the county's characterization of the plans. The Noxious Weed Management, Environmental and Safety Training Plan, Transportation and Traffic Plan, and Agricultural Lands Assessment are each highly developed plans with sufficient detail and specificity to meet the relevant EFSC standards. The process for finalizing the plans is not a matter of deferring compliance with applicable substantive criteria; instead, it is intended as a matter of comity to further the collaboration between Idaho Power and the affected jurisdictions and agencies. Because this comment does not raise any specific substantive issue of noncompliance, the Council should find that the plans meet the relevant EFSC standards. To address the counties' concerns regarding their role in the review of and consultation on certain management plans, Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties. The comments and responses would be provided to ODOE, which would act as the final decisionmaker on any remaining issues. This process would apply to the following plans: • Attachment G-5, Blasting Plan; • Attachment K-1, Agricultural Assessment; • Attachment K-2, Right of Way Clearing Assessment; • Attachment P1-3, Reclamation and Revegetation Plan; • Attachment P1-5, Noxious Weed Plan;

		• Attachment U-2, County-Specific Transportation and Traffic Plans; • Attachment U-3, Fire Prevention and Suppression Plan; and • Environmental and Safety Training Plan. The following language would be added to the condition that addresses the plans set forth above: c. Before the certificate holder submits the final [Plan Name] to the Department, the certificate holder shall provide Morrow, Umatilla, Union, Baker, and Malheur counties (collectively, the "Counties") the following opportunities to review and comment on the [Plan Name]: i. When the certificate holder begins to finalize the [Plan Name], the certificate holder shall notify the Counties that the certificate holder is beginning to finalize the [Plan Name] and shall request that the Counties provide written comments within 60 calendar days from said notice. If requested by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the [Plan Name]; however, the timing of the in-person meeting will not affect the Counties' obligation to provide comments by the 60-day deadline. ii. The certificate holder shall provide to the Counties a copy of the revised [Plan Name] along with written responses to any of the Counties comments received within the 60-day window set forth above in subsection (c)(i) of this condition. The certificate holder shall request that the Counties provide written comments on the revised [Plan Name] within 60 calendar days. If requested

		by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the revised [Plan Name]; however, the timing of the in-person meeting will not affect the Counties' obligation to provide comments by the 60-day deadline. iii. When the certificate holder submits the final [Plan Name] to the department, the certificate holder shall provide to the Counties and the department a copy of any comments received from the Counties' within the 60-day window set forth above in subsection (c)(ii) of this condition, as well as Idaho Power's responses to those comments.
	We request that Recommended General Standard of Review 6 on page 53 line 15 under (c) be amended to add local governments be added as follows: In compliance with all applicable permit requirements of other state agencies and local governments.	Idaho Power suggests that the Council leave the condition as recommended since it is a mandatory condition the language of which is taken directly from the regulation, and local government permit requirements are addressed in specificity in the remaining conditions.
	Section IV.E. Land Use	
	The Statewide Planning Goals are evaluated beginning on page 216 at line 21 and continues to page 222 at line 22. Goals 1 - 9, then 12 are discussed; Goals 10, 11, 13 and 14 are not evaluated. The proposal discusses housing stock impacts, which would fall under Goal 10; the impacts to various public services and urban communities are discussed, which would fall under Goals 11 and 14; and since this project is an energy project; energy would fall under Goal 13.	Idaho Power concurs with this request that the Council add discussion of Goal 10, 11, 13, and 14 as follows: **Goal 10: Housing** Statewide Planning Goal 10 is *"[t]o provide for the housing needs of citizens of the state."* The purpose of Goal 10 is to ensure that land use planning provides for the housing needs of Oregon's citizens. As discussed in Exhibit K (Land Use) and Exhibit U (Public Services), the proposed transmission line will not be located in any residential zones and will not otherwise have any adverse impact on local government's ability to meet projected housing needs. Therefore, the transmission line complies with Goal 10.

		Goal 11: Public Facilities and Services Statewide Planning Goal 11 is "*[t]o plan and develop timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development*." Goal 11 requires local governing bodies to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The applicant's compliance with the Public Services Standard, including safeguards addressing fire, police, and medical service impacts, ensures that the proposed transmission line will not adversely impact public services. Accordingly, the transmission line is consistent with Goal 11. **Goal 13: Energy Conservation** Statewide Planning Goal 13 is "*[t]o conserve energy.*" Goal 13 provides for land, and uses authorized on the land, to be managed and controlled so as to maximize energy conservation. Beyond line losses which occur on all transmission lines, the proposed line does not itself consume energy. However, Exhibit N (Need) demonstrates that this resource fits into the applicant's overall resource management strategy and is designed to support the applicant's efforts to promote energy efficiency and demand response as an alternative to the construction of additional generation plants. Exhibit V (Waste and Wastewater) also addresses the applicant's efforts to reuse and recycle waste to the maximum extent practicable. Thus, the proposed transmission line is consistent with Goal 13, to the extent it applies to the proposed transmission line.

		Goal 14: Urbanization Statewide Planning Goal 14 is "*[t]o provide for an orderly and efficient transition from rural to urban land use*." The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The proposed transmission line is located primarily in rural areas and does not represent a transition of those areas from rural to urban, as the proposed transmission line is consistent with rural land uses and is not expected to result in any short-term or permanent urbanization in the vicinity. Accordingly, the transmission line is consistent with Goal 14, to the extent is it applicable.
	The County setbacks set forth in BCZSO 40 I (B) apply to all "structures" as defined in BCZSO 108a(B). Recommended Land Use Condition 10 on page 180 attempts to require compliance with these setbacks, but does not use the term "structures." Instead, the language applies the setbacks only to "buildings" and "the fixed bases of transmission towers," on the theory that these are the only kinds of "structures" that will be built in Baker County as part of the project. That may be, but the condition should nonetheless impose the setbacks on all "structures" as defined in the BCZSO, so as to capture any other structures that may not be anticipated as part of the project at this time. Baker County requests that each of clauses a. through d. of Recommended Land Use Condition 10 should be changed to apply the setbacks to all "structures" as that term is defined in BCZSO 108a(B). This inconsistency was raised in Baker County's comments on the ASC dated December 14, 2018 but not corrected in the DPO.	The term "structures" is ambiguous and has been interpreted differently among the counties. Therefore, to provide Idaho Power the clarity necessary to ensure compliance, Idaho Power requests that the Council maintain the condition language identifying the specific project features to which the setbacks apply (i.e., buildings and tower bases). If the County believes there are other "structures" involved with the Project that also should be included, Idaho Power requests that the County identify those structures. Exhibit B is intended to provide a complete description of the project components, so there shouldn't be unanticipated structures as concerned by the County.

	Since some of the agricultural land restoration measures to be described in the final Agricultural Assessment expressly will take place after construction is complete, Land Use Condition 14 should be amended accordingly to require compliance with the Agricultural Assessment both during and after construction.	Idaho Power has no objection to this request as follows: Land Use Condition 14: The certificate holder shall: . . . b. During construction of any phase or segment of the facility and during operation, the certificate holder shall implement the mitigation, monitoring and reporting measures as detailed in the final Agricultural Assessment and Mitigation Plan.
	On page 175-177, the criteria and evaluation of the Virtue Flat Oregon trail is discussed. The applicant notes that the resource is included in the Baker County Comprehensive Plan inventory of Historic and Cultural Sites, Structures, Districts, and proposes an intensive level survey to be consistent with the County's standard included in the BCZSO Section 412. However, the criteria in Section 412 require, "At the hearing before the Planning Commission a review will be conducted to determine: a. If the change will destroy the integrity of the resource. b. If the proposal can be modified to eliminate its destructive aspects. c. If any agency or individual is willing to compensate the resource owner for the protection of the resource. d. If the resource can be moved to another location. If after this review, it is determined by the County that the integrity of a significant historic/cultural structure or other to allow, allow with conditions, or disallow the proposed change." A survey alone, without protection measures explicitly required, does not satisfy the standard. To permit the County to meaningfully evaluate the proposed mitigation for impacts on County-designated historic resources, Historic, Cultural, and Archaeological Resources Condition 2 should be modified to require a copy of the final Historic Property Management Plan be provided to the County (and other SAGs).	To address the County's concerns, Idaho Power suggests that the Council provide the following clarifications of the nature of the Virtue Flat resource, the impacts to that resource, and potential mitigation: • The Virtue Flat Oregon Trail segment consists of one-quarter mile of wagon ruts on BLM land and two miles on private land ~~is~~ between MP 146 and 146.5 and would be crossed by the proposed facility. The Virtue Flat Oregon Trail (visible undisturbed wagon train ruts) is designated "of probable National Register eligibility or local significance" in Baker County's inventory of Historic and Cultural Sites, Structures, Districts. Because the Virtue Flat and Flagstaff Hill segments of the Oregon Trail are contiguous with one another, Idaho Power discussed and analyzed the two segments together (see Exhibit S, Attachment 10, Appendix C). Idaho Power concluded there would be no direct impacts to the two segments; however, there would be potential indirect visual impacts to the setting of those portions of the segments where the Project is visible, diminishing the historic integrity (see Exhibit S, Attachment 10, Appendix D). ~~The proposed facility could result in adverse visual impacts to the resource; the applicant proposes to further address~~

		~~potential impacts and necessary mitigation in the intensive level survey for the VAHP study (Exhibit S, Attachment S-2).~~ As noted in Section 7.6 of Attachment 10 of Exhibit S, detailed mitigation for indirect impacts to these segments will be developed following intensive level surveys and may include completion of NRHP nomination forms, conservation easements, purchase of land for long-term protection of historic properties, partnerships and funding for public archaeology projects, partnerships and funding for historic properties interpretation, and/or print or media publication. It should be noted that Idaho Power has performed extensive visual analysis, assessed alternative locations, and also completed project/facility modifications to lessen the visual impacts at this location. While the integrity of the resource's setting would be diminished, it would not be irretrievably destroyed. Therefore, the proposed facility would be consistent with BCZSO Section 412 criteria.
	Forgive me if this is due to an oversight on my part, but through reading and a word search, I was unable to find an analysis for the Virtue Flat Mining Area (a County historical resource). This was brought forward in Baker County's comments on the ASC dated December 14, 2018, but appears not to have been corrected in the DPO.	The Virtue Flat Mining Area was included in Figure K-50 and analyzed in full in Exhibit S, see for example Table S-2, showing that direct impacts to the mine will be avoided, and the Intensive Level Survey at Attachment S-10. To address the county's comment, Idaho Power suggests that the Council add a discussion similar to the following: The Virtue Flat Mining Area is located 1.86 miles to the east of the facility between MP 149 and MP 153.[Footnote #] Up to nine towers may be minimally visible, if at all, from the resource. But due to the distance and topography, the facility is expected to have weak to no contrast with the landscape. The facility would not obstruct views of important landscape components and would have little to

		no fragmentation of open space in the valley setting immediately surrounding the mining area. Accordingly, as determined in the Intensive Level Survey (ILS), no significant impacts to the mining area will occur and no mitigation is necessary (see ILS at Exhibit S, Attachment S-10). And therefore, the proposed facility would be consistent with BCZSO Section 412 criteria. [Footnote #] The Virtue Flat Mining Area is outside the Land Use Standard analysis area of 1/2 mile; and therefore, it is not required to be addressed to demonstrate compliance with the Land Use Standard. Regardless, it is discussed here for information purposes only in response to comments raised by Baker County.
	On page 176-177, with respect to the Flagstaff Hill Monument historic resource designated by Baker County, the DPO merely concludes "the Project will not affect the characteristics that make the monument important," but does not explain what those important characteristics are or how the Project will not affect them. This conclusory statement is insufficient for the County to evaluate whether IPC is justified in deciding to not conduct further analysis of this resource, and was brought forward in our comments on December 14, 2018 but not corrected in the DPO.	Idaho Power suggests that the Council add the following discussion: The conclusion concerning the Flagstaff Hill Monument (also known as the Kiwanis Oregon Trail Monument" (050305155SI) is supported by information provided by the applicant in Appendix D of Attachment S-10 (Visual Assessment of Above-Ground Historic Properties Form). The applicant explains in that information that the facility alignment will include five nearby towers potentially visible to the resource's west-northwest near the same location as an existing transmission line, however, due to the limited visibility of the existing transmission line, the facility would have weak contrast with the landscape. Further, the applicant explains that the monument's significance is not integral to the Oregon Trail, rather it's a symbolic commemoration of the trail. Additionally, the applicant shows that the facility would not obscure views from the monument to the trail. Lastly the applicant notes that the facility would not fragment views of the Oregon Trail, concluding that there would be no adverse effects.

	Page 217 includes a description of the applicant's attempts to minimize impacts on agricultural operations, but the current route in the Durkee Valley does not reflect that.	This comment lacks specificity with respect to how Idaho Power's minimization measures are insufficient, particularly as those measures apply in the Durkee Valley.
	Baker County also reiterates its concern, originally expressed in its comment letter dated October 2, 2017, and again on December 14, 2018 that route selection near Durkee overemphasized resource values on the BLM property and improperly minimized impacts to nearby private agricultural lands, thereby avoiding BLM property to the maximum extent possible.	First, this type of alternative routing analysis is outside the scope of the EFSC's consideration of the DPO. Second, the county's suggestion that Idaho Power favored siting the facility on private land over BLM land is inaccurate. On the contrary, Idaho Power's site selection criteria included avoiding agricultural lands where possible. Indeed, Idaho Power originally proposed routes in the Durkee Valley that would have crossed more BLM land and could have avoided private agricultural lands; however, BLM rejected those routes.
	The proposed route unnecessarily bisects agricultural parcels to the detriment of the landowners despite the fact that alternative routes across those parcels with less adverse impacts are available.	This comment lacks specificity. Even so, in the Agricultural Assessment, Idaho Power commits to working with individual landowners during the right-of-way acquisition process to micro-site the facility in a way that avoids or minimizes impacts to agricultural practices as much as practicable.
	Baker County and IPC have reached an agreement in principle to amend the proposed route in the general vicinity of Durkee so that the route, while still on private agricultural lands, has less adverse impacts to Goal 3 values; however, as currently described in the ASC, the proposed route does not implement that agreement. Consequently, Baker County finds that the analysis in the DPO, with respect to the proposed route near Durkee is insufficient to comply with Oregon's protections afforded agricultural land under Goal 3. Additional impacts have been identified in the current proposal that would negatively impact a property owner's (Nygard) domestic water supply, which is provided by a spring. The amended route discussed above would avoid	As mentioned above, alternative routing is outside the scope of the Council's consideration of the DPO. As Idaho Power demonstrated in Exhibit K—and specifically in Idaho Power's analysis of the transmission line location on EFU in Baker County--the proposed route is consistent with Goal 3. The county is correct that Idaho Power has reached an agreement in principle with the Nygards to address their concerns with impacts to their water supply. However, that agreement does not weigh on the sufficiency of the application or the DPO; and the county's statement otherwise is unsubstantiated and lacks specificity.

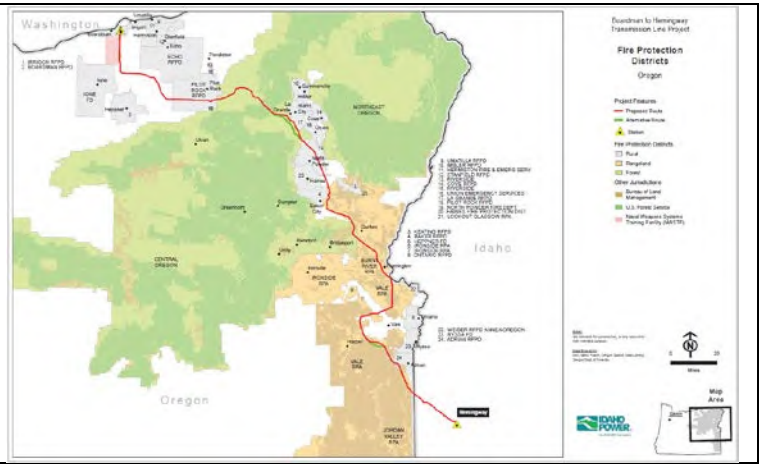
	those impacts, but the current route is likely to be largely detrimental to the landowner's spring.	
	Section IV.H.1. General Fish and Wildlife Habitat Mitigation Goals and Standards	
	Page 282, beginning on line 23, outlines the applicant's plan to address the Fish and Wildlife Habitat standards in OAR 345-022-0060 by finalizing a weed plan currently in draft form. Baker County has a specific interest in the finalization of the weed plan for the purpose of preventing the spread of weeds across the entirety of the project in Baker County, including agricultural lands, right-of-ways, and sensitive sage grouse habitat. As you may be aware, there are serious concerns about the Sage-grouse population in the Baker PAC, and it is a matter of utmost importance to Baker County habitat degradation be prevented.	See response above where Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.
	Attachment Pl-5 (Draft Noxious Weed Plan) includes the statement, "For EFSC purposes, !PC is not responsible for controlling noxious weeds that occur outside of the Project ROWs or for controlling or eradicating noxious weed species that were present prior to the Project." This statement is contradictory to the Oregon Weed Law identified in ORS 569.390: "Each person, firm or corporation owning or occupying land within the district shall destroy or prevent the seeding on such land of any noxious weed". The remainder of the statement included on page 3 of Attachment pl -5 implies that the applicant intends to comply with ORS 569, however, if and existing weed infestation is identified, it's important that spread is prevented regardless of the outcome of the applicant working with the landowner or land management agency.	Idaho Power's statement is intended to be read in the context of determining compliance with the EFSC standards, which focus on the impacts from the project. From that perspective, weeds that are present prior to the project are not considered impacts from the project because the weeds existed prior to the project and were not caused by the project. As a result, Idaho Power isn't required to address pre-existing weeds as a matter of compliance with the EFSC standards because those weeds aren't considered project impacts. Nonetheless, to the extent ORS 569.390 applies to the project, Idaho Power will comply with the statutory requirements. But the specifics of compliance under that statute are dictated by the local court and weed district, and need not be addressed through a site certificate condition.
	The applicant has committed to managing noxious weeds	See Idaho Power's proposed condition above, which would

	consistent with ORS 569 and the Baker County Noxious Weed Management Plan. Recommended Fish and Wildlife Condition 3, in turn, obligates the applicant to obtain final ODOE approval of its Noxious Weed Plan. Again, the rationale for providing final plans to the County (and other SAGs) applies here - Baker County should have the opportunity to review the final plan to ensure in complies with the Baker County Noxious Weed Management Plan. Fish and Wildlife Condition 6 should be revised accordingly. IPC has committed to working with the County on this matter, and the County requests this be included as a condition.	provide the county opportunities to review and comment on the plan.
	Baker County requests the following amendments to Recommended Fish and Wildlife Condition 3, or inclusion of an additional condition: o Assurance written into the text of the condition that the spread of existing weed infestations is prevented.	The County's suggestion that the Noxious Weed Plan is insufficient is inaccurate, unsubstantiated, and lacks specificity. The plan is a highly developed plan with sufficient detail and specificity to meet the relevant EFSC standards.
	o Baker County should have the opportunity to review the final plan to ensure in complies with the Baker County Noxious Weed Management Plan	See Idaho Power's proposed condition above, which would provide the county opportunities to review and comment on the plan.
	o A contractor with extensive knowledge of the local weeds and best methods for control is utilized by the applicant.	The weed operator qualifications set forth in the Noxious Weed Plan are entirely sufficient (see Section 5.1 of the Plan for qualifications). Those qualifications include that the operator have experience and training in noxious weed identification, mapping, and management; and that the operator be a licensed pesticide applicator or a trainee being supervised by a licensed pesticide applicator. The county has provided no substantive specific evidence demonstrating that these qualification are insufficient, particularly showing that the operator must be local. For those reasons, the Council

		should not grant the county's request for additional qualifications.
	o Baker County reiterates its recommendation that a condition of approval be adopted obligating IPC to provide a bond specifically to secure its weed management obligations. This bond should remain in place until 10 years after construction of the project is complete. Weed management is an ongoing obligation during project construction and operation, not just an obligation associated with retirement and decommissioning.	This request assumes, without substantive evidence or specificity, that the implementation of Idaho Power's Noxious Weed Plan will be ineffective. It also discounts the statutory process already in place for enforcement of weed eradication declarations, in ORS 569.400, which make the requested bond duplicative and unnecessary. For those reasons, the Council should not grant the county's request for a weed eradication bond.
	Section IV.J Scenic Resources	
	An analysis of the scenic resources in Baker County that would be impacted by the project begins on page 357. Approximately fifteen of the scenic resources evaluated are in Baker County, a number of which are significantly visually impacted. Over 70 miles of transmission line are proposed transecting Baker County, the cumulative visual impact is both large, and largely unmitigated. Baker County is known for its scenic quality, and a 500 kV transmission line will be detrimental to those qualities, which will in turn harm both the Baker County tourism industry and the scenic qualities residents enjoy. Baker County disagrees with the statement made in a number of the scenic resources evaluations that there will be impacts, but because other siting choices are not ideal, the scenic resource is not impacted. Other siting factors do not change the scenic impact, and the impacts are not appropriately mitigated.	Idaho Power respectfully disagrees with the county's statement that a number of the resources in Baker County will be significantly impacted. Idaho Power analyzed potential impacts to scenic resources using a thorough, reasoned methodology developed by visual resources experts. Applying that methodology, it was determined that the impacts to each of the resources in Baker County will be less than significant, taking into account the proposed mitigation. In comparison, the county's statement about significant impacts is conclusory and unsubstantiated, and lacks specificity. And with respect to the county's comments regarding cumulative impacts, the EFSC standards provide for an analysis of impacts to specific resources as provided in EFSC's scenic resources standard, and not cumulative impacts across an entire landscape. Importantly, the scope of EFSC's jurisdiction is limited to consideration of those resources identified in accordance with EFSC's scenic resources standard. For those reasons, the department's conclusion should not be changed. The county's suggestion that Idaho Power avoided finding significant impacts based on a lack of alternative siting

		choices is inaccurate. Any alternative siting locations are included for context only, and a lack of alternative siting locations was not taken into account to determine whether the visual impact is significant. In other words, the availability—or lack of availability—of alternative sites had no bearing on Idaho Power's significance determinations.
	Regarding NHOTIC, Baker County agrees with Recommended Scenic Resources Condition 2 as partial mitigation for the visual impact to the Center, especially the proposal for the lower H-frame structures. Baker County is appreciative of the information provided in the errata documents describing the potential impacts of an underground line in the area. It's clear that the impact to landowners would be unacceptable along the proposed route in proximity to the NHOTIC, and the visual impacts would still be significant.	Idaho Power appreciates the county's acceptance of the undergrounding analysis.
	IV.M Public Services	
	The listing of fire departments found in Table PS-9 on pages 505 and 506 does not list the Huntington Fire Department, however, it appears the project will be within their response area. Page 193 line 11 notes that a multi-use yard will be within the City of Huntington, other project components appear to be in close proximity. This concern was brought forward in comments submitted on December 14, 2018 but has not been corrected in the DPO.	Idaho Power agrees that the following information should be added to Table PS-9: **Department:** Huntington Fire Department **County:** Baker County **Number of Fire-Fighters:** 7 volunteer firefighters **Equipment:** 6 vehicles- • type 1 structure engine • type 4 wildland engine • type 6 humvee • 2 6x6 2500 gallon tenders • rescue/medical truck **Estimated Response Time:** 5-10 minute response time
	Baker County reiterates its concerns expressed in prior comments that the ASC provides insufficient mitigation for fire risk and medical emergencies. With respect to fire, much of the land in Baker County has minimal fire protection	Idaho Power agrees with the county that the mutual-aid-agreement discussion is not entirely accurate. The discussion also is not entirely representative of Idaho Power's plan for ensuring that adequate fire response procedures are in place

	available. Lines 2-8 on page 508 state that lands that are not within a fire district will be covered by mutual aid. While that may be true under ideal circumstances, in areas outside of a fire district or association, there is no guarantee of fire response. Mutual aid agreements as used in this context are between two fire response organizations who have like resources to ' trade ', they are not made to cover lands that don't fall within any jurisdiction's response territory. The assumptions made in the ASC are therefore not accurate, and cannot be utilized to demonstrate compliance with the public services standard because they do not accurately account for the project's impact or the reality of fire response in the project area. Baker County disagrees with the statement that the project will not have significant impacts on fire protection services. The DPO describes precisely why the fire protection impact is significant - most construction will occur during hot and dry weather, when fire risk is highest, in grassland and shrub-dominated landscapes particularly vulnerable to fire. Project construction involves many potential fire-inducing activities including use of motorized vehicles and equipment, welding, refueling and smoking. As we know from the last few summers, fire risk is already elevated in eastern Oregon even without introducing increased fire hazards into remote areas. Given the high fire risk and the minimal available public services, IPC needs a more robust Fire Prevention and Suppression Plan. IPC needs to be required to provide meaningful mitigation for the impact, such as a full complement of fire protection equipment and trained firefighting personnel on site during construction, as well as an emergency plan coordinated with the County Emergency Management staff. This plan must be coordinated with the County and fire response agencies. IPC has committed to working with the County on this matter, and the County requests this be included as a condition.	in the event of a fire. To clarify those points, Idaho Power has provided the map and table below, demonstrating that the vast majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. In those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries (those agreements are not considered "mutual aid agreements," as mentioned by the county). In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. Further, to address the county's concerns about coordination on the final Fire Prevention and Suppression Plan, see response above where Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.

		 Washington Idaho Oregon Boardman to Hemingway Transmission Line Project Fire Protection Districts Oregon Project Features Fire Protection Districts Other Jurisdictions Bureau of Land Management U.S. Forest Service Map Area

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9
	None	5.5
230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1

		Idaho Power suggests that the Council make the following changes to the fire response discussion to capture the clarifications discussed above: The applicant demonstrates that the large majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. For construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiation an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. ~~Not all lands in the analysis area fall within a designated fire district. In those cases, the closest or best situated fire district responds to fires. Mutual aid agreements have been established between local fire districts and adjacent counties to pool resources, ensure cooperation between these entities, and respond to fires on a county and state level instead of isolating efforts to local districts. As a result of these mutual aid agreements, the fire district that responds to a fire may not be the district that the fire occurs in, or even the closest district; instead, response is based on the district that is best situated and suited to respond.~~ The applicant provided correspondence summaries with fire

		departments, rural fire protection districts, and rangeland fire protection associations in ASC Exhibit U, Attachment U-1C. The majority of fire protection providers discussed that the proposed facility would not adversely impact their ability to provide fire prevention services. There were concerns expressed from some fire protection providers that fire districts within the analysis area are comprised of volunteers, so it may take considerable time to collect and mobilize an entire fire crew and that response times to fires in the analysis area vary depending on the time of day, the priority of the emergency/call and the location of the emergency and the type of available access. The Department notes that the response times provided in Table PS-9: Fire Departments, Rural Fire Protection Districts, and Rangeland Fire Protection Associations, are estimates that may not contemplate a busy fire season with longer delays or response times. Addressed below is the discussion of the draft Fire Prevention and Suppression Plan and measures the applicant would be required to take to minimize on-site fire risks and the applicant's ability to provide fire protection measures itself until responders arrive.
	Lines 35-36 on page 508 identify calling the nearest fire response agency as part of the protocol for responding to a fire start. Baker County requests this language be updated to state that fire starts will be reported to the appropriate fire dispatch center, the numbers for which will be included in an emergency response plan all onsite project managers carry a copy of at all times, or by calling 911.	The notification provisions in Section 2.2 of the Fire Prevention and Suppression Plan already appear to be consistent with the county's request, providing that fires will be reported to 911.
	Page 511 lines 9-14 discuss a hazard brought to the applicant's attention about fighting fire near energized power lines, and a statement is included that the applicant will provide firefighting agencies contact information for their	Idaho Power proposes the following condition edit, requiring Idaho Power to contact the relevant firefighting agencies and provide them Idaho Power's outage hotline number:

	dispatch center. Baker County requests this element be explicitly included as a part of the conditions of approval so it is not overlooked.	Public Services Condition 5: At least 90 days prior to construction of a facility phase or segment, the certificate holder shall submit a Fire Prevention and Suppression Plan, for review and approval by the Department, in consultation with each county planning department. The final Fire Prevention and Suppression Plan shall include the following, unless otherwise approved by the Department: a. The protective measures as described in the draft Fire Prevention and Suppression Plan as provided in Attachment U-3 of the Final Order on the ASC. b. A description of the fire districts and rural fire protection districts that will provide emergency response services during construction and copies of any agreements between the certificate holder and the districts related to that coverage. The certificate holder shall provide to each of the fire districts and rural fire protection district districts identified in the approved plan a contact phone number to call in the event a district needs to request an outage as part of a fire response. c. All work must be conducted in compliance with the approved plan during construction and operation of the facility.
	Recommended Public Service Condition 5 requires coordination with each County's Planning Department, but the Planning Department is not a representative of fire response agencies. Replacing this language with just "County and impacted fire response agencies" will allow for the appropriate review to take place.	Idaho Power proposes the following condition edit, requiring Idaho Power to coordinate with each county (versus the planning department) as well as the relevant fire response entities: Public Services Condition 5: At least 90 days prior to construction of a facility phase or segment, the certificate holder shall submit a Fire Prevention and Suppression Plan, for review and approval by the Department, in consultation with each county ~~planning department~~ and

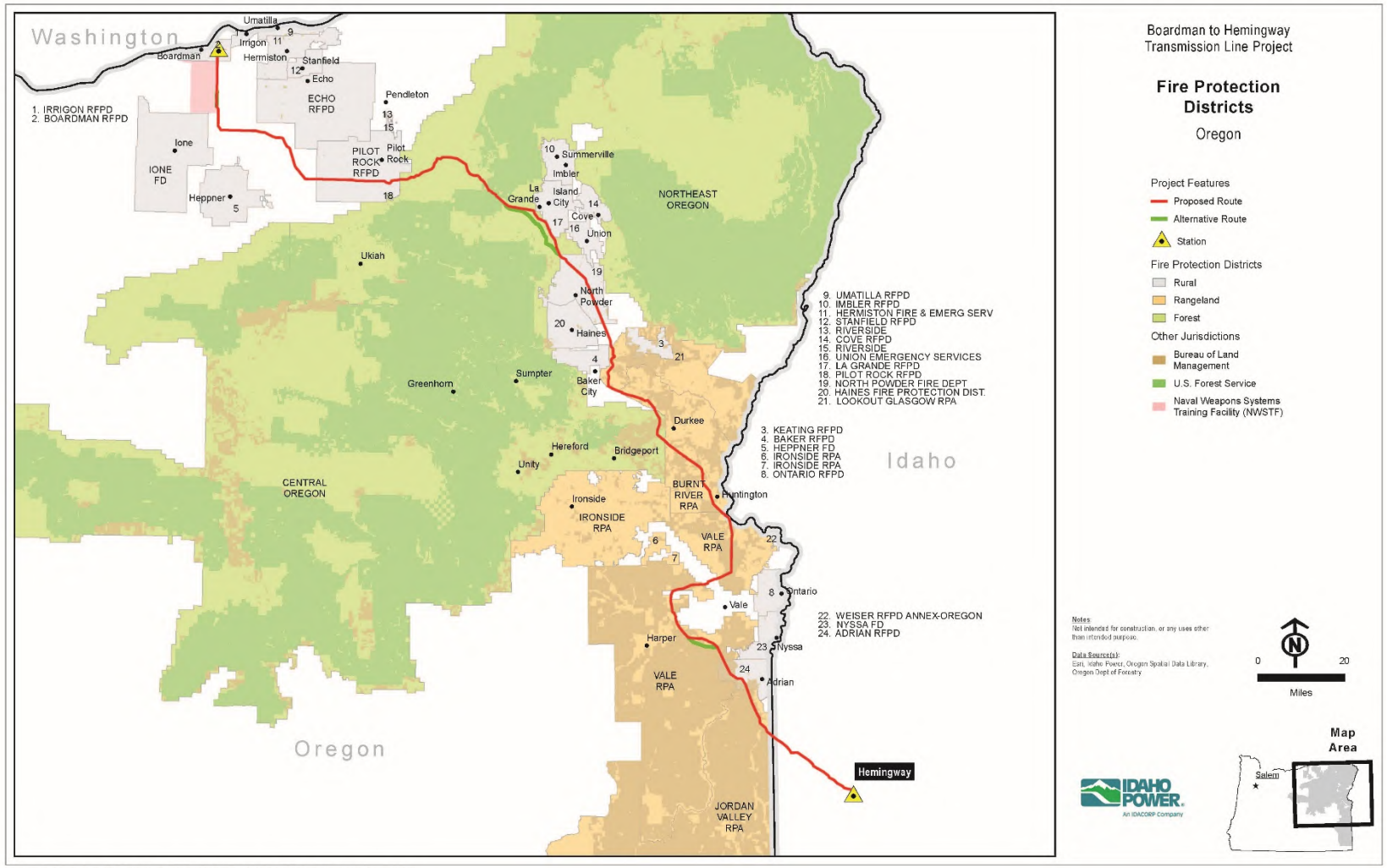
		the fire districts and rural fire protection districts identified in the plan. The final Fire Prevention and Suppression Plan shall include the following, unless otherwise approved by the Department: a. The protective measures as described in the draft Fire Prevention and Suppression Plan as provided in Attachment U-3 of the Final Order on the ASC. b. A description of the fire districts and rural fire protection districts that will provide emergency response services during construction and copies of any agreements between the certificate holder and the districts related to that coverage. The certificate holder shall provide to each of the fire districts and rural fire protection districts identified in the plan a contact phone number to call in the event the districts need to request an outage as part of a fire response. c. All work must be conducted in compliance with the approved plan during construction and operation of the facility.
	With regard to medical emergencies, response times to some portions of the project route can exceed one hour, which could then be followed by long travel to a hospital in Baker City, La Grande, Ontario or even Boise depending on the event. To improve response time, IPC should be required to develop a specific Medical Response Plan and have all onsite project managers carry a copy of the plan at all times. The plan should specifically require advance notice to ambulance and life-flight services of active construction locations, and should pre-identify life-flight landing locations near the work zone. If predicted response times are likely to adversely impact an	The medical response information the county is seeking will be captured in the Environmental and Safety Training Plan (see Public Services Condition 4), making a separate medical response plan is unnecessary. Public Services Condition 4.c.iii already provides that the Environmental and Safety Training Plan shall include life-flight landing locations. The county's statement that having an ambulance respond to

	ambulance service provider's ability to provide services, and it's reasonable to believe having an ambulance committed to a call for multiple hours will, IPC is required to mitigate the impact.	a distant call will adversely impact the service provider is unsubstantiated. The medical providers contacted during preparation of Exhibit U generally indicated that responding to a job site injury for this project would not be an undue burden on their services, as they are used to responding to distant calls given the rural areas they serve. Therefore, no mitigation is necessary.
	This plan must be coordinated with the County and medical response providers. IPC has committed to working with the County on this matter, and the County requests this be included as a condition.	Idaho Power proposes the following condition edit, requiring Idaho Power to coordinate with each county (versus the planning department) as well as the relevant medical response entities: Public Services Condition 4: At least 90 days prior to construction of a facility phase or segment, the certificate holder shall submit to the Department ~~and each affected County Planning Department a proposed~~ an Environmental and Safety Training Plan, for review and approval by the Department, in consultation with each county and the medical response entities identified in the plan. ~~The plan must be approved by the Department, in consultation with each affected county planning department, prior to construction of a facility phase or segment.~~ The plan must include at a minimum, the following elements: a. Measures for securing multi-use areas and work sites when not in use; b. Drug/alcohol/firearm policies with clear consequences for violations; and c. An emergency and medical response plan including: i) Contact information for federal, state, and county emergency management services; ii) Emergency response procedures for helicopter emergency response, spill reporting, hospitals closest to the transmission line route,

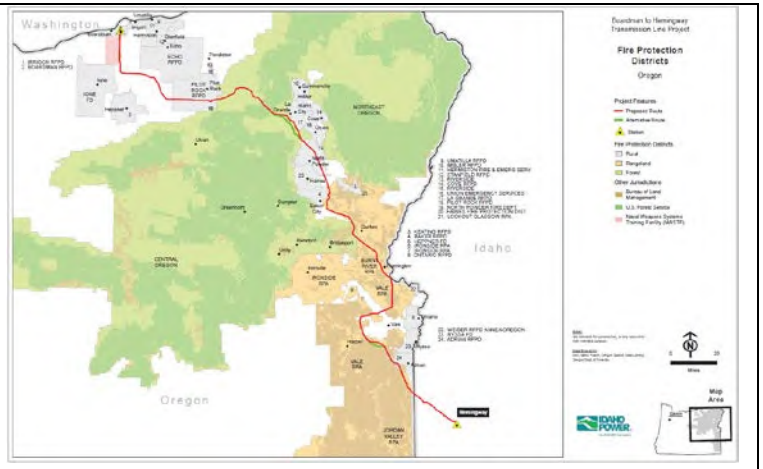
		and any other emergency response procedures; iii) Landing locations for medical emergency life-flights. d. Requirements for training workers on the contents of the plan. e. The certificate holder shall maintain copies of the Environmental and Safety Training Plan onsite and conduct all work in compliance with the plan during construction and operation of the facility.

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9
	None	5.5

230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1


Boardman to Hemingway Transmission Line Project
Fire Protection Districts
Oregon
Project Features
Proposed Route
Alternative Route
Station
Fire Protection Districts
Rural
Rangeland
Forest
Other Jurisdictions
Bureau of Land Management
U.S. Forest Service
Naval Weapons Systems Training Facility (NWSTF)
1. IRRIGON RFPD
2. BOARDMAN RFPD
3. KEATING RFPD
4. BAKER RFPD
5. HEPPNER FD
6. IRONSIDE RPA
7. IRONSIDE RPA
8. ONTARIO RFPD
9. UMATILLA RFPD
10. IMBLER RFPD
11. HERMISTON FIRE & EMERG SERV
12. STANFIELD RFPD
13. RIVERSIDE
14. COVE RFPD
15. RIVERSIDE
16. UNION EMERGENCY SERVICES
17. LA GRANDE RFPD
18. PILOT ROCK RFPD
19. NORTH POWDER FIRE DEPT
20. HAINES FIRE PROTECTION DIST.
21. LOOKOUT GLASGOW RPA
22. WEISER RFPD ANNEX-OREGON
23. NYSSA FD
24. ADRIAN RFPD
Washington
Idaho
Oregon
Umatilla
Irrigon
Boardman
Hermiston
Stanfield
Echo
Pendleton
ECHO RFPD
Ione
IONE FD
PILOT ROCK RFPD
Pilot Rock
Heppner
Summerville
Imbler
La Grande
Island City
Cove
Union
NORTHEAST OREGON
Ukiah
North Powder
Haines
Sumpter
Greenhorn
Baker City
Durkee
Hereford
Bridgeport
Unity
CENTRAL OREGON
Ironside
IRONSIDE RPA
BURNT RIVER RPA
Huntington
VALE RPA
Ontario
Vale
Harper
Nyssa
Adrian
JORDAN VALLEY RPA
Hemingway
Notes
Not intended for construction, or any uses other than intended purpose.
Data Source(s):
Esri, Idaho Power, Oregon Spatial Data Library, Oregon Dept of Forestry
0
20
Miles
Map Area
Salem
IDAHO POWER
An IDACORP Company

Commenter	Comment	Idaho Power's Response
Malheur County	I. Page 35, Line 22 discusses the prevention and suppression of wildfires in eastern Oregon, designating the task to BLM, USFS, and local fire districts and agencies. The majority of B2H is not located in a local fire district (see Attachment 1) in Malheur County. Instead, the wildfire suppression would be performed by BLM with the cooperation of the designated Rangeland Fire Protection Associations (RFPA) (see Attachments 2 & 3). Malheur County would like to see a Condition of Approval which would direct the Applicant to coordinate with the local RFPA's for wildfire prevention and suppression.	To address the county's concerns and to clarify Idaho Power's plan for ensuring that adequate fire response procedures are in place in the event of a fire during construction, Idaho Power has provided the map and table below, demonstrating that the vast majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. During construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites.

		 Washington Idaho Oregon Boardman to Hemingway Transmission Line Project Fire Protection Districts Oregon Project Features Fire Protection Districts Other Jurisdictions Bureau of Land Management U.S. Forest Service Map Area

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9
	None	5.5
230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1

		Idaho Power suggests that the Council make the following changes to the fire response discussion to capture the clarifications discussed above: The applicant demonstrates that the large majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. For construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. ~~Not all lands in the analysis area fall within a designated fire district. In those cases, the closest or best situated fire district responds to fires. Mutual aid agreements have been established between local fire districts and adjacent counties to pool resources, ensure cooperation between these entities, and respond to fires on a county and state level instead of isolating efforts to local districts. As a result of these mutual aid agreements, the fire district that responds to a fire may not be the district that the fire occurs in, or even the closest district; instead, response is based on the district that is best situated and suited to respond.~~ The

		applicant provided correspondence summaries with fire departments, rural fire protection districts, and rangeland fire protection associations in ASC Exhibit U, Attachment U-1C. The majority of fire protection providers discussed that the proposed facility would not adversely impact their ability to provide fire prevention services. There were concerns expressed from some fire protection providers that fire districts within the analysis area are comprised of volunteers, so it may take considerable time to collect and mobilize an entire fire crew and that response times to fires in the analysis area vary depending on the time of day, the priority of the emergency/call and the location of the emergency and the type of available access. The Department notes that the response times provided in Table PS-9: Fire Departments, Rural Fire Protection Districts, and Rangeland Fire Protection Associations, are estimates that may not contemplate a busy fire season with longer delays or response times. Addressed below is the discussion of the draft Fire Prevention and Suppression Plan and measures the applicant would be required to take to minimize on-site fire risks and the applicant's ability to provide fire protection measures itself until responders arrive. Further, to provide the counties an additional role in the review of and consultation on the Fire Prevention and Suppression Plan (which will address fire response coordination), Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the Fire Plan[1] prior to Idaho Power's

[1] This process of county review would also apply to the blasting plan, agricultural assessment, ROW clearing assessment, reclamation plan, noxious weed plan, county-specific transportation and traffic plans, and environmental and safety training plan.

		submittal of the plan to ODOE and committing Idaho Power to provide written responses to any comments received from the counties. The comments and responses would be provided to ODOE, which would act as the final decisionmaker on any remaining issues. The following language would be added to the condition that addresses the Fire Plan: c. Before the certificate holder submits the final Fire Plan to the Department, the certificate holder shall provide Morrow, Umatilla, Union, Baker, and Malheur counties (collectively, the "Counties") the following opportunities to review and comment on the Fire Plan: i. When the certificate holder begins to finalize the Fire Plan, the certificate holder shall notify the Counties that the certificate holder is beginning to finalize the Fire Plan and shall request that the Counties provide written comments within 60 calendar days from said notice. If requested by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the Fire Plan; however, the timing of the in-person meeting will not affect the Counties' obligation to provide comments by the 60-day deadline. ii. The certificate holder shall provide to the Counties a copy of the revised Fire Plan along with written responses to any of the Counties comments received within the 60-day window set forth above in subsection (c)(i) of this condition. The certificate holder shall request that the Counties provide written comments on the revised Fire Plan within 60 calendar days. If requested by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the revised Fire Plan; however, the timing of the in-person meeting will not affect the Counties' obligation to provide

		comments by the 60-day deadline. iii. When the certificate holder submits the final Fire Plan to the department, the certificate holder shall provide to the Counties and the department a copy of any comments received from the Counties' within the 60-day window set forth above in subsection (c)(ii) of this condition, as well as Idaho Power's responses to those comments.
	II. Page 187, Line 2 indicates that development will occur on lands zoned RI (Rural Industrial). Rural Industrial is not a land zoning designation in Malheur County. Our analysis of the transmission line shows development on land designated C-I2 (formerly M-3 Heavy Industrial). Table LU-7 should be updated to include the requirements of Malheur County Code 6-3I. Also, Findings of Fact should be adopted by the Council to address the Performance Standards located in 6-3I-4.	Idaho Power provides the following requested information, noting that the Malheur County Code in place at the time of the submittal of the pASC (and related "land use freeze") referred to Heavy Industrial Zone as M-2, not M-3: *Malheur County Code 6-3I Heavy Industrial Zone* Proposed facility components within the Heavy Industrial zoned land in Malheur County would include one multi-use area. An evaluation of the applicable substantive criteria for this use within Heavy Industrial zoned land is presented below. MCC 6-3I-3: Conditional Uses *The following uses and their accessory uses may be established when authorized in accordance with Chapter 6 of this Title:* *A. All conditional and permitted uses allowed in an M-1 Zone that are compatible with a heavy industrial zone.* *. . .* *G. Any uses that may possess characteristics injurious to health and safety due to emissions of smoke, dust, odor, fumes, refuse, noise or other effluents.*

		MCC 6-3I-3 establishes that the multi-use area is a conditional use in the Heavy Industrial Zone as either a utility facility (which is a conditional use authorized in the Light Industrial M-1 Zone, see MCC 6-3H-3.I) or a use involving smoke, dust, odor, fumes, refuse, noise, or other effluents, subject to the requirements of MCC 6-3I-4. MCC 6-3I-4 *Each structure or use permitted or conditionally permitted in the M-2 Zone shall meet the following performance standards:* *A. Conduct of Use: No permitted or permissible use shall be conducted in any manner which would render it noxious or offensive by reason of dust, refuse matter, odor, smoke, gas fumes, noise, vibration or glare.* *B. Enclosure: All manufacturing or processing activities shall be completely enclosed in buildings, except as provided by the conditional use section of this Article.* *C. Outdoor Storage: Junk, salvage, auto wrecking and similar operations shall be fenced, screened or limited in height so as to block substantially any view of such material from any point located on an abutting street or from any point less than eight feet (8') above grade within any abutting residential or commercial zone. However, this subsection C shall not be deemed to require more than an opaque fence or screen not more than ten feet (10') in height and not longer than the full perimeter of the subject zoning lot, and further provided, such screening may be reduced in height so as to avoid shading a solar collector on adjoining property when so requested by the adjoining property owner or a government official. No outdoor storage of materials which could be blown into the air or strewn about by*

		wind shall be permitted. *D. Loading: Truck loading and unloading operations shall take place entirely within the site and shall not be so located as to interfere with pedestrian routes.* *E. Fire Hazard: No operation shall be established which constitutes a fire hazard.* *F. Noise: Noise shall be muffled as available technology permits so as to not be objectionable due to intermittence, beat frequency or shrillness and shall meet any State standards.* *G. Sewage and Liquid Waste: All operations shall comply with any applicable regulations of the County, State or Federal agencies responsible for pollution control. No wastes of a chemical, organic or radioactive nature shall be injected or buried in the ground or stored in the open on the surface except in approved containers.* *H. Odor: The emission odors that are generally agreed to be obnoxious to any considerable number of people shall be abated with the latest feasible technology. As a general guide to classification of odor, it is deemed that odors of putrefaction, hydrogen sulfide, fermentation and rendering processes are objectionable while odors associated with baking, coffee roasting or nut roasting are normally not considered obnoxious. To reduce odors, the open air cooling of products with aromatic emissions shall be avoided. Floors, machinery, storage containers and other surfaces shall be kept clean of material which is potentially odor causing.* *I. Vibration: All machines shall be mounted so as to minimize vibration. Vibration shall not be so excessive as to interfere with heavy industrial operations on nearby premises.* *J. Glare and Heat: Any glare producing operations, such*

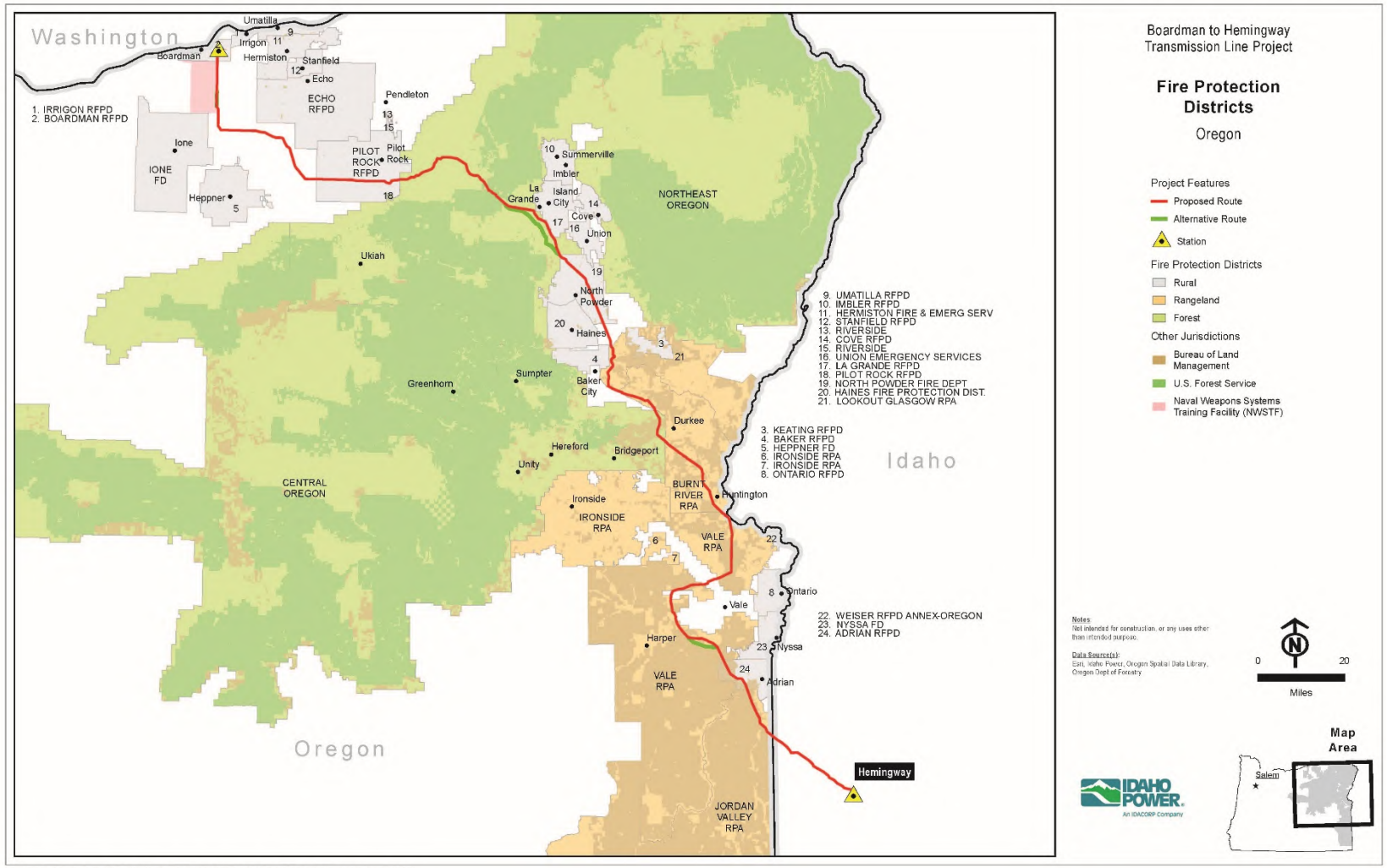
		as welding arcs, shall be shielded so that they are not visible from the property line and surfaces near the glare source shall be of a type which will minimize the reflection of such glare beyond the property line. No heat from equipment or furnaces shall raise the temperature of materials or ambient air at the property line more than three degrees Fahrenheit (3°F). *K. Interpretation: Whenever it cannot be decided by reasonable observation that a performance standard is being met, it shall be the responsibility of the operator of the use to supply evidence or engineering data to support the contention that a standard is being met. The standards are designed, except where referring to other codes, to be judged by ordinary human senses and not by the minute detail of scientific quality instruments. Until such evidence or engineering data is supplied and proves to be convincing, the judgment of the Planning Director shall be the determining factor.* MCC 6-3I-4 establishes general criteria for conditional uses permitted in HI zoned land. The proposed temporary multi-use area would generate dust, refuse, smoke, fumes, noise, vibrations, and glare consistent with other allowable uses within the HI zone, such as concrete plants, trucking freight terminals, and service stations each of which is a permitted use in the HI Zone under MCC 6-3I-2. However, the noise, waste, odor, vibrations, and glare would not be excessive or interfere with nearby operations. Truck loading and unloading operations related to the project will take place entirely within the MUA site. Further, the applicant will coordinate with the county in preparing

		the county-specific Transportation and Traffic Plan to address any traffic concerns that might impact pedestrian routes. Finally, the Malheur County Planning Department indicated to the applicant that, with respect to enclosures, the concrete batch plant activities would not need to be enclosed in a separate building other than the plant itself. Therefore, for these reasons, the Department recommends the Council find that the proposed temporary multi-use area would satisfy MCC 6-3I-4 performance standards.
	III. Page 187, Line 22 starts the discussion requiring a Floodplain Development Permit for Malheur County. The verbiage of this paragraph indicates that a single permit will cover the entire 75-mile route through the County. A Floodplain Development Permit will be required for each location where development will occur within a regulatory floodplain.	Idaho Power does not object to the proposed change, indicating that Idaho Power will need a separate Floodplain Development Permit for each location where development will occur with a designated floodplain.
	IV. Page 187, Line 35 discusses the required setbacks from property lines. Malheur County Code 6-3A-6 requires a 15-foot setback from property lines, not the 25 feet stated in the DPO. The increased setback could cause additional encroachment harm to farmers, mostly in Exclusive Farm Use.	Idaho Power does not object to Malheur County's proposed change to the land use condition to incorporate the 15-foot setback requirement: Recommended Land Use Condition 12: For facility components in Malheur County, the certificate holder shall design the facility to comply with the following setback distances and other requirements: In the EFU and ERU Zones (Based solely on certificate holder representations in the ASC): a. Buildings shall be setback as follows: (ii) at least 40 feet from a street or road right-of-way; and (iii) at least ~~25~~ 15 feet from any other property line. . . . .
	V. Separate zoning permits will be required for the resource lands (EFU and ERU) and the Industrial lands in order to	Idaho Power does not object to any edits clarifying that the project will receive a separate land use permit for each

	separately evaluate the zoning requirements for a total of two zoning permits.	affected land use zone.

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9

	None	5.5
230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1



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Commenter	Comment	Idaho Power's Response
Morrow County	Pine City Road: On page 23, line 27, there is a reference to Pine City Road. There is not a Pine City Road in Morrow County. In previous comment Morrow County identified that the misnamed road is most likely Little Butter Creek Road (Morrow County comment letter 09142017).	Idaho Power agrees with the County. Exhibit C, Attachment C-2, Map 13 correctly identifies the referenced road as Little Butter Creek Road. The Council should similarly recognize this road as Little Butter Creek Road.
	General Standard of Review: This discussion begins on page 47 line 17. There are two comments related to this section. o A typographical error occurs on pages 50, 51 and 53 in the heading of Conditions 1, 2 and 5 where the words "Standard of Review" are currently written as "of Review Standard." o Morrow County would like to request that as part of Recommended General Standard of Review 6 on page 53 line 15 under (c) the counties be added as follows: In compliance with all applicable permit requirements of other state agencies *and counties*.	Idaho Power agrees that the typographical errors noted by the County should be corrected. Idaho Power suggests that the Council leave the condition as recommended since it is a mandatory condition the language of which is taken directly from the regulation, and local government permitting requirements are addressed in specificity in the remaining conditions.
	Land Use: The discussion of land use begins on page 95 line 32 with the Morrow County discussion beginning on page 100 line 20. As part of the discussion concerning facility components on land zone General Industrial and Port Industrial there is a clear requirement for the facility to obtain a Zoning Permit. However, no Zoning Permit is called out in Land Use Condition 1(a). We ask that this be added to that list of necessary permits.	The referenced condition is intended to identify county permits that are not authorized and covered by the EFSC site certificate. Because the Zoning Permit is covered by the site certificate, it was not included in this condition.
	Because the transmission line is an "utility facility necessary" and is not subject to Conditional Use Permit review, coupled with the goalpost rule retaining review under an older version of the Morrow County Zoning Ordinance, there is a bit of frustration in that the Department has determined that no permits should be issued for the facility on land zoned as Exclusive Farm Use. Other recent transmission line permits that have been issued in Morrow County have been	Idaho Power understands that, upon being presented with the site certificate, the County will issue a land use decision and any related permit, and will collect the related application fee from Idaho Power. That said, to the extent the County is suggesting that the application would then be subject to County notice and review processes, Idaho Power respectfully disagrees; the EFSC site certificate process stands in place of a county's notice and review process for any local

	completed as a Land Use Decision, requiring notice and review under the standards found in Oregon Revised Statute 215.275. Morrow County would request that a requirement be added to Land Use Condition 1 requiring the applicant to obtain a Land Use Decision for the portion of transmission facility on land zoned for Exclusive Farm Use. This would keep Morrow County whole under Oregon Revised Statute 469.401 by allowing us to issue a permit and retaining our authority to obtain an application fee.	permits authorized and covered by the site certificate, and here, the land use decision and zoning permit will be issued by the county pursuant to the EFSC site certificate and therefore will not be subject to additional county notice and review processes.
	Statewide Planning Goals: An evaluation of the Statewide Planning Goals begins on page 216 at line 21 and continues to page 222 line 24 where the Goal 4 Exception discussion begins. Goal 1 through 9 and then 12 are discussed; not identified or discussed are Goal 10, 11, 13 and 14. Yet each of those aspects of Statewide planning are contained within the DPO. Temporary housing and impacts to housing stock is discussed (Goal 10); the need for various public services and impacts to urban communities are reviewed (Goals 11 and 14); and the entire notion of this project being reviewed by the Oregon Department of Energy should warrant some discussion about energy (Goal 13). I am confident, based on the discussion of these activities throughout the DPO as well as the discussion of the other Statewide Planning Goals, that Department staff should be able to address these four Statewide Planning Goals.	Idaho Power agrees that this analysis should be included in the Proposed Order, and notes that Goal 10, 11, 13, and 14 are each analyzed in Exhibit K, specifically Sections 7.10, 7.11, 7.13, and 7.14.
	Scenic Bikeways: On page 452 within Table R-1: Important Recreation Opportunities, the counties where the Grand Tour Scenic Bikeway and the Blue Mountain Scenic Bikeway are identified have been transposed.	Idaho Power agrees. This appears to be a typo.
	Traffic Safety: Starting on page 484 line 15 is the discussion of Traffic Safety. Morrow County would like to request that as part of Public Services Condition l(b)(iii) a requirement for the applicant to include as part of their submittal Geographic	Idaho Power does not object to providing GIS information to the County, provided any condition requiring such submission makes clear that the submittal would be "subject to confidential material submission procedures." Certain of

	Information System (GIS) shape files also be submitted to facilitate permit processing within the various review departments of Morrow County. This request could also be incorporated into Land Use Condition l(a) or Land Use Condition 2.	the GIS information may be considered confidential Critical Energy Infrastructure Information or confidential business information, and therefore, any such condition language should specify that submittal to the identified entities may require procedures designed to protect that confidentiality—e.g., non-disclosure agreements.
	Fire Protection: The discussion of Fire Protection starts on page 504 line 7 and continues to page 511 line 29. Two comments follow concerned with the discussion of fire protection. o The listing of fire departments found in Table PS-9 on pages 505 and 506 does not list the Heppner Rural Fire Protection District, however a portion of the proposed route does travel through their service territory. o Morrow County is concerned that this section, as well as the earlier section addressing forest practices, identifies fire protection and prevention concerns with a focus on forest land. Much of the proposed transmission line route in Morrow County, while not in forested areas, is still remote with a high risk for fire impacts. The distance from main fire stations within Heppner or Boardman could still require a significant period of time for either fire or emergency response to arrive on scene of an incident. The discussion should be broader to address this limited response time regardless of the vegetation in the area of construction. Morrow County would request that Conditions requiring the staging of fire response be applied to also address remote areas more generally.	Idaho Power does not object to adding the Heppner Rural Fire Protection District to Table PS-9. The fire prevention and suppression practices set out in the Fire Prevention and Suppression Plan (Exhibit U, Attachment U-3) generally apply across all landscapes and not just forest lands. Idaho Power has no objection if the Council chooses to clarify that the protective measures in the plan apply regardless of vegetation in the area of construction.
	Waste Minimization: The Waste Minimization discussion begins on page 514 line 18 addressing most of the usual Morrow County concerns and incorporating our Solid Waste Ordinance provisions. We would like to add that any recycling that is accomplished by the applicant or contractors as part of	Based on a follow-up communication with the county's public works department, Idaho Power's understanding is that the recycling station receiving the waste will report any necessary information to ODEQ and that it will not be Idaho Power's responsibility to do so. Accordingly, it appears this

	the construction also report those recycling efforts in such a way as to benefit the Morrow County wasteshed, a Department of Environmental Quality reporting requirement. This could be added to Waste Minimization Condition 1.	comment has been addressed and no changes are necessary.
	Noxious Weed Plan: During review of the Noxious Weed Plan, Attachment P1-5 of the Draft Proposed Order, it was identified that several weeds which are present in Morrow County are identified as not being present. They are Cereal Rye, Ventenata, and Plumeless Thistle.	Idaho Power agrees to adding Cereal Rye, Ventenata, and Plumeless Thistle to the list of weeds that may be present in Morrow County.

<table>
<tr><th>Commenter</th><th>Comment</th><th>Idaho Power's Response</th></tr>
<tr><td rowspan="2">Umatilla County</td><td>Page 125, Table LU-2 -The applicable substantive criteria for transmission lines in the Exclusive Farm Use zone is a Land Use Decision, not an outright permitted use as shown in the table.</td><td>Idaho Power's understanding of Table LU-2 is that it is intended only to identify the headings set forth in the Umatilla County Development Code. Assuming that is correct, Idaho Power has no objection to the county's proposed change because the heading for Section 152.059 is in fact "Land Use Decisions." However, if the county is suggesting in this comment that the project is not permitted outright in the EFU Zone, Idaho Power respectfully disagrees, as transmission lines are permitted outright in an Exclusive Farm Zone pursuant to ORS 215.283(1)(c).

Table LU-1: Applicable Substantive Criteria for Proposed Facility Components in Umatilla County
<table><tr><th colspan="2">Umatilla County Development Code (UCDC)[1]</th></tr><tr><td colspan="2">Exclusive Farm Use Zone</td></tr><tr><td>Section 152.059</td><td><s>Uses Permitted Outright</s>
Land Use Decisions</td></tr></table></td></tr>
<tr><td>Page 126, Line 27 -Utility Facility Necessary in the Exclusive Farm Use zone is a Land Use Decision, not an outright permitted use.</td><td>Idaho Power has no objection to the proposed change, subject to the following: First, despite the language used in the county's code, the transmission line is in fact permitted outright in the Exclusive Farm Zone pursuant to ORS 215.283(1)(c). Second, if the county is suggesting that the zoning permits Idaho Power will receive under UCDC 152.059 would be subject to county notice and review processes, Idaho Power disagrees; the EFSC site certificate process stands in place of a county's notice and review process for any local permits authorized and covered by the site certificate, and here, the land use decision/zoning permit will be covered by the EFSC site certificate and therefore will not be subject to additional county notice and review processes. The Draft Proposed Order correctly addresses this issue on page 127: "Notwithstanding the language in the</td></tr>
</table>

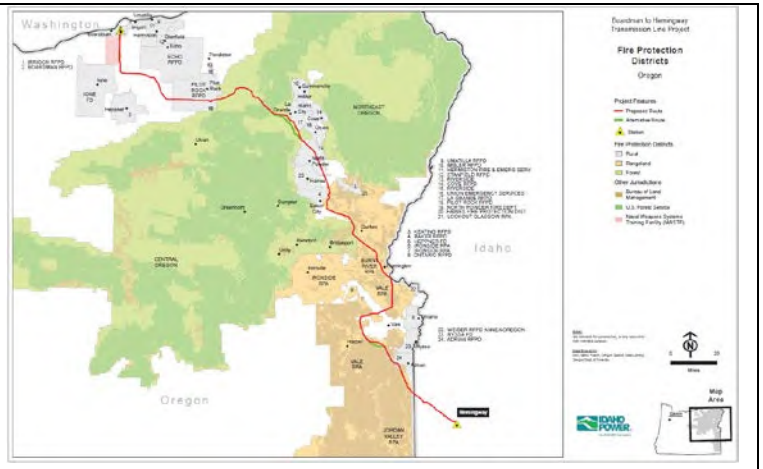
		County's code, the conditional use requirements beyond those that are consistent with ORS 215.275 are not applicable to the proposed facility because, as a utility facility necessary for public service under ORS 215.283(1)(g), the use is permitted subject only to the requirements of ORS 215.275 and the County cannot impose additional approval criteria." To address the county's comment, subject to the caveats above, Idaho Power suggests the following changes: [Page 126] UCDC 152.059(C) establishes that utility facilities necessary for public service ~~are uses~~ may be permitted through a land use decision ~~outright~~ in the EFU zone, subject to UCDC 152.769 administrative review; and compliance with applicable criteria in ORS 215.275 and UCDC 152.617(II)(7). UCDC 152.059 also specifies that a zoning permit is necessary for uses permitted ~~outright~~ in EFU zoned land.
	Page 143, Lines 33-40 - Umatilla County Development Code Section 152.612(D) outlines procedures for taking action on a Conditional Use or Land Use Decision and requires an applicant granted a Conditional Use Permit or Land Use Decision to obtain a County Zoning Permit for EACH tax lot before establishing the approved use and/or commencing construction. Umatilla County requests that Land Use Condition #3 be rewritten to require the applicant to obtain a County Zoning permit for EACH tax lot crossed by the proposed transmission line or multi-use area.	Idaho Power does not dispute that UCDC 152.612(D) provides that an applicant must obtain a county zoning permit for each tax lot. However, that requirement does not appear to be related to siting, and therefore, Idaho Power sees no reason to add that clarification as a condition to the site certificate.
	Page 143, Lines 41-42 - Umatilla County requests the applicant obtain a separate Access Permit for each approach from private property to/from a County public roadway, and a separate Utility Permit for each County roadway impacted	Idaho Power agrees that it will need to obtain the referenced permits, which are outside of the EFSC process, consistent with the county's code requirements. However, Land Use Condition 3(a) already references those permits and additional clarification seems unnecessary.

	by a utility crossing. Access and Utility Permits shall be obtained from Umatilla County Public Works.	
	Page 143, Line 43 - Umatilla County requests the applicant obtain a separate Floodplain Development permit for each individual location where development is proposed to occur within a regulatory floodplain.	Idaho Power shall obtain these permits, which are outside of the EFSC process, consistent with the county's code requirements. Again, Land Use Condition 3(a) already references those permits and additional clarification seems unnecessary.

Commenter	Comment	Idaho Power's Response
Union County	*Conflict Resolution* Idaho Power Company is taking the direction of gaining Site Certificate approval by addressing a majority of the standards and criteria that would be applicable to all five counties in Oregon and then recommending as approval conditions to conduct specific plans, like transportation routing, at a later date once Idaho Power Company selects a contractor to construct the B2H Project. Union County is not opposed to this tactic as it allows building a relationship between Union County and the Site Certificate holder and contractor impacting our county. However, Union County is concerned the Draft Proposed Order does not identify a clear path for conflict resolution between the county and Site Certificate holder/contractor if agreement is not reached in plan development with the local jurisdiction. Currently, the Draft Proposed Order only identifies developing the specific plan and turning it into the Oregon Department of Energy staff to satisfy the approval condition. Therefore, Union County is recommending the following for Oregon Department of Energy staff consideration: Union County Request #1: Oregon Department of Energy staff needs to clearly identify a process for conflict resolution between Union County and the Site Certificate holder or Site Certificate Holder's contractor for all approval conditions requiring plan development after Site Certificate approval is granted and prior to construction activities commencing in Union County. This shall be included in the language of the Site Certificate if approved.	To address the counties' concerns regarding their role in the review of and consultation on certain management plans, Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties. The comments and responses would be provided to ODOE, which would act as the final decisionmaker on any remaining issues. This process would apply to the following plans: • Attachment G-5, Blasting Plan; • Attachment K-1, Agricultural Assessment; • Attachment K-2, Right of Way Clearing Assessment; • Attachment P1-3, Reclamation and Revegetation Plan; • Attachment P1-5, Noxious Weed Plan; • Attachment U-2, County-Specific Transportation and Traffic Plans; • Attachment U-3, Fire Prevention and Suppression Plan; and • Environmental and Safety Training Plan. The following language would be added to the condition that addresses the plans set forth above: c. Before the certificate holder submits the final [Plan Name] to the Department, the certificate holder shall provide Morrow, Umatilla, Union, Baker, and Malheur counties (collectively, the "Counties") the following opportunities to review and comment on the [Plan Name]: i. When the certificate holder begins to finalize the

		[Plan Name], the certificate holder shall notify the Counties that the certificate holder is beginning to finalize the [Plan Name] and shall request that the Counties provide written comments within 60 calendar days from said notice. If requested by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the [Plan Name]; however, the timing of the in-person meeting will not affect the Counties' obligation to provide comments by the 60-day deadline. ii. The certificate holder shall provide to the Counties a copy of the revised [Plan Name] along with written responses to any of the Counties comments received within the 60-day window set forth above in subsection (c)(i) of this condition. The certificate holder shall request that the Counties provide written comments on the revised [Plan Name] within 60 calendar days. If requested by the Counties, the certificate holder shall meet in-person with the Counties prior to the 60-day deadline to discuss the revised [Plan Name]; however, the timing of the in-person meeting will not affect the Counties' obligation to provide comments by the 60-day deadline. iii. When the certificate holder submits the final [Plan Name] to the department, the certificate holder shall provide to the Counties and the department a copy of any comments received from the Counties' within the 60-day window set forth above in subsection (c)(ii) of this condition, as well as Idaho Power's responses to those comments.
	Wildland Fire Danger Union County is comprised of terrain that can be challenging to reach by emergency vehicles and during the summer months is usually under a high industrial fire precaution level.	To address the county's concerns and to clarify Idaho Power's plan for ensuring that adequate fire response procedures are in place in the event of a fire, Idaho Power has provided the map and table below, demonstrating that the vast majority of

	Since the building of a new 500kv high voltage transmission line in Union County is not a normal activity or occurrence, we feel there could be a greater potential for wildland fires because of the increased construction activity level in our County. Union County Request #2: During construction activities of the B2H Project in Union County, the Site Certificate holder will contract with a local Union County Wildlands Firefighting contractor, qualified by the Oregon Department of Forestry or the USDA Forest Service and have a Type 6 or Type 4 engine and crew on site at construction locations during all construction activities outside of multi use areas.	the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. During construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiation an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reach, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. Further, to address the county's concerns about coordination on the final Fire Prevention and Suppression Plan, see response above where Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.

		 Washington Idaho Oregon Boardman to Hemingway Transmission Line Project Fire Protection Districts Oregon Project Features Other Jurisdictions Map Area

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9
	None	5.5
230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1

		Idaho Power suggests that the Council make the following changes to the fire response discussion to capture the clarifications discussed above: The applicant demonstrates that the large majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. For construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. ~~Not all lands in the analysis area fall within a designated fire district. In those cases, the closest or best situated fire district responds to fires. Mutual aid agreements have been established between local fire districts and adjacent counties to pool resources, ensure cooperation between these entities, and respond to fires on a county and state level instead of isolating efforts to local districts. As a result of these mutual aid agreements, the fire district that responds to a fire may not be the district that the fire occurs in, or even the closest district; instead, response is based on the district that is best situated and suited to respond.~~ The applicant

		provided correspondence summaries with fire departments, rural fire protection districts, and rangeland fire protection associations in ASC Exhibit U, Attachment U-1C. The majority of fire protection providers discussed that the proposed facility would not adversely impact their ability to provide fire prevention services. There were concerns expressed from some fire protection providers that fire districts within the analysis area are comprised of volunteers, so it may take considerable time to collect and mobilize an entire fire crew and that response times to fires in the analysis area vary depending on the time of day, the priority of the emergency/call and the location of the emergency and the type of available access. The Department notes that the response times provided in Table PS-9: Fire Departments, Rural Fire Protection Districts, and Rangeland Fire Protection Associations, are estimates that may not contemplate a busy fire season with longer delays or response times. Addressed below is the discussion of the draft Fire Prevention and Suppression Plan and measures the applicant would be required to take to minimize on-site fire risks and the applicant's ability to provide fire protection measures itself until responders arrive.
	Contact Information Union County Request #3 During construction activities of the B2H Project the Site Certificate Holder and Site Certificate Holder's contractor(s) shall provide emergency contact information to the following: (Emergency contact information shall include individual's name, company individual works for, position individual holds within that company, phone number and business address).	As an alternative to this request, Idaho Power will maintain a phone system through which members of the public and government agencies may contact Idaho Power about project related issues. The operator of that system will be able to direct phone inquiries to the appropriate project team members. Idaho Power will make the phone system call-in number readily available to the public.

	Union County Sheriffs Office and Dispatch Union County Emergency Services Office Union County Public Works Department City of La Grande Police Department Oregon Department of Forestry USDA Forest Service, La Grande Ranger Station Blue Mountain lnteragency Dispatch Center	
	Transmission Line Route Union County Request #4 Union County requests Idaho Power Company or the Site Certificate Holder to use the Alternative Route identified in the application for Site Certificate of the B2H Project.	Based on the public input and written comments we've received to date, Idaho Power's preference would be to construct the Morgan Lake Alternative, provided EFSC approves that route as set out in the application.
	Transportation Routes Based upon a review of maps supplied by Idaho Power Company (IPC), the following gravel roads will be impacted during construction of the B2H power line: Jimmy Creek, Olsen, Heber, Bushnell, Marvin, Hawthorne, Rock Creek and Dark Canyon. Depending on how the power line is constructed, and the types of construction equipment used, these roads will need additional maintenance before, during and post construction, including blading, watering, rolling, additional % - 0 gravel, and dust abatement in front of residents' homes. Union County Public Works Department will inspect each road before, during, and post construction, to evaluate the condition of the roads. In addition to the roads listed, two additional gravel roads requiring special accommodation will be impacted during construction of the B2H power line: Morgan Lake Road and Glass Hill Road. Morgan Lake Road is a narrow gravel road two miles long, with a very steep grade (15% - 18%), that serves residents, cattle ranches, and access to Morgan Lake. Depending on the types of construction equipment that will	As part of Idaho Power's obligations to obtain county road permits and develop county-specific transportation and traffic plans, Idaho Power will work with the county public works and road departments to address their concerns and requirements related to road conditions, improvements, and use; because they relate to permits outside the EFSC site certificate, the specifics of the road improvement requirements need not be resolved by the Council at this time.

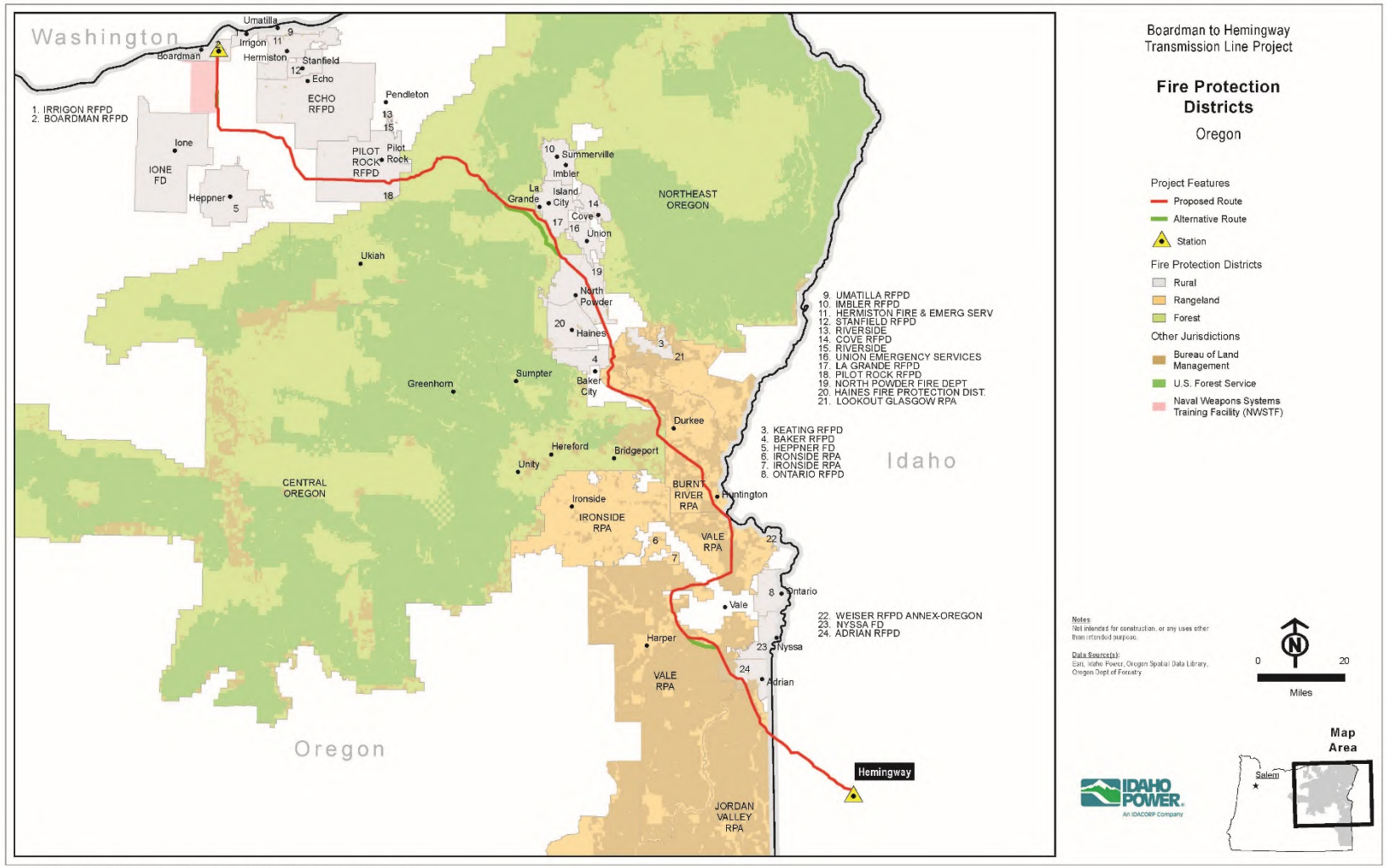
	use this road, maintenance will be needed, as mentioned above. Again, this road is very narrow and given the volume of traffic (400 ADT or greater during summer months) guard rails should be installed the full length of the road, and the road must be widened to accommodate two lanes of traffic. If guard rail modifications and widening cannot be completed, IPC should not use Morgan Lake Road and instead look for other alternatives to access the power line during construction. Glass Hill Road is a gravel road and will need additional maintenance during construction as outlined above. In addition, at approximately mile post 1, from Morgan Lake Road, there is an active slide. IPC will be required during construction to monitor the slide and if movement occurs, the contractor will be required to clean culverts and ditches, install retaining walls, and remove any excess material to reduce the further movement of the road to ensure safe passage for residents and construction equipment. Paved roads that will be used for construction are Foothill Road and Old Oregon Trail Road. According to Union County Public Works pavement management system, Foothill Road is in fair condition. If substantial damage occurs during construction, IPC and/or its contractor will return the road to the same condition. Union County Public Works will review the road before, during and after construction to evaluate damage to the existing road. Old Oregon Trail Road is paved but in poor condition. If this road is used as a haul route for construction materials, IPC and/or its contractor will fix any further damage to the paved road. Union County Public Works will review the road before, during and after construction to evaluate damage to the	

	existing road. The total number of road approaches equals approximately 22. Each road approach will require a Work in Right of Way Permit. IPC' s contractor can obtain these permits at the Union County Public Works office. Each permit will be evaluated by Union County Public Works to determine if culverts are needed, and approve location of the approach. In summary, all roads that will be used to construct the B2H power line are farm to market roads and do not experience this type of construction traffic. Union County will require IPC to review the condition of the roads with Union County Public Works Director to develop a maintenance and safety plan that will keep Union County roads in current or better condition.	
	Noxious Weed Plan The Union County has concerns regarding the repeated use of language within the Idaho Power Company's application for Site Certificate and in the Draft Proposed Order stating: "IPC is not responsible for ... controlling or eradicating noxious weed species that were present prior to the Project" throughout the B2H Noxious Weed Plan, attachment Pl-5 of the DPO. This statement is contradictory to the Oregon Weed Law identified in ORS 569.390: "Each person, firm or corporation owning or occupying land within the district shall destroy or prevent the seeding on such land of any noxious weed". It is also very important to utilize a contractor with extensive knowledge of the local weeds we deal with in Union County and best methods for control.	Idaho Power's statement is intended to be read in the context of determining compliance with the EFSC standards, which focus on the impacts from the project. From that perspective, weeds that are present prior to the project are not considered impacts from the project because the weeds existed prior to the project and were not caused by the project. As a result, Idaho Power isn't required to address pre-existing weeds as a matter of compliance with the EFSC standards because those weeds aren't considered project impacts. Nonetheless, to the extent ORS 569.390 applies to the project, Idaho Power will comply with the statutory requirements. But the specifics of compliance under that statute are dictated by the local court and weed district, and need not be addressed through a site certificate condition.
	Union County Request #5: Union County requires a $500,000 bond from IPC to pay for noxious weed control costs in the event that adequate weed	This request assumes, without substantive evidence or specificity, that the implementation of Idaho Power's Noxious Weed Plan will be ineffective. It also discounts the statutory

	control is not conducted by Idaho Power Company at any point over the initial 20 years of construction and operation of the B2H project (as determined by the county weed supervisor). This bond will help offset costs if the county must go through the enforcement process and contract the noxious weed treatments themselves. The bond amount is based on estimated contractor control costs for the roughly 3,500 acres of disturbed ground and Site Boundary areas along with 55 miles of disturbed/ new roads that will be within Union County.	process already in place for enforcement of weed eradication declarations, in ORS 569.400, which make the requested bond duplicative and unnecessary. For those reasons, the Council should not grant the county's request for a weed eradication bond.
	Union County Request #6: During construction activities of the B2H Project in Union County, the Site Certificate holder will contract with a local North East Oregon noxious weed control operator, licensed by the Oregon Department of Agriculture for noxious weed control activities. After construction activities and for the life of the transmission line Oregon Revised Statute 569.390 will be used for the control of noxious weeds in Union County for all lands.	The weed operator qualifications set forth in the Noxious Weed Plan are entirely sufficient (see Section 5.1 of the Plan for qualifications). Those qualifications include that the operator have experience and training in noxious weed identification, mapping, and management; and that the operator be a licensed pesticide applicator or a trainee being supervised by a licensed pesticide applicator. The county has provided no substantive specific evidence demonstrating that these qualifications are not sufficient; particularly, the county has not demonstrated why the applicator must be local. For these reasons, the Council should not grant the county's request for additional qualifications.

County	Fire Response Organization	Miles
Morrow County		
Proposed Route	Boardman RFPD	3.0
	Pilot Rock RFPD	0.1
	Dep't of Defense (Navy)	10.5
	None	44.4
West of Bombing Range Road Alternative 1	Dep't of Defense (Navy)	0.1
	None	3.7
West of Bombing Range Road Alternative 2	Dep't of Defense (Navy)	1.8
	None	3.7
Umatilla County		
Proposed Route	Pilot RFPD	19.7
	Northeast Oregon (OFD)	21.2
	None	0.0
Union County		
Proposed Route	La Grande RFPD	1.9
	North Powder Fire Dep't	10.2
	Northeast Oregon (OFD)	30.1
	Bureau of Land Management	0.2
	U.S. Forest Service	6.8
	None	0.0
Morgan Lake Alternative	Northeast Oregon (OFD)	18.5
	Bureau of Land Management	0.8
	None	0.0
Baker County		
Proposed Route	Burnt River RPA	32.2
	Lookout Glasgow RPA	13.3
	North Powder Fire Dep't	9.2
	Vale RPA	0.0
	Northeast Oregon (OFD)	8.2
	Bureau of Land Management	11.9

	None	5.5
230-kV Rebuild	Lookout Glasgow RPA	0.9
Malheur County		
Proposed Route	Adrian RFPD	9.5
	Jordan Valley RPA	12.8
	Vale RPA	44.9
	Bureau of Land Management	53.3
	None	7.0
Double Mountain Alternative	Vale RPA	7.4
	Bureau of Land Management	7.4
138-kV Rebuild	Vale RPA	1.1


Boardman to Hemingway Transmission Line Project
Fire Protection Districts
Oregon
Project Features
Proposed Route
Alternative Route
Station
Fire Protection Districts
Rural
Rangeland
Forest
Other Jurisdictions
Bureau of Land Management
U.S. Forest Service
Naval Weapons Systems Training Facility (NWSTF)
1. IRRIGON RFPD
2. BOARDMAN RFPD
3. KEATING RFPD
4. BAKER RFPD
5. HEPPNER FD
6. IRONSIDE RPA
7. IRONSIDE RPA
8. ONTARIO RFPD
9. UMATILLA RFPD
10. IMBLER RFPD
11. HERMISTON FIRE & EMERG SERV
12. STANFIELD RFPD
13. RIVERSIDE
14. COVE RFPD
15. RIVERSIDE
16. UNION EMERGENCY SERVICES
17. LA GRANDE RFPD
18. PILOT ROCK RFPD
19. NORTH POWDER FIRE DEPT
20. HAINES FIRE PROTECTION DIST.
21. LOOKOUT GLASGOW RPA
22. WEISER RFPD ANNEX-OREGON
23. NYSSA FD
24. ADRIAN RFPD
Washington
Idaho
Oregon
NORTHEAST OREGON
CENTRAL OREGON
ECHO RFPD
PILOT ROCK RFPD
IONE FD
IRONSIDE RPA
BURNT RIVER RPA
VALE RPA
JORDAN VALLEY RPA
Umatilla
Irrigon
Boardman
Hermiston
Stanfield
Echo
Pendleton
Pilot Rock
Ione
Heppner
Ukiah
Summerville
Imbler
La Grande
Island City
Cove
Union
North Powder
Haines
Sumpter
Baker City
Greenhorn
Durkee
Hereford
Bridgeport
Unity
Ironside
Huntington
Ontario
Vale
Harper
Nyssa
Adrian
Hemingway
Notes
Not intended for construction, or any uses other than intended purpose.
Data Source(s):
Esri, Idaho Power, Oregon Spatial Data Library, Oregon Dept of Forestry
0
20
Miles
Map Area
Salem
IDAHO POWER
An IDACORP Company

Commenter	Comment	Idaho Power's Response
City of La Grande	As stated in our last letter, the most significant element that concerns the City of La Grande is the potential impact to roads used to access the project. This concern remains and we appreciate the Recommended Public Services Condition 1 shown on page 496 of the Draft Proposed Order. We support requiring the submission of a more detailed Transportation and Traffic Plan and ask that this condition be included in the Proposed and Final Order if the project is approved. Doing so will allow Union County and the City of La Grande to fully evaluate and comment on the impacts that may occur on our roads prior to construction.	Idaho Power has no objection to Recommended Public Services Condition 1 and looks forward to working with the City on the county-specific transportation plan.
	Regarding recreational impacts to Morgan Lake Park as discussed on pages 460 to 462 of the Draft Proposed Order, there are references to potential impacts during construction and the fact that a detailed Transportation and Traffic Plan will be provided prior to construction. The City cannot adequately address potential recreational impacts that may occur at the Park until this Plan is submitted and reviewed.	Idaho Power expects to have a final Transportation and Traffic Plan available for review closer to the time when construction will commence. Idaho Power plans to provide the Transportation and Traffic Plan to the City of La Grande and Union County for review at least several months prior to beginning construction. Although the Transportation and Traffic Plan is not complete at this time, Idaho Power anticipates that any potential impacts to Morgan Lake Park associated with traffic would be as a result of the construction contractor's use of Morgan Lake Park Road, and has prepared the following preliminary analysis of impacts. This estimate is based on the best available data at this time, and thus will likely be substantially similar to what will be presented in the Transportation and Traffic Plan, however Idaho Power notes that there may be slight variations depending on the specific plans prepared by the Company's EPC contractor. Morgan Lake Road will be used to access approximately 25 structure locations for the proposed route and 17 structure locations for the Morgan Lake Alternative. Idaho Power

		anticipates that it will need to use the road in the following phases for either route: • Phase I - Civil construction – Activities along the transmission line will involve clearing the corridor and constructing access roads to each structure. Logging equipment will be mobilized on low boy trucks to the transmission line corridor along Morgan Lake road and unloaded at the intersection of the transmission line corridor causing only minor interruptions to traffic aside from intermittent delays managed by flaggers. Mobilization will be limited to the beginning and end of clearing/road construction activities. Harvestable timber will be cleared then hauled off of the project by log trucks along Morgan Lake road. Civil crews will construct roads with dozers, excavators, and motor graders while dump trucks may deliver aggregate via Morgan Lake Road if needed to stabilize the road surface. Clearing and road construction activities are anticipated to last 3-4 weeks in this section and could result in about 34 trips/day. • Phase II – Foundation Construction – Foundations will be constructed at each structure site to support the steel towers. Track mounted drills and excavators will be mobilized to each structure site to excavate the foundations. Rebar and bolt cages will then be delivered to the site via Morgan Lake Rd and placed in holes prior to pouring concrete. Concrete trucks will then deliver concrete to the sites via Morgan Lake Road to construct the foundations. Construction of foundations in this section is anticipated to last approximately 4 weeks and could result in about

		20 trips/day. • Phase III – Structure Erection – Steel lattice towers will be assembled at each site and erected on the foundations. Material will be delivered via flatbed trucks to each structure site and unloaded with forklifts and cranes where it will be assembled in pieces in the work area around the foundations. Large 150-200 ton cranes will be used to hoist the pre-assembled sections into place while they are bolted together. Crews will mobilize to each site daily during construction which is anticipated to last 4-5 days per structure. This phase could result in about 10-15 trips/day. • Phase IV – Conductor Pulling/Tensioning – Conductor will be pulled along the corridor and through the structures via helicopters while large man lift trucks provide work crews access to each structure. During the crossing of Morgan Lake Road temporary traffic control with flaggers will be set up to stop traffic during stringing operations over the road. This phase could result in about 10 trips/day. Public traffic delays along Morgan Lake Road during construction are expected to be intermittent and short in duration. To protect the public during construction, Idaho Power will use traffic control measures including flaggers, pilot vehicles, and temporary closures if necessary. Any delays are not expected to last longer than 30 minutes. Road closure would be publicized in advance and coordinated with land owners, emergency services, and law enforcement. Based on the foregoing, Idaho Power continues to support its finding in Exhibit T that any traffic impacts will be temporary

		in nature and not result in a significant adverse impact to recreation resources, including Morgan Lake Park.
	The City of La Grande and Idaho Power entered into the attached Memorandum of Agreement dated August 20, 2019, regarding mitigation related solely to viewshed impacts for both the Proposed Route and the Morgan Lake Alternative in the event the project is approved. The Agreement requires Idaho Power to utilize H Frames in lieu of lattice structures between Milepost 106/2 and 108/5 if the Proposed Route is constructed to mitigate potential visual impacts. The Agreement also requires Idaho Power to pay the City of La Grande $100,000 for recreational improvements if the Morgan Lake Alternative is constructed. These will include improvements to the access road into Morgan Lake Park, the installation of new vault toilets at the campground, new entry gate system, day use improvements, signage, and other recreational enhancements throughout the Park. Based on this, the City is withholding existing or future recommendations that Idaho Power use H-frames near Morgan Lake Park. Ideally, the City would prefer to have the provisions of the Agreement included in the Proposed and Final Order for the project as conditions, should the project receive approval.	Idaho Power's August 22, 2019 comments on the DPO addressed the referenced agreement with the City.

