Preliminary Request for Amendment #2

Boardman to Hemingway Transmission Line Project

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ACRONYMS AND ABBREVIATIONS

ACEC	Area of Critical Environmental Concern
ASC	Application for Site Certificate
BCZSO	Baker County Zoning and Subdivision Ordinance
BLM	Bureau of Land Management
CHZO	City of Huntington Zoning Ordinance
CI	Commercial Industrial
COB	COB Energy Facility LLC
CR	Commercial Residential
Council or EFSC	Energy Facility Siting Council
dBA	A-weighted decibels
DOGAMI	Oregon Department of Geology and Mineral Industries
EFU	exclusive farm use
ESH	Essential Salmonid Habitat
HAC	Historical, Archeological or Cultural
HPMP	Historic Properties Management Plan
IPC; Certificate Holder	Idaho Power Company
JPA	Joint Permit Application
kV	kilovolt
LiDAR	light detection and ranging
MCC	Malheur County Code
MCCP	Morrow County Comprehensive Plan
MCZO	Morrow County Zoning Ordinance
mm/yr	millimeter per year
NED	National Elevation Dataset
NEPA	National Environmental Policy Act
NHD	National Hydrography Dataset
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSR	noise-sensitive receptor
NWI	National Wetlands Inventory
NWSTF Boardman	Naval Weapons Systems Training Facility – Boardman
OAR	Oregon Administrative Rules
ODEQ	Oregon Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODOE	Oregon Department of Energy
ODSL	Oregon Department of State Lands
ORS	Oregon Revised Statutes
PA	Programmatic Agreement
Project; B2H	Boardman to Hemingway Transmission Line Project
RFA 2	Request for Amendment 2
RSA	Rural Service Area
SHPO	State Historic Preservation Office
SLIDO	Statewide Landslide Information Database for Oregon
STATSGO	State Soil Geographic Database
UCCP	Umatilla County Comprehensive Plan

UCDO	Umatilla County Development Ordinance
UCZPSO	Union County Zoning, Partition, and Subdivision Ordinance
USDA	U.S. Department of Agriculture
USFS	U.S. Department of Agriculture, Forest Service
USGS	U.S. Geological Survey
WAGS	Washington ground squirrel
ZVI	zone of visual influence

1.0 INTRODUCTION

1.1 Project Summary and Request

Idaho Power Company (IPC or Certificate Holder) has a site certificate to construct, operate, and maintain the Boardman to Hemingway 500-kilovolt (kV) transmission line (Project). The Project consists of approximately 300 miles of high-voltage electric transmission line between the proposed Longhorn Station near Boardman, Oregon, and the Hemingway Substation in southwestern Idaho. The Project is sited across approximately 275 miles in Oregon and 24 miles in Idaho. The Project includes construction of a single-circuit 500-kV transmission line, removal of approximately 12 miles of existing 69-kV transmission line, rebuilding of approximately 1 mile of a 230-kV transmission line, and rebuilding of approximately 1 mile of an existing 138-kV transmission line.

IPC is submitting this Request for Amendment 2 (RFA 2) to amend the site boundary approved in the Site Certificate (the "Previously Approved Site Boundary") to accommodate the following "Proposed Site Boundary Additions" (Figure 1-1):

(a) re-location of the transmission line in 12 locations based on IPC's coordination and agreement with the affected landowners. This includes approximately 39.7 miles of 500-kV transmission line alternatives and 0.6 mile of 230-kV transmission line alternatives;

(b) refinement of the location of 37 miles of roads associated with the Previously Approved Site Boundary resulting from additional design and engineering review;

(c) refinement of the location of temporary work areas including:

  i. 5 light-duty fly yards;

  ii. 21 multi-use areas (MUAs); and

  iii. 111 pulling and tensioning sites.

The Proposed Site Boundary Additions cover 4,142 acres and are described in detail in Section 4.0 below.

IPC is also including a description of the Midline Capacitor Station in RFA 2, which is a new related and supporting facility for the Project that will be sited within the Previously Approved Site Boundary.

1.2 Procedural History

The Oregon Energy Facility Siting Council (EFSC or Council) approved a site certificate for the Project on September 27, 2022 (Site Certificate). This is IPC's second request for an amendment to the Site Certificate. The first request for an amendment is currently under review.

2.0 AMENDMENT DETERMINATION AND APPLICABLE REVIEW PROCESS

2.1 Amendment Required for Change to Site Certificate Condition GEN-GS-06

OAR 345-027-0350. Changes Requiring an Amendment

Except for changes allowed under OAR 345-027-0353, an amendment to a site certificate is required to:

(1) Transfer ownership of the facility or the certificate holder as described in OAR 345-027-0400;

(2) Apply later-adopted law as described in OAR 345-027-0390;

(3) Extend the construction beginning or completion deadline as described in OAR 345-027-0385;

(4) Design, construct, or operate a facility in a manner different from the description in the site certificate, if the proposed change:

(a) Could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource or interest protected by an applicable law or Council standard;

(b) Could impair the certificate holder's ability to comply with a site certificate condition; or

(c) Could require a new condition or a change to a condition in the site certificate.

IPC is submitting this RFA 2 per Oregon Administrative Rule (OAR) 345-027-0350(4)(c), because IPC is proposing to design, construct, and operate a portion of the Project in a manner that is different from the description included in the Site Certificate and that requires a change to Site Certificate Condition GEN-GS-06. Specifically, IPC is proposing to amend the Previously Approved Site Boundary by adding the Proposed Site Boundary Additions as alternative corridors to accommodate: (a) requests by landowners to re-locate the Project on their land; (b) refinements of the Project roads based on additional engineering and design review; (c) refinement of the location of temporary work areas. Because the Proposed Site Boundary Additions do not appear in "ASC Exhibit C Attachment C-2 and C-3 mapsets," as referenced in GEN-GS-06, IPC is requesting that the condition be amended to incorporate the Proposed Site Boundary Additions as follows:

> *GEN-GS-06: Subject to conditions of the site certificate, the certificate holder may construct the facility anywhere within the site boundary (approved corridor(s)), and as described in ASC Exhibit B, Amendment 1, and Amendment 2 and represented in ASC Exhibit C Attachment C-2 and C-3 mapsets and Amendment 1 and Amendment 2 mapsets. The approved corridors include:*
> *a. The transmission line route extending approximately 273-miles through Morrow, Umatilla, Union, Baker, and Malheur counties;*
> *b. West of Bombing Range Road alternative 1 and the west of Bombing Range Road alternative 2 in Morrow County;*
> *c. Morgan Lake alternative in Union County; ~~and~~*
> *d. Double Mountain alternative in Malheur County; and*

e. Amendment 1 and Amendment 2 site boundary additions;

2.2 Application of Type A Review Process

OAR 345-027-0351(2): The type A review process, consisting of OAR 345-027-0359, 345-027-0360, 345-027-0363, 345-027-0365, 345-027-0367, 345-027-0371 and 345-027-0375, is the default review process and applies to the Council's review of a request for amendment proposing a change described in OAR 345-027-0350(2), (3), or (4).

Because IPC is seeking an amendment proposing a change described in OAR 345-027-0350(4), the Type A review process is the default review process and applies to the Council's review of RFA 2. Pursuant to OAR 345-027-0051(2), the terms of the Type A review process are set forth in OAR 345-027-0359, OAR 345-027-0360, OAR 345-027-0363, OAR 345-027-0365, OAR 345-027-0367, OAR 345-027-0371, and OAR 345-027-0375.

3.0 CERTIFICATE HOLDER INFORMATION

OAR 345-027-0060(1) sets forth the requirements for a request for amendment.

OAR 345-027-0360(1): To request an amendment to the site certificate required by OAR 345-027-0050(3) or (4), the certificate holder must submit a written preliminary request for amendment to the Department that includes the following:

(a) The name of the facility, the name and mailing address of the certificate holder, and the name, mailing address, email address and phone number of the individual responsible for submitting the request;

. . .