Commenter	Comment	Idaho Power's Response
Oregon Department of Environmental Quality (ODEQ)	The following environmental regulatory concerns need to be addressed in this DPO: Section 401 permitting,	Clean Water Act Section 401 permitting is addressed through the Joint Permit Application process, which involves both the Department of Lands' removal fill program and the Army Corps of Engineers' Section 401 program. The JPA is addressed in Section IV.Q.2 of the DPO.
	post-construction stormwater management plan,	According to the State of Oregon Section 401 Water Quality Certification Post-Construction Stormwater Management Plan Submission Guidelines, a post-construction SWMP will not be required because the project will not result in an increase or redevelopment of impervious surfaces.
	possible wastewater permit,	No waste water will be generated during the construction or operation of the Project.
	unintentional return of drilling fluids at stream crossings during any Horizontal Directional drilling operations;	No horizontal directional drilling operations will occur at stream crossings during construction or operation of the project.
	construction-related fugitive dust and combustion emissions, especially in La Grande's Maintenance Area for PM10; and,	Idaho Power will control fugitive dust generated during construction by implementing mitigation measures such as controlling vehicle speed and applying water or soil-bonding agents to construction areas (see Erosion and Sediment Control Plan and Agricultural Assessment). Additionally, based on discussions with ODEQ, Idaho Power will consult with ODEQ if rock crushing or batch plant equipment is used during construction to determine if an Air Containment Discharge Permit is required depending on the scope of the equipment operations.
	soil disturbance that might contain asbestos.	Asbestos is most commonly found in three rock types: serpentinites, altered ultramafic rocks, and some mafic rocks.

		Other rock types known to host asbestos include metamorphosed dolostones, metamorphosed iron formations, carbonatites, and alkalic intrusions. The soils identified in Exhibit I, Attachment I-2 are not identified as containing serpentinite. In addition, none of these rock types are identified in Exhibit H, Attachment H-1 Appendix A Geologic Maps and Unit Descriptions.

Commenter	Comment	Idaho Power's Response
Oregon Department of Fish and Wildlife (ODFW)	*Fish and Wildlife Condition 1*	
	Revegetation and reclamation serve an important function in minimizing impacts to wildlife habitat. Some habitats that will be impacted by this project, namely sagebrush shrubland and forests, take upwards of 10 to 50 years to recover their predisturbance form and function. IPC has offered a robust revegetation plan, however ODFW stands by its previous recommendation that reclamation/revegetation monitoring be performed for longer than 5 years post-construction. ODFW recommends IPC utilize an adaptive monitoring schedule and management plan that can address Project impacts as long as necessary to achieve success criteria.	The Reclamation and Revegetation Plan provides for the possibility for additional monitoring beyond 5 years as requested by ODFW, including additional reclamation efforts and compensatory mitigation, stating: • If after 5 years of monitoring some sites have not attained the success criteria or if at any point during the annual monitoring it is clear that reclamation cannot be successful (including private landowner denial of reclamation activities), IPC will coordinate with ODOE regarding appropriate steps forward. At this point, IPC may suggest additional reclamation techniques or strategies or monitoring, or IPC may propose mitigation to compensate for any permanent habitat loss. Also consistent with ODFW's request, the Revegetation Plan commits to adaptive management in Section 6.5, stating: • Effective monitoring is an essential element of adaptive management because it provides reliable feedback on the effects of reclamation actions. If adaptive management measures are determined to be necessary, monitoring data (both qualitative and quantitative) will provide information on reclamation components that are deficient, such as desirable vegetation cover, soil compaction, or lack of parent soil material due to erosion. Based on this

		information, appropriate remedial reclamation actions may include measures such as supplemental seeding, mulching, weed treatment, access control, herbivory prevention, and/or erosion control measures. Recommendations could also include waiting to determine if favorable germination/ establishment conditions are expected such as ample seasonal moisture or favorable temperatures. And, as requested by ODFW, the Revegetation Plan allows for changes to monitoring schedules and the development of adaptive management plans, as stated in the following: • All adaptive management actions will be subject to the review and approval of the appropriate land management agency and ODOE.
	ODFW also finds IPC's proposed reclamation success standards (Table 6) to be low relative to what ODFW has recommended and supported for other projects in similar habitats. Below are the recommendations ODFW made to ODOE for the B2H Notice of Intent and Application for Site Certificate, which we believe are still appropriate: [ODFW recommends the following criteria for reclamation success be included in the Reclamation and Revegetation Plan]: 1. Maintain percent foliar cover of weed species within reclamation sites at a level equal to or less-than the paired control site. This will reduce the risk of invasive weeds outcompeting favorable vegetation and creating a source	Idaho Power maintains that the success criteria presented in the Reclamation and Revegetation Plan are sufficient to demonstrate that revegetation actions will have been successful, and therefore, those success criteria meet the Fish and Wildlife Standard.

	population for dispersing weed species. 2. Reclamation actions should prioritize establishment of native perennial bunchgrasses. Native, perennial bunchgrasses are our best defense against fire-prone annual grasses that threaten the arid habitats crossed by this project. Maintain >=70% percent foliar cover of native perennial bunchgrasses of the paired control site. The remaining percentage of vegetation can be other desirable vegetation species not present at the control site or functional bare ground. 3. Reclamation actions in forested and shrub habitats should have appropriate woody species in the plant mix. Woody species should be plugged using appropriate aged plants to ensure the greatest possible revegetation success. Successful revegetation of sagebrush habitats should have at least 15 percent sagebrush foliar cover. 4. Maturity of vegetation within paired control sites should be used to determine the reclamation monitoring timeframe. Monitoring should be conducted on a regular 1-2 year interval until vegetation is established in a similar species composition as the paired control site. Monitoring efforts should then be extended to every 5-10 years (depending on habitat vegetation) until the vegetation reaches the same maturity as the paired control site when the Project impact occurred.	
	The success criteria in Table 6 are particularly deficient for sage-grouse core, low density, and general habitat. The success criteria outline in Table 6 for shrublands is to achieve 50% of the desirable vegetative cover. Restoration of sagebrush habitat should be based on habitat structure, vegetative cover, and amount of annual invasive, which the 50% value does not address nor accomplish. Below are the success criteria ODFW would recommend ODOE use as the	ODFW's request that Table 6 include certain success criteria intended specifically to benefit sage-grouse seems to conflict with the Habitat Quantification Tool (HQT). The success criteria in Table 6 relate to reclamation of temporary, direct impacts that will result from construction area vegetation clearing primarily around the transmission line (see Exhibit P2, Section 3.7.3.2). Yet, the HQT assumes sage-grouse won't be able to use those areas due to the proximity of the

	standards for restoring sagebrush habitat for the B2H project. a. Reclamation actions shall achieve an average bunch grass density greater than or equal to 5 mature plants per square meter across the reclamation site. • A native seed mix shall be utilized during initial seedings. If native species establishment is not successful after a several consecutive seeding efforts, a mixed native/non-native seed mix may be consider during subsequent seeding. Consult ODFW for recommended site specific seed mixes. a. Sagebrush shall be planted within project reclamation areas to adequately replace habitat function and structure. • For best results, ODFW requests that the project proponent plant sagebrush plants or drill sagebrush seed. Sagebrush planting should achieve approximately 15% foliar cover of the reclamation site to ensure functional habitat for both sage-grouse and other sagebrush obligate species. This may many year to achieve. b. Invasive weeds shall be treated in all reclamation sites. Treatment of invasive weeds for purposes of reclamation shall be based inpart on pre-project vegetation surveys or appropriately selected control sites. • If invasive/noxious annual grasses are determined to be largely absent within the pre-project vegetation survey area, the project proponent shall maintain the percent foliar cover of annual grass species in reclamation areas at less than 10%. • If invasive/noxious annual grasses are determine to be present in pre-project vegetation survey areas, the project proponent shall maintain percent foliar cover of weed species within reclamation areas at a level equal to or less than pre-project conditions. • Intensive weed treatment actions shall be maintained until both the bunch grass density and sagebrush foliar cover success criteria are achieved. Weed treatment can become more generalized once success criteria are met.	transmission line. That is, the HQT considers the habitat near transmission lines will have no, or zero, sage-grouse habitat value post construction. If the HQT doesn't consider those areas as being viable for sage-grouse, ODFW's insistence of certain sage-grouse-specific success criteria in those areas seems contradictory. Regardless of the HQT's treatment of the areas in question, Idaho Power will reclaim those areas consistent with their habitat categorization and as set forth in the Reclamation and Revegetation Plan. Idaho Power maintains that the success criteria presented in the Plan are sufficient to demonstrate that revegetation actions will have been successful, and therefore, those success criteria satisfy the Fish and Wildlife Standard.

	• All weed treatments shall be conducted with the intent to fully eliminate nonnative invasive weed species.	
	Fish and Wildlife Condition 3	
	Linear projects such as transmission lines and pipelines, often inadvertently spread noxious weeds across the landscape. This is perhaps the greatest risk of this project to Oregon's wildlife habitats. For this reason, ODFW believes noxious weed monitoring and control is an extremely important minimization measure (per OAR 635-415). Long-term monitoring and successful treatment of noxious weeds are important to the success of habitat restoration efforts. ODFW recommends that IPC monitor and control invasive weeds beyond the initial 5year treatment period on a regular schedule determined collaboratively with ODOE and ODFW.	Section 5.3.4 of the Noxious Weed Plan (per the March 2019 B2H Exhibit P Errata Sheet) provides for the possibility of weed control beyond 5 years, as requested by ODFW, stating: • Noxious weed control efforts will occur on an annual basis for the first 5 years post-construction. When it is determined that an area of the Project has successfully controlled noxious weeds at any point during the first 5 years of control and monitoring, IPC will request concurrence from ODOE. If ODOE concurs, IPC will consult with ODOE to design an appropriate plan for long-term weed control. If control of noxious weeds is deemed unsuccessful after 5 years of monitoring and noxious weed control actions, IPC will coordinate with ODOE regarding appropriate steps forward. At this point, IPC may suggest additional noxious weed control techniques or strategies or monitoring, or IPC may propose mitigation to compensate for any permanent habitat loss.
	Fish and Wildlife Condition 10	
	ODFW appreciates the condition to construct the transmission line to avian-safe design standards and views this as a key avoidance and minimization measure for migratory birds. Upon further analysis, and in response to public comment, ODFW offers the following additional recommendations to further minimize potential impacts to migratory flyways in the vicinity of the Ladd Marsh Wildlife Area. In particular, ODFW is currently focused on the importance of	Idaho Power's Avian Protection Plan guides the company's efforts to protect raptors and other large birds while boosting power reliability, including designs that make poles and lines safer for birds. Idaho Power believes its Avian Protection Plan is sufficient to satisfy the EFSC standards as it relates to the sandhill crane and no additional minimization measures (such as flight diverters) are required. Beyond that, ODFW's request seems unwarranted, and based on speculative impacts, for the following reasons. First, ODFW identifies only general, wide-ranging areas of concern ("much of Baker and

	this area for sandhill cranes which are a species of growing conservation concern given their declining populations throughout their range, and the significant mortality rates caused by transmission lines elsewhere in the United States (see Murphy et al. 2016, link provided below). Through our own radio telemetry tracking efforts of sandhill cranes (data available upon request), ODFW has documented a migratory pathway that includes much of Baker and Union Counties, Ladd Marsh Wildlife Area, and the Grand Ronde Valley. Sandhill cranes move across the proposed B2H route, typically coming from the southeast, every spring and fall as well as during the summer nesting season. Wildlife Area biologists have documented groups of 700+ sandhill cranes using the Ladd Marsh Wildlife Area and Grand Ronde Valley during migration, likely part of a population that winters in California's Central Valley. ODFW believes a new transmission line of the size proposed for the B2H project poses an increased risk to this migratory population of sandhill cranes. ODFW recommends IPC use enhanced bird flight diversion technology such as the new UV light technology [in a spectrum not visible to most humans but visible to the birds] similar to that featured in this article https://www.tdworld.com/overhead-transmission/bird-line-collision; or such as that discussed in Murphy et al. 2016 https://fwspubs.org/doi/pdf/10.3996/052016-JFWM-037). In both of the referenced experiments, inclusion of these flight diverters resulted in a reduction of sandhill crane collisions and an increased detectability of the lines during their nocturnal migration. ODFW recommends enhanced bird flight diverter measures be employed at a minimum within the Grand Ronde Valley,	Union Counties, Ladd Marsh Wildlife Area, and the Grand Ronde Valley") and not site-specific areas along the project that pose a concern for cranes. ODFW also does not identify specific habitat types, based on specific habitat characteristics, within those general areas that make up the migratory flyways. And if the flyway habitat involves a vertical component as ODFW suggests, ODFW provides no explanation or supporting evidence identifying the heights to which protections must be required. Second, ODFW's concerns seem to be speculative and unsupported by the studies referenced in the comment, which examined a very particular set of environmental conditions where transmission lines crossed large waterbodies with high concentrations of cranes; in contrast, B2H will not include large waterbody crossings that are heavily utilized by large crane concentrations. For example, although cranes may utilize the Ladd Marsh, each of the alternative routes in that area would be located in forested land away from the marsh and up in the adjacent hills, with no direct crossing of the marsh. Additionally, while the project will cross the Grande Ronde River, there's no evidence that cranes use the river in that area in large flocking groups, which is unlikely given it is a fast-moving river. Finally, Idaho Power's understanding is the UV light diverters are a new technology that is not commercially available. For these reasons, compliance with the Fish and Wildlife Standard does not dictate any mitigation, including any flight diverters. Even so, Idaho Power has a long history of working with stakeholders to reduce risks to avian species from power lines. In the event ODFW identifies specific sites along the completed project that appear to result in elevated risks of crane collisions, Idaho Power is willing to discuss potential actions to address those risks.

	particularly if the selected route will cross the Ladd Marsh Wildlife Area. But to most effectively avoid impacts to the sandhill crane population, the measures should extend from central Baker County to the Umatilla County line. ODFW would be happy to discuss these recommendations further with ODOE and IPC.	
	Fish and Wildlife Condition 17	
	This section of the Draft Proposed Order appears inconsistent with the way ODFW anticipates assessing project impacts to sage-grouse habitat and ODFW recommends updating to reflect the following information. To clarify, when conducting the initial project impact assessment, ODFW will request mitigation for all applicable temporary and permanent direct project impacts and transmission line tower indirect impacts. In addition, ODFW assumes that any new project roads within sage-grouse habitat not equipped with access control structures will result in indirect impacts to sage-grouse and will request appropriate mitigation (lowest level of indirect impact) for those roads with the initial request for mitigation prior to construction. Upon completion of the traffic study in year-3 of operation, ODFW will request additional mitigation as appropriate for improve existing roads or any identified increase in assumed traffic volume on new project roads	Consistent with this request, Idaho Power proposes the following condition edit: Fish and Wildlife Condition 17: . . . iii. The final Sage-Grouse Habitat Mitigation Plan shall include compensatory mitigation sufficient to address ~~impacts from, at a minimum, all facility components except indirect impacts from access roads~~ all direct impacts (temporary and permanent), indirect impacts from the transmission line, and indirect impacts from new project roads. For calculation purposes, new roads with access control will be assigned a no-traffic designation, and new roads without access control will be assigned a low-traffic designation. As referenced in Fish and Wildlife Condition 19, the certificate holder shall demonstrate during or about the third year of operation that sage-grouse habitat mitigation shall be commensurate with the final compensatory mitigation calculations, ~~which will be based on the as-constructed facility and will include indirect impacts from access roads,~~ either by showing the already-implemented mitigation is sufficient to cover all facility component impacts, or by proposing additional mitigation to address any ~~uncovered~~ impacts incremental to the initial calculation. The final compensatory mitigation calculations will be based on the as-constructed facility as

		well as the pre- and post-construction traffic studies, and will include the addition of indirect impacts from substantially modified existing access roads. . . . .
	ODFW has additional requirements as identified in the Greater Sage-grouse Habitat Mitigation Program Operations and Administration Manual (Mitigation Manual) that should be discussed in the mitigation plan for permittee-responsible mitigation. These additional components to the mitigation plan help provide assurances that the mitigation will be conducted appropriately and remain durable through the life of the development impact to sage-grouse. ODFW suggests the following elements be included to the mitigation plan list under bullet number 3 on page 316 lines 31-39; 1. Description of the HQT results for specific mitigation site(s) and actions, 2. Description of how the durability of mitigation sites is to be achieved, 3. Provide performance measures and success criteria for mitigation actions, 4. Adaptive management considerations for changes in habitat conditions or a result of catastrophic fire, 5. Weed management plan, 6. Long term stewardship plan, and 7. Financial assurances plan/document.	Consistent with this request, Idaho Power proposes the following condition edit: Fish and Wildlife Condition 17: . . . i. To the extent the certificate holder develops its own mitigation projects, the final Sage-Grouse Habitat Mitigation Plan shall: 1. Identify the location of each mitigation site, including a map of the same; 2. Identify the number of credit-acres that each mitigation site will provide for the certificate holder, including results of the HQT results for the site and mitigation actions; 3. Include a site-specific mitigation management plan for each mitigation site that provides for: A. A baseline ecological assessment; B. Conservation actions to be implemented at the site; C. An implementation schedule for the baseline ecological assessment and conservation actions; D. Performance measures and success criteria for mitigation actions; E. Adaptive management considerations for changes in habitat conditions or a result of catastrophic fire; F. Weed management plan; ~~E.~~ G. A reporting plan; ~~and~~ ~~F.~~ H. A monitoring plan; and I. A description of how the durability of the mitigation site will be achieved, including but not limited to, any long-term stewardship plans and financial assurances.

		. . . .
	As outlined in the mitigation hierarchy in OAR 660-023-0115, compensatory mitigation for large scale development impacts to sage-grouse habitat must comply with ODFW's Sagegrouse Mitigation Policy (OAR chapter 635 division 140) which is interpreted through the principles and standards in the Mitigation Manual and assessment of project impacts through ODFW's Habitat Quantification Tool. Therefore, if the project proponent utilizes a mitigation bank, that mitigation bank will have to be approve by ODFW to ensure the mitigation is consistent with sage-grouse policy and mitigation program requirements. To capture the above considerations, ODFW requests that the following information be inserted prior to number 2 under section ii. *The project proponent may only use a mitigation bank or in-lieu fee program that is approved by ODFW to fulfill sage-grouse mitigation requirements.*	Consistent with this request, Idaho Power proposes the following condition edit: Fish and Wildlife Condition 17: . . . ii. To the extent the site certificate utilizes a mitigation bank or in-lieu fee program, the final Sage-Grouse Habitat Mitigation Plan shall: 1. Describe the nature, extent, and history of the mitigation bank or in-lieu fee program; ~~and~~ 2. Identify the number of credit-acres that each mitigation site will provide for the certificate holder; and 3. Demonstrate that the Oregon Department of Fish and Wildlife has approved the program to fulfill sage-grouse mitigation requirements. . . . .
	Fish and Wildlife Condition 18	
	Condition 18 is written so that mitigation could be postponed until later stages of project construction, potentially resulting in a loss of sage-grouse habitat between the initial construction impact and commencement of mitigation actions. The potential loss of habitat over entire project construction time period is a concern for ODFW and is inconsistent with the sage-grouse mitigation program. ODFW requests including the following clarifying language to reduce potential time lags between construction impacts and initiation of mitigation actions. F&W Condition 18: During construction, the certificate holder shall implement the conservation actions set forth in the final Sage-Grouse Habitat Mitigation Plan referenced in Fish and Wildlife Condition 17 *within six months of the impact actions*.	Contrary to ODFW's concern, Idaho Power will not wait until the end of construction to commence mitigation actions. Rather, Idaho Power will commence mitigation actions within six months of their related impacts. In other words, while Idaho Power may stage mitigation commensurate with the timing of the related impacts, mitigation will not lag more than six months from the time those impacts occur. Provided ODFW agrees that its proposed language is consistent with Idaho Power's approach, Idaho Power has no objection to the proposed clarification: Fish and Wildlife Condition 18: During construction, the certificate holder shall implement the conservation actions set forth in the final Sage-Grouse Habitat Mitigation Plan referenced in Fish and Wildlife Condition 17 within six

		months of the impact actions.
	Threatened and Endangered Species Condition 1	
	In part (c) of this condition, there is discussion of what to do if WAGS colonies are encountered in non-Category 1 habitat. To clarify, any occupied WAGS colony would be considered Category 1 habitat by ODFW and would be subject to our avoidance recommendations.	Idaho Power is in discussions with ODFW regarding this comment and will supplement its response prior to the November 7 deadline.

Commenter	Comment	Idaho Power's Response
Oregon Department of Fish and Wildlife (ODFW)	In part (c) of this condition, there is discussion of what to do if WAGS colonies are encountered in non-Category 1 habitat. To clarify, any occupied WAGS colony would be considered Category 1 habitat by ODFW and would be subject to our avoidance recommendations.	Idaho Power understands that ODFW has reconsidered this comment and is now aligned with the process outlined in Threatened and Endangered Species Condition 1.

Commenter	Comment	Idaho Power's Response
Oregon Department of Transportation	*Quarries*	
	On March 8, 2019 Idaho Power submitted to ODOT alternative routes (see attached) involving each of the impacted quarries. These quarries do have a value to ODOT. These alternatives submitted by Idaho Power had not at that time been presented to the impacted prope1iy owners or to ODOE. Two of these alternatives will still have a direct impact to ODOT. ODOT will lose production at these quarries which will require future sites to be developed. These alternative routes were developed based on previous communications between ODOT and Idaho Power to provide the least amount of impact. Idaho Power will need to work with the impacted property owners on the three realignment alternatives. If the properly owners are in agreement with these proposals, Idaho Power will include these through an amendment process through ODOE. Should any of these alternatives not move forward, Idaho Power shall reengage ODOT to work towards an agreeable solution. Other items dealing with quarries that ODOT and Idaho Power has agreed to work together on: • Roads and access to or through ODOT quarries. • Easement form; ODOT & Idaho Power both have Easement forms that are normally used. Both will work together in developing language for the Easement Agreement.	Idaho Power will continue to work with ODOT and adjacent landowners to attempt to find mutually-agreeable solutions to the quarry impacts.
	In our March 20, 2019 letter to ODOE, ODOT recommended that the proposed Boardman to Hemingway transmission line project avoid all impacts to the intrinsic values including scenic, historic, recreational, cultural, archeological, and natural resources to five Scenic Byways - Hells Canyon Scenic	As provided in EFSC's Scenic Resources Standard, the scope of scenic resources to be evaluated include scenic resources and values identified as significant or important "in local land use plans, tribal land management plans, and federal land management plans" for any lands located within the analysis

	Byways, All-American Road, the Journey Through Time, Blue Mountain and Elkhorn Drive State Scenic Byways and the Grande Tour Scenic Route.	area described in the project order (OAR 345-022-0080(1)). As a threshold matter, based on the language in the standard, it does not appear that scenic resources managed through a state program, such as a Scenic Byway designated by the Oregon Department of Transportation (ODOT), should be considered a "scenic resource or value" for purposes of the EFSC Scenic Resources Standard, unless the scenic resource (here, a Scenic Byway) is also identified as significant or important in a local, tribal, or federal management plan. Notably, in ODOT's 12-21-2018 comment on the ASC, ODOT notes that following designation of a scenic byway, "[t]he jurisdiction of the municipal, county, State, tribal, or Federal Governments that govern the designated highway and the lands adjacent to it remains unchanged." Also, ODOT explains that the "byway's intrinsic qualities are typically protected by those jurisdictions." Thus, to the extent that any specific scenic view or value (or other "intrinsic quality") is identified in an ODOT management plan, it does not appear that ODOT would have any land management authority related to that view or value, or other intrinsic quality. Idaho Power also notes that although Baker County identified a portion of the Hells Canyon Scenic Byway as a Goal 5 Resource in its Comprehensive Plan, Baker County did not include any relevant management direction related to protection of the resource in its Comprehensive Plan. Finally, as a general matter, Idaho Power notes that the intrinsic values with which ODOT is concerned—scenic, historic, recreational, cultural, archeological, and natural resources—would appear to overlap to a great extent with the resources considered by Idaho Power's analysis of

		resources protected by EFSC's standards, and thus these intrinsic qualities are evaluated elsewhere: OAR 345-022-0080 – Scenic OAR 345-022-0090 – Historic, Cultural, and Archaeological Resources OAR 345-022-0100 – Recreation OAR 345-022-0060 – Fish and Wildlife Habitat
	For example, we disagree with Idaho Power's scoring of Viewer Perception in B2H Exhibit R Errata Sheets table R-2 on page 6 and under Section 3.3.2-10 Visual Impact Assessment on page 9. Considering the transmission line crosses the Hells Canyon Scenic Byway, views of the Project are predominately head on. Since this would put the transmission line in the foreground (up to 0.5 miles), we would say that the impact is Medium instead of Low. Although views of the project will be episodic, Idaho Power assumes a vehicular travelling speed of 45 miles per hour. Their assessment does not take into account cycle tourism along Scenic Byways where the average travel speed is around 15 mph. OR 86 in particular attracts a significant number of riders through this area as it is on the Adventure Cycling Tour Route (from Baker City to Missoula) and the TransAmerica Bike Route (from Astoria, Oregon to Youngstown, Virginia). We also disagree with Idaho Power's Significance Determination -on table R-2 on page 6 and under Significance Determination on page 9. Hells Canyon Scenic Byway is a National Scenic Byway recognized by the US Department of Transportation. The most-scenic byways are designated All - American Roads. Designation means that they have features that do not exist elsewhere in the United States. Hells Canyon Scenic Byway was designated as an All American Road in 2000 and shares this distinction in Oregon with the Historic	As indicated in Exhibit R Errata Sheet, Table R-2, Idaho Power agrees with ODOT's assertion that viewer perception will be Medium. While viewer perception of the Project would be variable, the Project would be experienced from a head-on vantage point, and within the foreground (0.5-5 miles). However, in consideration of the context of the impact, Idaho Power maintains that the Project would not preclude the Hells Canyon Scenic Byway from providing the scenic value for which it is recognized. Considering the resource as a whole, the Project will affect 0.4 percent of the byway. Although the proposed route crosses OR 86 in the vicinity of the National Historic Oregon Trail Interpretive Center, cyclists would experience views of the project for a short duration (less than 1 mile, or approximately 4 minutes for viewers on bicycles traveling 15 mph, when traveling in either direction on the highway). Because the Proposed Route will be positioned at the western terminus of the byway, it is aligned with existing transition, or "gateway" between the naturally appearing and the developed/cultural/agricultural landscape of the Baker Valley. For these reasons, considering the impacts on the byway as a whole, Idaho Power maintains its position that the Project's impacts on the Hells Canyon Scenic Byway will be less than significant.

	Columbia River Highway and the Pacific Coast Scenic Byway. The Hell's Canyon Scenic Byway Corridor Management Plan identifies a strategy for maintaining and enhancing the six intrinsic values noted above. Scenic quality of this portion of the Hell's Canyon Scenic Byway is unique and encompasses the historic significance associated with the physical elements of the landscape that the pioneers endured on the Oregon Trail. Since the proposed route crosses OR 86 in the vicinity of the National Historic Oregon Trail Interpretive Center, we would say that visual impacts to the Hells Canyon Scenic Byway are Potentially Significant.	
	On page 10 of the B2H Exhibit R Errata Sheets Idaho Power describes the Project Location in relation to the Grande Tour Scenic Route. The Proposed Route passes within 0.2 miles of the western most portion of the Grande Tour Route along Foothill Road near Ladd Marsh WMA about 5 miles south of La Grande in Union County (Attachment R-3, Figure R-3-3). The Project would put the transmission line in the immediate foreground distance zone (up to 0.5 miles) that is ranked as High. As such ODOT disagrees with Idaho Power's Viewer Perception assessment on table R-2 on page 6 & Magnitude of Impact table on page 17. Again, Idaho Power does not take into account bicycle or pedestrian travel along the scenic route. The close proximity of the Grande Tour Scenic Route to the City of La Grande attracts people of all ages to walk, run and bike for outdoor recreation, to access wildlife area lands east of Foothill Road to view Sandhill cranes and other migratory birds and west of Foothill Road to hike the trails on Glass Hill. For these reasons, we would say that the Viewer Perception is High instead of Low.	Idaho Power agrees with ODOT's assertion that viewer perception in the particular segment of the byway would be "high" because of the Project's location primarily in the foreground/middle ground distance zone. However, Viewers would be exposed to the Project for only approximately 4 percent of the Grande Tour Scenic Route (0.5-5 miles), regardless of mode. As a result, impacts in that area are localized and don't represent the impacts along the entirety of the byway. Further, the Project would not affect the view from the overlook above Ladd March Wildlife Area (directed across the marsh, farmland, forested hills and Wallowa Mountains, as identified in the Plan), and therefore, will not preclude the resource from providing the scenic value for which it is recognized. Considering the impacts on the byway as a whole, Idaho Power maintains its position that the Project's impacts will be less than significant.

	ODOT also disagrees with the Mitigation Considered, under Section 3.3.2.10 on page 10, for the Grande Tour Route along Foothill Road. Idaho Power's viewshed analysis indicates that the Morgan Lake Route is not visible from any portion of the byway (Attachment R-6). ODOT specifically states in our letter of March 20, 2019 with regards to the Grande Tour Scenic Byway that "Preferred mitigation would be the alternative alignment (Morgan Lake Alternative) in order to keep transmission lines further away from the scenic byway to avoid impacts to intrinsic qualities."	The Morgan Lake Alternative was analyzed as an alternative siting alignment and is not considered mitigation of the Proposed Route. That said, based on the public input and written comments we've received to date, Idaho Power's preference would be to construct the Morgan Lake Alternative, provided EFSC approves that route as set out in the application.
	Regarding the Magnitude of Impact tables on page 16 & 17- the increase in size of the structure (60-70 feet taller than existing structures) would be a High Impact. The landscape is open so the contrast to a tall transmission structure is High. Also, in locations where they will be cutting through vegetation and making openings, as seen in former renderings, will make the transmission structures very noticeable and will significantly lower the value of the scenic quality of the Grande Tour Scenic Route that is intended to showcase outstanding scenery and preserve and maintain the area's history. In our opinion, Resource Change would also be High, as the Project will appear to dominant the view.	Idaho Power concurs that magnitude of impacts would be high. However, although the Project will appear dominant and will lower the scenic quality component score for cultural modification, due to existing utility and road/highway infrastructure in this area, it will retain its cultural appearance in this portion of the resource. Scenic quality will remain medium; therefore, the resource change will be medium.
	ODOT further disagrees with Idaho Power's Significance Determination - table R-2 on page 6 & the determination on page 18. The Grande Tour Scenic Route is a designated Oregon Tour Route by the Oregon Department of Transportation that represents scenic views and sites of statewide significance. Ladd Marsh Wildlife Management Area is one of four areas of scenic quality identified in the Grande Tour Management Plan. The Ladd Marsh wildlife area to the west of Foothill Road, locally known as Glass Hill winter range, is prime elk habitat that the Project will cross. The wildlife area to the east of Foothill Road includes the Foothill	Idaho Power agrees that localized visual impacts to the Ladd Marsh portion of the Grande Tour Route will be of high intensity, resulting from high viewer perception and medium resource change. Impacts will result from the combined influence of the Project and other past or present actions, notably the existing 230-kV transmission line and I-84. Although impacts were determined to be of high intensity, impacts are localized (approximately 4% of byway), and viewer perception was identified as low; and would not affect the view from the overlook above Ladd March Wildlife Area

	Road Viewpoint where the Project is within close proximity. Foothill Road itself is part of the Oregon Trail, National Historic Trail Route. Based on our analysis the degree to which impacts are caused by the Project are Potentially Significant ODOT's recommended mitigation would be an alternative alignment to avoid all impacts to the intrinsic values of the Grande Tour Scenic Route.	(directed across the marsh, farmland, forested hills and Wallowa Mountains, as identified in the Plan), Idaho Power has not found the Project to preclude the Grande Tour Route from providing the scenic value for which it is recognized. Additionally, while Idaho Power acknowledges that ODOT's management plan for the Grande Tour Route notes that "the view from the overlook above Ladd Marsh Wildlife Area is exceptional," as Idaho Power explained in ASC Exhibit L, "[t]he purpose of the WA is to protect wildlife and its habitat" and "[n]o management standards or guidelines exist for the protection of scenery." To the extent that ODOT is concerned about the protection of wildlife resources in this area, and wildlife resources as a viewing opportunity, Idaho Power notes that issues concerning the protection of wildlife resources appear to be beyond the scope of ODOT's management authority with respect to Scenic Byways and moreover, Idaho Power, ODOE, and ODFW have analyzed potential impacts to wildlife in this area, which resulted in the adoption of certain related site certificate conditions. To the extent that ODOT is concerned with potential impacts to the Oregon Trail, Idaho Power notes that any such impacts have been considered under the Council's Historic, Cultural, and Archaeological Resources Standard.
	As for the Scenic Byways ODOT still has several concerns and mitigation measures needing to be addressed. One type of mitigation that needs to be taken is a look at the possibly of placing the transmission facility underground. This would only need to take place for the Hells Canyon and Grande Tour Scenic Byways.	Idaho Power disagrees that further consideration regarding undergrounding is warranted for the Hells Canyon Byway or the Grande Tour Route. In the Hells Canyon Byway area, Idaho Power considered and implemented mitigation in the form of a different structure type (H-frames), which are also lower in height and have a weathered steel finish. See DPO at 365, Recommended Scenic Resources Condition 2. Taking into account mitigation

		in this area, Idaho Power concludes that the Project will not result in significant impacts to the resource. Nonetheless, Idaho Power did in fact consider undergrounding in response to comments from stakeholders. Idaho Power's analysis, however, demonstrated that undergrounding the transmission line in this area would result in significant disruption to local agricultural operations, would still result in some level of visual impact given the large amounts of cut and fill for hills and slopes, and would be significantly more expensive. In short, the limited benefit to scenic resources that may gained through undergrounding in this area would not be worth the significant additional costs and impacts to other resources. For additional discussion, please see ASC Exhibit BB Errata. For the Grande Tour Route, Idaho Power does not believe that any additional mitigation is warranted, given that the impacts to the resource would be less than significant.

The Grande Tour Route Oregon Tour Route (Ladd Marsh Area)
Resource: The Grande Tour Route Oregon Tour Route (Ladd Marsh Area)
Relevant Exhibit: R
Exhibit R Map ID: The Grande Tour Route
Relevant Plan: The Grande Tour Management Plan (1998),
Resource Type: Linear Corridor
Relevant KOP(s): 4-16, 4-26

PART 1: Establish Baseline Conditions

Designation: Per the Grande Tour Route Management Plan (1998):
"The Scenic qualities of the Grande Tour are of statewide significance. The view from the overlook above Ladd March Wildlife Area is exceptional, taking in the shimmering waters and green foliage of the marsh, against a backdrop of farmland, forested hills and snow-tipped peaks of the Wallowa Mountains".

Interpretation of Designation: The Grande Tour Route is a designated Oregon Tour Route by the Oregon Department of Transportation. It is included in the Oregon Scenic Byways Official Driving Guide (traveloregon.com/byways).

Resource Overview:
The Grande Tour Route is an 80-mile loop route east and southeast of La Grande through parts of Union and Baker Counties. The route includes parts of OR 82, 203, and 237 and passes trough the towns of La Grande, Cove, Medical Springs, and Union. The tour route overlaps with a part of the Hells Canyon Scenic Byway east of La Grande. Most of the tour route is within the 10-mile analysis area.

The management plan for the Grande Tour Route identifies four goals for the route: 1) strengthen local economies; 2) build a bridge between urban and rural residents; 3) preserve and maintain the area's history; and 4) provide opportunities for education. The tour route management plan includes discussion of the general landscape and scenic qualities within the route region and identifies four specific locations of scenic quality. The four areas of scenic quality identified include Ladd Marsh Wildlife Management Area (WMA), Thief Valley Reservoir, Catherine Creek Summit, and the Ascension Chapel in the town of Cove. The Ascension Chapel in the town of Cove is outside the analysis area. Catherine Creek Summit is about 7.8 miles from the Project and viewshed analysis indicates that the Project would not be visible from this portion of the tour route (Attachment R-6). The Project would be visible from the portion of the Grande Tour Route near Thief Valley Reservoir where the tour route meets Thief Valley Road which provides access to a campground. The Proposed Route is located 3.75 miles to the west and a small portion would be visible from the east side of Thief Valley Reservoir. The management plan identifies a viewpoint at Ladd Marsh State Wildlife Management Area which is managed by Oregon Department of Fish and Wildlife. The purpose of the wildlife management area is to protect wildlife and its habitat. No management standards or guidelines are identified for the protection of scenery. The plan recognizes the responsibilities of the state management agencies and the counties for land use planning and appear to defer responsibilities regarding management of scenic quality. See Exhibit L, Protected Areas for additional information on The Ladd Marsh Wildlife Management Area. The Proposed Route is closest to the Grande Tour Route at approximately 0.2 miles from Ladd Marsh at its closest point. Viewshed analysis indicates that the Proposed Route would be visible to viewers in the vicinity of Ladd Marsh (Attachment R-6).

Per OAR 345-022-0080, The Grande Tour Route is being evaluated as a Scenic Resource.

The Grande Tour Route is not considered a Protected Area and not evaluated per OAR 345-022-0040.

The Grande Tour Route is not considered an important Recreation Resource, and not evaluated per OAR 345-022-0100.

Existing Conditions: The portion of the Grande Tour Route in proximity to the Proposed Route traverses rural farm steads, the marsh lands of the Ladd Marsh WMA, and the brush and forested slopes of Glass Hill Ridge. When traveling west on Foothill Road away from I-84 the mostly rural landscape gives roadway travelers the experience of leaving the more developed landscape as they travel toward the more naturally appearing landscape. The Blue Mountains to the west provides distance enclosure to this view. When traveling south from La Grande on Foothill Road roadway travelers will similarly have the experience of leaving the more developed landscape as they travel toward the more naturally appearing landscape. The Ladd Marsh WMA with its open water areas and stands of willow and cottonwood trees dominates the view to the north and east of Foothill Road. I-84 crosses the eastern edge of the Ladd Marsh WMA creating a sharp, horizontal line across the landscape. A viewpoint accessed off Foothill Road is located at the northwest corner of Ladd Marsh providing a view over the marsh to the south and east. Overall, the landscape surrounding the portion of the Grande Tour Route in proximity to the Proposed Route is natural appearing, as landscape development is limited. An existing 230-kV transmission line crosses along the base of the hills just west of Foothill Road and then climbs the brush and forested slope of Glass Hill Ridge. An existing buried gas pipeline also descends the hillside from the northwest and crosses Foothill Road near the northwest corner of Ladd Marsh WMA.

Overall, the landscape surrounding Ladd Marsh is natural appearing, as landscape development is limited along Foothill Road for the majority of its length. The existing 230-kV transmission line and I-84 add a level of disturbance to the area. Because of its non-forested setting, this resource was evaluated using methods adapted from the BLM Visual Resource Management (VRM) system. Per BLM's visual resource inventory methods described in manual H-8410-1 (BLM 1986), the scenic quality of the existing landscape for the Ladd Marsh portion of the scenic corridor is considered moderate (class B).

Grande Tour Route							
Landform (1 to 5)	Vegetation (0 to 5)	Water (0 to 5)	Color (1 to 5)	Adjacent Scenery (0 to 5)	Scarcity (1 to 5+)	Cultural Modification (-4 to 2)	Total Score
3	3	5	3	3	3	-2	18 (B)

Viewer Groups: Primary viewers include motorists and cyclist using Foothill Road as a primary travel corridor to La Grande as well as people touring on the scenic byway.

PART 2: Impact Likelihood and Magnitude Assessment

Alternatives Not Evaluated
Ladd Marsh is located inside of the 10-mile viewshed buffer of the cleared ROW for the Morgan Lake Alternative. However, the Morgan Lake Alternative is not visible from Ladd Marsh and therefore impacts from this alternative are not discussed any further in this document. West of Bombing Range Road Alternative 1, West of Bombing Range Road Alternative 2, and the Double Mountain Alternative are located greater than 5 miles from this site and therefore are also not considered in this visual impact analysis. Likewise, because these Alternative Routes are not forested, they are not analyzed for potential visual impacts resulting from a cleared ROW. The analysis below pertains to the Proposed Route.

Proposed Route
This analysis assumes towers in the vicinity of Ladd Marsh will be lattice-frame structures stained with a Natina finish. The 500-kV towers will appear large in scale when viewed at close distances, introducing strong visual contrast. The proposed lattice structures will be visible for approximately three miles when traveling northbound on Foothill Road, and for approximately two miles when traveling southbound. The proposed lattice structures will be approximately 60-70 feet taller than the existing 230-kV H-frame structures. Views of the Project will be experienced from a neutral or lower vantage point and be episodic (experienced for less than 5 minutes while traveling a speed of 45 miles per hour). Therefore, although the Project will appear dominant and will lower the scenic quality component score for cultural modification, it will retain its cultural appearance in this portion of the resource. Scenic quality will remain medium (class B).

Grande Tour Route							
Landform (1 to 5)	Vegetation (0 to 5)	Water (0 to 5)	Color (1 to 5)	Adjacent Scenery (0 to 5)	Scarcity (1 to 5+)	Cultural Modification (-4 to 2)	Total Score
3	3	5	3	3	3	-4	16 (B)

Likelihood of Impact
IPC considered all identified impacts to be “likely” to occur.

Magnitude of Impact – Impact Duration

Indicator	Criteria used to Determine Impact Duration		
Impact Duration	**Temporary.** Impacts would last for up to 3 years (construction periods only and recovery and revegetation of temporary impacts in agricultural areas).	**Short-term.** Impacts would 3 to10 years (recovery and revegetation of temporary impacts in grasslands and herbaceous wetlands).	**Long-term.** Impacts would extend for greater than 10 years, or for the life of the Project (permanent Project facilities, recovery and revegetation of temporary impacts in shrubland and forest lands).

Explanation: Impacts will be primarily associated with the transmission line, and therefore will be long-term, extending for the life of the Project.			
Indicator	Criteria used to Determine Visual Contrast and Scale Dominance		
Visual Contrast and Scale Dominance	**Low.** Project components result in weak to no visual contrast against the existing landscape, and project-related impacts are subordinate.	**Medium.** Project components result in moderate visual contrast against the existing landscape, and project-related impacts are co-dominant.	**High.** Project components result in strong visual contrast against the existing landscape, and project-related impacts are dominant.
Explanation: Project components will result in strong visual contrast against the existing landscape and in close proximity such that they will appear dominant against the existing landscape, including existing 230-kV H-Frame transmission structures. Therefore, impact magnitude will be high.			

Indicator	Criteria used to Determine Resource Change		
Resource Change	**Low.** The geographic extent of medium to high magnitude impacts is limited to a discrete portion of the resource such that scenic quality or attractiveness, and character of the resource will not change.	**Medium.** The geographic extent of medium to high magnitude impacts will lower the value of one or more key factor used to rank scenic quality or attractiveness; however, it will not reduce the scenic quality or scenic attractiveness class or change the overall landscape character of the resource.	**High**. The geographic extent of medium to high magnitude impacts will lower the scenic quality or attractiveness class and will alter landscape character of the resource.
Explanation: The structures will be visible for approximately three miles when traveling northbound on Foothill Road, and for approximately two miles when traveling southbound. Therefore, although the Project will appear dominant and will lower the scenic quality component score for cultural modification, it will retain its cultural appearance in this portion of the resource. Scenic quality will remain medium (class B). Therefore, the resource change will be medium.			
Viewer Perception	**Low.** Views of the Project are experienced from a neutral or lower vantage point, and are predominantly peripheral, intermittent, or	**Medium.** Views of the Project are experienced from a neutral or inferior vantage point, and are equally head-on and peripheral, equally continuous	**High.** Views of the Project are experienced from a neutral or inferior vantage point, and are predominantly head-on, predominantly

	episodic; OR, the Project is located primarily in the background distance zone (5-15 miles).	and intermittent; OR, the Project is located primarily in the foreground/ middleground distance zone (0.5-5 miles).	continuous; OR, the Project is located primarily in the immediate foreground distance zone (up to 0.5 miles).
Explanation: The Project is located primarily in the immediate foreground distance zone (up to 0.5 miles).			

PART 3: Consideration of Intensity, Causation, and Context

Impact Intensity

Intensity Rating			
Viewer Perception	**Resource Change**		
	LOW	**MEDIUM**	**HIGH**
LOW	Low	Medium	High
MEDIUM	Low	Medium	High
HIGH	Low	High	High

The Project will have high magnitude impacts as travelers will parallel to the Proposed Route and have close up views of the 500-kV structures that will introduce strong visual contrast and appear dominant. The structures will be visible for approximately three miles when traveling northbound on Foothill Road, and for approximately two miles when traveling southbound. The cultural modification component score of scenic quality will be reduced; however, the landscape character and scenic quality will be maintained such that resource change will be medium. The Project is located primarily in the immediate foreground distance zone (up to 0.5 miles); therefore, viewer perception will be high. Therefore, visual impacts will be high intensity.

Degree to Which Impacts are Caused by the Project

The scenic quality of the resource under operational conditions is the result of the combined influence of the Project and other past or present actions, such as the existing 230-kV, I-84 and the agricultural, and residential, uses in the area. Collectively, the existing 230-kV, I-84 and the Proposed Project will result in high intensity impacts.

Indicator	**Context Criteria**
Scenery as a Valued Attribute	Scenery is a valued attribute of the resource, either as a perceived amenity (i.e., recreation setting) or as defined in OAR 345-022-0080; or, Scenery is not a valued attribute of the resource.
Explanation: The Grande Tour Route Management Plan (1998) identifies the Ladd Marsh portion of the route as an important scenic resource per OAR 345-022-0080.	
Persistence of Scenic Value	Persistence of Scenic Value is either: **Not-Precluded**. Impacts will not preclude the ability of the resource to provide the scenic value for which it was designated or recognized in the applicable land management plan; or, **Precluded**. Impacts will preclude the ability of the resource to provide the scenic value for which it was designated or recognized in the applicable land management plan.
Explanation:	

The Grande Tour Management Plan (1998) identifies the scenic qualities are of statewide importance. Although impacts were determined to be of high intensity, impacts are localized (approximately 4% of byway)~~, and viewer perception was identified as low~~; and would not affect the view from the overlook above Ladd March Wildlife Area (directed across the marsh, farmland, forested hills and Wallowa Mountains, as identified in the Plan), IPC has not found the Project to preclude the Grande Tour Route from providing the scenic value for which it is recognized. No specific scenic management direction has been established for this scenic resource; therefore, IPC's impacts are not inconsistent with management direction provided.

Commenter	Comment	Idaho Power's Response
Stop B2H 2. Need	*1. The Applicant, Idaho Power, has not met the standards under EFSC's Least Cost Plan Rule*	
	Idaho Power seeks to meet the requirements in the Least Cost Plan Rule based solely upon a single plan: Idaho Power's 2017 IRP. There is no dispute that OPUC acknowledged Idaho Power's 2017 IRP and that therefore, Idaho Power's IRP meets that criteria for an energy resource plan under the Least Cost Planning Rule. The facts are, however, that a single energy resource plan that acknowledged a much smaller transmission line does not meet the need standard under the Least Cost Planning Rule.	On May 18, 2018, in Order No. 18-176, the Oregon Public Utility Commission (OPUC or Commission) acknowledged Idaho Power's 2017 IRP Action Plan, with modifications, including Action Item 5 to conduct ongoing permitting, planning studies and regulatory filings for the B2H transmission line, as well as Action Item 6 to conduct preliminary construction activities, acquire long-lead materials, and construct the B2H Project (see Order No. 18-176, p. 9). The Commission described B2H as a "new single-circuit 500-kV transmission line, approximately 300 miles long between the proposed Longhorn Station near Boardman, Oregon, and the existing Hemingway Substation in southwest Idaho" (Order No. 18-176, p. 5). Thus, the Commission's Order No. 18-176 acknowledged the construction of B2H as proposed in the ASC, and not "a much smaller transmission line" as argued by the commenter.
	It is the Council's responsibility in this proceeding to determine whether the applicant has demonstrated the need for the capacity of the facility under the Rule. Idaho Power's acknowledged IRP alone does not meet requirements under the rule, as Idaho Power's IRP only evaluated a transmission line with a fraction (approximately 20%) of the capacity of the B2H transmission line that is the subject of the application for a site certificate. Idaho Power has requested and received acknowledgement from the OPUC for their 2017 IRP, including B2H Action Items. This acknowledgement is for Idaho Power's share of B2H, a share that represents only approximately 20% of the total capacity of the B2H project at a cost of less than $300 million,	The commenter's argument is incorrect as a matter of law and of fact. With respect to the law, on its face, the Least Cost Planning Rule does not require the Council to consider the specific amount of capacity that the identified resource will fill for the Applicant as indicated in the IRP, but rather looks at the facility itself (including the total capacity) that is identified for acquisition in the short-term resource plan. As noted above, the resource that is identified for acquisition in the IRP is the same 300-mile long, 500 kV transmission line for which Idaho Power seeks a site certificate. In this case, Idaho Power has demonstrated to the satisfaction of the OPUC that a 500-kV line, built and operated in conjunction with partners, is the least cost approach to filling Idaho Power's need.

	whereas the Applicant, Idaho Power, is requesting that EFSC issue a site certificate for a transmission line with 2,050 MW of capacity at a cost of approximately $ 1 billion. . . . . . . The Least Cost Plan Rule requires a finding of fact by the Council that the capacity of the proposed resource is identified for acquisition in an energy resource plan or combination of plans. Idaho Power has supported their application with only a single plan that identifies the acquisition of only approximately 20% of the capacity of the proposed B2H line. Idaho Power has not identified a combination of other participants least-cost energy resource plans that would utilize the remaining 80% of the capacity of the project as required per OAR 345-023-0020(1).	Moreover, with respect to the facts, the commenter somewhat misunderstands Idaho Power's interest in the project when it states that the amount of capacity needed by Idaho Power represents only 20 percent of the capacity of B2H. In fact, during the summer months when Idaho Power's need is the greatest, B2H is intended to provide Idaho Power with an additional 500 MW of West to East capacity—which represents approximately 50 percent of the total capacity in the West to East direction. And in the winter when Idaho Power's need is less, B2H will provide Idaho Power with approximately 200 MW of West to East capacity. Accordingly, the "20 percent" amount cited by the commenter does not reflect Idaho Power's capacity needs, but instead represents Idaho Power's financial interest in B2H under the 2012 B2H Permit Funding Agreement with BPA, PacifiCorp, and Idaho Power (Permit Funding Agreement). More precisely, the Permit Funding Agreement provides that Idaho Power has a 21.5 percent interest in the project—which corresponds to an anticipated 21.5 percent cost responsibility. These facts highlight the benefits of the proposed partner arrangement for B2H, under which Idaho Power would have the rights to roughly 50 percent of the West to East capacity of the transmission line during the times of its peak need, while being required to pay for only approximately 20 percent of the costs. Idaho Power has clearly demonstrated that constructing a 500-kV line with partners is the best and most efficient approach to addressing its customers' needs. Therefore, Idaho Power has satisfied the Least Cost Plan Rule. Although not necessary to demonstrate compliance with the Least Cost Planning Rule, to the extent the commenter is suggesting that PacifiCorp has not had any portion of the

		project approved in its short-term action plan, the commenter is incorrect. PacifiCorp received acknowledgement of B2H in its 2017 IRP. Action Item 2b in that IRP is for continued permitting of PacifiCorp's Energy Gateway Transmission Expansion Plan, which as described in the IRP, is the result of several robust local and regional transmission planning efforts that are ongoing and have been conducted over a number of years. The Energy Gateway includes a number of separate segments, including B2H, which are the subject of ongoing permitting efforts. Action Item 2b of the 2017 IRP specifically calls out continued permitting for B2H (which is also identified as "Segment H"). Again, although it's not necessary to demonstrate Idaho Power's compliance with the Least Cost Planning Rule, it's wrong for the commenter to suggest PacifiCorp has not received acknowledgment from the PUC for any portion of the project.
	At the April 10 2018 public meeting at which OPUC acknowledgement of the 2017 (sic)was granted Commissioner Bloom clearly stated that he expected the (sic) see PacifiCorp's IRP before the OPUC for acknowledgement of B2H. He stated that the action that day was an acknowledgement for Idaho Power and was NOT an acknowledgement for PacifiCorp, as 54% capacity participant of the project. A review of the video of the final 2017 IRP hearing shows Commissioner Bloom at 4:16:18 say, 'My concerns are that Idaho power (sic) is the 25% participant and the two big parties, BPA which we can't control, and PAC does not even have it in their IRP. So if we acknowledge this IRP for Idaho power [sic] this is not an acknowledgement for PAC. They are going to have to do	The commenter has correctly quoted Commissioner Bloom's statement, but misconstrues his point. He is not undercutting the OPUC's acknowledgement of Idaho Power's plan to construct a 300-mile 500 kV transmission line. Rather, he is simply observing that Idaho Power's acknowledgement is not a substitute for PacifiCorp's acknowledgement. In other words, if PacifiCorp wishes to obtain the presumption of prudence (and rate recovery) that comes with acknowledgement of an IRP, it will need to obtain its own acknowledgement of the construction of B2H.

	all their own work on this to convince us it is in the money.'	
	Furthermore, an examination of the audio and video record of the April 10, 2018 public meeting clearly shows that the OPUC expressly disclaimed that the Commission's acknowledgement of Idaho Power's IRP meets the Council's requirements for determining the need for B2H under the Council's Least Cost Planning Rule as explained below. During the OPUC public meeting on April 10, 2018, at which the OPUC Commissioners entered their decision to acknowledge B2H in Idaho Power's IRP, counsel for Idaho Power addressed the Commissioner directly and told the Commissioners that Idaho Power hoped that the OPUC acknowledgement of B2H in the 2017 IRP would meet the EFSC standard for demonstrating need for the capacity of the B2H project. . . . In direct response to this desire expressed by Idaho Power, Commission Chair Lisa Hardie responded with the following: 'I think it is probably fair to say that we'll be, as you know, making a decision into our own standards and then it, it will be up to EFSC to say how to interpret that. I think people are, what people are arguing is how they view that. We wouldn't be determining that here.' Indeed, OPUC issued their formal Order acknowledging the B2H Action Items in Idaho Power's 2017 IRP expressly disclaiming that the OPUC acknowledgement of the 2017 IRP met any standards of any other State agency. This is clearly	The commenter correctly quotes the discussion at the OPUC Public Meeting. However, to the extent the commenter is suggesting that this discussion undercuts the meaning or efficacy of the OPUC's acknowledgement of B2H, the commenter is incorrect. On the contrary, the Commission was simply observing that its acknowledgement of the B2H Action Items establishes that they have met the OPUC's own standards for acknowledgement, but that it was not the OPUC's role to determine that EFSC's need standard was met.

	expressed in the first paragraph of the OPUC Order which states: 'This order memorializes our decision, made and effective at the April 10, 2018 Regular Public Meeting, concerning Idaho Power Company's 2017 Integrated Resource Plan (IRP). We acknowledge all but two of the action items proposed in Idaho Power's revised action plan. Although our acknowledgement includes Idaho Power's Boardman to Hemingway (B2H) related action items, we note that our acknowledgement is limited to our interpretation of IRP standards specific to the Public Utility Commission, and does not interpret or apply the standard of any other state or federal agency.' It is the Applicant's responsibility to demonstrate that the 2,050 MW capacity of the proposed B2H transmission line is supported by an acknowledged plan or plans. Idaho Power's acknowledged IRP supports the need for a much smaller and less costly transmission line than that proposed by the applicant (approximately 20% of the project) and therefore, a demonstration of need has not been made by the applicant under the Least Cost Planning Rule, and EFSC cannot issue a site certificate based upon the evidence contained in this Application.	
	2. The Applicant, Idaho Power, has not met the standards under EFSC's System Reliability Rule	
	Although the applicant has submitted information as required above when seeking to establish need under the System Reliability Rule, the applicant has failed to meet the standards required because the information provided relates to a transmission line that has only approximately 20% of the capacity of the B2H line, and the information is provided for	Contrary to the commenter's assertion, the System Reliability Rule does not require that the capacity of the transmission line for which the applicant seeks a site certificate be a precise match to the capacity required to fill the applicant's need. Indeed, such a requirement would be generally

	only a subset of the area to be served by the proposed transmission line. For example, under requirement (A) above, the applicant is required to submit load-resource balance tables for the area to be served by the proposed facility. The applicant has requested a site certificate for a transmission line with a nominal capacity of 2,050 MW between the Pacific Northwest and the eastern Idaho region. Stated differently, the area served by this transmission line as proposed are the service territories of Bonneville Power and PacifiCorp Western Balancing Authority Area in the Pacific Northwest, and the service territories of Idaho Power and PacifiCorp Eastern Balancing Authority Area in the Intermountain (eastern) region of WECC. Despite the clear requirements of OAR 345-021-0010, Idaho Power has only supported the application with load-resource balance tables that solely identify the loads and resources of Idaho Power. The monthly average energy load-resource balance values that are submitted with the application are only for Idaho Power's load and resource data. The first page demonstrates that Idaho Power is ONLY talking about their approximately 20% or 500 MW of capacity to meet their "monthly average energy load-resource balance values." . . . The monthly peak hour load-resource balance values are reported confirm again that Idaho Power is ONLY talking about their approximately 20% or 500 MW of capacity in the project to meet "monthly peak hour load-resource balance values" of the project. . . .	impossible to satisfy, and counterproductive—as noted below. It would be impossible to show that the capacity of the transmission line for which the applicant seeks a site certificate is an exact match for the applicant's demonstrated need. Transmission lines cannot be scaled to precise needs but rather come in "lumpy" sizes of 138 kV, 161 kV, 230 kV, 345 kV, and 500 kV. Moreover, capacity needs do not remain static year-round, but rather correspond to peak needs. In this case, Idaho Power's need for incremental capacity is approximately 250 percent higher in the summer than in the winter, so the incremental capacity need filled by B2H must be judged by Idaho Power's summer peak needs, and not the "average" 21.5 percent number cited by the commenter. Moreover, it would be counterproductive and short-sighted for the Council to interpret its rules such that capacity must be scaled precisely to the applicant's need. The current proposal to meet needs of all three partners—Idaho Power, BPA, and PacifiCorp—with one transmission line will result in far smaller impacts than three separate transmission lines each scaled to meet the individual utility needs. And finally, if, as the commenter suggests, the capacity of the transmission line needed to be scaled to meet the precise need of the applicant, there would be no extra capacity for expansion, which could then trigger the need for another transmission line where it otherwise could be avoided. Accordingly, Idaho Power has satisfied the System Reliability Rule.

	Idaho Power's monthly average energy load-resource balance values and the monthly peak hour load-resource balance values have demonstrated the need for less than 25% of the service area of the B2H project. The remaining information provided by the applicant under the System Reliability Rule suffers from the same infirmities. The site certificate requested is for a transmission line with a nominal 2,050MW of capacity, yet the information provided by the applicant supporting the project need under the System Reliability rule is for a small sub-area of the total service area to be served by the project and for a sub-area served by less than 25% of the capacity of the project . The applicant has clearly not met the EFSC requirement for demonstration of need under either the Least-Cost Planning Rule or the System Reliability Rule and must be denied.	

Commenter	Comment	Idaho Power's Response
StopB2H 3. Notification	EFSC improperly modified the noise notification area, from 1 mile to ½ mile, in its Project Order. This reduction of the noise notification area is irresponsible and improper. A transmission line of this size and magnitude will be an ugly and noisy neighbor with an impact much boarder than a mile. The intent of the 1 mile notification is to ensure that the public is notified about energy facilities that would impact their lives. This rule change was done improperly and thus the notification done is invalid. Notice needs to be redone to include all owners of noise sensitive property within one mile of the proposed site boundary. . . . There is no valid basis that we can find, for EFSC to use a Project Order to modify and existing Notice requirement in an adopted Rule. EFSC has not cited any authority for its assertion in the Project Order that a reduction of the notice area is allowed. Instead the Order just states that a reduction is authorized. That is neither legal, nor appropriate. The 1-mile notice list is required by a Rule. To amend or modify an adopted Rule, EFSC (like any other agency) must follow the procedures set out in ORS 183.335 and OAR 345-001-0000(1). That was not done. Instead, the Project Order purports to amend or modify the Notice rule, as an administrative act by the agency. That type of amendment is not lawful. For there to be lawful Notice in conformance with the rules, EFSC should insist that the applicant provide a list of all owners of noise sensitive property within 1 mile of all edges of the proposed site boundary, notify them properly – and then re-open the comment period on this project.	Idaho Power disagrees with the commenter's assertion that subsection (1)(x)(E) of OAR 345-021-0010 represents a notice requirement. Subsection (1)(x)(E) provides, "[t]he applicant shall include: . . . A list of the names and addresses of all owners of noise sensitive property, as defined in OAR 340-035-0015, within one mile of the proposed site boundary." By its plain language, subsection (1)(x)(E) requires only that the applicant include in the application a list of certain landowners (which Idaho Power provided in Attachment X-7). There is no reasonable interpretation of that language that would require an application or ODOE to provide any type of notice to the landowners on the subsection (1)(x)(E) list. Instead, the requirements for providing notice to landowners are set out in OAR 345-015-0220(2), which requires ODOE to send notice by mail or email to "persons on the Council's general mailing list as defined in OAR 345-011-0020 and to any special mailing list set up for the proposed project, including a mailing list made up of those persons listed in Exhibit F." First, the Council's general mailing list consists of people who have requested notification of all Council-meeting and facility-siting mailings (see OAR 345-011-0020(4)). However, the general mailing list is not specific to any particular project or to NSR landowners, and therefore, it cannot be interpreted as referring to the list of NSR landowners presented in the B2H application. Second, the Exhibit F mailing list consists of landowners within or adjacent to a proposed project's site boundary (see OAR 345-021-0010(1)(f)). While the Exhibit F mailing list may overlap with some of the NSR owners listed in Exhibit X, the Exhibit F mailing list covers all landowners within or adjacent to the site boundary regardless of whether an NSR is present, and in that sense, the two lists are separate and distinct. Third, and

		finally, the Second Amended Project Order for the B2H Project (July 26, 2018) does not identify any special mailing lists—i.e., beyond the general mailing list and the Exhibit F list—for notification purposes. In particular, it does not provide that notification must be made to the Exhibit X list. Because the Exhibit X list is not one of the mailing lists set forth in OAR 345-015-0220(2), the Exhibit X list is not considered a notification list and notice to each of the NSR owners in the Exhibit X list was not required and there is no need to reissue the DPO notice. That said, Idaho Power understands that that ODOE did in fact provide notice to the landowners identified in Attachment X-7 *as a courtesy*, and therefore, the commenter's arguments about failure to provide notice to those landowners are moot for that reason as well. Furthermore, the commenter's suggestion that ODOE was required to undertake formal rulemaking to change the one-mile analysis area for Exhibit X is incorrect. Rather than a notification requirement, the one-mile boundary set forth in OAR 345-021-0010(1)(x)(E) represents a study area for the noise analysis that's to be included in Exhibit X of the application. However, OAR 345-021-0000(5) provides that ODOE may modify or waive any of the application content requirements in OAR 345-021-0010, including those subsections setting forth study areas like OAR 345-021-0010(1)(x)(E). Here, that's exactly what ODOE did, explaining in the Second Amended Project Order, that: because of the linear nature of the proposed facility, the requirements of paragraph E are modified. Instead of one mile, to comply with paragraph E the applicant must develop a list of all owners of noise sensitive property, as defined in OAR 340-035-0015, within one-half mile of the

		proposed site boundary. (Second Amended Project Order, Section III(x)). Additionally, ODOE has not modified the rule itself, which still stands in its original form. Instead, ODOE merely modified the application of that rule to this particular Project, doing so consistent with ODOE's authority under OAR 345-021-0000(5) as discussed above. Therefore, because OAR 345-021-0000(5) provides ODOE express authority to modify the application of the requirements of OAR 345-021-0010(1)(x)(E) to a particular project, and/or because ODOE has not modified OAR 345-021-0010(1)(x)(E) itself, ODOE was not required to follow the procedures set out in ORS 183.335 and OAR 345-001-0000(1) to modify the B2H Project's Exhibit X analysis area.
	Under the current incorrect rule of a .5 mile, notice was still not properly given to landowners at the terminus of the site boundary on Hawthorne Drive in La Grande.	Because the landowner list for Exhibit X is not a notification list, as explained above, there is no requirement to provide notice to landowners within ½ mile of the site boundary.

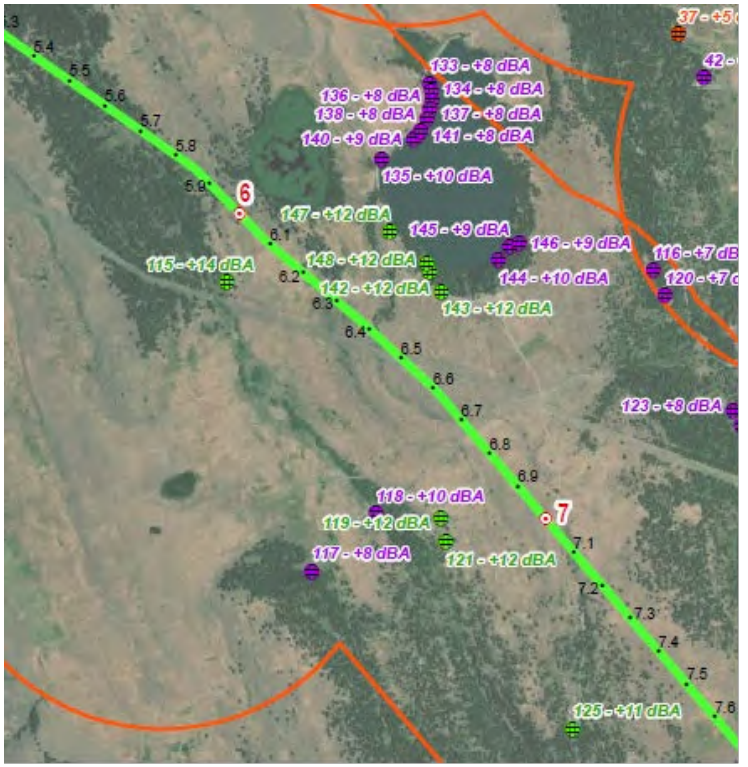
	STOP B2H comments that IPC identified NSRs within ½ mile of the transmission line site boundary rather than ½ mile from the site boundary for all project features. At 16-17.	In accordance with the DEQ Noise Rules, sounds emanating from construction sites are exempt from the application of the ambient antidegradation standard. The only noise that Idaho Power expects would occur during operation of the project would be associated with vehicles used to inspect the transmission line (once per year) or corona noise associated with the project, which Idaho Power anticipates will occur infrequently due to the fact that the region is generally arid and the meteorological conditions (light rain, fog, mist) required to trigger corona noise occurring infrequently in the project area. Accordingly, Idaho Power appropriately focused its analysis for compliance with the ambient antidegradation standard on the transmission line and identified NSRs within a ½ mile of the transmission line site boundary. Specifically, Idaho Power reviewed aerial photography to identify NSRs within approximately 3,100 feet of the transmission line. Additionally, on a case by case basis, Idaho Power extended its identification of potentially impacted NSRs in areas that were determined through monitoring to be particularly quiet. Idaho Power's identification of NSRs beyond ½ mile from the transmission line site boundary is described in Idaho Power's responses to comments regarding its noise analysis.

	In conclusion, the Energy Facility Siting Council needs to deny Idaho Power's application for the B2H transmission project due to the fact that the application violates several OARs, including 345-001-0010(55) (clear mapping), 345-021-0010(1)(x)(E) (notification of noise sensitive property owners), and ORS 183.335 and OAR 345-001-0000(1) (modification of adopted rules by an agency). Or, the Council should direct the applicant to reinitiate the notification process and begin again.	The commenter did not explain their concerns regarding "clear mapping," and accordingly there is not sufficiently specific information in the comment for Idaho Power to respond to. Regarding "notification of noise sensitive property owners," again, the commenter misapprehends the purposes of the landowner list for Exhibit X, as it does not create any independent notice requirement. Regarding "modification of adopted rules by an agency," the Department has discretion to waive or modify the rules describing the required contents of the exhibits supporting an application for site certificate; and here, ODOE acted within its discretion to modify the analysis area for the Exhibit X analysis from 1 mile to ½ mile.

Commenter	Comment	Idaho Power's Response
Stop B2H 4. Noise First Supplemental Response	The notification requirement was addressed in the section above. However, more specifically, by arbitrarily reducing the size and locations of the site boundary, Idaho Power, by design: . . . ● Reduced the number of potential NSRs that needed to be monitored for baseline in violation of OAR 340-035-0035 and the "Sound Measurement Procedures Manual 1" (NPCS-1.) . . .	DEQ's Sound Measurement Procedures Manual, NPCS-1, does not address the establishment of ambient sound levels along a linear corridor. Rather it provides guidance based on 1970/1980s equipment and methods on how to assess compliance of an operating project. Similarly, the Manual does not address the methodology(ies) a developer may use to decide the threshold questions of whether and where to measure baseline noise levels. As a result, the Manual does not address whether and how a developer may use measured baseline noise levels at representative monitoring locations to represent multiple NSRs across a 300-mile project. The Noise Rules similarly make it clear that the Manual addresses only sound measurement procedures and not the developer's methodology for using measured baseline noise levels to represent multiple NSRs (see OAR 340-035-0035(3)(a)). Because neither the Noise Rules nor DEQ's Sound Measurement Procedures Manual require specific methodologies for establishing baseline noise levels for non-wind-energy projects, Idaho Power's noise expert developed its own methodology using representative monitoring, which was repeatedly vetted with ODOE and ODOE's noise consultant, an Oregon registered Professional Acoustical Engineer, and reviewed by a second consultant for ODOE, Golder Associates. Therefore, the commenter's argument that Idaho Power "reduced the number of potential NSRs that needed to be monitored for baseline in violation of OAR 340-035-0035 and the 'Sound Measurement Procedures Manual 1' (NPCS-1.)" is incorrect.
	7. There are Noise impacts in Recreation and Protected Areas as well but IPC has not addressed these adequately. Morgan Lake Park, in Union County, was not monitored because it was not a "residence." However, according to the rules, a	The definition of a noise sensitive property includes properties that are "normally used for sleeping" (OAR 340-035-0015(38)). Morgan Lake Park itself is not a "noise sensitive property," however, the park includes campsites

	Noise Sensitive property is: "…real property normally used for sleeping, or normally used as schools, churches, hospitals or public libraries..." (340-035-0015 (38). Morgan Lake is a quiet, pristine campground – with overnight camping -- where people sleep! Plus it is a scenic and important recreation area and should have been designated as a NSR also, per OAR 345-022-0100 and ODEQ standards 340-035-0000-0100. (see Attachment 4.2: Non-compliance with Noise Standards in Recreation Area.)	that may be used for sleeping during a portion of the year. The campground at Morgan Lake Park is open for camping only seasonally, from April 22 – October 31. Because the park is not used for sleeping for approximately half the calendar year, Idaho Power questions whether the park is considered as being "normally used for sleeping" and therefore whether it should be considered a noise sensitive property under OAR 340-035-0015(38). <u>Morgan Lake Park - Noise Analysis</u> Nonetheless, in response to this comment, Idaho Power analyzed the estimated sound levels at the campsites at Morgan Lake Park and determined that the closest campsite is approximately 1,100 feet from Project, while the furthest campsite is approximately 2,700 feet away. Exhibit X analyzed two NSRs in the vicinity of Morgan Lake Park: NSR Sequential Number 115 and 119. Utilizing the same late-night baseline sound pressure level of 32 dBA as these nearby NSRs (from MP-11), the predicted foul weather increase over the late-night baseline is 12 dBA at the 4 closest campsites and 10-8 dBA at the remaining campsites. Please see the figure below, and see also Attachment 2 (Updated Table NC-3). To the extent that the Council considers the campsites to be "noise sensitive properties" for purposes of the DEQ rules, Idaho Power requests that the Council authorize an exception or variance to address compliance for the modeled exceedances.

Updated Noise Modeling at Morgan Lake Park



Morgan Lake Park – Exception

As Idaho Power explained in its ASC, the ODEQ Noise Control Regulations permit the owner or controller of an industrial noise source to request that the ODEQ (or in this context, the Council) grant an exception from application of the ODEQ Noise Control Regulations. In ASC Exhibit X, Idaho Power provided an analysis of its request for an exception based on the infrequent occurrence of foul weather in the project area, and its analysis for the project generally is equally

		applicable to Morgan Lake Park. Moreover, because the park is only open seasonally, from April 22 to October 31, Idaho Power expects that foul weather events occurring during the late spring, summer, and early fall—when the campground is open—will be even less frequent. As shown in Table X-7 in ASC Exhibit X, fair weather conditions persist at least 97% of the time during spring, summer, and fall and 99% of the time during the summer period, which is when campgrounds tend to experience the highest levels of use. Idaho Power has requested that the exception apply to the entire length of the project, which would address compliance for the campsite at Morgan Lake Park, to the extent they may be considered NSRs. <u>Morgan Lake Park - Variance</u> In addition, or in the alternative to an exception, IPC requests that EFSC grant the Project a variance from the Ambient Antidegradation Standard. Like the exception, the variance would apply to the Project as a whole. In ASC Exhibit X, Idaho Power presented analysis supporting its request for a variance, which would apply equally to any potential exceedances at the Morgan Lake Park. Specifically, Morgan Lake Park is in close proximity to another predicted exceedance at NSR-115, and accordingly the site-specific variance analysis for NSR-115 would also justify a variance for the campsites that may be impacted at the park. See the mapset in Attachment 1 to these comment responses. <u>Other La Grande Area NSRs (NSRs 46, 119, 121, and 125) – Noise Analysis</u> Since the ASC, H-frames have been proposed near Morgan Lake Park and the City of La Grande. Idaho Power modeled the H-frame design in those areas, which involved in an approximately 3 dBA increase over the previously modeled

		lattice towers. Accordingly, Idaho Power anticipates additional potential exceedances at NSR 46 for the proposed route (+11 dBA), and NSRs 119 (+12 dBA), 121 (+12 dBA), and 125 (+11 dBA). Additionally, the predicted exceedance at NSR 115 is expected to be greater than originally modeled in Exhibit X, (+14 dBA with H-frames v. +11 dBA with lattice) (see Attachment 2 (Updated Table NC-3)). Idaho Power requests that the Council authorize an exception or variance to address compliance for these modeled exceedances. <u>Other La Grande Area NSRs (NSRs 46, 119, 121, and 125) – Exception</u> As Idaho Power explained in its ASC, the ODEQ Noise Control Regulations permit the owner or controller of an industrial noise source to request that the ODEQ (or in this context, the Council) grant an exception from application of the ODEQ Noise Control Regulations. In ASC Exhibit X, Idaho Power provided an analysis of its request for an exception based on the infrequent occurrence of foul weather in the project area, and its analysis for the project generally is equally applicable to NSRs 46, 119, 121, and 125. Idaho Power has requested that the exception apply to the entire length of the project, which would address compliance for NSRs 46, 119, 121, and 125. <u>Other La Grande Area NSRs (NSRs 46, 119, 121, and 125) – Variance</u> In addition or in the alternative to an exception, IPC requests that EFSC grant the Project a variance from the Ambient Antidegradation Standard. Like the exception, the variance would apply to the Project as a whole. In ASC Exhibit X, Idaho Power presented analysis supporting its request for a variance, which would apply equally to any potential exceedances at the NSRs 46, 119, 121, and 125. Specifically,

		NSRs 119, 121, and 125 are in close proximity to another predicted exceedance at NSR 115, and accordingly the site specific variance analysis for NSR 115 would also justify a variance for the potential impacts associated with NSRs 119, 121, and 125. See the mapset in Attachment 1 to these comment responses. Additionally, NSRs 46 is in close proximity to another predicted exceedance at NSR 5004, and accordingly the site specific variance analysis for NSR 5004 would also justify a variance for the potential impacts associated with NSR 46. See the mapset in Attachment 1 to these comment responses. <u>Conservative Assumptions</u> In analyzing each of Idaho Power's exception and variance request, including the requests above, the Council should consider that Idaho Power's modeling was based on conservative inputs, which in a sense provided a margin of error that likely over-estimates the increase in sound levels and frequency of exceedances. The conservative assumptions include: • Idaho Power modeled sound levels from the transmission line using the maximum voltage levels of 550-kV, representing the greatest amount of corona noise expected during operations. However, Idaho Power does not expect to typically operate the project at 550-kV. Instead, the line will be operated within a 500-550-kV profile with voltage magnitude and duration occurring along a bell curve with 525-kV as its center-point and normal operating condition. Importantly, normal operating conditions at 525-kV will yield approximately 2 dBA less noise than 550-kV, which was used in the noise

		modeling. Generally speaking, Idaho Power expects the project will operate at the normal operating voltage of 525-kV approximately 50 % of the time, with the voltage reaching 550-kV only approximately 0.01% of the time. Thus under normal operating conditions, over half of the modeled exceedances in ASC Exhibit X would instead be at 10 dBA or less, and none of the additional new exceedances resulting from Idaho Power's supplemental analysis (described in this comment response matrix) would result in exceedances. • Baseline ambient noise levels focused on periods of low wind during the quietest time period of the day—i.e., 12 AM midnight to 5 AM. For purposes of setting the baseline at a particular NSR, the results from this quietest period were assumed to be present at all hours of the day. If Idaho Power were to have established the baseline using the measured sound levels during low winds for all hours of the day, in most cases, the baseline sound levels would be greater. Baseline levels would also be greater if all wind conditions were included. • For an exceedance to occur as predicted in Idaho Power's modeling, all four conditions would need to occur at the same time—low wind, the quietest time of day, the maximum voltage levels, and foul weather. Idaho Power explained in ASC Exhibit X that foul weather events resulting in corona noise are infrequent in the project area, and arguably, the simultaneous occurrence of conditions contributing to a potential exceedance (low wind, quiet late night period, high voltage level, and foul weather event) may be even less frequent. • In locations where there were several options for monitoring positions that may apply to an NSR or grouping of NSRs, Idaho Power erred on the side of

		selecting the quietest monitoring position. For example, MP11 was selected for NSRs near the Proposed Route since it resulted in a lower baseline even though other locations were physically closer (e.g., MP13 and MP09 were also considered as representative for these NSRs, but baseline sound levels at MP11 are lower making MP11 a more conservative choice). To properly place the exception and variance requests in context, Idaho Power proposes the following changes to the proposed order: *Modeling Assumptions* The applicant argues that its request for a variance and exception are further supported by the conservative assumptions the applicant used in its modeling, which likely over-estimated the increase in sound levels and frequency of exceedances. Those conservative assumptions included: • Idaho Power modeled sound levels from the transmission line using the maximum voltage levels of 550-kV, representing the greatest amount of corona noise expected during operations. However, Idaho Power does not expect to typically operate the project at 550-kV. Instead, the line will be operated within a 500-550-kV profile with voltage magnitude and duration occurring along a bell curve with 525-kV as its center-point and normal operating condition. Importantly, normal operating conditions at 525-kV will yield approximately 2 dBA less noise than 550-kV, which was used in the noise modeling. Generally speaking, Idaho Power expects the project will operate at the normal

		operating voltage of 525-kV approximately 50 % of the time, with the voltage reaching 550-kV only approximately 0.01% of the time. Thus, under normal operating conditions, over half of the modeled exceedances in ASC Exhibit X would instead be at 10 dBA or less and not qualify as an exceedance. • Baseline ambient noise levels focused on periods of low wind during the quietest time period of the day—i.e., 12 AM midnight to 5 AM. For purposes of setting the baseline at a particular NSR, the results from this quietest period were assumed to be present at all hours of the day. If Idaho Power were to have established the baseline using the measured sound levels during low winds for all hours of the day, in most cases, the baseline sound levels would be greater. Baseline levels would also be greater if all wind conditions were included. • For an exceedance to occur as predicted in Idaho Power's modeling, all four conditions would need to occur at the same time—low wind, the quietest time of day, the maximum voltage levels, and foul weather. Idaho Power explained in ASC Exhibit X that foul weather events resulting in corona noise are infrequent in the project area, and arguably, the simultaneous occurrence of conditions contributing to a potential exceedance (low wind, quiet late night period, high voltage level, and foul weather event) may be even less frequent. • In locations where there were several options for monitoring positions that may apply to an NSR or grouping of NSRs, Idaho Power erred on the side of selecting the quietest monitoring position. For example, MP11 was selected for NSRs near the Proposed Route since it resulted in a lower baseline even though other

		locations were physically closer (e.g., MP13 and MP09 were also considered as representative for these NSRs, but baseline sound levels at MP11 are lower making MP11 a more conservative choice).
	1. If the Oregon Department of Energy were to go through a properly noticed Rulemaking, under the Oregon Administrative Procedures Act (APA). (See, ORS 183.335 and OAR 345-001-0000(1)) and were to prevail and change the noise notification rule to ½ mile, the developer, the Oregon Department of Energy and the Energy Facility Siting Council will still be out of compliance with state law ORS 467.020 for the following reason: One half mile is 2640 feet. The noise monitoring provided by Idaho Power, Attachment X-4. Tabulated Summary of Acoustic Modeling Results by Receptor Location, predicts that there are residences beyond ½ mile from the development which exceed the noise standard. These noise sensitive properties are not being included in the study.	ODOE does not need a rulemaking to tailor the required contents of an application for a particular applicant. ODOE may modify the study area for Exhibit X in accordance with OAR 345-021-0000(5) (providing that "the Department may waive or modify those requirements that the Department determines are not applicable to the proposed facility."). In any event, the one-mile landowner identification element of OAR 345-021-0010(1)(x)(E) is a rule that the Energy Facility Siting Council adopted, but is not mandated by ORS 467.020. Idaho Power appropriately tailored its analysis area to identify noise sensitive receptors (NSRs) that would be impacted by the project. The predicted foul weather sound level at an elevation of 4,000 feet and a distance of ½ mile is 36 dBA. At an elevation of 1,500 feet and a distance of ½ mile the predicted sound level is 34 dBA. While the vast majority of NSRs are at elevations less than 4,000 feet, the predicted level of 36 dBA is supportive of a ½ mile distance when using 26 dBA as a proxy for a quiet rural ambient baseline. On a case-by-case basis, in areas where the late-night baseline sound level was unusually low (e.g., less than 26 dBA), noise sensitive properties further than ½ mile were identified and included in the analysis. Idaho Power performed this broader review of potentially affected receptors beyond ½ mile and out to 1 mile for five areas assigned to monitoring points with low late-night baseline sound levels (MP06, MP11, MP15, MP34, and MP35), and identified NSRs beyond the ½ mile analysis area in Exhibit X. In response to comments on the DPO, Idaho Power performed a secondary review to validate

		the use of the ½ mile analysis area, which generally confirmed the Company's prior findings, but resulted in the identification of one potential additional exceedance that was not previously addressed in Exhibit X. <u>NSR 518 – Noise Analysis</u> Through this secondary review, Idaho Power identified one additional noise sensitive property, NSR 518, that was modeled to experience an 11 dBA increase during foul weather conditions, which would be an exceedance under the DEQ Noise Rules (see Attachment 2 (Updated Table NC-3)). Idaho Power requests that the Council authorize an exception or variance to address compliance for the modeled exceedance at NSR 518.  **Map Showing NSR 518 (Malheur County)** <u>NSR 518 – Exception</u>

		As Idaho Power explained in its ASC, the ODEQ Noise Control Regulations permit the owner or controller of an industrial noise source to request that the ODEQ (or in this context, the Council) grant an exception from application of the ODEQ Noise Control Regulations. In ASC Exhibit X, Idaho Power provided an analysis of its request for an exception based on the infrequent occurrence of foul weather in the project area, and its analysis for the project generally is equally applicable to NSR 518. Idaho Power has requested that the exception apply to the entire length of the project, which would address compliance for NSR 518. <u>NSR 518 – Variance</u> In addition or in the alternative to an exception, IPC requests that EFSC grant the Project a variance from the Ambient Antidegradation Standard. Like the exception, the variance would apply to the Project as a whole. NSR 518 is in close proximity to a small group of predicted exceedances, NSRs 92-110 (shown in Exhibit X at Figures X-9 and X-10), and accordingly the site specific variance analysis for NSRs 92-110 would also justify a variance for the NSR 518. See the mapset in Attachment 1 to these comment responses. Based on the foregoing, and including Idaho Power's supplemental secondary review, Idaho Power undertook reasonable efforts to identify the NSRs that would potentially result in an exceedance, and has conservatively modeled potential impacts at those locations. Accordingly, Idaho Power disagrees with the assertion that its analysis of potential noise impacts associated with the project is incomplete.
	2. When modeling results showed a "potential for increasing sound levels by 10 dBA or less," the developer assumed	The commenter provides no specific evidence justifying its claim that a "margin of error" was required. That is, the

	compliance with the ambient degradation standard and did not complete testing to determine baseline sound levels. This did not provide for any margin of error as any level over 10 dBA would be an exceedance of the standard. The developer failed to apply a reasonable margin of error, which would have resulted in doing measurements for any residence predicted to have an increased sound level of 8 dBA to allow for a 95% reliability. (Page 5 of Baseline Sound Survey, Line 24.)	commenter identifies no errors in the calculations nor scientific evidence countervailing the assumptions that Idaho Power applied. It is also unclear what is meant by 8 dBA represents 95% reliability or how this value was computed. Nonetheless, Idaho Power's modeling was based on conservative inputs, which in a sense provided a margin of error that that over-estimates the increase in sound levels. Those conservative assumptions are discussed in more detail in a response above. Furthermore, Idaho Power's methodology was reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates—who concluded that the analysis was conservative.
	Additional NSPs that need to be modeled (and monitored) and were not are: campgrounds, for example (but not exclusively): Morgan Lake Park, Hilgard State Park. Also, depending on the resolution over the notification distance (1/2 or 1 mile), there are additional schools and a hospital, and potentially more.	See the discussion of Morgan Lake Park provided above.
	As mentioned below, the time frame for modeling is inaccurate, it must be for a 24 hour period; and, the foul weather analysis is being applied with averages across the full 300 miles with 4 meteorological stations; and.	The modeling of corona noise is not based on the time of day. To the extent that the commenter intended to state that the baseline sound measurement data focused on the quietest night-time period to determine the baseline ambient sound levels, that is correct and is not a deficiency in Idaho Power's analysis—instead, focusing on the quietest time period makes the analysis more conservative. If Idaho Power would have modeled baseline sound measurements by taking an average of measured sound levels throughout the whole day, the ambient baseline sound levels would have been higher. Idaho Power also notes that, as discussed in Exhibit X of the ASC, the approach of considering the frequency of foul weather events is consistent with BPA's interpretation of the "infrequent events" exceptions as applied to the weather

		conditions giving rise to corona noise. Significantly, in analyzing how BPA transmission projects in Oregon would comply with the ODEQ Noise Control Regulations, BPA has concluded that corona noise caused by foul weather conditions east of the Cascades would be "infrequent." See Memorandum regarding Sound Level Limits for BPA Facilities (May 26, 1982) ("based on a meteorological analysis of the frequency of these rain rates (0.8–5 mm/hr), alternating current transmission lines east of the Cascades will meet this criteria"). In addition, for purposes of analyzing noise effects from specific proposed transmission projects in National Environmental Policy Act documents, BPA has focused on the infrequent occurrence of foul weather in the Project vicinity—which meteorological showed would happen occur between 1 percent and 6 percent of the year, depending on the location of the project. As described in Exhibit X, Idaho Power analyzed meteorological data in the project area which corroborated BPA's more general conclusion that conditions giving rise to corona occur in infrequently in the eastern portion of the state, and particularly in the project area.
	i. The consultant stated the following: "Baseline noise levels are conservatively estimated and are based on a late night period of time when outdoor human activities are limited. Based on the typical attenuate of open windows or doors of -10 dBA, the noise levels impacting humans indoors would be close to that of the original outdoor baseline noise levels." The developer is required to make conservative estimates of noise impacts due to the potential for modeling to be incorrect. The use of the actual late night noise levels resulted in a significantly higher noise baseline than the 26dBA which is the standard absent measurement of the	See discussion above regarding Idaho Power's conservative assumptions in noise modeling.

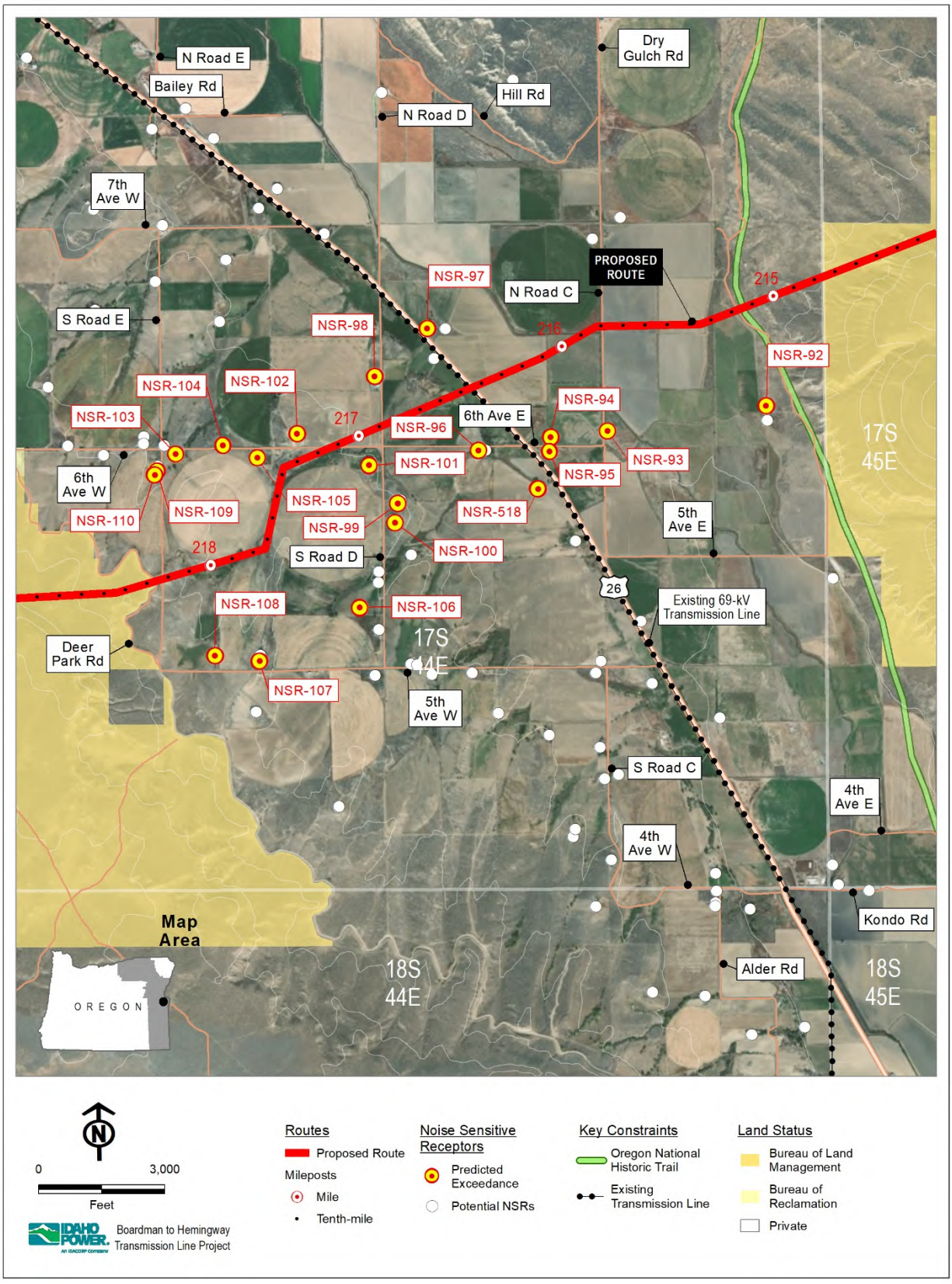
	actual noise levels. The levels the developer is using are as much as 18 dBA above the 26 dBA standard. The use of actual noise levels as opposed to the standard mean that the evaluation is clearly not "conservative."	
	iii. "The infrequency of foul weather events given the meteorological data provided and the arid nature of the area of the Project." Corona effect is not only the result of rainy weather, but also a result of altitude with higher altitudes having more and louder corona effect, winds, moisture on the lines from fog, dew, and/or ice, etc. None of these additional impacts were considered by Idaho Power, the Oregon Department of Energy or the consultant in their determination.	Idaho Power's analysis does consider altitude, as elevation of the line is one of the inputs in in BPA's CAFE model, which was used to model sound levels for the project. The model provides results for fair weather (quietest, or best case results) and rain (loudest, or worst case results). The other types of weather events described by commenter may also result in the generation of some corona noise, but would not result in "worst case" sound levels, which Idaho Power conservatively uses to determine compliance with the DEQ noise rules. Additionally, a review of meteorological data indicates that high relative humidity is also infrequent in the project area.
	2. The developer averaged metrological data in their noise source estimates over the entire transmission line rather than using noise at a given residence and noise in a 24hr period. The standard applies to noise at a specifically identified location per NPCS1. The developer only included weather from midnight till 5:00 A.M. to count the times the standard was exceeded. The standard is based upon the definition of "Any one Hour" as given in OAR 340-035-0015 (7). It states that this term means any period of 60 consecutive minutes during the 24 hour day.	As indicated above, the modeling results do not depend on time of day. Table X-4 presents the baseline sound levels during low wind conditions as well as low wind during the late night hours. The latter condition was quieter, and thus conservatively used as the baseline for Idaho Power's analysis. If Idaho Power were to instead use baseline sound levels during the low winds periods occurring at any time during a 24 hour period, this approach would result in predominately higher baseline sound levels and few predicted exceedances. For example, MP6 would increase from 25 dBA to 31 dBA and MP11 would increase from 32 to 34 (see excerpt from table X-4 below). Greater increases in baseline would occur if the establishment of baseline was not restricted to low wind conditions. Accordingly, Idaho Power's approach of focusing on the quietest time period is not a

deficiency, and to the contrary, makes the analysis even more conservative.

Table X-4. Description of Monitoring Positions, Measurement Durations, and Results

Monitoring Point (MP)	Nearest Receptor ID	Time Period/ Meteorology	L_{10} 1-hour dBA Mean	L_{50} 1-hour dBA Mean	Measurement Period Date/ Start Time	Measurement Period Date/ End Time
MP2	168	Low Wind	41	36	Mar 6, 2012 12:00	Mar 19, 2012 10:00
		Late Night	36	33		
MP3	642	Low Wind	37	30	Mar 9, 2012 15:00	Apr 9, 2012 12:00
		Late Night	33	28		
MP5	146	Low Wind	41	34	Mar 6, 2012 14:00	Apr 7, 2012 23:00
		Late Night	32	27		
MP6	142	Low Wind	38	31	Mar 6, 2012 16:00	Apr 6, 2012 23:00
		Late Night	30	25		
MP7	285	Low Wind	48	42	Mar 6, 2012 16:00	Apr 24, 2012 10:00
		Late Night	43	37		
MP8	120	Low Wind	43	41	Mar 7, 2012 9:23	Apr 8, 2012 23:00
		Late Night	43	41		
MP9	123	Low Wind	39	35	Apr 24, 2012 16:00	May 10, 2012 12:00
		Late Night	38	35		
MP11	107	Low Wind	46	34	Mar 7, 2012 12:00	Apr 6, 2012 23:00
		Late Night	47	32		
MP13	91	Low Wind	61	54	Mar 7, 2012 13:00	Apr 23, 2012 23:00
		Late Night	59	48		
MP14	85	Low Wind	42	36	Mar 7, 2012 17:00	Apr 10, 2012 14:00
		Late Night	39	33		
MP15	80	Low Wind	37	30	Apr 10, 2012 14:00	May 10, 2012 14:00
		Late Night	31	27		

Attachment 1 – Mapset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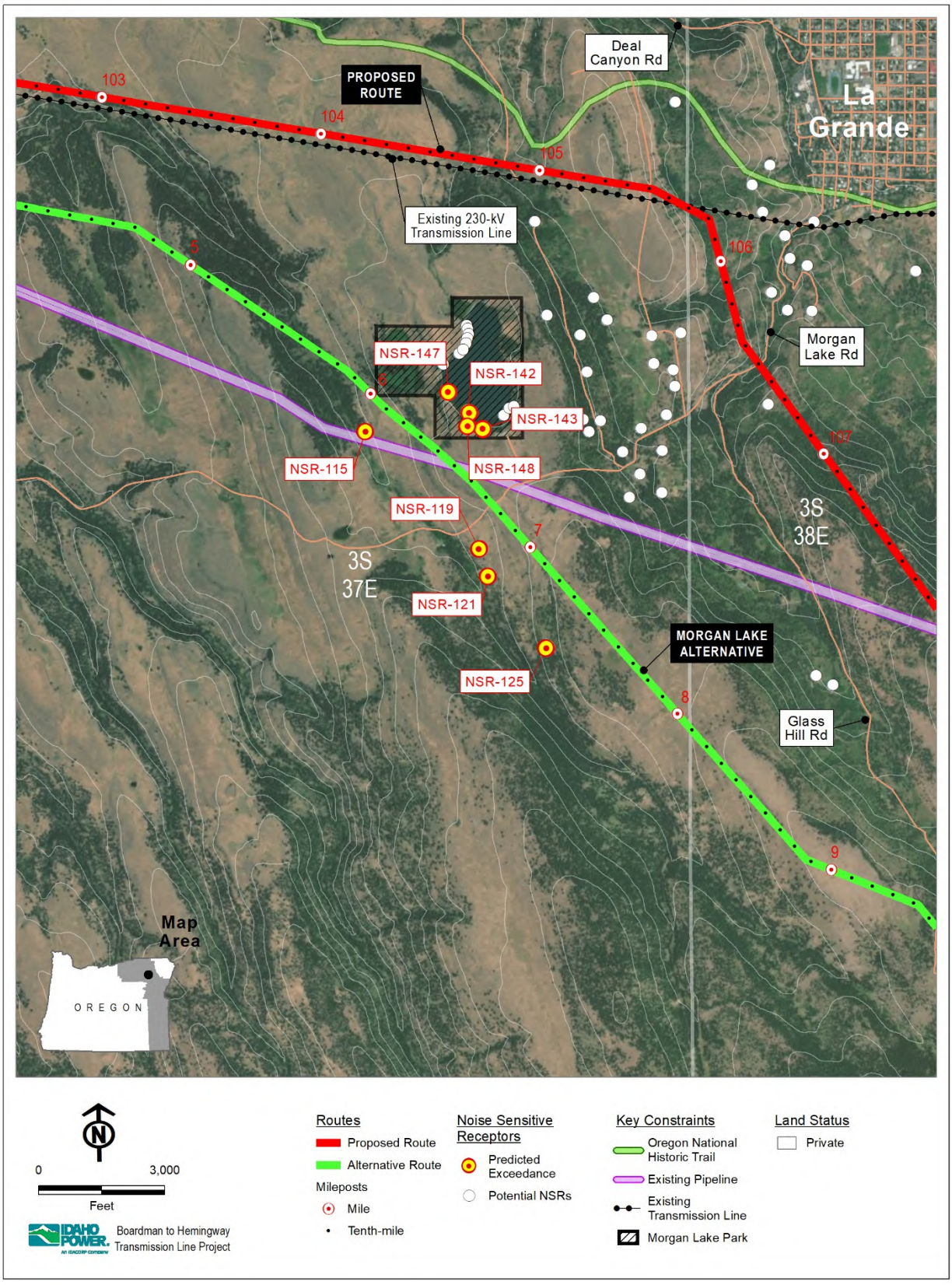
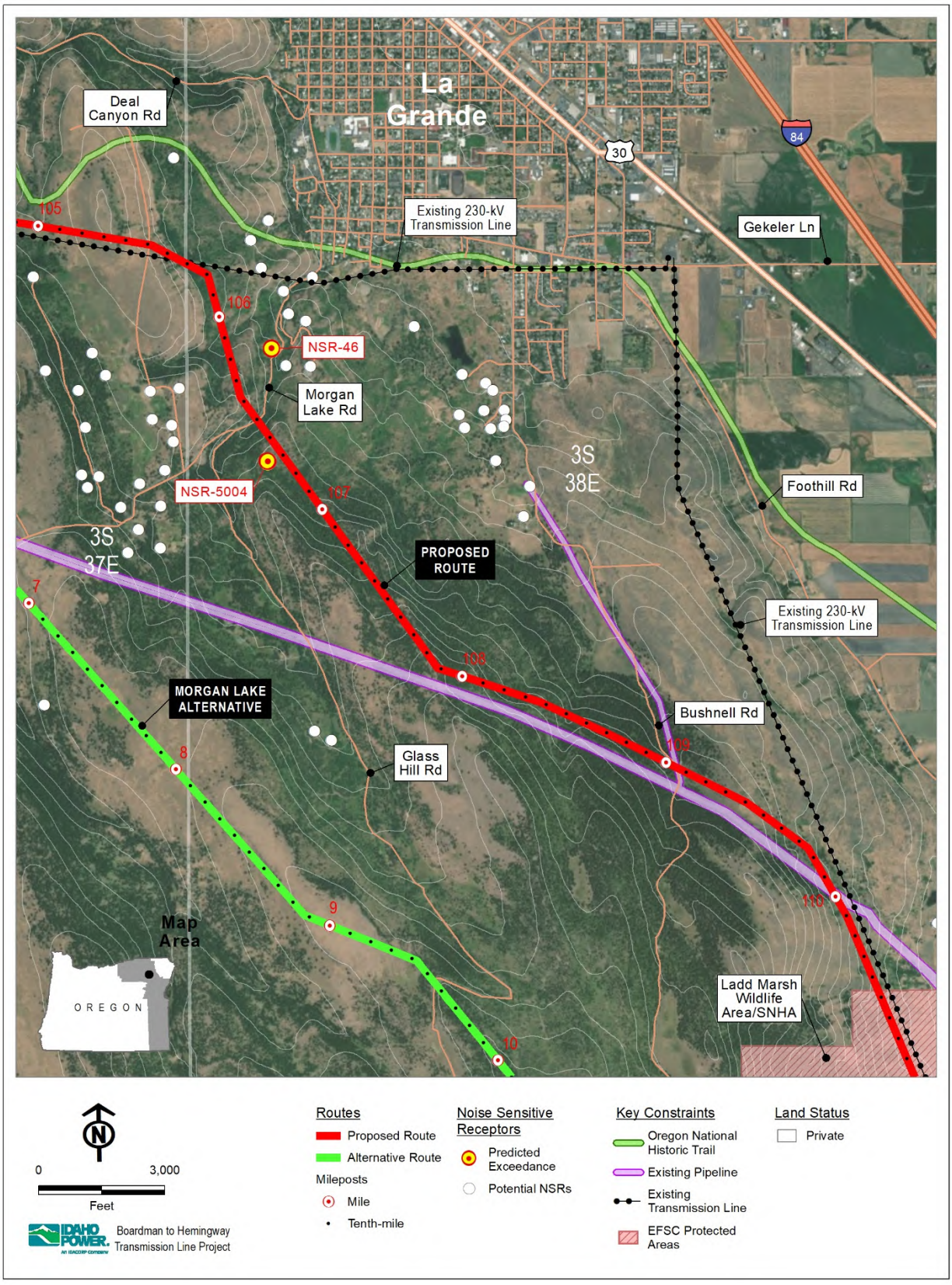
Bailey Rd
Dry Gulch Rd
Hill Rd
N Road D
7th Ave W
PROPOSED ROUTE
NSR-97
N Road C
215
S Road E
NSR-98
216
NSR-92
NSR-104
NSR-102
NSR-94
NSR-103
217
6th Ave E
NSR-96
17S 45E
NSR-101
NSR-93
6th Ave W
NSR-95
NSR-105
NSR-518
NSR-110
NSR-109
5th Ave E
NSR-99
218
S Road D
NSR-100
26
NSR-108
NSR-106
Existing 69-kV Transmission Line
Deer Park Rd
17S 44E
NSR-107
5th Ave W
S Road C
4th Ave E
4th Ave W
Kondo Rd
Map Area
OREGON
18S 44E
Alder Rd
18S 45E
0
3,000
Feet
IDAHO POWER
Boardman to Hemingway Transmission Line Project
Routes
Proposed Route
Mileposts
Mile
Tenth-mile
Noise Sensitive Receptors
Predicted Exceedance
Potential NSRs
Key Constraints
Oregon National Historic Trail
Existing Transmission Line
Land Status
Bureau of Land Management
Bureau of Reclamation
Private


Deal Canyon Rd
PROPOSED ROUTE
103
104
105
106
107
La Grande
Existing 230-kV Transmission Line
5
6
7
8
9
NSR-147
NSR-142
NSR-143
NSR-115
NSR-148
NSR-119
NSR-121
NSR-125
Morgan Lake Rd
MORGAN LAKE ALTERNATIVE
Glass Hill Rd
3S 38E
3S 37E
Map Area
OREGON
0
3,000
Feet
IDAHO POWER
Boardman to Hemingway Transmission Line Project
Routes
Proposed Route
Alternative Route
Mileposts
Mile
Tenth-mile
Noise Sensitive Receptors
Predicted Exceedance
Potential NSRs
Key Constraints
Oregon National Historic Trail
Existing Pipeline
Existing Transmission Line
Morgan Lake Park
Land Status
Private


La Grande
Deal Canyon Rd
Existing 230-kV Transmission Line
Gekeler Ln
30
84
105
106
NSR-46
Morgan Lake Rd
NSR-5004
107
3S 38E
3S 37E
Foothill Rd
PROPOSED ROUTE
7
Existing 230-kV Transmission Line
108
MORGAN LAKE ALTERNATIVE
Bushnell Rd
109
Glass Hill Rd
8
9
110
Map Area
OREGON
Ladd Marsh Wildlife Area/SNHA
10
0
3,000
Feet
Boardman to Hemingway Transmission Line Project
Routes
Proposed Route
Alternative Route
Mileposts
Mile
Tenth-mile
Noise Sensitive Receptors
Predicted Exceedance
Potential NSRs
Key Constraints
Oregon National Historic Trail
Existing Pipeline
Existing Transmission Line
EFSC Protected Areas
Land Status
Private

Attachment 2 – Updated Table NC-3

Table NC-1: Summary of Acoustic Modeling Results—Comparison of Predicted Facility Sound Levels to Late Night Baseline L50 (NSR Exceedances)

NSR Number (Map ID)	Distance from NSR to the Transmission Line (feet)	Nearest Milepost	County	Late Night Baseline Sound Pressure Level (dBA)	Future Sound Level (Foul Weather) (dBA)	Increase (dBA)
5002	2,067	58.9	Umatilla	25	36	+11
8	2,139	58.9	Umatilla	25	36	+11
9	1,834	59.6	Umatilla	25	36	+12
10	1,834	59.6	Umatilla	25	36	+12
11	1,398	59.7	Umatilla	25	38	+13
5004	338	106.7	Union	32	47	+15
46	980	106.2	Union	32	43	+11
69	1,467	142.6	Baker	27	39	+12
70	1,053	142.7	Baker	27	40	+14
5010	1,170	174.2	Baker	24	41	+17
92	2,434	215.2	Malheur	24	35	+12
93	2,283	216	Malheur	24	35	+11
94	1,801	216.2	Malheur	24	37	+12
95	2,070	216.3	Malheur	24	36	+12
96	1,470	216.5	Malheur	24	38	+13
97	1,693	216.5	Malheur	24	37	+13
98	1,102	216.8	Malheur	24	39	+15
99	1,768	216.9	Malheur	24	37	+13
100	2,119	217	Malheur	24	36	+12
101	673	217	Malheur	24	42	+17
102	607	217.3	Malheur	24	42	+18
103	2,575	217.4	Malheur	24	35	+11
104	1,598	217.4	Malheur	24	37	+14
105	745	217.4	Malheur	24	41	+17
106	2,621	217.7	Malheur	24	35	+11
107	2,474	217.9	Malheur	24	35	+12
108	2,119	218.1	Malheur	24	36	+12
109	2,595	218.1	Malheur	24	35	+11
110	2,648	218.1	Malheur	24	35	+11
518	2,818	216.3	Malheur	24	35	+11
5011	780	227.1	Malheur	24	42	+18
111	2,746	253.5	Malheur	24	35	+11
5008	1,340	254.7	Malheur	24	38	+14
5009	2,060	254.7	Malheur	24	26	+12
112	1,732	254.9	Malheur	24	37	+13
113	3,087	263.7	Malheur	24	34	+11
115	659	6.1	Union	32	46	+14
142	1,058	6.4	Union	32	45	+12

Table NC-1: Summary of Acoustic Modeling Results—Comparison of Predicted Facility Sound Levels to Late Night Baseline L50 (NSR Exceedances)

NSR Number (Map ID)	Distance from NSR to the Transmission Line (feet)	Nearest Milepost	County	Late Night Baseline Sound Pressure Level (dBA)	Future Sound Level (Foul Weather) (dBA)	Increase (dBA)
143	953	6.4	Union	32	46	+12
147	1,076	6.3	Union	32	45	+12
148	1,016	6.4	Union	32	45	+12
119	985	6.8	Union	32	45	+12
121	1,215	7.0	Union	32	44	+12
125	1,326	7.4	Union	32	43	+11
133	890	255.4	Malheur	24	40	+16

Source: B2HAPPDoc3-41 ASC 24_Exhibit X_Noise_ASC 2018-09-28, Table X-5.

Compliance with DEQ Noise Rules: Maximum Allowable Sound Level Standard

Table NC-1: Summary of Acoustic Modeling Results—Comparison of Predicted Facility Sound Levels to Late Night Baseline L50 (NSR Exceedances)

NSR Number (Map ID)	Distance from NSR to the Transmission Line (feet)	Nearest Milepost	County	Late Night Baseline Sound Pressure Level (dBA)	Future Sound Level (Foul Weather) (dBA)	Increase (dBA)
5002	2,067	58.9	Umatilla	25	36	+11
8	2,139	58.9	Umatilla	25	36	+11
9	1,834	59.6	Umatilla	25	36	+12
10	1,834	59.6	Umatilla	25	36	+12
11	1,398	59.7	Umatilla	25	38	+13
5004	338	106.7	Union	32	47	+15
46	991	106.2	Union	32	43	+11
69	1,467	142.6	Baker	27	39	+12
70	1,053	142.7	Baker	27	40	+14
5010	1,170	174.2	Baker	24	41	+17
92	2,434	215.2	Malheur	24	35	+12
93	2,283	216	Malheur	24	35	+11
94	1,801	216.2	Malheur	24	37	+12
95	2,070	216.3	Malheur	24	36	+12
96	1,470	216.5	Malheur	24	38	+13
97	1,693	216.5	Malheur	24	37	+13
98	1,102	216.8	Malheur	24	39	+15
99	1,768	216.9	Malheur	24	37	+13
100	2,119	217	Malheur	24	36	+12
101	673	217	Malheur	24	42	+17
102	607	217.3	Malheur	24	42	+18
103	2,575	217.4	Malheur	24	35	+11
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107	2,474	217.9	Malheur	24	35	+12
108	2,119	218.1	Malheur	24	36	+12
109	2,595	218.1	Malheur	24	35	+11
110	2,648	218.1	Malheur	24	35	+11
518	2734	216.4	Malheur	24	35	+11
5011	780	227.1	Malheur	24	42	+18
111	2,746	253.5	Malheur	24	35	+11
5008	1,340	254.7	Malheur	24	38	+14
5009	2,060	254.7	Malheur	24	36	+12
112	1,732	254.9	Malheur	24	37	+13
113	3,087	263.7	Malheur	24	34	+11
115	659	6.1	Union	32	46	+14
142C	1,015	6.4	Union	32	44	+12
143C	934	6.4	Union	32	45	+12
147C	1,075	6.2	Union	32	44	+12
148C	1,058	6.3	Union	32	44	+12

Table NC-1: Summary of Acoustic Modeling Results—Comparison of Predicted Facility Sound Levels to Late Night Baseline L50 (NSR Exceedances)

NSR Number (Map ID)	Distance from NSR to the Transmission Line (feet)	Nearest Milepost	County	Late Night Baseline Sound Pressure Level (dBA)	Future Sound Level (Foul Weather) (dBA)	Increase (dBA)
119	935	6.8	Union	32	45	+12
121	1,079	6.9	Union	32	44	+12
125	1,378	7.4	Union	32	43	+11
133	890	255.4	Malheur	24	40	+16
Source: B2HAPPDoc3-41 ASC 24_Exhibit X_Noise_ASC 2018-09-28, Table X-5.						

Compliance with DEQ Noise Rules: Maximum Allowable Sound Level Standard

Commenter	Comment	Idaho Power's Response
StopB2H	*1. Notification*	
4. Noise	The notification requirement was addressed in the section above. However, more specifically, by arbitrarily reducing the size and locations of the site boundary, Idaho Power, by design:	Please refer to the separate responses Idaho Power provided to Section 3 of the commenter's comment letter entitled *Notification*.
	● Limited the notifications to citizens/residents within and near the site boundary in violation of OAR 345-021-0010 noise notification requirement (see above, 1. Notification.)	As discussed in Idaho Power's separate *Notification* responses, OAR 345-021-0010(1)(x)(E) provides for a list of landowners to be included in Exhibit X, but it does not require notification be provided to those landowners. That said, ODOE did provide notice to the landowners on the Exhibit X list *as a courtesy*.
	● Reduced the number of potential NSRs that needed to be monitored for baseline in violation of OAR 340-035-0035 and the "Sound Measurement Procedures Manual 1" (NPCS-1.)	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.
	● Caused a mis-representation to numerous land owners, who have not been informed and whose quality of life will be severely compromised.	The commenter provides no specific facts supporting its assertion that Idaho power misrepresented the Project as it relates to notification or otherwise, and therefore, the Council need not reissue notice or reconsider the study area.
	● Disregarded residents who may experience health problems (ORS 467.010) and other issues that sound will exasperate, the latter needing special care with mitigation.	The commenter provides no specific facts supporting its assertion that the noise study area disregards residents with noise sensitive health issues. First, the commenter fails to identify a specific health condition(s) that may be sensitive to the levels and types of noise resulting from the Project. Second, the commenter fails to identify any specific resident(s) that have such a condition and that did not receive notification. And third, the commenter fails to identify a Council or DEQ rule requiring notification be given to such residents or that provides a different level of

		protection for individuals with the certain health conditions. Idaho Power further notes that the transmission line is not predicted to exceed the Table 8 noise standard at any NSR, and Idaho Power is not aware of any particular health problems that may be made worse as a result of intermittent corona noise generated by the transmission line. For these reasons, the Council need not reissue notice or reconsider the study area to address the unspecified health issues.
	The Oregon Department of Energy should issue another Project Order that requires an expansion of the noise monitoring and notification area to align with the project boundary and forces the developer to comply with OAR 345-021-0010(1)(x)(E): the application must include "a list of names and addresses of all owners of noise sensitive property . . . within one mile of the proposed site boundary." (emphasis added). For there to be lawful Notice in conformance with the rules, EFSC should insist that the applicant provide a list of all owners of noise sensitive property within 1 mile of all edges of the proposed site boundary – and then re-open the comment period on this project.	As provided by the DEQ noise rules, "[s]ounds created in construction or maintenance of capital equipment" are exempt from application of DEQ's ambient antidegradation standard and from application of the Table 8 limits (OAR 340-035-0035(5)(h)). Accordingly, Idaho Power anticipates that any noise potentially emanating from access roads, laydown, or multi-use areas would qualify as exempt "construction or maintenance of capital equipment." Because these activities are exempt from application of the DEQ noise rules as provided in OAR 340-035-0035(5)(h), no further modeling or notification is warranted.
	2. Two Types of Compliance	
	[I]t is apparent in the following discussion, the operations standards with regard to the ambient antidegradation standard (hereinafter referred to as "ambient noise standard, noise standard or ambient standard") cannot comply with state rules and standards and therefore a site certificate cannot be issued. If a site certificate were to be approved, a condition must include compliance with all local noise standards. State statute 467.100: local regulation of noise sources; exemption	Idaho Power respectfully disagrees with the commenter. Although Idaho Power has modeled potential exceedances of the ambient antidegradation standard in certain locations, the Council may authorize an exception or variance to address compliance with the standard. The Council may, therefore, issue a site certificate. The commenter proclaims that the City of La Grande has a noise standard that "basically says that noise can not disturb people in their homes," but the commenter fails to identify

	from state enforcement rules, that a city or county may adopt and enforce noise ordinances or noise standards otherwise permitted by law. These local standards must be at least as restrictive as state standards and they can go higher. A city or county may also adopt such standards for a class of activity exempted by the commission or noise emission sources not regulated by the commission, for example: construction noise (see below, Attachment 4.1. regarding construction noise in an urban area.) The city of La Grande has a much stricter noise standard than the state one. It basically says that noise can not disturb people in their homes; this includes but is not limited to avoiding weekends and time frames for construction. The transmission line would be close enough to a significant number of La Grande homes and therefore inevitably it would exceed this standard. Therefore, a condition must be stated clearly, if a site certificate is granted, that all construction noise must conform to regulations of the local jurisdictions (e.g.: cities and counties.)	the specific city ordinance or comprehensive plan provision describing that standard. Idaho Power does not know what provision the commenter is referring to, and at no point has the City of La Grande asserted that its ordinances contain any such noise-related applicable substantive criteria, particularly any noise standards above and beyond the DEQ's noise rules. Moreover, Idaho Power is not proposing to construct any project features within the La Grande's city limits and no portion of the site boundary is within La Grande's city limits, thus, it is not clear that any such La Grande noise standard would apply. Finally, Idaho Power is also unaware of any applicable noise standards found in the county and city codes beyond La Grande. Therefore, there isn't a need for, and the Council should not include, the commenter's proposed condition referencing unspecified local noise regulations.
	3. Ambient Noise Standard	
	A. Establishing Baseline: Not Compliant with ODEQ rules and standards	
	The noise rules do not require noise monitoring to establish the baseline measure. The rules and the Manual (NPCS1) do state the methods that are to be used to establish baseline noise levels in the event the developer chooses to do actual noise measurements. The developer had the option: a) use the standard assumed 26 dBA for any noise sensitive property; or, b) monitor the noise sensitive properties per the	The commenter's assertion that Idaho Power had only two options for determining base line noise levels—(1) by monitoring at each individual NSR, or (b) by assuming a 26 dBA noise level—misinterprets and misunderstands both the Noise Rules and DEQ's Sound Measurement Procedures Manual. First, the assumed 26 dBA ambient background noise level does not apply to the B2H transmission line because the regulation setting forth that standard applies

	ODEQ Manual, to establish the baseline. (OAR Chapter 340, Division 35.) The only monitoring results which should have been used to establish a baseline noise level other than the standard 26dBA, should have been the 22 measuring points (MP) which performed during the monitoring period, assuming they were placed at a time and location as described in OAR 340-035-0035(3)(b). Locations where baseline modeling was not completed per the DEQ protocol need to use the assumed baseline sound measurement of 26dBA. Instead, the developer used the measurements from one residence (aka Noise Sensitive Property, NSP or Noise Sensitive Receptor, NSR) to establish what they assumed it would be at another, in some cases they averaged the measure and in other cases they used one NSR measure as representative for another NSR. . . . 1. The practice of using a baseline sound measurement at a single monitoring point to represent a group of nearby noise sensitive properties is unacceptable. The developer stated that due to the large number of NSR's identified within the analysis area, it was not feasible to conduct baseline monitoring at every individual noise sensitive property. (Page 5, Line 36.) This is why a standard baseline exists. They could have simply followed the ODEQ standard and used 26dBA as a baseline.	only to wind energy facilities (see OAR 340-035-0035(1)(b)(B)(iii). Instead, for non-wind-energy projects like B2H, the regulations are silent on the approach(es) a developer may use for determining baseline levels. Second, DEQ's Sound Measurement Procedures Manual addresses only the equipment and procedures to be used when a developer chooses to measure noise levels. The Manual does not address the methodology(ies) a developer may use to decide the threshold questions of whether and where to measure baseline noise levels. Similarly, the Manual does not address whether and how a developer may use measured baseline noise levels to represent multiple NSRs across a 300-mile project. The Noise Rules similarly make it clear that the Manual addresses only sound measurement procedures and not the developer's methodology for using measured baseline noise levels to represent multiple NSRs (see OAR 340-035-0035(3)(a)). Because neither the Noise Rules nor DEQ's Sound Measurement Procedures Manual require specific methodologies for establishing baseline noise levels for non-wind-energy projects, Idaho Power's noise expert developed its own methodology, which was repeatedly vetted with ODOE and ODOE's noise consultant, an Oregon registered Professional Acoustical Engineer, and reviewed by a second consultant for ODOE, Golder Associates. Therefore, the commenter's argument that Idaho Power's baseline noise methodology was not consistent with the Noise Rules and the Manual is wrong.
	2. They placed measuring points "representative of the house and yard accommodations." Measuring points were placed "in similar surroundings experiencing the same weather and acoustic conditions of where a resident was expected to	The Sound Measurement Procedures Manual, NPCS-1, was developed in 1974 and last modified in 1983. The methods in the Manual were based on hand tallies, which have largely become outdated. The manual also did not contemplate the

	spend the majority of time when outdoors" or they were placed to accommodate the homeowner's request. See 3.2, Page 7 of Baseline Sound Survey. The procedure for noise monitoring to establish baseline very specifically defines where the monitoring equipment is to be placed in relation to the noise sensitive property. The applicant failed to follow the procedure as outlined by DEQ's procedure manual NPCS 1 which includes specific information and diagrams of the locations where noise monitoring should have occurred.	abilities of digital sound monitoring equipment to collect unattended data over such an extended period. Rather, the Manual states that "a typical noise survey will require approximately 20 minutes of measurement to record the required number of samples at 5-second intervals." Idaho Power's approach, which provided for a longer duration of monitoring, yielded more representative results than the short-term spot samples identified in the Manual. These and other limitations are why Idaho Power developed and employed a methodology that incorporated more modern equipment and procedures. Because OAR 340-035-0035(3)(a) provides for alternative sound measurement procedures when approved by the department, and because Idaho Power's procedures were reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates, Idaho Power's methodology was consistent with the Noise Rules.
	3. The developer used the measurements from one residence to establish what they thought it would be at another. For example, they averaged the results from MP 13 and MP 16 to guess at the measurement at MP 15. These MP's were located roughly 5 miles in different directions from MP 13 and MP 16. And in some instances, the equipment malfunctioned at MP 13. See description on page 8, lines 17 through 26, in the Baseline Sound Survey, for an example of the methods used to complete the monitoring which clearly would not hold up under peer review.	The representative sampling and grouping based on acoustical similarity methodology was reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates. So contrary to the commenter's assertion, the methodology already has withstood a certain level of peer review. Furthermore, the commenter provides only conclusory criticisms and no specific evidence supporting their disagreements with the methodologies that were otherwise reviewed and approved by acoustics experts. For these reasons, the Council should find that Idaho Power's methodology was consistent with the Noise Rules.
	Monitoring of noise to establish baseline noise levels failed to comply with the requirements of OAR 340-035-0035(3)(b). This rule establishes the location and procedure for completing sound measurements as listed in the Sound Measurement Procedures Manual 1. The location is specifically described as the further point from the noise	The reference to 25 feet from the noise sensitive building is intended in part to ensure the sound measurement isn't overly influenced by noises emanating from the building itself. Figures 4-1 and 4-2 of the Manual depict how the distance between the noise source and the noise sensitive property is maximized. Wherever possible, Idaho Power used

	source between a point 25 feet toward the noise source from the noise sensitive building or the point on the property line nearest the noise source. . . . 4. On page 7 of the "Supplemental Baseline Sound Survey for the Tub Mountain, Burnt River, and East of Bombing Range Road Alternate Corridors, the developer states, "MP's were placed in similar surroundings experiencing the same weather and acoustic conditions to where a resident was expected to spend the majority of time when outdoors. However, some property owners voiced opinions and preferences on the exact locations of the MP on their properties." No reliable results can be obtained when the individual(s) doing the monitoring do not adhere to the strict protocol used to complete the monitoring.	a monitoring position at the specified 25-foot distance from the noise sensitive property oriented towards the noise source. However, some property owners voiced preference on the siting of the sound monitoring equipment, placing the monitoring points beyond 25 feet from the building. In those cases, by being located farther away from household noises (e.g., heat pumps, fans, and televisions/radios), the ambient noise levels likely resulted in lower levels than had they been located closer to the buildings in strict compliance with the 25-foot standard. In that sense, the modifications to the 25-foot standard not only served the purpose of the standard but also likely resulted in overly conservative (i.e., overly quiet) ambient baselines.
	5. Worse is the attempt at placing 63 NSP into one group, with one measurement point (MP11), miles from the NSRs. This is completely non-compliant! Idaho Power attempts to claim that they had approval of this method from the ODOE staff (see memo, ODOE's Max Wood with David Stanish of Idaho Power, in Attachment X-6) however, Mr. Wood clearly states that he cannot approve such a change in methods. "I would like to be clear with a similar caveat as we provided on the roads guidance document, ODOE doesn't necessarily "approve" the use of these MPs as baseline data for the NSRs, and should it be challenged during the contested case it would ultimately be up to EFSC to make a decision on compliance with the noise regulations."	With respect to the quoted language, the commenter mischaracterizes the email from Max Woods in ASC Exhibit X, Attachment X-6. In that email, Mr. Woods stated, "you have made an adequate demonstration as to why the selected MPs are representative of the NSRs along the new B2H route." The email further acknowledged that Idaho Power's analysis was revised based on ODOE's input. Therefore, contrary to the commenter's characterization, ODOE did in fact voice its approval of Idaho Power's baseline sound survey methodology. To the extent ODOE qualified its approval, ODOE was simply acknowledging its role in the EFSC site certificate process and clarifying that any final decision on the methodology would ultimately remain with the Council. Therefore, the commenter's suggestion that the email shows ODOE did not approve, or that the Council cannot approve, the methodology is incorrect.

	His comment is a response to a question from Idaho Power about changing the monitoring methods. IP, in their self-serving justification claimed that there are "too many" NSRs. They went ahead anyway and attributed noise measurements at a single location to multiple other noise sensitive properties where measurement did not occur based upon a subjective evaluation that the terrain was similar or they were in the reviewers estimation close to the property that was actually measured. For example, the measurement for MP 11 was used to establish baseline noise level for a total of 63 noise sensitive properties according to Table 1 listing." Monitoring Points representing Noise Sensitive Receptors", Page 2 of the "Technical Memorandum, Ch2M dated April 29, 2016." Monitoring Position 11 is 207 feet from the Union Pacific Railroad. This alone should preclude any determination that it is consistent with the other locations which do not have railroad traffic located this near to them. It invalidates all results from the Monitoring Position 11 being used as the baseline noise measurement applied to other noise sensitive receptors.	Beyond the quoted language, as noted above, the representative sampling and grouping methodologies based on acoustical similarity were reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates. And again, the commenter provides only conclusory criticisms and proclamations of "non-compliant," and no specific evidence supporting their disagreements with the methodologies that were otherwise reviewed and approved by ODOE and its acoustics experts. For these reasons, the Council should find that Idaho Power's methodology was consistent with the Noise Rules. With respect to MP 11 in particular, the commenter misunderstands the potential impact of the proximity to the Union Pacific Railroad as it relates to the statistical metric used to determine representative sound levels. The DEQ regulations (and Idaho Power's baseline sound monitoring) utilize the L_{50} metric. The L_{50} is a statistical metric that represents the sound level that is exceeded for 30 minutes of every hour (i.e., median sound level). The L_{50} is therefore unaffected by intermittent pass-by sounds that do not occur for more than 30 minutes in the hour, be it a train, truck, or jet aircraft. In other words, intermittent noises (such as a train) do not result in a higher baseline L_{50} sound level—and would only influence the overall sound levels to the extent that the particular sound persisted for 30 minutes for every hour. Thus, the location of MP-11 with respect to the railroad tracks does not invalidate the representativeness of the L_{50} data from MP 11.

	In Attachment X-4 and Attachment X-6, it becomes very clear that the entire Morgan Lake and Mill Creek areas in Union County are out-of-compliance and need to be either re-done or the standard ambient noise baseline used. Not only is the distance of MP 11 outside of the "25 feet from the source," but the "representative conditions" are completely unrepresentative.	Regarding the Morgan Lake and Mill Creek areas, as noted in Table 1 of the April 29, 2016 "Review of Sound Monitoring Location for Boardman to Hemingway (B2H)" memorandum (part of Attachment X-6), using the baseline sound monitoring results at MP-11 was a conservative choice (i.e., quieter) as the other monitoring points in the vicinity (MP-9 and MP-13) had higher late night L_{50} sound levels.
	6. The Draft Proposed Order on page 549, line 16 through 24 concurs that the monitoring positions for baseline were "representative baseline sound measurements." However, the DPO continues as IF the baseline was done correctly. There is no mention of DEQ requirements for the location of the Monitoring Points (MP). In fact, changing the measurement point, or using measurements from one residence to assume sound level at others makes all the measurements that were not performed at the stated location for each residence invalid.	For the reasons stated above, Idaho Power's baseline noise methodology was consistent with the Noise Rules.
	7. There are Noise impacts in Recreation and Protected Areas as well but IPC has not addressed these adequately. Morgan Lake Park, in Union County, was not monitored because it was not a "residence." However, according to the rules, a Noise Sensitive property is: "…real property normally used for sleeping, or normally used as schools, churches, hospitals or public libraries..." (340-035-0015 (38). Morgan Lake is a quiet, pristine campground – with overnight camping -- where people sleep! Plus it is a scenic and important recreation area and should have been designated as a NSR also, per OAR 345-022-0100 and ODEQ standards 340-035-0000-0100. (see Attachment 4.2: Non-compliance with Noise Standards in Recreation Area.)	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.
	In Baker County, no measurements were done at the Oregon Trail Interpretive Center viewpoint or walking trails endpoint near milepost 146. Perhaps not a "Noise Sensitive Property,"	As noted in the comment, the NHOTIC viewpoint and walking trails are not "noise sensitive properties" for purposes of OAR 340-035-0035, and accordingly Idaho Power is not

	in the context of residential sleeping areas (similar to the Morgan Lake example above); however, certainly for tourists and visitors to OTIC and its hiking trails, noise will be disturbing. Map 23 in Attachment X-1 does not even show the Oregon Trail. Within OAR 345-022-0040 Protected Areas and ODEQ standards 340-035-0000-0100, this area should have been monitored and modeled as a Noise Sensitive Property and was not.	required to analyze these areas for compliance with the 10 dBA ambient antidegradation standard. Accordingly, no baseline sound monitoring for those areas is warranted. Nonetheless, noise impacts to recreational areas, including the NHOTIC, are addressed in Section 3.4.2 of Exhibit T.
	B. Predicted Exceedances: Attachment X-4 Tabulated Summary of Acoustic Modeling Results by Receptor location	
	1. If IPC used the required DEQ baseline of 26 dBA the number of exceedances would be far greater than what Idaho Power is spending hundreds of pages trying to justify. The truth is that they cannot meet the standard. In Exhibit X of the application, Attachments X-4, X-5, X-6 and X-7, we have been able to piece together (but with limited exact references because reference numbers are not used consistently) that 45 residences/NSRs will exceed the noise standard for the proposed Mill Creek route, and 19 will exceed the noise standard for the Morgan Lake Alternative. This is calculated by using the regulatory standard of 26 dBA for baseline, not the incorrect representative measure of 32dBA that Idaho Power is attempting to use without following the DEQ Manual NPCS1 methods for baseline monitoring.	As discussed above, the commenter misinterprets and misunderstands the Noise Rules and DEQ's Sound Measurement Procedures Manual. The assumed 26 dBA ambient noise level does not apply to the B2H transmission line because the regulation setting forth that standard applies only to wind energy facilities. Additionally, DEQ's Sound Measurement Procedures Manual does not address whether and how a developer may use measured baseline noise levels to represent multiple NSRs across a 300-mile project. Instead, for non-wind-energy projects like B2H, the regulations are silent on the approach a developer may use for determining baseline levels, and Idaho Power's noise expert developed a methodology that was reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates. Therefore, the commenter's attempt to ignore Idaho Power's methodology and to instead apply the wind energy project 26-dBA standard is inappropriate and unsupported by the regulations, and the Council should reject the conclusions the commenter has presented based on that faulty approach.
	2. Using the applicant's non-compliant methods for monitoring, Attachment X-4 of the application shows that	The commenter misunderstands or misinterprets the ambient antidegradation standard. OAR 340-035-

	Noise Sensitive Property Number 7, 119 and 132 all are modeled at +10 and therefore should be included as exceeding the L50 standard. The applicant only included those at +11 and above. So the number of exceedance is under-reported; the number should be (at least) 39 properties exceeding the standard.	0035(1)(b)(B) provides, in part, that noise shall not increase the ambient noise levels "by more than 10 dBA." The term "by more than" plainly means above or greater than 10, and not equal to 10 as the commenter suggests. Therefore, for those NSRS where noise will increase by 10 dBA, and not by "more than" 10 dBA, the increase is still in compliance with OAR 340-035-0035(1)(b)(B).
	3. If the 26 dBA baseline standard is applied, as it should have been for all NSRs, except the 22 locations where assumed, compliant, monitoring did occur, then the noise exceedances would be at least 84 residences. (This is conservatively estimated: 36 exceedences already identified by IPC and in the DPO + 45 exceedences in just one example from one route in Union Co = 81 + the 3 not counted in previous paragraph = 84 residences.) This is clearly unacceptable!	As discussed above, the commenter misinterprets and misunderstands the Noise Rules and DEQ's Sound Measurement Procedures Manual. The commenter's attempt to ignore Idaho Power's methodology and to instead apply the wind energy project 26-dBA standard is inappropriate and unsupported by the regulations, and the Council should reject the conclusions the commenter has presented based on that faulty approach.
	There is no valid process for ODOE and EFSC to authorize a variance to the ODEQ noise standards.	Idaho Power disagrees with this statement. When DEQ adopted its Noise Rules, it contemplated that strict compliance would not be possible in all circumstances, and thus provided for several different alternatives to strict compliance: (1) exemption, (2) exception, and (3) variance. The commenter is incorrect in its assertion that there is in no valid process for EFSC to authorize a variance.
	C. Modeling: Total Noise Has Not Been Modeled	
	1. If the Oregon Department of Energy were to go through a properly noticed Rulemaking, under the Oregon Administrative Procedures Act (APA). (See, ORS 183.335 and OAR 345-001-0000(1)) and were to prevail and change the noise notification rule to ½ mile, the developer, the Oregon Department of Energy and the Energy Facility Siting Council will still be out of compliance with state law ORS 467.020 for the following reason:	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.

	One half mile is 2640 feet. The noise monitoring provided by Idaho Power, Attachment X-4. Tabulated Summary of Acoustic Modeling Results by Receptor Location, predicts that there are residences beyond ½ mile from the development which exceed the noise standard. These noise sensitive properties are not being included in the study.	
	2. When modeling results showed a "potential for increasing sound levels by 10 dBA or less," the developer assumed compliance with the ambient degradation standard and did not complete testing to determine baseline sound levels. This did not provide for any margin of error as any level over 10 dBA would be an exceedance of the standard. The developer failed to apply a reasonable margin of error, which would have resulted in doing measurements for any residence predicted to have an increased sound level of 8 dBA to allow for a 95% reliability. (Page 5 of Baseline Sound Survey, Line 24.)	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.
	3. The application does not include modeling for all noise sensitive properties within ½ mile (or mile) of the site boundary. This information is specifically requested on p. 21 of the Second Amended Project Order and is required by OAR 345-021-0010(l)(x). The modeling was only completed for the area adjacent to the transmission line right of way. There is no evaluation of noise impacts at many access roads and at areas such as lay down and multi-use areas, which are not directly connected to the right of way; however they are part of the site boundary and must be modeled, and if used for baseline, monitored as well. On pages 22 and 23 of the second amended project order the analysis area for noise and other surveys is identified as "all required assessments in the application apply to the entire site boundary, which by definition includes all corridors under consideration, including	Idaho Power appropriately focused its modeling and analysis on evaluating the project's compliance with applicable DEQ noise rules. To that end, Idaho Power modeled and analyzed potential impacts relevant to compliance with DEQ's Table 8 and ambient antidegradation standards, which require an assessment of operational noise (corona) associated with the project. Accordingly, Idaho Power modeled impacts for those for NSRs that may be impacted by operational noise associated with the project, which are the NSRs located within approximately ½ mile of the transmission line, which may (infrequently) experience some level of corona noise associated with the transmission line and station. As provided by the DEQ noise rules, "[s]ounds created in construction or maintenance of capital equipment" are

	alternatives as well as related or supporting facilities and temporary laydown and staging areas."	exempt from application of DEQ's ambient antidegradation standard and from application of the Table 8 limits (OAR 340-035-0035(5)(h)). Accordingly, Idaho Power anticipates that any noise potentially emanating from access roads, laydown, or multi-use areas would qualify as exempt "construction or maintenance of capital equipment." Because these activities are exempt from application of the DEQ noise rules as provided in OAR 340-035-0035(5)(h), no further modeling is warranted. Notwithstanding the exemption discussed above, IPC provided estimates for construction sound levels in Section 3.3.1.1 of Exhibit X.
	4. In addition to the lack of noise modeling of the entire boundary, the application does not demonstrate compliance with OAR 340-035-0015(38) because the noise monitoring and modeling was not completed on multiple noise sensitive properties impacted by the development. Noise Sensitive Property "means property normally used for sleeping, or normally used as schools, churches, hospitals, or public libraries." The application documents, per the notification/mailing lists, that only residences were modeled and notified. Schools, hospitals, churches and libraries were NOT notified. Additional NSPs that need to be modeled (and monitored) and were not are: campgrounds, for example (but not exclusively): Morgan Lake Park, Hilgard State Park. Also, depending on the resolution over the notification distance (1/2 or 1 mile), there are additional schools and a hospital, and potentially more.	Idaho Power believes that it appropriately identified and modeled NSRs within the analysis area, including non-residential NSRs such as schools, churches, hospitals, and public libraries. For example, Table X-4 identifies non-residential uses such as a school/correctional facility (NSR Sequential Number 29) as well as cabins (NSR Sequential Number 26 and 117). And as discussed in Idaho Power's separate *Notification* responses, OAR 345-021-0010(1)(x)(E) provides for a list of landowners to be included in Exhibit X, but it does not require notification be provided to those landowners. That said, ODOE did provide notice to the landowners on the Exhibit X list *as a courtesy*. *Morgan Lake Park* Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline. *Hilgard State Park* The definition of a noise sensitive property includes properties that are "normally used for sleeping" (OAR 340-035-0015(38)). Here, the campground at Hilgard Junction State Park is open for camping only seasonally, from April 18

		– October 15. Because the park is not used for sleeping for approximately half the calendar year, Idaho Power questions whether the park is considered as being "normally used for sleeping" and therefore whether it should be considered a noise sensitive property under OAR 340-035-0015(38). Nonetheless, Idaho Power analyzed potential noise impacts at the park by comparing it to the nearby School/Correctional Facility identified as NSR 29. The modeling for NSR 29 showed a foul weather increase of 6 dBA. However, the park is farther from the transmission line than NSR 29, which means the expected noise increase at the park would be less than at NSR 29. Because the increase at NSR 29 was less than 10 dBA, the increase at the park would similarly be less than 10 dBA and therefore compliant with the ambient antidegredation standard.
	5. In the modeling of ambient statistical noise impacts, the total noise applicable, has not been included in the modeling and therefore is out of compliance as well. According to OAR 340-035-0035, subsection (5), noise that applies to this development needs to include noise generated by: (b) warning devices not operating continuously for more than 5 minutes; (c) sounds created by the tires or motor used to propel any road vehicle complying with the noise standards for road vehicles; (e) sounds created by bells, chimes or carillons; (j) sounds generated by the operation of aircraft and subject to pre-emptive federal regulation and (k) sounds created by the operation of road vehicle auxiliary equipment complying with the noise rules for such equipment as specified in OAR 340-035-0035(l)(b)(B)(ii). For example, Idaho Power needs to model helicopter noise and noise from road worthy vehicles to figure out the noise impacts of the development. That was not done.	As noted in (5)(h) of OAR 340-035-0035, the issues noted by the commenter do not apply to "Sounds created in construction or maintenance of capital equipment." Here, helicopter and road worthy vehicles use would only be related to construction or maintenance of the capital equipment (i.e., the transmission line and related equipment), and therefore, they would be excepted from the subsection (5) requirements noted by the commenter. Idaho Power also does not expect operations to result in noise from warning devices, bells, chimes or carillons.

	6. The Draft Proposed Order and the application do not include modeling of noise effects other than weather conditions and how they will increase noise levels. There is no modeling of "burn in period" which normally occurs during the first year, impact of dirt or oil from construction and maintenance of the lines, nicks and scrapes on the conductor surfaces, sharp edges on suspension hardware, nor the effects from fog, dew and bird feces. The Oregon Department of Energy's consultant, Golder Associates, stated in their letter of December 19, 2017, Project No. 17-88390, page 3 of their report, the following: "Some of the above irregularities such as nicks and scrapes, could result in longer term noise impacts (not infrequent) and may be within IPC's ability to fix and control. Such irregularities would not qualify as infrequent." The report also states that these would not be conditions outside the developer's control.	The burn in period referenced by the commenter occurs when the conductor is new and any oils, dirt, or foreign materials that get deposited on the surface of the conductor can initially cause increased levels of corona. As those contaminants are worn off by the weather and are "burned" off by the line being energized the conductor "ages" and the line becomes quieter. Idaho Power has taken several steps to minimize the potential duration of the burn in period. First, Idaho Power's use of conductors that have a "non-specular" finish will diminish corona noise that would otherwise occur during the burn in period (see Scenic Resources Condition 1). The "non-specular" finish is a method of sandblasting to artificially "age" the conductor to make it less reflective. The sandblasting process also cleans the conductors of most of the manufacturing oils that would otherwise contribute to additional noise. Second, Idaho Power will protect the conductors to minimize scratching and nicking during construction (see Noise Control Condition 3(c)). Third, the project will be constructed over the course of three years, and as conductors are installed, there will be some amount of exposure to the elements for the conductors before they are energized, which will allow for weathering and further reduce the burn in period.
	The analysis regarding the developer's request for a variance or exception to the noise standard and the department's justification for allowing one cannot be made until all the noise information has been provided as required by OAR 340-035-00151, the Project Order and OAR 340-035-0015. In addition, since the developer could control some of the noise exceedances, according to their own consultant, there should not be an exemption or variance based on the "infrequent irregularities."	Idaho Power respectfully disagrees with the commenter's conclusion. Taking into account the information presented in the ASC and the additional analysis presented in Idaho Power's responses to DPO comments, there is adequate and complete data to support EFSC granting an exception or variance.

	4. Noncompliant Exemption/Variance Request	
	1. The applicant's arguments to support their request for an exemption and a variance to the Ambient Antidegradation Standard is reflected in the DPO beginning on p. 552. . . . The ODOE, to their credit, stated that an exception could only be granted on the specific NSRs; however, we disagree that 36 exceedances should be granted! Imagine when the baseline monitoring is done correctly, and there are 83+ NSRs and a recreation area impacted? Will ODOE still recommend an exemption?	Idaho Power notes that the DEQ noise rules providing for an exception or variance do not specify any particular limit of the number of exceedances that may be authorized through an exception or variance. Instead, that will be a matter for EFSC's informed judgment based on the facts available at the time. Additionally, Idaho Power understands that the claim that there will be 83+ exceedances is based on the use of a 26 dBA rural ambient, which is not applicable to a transmission line project—and fails to consider the actual baseline sound data that Idaho Power collected through monitoring at representative locations.
	As mentioned below, the time frame for modeling is inaccurate, it must be for a 24 hour period; and, the foul weather analysis is being applied with averages across the full 300 miles with 4 meteorological stations; and.	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.
	For the full route variance request, starting on p. 561 in the DPO, the developer and the ODOE essentially use the same rationale as the exemption request and recommend that the Council approve. We completely disagree with the analysis that a full variance could be applied, since the modeling (and the monitoring) methodology is in violation ODEQ rules. Idaho Power does not meet the test for an exemption or variance!	The DEQ noise rules provide for both exemptions from the rules and exceptions to the rules. It appears that the commenter may be confusing an exemption with an exception. For purposes of this response, Idaho Power assumes that the commenter intended to refer to an exception rather than an exemption. Accordingly, to the extent the commenter had intended to compare the exception and variance analysis, Idaho Power disagrees that the rationale for the exception request and variance request are the same. The exception request is based on the infrequent/unusual events exception, and is based on the relatively infrequent occurrence of weather conditions causing corona noise (light rain) in the project area. The variance request, on the other hand, is based on conditions beyond Idaho Power's control and because special

		circumstances make strict compliance with the rules impractical, which is due to the locational constraints causing the project to be located in relatively close proximity to certain NSRs. To support the request for variance, Idaho Power performed a site-specific analysis demonstrating that it could not reasonably avoid the NSRs for which an exceedance is predicted.
	A review of the report provided by the applicant's consultant, Golder Associates, indicates the following: a. The use of the night time monitoring measurement (midnight to 5 a.m.) was determined to be appropriate for the establishment of the baseline noise level only; however, it is not appropriate for the modeling of impacts that the line will create. [We agree and according to the ODEQ rules that is a correct methodology/time frame, as the developer has the choice to use either the ODEQ baseline ambient noise level of 26 dBA—or—to monitor at the site location (per NPCS1) for each NSR affected. However, this was not done. All of this was described above.]	Golder Associates was ODOE's consultant, not Idaho Power's consultant. The commenter appears to mistakenly understand that modeling results are based on the time of day. Predicted operational sound levels are not influenced by the time of day. Additionally, Golder noted that Idaho Power's analysis was conservative and further notes that multiple conditions would need to occur simultaneously for the exceedances to be realized: "foul weather conditions would also have to occur during a limited time when lower baseline noise levels are also occurring."
	b. The consultant indicates that conditions other than weather may increase the noise level. These conditions are under the control of the developer. Per section 2.6, page 3 of the evaluation by Golder Associates, "Based on the ODEQ's Noise Control Regulations, the Project would not qualify for an exceedance/variance for non-weather related irregularities as those irregularities could be long term in nature and potentially within IPC's control. Golder recommends that ODOE confirm that the exemption would not include non-weather related irregularities that are not caused by foul weather events or a variance for irregularities that are under the operator's control."	Idaho Power is not seeking a variance/exception on the basis of circumstances that are within its control (i.e., nicks and scrapes in the conductors). The DPO (through Recommended Noise Control Condition 3) requires that Idaho Power take certain precautions that are within Idaho Power's control, which will help reduce corona noise during project operation.

	While we appreciate that ODOE is NOT recommending a variance for non-weather related exceedances, we disagree that 'weather related' exceedances are compliant with ODEQ standards because the 36 dBA noise limit (10 dBA over the 26) is "black and white;" it does not mean substantial compliance or no more than a de minimis violation (see LUBA case number 20ll-014.) We agree with the consultant that all of the non-weather related exceedances cannot be exempted.	The DEQ noise rules do not contain any express or implicit prohibition against granting an exception for infrequent/unusual events for weather-related conditions. Consistent with the LUBA case cited by the commenter, Idaho Power has treated compliance as "black and white" – any potential exceedance that is even 1 dBA over the 10 dBA ambient antidegradation standard is considered an exceedance for purposes of analyzing compliance with the DEQ noise rules. See above, Idaho Power is not seeking a variance/exception on the basis of circumstances that are within its control.
	c. The exceedances of the L10 or L50 noise standard cannot be determined by identifying the times the standard would be exceeded during the period from midnight until 5:00 a.m. The definition of "Statistical Noise Level" in OAR 340-035-0015 (59) states: "Statistical Noise Level means the noise level which is equaled or exceeded a stated percentage of the time. An L10=65 dBA implies that in any hour of the day 65 dBA can be equaled or exceeded only 10% of the time for 6 minutes. While the night time monitoring may be an acceptable methodology determining baseline levels, it cannot be used exclusively for the modeling measurements to determine exceedances. This is not correct methodology; therefore does not meet compliance.	The commenter appears to mistakenly understand that modeling results are based on the time of day. Predicted operational sound levels are not influenced by the time of day. As indicated in Table X-4, the baseline period for evaluating potential exceedances would be predominately louder if periods outside of midnight to 5:00 a.m. were incorporated into the baseline—resulting in fewer exceedances. Idaho Power's analysis is appropriately conservative.
	d. The consultant's evaluation of the Request for Exemption contained in section 2.4, Page 2 of their review contains information not relevant in a ODEQ evaluation as follows: i. The consultant stated the following: "Baseline noise levels are conservatively estimated and are based on a late night	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.

	period of time when outdoor human activities are limited. Based on the typical attenuate of open windows or doors of -10 dBA, the noise levels impacting humans indoors would be close to that of the original outdoor baseline noise levels." The developer is required to make conservative estimates of noise impacts due to the potential for modeling to be incorrect. The use of the actual late night noise levels resulted in a significantly higher noise baseline than the 26dBA which is the standard absent measurement of the actual noise levels. The levels the developer is using are as much as 18 dBA above the 26 dBA standard. The use of actual noise levels as opposed to the standard mean that the evaluation is clearly not "conservative." The noise standard is measured and applied at a clearly defined location. The suggestion that if the citizen were to move to another location (inside the home), the noise would be less is not legitimate. The baseline noise level would have been less inside the house and the modeling would have shown exceedances at this location also. ODEQ modeling methods do not allow for interpretations on levels based on location (e.g.: inside or outside the house.)	Golder's comment provides perspective based on guidance for other more prevalent and louder sources of noise indicating that interior sound levels will be lower than exterior sound levels given the reductions afforded by the structure. The Federal Highway Administration (FHWA) guidance for estimating the reduction of traffic noise provided by buildings is 10 dBA with the windows open and 20 to 25 dBA for ordinary windows or storm windows, respectively. See U.S. Department of Transportation, Federal Highway Administration, Highway Traffic Noise: Analysis and Abatement Guidance, Table 6 (2011).
	ii. "Impact noise levels were conservatively estimated based only on distance attenuation, therefore, this noise level is not expected to be consistently this elevated during every foul weather event." Noise modeling procedures dictate the methods used by developer to model noise impacts. Arguing the fact that the	Golder's comment confirms the conservative nature of Idaho Power's analysis. Golder also noted that for the exceedances

	developer followed the procedures in this instance does not support discounting the results.	to be realized several factors have to align simultaneously (i.e., "weather conditions would also have to occur during a limited time when lower baseline noise levels are also occurring.").
	iii. "The infrequency of foul weather events given the meteorological data provided and the arid nature of the area of the Project." Corona effect is not only the result of rainy weather, but also a result of altitude with higher altitudes having more and louder corona effect, winds, moisture on the lines from fog, dew, and/or ice, etc. None of these additional impacts were considered by Idaho Power, the Oregon Department of Energy or the consultant in their determination. In LUBA case number 20ll-014, the final order regarding David Mingo vs. Morrow County addressed the issue of exceptions for unusual and infrequent events in their final opinion and order: on page 11 and 12 it states: "We restate the planning commission's findings below to clarify the planning commission key findings: A. Invenergy's facility violates noise limits at the Eaton, Mingo, Wade and Williams Residence. B. The evidence that the planning commission relied on to conclude that noise limits are violated at those four locations was provided by Invenergy's expert, Michael Theriault Acoustics, Inc. (MTA) and Eaton's expert Dailey Standlee & Associates, Inc. (DSA) and that evidence appears at Planning Commission Record 88 and 273. C. Invenergy will comply with the applicable noise limit when the noise measurements at those four locations do not exceed 36 dBA.	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline. The commenter appears to suggest that the 2011 Land Use Board of Appeals (LUBA) *Mingo v. Morrow County* case limits the availability of an exception for a noise exceedance. The commenter misunderstands the result in the 2011 Mingo case (*Mingo I*), and completely ignores the 2012 Mingo case (*Mingo II*). As LUBA itself explains: LUBA's June 1, 2011 decision in *Mingo I* first determined that because the evidence the county court relied on to find that the noise standard was only violated at the Williams residence showed that there were also noise standard violations at other residences, the county court's decision was not supported by adequate findings or substantial evidence. LUBA concluded that if the county was relying on an exception that is provided by DEQ's noise rule for "[u]nusual and/or infrequent events,"

	D. Invenergy's noncompliance with the noise standard at the four residences does not qualify for the exception for "unusual and/or infrequent" events at OAR 340-035—0035(6)(a) E. Compliance with the 36 dBA noise limit means compliance ("black and white"); it does not mean substantial compliance or no more than a de minimis violation."	*see* n 12, or on a *de minimis* exception, the county court must assert and defend those positions. Accordingly, in *Mingo I*, LUBA was not evaluating the availability of an exception for particular exceedances, and instead was observing that the relevant decision-maker (the county court) had failed to provide analysis or develop specific findings to support the use of the "unusual and/or infrequent" events exception. Moreover, in *Mingo II*, LUBA considered the decision by the county court (on remand from *Mingo* I) that while the noise standards were technically violated, the exceedances were not significant or serious enough to warrant either revoking the conditional use permit or taking further action to require that the violations be corrected. LUBA affirmed the county, concluding that there was no authority requiring the county to strictly enforce the noise standard. It is important to note that neither *Mingo I* nor *Mingo II* analyzes the appropriateness of a request for an exception to the DEQ noise rules.
	2. The developer averaged metrological data in their noise source estimates over the entire transmission line rather than using noise at a given residence and noise in a 24hr period. The standard applies to noise at a specifically identified location per NPCS1. The developer only included weather from midnight till 5:00 A.M. to count the times the standard was exceeded. The standard is based upon the definition of "Any one Hour" as given in OAR 340-035-0015 (7). It states that this term means any period of 60 consecutive minutes during the 24 hour day. At 30.	Idaho Power continues to review this comment and will supplement its response prior to the November 7 deadline.

	3. The Oregon Department of Energy has casually defined "infrequent" or "unusual," as events that are "not constant, not continuous, and not representative of normal operating conditions." This definition needs consultation and concurrence from the Oregon Department of Environmental Quality that they agree with this definition or intended the use of this definition in the application of their rules. The Oregon Department of Energy and Energy Facility Siting Council are charged with applying other agency rules as the other agency would, not creating new rules or definitions. In addition, the term has been defined in litigation. See LUBA case Number 20ll-014, page 7 indicating that compliance is to be treated as "black and white." Either they meet the standard or they do not, and that same order states that locations with far less exposure than those in this development were determined to not meet the standard.	As of 1991, the Oregon DEQ is defunded and unable to provide advice regarding the application of the DEQ noise control rules (see OAR 340-035-0110). To the same extent that EFSC applies DEQ's noise rules with respect to the ambient antidegradation standard, EFSC may also apply the DEQ noise rules providing for an exception or variance. As noted above, Idaho Power disagrees that the terms "infrequent" or "unusual" have been defined in the LUBA case, *Mingo I*—instead, that case noted that to the extent the county court had intended to apply an infrequent or unusual events exception, it had failed to provide adequate support for such a finding. Regarding the point that compliance is "black or white," Idaho Power generally agrees with this point and believes that its approach has been consistent with this view. Indeed, Idaho Power is not arguing that it is fully compliant with the rules (without an exception or variance) just because the exceedances are relatively small and will occur only infrequently. Instead, Idaho Power is taking the much more conservative approach of treating potential exceedances as "black and white," and requesting an exception or variance for each predicted exceedance.
	4. The developer used the US Department of Energy Corona and Field Effects Program and the Datakustic Computer-Aided Noise Abatement Program standard 9613-2, Attenuation of Sound During Propagation Outdoors. These models are based upon a 24 hr. period. Applicant's use of only portions of the 24 hr. period invalidate the results.	The commenter appears to mistakenly understand that modeling results are based on the time of day. Predicted operational sound levels are not influenced by the time of day.
	5. Mitigation & Compliance Resolution	
	1. The Oregon Department of Energy Draft Proposed Order suggests that the modeling performed by the applicant	Idaho Power disagrees that its modeling--which was reviewed by ODOE, ODOE's acoustics expert, and Golder

	should be relied upon to determine if an exceedance has occurred. Modeling is not an appropriate method of determining if an exceedance occurred or is occurring once a development is built.	Associates and characterized as "conservative"—cannot be utilized in assessing a potential exceedance. Importantly, the DPO, through Recommended Noise Control Condition 2 *also* provides that monitoring is available to evaluate a potential exceedance. The modeling results are simply the starting point.
	2. Once the development is completed, ORS 469.507 requires testing or sampling to show ongoing compliance with the standard. The developer has the burden of proof, not the impacted citizen, to prove that the modeling completed by the applicant was not accurate. When the noise is too loud, the approach to mitigation according to the DPO, places the property owner at the mercy of the developer and the Oregon Department of Energy. If the property owner does not agree with the modeling provided by Idaho Power, they have to provide alternative noise data. See page 555, Line 10. The property owner would have to pay to obtain evidence to argue that the "modeling" was not accurate.	The commenter's depiction of the noise complaint process is only partially correct. If an NSR owner raises a noise complaint and the NSR was already modeled in Attachment X-5, then it is assumed that the modeling is correct, absent the NSR owner providing alternative noise data. The rationale for that assumption, at least in part, is that the Attachment X-5 modeling is included in the ASC and the NSR owner therefore has an opportunity to challenge it through the contested case process. That's not to say, however, that the NSR owner cannot challenge the modeling at a later date too. If the NSR owner presents its own data showing a greater noise increase, Noise Control Condition 2.c.iii provides that *Idaho Power, and not the NSR owner*, will be required to verify the sound levels through site specific monitoring. Further, if an NSR owner raises a noise complaint and the NSR was not modeled in Attachment X-5, *Idaho Power* shall model the noise levels. Therefore, it's only under certain circumstances that the NSR owner, and not Idaho Power, would be responsible for determining the noise levels.
	In the event of a noise exceedance, the Oregon Department of Energy should require the developer to purchase a noise easement or reduce the noise level through mitigation or other means to bring the noise level within the standard.	Noise Control Condition 1 and 2.d.i provide a process for resolving exceedances that appears to be consistent with this comment, directing Idaho Power to work with the NSR owner to develop a mutually agreed upon mitigation plan "to minimize or mitigate the ambient antidegradation standard noise exceedance."

	All noise complaints should be addressed through having the developer provide documentation in the form of noise monitoring of the actual impacts of the development on the identified property. Since most of the material in the application is based upon noise modeling, not actual monitoring, it will not provide credible documentation proving the developer is correct and the developer is supposed to pay for proving the true noise level. The rules state that the developer is supposed to pay for monitoring.	As addressed above, the commenter provides only conclusory statements, and no specific evidence, about what the methodology "should be." In contrast, Idaho Power's methodology was reviewed and approved by ODOE, ODOE's acoustics expert, and Golder Associates.
	3. The developer claims that they cannot mitigate noise through line shielding or burial because it is "too expensive." Therefore, the developer recommended that if their development can't meet the noise requirements that they provide or pay for noise blocking drapes. Residents then would be able to live with the noise, but would not be able to see out their windows! Not sure what campers would do? The Oregon Department of Energy should not be allowing an exception or variance, and they should not be determining mitigation for any noise impacts from this development.	As described in Noise Control Condition 1 and 2.d.i, Idaho Power will work with the property owners identified as an NSR with a potential exceedance "to develop mutually agreed upon Noise Exceedance Mitigation Plans, specific to each NSR location." Thus, the Department is not determining mitigation for a particular NSR—instead that will be determined collaboratively on a case by case basis with each potentially impacted property owner.

Morgan Lake Park – Recreation Standard Analysis

November 7, 2019

In response to comments received on the Draft Proposed Order (DPO) for the Boardman to Hemingway Project, Idaho Power provides the following information related to potential impacts to Morgan Lake Park, an important recreation opportunity per OAR 345-022-0010. This analysis evaluates potential impacts to the entirety of Morgan Lake Park (204 acres), including Little Morgan Lake (also known as Twin Lake) (see Figure 1). Little Morgan Lake is located immediately west of Morgan Lake connected by a short foot trail and is managed as a wildlife area; there are no recreation facilities at Little Morgan Lake. While the comments primarily focused on visual and noise-related impacts, this response addresses the following four potential impacts, in accordance with OAR 345-021-0010(1)(t)(B):

- Direct or indirect loss of a recreational opportunity as a result of facility construction or operation;
- Noise resulting from facility construction or operation;
- Increased traffic resulting from construction or operation; and
- Visual impacts of facility structures.

This analysis also assumes that ODOE will require four H-frame towers (ML 7/1, ML 7/2, ML 7/3, and ML 7/4), which are the towers passing closest to Morgan Lake Park per ODOE's Recommended Recreation Condition 1 and Idaho Power's August 22, 2019 DPO Comments. Figure 1 shows the location of Morgan Lake Park with respect to the Morgan Lake Alternative.

Direct or Indirect Loss of Recreational Opportunities

Impacts from the Project that may result in potential loss of an important recreational opportunity were evaluated based on review of Project engineering plans (indicating the preliminary locations of specific Project facilities) relative to the location of Morgan Lake Park. A direct loss of opportunity could occur if the Project footprint overlapped any portion of Morgan Lake Park, indicating that displacement of an existing recreational use associated with the park could be expected. An indirect loss of opportunity could occur where Project construction or operation activity will occur sufficiently close to Morgan Lake Park or where access to the Park might be affected. Direct or indirect losses were considered significant potential adverse impacts if permanent displacement of (total or partial) or change in access resulted in changes to any of the five factors used to judge importance of the recreation opportunity per OAR 345-022-0100 such that the recreation opportunity was no longer considered important. Only long-term impacts were considered potentially significant.

The Project will not cross any portion of Morgan Lake Park and therefore will not result in any permanent displacement of any recreational uses associated with the park. During construction, there could be temporary, intermittent access delays when Morgan Lake Road or other access roads are controlled for safety purposes to accommodate construction vehicles and equipment. However, any delays getting to the park are expected to be only intermittent and short in duration (i.e., not lasting longer than 30 minutes), and access within the park will not be affected at all. Therefore, the project will result in any direct or indirect loss of recreational opportunity.

Noise Impacts

Idaho Power analyzed the potential noise impacts on recreation resources by discussing the predicted noise levels resulting from construction and operation, and by discussing the predicted noise levels in the context of the ODEQ noise regulations at OAR Chapter 340, Division 35. While the ODEQ noise

regulations are not decisive under the Recreation Standard, the noise regulations analysis is relevant, along with other factors (e.g., frequency and duration), as discussed below.

Construction Noise

Idaho Power expects that the park would experience some level of noise impacts during facility construction. However, given the size of the park, as well as vegetative screening and topography, the decibel volume represented in Table PA-2 may be lower during actual facility construction and may be perceived to a greater or lesser extent, depending on a user's activities within the park. If helicopter construction is used, such activity would be audible and would cause a short-term impact to park users. However, construction noise including helicopter use would only occur during facility construction, which is a short-term impact likely only over a period of months at any one location. Also, notably, construction activities are exempt from ODEQ's Noise Control Regulations.

Operational Noise

Maintenance Activities

Potential noise impacts during facility operation would include periodic vegetation maintenance and inspections of the transmission line. Inspections typically occur once per year, but could be more frequent during weather or emergency events, and while usually would consist of vehicle inspection, helicopters could be used. As during construction, vegetative maintenance and inspection-related noise would only be short term. Maintenance activities such as these are also exempt from ODEQ's Noise Control Regulations.

Corona Noise

Another source of operational noise is corona noise emanating from the transmission line conductors. During typical operating conditions, corona noise is estimated at 27 dBA at the edge of the transmission line right of way, and this level of sound (or lower) would be representative of sound levels at the park during fair weather conditions. Twenty-seven dBA is a low level and would not cause a significant noise impact to any recreation opportunity. As described further in the DPO, Section IV.Q.1., Noise Control Regulations, during certain foul weather conditions and low wind, corona noise would be greater than 27 dBA at the edge of the right-of-way. Idaho Power analyzed the estimated sound levels at the campsites at Morgan Lake Park and determined that the closest campsite is approximately 1,000 feet from the project, while the furthest campsite is approximately 2,700 feet away. Based on Idaho Power's modeling, the predicted foul weather increase over the late-night baseline is 12 dBA at the four closest campsites and 8-10 dBA at the remaining eight campsites (see Figure 2 below). As a result, the majority (8 out of 12) campsites will comply with the ambient noise standard in the Noise Control Regulations, which provide for ambient noise increases of 10 dBA. For the four campsites that exceed that threshold, Idaho Power is seeking an exception or variance from the ambient noise standard.

It must be considered, however, that Idaho Power's modeling is based on conservative inputs, which likely over-estimate the increase in sound levels and frequency of exceedances. The conservative assumptions include:

- Idaho Power modeled sound levels from the transmission line using the maximum voltage levels of 550-kV, representing the greatest amount of corona noise expected during operations. However,

Idaho Power does not expect to typically operate the project at 550-kV. Instead, the line will be operated within a 500-550-kV profile with voltage magnitude and duration occurring along a bell curve with 525-kV as its center-point and normal operating condition. Importantly, normal operating conditions at 525-kV will yield approximately 2 dBA less noise than 550-kV, which was used in the noise modeling. Generally speaking, Idaho Power expects the project will operate at the normal operating voltage of 525-kV approximately 50 % of the time, with the voltage reaching 550-kV only approximately 0.01% of the time. Thus under normal operating conditions, over half of the modeled exceedances in ASC Exhibit X would instead be at 10 dBA or less, and the modeled exceedances for the campsites at Morgan Lake Park would also be at 10 dBA or less.

- Baseline ambient noise levels focused on periods of low wind during the quietest time period of the day—i.e., 12 AM midnight to 5 AM. For purposes of setting the baseline at a particular NSR, the results from this quietest period were assumed to be present at all hours of the day. If Idaho Power were to have established the baseline using the measured sound levels during low winds for all hours of the day, in most cases, the baseline sound levels would be greater. Baseline levels would also be greater if all wind conditions were included.

- For an exceedance to occur as predicted in Idaho Power's modeling, all four conditions would need to occur at the same time—low wind, the quietest time of day, the maximum voltage levels, and foul weather. Idaho Power explained in ASC Exhibit X that foul weather events resulting in corona noise are infrequent in the project area, and arguably, the simultaneous occurrence of conditions contributing to a potential exceedance (low wind, quiet late night period, high voltage level, and foul weather event) may be even less frequent.

- In locations where there were several options for monitoring positions that may apply to an NSR or grouping of NSRs, Idaho Power erred on the side of selecting the quietest monitoring position. For example, MP11 was selected for NSRs near the Proposed Route since it resulted in a lower baseline even though other locations were physically closer (e.g., MP13 and MP09 were also considered as representative for these NSRs, but baseline sound levels at MP11 are lower making MP11 a more conservative choice).

Additional site-specific conditions at Morgan Lake must also be considered. For example, the park is only open seasonally, from April 22 to October 31, when the foul weather events that exacerbate corona noise are less frequent. As shown in Table X-7 in ASC Exhibit X, fair weather conditions persist at least 97% of the time during spring, summer, and fall and 99% of the time during the summer period, which is when campgrounds tend to experience the highest levels of use. Additionally, it's also less likely that heavy use of the park will occur during those foul weather events, because the typical recreational activities at the park (i.e., picnicking, camping, fishing, and boating) generally occur more often during better weather days than when it's raining. Finally, even in the unlikely scenario occurs where noise levels will increase by 12 dBA, that noise increase likely would not deter a visitor from using the park for its intended purposes. For the campsites that were modeled to have a 12 dBA increase, the increase was based on modeled foul weather sound level of 44-45 dBA, which is roughly equivalent to a quiet rural residential area with no activity. Accordingly, the low-level of corona noise, during infrequent weather conditions, is unlikely to cause a significant noise impact at Morgan Lake Park.

Traffic Impacts

Idaho Power has prepared the following preliminary analysis of traffic impacts, subject to final access determinations to be made by the construction contractor. This estimate is based on the best available data at this time, however, Idaho Power believes it will likely be substantially similar to what will be presented in the final Transportation and Traffic Plan.

Morgan Lake Road, the main road used to access Morgan Lake Park from La Grande, will be used to access approximately 25 structure locations for the proposed route and 17 structure locations for the Morgan Lake Alternative. Idaho Power anticipates that it will need to use the road in the following phases for either route:

- Phase I - Civil construction – Activities along the transmission line will involve clearing the corridor and constructing access roads to each structure. Logging equipment will be mobilized on low boy trucks to the transmission line corridor along Morgan Lake road and unloaded at the intersection of the transmission line corridor causing only minor interruptions to traffic aside from intermittent delays managed by flaggers. Mobilization will be limited to the beginning and end of clearing/road construction activities. Harvestable timber will be cleared then hauled off of the project by log trucks along Morgan Lake road. Civil crews will construct roads with dozers, excavators, and motor graders while dump trucks may deliver aggregate via Morgan Lake Road if needed to stabilize the road surface. Clearing and road construction activities are anticipated to last 3-4 weeks in this section and could result in about 34 trips/day.
- Phase II – Foundation Construction – Foundations will be constructed at each structure site to support the steel towers. Track mounted drills and excavators will be mobilized to each structure site to excavate the foundations. Rebar and bolt cages will then be delivered to the site via Morgan Lake Rd and placed in holes prior to pouring concrete. Concrete trucks will then deliver concrete to the sites via Morgan Lake Road to construct the foundations. Construction of foundations in this section is anticipated to last approximately 4 weeks and could result in about 20 trips/day.
- Phase III – Structure Erection – Steel lattice or H-frame towers will be assembled at each site and erected on the foundations. Material will be delivered via flatbed trucks to each structure site and unloaded with forklifts and cranes where it will be assembled in pieces in the work area around the foundations. Large 150-200 ton cranes will be used to hoist the pre-assembled sections into place while they are bolted together. Crews will mobilize to each site daily during construction which is anticipated to last 4-5 days per structure. This phase could result in about 10-15 trips/day.
- Phase IV – Conductor Pulling/Tensioning – Conductor will be pulled along the corridor and through the structures via helicopters while large man lift trucks provide work crews access to each structure. During the crossing of Morgan Lake Road temporary traffic control with flaggers will be set up to stop traffic during stringing operations over the road. This phase could result in about 10 trips/day.

Public traffic delays along Morgan Lake Road during construction are expected to be intermittent and short in duration. To protect the public during construction, Idaho Power will use traffic control measures including flaggers, pilot vehicles, and temporary closures if necessary. Any delays are not expected to last longer than 30 minutes. Road closure would be publicized in advance and coordinated

with land owners, emergency services, and law enforcement. Based on the foregoing, any traffic impacts will be temporary in nature and not result in a significant adverse impact to recreation resources, including Morgan Lake Park.

Visual Impacts

Idaho Power first notes that Morgan Lake Park is considered in the EFSC process as an important recreation opportunity and evaluated for compliance with the Council's Recreation Standard, but is not separately evaluated as a Scenic Resource because the applicable management plan for Morgan Lake Park, the Morgan Lake Recreational Use and Development Plan, did not identify Morgan Lake Park as an important scenic resource. Accordingly, while Idaho Power did evaluate potential visual impacts associated with the project, it is important to also note that, per the Morgan Lake Recreational Use and Development Plan, there are no specific scenic views or values associated with the Morgan Lake Park that are regarded as particularly important for purposes of compliance with the Recreation Standard. Idaho Power's analysis of visual impacts focused on the elements of Morgan Lake Park that are most important for the recreation activities at the park, which include camping, picnicking, fishing, and boating.