3.1 Name of the Facility

The name of the facility is the Boardman to Hemingway Transmission Line Project.

3.2 Name and Mailing Address of the Certificate Holder

The name and mailing address of the Certificate Holder is:

Idaho Power Company
1221 W. Idaho Street
Boise, ID 83702-5627

IPC is a wholly owned subsidiary of IDACORP, Inc.:

IDACORP, Inc.
1221 W. Idaho Street
Boise, ID 83702-5627

3.3 Name and Mailing Address of the Individuals Responsible for Submitting the Request

The names, mailing addresses, email addresses, and phone numbers of the individuals responsible for submitting this RFA 2 on behalf of IPC are:

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4.0 DESCRIPTION OF PROPOSED CHANGE

OAR 345-027-0360(1): To request an amendment to the site certificate required by OAR 345-027-0350(3) or (4), the certificate holder must submit a written preliminary request for amendment to the Department that includes the following:

. . .

(b) A detailed description of the proposed change, including:

(A) A description of how the proposed change affects the facility;

(B) A description of how the proposed change affects those resources or interests protected by applicable laws and Council standards, and

(C) The specific location of the proposed change, and any updated maps and/or geospatial data layers relevant to the proposed change;

OAR 345-027-0360(1)(b) requires a description of the proposed change, including a description of the effect on the facility, the effect on protected resources and interests, and the location of the proposed change.

4.1 Effect on the Facility

OAR 345-027-0360(1)(b)(A): A description of how the proposed change affects the facility;

The Project, as approved, is a yet-to-be constructed electrical transmission line facility. Since the submission of the Application for Site Certificate (ASC) for the Project, IPC worked with certain landowners to identify an alternative route on their respective properties that would minimize impacts to the landowners while also meeting IPC's design criteria and avoiding impacts to sensitive resources. In addition, based on further design and engineering review, IPC has refined the location of several roads and other work areas associated with the Project as approved in the Site Certificate. IPC is including road design and other work area changes in this RFA 2 where the changes extend outside of the Previously Approved Site Boundary.

The Proposed Site Boundary Additions would be in general proximity to the Previously Approved Site Boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC and approved by the Council in its Final Order, and affect or

occur in similar fish and wildlife habitat types, topography, and land uses to those previously considered. Accordingly, as discussed in more detail in Sections 5 through 8 below, the Proposed Site Boundary Additions will neither create significant new impacts, affect interests protected by the Council's siting standards, nor alter the basis of the Council's previous findings that the Project complies with all applicable laws and standards.

IPC is requesting that the Proposed Site Boundary Additions be represented as alternative routes, allowing IPC the option to develop either the alternatives or the original routes, depending on the outcome of further discussions between IPC and the landowners.

The Proposed Site Boundary Additions are summarized below in Table 4.1-1 and shown in Figure 4-1.

Table 4.1-1. Proposed Site Boundary Additions

Proposed Site Boundary Additions	Transmission Line (miles)	Access Roads (miles)	Work Areas (acres)	Site Boundary (acres)	Description of Site Boundary Addition
Morrow County					
Ayers Canyon Alternative	8.7	26.6	103.1	926.5	Alignment shifted to southeast per landowner request
Boardman Junction Alternative	0.6	0.2	8.7	5.1	Slight design modification to west to span I-84
Bombing Range SE Alternative	1.0	2.7	3.6	5.7	Slight design modification to east to avoid impacts to pivot irrigation
Other Access Road and Work Area Changes	--	1.7	34.6	19.8	Road and pulling-tensioning site adjustments
Morrow County – Total	**10.3**	**31.2**	**150.0**	**957.1**	
Umatilla County					
Rugg Canyon Alternative	2.5	3.1	32.2	159.0	Alignment shifted to southern parcel boundary per landowner request
Sevenmile Creek Alternative	9.9	15.0	115.6	695.1	Alignment shifted northwest to adjacent ridge per landowner request
Other Access Road and Work Area Changes	--	10.5	165.2	287.4	Road, pulling-tensioning site, and MUA adjustments
Umatilla County – Total	**12.4**	**28.6**	**313.0**	**1,141.5**	
Union County					
Baldy Alternative	7.5	18.6	120.1	597.3	Alignment shifted to southwest per landowner requests

Proposed Site Boundary Additions	Transmission Line (miles)	Access Roads (miles)	Work Areas (acres)	Site Boundary (acres)	Description of Site Boundary Addition
Rock Creek 1 Alternative	1.4	2.1	34.6	52.1	Revised transition to Morgan Lake Alternative to avoid isolated BLM parcel
Rock Creek 2 Alternative	1.5	0.7	26.9	36.2	Alternate transition to Morgan Lake Alternative to avoid landowner
Other Access Road and Work Area Changes	--	1.7	228.7	237.9	Road, pulling-tensioning site, and MUA adjustments
Union County – Total	**10.5**	**23.1**	**427.1**	**920.7**	
Baker County					
Hwy 203 Crossing Alternative	1.9	2.4	22.2	70.6	Alignment shifted east to avoid impacts to proposed pivot irrigation
Proposed Route (230-kV Rebuild) Revised Alternative	0.6	0.5	1.2	10.2	Revised tie into existing 230-kV line
Other Access Road and Work Area Changes	--	17.5	274.3	333.0	Road, pulling-tensioning site, and MUA adjustments
Baker County – Total	**2.5**	**20.4**	**297.7**	**413.9**	
Malheur County					
Cottonwood Creek Alternative	3.2	9.7	39.1	239.7	Alignment shifted to southeast to avoid potential noise impacts
Willow Creek Alternative	1.4	1.1	20.0	32.8	Alignment shifted south to avoid impacts to pivot irrigation
Other Access Road and Work Area Changes	--	21.4	311.6	436.7	Road, pulling-tensioning site, and MUA adjustments
Malheur County – Total	**4.6**	**32.2**	**370.7**	**709.1**	
Grand Total	**40.2**	**135.5**	**1,558.5**	**4,142.3**	

[1] The Ayers Canyon Transmission Line Alternative would result in a decrease of 0.3 miles of transmission line compared to the Previously Approved transmission line.
[2] The Boardman Junction Transmission Line Alternative would result in no change in the miles of transmission line compared to the Previously Approved transmission line.
[3] The Bombing Range SE Transmission Line Alternative would result in no change in the miles of transmission line compared to the Previously Approved transmission line.

[4] The Rugg Canyon Transmission Line Alternative would result in an increase of 0.5 miles of transmission line compared to the Previously Approved transmission line.
[5] The Sevenmile Creek Transmission Line Alternative would result in a decrease of 0.6 miles of transmission line compared to the Previously Approved transmission line.
[6] The Baldy Transmission Line Alternative would result in no change in the miles of transmission line compared to the Previously Approved transmission line.
[7] The Rock Creek 1 Transmission Line Alternative would result in a decrease of 0.2 miles of transmission line compared to the Previously Approved transmission line.
[8] The Rock Creek 2 Transmission Line Alternative would result in a decrease of 0.1 miles of transmission line compared to the Previously Approved transmission line.
[9] The Hwy 203 Crossing Transmission Line Alternative would result in no change in the miles of transmission line compared to the Previously Approved transmission line.
[10] The Cottonwood Creek Transmission Line Alternative would result in a decrease of 0.4 miles of transmission line compared to the Previously Approved transmission line.
[11] The Willow Creek Transmission Line Alternative would result in no change in the miles of transmission line compared to the Previously Approved transmission line.

In addition to the Proposed Site Boundary Additions above, IPC is including a description of a new related and supporting facility that is located entirely within the Previously Approved Site Boundary. IPC is proposing a midline series capacitor substation near the midpoint of the Project in Union County, referred to as the Midline Capacitor Station (Figure 4-2). The Midline Capacitor Station is required to address interactions between the Project and other existing transmission paths.