The Morgan Lake Alternative is located immediately adjacent to the park boundary just southwest of Little Morgan Lake at its closest point. There will be no Project facilities within the boundary of Morgan Lake Park. Viewshed models for individual towers were prepared to provide detailed information of potential project visibility from specific locations within the park considered representative of primary recreation activities. Viewshed models assumed an average height of 80-feet for existing trees. The viewshed models indicate some towers associated with the Morgan Lake Alternative will be visible from portions of the park, primarily the access road and parking areas located to the south of Morgan Lake and the undeveloped area south and southwest of Little Morgan Lake. One tower (ML 8/2), approximately 1.2-miles away, may be visible from a small portion of shoreline along the western edge of Morgan Lake but would not be visible from the floating dock (See Figure 3 and Figure 8). One tower (ML 7/2) may also be visible from a short segment of trail connecting Morgan Lake and Little Morgan Lake about 0.4-mile to the south (Figure 4). Importantly, vegetation located along the southern perimeter of Morgan Lake will screen views from the campsites themselves and locations on the water (Figures 5 and 6). Where visible, visual contrast will primarily be weak-moderate because only the top quarter of all but two towers will be visible and the tops of towers will appear subordinate to the larger landscape and vegetated ridgeline. Visual contrast would be high in a few discrete places within Morgan Lake Park where more than the top quarter of the tower is visible. Several towers (ML 5/5 through 8/3) will be visible from locations to the south and west of Little Morgan Lake, with the closest tower being less than 0.1 mile from the shore of Little Morgan Lake. Additionally, a communication station will be located 0.1 miles south of the park. New, bladed roads and pulling and tensioning sites will be located approximately 0.3-mile south of the park; and will also be screened by vegetation.

Views of the Project will be experienced from a neutral position and will be peripheral and head-on, intermittent and continuous depending on viewer position and activity. As mentioned above, vegetation will block views of the towers from most locations in the park (including Morgan Lake), so viewer perception would be intermittent and peripheral while viewers are moving through the park. However; popular park activities (picnicking, fishing, and camping) are stationary and views experienced during

those activities would be continuous and/or head-on, depending on the location of the particular activity. The only recreational facility at Little Morgan Lake is a short foot trail between Morgan Lake and Little Morgan Lake, thereby limiting viewers to areas primarily located east of Little Morgan Lake near the foot trail. Therefore; viewer perception from Little Morgan Lake would be medium due to location of viewers. The cleared ROW of the Morgan Lake Alternative will not be visible from Morgan Lake Park. Visual contrast will vary from weak to strong throughout the park, depending on the level of vegetation screening provided at each location. Resource change would be high and viewer perception would be moderate. There will be no Project facilities within the boundary of Morgan Lake Park. Scenic attractiveness and landscape character would be reduced and scenic integrity will be reduced to moderate such that resource change would be high. Although high intensity visual impacts could occur to Morgan Lake Park, they would not occur in primary recreation areas concentrated around the shore of and on Morgan Lake.

Likelihood of Impact

Idaho Power considered all identified impacts to be "likely" to occur.

Compensatory Mitigation

While Idaho Power's analysis demonstrates that the development of the project will not result in significant adverse impacts to Morgan Lake Park, Idaho Power has nonetheless entered into a Memorandum of Agreement Regarding the Boardman to Hemingway Transmission Line Project by and between Idaho Power Company and the City of La Grande date 8-20-19 (Agreement), and which is included as an attachment to the DPO comment letter from the City of La Grande City Manager, Robert Strope (8-21-2019). Among other things, the Agreement addresses the Morgan Lake Alternative's potential impacts to Morgan Lake Park. As explained in Mr. Strope's 8-21-19 letter:

> The Agreement also requires Idaho Power to pay the City of La Grande $100,000 for recreational improvements if the Morgan Lake Alternative is constructed. These will include improvements to the access road into Morgan Lake Park, the installation of new vault toilets at the campground, new entry gate system, day use improvements, signage, and other recreational enhancements throughout the Park. Based on this, the City is withholding existing or future recommendations that Idaho Power use H-frames near Morgan Lake Park.

Pursuant to the agreement, the City of La Grande is no longer recommending the use of H-frames in the vicinity of Morgan Lake Park, though Idaho Power expects ODOE to require Idaho Power to use H-frames in the 4 tower locations discussed above, *and* pay the City of La Grande $100,000 for recreation improvements at Morgan Lake Park. Thus while Idaho Power does not concede that there will be significant adverse impacts at Morgan Lake Park, to the extent that the Council disagrees, it may take into account both the mitigation in the form of H-frames as well as the recreation enhancements at the park that will be funded by Idaho Power through the compensation paid to the City of La Grande pursuant to the agreement.

Revised DPO Language

Idaho Power recommends that ODOE make the following edits to the DPO at pages 461-462:

Morgan Lake Alternative

The Morgan Lake Alternative is located immediately adjacent to the park boundary just southwest of Little Morgan Lake at its closest point. ~~The Morgan Lake alternative would be located 0.2 mile southwest of the park at its closest point.~~ Improvements would be made to existing roads located to the southwest of the park.

The Project will not cross any portion of Morgan Lake Park and therefore will not result in displacement of any recreational uses associated with the park. During construction, there could be temporary, intermittent access delays however access to the park will be maintained. Therefore, there will be no direct or indirect loss of recreational opportunity.

New, bladed roads and pulling and tensioning sites would be located approximately 0.3 mile south of the park. Construction-related traffic may cause a temporary, noticeable increase in traffic in the area and along roads leading to the park. However, these impacts would be temporary and access to the park would not be affected. See Section IV.M.6., *Public Services –Traffic Safety*, and Recommended Public Services Condition 1 which requires the applicant to generate and submit for approve a county-specific Transportation and Traffic Plan, which would identify final construction routes and include traffic controls.

The applicant analyzed potential noise impacts at the park, and determined that the park would experience some short term construction noise during construction of the project and infrequent corona noise during operation of the project. Importantly, however, the conditions that give rise to a louder corona noise (namely, rainy weather) likely also limits the users at a recreation area. Accordingly, the low-level of corona noise, during infrequent weather conditions, is unlikely to cause a significant noise impact at Morgan Lake Park.

The applicant's assessment shows that the facility components of the Morgan Lake alternative would be visible from portions of the park, primarily the access road and parking areas located to the south of the Morgan L~~l~~ake and along the southern and southwestern shore of Little Morgan Lake. Vegetation located along the southern perimeter of the lake would screen views from campsites and locations on the water of Morgan Lake. ~~However, at 0.2 miles distance the Department is uncertain if vegetation screen will completely block all views to the Morgan Lake alternative, such as during winter when deciduous vegetation falls from trees.~~ These findings are ~~substantiated~~ validated by viewsheds for individual towers closest to Morgan Lake Park, accounting for vegetation in the park. These viewshed models indicate some towers associated with the Morgan Lake Alternative will be visible from portions of the park, primarily the access road and parking areas located to the south of Morgan Lake and the undeveloped area south and southwest of Little Morgan Lake. Only one tower (ML 8/2),

approximately 1.2 miles away, may be visible from a small portion of Morgan Lake shoreline along the western edge of the lake but would not be visible from the floating dock. Another tower (ML 7/2) may also be visible from a short segment of trail connecting Morgan Lake and Little Morgan Lake about 0.4-mile to the south. Vegetation located along the southern perimeter of Morgan Lake will screen views from the campsites themselves and locations on the water.

Impact magnitude will vary from low to high across the park. Visual impacts will range from low to high at certain locations as described above. The Project will not preclude visitors from enjoying the day use and overnight facilities offered at Morgan Lake Park. Head-on, continuous views of the project will be limited and the majority of park where popular recreational activities occur (campsites, fishing piers, floating dock, and the lake itself) will be screened by trees and other vegetation within the park. High intensity impacts would result in areas along the southern and southwestern shore of Little Morgan Lake, which is managed as wildlife habitat rather than recreation and no recreational facilities exist. Therefore, popular recreational activities will not be precluded and will continue to occur in a natural setting throughout the majority of the park and impacts will be less than significant.

In a letter on the record of the ASC, the City of La Grande objected to the proposed Morgan Lake alternative's impacts, particularly visual impacts, to the recreational opportunities at Morgan Lake Park. The city asked that a condition of approval be included in the site certificate requiring that, if approved by Council and selected ~~choses~~ to be built by the applicant, that the Morgan Lake alternative use H-frame structures with natina finish (which mimics a wood like look). In a subsequent letter (Strope, 8-21-19), the City of La Grande provided an additional letter indicating that it had entered into a separate agreement with Idaho Power and would no longer be recommending the use of H-frames in the vicinity of Morgan Lake Park. The Department ~~agrees with the City of La Grande's assessment and request, and in order to reduce potential visual impacts of the Morgan Lake alternative to the recreational opportunities at Morgan Lake Park,~~ recommends that Council include the following condition as Recreation Condition 1.

> **Recommended Recreation Condition 1:** If the Morgan Lake alternative facility route is selected, the certificate holder shall construct the facility using tower structures that meet the following criteria for the segment of the transmission line that would be visible from Morgan Lake Park, specifically between Milepost 6.1 through 6.9, at structures ML 7/1 through ML 7/4 ~~miles 5-7~~ of the Morgan Lake alternative, as shown on ASC Exhibit C, Attachment C-3, Map 8.
> a. H-frames;
>
> b. Tower height no greater than 130 feet; and

c. Weathered steel (or an equivalent coating).

Based on the analysis presented here, the Department recommends that the Council find that the proposed Morgan Lake alternative facility with recommended mitigation would not cause a significant adverse impact to the recreational opportunities at Morgan Lake Park.

Magnitude of Impact – Impact Duration

Indicator	**Criteria used to Determine Impact Duration**		
Impact Duration	**Temporary.** Impacts would last for up to 3 years, (construction periods only and recovery and revegetation of temporary impacts in agricultural areas).	**Short-term.** Impacts would 3 to10 years (recovery and revegetation of temporary impacts in grasslands and herbaceous wetlands).	**Long-term.** Impacts would extend for greater than 10 years, or for the life of the Project (permanent Project facilities, recovery and revegetation of temporary impacts in shrubland and forest lands).
Explanation: Impacts will be primarily associated with the transmission line, and therefore will be long-term, extending for the life of the Project.			

Magnitude of Impact – Visual Contrast and Scale Dominance

Indicator	**Criteria used to Determine Visual Contrast and Scale Dominance**		
Visual Contrast and Scale Dominance	**Low.** Project components result in weak to no visual contrast against the existing landscape, and project-related impacts are subordinate.	**Medium.** Project components result in moderate visual contrast against the existing landscape, and project-related impacts are co-dominant.	**High.** Project components result in strong visual contrast against the existing landscape, and project-related impacts are dominant.
Explanation: Though much of the park will have low visibility, visual contrast will be moderate to high and appear dominant where the towers are not screened. Vegetation will provide screening or partial screening throughout the majority of the park where visual contrast would vary from weak to moderate and the towers would appear subordinate to co-dominant. Therefore, impact magnitude will vary from low to high.			

Magnitude of Impact – Resource Change and Viewer Perception

Indicator	**Criteria used to Determine Resource Change**		
Resource Change	**Low.** The geographic extent of medium to high magnitude impacts is limited to a discrete portion of the resource such that scenic quality or attractiveness, and character of the resource will not change.	**Medium.** The geographic extent of medium to high magnitude impacts will lower the value of one or more key factor used to rank scenic quality or attractiveness; however, it will not reduce the scenic quality or scenic attractiveness class or change the overall landscape character of the resource.	**High**. The geographic extent of medium to high magnitude impacts will lower the scenic quality or attractiveness class and will alter landscape character of the resource.
Explanation: The landscape character and scenic attractiveness of the park will be reduced due to areas where the Project will be close (within 0.2-mile) and vegetation will provide no or limited screening, primarily around the southern and southwestern shores of Little Morgan Lake where visual contrast will be strong and the Project will appear dominant. Therefore, resource change of Morgan Lake Park will be high.			
Viewer Perception	**Low.** Views of the Project are experienced from a neutral or elevated vantage point, and are predominantly peripheral, intermittent, or episodic; OR, the Project is located primarily in the background distance zone (5-15 miles).	**Medium.** Views of the Project are experienced from a neutral or inferior vantage point, and are equally head-on and peripheral, equally continuous and intermittent; OR, the Project is located primarily in the foreground/ middleground distance zone (0.5-5 miles).	**High.** Views of the Project are experienced from a neutral or inferior vantage point, and are predominantly head-on, predominantly continuous; OR, the Project is located primarily in the immediate foreground distance zone (up to 0.5 miles).
Explanation: Viewer perception will range from low to high throughout Morgan Lake Park. Views of the Project will be experienced from a neutral position and will be equally peripheral and head-on and range from, intermittent to continuous. Where the Project will be closer than 0.5 miles, it will be visible in the opposite direction of the lake (i.e, not head-on or continuous) or in an area not managed for recreational activities (i.e, along the southwestern and southern shore of Little Morgan Lake). Head-on, continuous views of the Project will be limited along the northwestern shore of Morgan Lake where one tower will be visible at a distance of 1.2-miles (Figure 3) where park users could be engaging in camping, picnicking, or fishing activities. Vegetation will block views of the towers from most other locations in the park. Therefore, viewer perception for the park as a whole will be medium.			

PART 3: Consideration of Intensity, Causation, and Context

Impact Intensity

Intensity Rating			
Viewer Perception	**Resource Change**		
	LOW	**MEDIUM**	**HIGH**
LOW	Low	Medium	High
MEDIUM	Low	Medium	High
HIGH	Low	High	High

Impact magnitude will vary from low to high across the park. Due to the strong visual contrast introduced by the Project in some areas of the park, the scenic attractiveness of the park will be reduced and the landscape character will be modified. Viewer perception will range from low to high but overall will be medium for the park as a whole since head-on, continuous views of the project will be limited and views from the remaining portions of the park will primarily be peripheral and intermittent where they are not completely screened by vegetation. Visual impacts will primarily be of high intensity, though range from low to high at certain locations as described above.

Degree to Which Impacts are Caused by the Project

The impacts disclosed in this assessment are caused by the proposed facility and are not the result of other past or present actions.

Context

Indicator	Context Criteria
Scenery as a Valued Attribute	Scenery is a valued attribute of the resource, either as a perceived amenity (i.e., recreation setting) or as defined in OAR 345-022-0080; or, Scenery is not a valued attribute of the resource.
Explanation: The Morgan Lake Recreation Use and Development Plan does not provide any specific management objectives for scenic resources within Morgan Lake Park. However, the City of La Grande's website had previously mentioned that enjoying scenery is one of the activities offered by the park (City of La Grande 2016), though that language is no longer present on the website. Importantly, the City's website for the park does not provide relevant management guidance. The relevant planning document, the Morgan Lake Recreational Use and Development Plan, identifies a park objective as a "quality outdoor recreational experience harmonious with a natural forest and lake area" and a park goal to "preserve the maximum of natural setting." Idaho Power conservatively interpreted this to mean that scenery is therefore considered a valued attribute of this recreation opportunity, but arguably the resource is managed for recreation activities such as fishing, camping, picnicking, and boating and not for scenic views or vistas.	
Persistence of Scenic Value	Persistence of Scenic Value is either: **Not-Precluded**. Impacts will not preclude the ability of the resource to provide the scenic value for which it was designated or recognized in the applicable land management plan; or, **Precluded**. Impacts will preclude the ability of the resource to provide the scenic value for which it was designated or recognized in the applicable land management plan.
Explanation: Although the Project will introduce strong contrast to the landscape in some areas of the park, it will not preclude visitors from enjoying the day use and overnight facilities offered at Morgan Lake Park. Head-on, continuous views of the project will be limited and the majority of park where popular recreational activities occur (campsites, fishing piers, floating dock, and the lake itself) will be screened by trees and other vegetation within the park. High intensity impacts would result in areas along the southern and southwestern shore of Little Morgan Lake, which is managed as wildlife habitat rather than recreation and no recreational facilities exist. Therefore, popular recreational activities will not be precluded and will continue to occur in a natural setting throughout the majority of the park.	

	Scenery as a Valued Attribute	Persistence of Scenic Value
Less than Significant	Yes or No	Not Precluded
Potentially Significant	Yes	Precluded

Summary and Conclusion

The Proposed Project will result in long-term visual impacts to Morgan Lake Park. Impacts will be high intensity in some areas of the park as measured by visual contrast and scale dominance, resource

change, and viewer perception. Visual impacts will not preclude visitors from enjoying the day use and overnight facilities offered at the Morgan Lake Park as high intensity impacts will occur in areas of the park managed for wildlife habitat not recreation. Therefore, visual impacts to Morgan Lake Park will be **less than significant**.

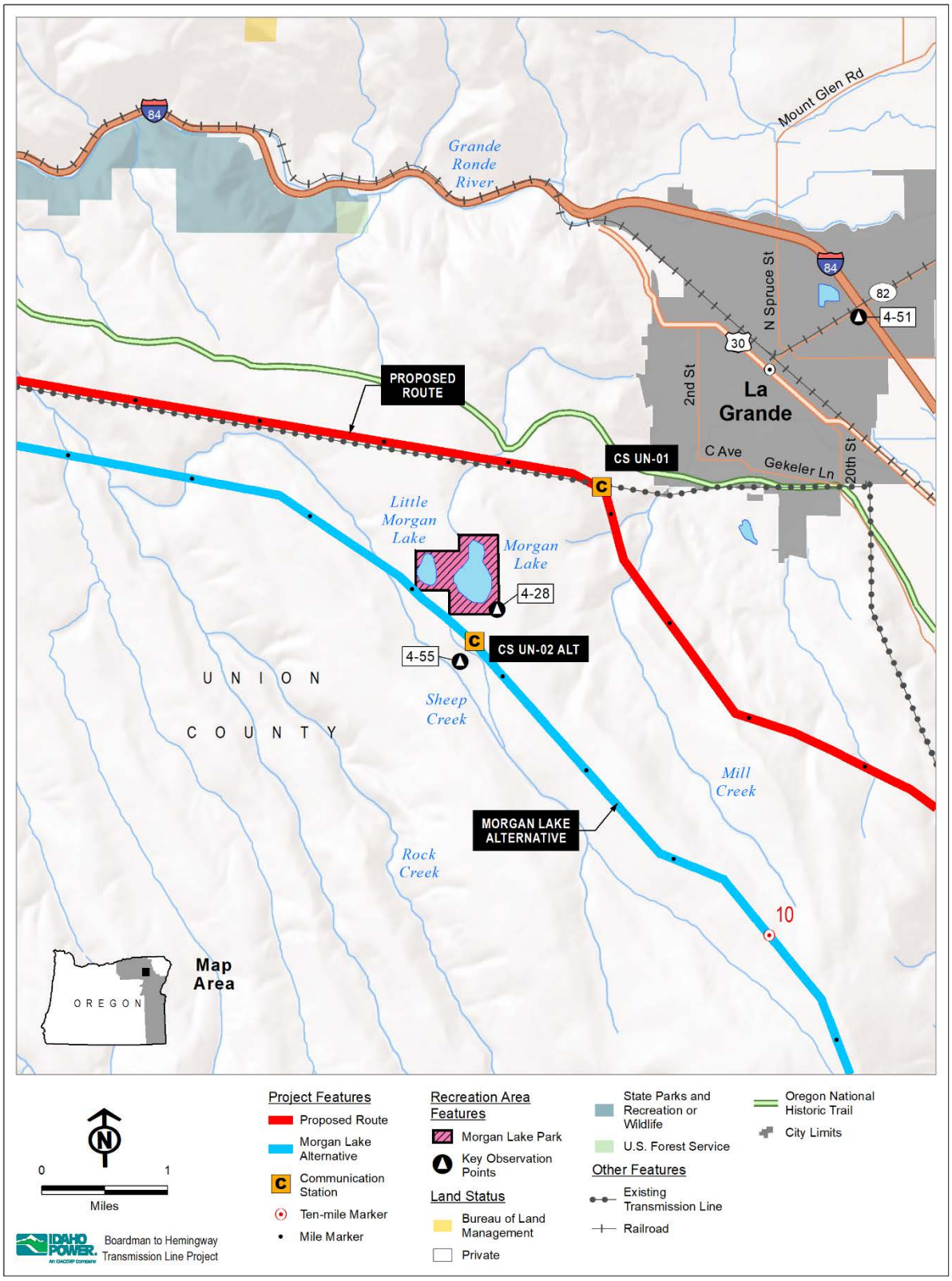


Figure 1 – Project Map with Morgan Lake Park Boundary

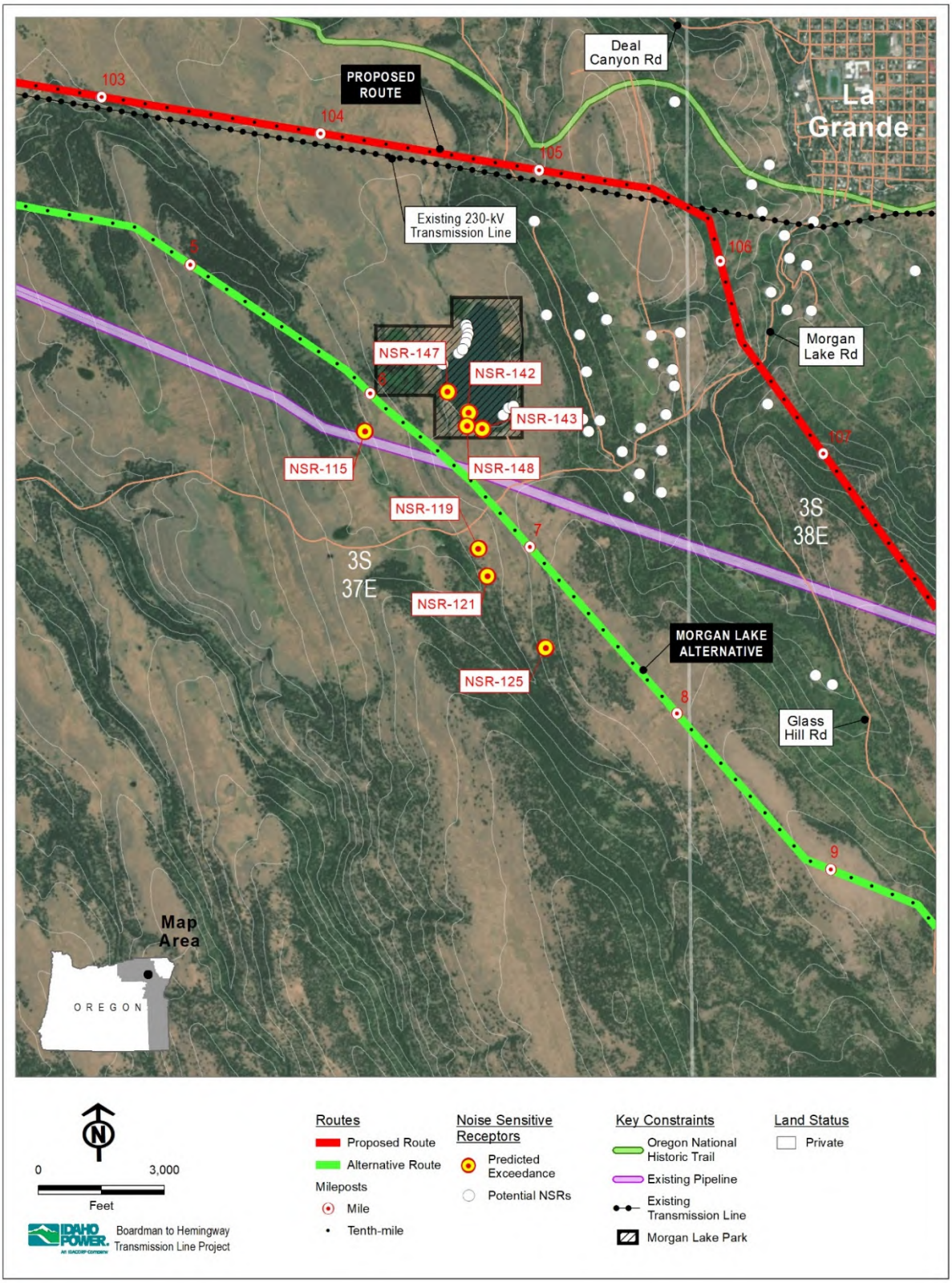


Figure 2 – Noise Modeling Results for Morgan Lake Alternative

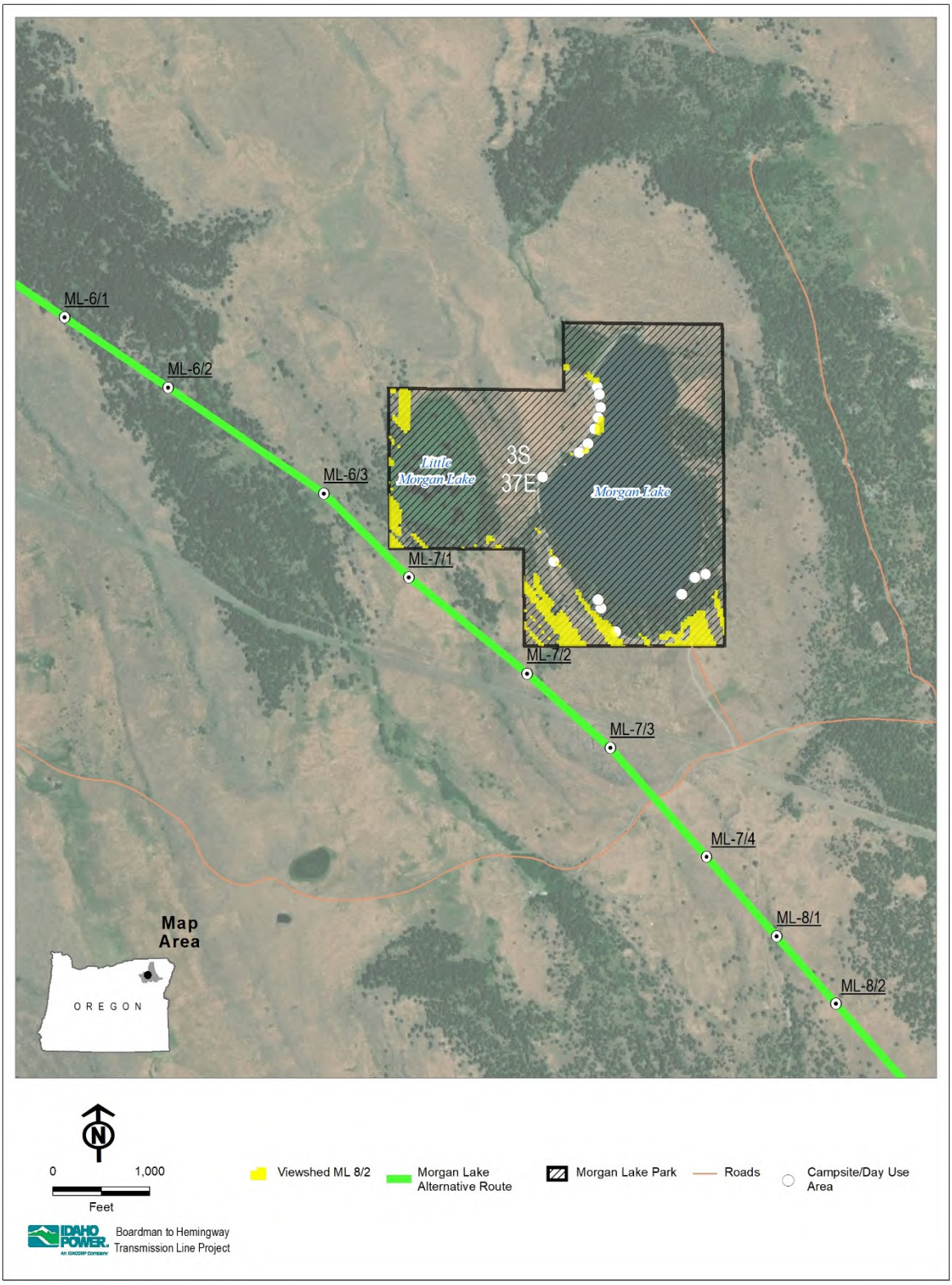


Figure 3 – Viewshed of ML 8/2

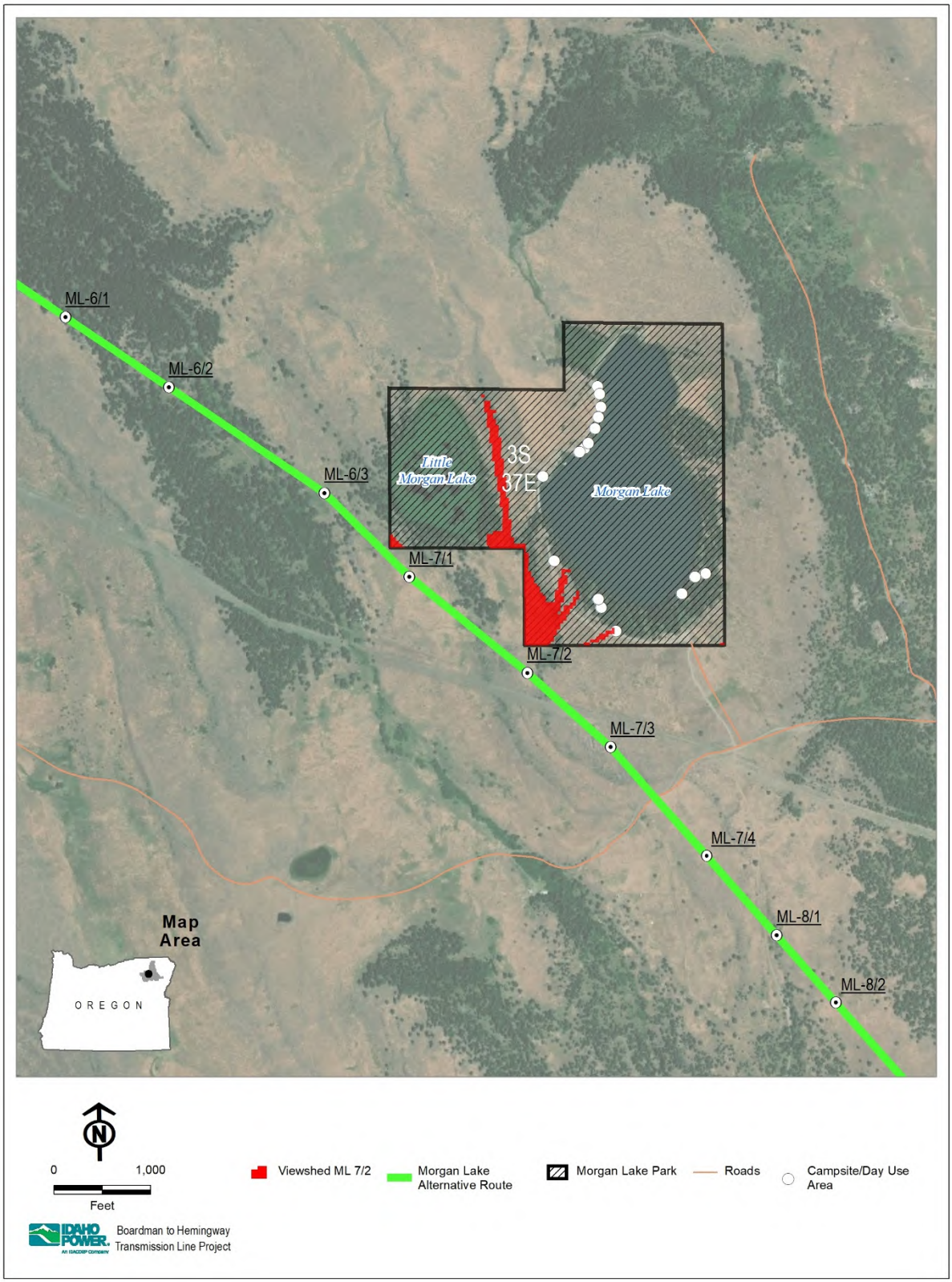


Figure 4 – Viewshed of ML 7/2

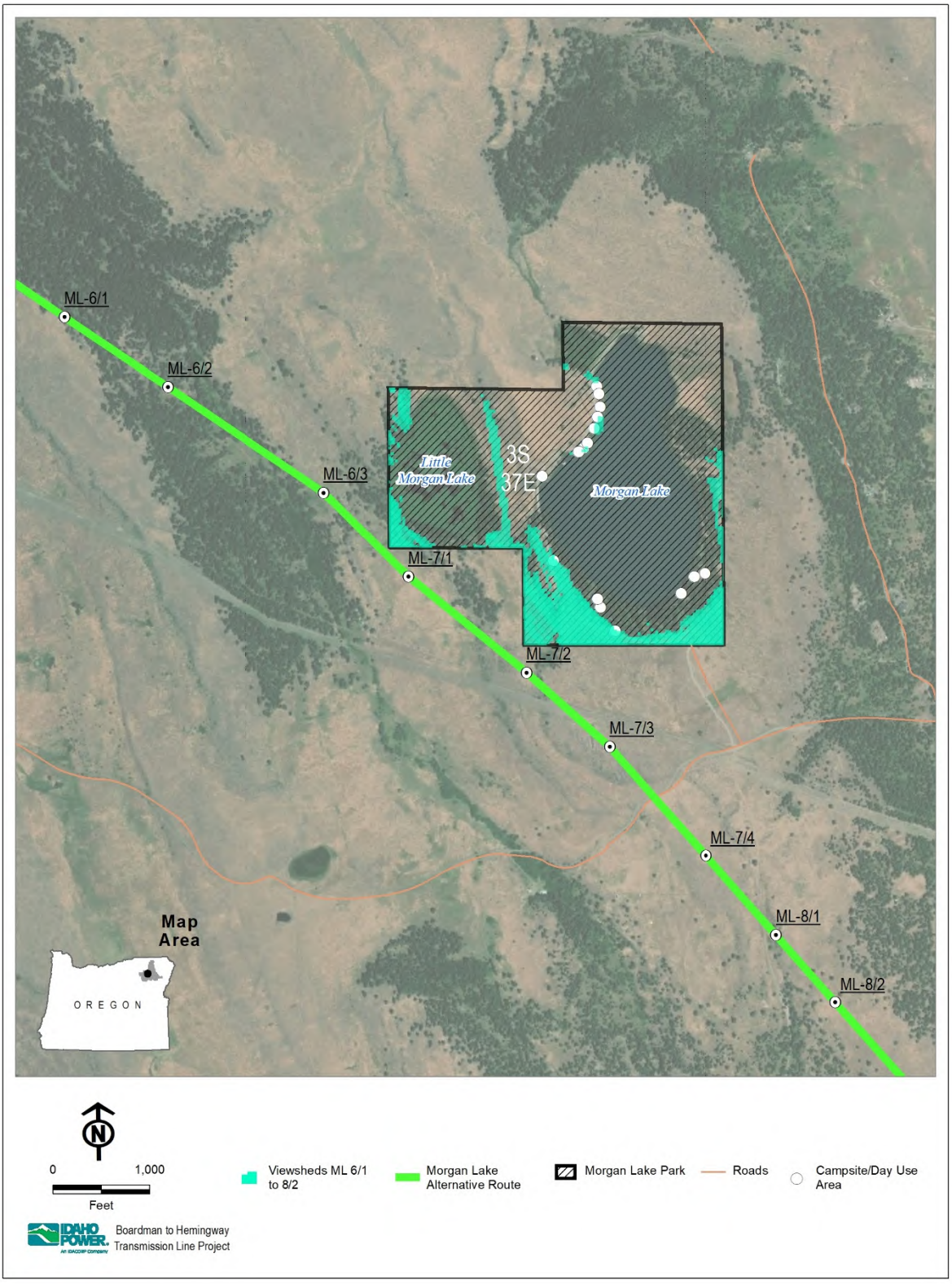


Figure 5 – Viewshed of ML 6/1 - 6/3, 7/1 - 7/4, 8/1 - 8/2

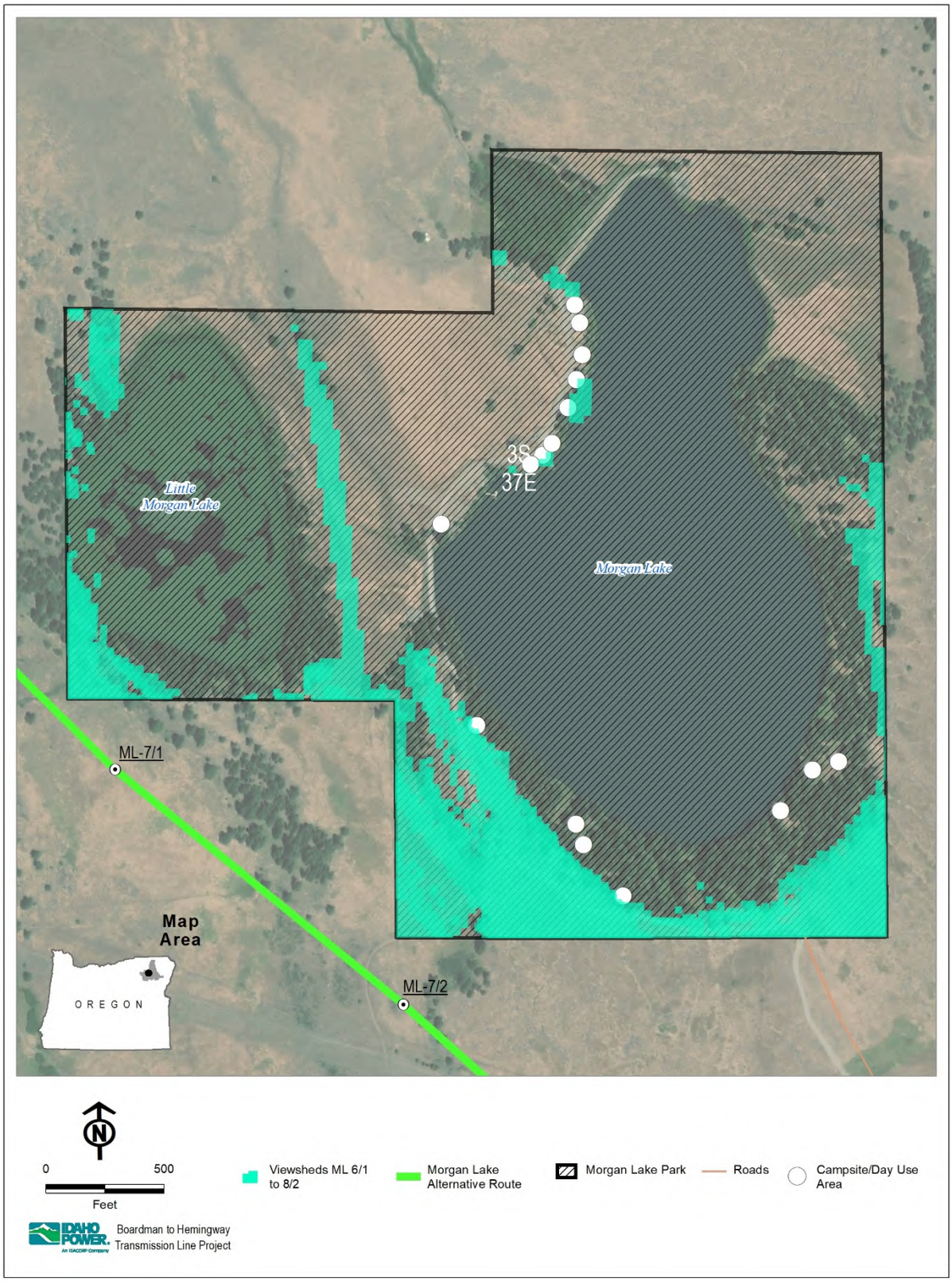


Figure 6 – Viewshed of ML 6/1 - 6/3, 7/1 - 7/4, 8/1 - 8/2 (zoomed in)

Figures 5 and 6

Figures 5 and 6 show the modeled viewshed accounting for trees surrounding Morgan Lake and Little Morgan Lake for the following towers nearest to Morgan Lake Park: ML 6/1, ML 6/2, ML 6/3, ML 7/1, ML 7/2, ML 7/3, ML 7/4, ML 8/1, and ML 8/2. Light green shading depicts areas within the Morgan Lake Park boundary where at least some portion of one of the above listed transmission towers would be visible.

Around Little Morgan Lake, towers would be visible from areas around the south and southwest of the lake. Views of the towers would be screened from the southeastern and eastern shorelines of Little Morgan Lake. A small length of the foot trail between Morgan Lake and Little Morgan Lake would be within the viewshed. In this particular area, tower ML 7/2 would be visible, which is located approximately 0.4-mile south of the trail. This is the only known recreational facility associated with Little Morgan Lake. Therefore; although towers would potentially be visible along the southwestern and southern shores of Little Morgan Lake, because this area is not developed for recreation, these views would not impact recreational activities within the park.

Around Morgan Lake, vegetation would effectively screen views of the transmission towers except for a few discrete locations along the western shore. No towers would be visible from the floating dock (see Figure 3 and Figure 8). Towers would not be visible from the campsites themselves along the southern shore of Morgan Lake, although the towers would be visible from the campsite parking areas.

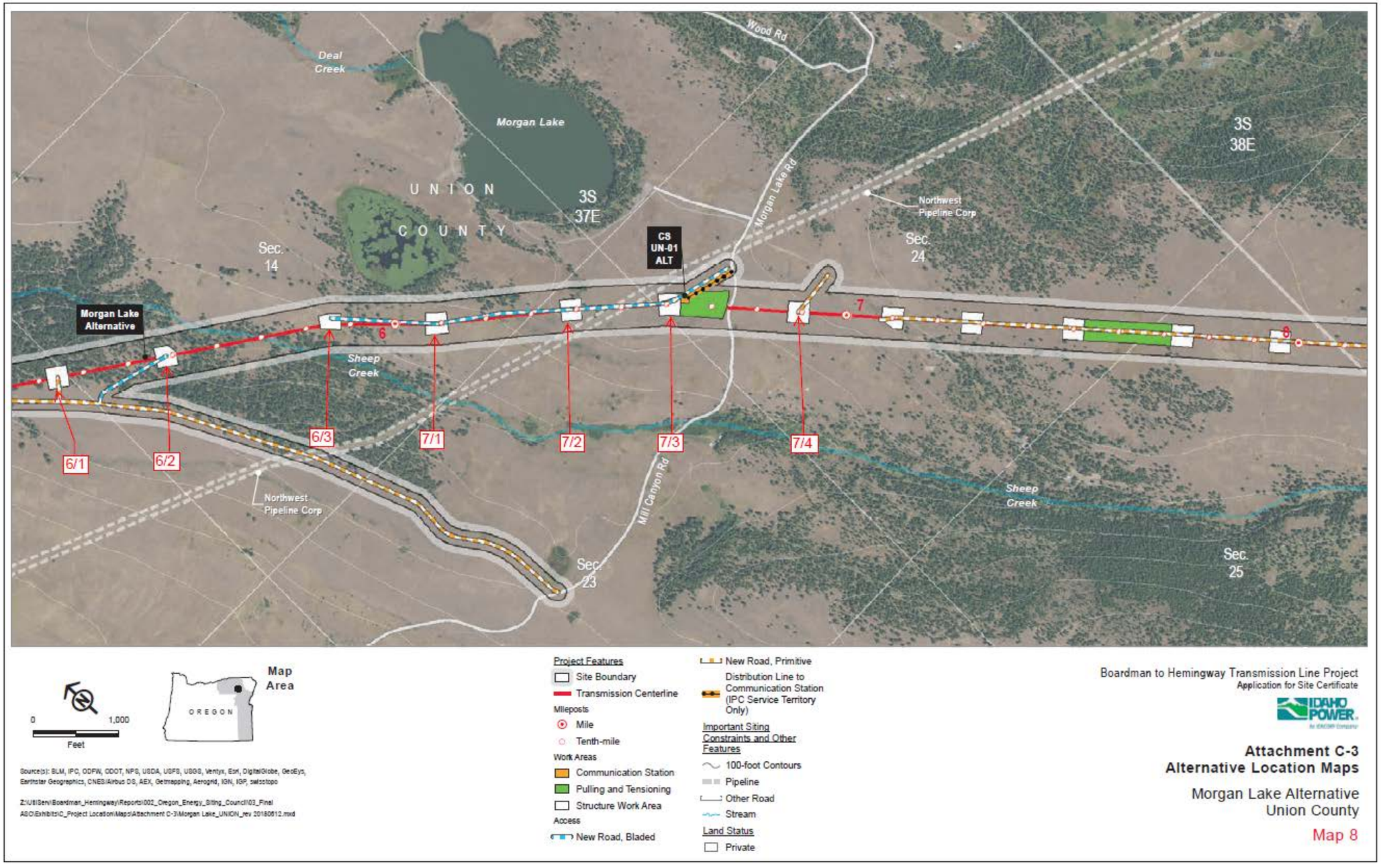
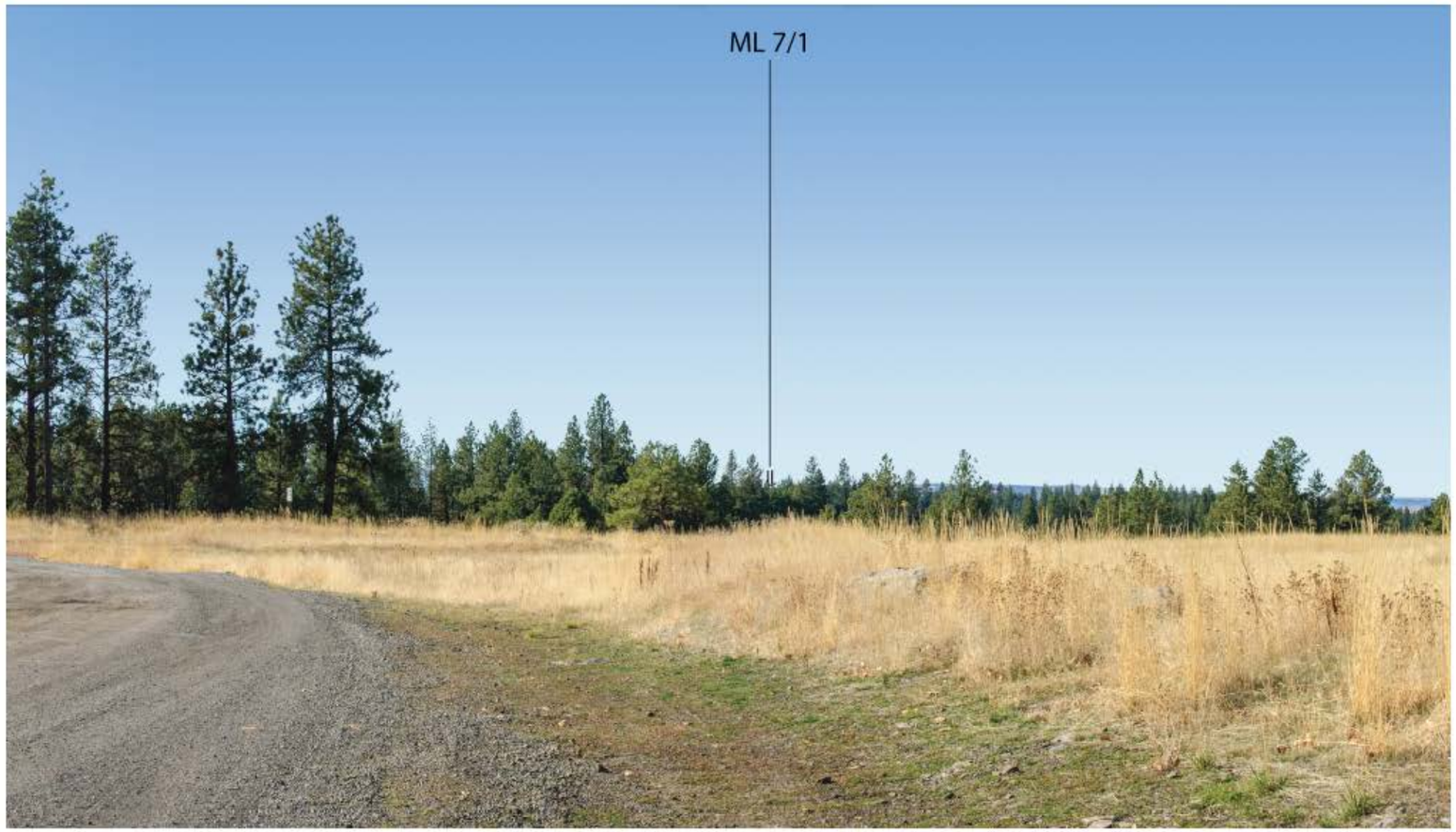


Figure 7 – Detailed Map (Included with Idaho Power's 8-22-2019 DPO Comments)



Viewpoint Location Map — Source: ESRI

Legend

Key Observation Point	**Land Status**
Towers	Bureau of Land Management
Transmission Line	National Park Service
Railroad	State
Interstates	State Wildlife, Parks and Recreation, or Other
Highways	USFS
State Routes	Other Federal Land

Photograph Information

Time of photograph:	12:58 PM
Date of photograph:	10-26-17
Weather condition:	Clear
Viewing direction:	South
Latitude:	45°18'7.15"N
Longitude:	118° 8'19.95"W
Nearest Tower Distance:	0.37 Mile

Photograph is intended to be viewed 12 inches from viewer's eyes when printed on 11x17 paper. The photograph below has been cropped top and bottom to show a wide angle of view with the above photograph's area shown in yellow.

Morgan Lake Alternative
Morgan Lake Park
H-Frame and Lattice Structures

Boardman to Hemingway
Transmission Project

August 2019

Figure XX

Figure 8 – Visual Simulation (Included with Idaho Power's 8-22-2019 DPO Comments)

Commenter	Comment	Idaho Power's Response
STOP B2H, 8-22-2019	It appears that the developer, by deciding what is important and what is scenic, is taking advantage of understaffed rural counties that have not been able to keep up with the bureaucratic nuances of their "lists." For example, the only areas in Union County so designated are the Blue Mountain Forest Wayside and the Minam River, (DPO p.12) because they are identified with the precise word "scenic" in the "Union County Comprehensive Plan." Considering the endless exceptions ODOE regularly grant to developers, it would be appropriate for ODOE to provide similar leeway to the interpretation of local documents.	EFSC's standards for scenic resources, protected areas, and recreation resources prescribe the types of resources to be evaluated under each standard. The Council's Scenic Resources Standard addresses only those scenic resources and values "*identified as significant or important in* local land use plans, tribal land management plans and federal land management plans." Consistent with the Council's Scenic Resources Standard, when reviewing the Union County Comprehensive Plan, Idaho Power identified those resources which Union County had identified as a significant or important scenic resource or value.
	Idaho Power conjured up many pages of a methodology for Exhibits R and T, to support their charade of analysis. However, their conclusions are unsupported with relevant credible data and fail to consider Oregonians' subjective "opinion/evaluation" of their scenic and recreational resource. Current tourism promotion of local scenic and recreational assets, as well as data from Chamber of Commerce records or campground host daily logs could give a more accurate measure of the resources. Instead, Idaho Power created an elaborate "analysis" to confuse the public or worse, to attempt to impress the Council with an obfuscating methodology.	Idaho Power and its expert visual resources consultant developed the methodology for evaluating the potential impacts of the project to scenic resources, which is presented in ASC Exhibit R, Attachment R-1 – Scenic Resources Impact Assessment Methodology ("Scenic Resources Methodology"). The Scenic Resources Methodology takes into consideration the requirement in the Scenic Resources standard that "the design, construction, and operation of the facility, taking into account mitigation will not result in significant adverse impact to scenic resources," as well as the Council's definition of "significant" provided in OAR 345-001-0010(52): "Significant" means having an important consequence, either alone or in combination with other factors, based upon the magnitude and likelihood of the impact on the affected human population or natural resources, or on the importance of the natural resource affected, considering the context of the action or impact, its intensity and the degree to which possible impacts are caused by the

		proposed action. Nothing in this definition is intended to require a statistical analysis of the magnitude or likelihood of a particular impact. Using the standard and definition as a framework for analysis, the Scenic Resources Methodology also incorporates assessment tools used by federal agencies such as the U.S. Bureau of Land Management and Forest Service. Idaho Power disagrees with commenter's assertion that its Scenic Resources Methodology is "obfuscating." Instead, Idaho Power's Scenic Resources Methodology provides a tool to evaluate compliance with the Council's Scenic Resources Standard (while addressing the Council's definition of significance), and allows for potential impacts (and related mitigation) to be thoroughly analyzed and documented.
	Admittedly, Scenic and Recreation areas will have a degree of subjectivity in any analysis. There is not an objective or scientific basis for visual/scenic resource evaluation within the Oregon statutes or rules. The ODOE has allowed the developer to develop their own methods for evaluation. Within the Recreation standards a few criteria are mentioned to guide the analysis.	As Idaho Power explained above, the Scenic Resources Methodology provides a tool for analysis of potential impacts to scenic resources that is reasoned, allows for documentation of the steps of the analysis and conclusions regarding same. Importantly, the Scenic Resources Methodology provides a process for analysis that is repeatable, which minimizes the potential for subjectivity to influence the conclusions in the analysis.
STOP B2H Coalition – Morgan Lake Park Letter (Lois Barry)	Applicant's conclusion that the B2H project will not preclude visitors from enjoying the day use and overnight facilities offered at the Morgan Lake Park (ASC T-4-56) is not supported with credible data.	Commenter's assertion lacks specificity as to why Idaho Power's conclusion is not "supported with credible data," and Idaho Power respectfully disagrees. Notwithstanding, Idaho Power is providing an updated analysis for Morgan Lake Park to include additional data to further support the conclusions. Additional data include viewshed models to better understand screening potential from locations in the park and more detailed analysis regarding potential noise

		impacts at the park. This analysis is included as Attachment 1 to this comment response matrix.
	Morgan Lake Park: Interpretation of Designation: Management objectives are not specified for scenic resources. However, enjoying scenery is mentioned as one of the activities offered by the park (City of La Grande 2016); therefore, scenery is considered a valued attribute of this recreation opportunity. Management goals that specify preservation of the "maximum natural setting" speak to how the City will develop and maintain recreational facilities within the Park (City of La Grande undated). Resource Overview: Morgan Lake Park is one of 11 municipal parks provided by the City of La Grande Parks and Recreation Department. The park is unusual in that it is located outside the city limits, approximately 3 miles southwest of La Grande, and accommodates overnight camping (Figure T-4-6). The park includes 204.5 acres and is considered a regional park (City of La Grande 2016). Park facilities include 12 campsites, 5 barbeque pits, 4 fishing piers, a restroom, a boat launch, and a floating dock. There is no fee for camping and no motors are allowed on the lake (City of La Grande 2016). The lake provides year-round fishing opportunities. Per OAR 345-022-0040, Morgan Lake Park is not considered a Protected Area. Per OAR 345-022-0080, Morgan Lake Park is not considered a Scenic Resource. Per OAR 345-022-0100, Morgan Lake Park is being evaluated as a Recreation Resource.	Morgan Lake Park is not analyzed under the Scenic Resources Standard because it is not identified as an important or significant scenic resource or value in a local, tribal, or federal land use plan. The Morgan Lake Recreation Use and Development Plan does not provide any specific management objectives for scenic resources within Morgan Lake Park. However, as noted in the comment at left, the City of La Grande's website had previously mentioned that enjoying scenery is one of the activities offered by the park (City of La Grande 2016), though that language is no longer present on the website (City of La Grande 2019). Importantly, the City's website for the park does not provide relevant management guidance. The relevant planning document, the Morgan Lake Recreational Use and Development Plan, identifies a park objective as a "quality outdoor recreational experience harmonious with a natural forest and lake area" and a park goal to "preserve the maximum of natural setting." Idaho Power conservatively interpreted this to mean that scenery is therefore considered a valued attribute of this recreation opportunity, but arguably the resource is managed for recreation activities such as fishing, camping, picnicking, and boating and not for scenic views or vistas. As explained in the relevant management plan, the park "shall be managed and improved in a manner consistent with the objective of providing a quality outdoor recreational experience harmonious with a natural forest and lake area. . . . A goal of minimum development of Morgan Lake Park should be maintained to preserve the maximum of natural setting and to encourage solitude,

		isolation, and limited visibility of users while at the same time providing safe and sanitary condition for users." Accordingly, the management direction for the preservation of the "natural setting" is geared toward the types of recreation opportunities and experiences developed at the park, and not to specific scenic resources. Morgan Lake Park is not analyzed under the Protected Area standard because it is not among the resources listed in OAR 345-022-0040 that qualify for consideration as a "protected area." As noted in the comment, Idaho Power is evaluating Morgan Lake Park as a Recreation Resource—which Idaho Power also notes includes consideration of scenic and visual impacts to the resource.
	Per OAR 345-022-0080, Morgan Lake Park should be considered a Scenic Resource and should have received a Visual Impact Assessment. Relevant Key Observation Points 4-28 are indicated (ASC T-4-46) for Morgan Lake Park, but there are no photo simulations of Morgan Lake Park in Attachment R-4. Photo simulations are recommended in the Visual Assessment Analysis. The few photo-simulations so-identified in Attachment 4, are simply photographs. Photo-simulations are "a photographic image that has been computer-modified to show a not-yet existing feature." Beside each photograph available in Attachment R-4 is a right hand sidebar featuring a route map in yellow with red dots to indicate transmission towers. Surely applicant's staff is aware that a red dot on a yellow line is not a photo-simulation. If applicant expects conclusions of "no significant visual impact" are to be accepted, those	As explained above, Idaho Power appropriately considered Morgan Lake Park as a Recreation Resource, and performed a visual impact assessment for Morgan Lake Park. Idaho Power included simulations of potential visual impacts at Morgan Lake Park in its DPO Comments dated August 22, 2019 and those simulations are considered in the updated analysis performed for the park.

	conclusions must be verified by accurate photo-simulations of the eight areas within a mile of Morgan Lake.	
	The Morgan Lake Park Recreational Use and Development Plan specifically stipulates that maintaining the scenic visual integrity of the park is important to its planning goals: The park "shall be managed and improved in a manner consistent with the objective of providing a quality outdoor recreational experience harmonious with a natural forest and lake area. . . . A goal of minimum development of Morgan Lake Park should be maintained to preserve the maximum of natural setting [scenic and visual qualities] and to encourage solitude, isolation, and limited visibility of users while at the same time providing safe and sanitary condition for users." (ASC T-4-51) The Morgan Lake Park Recreational Use and Development Plan describes preservation of a "natural forest and lake area" by managing it (as has been the case for more than 50 years) with a goal of "minimum development" to preserve "the maximum of natural setting."	Idaho Power respectfully disagrees with commenter that the Morgan Lake Recreational Use and Development Plan "specifically stipulates that maintaining the scenic visual integrity of the park is important to its planning goals." It is worth noting that the portion of the management plan quoted by commenter does not identify "scenic or visual qualities," so commenter included that term in brackets to clarify that it is commenter's interpretation. As explained above, Idaho Power agrees that the Morgan Lake Recreational Use and Development Plan identifies preservation of the natural setting, and that attribute is considered applicable to the recreation setting, opportunity, and experience.
	At page 9, commenter includes what appear to be photo simulations of the project near the entrance to Morgan Lake Park.	The simulations presented by commenter are not representative of potential impacts to the recreational experience at Morgan Lake Park. First, Idaho Power notes that the photo appears to be taken from the road leading to Morgan Lake Park, and not from within the park boundaries—and accordingly, this particular viewpoint would not be representative of the locations at which the public would experience and enjoy the park itself. Second, Idaho Power notes that the simulation includes lattice towers, and ODOE has provided a condition for the use of H-frames with a reduced tower height in this area. Third, there is insufficient information to verify the accuracy of the

		location, height, or orientation of the towers shown in the purported simulation; all of which are critical to providing accurate simulations of structures on the landscape.
STOP B2H Coalition – Twin Lake Letter	Page 156, (T-4-6) purports to be a map of Morgan Lake Park. According to the map legend, the purple cross hatch amoeba-shaped area is Morgan Lake Park. That's wrong. The purple cross hatch is Morgan Lake. The actual boundaries of the 204 acre park are not indicated.	Idaho Power agrees with this comment, which points out what was a clerical error included in the mapping. Idaho Power is providing a revised map that accurately represents the park boundary.
	Discussion regarding aquatic vegetation and fish and wildlife habitat at Twin Lake.	Commenter includes significant discussion about plant and animal species that may occur at Twin Lake, but does not explain how the project may result in impacts to such species, or provide any analysis relevant to the Recreation Standard or Fish and Wildlife Habitat Standard—particularly in light of the fact that the project is located outside of Morgan Lake Park and will not result in any direct impacts to Twin Lake.
	Construction of a 500 kV power line within close proximity to the park would result in degradation of the natural qualities of the area. In addition to the visual impact of the power lines themselves, significant impacts due to tower footprint construction, construction and maintenance of access roads, and herbicide use, could have profound impact on water quality of Twin Lake. Introduction of invasive plant species could have irreversible impact on the health and diversity of the native flora and all of the bird, insect and mammal species that depend on these resources.	Idaho Power respectfully disagrees that the project will result in the impacts asserted by commenter. First, there is no construction proposed within the boundary of Morgan Lake Park, and commenter has provided no specific evidence to support its claim that adjacency of the project will result in the impacts alleged. Additionally, commenter has provided no support for its claim regarding the introduction of invasive plant species, and fails to consider the protections that will be afforded by Idaho Power's Noxious Weed Plan.
	Developing a well-informed understanding of the risks and possible permanent damages of power line construction to the natural habitat and undeveloped surroundings of the Morgan Lake and Twin Lake area should be a high priority for the Council. The glaring omission of Twin Lakes in the ASC and DPO is irrefutable evidence of applicant's failure to	As explained above, Idaho Power has updated its analysis of Morgan Lake Park to clarify its analysis of Twin Lake.

	conduct essential studies of the area. EFSC approval of the Morgan Lake Alternate Route should be denied.	
STOP B2H - Grande Ronde Valley Viewshed Letter	V. Resources A. State Planning Goal: To conserve open space and protect natural, cultural, historical and scenic resources. B2. That the following concerns will be taken into account in protecting area visual attractiveness: a. Maintaining [sic] vegatative cover wherever practical. b. Using vegetation or other site obscuring methods of screening unsightly uses. c. Minimizing number and size of signs. d. Siting developments to be compatible with surrounding area uses, and to recognize the natural characteristics of the location. B6. That development will maintain or enhance attractiveness of the area and not degrade resources. Is this the point where applicant is prepared to argue that "visual attractiveness" is not "scenic value"? As you can see, Idaho Power's proposal to inflict a parade of massive transmission towers across the Grande Ronde Valley's viewshed violates is counter to sections V.A, V.B.2 and V.B.6 of our County's Land Use Plan.	It appears that commenter quotes the Union County Comprehensive Plan for the assertion that the Grande Ronde Valley is a viewshed that should be protected under EFSC's Scenic Resources Standard. The policies quoted in the comment apply to resources that have been identified in Union County's comprehensive plan. However, the Grande Ronde Valley has not been identified in the Union County Comprehensive Plan as a significant or important scenic resource or value for purposes of compliance with OAR 345-022-0080.

Commenter	Comment	Idaho Power's Response
StopB2H 6. Geology, Soils, Carbon	*1. Structural Standard*	
	The context for analyzing the proposed B2H line in and around the city of La Grande in Union County needs to be stated clearly: any of the potential routes could become a de facto utility corridor. That possibility is inherent in the BLM's statements contained their FEIS/ROD. Any appraisal of the proposed routes must, therefore, evaluate the cumulative impacts of multiple utilities asking to site their equipment in any of the possible right-of-way corridors. We do not see any evidence in the BLM analysis for any consideration of those cumulative impacts. This site certificate should be denied given the high probability of just such impacts.	The commenter conflates the Council's standards and the federal NEPA process by arguing that the Council must consider cumulative impacts, particularly impacts from future unrelated utility projects. Neither the Structural Standard nor any other EFSC standard requires the Council to consider the cumulative impacts of potential utility facilities that may occur in the future.
	A. Landslides	
	The Mill Creek Route would traverse a minimum of ten significant landslide areas in Union County11. The route would enter the Grande Ronde Valley from the West and then run South and out of the Valley through Ladd Canyon, crossing many of the historical landslides listed below. Some of these SLIOD's are within the city of La Grande, others are along Foothill Road, with their descriptions taken directly from Attachment H-4 of the DPO. Pointedly, there are 13 towers along this proposed route potentially impacted these SLIDO's. It must be noted that none of the other proposed routes in Union County contain this degree of landslide risk. . . . The landslide risk for the Mill Creek Route is unacceptable given the other options open to the applicant.	The commenter provides only conclusory statements, and no specific evidence, supporting their claims that the landslide risk for the Mill Creek Route is "unacceptable." In contrast, Idaho Power's approach to analyzing and addressing landslide risk on the Mill Creek Route and elsewhere on the project was reviewed and approved by ODOE and the Oregon Department of Geology and Mineral Industries (DOGAMI). With respect to the 13 specific landslide areas identified by the commenter, in general, these areas are historic, revegetated, and not likely to be reactivated or exacerbated by the relatively small loads and grade changes imparted by construction of the project. However, site reconnaissance and geotechnical exploration will be performed to develop appropriate design and mitigation strategies as necessary. For example, Idaho Power plans to conduct initial geotechnical borings in 2020 at, among other locations, those landslide areas identified by the commenter where Idaho Power has access (SLIDO 225, 115, and 114). Geotechnical borings will be completed at the remaining landslide areas in

		the future based on final project design and input from DOGAMI. For these reasons, Idaho Power disagrees with the commenter's claim that the landslide risk for the Mill Creek Route is unacceptable.
	B. Hite Fault Zone	
	The discussion of the Hite Fault Zone is contradictory. The fault is listed as inactive in Table H-2, while the text in Section 3.7.6 has this to say: Of these active faults, the Hite Fault System, Agency Section, West Grande Ronde Valley Fault Zone, Unnamed East Baker Valley Faults, West Baker Valley Fault, and the Cottonwood Mountain fault crosses the Proposed Route and should be considered during final design. In fact the status of the fault system is shrouded in uncertainty. The fault is a suture zone between the accreted terranes to the West and the Blue Mountain uplift. It may be capable of generating very large earthquakes. Again, no one knows. The power-line has to cross directly over the surface expression of that faulting, where the Blue Mountains first rise up from the Columbia River Basin. That must be accounted for in much greater detail by Idaho Power. In addition, in Exhibit H: Geological Hazards and Soil Stability, Table B3: Soils Descriptions, Union County, much of the erosion hazard is rated as "severe." While in Exhibit H Part 2, the maps 19-22 clearly demonstrate that both routes run through areas of extreme erosion hazards.	The list of faults in the text of Section 3.7.6 is a typographical error. As discussed in the paragraph preceding Table H-2, the term "active" refers to those faults have been displaced within the last 15,000 years. Table H-2 correctly identifies the active faults as: (1) the West Grand Ronde Valley Fault Zone; and (2) the Cottonwood Mountain Fault. Contrary to the text in Section 3.7.6, the Hite Fault System, Agency Section, Unnamed East Baker Valley Faults, and West Baker Valley Fault are not considered active. However, because the DPO did not specify which faults were active in its discussion, the Council need not make any changes related to the same in the Proposed Order.
	C. Earthquake potential	
	The DOGAMI Oregon HazVu: Statewide Geohazards Viewer () clearly shows that the proposed Mill Creek Route is on an active fault. In even a moderate earthquake, this would be a	The faults that are shown on the Oregon HazVu: Statewide Geohazards Viewer are included in Attachment H-1.

	zone of liquefaction and a zone of very strong earthquake shaking. A GIS overlay of the Mill Creek route onto a map of these known geohazards should be performed. It might reveal that the route overrides and follows the western most fault line. It is worth noting that the area is unstable, with the Grande Ronde Hospital's FEMA rating (3) classified as having a 100% collapse potential even in a moderate zone of seismicity. Given that reality, the hospital has had significant seismic retrofitting done, with all the newer facilities built to comply with the most current earthquake standards. In light of the above information, the discussion of earthquake potential is inadequate. Specifically, restricting the analysis to those quakes expected to occur within a 5-mile distance is of little use in any real-world scenario. Under the right circumstances, earthquake wave propagation could easily extend over hundreds of miles causing ground shaking, ground failure, landslides, liquefaction, fault displacement, and subsidence from reasonably probable seismic events on the routes. This is important because the earthquake potential for the Blue Mountains is largely unknown and the geology problematic. There has been little in the way of geological mapping, and what is known is disturbing. A large structure of unknown origin, the Olympic-Wallowa lineament, bisects the	The commenter misunderstands the context of the FEMA rating system. Having a "100% collapse potential in a moderate zone of seismicity" essentially means that the hospital will be severally damaged if there is a decent sized earthquake for the area. In turn, that means the hospital is below current code standards, which is why it was retrofitted. In that sense, the FEMA rating acts like a building standard, not an earthquake risk assessment. Therefore, the hospital's FEMA rating and insufficient seismic design is irrelevant to B2H. The B2H project will be constructed to comply with the most current earthquake standards at the time construction takes place. Idaho Power disagrees with the commenter's assertion that Idaho Power's consideration and discussion of earthquake risk is inadequate. Idaho Power's approach to analyzing and addressing seismic hazard risk including ground motion or seismic shaking was reviewed and approved by ODOE and DOGAMI.

	Northern portion of the range, just a few dozen miles from the proposed route of the power-line. Its path can be traced through Puget Sound, the Cascade Range, the Wenatchee Mountains, the Rattlesnake Hills on the Hanford Nuclear Reservation, the Walla Walla River canyon, the Blue Mountains, and into the Wallowa Mountains. Scientists have no clue about its tectonic origin. What is known is that the area has been the site of earthquakes in the past, and a recent cluster of small quakes as well. Given the brief span of European occupation and settlement, the historical time-series for earthquakes in this area is so short as to be useless. We simply do not know the geology of this area well enough to write off the possibility of large quakes. While power-line towers are fairly resistant to propagation of s-waves from an earthquake, p-waves are also possible and would be more problematic in the event of liquefaction – also represented by contradictory statements in the document14. The up-and-down motion of those waves can quickly cause that to happen in wet soils, undermining the integrity of the towers. The towers as proposed are to be located in very isolated locations for much of the potential routes, so they will be hard to get to quickly. There should be contingency planning for a large earthquake, the possible compromise of soil integrity, and the resulting potential for damage to the towers, with a loss of power or in the worse case, the possibility of wildfire ignition from an unmoored power-line. In the face of the destruction visited on rural California, this should no longer be seen as a remote possibility. Emergency planning and risk mitigation, including financial risk, must be adequately addressed.	The Proposed Route does cross some faults that are thought to have been active within the Quaternary period (meaning there is geologic evidence that there has been movement on the fault within the last ~2.6 million years). Risks associated with active faults in this setting are primarily ground shaking and fault rupture at the ground surface. The B2H transmission towers will be designed (per current building codes; see Exhibit H, Section 3.9.1.1), engineered, and constructed to withstand the anticipated ground shaking, positioned so that they are not sitting directly on active fault traces, and constructed to adequately avoid potential dangers to human safety presented by seismic hazards. If a fault ruptures between two transmission towers, the offset will likely be relatively minor and accommodated by slack in the transmission line.

	D. Blasting	
	In reviewing the application it is very clear that Idaho Power has not fully considered the impacts of blasting on the unstable slope nearby a populated area in La Grande, Oregon. The maps on page 169 of Exhibit H Geological Hazards and Soil Stability, show the B2H line at MP 106—108, where it is within about 2500' of a zone of Unconsolidated Sediments in (Qf of). It then crosses a zone of Landslide Deposits near MP 108 (Qi of). . . . After-the-fact damage control is not acceptable. Before any blasting occurs Idaho Power must meet with the landowners of land they want to set off explosives. Items that might be damaged in blasting must have baseline data collected on them for any reasonable compensation to occur. In the case of a well, natural or developed spring, baseline cfs data must be compiled. For a water line, road, building, or other natural or human-made structure, an assessment must be developed before any blasting is done. Damage due to blasting and a proper replacement value can only be calculated from such a baseline. The rational conclusion is that the Mill Creek Route is not suitable for any type of utility placement when landslide potential, the soils, the existing faults, the slope instability and the probability of an earthquake in the future, all exist. When combined with the blasting which would be unleashed along the proposed project route, it's clear that siting a transmission line – much less a utility corridor – is not a decision a prudent person would make.	Here, subterranean blasting will likely be limited to incidental rock excavation for tower footings and access road construction. Because such blasting will be used only incidentally, it's unlikely springs or wells will be impacted. Nonetheless, to the extent a landowner has a concern about a spring or well on their property, Idaho Power will work with the landowner during right-of-way negotiations to identify those areas and to design protective measures to avoid, minimize, or mitigate impacts to the water sources from blasting activities. Those measures may involve pre-blasting water flow measurements so that there is a basis upon which potential damage claims can be validated or refuted. To capture these protective measures in the final Blasting Plan, Idaho Power has proposed the following changes to Soil Protection Condition 4: Soil Protection Condition 4: a. Prior to construction, the certificate holder shall finalize, and submit to the Department for approval, a final Blasting Plan. The protective measures described in the draft Blasting Plan in Attachment G-5 attached to the Final Order on the ASC, shall be included as part of the final Blasting Plan, unless otherwise approved by the Department. The final Blasting Plan shall meet the requirements of the Oregon State Police and the Oregon Office of State Fire Marshal relating to the transportation, storage, and use of explosives. The final Blasting Plan shall provide that, if requested by the landowner, on parcels that contain a natural spring or well and on which subterranean blasting will be conducted, the certificate holder shall conduct pre-blasting flow measurements to

	The applicant failed to comply with OAR 345-022-0020, because they have NOT "…adequately characterized the seismic hazard risk of the site." Furthermore, it would be nearly impossible for any developer to "…design, engineer, and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site," (per the OAR cited above.) Therefore, the Council should outright eliminate from further decision, the Mill Creek alternative in Segment 2 of the B2H.	establish a baseline for potential impacts to the spring or well. b. The certificate holder shall conduct all work in compliance with the final Blasting Plan approved by the Department. Given that subterranean blasting will be limited and designed to avoid sensitive areas, and that Idaho Power will conduct pre-blasting flow measures to assure landowners that water sources will not be impacted, the impacts from blasting will not be significant.
	2. Soil, Climate, Carbon	
	A. Carbon dioxide emissions and OAR 345-021-0010(1)(y)	
	In Exhibit Y (Section 3.1, p.Y-1), IPC states that OAR 345-021-0010 (1)(y) regarding carbon dioxide emissions does not apply to the Project because "the Project does not include a base load gas plant, does not include a non-base load power plant, and will not emit carbon dioxide." However, IPC should not be exempt from complying with OAR 345-021-0010 (1)(y) because the construction of the transmission line will result in large amounts of carbon dioxide emissions. Actions in the project that will generate carbon dioxide emissions are found in Exhibit K, Attachment K-2. In this Attachment, IPC states that they will harvest timber and burn or masticate the slash along the ROW depending on the fuel loads (p. 12-15). The timber harvest, as well as any vegetation removal along ROW and for roads and buildings, will speed up below ground plant decomposition and further contribute to carbon dioxide emission. Given that soil carbon has been identified as representing a substantial portion of the carbon found in terrestrial ecosystems (Ontl and Schulte 2012), actions that release it back into the atmosphere are of	The language of OAR 345-021-0010(1)(y) speaks for itself, and it does not apply to the B2H Project. Even if the requirements OAR 345-021-0010(1)(y) did apply to the B2H Project, those requirements address information about carbon emissions produced from a project's operating activities and not from construction-related activities such as soil disturbance, which appear to be the commenter's main concern. For this reason, and because the rule does not apply to transmission lines, the Council should not extend the requirements of OAR 345-021-0010(1)(y) to the B2H Project.

	concern and will contribute to climate change. IPC also plans to build roads and structures which will result in carbon dioxide emissions. All of these activities are directly tied to the project and necessary for the project to be completed (connected actions). Therefore, the project should be held accountable to OAR 345-021-0010 (1)(y) and the existing application is incomplete and should not be approved.	
	B. The project is not in alignment with Oregon's climate goals.	
	The project is not in alignment with Oregon's climate goals because it will have a cumulative negative effect on climate. The Oregon Global Warming Commission's 2018 Forest Carbon Accounting Report (OGWC 2018a) directly addresses forest harvest and fire as carbon sources and has identified the importance of intact forests as carbon sinks. Under ORS 468A.250(i), an accurate forest carbon accounting is required to meet the directive to the Oregon Global Warming Commission (OGWC) to "track and evaluate the carbon sequestration potential of Oregon's forests, alternative methods of forest management that can increase carbon sequestration and reduce the loss of carbon sequestration to wildfire, changes in the mortality and distribution of tree and other plant species and the extent to which carbon is stored in tree-based building materials." Because the project effects are in opposition to Oregon's climate goals, the project should not be approved.	As discussed above, the EFSC standards do not require the Council to consider cumulative effects—that's a federal NEPA standard, not an EFSC standard. Furthermore, the 2018 Forest Carbon Accounting Report cited by the commenter is not a regulatory document; instead, pursuant to ORS 468A.250(1)(i), the Oregon Global Warming Commission prepared and delivered that report to the Legislature for education and information purposes only. Neither ORS 468A.250(1)(i), the report, nor any EFSC standard requires EFSC or a site certificate applicant to analyze or address carbon sequestration in the EFSC process. With respect to carbon emissions, those are addressed solely through OAR 345-021-0010(1)(y), which as discussed above does not apply to transmission line projects like B2H. Therefore, the commenter's assertion that the Council should disapprove the project because it is contrary to Oregon's climate goals—specifically ORS 468A.250(1)(i)—is not supported by any applicable law or regulation.
	C. IPC has not addressed or quantified the amount of existing and potential future carbon sequestered above and below ground lost as a result of this project.	
	The project will release an unknown amount of carbon back into the atmosphere and decrease soil productivity in the disturbed areas. The loss of soil productivity will limit future carbon sequestration potential. Carbon sequestration in	Similar to the immediately preceding response, neither the 2018 Biennial Report nor any EFSC standard requires EFSC or Idaho Power to analyze or address carbon sequestration, carbon storage, or carbon loss in the EFSC process, and

	plants and in the soil is an important strategy for helping to address climate change (Ontl and Schulte 2012) and so needs to be maximized as a climate change strategy. Consequently, the project is counter to Oregon's climate goals as described in the Oregon Global Warming Commission's 2018 Biennial Report (OGWC 2018b). Because the application is incomplete (no carbon storage and loss analysis) and in opposition to Oregon's climate goals, the project should not be approved.	therefore, the commenter's assertion that the application is incomplete and contrary to Oregon's climate goals is incorrect and not supported by law or regulation.
	D. Restoring soil productivity	
	The information and language is deliberately vague. Absent in the application is any discussion of what soil factors will be quantified to determine pre and post disturbance productivity. Absent also is any discussion of who determines if the soil restoration is sufficient or how close is close enough. Will compensation be a one-time payment or ongoing to account for lost future potential? IPC understands that restoring soil productivity to its prior condition after disturbance is not economically feasible. This understanding is evident in the language they use in Exhibit K/Attachment K-1 (see examples below), language that puts limits on what they are obligated to do to restore productivity. Phrases such as "as nearly as possible" and "reasonably restore" allow IPC to be in full compliance with what they said they would do (i.e. as nearly as possible; reasonably restore). Their frequent references to compensation suggests that this will be their chosen approach since restoration of soil productivity is costly, time consuming and difficult, if not impossible in some cases (e.g. loss of top soil due to erosion). Yet what does "reasonably restore" mean? Reasonable to whom and for what?	As described in Section 7.3 of the Agricultural Lands Assessment, Attachment K-1, in the event Idaho Power's construction activities will impact agricultural lands or otherwise interfere with the landowner's agriculture operations, Idaho Power will negotiate with the landowner to compensate the landowner in a fashion that is mutually agreeable. That may involve Idaho Power replacing impacted crops, providing monetary compensation, or some other form of mutually-agreeable mitigation. While the Agricultural Lands Assessment sets out various possible forms of mitigation, the choice of mitigation will ultimately be site-specific and subject to discussions with the landowner since the landowner will have the best understanding of what's appropriate. Idaho Power will work with the landowners to mutually agree on what's "reasonable."

	In Exhibit I, tables I-5 and I-9 identify 4347.6 acres of "temporary" disturbances and 756.9 acres of permanent disturbance for a total of 5704.5 acres. As the table below shows, the soils in the proposed disturbance area have a high erosion potential. A permanent loss of soil productivity can be expected with its corresponding loss of carbon sequestration potential. This is in addition to the permanent compaction impacts as a result of both permanent and temporary roads, despite restoration efforts of the temporary use roads. . . . Soil loss or reduced productivity is a long-term impact with financial and ecological costs. These long-term financial impacts include loss of the opportunity to benefit from any carbon sequestration program, loss of agricultural productivity, and an increase in soil and plant sensitivity to climate conditions such as drought. The loss of below ground organic matter due to the project will lead to a decrease in the water-holding capacity of the soil (important feature given climate change) and in nutrients. These losses in turn contribute to decreased soil productivity, plant growth, and the ability of disturbed areas to sequester carbon. While separating out topsoil from subsurface soil may prevent mixing, topsoil key soil structure and organic matter will be lost in the process of removing and piling it. Soil permeability and porosity and organic matter are factors that influence the movement of water and nutrients needed for plant recovery. Therefore, the productivity of the top soil will have decreased considerably from it pre-disturbance condition.	See immediately preceding response regarding Idaho Power working with landowners to mutually agree on reasonable mitigation for impacts to their agricultural lands or operations. Again, Idaho Power will work with landowners to mutually agree on reasonable mitigation for impacts to their agricultural lands or operations. However, that's not to say that Idaho Power has not fully analyzed impacts to soil productivity (outside the context of climate change), which are addressed in Exhibit I, Section 3.2.5, or impacts to current land uses that require product soils, which are addressed in Exhibit I, Section 3.4. Idaho Power has also provided adequate information in Exhibit K and the Agricultural Lands Assessment (Attachment K-1) regarding Project impacts on agricultural practices to support a Council finding under OAR 345-022-0030 that the Project complies with Oregon's statewide planning Goal 3. Idaho Power has further demonstrated in these documents that the Project complies with the statutory requirements contained in ORS 215.283(1) and ORS 215.275 for siting in land zoned as Exclusive Farm Use. This statutory scheme does not establish a zero-impact standard for EFU land with respect to soil productivity or any other aspect of agricultural land use. Rather, Idaho Power is "responsible for restoring, as nearly possible, to its former condition any agricultural land and associated improvements

		that are damaged or otherwise disturbed by the siting, maintenance, repair or construction of the facility." ORS 215.275(4) (emphasis added). As described in further detail in the Agricultural Lands Assessment, Idaho Power will work with landowners to minimize any damage to the extent practicable on agricultural land. Further, Idaho Power will implement the actions set forth in Section 7.0 of this Assessment to avoid, mitigate, and minimize impacts to agricultural practices and uses, which actions will "prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands." ORS 215.275(5). To the extent the Project results in residual adverse effects to soil productivity on EFU land, this will be the subject of negotiations with individual landowners regarding appropriate compensation. The Council does not have jurisdiction to resolve landowner compensation for easements across private property. Any potential carbon sequestration impacts associated with a change in soil productivity are not relevant to the Council's consideration of the general standards for siting facilities contained in OAR Chapter 345, Division 22, including the land use and soil protection standards.
	The developer and ODOE attempt to emphasize the number of roads that will be defined as temporary. These roads are temporary only in the context of access and use, not in terms of its footprint and impact on the landscape. Years after "temporary" roads were closed with some attempted mitigation, many remain drivable in a personal vehicle and ATVs. Therefore, use of the word "temporary" in reference to roads or other construction related activities is incorrect. All	The commenter provides only conclusory statements, and no specific evidence, supporting their claims that the proposed reclamation actions are inadequate. The proposed reclamation actions set out in the Reclamation and Revegetation Plan and Agricultural Lands Assessment were designed by professionals with experience and expertise in those areas, and Idaho Power believes those actions will be sufficient to reclaim temporary roads.

	of the soil mitigations proposed by IPC are used by the Forest Service (e.g. mulching, seeding, scarifying, ripping of roads) with very limited success at restoring the soil's productivity and vegetation. The impacts have lasted.	
	Finally, while erosion and sediment control measures may meet local, county, state, and federal guidelines, what is important is their effectiveness. Top soil lost to erosion cannot be replaced and represents a permanent impact with long-term community impacts. Given the limitations of what is possible in terms of restoring soil productivity, the importance of protecting existing soils and the expected impacts of the project, the project should not be approved.	Notably, the commenter appears to acknowledge that Idaho Power's proposed erosion and sediment control measures in fact meet local, county, state, and federal guidelines. While the commenter may desire something different, it is the local, county, state, and federal guidelines that represent the standards that the project must meet, and because those standards are met, the Council should find that those measures are sufficient.
	E. Carbon sequestration is a land use.	
	The application lacks an analysis of carbon sequestration as an important land use. It is not mentioned in either Exhibit K (Land Use) or Exhibit I (Soil Protection). Yet it has large economic benefits related to maintaining and improving agricultural yields and ecological benefits related to helping mitigate climate change impacts. Efforts to mitigate climate change means that there will be increased value in altering land use practices to improve the amount of above and below ground carbon stored. As such it represents an up and coming land use. The project will negatively impact over 4000 acres of potential carbon sequestration area and therefore should not be approved.	None of the EFSC standards or applicable substantive criteria require EFSC or Idaho Power to analyze or address carbon sequestration, and the commenter has not identified any specific applicable substantive criteria providing otherwise.
	F. The Economic Impacts to Agricultural Operations (Attachment K-1, Section 6.0)	
	IPC undervalues the economic impacts and future losses to agricultural operations because the economic analysis is based only on current use types, not future use types. It ignores the lost future economic benefits of carbon sequestration to agricultural operations where the potential to become quality trade areas in Carbon cap and trade efforts	The commenter's speculation regarding future use of agricultural land to participate in a carbon sequestration program that does not yet exist is not relevant to the Council's consideration of the land use standard for siting facilities in OAR 345-022-0030. And again, as mentioned above, none of the EFSC standards or applicable substantive

	is high. The value of sequestering carbon is expected to become a priority as Oregon works to meet it climate change goals. Therefore, the economic analysis is incomplete and the project should not be approved.	criteria require EFSC or Idaho Power to analyze or address carbon sequestration, and the commenter has not identified any specific applicable substantive criteria providing otherwise.
	G. IPC has incorrectly limited the analysis area to the 20,750.5 acres and ignores the project's cumulative effect on climate change.	
	The analysis area is too small for the project's impact on climate change and must be expanded to an appropriate scale for a proper cumulative effects analysis to occur. The expansion of scale is required because the impacts of lost existing and future above and below ground carbon sequestration, lost soil and soil productivity, and carbon dioxide emissions have a cumulative effect when added to other existing actions influencing greenhouse gas emissions and carbon sequestration potential (i.e. deforestation, loss of wetlands.) IPC has expanded the analysis area in other places and should do so related to the project's impacts and contribution to climate change. For example, when assessing the significance of impacting high values soils in the project area, they expanded their comparison area from the site boundary to the County-scale to make the point that only 0.05% of high value County soils would be impacted due to construction (Exhibit I, table 1-7). However, while the overall value may be small when compared at the County or State scale, it ignores the cumulative effects of the loss of high value farm land from other actions within the state and worldwide. It incorrectly treats these impacts as separate, unconnected activities and incorrectly infers that the project has no cumulative effect on soil productivity, agricultural yields, and carbon sequestration potential.	Again, the EFSC standards do not require the Council to consider climate change, carbon dioxide emissions (beyond OAR 345-021-0010(1)(y) which doesn't apply to this project), carbon sequestration, or cumulative effects.