IPC would install 500-kV circuit breakers, high-voltage switches, bus supports, two transmission line termination structures, and a 500-kV series capacitor bank. The 500-kV transmission line termination structures are approximately 125 to 135 feet tall. A control house to accommodate the necessary system communications and control equipment will be constructed. The site would be supplied by distribution power brought in from the nearby existing system as necessary. Fiber optic signal communication equipment will be installed. The Midline Capacitor Station would be fenced. Figure 4-2 includes a prelimary drawing of the Midline Capacitor Station.

Considering the Midline Capacitor Station is sited completely within the Previously Approved Site Boundary, it is not analyzed further in this RFA 2.

4.2 Effect on Protected Resources or Interests

OAR 345-027-0360(1)(b)(B): A description of how the proposed change affects those resources or interests protected by applicable laws and Council standards, and

In Sections 5 through 8 below, IPC discusses in detail how the Proposed Site Boundary Additions will affect resources and interests protected by applicable laws and the Council standards.

4.3 Location of the Proposed Change

OAR 345-027-0360(1)(b)(C): The specific location of the proposed change, and any updated maps and/or geospatial data layers relevant to the proposed change;

The specific locations of the Proposed Site Boundary Additions are shown in Figure 4-1 summarized in Table 4.1-1. Attachment 4-1 includes a table of roads proposed in RFA 2 to supplement the table found in Final Order Attachment B-5 Road Classification and Access

Control Plan Appendix A. In Section 5.2, IPC further describes the locations of the Proposed Site Boundary Additions in relation to information requested under OAR 345-021-0010(1)(c).

5.0 DIVISION 21 INFORMATION

OAR 345-027-0360(1): To request an amendment to the site certificate required by OAR 345-027-0350(3) or (4), the certificate holder shall submit a written preliminary request for amendment to the Department that includes the following:

. . .

(c) References to any specific Division 21 information that may be required for the Department to make its findings;

IPC has identified certain Division 21 ASC information related to the Project Description, the Project Location, and Waters of this State that may be required for the Council to make its findings on this RFA 2.

5.1 Project Description

The Exhibit B requirements of OAR 345-021-0010(1)(b) require an applicant to provide certain information related to the description of the project. Idaho Power has identified below those subsections of that provision that may be required for the Department to make its findings on this amendment request.

5.1.1 Corridor Selection Assessment

OAR 345-021-0010(1)(b)(D): If the proposed energy facility is a pipeline or a transmission line or has, as a related or supporting facility, a transmission line or pipeline that, by itself, is an energy facility under the definition in ORS 469.300, a corridor selection assessment explaining how the applicant selected the corridors for analysis in the application. In the assessment, the applicant must evaluate the corridor adjustments the Department has described in the project order, if any. The applicant may select any corridor for analysis in the application and may select more than one corridor. However, if the applicant selects a new corridor, then the applicant must explain why the applicant did not present the new corridor for comment at an informational meeting under OAR 345-015-0130. In the assessment, the applicant must discuss the reasons for selecting the corridors, based upon evaluation of the following factors:

. . .

IPC underwent an extensive siting process over several years, evaluating several routing and re-routing options to avoid as many identified constraints and sensitive resources as practicable. IPC's siting studies, and consideration of the outcome of the federal review process, resulted in the proposed and alternative routes identified in the ASC.

Following the submission of the ASC, IPC has continued to communicate with the landowners affected by the Project. In the case of the landowners affected by this RFA 2, IPC and the landowners have identified an alternative route on their respective property that would minimize impacts to the landowners while also meeting IPC's design criteria and avoiding impacts to sensitive resources. The Proposed Site Boundary Additions occur in general proximity to the

routes approved in the Site Certificate and within the original ASC corridor selection assessments.[1]

OAR 345-021-0010(1)(b)(D)(i): Least disturbance to streams, rivers and wetlands during construction;

IPC has designed the Proposed Site Boundary Additions to avoid impacts to streams, rivers, and wetlands to the maximum extent practicable. Details on the occurrence of and impacts on Waters of this State are provided in Section 5.3 and Section 7.2.2 below.

OAR 345-021-0010(1)(b)(D)(ii): Least percentage of the total length of the pipeline or transmission line that would be located within areas of Habitat Category 1, as described by the Oregon Department of Fish and Wildlife;

The Proposed Site Boundary Additions will avoid all Category 1 habitat, as explained in Section 7.1.5 below.

OAR 345-021-0010(1)(b)(D)(iii): Greatest percentage of the total length of the pipeline or transmission line that would be located within or adjacent to public roads and existing pipeline or transmission line rights-of-way;

The Proposed Site Boundary Additions do not include co-locating with existing rights-of-way, because the changes are relatively short in length and because IPC was focused on addressing individual landowner concerns on their particular parcels and not on re-visiting project-wide efforts to co-locate.

OAR 345-021-0010(1)(b)(D)(iv): Least percentage of the total length of the pipeline or transmission line that would be located within lands that require zone changes, variances or exceptions;

The Proposed Site Boundary Additions minimize zoning changes, variances or exceptions, which are discussed in detail in Section 7.1.3 below.

OAR 345-021-0010(1)(b)(D)(v): Least percentage of the total length of the pipeline or transmission line that would be located in a protected area as described in OAR 345-022-0040;

The Proposed Site Boundary Additions will not be located in any protected areas, as discussed in more detail in Section 7.1.4 below.

OAR 345-021-0010(1)(b)(D)(vi): Least disturbance to areas where historical, cultural or archaeological resources are likely to exist;

The Proposed Site Boundary Additions will avoid impacts on historical, cultural, or archaeological resources to the maximum extent practicable, as discussed in more detail in Section 7.1.8 below.

OAR 345-021-0010(1)(b)(D)(vii): Greatest percentage of the total length of the pipeline or transmission line that would be located to avoid seismic, geological and soils hazards;

The Proposed Site Boundary Additions will avoid seismic, geological, and soils hazards, as discussed in more detail in Sections 7.1.1 and 7.1.2 below.

[1] *See* ASC, Exhibit B, and associated siting studies at Attachments B-1, B-2, B-3, B-4, and B-6.

OAR 345-021-0010(1)(b)(D)(viii): Least percentage of the total length of the pipeline or transmission line that would be located within lands zoned for exclusive farm use;

The Proposed Site Boundary Additions will avoid lands zoned as exclusive farm use (EFU) where practicable, as discussed in more detail in Section 7.1.3.

5.1.2 Information Required for Transmission Line Projects – Length of Transmission Line

OAR 345-021-0010(1)(b)(E): If the proposed energy facility is a pipeline or transmission line or has, as a related or supporting facility, a transmission line or pipeline of any size:

(i) The length of the pipeline or transmission line;

. . .

The length of the transmission line provided in the Proposed Site Boundary Additions is included in Table 4.1-1, totaling 40.2 miles of transmission line centerline.

5.2 Project Location

The Exhibit C provisions of OAR 345-021-0010(1)(c) require an applicant to provide certain information related to the project location. Idaho Power has identified below those subsections of that provision that may be required for the Council to make its findings on this RFA 2.

5.2.1 Maps of the Proposed Changes

OAR 345-021-0010(1)(c)(A): A map or maps showing the proposed locations of the energy facility site, all related or supporting facility sites and all areas that might be temporarily disturbed during construction of the facility in relation to major roads, water bodies, cities and towns, important landmarks and topographic features, using a scale of 1 inch = 2000 feet or smaller when necessary to show detail;

Figure 4-1 shows the locations of the Proposed Site Boundary Additions and are organized by county, proceeding north to south showing the location of each proposed change. Each set of county maps includes series of detailed maps that are at a scale of 1 inch equals 1,000 feet. Project features shown include the site boundary, structure locations, and access roads. Temporary project features are also shown, including structure work areas, multi-use areas and pulling and tensioning sites.

5.2.2 Location Description

OAR 345-021-0010(1)(c)(B): A description of the location of the proposed energy facility site, the proposed site of each related or supporting facility and areas of temporary disturbance, including the total land area (in acres) within the proposed site boundary, the total area of permanent disturbance, and the total area of temporary disturbance. If a proposed pipeline or transmission line is to follow an existing road, pipeline or transmission line, the applicant must state to which side of the existing road, pipeline or transmission line the proposed facility will run, to the extent this is known; and

The Proposed Site Boundary Additions are predominantly on private lands in five counties in Oregon. Portions of the Cottonwood Creek Alternative, Rock Creek Alternative 2, and Other Access Road and Work Area Changes in Umatilla, Union, Baker, and Malheur counties occur on federal lands (approximately 380 acres of 4,142 acres in RFA 2). Consistent with the ASC, IPC has prepared descriptions of the Proposed Site Boundary Additions by segment, with each segment summarizing the proposed changes at the county level. The Proposed Site Boundary Additions are described by number or amount of each major component and related and supporting facilities. Acreages of ground disturbance associated with those facilities is also described.

Forest-clearing activities associated with vegetation management in the right-of-way will occur in Umatilla and Union counties. To the extent that the Proposed Site Boundary Additions involve forest clearing, those impacts will be inventoried and included in the Final Right-of-Way Clearing Assessment prior to construction and in accordance with OAR 345-025-0016 and in compliance with Site Certificate Condition GEN-LU-13.

5.2.3 Segment 1 – Morrow County

The Boardman Junction Alternative is located where the Project crosses over I-84 near Boardman, OR (Figure 4-1, Map 1). Adjustments to structure locations for spanning Interstate 84 extended outside of the Previously Approved Site Boundary. The predominant land use at the Boardman Junction Alternative is agriculture and industrial development. The Bombing Range SE Alternative is located between the southeast corner of the Naval Weapons System Training Facility Boardman and Bombing Range Rd in an agricultural area (Figure 4-1, Map 5). Adjustments were made to structure locations to avoid impacts on irrigated agricultural. The Ayers Canyon Alternative is located between Big Butter Creek and Highway 74 in open rangeland (Figure 4-1, Maps 8-14). Per landowner request, the transmission line was shifted approximately 2 miles to the west. In addition to the three alternatives described, several proposed changes in Morrow County are associated with design updates to roads, pulling and tensioning sites, and MUAs along the Previously Approved Site Boundary (Figure 4-1, Maps 1-9, and Map 15). Table 5.2-1 identifies the major components and related and supporting facilities associated with each of the site boundary changes in Morrow County. Table 5.2-2 summarizes the amount of ground disturbance associated with the Proposed Site Boundary Additions in Morrow County.

Table 5.2-1. Summary of Proposed Site Boundary Additions – Morrow County

Project Features	Ayers Canyon Alternative	Boardman Junction Alternative	Bombing Range SE Alternative	Other Access Road and Work Area Changes	Total (count)
Towers – Single Circuit 500-kV Lattice	30	4	2	1	37
Pulling and Tensioning Sites	11	1	--	5	17
Light-Duty Fly Yards	--	--	--	--	--
Multiuse Areas	1	--	--	--	1
Communication Stations	--	--	--	--	--
Total (count)	42	5	2	6	55
Access Roads					**Total (miles)**
Existing, 21-70% Improved	12.5	--	1.1	0.6	14.2
Existing, 71-100% Improved	--	--	--	--	--
New, Bladed	13.2	--	0.8	0.7	14.7
New, Overland	0.9	0.2	0.8	0.4	2.3
Total (miles)	26.6	0.2	2.7	1.7	31.2
Crossings					**Total (count)**
High-Voltage Transmission Line Crossings[1]	0	1	0	NA	1
Existing Road Crossings[2]	0	3	0	NA	3
Existing Railroad Crossings[3]	0	0	0	NA	0

[1] Source: ABB Ventyx (2016) and Idaho Power Company; includes only transmission lines over 69 kV.
[2] Source: U.S. Census (2020), primary and secondary highways.
[3] Source: Oregon Department of Transportation (2014).

Table 5.2-2. Acres of Land Disturbed during Construction and Operation - Morrow County

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Ayers Canyon Alternative			
Access Roads – New or Substantial Improvements	77.1	34.9	42.2

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Structure and Other Work Areas	84.45	82.7	1.8
Total (acres)	161.6	117.7	43.9
Boardman Junction			
Access Roads – New or Substantial Improvements	--	--	--
Structure and Other Work Areas	3.9	3.9	--
Total (acres)	3.9	3.9	--
Bombing Range SE			
Access Roads – New or Substantial Improvements	0.8	--	0.7
Structure and Other Work Areas	0.4	0.4	<0.1
Total (acres)	1.2	0.4	0.8
Other Access Road and Work Area Changes			
Access Roads – New or Substantial Improvements	1.6	0.3	1.3
Structure and Other Work Areas	7.1	7.1	--
Total (acres)	8.7	7.4	1.3
Morrow County – Total (acres)	**175.3**	**129.3**	**46.0**

Note: Acreages are rounded and may not sum exactly.

5.2.4 Segment 2 – Umatilla County

The Rugg Canyon Alternative is located east of Highway 395, between the highway and Bear Creek Road in open rangeland (Figure 4-1, Maps 18-19). Per landowner request, the transmission line was shifted approximately 2,000 feet to the south.The Sevenmile Creek Alternative is located in the foothills near Rocky Ridge Road north of Birch Creek and crosses McKay Creek as the Project enters the Blue Mountains (Figure 4-1, Maps 25-29). The Sevenmile Creek Alternative crosses open rangeland with occasional forested areas. Per landowner request, the transmission line was shifted 1,000 to 3,000 feet. The Proposed Site Boundary Additions in Umatilla County also include changes to access roads, pulling and tensioning sites, light duty fly yards, and MUAs along the Previously Approved Site Boundary in open rangeland and forested areas (Figure 4-1, Maps 16-17, 20-24, 30-32). Table 5.2-3 identifies the major components and related and supporting facilities associated with each of the Proposed Site Boundary Additions in Umatilla County. Table 5.2-4 summarizes the amount of ground disturbance associated with the Proposed Site Boundary Additions in Umatilla County.

Table 5.2-3. Summary of Proposed Site Boundary Additions – Umatilla County

Project Features	Rugg Canyon Alternative	Sevenmile Creek Alternative	Other Access Road and Work Area Changes	Total (count)
Towers – Single Circuit 500-kV Lattice	9	32	--	41
Pulling and Tensioning Sites	5	9	9	23
Light-Duty Fly Yards	--	1	1	2
Multiuse Areas	--	--	4	4
Communication Stations	--	1	--	1
Total (count)	14	43	14	71
Access Roads				**Total (miles)**
Existing, 21-70% Improved	0.4	3.9	3.1	7.4
Existing, 71-100% Improved	--	4.3	1.9	6.2
New, Bladed	1.5	5.4	5.5	12.4
New, Overland	1.2	1.4	--	2.6
Total (miles)	3.1	15.0	10.5	28.6
Crossings				**Total (count)**
High-Voltage Transmission Line Crossings[1]	0	0	NA	0
Existing Road Crossings[2]	0	0	NA	0
Existing Railroad Crossings[3]	0	0	NA	0

[1] Source: ABB Ventyx (2016) and Idaho Power Company; includes only transmission lines over 69 kV.
[2] Source: U.S. Census (2020), primary and secondary highways.
[3] Source: Oregon Department of Transportation (2014).

Table 5.2-4. Acres of Land Disturbed during Construction and Operation - Umatilla County

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Rugg Canyon			
Access Roads – New or Substantial Improvements	8.7	4.7	4.0
Structure and Other Work Areas	21.5	21.0	0.5
Total (acres)	30.2	25.7	4.5
Sevenmile Creek			
Access Roads – New or Substantial Improvements	20.0	10.8	9.2

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Structure and Other Work Areas	74.9	73.0	1.9
Total (acres)	95.0	83.9	11.1
Other Access Road and Work Area Changes			
Access Roads – New or Substantial Improvements	31.1	16.0	15.1
Structure and Other Work Areas	122.8	122.5	0.3
Total (acres)	15.8	0.4	15.4
Umatilla County – Total (acres)	**279.0**	**248.0**	**31.0**

Note: Acreages are rounded and may not sum exactly.