	They need to take a similar scale increase approach when presenting the permanent (or foreseeable future) loss of forest and its carbon sequestration and cooling properties. While the amount of forest lost due to the project is small when assessed at the County or State scale, the loss is additive to the other ongoing effects of forest loss. There are already die offs of trees occurring due to climate change which increase in scale with each passing year. These die offs will release additional carbon into the atmosphere, exacerbate the tendency towards larger, more frequent and higher intensity wildfires, and increase the potential for soil erosion and loss of soil productivity. The impacts of increased tree mortality are already being seen due to insects and disease which thrive in hotter temperatures and longer growing seasons. In summary, IPC has inadequately analyzed the effects of their project because they have too narrowly defined the area and nature of the impacts and their cumulative effect. Any cumulative effects analysis must include the impacts of decreased existing carbon sequestration and future potential carbon sequestration, because the effects of decreased soil productivity and carbon sequestration related to the project overlap in time and space with the impacts of other human land uses changes and interact synergistically with them.	
	H. Mitigation Measures (Exhibit I, Section 3.6) and Soil Monitoring (Exhibit I, Section 3.7)	
	As many have seen firsthand, promises made in project decision documents are rarely met regarding monitoring of effects and reclamation or restoration efforts. Money dries up, priorities change, funds are not sufficient to the work needed, staff are not allowed time to monitor, staff changes	The commenter has provided only speculative, conclusory statements, without any specific evidence, to support their claims that compliance "is simply a box [Idaho Power will] check" and that Idaho Power has some "unspoken intent to mislead the public and the legal system." In contrast, Idaho

	and historical knowledge of monitoring and reclamation commitments end up on a shelf gathering dust and forgotten. While IPC may have the best intentions now, we can expect a pattern similar to that observed in many government land use agencies. They include monitoring in their documents with the best of intentions. However, in many cases it is simply a box they must check with the unspoken intent to mislead the public and legal system. As power demands and power generation technologies change, the transmission line, already an obsolete approach, will only become more so. As a result, IPC can expect its revenue to change, likely decreasing, and with that reduction or change in priorities, reclamation and monitoring of the project will decrease or be dropped. The result will be impacts that exceed what they predict for the project.	Power has demonstrated its organizational expertise and experience to comply with the proposed site certificate operating and monitoring conditions based on the company's long history of operating in highly regulated practice areas involving complex compliance and monitoring requirements (see Exhibit D, Sections 3.1 through Section 3.4). Similarly, these comments about the future of technology and the energy industry (and resulting impacts on reclamation and monitoring) consist only of speculative, conclusory unsupported claims. The need for, and value of, the project is confirmed by the thorough and comprehensive analysis provided in Exhibit N, and Idaho Power's proven record of fulfilling its environmental compliance obligations is discussed in Exhibit D.

Commenter	Comment	Idaho Power's Response
Stop B2H 6. Geology, Soils, Carbon	*July 24, 2019 Letter*	
	Undergrounding	To clarify, Idaho Power is not proposing undergrounding the transmission line as a mitigation option. Rather, Idaho Power discussed undergrounding in Exhibit BB as a courtesy because several comments received during the scoping period requested that Idaho Power consider installing the transmission line underground. Idaho Power similarly prepared the Exhibit BB errata undergrounding study as a courtesy, responding to comments from Baker County that requested an independent assessment of the cost difference and level of ground disturbance between underground and overhead installations. However, as discussed in Exhibit BB, undergrounding is not feasible and therefore Idaho Power is not considering it as a mitigation option for all or any portion of the line because of the high cost compared to overhead lines, the unproven technology involved with 500-kV underground lines, reliability and reactive compensation issues for long installations, and increased land disturbance. Thus, while Idaho Power provides responses to the comments on undergrounding below, Idaho Power is doing so only as a courtesy as undergrounding is not being proposed as mitigation for this project.
	Idaho Power has used inflated costs to describe undergrounding for approximately two miles in front of the Oregon Trail Interpretive Center near Baker City.	Idaho Power respectfully disagrees with this statement, is conclusory and unsupported by specific evidence. In contrast, over 100 hours were spent preparing, reviewing, and incorporating comments into Idaho Power undergrounding study by recognized experts in this very specialized subset of the industry.

	In addition, it is stated that ground disturbance will be more than overhead lines, however, most ground disturbance will be temporary and the transition stations will cover about 2 acres each.	The commenter is correct that certain undergrounding ground disturbance will be temporary. However, areas of cut and fill, manholes, and the transition stations will be permanent ground disturbances.
	Most of the underground route is not on side hills, but can be placed at the toe of the hill, with most hills not more than 10% grade for half the corridor.	Idaho Power disagrees. A great deal of the proposed route is in topography that would require grading to accommodate an underground installation.
	None of the undergrounding will be on cultivated lands.	This appears to be correct. Idaho Power worked with the landowners to re-locate a previously proposed route off of their cultivated land and onto uncultivated areas.
	Directional Drilling, for 1000 feet, will be recommended so the final exit and transition station will be on Baker County land not private lands. Splices will be required to connect the multiple sections of cable, and splicing vaults will be placed approximately every 1500 feet and covered with several feet of soil.	For reasons discussed in the study, directional drilling is not proposed.
	Constructing B2H with only temporary ground disturbance, following the current 230 line, and needing only one splice vault, the route is 80% flat. Certainly, this needs to be considered.	This comment proposes a route—i.e., through cultivated land—that is not proposed in the ASC, and therefore, the Council has no jurisdiction to consider it.
	Power Engineers provided a cost estimate at the AACE Level 5 for 1.5 miles. Class 5 estimates are generally prepared based on very limited information, and subsequently have wide accuracy ranges. As such, some companies and organizations have elected to determine that due to the inherent inaccuracies, such estimates cannot be classified in a conventional and systematic manner. Class 5 estimates, due to the requirements of end use, may be prepared within a very limited amount of time and with little effort expended—sometimes requiring less than an hour to prepare.	Contrary to this comment, the Power Engineers Class 5 estimate is appropriate and sufficient at this stage in the project's development. The Class 5 estimate gives an order of magnitude comparison that assesses the financial viability of constructing an alternate underground transmission line at the referenced location instead of the planned overhead transmission line installation. In order to complete a more specific estimate, topographical surveys, geotechnical and thermal investigations, and final design would generally be required to obtain more

	Power Engineers were involved with the Southern California Edison Chino Hills underground 500-kV power line so should be asked to provide a Class 3 Cost Estimate using the AACE guidelines. This will provide an accurate cost estimate for the total of two-miles. Class 3 estimates are typically prepared to support full project funding requests, and become the first of the project phase control estimates against which all actual costs and resources will be monitored for variations to the budget. They are used as the project budget until replaced by more detailed estimates.	specific material and cost estimates—steps that typically are not completed until after all local, state, and federal authorizations have been obtained and land access has been secured. Therefore, the Class 5 estimate was both appropriate and reasonable for this stage of the project during the EFSC site certificate application process.
	Power Engineers in Errata BB, additions to Complete Application, have estimated that 1.5 miles of undergrounding will cost between $102 and $111 million. According to the article Out of Sight Out of Mind this estimate is grossly overestimated. Using Mr. Hall's updated Edison Electric Institute calculations, the 2-mile underground new construction is more likely to be $67 to $70 million.	Idaho Power agrees with the estimate provided in Errata BB, and respectfully disagrees with the commenter's alternative estimate.

Commenter	Comment	Idaho Power's Response
StopB2H 7. Fish & Wildlife Habitats and Threatened and Endangered Species	For the purposes of the narrative that follows we do not distinguish between state and federal laws when it comes to compliance. Rather, we present information related to the resource and species and let ODOE decide if it fits with their general fish and wildlife habitat protection standards or their threatened and endangered species standard. Either way, we will make it clear that Idaho Power and the B2H project cannot comply with the above statutes and standards nor the federal ones (cited below.)	Idaho Power questions the approach presented here, whereby the commenter states that it purposefully does not distinguish between state and federal laws and instead "let[s] ODOE decide if it fits within their general fish and wildlife habitat protection standards or their threatened and endangered species standard." First, federal laws are not generally implicated in either the Council's Fish and Wildlife Standard or the Threatened and Endangered Species Standard. Second, to preserve an issue for contested case, the commenter is required to provide comments with specificity; purposefully avoiding explanation of how submitted information applies to a Council standard does not meet the specificity threshold. And third, in instances the commenter includes only conclusory statements unsupported by specific evidence, those comments do not meet the specificity threshold.
	Both of the proposed routes in Union County for the Boardman to Hemingway Transmission Line project include a crossing of the Ladd Creek and/or its tributaries. . . . Historically, there were anadromous fish (steelhead and salmon returning from the ocean) in Ladd Creek. ODFW has documented that steelhead and salmon used Ladd Creek for spawning. However, construction of Interstate 84 in the 1970's stopped the passage of these fish above the interstate due to a vertical culvert being installed . . . . The B2H Draft Proposed Order (page 9-10 of draft Fish Passage Plan in ASC Exhibit BB, Attachment BB-2), states that Ladd Creek and its tributaries contain only local fish (trout), but that status has changed due to major culvert work along and under the I-84 interstate in the last 4 years. As a result, the information contained in the B2H Draft Proposed Order is incorrect and out of compliance with Oregon and Federal statutes.	Idaho Power's methodology for identification of fish-bearing streams and conclusions regarding the same is captured in the Fish Passage Plan (Exhibit BB, Attachment BB-2). ODFW reviewed and consulted on Idaho Power's methodology and conclusions regarding fish-bearing streams, as well as the remainder of the Fish Passage Plan, between 2014 and 2016. If improvements were made to remove barriers to fish passage at Ladd Creek after that timeframe (as suggested by the commenter), any changes to the status of the creek would not been included in the plan. Nonetheless, Fish Passage Condition 1 was designed to allow for refinements to the plan to capture such changes prior to construction, whereby it provides that the plan will be finalized and approved by ODFW before that time and any new crossings would need to be developed in consultation with ODFW to ensure compliance with the Fish Passage Rules. To clarify that

		the final plan will take into account the improvements at Ladd Creek, and other new information related to stream status, Idaho Power suggests the Council make the following edits in the proposed order and Fish Passage Condition 1: [Page 307] The applicant also notes that unrestricted access to habitat is important for both resident and anadromous salmonids. . . . If any future route modifications require road crossing improvement or modifications beyond those identified in the fish passage plans, as explained in the Fish Passage Plan, the applicant proposes to install all culverts or other stream crossing structures in accordance with ODFW fish passage rules and approvals. Furthermore, comments received by the public suggest that certain culverts on Ladd Creek, which was not identified in the application as supporting anadromous fish, were recently modified and as a result Ladd Creek now contains anadromous fish. To ensure any such new information about stream status and related fish passage is addressed prior to construction, the applicant proposes to request any new information about stream status from ODFW and seek ODFW concurrence on stream status prior to finalizing the Fish Passage Plan. . . . **Recommended Fish Passage Condition 1:** a. Prior to construction, the certificate holder shall finalize, and submit to the Department for its approval in consultation with ODFW, a final Fish Passage Plan. As part of finalizing the Fish Passage Plan, the certificate holder shall request from ODFW any new information ODFW may have on the status of the streams within the site boundary and shall address the

		information in the final Fish Passage Plan. The protective measures described in the draft Fish Passage Plan in Attachment BB-2 to the Final Order on the ASC, shall be included as part of the final Fish Passage Plan, unless otherwise approved by the Department. b. The certificate holder shall maintain compliance with the measures outlined in the final Fish Passage Plan approved by the Department in consultation with ODFW.
	As evaluated in the DPO, ASC Exhibit P, suitable habitat used by state-listed Threatened and Endangered species is designated pursuant to ODFW's Habitat Mitigation Policy, and EFSC's Fish and Wildlife Habitat standards, as Category-1 Habitat, where any impact, direct or indirect is prohibited. There is NO mitigation for Category-1 Habitat!	The commenter is mistaken; all suitable habitat used by State-listed species is not considered Category 1 habitat. Rather, as applied to this project, Category 1 habitat includes trees or structures containing a special status raptor nest; occupied WAGS colonies; and caves providing roosts and hibernacula for bats (see Exhibit P1, Section 3.3.2). Fish bearing streams (including those used by State-listed fish) are Category 2 habitat (see Attachment P1-1, Habitat Categorization Matrix). To clarify this point, Idaho Power proposes the following edits: [Page 116] ~~As evaluated in ASC Exhibit P, suitable habitat used by state-listed Threatened and Endangered (T&E) species is designated pursuant to ODFW's Habitat Mitigation Policy and the Council's Fish and Wildlife Habitat standard as Category 1 habitat, where impacts are prohibited. Therefore, the proposed facility is precluded from resulting in a loss of habitat for T&E species.~~ Moreover, the area within and around Butter Creek and Little Butter Creek is not considered Category 1 habitat, and the applicant asserts that these streams are not used by T&E species.

	The Draft Proposed Order (DPO), p. 304, lines 20-26, fails to list Bull Trout, a listed State-Sensitive Threatened Species, also listed as Threatened by USFWS. Similarly, the DPO only gives brief identification of federally listed Mid-Columbia River and Snake River steelhead, and Snake River spring/summer and fall Chinook salmon. OAR-345-021-0010 (1)(p) requires identification of all fish and wildlife at the proposed location, and identification of habitat classification categories, as set forth in OAR-635-415-0025, in order to comply with OAR-345-022-0060, requiring identification of habitat categories and required mitigation.	Idaho Power has no objection to adding Bull Trout to the list of State sensitive species described in the proposed order, which would be consistent with Table P1-5. With respect to the remainder of this comment, it lacks specificity to warrant a response. As depicted in ASC Exhibit P1, Table P1-5, State Sensitive fish species with potential to occur within the analysis area include bull trout, Columbia Basin rainbow trout, Lower Snake River summer steelhead, Middle Columbia River summer steelhead, Pacific lamprey, and western brook lamprey.
	Compliance with the federal Endangered Species Act (ESA) requires identification and address of the effects of the proposed action through ESA section 7(a)(2) consultation with the NMFS (anadromous fish species) or USFWS (resident fish species.) ODOE is required to consult with ODFW, who consult regularly with their federal counter-parts regarding these matters. The DPO does not make this clear, hence fails this requirement.	Neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require a demonstration of compliance with the federal Endangered Species Act or a showing that ODFW consulted with NMFS or USFWS. Nonetheless, Idaho Power has fully complied with the federal Endangered Species Act on this project as evidenced by the Biological Opinion found at https://eplanning.blm.gov/epl-front-office/projects/nepa/68150/125242/152689/ROD_Appendix_F_Biological_Opinion.pdf.
	Additionally, the DPO does not adequately address the adverse impacts to federally designated critical habitats (DCH.) DCH for Snake River spring/summer Chinook salmon is identified as "all areas with historical presence", and is NOT found only where they exist today. DCH ESA determinations of 'may effect' are linked to the standing PACFISH riparian habitat conservation areas (buffers) on both BLM and USFS lands. This equates to a 300-foot buffer on main rivers, and a 150-foot buffer on perennial tributaries (100-foot buffer on intermittent streams). The DPO speaks to only stating there will be no roads below 'ordinary high-water mark.' This in no uncertain terms addresses the Primary Constituent elements	Neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to address the issue of federally-designated critical habitat. Similarly, there's nothing in the Council standards nor the ODFW fish and wildlife habitat mitigation policy requiring that habitat categorization be dictated by federal guidelines. For example, there is no law or regulation, contrary to the commenter's assertion, requiring the Council or ODFW to categorize habitat based on federal stream buffers or to designate federally-listed critical habitat as Category 1 Habitat.

	of the DCH for salmon OR steelhead.	
	The DPO, p. 304, line 32, through p. 307, line 21, acknowledges that there will be impact, but is unable to quantify it. Since any impact is prohibited for Category-1 Habitats, the magnitude of impact becomes irrelevant, rather, not lawful. Hence, the applicant has failed to meet the requirements for issuance of a Site Certificate contained in OAR-345-022-0070 and OAR 345-022-0060. Idaho Power's B2H proposed project will not be in compliance with state nor federal protected species laws.	The DPO, and the commenter, are correct that the project may involve minimal impacts to fish bearing streams at the road crossings. However, the commenter inaccurately describes those crossings as Category 1 habitat, and therefore, the project is not required to avoid those impacts entirely.
	[The commenter identifies the following design features that the commenter suggests are necessary to address climate change impacts of concern for habitat for salmonids.] *Rising summer temperatures:* . . . As noted below, preserving large trees in the riparian area through application of the "Eastside Screens" can provide a source for large woody debris in the channel as well as an anchor for stream banks to prevent bank erosion and channel widening. *Increased winter flooding:* . . . Construction of roads and other infrastructure should not impede the movement of water from the stream channel to the floodplain during flood events. Culverts must be sized to accommodate flood flows so that they do not constrict high flows and contribute to further degradation of the stream channel during a flood event. *Increased wildfire risk:* . . . Removing riparian cover will increase the risk of direct mortality of fish as well as habitat loss when a wildfire occurs. As noted above, preserving large	Neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard requires the Council to consider climate change effects that may occur in the future. The number of stream crossings in forested areas will be limited, and Idaho Power intends to preserve riparian habitat at those crossings as much as possible. Indeed, the project is already committed to significant riparian setbacks in those counties most likely involving forested crossings—i.e., maintenance of 75 percent of vegetation layers or stratas in riparian zones in Morrow, Umatilla, and Union counties. New roads and culverts will be constructed to county or federal standards, which Idaho Power believes adequately address flooding concerns. Idaho Power believes the existing riparian area setbacks and vegetation maintenance conditions are already sufficient to meet fish habitat requirements.

	fire tolerant trees as required by the Eastside Screens can help to reduce the fuel load and reduce the intensity of wildfires. *Protracted drought:* . . . Culverts should be designed to allow for fish passage during low flow.	All culverts in fish bearing streams will be constructed to comply with Fish Passage Rule requirements.
	The ASC describes site-specific activities (e.g., tower construction, roads) that may impact aquatic systems. However, it fails to take into account cumulative effects at the watershed-scale as well as the exacerbating effect of climate change on degraded habitats and altered ecosystems.	The commenter conflates the Council's standards and the federal NEPA process by arguing that the Council must consider cumulative impacts, particularly climate change impacts. Neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to consider the cumulative impacts of the proposed transmission line or climate change effects that may occur in the future.
	The proposed project and necessary amendments to the WWNF LRMP (Wallowa-Whitman National Forest Land and Resource Management Plan) to remove PACFISH and INFISH protections are unlawful because the design and mitigation measures for fish resources never account for cumulative impacts at the watershed scale. This is contrary to best practices for aquatic conservation where it has long been recognized that overall watershed health is directly related to the health of the fisheries it supports, regardless of whether or not they occupy all of the streams within the watershed (Williams et al 1997).	The commenter again conflates the Council's standards with unrelated federal laws and regulations. The decision to amend the National Forest management plan is within the jurisdiction of the United States Forest Service and not the Council; and therefore, the Council need not consider the merits of any changes to National Forest land management plans.
	In view of the above discussion, especially the fact that Category 1 habitat cannot be mitigated; millions of federal, state and local resources have been spent in fish recovery, habitat mitigation and habitat restoration for the recovery of the area's Bull Trout, SR-steelhead, and SR s/s Chinook salmon populations; and with the current and projected compounding effects of climate change, issuance of a Site Certificate by the State of Oregon must be denied.	This comment is based on the incorrect understanding that fish-bearing streams are considered Category 1 habitat. As discussed above, those habitats are Category 2 habitat and absolute avoidance is not necessary.

	Idaho Power's faulty and illegal "Noxious Weed Plan" (DPO Attachment P 1-5) as well as their failure to take into account in any way, the Oregon Conservation Strategy, makes it difficult to see how ODOE can state that the developer has complied with the rules and statutes cited above.	The commenter's assertion that Idaho Power's Noxious Weed Plan is "faulty and illegal" is conclusory and lacks specificity. The Oregon Conservation Strategy includes recommendations for voluntary conservation actions; however, it is not a regulatory document and neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to consider it. Therefore, the commenter's assertion that the Council must address the Conservation Strategy and that the Project must satisfy the goals or other aspects of the Conservation Strategy is incorrect.
	To delve further into rare plants slated for damage by B2H, Trifolium douglasii is a USFWS "Species of Concern" . . . yet not even considered in IPC's 3.5 "Avoidance to Minimize Impacts". Although List 1 under ORBIC's latest ranking . . . it is not shown as State listed Threatened or Endangered, so is ignored by IPC. Species of Concern are "Taxa whose conservation status is of concern to the U.S. Fish and Wildlife Service (many previously known as Category 2 candidates), but for which further information is still needed." Douglas clover has a global rank of G2 "Imperiled because of rarity or because other factors demonstrably make it very vulnerable to extinction (extirpation), typically with 6-20 occurrences". DPO Exhibit P Part 2b Appendix 3A and 3B Figure 9 of 23 shows Douglas clover directly on the Morgan Lake alternative. This is not even taking into account that areas of private land where access was not granted for survey, likely contain additional occurrences of Douglas clover. The area is THE main place where this rare plant grows in Oregon, and B2H is set to permanently alter and compromise its main habitat with weeds!	Douglas clover (*Trifolium douglasii*) is not a State-listed species, and therefore, the Council need not allot it the protections provided to State-listed species. However, if individual private landowners would like to avoid and/or minimize impacts to those plants on their land, Idaho Power will work with those landowners to do so where possible.
	The foremost item cited by weed managers in 2017 was IPC's excluding themselves from responsibility for the FULL list of	The commenter misunderstands the weed classification system and the scope of Idaho Power's weed treatment plan.

	weeds. In 2018, IPC's Weed Plan still only obligates IPC to control weeds in Class A and Class T lists. It is widely recognized that these weed "Classes" are determined according to agricultural priorities, not according to which weeds are the biggest threats to natural areas. Treating only Class A and T, a shorter list of weeds which are not very common, is especially devastating for natural areas, i.e. the vast majority of the proposed B2H routes. Any invasive plant can devastate an area regardless of which "list" it is on. In fact, Class B and C weeds are generally the worst weeds and tend to be those which are spreading most aggressively and to more areas, thus threatening and ultimately devastating the most native habitat. . . . As an example of serious weeds that would be excluded according to IPC, two of the worst weeds which occur in the vicinity of the Union County portion of Proposed and Alternate routes, Leucanthemem vulgare (ox eye daisy) and Rosa rubiginosa (sweet briar rose) are not included in Table 1 of the Weed Plan "Designated Noxious Weeds". . . .	There are only two State-level weed lists: Class A, and Class B. Weeds listed under either class may be designated as T-designated, which means it is a priority target for control. In addition to and separate from the State-level listing, the counties maintain their own county-designated weed lists, using a different classification system that generally includes Class A, Class B, and Class C lists. Contrary to the commenter's assertion, the Noxious Weed Plan provides for control of both State-level Class A and Class B weeds (including those that have been T-designated), along with county-level Class A, Class B, and Class C weeds (see Exhibit P, Attachment P1-5, Section 2.1). Further, the Noxious Weed Plan ensures that the list of weeds being managed will be up to date, stating: "IPC will review the county lists on a regular basis to ensure that monitoring and control actions are targeting the appropriate species." So if there are weeds listed at the State or county level that are not currently listed in the Noxious Weed Plan, those weeds will be incorporated into the Plan before construction and thereafter.
	The Weed Managers Comments of 2017 state, "every landowner and land manager is responsible for the control of ALL state and county listed noxious weeds on their property/ ROW. Whether the weeds have been here for 50 years or don't show up till the 20th year of Operation, lPC will be held responsible for the control of noxious weeds in the areas they manage-the same as everyone else." IPC has offered nothing in response.	The purpose of the Noxious Weed Plan is to address EFSC's Fish and Wildlife Standard and the potential impacts to fish and wildlife habitat resulting from the Project, and the Plan must be read in that context. The EFSC standards do not require an EFSC applicant to remedy impacts that are not a result of the project—e.g., impacts that have already occurred on the landscape. That said, Idaho Power recognizes ORS Chapter 569 imposes certain obligations onto occupiers of land within a weed district that may exceed what's required by the EFSC standards. To address those obligations, the Weed Plan states: "With respect to pre-existing weed infestations, IPC recognizes ORS Chapter 569 imposes certain obligations onto occupiers of land within a weed district to

		control and prevent weeds; if IPC identifies pre-existing weed infestations within a Project ROW, IPC will work with the relevant landowner or land management agency to address the same consistent with ORS Chapter 569."
	Weed Surveys provided in Exhibit P-1 part 2a and b are misleading; many species which would not be controlled by IPC under their "Weed Plan" are included in the surveys. Surveys were done between 3-8 years ago, a very long time in terms of weed spread. Surveys done so long ago using an outdated list and in such an artificially limited area are not acceptable.	Idaho Power will conduct new noxious weed surveys prior to construction, which should address the commenter's concerns about dated surveys. Section 4.0 of the Noxious Weed Plan describes the pre-construction noxious weed survey that will occur.
	Anyone who has tried to control weeds will realize that by treating weeds only once per year, many will be missed and weeds will spread. Noxious weeds cannot be "successfully controlled" in 5 years. IPC would appeal to ODOE to claim areas of the "Project" had "successfully controlled weeds", and then be exempted from further responsibility--- while invasives return later. The Plan further states "if control of noxious weeds is deemed unsuccessful…IPC will coordinate with ODOE regarding appropriate steps forward," including "request a waiver from further noxious weed obligations". Essentially IPC comes by once per year for 5 years at most, inevitably fails in weed control, and is ultimately not responsible. Landowners are burdened with more weed control, and our ever-shrinking valuable native plant communities are compromised or eliminated, leaving native animals without habitat.	Idaho Power will not necessarily be exempted from further responsibility in areas where weed control has been successful, as asserted by the commenter. Rather, the Noxious Weed Plan provides that Idaho Power will work with ODOE to develop an appropriate plan for long-term noxious weed control, which will be developed on site-specific basis. Therefore, the commenter's assertion that the Noxious Weed Plan does not provide for adaptive management for areas of successful weed management is incorrect. The waiver concept that the commenter is referring to was removed by Idaho Power per the March 2019 Exhibit P Errata and replaced with options for additional treatment, monitoring, or compensatory mitigation.
	IPC's Plan states they are not responsible for "areas outside of the ROW." Weed sites immediately outside areas of	Idaho Power understands that noxious weeds do not recognize properties boundaries. However, Idaho Power will

	potential disturbance are highly likely to spread to the disturbed areas but would not be recorded. Noxious weeds spread quickly, often exploding exponentially in a single season. IPC is proposing a huge area of disturbance; their responsibility should not be limited to the ROW.	occupy and have the legal right to access only those areas within its rights-of-way. Additionally, the obligations of ORS Chapter 569 only apply to those lands actually occupied. For those reasons, Idaho Power cannot be responsible for noxious weeds outside of its right-of-way. That is why Idaho Power has developed a robust Noxious Weed Plan to avoid and treat any noxious weeds that may result from the project, before they have the opportunity to spread outside of the right-of-way.
	As IPC has proposed only annual treatments, one can surmise they would use primarily residual herbicides. Residual herbicides may seem like the answer to the dilemma of weeds constantly in seed production. Herbicides such as aminopyralid and imazapic have become the herbicides of choice for many species. Local residents have been using these herbicides for over 3 years now and have found they prevent germination for up to 3 years following application in eastern Oregon. This means germination of native plants as well as weeds. Bare spots are created where weeds once were. Revegetation by anything at all is prevented. After 2-3 years when the soil born chemical is reduced, weeds pioneer the site. In addition, native plants next to the weeds can die as a result of root uptake of the herbicide even though they were not sprayed directly. When using aminopyralid, willows, aspen, conifers (especially larch) and desirable native forbs in certain families are often killed in this way. Successful revegetation very unlikely. Since IPC is proposing to treat weeds for only 5 years, it is very likely a couple of treatments using residual herbicides would suppress weeds for that time, only to explode on the – now bare—areas once occupied by valuable native plants.	The Noxious Weed Plan does not limit weed control necessarily to one treatment per year, nor does it limit treatment to residual herbicides. Instead, the Noxious Weed Plan provides that the final treatment methodologies will be developed based on state and country regulations; applicable land use management requirements; consultation with land managers, county weed boards, and ODOE; and site-specific circumstances (see Noxious Weed Plan, Page 21). Thus, Idaho Power will address the types of concerns raised in this comment based on site-specific information and agency input.
	As a condition of reapplying, IPC should be required to post a bond to secure weed management for the lifetime of the	Idaho Power disagrees with the commenter's suggestion that the Project provide financial assurances above and beyond

	project, which they claim is 45 years.	what's already required by the EFSC Financial Assurance standard, OAR 345-022-0050. That standard requires financial assurance sufficient to cover restoration to useful, non-hazardous condition. The commenter has provided no evidence to show that the financial assurance proposed by Idaho Power does not meet that standard, the commenter has provided no evidence to show that the financial assurance proposed by Idaho Power does not adequately address potential weed control impacts, and the commenter has not identified any applicable statute, rule, or substantive criteria requiring financial assurance above and beyond what Idaho Power has already proposed. That being so, the Council should not require a bond specifically for weed control.
	1. . . . ORS 569.445 requires developer to clean machinery prior to moving it over any public road or movement from one farm to another. The statute requires cleaning to occur at the locations where equipment leaves or enters a public road or moves across a property boundary. Utilizing washing facilities located at multi-use areas or public facilities, at a distance away from the work site, will not be consistent with the state statutes which the Oregon Department of Energy and Energy Facility Siting Council are required to adhere to.	ORS 569.445 does not apply to this project; instead, it only applies to farming equipment, and it does not apply to vehicles. Nonetheless, Idaho Power is proposing to use vehicle cleaning stations where appropriate along the transmission line—that is, in areas of weed-contamination: "Additionally, when moving from weed-contaminated areas to other areas along the transmission line ROW, all construction vehicles and equipment will be cleaned using compressed water or air in designated wash stations before proceeding to new locations" (Noxious Weed Plan, Page 19).
	2. The site certificate needs to include a monitoring schedule during the spring and summer periods of rapid growth that will address the actual invasive weeds along the right of way. Since different weeds go to seed from early spring through late fall, in order to meet the requirements of the statute, the monitoring plan must address the life cycle of the weeds potentially present at different locations along the right of way to assure weeds are identified and treated prior to seed dispersal. This would require visual inspections to occur based upon the timeframes for specific weeds to develop.	Idaho Power is aware that weed surveys must be conducted during species-specific survey windows, and preconstruction and postconstruction surveys will be conducted during those windows.

	3. . . . IPC is responsible for all weed infestations in the right of way, regardless of whether or not they existed at the time the transmission line right of way is assumed just as any person assuming a right of way would be responsible. This is the law.	This issue is addressed in a prior response above where Idaho Power explains the context for the Noxious Weed Plan, the company's commitment to complying with ORS Chapter 569, and the limits of Idaho Power's legal rights of access.
	4. Section 2.1, Page 4, last sentence in section, states counties were contacted to determine if each county requires specific noxious weed control methods or best management practices. "No specific best management practices were requested by any of the county weed management personnel contacted." Contrary to this statement, Union County Weed Control submitted 31 comments and concerns developed by the weed supervisors of Morrow, Umatilla, Union County, Dept of Agriculture and Tri-County CWMA and incorporated comments from previous meetings with Malheur and Baker County weed supervisors. Most of those requirements submitted on August 22nd, 2017 do not appear in the draft proposed order or the Draft Weed Management Plan. The site certificate needs to include a condition requiring the Weed Management Plan to include these 31 items. The Draft Proposed Order and Draft Weed Management Plan fail to assure that the counties and private landowners will not sustain significant and ongoing financial consequences due to the failure of Idaho Power to control the invasive weeds which will be introduced and the numbers increased due to the development of this transmission line. It is, therefore, imperative that the counties and private landowners (farms and timberlands) receive the proposed final Weed Management and Habitat Restoration Plans for their approval prior to being implemented.	As mentioned above, the final noxious weed treatment methodologies will be developed in consultation with the county weed boards, as suggested in this comment. Furthermore, Idaho Power has proposed condition language providing the counties specific opportunities to review and comment on the final Noxious Weed Plan prior to submittal to ODOE to ensure adequate county input. Idaho Power objects, however, to commenter's assertion that the counties and private landowners have final approval authority of the Plan because it would be contrary to the EFSC statutes and rules.
	5. Section 5.0 repeats the limit of IPC's responsibility. It lists specific areas, which with existing roads, only includes areas	This issue is addressed in a prior response above where Idaho Power explains the context for the Noxious Weed Plan, the

	involving ground-disturbing construction and/or improvements (e.g. new cutouts.) IPC is responsible for all noxious weeds within the site boundary as well as noxious weed infestations outside the site boundary if the development and/or use of the ROW contributed to the increase in noxious weeds. IPC is responsible for areas of overland travel which they indicate they will be using as well as any weed infestations occurring as a result of IPC use of other roads.	company's commitment to complying with ORS Chapter 569, and the limits of Idaho Power's legal rights of access.
	6. Section 5.0, Page 18, also states "IPC is not responsible for controlling noxious weeds that occur outside of the Project ROWs or for controlling or eradicating noxious weed species that were present prior to the Project." IPC states they will work with landowner to deal with pre-existing weeds consistent with ORS Chapter 569. IPC is responsible for all weeds inside the ROW which are there once they assume control of the transmission line corridor. In addition, they are responsible for any increased number or species of weeds that occur as a result of the development action they are proposing.	This issue is addressed in a prior response above where Idaho Power explains the context for the Noxious Weed Plan, the company's commitment to complying with ORS Chapter 569, and the limits of Idaho Power's legal rights of access.
	7. Section 5.2.1 Vehicle Cleaning: States construction contractors vehicles and equipment will be cleaned prior to arrival at the worksite. It fails to require vehicles and machinery to be cleaned prior to moving onto public road or require vehicle and machinery cleaning as construction progresses along ROW and moves from one property owner to another. The plan indicates that will be determined by land management agency and ODOE. The requirement is dictated by statute and the land management agency and ODOE do not have the authority to overrule the statute.	Vehicle cleaning is addressed in a prior response above.
	8. Section 5.2.3 " On BLM or USFS land the construction contractor may be required to provide additional treatments to prevent return of noxious weeds where topsoil is removed	As mentioned in a preceding response above, the final noxious weed treatment methodologies will be developed in consultation with the county weed boards. Nothing in the

	(i.e., preemergent pesticides.)" The Weed Management Plan for Private and State lands needs to include this option as determined by the local weed management supervisor.	Noxious Weed Plan limits the weed boards from raising this as an option.
	9. Section 5.3.2, page 24, paragraph 1 states that Idaho Power will identify areas where preconstruction noxious weed control measures will be implemented. Preconstruction noxious weed control measures need to be implemented wherever noxious weeds exist—not only List A weeds, as mentioned in the above section.	Again, the final noxious weed treatment methodologies will be developed in consultation with the county weed boards. Nothing in the Noxious Weed Plan limits the weed boards from raising this as an option.
	10.i. During the first five years after construction, weed control needs to occur on a timeline that addresses the weeds present at the location as determined by Idaho Power and the local Weed Supervisor. Annual control does not account for the timing for noxious weed species going to seed.	Idaho Power is aware that weed treatments may need to be conducted during certain windows, and the treatments will be designed around those windows as suggested in this comment.
	10.ii. Following the initial 5 year period, noxious weed control needs to occur at least annually for the life of the project as IPC will be using the ROW on an ongoing basis for repairs, monitoring, inspection, vegetation management, etc. In addition, there may be unauthorized uses of the transmission line right of way by such things as ATV's, hunters, etc. that increase noxious weeds due to the access the developer is providing by building the transmission line. These impacts must be addressed by the developer.	Again, Idaho Power will work with ODOE to develop a long-term treatment plan if and when weed controls have been successful for 5 years. However, dictating annual monitoring at this time, rather than adaptive management, is unwarranted and lacks the flexibility to address site-specific circumstances.
	10.iii. Noxious weed control efforts are planned to occur annually for the first 5 years postconstruction and can end sooner if ODOE concurs that noxious weeds have been controlled. Noxious weeds will not be controlled absent ongoing monitoring and treatment for the life of the project.	See the immediately preceding response addressing the merits of long-term adaptive management and monitoring.
	10.iii. No waiver of annual control and monitoring of noxious weeds should occur due to the fact that in a single year, large numbers of plants can occur given that some of these plants disperse at least 900 to 1,500 seeds as the previously	See the immediately preceding response addressing the merits of long-term adaptive management and monitoring.

	referenced plants on the A list confirm.	
	11. Section 6.2 The annual Noxious Weed Monitoring Report is only planned to be submitted to IPC and ODOE and land management agencies as required. These reports should also be submitted to the County Weed Control Supervisors and private landowners. Idaho Power needs to be designated as the responsible party for completion of things such as annual reports rather than "construction contractors." If Idaho Power wants to contract with a construction contractor to complete these for their approval and submission, they have the option of doing that. The contractors will change and there will be no continuity in terms of methodology, reporting, etc.	Idaho Power is responsible for the annual reports since it will be the site certificate holder, whether or not its contractors prepare and/or submit the reports. So there's no need to "designate" Idaho Power the responsible party as suggested by the commenter. Idaho Power is unaware of any regulatory requirement that it submit copies of the reports to the county weed boards or private landowners. However, the members of the public may request copies from ODOE.
	12. Section 6.3 Ongoing Monitoring and Control. "IPC will be responsible for monitoring and control of noxious weed infestations as set forth in the terms and conditions of the ODOE Site Certificate, BLM ROW grant, and USFS special-use authorization. The BLM, USFS, ODOE, and counties may contact IPC to report on the presence of noxious weed populations of concern within the ROW." "IPC will control the weeds on a case-by-case basis in consultation with the land management agency and/or landowner, as appropriate." Following a report of a noxious weed infestation, IPC needs to provide the information including the location of the noxious weed population and consult with the local weed management supervisor to identify an appropriate plan of action.	Response protocols will be developed in consultation with the weed boards and other land management agencies as part of the final Noxious Weed Plans.
	13. Section 8.0 places responsibility for development of Final Noxious Weed Plan, documentation of existing infestations adjacent to the survey area, documenting results of the preconstruction noxious weed inventories, mapping areas subject to preconstruction noxious weed treatment, and providing a detailed control methodology for each noxious	The use of a construction contractor will not alter Idaho Power's compliance obligations under the site certificate, and Idaho Power agrees that it is the responsible party.

	species, etc. to "The Construction Contractors." Is Idaho Power is assuming no responsibility and the accompanying accountability for this program or the results? The developer needs to be listed as the responsible party.	
	14. Section 3.2 states "existing site-specific disturbances and land uses (e.g. grazing, grading, etc.) that could be contributing to the introduction, spread, or viability of weed populations were also recorded." This information should only be used to identify areas where the opportunity provided by the construction and operation of the transmission line could provide an opportunity for an increased occurrence of noxious weeds. It should not be used to provide the developer an excuse for not meeting their responsibility for monitoring and controlling weed infestations which are going to be stimulated due to the existence of the transmission line. The draft weed management plan provides ongoing references which indicate that IPC does not consider themselves responsible for noxious weeds when they are present in areas outside the ROW or when they result from things such as recreational use, grazing, other construction projects, natural occurrences, or when the developer did not physically disturb the area. It needs to be clear that the existence of the transmission line will increase the numbers and species of invasive weeds absent ongoing monitoring and treatment which the developer is required to provide.	This issue is addressed in a prior response above where Idaho Power explains the context for the Noxious Weed Plan, the company's commitment to complying with ORS Chapter 569, and the limits of Idaho Power's legal rights of access.
	15. Section 5.3.1.3, third paragraph, page 22 says herbicide and application rates will be approved by "County Weed Supervisors or Superintendents." The top of page 23 says "Herbicide will not be applied prior to notification and receipt of written approval from the applicable land management agency, ODOE, or private landowner." This section appears to	Consistent with this comment, Idaho Power will seek agreements with landowners on the method of weed control to be conducted on their land and will attempt to avoid areas of concern on their land.

	allow ODOE to determine what herbicides are used; and, it appears at least some landowners will have "landowner agreements." The developer needs to be required to develop landowner agreements with willing landowners and provide written notice to any landowner whose property will be sprayed with chemicals so that the unless there is a landowner agreement, the impacted landowner can determine if chemicals should be used, and if there should be any restrictions based upon the conditions on their land or adjoining land such as organic gardening, necessary setbacks due to flowing water or wetlands, sensitive plant species, etc.	
	16. Page 23, final paragraph says, "Final species-specific noxious weed control methodologies will be included by the Construction Contractor(s) in the Final Noxious Weed Plan." The noxious weed plan is the responsibility of Idaho Power and should involve the county weed control agency as well as the landowner.	See response above about the role of the weed boards and landowners in the development of the final Noxious Weed Plan.
	Forests: Eastside Screens The dry, fragile, forest habitat will be irreparably damaged by the clearing of trees greater than 21 inches dbh from over 700 acres of the WWNF and allow logging in Late and Old Structure Stands (LOS). . . . Previous EISs and USFS amendments have cited a specific number of trees greater than 21 inches dbh that have been removed, however the ASC for the B2H to the State of Oregon, provides no information about how many large old trees the logging associated with the B2H project would remove. This is an unacceptable failure to provide relevant information to the public that would allow more meaningful comment than simply providing the number of potentially affected acres. . . . Previous EISs and USFS amendments have cited a specific number of trees greater than 21 inches dbh that have been removed, however the ASC for the B2H to the State of	The commenter's interest in these trees seems to be based on federal management guidelines and not the EFSC standards. There is no EFSC standard requiring protection of 21-dbh trees or requiring that each tree within a proposed disturbance area be measured to determine if the dbh is greater than 21 inches. Even so, surveys as described in Exhibit P1 included habitat surveys that categorized forest habitat based on the average dbh, which included a categorization for average tree >21 dbh. None of the forest habitat surveyed fit this description, indicating a low likelihood that trees of this size occur within proposed disturbance areas.

	Oregon, provides no information about how many large old trees the logging associated with the B2H project would remove. This is an unacceptable failure to provide relevant information to the public that would allow more meaningful comment than simply providing the number of potentially affected acres. . . . The removal of any such trees is inconsistent with current management of the WWNF, and thus inconsistent with the National Forest Management Act (NFMA), 16 U.S.C. §§ 1600–14. But without specific information regarding how many of such trees are likely to be lost, the necessary analysis is incomplete. . . . The cumulative effects analysis needs to look at all past, present and reasonable foreseeable amendments to the Eastside Screens. This gives the agency and the public an accurate understanding of the scope and effects of these amendments. Any modeling relevant to total large trees numbers on the forest should disclose what methodology and data are being used to determine the number of large trees that exist on the forest.	
	Invertebrates: No specific data were collected for invertebrate species or population numbers. Native pollinators, which often are obligate foragers on specific native plants, comprise an increasingly important group for urgent conservation. However, many lesser-known insect species share the same risks to their survival. . . . It is essential that the B2H Project include pollinators in their scope of impacts. The B2H Project would result in a loss of pollinator habitat. If the B2H Project should proceed, the project has a responsibility to mitigate the loss of pollinator habitat by including habitat restoration that includes careful selection and planting of plants known to be habitat, nesting sites and floral resources included for pollinating insects. ODOE and EFSC must require the	The EFSC siting standards do not require consideration of invertebrates, as ODFW does not monitor these species except for those that occur in marine environments. However, Idaho Power believes that the required mitigation associated with fish and wildlife habitat and state waters and wetlands impacts through the EFSC process will provide benefits to invertebrates and pollinators affected by the Project.

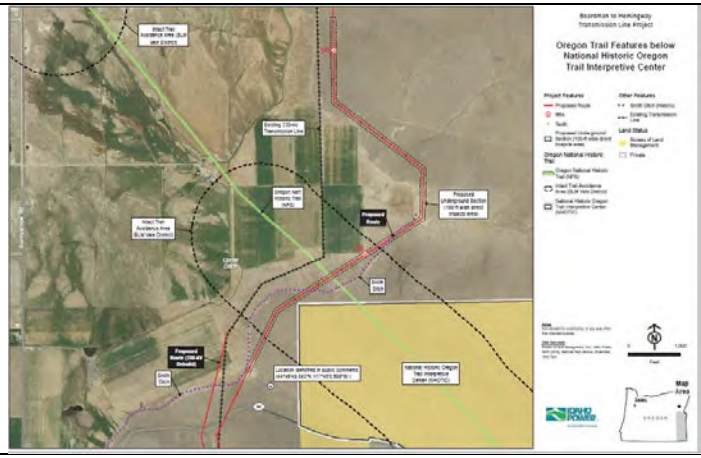
	developer to monitor insect populations and the impacts of the B2H Project via pollinator surveys no matter which alternative is chosen. This is especially important as it relates to improving pollinator insect habitat and reducing pesticide exposure to pollinating insects. Given the amount of chemicals proposed for mitigation of noxious weeds, this must be a priority and a condition for EFSC's recommended mitigation for fish and wildlife habitats under OAR 345-022-0060.	
	Over-Reliance on Mitigation Even with adequate funding and the best intentions, mitigation efforts are subject to vagaries of weather, planning competency, and dedication to long-term control of noxious weeds. In the face of changing climate and habitat fragmentation, reliance on mitigation is nothing more than a last best hope. It should not be relied on as heavily as it appears to be in the DPO	Mitigation is provided for under the Fish and Wildlife Standard and ODFW's Habitat Mitigation Policy. Idaho Power will develop its mitigation site plans in consultation with ODFW to ensure conservation objectives are achieved while accounting for the risks mentioned in this comment. Therefore, the scope of mitigation for this project is not inappropriate, as suggested by the commenter.
	Birds, Raptors, Bats Although trees or structures with raptor nests are managed as Category 1 habitat and therefore must be avoided, they are not included in the habitat categorization calculations due to their relatively small size on the landscape (p278 DPO; Fn # 258.) This is completely unacceptable, as the size is not relevant in this instance; and if it were, there would even be more justification to avoid or mitigate. The developer is not in compliance with ODFW rules within OARs chapter 635.	Idaho Power disagrees with the commenter that it is unacceptable to exclude Category 1 raptor nests out of the habitat impact quantification. First, during surveys conducted to date, Idaho Power identified only one sensitive species raptor nest within the site boundary that could be considered Category 1 habitat. Given that this one nest would equate to less than 1 acre of impact, it's reasonable to exclude it from the quantification matrix and rely instead on the note explaining that it was excluded due to its relatively small size. Second, per a proposed site certificate condition, Idaho Power is required to avoid impacts to those areas during the relevant construction windows, meaning the quantification of impacts will ultimately be zero.
	Mule Deer, Rocky Mountain Elk, and Critical Big Game Habitat Significant stretches of the proposed route would be constructed on critical big game winter range. It's difficult or	Idaho Power agrees that the Project will impact big game winter range. However, Idaho Power has proposed numerous measures to minimize impacts to big game individuals during

	impossible for a member of the public to obtain permission to build a home in critical big game winter range. Yet the B2H project proposes to build large powerline towers and a significant road network in critical big game winter range. Mule deer populations are in decline in Oregon. Winter range for deer and elk is currently reduced in size and acreage compared to historic levels because of existing human development. Further degradation of critical big game winter range for B2H would result in an unacceptable negative impact to these important wildlife species.	construction and operation of the Project and Idaho Power will meet or exceed the mitigation requirements set forth in ODFW's Habitat Mitigation Policy related to any impacts. With those conditions, the Project satisfies the Fish and Wildlife Standard.
	Powerline construction over the proposed route would negatively impact high quality elk habitat. The roads associated with B2H construction would negatively affect elk. Elk research science based in northeast Oregon shows the negative impacts of roads on elk habitat.	The purpose of this comment is unclear, as the commenter does not provide any specific evidence or specifically address compliance with a particular Council standard. Regardless, Idaho Power notes that it did quantify indirect impacts from access roads, using the methodology set forth in ODFW's 2015 Mitigation Framework for Indirect Road Impacts to Rocky Mountain Elk Habitat (which was research-based). Idaho Power believes ODFW's Mitigation Framework provides the most relevant guidelines for determining such impacts and the commenter has not provided convincing substantive evidence otherwise.
	Habitat Connectivity Wildlife of all kinds depend on quality habitat. Quality habitat must be connected across the landscape. Connectivity is becoming increasingly important as the effects of climate change are impacted on plants and animals. They must migrate across the landscape as environmental conditions change. Construction of the B2H powerline would create a barrier to the connectivity of habitats. Connectivity is essential for the Greater Sage Grouse discussed below.	As noted in a preceding response above, neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to consider climate change effects that may occur in the future on habitat connectivity or otherwise. To the extent that habitat connectivity/habitat fragmentation is directly related to compliance with the Fish and Wildlife Habitat Standard, Idaho Power addressed habitat connectivity for certain species (sage-grouse, big game, etc.) in Section 3.5 of Exhibit P1.
	There are additional threats to sage-grouse, a threatened species, from the B2H project. . . .	The impacts described by the commenter are fully described in Exhibit P2 and the DPO.

	The Draft Proposed Order and the application do not adequately address the enhanced danger that the B2H transmission line poses in light of the rapidly-decreasing populations. Neither the application nor the DPO actually cite the number of birds that will be affected, nor do they indicate that the sage-grouse populations in Oregon generally, and the Baker and Cow Valley PACs that will be affected by the B2H transmission line, are in serious and significant decline -- and that the addition of a significant habitat disruptor such as a linear transmission line could mark the death knell for these populations. Approval of a site certificate without considering the actual numbers of birds affected and the plummeting populations would be unlawful.	The application and the DPO do not identify a specific number of individual sage-grouse that will be impacted by the transmission line because it would be entirely speculative to do so. Moreover, ODFW's Sage-Grouse Conservation Strategy, the state-wide blueprint for protecting the species, focuses primarily on preserving the species' habitat and not on impacts to individual birds. In any event, the Sage-Grouse Conservation Strategy is the mechanism for compliance with respect to projects in sage-grouse habitat, and here, the Project will comply with the Conservation Strategy. For those reasons, it would not be unlawful, as suggested by the commenter, for the Council to issue a site certificate for this Project without actual numbers of sage-grouse that might be impacted.

Commenter	Comment	Idaho Power's Response
StopB2H 8. Historic Cultural Pioneer Resources	*1. Oregon Trail*	
	The scenic, historical, and cultural values of the Oregon Trail would be severely compromised by this transmission line. The transmission line will threatened the some of the last remaining intact segments of trail on the Mill Creek route in Union County, according to the Oregon California Trail Association. The Trail is crossed eight times by the proposed power line.	Idaho Power respectfully disagrees with the commenter's assertions about the impacts on the Oregon Trail. Those assertions are conclusory and unsupported by specific evidence or reasoned explanation as to how Idaho Power's consideration of Oregon Trail impacts or related mitigation fail to satisfy the Council's standards or other applicable substantive criteria. In contrast, Idaho Power's visual impact analysis was developed by experts in the field and was reviewed and approved by the Department. Therefore, no changes to the Draft Proposed Order are required in response to this comment.
	Four property owners in Union County have been accepted by Oregon State Historic Preservation Office (SHPO) to list their properties on the National Register of Historic Places along the La Grande to Hilgard segment. These properties offer unique glimpses into our past with swales and grave sites and one property on its initial assessment appears to have been a campsite. The disgrace is that Idaho Power wants to put a tower adjacent to it.	For the same reasons set forth in the immediately preceding response, Idaho Power respectfully disagrees with this comment and believes no changes to the Draft Proposed Order are necessary.
	The transmission line will also violate the scenic values of the Blue Mountain Crossing Interpretive Center as transmission towers to the south will be able to be seen from it. The Travel Oregon web site describes the site this way, "A paved, easily accessible trail follows some of the best preserved and most scenic traces of the Oregon Trail. Interpretive panels depict the pioneers struggle through the tall trees and over the rugged Blues." The view of towers from this site needs to be mitigated, the route relocated, or line terminated.	Idaho Power respectfully disagrees with the commenter's assertion that the towers near the crossing need to be mitigated, the route relocated, or line terminated. That assertion is conclusory and unsupported by specific evidence or reasoned explanation as to why the project fails to satisfy the Council's standards or other applicable substantive criteria. On the other hand, Idaho Power's visual impact analysis was developed by experts in the field and was reviewed and approved by the Department (see Exhibit T, Table T-1, and Attachment T-5; explaining that the towers will be partially screened and introduce low visual contrast, and impacts will be low intensity and less than significant).

	At the National Historic Oregon Trail Interpretive Center (NHOTIC) in Baker County, Idaho Power did not do any noise studies, in violation of the noise standard under Recreation OAR 345-022-0100 and ODEQ OAR 340-035-0100, so the snap crackle and pop and the sight of ugly transmission towers, in violation of the scenic view standard, will be the impression that visitors will now come away with. Idaho Power should be embarrassed for desecrating a piece of American history this way. The visitors' view, the sounds they hear, and the ground they walk on will be forever changed and not for the better. This is why so many are insisting that a class 3 estimate be done regarding undergrounding the transmission at the Interpretative Center location.	The commenter appears to be suggesting that noise modeling was required at the NHOTIC. However, the Recreation Standard does not require noise modeling. And ODEQ Noise Rules do not apply to the NHOTIC because it's not considered a noise sensitive property. Therefore, the commenter's assertion that noise modeling was required for the NHOTIC is wrong. Furthermore, Idaho Power's analysis of noise impacts at the NHOTIC and other recreation resources in Exhibit T, Section 3.4.2 fully satisfied the Recreation Standard. Regarding undergrounding in front of NHOTIC, see Exhibit BB errata study and responses to other comments addressing this same issue.
	A class 1 swale located within the Area of Critical Environmental Concern (ACEC) at 44^{o} 48' 48.26"N 117^{o} 75' 57.97"W is to have a new road located very close to it. What else can Idaho Power do to permanently degrade this site? Oregon's state shield contains an image of a covered wagon, representing the struggle and pride of the pioneers who settled the Oregon territory. One cannot put a cost on preserving the value of Oregon's (and many Americans') cultural heritage.	This comment consists of only conclusory statements, and no specific evidence, supporting the commenter's assertion that Idaho Power's consideration of Oregon Trail impacts or related mitigation fails to satisfy the Council's standards or other applicable substantive criteria. In fact, Idaho Power identified the referenced location (see figure below), and it is not inside the site boundary and therefore it will not be directly impacted by the project as suggested by this comment.

		
	2. Undergrounding	To clarify, Idaho Power is not proposing undergrounding the transmission line as a mitigation option. Rather, Idaho Power discussed undergrounding in Exhibit BB as a courtesy because several comments received during the scoping period requested that Idaho Power consider installing the transmission line underground. Idaho Power similarly prepared the Exhibit BB errata undergrounding study as a courtesy, responding to comments from Baker County that requested an independent assessment of the cost difference and level of ground disturbance between underground and overhead installations. However, as discussed in Exhibit BB, undergrounding is not feasible and therefore Idaho Power is not considering it as a mitigation option for all or any portion of the line because of the high cost compared to overhead lines, the unproven technology involved with 500-kV underground lines, reliability and reactive compensation issues for long installations, and increased land disturbance. Thus, while Idaho Power provides responses to the comments on undergrounding below, Idaho Power is doing so only as a courtesy as undergrounding is not being proposed as mitigation for this project.

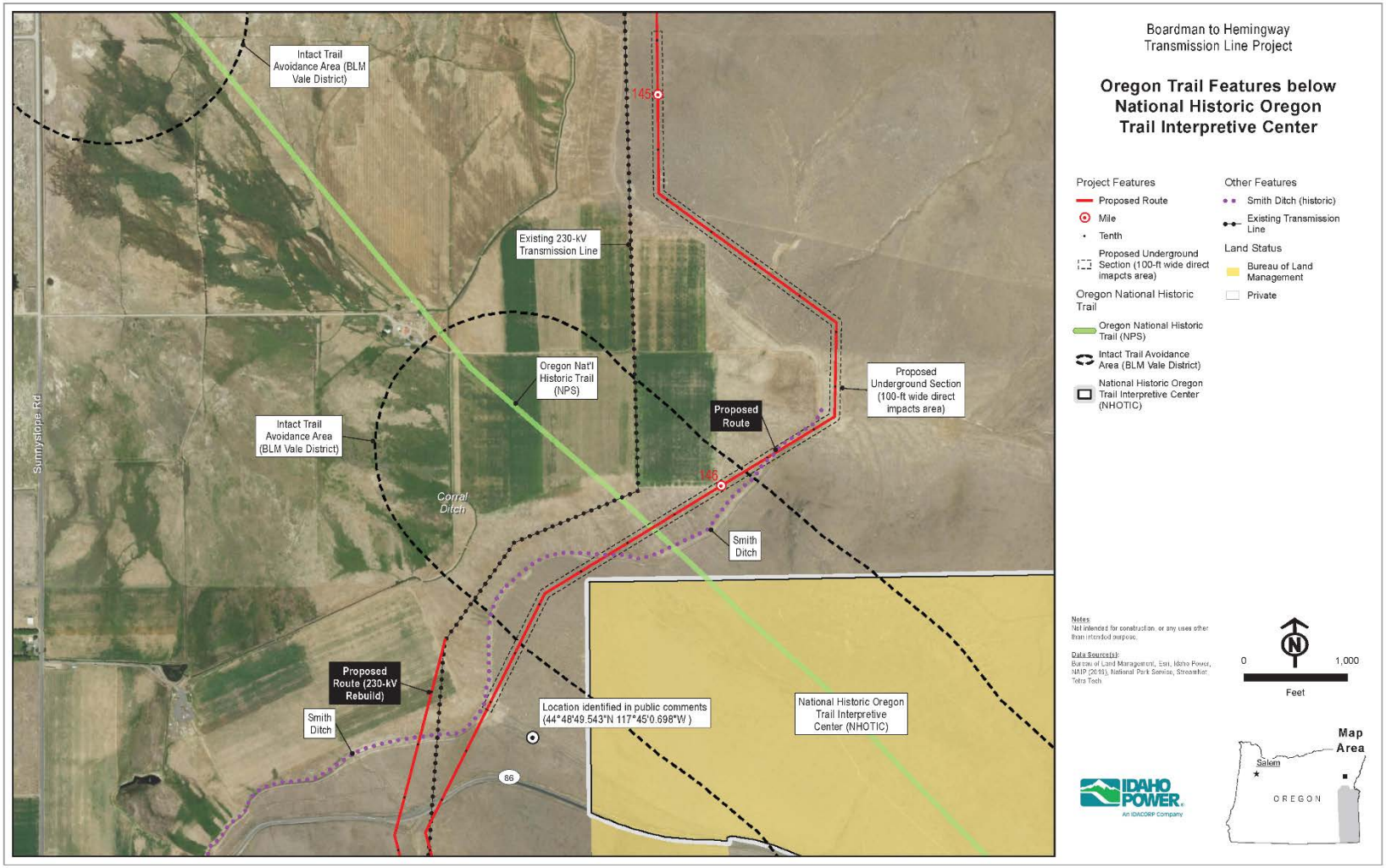
	Idaho Power's Exhibit BB on undergrounding is incomplete, inaccurate and misleading. A class 3 study need to be conducted using specifications to meet Baker County's need to protect the viewshed of the National Historic Oregon Trail Interpretive Center and agricultural operations by placing the overhead transition stations on BLM land.	Contrary to this comment, a Class 5 estimate is appropriate and sufficient at this stage in the project's development. The Class 5 estimate gives an order of magnitude comparison that assesses the financial viability of constructing an alternate underground transmission line at the referenced location instead of the planned overhead transmission line installation. The findings in the report were supported by previously prepared estimates for similar planned projects, the cost of the only similar project constructed within the United States, as well as three 500-kV installations utilizing similar cable constructed outside of the US. Over 100 hours were spent preparing, reviewing and incorporating comments into the report by recognized experts in this very specialized subset of the industry. In order to complete a more specific estimate, topographical surveys, geotechnical and thermal investigations, and final design would generally be required to obtain more specific material and cost estimates—steps that typically are not completed until after all local, state, and federal authorizations have been obtained and land access has been secured. Therefore, the Class 5 estimate was both appropriate and reasonable for this stage of the project during the EFSC site certificate application process.
	Starting at section 3.4 Options for Undergrounding the Transmission Line (pdf p 10) and continuing throughout the section the distance of the actual stretch proposed for burial is misrepresented and by extension the costs. Only a 2 to 2 ½ mile section is being proposed for study. This section discusses the costs related to a transmission line for long length installations (Section 3.4.1 pdf p 10). This comparison is inaccurate and misleading. In section 3.4.2 it again talks of unproven technology over long distances for 500 kV lines.	This comment is confusing and unclear. It appears the commenter is questioning whether the discussion of undergrounding in the main text of Exhibit BB sufficiently addresses the commenter's request to underground the project specifically in front of the NHOTIC. If that's the case, the commenter misunderstands the context of the main text and fails to recognize the information provided in the Exhibit BB errata that specifically addresses undergrounding the NHOTIC segment. That is, the main text of Exhibit BB addresses scoping comments that requested consideration of

		undergrounding the transmission line generally or in its entirety. In the Exhibit BB errata, in response to a request from Baker County, Idaho Power provided a study specifically comparing the cost and ground disturbance between underground and overhead installation within the viewshed of the NHOTIC. In that study, Idaho Power considered undergrounding a 1.5-mile segment, which appears to address the concern raised in this comment.
	In section BB-3 in the discussion of the five basic technologies to consider for 500-kV AC underground circuits needs clarification. The Solid Dielectric Cable discussion is a perfect example of this confusion. It states that it is considered only for distances of up to a few miles at the 500-kV voltage level. However, the last sentence states, "While the technology is progressively emerging, lack of practical experience results in major reliability concerns for operating larger scale 500-kV underground systems." This is not a large scale 500 kV underground system and one has to ask why the confusion on distance?	See immediately preceding response, directing the commenter to the Exhibit BB errata study, which appears to address the concern raised in this comment about considering an undergrounding technology that's appropriate for the length of the particular segment at issue.
	The High Pressure Fluid-Filled Cable also talks of pumping plants being required every 7 to 10 miles. This is not the analysis being asked for. The link to the footnote at the bottom of the page is broken so cannot review the technical study mentioned. The Self-Contained Fluid Filled Cable section also references the same distribution of pumping plants that would be required as in the HPFF system.	Again, see response above, directing the commenter to the Exhibit BB errata study, which appears to address the concern raised in this comment about considering an undergrounding technology that's appropriate for the length of the particular segment at issue.
	The Design of Cable Systems section states that the "Concrete encased duct banks would be installed at a minimum cover depth of 3 feet, or as required by routing design, and would be backfilled with specially engineered thermally favorable backfill to assist in heat dissipation." This would allow the line to be buried at a depth that would allow agricultural operations to occur above the buried line. This is	Again, the commenter should refer to the Exhibit BB errata study for an evaluation specific to undergrounding the segment near the NHOTIC. In that study, it discusses that agricultural areas above the duct banks may be replanted and used for agricultural purposes after construction, however, there would be manholes providing access to the splicing vaults that would protrude above ground and that

	a concern that the Baker County Commissioners have but Idaho Power has told them that the top of the concrete bunkers would be above ground level thus disallowing agricultural operations and this just is not true. The section continues, "Depending on the terrain characteristics, burial depths may need to be increased to avoid heating the soil and changing the conditions of the vegetation and wildlife habitat above the duct bank or pipe type cables." Since the depth can be adjusted to compensate for heat it can be adjusted for agricultural operations.	could not be farmed.
	The underground to overhead transition stations mentioned can be placed on BLM land out of view of the interpretive center and avoid impacts to agricultural lands.	The transition stations considered in the Exhibit BB errata study would generally avoid impacts to cultivated agricultural, addressing the concerns in this comment.
	The last 2 bullet points in this section again talk of pumping plants every 7-10 miles for HPFF and SCFF options and reactive compensation would be required every 7 to 20 miles along the route depending on the cable technology. We are not talking about burying the line for distances anywhere as long as this analysis contemplates. Therefore this analysis is incorrect and must be re-done. IPC and Baker County need to come together, develop specifications that satisfy Baker County's desire to protect agriculture lands and their viewshed to calculate a class 3 estimate of the cost to underground the line in front of the precious Oregon Trail Interpretive Center. To not "cost-out" this option is blasphemy. In the Reliability and Maintenance section IPC again confused the reader as it states, "In conjunction with their limited use, all installations to date have been relatively short compared to the Project, raising concern about the reliability of an	Contrary to this comment, in the Exhibit BB errata study, Idaho Power did in fact study and cost-out a shorter, NHOTIC-specific underground segment.

	extensive cross-country cable system. This is not an extensive cross-country cable system but the applicant wishes us to think this way with their consistent reference to long-distance system cost. IPC must work with Baker County to develop specifications to bury this line on private land and put the overhead transition stations on BLM land. The BLM gave Baker County one million dollars in the 90's to protect the viewshed from the interpretive center. Idaho Power can pass the cost on to its ratepayers to protect this investment from the American people. Idaho Power is desecrating an American piece of historical pioneer heritage. It must not be allowed!	

Attachment I - Map showing impacts of undergrounding to Oregon Trail



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Commenter	Comment	Idaho Power's Response
StopB2H 8. Historic Cultural Pioneer Resources	Four property owners in Union County have been accepted by Oregon State Historic Preservation Office (SHPO) to list their properties on the National Register of Historic Places along the La Grande to Hilgard segment. These properties offer unique glimpses into our past with swales and grave sites and one property on its initial assessment appears to have been a campsite. The disgrace is that Idaho Power wants to put a tower adjacent to it.	This historic property was identified in Exhibit S and Attachment S-10 (and associated Errata Sheets) as 6B2H-RP-09. IPC prepared avoidance and/or effect minimization options consistent with the applicable Council standard or other applicable substantive criteria. For the same reasons set forth in the immediately preceding response, Idaho Power respectfully disagrees with this comment and believes no changes to the Draft Proposed Order are necessary.

Commenter	Comment	Idaho Power's Response
StopB2H 9. Wildfire and Public Safety	The applicant is not in full compliance with OAR 345-021-0010(1)(u). The Council MUST insist that Idaho Power and partners develop a detailed Wildfire Mitigation Plan and present to EFSC before a site certificate is issued. We cannot wait for the applicant to develop a plan after the site certificate, as this is too important! Risks to the economies, livelihoods, environment, way of life and LIFE is at stake! It seems the EFSC is too comfortable to issue a site certificate then let the applicant submit detailed plans that only the utility, ODOE, and connected state agencies review. This needs to be done in an open, transparent, and public process. These are our lives and property you are talking about--and we cannot trust an agency that receives the majority of its income from utilities/developers that it is trying to regulate. Sorry but true.	Idaho Power has in place a number of practices and protocols to manage wildfire risk, all of which would apply to the B2H line. For instance, Idaho Power has a vegetation management plan that focuses on tree trimming to ensure poles and lines are clear of vegetation (see attached excerpts from Idaho Power's Transmission Vegetation Management Plan). Idaho Power also has a documented line inspection program for its transmission lines, requiring two patrols per year (twice the number required by regulators), which are complimented by a variety of line maintenance programs involving infrastructure replacement and installation of protection equipment (see attached excerpts from Idaho Power's Transmission Maintenance and Inspection Plan). The use of steel structures on B2H will also be helpful, as they are less impacted by wildfires and have a long useful life. Further, Idaho Power uses avian-friendly designs, monitors and implements new technology for wildfire mitigation, and works with land use agencies to proactively address fire risks. Idaho Power is also developing a Wildfire Mitigation Plan that identifies strategies to further mitigate fire-related risks associated with Idaho Power's transmission operations and how the company prevents and responds to fire events. The Wildfire Mitigation Plan will utilize a risk-based approach that focuses on assessing wildfire risk and then taking actions to prevent wildfires and damage to infrastructure from wildfires. Operations and maintenance practices, programs, and activities will have specific targeted actions in those high wildfire threat areas. The Wildfire Mitigation Plan will also identify performance metrics and monitoring to ensure actual actions are consistent with those set forth in the plan. So, while Idaho Power does a considerable amount of work

		aimed at reducing wildfire risks, the Wildfire Mitigation Plan will improve upon it. Idaho Power expects to have its Wildfire Mitigation Plan complete by or near the end of the first quarter of 2020.

Transmission Vegetation Management Program (TVMP)

January 2019

INTRODUCTION

The Transmission Vegetation Management Program (TVMP) will be reviewed and approved annually. This approval is required by January 15 of each year.

FAC-003-4 R1 and R2

Objectives

Vegetation can interfere with the flow of electric power, pose safety problems, and interfere with operation and maintenance activities. Managing vegetation to prevent encroachments into the minimum vegetation clearance distances (MVCD) of applicable lines within and adjacent to rights of way (ROW) is essential to safe and reliable operations. The intent of the vegetation management program is to accomplish the following tasks:

- Trim trees and tall shrubs to the extent the MVCDs are maintained for the duration of the vegetation clearing cycle, therefore preventing the risk of vegetation-related outages that could lead to cascading outages. The MVCD are defined in FAC-003-4 Table 2 (also shown in Table 2 in this document).

- Remove vegetation, as necessary, to provide required MVCDs and improve access to facilities.

- Remove tall-growing vegetation within tower structures. Clear brush and grass around wood poles to help protect structures from range fires.

- Facilitate a low-growing plant community that stabilizes the site, inhibits the growth of tall-growing shrubs and trees, and provides habitat for wildlife.

- Conduct vegetation patrols of all applicable transmission lines at a minimum of once per year, with no more than 18 months between patrols. Hazardous trees, snags, cycle busters, or trees that will encroach on the preferred minimum clearance distances prior to the next scheduled maintenance cycle are to be evaluated, trimmed, or removed.

Definitions

Applicable Lines—Each overhead transmission line operated at 200 kilovolts (kV) or higher. Each overhead transmission line operated below 200 kV identified as an element of an interconnection reliability operating limit (IROL) under North American Electric Reliability Corporation (NERC) Standard FAC-014 by the planning coordinator. Each overhead transmission line operated below 200 kV identified as an element of a major Western Electricity Coordinating Council (WECC) transfer path in the bulk electric system (BES) by WECC. Each overhead transmission line identified above is located outside the fenced area of a switchyard, station, or substation and any portion of the span of the transmission line crossing the substation fence.

Cycle Buster—Trees that grow at a rapid rate, requiring a more frequent trimming schedule than the normal trim cycle.

Hazard Tree—Any vegetation issue that poses a threat of causing a line outage but has either a low or medium risk of failure in the next month. These hazards are normally trees that have one or fewer defects that could cause the tree to fail and fall in or onto transmission lines and cause an outage. Hazard trees will be further defined as posing either a medium hazard or low hazard.

High-Priority Tree—Any vegetation condition likely to cause a line outage with a high risk of failure in the next few days or weeks. These high-priority trees are normally tall trees that have one or more drastic defects that could cause the tree to fail and fall in or onto transmission lines and cause an outage. High-priority trees could also be vegetation that is in good condition but has grown so close to the transmission line that it could be brought into contact with the line through a combination of conductor sag and/or wind-induced movement in the conductor or the vegetation. High-priority trees constitute a "Priority 1" in the *Transmission Maintenance and Inspection Plan* (TMIP).

***Transmission Maintenance and Inspection Plan* (TMIP)**—Idaho Power Company's (IPC) plan, as transmission owner, for inspections and maintenance on owned facilities that are a part of "Major WECC Transfer Paths in the Bulk Electric System." This plan has been established in response to Western Electricity Coordinating Council (WECC) Standard FAC-501-WECC-1 and is managed by IPC's Transmission and Distribution (T&D) Maintenance department.

FAC-003-4 R3

Practices

General

In most cases, vegetation is cleared primarily through manual cutting of targeted trees and tall shrubs. However, when appropriate and allowed, tree-growth regulators and spot herbicide treatments can be applied as effective techniques for reducing re-growth of sprouting deciduous shrubs and trees and extending maintenance cycles. Federal and state agencies must approve all herbicide applications on public land in advance of these treatments. The applications must also comply with the most current or applicable federal, state, and *National Environmental Policy Act* (NEPA) documents addressing herbicide use. Slash is to be lopped and scattered evenly as close to the ground as possible throughout the surrounding terrain. Stumps resulting from vegetation treatments are not to be over one foot tall.

Administration of Program

The Engineering leader of the Vegetation Management team supervises the vegetation management program and approves and submits the budget for the TVMP. The utility arborist is a certified arborist/utility specialist with the International Society of Arboriculture and administers the TVMP.

Cycle Time, Inspection Requirements, and Schedules

Transmission lines are inspected and cleared on long-term cycles based on 3 years for urban and rural valley areas and 6 years for mountain areas. However, shorter clearing cycles may occur if conditions dictate out-of-cycle trimming. The utility arborist sets the cycles based on the line needs and type of vegetation. The utility arborist or contracted notifier conducts a final inspection after line clearing work has been completed on scheduled line sections. The transmission vegetation management schedule is the **Transmission Veg Man Schedule.xlsx**.

Utility arborists will conduct either aerial or ground patrols on each transmission line identified in this TVMP once a year to identify vegetation hazards. In addition, transmission patrolmen patrol and inspect all applicable transmission lines once a year to identify any transmission defects and vegetation hazards that may develop between the long-term clearing cycles. During these inspections, the patrolman will identify hazardous vegetation, within or adjacent to the ROWs, that could fall in or onto the transmission lines or associated facilities and cause an outage. The patrolman will evaluate the hazardous vegetation as to the level of threat posed by categorizing the vegetation as a *high priority*, *medium hazard*, or *low hazard*. Any hazardous vegetation found is reported to the utility arborist and documented on a Transmission Line Patrol Report and in Transmission Reporting and Asset Management (TRAM) software. Any hazardous vegetation categorized as a *high priority* and that presents a risk to cause an outage at any moment shall also be reported without any intentional time delay to System Dispatch. If possible, the patrolman will take photos of the *high priority* vegetation for further evaluation by the utility arborist. The utility arborist will conduct a follow-up inspection if potential hazard trees or grow-ins are identified. The utility arborist prioritizes and schedules any remedial action for all reported vegetation issues.

Procedures

Types of Trimming

On federal and state land, IPC prefers to clear-cut all tall-growing trees in the ROW. Vegetation clearing methods include crews using chain saws or rubber-tract driven machines. On private property, removal is the preferred option, but if not approved crews will proceed to directionally trim the trees.

Annual Work Plan

The utility arborist determines the annual transmission clearing budget needs that are approved through the Vegetation Management department. The work is determined by the annual inspections and the scheduled clearing cycles. The utility arborist sends the schedule of lines to be cleared to the environmental affairs representative during the last quarter of each year. They coordinate efforts to obtain proper permits from federal, state, and local agencies prior to clearing the following year.

Either the utility arborist or a contracted notifier can receive verbal permission from private, federal, state, or local agencies to perform vegetation management activities on their respective

properties. Private property ROW permissions are obtained from the private property owners by either the utility arborist or contracted notifier before the clearing begins.

Contract crews then perform the vegetation management work and enters data into the VM Suite / RealTime software. The utility arborist verifies the entered data via VM Suite / Insight. The utility arborist tracks and reports progress periodically to the Vegetation Management leader. Annual reviews of the clearing cycles are made with the Vegetation Management leader to ensure work is completed and adequate as planned and to make any modifications.

SPECIFICATIONS

FAC-003-4 R1–R3

Clearances

Guidelines for clearances are stated in Section 12-100-01, "Transmission Line Clearing Specifications" of the IPC *Transmission Manual*. These guidelines are the preferred clearance values to be maintained throughout the trimming cycle by allowing for anticipated vegetation growth. These values provide typical side clearance measurements for standard structure configurations. Actual "minimum side clearance" can vary from the values shown in the "Transmission Line Clearing Specifications" for spans whose parameters differ from those used to develop the guidelines. Also, easement and permit widths can restrict the ability to clear the full dimension recommended in the "Transmission Line Clearing Specifications." If permit widths are determined to be inadequate for the necessary "minimum side clearance," these spans will be documented and maintained with more frequency than normal.

Actual minimum side clearance values are affected by circuit voltage, terrain, span length, ruling span length, conductor size and tension, anticipated wind conditions, and structure framing parameters. The values in "Transmission Line Clearing Specifications" are based on general engineering analysis and allow for horizontal conductor displacement caused by a 6 pounds per square foot (psf) wind for ruling span sections of 1,200 feet or less and by a 4-psf wind for ruling span sections greater than 1,200 feet. Horizontal blowout for all wind conditions is determined using a 60°Fahrenheit (F) final conductor temperature. For spans greater than 1,200 feet, the required side clearance may differ from the values shown in the "Transmission Line Clearing Specifications."

A detailed engineering analysis of four major transmission lines in heavily forested areas has shown that IPC's minimum side clearance values are adequate for wind-displaced conductors in ruling spans and spans of 1,200 feet or less. Additional checks of the design parameters of all 230-kV and 345-kV lines in IPC's system verified that minimum side clearance values are more than adequate to maintain the MVCD values shown below. During scheduled aerial patrols, the utility arborist will examine individual spans that exceed 1,200 feet for the presence of trees that could impact the line's operation. If trees are present within 160 feet horizontally of the conductor or within 100 feet below a conductor on a specific span longer than 1,200 feet, the span will be referred to the Transmission Maintenance group for analysis and specific recommendations on the minimum side clearance required.

The detailed engineering analysis of the four lines in heavily forested areas showed that by maintaining a vertical clearance of 20 feet between the conductor at 60°F final ("everyday temperature") and the vegetation under the line, a minimum preferred clearance of 10 feet can be maintained between vegetation and the conductor at maximum operating temperature. The clearing crew should apply the under conductor clearance distance of 20 feet plus tree growth for one cycle to ensure the preferred clearance of 10 feet is maintained throughout the cycle with anticipated additional sag. When conditions exist that prevent crews from obtaining the 20-foot plus tree growth, these trees, depending on the growth rate of the tree species, will be documented and maintained with more frequency than normally scheduled clearing cycles to ensure safe working clearances under maximum operating conditions.

IPC has established the preferred clearance distance to be achieved at the time of vegetation management for transmission lines 230 kV and below to be 10 feet. For transmission lines operated at 345 kV, the preferred clearance distance has been established at 12 feet. For transmission lines operated at 500 kV, the preferred clearance distance has been established at 18 feet. Maintaining these preferred clearances while the conductors are at maximum operating conditions and during the defined wind displaced conditions will exceed the MVCDs shown below. The MVCDs will also be exceeded by maintaining these preferred clearance values between trimming cycles and allowing for vegetation growth between the trimming cycles.

Preferred Clearance Distances

To prevent flashover between vegetation and conductors, IPC has established the preferred minimum specific radial clearances to be maintained between vegetation and conductors under all rated electrical operating conditions (preferred clearance) (Table 1):

Table 1
Preferred clearance distances by voltage

Voltage	Distance (feet)
46 & 69-kV lines	3.0
138-kV lines	4.0
161-kV lines	4.5
230-kV lines	6.5
345-kV lines	11.5
500-kV lines	17.5

These values take into account elevations up to 9,000 feet and exceed those values required by FAC-003-4 Table 2 for MVCDs, for up to 9,000 feet. Table 2 values are shown as part of the FAC-003-4 Standard Requirement.

The FAC-003-4 Table 2 for MVCDs for alternating current voltages (in feet) is below.

Table 2
MVCDs

Voltage	Distance (feet)
69-kV lines	1.3
138-kV lines	2.8
161-kV lines	3.3
230-kV lines	4.8
345-kV lines	5.1
500-kV lines	8.2

FAC-003-4 R4

High Priority and Hazard Trees

Upon discovery of a high-priority tree (TMIP Priority 1 threat), the transmission patrolman or the utility arborist shall, without any intentional time delay, verbally communicate the threat to System Dispatch using company radio or telephone so the dispatcher can take necessary precautions to ensure system stability. Upon identification of a *high priority* or hazard tree, the transmission patrolman will contact the utility arborist, who will evaluate the vegetation and arrange for the tree to be removed or trimmed as soon as possible. In certain simple situations, the transmission patrolman may remove or trim the vegetation immediately. If the *high priority threat* or hazard is initially identified by the utility arborist, he/she will arrange for the tree to be removed or trimmed as soon as possible or do the work him/herself. Any trees that will become a clearance violation prior to the next scheduled maintenance cycle will also be reported to the utility arborist, evaluated, and trimmed or removed.

Communication of High-Priority Threat

All communication of vegetation conditions that present a *high-priority threat* (TMIP Priority 1 threat) of a transmission line outage are to be directed to the system dispatchers in Boise without any intentional time delay. These calls would typically come from the line crews, patrolmen, utility arborist, or contract tree crews, but anyone can and should report a threat.
System Dispatch will take appropriate action to maintain system stability until the threat is relieved. System Dispatch verifies the utility arborist has also been notified of the *high-priority threat* and will resolve and eliminate the threat.

FAC-003-4 R5

Customer Refusals/Mitigation

When IPC preferred clearance distances cannot be achieved because property owners refuse to allow tree trimming crews to trim or remove trees on their property, these line sections will be

listed as cycle busters, where trimming cycle frequency is increased to maintain the IPC preferred clearances, which exceeds the MVCD. Certain occasions require line clearing crews to follow the steps outlined in section 11.02-01 of the *Distribution Manual*, Customer Refusals/Mitigations.

FAC-003-4 R6 and R7

Measures and Tracking

A utility arborist conducts, at a minimum, one patrol/inspection on each applicable transmission line per calendar year with no more than 18 months between any two inspections. These patrols are tracked on the Vegetation Clearing Checklist spreadsheet (**VegetationClearingChecklist.xlsx**) and maintained by the utility arborist.

If, for any reason, IPC is unable to complete 100 percent of its annual vegetation work plan, the plan will be modified in response to the changing conditions (as long as there are not any encroachments into IPC preferred clearances, which exceeds the MVCD). These modifications will be documented by the utility arborist, and 100 percent of the final annual vegetation work plan will have been completed. The utility arborist documents all completed clearing work on contact sheets kept in the Vegetation Management department filed under the transmission line name. IPC tracks the start date, the finish date, the total trees cleared, total truck hours, total money spent, and the projected start date for the next time the line is to be cleared for each transmission line. This information is recorded in IPC's VM Suite database.

Either a utility arborist or a contracted notifier completes weekly field inspections of the contract crews to make sure the clearing work meets requirements prior to paying contractor invoices. A line clearing audit form is filled out weekly and is attached to the billing information and time reports. These documents are stored at the Records Center.

Approved and Authorized by:

Date 1/15/19

Leader, Vegetation Management

Brent Van Patten

Date 1/15/19

Manager, Transmission & Distribution Engineering & Reliability

Perry Van Patten

Commenter	Comment	Idaho Power's Response
StopB2H 9. Wildfire and Public Safety	The applicant is not in full compliance with OAR 345-021-0010(1)(u). The Council MUST insist that Idaho Power and partners develop a detailed Wildfire Mitigation Plan and present to EFSC before a site certificate is issued. We cannot wait for the applicant to develop a plan after the site certificate, as this is too important! Risks to the economies, livelihoods, environment, way of life and LIFE is at stake! It seems the EFSC is too comfortable to issue a site certificate then let the applicant submit detailed plans that only the utility, ODOE, and connected state agencies review. This needs to be done in an open, transparent, and public process. These are our lives and property you are talking about--and we cannot trust an agency that receives the majority of its income from utilities/developers that it is trying to regulate. Sorry but true.	Idaho Power has in place a number of practices and protocols to manage wildfire risk, all of which would apply to the B2H line. For instance, Idaho Power has a vegetation management plan that focuses on tree trimming to ensure poles and lines are clear of vegetation. Idaho Power also has a documented line inspection program for its transmission lines, requiring two patrols per year (twice the number required by regulators), which are complimented by a variety of line maintenance programs involving infrastructure replacement and installation of protection equipment (see attached excerpts from Idaho Power's Transmission Maintenance and Inspection Plan). The use of steel structures on B2H will also be helpful, as they are less impacted by wildfires and have a long useful life. Further, Idaho Power uses avian-friendly designs, monitors and implements new technology for wildfire mitigation, and works with land use agencies to proactively address fire risks. Idaho Power is also developing a Wildfire Mitigation Plan that identifies strategies to further mitigate fire-related risks associated with Idaho Power's transmission operations and how the company prevents and responds to fire events. The Wildfire Mitigation Plan will utilize a risk-based approach that focuses on assessing wildfire risk and then taking actions to prevent wildfires and damage to infrastructure from wildfires. Operations and maintenance practices, programs, and activities will have specific targeted actions in those high wildfire threat areas. The Wildfire Mitigation Plan will also identify performance metrics and monitoring to ensure actual actions are consistent with those set forth in the plan. So, while Idaho Power does a considerable amount of work aimed at reducing wildfire risks, the Wildfire Mitigation Plan

		will improve upon it. Idaho Power expects to have its Wildfire Mitigation Plan complete by or near the end of the first quarter of 2020.
	The development of this mitigation is especially important in the Morgan Lake area of Union County; but really everywhere in the five counties of Eastern Oregon! The households in the Morgan Lake area are not in any rural fire protection district. ODFW is the only agency that will respond to a call. However, they will only put out grassland and timber fires. They will not protect structures. In Union Counties 2005 Community Wildfire Protection Plan19 it says this about the Morgan Lake area. None of the specific projects have been completed. So this area has no fire evacuation plan and no rural fire protection. A transmission line should not be built in this area as the risks are too high!	To address fire suppression in the Morgan Lake area and elsewhere on the project, Idaho Power will negotiate agreements with local fire response organizations and federal agencies for coverage, or provide additional firefighting equipment through other means. In those areas covered by a local fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant organization or federal agency, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. During operation and maintenance of the project, wildfire concerns will be addressed through the Fire Prevention and Suppression Plan, which will address the coverage issues addressed in this comment.
	In 1.0 Introduction it states, "This preliminary Fire Prevention and Suppression Plan (Plan) describes the framework for measures to be taken by IPC and its contractors (Contractor) to ensure fire prevention and suppression measures are carried out in accordance with federal, state, and local regulations." However at 1.3 it states, "Restrict operations on federal lands during conditions of high fire danger as described in Section 2.2, Restricted Operations."	