5.2.5 Segment 3 – Union County

The Rock Creek Alternative 1 (Figure 4-1, Map 35, Feature 2/3373) and Rock Creek Alternative 2 (Figure 4-1, Map 35, Feature 2/3381) are located immediately east of Highway 244 just south of Hilgard Junction State Park. The Rock Creek alternatives provide alternatives to where the Previously Approved Site Boundary for the Morgan Lake Alternative connects to the Previously Approved Site Boundary for the Proposed Route. The Rock Creek alternatives occur mostly in open rangeland with some small forested areas. The Baldy Alternative is located near Ladd Canyon south of La Grande and is approximately 2,000 feet south and west of the Previously Approved Site Boundary by request of landowners (Figure 4-1, Maps 41-45). It crosses open rangeland and forested areas. The Proposed Site Boundary Additions in Union County also include access road, pulling tensioning site, and MUA changes along the Previously Approved Site Boundary in open rangeland and forested areas (Figure 4-1, Maps 33, 34, 36-40, and 46-49). Table 5.2-5 identifies the major components and related and supporting facilities associated with each of the Proposed Site Boundary Additions in Union County. Table 5.2-6 summarizes the amount of ground disturbance associated with the Proposed Site Boundary Additions in Union County.

Table 5.2-5. Summary of Proposed Site Boundary Additions – Union County

Project Features	Baldy Alternative	Rock Creek Alternative 1	Rock Creek Alternative 2	Other Access Road and Work Area Changes	Total (count)
Towers – Single Circuit 500-kV Lattice	31	2	2	--	35
Pulling and Tensioning Sites	8	3	--	12	23
Light-Duty Fly Yards	1	--	--	--	1
Multiuse Areas	--	--	--	7	7
Communication Stations	--	--	--	--	--

Project Features	Baldy Alternative	Rock Creek Alternative 1	Rock Creek Alternative 2	Other Access Road and Work Area Changes	Total (count)
Total (count)	40	5	2	19	66
Access Roads					**Total (miles)**
Existing, 21-70% Improved	10.2	1.1	0.3	1.4	13.0
Existing, 71-100% Improved	3.0	--	--	--	3.0
New, Bladed	5.2	0.8	0.3	0.3	6.6
New, Overland	0.2	0.2	0.1	--	0.5
Total (miles)	18.6	2.1	0.7	1.7	23.1
Crossings					**Total (count)**
High-Voltage Transmission Line Crossings[1]	0	2	0	NA	2
Existing Road Crossings[2]	0	0	0	NA	0
Existing Railroad Crossings[3]	0	0	0	NA	0

[1] Source: ABB Ventyx (2016) and Idaho Power Company; includes only transmission lines over 69 kV.
[2] Source: U.S. Census (2020), primary and secondary highways.
[3] Source: Oregon Department of Transportation (2014).

Table 5.2-6. Acres of Land Disturbed during Construction and Operation - Union County

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Baldy			
Access Roads – New or Substantial Improvements	44.0	18.2	25.8
Structure and Other Work Areas	87.8	86.1	1.7
Total (acres)	131.8	104.3	27.5
Rock Creek 1			
Access Roads – New or Substantial Improvements	2.7	1.6	1.1
Structure and Other Work Areas	10.8	9.6	1.2
Total (acres)	13.5	11.2	2.3
Rock Creek 2			
Access Roads – New or Substantial Improvements	1.2	0.7	0.5

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Structure and Other Work Areas	5.4	5.3	0.1
Total (acres)	6.6	6.0	0.6
Other Access Road and Work Area Changes			
Access Roads – New or Substantial Improvements	3.1	0.8	2.3
Structure and Other Work Areas	217.5	217.5	--
Total (acres)	220.6	218.3	2.3
Union County – Total (acres)	**372.6**	**339.9**	**32.7**

Note: Acreages are rounded and may not sum exactly.

5.2.6 Segment 4 – Baker County

The Hwy 203 Crossing Alternative is approximately 6 miles northeast of Baker City on the eastern edge of the Baker Valley (Figure 4-1, Maps 53 to 54). This alternative shifts the Project slightly to the east to avoid impacts to pivot irrigation fields. A minor redesign at the Proposed Route (230-kV Rebuild) Revised Alternative required extending the site boundary northeast of where the Previously Approved Site Boundary for the 230-kV rebuild started (Figure 4-1, Map 55). The other access road and work area changes are predominantly in open rangeland settings in Baker County (Figure 4-1, Maps 48-52, 56-71). Table 5.2-7 identifies the major components and related and supporting facilities associated with each of the Proposed Site Boundary Additions in Baker County. Table 5.2-8 summarizes the amount of ground disturbance associated with the proposed changes in Baker County.

Table 5.2-7. Summary of Proposed Changes – Baker County

Project Features	Hwy 203 Crossing Alternative	Proposed Route (230-kV Rebuild) Revised Alternative	Other Access Road and Work Area Changes	Total (count)
Towers – Single Circuit 500-kV Lattice	6	1	--	7
Pulling and Tensioning Sites	3	--	18	21
Light-Duty Fly Yards	--	--	2	2
Multiuse Areas	--	--	7	7
Communication Stations	--	--	--	--
Total (count)	9	1	27	37
Access Roads				**Total (miles)**
Existing, 21-70% Improved	1.1	<0.1	15.2	16.3
Existing, 71-100% Improved	--	--	2.2	2.2
New, Bladed	0.9	0.4	0.1	1.4

Project Features	Hwy 203 Crossing Alternative	Proposed Route (230-kV Rebuild) Revised Alternative	Other Access Road and Work Area Changes	Total (count)
New, Overland	0.4	0.1	--	0.5
Total (miles)	2.4	0.5	17.5	20.4
Crossings				**Total (count)**
High-Voltage Transmission Line Crossings[1]	1	0	NA	1
Existing Road Crossings[2]	1	1	NA	2
Existing Railroad Crossings[3]	0	0	NA	0

[1] Source: ABB Ventyx (2016) and Idaho Power Company; includes only transmission lines over 69 kV.
[2] Source: U.S. Census (2020), primary and secondary highways.
[3] Source: Oregon Department of Transportation (2014).

Table 5.2-8. Acres of Land Disturbed during Construction and Operation - Baker County

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Hwy 203 Crossing			
Access Roads – New or Substantial Improvements	4.4	2.4	2.0
Structure and Other Work Areas	13.5	13.2	0.3
Total (acres)	17.9	15.6	2.3
Proposed Route (230-kV Rebuild) Revised			
Access Roads – New or Substantial Improvements	0.6	0.4	0.2
Structure and Other Work Areas	0.6	0.6	--
Total (acres)	1.2	1.0	0.2
Other Access Road and Work Area Changes			
Access Roads – New or Substantial Improvements	33.5	7.2	26.3
Structure and Other Work Areas	145.6	145.6	--
Total (acres)	179.0	152.7	26.3
Baker County – Total (acres)	**198.1**	**169.3**	**28.8**

Note: Acreages are rounded and may not sum exactly.

5.2.7 Segment 5 – Malheur County

The Willow Creek Alternative crosses Hwy 26 in an agricultural area approximately 7 miles north of Vale, OR (Figure 4-1, Map 76). The Cottonwood Creek Alternative is less than one mile west of Bully Creek Reservoir in open rangeland (Figure 4-1, Maps 80 to 81). The other access road and work area changes in Malheur County occur in a mix of open rangeland and

agricultural areas (Figure 4-1, Maps 72-75, 77-79, and 82-98). Table 5.2-9 identifies the major components and related and supporting facilities associated with each of the Proposed Site Boundary Additions in Malheur County. Table 5.2-10 summarizes the amount of ground disturbance associated with the proposed changes in Malheur County.