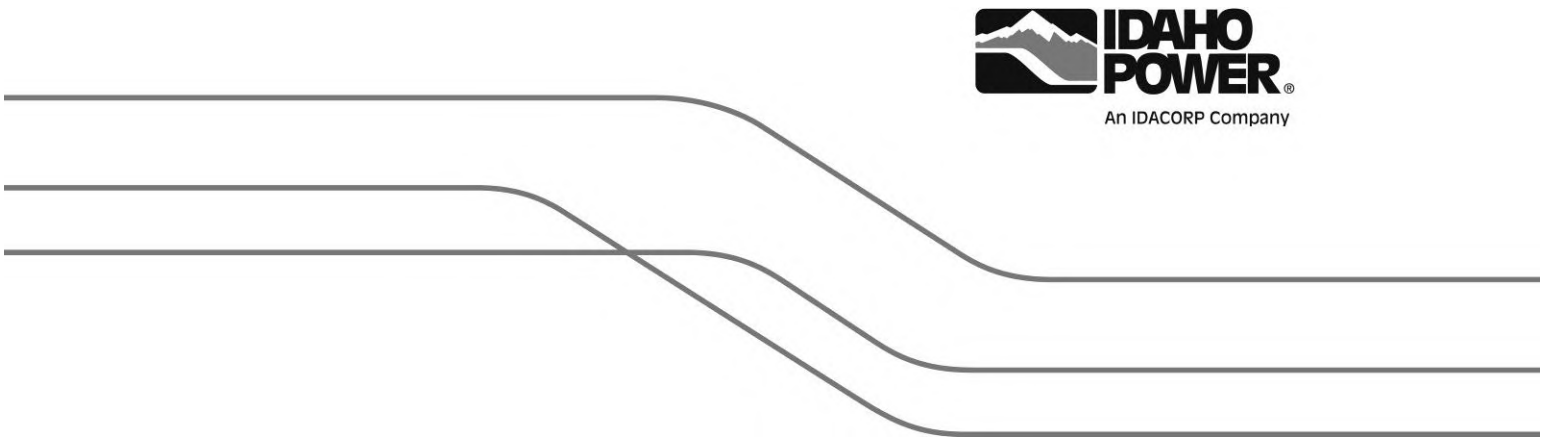
	What happened to the state and county fire regulations? Or is the applicant asking for an exception to state and county fire ordnances? Please include all agencies responsible for fire preventions and suppression. The majority of this work will be done in high fire season so the comment in 3.1 that, "Fire risk is anticipated to be low during Project operations, and therefore the fire prevention and suppression measures described in this Plan will be in effect from pre-construction to the end of restoration." This statement continues to show the applicant's unfamiliarity with the fire dangers in eastern Oregon and starts us to thinking that they should contract out this work to regionally licensed professionals. We do appreciate IPC and the contractor staying on site until the restoration of the project. As outlined in Exhibit W Retirement, 3.1 Estimated Useful Life, the company states that it will exist into perpetuity and we in Eastern Oregon will appreciate the additional fire coverage.	Idaho Power is not asking for an exception to state and county fire ordinances. No changes to the plan are necessary, as compliance with all local, state, and federal laws and regulations is undisputed. Idaho Power has provided additional information regarding these agencies in responses to the counties' comments on the DPO. This comment appears incomplete and is undiscernible as written. This comment appears incomplete and is undiscernible as written.
	At 2.1.1 Training it states that the contractor and IPC will do the training. A condition needs to be inserted that they will hire a licensed wildland fire training provider to train all employees before they can work anywhere on the project site.	Training will be conducted by individuals that are National Wildfire Coordination Group (NWCG) and Federal Emergency Management Agency (FEMA) certified. To ensure this certification requirement is incorporated into the Fire Prevention and Suppression Plan, Idaho Power proposes the following condition change:

		Public Services Condition 5: At least 90 days prior to construction of a facility phase or segment, the certificate holder shall submit a Fire Prevention and Suppression Plan, for review and approval by the Department, in consultation with each county planning department. The final Fire Prevention and Suppression Plan shall include the following, unless otherwise approved by the Department: a. The protective measures as described in the draft Fire Prevention and Suppression Plan as provided in Attachment U-3 of the Final Order on the ASC. The final plan shall also provide that wildfire training shall be conducted by individuals that are National Wildfire Coordination Group and Federal Emergency Management Agency certified. b. A description of the fire districts and rural fire protection districts that will provide emergency response services during construction and copies of any agreements between the certificate holder and the districts related to that coverage. c. All work must be conducted in compliance with the approved plan during construction and operation of the facility.
	2.1.5 Equipment We support Union County's position that Type 6 or 4 engine and crew from a qualified wildlands firefighting contractor be on site all the time until the end of restoration.	Consistent with Idaho Power's response to Union County, Idaho Power has clarified that it will negotiate agreements with local fire response organizations and federal agencies for coverage, or provide additional firefighting equipment through other means. However, that specific equipment will be site and situation specific and dictating the equipment at this time would be premature.
	2.1.6 Road Closures	Road closures, including fire suppression notifications, will be addressed in the county-specific transportation and traffic plans, in which the counties will have ample opportunity for input and comment.

	The Contractor and IPC will notify the appropriate fire-suppression agency of the scheduled closures prior to the open-cut crossing of a road. The appropriate fire-suppression agencies as well as the public works directors of the municipalities and the neighborhoods need to be notified at least 48 hours prior to scheduled closure. In addition the local print, radio, and social media outlets need to be notified of these closures 48 hours in advance.	
	2.1.10 Communications It is our understanding that private companies do not have access to two way communications on governmental frequencies. And if they did all communication systems are challenged to give coverage in eastern Oregon. Therefore satellite phones need to be on site and with all the responsible company representatives at the various operational sites for fire control.	The communication needs of the specific fire response organizations and federal agencies will be addressed in the agreements Idaho Power will negotiate with the organizations and agencies as part of the final Fire Prevention and Suppression Plan.
	2.2 Restricted Operations We find the first sentence unacceptable. It states that the company will only answer to land management agencies. "The Contractor and IPC will restrict or cease operations in specified locations during periods of high fire danger at the direction of the land-management agency's closure order." In Eastern Oregon, off of federal lands, the counties regulate fire restrictions outside of cities and cities regulate them inside their boundaries. This section needs to be changed to include all governmental agencies that have the authority to regulate land use to control for fire protection.	Idaho Power commits that it will comply with any fire closure orders of local, state, or federal governments with land management authority for fire control and protection, therefore, no changes to the plan are necessary.

	Idaho Power talks about obtaining approval, to continue some or all operations, if acceptable precautions are implemented. This needs to be clarified. This needs to state that these approvals WILL be obtained from all agencies responsible for the area they are asking for the exception.	To the extent that Idaho Power seeks to continue some or all operations during times of elevated fire risk, Idaho Power will obtain approval from the applicable land management entity to do so.
	3.2 Maintenance This first sentence needs to include satellite phones for notification purposes as discussed above. During maintenance operations, IPC or its Contractor will equip personnel with basic fire-fighting equipment, including fire extinguishers and shovels as described in Section 2.1.5, Equipment. Maintenance crews will also carry emergency response/fire control phone numbers. During BLM's Stage II Fire Restrictions, obtain an appropriate waiver and take appropriate precautions when conducting routine maintenance activities that involve an internal combustion engine, involve generating a flame, involve driving over or parking on dry grass, involve the possibility of dropping a line to the ground, or involve explosives. Precautions include a Fire Prevention Watch	As discussed above, the communication needs of the specific fire response organizations and federal agencies will be addressed in the agreements Idaho Power will negotiate with the organizations and agencies as part of the final Fire Prevention and Suppression Plan. Again, Idaho Power commits that it will comply with any fire closure orders of local, state, or federal governments with land management authority for fire control and protection, therefore, no changes to the plan are necessary.

	This bullet point needs to cover obeying other agencies' fire restrictions. Why does it seem that only BLM or "federal agencies" matter?	



Transmission Maintenance and Inspection Plan (TMIP)

June 2018

TRANSMISSION ENGINEERING DEPARTMENT

The Transmission Engineering department is responsible for prioritizing and scheduling maintenance activities on the transmission system. The Transmission Engineering department is also responsible for keeping records of maintenance activities. The Transmission Engineering department oversees routine and emergency transmission line repairs and establishes patrol, assessment, and inspection intervals.

Maintenance Activities

Two types of line patrols are conducted on the transmission lines covered by this plan:

- Routine line patrols
- Comprehensive maintenance assessments

Routine Line Patrols

Regular and thorough line patrols are done at least once a year on all major WECC transfer paths in the bulk electric system (BES) to maintain a high standard of reliability. These major WECC transfer paths are identified in the WECC Defined Facilities section of this document. These patrols are done by ground or air to obtain information on the condition of transmission facilities and to ensure the integrity of the transmission line system. The information collected from these patrols is used for planning and scheduling maintenance work so defects can be repaired. These ground and air line patrols are done by four, full-time transmission line patrolmen located in Payette, Boise, Twin Falls, and Pocatello.

Ground patrols are made using four-wheel-drive vehicles, all-terrain vehicles (ATV), utility terrain vehicles (UTV), or on foot. The air patrol on these lines will normally be done by the line patrolman. In addition, an aerial vegetation patrol is done by the utility arborist as outlined in the *Transmission Vegetation Management Program* (TVMP).

Completed transmission line patrol reports are entered in the Transmission Reporting and Asset Management (TRAM) software and submitted to the Transmission Engineering department for all routine line patrols and shall include the following:

- The person responsible for performing the patrol
- The dates the patrol was performed
- The transmission line on which the patrol was performed
- A description of the type of patrol performed (ground vs. air, emergency vs. routine)
- A list of defects with priorities assigned to each defect

If scheduling circumstances allow, these routine patrols should be scheduled prior to heavy electrical load periods so defects can be repaired when outages are available. Lines located in seasonally inaccessible areas, such as in high mountains or agriculture lands, should be patrolled before the lines become inaccessible each year.

All defects from the routine patrol are to be reported and prioritized as priority 1, priority 2, or priority 3, based on the criteria listed below. In TRAM software, for structures not reported as priority 1, 2, or 3, each individual structure will be listed with no entry in the defects cell.

- **Priority 1**: Defects or possible National Electrical Safety Code (NESC) violations that, depending on the circumstances, require reporting and repair as soon as reasonably possible.

- **Priority 2**: Defects or possible NESC violations that, depending on the circumstances, generally require reporting and correction within 24 months of identification. The correction of these defects should be scheduled during crews' normal work schedules. Priority 2 defects not assigned a corrective action plan within 24 months will be reviewed by the Transmission Engineering leader.

- **Priority 3**: Defects that may need correction but do not pose a threat to the system and should be monitored; or tracking of certain line construction practices.

All defects identified by patrols shall be reported to the Transmission Engineering department using TRAM software to be evaluated for accuracy and consistency. A corrective action plan (CAP) will be created by the Transmission Maintenance engineer to initiate repairs of identified defects. The defects identified in the CAP will be repaired by either: a) a construction work order; b) a transmission work sheet (see Appendix A); or c) a Project Management Solution. The corrective action plan shall be forwarded to the appropriate departments for design and construction scheduling.

Completed defect corrective action plans shall include no less than the following:

- The person responsible for performing the maintenance

- The dates the maintenance was performed

- The transmission line on which the maintenance was performed

- A description of the type of maintenance performed

Defects that are not corrected within the respective time frames based on defect priority will be documented in TRAM and reviewed by the Transmission Engineering leader.
This documentation will include the following:

- The reason for not completing the work

- The proposed schedule, if applicable, to complete the work

Comprehensive Maintenance Assessments

In addition to the routine yearly patrols and associated maintenance, the Comprehensive Maintenance Plan provides for a detailed periodic assessment of IPC transmission lines. This assessment will be conducted on all system major WECC transfer paths in the BES as needed and as listed in the *Transmission Comprehensive Maintenance Schedule*. For lines comprised of wood poles, the initial step of the plan includes the pole inspection and ground-line treatment of all wood poles in the line. If the Transmission Maintenance engineer determines it is needed, the second step is a comprehensive, detailed visual inspection of all components of the transmission line. For lines comprised of steel structures, the detailed visual inspection will be the first step in the process.

Pole Inspection and Ground-Line Treatment

All wood poles are visually inspected for defects and sounded and bored to detect decay in the poles. All poles inspected fall into the following five categories:

1. **Reported**: Any pole inspected and found to be installed within 10 years of the inspection date.

2. **Treated**: Any pole inspected and found to be installed 10 years or more prior to the inspection date and that, upon further inspection, is found in sound enough condition to warrant treatment.

3. **Rejected**: Any pole found to have less than 4" of shell at 48" above the ground line and/or less than 2" of shell at 15" above the ground line, and/or less than 2” of shell at the ground line, or is deteriorated below the required strength.

4. **Visually Rejected**: Any pole that has been burnt, split, broken, damaged, or decayed above the ground line to such an extent as to warrant rejection.

5. **Sounded, Bored, and Treated**: Any pole set in concrete, asphalt, or solid rock 10 years or more prior to the inspection date. These poles shall be internally treated, which involves fumigating the good wood and flooding the voids with fumigant.

Rejected poles fall into three categories: reinforceable with steel, non-reinforceable, and priority reject. All non-reinforceable poles will be replaced as part of a general maintenance work order. All reinforceable poles will be reinforced, generally, during the year following the ground line inspection. Priority reject poles will be replaced based on engineering analysis.

Detailed Visual Inspection

This is a detailed, comprehensive inspection of all components of the transmission line. This involves a complete inspection of the poles (above ground), shield wire, spacers, conductor, insulator assemblies (suspension and dead-end), structures, footings, right-of-way (ROW), conductor hardware, structure hardware, and phase clearances. These visual inspections are done for both wood and steel lines and can be performed by either ground or air. The detailed visual inspection may be done by IPC transmission line patrolmen or by outside contractors as determined by the Transmission Engineering department. The appropriate inspection method

shall also be determined by the Transmission Engineering department. Thermal or corona inspection may also be included with the visual inspection, if deemed necessary.

The inspectors will provide a record of the line inspected, referencing anomalies by the type of equipment and by structure number and may photograph abnormal situations and defects.

The data collected from the wood pole inspection report and visual inspection report are compiled, evaluated, and defects are prioritized according to the routine prioritization criteria. This data is used to make a corrective action plan for the line to correct all defects deemed necessary by the Transmission Engineering department. These detailed inspections are scheduled as needed.

High Priority Trees

High priority trees, as defined by the TVMP, represent any vegetation condition that is likely to cause a line outage in the next few days or weeks. Upon identification of high-priority threat conditions, the patrolman will either remove or trim the vegetation immediately, or contact the utility arborist, who will evaluate the vegetation and arrange for removal or trimming as soon as possible. All high-priority threat conditions identified by the transmission patrolman will be documented in TRAM. High priority trees identified by the utility arborist will be documented on a Transmission Line Clearing Contact sheet.

Any vegetation-related condition that is likely to cause a fault at any moment is also considered a high-priority threat and must be reported to System Dispatch in Boise without any intentional time delay. The notification of the threat should be communicated in terms of minutes or hours by phone or radio.

Annual training will be provided for the transmission patrolmen by the utility arborist on how to identify high-priority threat vegetation conditions. This training will cover how to differentiate between high-priority threat conditions that present a risk of causing a fault within hours and conditions that present a risk of causing a fault within days or weeks.

Contamination Control (Insulator Washing)

Insulator washings are not performed as a regular maintenance activity at IPC because the atmosphere is generally quite clean and contaminates do not generally build up to levels that affect operation. There are a few isolated locations where contaminates do build up on insulators, but none of these are currently on the major WECC transfer paths in the BES. The lines that do have isolated contamination areas are checked frequently and washed if necessary. Insulator washings will only be performed in specific areas if contamination is identified as a problem on our annual patrols.

Measures and Tracking

Each quarter, a meeting is held and documented within the Transmission Engineering department. This meeting will include the Engineering leader, maintenance engineers, and the

departmental specialist and will be to review and update TRAM and the *Transmission Comprehensive Maintenance Schedule*.

Commenter	Comment	Idaho Power's Response
Irene Gilbert, 8/22/19, 1752; Carl & Julie Morton, 6/18/19, 2492	Several individuals provided comments asserting that the proposed route will interfere with irrigation.	As explained in the Agricultural Assessment, Attachment K-1 to Exhibit K of the ASC, Idaho Power has endeavored to minimize impacts to irrigated agriculture as much as possible. Approximately 104 of a total of 993 parcels within the site boundary are irrigated using a variety of methods. The remaining 889 parcels are currently non-irrigated. Only 26 of the proposed 1,461 towers (or less than 1.8 percent) are sited within the irrigated portion of an agricultural field. Extraordinary effort was put into routing the location of the transmission line to avoid irrigated areas. Further, while some towers are likely to interfere with current irrigation practices and will likely result in a reduction in overall crop yield, the proposed tower locations are only preliminary and Idaho Power will work with landowners to locate towers in areas that have the least impact to agricultural operations where feasible. Micrositing will be used to the maximum extent possible to minimize the interference of transmission structures on irrigation systems. Prior to construction, Idaho Power together with the landowner or the landowner's designee will examine each affected property to inventory crops, livestock, fences, irrigation systems, drain tiles, roads, etc. Negotiations between Idaho Power and any affected landowner and/or landowner's designee will be voluntary and no party is obligated to follow any particular method for computing the amount of loss for which compensation is sought or paid. Landowner or

		landowner's designee may elect to settle damages with Idaho Power in advance of construction on a mutually acceptable basis or settle after construction based on a mutually agreeable determination of actual damages. If construction- or operation-related damages occur or are expected to occur, Idaho Power and the landowner or landowner's designee may agree to monetary or other compensation in lieu of implementing the mitigation actions set forth in Section 4.0 of Attachment K-1.
JoAnne Marlette, 8/20/19, 305; Carl Morton, 6/18/19, 583, 585	Several commenters expressed concern that surface-disturbing activities and construction will risk interrupting irrigation resources or damaging irrigation equipment and will also pose a risk to maintenance personnel.	Idaho Power will consult with landowners when planning the construction schedule to minimize impacts on soils, crops, harvesting, and other activities. If Project construction or temporary work areas intersect a sprinkler irrigation system, Idaho Power will work with the landowner to identify preferable construction timeframes and establish an acceptable amount of time during which the irrigation system may be out of service. For crops that are being irrigated during the construction period, the maximum time that application of irrigation water can be interrupted will be 24 hours, unless otherwise agreed upon with the landowner. If Project construction activities cause an interruption in irrigation which results in crop damages, appropriate compensation will be determined. If it is feasible and mutually acceptable to Idaho Power and the landowner, temporary measures will be implemented to allow an irrigation system to continue to operate across land on which the transmission line is also being constructed. To avoid damaging the pipes or creating difficult access to the irrigation lines for maintenance, Idaho Power

		will work with landowners to identify the location of underground water lines and drainage tiles. If irrigation lines or drainage tiles, or access to the irrigation lines for maintenance, are damaged by the construction of the Project, Idaho Power will restore the function, including the relocation, reconfiguration, and replacement of existing lines or tiles, unless the landowner elects to take responsibility for the repairs and negotiate fair settlement with Idaho Power. Section 7.3.4 of the Agricultural Lands Assessment (ASC Exhibit K, Attachment K-1) provides further details regarding the standards and policies that will apply when Idaho Power repairs damaged tiles.
Jim Foss, 6/18/19, 611-614; Kay Bishop Foss & Jim Foss, 6/18/19, 2081-2082	Several commenters expressed concern that the transmission line may interfere with the GPS used to run irrigation pivots, and once the system goes off kilter, it may not be possible to adjust it due to risk of shock.	Idaho Power does not specifically track interference with GPS tractor navigation systems; however, these systems are widely used in other locations in Idaho Power's service area and several existing transmission lines up to 500 kV cross the area. Over the last 10 years, Idaho Power has not been contacted about interference with tractor GPS navigation systems. Users of these systems have expressed concerns about the possibility of interference, but no specific examples have been reported. Thus, based on Idaho Power's experience, it is not aware of actual interference with GPS equipment. A review of literature on the topic also suggests that GPS interference from transmission lines is relatively unlikely and can be minimized by making certain adjustments to the location of the GPS receivers. As Idaho Power explained in ASC Exhibit AA, GPS accuracy can be impacted by many factors including

		atmospheric conditions; satellite constellation and geometry; the design, quality, and position of GPS antennas and receivers; signal interference; and multipath. Of these possible effects to GPS accuracy, a transmission line and its structures could theoretically contribute to signal interference and multipath. Signal interference occurs when other signals at the same frequency as the satellite signal are present. Multipath occurs when objects such as buildings, structures, or tractor parts reflect a GPS satellite signal, causing the satellite signal to arrive at the receiver later than it would have if it followed a straight line from the satellite. A study commissioned by the Electric Power Research Institute (EPRI) found that signal interference is "unlikely" based on the design of GPS receivers and their ability to separate the GPS signal from background noise (Silva and Olsen 2002). Another study compared the accuracy of real-time kinematic GPS receivers at different locations to transmission lines and towers (Gibblings et al. 2001). This study concluded that multipath from transmission towers could result in GPS-initialization errors (e.g., the system reports the wrong starting location) 1.1 percent to 2.3 percent of the time. This study also reported that GPS software was able to identify and correct these initialization errors within the normal startup time. This study reported initialization errors due to electromagnetic interference from energized overhead transmission lines when the GPS receiver was located outside the vehicle but concluded that "most, if not all of this effect can be eliminated by shielding the receiver and cables." Placing the receiver inside the vehicle significantly reduced initialization errors.

		Please see response to comment from Carl Morton, 6/18/19 (583-585), below, regarding the risk of induced current with respect to irrigation equipment.
Owyhee Irrigation District, 8/14/19, 2541-2542; Joint Committee of the Owyhee Project, 8/13/19, 2626-2627	The proposed route near the Owyhee River risks catastrophic loss of an irrigation canal, the Kingman Lateral, as the topography of the land is highly unstable. The Kingman Lateral has slid off the mountain in this area before. Placement in this region may require piping the canal as mitigation.	Idaho Power will work with the Owyhee Irrigation District and the Joint Committee of the Owyhee Project to microsite the project to minimize impacts, and will mitigate impacts to the Kingman Lateral and any other impacted irrigation pipelines or equipment.
Joint Committee of the Owyhee Project, 8/13/19, 2626-2627	The proposed line includes additional crossings of the South Canal of the Owyhee Project in areas of substantial activity to operate and maintain that canal, including a crossing over a shallow siphon, which is an underground concrete structure. Construction of the line here may put the integrity of that structure at risk.	Idaho Power will work with the Joint Committee of the Owyhee Project to microsite the project to minimize impacts, and to develop mitigation for impacts to the South Canal of the Owyhee Project and any other impacted irrigation pipelines or equipment.
Shane Matheny, 8/22/19, 320; Sam Myers, 6/27/19, 920; Irene Gilbert, 8/22/19, 1752	The proposed route will interfere with aerial spraying, as there are restrictions on operating aircraft near the towers. This will increase the costs of cropping and applying fertilizer and pesticides and will render an airstrip useless.	Idaho Power has sought to minimize potential impacts to aerial spraying by siting the transmission line as much as possible along the edges of fields, existing roadways, or natural boundaries, rather than through existing fields, which will result in less risk to the applicator and more efficiency to the producer. To the extent that impacts associated with aerial spraying impact crop production.
Shane Matheny, 8/22/19, 320; JoAnne Marlette, 8/20/19, 305	Land erosion is a big concern during the building process. *** Soil erosion risks damaging irrigation equipment.	Idaho Power will implement erosion prevention and sediment control measures during construction in accordance with all applicable permit conditions. Idaho Power will coordinate with the local Natural Resources Conservation Service soil conservation experts. Temporary roads will be designed to not impede proper drainage and will be built to mitigate soil erosion on or near the temporary roads.

		Following construction, cultivated agricultural land will generally be reseeded or replanted by the landowner. Idaho Power will reseed and mulch non-cultivated agricultural land such as pastures and perennial grass hayfields in consultation with landowners or will make arrangements with landowners who prefer to conduct the reseeding of these areas. Idaho Power will reseed and mulch non-agricultural land in accordance with the Vegetation Management Plan found in Exhibit P1. Idaho Power will follow best management practices set forth in approved stormwater and erosion control plans for the Project, which may include applying temporary mulch in the event of a seasonal shutdown, if construction or restoration activity is interrupted or delayed for an extended period, or if permanent seeding of non-cultivated areas is not completed during the recommended seeding period prior to the winter season. Temporary straw mulch may be applied to bare soil surfaces, including topsoil piles, at the rate of 4,000 pounds per acre. Interim seeding of a cover crop may be used in lieu of temporary mulching in some areas. Idaho Power will work with the landowner or landowner's designee to prevent erosion on cultivated agricultural lands in instances where the area disturbed by construction cannot be planted before the first winter season. Excess soil and rock will be disposed of at an approved upland site within the Project construction site, unless Idaho Power and the landowner negotiate placement of fill material on site.
Shane Matheny, 8/22/19, 320; Irene Gilbert, 8/22/19, 1752	Construction equipment will compact and disturb or scar the ground surface. Soil compaction can affect soil productivity for years, according to landowners with existing transmission lines crossing their land.	Idaho Power will minimize soil compaction as much as possible, and coordination between Idaho Power and farm operators can help to segregate and protect topsoil and reduce potential impacts associated with

		ingress and egress to the ROW and reduce potential compaction. Agricultural land that has been compacted by construction equipment will be restored to its original condition using appropriate tillage equipment, which will be performed during suitable weather conditions, as determined by the Agricultural Monitor. Idaho Power will restore rutted land as much as is practical to its pre-construction condition. Decompaction and soil fertility restoration will be performed by a qualified contractor using methods and equipment suitable for the site, as approved by the Agricultural Monitor. The Project may also result in some permanent soil compaction, in which case, Idaho Power and the landowner may separately negotiate compensation for such impacts.
Sam Myers, 6/27/19, 918-920; Elizabeth Ashbeck, 6/27/19, 928	Fire damage to the soil reduces its productivity for many years; it can take soil 6-10 years to rebuild. Farms are at high risk of fire in the late summer. Adding a transmission line increases that risk by adding another fire risk factor to the environment. Farmers have no protection for this kind of loss, and they operate on thin margins, so the long-term soil damage caused by a crop fire would be financially disastrous. The pennies for right of way will not compensate farmers for bearing this risk. Also, farms border one another, so a fire on one farm will spread to other farms. And crop fires can be dangerous. A farmer died last year trying to put a fire out with his tractor.	Commenter has not provided any specific facts in support of its assertion that the project will increase the risk of fire in agricultural lands, and Idaho Power disagrees with this assertion. Moreover, Idaho Power currently operates transmission lines in agricultural land throughout its service territory and has not observed an increased occurrence of fire associated with the presence of transmission lines.
Irene Gilbert, 8/22/19, 1751-1752; Margaret Mead,	Several individuals commented on the impacts of fragmenting farmland, which can increase the cost of	Idaho Power will seek to minimize fragmentation as much as possible, but some impacts associated with

6/26/19, 884; Chris Rauch, 6/27/19, 930	preparing, planting, and harvesting crops on two parcels and can eliminate opportunities for purchase of additional land or consolidation of farms to remain economically sound in spite of fluctuating wholesale values of products.	fragmentation are unavoidable for a linear project such as a transmission line. Idaho Power will work with landowners to assess potential economic impacts and determine fair compensation for those impacts. In assessing the economic impact on a specific property, components include but are not limited to annual costs including the fixed costs, lost profit, and weed control in the tower footprint area plus the duplication of operations for the extra costs of farming around the tower or towers, annual per-acre costs for land taken out of production other than that in the tower footprint area, including land unable to be irrigated because of field obstructions, and the costs of reorganizing irrigation systems, including increased labor requirements.
Irene Gilbert, 8/22/19, 1752	Reduced farmland property value means less collateral for borrowing money to sustain the farming business.	The comment addresses property value, and the Council does not have jurisdiction to address concerns regarding impacts to property value as a result of easements across private property.
Shane Matheny, 8/22/19, 320; John H. Luciani, 6/27/19, 940; Patricia, Randy, Char, Travis, & Bryce Hampton, 7/19/19, 1003-1017 Carl Morton, 6/18/19, 584;	Several commenters expressed concern regarding the risk of stray voltage adversely affecting farmers, their families, and their livestock, including electric shock from metal buildings, vehicles, and other equipment that are not grounded. One commenter noted it may not be possible to ground farm trucks that go to the elevator every few hours. "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	As discussed in ASC Exhibit AA (Electric and Magnetic Fields), magnetically induced currents from power lines have been investigated for many years, and mitigating measures have been developed and are available. Cathodic protection on buried or above-ground irrigation supply or delivery lines may be required to prevent excessive corrosion of irrigation distribution lines as a result of induced voltage. Generally, it is preferred that fences be located at least 50 feet away from tower structures. Barbed wire and woven wire fences insulated from ground on wooden posts have the potential to assume an induced voltage when located near power lines. The fences may require

	the lightning storms come in we don't even change the water just because of the issues of electricity."	grounding at each end and every 200 feet or more with a metal post. Electric fences may require a filter that is installed to remove voltages induced by the power lines. Agricultural workers performing duties and operating equipment near and under transmission lines are at risk of electrical shock. Idaho Power is committed to educating landowners and their employees about these risks and safe working practices. Some farm employees must also adhere to certain U.S. Department of Labor, Occupational Safety and Health Administration rules while working around transmission lines. Idaho Power will assist landowners in determining the best ways to safely ground permanent or temporary fences if problems arise. As described in the DPO's Recommended Siting Standards for Transmission Lines Condition 3, Idaho Power will compensate landowners for any additional materials needed to properly ground or protect fencing, irrigation, or other farm equipment from induced current. These agreements between the landowner and Idaho Power will be addressed in any applicable easement or access agreement between Idaho Power and the landowner.
Carl Morton, 6/18/19, 584; David & Karen Yeakley, 6/19/19, 661-664; Patricia, Randy, Char, Travis, & Bryce Hampton, 7/19/19, 1003-1017; Irene Gilbert, 8/22/19, 1784-1798	A number of commenters expressed concern about electromagnetic fields disturbing livestock.	As discussed in Section 3.3.3 of ASC Exhibit AA (Electric and Magnetic Fields), animal exposure to EMFs has been investigated for over 30 years. Field studies have been performed to monitor the behavior of large mammals in the vicinity of high-voltage transmission lines. No effects of electric or magnetic fields were evident in two studies from the northern U.S. on big

		game species, such as deer and elk, exposed to a 500-kV transmission line. Much larger populations of animals that might spend time near a transmission line are livestock that graze under or near transmission lines. To provide a more sensitive and reliable test for adverse effects other than informal observation, scientists have studied animals continuously exposed to fields from high-voltage lines in relatively controlled conditions. For example, grazing animals, such as cows and sheep, have been exposed to high-voltage transmission lines and their reproductive performance examined. No adverse effects were found among cattle exposed to a 500-kV direct-current overhead transmission line over one or more successive breeding events. Compared to unexposed animals in a similar environment, the exposure to 50-Hz fields did not affect reproductive functions or pregnancy of cows. Sheep and cattle exposed to EMFs from transmission lines exceeding 500-kV were examined and no effect was found on their levels of hormones in the blood, weight gain, onset of puberty, or behavior.
Laurie Solisz, 6/19/19, 680-681	There is concern about lack of maintenance leading to sagging power lines, placing farmers in jeopardy.	Idaho Power is unclear regarding the risk noted by commenter regarding sagging lines. Nonetheless, Idaho Power has demonstrated it has significant experience building, operating, and maintain transmission lines to satisfy the requirements of the Organizational Expertise Standard. As described in further detail in Section 3.1.3 of ASC Exhibit D (Organizational Expertise), Idaho Power implements a comprehensive maintenance program for its transmission line facilities to ensure compliance with

		applicable safety and reliability standards. This includes routine line inspections, which can be conducted from the air or on the ground. Ground-based inspections may be conducted using four-wheel drive vehicles, all-terrain vehicles, or on foot. In addition, Idaho Power conducts a comprehensive 10-year maintenance inspection, which involves a detailed visual inspection of all transmission line components. Idaho Power has provided substantial evidence that it can and will successfully build, operate, and maintain B2H, and commenter's concern regarding "sagging power lines" is unfounded with respect to the project. Also, Idaho Power understands that the portion of the existing 230-kV line that will be realigned as part of the B2H project crosses Mr. Solisz's field. Idaho Power will consult with Mr. Solisz to determine if micrositing the towers of the realigned 230-kV line can be done in a manner that addresses Mr. Solisz's clearance issues.
Louise Squire, 8/22/19, 1956; Irene Gilbert, 8/22/19, 1752	Modern farm equipment is often radio controlled, and a 500 kv line will interfere with functioning of this equipment, resulting in increased costs for hiring someone to perform a function that would otherwise occur through radio-controlled equipment. The site certificate should require Idaho Power to take necessary action to resolve any interference with radio, phone or equipment signals that impact farming operations.	As discussed further in Section 3.3.2 of ASC Exhibit AA (Electric and Magnetic Fields), Idaho Power has designed the line to reduce radio interference from the Project to acceptable levels during fair weather. Design measures include using larger diameter conductors, using more conductors within conductor bundles, increasing the distance between conductor bundles, and utilizing proper construction techniques. Radio interference is more likely to occur during rainy weather conditions, as water droplets and other irregularities on the conductor surface can intensify the electric field. If radio interference occurs, it decreases rapidly with distance from the line. It will be highest

		under and very close to the line where the general public will typically not be, except for very short periods of time. Should complaints occur, Idaho Power will investigate to identify the source and magnitude of radio noise, and will work to help resolve the issue. Often a solution can be found through simple, very effective, and low cost changes involving the complainant's receivers, antennas, filters and/or signal amplifiers.
Irene Gilbert, 8/22/19, 1752	Transmission lines may cause interference with emergency calling.	As discussed further in Section 3.3.3 of ASC Exhibit AA (Electric and Magnetic Fields), community communication systems, cell phones, GPS units, and satellite receivers typically operate at high frequencies in the tens to hundreds of megahertz (MHz) or even gigahertz (GHz) ranges. These systems also often use FM or digital coding of the signals so they are relatively immune to electromagnetic interference from transmission line corona. Mobile phones operate in the radiofrequency range of about 800 MHz to 1,900 Mhz or higher. EMFs at these high frequencies have very different physical characteristics from 60-Hz power frequency EMFs. Due to the frequencies used by these devices and modulation and processing techniques, effects from interference are unlikely.
Sam Myers, 6/27/19, 920	"We have Internet communication that could be Interrupted."	Commenter did not provide any specific facts to support this assertion, and Idaho Power has not received any reports regarding interruption of internet communication in the areas in which it operates transmission lines. Commenter's assertion is inconsistent with Idaho Power's experience.

John H. Luciani, 6/27/19, 940	"You cannot park your equipment under them, which we're going to have to when we're harvesting, when we're working, they drain the batteries."	The commenter is correct that Idaho Power recommends against parking equipment within a transmission line right-of-way. Regarding impacts on batteries, the commenter did not provide any specific facts to support this assertion, and Idaho Power has not received any reports regarding transmission lines impacting batteries on farm equipment in the areas in which it operates transmission lines. Commenter's assertion on batteries is inconsistent with Idaho Power's experience.
Cunningham Sheep Company, 8/22/19, 343-345; Joint Committee of the Owyhee Project (Michael Horton), 6/18/19, 606; Frank Jordan, 6/18/19, 606	Several commenters expressed concern about ensuring that Idaho Power consult with them on the placement of towers and lines on their property to protect existing structures and minimize damage and interference with their farming and water management operations.	Following issuance of the site certificate, Idaho Power will consult with landowners of high-value farmland regarding micrositing of the transmission line as required by ORS 215.276(2). As a practical matter, Idaho Power will consult with all landowners regarding micrositing of the Project. During Project design, Idaho Power's engineering, ROWs, and permitting staff will work with landowners to address tower placement. Sensitive areas such as those with the potential to interrupt irrigation equipment and other areas identified by landowners will be avoided, where feasible. When the preliminary design is complete, the land rights agents will review the staked tower locations with landowners. In general, towers will be located along field boundaries. Placement in field headlands or in the middle of fields will be avoided to the maximum extent possible.
Tamson Cosgrove Ross, 8/22/19, 374; Irene Gilbert, 8/22/19, 1751-1752; Margaret Mead, 1990	Idaho Power only includes tower base in area of permanent impact, but the area of impact is much larger, given the 20 foot gravel area around structure and the turning radius of farm vehicles, as well as the	Based on conversations with landowners who currently have transmission line towers in their fields, it appears that some tower locations within a field can create a loss in farmable acreage greater than the actual footprint of the tower itself. In assessing the economic

	restrictions on the height of equipment that can go under transmission lines.	impact on a specific property, components include but are not limited to annual per-acre costs for land taken out of production other than that in the tower footprint area, including land unable to be irrigated because of field obstructions, and the costs of reorganizing irrigation systems, including increased labor requirements. Idaho Power will work with landowners to quantify impacts, and any compensation for such impacts will addressed outside through ROW negotiations.
JoAnn Marlette, 8/20/19, 306; Tamson Cosgrove Ross, 8/22/19, 374	The proposed route is not a "reasonable" route under *Friends of Parrett Mountain v. NW Natural Gas Co.*, 336 Or 93, 108 (2003), because it disproportionately uses private rather than public lands in Baker, Union, and Umatilla Counties.	There is no requirement for a utility to use public rather than private lands under *Friends of Parrett Mountain*. Oregon case law provides that once it is determined that a facility cannot avoid EFU, there is no requirement to perform a parcel by parcel analysis or consider all feasible alternatives. *Friends of Parrett Mountain v. Nw. Natural Gas Co.*, 336 Or 93 (2003). A LUBA case also confirmed that ORS 215.275(2) requires an applicant to consider only non-EFU alternatives, but does not require the applicant to compare various alternatives that will impact EFU to determine which would have the least impact (e.g., applicant not required to select shortest route through EFU if EFU cannot be avoided). *WKN Chopin, LLC v. Umatilla County*, 66 Or LUBA 1 (2012). Thus, once it is determined that the Project must cross EFU, Idaho Power is not required to compare various routes impacting EFU to determine which route will have the least impact on EFU.

JoAnn Marlette, 8/20/19, 306	A number of commenters state that Idaho Power failed to identify all land meeting the definition of "farm" land in the analysis required by ORS 215.275, by failing to include lands zoned as a combination of rangeland and farm use as farm land subject to the provisions of ORS 215.275.	Commenter's assertion is incorrect. Idaho Power's analysis of potential impacts to agricultural lands included lands zoned for agricultural use, range use, as well as land zoned for both range and farm use.
JoAnn Marlette, 8/20/19, 307-308	The applicant states, "Several of the agricultural areas in the project area are zoned a combination of rangeland and farm use. Based on discussions with DLCD, Idaho Power did not consider such hybrid zoned lands to be EFU lands for purposes of the ORS 215.278 analysis." This statement is not DOCUMENTATION as required for the application to be complete. There is no indication of who spoke with whom on what date, and nothing to document that the action actually occurred.	Commenter misquoted Exhibit K and misunderstands the context for the text quoted from the application. The text in Exhibit K provides: > Several of the agricultural areas in the project area are zoned a combination of timber and farm use, or rangeland and farm use. Based on discussions with DLCD, IPC did not consider such hybrid zoned lands to be EFU lands for purposes of the ORS 215.275 analysis. There are two levels of analysis for siting a utility facility necessary for public service in EFU: (1) consideration of reasonable non-EFU alternatives, and (2) demonstration that the facility must be located in EFU based on one or more of the six factors in ORS 215.275. In accordance with ORS 215.275(2), the first level of analysis requires that the "applicant . . . must show that reasonable alternatives have been considered," and accordingly the applicant must identify agricultural land for purposes of evaluating "non-EFU" alternatives. Consistent with the quoted passage, for the first level of analysis—identifying farm land to evaluate whether alternatives exist—Idaho Power did not include hybrid

		land in that analysis. Note that this approach was conservative, as it excluding hybrid land meant that Idaho Power was not considering it as "an alternative" to siting on EFU. If Idaho Power would have included all hybrid land, it would have meant that there would have been *less land* available as an alternative to siting in EFU, further demonstrating the need to site the project in EFU. While Idaho Power's approach to its analysis was conservative, even if it were to update its analysis to reflect commenter's recommendation, the conclusion would not change--there are no non-EFU alternatives in Oregon, and accordingly, the project must be sited on EFU. The quoted text applies to the first portion of the ORS 215.275 analysis only; in considering the second portion of the analysis, that the facility must be sited on EFU for one or more of the six reasons enumerated in ORS 215.275, Idaho Power *did* consider all EFU, range, and hybrid land (excluding forest land) to be EFU for purposes of the analysis.
Irene Gilbert, 8/22/19, 1878-1879, 1886	The application fails to document that the Boardman to Hemingway Transmission line would have to be sited on EFU land in order to provide the service and failed to show that reasonable alternatives identified by other parties were evaluated with the same level of analysis as the companies preferred alternative, or in multiple cases were ignored. Idaho Power's evaluation of ORS 215.283(1) and ORS 215.275 described on Page K-12 of the application fails	Idaho Power performed a robust alternatives analysis for the project as a whole, beyond what is required to demonstrate compliance with ORS 215.275, Idaho Power also performed a county-specific alternatives analysis for each county in its Exhibit K. There is no obligation for the Council to consider a "No Action" alternative, and such an alternative would not meet Idaho Power's stated need. The evaluation of a "No Action" alternative is relevant to the analysis

	to meet the standard for siting on exclusive farm use. While the alternatives analysis does not require consideration of alternatives that would also occur on EFU land, it does require analysis of alternatives that would utilize public lands. This analysis was not given serious consideration. The use of public lands meet the requirements that the alternatives be "fair, proper, just, moderate, and suitable under circumstances". The issue is well presented in the March 18, 2015 letter from Baker County from Fred Warner Jr., Chair Baker County Commissioners, which is incorporated into this comment and included as an attachment. Specifically, Pages 1 through 3 outline the lack of serious consideration for legitimate alternatives and the No Action Alternative. Furthermore, the letter comments on the fact that the evaluation of alternatives placed greater weight on the effects of the project on wildlife on federally managed land than it did on private lands, failed to disclose impacts on the natural and human environment that may be greater than having the transmission line sited on federal lands. The applicant failed to address reasonable alternatives identified by other parties as is required by ORS 215.275. There are multiple comments provided in the Environmental Impact Statement from businesses, government bodies, individuals and others supporting the use of alternatives that place the line on public lands. These alternatives were either not evaluated, discounted absent justification, or evaluation was of a cursory nature not consistent with the preferred route of Idaho Power. Incorporating by reference, Section K of the Final Environmental Impact Analysis listing Comments received on the Draft Environmental impact Statement.	performed in NEPA, but is not an element of EFSC's analysis for compliance with relevant land use standards. The study area identified by Idaho Power includes an extremely complex assortment of siting constraints, including the following: extensive areas of agricultural land (land zoned EFU); vast areas that are owned and managed by the Bureau of Land Management, U.S. Forest Service, and other federal agencies charged with managing the numerous resources in the mountains and high desert; and the presence of many sensitive resources, including key wildlife habitat, protected areas, and cultural resources. In order to select a corridor for the Project that avoids and minimizes impacts to lands zoned EFU as well as other resources, Idaho Power engaged in an extensive corridor selection process. The resulting Proposed Corridor between the northern Project terminus near Boardman, Oregon, and the southern terminus at the Hemingway Substation in Idaho is approximately 300 miles long, which is nearly 75 miles longer than the shortest direct line. Idaho Power has provided three studies that detail its siting process for the Project, included with Exhibit B, as Attachment B-1 (2010 Siting Study), Attachment B-2 (2012 Supplemental Siting Study), and Attachment B-4 (2015 Supplemental Siting Study). Those documents describe Idaho Power's general approach to siting, each phase of Idaho Power's corridor selection process, and how Idaho Power selected its Proposed Corridor based on careful consideration of numerous siting criteria, including the

	The application submitted to the Oregon Department of Energy also fails to identify the private party recommendations and level of disclosure of impacts that is consistent with the handling of the proposed routes. Following are three examples of the multiple comments stating that the line should be placed on public land rather than farm land from other parties which were provided during the "Response to 2008 BLM/ODOE scoping comments pertaining to Alternatives" Appendix A-l which did not receive adequate consideration. • Ruth W. Metlen commented on December 2, 2008 recommending the use of existing lines and upgrading them to meet the required capacity. This alternative was discounted by simply stating that existing lines were being used at full capacity rather than actually identifying the impacts. • Jonathan Westfall letter of 12/2/2008 stating that the existing utility corridors designated on Federal lands should be used rather than permitting new ones. • Roger Findley and Jean Findley letter of December 11, 2008 suggested that the line follow the existing utility corridor identified in SEORMP and Westwide Energy Corridor EIS across Malheur County to Buchanan in the Burns District (BLM) in Harney County, then turn north and travel through largely uninhabited forest and grazing land to Boardman, SIP proposes that the route to Sand Hollow Substation in this alternative be through Idaho exclusively, with a 500Kv transmission line loop ultimately to the) Pearl Substation east of Emmet, Idaho which is to be built at a later time. A second route which was proposed was using the existing PP&L corridor established in the	eight criteria set forth in OAR 345-021-0010(1)(b)(D) and six factors in ORS 215.275(2). Under ORS 215.275(2), an applicant must demonstrate that it considered reasonable alternatives to siting the facility within an Exclusive Farm Use (EFU) zone. The reasonable alternatives analysis "refers to reasonable alternative sites to EFU land." *Sprint PCS v. Washington County*, 186 Or. App. 470, 479 (2003). During the siting process, Idaho Power considered numerous alternative corridors that were proposed by local stakeholders as part of the Community Advisory Process, by Idaho Power, or by BLM in the National Environmental Policy Act process. Each of the alternative corridors located primarily in Oregon would have impacted EFU lands, because the land use in the relevant areas of Oregon are mostly comprised of EFU lands and there is no corridor running through eastern Oregon that would avoid all EFU lands. As described in further detail in Exhibit K, Idaho Power considered an alternative route that would avoid all EFU lands by avoiding the state of Oregon entirely. Idaho Power ultimately rejected this alternative, however, because it is approximately 15 percent longer than the proposed route and is therefore not a reasonably direct route. (See Exhibit K, Sections 4.1.1.4 and 4.1.2.2.) With the exception of this conceptual EFU-avoidance route located entirely outside the state of Oregon, there is no route that avoids EFU zoned land.

	Southern Oregon Resource Management Plan to Buchanan in the Burns District, then north to Boardman through the Malheur National Forest and private grazing land, Idaho Power in their Notice of Intent (NOI) identified this corridor (NOI, Exhibit (O-l) but rejected it without detailed analysis. This route appears to bypass almost completely the exclusive farm use-zoned land and inhabited area. It should be analyzed for the comparison of impacts to natural resources versus impacts to inhabited and farm use-zoned lands in both Malheur and Baker Counties. These examples along with the large numbers of other public comments which did not receive analysis that was nearly as robust as Idaho Power's preferred route preclude a determination that Non-EFU Alternatives were Considered as required by ORS 215.283 and ORS 215.275. The application needs to be denied due to this critical failure to meet statutory requirements for siting in EFU.	"Under ORS 215.275, the focus of the alternative site analysis is on non-EFU land; and an applicant for a utility facility on EFU land is not required to evaluate alternative sites that are also zoned EFU." *Hamilton et al v. Jackson County et al.*, 2011 WL 1302345 (Or LUBA Mar. 16, 2011). Furthermore, when analyzing reasonable alternatives, applicants are not required to perform a property-by-property analysis, but rather must focus on the EFU zone as a whole unit. *Friends of Parrett Mountain v. Northwest Natural Gas Co.*, 336 Or. 93, 108 (2003) ("The text of [ORS 215.275(2)] focuses on EFU zones only as whole units, not as collections of discrete subdivided properties . . ."). Utility facilities do not have to be placed in the best location, and the project proponent does not have to analyze all alternative routes. *Re Application for a Site Certificate for the Northwest Natural South Mist Pipeline Feeder Extension*, NWN SMPE Final Order Attachment B at 8 (EFSC Mar. 13. 2003). The commenter appears to be concerned with the adequacy of the analysis conducted under the NEPA process. For purposes of determining whether an application for a site certificate complies with ORS 215.275, however, Idaho Power is not required to analyze multiple alternatives that cross land zoned EFU or select from among such alternatives based on the relative amounts of public and private land impacted. ORS 215.275(2) requires Idaho Power, after demonstrating that the company considered reasonable alternatives to placing the Project within an EFU zone, to show that it nevertheless must site the Project in an EFU zone due to one or more of six

		factors. Here, Idaho Power has satisfied this standard by providing a detailed analysis of its consideration of non-EFU alternatives, and analysis demonstrating that the project must be sited in EFU due primarily to locational dependence and lack of available non-resource lands, among other factors. For the foregoing reasons, Idaho Power complied with the statutory requirements for siting an energy facility in land zoned EFU. *Source: Ex. K, pp. 12-13, 15, 17, 19*
Carl & Julie Morton, 8/18/19, 2491-2492	The 2002 Resource Management Plan of the Bureau of Land Management-Vale District page 109 states that the "designation of right-of-way corridors and encourages use of rights-of-way in-common to minimize environmental impacts and the proliferation of separate rights-of-way. BLM policy, as described in BLM Manual 2801.13B1, is to encourage prospective applicants to locate their proposals within corridors." Page 1 10 of the 2002 Resource Management Plan states, "The OWFEIS (see Map 7 of the OWFEIS) recognized the existing constructed 500-kV PP&L power line route as a primary recognized existing route for location of future power line interties." We believe that Idaho Power should take this proposed route back to the Bureau of Land Management and revise the route closer to the primary recognized existing route, PP&L power line. The 2002 RMP of the BLM intended to keep future power line routes, such as the one being proposed, within the existing power line corridor	The Council's evaluation of the DPO is limited to whether the route (and alternatives) proposed by Idaho Power comply with Council standards and other applicable laws and rules. To the extent that commenters are proposing route modifications, those proposals are outside the scope of the Council's consideration of the DPO. Please see also response above regarding a general overview of the siting process and compliance with statutory requirements for analyzing alternatives to siting a project on EFU land. Moreover, the route modifications proposed by commenters would not avoid EFU zoned land as a whole. Idaho Power is not required to analyze all alternative routes, evaluate alternative sites that are also zoned EFU, or perform a property-by-property analysis. Furthermore, OAR 345-022-0040 provides that the Council shall not issue a site certificate for a proposed

Dustin Baker, 8/19/19, 1626	"In our meeting with Renee Straub and the Brent Grasty (Planning Director) of the Vale District BLM office, they stated that Idaho Power can still apply to amend their route application with the BLM to stay within the Utility Corridor. This would require the route cross a small portion at the very northern end of the area specified by the BLM in their 2002 (RMP) as Suitable Wild and Scenic River (WSR). This is the lowest classification of suitable WSR as it has manmade structures, including a paved road along the river and an existing above ground (highly visible) irrigation structure (Owyhee Irrigation District North Canal Siphon Conduit) from high on the S.E. side of the river and crossing under the river to the N,W. side of the River approximately 1/2 mile upstream from our (Landowners) preferred route for the power line to cross the river. "In a meeting that was held August 14, 2019 at 3:30 p.m. it was stated that, "the Owyhee River is a possible wild and scenic river," however; this designation has NOT been approved by Congress yet and "could take up to fifty years".	facility located in certain protected areas, including Bureau of Land Management's areas of critical environmental concern (ACECs), outstanding natural areas and research natural areas. Idaho Power has complied with this approval standard for protected areas by avoiding nearly all of the protected areas listed in OAR 345-022-0040, including the Owyhee River Below the Dam ACEC. Given BLM's classification, status of the Owyhee River as Wild and Scenic River Administratively Suitable does not alter the protected area status of a portion of this river under OAR 345-022-0040. Please also see response to comments from Aston, Braun, Foss, Owyhee Irrigation District, Proesch, and Chaps Land Co. regarding the history surrounding the Owyhee River crossing. *Sources: Ex. K, pp.12-13, 17, 19; Ex. L, p.1-3; Att. L-1, p.9.*
Kaye Bishop Foss & Jim Foss, 8/19/19, 2081	The BLM HAS ALREADY SPENT TAXPAYER MONEY ESTABLISHING A UTILITIES CORRIDOR WHICH WAS TO PROTECT OUR ENVIRONMENT AND PUBLIC LANDS BY MINIMIZING FUTURE ENCROACHMENT ON OTHER PUBLIC GROUND. We met with Idaho power and were told the BLM WOULDN'T LET THEM USE OTHER SITES. IDAHO POWER DID NOT DO DUE DILIGENCE IN RESEARCHING, PURSUING OTHER POSSIBILITIES. (ORS 215.275, d. availability of existing rights of way) THE	

	BLM OFFICE RELAYED TO US,THAT THE LISTING STATUS OF THE "SUITABLE FOR WILD AND SCENIC RIVER " STATUS COULD BE AMENDED. IDAHO POWER SHOULD HAVE LOOKED INTO THIS, NOT A BUNCH OF FARMERS TRYING TO FIGURE IT OUT.	
Stop Idaho Power (Roger Findley), 6/18/19, 587	There are two areas SIP would like to see a different route for B2H. One is near Adrian where B2H crosses EFU land. The alternative route crosses the Owyhee Wild and Scenic River. Someone has decided that Wild and Scenic Rivers is a higher priority than EFU land, both have to be addressed in EFSC's criteria. The other area of concern is Northwest of Vale where the B2H again crosses EFU land. The alternate route there crosses Sage Grouse habitat Again, both EFU land and Wildlife habitat are points that have to be addressed by EFSC. Again someone has decided that Sage Grouse habitat is a higher priority than EFU land. SIP is asking EFSC to evaluate ORS 345-20-10 which defines what EFU land is and the protection it is afforded. We also ask for EFSC to evaluate ORS 215.275 which lists the criteria that allows the power line such as B2H to cross EFU land.	Please see response to comments above regarding a general overview of the siting process and compliance with statutory requirements for analyzing alternatives to siting a project on EFU land. Certain state and federal requirements influenced the ultimate location of the Project by creating constraints on particular EFU lands, thereby influencing which EFU lands the Project crosses. One key state requirement that influenced siting of the Project is EFSC's protected area standard, which does not permit siting of an energy facility in certain protected areas. For the Project, the key protected areas that the Project has been sited to avoid include state parks, multiple BLM Areas of Critical Environmental Concern, and other areas described in detail in ASC Exhibit L. The trade-off for avoiding these resources often resulted in impacts to additional EFU lands. Idaho Power also spent significant effort to avoid or minimize impacts to Greater sage-grouse habitat. BLM, in selecting the routes across BLM-administered lands, also sought to avoid or minimize sage-grouse habitat impacts. Avoiding sage-grouse habitat resulted, in many cases, in re-routing the Project onto EFU lands.
Arnold Tropf, 6/18/19, 614	I've been wondering why they can't just completely eliminate going into farm ground. Going south with the line, going pretty close to the mouth of the Owyhee Canyon, cross the canyon, go over toward, what, Blackjack Mountain and go over and hit that Glen Bridger transmission line and use the right of way right there and follow that transmission line right toward Murphy, and then drop 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.	Similar trade-offs occurred in trying to avoid Oregon Department of Fish and Wildlife Category 1 Habitat. While EFU lands could not be avoided entirely, Idaho Power has sited the Project to avoid or minimize impacts to EFU lands to the extent practicable. Furthermore, during construction and depending on final design and engineering, Idaho Power will work with landowners to further avoid, minimize, or mitigate impacts to agricultural practices. *Source: Ex. K, pp.15, 17, 19, 24-25.*
JoAnne Marlette, 6/19/19, 633; Kaye Bishop Foss & Jim Foss, 8/19/19, 2081; Carl & Julie Morton, 8/18/19, 2491	Several commenters observe that the purpose of the existing utility corridor, put in place by Governor Tom McCall and as reflected in BLM's 2002 Resource Management Plan, is to preserve farm and forest land by keeping future power line routes, such as the one proposed, within the existing power line corridor. Another commenter states that Idaho Power did not perform due diligence in researching, pursuing other possibilities. (ORS 215.275, d. availability of existing rights of way)	There is no existing utility ROW that travels the entire path between the Project endpoints in a reasonably direct route. Even so, Idaho Power made reasonable efforts to locate the Project in or adjacent to existing federal ROW corridors where possible, including the Bureau of Land Management Vale District Utility Corridor, West-wide Energy Corridor, and Wallowa-Whitman National Forest Utility Corridor. Indeed, 35.1 line miles of the Proposed Route are located in one of those utility corridors. Almost 58 percent of the land within the study area is owned by federal land management agencies. The Wallowa-Whitman, Umatilla, Malheur, and Ochoco National Forests are located within the study area from northeast to southwest and must be crossed by any line that is sited in a reasonably direct route from the proposed Longhorn Station to the Hemingway Substation. A key planning requirement that influenced the location of the Proposed Corridor in the central part of the study area, especially in Union and

		Umatilla counties, is the presence of a designated utility corridor crossing of the Wallowa-Whitman NF along Interstate 84 west of La Grande and the absence of any designated corridor or existing utility corridor crossing National Forest elsewhere. While EFU lands could not be avoided entirely, Idaho Power has sited the Project to avoid or minimize impacts to EFU lands to the extent practicable. Furthermore, during construction and depending on final design and engineering, Idaho Power will work with landowners to further avoid, minimize, or mitigate impacts to agricultural practices. *Source: Ex. K, pp.17, 22, 24*
Dustin Baker, 8/19/19, 1626	The Council should deny the Site Certificate and require Idaho Power to Amend its Siting Certificate Application to move the route off of EFU land near the Owyhee River to stay within the BLM Utility Corridor, in order to comply with Oregon State Law as well as minimize the economic, aesthetic, and quiet enjoyment impacts on the private land owners and residents in the affected area.	Under OAR 345-022-0030(1), the Council's role is to determine whether the proposed facility, as described in the application for a site certificate, complies with the statewide planning goals adopted by the Land Conservation and Development Commission. The Council does not have jurisdiction to order Idaho Power to make specific modifications to the proposed route.
Cunningham Sheep Company, 8/22/19, 345; JoAnne Marlette, 6/19/19, 633	Two commenters state that the proposed route crosses EFU land rather than utilizing an existing utility corridor in order to save money, including the costs of crossing tribal reservation land. Cost is not the only factor in siting of a line that will be in place for decades, if not centuries.	ORS 215.275(3) provides that "[c]osts associated with any of the factors listed in subsection (2) of this section may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. . . ." Costs were not the only factor in Idaho Power's corridor selection process or its ORS 215.275(2) analysis. As discussed in Exhibit B and the siting studies, there were a variety of factors driving the Proposed Route, including permitting

		difficulty, construction difficulty, and engineering difficulty. *Source: Ex. K, p. 27*
JoAnn Marlette, 8/20/19, 305; Irene Gilbert, 6/19/19, 630, 632-633; Irene Gilbert, 6/26/19, 896; Sarah Wehrle, 8/22/19, 1335; Louise Squire, 8/22/19, 1979-1980, 1981	A number of commenters state that Idaho Power is only taking responsibility for noxious weeds within the right-of-way, and up to 50 feet from the ROW in Malheur County. Responsibility should not be limited to the ROW, as surface disturbing activities increase the risk of spreading noxious weeds outside the ROW. Preconstruction weed surveys should occur outside the site boundary on areas adjacent to the development as well as control sites to determine when weed infestation occurs on these areas along the transmission line as a result of the project.	The Noxious Weeds Plan (ASC Exhibit P1, Attachment P1-5) describes the measures Idaho Power will undertake to control noxious weed species and prevent the introduction of these species prior to construction and during construction and O&M of the Project. It is the responsibility of Idaho Power and the Construction Contractor(s), working with the appropriate land management agencies and the Oregon Department of Energy, to ensure noxious weeds are identified and controlled during the construction and O&M of Project facilities and that all federal, state, county, and other local requirements are satisfied. The Final Noxious Weed Plan will include documentation of existing infestations adjacent to the survey area in addition to documenting results of the preconstruction noxious weed inventories. *Source: Ex. P1, Att. P1-5, p.2, 13, 27*
Irene Gilbert, 6/19/19, 633; Irene Gilbert, 6/26/19, 896; Louise Squire, 8/22/19, 1979-1980	A number of commenters state that Idaho Power claims it is only responsible for controlling new noxious weed populations that are demonstrated to be the result of project construction, operation or maintenance, *i.e.*, new infestation in an area disturbed by project activities that cannot be attributed to adjacent existing infestations or introduction by a source outside the control of IDAHO POWER. In other words, Idaho Power disclaims responsibility for weeds coming onto the ROW from the surrounding area. It is for this purpose that Idaho Power plans to document	From the perspective of determining compliance with the EFSC standards, which focus on the impacts from the project, weeds that are present prior to the project are not considered impacts from the project, because the weeds existed prior to the project and were not caused by the project. As a result, Idaho Power isn't required to address pre-existing weeds as a matter of compliance with the EFSC standards, because those weeds aren't considered project impacts. Nonetheless, to the extent ORS 569.390 applies to the project, Idaho Power will comply with the statutory requirements. But

	existing infestation of noxious weeds adjacent to the project and adjacent uses that could contribute to proliferation of noxious weeds. So they're going to dig up this land, which creates a perfect place for noxious weeds to grow, and then take no responsibility if the surrounding area sends seeds in and they take root along the right-of-way. And when weeds start growing along the transmission line, that means that they're going to increase all the way along it with all the private property. You're talking about private landowners suffering because this developer wants to create a freeway that's 250 feet wide across our whole state practically.	the specifics of compliance under that statute are dictated by the local court and weed district and need not be addressed through a site certificate condition.
Louise Squire, 8/22/19, 1980, 1981	A number of commenters state that Idaho Power is responsible for noxious weed control in any areas where new roads are developed, existing roads are modified by the developer, overland travel routes, including streams crossed. There appears to be a presumption that overland travel outside designated corridors does not contribute to noxious weed spread. This is categorically incorrect. Development, improvement of, and use of roads for access to the area will promote the introduction of and increased occurrence of noxious weed infestations. The development will result in ongoing equipment use of the area in the ROW, which will result in increased weed infestations and the transport of weed varieties from other areas. Idaho Power is not taking responsibility for any infestations which result from increased access to area due to ROW allowing recreational vehicles to access area.	As described in Section 5.0 of the Noxious Weed Plan (ASC Exhibit P1, Attachment P1-5), the Project ROWs where Idaho Power will be responsible for controlling noxious weeds resulting from surface-disturbing activities to construct or operate the Project include both new roads and existing roads involving ground-disturbing construction and/or improvement. Specifically, for EFSC purposes, Idaho Power will only be responsible for controlling noxious weeds that are within Project ROWs and that are a result of the company's construction- or operation-related, surface-disturbing activities in the following areas: transmission line: entirety of the ROWs and/or easements; new roads: entirety of the ROWs and/or easements; existing roads needing substantial improvement: only areas involving ground-disturbing construction and/or improvement (e.g., new cutouts); communication stations: entirety of the ROWs and/or easements; multi-use areas: entirety of the temporary ROWs

		and/or licenses; and pulling and tensioning sites: entirety of the temporary ROWs and/or licenses. *Source: Ex. P1, Att. P1-5, p.18*
Irene Gilbert, 6/19/19, 630, 633; Irene Gilbert, 6/26/19, 896	Idaho Power is required by state law to clean all of its vehicles and equipment when arriving at the site, going onto or off a public road, or crossing from one person's property to another person's property. Cleaning stations at the multiple use areas will not satisfy these requirements, as the stations are temporary and located a long ways away from where these areas are that they're supposed to be cleaning.	As discussed in further detail in the Noxious Weed Plan (ASC Exhibit P1, Attachment P1-5), to help prevent the spread of noxious weeds during construction, all Construction Contractor(s) vehicles and equipment will be cleaned using high-pressure air or water equipment prior to arrival at the work site. Idaho Power will include in the Final Noxious Weed Plan additional protocols to establish the frequency of cleaning vehicles as construction progresses along the ROW. *Source: Ex. P1, Att. P1-5, pp.19, 20*
Irene Gilbert, 6/19/19, 630; Irene Gilbert, 6/26/19, 895; Sarah Wehrle, 8/22/19, 1335	A number of commenters state that Idaho Power's noxious weed plan does not address comments by weed management experts from five counties, including Union County weed supervisor Brian Clapp.	As Idaho Power explained in its response to comments from Union County and Baker County, Idaho Power is proposing a process to solicit county input on final weed plans prior to construction.
Irene Gilbert, 6/19/19, 631	The project must comply with state law ORS 569.390, 569.400 and 569.445 requiring the developer using the property or property owner to treat weeds prior to them going to seed, provides penalties for failing to do so which can include quarantining the land, requiring equipment to be cleaned prior to moving it over any public road or movement from one farm to another. The Oregon Department of Energy and Energy Facility Siting Council are prohibited by both statute and rule from overruling a state statute. Failure to abide by this statute will negatively impact OAR 345-022-0060, OAR	To the extent ORS 569.390, 569.400, and 569.445 apply to the Project, Idaho Power will comply with the statutory requirements. But the specifics of compliance under that statute are dictated by the local court and weed district and need not be addressed through a site certificate condition.

	345-022-0070, OAR 345-0090, OAR 345-0212-0010(l)(u)(E). and OAR 345-022-010.	
Brian Doherty, 6/27/19, 923; Mike Meyers, 8/10/19, 1185; Mary Anne Miller, 8/12/19, 1195	Rather than paying landowners a single lump sum as compensation for the easement, Idaho Power should use an ongoing lease compensation system, as this would be more fair given the ongoing financial impacts to farmers.	Idaho Power will negotiate compensation for easements with landowners. Landowner compensation for easements does not relate to a Council standard, and is not within the Council's jurisdiction.
Shane Matheny, 8/22/19, 320; Carl Morton, 6/18/19, 585; Carl & Julie Morton, 8/18/19, 2491-2492	The project will reduce the property value of farmland.	The Council does not have jurisdiction to resolve impacts to property value as a result of easements across private property.
Irene Gilbert, 8/22/19, 1753; Carl & Julie Morton, 8/18/19, 2491-2492	Idaho Power failed to include the harvest income that is received by the landowner and then spent primarily in the local area, as well as the loss of taxable revenue for Malheur County and the State of Oregon, taking money needed for public schools and the county's economic growth.	The Council does not have jurisdiction to address indirect impacts to the local and state economy as a result of easements across private property.
Mike Meyers, 8/10/19, 1185; Travis Eri, 6/27/19, 923	Two commenters explained that they already have experienced other utility crossings on their properties.	The Council does not have jurisdiction to address cumulative impacts related to easements across private property.
Elizabeth Ashbeck, 6/27/19, 928	Once the line is installed, that increases the likelihood that more lines will be installed in future.	The Council does not have jurisdiction to address speculative future utility development or cumulative impacts associated with such future development.

Commenter	Comment	Idaho Power's Response
Aston, Braun, Foss, Owyhee Irrigation District, Proesch, Chaps Land Co.,	Several comments questioned Idaho Power's effort to consider non-EFU alternatives, ORS 215.275(2) in the vicinity of the Owyhee River crossing.	Oregon case law provides that once it is determined that a facility cannot avoid EFU, there is no requirement to perform a parcel by parcel analysis or consider all feasible alternatives. *Friends of Parrett Mountain v. Nw. Natural Gas Co.*, 336 Or 93 (2003). A LUBA case also confirmed that ORS 215.275(2) requires an applicant to consider only non-EFU alternatives, but does not require the applicant to compare various alternatives that will impact EFU to determine which would have the least impact (e.g., applicant not required to select shortest route through EFU if EFU cannot be avoided). *WKN Chopin, LLC v. Umatilla County*, 66 Or LUBA 1 (2012). Thus, once it is determined that the Project must cross EFU, Idaho Power is not required to compare various routes impacting EFU to determine which route will have the least impact on EFU. Notwithstanding, Idaho Power provides the following information regarding the history surrounding the Owyhee River crossing, which shows that Idaho Power pursued multiple alternative routes in an attempt to avoid and minimize private land impacts near the Foss property. In the 2010 siting study (Attachment B-1), Idaho Power explains that, at that time, Idaho Power's proposed route was located approximately 7 miles to the southwest of the Foss property on federal land paralleling the Summer Lake to Midpoint 500-kV transmission line. The proposed route was sited to address county stakeholder concerns about avoiding irrigated agricultural and EFU zoned lands. Idaho Power had also presented an alternative route that crossed the river slightly to the west of the proposed route (the "2010 Owyhee River Below Dam Alternative"). Therefore, at that time, Idaho Power was presenting two alternative river crossings, both of which were located miles away from the Foss property.

		 In the 2012 siting study, Idaho Power explains that subsequent engineering analysis indicated the project could not be located within the same utility corridor as the existing transmission line, BLM inventoried several miles of lands of wilderness characteristics along the proposed route, and BLM received comments suggesting the project use the alternative utility corridor located near the Foss property. Taking these factors into consideration, the proposed route was shifted to the northeast because it avoided the Area of Critical Environmental Concern/Special Recreational Management Area (ACEC/SRMA) and lands with wilderness characteristics, while also following the Vale District Utility Corridor and meeting engineering requirements. The 2010 proposed route continued to be carried through the permitting process as the Malheur A Alternative. Importantly, the 2012 proposed route remained on BLM land in the area near the Foss property. The 2010 Owyhee River Below Dam Alternative was eliminated because it was located within lands of wilderness

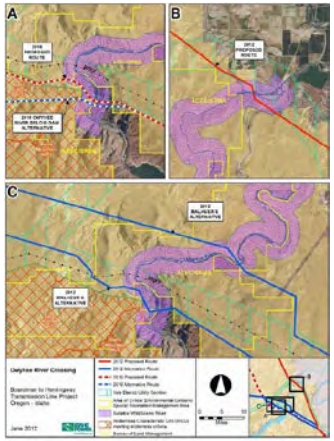
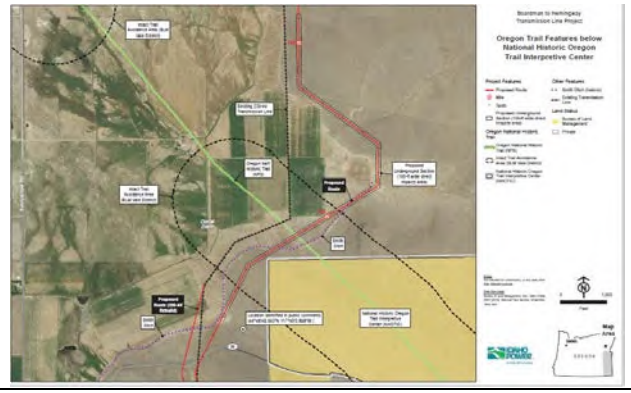
		characteristics, which the BLM considered an exclusion area; however, Idaho Power developed the Malheur S Alternative, which ran north and parallel to the existing 500-kV line, as a public land alternative to the proposed route.  Figure 3.5-1. Owyhee River Crossings In Section 3.2.5.2 of the 2015 siting study, Idaho Power explains the BLM, in its Draft Environmental Impact Statement, identified the 2012 proposed route as part of the agency's preferred alternative. In Section 3.2.5.2 of the 2017 siting study, Idaho Power explains the BLM, in its Record of Decision, developed and selected a new Owyhee River crossing to avoid the Lower Owyhee River Wild and Scenic River Study Area. The new Owyhee River crossing moved the project to the east into private land, while following the Vale District Utility Corridor where it remained on BLM land. The 2017 new Owyhee River crossing is what's presented here in the EFSC application as the Proposed Route.

		 Figure 3.2-5. Changes in Malheur County Between 2016 and 2017 The above siting history shows Idaho Power pursued multiple alternative Owyhee River crossings that would have avoided private land impacts, but BLM ultimately rejected those proposals forcing the project into private land.
Aston, Janet	I purchased the property of 2104 Owyhee Lake, Nyssa Oregon on November 8th, 2018. inquired if this property was Commercial or all Agriculture, this was to determine the sale for the purpose of purchasing. I invested my life savings into this property for Mine, My Daughters and Grandchildren's future. Janet Aston, Miranda Aston, Tim Proesch (refer to as "Our" "We") plan on developing an Oasis for others to enjoy the beauty and natural habitat that this land has to offer. I was blindsided with the development of the B2H Project on June 16th, 2019 for a public meeting to be held on June 18th. It was NOT disclosed to me via the previous owners or the Title Company that this property was a potential Easement or Utility Corridor that was/is in the process. We specifically asked if the power line project was a possibility at the closing, and was informed that it had been dead for 10 years. The previous owners had received a notice 4 months prior to closing on the sale.	Idaho Power has complied with all EFSC notice requirements. To ensure the application issued for public comment had the most up-to-date property owner list, as directed by ODOE, Idaho Power generated the Exhibit F property owner list prior to the Department's determination of application completeness and in coordination with the Department. Idaho Power identified the owner of Tax Lot No. 21S45E1300300 as Ronald and Opal Wright Family Trust, and Idaho Power's understanding is ODOE provided notice of the complete application to the Trust on or about September 28, 2018. Idaho Power understands that this commenter purchased the property on November 8, 2018; however, Idaho Power had no specific knowledge that Tax Lot No. 21S45E1300300 had been transferred to this commenter until Mr. Proesch contacted Idaho Power shortly before the public hearings in June 2019, and Idaho Power is unaware of any EFSC regulation that would have required Idaho Power to monitor property transactions involving the affected parcels. Therefore, while Idaho Power appreciates this commenter's concerns, Idaho Power complied with the notice requirements under the EFSC standards.

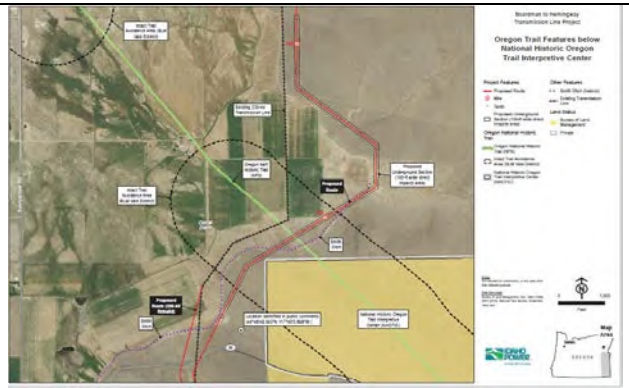
		Idaho Power cannot speak to any representations the previous landowner made to this commenter about the status of the project, but Idaho Power can say that the company has been working diligently on this project since its inception. And in November 2017, one year before the commenter's purchase, the BLM issued its Record of Decision authorizing the project on BLM-administered lands. In that decision, the BLM identified the route through the commenter's property as the BLM's preferred route.
	Our plan to develop on this project consists of placing a Home for Miranda Aston and Tim Proesch in the exact location that Idaho Power has targeted. In addition, we plan to utilize the property as Camping, Restaurant, Events open to the public (Weddings, Family Reunions, Music, Fishing, Retreats, and Environment Educational Retreats. I have already been approached to possibly host 200+ 6th graders for a natural habitat educational retreat. By placing this powerline along the proposed route, we would be unable to continue with the future plans for the Oasis, which will result in decreased property value and quality of the environment, which would lead to a loss for future taxable revenue for Malheur County and the State of Oregon. This route would also take money that is needed for public schools and the county's economical growth.	Idaho Power met with Mr. Proesch, Mr. Foss, and their neighbors on July 30, 2019 to discuss possible micro-siting options to address their concerns. Idaho Power had several follow up phone calls with them as well. The landowners appear to be interested in revisiting a previously-proposed route on federal land paralleling the Summer Lake to Midpoint 500-kV transmission line. Idaho Power explained that the BLM had already rejected that route and that Idaho Power is still willing to discuss mutually-agreeable micro-siting options on their properties, but the landowners appear to remain being focused on pursuing the alternative BLM route.
	We have pictures and have seen some of the natural habitat that exists on this land. (Fox, Cougars, Pheasants, kilter birds and their eggs, Turkey, Fish, Turtles, Cows, Horses, Deer). Placing a power line would be detrimental to the Existing Humans and Natural wildlife.	Idaho Power believes its analysis of fish and wildlife habitat impacts satisfies the EFSC standards, and this comment provides only conclusory statements to the contrary.
	I was informed that there are other routes that exist and/or can be developed without affecting the Public's lives and future.	As discussed above, BLM has already rejected the previously-proposed route on federal land paralleling the Summer Lake to Midpoint 500-kV transmission line. That route, however, is

	The 2002 Resource Management Plan of the Bureau of Land Management-Vale District page 109 states that the "designation of right-of-way corridors and encourages use of rights-of-way in-common to minimize environmental impacts and the proliferation of separate rights-of-way. BLM policy, as described in BLM Manual 2801. J JBJ, is to encourage prospective applicants to locate their proposals within corridors. " Page 110 of the 2002 Resource Management Plan states, "The OWFEJS (see Map 7 of the OWFEJS) recognized the existing constructed 500-kV PP &L power line route as a primary recognized existing route for location of future power line interties. " We believe that Idaho Power should take this proposed route back to the Bureau of Land Management and revise the route closer to the primary recognized existing route, P P&L power line. The 2002 RMP of the BLM intended to keep future power line routes, such as the one being proposed, within the existing power line corridor. This new proposal contradicts the original intentions of protecting EFU land. Agriculture land in Malheur County is detrimental to the success of our toil and the future of generations to come.	not proposed in the ASC, and the Council does not consider alternative routes not proposed in the ASC. Even so, Idaho Power continues to be available to discuss mutually-agreeable micro-siting options.
Baker County Commissioner Bruce Nickels	So basically what I'm going to do is reiterate what Baker County's position is. And one, the first thing, there's no mitigation for the people that have been promised things from Idaho Power in Durkee. And the farm ground there is important to people. And there's been cases that there's other sites that are better. Anyway, that's what I wanted to say. They were promised they would be taken care of. That's now been taken away, for whatever reason, I don't know.	Idaho Power understands Commissioner Nickels' comment as referring to the discussions Idaho Power has been having with the Nygards. He is correct that Idaho Power has reached an agreement in principle with the Nygards to address their concerns with impacts to their water supply. However, that agreement does not weigh on the sufficiency of the application or the DPO.
	There's also the Oregon Department of Energy. There hasn't	Idaho Power believes ODOE has sufficiently addressed

	been any analysis done of burial to mitigate the visual impact of the Interpretive Center or compensatory mitigation for Baker County. That Interpretive Center is very important to tourism for our whole county and all of eastern Oregon. Tourism is very important to Baker, and we have a hard enough time trying to build that up and then you take away the visual aspect of it, and you're making us go backwards again. And we get nothing other than grief out of it.	undergrounding in front of NHOTIC on page 465 of the DPO, which is supported by Idaho Power's study of the subject in the Exhibit BB errata. Further, mitigation also has been proposed in the form of shorter, H-frame structures, and this mitigation is reflected in the DPO in Recommended Scenic Resources Condition 2.
	The last thing, you didn't comply with Baker County's land use plan. We need a substation if you're going to put this thing here. And I know substations cost a lot of money but Baker County is getting really nothing out of this but grief. And with power, extra power for Baker, we have a chance of some economic development. We need some or a lot of power for manufacturing and also business. If we don't have that, Baker County has little chance to grow because we don't have enough power; we can't attract those kind of businesses.	Idaho Power respectfully disagrees that substation is required under the county's code or land use plan, particularly where this project will be located primarily on EFU lands within Baker County where it is a permitted use submit to the alternatives analysis demonstrating that the project must be located on EFU. Even so, the Commissioner may be interested to know that Idaho Power has upgrades to the county's electrical system planned, to be completed by 2023, which will allow Idaho Power to serve future load growth in its service area across Baker County. Over the next four years, Idaho Power plans to upgrade 70 miles of an existing 69-kV transmission line that was built in 1951. The new 138 kV transmission line will extend from Ontario, Oregon to Idaho Power's Quartz substation just south of Baker City. This new line will provide additional capacity for Idaho Power to serve approximately 80 MW of new load in Baker County. In addition, the Huntington and Durkee substations will be upgraded and/or replaced which will provide increased capacity and reliability for existing and new customers in those southern portions of Baker County. These upgrades align with the County's interest in additional capacity.
Bell, Marcyne Carbiener, Gail	B2H crosses the Oregon Trail at least 8 times; EFCS has done a reasonable job of protecting the Trail during construction and operation, if the proposed requirements are followed,	ODOE's conclusion that undergrounding in front of the NHOTIC is unwarranted is supported by the following. First, the visual impact assessment provided in the application

on behalf of Oregon-California Trails Association (July 3, 2019)	except at the Oregon Trail Interpretive Center at Flagstaff Hill. B2H Transmission Line should be buried for approximately 2 to 2 1/2 miles to comply with the exhibits indicated above. Idaho Power has from the early years refused to do any significant analysis for this option. IPC uses cost as the reason for stating under-grounding is not feasible. Cost is not a specific standard, and costs are the responsibility of the Oregon Public Utilities Commission during rate considerations. EFSC has determined the IPC has the Financial ability even if some partners choose to not participate, so reasonable cost should not be a determining factor for EFSC.	demonstrates that, with the proposed shorter H-frame structures as mitigation, the impact to the resource would be less than significant. That assessment was developed by a visual resources expert, applying a thorough, sophisticated methodology for considering the Council's standards and the definition of "significance." The statements in this comment, however, are conclusory and unsubstantiated. Second, Idaho Power's undergrounding study discussed not only cost, but also ground disturbance impacts. The study showed that ground disturbance from an underground installation would be substantially greater than that for an overhead installation, involving over 30 acres of direct ground disturbance and the need to dispose of approximately 250,000 cubic yards of cut and fill material. Third, undergrounding would require directly affecting an Oregon Trail segment that will otherwise be avoided (i.e., spanned) by an overhead installation—see map below showing the requested underground segment going through Oregon Trail segment shown in green. 
	EFSC should refuse to approve the Draft Project for the following reasons. 1. Does not comply with Noise Standards as no	The Recreation Standard does not require noise modeling. And, as recognized by this commenter, ODEQ Noise Rules do not apply to the NHOTIC because it's not considered a noise

	measurements were done at the Oregon Trail viewpoint or walking trails endpoint near milepost 146. Perhaps not a "Noise Sensitive Property," in the context of residential sleeping areas; however, certainly for tourists and visitors to the interpretive Center and Hiking trails noise will be disturbing. Map23 in Attachment X-1 does not even show the Oregon Trail.	sensitive property. Therefore, the commenter's assertion that noise modeling was required for the NHOTIC is wrong. Furthermore, Idaho Power's analysis of noise impacts at the NHOTIC and other recreation resources in Exhibit T, Section 3.4.2 fully satisfied with the Recreation Standard. The commenter provides only conclusory statements, without specific evidence, to the contrary.
	2. Within OAR 345-022-0040 Protected Areas and ODEQ standards 340-035-0000-0100, this area should have been monitored and modeled as a Noise Sensitive Property and was not.	See immediately preceding response.
	3. Does not comply with Scenic Values from the Blue Mountains Parkway and Oregon Trail Interpretive Center. The OR 86 encourages drivers to STOP and read interpretive signs, so viewer perception and resource change cause significant decrease of scenic values. IPC says no significant impact.	Idaho Power respectfully disagrees with the commenter's assertion that the project would cause "significant decrease of scenic values." That assertion is conclusory and unsupported by specific evidence or reasoned explanation as to why the project fails to satisfy the Council's standards or other applicable substantive criteria. On the other hand, Idaho Power's visual impact analysis was developed by experts in the field and was reviewed and approved by the Department (see Exhibit T, Table T-1, and Attachment T-5).
	4. The DPO does not comply with Exhibit L Protected Areas. The BLM ACEC at Flagstaff Hill has not considered under-grounding for the protection of the Oregon Trail. No analysis found the pristine Class 1 swales of the Oregon Trail within the ACEC located at: Lat 44.813762 Long - 117.750194 or 44 degrees 48ft 48.26"N 117 degrees 75ft 57.97"W. IPC proposes to build a new construction road over the Oregon Trail in the area identified in the location above.	Regarding undergrounding in front of the NHOTIC, see Exhibit BB errata study and responses to other comments addressing this same issue. In the figure below, Idaho Power identified the referenced location. However, that location is not inside the site boundary and therefore it will not be directly impacted by the project as suggested by this comment.

		
	5. the DPO does not meet the standards required for Exhibit T Recreational facilities, OAR 345-022-0100, especially at the Flagstaff Hill Interpretive center, because of: a. It is a BLMACEC area managed for public tourism. b. It is the single most visited tourist facility in Baker County. c. The quality of the facility is outstanding. d. There is no other place where the Oregon Trail can be seen and interpreted.	The concerns in this comment relate to the threshold determination of whether the NHOTIC should be considered an important recreational opportunity under the Recreation Standard. However, neither ODOE nor Idaho Power disputes that the NHOTIC is an important recreational opportunity, and it is analyzed in the application and the DPO as an important recreational opportunity. Additionally, while Idaho Power disagrees with commenter's assertion that there is no other place where the Oregon Trail can be seen and interpreted, that fact has no bearing on the identification of the resource as an important recreation resource. For those reasons, the DPO analysis is sufficient on that point.
	6. the cost estimates of IPC do not compare with those of the Edison Electric Institute, January 2013 publication "out of Sight, Out of Mind, An Updated Study of the Under-grounding of Power Lines." This article suggests that for 2.5 miles of rural under-grounding, the cost will be $67,500,000. This is almost half the IPC estimate.	The study prepared by Power Engineers for B2H provides a much more accurate cost estimate than the EEI survey, because the Power Engineers study is based on contemporary construction costs (e.g., the EEI study was completed in 2013 and construction costs have risen significantly since that time) and project-specific specifications whereas the EEI cost figures are based on outdated data from unrelated projects. Indeed, the EEI study recognized its limitations, stating: "Because each construction project is unique due to load, number of customers served, and various construction parameters,

		there is no precise cost per mile to build utility facilities of any type for any utility. The cost data in this report is not meant to be the absolute range in which utility construction costs must fall; rather, it is intended to provide a range of cost data that utilities have estimated on various projects. Also, because of the complexity of calculations involved with these costs, they are not typically updated frequently."
Chamberlin, Jay Manager, Owyhee Irrigation District (2019-06-18)	Department of Energy needs to insure that tower placed between Mile Posts 255 through 258 are placed in consultation with Owyhee Irrigation District's staff in order to provide for good, high clearance and minimal structural interference with existing irrigation canals, structures, and roadways	Idaho Power has a long history of working with irrigation districts and similar organizations to site transmission lines over irrigation works in a manner that does not interfere with the delivery of water. As part of the right-of-way acquisition process, Idaho Power will work with Owyhee Irrigation District to ensure similar cooperation on this project.
	I would like to see the term "...and existing irrigation waterways" added after "protected areas" on Page 246 of the draft proposed order.	Commenter's proposed addition is to the discussion of protected areas in the DPO. EFSC's Protected Area Standard, OAR 345-022-0040(1) lists the types of resources that qualify as a "protected area" for purposes of the standard. Irrigation waterways are not considered "protected areas" in accordance with OAR 345-022-0040(1). Nonetheless, Idaho Power considered potential impacts to irrigation waterways in ASC Exhibit K, Attachment K-1, Agricultural Assessment, and commits to coordinating with the Owyhee Irrigation District to minimize impacts to irrigation waterways.
	The statement on Page 589 of the draft proposed order that a water right transfer is unnecessary, is inaccurate. The proposed Tower placements near Mile Post 255 on existing irrigated lands will require a water right transfer to allow the water rights for that portion of the land which will be used for the tower structures will have to be transferred off of that property and onto other property.	The referenced section relates to water rights that might be necessary for Idaho Power to obtain to construct and operate the project. It is not intended to address water right issues that might arise for landowners affected by the project. For that reason, Idaho Power respectfully disagrees that a water right would be required for this project.
Collins, Anne (2019-08-22)	My comment addresses the danger that construction and operation of an additional transmission line in an active seismic zone presents to local area residents.	Table C1 in Appendix C includes boring locations proposed for the project's initial pre-construction geotechnical work in 2020. Those borings will include landslide areas where Idaho

	. . . Table B-8. Proposed Route Structure, page B-50 proposes that the Distance Between Structures (ft) of the 500-kV Single-Circuit lattice Steel Structure would be 1,200-1,800 feet. Here is how the data in Exhibit H presented for one of the routes that traverses the entire south side of the city including the hill the Grande Ronde Regional Hospital, a critical access hospital, rests upon. . . . Are towers missing from Table C1: Summary of Proposed Borings? Is IPC having problems locating towers at many points on this route due to the delicate crust of the earth in the foothills above the City of La Grande? Because the IPC failed to include all the towers on this route meeting their estimate of spacing between towers, the application does not comply with the relevant standard.	Power has access (e.g., SLIDO 225, 115, and 114). Geotechnical borings will be completed at the remaining landslide areas in the future based on final project design and input from DOGAMI, and after Idaho Power obtains access to those areas. Therefore, no towers are "missing" and Idaho Power isn't "having problems locating towers at many points on this route due to delicate crust of the earth" as suggested by this commenter. Instead, Table C1 only includes those areas where Idaho Power currently has access, omitting tower areas where access has not yet been obtained.
Foss, Kay Bishop Foss, Jim (2019-08-19)	We are writing this letter to challenge the proposed route by Idaho power that crosses EFU ground on/near the Owyhee River. We own 150 Acres there of EFU that we have farmed since 2001: We both work full time jobs, farm two places and run cattle. Point; we have given a lot of ourselves to make it all happen, and are distressed to see the loss to our neighbors and selves in the potential income of our investments. The BLM HAS ALREADY SPENT TAXPAYER MONEY ESTABLISHING A UTILITIES CORRIDOR WHICH WAS TO PROTECT OUR ENVIRONMENT AND PUBLIC LANDS BY MINIMIZING FUTURE ENCROACHMENT ON OTHER PUBLIC	The Fosses and adjacent landowners have voiced an interest in revisiting a previously-proposed route on federal land paralleling the Summer Lake to Midpoint 500-kV transmission line as well as revising the wild and scenic river status of the Owyhee. However, Idaho Power's understanding is that neither is an achievable outcome from BLM's perspective. Nonetheless, Idaho Power continues to be willing to discuss micro-siting options with these landowners.