Table 5.2-9. Summary of Proposed Changes – Malheur County

Project Features	**Cottonwood Creek Alternative**	**Willow Creek Alternative**	**Other Access Road and Work Area Changes**	**Total (count)**
Towers – Single Circuit 500-kV Lattice	13	1	--	14
Pulling and Tensioning Sites	4	3	20	27
Light-Duty Fly Yards	--	--	--	--
Multiuse Areas	--	--	2	2
Communication Stations	1	--	--	1
Total (count)	18	4	22	44
Access Roads				**Total (miles)**
Existing, 21-70% Improved	4.7	0.4	20.0	25.1
Existing, 71-100% Improved	0.5	--	0.6	1.1
New, Bladed	4.5	0.1	0.8	5.4
New, Overland	<0.1	0.6	0.1	0.6
Total (miles)	9.7	1.1	21.4	32.2
Crossings				**Total (count)**
High-Voltage Transmission Line Crossings[1]	0	1	NA	1
Existing Road Crossings[2]	0	1	NA	1
Existing Railroad Crossings[3]	0	0	NA	0

[1] Source: ABB Ventyx (2016) and Idaho Power Company; includes only transmission lines over 69 kV.
[2] Source: U.S. Census (2020), primary and secondary highways.
[3] Source: Oregon Department of Transportation (2014).

Table 5.2-10. Acres of Land Disturbed during Construction and Operation - Malheur County

Proposed Changes/ Project Component	Land Affected During Construction (acres)	Land Reclaimed After Construction (acres)	Land Permanently Converted to Operations (acres)
Cottonwood Creek			
Access Roads – New or Substantial Improvements	15.7	7.4	8.3
Structure and Other Work Areas	23.9	22.9	1.0
Total (acres)	39.5	30.2	9.3
Willow Creek			
Access Roads – New or Substantial Improvements	2.8	1.7	1.1
Structure and Other Work Areas	10.3	10.2	0.1
Total (acres)	13.2	12.0	1.2
Other Access Road and Work Area Changes			
Access Roads – New or Substantial Improvements	38.0	6.8	31.2
Structure and Other Work Areas	198.3	196.8	1.5
Total (acres)	236.3	203.6	32.7
Malheur County – Total (acres)	**297.8**	**254.6**	**43.2**

Note: Acreages are rounded and may not sum exactly.

5.3 Waters of this State

The Exhibit J requirements of OAR 345-021-0010(1)(j) require an applicant to provide information about impacts to Waters of this State. IPC has identified below those subsections of that provision that needed for the Council to make its findings on this RFA 2.

5.3.1 Surveys and Removal-Fill Permitting

To identify any Waters of this State affected by the Proposed Site Boundary Additions, IPC applied the same methodology used in the ASC and approved by the Council in the Final Order. IPC has completed on-the-ground wetland delineations and reporting for 80 percent of the proposed changes in RFA 2 (Figure 5-1). For those areas where IPC has not had access or has not completed on-the-ground wetland delineations and reporting, IPC utilizes desktop data from the National Wetland Inventory (NWI), the National Hydrography Dataset (NHD), and aerial photo interpretation analysis (described as Phase 1 in the ASC). Per Site Certificate Condition PRE-RF-01, prior to construction, IPC will complete all necessary surveys and submit wetland delineation reports to the Oregon Department of Energy (ODOE) and Oregon Department of State Lands (ODSL) and receive a Letter of Concurrence from the ODSL.[2]

[2] Site Certificate Condition PRE-RF-01 provides:
The certificate holder shall:

IPC will submit a final Joint Permit Application (JPA), including the final Compensatory Wetland and Non-Wetland Mitigation Plan, and Site Rehabilitation Plan. Impact quantities and compensatory mitigation required for the Project will be based on the results of the completion of field surveys and final impact calculations.

5.3.2 Description and Location of Waters of this State

OAR 345-021-0010(1)(j)(A): A description of all areas within the site boundary that might be waters of this state and a map showing the location of these features;

Wetlands and waters described in the section below are located within the Proposed Site Boundary Additions. Maps showing the location of waters of this state are included in Figure 5-1. Surveys are ongoing and delineation reports will be prepared in support of the final JPA. Therefore, Figure 5-1 includes delineated wetlands and waters where surveys have been performed; where surveys have not been completed, IPC utilized NWI and NHD data to inform this RFA 2.

5.3.3 Impacts to Waters of this State

OAR 345-021-0010(1)(j)(B): An analysis of whether construction or operation of the proposed facility would adversely affect any waters of this state;

Wetland and water delineation surveys were conducted on 80 percent of the RFA 2 proposed changes. Table 5.3-1 includes the temporary and permanent impacts to wetlands and other Waters of the State by county where field delineations occurred. In the portions of RFA 2 where surveys were not completed, NWI and NHD data were used. Because these data were gathered from desktop resources, data about the width of the waterways are unavailable as of this RFA 2 and so the calculation for potential impacts is given in linear feet instead of acres. The estimated impacts on waters of this state based on desktop resources are provided in Table 5.3-2.

Table 5.3-1. Estimated Temporary and Permanent Impacts on Delineated Waters of this State for RFA 2

County	Source	Field Delineated Wetland ID	Sum of Area (Acres)	
			Permanent Disturbance	Temporary Disturbance
Wetlands				
Baker	Field Delineated	BA-W-1301	0.000	0.040
Baker	Field Delineated	BA-W-1302	0.000	0.057
Baker	Field Delineated	BA-W-1305	0.00	0.048
Baker	Field Delineated	BA-W-1306	0.00	0.027
Malheur	Field Delineated	MA-W-1202	0.007	0.010

a. Prior to construction of a phase or segment of the facility, submit updated electronic wetland delineation report(s) to the Department and to the Oregon Department of State Lands. All wetland delineation report(s) submitted to the Oregon Department of State Lands shall follow its submission and review procedures.
b. Prior to construction of a phase or segment of the facility, the Department must receive a Letter of Concurrence issued by the Oregon Department of State Lands referencing the applicable wetland delineation for the phase or segment of the facility.

County	Source	Field Delineated Wetland ID	Sum of Area (Acres)	
			Permanent Disturbance	Temporary Disturbance
Malheur	Field Delineated	MA-W-1203	0.004	0.301
Morrow	Field Delineated	MO-W-03	0.005	0.001
Umatilla	Field Delineated	UM-W-1200	0.006	0.009
Umatilla	Field Delineated	UM-W-1301	0.00	0.032
Umatilla	Field Delineated	UM-W-1302	0.00	0.036
Umatilla	Field Delineated	UM-W-1304	0.00	0.029
Umatilla	Field Delineated	UM-W-1305	0.00	0.094
Umatilla	Field Delineated	UM-W-1306	0.00	0.013
Umatilla	Field Delineated	UM-W-1307	0.00	0.044
Union	Field Delineated	UN-W-701	0.00	0.593
Union	Field Delineated	UN-W-800	0.017	0.003
Union	Field Delineated	UN-W-801	0.038	0.006
Union		UN-W-803	0.021	0.003
		Total	**0.10**	
Streams				
Baker	Field Delineated	BA-ST-1300	0.00	0.271
Malheur	Field Delineated	MA-PR-ST-115	0.012	0.002
Malheur	Field Delineated	MA-ST-1216	0.00	0.200
Morrow	Field Delineated	MO-ST-1203	0.006	0.001
Umatilla	Field Delineated	UM-ST-1201	0.016	0.003
Umatilla	Field Delineated	UM-ST-1201A	0.003	0.001
Umatilla	Field Delineated	UM-ST-1301	0.028	0.476
Union	Field Delineated	UN-ST-701		0.018
Union	Field Delineated	UN-ST-800	0.001	0.000
		Total	**0.07**	**0.97**