	GROUND. We met with Idaho power and were told the BLM WOULDN'T LET THEM USE OTHER SITES. IDAHO POWER DID NOT DO DUE DILIGENCE IN RESEARCHING, PURSUING OTHER POSSIBILITIES. (ORS 215.275, d. availability of existing rights of way) THE BLM OFFICE RELAYED TO US,THAT THE LISTING STATUS OF THE "SUITABLE FOR WILD AND SCENIC RIVER " STATUS COULD BE AMENDED.IDAHO POWER SHOULD HAVE LOOKED INTO THIS, NOT A BUNCH OF FARMERS TRYING TO FIGURE IT OUT.	
	We are concerned for the future capabilities of our pivots to run with GPS.WE PUT IN 2 PIVOTS IN 2015 PAID FOR THEM OURSELVES. THE ENGINEERS FROM T-L PIVOTS FEEL IT WOULD BE CONTRAINDICATED TO HAVE POWER LINES OVER THE TOP OF THEM. THIS IS ALSO SUPPORTED BY A PAPER FROM BONNEVILLE POWER ADMINISTRATION FEB 2002.(BPA TRANSMISSION MAINTENANCE AND ELECTRICAL EFFECTS TNLD)	There is no evidence to suggest that transmission lines interfere with GPS satellite signals. Moreover, Idaho Power will work with the commenter to avoid, minimize, or mitigate any impacts to their pivots. See additional discussion regarding GPS equipment issues in Idaho Power's comment matrix responding to comments regarding potential agricultural impacts.
Gillis, Charles (2019-06-20)	. . . Idaho Power Corporation is the lead organization for B2H but has only a 21 percent interest. The Bonneville Power Administration and PacifiCorp control the majority interests in B2H. Therefore, BPA and PacifiCorp must pick up 79 percent of the costs associated with obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, nonhazardous condition. . . . One of the concepts that I've learned in discussing and speaking with my many friends who oppose this is the concept of stranded assets. And I believe that Exhibit M is a	The commenter is correct that per the funding agreement, Idaho Power is funding approximately 21 percent of the costs of permitting. However, the final ownership percentages have not yet been finalized. Even so, Idaho Power has demonstrated through a letter from Wells Fargo that Idaho Power on its own has the financial capability to obtain a letter of credit covering the FULL cost of retirement and decommissioning. Therefore, Idaho Power has satisfied the Financial Assurance Standard.

	collateral consequence of a failure of Idaho Power to meet Exhibit M's requirements would be stranded assets. Specifically, let's hypothetically assume that the Energy Facility Siting Council gives Idaho Power the go-ahead. After 5 years of so of our county being blessed with 140-foot power towers, the paradigm shift discussed earlier occurs, the power lines are no longer needed and we are stuck with God knows how many unnecessary power lines because the PacifiCorp and Bonneville Power Administration did not pony up the money required to restore the site to a useful nonhazardous condition.	
Howell, Jane (2019-08-18)	. . . However, near La Grande the maps provided by Idaho Power do not show access roads to or from Multiple Use Areas and Pulling and Tensioning Sites. The maps provided in the application in C-2 do not clearly depict existing roads or road segments. Therefore the B2H application maps lack the detail that is required by the state of Oregon because the maps do not show the names of the streets. Without detailed maps property owners cannot tell how they will be directly affected by this project.	Idaho Power's decision to include in the site boundary only those existing roads that would need to be "substantially modified" is consistent with the law. The term "site boundary" includes the perimeter of the proposed energy facility and its "related or supporting facilities" (OAR 345-001-0010(55). "Related or supporting facilities" means any structure to be constructed or "substantially modified" in connection with construction of the project (ORS 469.300(24)). Idaho Power developed a methodology, approved by ODOE, to identify the existing roads that would need to be included in the site boundary based on the amount of modification that would be needed for construction (see Exhibit B, Attachment B-5). As a result, not all existing roads are included in the site boundary; only those roads that will be substantially modified are included.
	Our home is on Modelaire Drive and Modelaire Drive is listed as the main access road for La Grande. We also live within 294 feet from the site boundary for the Pulling and Tensioning Site. We have never received any correspondence from Idaho Power (this may be a violation of OAR 345-021 - 001 0(1)(x)(E)) and our names do not appear on any of the	OAR 345-021-0010(1)(x)(E) is not a notification list. Rather, the notification lists are set out in OAR 345-015-0220(2) and the proposed order. Relevant here, notification is required for landowners within or adjacent to a proposed project's site boundary (see OAR 345-021-0010(1)(f)). For areas within an urban growth area, notification is required if within 100

	lists that Idaho Power has provided in their application. The only information that we have to reference are the faulty maps in Idaho Powers application.	feet of the site boundary. Here, this landowner is within the city of La Grande and therefore notification was required only if within 100 feet of the site boundary (see OAR 345-021-0010(1)(f)(A); however, the landowner is over 200-ft away from an access road within the site boundary (Hawthorne Dr) and therefore no notification was required. In contrast, their neighbors across the street (Allium St) and on the west side of Modelaire Dr to the north were included. The nearest project feature (pulling-tensioning site) is over 2,500-ft away from this residence, not 294-ft.
	The application also states that "impacts from temporary road closures and construction activities are not anticipated to affect local communities because Project activities involving short-term road closures will occur in remote areas, away from housing and other developments"(U3. 1.5 P25). This statement is not true in La Grande. The Google Maps (Attachment 2) clearly shows that the proposed B2H construction will be happening on our surface roads in multiple neighborhoods in La Grande. The B2H project will be devastating to us and our neighborhood. We have already seen our property devalued. Our roads are nearly fifty years old and they were not built to carry the industrial size equipment to build the power transmission lines or the logging trucks that the roads will be used for. This proposed project will have a major impact on our lives as our neighborhood is mostly people over 65 or young families. The maps do not provide enough details for property owners to see that there are other roads in other neighborhoods that will be used to put in the transmission towers in the south hills. The application states that "Surface streets within the city of	Idaho Power respectfully disagrees that project construction will result in significant traffic impacts. Even so, Idaho Power has committed to work with the county and city in the development of a county-specific transportation and traffic plan to address, among other things, the types of concerns raised in this comment.

	La Grande may need to be used during construction to access portions of the project" (U2 P8). Nowhere in the application are the streets listed that may be used in La Grande. The roads listed for Union County in Table 7, Preliminary Routes (U2 P18) lists Foothill Road and city of La Grande surface Streets. The application omits that from the proposed Multiple Use Area near Foothill you would need to travel on Gekeler, Sunset, Modelaire, and Hawthorne to get to Idaho Power's proposed Transmission Line access road in La Grande. The application also forgot to mention that you cannot get to Modelaire without traveling on Sunset Drive which houses the Grande Ronde Hospital, La Grande High School, Central Elementary and Community Sports Complex .The Modelaire access road is also next to the Grande Ronde Hospital's Heliport. Gekeler houses a park, two retirement complexes and seven churches. All emergency responders also use the route from Gekeler to Sunset to get to the hospital. None of this information can be gleaned from the maps or the verbiage that Idaho Power has supplied in their application because the names of the streets have been omitted from this application. Idaho Power states that "Project traffic generated during construction is not anticipated to cause notable congestion or otherwise impact local communities" (U2 P20). Given that the application states that "Construction of the new transmission line is anticipated to last at least 36 months, with multiple construction crews working simultaneously (U2 3.1 .1 .1) and that construction will generally occur between 7 a.m. and 7 p.m., Monday through Saturday (U2 page 16) it is impossible to believe that there will not be "notable congestion" within the neighborhoods in the South and East hills of La Grande.	

Jordon, Frank (2019-06-18)	My name is Frank Jordan. I live at 3370 Old Stage Road in Westfall. 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.	Since the June 18 hearing, Idaho Power has reached out to Mr. Jordan to discuss potential micro-siting options to address his concerns. Before that, Idaho Power's landowner outreach contractor met with Mr. Jordan on or about September 12, 2017 at Mr. Jordan.
McAllister, Michael (2019-06-23)	. . . In brief, the most significant point that I made was – the Agency Identified Route A would affectively mitigate nearly all the concerns expressed by the many attendee's comments at that meeting. . . .	The commenter appears to be advocating that Idaho Power site the project on the Glass Hill route discussed by the BLM in its EIS analysis. However, that route is not before the Council and the Council's standards do not provide that the Council consider alternative routes not included in the application. Further, the commenter's suggestion that the Glass Hill route would address all concerns is inaccurate. The Morgan Lake Alternative was developed in consultation with certain of the large landowners that would have been affected by the Glass Hill route. Those landowners preferred the Morgan Lake Alternative over Glass Hill. In that respect, the commenter ignores the interests of the landowners that would be directly impacted by the project in that area.
Horton, Michael	. . .	The Council's standards do not contemplate that the Council consider alternative routes not included in the application.

Secretary, Joint Committee of the Owyhee Project (2019-08-13)	The Joint Committee of the Owyhee Project urges the Council to consider the Malheur "S" alternative identified on Map 2-7e in the final EIS. A copy of the map is attached. Another one of the preferred routes for the Joint Committee is the Malheur "A" alternative, which is also shown on the attached map.	
	The proposed route near the Owyhee River creates potential problems with Bureau of Reclamation and Irrigation District facilities that the alternatives South and Malheur A Alternative do not. The topography of the land east of the Owyhee River where the proposed route is to cross the Owyhee River is highly unstable. The construction and location of the proposed power line in that area could cause catastrophic loss of the Kingman Lateral resulting in possible flooding and damage to the proposed power line itself. The lateral has slid off of the mountain in this area before. If the power line were to be constructed in this area, substantial mitigation, including the possible piping of the Kingman Lateral would be required. This area also includes an access road to the North Canal of the Owyhee Project and the Kingman Lateral. This is an area of high activity for personnel and heavy equipment. The placement of the power line in this area will put not only the heavy equipment and personnel at risk, but also the power line. The proposed route also creates additional crossings of the South Canal which the alternatives South and Malheur A alternative do not. These additional crossings are in areas of substantial activity in operating and maintaining the South Canal of the Owyhee Project. One of these additional crossings of the proposed power line over the South Canal is over a shallow siphon of the South Canal. This siphon is an underground concrete structure. Construction of the power	Idaho Power has a long history of working with irrigation districts and similar organizations to site transmission lines over irrigation works in a manner that does not interfere with the delivery of water. As part of the right-of-way acquisition process, Idaho Power will work with Owyhee Irrigation District to ensure similar cooperation on this project. Specifically, with respect to the concerns regarding slope stability, Idaho Power intends to conduct pre-construction geotechnical investigations to ensure towers are placed in manner to avoid causing any landslides or damage to adjacent structures such as the siphon.

	line may put the integrity of that structure at risk.	

Commenter	Comment	Idaho Power's Response
Molly Eekhoff, 8/21/19, 138-139; Tamson Ross, 8/22/19, 373; Carol Lauritzen, 8/14/19, 1342	IPC values the loss of 245.6 acres of forestland in Umatilla County at $488.60 per acre. However, IPC values the removal of 530.1 acres lost to the transmission line in Union County at $182.98 per acre. IPC provides no justification or documentation to support the difference in value per acre between Umatilla and Union Counties. According to US Forest Service Tech. Rept. PNW-GTR-578 Rev. 2004 entitled "Forests of Eastern Oregon: an Overview", Eastern Oregon Forests produce an average of 20 cubic feet per acre of timber each year. That would mean that an acre of land would produce approximately 240 board feet of lumber per year per acre during the life of the transmission line. According to Scott Hartell, Planning Director, Union County, forest land in Union County is classified as either 20 cubic feet per acre per year, or 50 cubic feet per acre per year, so the value amounts could be significantly higher. IPC's stated timber values are unrealistically low according to individuals owning forest land in both counties. No one would be using land for trees which precludes other uses if the economic benefits were as IPC is stating. There is no explanation regarding how IPC came to the numbers it is using for forest sector jobs or explain the difference between the two counties.	Idaho Power used data from the Oregon Forest Resources Institute (2013) to calculate the potential economic impacts associated with removal of land from timber harvest. Idaho Power first quantified the amount of forest land that would be removed from production due to the project (Union County = 530 acres, Umatilla County = 246 acres). Then, using data from the Oregon Forest Resources Institute (2013), Idaho Power calculated the economic impact as follows: • Union County # Forested Acres = 899,000 acres o Value of Forestland Economic Base = $163,700,000 o Value of Ecomomic Base = $182/acre o 530 acres lost x $182/acre = $97,000 lost plus or minus • Umatilla County # Forested Acres = 715,000 acres o Value of Forestland Economic Base = $354,200,000 o Value of Economic Base = $495/acre o 246 acres lost x $495/acre = $120,000 plus or minus It is important to understand that within the forested portion of the project area, some of the land is wetlands, some is reproduction, pole-sized, and some small sawtimber. Accordingly, the actual valuation may vary significantly by landowner, timber species, size, and stocking. The actual value of a particular landowner's timber would be valued at the time of acquisition by a forester doing a timber appraisal.

	The "Forest Facts Oregon's Forests: Some Facts and Figures" published in 2009 by the Oregon Department of Forestry states that economists estimate that for every billion board feet that is harvested in Oregon 11 forest sector jobs are created or retained. IPC claims the clearing of trees for the powerline corridor will have little impact on forestland and thus, not impact local economies. IPC gives no evidence or data for calculating the economic impact and experts believe its estimates are unrealistically low. IPC has failed to provide documentation to support its conclusions. The only reference IPC cites that relates at all to this issue of impacts to forest lands is the publication from the Oregon Forest Resources Institute.	
Irene Gilbert, 6/26/19, 894; Irene Gilbert, 8/22/19, 1758-1759; Janine Attila, 8/18/19, 1582-1583; Molly Eekhoff, 8/21/19, 138	IPC is not counting range land as Forest Land. The amount of rangeland being crossed is very significant and will seriously impact the projected impacts of this transmission line to the economic and social well being of this county. A number of commenters assert that IPC should use soil types to identify forest lands, noting that IPC's reliance on a Union County ordinance to identify forest land based on "predominant use" or "prevailing use," stating that soil should be used instead for consistency with the criteria identified in state statute and rules and in litigation. This had the effect of "significantly understating" the amount	Idaho Power analyzed the impacts of the project on all Goal 3 (agriculture) and Goal 4 (forest) lands, including rangeland. (See the Agricultural Assessment, Exhibit K, Attachment K-1 for detailed analysis of impacts on Goal 3 lands and Attachment K-2 for a detailed analysis of potential impacts on forest lands.) Both local governing bodies within the forested portion of the Project, Umatilla County and Union County, have established agriculture/forest zones. In Umatilla County, the zone is called the Grazing-Farm zone, and in Union County, the zone is called the Timber-Grazing zone. As explained further in Exhibit K (sections 6.5.2.2 and 6.6.2.3), for hybrid agricultural/forest zones, IPC worked closely with the Umatilla County Planning Department and Union County Planning Department to determine the predominant use of

	of forest lands being taken out of production and the associated impacts of the project on "wildlife, economic, social and environmental" factors. Union County procedures cannot be used to replace the required evaluation of compliance with statewide land use laws as stated in OAR 345-022-0030. The Union County Land Use rules fail to reflect the legislative changes made in 2008 and 2011 relating to the determination of what land is considered 'forest land.' The distinction is important due to the fact that forest land is treated differently than agricultural land in the siting process. The application must rely directly on the Oregon Statute which has been incorporated in OAR 660-006-0010. The criteria to be used identified in the statute and rules are: USDA Natural Resources Conservation Service soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue site class maps, or other information determined by the State Forester to be of comparable quality. Predominant use was replaced by the decision criteria above and no longer is an appropriate method of making a determination regarding what is 'forest land.'"	the parcels in the applicable agriculture/forest zones and has analyzed the potential impacts of the Project accordingly. In Umatilla County, the Grazing/Farm (GF) Zone is a hybrid farm-forest zone that includes agricultural land, rangeland, and forest land. The Umatilla County Development Code does not specify an approach for determining whether a particular parcel zoned GF is Goal 3 or Goal 4 land. Consistent with Umatilla County Planning Department policy, therefore, county planning staff reviewed aerial photographs and determined that the land within the Site Boundary in the GF Zone is all forested Goal 4 land. Accordingly, in Umatilla County Idaho Power classified all "hybrid" zone land within the analysis area as forest land. Because all land that could potentially be designated as forest land in the project area was analyzed as such, Idaho Power did not understate the amount of forest lands in Umatilla County. In Union County, the Timber-Grazing Zone is a hybrid zone and includes both farm and forest uses. IPC worked closely with Union County to determine the predominant use on each of the 61 parcels that are crossed by the Site Boundary that are located wholly or partially within the Timber-Grazing Zone. In order to determine the predominant use on each parcel, data from the Natural Resources Conservation Service (NRCS) Soil Survey Geographic Database (SSURGO) was used along with the Union County tax lot data (parcel data). GIS mapping software was used to determine which SSURGO soil type comprised the most acres within each parcel. Accordingly, Idaho Power's analysis did take into account NRCS soil data when classifying land as either range or forest. Union County provided IPC with a table listing the SSURGO soil types found throughout Union County and the corresponding predominant use value for each soil type. This

		analysis resulted in a preliminary predominant use value for each parcel within the Site Boundary based on SSURGO soils data. Union County then reviewed each parcel's initial predominant use value against 2011 aerial photography and tax lot records and adjusted the predominant use to reflect current land use. In the Timber-Grazing zone, none of the parcels involved in the analysis had their initial predominant use value adjusted through the Union County review process. However, SSURGO data for 18 of the total 61 parcels was not available and therefore the above analysis could not be performed. These 18 parcels are located in the vicinity of the National Forest and were determined to have a predominant use of forest. Accordingly, Idaho Power's analysis of forest lands in Union County includes an analysis of NRCS soil data, and to the extent the data was not available, made conservative assumptions that the land should be classified as forest land. Based on the foregoing, Idaho Power did not understate the amount of forest lands in Union County.
Tamson Cosgrove, 8/22/19, 372-373	IPC failed to address OAR 660-006-0025(5)(a) which does not apply only to forest zoned land currently in production. It addresses FOREST ZONED LAND. IPC is removing the income and opportunity for the landowners and counties to obtain the benefits available through timber production. For example, a large amount of land was burned and is recovering but will become productive timber land. IPC also limited its assessment of impacts to accepted forest practices to the current use of the land. The requirement under OAR660-006-0025(5)(a) is to assess whether or not the development will cause a significant change or significantly increase the costs of accepted forest practices on forest lands. IPC is stating that it is going to cause a permanent change	Commenter did not provide adequately specific facts (i.e., specific parcels) to support its assertion that there is forest land not currently in production and which was omitted from Idaho Power's analysis. Nonetheless, the commenter's assertion that Idaho Power classified forest lands based on whether those lands were currently in forest production is inaccurate. As discussed above, all potential Goal 4 forest lands in the project area fall within a hybrid zoning designation in both counties (Grazing/Farm Zone in Umatilla County and Timber-Grazing Zone in Union County). As discussed above, Idaho Power worked with the counties, relying on county information, to identify Goal 4 land within those hybrid zones. Accordingly, Idaho Power did not understate the amount of forest land that may be impacted by the project.

	to the land in its proposed right of way. Accepted forest practices are based upon the impacts in the future when the land is being utilized for growing trees or other uses consistent with the forest zoned lands. Forest uses are defined in Union County Land Use Plan as The (1) production of trees and the processing of forest products (2) open space, buffers from noise, and visual separation of conflicting uses; (3) watershed protection and wildlife and fisheries habitat; (4) soil protection from wind and water, (5) maintenance of clean air and water (6) outdoor recreational activities and related support services and wilderness values compatible with these uses, and (7) grazing land for livestock. IPC assumes incorrectly that the forest zoned lands not currently in production of trees will ever be used for that purpose. IPC ignored the definition of "forest lands" in determining the amount being impacted by the development. Forest Lands include, "lands composed of existing and potential forest lands which are suitable for commercial forest uses; (2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation; (3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use; (4) other forested lands in urban and agricultural areas which provide urban buffers, wind breaks, wildlife, and fisheries habitat, livestock habitat, scenic corridors and recreation use; (5) means any woodland, brushland, timberland, grazing land or clearing that, during any time of the year, contains	

	enough forest growth, slashing or vegetation to constitute, in the judgment of the state forester, a fire hazard, regardless of how the land is zoned or taxed. As a result of only counting forest lands currently in production, the forest impacts are significantly understated.	
Molly Eekhoff, 8/21/19, 138-139; Carol Lauritzen, 8/14/19 1342	"The applicant claims that the value of the land in the right of way will not be significantly reduced due to the owner's opportunity to use the land for agricultural or range land after the transmission line is constructed. This is completely unfounded. The lineal nature of a transmission line precludes any productive use of land taken for the transmission line. The right of way is too narrow to make it available for production of crops, and the costs associated with purchasing equipment for agricultural operations would be prohibitive. It would be unusual for a forest operator to already own equipment for a crop operation. In order to use the right of way as grazing land, it would have to be fenced. According to "Estimated Livestock Fencing Costs for the Small-Farm Owner" by Derek L. Barber, the average cost of materials for ¼ mile (1,320 ft.) of field fence is $1,108.53 plus the cost of building it. The Iowa State University Extension identified 2011 costs for constructing ¼ mile of fencing to be $1,947.75 installed. Enclosing a square acre requires 820 feet of fence. In other words, the cost of fencing an acre of lost forest land would exceed the value the applicant claims the land would add to the local economy per acre for the 50 years the transmission line is predicted to be in place."	Following ROW clearing, landowners may choose to use all or a portion of the available ROW to convert their land to agricultural or range uses. For example, a landowner may have a parcel used for timber harvest which abuts other parcels used for range or agricultural uses. In such cases, there may be opportunities to expand the range or agricultural use into the cleared ROW area. Accordingly, Idaho Power was simply noting in the ROW Clearing Assessment that the economic impact associated with removing forest land from timber harvest may be partially offset by subsequent range or agriculture use, depending on the circumstances specific to each landowner.

Molly Eekhoff, 8/21/19, 138-139; Tamson Ross, 8/22/19, 373, 375; Irene Gilbert, 8/22/19, 1749, 1753	"Removing trees from land currently being used to grow them certainly will create a substantial change in accepted forest practices. It also will substantially increase the costs of growing and harvesting trees on the surrounding lands. Soil compacted by heavy equipment used to access the line will discourage regrowth. The transmission line will make it impossible to use aerial equipment to harvest trees on steep hillsides adjacent to the line; it will increase costs of harvest due to the need to avoid equipment contact with the transmission lines, avoid trees falling on the transmission lines, require new access and egress from the forested lands that avoid having log trucks and equipment moving below the transmission line, It will decrease the harvest along the transmission line due to tree loss along the corridor from wind and weather conditions impacting weakened root infrastructure once the transmission corridor is cleared." A number of commenters stated that the project will increase the cost of growing and harvesting trees on surrounding lands, due to the need to avoid touching the power lines with logging equipment or falling trees (including making use of aerial equipment on steep hillsides adjacent to the	Idaho Power recognizes that there will be certain changes to forest practices that will be necessitated as a result of the construction of the transmission line on lands that are managed for commercial timber harvest, which are discussed in ASC Exhibit K, ROW Clearing Assessment. However, Idaho Power proposes to take certain measures to minimize and mitigate impacts as much as practicable. Prior to any construction, Idaho Power will strive to schedule activities in coordination with the landowner to minimize impacts to forest practices. To address potential impacts to forestry practices on surrounding lands, Idaho Power will implement certain minimization and mitigation measures, such as seasonal access restrictions, wildlife habitat restrictions, riparian area protections, flagging and marking important areas, herbicide best management practices, fire protection, and erosion control. Where possible, Idaho Power has attempted to locate the transmission line corridor along the boundaries of parcels to minimize fragmentation. Additionally, Idaho Power will consult with landowners regarding micrositing and will consider landowner input to the extent practicable, thus further reducing impacts. In some cases, landowner access may be improved through Idaho Power's improvements to roads or development of new access roads. Upon request by a timber harvest operator adjacent to the Project, IPC will provide timber harvesting assistance for removal of trees on the edge of the right of way within the minimum approach distances for non-qualified electrical workers. Idaho Power will use gates to minimize the risk of unauthorized access to access roads in forested lands (see Exhibit B, Attachment B-5, Section 2.3 Access Control). The commenter did not provide specific cost data to support its claim that the costs of growing and harvesting trees will

	line impossible), the need to build new access routes to avoid log trucks and equipment crossing under the lines, constraints on where a landing and other parts of the logging operation are placed, constraints on felling timber near the ROW causing damage to the tree being harvested as well as surrounding timber, increased labor costs due to the necessity of hiring cutters with extra experience and training, soil compacted by heavy equipment used to access the line discouraging growth, and tree losses along the corridor from weakened root infrastructure.	increase, and accordingly such claims are speculative and unsupported. Idaho Power noted that it will provide timber harvesting assistance for removal of trees on the edge of the right of way within the minimum approach distances for non-qualified electrical workers, which will obviate some of the concerns regarding increased costs expressed by the landowner. The Forested Lands Analysis Area includes approximately 1,249 acres of forest and range lands; however, the forested acreage subject to permanent impact by conversion is substantially less (approximately 776 acres). Based on the results of the forested lands survey and analysis of the potential impacts and efforts to minimize and mitigate for project impacts, the Project will not cause (1) a substantial change in accepted forest of farm practices; or (2) a significant increase in the cost of accepted forest or farm practices on either lands to be directly impacted by the Project or on surrounding lands devoted to farm use.
Tamson Ross, 8/22/19, 374	The increased costs to harvest timber after a transmission line has been built is recognized by the courts who mandate that payment be made to landowners for this loss if their property is condemned to build the transmission line. The compensation must include at a minimum the value of the existing timber, the value of the timber that could be produced on the land in the future, and the increased costs of harvesting the timber adjoining the transmission line.	Comment is conclusory and lacks specificity, and in any event is beyond the scope of the Council's consideration. Idaho Power will enter into easements on private lands by means of a negotiated settlement, and payment will be based on a certified appraisal. The issue of landowner compensation is outside the scope of the Council's jurisdiction.
Anne March, 8/22/19, 286	The use of chemicals to control vegetation will impact adjacent landowners.	This comment does not provide sufficient facts for Idaho Power to respond. That said, Idaho Power notes that the Right-of-Way Clearing Assessment (Exhibit K, Attachment K-2, Section 4.1.4) describes the use of forest herbicides to treat bushy or tall growing tree species to tailor the right of way to low growing, compatible plant species. This improves the

		safety of the powerline by reducing outages and their potential to cause fires, reduces entries by vegetation management crews that potentially could cause disturbance of plant communities, wildlife and soils. The Vegetation Management Plan (Exhibit P, Attachment P1-4 and Appendix A) describes the detailed measures to avoid and minimize any adverse effects associated with herbicide use in the ROW, such as spill prevention and containment and protective measures for special status species and waterbodies, and approved herbicides, and herbicide best management practices.
Anne March, 8/22/19, 286	Adjacent landowners will also experience erosion from development of the transmission line and roads.	To address potential impacts to forestry practices on surrounding lands, IPC will implement certain minimization and mitigation measures, including erosion control. Properly managed logging jobs have low potential soil erosion, with the exception of roads and landings. Road construction and maintenance is regulated by Oregon Forest Practices regulations (OAR Chapter 629, Division 625) or the USFS. Erosion control seeding, mulching, straw wattles, and other erosion control measures will be completed according to the schedule of activity in the prescription for the work. For newly constructed roads, all measures will be completed during construction. For log landings and road betterment after logging, erosion control measures will be completed after logging, log hauling, and slash abatement activity is completed. If any roads require post-harvest or post-construction abandonment, the surface of the road is scarified, waterbars are installed, the road is seeded with an erosion control seed mix, and mulched as required. Abandonment procedures will follow Oregon Forest Practices regulations.

Molly Eekhoff, 8/21/19, 139	Removing forested land along the transmission line will result in . . . introduction of noxious weeds	Commenter's statement is conclusory and is unsupported by specific facts. Idaho Power respectfully disagrees, and notes that Idaho Power will maintain the transmission line corridor consistent with the Noxious Weed Plan (Exhibit P1, Attachment P1-5), which describes noxious weed species identified for treatment, as well as treatment options, post-construction treatment plans, including on U.S. Forest Service land, and annual reporting.
Irene Gilbert, 8/22/19, 1750; Tamson Ross, 8/22/19, 374	Rural Fire Protection Districts are only able to fight structural fires, so cannot be identified as resources should the transmission line result in a fire along the line. Landowners are required to protect forestland from fires that start or spread to their land according to ORS 477.210. Idaho Power is subjecting these landowners to an increased threat of fire, providing no additional resources to protect the land, and assuming that they can call on local Rural Fire Districts to fight a fire that occurs. Idaho Power needs to provide fire protection that is approved by the State Board of Forestry. A failure to do so will result in the landowner having to pay for fire protection resulting in a large expenditure which will impact the farmer's ability to continue farming due to the cost. *** The developer plans to use local resources to fight fires caused by the transmission line or access created by the transmission line to human caused fires.	Federal agencies are responsible for fire suppression efforts on federal lands in the analysis area, including BLM-managed and National Forest (NF) lands. The State of Oregon is responsible for fire suppression on state lands. The Oregon Department of Forestry is the primary wildland fire protection agency on forested private and state lands and much of the nonforested lands. Municipal fire departments and rural and rangeland fire districts are the primary responders for incidents on private land. (See Table 1 of the Fire Prevention and Suppression Plan, Exhibit U, Attachment U-3, for a detailed breakdown of fire suppression responsibilities in Oregon.) For private lands within the analysis area, fire protection and response falls to one of the 9 organizations listed in Table U-10 of Exhibit U (Section 3.4.6). Local fire protection agencies were contacted in order to solicit their input regarding the potential impact of the Project on their ability to serve their communities (see Attachment U-1C). Most of these agencies indicated that the Project will not adversely impact their districts. Idaho Power has provided maps and tables demonstrating that the vast majority of the transmission line will be located either within the boundaries of a local fire response

		organization or on federal land where fire response is managed by BLM or the Forest Service. In those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant fire response organization or federal agencies, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. Based on the measures taken to minimize the risk of project-related fires (see the draft Fire Prevention and Suppression Plan, Exhibit U, Attachment U-3), as well as planned coordination between IPC and local fire agencies aimed at ensuring no adverse impacts to these agencies' resources or ability to serve their communities, the Project is not expected to have an adverse impact to fire protection services.
Tamson Ross, 8/22/19, 373; Irene Gilbert, 8/22/19, 1753	The ROW limits the direction for falling timber and can result in more dangerous tree falling. It results in increased risk to loggers due to the electric line.	Future timber harvesting operations of trees in the immediate vicinity of the transmission line, and particularly within a site potential tree length (150 feet) of the transmission line, may present greater risk in harvest activities. In such circumstances, Idaho Power may need to provide timber harvesting assistance for removal of trees within the minimum approach distances for non-qualified electrical workers. In such cases, Idaho Power will work with landowners to ensure safe tree removal along the ROW. This is generally only necessary for select edge trees. If the entire

		right of way is cleared and the line is situated in the center, then forestry logging operators will have adequate clearances and be able to cut the timber safely.
Molly Eekhoff, 8/21/19, 139	Removing forested land along the transmission line could cause potential increase in the number of trespassers.	Access control is driven largely by landowner preference, and will be implemented where agencies and landowners have concern about increased or unauthorized access to lands. Access control will also be implemented to minimize the effects that roads have on wildlife and wildlife habitat. Typical types of access control involve fencing, gates, barriers, and/or signage. Please see the Road Classification Guide and Access Control Plan (Exhibit B, Attachment B-5) for further details regarding access control.
Tamson Ross, 8/22/19, 373; Irene Gilbert, 8/22/19, 1750	Landowners will receive less income with the same expenses. There is a significant change when the landowner can no longer use his land for growing timber, but continues to have the expense of paying taxes on land that is not productive. The loss comes directly from the landowners profit from the harvest. In addition, if the land is in forest deferral and loses that designation, the landowner will be assessed a penalty and have to pay back taxes plus increased taxes on an ongoing basis.	In accordance with OAR 660-006-0025(5), the Council may consider whether the "proposed use will [. . .] force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest land." However, this comment does not specifically address the cost of farming or forest practices, and instead addresses tax issues resulting from the change in use, which is outside the scope of these proceedings.
Molly Eekhoff, 8/21/19, 139	The project will result in decreased value of forest land if it is sold, long-term reduction in assessed value of the land, etc.	The Council does not have jurisdiction to resolve impacts to property value as a result of easements across private property.
Tamson Ross, 8/22/19, 373	Landowners use their land as collateral for borrowing funding to run their operations. The reduction in value will make it more difficult for owners to obtain necessary funding in order to stay in business.	The comment again addresses land value, and the Council does not have jurisdiction to address concerns regarding impacts to property value as a result of easements across private property.
Tamson Ross, 8/22/19, 373	Costs to the landowner in forest zoned land currently in production of timber include increased	The commenter has not alleged specific facts regarding any increased likelihood of trespass or increased insurance needs regarding same. Even so, land valuation is not within the

	liability and insurance needed due to increased risk of injury to trespassers.	Council's jurisdiction. Idaho Power further notes that the likelihood of trespass may vary depending on the form of access control that is implemented at the site, which as Idaho Power mentioned above, is largely driven by landowner preference. Thus, the landowner will have input regarding access control and will have an opportunity to mitigate the likelihood of trespass on their property.
Molly Eekhoff, 8/21/19, 138-139; Tamson Ross, 8/22/19, 374	Removing forested land along the transmission line will impact the county economy by the loss of the production of trees and taxes, fees, employment and other benefits coming from that activity. The "Forest Facts Oregon's Forests: Some Facts and Figures" published in 2009 by the Oregon Department of Forestry states that economists estimate that for every billion board feet that is harvested in Oregon 11 forest sector jobs are created or retained. IPC failed to include the harvest income that is received by the landowner and then spent primarily in the local area. There is no consideration for the increased value of money which is circulated in the local community. There is no accounting for the state and local taxes paid as well as harvest taxes which are paid and support the state and local area.	The Council does not have jurisdiction to address impacts to the local and state economy as a result of easements across private property.
Dan Turley, 8/20/19, 400	The proposed Order recognizes the Oregon Statewide Planning Goal 4: Forested Lands (OAR 660-015-0000(4)) but we do not understand why the application of this goal does not preclude the permitting of the Morgan Lake alternative as the Proposed Route meets a specific requirement of this goal by predominately following an existing 230 kv transmission line and a natural gas line in accordance with the 'Implementation' criteria #7	For Goal 4, the Department of Land Conservation and Development (DLCD) included Implementation Guideline B(7), which states that "[m]aximum utilization of utility rights-of-way should be required before permitting new ones." *Oregon's Statewide Planning Goals & Guidelines*, Goal 4, at 2 (Oregon Department of Land Conservation and Development, March 2010) (hereinafter *DLCD Guidelines*). As DLCD explicitly acknowledges, however, the guidelines in this document are not mandatory. *DLCD Guidelines*, Introduction,

	from Goal 4 which specifically states – "Maximum utilization of utility rights-of-way should be required before permitting new ones." Why doesn't the fact that the Proposed Route predominately follows existing utility right-of-ways not clearly demonstrate that these right-of-ways are not fully utilized and thus should restrict the creation of a new right-of-way?	at 2; *DLCD Guidelines*, Goal 2, at 3. Rather, they serve as "suggested approaches designed to aid cities, counties, state agencies and special districts in carrying out the goals." *GMK Devs., LLC v. City of Madras*, 225 Ore. App. 1, 8, 199 P.3d 882, 884-885 (2008). *See also 1000 Friends of Or. V. Jackson Cty.*, 292 Ore. App. 173, 190-192, 423 P.3d 793, 803-804 (2018); *1000 Friends of Oregon v. Land Conservation & Dev. Com.*, 301 Ore. 447, 451-452, 724 P.2d 268, 273-274 (1986); *Gordon et al v. Clackamas County*, LUBA No. 83-115, at 54-55 n.21 (Mar. 16, 1984). Idaho Power has attempted to site the project within or near existing ROW to the extent possible, however, due to the size of the ROW required for a 500-kV transmission line, and NERC and WECC reliability requirements that provide minimum separation distances for high voltage transmission lines, it is generally not feasible to site the Project on or adjacent to existing public or private ROWs. While there is no existing utility corridor that could be followed for all or a majority of the Project, a key planning requirement influencing siting the Project in the central part of the study area, especially in Union and Umatilla counties, was the need to utilize the Wallowa-Whitman National Forest Utility Corridor to avoid impacts to forest land outside that corridor. Where the Project does not follow an existing utility corridor in a particular area, it may be due to a lack of available right of way or due to other siting constraints. In any event, the Morgan Lake Alternative is not legally precluded by DLCD's Implementation Guideline B(7).

<table>
<tr>
<td>Dan Turley, 8/20/19, 401; Irene Gilbert, 8/22/19, 1758</td>
<td>On page 155 of the Order it provides the following information:

UCZPSO 5.04: Predominantly Forestland Conditional Uses – Review Criteria The following uses may be established on predominantly forestland parcels or tracts in an A-4 Zone subject to the review procedures identified in Section 24.03 and subject to approval by the Planning Commission based on applicable standards in Article 21.00 and the following criteria:... 3. New electrical transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210.

This would indicate that the right-of-way width through 'predominately forested' areas would be limited to 100 feet wide and not the 250-foot right-of-way that is stated in the Idaho Power permit application, but the proposed order does not seem to provide a requirement for this criterion to be followed?

IPC established the amount of forest land impacted by road development outside the right of way using a 500 foot right of way. The right of way is only being approved for 300 feet, so corrections need to occur.</td>
<td>The ROW width in forest land is addressed in the DPO in Recommended Land Use Condition 15:

Recommended Land Use Condition 15: The certificate holder shall limit its transmission line right-of-way in Goal 4 forest lands to no wider than 300 feet.
a. During construction, the certificate holder shall limit its use of the portion of the transmission line right-of-way located beyond the center 100 feet to vegetation maintenance activities.
b. During operation, the certificate holder shall limit its use of the portion of the transmission line right-of-way located beyond the center 100 feet to vegetation maintenance activities.

Commenter is correct that Idaho Power had estimated the amount of forest land impacted by road development outside of the ROW using a 500-foot corridor. Idaho Power performed an updated analysis of the data presented in Table K-37 of the ASC, using a 300-foot corridor, which is included with below.
Miles of Access Roads Outside of 300-foot ROW on Zoned Forest Lands in Umatilla and Union Counties
<table>
<tr><th>Corridor</th><th>County</th><th>Road Type</th><th>Miles</th></tr>
<tr><td rowspan="2">Proposed Route</td><td rowspan="2">Umatilla</td><td>Existing, Substantial Modification</td><td>6.3</td></tr>
<tr><td>New</td><td>0.7</td></tr>
</table>
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<tr><td></td><td></td><td>
<table>
<tr><td></td><td>Union</td><td>Existing, Substantial Modification</td><td>25.4</td></tr>
<tr><td></td><td></td><td>New</td><td>6.0</td></tr>
<tr><td></td><td colspan="2">Total</td><td>38.5</td></tr>
<tr><td>Morgan Lake</td><td>Union</td><td>Existing, Substantial Modification</td><td>14.1</td></tr>
<tr><td></td><td></td><td>New</td><td>5.2</td></tr>
<tr><td></td><td colspan="2">Total</td><td>19.3</td></tr>
</table>
</td></tr>
<tr><td>Molly Eekhoff, 8/21/19, 138</td><td>IPC's identification of the acres of forest land impacted is incorrect due to the fact that it is requesting a 300 foot right of way and it needs to include the value of any additional trees it will be removing in the 100 foot area on each side of the right of way.</td><td>It appears the commenter misunderstands the ROW width in forested lands, suggesting that Idaho Power is requesting a ROW of 300 feet with an additional vegetative maintenance area of 100 feet on either side of the ROW. As provided in Exhibit K and in the DPO in Recommended Land Use Condition 15, Idaho Power's ROW in Goal 4 forested lands (including vegetative maintenance) will be no wider than 300 feet.

Recommended Land Use Condition 15: The certificate holder shall limit its transmission line right-of-way in Goal 4 forest lands to no wider than 300 feet.
a. During construction, the certificate holder shall limit its use of the portion of the transmission line right-of-way located beyond the center 100 feet to vegetation maintenance activities.
b. During operation, the certificate holder shall limit its use of the portion of the transmission line right-of-</td></tr>
</table>

		way located beyond the center 100 feet to vegetation maintenance activities. Accordingly, Idaho Power's identification of forested lands properly includes the vegetative maintenance area of 100 feet on either side of the 100-foot operational area.
Irene Gilbert, 6/20/19, 799, 6/26/19, 894-895; Louise Squire, 8/22/19, 1967-1968; JoAnn Marlette, 8/20/19, 309-311 Ernst & Georgeann Dorn, 8/22/19, 409-411; Irene Gilbert, 8/22/19, 1781-1783, 6/27/18, 1810-1812; John Williams, 8/22/19, 1904-1906;	One thing also with the forestland that are impacted, IPC only includes the ones that are within the site boundary, and there is a lot of activity that's going to occur outside of the site boundary, and IPC is not including those impacts in its statement of the impacts to forestland. One of the things that's very concerning is the way Idaho Power did its application. There was actually a contested case about what was included in the site boundary, and the rules of the statute are pretty clear. It says that it's going to be the development and all the related or supporting facilities like roads and transmission lines and that sort of thing. Well, one of the developers didn't include a transmission line, and so there was a contested case. And I'm sure that the people on the Energy Facility Siting Council recall that. The decision of the Council was that if the developer did not include one of these related and supporting facilities, it wasn't considered part of the site. So it was left up to the developer to make that decision. Now, this developer, when they filed their application, they included as the site basically the	For purposes of an application for a site certificate, the Oregon state legislature has defined a "facility" as "an energy facility together with any related or supporting facilities." ORS 469.300(12). "Related or supporting facilities" are those structures the applicant proposes to "*construct[] or substantially modif[y]* in connection with the construction of an energy facility[.]" ORS 469.300(24) (emphasis added). It is IPC's position that siting of a "new electric transmission line" for an energy facility on Goal 4 forest lands under ORS Chapter 469 and OAR 660-006-0025(4)(q) includes related or supporting facilities, and that newly-constructed access roads and existing access roads requiring substantial improvements classify as related or supporting facilities under the statutory scheme. As described in more detail in Exhibit B, Attachment B-5, the Road Classification Guide and Access Control Plan, existing roads requiring substantial modification are those requiring 21-70% improvement or 71-100% improvement, such as reconstructing portions of an existing road and widening the road prism, adjusting the profile or horizontal curve, or placing new material. If the Council were to conclude that OAR 660-006-0025(4)(q) does not cover access roads outside the transmission line corridor, however, Idaho Power has demonstrated in Section 7.4.2 of Exhibit K that the substantially modified existing roads outside of the transmission line corridor are permitted

	right-of-way. They have some little isolated circles around some multi-use areas, but they did not include a lot of the access roads. And so what that has meant is that they didn't do surveys of those areas, they didn't do wildlife impacts, they didn't do any of the things they have to do for the site. *(Irene Gilbert, 6/26/19, 894)* *** EFSC LACKS AUTHORITY TO APPROVE CONSTRUCTION OR MODIFICATION OF ROADS OR OTHER DEVELOPMENT OUTSIDE THE SITE BOUNDARY FOR THE BOARDMAN TO HEMINGWAY TRANSMISSION LINE. The Oregon Department of Energy and Energy Facility Siting Council span of control for approving development is limited to the area within the site boundary. In order to be covered under the site certificate, roads or other construction must be included in the site boundary. The decision regarding whether or not to include these areas in the site was made by the developer. They chose to limit the area of the site to exclude some of the roads they planned to modify or build. Due to this decision, these areas must be approved through the local county or city planning process. They do not fall under the rules contained in OAR 345-022-0030. Prior decisions and a contested case decision by the Energy Facility Siting Council support the above, for example: The Oregon Department of Energy and Energy Facility Siting Council allowed Wheatridge	outright on forest lands under OAR 660-006-0025(3)(h), and that new roads outside the corridor nonetheless comply with statewide planning Goal 4. Alternatively, in the event the Council concludes that the roads outside the transmission line corridor are not conditionally permitted as part of the new electric transmission line and are inconsistent with Statewide Planning Goal 4, IPC has demonstrated in Section 8.1 of Exhibit K that the Council should provide an exception to Goal 4 for these roads. As explained in the Road Classification Guide and Access Control Plan, to the extent there are existing access roads that will merely be repaired to maintain original road function, with no betterment of existing road function or design, these roads are classified as 0-20% improvement, or no substantial modification. Repairs to these roads will not increase the width of the road prism, change the existing road alignment or profile, or use new materials. Such minor road maintenance will have minimal to no temporary or permanent disturbance impacts beyond the existing road surface/profile and therefore will not impact Goal 4 land or forest practices in any meaningful way. Idaho Power is not seeking land use approval for such minimal road repairs, so the commenters are inaccurate in stating that Idaho Power seeks to classify access roads outside the site boundary as related or supporting facilities or that Idaho Power seeks to take an exception to Goal 4 for repairs to such roads. Idaho Power is not requesting any Council action for those modifications to road segments that are not included in the site boundary. As explained above, Idaho Power appropriately excluded roads that would not require substantial work. It is therefore incorrect to state that Idaho Power excluded "a lot of the

	Wind Development to not include the gen-tie transmission line in the site certificate. That decision gave control of the gen-tie line, roads and other actions related to building the transmission line to the contractor and the developer and removed the Oregon Department of Energy and Energy Facility Siting Council from involvement. Definitions contained in the Oregon Statutes and EFSC Rules clearly define the area which is controlled by the site certificate. 1. A site certificate by definition contained in ORS 469.300(26), ORS 469.401(4) and ORS 369.503(3) means "the binding agreement between the State of Oregon and the applicant, authorizing the applicant to construct and operate a facility on an approved site, incorporating all conditions imposed by the council on the applicant." 2. The "site" is defined in ORS 469.300 as "any proposed location of an energy facility and related or supporting facilities." 3. ORS 469.300 also defines "Related or supporting facilities" as "means any structure, proposed by the applicant, to be constructed or substantially modified in connection with the construction of an energy facility, including associated transmission lines, reservoirs, storage facilities, intake structures, road and rail access.--------" 4. ORS 469.401(4) and ORS 369.503(3) state that the council does not have jurisdiction over matters that are not included in and governed by the site certificate or amended site certificate. In construing a statute, you may not "insert what has been omitted, or ***omit what has been inserted." ORS	access roads" or that "there is a lot of activity that's going to occur outside of the site boundary." In Umatilla County, the Project includes 4.3 miles of new access roads and 8.0 miles of existing roads that will receive substantial modification on Goal 4 forest land. In Union County, the Project includes 13.1 miles of new access roads and 29.5 miles of existing roads that will receive substantial modification on lands zoned as Timber-Grazing Zone (A-4), some of which is classified as Goal 4 land. In Exhibit K and Attachment K-2, the Right-of-Way Clearing Assessment, the company has analyzed the impacts to Goal 4 land and forest practices from this road construction and substantial improvement activity. *** With respect to Idaho Power's methodology for classifying access road segments, as discussed in the Road Classification Guide and Access Control Plan, Idaho Power first identified each of the roads that will be used to access the transmission line and its related and supporting facilities. Next, IPC segmented the roads so that each segment could be classified. The endpoints (also referred to as nodes) of each road segment were located at the following points: • Intersections/splits in the road network; • Points where new roads (bladed or primitive) meet existing roads (substantial modification or no substantial modification); or • Points where new bladed roads meet new primitive roads.

	174.010. The area of EFSC control of modifications to existing roads or development of new roads is also contained in counsel standards contained in OAR 345-001-0010 including: 5. (54) ""Site" as defined in ORS 469.300. "Energy facility site" means all land upon which an energy facility is located or proposed to be located. "Related or supporting facilities site" means all land upon which related or supporting facilities for an energy facility are located or proposed to be located. 6. (55) ""Site boundary" means the perimeter of the site of a proposed energy facility, its related or supporting facilities, all temporary laydown and staging areas and all corridors and micrositing corridors proposed by the applicant." 7. (56) ""Site certificate" as defined in ORS 469.300." "means the binding agreement between the State of Oregon and the applicant, authorizing the applicant to construct and operate an energy facility on an approved site, incorporating all conditions imposed by the state on the applicant." The above definitions, particularly the definition of "site certificate" in the statute clearly limit the extent of the Oregon Department of Energy and Energy Facility Siting Council evaluation and control to activities occurring on the "site" as defined in the above rules and statutes and impacts those development activities occurring on the site have on the surrounding area. Any modifications to road segments or new roads which are not included in the site boundary are outside the jurisdiction of the Energy Facility Siting Council. The site certificate	Idaho Power then classified each road segment based upon the type of repair or level of disturbance that will be needed to make the roads usable for construction and operation of the Project.

	cannot authorize exceptions to local or state land use goals or plans in order to approve development outside the site. The applicant claims on Page K-216 of their application that the access roads and other such facilities outside the site boundary are related and supporting facilities. Since the applicant chose not to include these facilities in the site certificate, they are not related or supporting facilities. The Energy Facility Siting Council and the Department of Energy made this very clear in the contested case decision regarding the developer's choice not to include the gen-tie line in the site for the Wheatridge Wind Facility. That decision was incorporated into the Final Order for Wheatridge Wind Facility issued April 2017. For example: Page 1, Line 10 states "A site certificate is a binding agreement between the State of Oregon and the applicant, authorizing the applicant to design, construct, operate, and retire a facility on an approved site, incorporating all conditions imposed by the Council on the applicant" In the footnotes on that page there is additional comment relating to this issue, "On the record of the public hearing, Ms. Gilbert/FGRV requested that the Council impose a condition restricting construction and construction impacts to the area within the site boundary. In response, on the record of the June 6, 2016 public hearing, the applicant stated that a specific condition limiting impacts to within the site boundary should not be required as this limitation is self-implementing through approval of the site boundary and site certificate. The department generally agreed with the	

	applicant's statement. Construction activities must be restricted to areas within the site boundary, which as defined at OAR 345-00l-0010 means the perimeter of the site of the proposed energy facility, its related or supporting facilities, all temporary lay-down and staging areas and all corridors and micro-siting corridors. Once issued, the site certificate becomes a binding, contractual agreement between the certificate holder and the State of Oregon, which authorizes the certificate holder to design, construct, operate and retire a facility only on an approved site, incorporating all conditions imposed by the council." The applicant's reference to OAR 660-006-0025(4)(q) applies only to transmission lines. The applicant's reference to 215.283(l) talks to dwellings related to farm use. These arguments are moot since decisions regarding the roads or any other construction activities outside the site boundary are not included in the site certificate. *(JoAnn Marlette, 8/20/19, 309-311; others: Ernst & Georgeann Dorn, 8/22/19, 409-411; Irene Gilbert, 8/22/19, 1781-1783, 6/27/18, 1810-1812; John Williams, 8/22/19, 1904-1906)*	
Irene Gilbert, 6/26/19, 895	Idaho Power is asking the Oregon Department of Energy and the Energy Facility Siting Council to authorize an exception or a variance to the Goal 4 forestland impacts under the land management rules. * * * So we have the developer here who has avoided all of the things that they have to do to clear a site, and	As explained in responses to comments above, in ASC Exhibit K, Idaho Power requested that the Council find the proposed access roads complied with Goal 4, in the alternative, that an exception to Goal 4 is warranted. The commenter appears to misunderstand Idaho Power's approach regarding inclusion of access roads in the site boundary. The roads that are not included in the site

	now they're saying that the Energy Facility Siting Council should give them an exception to go forward. Well, that really isn't an option that's available to them from anything I can read in the statutes or rules. Their options are: They can go back and add all those roads, which would be nice because all of the people along those roads, they didn't get notified if they were affected by noise, they haven't received notice. So it's going to be a real surprise to them when Idaho Power starts trying to run roads through people's forestland when there has been nothing done so far.	boundary are existing roads that require no or only minor improvements; any new or substantially modified roads are included in the site boundary. If needed, the Council may authorize an exception to Goal 4.
	Now, Idaho Power's answer to that is that they are saying that they will ask for an alternative process and approvals through that method. What that method requires is the only way under the Forest Service rules that you can do that is if you can change the classification of the land from forestland to like agricultural or grazing.	The comment regarding Forest Service rules lacks specificity; and it is not clear how U.S. Forest Service rules pertain to the analysis required with respect to Goal 4.
	Idaho Power is saying that – I don't know how they can do this, but that's their plan is to require these landowners somehow to allow their forestland to all of a sudden not be forestland any longer, for it to be agricultural land, and then they can cut the trees and be okay. It's not going to fly.	As explained in ASC Exhibit K, forest land that will be required for the transmission line ROW or roads will no longer be available for commercial harvest. In some cases, landowners may wish to convert use within the ROW to agriculture, but Idaho Power is not "requiring" landowners to do so.
	In my mind, they either have to refile and include all these roads or they are going to have to deal with the local counties and get approval through their processes for all of these roads, whereby all of these citizens will get notice, they will get to participate in	Idaho Power respectfully disagrees with commenter. There is no need to "refile," as Idaho Power's approach regarding access roads in forest lands is reasonable and appropriate.

	that. Or another option would be just to abandon the project, and I vote for that. We'll see how that turns out.	
Molly Eekhoff, 8/21/19, 139	IPC has failed to document that it will comply with Land Use Goal 4 OAR 660-006-000 through OAR 660-006-0010; There is no documentation provided that would indicate IPC is in compliance with OAR 345-022-0030 and it has not documented, nor is it able to meet the requirement contained in OAR 345-022-0030(4) to allow an exception.	Idaho Power respectfully disagrees, as it has put forward substantial evidence in Exhibit K, the ROW Clearing Assessment (Exhibit K, Attachment K-2), and these responses to comments that the project complies with Goal 4 of Oregon's statewide planning goals, as required by OAR 345-022-0030. The Council therefore has adequate information to make a determination that the project complies with or otherwise qualifies for an exception to Goal 4.

753357357Commenter	Comment	Idaho Power's Response
	Need	
Patty Sandoz, 2019-08-21; Jeanne Williamson, 2019-08-22; Fuji Kreider, 2019-07-23; Douglass Ross, 2019-06-20; John Williams, 2019-06-20	A number of public comments generally argued against a finding of "need" by claiming that Idaho Power should develop alternative resources to meet its projected loads. Specifically, several commenters suggested that instead of B2H, Idaho Power should (a) engage in energy efficiency, or (b) develop renewable generation resources, such as wind and solar.	These arguments were made in Idaho Power's 2017 IRP proceeding[1], and are mooted by the Commission's acknowledgement of B2H in the IRP's Short-Term Action Plan, which is determinative under the Least Cost Plan Rule. That said, to provide context, the Company will provide a short discussion as to how these issues were handled in the IRP docket. ***Energy Efficiency*** In Order 07-002[2] the OPUC adopted IRP Guidelines that govern the utilities' IRP filings. IRP Guideline 1 requires that all resources be evaluated on a consistent and comparable basis—including both supply side and demand side resources.[3] Appendix B to Idaho Power's 2017 IRP is the Company's DSM (demand side management) Annual Report.[4] It provides a robust demonstration of the Company's consideration of and plan to pursue all prudent energy efficiency and demand response resources. Idaho Power also filed additional information about its demand side management plan in comments filed on February 16, 2018, in its IRP docket.[5] As a result, and as a general matter, the OPUC's acknowledgement of B2H in Idaho Power's Short-Term Action Plan confirms that all demand side

[1] *In the Matter of Idaho Power Company, 2017 Integrated Resource Plan*, Oregon Public Utility Commission (OPUC) Docket LC 68.
[2] *In the Matter of Public Utility Commission Of Oregon Investigation Into Integrated Resource Planning Requirements*, OPUC Docket UM 1056, Order No. 07-002 (Jan. 8, 2007).
[3] OPUC Docket UM 1056, Order No. 07-002 at 3.
[4] OPUC Docket LC 68, Idaho Power Company's 2017 Integrated Resource Plan, App'x B (June 30, 2017).
[5] OPUC Docket LC 68, Idaho Power's Final Comments (Feb. 16, 2018).

		resources were considered, including energy-efficiency and demand response, and that the demand side resources cannot substitute for the capacity provided by B2H. ***Renewable Resources*** In addition, IRP Guideline 5 requires that transmission resources must be studied on a comparable basis as resource options, taking into account their value for making additional purchases and sales, accessing less costly resources in remote locations, acquiring alternative fuel supplies, and improving reliability.[6] Accordingly, in studying B2H, Idaho Power considered alternatives, including utility-scale solar, as well as various gas plants. That analysis, which was included in the B2H Supplement to the IRP confirmed that B2H is the lowest cost/lowest risk resource.[7]
Kathy Pfister-Minogue, 2019-08-22; Sandy Ryman, 2019-06-20;	Certain parties argue that instead of B2H, Idaho Power should invest in micro-grids, distributed energy resources (DER) and storage. "Currently, the increased accessibility of solar energy along with better systems of energy storage make this expensive and disruptive power line obsolete [sic]. Additionally, micro grids are much safer in terms of disruption from outside attacks on our power systems." "Microgrids essentially contain enough energy resources to meet the demands." "I am concerned that Oregon citing methods do not look at the needs in terms of cost to the end consumer and whether	This precise argument was made in Idaho Power's 2017 IRP proceeding—to which Idaho Power responded in written comments, filed on February 16, 2018.[8] Specifically, while Idaho Power acknowledged that tools such as micro-grids, DER and storage will all play a part in the utility of the future, they cannot substitute for a reliable transmission grid—particularly as renewable generation increases and as regional markets expand. Idaho Power's comments pointed out that the Company would be joining the Western Energy Imbalance Market in April of 2018, and that there are significant discussions underway across the West to either establish new or expand existing wholesale power markets. These markets

[6] OPUC Docket UM 1056, Order No. 07-002 at 13.
[7] OPUC Docket LC 68, Idaho Power's Appendix D: B2H Supplement to the 2017 IRP (Dec. 8, 2017).
[8] OPUC Docket LC 68, Idaho Power's Final Comments (Feb. 16, 2018).

Norm Cimon, 2019-06-20	that cost is really necessary in light of new technologies like microgrids, new battery storage systems, and other internal system changes which can reduce energy requirements." "'Within 10 to 15 years much of the power on the grid will come from widely distributed generating sources. Many of these sources will be small to moderately sized providers hosted through standalone microgrids.'"	are driven, in part, by increased renewable generation which, as a generally variable and non-dispatchable resource, is relatively difficult to integrate onto the grid. Markets, by utilizing regional transmission interconnections, spread this variability across an entire region, thereby allowing the least cost generation to balance variable resources. It is widely understood that, as renewable generation grows, the need for flexible dispatchable resources will also grow, and that regional transmission will be the key to linking these complementary resources together. The fact that the OPUC acknowledged B2H demonstrates that it found the Company's response persuasive.
Pete Barry, 2019-08-22; Tork Ballard, 2019-08-22; Sandy Ryman, 2019-06-20; Norm Cimon, 2019-06-20	Idaho Power's expected energy use is essentially flat and does not justify need.	This argument was also made in Idaho Power's 2017 IRP proceeding, but is contradicted by the data produced by Idaho Power, as well as the OPUC's acknowledgment of the B2H Action Item. Appendix A to the 2017 IRP is Idaho Power's Sales and Load Forecast, and is the result of extensive analysis and modelling on the part of Idaho Power.[9] The load forecast demonstrates that while use-per-customer has been and is expected to continue to decline over the 20-year planning horizon—due to robust conservation and energy efficiency efforts, the number of customers served by Idaho Power has been steadily increasing and is expected to continue to do so. As a result, Idaho Power expects an average yearly growth rate of nearly 1 percent over the 20-year planning period. Moreover, peak-hour

[9] OPUC Docket LC 68, Idaho Power Company's 2017 Integrated Resource Plan, App'x A (June 30, 2017).

		demand is expected to increase 1.4 percent per year over the planning horizon. Moreover, as noted in the IRP, the necessity of B2H is not justified by load growth alone. Rather, B2H is required to integrate new renewable energy into the grid, and increase the reliability and stability of the grid.
	Retirement	
Gail Carbiener, 2019-06-08	Idaho Power claims that this transmission line will be in service for 100 years, but there is no support for that projection. In fact, 500 kV lines were first built in the 1960s.	Idaho Power has explained that transmission lines are designed and constructed to remain in service in perpetuity, so long as they are properly maintained, and no party has advanced any argument to the contrary. However, commenter suggests that this assumption may not hold true for B2H because it is a 500 kV line, and 500 kV lines have only been around since the 1960s. There is no reason to believe that a 500 kV line would have any shorter life than a lower-voltage line, and regardless, 500 kV lines have been around for more than 50 years, and that evidence suggests that the same principles hold true.
Gail Carbiener, 2019-06-08; Patty Sandoz, 2019-08-21;	The DPO requires Idaho Power to remove foundations for each support structure to a depth of 1 foot. Regrowth of native grasses, shrubs and trees will require more than one foot of soil. Instead, the DPO should include a condition requiring Idaho Power to remove foundations to 3 feet below grade.	This condition is unnecessary. The DPO substantially addresses the commenters' concerns about regrowth by specifying that foundations for facilities should be removed to a depth of 3 feet below grade in Exclusive Farm Use (EFU) zones. Thus, it is only in non-EFU areas that foundations will be removed to a depth of 1 foot.
Gail Carbiener, 2019-06-08; Patty Sandoz, 2019-08-21 Gail Carbiener, 2019-06-08	ODOE's proposed formula for bond requirement will leave the public exposed because most of the damage will be done in the early phases of construction—such as for ground disturbance for roads and right of way and foundation preparation.	The assertion that most of the ground disturbance will occur early in construction is inaccurate. While project phasing ultimately will be subject to EPC contractor input, Idaho Power expects that the construction will be completed in segments so that ground disturbance will occur in phases and not all at

	For this reason, the DPO should include a condition requiring Idaho Power to contract with a qualified construction appraiser to determine amount of construction completed at each six (6) month period, and this amount should be used for bond or letter of credit if the amount is equal to or more than $250,000 from a straight-line formula.	the beginning of construction. So, it is not true that the ground disturbance associated with roads, rights of way, and foundation preparation for the entire length of the project will all occur in the early phases of construction. Moreover, the commenter seemingly ignores the formula's consideration of costs associated with removing and recycling/disposing of the tower and conductor equipment, which are significant. That is, the commenter suggests that Idaho Power's formula proposes financial assurance covering only ground disturbance restoration costs, which are spread over the entirety of construction timeline. Rather, the formula includes multiple costs including ground disturbance restoration costs but also such items as the costs for removing the towers and conductors, all of which are included in the phased bonding costs even if the towers have not yet been installed. For those reasons, Idaho Power's formula is a reasonable approach to providing financial assurance during construction.
Gail Carbiener, 2019-06-08; Patty Sandoz, 2019-08-21	If the risk is as low as Idaho Power and ODOE believe, then the cost of the bond should be low. The DPO should include a condition requiring Idaho Power to acquire a bond for the full amount of restoration on the date the project is placed in service.	Idaho Power respectively disagrees with the commenter's characterization of the how financial assurances are costed. The cost of a bond or letter of credit is primarily a function of the size of the financial assurance, as well as the utility's credit strength. The risk of the event covered by the financial assurance (in this case, the risk that the transmission line would be retired) is not a factor in the cost of the bond or letter of credit.

		Therefore, Idaho Power's estimates of the cost of the bond or letter of credit are correct, and given the low risk of retirement, it would be unreasonable to require Idaho Power to maintain a bond for the full amount of retirement costs for the life of the project. Finally, Idaho Power is regulated by the OPUC and IPUC, both of which agencies regulate retirement activities in their respective states.

Commenter	Comment	Idaho Power's Response
Andrew, Colin Wehrle, Sarah Ann	Page 145 (T-4-46) Morgan Lake Park is described as 204 acres, containing one lake, which is developed with primitive campsites and fishing docks. Morgan Lake Park actually contains two lakes. Morgan Lake covers 70 acres; the other, Twin Lake, [also known as Little Morgan Lake] is in plain sight, within 300' of Morgan Lake; it covers 27 acres. Twin Lake is undeveloped, a wildlife and bird sanctuary, home to nesting bald eagles. In their application, Idaho Power omits any references to Twin Lake.	This was a clerical error included in the mapping. Idaho Power is providing a revised map that accurately represents the park boundary. Further, Idaho Power has updated its analysis of Morgan Lake Park to clarify its analysis of Twin Lake.
	It is the park whose baseline "should be maintained to preserve the maximum natural setting and to encourage solitude, isolation, and limited visibility of users" [because 50 years ago, no one ever imagined anything larger than a human being, might ever intrude]…"	Idaho Power understands the management direction for the preservation of the "natural setting" to focus on the recreation opportunities and experience. In its analysis, Idaho Power concludes that recreation opportunity and experience would not be significantly impacted.
Donald Gray McGuire [no date on letter]	Impacts to Oregon's Ladd Marsh Wildlife Management Area would be severe and permanent. Ladd Marsh was established as a wildlife mitigation area for past federal projects and the refuge should not be compromised. IPC itself recognizes and designates Ladd Marsh as "irreplaceable."	This comment lacks specificity regarding potential impacts. Notwithstanding lack of specificity, Idaho Power has analyzed potential impacts to Ladd Marsh in Exhibits L, P, and T and concluded that there will be not be significant impacts to Ladd Marsh.
	The Draft Proposed Order fails to support Applicant's assertion that the Oregon Trail Interpretive Center, a protected area, will not suffer significant negative visual impacts from this project as delineated in OAR 345-022-0080. Visual Impacts, (Exhibit R p. 79) The development will create an energy corridor directly in front of the Interpretive Center, opening up the area to construction of future transmission lines and utility lines which could be developed without consideration of damages to this site.	The commenter's assertion that there will be significant impacts to the NHOTIC is unsupported and based on speculation about future energy projects. The Council's Scenic Resources Standard requires it to consider impacts associated with the proposed development, and does not require it to consider potential impacts that may be associated with future development. Idaho Power further clarifies that that the Proposed Route is located within 105 feet of the ACEC boundary, not the Interpretive Center. In its analysis, Idaho Power determined that, without mitigation, impacts to the viewshed from the

	The effects of placing this line as close as 105 feet to the Interpretive Center is significant.	NHOTIC may be significant. However, taking into account mitigation, impacts at the NHOTIC are less than significant. Specifically, Idaho Power will implement the mitigation described in the DPO as Recommended Scenic Resources Condition 2: **Recommended Scenic Resources Condition 2:** During construction, to avoid significant adverse impacts to the scenic resources at the National Historic Oregon Trail Interpretative Center, the certificate holder shall construct the facility using tower structures that meet the following criteria between approximately Milepost 145.1 and Milepost 146.6: a. H-frames; b. Tower height no greater than 130 feet; and c. Weathered steel (or an equivalent coating). Additionally, the certificate holder shall construct the facility using tower structures that meet the following criteria between approximately Milepost 146.6 and Milepost 146.7: a. H-frames; b. Tower height no greater than 154 feet; and c. Weathered steel (or an equivalent coating) Commenter did not explain why Idaho Power's proposed mitigation is inadequate.
	The structures proposed will present a wider profile than standard structures and will be significantly taller than existing transmission lines in the view-shed.	The structure widths are based on standard industry designs and practices. The structures will be taller than the existing 230-kV line because of the higher voltage and related minimum ground clearances.

	Applicant has exaggerated the cost of placing the line underground, failed to provide documentation to support its claims and proposed no meaningful mitigation. An independent study of costs to bury transmission lines in geographically similar areas is necessary to meet the standard of preponderance of evidence.	Idaho Power respectfully disagrees with commenter's assertion regarding undergrounding. First, Idaho Power contracted with Power Engineers to provide a detailed analysis of the cost and potential impacts associated with undergrounding the transmission line. Commenter's assertion that applicant "exaggerated the cost of placing the line underground" is conclusory and not based on any specific evidence.
	Morgan Lake Route 3 also establishes towers within 500 feet of Morgan Lake Park. Here, the impact on La Grande's public will be High. The first stated goal in the Morgan Lake Park Recreational Use and Development Plan (Section 1, Page 2) - A goal of minimum development of Morgan Lake Park should be maintained to preserve the maximum of natural setting and to encourage solitude, isolation, and limited visibility of users while at the same time providing safe and sanitary condition for users. Also noteworthy is the fact that the City of La Grande Chamber of Commerce has long promoted Morgan Lake Park as the #1 Recreation Tourist Destination in the La Grande Area. And the State of Oregon designated Morgan Lake Park as a State Wildlife Refuge in the 1960s. Today Oregon Department of Fish and Wildlife identifies the Lake as an easy access fishing destination for the handicapped. Morgan Lake Park encompasses two	Idaho Power understands the management direction for the preservation of the "natural setting" to focus on the recreation opportunities and experience. In its analysis, Idaho Power concludes that recreation opportunity and experience would not be significantly impacted. There are no project features that are proposed to be located within the boundaries of Morgan Lake Park. The proposed placement of facilities outside the park is therefore consistent with the goal of "of minimum development of Morgan Lake Park." Because no development will occur within the Park, no direct impacts to wetland at Twin Lake (also referred to as Little Morgan Lake) would occur.

Dan Turley, 8/20/19	As shown on the attached Idaho Power Map #67 for the Morgan Lake Alternative, between mile marker 11 and 12 the transmission line route will cross property owned by Joel Rice, this property as shown on the attached recorded survey 039-2003 has a Natural Resources Conservation Service Wetland Reserve Easement that encompasses Winn Meadow which is the head waters of Sheep Creek which flows into Rock Creek and then into the Grande Ronde River just south of Hilgard Park. With the criteria shown below from page 241 of the Order [in Recommended Protected Areas Condition 2 requiring the applicant to avoid siting any facility components within Ladd Marsh Wildlife Area], the transmission line location will need to be moved further away from the Ladd Marsh Wildlife Area property corner resulting in this right-of-way being moved closer the meadow and associated springs that feed Sheep Creek than shown on Map #67. . . . Why doesn't this easement on Joel's property afford this area a 'protected classification' and preclude the line from crossing or impacting its resources and other remarkable values. The location of the line adjacent to the head waters of Sheep Creek should also be considered significant/protected as the Grande Ronde River Basin to include its tributaries continues to have declining water flows and the activities of the line construction and the creation of a utility corridor through this basin could further hinder the water flow from the springs in this small basin and thus the Grande Ronde River.	EFSC's Protected Area Standard, OAR 345-022-0040(1) lists the types of resources that qualify as a "protected area" for purposes of the standard. Lands enrolled in the NRCS Wetland Reserve Easements are not considered "protected areas" in accordance with OAR 345-022-0040(1). Nonetheless, Idaho Power considered potential impacts to such lands (and mitigation for impacts) in ASC Exhibit K, Attachment K-1, Agricultural Assessment.
Jay Chamberlin, Manager of the Owyhee Irrigation District	I would like to see the term "...and existing irrigation waterways" added after "protected areas" on Page 246 of the draft proposed order.	EFSC's Protected Area Standard, OAR 345-022-0040(1) lists the types of resources that qualify as a "protected area" for purposes of the standard. Irrigation waterways are not considered "protected areas" in accordance with OAR 345-022-0040(1). Nonetheless, Idaho Power considered potential impacts to irrigation waterways in ASC Exhibit K,

		Attachment K-1, Agricultural Assessment, and commits to coordinating with the Owyhee Irrigation District to minimize impacts to irrigation waterways.
Karen Yeakley, 7-12-2019	Council Standard 345-022-0040 Protected areas. There are other alternative routes or sites to be studied that may not be unsuitable. Former Gov. Tom McCall created utility corridor thru middle of Oregon. New technology exists that would help in protecting protected areas (Siemens Company online site).	Comments lack specificity, and the suggested alternatives analysis is outside the Council's jurisdiction.
	Council Standard 345-022-0080 Scenic resources. The transmission lines block clear views of the Oregon Trail Interpretive Center and covered wagon look as well as the mountains behind the Center.	While comment is somewhat unclear, Idaho Power notes that views of the Oregon Trail Interpretive Center and surrounding landscape from public locations are not considered in analysis required for the EFSC standard for Protected (OAR 345-022-0040), Scenic Resources (OAR 345-022-0080), or Recreation (OAR 345-021-0010(1)(t)(A)). Idaho Power appropriately analyzed potential impacts from the NHOTIC and OR 86 (scenic byway) in this area.
Cynthia Hickey, 8-14-19	As a Protected (OAR 345-022-0040), Scenic Resources (OAR 345-022-0080), and Recreation (OAR 345-021-0010(1)(t)(A)) Area, impacts to Oregon's Ladd Marsh Wildlife Management Area would be severe and permanent. Ladd Marsh was established as a wildlife mitigation area for past federal projects and the refuge should not be compromised. IPC itself recognizes and designates Ladd Marsh as "irreplaceable." "As explained in Attachment T-3, Table T-3-1, Ladd Marsh WA is an important opportunity because of its designation status, high level of use, rareness, and irreplaceable character per OAR 345-021-0010(1)(t)(A)." page T-14 of the ASC. Please consider, You, as Oregonians, as Council, as Stewards, as individual humans, embodying the potential for applied wisdom, can act to sustain, in behalf of	Idaho Power has analyzed potential impacts to Ladd Marsh in Exhibits L, P, and T and concluded that there will be not be significant impacts to Ladd Marsh.

	• Oregonians entrusting you the potential quality of our descendants' futures, and • Oregon's Tourism Industry viability, within the Blue Mountain Ecosystem — Ladd Marsh's essential, wondrously-congestive, hour-glass migratory path, representative of a diverse web of interdependent life and food resources. You hold us. Moving forward, flourishing and lucrative advancements in less-invasive options to 'keep-the-lights-on' must outshine the cumbersome traditions of might-is-right. Our Pacific Northwest 'Goonies' rallied upon enlightenment, "This is my/our time." Without taking a purposeful [sic] stand, here in Oregon, we abdicate stewardship of those assets we can never hope to replace in generations. Solemnly — if ever. But, for what exact generational gain? OAR 345-022-0040 is intended to protect areas designated as 'Protected Areas,' such as Ladd Marsh, a State Wildlife refuge. There is no way Idaho Power can comply with this standard and mitigate or avoid significant adverse impacts to wildlife, rare plants and visual resources, if the B2H is permitted in this State Wildlife Management Area. Construction of roads and on-going operations, such as keeping the corridor clear of vegetation, are all land and wildlife disturbing activities; and are not permitted in state recognized protected areas.	
Shirlee Severs, 8-20-2019	Reading through the extremely lengthy draft proposal, *5 IV.F.5. Potential Visual Impacts from Facility Structures*, I have counted 166 statements using the words, visual impact. This is my primary concern. "extreme visual impact." There are 28 protected areas that were carried forward for	Commenter provides no specific support for its assertion the "protected areas" analyzed by Idaho Power within the analysis area are "at risk of being severely impacted VISUALLY by these transmission lines." Additionally, EFSC's standards allow the Council to consider impacts to each

	additional assessment. Twenty eight, (28) areas at risk of being severely impacted VISUALLY by these transmission lines. Owyhee River, Ladd Marsh Wildlife, Oregon Trail Interpretive Center, Oregon Trail - Straw Ranch, Oregon Trail - Birch Creek —the list goes on. In addition, There are 12 protected areas (listed in Table PA-3) that would have 5 "medium to high intensity visual impacts" The draft proposal describes the impact and ITC proposed resolution. For most of them, the applicant proposes 16 to use a modified tower structure. Modified tower structure?! Any and all tower structures will have significant impact to the beauty of Eastern Oregon. For this very reason the entire Boardman to Hemingway transmission line is a horrible idea and should be abolished. You all should be ashamed of yourselves for even considering this antiquated idea would come to fruition without a fight from the citizens of Eastern Oregon!	resource that may be potentially impacted, however, the standards do not provide for consideration of cumulative impacts.
Dr. Matthew J. Cooper, 8-20-19	This jewel of a city park, [Morgan Lake Park,] one of few such parks in Oregon that can compare in terms of scenic and recreational opportunities, is threatened by the prospect of being turned into an industrial zone by 150 foot, buzzing utility towers. The scenic value will be unalterably degraded, leading to a loss of recreational value for the city, the county, Northeast Oregon, and visitors to this region. And inexplicably, it is entirely omitted from Table R-1: it is omitted from the list of scenic locations in both Union County (p. R-9) and La Grande (p. R-13). (It may have been omitted from the La Grande list due to the fact that it lies outside the city limits?)	The commenter quotes the Council's Scenic Resources Standard, however, Morgan Lake Park is not considered a "scenic resource" for purposes of that standard because it is not identified as a significant or important scenic resource in the local land use plan. The text quoted by the commenter addresses the importance of Morgan Lake Park as a recreation resource, but not as a scenic resource. Idaho Power appropriately analyzed Morgan Lake Park as an important recreation resource consistent with OAR 345-022-0100, which includes a visual impact analysis.

	Morgan Lake Park, analyzed as part of the Morgan Lake Alternative - (Attachment T-3, Table T-2, p. T-3-2; Table T-3-1, p. T-13) and Summary of Impacts, pp. T-27-28, 43, (T-4-51-56), inaccurately describes the park itself and severely underestimates the permanent impact of development on this unique city park.	This was a clerical error included in the mapping. Idaho Power is providing a revised map that accurately represents the park boundary. Further, Idaho Power has updated its analysis of Morgan Lake Park, providing refined viewshed models to better understand screening potential from locations in the park and discussion of potential impacts on recreational activities throughout the park as a whole.
	OAR 345-022-0080 states that "to issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans." *The Morgan Lake Recreational Use and Development Plan (City of La Grande undated) specifies that the park "shall be managed and improved in a manner consistent with the objective of providing a quality outdoor recreational experience harmonious with a natural forest and lake area. . . . A goal of minimal development of Morgan Lake Park should be maintained to preserve the maximum natural setting and to encourage solitude, isolation, and limited visibility of users…"* *Interpretation of Designation: Management objectives are not specified for scenic resources. However, enjoying scenery is mentioned as one of the activities offered by the park (City of La Grande 2016); therefore, scenery is considered a valued attribute of this recreation opportunity. Management goals that specify preservation of the "maximum natural setting" speak to how the City will develop and maintain recreational facilities within the Park (City of La Grande undated).* (p. T-4-51)	The commenter quotes the Council's Scenic Resources Standard, however, Morgan Lake Park is not considered a "scenic resource" for purposes of that standard because it is not identified as a significant or important scenic resource in the local land use plan. The text quoted by the commenter address the importance of Morgan Lake Park as a recreation resource, but not as a scenic resource. Idaho Power appropriately analyzed Morgan Lake Park as an important recreation resource consistent with OAR 345-022-0100, which includes a visual impact analysis.
	The Morgan Lake Alternative Route would site a 150' tower directly ahead as one crests the Morgan Lake Road. This	As the commenter noted, the crest of the hill at Morgan Lake Road is not within the boundary for Morgan Lake Park.

	tower would be 723' from the park boundary. Another tower, to the east, will be within 500' of the park boundary.	The Morgan Lake Alternative is located outside the park boundary.
	Magnitude of Impact: *Explanation: Views of the Project will be experienced from a neutral position and will be equally peripheral and head-on, intermittent and continuous. Vegetation will block views of the towers from most locations in the park, so viewer perception could be intermittent and peripheral while viewers are moving through the park, but could be continuous and/or head-on while engaging in activities such as camping, picnicking, and fishing. Therefore, viewer perception will be medium.* (p. T-4-54) **Camping, picnicking and fishing are precisely the activities that draw locals and tourists to the lake. Viewer perception will not be "moderate" or "medium;" it will be changed to shockingly industrial.** *The landscape is primarily flat, with the lake being the primary feature, appearing smooth, flat, and reflective*. (p. T-4-51) *Vegetation located along the southern perimeter of the lake will screen views from campsites and locations on the water. Visual contrast from these areas will be weak-moderate and the tops of towers will appear subordinate to the larger landscape and vegetated ridgeline.* (p. T-4-53) **As for "vegetation screening views," this is an absurd statement, given that the tallest trees bordering the lake are 80' high. They will not block 150' high towers from viewers either on or next to the lake.** *Though scenic attractiveness and landscape character would be maintained, scenic integrity will be reduced to moderate.* (p. T-4-54)	The Morgan Lake analysis has been clarified to address viewer perception as primarily stationary, providing refined viewshed models to better understand screening potential from locations in the park and discussion of potential impacts on recreational activities throughout the park as a whole. Additionally, ODOE has required the use H-frames to further reduce anticipated impacts. Taking into account mitigation, Idaho Power concludes impacts to recreation will be less than significant.

	Landscape character will be altered and scenic integrity of the Morgan Lake experience would, in fact, be destroyed permanently.	
	Summary and Conclusion: *The Proposed Project will result in long-term visual impacts to Morgan Lake Park. Impacts will be medium intensity as measured by visual contrast and scale dominance, resource change, and viewer perception. Visual impacts will not preclude visitors from enjoying the day use and overnight facilities offered at the Morgan Lake Park. Therefore, visual impacts to Morgan Lake Park will be less than significant.* (p. T-4- 56) **Admittedly "view perception" and "enjoyment" are subjective.** Although the view of 150' high support towers for a 550kV transmission line may be enjoyable to select Idaho Power staff and share holders, it will be devastating to La Grande and Union County residents who, for generations, have enjoyed time at this exceptional lake at the top of a mountain road--a wildlife and nature preserve far from the sound of the interstate, with no shooting or motorized craft allowed in order to maintain the serenity of a camping, fishing and picnicking experience unavailable at any other park in the county**.**	The Morgan Lake analysis has been updated to address viewer perception as primarily stationary, as clarified through public comment. Further clarification of vegetation screening has also been prepared to further clarify where impacts would be minimized. Additionally, ODOE has required the use H-frames to further reduce anticipated impacts. Taking into account mitigation, Idaho Power concludes impacts to the park will be less than significant.
	Morgan Lake Park is an important opportunity primarily because of its unique designation status as a city park, rareness, and special qualities per OAR 345-021-0010(1)(t)(A) Attachment T-3, Table T-3-1 (p. T-13) **It is impossible to argue that camping in the middle of an asphalt urban parking lot is the same as camping in a pristine rural campground.** Morgan Lake Park hosts' records show that tourists from all over the United States have braved the challenge of driving their campers up the dangerously steep and narrow Morgan Lake Road to	Idaho Power does not propose any activities within the Park boundary and therefore disagrees with the assertion that the Project will result in increased asphalt or crowds at Morgan Lake. To address potential noise-related impacts, Idaho Power analyzed the estimated sound levels at campsites and provided further clarification on noise impacts at Morgan Lake.

	experience the unique pleasures of this admittedly rare tranquil lake experience. They willingly forgo the commonly provided amenities of electricity and running water to enjoy the serenity of this lakeside location, which limits camping to three nights in one of only 12 campsites. Of course it is possible to fish and picnic and camp within sight of mega-towers supporting crackling, popping transmission lines, but **to say that the impact of those towers on the experience will be "less than significant" is corporate self-serving and disingenuous.** **Unless these conclusions are supported by valid research showing that recreationists make no distinction between pristine rural campsites and urban, noisy crowded campgrounds, they are invalid.**	
	This application characterizes Morgan Lake as "probably irreplaceable," a spurious designation. Mitigation could not possibly duplicate this jewel of Union County.	Idaho Power concurs that it is unlikely that Morgan Lake could be replaced with a similar lake providing the same or similar recreational value and proximity to the City of la Grande.
	Existing Conditions: *Morgan Lake Park comprises Morgan Lake, the shoreline, and the treed areas immediately surrounding it to the south and east.* (p.T-4 46) In this application, Morgan Lake Park is described as containing one lake. **In fact, Morgan Lake Park encompasses two separate lakes.** Morgan Lake is 70 acres in size and is developed with road access and camping. Lower Morgan Lake is 27 acres in size, undeveloped, and with no road access or camping. **The Application map of Morgan Lake Park (Figure T-4-6, p. T-4-57) is inaccurate. It shows Morgan Lake Park with a small unnamed lake outside the park perimeter. Twin Lake, aka Lower Morgan Lake, is indisputably within the park boundaries.**	This was a clerical error included in the mapping. Idaho Power is providing a revised map that accurately represents the park boundary. Further, Idaho Power has updated its analysis of Morgan Lake Park to clarify its analysis of Twin Lake (also referred to as Little Morgan Lake).