Table 5.3-2. Estimated Temporary and Permanent Impacts on Non-Delineated Waters of this State for RFA 2

County	Source	NWI Wetland Type	Sum of Area (Acres) [1]	
			Permanent Disturbance	Temporary Disturbance
Wetlands				
Baker	NWI	PEM	0.006	0.001
Baker	NWI	Riverine	0.118	0.054
Umatilla	NWI	Riverine	0.051	0.060
Umatilla	NWI	Riverine	0.195	0.395
Union	NWI	Riverine	0.007	0.012

County	Source	NWI Wetland Type	Sum of Area (Acres) [1]	
			Permanent Disturbance	Temporary Disturbance
		Total	**0.38**	**0.52**
Streams				
County	**Source**	**Stream Type**	**Sum of Area (Linear Feet) [2]**	
			Permanent Disturbance	**Temporary Disturbance**
Baker	NHD	Canal/Ditch	333.846	50.733
Umatilla	NHD	Intermittent	301.502	675.343
Union	NHD	Perennial	15.932	26.311
		Total	**651.28**	**752.39**

[1] Impact acres pertain mapped NWI wetlands where Project disturbance activities intersect wetlands. NWI mapping was used for impact calculations in areas that have not been ground surveyed yet. Once wetland surveys are completed, and mapped NWI wetland sites have been field surveyed, it is likely the total wetland impacts will be lower that estimated.

[2] Impacts displayed in feet pertain to mapped NHD streams in areas where Project ground disturbance activities intersect streams. Once wetland surveys are completed, it is likely that many NHD streams will be considered ephemeral; therefore, not waters of the state, thereby reducing the total regulated stream impacts.

5.3.4 Description of Significance of Impacts to Waters of this State

OAR 345-021-0010(1)(j)(C): A description of the significance of potential adverse impacts to each feature identified in (A), including the nature and amount of material the applicant would remove from or place in the waters analyzed in (B);

For many waters of this state, a Removal-Fill Authorization is required if a project will involve 50 cubic yards of fill and/or removal (cumulative) within the jurisdictional boundary. For activities in Essential Salmonid Habitat (ESH) streams, State Scenic Waterways and compensatory mitigation sites, a permit is required for any amount of removal or fill.

The impacts described in Section 5.3.3 are the result of temporary and permanent access roads as well as temporary work areas.

5.3.5 Why Removal-Fill Authorization is Not Needed

OAR 345-021-0010(1)(j)(D): If the proposed facility would not need a removal-fill authorization, an explanation of why no such authorization is required for the construction and operation of the proposed facility.

OAR 345-021-0010(1)(j)(D) requires an explanation if a removal-fill authorization (Removal-Fill Permit) is not needed. Here, because the Project will require a Removal-Fill Permit, OAR 345-021-0010(1)(j)(D) does not apply. See Section 7.2.2 for further information on the Removal-Fill Permit.

5.3.6 Information to Support Removal-Fill Authorization

OAR 345-021-0010(1)(j)(E): If the proposed facility would need a removal-fill authorization, information to support a determination by the Council that the Oregon Department of State Lands should issue a removal-fill permit, including information in the form required by the Department of State Lands under OAR Chapter 141 Division 85.

Section 7.2.2 below discusses the application submission requirements and agency review standards relevant to a Removal-Fill Permit application.

6.0 PROPOSED CHANGES TO SITE CERTIFICATE

OAR 345-027-0360(1)(d): The specific language of the site certificate, including conditions, that the certificate holder proposes to change, add, or delete through the amendment;

Attachment 6-1 includes the red-lined Site Certificate, which reflects the proposed changes of RFA 2. Specific amendments include the following:

Adding language to a general standard of review condition to expand the facility description to include any modifications approved during the site certificate amendment process.

> *Site Certificate Condition GEN-GS-06: Subject to conditions of the site certificate, the, certificate holder may construct the facility anywhere within the site boundary (approved corridor(s)), and as described in ASC Exhibit B, Amendment 1 and Amendment 2, and represented in ASC Exhibit C Attachment C-2 and C-3 mapsets and Amendment 1 and Amendment 2 mapsets. The approved corridors include:*
>
> a. *The transmission line route extending approximately 273-miles through Morrow, Umatilla, Union, Baker, and Malheur counties;*
> b. *West of Bombing Range Road alternative 1 and the west of Bombing Range Roadalternative 2 in Morrow County;*
> c. *Morgan Lake alternative in Union County; ~~and~~*
> d. *Double Mountain alternative in Malheur County~~.~~;*
> e. *Amendment 1 site boundary changes; and*
> f. *Amendment 2 site boundary changes.*

7.0 APPLICABLE STATUTES, RULES, STANDARDS, AND ORDINANCES

OAR 345-027-0360(1)(e): A list of all Council standards and other laws, including statutes, rules and ordinances, applicable to the proposed change, and an analysis of whether the facility, with the proposed change, would comply with those applicable laws and Council standards. For the purpose of this rule, a law or Council standard is "applicable" if the Council would apply or consider the law or Council standard under OAR 345-027-0375(2); and

OAR 345-027-0360(1)(e) requires a list of all applicable Council standards, laws, rules, and ordinances. For this RFA 2, which involves adding new area to the site boundary, the Council must determine that proposed changes comply with all Council standards, laws, rules, and

ordinances applicable to the original Site Certificate and that the amount of the bond or letter of credit in the Site Certificate is adequate.[3]

Table 7-1 lists the Council standards, laws, rules, and ordinances applicable to the original Site Certificate; addresses the RFA 2 compliance with the same; and lists the relevant Site Certificate conditions.

[3] OAR 345-027-0375(2) provides, in relevant part:

> To issue an amended site certificate, the Council must determine that the preponderance of evidence on the record supports the following conclusions:
> (a) For a request for amendment proposing to add new area to the site boundary, the portion of the facility within the area added to the site by the amendment complies with all laws and Council standards applicable to an original site certificate application;
> . . .
> (d) For all requests for amendment, the amount of the bond or letter of credit required under OAR 345-022-0050 is adequate.

Table 7-1. Standards and Laws Relevant to Proposed Amendment

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0000 General Standard of Review	The General Standard of Review requires compliance with the EFSC Statutes and Standards. As demonstrated in the remainder of this Table 7-1 and elsewhere in the findings, analysis, and conclusions within this RFA 2, IPC demonstrates the Proposed Site Boundary Additions comply with all applicable EFSC Statutes and Standards and, by extension, OAR 345-022-0000. • IPC does not specifically address the General Standard of Review in more detail in this RFA 2. Instead, the applicable EFSC Statutes and Standards are addressed throughout this RFA 2 in the context of the relevant statutes, rules, standards, and ordinances. • In relation to this standard, IPC is proposing an amendment to Site Certificate Condition GEN-GS-06.	GEN-GS-01 Construction deadlines GEN-GS-02 Pre-construction compliance CON-GS-01 Semi-annual construction reporting OPR-GS-01 Annual operation reporting OPR-GS-02 Legal description GEN-GS-03 Compliance during all phases CON-GS-02 Construction in one area while route changes elsewhere GEN-GS-04 Notification of environmental impacts OPR-GS-03 Implementation of the Reclamation and Revegetation Plan GEN-GS-05 Transfer of ownership GEN-GS-06 Construction within the site boundary
OAR 345-022-0010 Organizational Expertise	The Organizational Expertise Standard requires that the applicant have the organizational expertise to construct, operate, and retire the facility in compliance with Council standards and site certificate conditions. Because RFA 2 does not propose any changes that would affect IPC's organizational expertise, or that would introduce any new Project components or related or supporting facilities requiring new types of organizational expertise, the Council's existing findings, analysis, and conclusions in the Final Order regarding organizational expertise and the related Site Certificate conditions are adequate to ensure the Proposed Site Boundary Additions comply with OAR 345-022-0010. • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	OPR-OE-01 Submission of inspection documentation with annual reporting GEN-OE-01 Notification of qualifications and contractor identity changes PRE-OE-01 Notification of contractor identities PRE-OE-02 Assurance of contractor compliance PRE-OE-03 Submission of third-party permit list and permits GEN-OE-02 Issuance of notice of violation GEN-OE-03 Reporting of Site Certificate violations
OAR 345-022-0020 Structural Standard	The Structural Standard requires that the applicant adequately characterize and address potential seismic hazards. As discussed in Section 7.1.1 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential seismic hazards and will further refine that characterization prior to construction consistent with the existing Site Certificate conditions. Moreover, IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate seismic hazard risks will adequately address any potential seismic hazards related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0020. • IPC addresses this standard in more detail in Section 7.1.1 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	PRE-SS-01 Submission of geological and geotechnical investigation plan and report GEN-SS-01 Compliance of building codes GEN-SS-02 Avoidance of seismic hazards GEN-SS-03 Notification of foundation changes GEN-SS-04 Notification of other geological observations