	Per OAR 345-022-0040 "Morgan Lake Park is not a Protected Area." Lower Morgan Lake is officially recognized by both the State of Oregon and by Federal Agencies as Twin Lake (See USGS – Hilgard Quadrangle Topographic Map). This is especially confusing because the City of La Grande's Morgan Lake Park Plan recognizes Twin Lake as "Lower Morgan Lake." **Twin Lake has been identified by both Federal and State efforts to conserve, restore, and protect wetlands.** Oregon has developed a Wetland Conservation Strategy (Oregon Division of Lands, 1993). This Strategy is implemented through the Oregon Wetlands Inventory and Wetlands Conservation Plans (See Webpage). This planning process allows local governments to balance wetlands protection with other land-use needs. Twin Lake was recognized as an important – persistent emergent wetlands that includes both submersed and floating plants.	EFSC's Protected Area Standard, OAR 345-022-0040(1) lists the types of resources that qualify as a "protected area" for purposes of the standard. Recognition in the Wetland Conservation Strategy is not on that list, and therefore, does not trigger "protected area" status for Twin Lake in accordance with OAR 345-022-0040(1). Idaho Power appropriately analyzed Morgan Lake Park as Recreation Resource in accordance with OAR 345-022-0100.
Phillip J. Howell, 8-21-2019 ; Aric Johnson, 8-20-2019	Specifically, OAR 345-022-0080, in describing Scenic Resources, states "the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans…." The Union County Land Use Plan (1979) in the Plan Policies > Resources section, page 33, outlines goals for resources: V. Resources A. State Planning Goal: To conserve open space and protect natural, cultural, historical and scenic resources. B2. That the following concerns will be taken into account in protecting area visual attractiveness: a. Maintaining vegatative [sic] cover wherever practical. b. Using vegetation or other site obscuring methods of screening unsightly uses. c. Minimizing number and size of signs.	It is not clear which resource this commenter is suggesting should be considered a protected Scenic Resource. Even so, EFSC's standards for scenic resources, protected areas, and recreation resources prescribe the types of resources to be evaluated under each standard. The Council's Scenic Resources Standard addresses only those scenic resources and values "*identified as significant or important in* local land use plans, tribal land management plans and federal land management plans." Consistent with the Council's Scenic Resources Standard, when reviewing the Union County Comprehensive Plan, Idaho Power identified those resources which Union County had identified as a significant or important scenic resource or value. If the commenter was referring to Morgan Lake Park or the La Grande viewshed, neither is identified as a significant or important scenic resource or value in the plan.

	d. Siting developments to be compatible with surrounding area uses, and to recognize the natural characteristics of the location. B6. That development will maintain or enhance attractiveness of the area and not degrade resources. The "not likely" probability of adverse impact is not defensible, given the highly visible string of huge towers and likely violates sections V.A, V.B.2 and V.B.6 of our County's Land Use Plan.	
Peter Barry, 8-22-2019	For the scenery aspect, Specifically, OAR 345-022-0080, in describing Scenic Resources, states "the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans…." Has the applicant consulted with land owners concerning scenic impacts. Have they consulted with County officials on mitigation? There would be 'negative impacts, with out any doubt. The applicant has not proposed any mitigation solutions to address these negative impacts that are protected against in the County Planning document.	Per EFSC standards, Idaho Power is only required to address potential visual impacts to Protected Areas (OAR 345-022-0040), Scenic Resources (OAR 345-022-0080), and Recreation Opportunities (OAR 345-021-0010(1)(t)(A)). Unless the land referenced in this comment includes one of those protected resources, the Council is not required to consider potential visual impacts to those landowners, and here, the commenter has not shown that is the case. To the extent that Idaho Power and federal, state, or local land managing authorities have determined that mitigation may be appropriate for a particular resource, Idaho Power has worked collaboratively with those entities to develop mitigation. Idaho Power's mitigation agreement with the City of La Grande is an example of such efforts. Comment lacks specificity, but in any event, Idaho Power analyzed potential impacts to resources identified in the Union County Comprehensive Plan to evaluate compliance with the Scenic Resources Standard and determined that no mitigation would be required.
Jim Foss, 6-18-2019	And as far as wild and scenic, they're crossing the Owyhee River going through me. The Owyhee River, in my eyes and	In Section 3.2.5.2 of the 2017 siting study, Idaho Power explains the BLM, in its Record of Decision, developed and

	pretty much anybody that lives around there in that area, is wild and scenic, ladies and gentlemen.	selected a new Owyhee River crossing to avoid the Lower Owyhee River Wild and Scenic River Study Area. The new Owyhee River crossing moved the project to the east into private land, while following the Vale District Utility Corridor where it remained on BLM land. The 2017 new Owyhee River crossing is what's presented in the EFSC application as the Proposed Route. Due to the enclosed nature of the canyon, visual impacts will likely be visible from less than 1 percent of the Lower Owyhee River area, primarily where visitors exit the Lower Owyhee River area. Because of the localized nature of visual impacts of the Project, scenic quality of the resource as a whole will remain high (Class A). Landscape character will remain natural appearing.
David Moyal, 6-20-2019	In its Application for Site Certificate, Idaho power states: that the project "is not likely to result in significant adverse impacts to scenic resources and values identified as significant or important in local land use plans, tribal land management plans, and federal land management plans for any lands located within the analysis area described for the Project. (Exhibit R P1) This conclusion is far from the case. The argument supporting it can only be made by narrowly [sic] focusing on specific clauses in the Union County Land Use Plan, while mentioning (and then ignoring) the Plan's general and overarching purpose: 'The natural beauty of Union County is worthy of preservation and should be preserved consistent with the stated purposes of this Plan" (p. 9). The Plan Policies acknowledge the state planning goal to conserve open space and protect natural, cultural, historic and scenic resources, stating "development will maintain or enhance attractiveness of the area and not degrade resources" (pp. 33-34). The Application bases its ignoring of the general purpose of the County Land Use Plan basically by saying "if	It is not clear which resource this commenter is suggesting should be considered a protected Scenic Resource. Even so, EFSC's standards for scenic resources, protected areas, and recreation resources prescribe the types of resources to be evaluated under each standard. The Council's Scenic Resources Standard addresses only those scenic resources and values "*identified as significant or important in* local land use plans, tribal land management plans and federal land management plans." Consistent with the Council's Scenic Resources Standard, when reviewing the Union County Comprehensive Plan, Idaho Power identified those resources which Union County had identified as a significant or important scenic resource or value. If the commenter was referring to Morgan Lake Park or the La Grande viewshed, neither is identified as a significant or important scenic resource or value in the plan.

	an area isn't specifically mentioned, it lies outside of the purview of the plan and doesn't need evaluation:" Per the Application: "The Recommendations section of the plan (pp. 46-47) contains a heading for Open Space, Scenic and Historical Areas, and Natural Resources, but none of the five recommendations under that heading address scenic resources." (Exhibit R P 23/24) The application goes on to describe several appendices to the County Plan, but finds also that none of them will be impacted by the project. The logic behind this dismissal of scenic resources impact is flawed. The County, in defining specific areas of concern, can't possibly anticipate every possible project that might deleteriously affect County viewsheds. Hence the general "mission statement" of the plan, cited above. This mission statement needs to be addressed needs to be addressed in the application before conclusions regarding scenic values can be reached.	
Sharon Brown Western Region Representative Oregon-California Trails Association, 7-9-19	The Draft Proposed Order also offers impact analysis at the NHOTIC site in Exhibit R: Scenic Aesthetic Values. On page R-81 is the following statement: "In evaluating various alternatives for Project siting, IPC concluded that potentially significant visual impacts from facility structures in the vicinity of the NHOTIC could result." The strategy for mitigating these potentially significant visual impacts involves using shorter towers finished in weathered steel. This is not acceptable. Do not allow the Idaho Power Company to destroy or even diminish this nationally significant cultural resource and historic and scenic view that support our understanding of the overland emigrant experience by installing a high power transmission line in front of the NHOTIC. Instead of trying to mitigate impact by lowering and painting the towers, the Idaho Power Company	Idaho Power provides an analysis of undergrounding in the Exhibit BB Errata dated March 28, 2019.

	should further investigate burying the power lines in the vicinity of the NHOTIC. The company should not dismiss this action by saying the cost would be too high. What is the cost, not only to Oregonians, but to the thousands of national and international visitors who come to the NHOTIC each year and stand in front of those huge picture windows – only to see a diminished, or even destroyed, scenic and cultural view of the overland emigrant trail heritage? Too many people have fought over the years to protect what little remains on the ground of this nationally significant resource – the Oregon National Historic Trail. Once destroyed or trampled, the trail's resource integrity cannot be restored.	
Ron and Ann Rowan, 7-20-2019	We live in Segment 3 of the proposed B2H transmission line route. Our house is located within ½ mile of the Flagstaff Alternative route and west of the Oregon Trail Interpretive Center in the Baker Valley. Our principle concern is locating the transmission line west of the Oregon Trail Interpretive Center (OTIC) using the Flagstaff Alternative route. This route will have a major visual impact to those looking west from the OTIC into the Baker Valley. The trail system below the OTIC gives the experience of "walking the Oregon Trail". With the presence of looming towers, the historical experience will be greatly compromised. With the transmission line going along the edge of Baker Valley, the line will interfere with agricultural practices and detract from the value of the affected property. We are strongly opposed to placing the transmission line west of the OTIC. The proposed action of building the transmission along the Flagstaff Alternative Route will have serious consequences. The presence of large transmission towers will introduce permanent impacts on visual resources, National Historic Trails and the value of private agricultural land.	Views <u>of</u> the Oregon Trail Interpretive Center and surrounding landscape from public locations are not considered in analysis required for the EFSC standard for Protected (OAR 345-022-0040), Scenic Resources (OAR 345-022-0080), or Recreation (OAR 345-021-0010(1)(t)(A)). For views looking west from the NHOTIC, Idaho Power has concluded that, taking into account mitigation, visual impacts will be less than significant. Through its consideration of the Flagstaff Gulch Alternative as the Proposed Route, Idaho Power has minimized impacts to agricultural practices. Further, agricultural practices were also considered in Idaho Power's analysis of undergrounding in the Exhibit BB Errata dated March 28, 2019.

Mary E. Miller, 7-22-2019	Total Direct travel Spending in Oregon reached 12.3 billion dollars in 2018 (Oregon Tourism Commission, March 2019, traveloregon.com). This was the ninth consecutive year that travel spending increased. Total Direct Travel Spending for eastern Oregon was $391 million for the same year. In a study published by traveloregon in 2017, 43% of overnight travel to Baker County was to visit historic sites. The Draft Proposed Order fails to take into account the effects on the tourism economy. Both the Scenic Resources section of OAR 345-022-0080 pp. 341 and the Recreation Resources section of OAR 345-022-0100 pp. 449 fail to mention effects on tourism. In light of this utter failure to account for effects on the tourism economy, I recommend that the council deny this certificate application.	Recreation demand is one factor that was considered in determining "importance" of recreation opportunity. However, neither the Scenic Resources Standard nor the Recreation Standard require consideration of potential impact on the local or regional tourism economy, and in any event, commenter did not provide any facts specific to potential impacts associated with the project.
	Effects of B2H Transmission Line on the viewscape at the Oregon Trail Interpretive Center In OAR 345-022-0080 Visual Impacts, Exhibit R, Section 2.1, pp. R-1, it states that "...to issue a site certificate, the Council must find that that the design, construction, and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans, tribal land management plans and federal land management plans for any lands located within the analysis area described in the project order." However, on pp. 65 of OAR 345-022-0080 Visual Impacts, Exhibit R, under the heading "mitigation considered," it states very clearly that "In evaluating various alternatives for Project siting, IPC concluded that potentially significant visual impacts from facility structure in the vicinity of NHOTIC could result." Mitigation includes the use of H frame structure with a natina finish. It is merely Idaho Power's opinion that this is adequate mitigation. Citizens and government of Baker County have repeatedly insisted that	Views <u>of</u> the Oregon Trail Interpretive Center and surrounding landscape from public locations are not considered in analysis required for the EFSC standard for Protected (OAR 345-022-0040), Scenic Resources (OAR 345-022-0080), or Recreation (OAR 345-021-0010(1)(t)(A)). For views looking west from the NHOTIC or from SR 86, Idaho Power has concluded that, taking into account mitigation, visual impacts will be less than significant. Still, Idaho Power considered potential for undergrounding. This analysis, summarized in Exhibit BB Errata dated March 28, 2019, concluded undergrounding to not be feasible.

	the effects on viewscape are significant; the view is effected not just for a few seconds while driving east on highway 86, but for an eternity for those who live in the valley. This is not opinion-it is fact. Baker County officials and residents have also insisted that IPC consider burying the lines in the Baker Valley. The benefits and cost of this was supposedly discussed in Exhibit L of the Application for Site Certificate, but no reference could be found in this section of the OAR. Considering that the visual effects are significant in the area around the NHOTIC in Baker County, and that mitigation is inadequate, and that buried lines were not fully analyzed, I recommend that the council deny this certificate application. Conclusion: That Idaho Power would fail to consider the economic impacts of tourism in Baker County is an unacceptable omission. In addition, the viewscape around the NHOTIC in Baker Valley is one of our most prized resources. There is no mitigation that can fix a ruined landscape. For the reasons stated above, I would like to see the Energy Facilities Siting Council REJECT this proposal and application.	
Tamson Ross, 8/22/19, 373-374 (form letter); Irene Gilbert, 8/22/19, 1750, 1754	Replacing trees with a transmission line will negatively impact tourism dollars as it will reduce the numbers of wildlife viewers and hunters due to a reduction in elk, deer, birds, and other wildlife that draw them to the area. The Oregon Department of Fish and Wildlife and Travel Oregon reported that 2008 recreation expenditures in Oregon totaled $2.5 billion as reported by Dean Runyan Associates. Energy projects are cutting into that revenue. The article "Are energy projects causing loss of tourism dollars on public lands?" cites the data from the Bureau of Land Management which recorded a 12% drop in the number of visitors to the Imperial Sand Dunes Recreation Area over the year after a high voltage power line was constructed. Data is available in	Recreation demand is one factor that was considered in determining "importance" of recreation opportunity. Neither the Scenic Resources Standard nor the Recreation Standard require consideration of potential impact on the local or regional tourism economy, and in any event, commenter did not provide any facts specific to potential impacts associated with the project.

	the BLM's Centro Field Officed under Highlights of the Desert District Advisory Council Meeting dated February 9, 2013. Recreation is a significant income producing activity. The previous information shows a 12% reduction in visitors to a recreation area following development of a high voltage power line in the area. Many people would simply rather to go to a pristine environment for their recreation and fine high voltage electric lines incongruent. "The attached article entitled "Outdoor Industry Association Releases State-by-State Outdoor Recreation Economy Report" from July 26, 2017, gives the economic value of recreation by state. In Oregon, it is valued at $16.4 billion dollars and 69% of the residents participate each year. It supports 172,000 jobs in this state. There is little doubt that many visitors to Union County come here to enjoy the views and open areas. This transmission line will reduce the reason to chose this county over another for enjoying views, and a natural setting.	
Andy Baltensperger, 7-22-2019	I am writing in opposition to the application for a site certificate for the B2H transmission project. I am a landscape ecologist and new resident to La Grande, OR and I am specifically concerned that this proposed project does not adequately address impacts to the local viewshed. I bought my house specifically for its view of the Blue Mountains to the west. This view currently does not include a set of grotesque, metal towers over the hill and I would like it to remain this way.	EFSC's Scenic Resources Standard addresses impacts to scenic resources that are designated as important or significant in a local, tribal, or federal land use plan. Resources or views that are not designated in applicable land management plan—such as general views of the Blue Mountains—are not evaluated for compliance with the standard.
Lois Barry, 8-22-2019 (1 of 2)	The Council shall consider the following factors in judging the importance of a recreational opportunity: (a) Any special designation or management of the location: See the Morgan Lake Recreational Use and Development Plan (above), and ASC p. 145 (T-4-46): Baseline condition: "… A goal of minimal development of Morgan Lake Park should	Idaho Power also concluded that the Morgan Lake Park is an important recreational opportunity and analyzed it as such in ASC Exhibit T. As shown in Table R-1 on page 452 of the DPO, ODOE also analyzed the Morgan Lake Park as an important recreational opportunity.

	be maintained to preserve the maximum natural setting and to encourage solitude, isolation, and limited visbility of users." (b) The degree of demand: From the City of La Grande's current web site: Morgan Lake: Atop a mountain just a few minutes' driving time from the heart of the city, Morgan Lake offers a quiet, motor-free respite from daily cares, with camping, fishing and hiking opportunities. … Morgan Lake is located just a few miles outside of La Grande and provides the citizens of Union County an inexpensive, easily accessible area for a broad range of outdoor recreational activities, including fishing, camping and nature hikes. City records show that in summer, an average of 200 vehicles use the Morgan Lake Road daily. Camping has become so popular that new campsites were added in 2017 (now total of 12) and the overnight limit decreased from 7 nights to 3 nights. Campers are often turned away. Popular annual XTerra competitions and fishing derbies, as well as "music on the lake" are welcome activities at the lake. (c) Outstanding or unusual qualities: c) A free 204 acre park with two natural lakes, located in a natural setting at the top of the hills within a 10-15 minute drive of 13,000 city residents is definitely unusual. Special fishing and camping facilities are provided for handicapped visitors. Because it is often 10 degrees cooler than the town below, it is a welcome respite from summer heat. (d) Availability or rareness: See (c) above, and Morgan Lake Park is an important opportunity primarily because of its unique designation status as a city park, rareness, and special qualities per OAR 345-021-0010(1)(t)(A) Attachment T-3, Table T-3-1 (p. T-13).	

	The exceptional natural features of the lake are addressed in another comment. (e) Irreplaceability or irretrievability of the opportunity. Applicant rates Morgan Lake Park as "somewhat irreplaceable," a curious designation. "Irreplaceable" is an absolute: synonyms are "unique, unrepeatable, incomparable, unparalleled, priceless, invaluable." Irreplaceability, like pregnancy, is either/or, not "somewhat." There is no question that Morgan Lake Park is irreplaceable. All of the information listed above clearly indicates that Morgan Lake Park is an "important recreational opportunity."	
	All of the information listed above clearly indicates that Morgan Lake Park is an "important recreational opportunity." Nevertheless, applicant concludes that "impact on recreation" of permanent noise pollution caused by multiple towers supporting buzzing, popping, snapping transmission lines, some within .3 miles of Morgan Lake Park's overnight camping area, will be "less than significant."	Idaho Power notes that the determination of the importance of the resource is independent of the evaluation of potential impacts to the resource. Idaho Power's conclusion that impacts to Morgan Lake Park would be less than significant are supported by the Company's analysis in the ASC Exhibit T and in the information provided in response to DPO comments.
	I have studied DPO Attachment X-4, pp. 3/5 & 4/5. From my understanding of this attachment, every location in Union County which would be crossed by the B2H Morgan Lake Alternate Route was monitored with the same noise sensitive receptor (NSR) at milepost 11. This single NSR would provide exactly – and unrealistically -- the same reading for the Husky Truck Stop, where heavy freight trucks from adjacent I-84 stop for gas and park for the night with diesel engines rumbling, and Morgan Lake Park, several miles to the west at the top of a relatively isolated two lane county road. At Morgan Lake Park, the camp host closes the gate each night at 10:00 to ensure quiet. Visitors often comment on the tranquility of the park where a 5 mph speed limit is	Please refer to the separate Morgan Lake Park submission, which provides a thorough clarification of the potential noise impacts at Morgan Lake Park.

	enforced to limit noise, generators and shooting are not allowed, and no motorized craft are permitted on the lake. Even when the campground is full, it's possible to picnic, fish, hike or camp while enjoying the absolute silence of the surroundings. The Morgan Lake Park Recreational and Development Plan even cautions against loud voices that might disturb park visitors: https://drive.google.com/open?id=1eDDbGDjlNZT8jiEvY-l6MRUsLgtq28cI 2. Breaching the public Peace. No person in Morgan Lake Park shall engage in abusive, insulting …language or engage in any disorderly conduct or behavior tending to breach the public peace. Park visitors shall conduct themselves in a quiet and peaceful manner consistent with the natural atmosphere in which the park is set. I am profoundly concerned that the applicant has failed to include noise monitoring at Morgan Lake Park campground, a noise sensitive property within ½ mile of the development as required by OAR-340-035-0015(38). Noise Sensitive Property is "property normally used for sleeping, or normally used as schools, churches, hospitals, or public libraries." This is a significant failure in the application. Morgan Lake Park, an overnight campground, is unquestionably a place where people expect to sleep, and furthermore, to sleep undisturbed. Eight towers supporting buzzing, popping, snapping transmission lines will border the campground; the closest being .32 and .38 miles; the furthest one mile. I see no opportunity for adequate mitigation in this case.	
Lois Barry, 8-22-2019 (2 of 2)	One major concern is that the DPO, a summary of the ASC, accepts applicant's conclusions without essential analysis. As it is:	This comment lacks specificity regarding any claimed deficiencies in the scenic resources analysis. The EFSC rules require an evaluation of potential impacts and determination of significance of an impact; however, in

	1) the DPO identifies an area that might be impacted by the proposed route, 2) provides a flurry of citations referring to the process of analysis and the possible degree of impact, 3) 4) usually followed by applicant's conclusion of "no significant impact" or 5) proposed mitigation which would result in a conclusion of "no significant impact." This process is missing 3) in which applicant should be required to provide credible statistical or visual documentation to support each and every conclusion. "Just because it's written down, doesn't mean it's true." Without the missing component of step 3 the entire application process is a sham. Step 3 is the essential point at which applicant must prove the validity of their conclusions.	accordance with OAR 345-001-0010(53), the definition of significant is not intended "*to require a statistical analysis of magnitude or likelihood of a particular impact."* Nevertheless, Idaho Power provided visual analysis through evaluation and photography at KOPs scenic/protected/recreation area resources and photo simulations for many of these sensitive resources.
Badger-Jones, Susan, 6-20-2019	Morgan Lake, however, has been reserved to experience the natural world; birds, waterfowl, fishing, camping under the stars. It's one of the few places around here you can go to see the sunset. Nesting osprey, cormorants, and other waterfowl. It's a quiet place; no motors are allowed on the lake. Due to the popularity of the park, over the last few years the City has made improvements to hosting, maintenance, and campground designation, supporting that natural experience. A tower is very much at odds with this. The application says vegetation will block views of the proposed tower. It's just not true. Trees at the proposed site are 70, maybe 80 feet tall, but the tower 130 feet and basically ugly. The tower will be highly visible coming and going and from many locations in the park. While people may still be able to walk and boat and camp, the quality of that natural experience will be very much compromised.	The Morgan Lake analysis has been updated to address viewer perception as primarily stationary, as clarified through public comment. Further analysis of vegetation screening has also been prepared to further clarify where impacts would be minimized. Additionally, ODOE has required the use H-frames to further reduce anticipated impacts. Taking into account mitigation, Idaho Power concludes impacts to recreation will be less than significant.

	"Less than significant impact" is what the application says. Give me a break.	
Eric W. Valentine, 8-16-19	The requirements of OAR 345-022-0080 have not been met. This project, whether it goes above the Grande Ronde Hospital, or through the Morgan Lake area, WILL have a significant impact. The height and width of these towers cannot be mitigated. If located on the hillside above the Grande Ronde Hospital, the lines will be visible not only from La Grande but throughout the Grande Ronde Valley. They are many times as high as any buildings and foliage in the area, altering the view irreparably for this community. If the Morgan Lake route is chosen, the proposal erroneously states the transmission lines will be hidden by the pine trees there. First, the pine forest is not dense enough to hide the lines. Second, the towers will be approximately twice as high as the trees Morgan Lake is a city park close to La Grande. It receives numerous visitors daily in the spring, summer, and early fall. Campers, fishermen, hikers, birders love the quiet beauty of this park. See attached Ex. A [Photos]. Idaho	The Morgan Lake analysis has been updated to address viewer perception as primarily stationary, as clarified through public comment. Further analysis of vegetation screening has also been prepared to clarify where impacts would be minimized. Additionally, ODOE has required the use H-frames to further reduce anticipated impacts. Taking into account mitigation, Idaho Power concludes impacts to recreation will be less than significant. Please refer to the separate Morgan Lake Park submission, which provides a thorough clarification of the potential impacts at Morgan Lake Park.

	Power mis-states that there is only one lake here. There are two, within a quarter mile of each other. The second one is important bird breeding habitat. This area is more than "pretty." It is pristine and primitive, served only by a narrow, rutted, gravel/dirt road. There is no way that Idaho Power can mitigate the damage its power lines will create to this area. Its scenic values will be totally destroyed. I doubt that Idaho Power executives and shareholders would invest in second, recreational homes whose view was despoiled by power lines in the fashion that Morgan Lake will be damaged. Cutting down timber, constructing roads across this area, will permanently damage this area. The soil is rocky and dry. The scarring will be long term, not a mere ten years as Idaho Power states.	

Commenter	Comment	Idaho Power's Response
Blasting Plan Conditions		
Multiple Commenters	Exhibit G Materials Analysis, Attachment G-5 FRAMEWORK BLASTING PLAN on page 5 at 3.3 Safety Procedures, 3.3.3 Fire Safety: Posting fire suppression personnel at the blast site during high-fire danger periods and prohibiting blasting during extreme fire danger periods is not sufficient to minimize fire risk. **Proposed condition:** During blasting Idaho Power will provide a water tender staffed by a crew of at least two personnel.	Idaho Power disagrees with this suggestion and believes the fire protection provisions in the blasting plan are sufficient.
Fish & Wildlife		
Karen Antell, 8-19-2019	Because Union County habitat is unique, no reliable in-kind, in-proximity mitigation available. Nearly 80% (79.41%) of the total project will affect lands designated Habitat Categories 2 and 3. On both the Proposed Mill Creek Route and the Morgan Lake Alternate Route, the proportion is likely is closer to 100%. It is our opinion that neither 635-415-0025(2)(b)(A) or (B) [requiring avoidance or mitigation for Category 2 habitat] can be achieved. Both the proposed and alternate routes across Glass Mountain contain several areas with habitat qualities that do not occur elsewhere in the region. The unique qualities of this area preclude the possibility that "reliable in-kind, in-proximity habitat mitigation" can be accomplished successfully.	Idaho Power respectfully disagrees with the commenter's conclusory, unsupported assertion that Category 2 mitigation habitat is unavailable in Union County. To the contrary, Idaho Power's fish and wildlife expert consultants have identified at least five mitigation sites within Mitigation Zone 2 (which includes Union County) with sufficient acreage and mitigation potential to mitigate impacts to Category 2 habitat. The focus of mitigation efforts within MZ2 would primarily be to address impacts on the forest/woodland general vegetation type and impacts on elk and mule deer winter and summer range (see Attachment P1-6, Section 4.2.2).
	Damage to hydrology may negatively impact plants and animals. Within the proposed project areas on Glass Mountain, ridge-top springs feed meadows and wetlands (Winn Meadow, Bushnell Meadow, Morgan Lake, Twin Lake) that sustain wildlife throughout the year. These areas harbor state listed species of concern, such as Douglas' Clover (Trifolium douglasii), and many other associated uncommon native wetland plants. The geological and hydrological underpinnings that give rise to these springs have not been	Idaho Power has not experienced significant impacts to wetlands from the mere installation of a tower footing in the vicinity of a wetland, and the commenter has provided no specific evidence demonstrating that these impacts will occur. Even so, to the extent a landowner has a concern about a spring or well on their property, Idaho Power will work with the landowner during right-of-way negotiations to identify those areas and to design protective measures to avoid, minimize, or mitigate impacts to the water sources.

	studied. Construction of B2H towers may irreversibly damage hydrologic resources. It is likely that construction of tower bases along the margins of these wetland areas would have potentially significant adverse effects on the hydrology, resulting in diminished water flow. This loss would be catastrophic to both plants and animals throughout the area.	With respect to areas where Idaho Power expects to conduct subterranean blasting, Idaho Power is proposing specific measures to address spring and well concerns. Those measures may involve pre-blasting water flow measurements so that there is a basis upon which potential damage claims can be validated or refuted. To capture these protective measures in the final Blasting Plan, Idaho Power has proposed the following changes to Soil Protection Condition 4: Soil Protection Condition 4: a. Prior to construction, the certificate holder shall finalize, and submit to the Department for approval, a final Blasting Plan. The protective measures described in the draft Blasting Plan in Attachment G-5 attached to the Final Order on the ASC, shall be included as part of the final Blasting Plan, unless otherwise approved by the Department. The final Blasting Plan shall meet the requirements of the Oregon State Police and the Oregon Office of State Fire Marshal relating to the transportation, storage, and use of explosives. The final Blasting Plan shall provide that, if requested by the landowner, on parcels that contain a natural spring or well and on which subterranean blasting will be conducted, the certificate holder shall conduct pre-blasting flow measurements to establish a baseline for potential impacts to the spring or well. b. The certificate holder shall conduct all work in compliance with the final Blasting Plan approved by the Department.
	Habitat connectivity corridors cannot be mitigated. The corridor of land ranging from Eastern Oregon University's Rebarrow Forest, eastward through Winn Meadow (Joel Rice	The commenter's assertions are conclusory and unsupported by specific evidence or reasoned explanation as to how Idaho Power's consideration of wildlife habitat

	property), and onto the Ladd Marsh Wildlife Area (ODFW), represents an important pathway for wildlife passage between summer range on the upper elevations of Glass Mountain and winter range on the Grande Ronde Valley below. In addition to ODFW biologists, private landowners on Glass Mtn. (including Eastern Oregon University and Dr. Joel Rice), have worked hard to be good stewards of the ecologically unique habitats on Glass Mtn. At EOU, we have engaged community participation through the Rebarrow Research Forest Community Stewardship Project to promote forest habitat restoration. Disruption of this corridor by the B2H project would create an irreplaceable loss of wildlife habitat. There simply is no way to mitigate for this loss.	impacts or related mitigation fails to satisfy the Council's standards or other applicable substantive criteria. To the extent the commenter is suggesting certain habitats should be classified as Category 1 habitat (i.e., habitat that "cannot be mitigated"), the commenter identifies only general, wide-ranging areas of concern ("corridor of land ranging from Eastern Oregon University's Rebarrow Forest, eastward through Winn Meadow (Joel Rice property), and onto the Ladd Marsh Wildlife Area") and not site-specific areas along the project that pose a concern to wildlife. The commenter also does not identify specific habitat types, based on specific habitat characteristics, within those general areas that make up the habitat of concern. Also, the commenter hasn't identified the particular species that relies on the habitat in a manner that warrants elevating it to Category 1 protection. Finally, the commenter provides only conclusory statements supporting the assertions that the transmission line will irreparably interfere with wildlife movements through the habitat. On the other hand, Exhibit P1 and Exhibit P3 explain that transmission line rights-of-way generally do not act as a barrier to wildlife movement. For instance, elk are known to winter in the areas under and around the 230-kV transmission line outside of Ladd Marsh.
Sarah Wehrle, 2019-08-22	COMMENT REGARDING THE FAILURE TO PROVIDE HABITAT MITIGATION FOR IMPACTS TO MIGRATORY BIRDS. The Oregon Department of Energy and Energy Facility Siting Council have failed to honor federal laws regarding protected species. This does not eliminate the requirement that site certificates provide mitigation for habitat loss due to ODOE and EFSC authorized energy developments. In their letter to Don Gonzales, BLM, dated Mar. 19, 2015, (contained in the EIS material), the US Fish and Wildlife	Idaho Power respectfully disagrees with the commenter's conclusory, unsupported assertion that mitigation for fish and wildlife habitat is insufficient. To the contrary, Idaho Power's fish and wildlife expert consultants have identified numerous mitigation sites providing sufficient mitigation acreage and uplift opportunities to mitigate the impacts from the project. And contrary to this comment, there is no requirement that the Council follow the recommendations of the USFWS with respect to habitat categorization, particularly here where the referenced request was made to

	Service identified necessary mitigation requirements for habitat impacts to federally protected Migratory Birds resulting from the"[sic] (e.g. permanent removal of more than 800 acres of forested habitat, plus additional danger trees removed outside of right-of-way over the life of the project)"	BLM and not EFSC. Furthermore, Idaho Power's habitat categorization methodology was developed by experts in the field and was reviewed and approved by ODFW and ODOE. Notably, ODFW did not provide that forest lands be categorized with migratory birds particularly in mind. Even so, the project addresses migratory birds in several respects. For instance, under Fish and Wildlife Condition 13, Idaho Power will conduct pre-construction surveys for active migratory bird nests and develop actions to avoid, minimize, or mitigate impacts to identified nests. Fish and Wildlife Condition 14 requires spatial buffers and temporal restrictions for construction around occupied nests of various migratory raptor species. And mitigation projects developed to address forest land impacts will likely benefit the forest land migratory birds at issue in this comment.
	In addition, when the Oregon Department of Fish and Wildlife made comments regarding the Proposed Antelope Ridge Wind Development, they indicated that no permanent structures should be placed in the forested areas that the transmission line is planning to cross and cut because of the numbers of migratory birds nesting in the forested areas. This is unique habitat due to the elevation, proximity to Ladd Marsh Wildlife area, and is critical to maintaining the value of the marsh habitat to these birds as it provides one component of the habitat necessary for the functioning of this ecosystem.	To the extent the commenter is suggesting certain forest lands near Ladd Marsh should be avoided completely as Category 1 habitat, the commenter identifies only general, wide-ranging areas of concern ("proximity to Ladd Marsh") and not site-specific areas along the project that pose a concern to migratory birds. The commenter also does not identify specific habitat types, based on specific habitat characteristics, within those general areas that make up the habitat of concern. Also, the commenter hasn't identified the particular migratory bird species that relies on the habitat in a manner that warrants elevating it to Category 1 protection. Finally, the commenter provides only conclusory statements supporting the assertions that the transmission line adversely impacts the habitat. On the other hand, Idaho Power's experience is that transmission lines and transmission line rights-of-way in forest lands generally do not act as barriers to migratory birds and migratory birds generally do not avoid those areas.

	Due to the permanent nature of the habitat impacts, the mitigation for impacts must include the entire right-of-way, not just the bases of the transmission towers and other permanent structures. Related rules are OAR 345-022-0070 and OAR 635-415-0025. The draft Proposed Order fails to provide adequate mitigation for impacts to habitat protected by federal law for migratory birds. (Wehrle, Sarah, 8-22-2019)	Contrary to this comment, in forestlands, Idaho Power did in fact consider the entire right-of-way to be a permanent impact to those affected forestland habitat types. This comment is conclusory and lacks specificity. Even so, Idaho Power addresses migratory bird impacts in response to other, more-specific comments received on the DPO.
Sarah Wehrle, 8-22-2019	B2H EFSC LACK OF DOCUMENTATION FOR GREAT GRAY OWL AND FLAMMULATED OWL. The surveys provided for these two species are too old to be a reliable indicator of the presence or impacts to these bird species. They were done in 2011 and 2012, seven years ago. On Page P1-9, Table Pl-l the applicant proposes doing updated surveys only on areas not previously surveyed and submitting them to only ODOE. This type of secretive procedure where the public is completely removed from any opportunity to comment or review the decisions being made by ODOE is the basis for a great deal of public dissatisfaction with the process currently being supported by ODOE and EFSC. There is no current information in the application to base any decision regarding what the impacts will be to these birds as a result of the Boardman to Hemingway Transmission Line. A site certificate cannot be issued determining compliance with OAR 345-022-0060 without knowing what the use of the area is by wildlife. In addition, since habitat category must include the use of the habitat by species, the habitat categories cannot be determined until the developer provides the necessary current information. Given that the area of the Ladd Marsh Wildlife area is not only protected, but also contains both	Idaho Power surveyed for great gray owls and flammulated owls in those areas where Idaho Power had right of entry, as summarized in Attachment P1-7A. And Fish and Wildlife Condition 15 provides that Idaho Power will survey for both owl species prior to construction those areas that were not previously surveyed. Idaho Power disagrees that any of its survey procedures are "secretive" as they are fully described in the Biological Survey Work Plan at Attachment P1-2 and the survey areas and call points for owls are set out in Attachment P1-7A. The commenter's assertions about the potential impacts to Ladd Marsh and the surrounding habitat are conclusory and unsupported by specific evidence or reasoned explanation. On the other hand, Exhibit P1 explains in detail that transmission line rights-of-way generally do not act as a

	federal and state mitigation areas, it is not possible to determine whether or not the development will have unacceptable impacts to these mitigation sites absent information regarding the use of the adjacent habitat by wildlife utilizing the mitigation sites and whether or not the habitat will be compromised making it unsuitable for use of the species due to impacts of the development. Considering the lack of information near Ladd Marsh Wildlife area, one must question why. Ladd Marsh is an important Migratory Bird Flyway according to the Oregon Department of Fish and Wildlife (ODFW 2008.) The Audubon Society lists it as an Important Bird Area. The number of bird species using this area has expanded in the last several years, however, in 2008 over 230 species of birds had been recorded on LMWA and over 120 species nest in the area and yet the developer appears to be ignoring the importance of not only the wildlife area, but also the habitat surrounding the wildlife area which is critical to the survival of birds moving in and out of the mitigation sites.	barrier to wildlife movement, and Idaho Power's experience is that transmission lines and transmission line rights-of-way in forest lands generally do not act as barriers to migratory birds and migratory birds generally do not avoid those areas.
Tamson Cosgrove Ross, 8-22-2019	Only allowing the removal of nest sites when birds are not present does not address the fact that many birds such as bald and golden eagles use the same nesting sites year after year and forest landowners usually include wildlife habitat as a reason for maintaining the forest land.	Idaho Power found no bald or gold eagle nests within the site boundary and therefore none will be directly impacted, based on current surveys.
Jordan Brown, 2019-08-22	The Oregon Conservation Strategy http://oregonconservationstrategy.org/overview/ is critical for protecting the natural heritage or our state. It "represents Oregon's first overarching state strategy for conserving fish and wildlife. It uses the best available science to create a broad vision and conceptual framework for long-term conservation of Oregon's native fish and wildlife, as well as various invertebrates, plants, and algae. The Conservation Strategy emphasizes proactively conserving declining species	The Oregon Conservation Strategy includes recommendations for voluntary conservation actions; however, it is not a regulatory document and neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to consider it. Therefore, the commenter's assertion that the Council must address the Conservation Strategy and that the Project must satisfy the goals or other aspects of the Conservation Strategy is incorrect.

	and habitats to reduce the possibility of future federal or state listings. It is not a regulatory document but instead presents issues, opportunities, and recommended voluntary actions that will improve the efficiency and effectiveness of conservation in Oregon." Under the Oregon Conservation Strategy, IPC's B2H project is a Key Conservation Issue: "(KCIs) are large-scale conservation issues or threats that affect or potentially affect many species and habitats over large landscapes throughout the state." Despite being a Key Conservation Issue, the Oregon Conservation Strategy and its Goals, are not mentioned in IPC's Application at all! Consider Land Use Planning Goal 1: Manage land use changes to conserve farm, forest, and range lands, open spaces, natural or scenic recreation areas, and fish and wildlife habitats. Neither the current Proposed Route nor Morgan Lake Alternative of IPC's Application to EFSC takes these into account! Even if we ignore the fact that the B2H Project likely is not needed at all, given lowered demand and improved technology of energy storage batteries—IPC intends to disregard the "Proposed Route" considered in the BLM/USFS Records of Decision. That "Proposed Route" was chosen by the agencies as being the least harmful to the greatest list of resources—yet IPC has abandoned that in favor of two other routes imminently MORE harmful and despised by MOST residents of Union County. Is Goal 1 being met when the B2H line goes less than 100 feet from Twin Lake, a gem of a wetland that deserves protection? Is Goal 1 being met when B2H goes through Rice Glass Hill property, proposed as a State Natural Area? Is Goal 1 being met when noxious weeds are spread by B2H through Union County's finest wet meadows and elk wintering habitat? Another very obvious lack is IPC's failure to discuss Strategy Habitats, outlined in Oregon's Conservation Strategy: http://oregonconservationstrategy.org/strategy-	

	habitats/strategy-habitats-summary-by-ecoregion/. In Union County alone, the Strategy Habitats of Grasslands, Late Successional Mixed Conifer Forest, and Ponderosa Pine Woodlands would very obviously be impacted by B2H as proposed in the Application. The Application also neglects to address Strategy Species under OCS "The Conservation Strategy identifies 294 Strategy Species, which are Oregon's "Species of Greatest Conservation Need". Strategy Species are defined as having small or declining populations, are at-risk, and/or are of management concern. "This is completely unacceptable! How can an action set to devastate so many of Northeast Oregon's Strategy Habitats and Species not even respond to our State Conservation Strategy? (Jordan Brown, 8-22-19)	
Threatened and Endangered Species		
Karen Antell, 8-19-2019	OAR 635-100 provides a list of Threatened and Endangered Species in the state of Oregon. At least three listed species occur within the B2H Glass Mtn. project area, Oncorhynchus tshawytscha, Oncorhynchus mykiss, and Trifolium douglasii. Fisheries biologists from the Confederated Tribes of the Umatilla Indian Reservation have documented their concern about anadromous fish on Glass Mtn. Douglas' Clover (Trifolium douglasii) occurs within a very limited geographic range. Construction of the Morgan Lake Alternate Route would have significant adverse effects on well-established populations on Glass Mtn., especially in the Winn Meadow area.	Oncorhynchus tshawytscha (chinook) is a state listed species and it is addressed in Exhibit Q. Oncorhynchus mykiss (steelhead) is not a state listed species, but is addressed in Exhibit P1. Oncorhynchus tshawytscha and are both federally listed, but the Council's standards do not require consideration of species merely because they are federally listed. Douglas clover (Trifolium douglasii) is not a State-listed species, and therefore, the Council need not allot it the protections provided to State-listed species. However, if individual private landowners would like to avoid and/or minimize impacts to those plants on their land, Idaho Power will work with those landowners to do so where possible.
	Because virtually all of Glass Mtn. is privately owned, few biologists have had access to survey for threatened species	Idaho Power has a biological survey work plan designed to identify relevant species habitat. Idaho Power appreciates

	throughout the area in a systematic process. It is likely that the area still holds some surprises with respect to rare species. Nesting birds and amphibians especially are notoriously reclusive and difficult to document without significant targeted and repeated effort.	this comment, but the comment does not identify a specific species or habitat that should be targeted, and therefore, no changes to the DPO are necessary.
Noxious Weeds		
Karen Antell, 8-19-2019	Anyone who has had the day-to-day task of controlling noxious weeds realizes that attempting to prevent spread of these plants becomes an unsustainable and impossible task when confronted with miles of newly disturbed land, such as would occur with B2H site construction, and development and maintenance of access roads.	Idaho Power respectfully disagrees with commenter's conclusory assertion that preventing the spread of noxious weeds is an "unsustainable and impossible task," and notes that commenter has not provided any specific facts to support its assertion. Idaho Power, on the other hand, has developed a Noxious Weed Plan, and as described in responses to comments from Baker County and Union County, proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.
	The B2H project DEIS predicts the impact on noxious weeds as high initially and low residual. The residual impact is very likely underestimated in the DEIS. On-going clearing of vegetation within the project right-of-way and expansion of roads throughout the area will result in continual introduction of invasive species over the long term. Climate change will exacerbate the challenges of controlling invasive species, especially on lower elevation, drier sites. The applicant has not established a weed control plan that will protect the adjacent farm, wetlands, native habitats and forests from infestations due to the transmission line providing for noxious weed introduction and stimulation. Failure to control noxious weeds will result in a failure to comply with OAR 345-022-0110 as it will result in significant	Commenter's assertion regarding the analysis in the DEIS is conclusory and unsupported. Idaho Power's Noxious Weed Plan, on the other hand, is robust and will be further refined with local input from the county weed experts. Additionally, while analysis provided in the DEIS may be instructive in some instances, the adequacy of analysis presented in the DEIS is beyond the scope of the Council's consideration.

	adverse impacts to the ability of the county and private providers within the analysis area to provide those services.	
Dexter Lemon, 8-22-2019	Additional rules impacted with at least one example of impacts which make the development out of compliance with the rule: o Failure to comply with both OAR 345-022-0070 and OAR 345-022-0060 due to the negative impact invasive weeds have on the ability of the habitat to support wildlife species due to changes in the types of food available to species and the fact that invasive species clog waterways necessary for threatened and endangered fish. (Dexter Lemon, 8-22-19) o Fails to comply with OAR 345-022-0090 due to the fact that invasive weeds push out "first foods" species relied upon by native Americans. (See attachment from the Shoshone-Bannock Tribes, pages 5 and 6 identifying concerns with noxious weeds and the need to address them at all locations impacted by the development, as well as the need for vehicle cleaning)	Idaho Power disagrees with the commenter's assertion that the project will not comply with OAR 345-022-0060 and -0070. Idaho Power has developed a noxious week plan that will be further refined with local input from the county weed experts. The commenter has not provided any specific facts to support its assertion. Idaho Power is proposing to use vehicle cleaning stations where appropriate along the transmission line—that is, in areas of weed-contamination: "Additionally, when moving from weed-contaminated areas to other areas along the transmission line ROW, all construction vehicles and equipment will be cleaned using compressed water or air in designated wash stations before proceeding to new locations" (Noxious Weed Plan, Page 19).

	The current [weed] plan fails to comply with the following general rule and statute which apply to the entire siting process: Oregon Revised Statute 469.507 requires the site certificate holder to not only establish programs for monitoring the environmental and ecological effects of the construction and operation of the facilities, but also requires the certificate holder to perform testing and sampling necessary for the monitoring program per guidelines established by the EFSC or it's designee. (Attached comments from the Oregon Department of Fish and Wildlife state the need to address the introduction and spread of noxious weeds during the entire life of the project.) Facts that support my comments regarding the lack of an effective Noxious Weed Management Plan Construction and ongoing maintenance of the transmission line will introduce and stimulate the development of multiple noxious weed varieties which pose a threat to public and private property for many miles adjacent to the transmission line. Some seeds disperse for hundreds of miles. A failure to identify and treat noxious weeds prior to them dispersing seeds onto adjacent properties is a critical component of effective treatment to avoid these impacts. State law contained in ORS 569.390 requires the developer to treat weeds prior to seed dispersal, ORS 569.400 provides penalties for failure to do so and ORS 569.445 requires developer to clean machinery prior to moving it over any public road or movement from one farm to another. The site certificate needs to include a monitoring schedule during the spring and summer periods of rapid growth that will address the actual invasive weeds along die right of way. Since different weeds go to seed from early spring through late fall, in order to meet the requirements of the statute, the	Section 5.3.4 of the Noxious Weed Plan (per the March 2019 B2H Exhibit P Errata Sheet) provides for the possibility of weed control beyond 5 years, as requested by ODFW, stating: • Noxious weed control efforts will occur on an annual basis for the first 5 years post-construction. When it is determined that an area of the Project has successfully controlled noxious weeds at any point during the first 5 years of control and monitoring, Idaho Power will request concurrence from ODOE. If ODOE concurs, Idaho Power will consult with ODOE to design an appropriate plan for long-term weed control. If control of noxious weeds is deemed unsuccessful after 5 years of monitoring and noxious weed control actions, Idaho Power will coordinate with ODOE regarding appropriate steps forward. At this point, Idaho Power may suggest additional noxious weed control techniques or strategies or monitoring, or Idaho Power may propose mitigation to compensate for any permanent habitat loss. In its responses to DPO comments from the Baker County and Union County, Idaho Power has proposed a process for finalizing its plans, including its Noxious Weed Plan, that will involve the local expertise of each county and provide the counties with two opportunities for review and input. The final details regarding the schedule and timing for monitoring will be determined closer to construction.

	monitoring plan must address the life cycle of the weeds potentially present at different locations along the right of way to assure weeds are identified and treated prior to seed dispersal. This would require visual inspections to occur based upon the timeframes for specific weeds to develop (Examples attached for leafy spurge and rush skeletonweed which occur in all counties being crossed by the transmission line indicate flowering and resulting seed dispersal occurs from June through November for just these two invasive weeds.) Counties include these on List A rated as invasive weeds requiring attention.	
	Idaho Power is not planning to treat noxious weeds within a timeframe that will preclude their spread to adjoining property. They are only planning control measures within the Right of Way and 50 feet beyond the ROW in Malheur County (see Appendix B2-2, Section B2.1.3, are only planning mandatory monitoring for the first 3 years of the project, are suggesting monitoring and treatment once a year and propose no ongoing management activities along roadways.	The Noxious Weeds Plan (ASC Exhibit P1, Attachment P1-5) describes the measures Idaho Power will undertake to control noxious weed species and prevent the introduction of these species prior to construction and during construction and O&M of the Project. It is the responsibility of Idaho Power and the Construction Contractor(s), working with the appropriate land management agencies and the Oregon Department of Energy, to ensure noxious weeds are identified and controlled during the construction and O&M of Project facilities and that all federal, state, county, and other local requirements are satisfied. The Final Noxious Weed Plan will include documentation of existing infestations adjacent to the survey area in addition to documenting results of the preconstruction noxious weed inventories.

	A failure to manage noxious weeds would result in a significant financial burden being placed upon the county and landowners. Noxious weeds have been identified as the most significant threat to agriculture. In addition, introduction and increased numbers of noxious weeds in critical elk and deer habitat would reduce the value of this habitat to wildlife dependent upon it and result in wildlife fatalities through starvation or displacement to less desirable habitat. The applicant is planning to manage noxious weeds in a manner that will not keep them from spreading within the county and in critical wildlife habitat, and proposing no mitigation for the negative impacts of the spread of weeds within habitat or on agricultural or forest land.	As explained above, in the event that monitoring demonstrates that weed treatments are unsuccessful, Idaho Power would coordinate with the Department regarding corrective action, which may include the use of additional weed control techniques or habitat mitigation
	I am also concerned regarding the fact that the final plan will not be completed until after the site certificate is issued. County Commissioners need to be able to assure the citizens that the final plan provides adequate management of noxious weeds.	Idaho Power has proposed a process wherein the counties would have two opportunities for review and input during the finalization of the Noxious Weed Plan.
	Recommended site certificate conditions: (1) The revegetation plan will require ongoing inspections of the right of way based upon the types of noxious weeds present and be performed in a timeframe that will allow for treatment prior to seed dispersal. (2) The monitoring plan will remain in effect for the life of the project including annual monitoring and treatment necessary to address invasive weeds within the ROW and adjacent land identified in the prior year's study sites as having increased occurrence of invasive weeds compared to control sites.	Idaho Power disagrees with this condition, and believes that its monitoring protocol in the noxious weed plan, section 6.0, is sufficient. This proposed condition is unnecessary, as Idaho Power's proposed approach would extend monitoring for noxious weeds beyond five years in the event that weed treatments per the Noxious Weed Plan are unsuccessful. It is not clear why monitoring for the life of the project should be required if weed treatments are successful. This recommendation is reflected in Idaho Power's proposed approach to the finalization of the Noxious Weed Plan—

	(3) The County will be provided a copy of the completed weed management plan for county comment and approval prior to it being accepted as final. (4) Two sample plots will be identified in each county outside the right of way at locations within Vi mile of the right of way to be monitored for increased invasive weeds. Two additional sample plots will be identified at distances recommended by the Oregon Department of Agriculture from the transmission line based upon their expertise regarding a distance that would minimize impacts from the transmission line and in similar habitats as a control. In the event that noxious weed infestations increase at a rate greater than similar areas located in sample plots. Idaho Power will provide funding for County staff, equipment and means to treat the area of increased infestations outside the ROW. (5) Increased invasive weeds in the area of seed dispersal determined by the Oregon Department of Agriculture, will be presumed to have occurred as a result of habitat impacts of the development. This includes noxious weeds spread from areas outside the ROW, recreational use, grazing, other construction projects, unless the developer provides convincing evidence that the infestation would have occurred absent the development of the transmission line. (6) No plan will be acceptable which fails to comply with state law contained in ORS 569.390. 569.400 and ORS 569.445	though Idaho Power proposes that the county should have two opportunities for input. The Council should reject this proposed condition, as commenter has not demonstrated why a "sample plot" for noxious weeds would be appropriate or necessary to demonstrate Idaho Power's compliance with Council standards or applicable rules and statutes regarding noxious weeds. Idaho Power strongly objects to this proposed condition. Commenter has provided no evidence to support its recommendation that there should be a presumption that Idaho Power is responsible for the spread of all noxious weeds, including those outside the ROW and associated with uses completely unrelated to the transmission line. Idaho Power commits that its Noxious Weed Plan will comply with applicable state law.
Adrian Henderson, 2019-06-20	I am concerned with the lack of requiring Idaho Power to make sure weeds do not go to seed or make them clean their equipment before it leaves the road or moves from one	Idaho Power is proposing to use vehicle cleaning stations where appropriate along the transmission line route—that is, in areas of weed-contamination: "Additionally, when

	person's property to another. As a member of the Chickasaw/Choctaw/Umatilla tribe, I want to remind you of how important this is to the tribes because of how it impacts our first foods. Comments were provided by the tribes about this. You also heard from the developer that they would be working with the counties to make more changes to their weed plan. What I'm concerned about is that the only thing Idaho Power is required to do are the things that you include in the site certificates. The site certificates need to state that Idaho Power must comply with the state rules that require them to protect the land from seeds being spread from their transmission line, as long as the lines are in place. This is a major problem, and why we need to be listening to the people who are here today. A statement by the developer that they plan to fix something later means nothing if you do not include it in the site certificate. The public will no longer have the right to appeal what they are doing; in fact, they don't even need to receive the information about what the developer is actually including in their weed plans.	moving from weed-contaminated areas to other areas along the transmission line ROW, all construction vehicles and equipment will be cleaned using compressed water or air in designated wash stations before proceeding to new locations" (Noxious Weed Plan, Page 19). Idaho Power is aware of the importance of preventing noxious weeds from going to seed, and plans to time its weed treatments during certain windows designed to treat weeds before they have an opportunity to go to seed.
Jordan Brown, 2019-08-22	My comments concern Idaho Power's poorly developed and possibly illegal "Noxious Weed Plan" (DPO Attachment P 1- 5) as well as their failure to take into account in any way, the Oregon Conservation Strategy. Moving on to invasives, IPC's "Noxious Weed Plan" is greatly lacking. As noted above, it is a threat to Oregon's native plant communities. Oregon's Conservation Strategy states "Invasive non-native species can have many negative consequences throughout Oregon. Depending on the species and location, invasive plants can: •affect food chain dynamics •change habitat composition •increase wildfire risk	As explained above, the Oregon Conservation Strategy is not a regulatory document, which includes recommendations for voluntary conservation actions; however, it is not a regulatory document and neither the Fish and Wildlife Standard nor the Threatened and Endangered Species Standard require the Council to consider it. Therefore, the commenter's assertion that the Council must address the Conservation Strategy and that the Project must satisfy the goals or other aspects of the Conservation Strategy is incorrect. To the extent that commenter is asserting that IPC's noxious weed plan is deficient for failing to address the Oregon Conservation Strategy, Idaho Power respectfully disagrees.

	•reduce productivity of commercial forestlands, farmlands, and rangelands •modify soil chemistry •accelerate soil erosion •reduce water quality" Chapter 569 of Oregon law covers weeds. Oregon statute 569.180 (Noxious weeds as public nuisance policy) states, "In recognition of the imminent and continuous threat to natural resources…noxious weeds are declared to be a public nuisance and shall be detected, controlled and, where feasible, eradicated on all lands in this state." Upon careful reading, "Noxious Weed Plan" breaks the law by exempting IPC from weed control after 5 years, denying responsibility for Class B and C Weed species (the vast majority of weeds), and holding IPC accountable for only the very limited area of ROW, despite the B2H project introducing and spreading weeds far and wide along a 300 mile stretch plus dozens of additional access roads and tensioning areas. In summary, IPC's Application does not take into account the Oregon Conservation Strategy. The Application clearly is breaks Goal 1 of the Strategy in many ways; additionally the Application imperils a Federal "Species of Concern", and does not consider Strategy Habitats or Strategy Species. IPC's Noxious Weed Plan does not comply with Chapter 569 of Oregon law. I strongly urge you to deny IPC's Application. Our State Conservation Strategy and Goals and the integrity of our native plant habitats and rare plant occurrences cannot be sacrificed! (Jordan Brown, 8-22-19)	Contrary to commenter's assertion that the weed plan "breaks the law by exempting IPC from weed control after 5 years," Section 5.3.4 of the Noxious Weed Plan (per the March 2019 B2H Exhibit P Errata Sheet) provides for the possibility of weed control beyond 5 years, as requested by ODFW, stating Noxious weed control efforts will occur on an annual basis for the first 5 years post-construction. When it is determined that an area of the Project has successfully controlled noxious weeds at any point during the first 5 years of control and monitoring, IPC will request concurrence from ODOE. If ODOE concurs, IPC will consult with ODOE to design an appropriate plan for long-term weed control. If control of noxious weeds is deemed unsuccessful after 5 years of monitoring and noxious weed control actions, IPC will coordinate with ODOE regarding appropriate steps forward. At this point, IPC may suggest additional noxious weed control techniques or strategies or monitoring, or IPC may propose mitigation to compensate for any permanent habitat loss.
Public Services – Wildfire		
Gail Carbiener, 6-6-2019	I do not believe that Exhibit U, Public Services; 2.1 General Standards for Siting Facilities, especially Police and Fire Protection 3.4.6.2 Fire and errata additions, have been met.	Idaho Power respectfully disagrees with commenter's conclusions, as described in greater detail below.

	The "Fire Prevention and Suppression Plan" dated September 2018 in paragraph 1.1 Purpose states: "The risk of fire danger during transmission line construction is related to smoking, refueling activities, operating vehicles and other equipment off roadways, welding activities, and the use of explosive materials and flammable liquids. During operation, the risk of fire is primarily from vehicles and maintenance activities that require welding. Additionally, weather events that affect the transmission line could result in the transmission line igniting a fire." This Fire Plan is weak, reactive and lacks adequate prevention.	The Fire Prevention and Suppression Plan is currently in draft form, and will be finalized prior to construction in collaboration with the counties. Beyond what is provided in that plan, however, Idaho Power has in place a number of practices and protocols to manage wildfire risk, all of which would apply to the B2H line. For instance, Idaho Power has a vegetation management plan that focuses on tree trimming to ensure poles and lines are clear of vegetation. Idaho Power also has a documented line inspection program for its transmission lines, requiring two patrols per year (twice the number required by regulators), which are complimented by a variety of line maintenance programs involving infrastructure replacement and installation of protection equipment (see attached excerpts from Idaho Power's Transmission Maintenance and Inspection Plan). The use of steel structures on B2H will also be helpful, as they are less impacted by wildfires and have a long useful life. Idaho Power is also developing a Wildfire Mitigation Plan that identifies strategies to further mitigate fire-related risks associated with Idaho Power's transmission operations. The Wildfire Mitigation Plan will utilize a risk-based approach that focuses on assessing wildfire risk and identifying operations and maintenance practices, programs, and activities will have specific targeted actions in those high wildfire threat areas. The Wildfire Mitigation Plan will also identify performance metrics and monitoring to ensure actual actions are consistent with those set forth in the plan. So, while Idaho Power does a considerable amount of work aimed at reducing wildfire risks, the Wildfire Mitigation Plan will improve upon it. Idaho Power expects to have its

		Wildfire Mitigation Plan complete by or near the end of the first quarter of 2020.
	Idaho Power does not describe the significance of a 500-kV line compared to other high voltage lines for potential fires. The Fire Plan obviously is the least costly attempt at compliance.	The voltage of a particular line itself is not generally significant to fire risk.
	It seems to me that Idaho Power has never researched or consulted officials in any of the California wild fires. Santa Rosa's Fire Chief was quoted: "Firefighters responded from 17 states and Australia. 266 Engines, 79 Crews, in addition, over 4,300 law enforcement officers were called in to help with traffic control, evacuations, and other tasks. The California National Guard put 2,300 soldiers on the ground to assist with various tasks." It is difficult to imagine getting even one-tenth of these resources to Baker City or La Grande. Both of these cities as well as Meacham and Hilgard are at risk. All are in a bowl with winds from the north able to push a fire, downslope through the forest into the city. It is worth noting that the Camp Fire in Paradise was started by the 115-kV Caribou-Palermo transmission line. The Fire Prevention and Suppression Plan is inadequate to minimize risk of fire ignition and, in the case of fire, provide for immediate suppression. These additional conditions should be included.	The vast majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. During construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant organization or federal agency, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. During operation and maintenance of the project, wildfire concerns will be addressed through the Fire Prevention and Suppression Plan, which will address the coverage issues addressed in this comment. Further, to address concerns about coordination on the final Fire Prevention and Suppression Plan, see Idaho Power's responses to comments from Baker County and Union County Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior

		to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.
	• Additional Condition #1: FIRE PREVENTION MEASURES 2.0 2.0.5 Equipment: Idaho Power or the Contractor during construction, shall provide enhanced fire protection. This will include a four-wheel drive fire engine that is designed for rapid deployment. For example, a "Type 3 fire engine" which typically includes a pump operating at 120 gpm, a large 500 gal/tank, 1000 ft. 1 1/2" hose. A minimum crew of two will be present during all hours of construction, including equipment servicing and maintenance. [This replaces the "Watchman" which is totally inadequate fire prevention and protection]	This proposed condition is unnecessary. As clarified in responses to other comments, Idaho Power will negotiate agreements with local fire response organizations and federal agencies for coverage, or provide additional firefighting equipment through other means. However, the specific equipment employed will be site and situation specific and dictating the equipment at this time would be premature.
	• Additional Condition #2: 2.0 Restricted Operations: The Contractor and IPC will restrict or cease operations in specified locations during periods of high fire danger at the direction of the land-management agency's closure order. Restrictions may vary from stopping certain operations at a given time to stopping all operations. IPC may obtain approval to continue some or all operations if acceptable precautions are implemented. [add] IPC will notify fire agencies responsible for work locations, when approval is obtained from land-management agencies.	This condition is unnecessary and unsupported by specific evidence. Idaho Power commits that it will comply with any fire closure orders of local, state, or federal governments with land management authority for fire control and protection, therefore, no changes to the plan are necessary.
	• OPERATION AND MAINTENANCE 3.0 IPC states at 3.1; "During transmission line operation, the risk of fire danger is minimal. The primary causes of fire on the ROW result from unauthorized entry by individuals for recreational purposes and from fires started outside the ROW." Pacific Gas & Electric's statistics on wildfire causes from 2015-2017 show: Vegetation (49%) Tree, tree limb, or other vegetation contact with conductors that result in fire ignition. Equipment Failure – Conductor/Hardware (28%)	

	Failure of conductor resulting in wire down and fire ignition. Third-Party Contact (13%) Contact caused by a third party, leading to fire ignition, such as cars hitting poles and Mylar balloon contacts. Animal (8%) Animal contacts that result in fire ignition, such as birds contacting energized conductors then falling to the ground and causing an ignition. Unknown (2%) Situations where PG&E was unable to determine the cause of the ignition. The majority of fires will start and burn for some time before being discovered and reported. Three additional preventive conditions are recommended. Condition #5 is particularly important because IPC is not near or has quick access to the transmission line.	
	• Additional Condition #3: Wildfire evacuation plan: IPC should partner with willing counties and cities and a traffic and evacuation expert, to determine anticipated traffic conditions and evacuation times and recommend strategies that could be used.	This condition is unnecessary and unsupported by specific evidence. This proposed condition is unnecessary. During development of the final Fire Prevention and Suppression Plan and the Traffic and Transportation Plan in coordination with the counties and fire protection entities, anticipated traffic conditions and an evacuation plan will be addressed.
	• Additional Condition #4: Camera Deployment. Prior to energizing the transmission line for operation, Idaho Power will install high definition cameras that cover fire-threat areas where there is an extreme risk (including likelihood and potential impacts on people and property). Areas to be covered by cameras will be determined by IPC and appropriate fire-control authorities. These cameras should be similar to those installed by ALERTWildfire.	In its forthcoming wildfire risk plan, Idaho Power intends to identify potential mitigation actions for high risk areas. However, it should be noted that, cameras have been used only in limited areas of the country that experience unique meteorological events and wildfire risk situations.
	• Additional Condition #5: When the following weather conditions are predicted, IPC will send a qualified crew to predetermined sites to determine if the line should be turned off. o A Red Flag Warning declared by the National Weather Service	This condition is unnecessary and unsupported by specific evidence. Again, in its forthcoming wildfire risk plan, Idaho Power intends to identify potential mitigation actions for high risk areas. However, it should be noted that, outages have been used only in limited areas of the country that

	o Humidity levels predicted below 20% o Forecasted sustained winds predicted above 25 mph and wind gusts in excess of 45 mph	experience unique meteorological events and wildfire risk situations.
Multiple commenters	Cal Fire cites Pacific Gas and Electric equipment and power lines as the cause of numerous wildfires in the state in the last 2 years. This includes the Camp Fire in Butte County (2018), Tubbs Fire in Napa/Sonoma Counties (2017), Witch Fire in San Diego (2007), Valley Fire in Lake/Napa/Sonoma Counties (2015), Nuns Fire in Sonoma County (2017), which were all attributed to transmission. The Boardman To Hemingway Transmission Line Project proposal places lines about 2000 feet or less than half a mile from the La Grande city limits, including medium density housing within the city as well as Grande Ronde Hospital. If a line from this proposed route were to spark a fire, La Grande residents would have little time to react. According to National Geographic, wildfires can move as fast as 6.7 mph in forests and 14 mph in grasslands. A fast-moving fire starting at the B2H lines could move to residential areas of La Grande and HOSPITAL in 10 minutes. This is frightening and an unacceptable risk for our citizens.	Idaho Power appreciates the commenters' concerns about wildfires. However, Idaho Power believes those concerns are adequately addressed through the Fire Prevention and Suppression Plan and Idaho Power's line inspection and vegetation management practices. Idaho Power is developing a wildfire risk plan to further address wildfire risks.
Donald Gray Mcguire (no date on letter)	The increased potential for wildfire has been established as a given along any transmission line. Not only is there an undetermined and potentially significant amount of time that will elapse prior to the identification of the fire, but then there may be a response time of up to 40 minutes after a fire is located in some areas according to fire fighting resources. There will be ample opportunity for the fire to grow significantly. Given the potential lack of speed in getting to the location, the difficulty traversing the terrain, and the lack of specialized equipment available to fight forest fires, local resources are not adequate to protect the public from wildfires occurring due to the construction and ongoing operation and maintenance of this transmission line.	The vast majority of the transmission line will be located either within the boundaries of a local fire response organization or on federal land where fire response is managed by BLM or the Forest Service. During construction, in those areas covered by a fire response organization or located on federal land, Idaho Power will attempt to negotiate an agreement with the relevant organization or federal agency, outlining communication and response procedures for potential fires within their boundaries. In those areas not covered by a fire response organization and not located on federal land, Idaho Power will attempt to negotiate an agreement with nearby fire response organizations or the federal agencies to provide fire

	Responding to fires that do occur will limit local resources available to provide service to their local areas of responsibility and the developer is planning to rely upon those local resources to deal with fires along the transmission corridor. Concern over the increased risk of fire as a result of this transmission line including multiple comments voiced by the citizens of the counties as well as special advisory groups prompted both Union and Baker counties to request funding for an analysis and recommendation to identify and mitigate the increased risk created by the construction and operation of the transmission line. Funding for that activity is not being supported by the developer.	response. If no such agreements can be reached, Idaho Power will propose alternatives such as contracting with a private fire response company or providing additional firefighting equipment at those sites. During operation and maintenance of the project, wildfire concerns will be addressed through the Fire Prevention and Suppression Plan, which will address the coverage issues addressed in this comment. Further, to address concerns about coordination on the final Fire Prevention and Suppression Plan, see Idaho Power's responses to comments from Baker County and Union County Idaho Power proposes adding condition language providing the counties at least two opportunities to review and comment on the plans prior to Idaho Power's submittal of the plans to ODOE and committing Idaho Power to provide written responses to any comments received from the counties.
Tamson Cosgrove Ross, 8-22-2019	Removing forested land along the transmission line will result in increased risk of wildfire.	Commenter has not provided specific facts to support this assertion. Additionally, in the event of the occurrence of a wildfire in a forested area, a cleared transmission line may serve as a fire break or provide access to fire response entities fighting a wildfire, potentially aiding in the ability to contain wildfires.
	There is no required mitigation for the increased risk of fire. The applicant's statements that they "may" restrict hours of operation, they "may" require water trailers, "may" require fire watches, "may" restrict road use during thaws means there is no mitigation being required to reduce the increased fire risk or the road damages that will occur.	Idaho Power appreciates the commenter's concerns about wildfires. However, Idaho Power believes those concerns are adequately addressed through the Fire Prevention and Suppression Plan and Idaho Power's line inspection and vegetation management practices. Idaho Power is developing a wildfire risk plan to further address wildfire risks.
	There is an increase in the potential for fire both from the line, but even more significantly, from human traffic along the transmission line.	Idaho Power will use gates to limit access on its access roads, where agreed to by the landowner.

	For landowners who receive income from hunters, the land will become less desirable due to the visual impact of the line and the fact that elk will avoid the area for multiple reasons including human and vehicle traffic, corona visual impacts, etc. Research shows animals can see corona.	See Exhibit P3, which discusses the impacts of the transmission line on elk habitat, which will be mitigated in compliance with ODFW's requirements.
Public Services - Traffic		
Eric Valentine, 2019-08-16	OAR 345-022-01 10 requirements cannot be mitigated by Idaho Power. Regardless of the power line route, the project WILL have a SIGNIFICANT adverse effect on the La Grande Public's traffic safety, police and fire protection, health care, and schools. IPC, under its traffic safety assessment (3.5.5.1) continually uses the word "could" impact. That is totally false. It WILL IMPACT. Sunset drive is not merely the major arterial to the Grande Ronde Hospital and Clinics, it is the ONLY way to get there. Sunset is a narrow street, which only accommodates three normal car widths. This project WILL, not could, "disrupt local traffic due to over sized, skew moving vehicles on smaller roadways and increased vehicular traffic from construction personnel." The Facilities Siting Council MUST look at the life and death hazards that delayed ambulance and helicopter services due to IPC construction traffic will create. Similar hazards exist to delays to police and fire services to this area. The La Grande High School, Central Elementary School, and La Grande Middle School are all within less than half a mile of Sunset drive. It will be impossible for Idaho Power to provide any mitigation to student traffic in the area, student bus routes, students walking to and from school. (Eric Valentine, 8-16-19)	Idaho Power will address specific traffic routes and mitigation to the City of La Grande in the county-specific Traffic and Transpiration Plan. This plan will be prepared in consultation with the City of La Grande disruption to local traffic is minimized. Construction traffic will only be present on city streets for a limited time each day and will be limited in duration.
Cultural/Historic/Archaeological		
Tamson Cosgrove, 8-12-19	OCTA does NOT believe that Exhibit S Historic Properties Management Plan is complete in 7.2.3 Field Crew, and offers this additional condition.	This condition is unnecessary. The field teams deployed for the project have substantive Oregon Trail experience in Idaho and Oregon and meet the Secretary of the Interior's Professional Qualification Standards for Architectural

	ADDITIONAL CONDITION #1 OCTA recommends that the Council add an Oregon Trail expert to the Cultural Resource Team. This Oregon Trail individual will have qualifications similar to Field crew members. For example, they will have an undergraduate degree in anthropology, archaeology, or in a field such as geology, engineering or history. It will not be necessary to have attended a field school. This individual will be recommended by the National OCTA President and agreed to by the Field Director.	History, History, and/or Archaeology. EFSC and the Oregon SHPO have reviewed the submittals of this application and at no time have the qualifications of the field crews been noted as a deficiency. Idaho Power intends to continue to utilize field crews with similar qualifications and expertise in the Oregon Trail.
Sharon Brown, Western Region Representative Oregon-California Trails Association. 2019-07-19	[M]y specific concerns are for the Oregon National Historic Trail, which the proposed B2H Transmission Line will cross in 17 locations. (page S-176).This trail is part of a nation-wide, congressionally-designated system known as the National Trails System. On this trail are several federally built and managed visitor/interpretive centers, including one in Baker City, Oregon – the National Historic Oregon Trail Interpretive Center (NHOTIC). The name itself conveys the significance of the historic resource to the American people. From this center, visitors from around the world can learn about the trail's heritage and see pristine trail ruts in situ. When the NHOTIC opened in 1992, its position on Flagstaff Hill offered visitors a sweeping view of the landscape emigrants passed through 175 years ago. The center's wall of windows purposely supported a desired visitor experience. The Draft Proposed Order offers impact analysis at the NHOTIC site in Exhibit S: Historic, Cultural, and Archeological Resources. On Table 4.1. "Project Effects to Aboveground Resources" on page 20 of the Historic Properties Management Plan, several Oregon Trail segments, including the Oregon Trail ACEC (Areas of Critical Environmental Concern, Bureau of Land Management designation) (site B2H-BA-282), will experience "Potential Adverse Effect" as a result of this project. Table 4.2 "Project Impacts to Oregon Trail Resources"	In a letter dated April 29, 2019, SHPO has confirmed that if all project-related direct impacts to resources covered under OAR 345-022-0090 are avoided, minimized, or otherwise mitigated through measures included in Exhibit S and Attachment S-9 (HPMP), then the construction and operation of the facility is not likely to result in significant adverse impacts to resources described in OAR 345-022-0090(1). These statements would apply to the resources noted in this comment.

	on pp. 20-21 identifies eight trail resources, including the Flagstaff Hill component, that have the potential to be adversely affected by this project. (Sharon Brown Western Region Representative Oregon-California Trails Association, 7-9-19)	
John Williams 2019-08-21	In the summer of 2016, Tetra Tech on behalf of IPC conducted several surveys on the property, one of which was for cultural and historic resources. Attached is their summary and figure 14 which depicts the results for archaeological resources. Two resources are of concern, 6B2H-RP-08 and 6B2H-MC-10. According to figure 14, both are within the ROW of the access road to B2H. Page 5, line 26 of the Programmatic Agreement regarding compliance with the National Historic Preservation Act, regarding stipulations of Area of Potential Effects A.1.a.b. "The direct effects APE for new or improved access roads will be 100 feet on either side of the centerline." (200 feet total). Both resources should appear in the Draft Proposed Order on page 431, Table 4CA-5 Potentially Impacted Resources under OAR 345-022-0090(1)(a), but only 6B2H-RP-08 is listed. It's Generalized Resource Description/ Resource type is stated as "Cairn(s)/ Precontact Archaeological Site; HRHP Recommendation stated as Unevaluated Project Component stated as "Direct Analysis Area (Construction Footprint); Applicable EFSC Standard stated as "a) Potential Historic Property; b) Archaeological site on private land"; Project Impacts and Management Comments stated as "Potential direct/indirect impact. Avoid direct until eligibility determined. Consultation Needed." These standards should apply to Resource # 6B2H-MC-10 as well. Page 380, lines 6-9 of Section IV. K. Historic, Cultural, and Archaeological Resources: OAR 345-022-0090 of the Boardman to Hemingway Transmission Line Application for Site Certificate	Site 6B2H-MC-10 is 5.14 meters south of the direct analysis southern boundary. It is therefore not included in the direct effects APE. The scale of Figure 14 likely makes it appear that the site is on or at the boundary. However, based on recording the site with a sub-meter accurate GPS unit, it is outside. Determination of eligibility is a compliance issue, not completeness. Subsurface testing for NRHP-eligibility determination purposes will be conducted based on resource- specific treatment plans associated with the HPMP. Testing will only be conducted in the permitted route so as to avoid unnecessary disturbance of archaeological resources in other routes. Testing will occur following receipt of the site certificate, but prior to ground disturbance in accordance with Idaho Power's site certificate conditions. Further, in a letter dated April 29, 2019, SHPO has confirmed that if all project-related direct impacts to resources covered under OAR 345-022-0090 are avoided, minimized, or otherwise mitigated through measures included in Exhibit S and Attachment S-9 (HPMP), then the construction and operation of the facility is not likely to result in significant adverse impacts to resources described in OAR 345-022-0090(1). This includes resources that could not be evaluated based on surface findings and are listed as "unevaluated" in Exhibit S, which are specifically treated as though eligible in the analysis.

	Draft Proposed Order states "A resource designation of unevaluated indicates that the resource may have been investigated, however, additional investigations or evaluations are recommended so the resource is assumed to be likely eligible for listing on the NRHP. I contend that without further evaluation on these resources for eligibility, the Application is incomplete. Thank you for your time.	
Molly Eekhoff, 08-21-2019	The field surveys, even with SHPO and NPS data, have missed and/or mislabeled some sections of the emigrant trail. OCTA wants the public to know where the Trails are and I do too! OCTA over the years has marked the trail location with wooden signs, small triangles attached to trees, and more recently, carbonite posts and steel rails. Most private property owners are proud of the trail on their property, and after obtaining permission allow the public to walk and hike on the trail.	The field surveys and reports utilized extensive resource management information from the Oregon SHPO, NPS, OCTA, Oregon Historic Trails Advisory Council, and other primary and secondary sources when naming/identifying segments of the Oregon Trail. Absent more specifics about which trail segment labels are incorrect, these conclusory statements cannot be verified and thus does not support the commenter's assertion that Idaho Power's consideration of Oregon Trail impacts or related mitigation fails to satisfy the Council's standards or other applicable substantive criteria.
Gail Carbiener	Exhibit S – Cultural Resources; Section 3.4.1 Idaho Power stated that resources that could not yet be properly evaluated are recommended as unevaluated but are treated as NRHP-eligible for the purposes of analysis. A specific segment of the Oregon Trail was presented to the State Advisory Committee on Historic Preservation on February 22, 2019. The following motion was made: Oregon Trail: La Grande to Hilgard Segment Ms. Trice moved to forward the nomination to the Keeper of the National Register under Criterion A with amendments as recommended by the committee. Ms. Oberst seconded. The motion passed unanimously. The boundary of the nominated segment extends 250 feet on either side of the centerline of the Oregon Trail or to the margin of private property if the distance is less than 250 feet. The total distance of the nominated trail segment is 3.66 miles. Oregon Trail is within	Comment noted. The Oregon Trail: La Grande to Hilgard Segment was identified in Exhibit S and Attachment S-10 (and associated Errata Sheets) as 6B2H-RP-09. IPC prepared avoidance and/or effect minimization options consistent with the applicable Council standard or other applicable substantive criteria. The resource was considered in Exhibit S and Attachment S-10 as eligible for the NRHP. While recommended to be listed by the Oregon State Advisory Commission on Historic Preservation, the nomination of this segment has not been approved by the National Park Service for the National Register of Historic Places.

	Section 7 T3S R38E, and Section 12 T3S R37E and in Section 10 T3S R37. This segment is all on private property and is within 150 feet of the center line of the ROW for B2H. This segment should be noted prior to construction. (Gail Carbiener)	
Undergrounding		
Gail Carbiener, 2019-05-26	I object to the "Conclusion Regarding Undergrounding of the Project" at Exhibit BB, Section 3.4.2 reached by Idaho Power and supported by Staff. The text at page BB-7 states in part: "because of the high cost of an underground line compared to overhead 500-kV lines, unproven technology over long distances for 500-kV, reliability and reactive compensation issues for long installations, and increased land disturbance, the alternative of placing the 500-kV line underground was not considered feasible for the Project" These conflicting points all come from a 2009 National Grid publication that is currently out of date. Reliability, Reactive Power Compensation and Environmental issues are not significant in a 2.25-mile underground line. The 2009 National Grid publication refers to "long distances and long installations" when describing these three issues. Cost continues to be the major reason for not considering a short underground in front of the Oregon Trail Interpretive Center near Baker City. Power Engineers, who is the major contractor for Idaho Power's 138-kV line in Blaine County near Hailey, Idaho, provided estimates of B2H costs. There is no indication or reference that they have set foot on the ground at the site in Oregon. (Gail Carbiener, 5-26-19)	To clarify, Idaho Power is not proposing undergrounding the transmission line as a mitigation option. Rather, Idaho Power discussed undergrounding in Exhibit BB as a courtesy because several comments received during the scoping period requested that Idaho Power consider installing the transmission line underground. Idaho Power similarly prepared the Exhibit BB errata undergrounding study as a courtesy, responding to comments from Baker County that requested an independent assessment of the cost difference and level of ground disturbance between underground and overhead installations. However, as discussed in Exhibit BB, undergrounding is not feasible and therefore Idaho Power is not considering it as a mitigation option for all or any portion of the line because of the high cost compared to overhead lines, the unproven technology involved with 500-kV underground lines, reliability and reactive compensation issues for long installations, and increased land disturbance. Thus, while Idaho Power provides responses to the comments on undergrounding below, Idaho Power is doing so only as a courtesy as undergrounding is not being proposed as mitigation for this project. It appears the commenter is questioning whether the discussion of undergrounding in the main text of Exhibit BB sufficiently addresses the commenter's request to underground the project specifically in front of the NHOTIC. If that's the case, the commenter misunderstands the context of the main text and fails to recognize the

		information provided in the Exhibit BB errata that specifically addresses undergrounding the NHOTIC segment. That is, the main text of Exhibit BB addresses scoping comments that requested consideration of undergrounding the transmission line generally or in its entirety. In the Exhibit BB errata, in response to a request from Baker County, Idaho Power provided a study specifically comparing the cost and ground disturbance between underground and overhead installation within the viewshed of the NHOTIC. While the commenter may disagree with the outcomes of the Power Engineers study, the findings in the study were supported by previously prepared estimates for similar planned projects, the cost of the only similar project constructed within the United States, as well as three 500-kV installations utilizing similar cable constructed outside of the US. Over 100 hours were spent preparing, reviewing and incorporating comments into the report by recognized experts in this very specialized subset of the industry.
Gail Carbiener, 2019-05-26	Power Engineers estimate the cost to be $102 million to $111 million for the 1.5 miles in front of the Interpretive Center. Using AACE Cost Estimates with a 50% contingency and a Class 5 MATURITY LEVEL OF PROJECT DEFINITION DELIVERABLES, expressed as 0% -2% of complete definition, this is the least confident estimate allowed.1 The only reference used by Power Engineering was the 3.7 mile, 500-kV underground line in Chino Hills, California constructed by Southern California Edison at a cost of $224 million. The Chino Hills project crossed two major thoroughfares, several minor roadways, a shopping center, two flood-control channels and two holes of a golf course. One-third of the alignment was on a 15 percent average grade, with slopes as steep as 35 percent in some locations. In all, the project involved the installation of approximately 17,000 linear feet of	Contrary to this comment, the Power Engineers Class 5 estimate is appropriate and sufficient at this stage in the project's development. The Class 5 estimate gives an order of magnitude comparison that assesses the financial viability of constructing an alternate underground transmission line at the referenced location instead of the planned overhead transmission line installation. In order to complete a more specific estimate, topographical surveys, geotechnical and thermal investigations, and final design would generally be required to obtain more specific material and cost estimates—steps that typically are not completed until after all local, state, and federal authorizations have been obtained and land access has been secured. Therefore, the Class 5 estimate was both appropriate and reasonable for

	duct bank and numerous horizontal drills ranging from 800 to 2,100 feet in length. The 3.7 miles of undergrounding through a major city and its infrastructure cost $224 million. The 1.80 miles of undergrounding through open land without any obstacles should cost considerably less than a straight proportion of costs. (3.7 = $224 so 1.80 = $109) This compares with Power Engineers cost estimate of $102-$111. (Gail Carbiener, 5-26-19) o The Council should reject the Conclusion Regarding Undergrounding of the Project (3.4.2) and require a Site Certificate Condition as follows: o Prior to Construction Prior to construction, the certificate holder shall finalize and submit to the department for its approval, an on-the-ground survey to level 3 Degree of Project Definition as illustrated below. (Gail Carbiener, 5-26-19)	this stage of the project during the EFSC site certificate application process.
EMF		
Mary McCracken, undated	High voltage transmission lines [sic] interfer with radio and television signals. This can be not only an inconvenience, but a safety and health issue. Agricultural workers often work alone and in areas not observable by others. They rely upon cell phones and other devices to obtain help in the event of an accident. In addition, modern farm equipment is often radio controlled. A 500 kV transmission line will interfere with the functioning of radio controlled equipment. These impacts will severely impact farm production and the cost of production due to requiring additional employees to perform functions that occur automatically when the equipment is working. The site certificate needs to clearly identify the developer as having responsibility to take necessary action to resolve any interference with radio signals which impact farming operations. Failure to require such action needs to result in the inclusion of the increased costs in the cumulative impacts	As discussed further in Section 3.3.2 of ASC Exhibit AA (Electric and Magnetic Fields), Idaho Power has designed the line to reduce radio interference from the Project to acceptable levels during fair weather. Design measures include using larger diameter conductors, using more conductors within conductor bundles, increasing the distance between conductor bundles, and utilizing proper construction techniques. Radio interference is more likely to occur during rainy weather conditions, as water droplets and other irregularities on the conductor surface can intensify the electric field. If radio interference occurs, it decreases rapidly with distance from the line. It will be highest under and very close to the line where the general public will typically not be, except for very short periods of time.

	that will show a significant increase in the costs of farming operations due to the transmission line. I am often hiking alone in the Glass Hill area and rely on my phone for emergency contact. Recommended Site Condition: The developer will provide contact information for citizens to report suspected transmission line interference with radio, phone or equipment signals. Complaints will be followed up on within 30 days. The developer will take necessary action to remove the interference with radio signals relied upon by individuals engaged in farming operations.	Should complaints occur, Idaho Power will investigate to identify the source and magnitude of radio noise, and will work to help resolve the issue. Often a solution can be found through simple, very effective, and low cost changes involving the complainant's receivers, antennas, filters and/or signal amplifiers. The proposed condition is unnecessary however because Idaho Power is already committed to maintaining a customer service telephone line to address complaints like these (see Public Services Condition 2(j)).
Need		
Gail Carbiener	It is important to know that Idaho Power's 2019 Integrated Resource Plan has been presented and then postponed until October 31, 2019. If significant changes are made to the 2019 Plan from the 2015 Plan, that has been relied upon by EFSC Staff, some Exhibits may need revision. Exhibits A, D, M, U, and W will be affected by different assumptions. For example, financial responsibility if a participant drops out, or if the Oregon Public Utilities Commission enacts wildfire regulations. I recommend that EFSC revisit the need for the B2H.	Consideration of Idaho Power's 2019 IRP is not required for the Council's evaluation of the Need Standard, which Idaho Power has analyzed (and satisfied) under both the Least-Cost Plan Rule and System Reliability Rule. The Council considers the Public Utility Commission of Oregon's acknowledgement of an IRP under the Least-Cost Plan rule, and not the IRP itself. That said, Idaho Power expects that the analysis in the 2019 IRP will continue to identify B2H in the preferred portfolio and Idaho Power will provide an update to the Council following acknowledgement of the 2019 IRP, which Idaho Power expects may occur at some point in late 2020 or early 2021.
Threatened and Endangered Plant		
Jordan Brown, 2019-08-22	Another very specific example is 5 State listed rare plant species (DPO Exhibit Q) within the B2H "analysis area". IPC claims "only" two of these rare species (Mulford's milkvetch and Snake River goldenweed) will suffer "direct impacts", by blading with heavy equipment. IPC claims that," Avoidance and minimization measures …described in Section 3.5.4" will "mitigate" impacts. Upon reading 3.5.4 we find that this	Commenter's assertion that development of the project will result in the spread of noxious weeds and harm to rare plants is unsupported by evidence in the record, and fails to consider Idaho Power's Noxious Weed Plan. Additionally, comment does not consider the Council's standard

	consists of "minimum buffer of 33 feet between the disturbance and the edge of the T&E occurrence". Habitat for these plants will be completely fragmented and a buffer of 33 – or even a few hundred--feet will not stop invasion by noxious weeds! These species will suffer irreparable damage under B2H. The Oregon Conservation Strategy rightly recognizes, "Invasive species are the second largest contributing factor causing native species to become at-risk of extinction in the United States."	for T&E plants, which requires the Council to find that "the design, construction and operation of the proposed facility, taking into account mitigation . . . are not likely to cause a significant reduction in the likelihood of survival or recovery of the species." For Mulford's milkvetch, for example, Idaho Power's analysis provides that less than 0.005 percent of the total known acres of rangewide occurrences will be directly impacted, and accordingly the project is not likely to cause a significant reduction in he likelihood of survival or recovery of the species.
	To delve further into rare plants slated for damage by B2H, Trifolium douglasii is a USFWS "Species of Concern" ttps://www.fws.gov/oregonfwo/Documents/OregonSpeciesStateList.pdf yet not even considered in IPC's 3.5 "Avoidance to Minimize Impacts". Although List 1 under ORBIC's latest ranking https://inr.oregonstate.edu/orbic/rarespecies/ ranking-documentation/vascular-plant-ranks it is not shown as State listed Threatened or Endangered, so is ignored by IPC. Species of Concern are "Taxa whose conservation status is of concern to the U.S. Fish and Wildlife Service (many previously known as Category 2 candidates), but for which further information is still needed." Douglas clover has a global rank of G2 "Imperiled because of rarity or because other factors demonstrably make it very vulnerable to extinction (extirpation), typically with 6-20 occurrences". DPO Exhibit P Part 2b Appendix 3A and 3B Figure 9 of 23 shows Douglas clover directly on the Morgan Lake alternative! This is not even taking into account that areas of private land where access was not granted for survey, likely contain additional occurrences of Douglas clover. The area is THE main place where this rare plant grows in Oregon, and B2H is set to permanently alter and compromise its main habitat with weeds!	Douglas clover (Trifolium douglasii) is not a State-listed species, and therefore, the Council need not allot it the protections provided to State-listed species. However, if individual private landowners would like to avoid and/or minimize impacts to those plants on their land, Idaho Power will work with those landowners to do so where possible.

Notification		
Harvey, Cynthia	My name is Cynthia Harvey. My residence address is 77647 North Loop Road, Stanfield, Oregon. In March of this year we purchased 1100 acres up in the Meacham area of timberland. As of today we have never received notice from the State of Oregon or Idaho Power about this project. We have gone online, and according to the map, they want to put five towers on us. So we would be impacted greatly. It would take all our stands of timber, all our best water resources, and basically just destroy our property. So I am concerned that we have never receive any kind of notice. So I want that stated in the record.	Idaho Power has complied with all EFSC notice requirements. To ensure the application issued for public comment had the most up-to-date property owner list, as directed by ODOE, Idaho Power generated the Exhibit F property owner list prior to the Department's determination of application completeness and in coordination with the Department. Idaho Power's understanding is ODOE provided notice of the complete application on or about September 28, 2018. Idaho Power understands that this commenter purchased the property in March 2019, after the notice of application. While Idaho Power appreciates this commenter's concerns, Idaho Power complied with the notice requirements under the EFSC standards. Even so, Idaho Power has in fact communicated with the commenter. In April and May of 2019, Idaho Power and the commenter corresponded via email and telephone in an attempt to arrange a meeting. And then following the public hearings, in July and August of 2019, Idaho Power tried multiple times to reach the commenter, but to no avail. In sum, Idaho Power has provided the required notification and has attempted to correspond with the commenter on multiple occasions.