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0022 Soil Protection	The Soil Protection Standard requires that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to soils. As discussed in Section 7.1.2 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential soil impacts, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate soil impacts will adequately address any potential soil impacts related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with OAR 345-022-0022. • IPC addresses this standard in more detail in Section 7.1.2 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-SP-01 Implementation of National Pollutant Discharge Elimination System (NPDES) 1200-C and Erosion Sediment Control Plan GEN-SP-02 Implementation of Construction Spill Prevention Control and Countermeasures (SPCC) Plan GEN-SP-03 Implementation of Operations SPCC Plan GEN-SP-04 Implementation of final Blasting Plan OPR-SP-01 Inspection of facility components and mitigation for soil impacts
OAR 345-022-0030 Land Use	The Land Use Standard requires that the facility complies with the statewide planning goals. As discussed in Section 7.1.3 below, IPC demonstrates that the Proposed Site Boundary Additions comply with local applicable substantive criteria, Land Conservation and Development Commission rules and goals, and any land use statutes directly applicable to the facility. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0030. • IPC addresses this standard in more detail in Section 7.1.3 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-01 Submission of Morrow County permits, aggregate supplier identities, and riparian impact consultation GEN-LU-02 Adherence to Morrow County setback requirements GEN-LU-03 Submission of Umatilla County permits and Air Contaminant Permit PRE-LU-01 Road construction consultation with Umatilla County Public Works GEN-LU-04 Adherence to Umatilla County setback requirements GEN-LU-05 Submission of Union County permits GEN-LU-06 Adherence to Union County setback requirements PRE-LU-02 Submission of aggregate supplier identities to Baker County GEN-LU-07 Submission of Baker County permits CON-LU-01 Adherence to Baker County setback requirements GEN-LU-08 Submission of Malheur County permits GEN-LU-09 Adherence to Malheur County setback requirements GEN-LU-10 Adherence to City of North Powder setback requirements GEN-LU-11 Implementation of final Agricultural Assessment and Mitigation Plan GEN-LU-12 Limitations of right-of-way within Goal 4 forest lands GEN-LU-13 Implementation of final Right-of-Way Clearing Assessment CON-LU-02 Submission of Memorandum of Agreement with City of LaGrande for Morgan Lake Park improvements

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0040 Protected Areas	The Protected Area Standard requires that the facility avoid certain protected areas, except in certain situations, and that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to protected areas. As discussed in Section 7.1.4 below, IPC demonstrates that the Proposed Site Boundary Additions will not be located in a designated protected area and will not otherwise significantly adversely impact any such protected areas. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0040. • IPC addresses this standard in more detail in Section 7.1.4 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-PA-01 Implementation of protection measures for the Ladd March Wildlife Area GEN-PA-02 Avoidance of Ladd Marsh Wildlife Area if Morgan Lake alternative route chosen
OAR 345-022-0050 Retirement and Financial Assurance	The Retirement and Financial Assurance Standard requires that the site, taking into account mitigation, can be restored, and that the applicant has a reasonable likelihood of obtaining a bond or letter of credit to fund that restoration. The changes proposed in RFA 2 will result in less than a 1% change in the total length of the Project, which will not result in significant changes to the amount calculated for the bond or letter of credit. Regardless, any changes resulting from RFA 2 would be addressed through Retirement and Financial Assurance Condition 4(c), which provides that the estimated total decommissioning cost considered in the Final Order will be adjusted to the date of issuance of the bond or letter of credit and on a quarterly basis during construction. Therefore, any impacts RFA2 will have on the total decommissioning cost, and the financial assurances provided to ensure impacts would be fully addressed in the unlikely circumstance that the project would be decommissioned, will be captured in the updates required under Condition 4(c). • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-RT-01 Prevention of hazardous site conditions RET-RT-01 Retirement of facility in compliance with the Retirement Plan RET-RT-02 Retirement of facility upon permanent cessation PRE-RT-01 Adjustment of bond or letter of credit during construction OPR-RT-01 Submission and maintenance of bond or letter of credit during operations

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0060 Fish and Wildlife Habitat	The Fish and Wildlife Habitat Standard requires that the design, construction and operation of the facility, taking into account mitigation, are consistent with ODFW's fish and wildlife habitat mitigation goals and standards and with the Greater Sage-Grouse Conservation Strategy for Oregon. Pursuant to OAR 635-415-0025(7), the Proposed Site Boundary Additions are subject to the avoidance test contained in Policy 2 of the Sage-Grouse Strategy and is further evaluated in Section 7.1.5. As discussed in Section 7.1.5 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential fish and wildlife habitat impacts, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate fish and wildlife impacts will adequately address any fish and wildlife habitat impacts related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0060. • IPC addresses this standard in more detail in Section 7.1.5 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-FW-01 Implementation of final Reclamation and Revegetation Plan GEN-FW-02 Implementation of final Vegetation Management Plan GEN-FW-03 Implementation of final Noxious Weed Plan GEN-FW-04 Implementation of final Habitat Mitigation Plan GEN-FW-05 Implementation of worker environmental awareness training GEN-FW-06 Flagging of environmentally sensitive areas GEN-FW-07 Speed limit enforcement GEN-FW-08 Adherence with the Avian Protection Plan and fatality reporting PRE-FW-01 Preconstruction surveys to be completed on unsurveyed portions of the site boundary. PRE-FW-02 Preconstruction surveys to be completed on entirety of site boundary PRE-FW-03 Submission of final Sage-Grouse Habitat Mitigation Plan PRE-FW-04 Perform preconstruction traffic study in elk habitat and sage-grouse habitat CON-FW-01 Avoidance of elk or mule deer winter range during temporal restriction CON-FW-02 Notification of pygmy rabbit colonies or State Sensitive bat species CON-FW-03 Conduct construction avian surveys during migratory bird nesting season CON-FW-04 Avoidance of raptor nests within buffers and temporal restrictions CON-FW-05 Implementation of final Sage-Grouse Habitat Mitigation Plan CON-FW-06 Avoidance of sage-grouse habitat during temporal restriction OPR-FW-01 Adherence with final compensatory mitigation calculations OPR-FW-02 Access control enforcement within elk and sage-grouse habitat OPR-FW-03 Submission of traffic studies data for indirect sage-grouse habitat impact calculations OPR-FW-04 Perform operations traffic study in elk habitat and sage-grouse habitat

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0070 Threatened and Endangered Species	The Threatened and Endangered Species Standard requires that the design, construction and operation of the facility, taking into account mitigation, adequately address potential impacts to state-designated threatened and endangered species. As discussed in Section 7.1.6 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential impacts to such species, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate impacts to threatened and endangered species will adequately address any impacts to such species related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0070. • IPC addresses this standard in more detail in Section 7.1.6 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	CON-TE-01 Avoidance of Category 1 Washington ground squirrel habitat CON-TE-02 Avoidance of threatened or endangered plant species within buffers
OAR 345-022-0080 Scenic Resources	The Scenic Resources Standard requires that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to certain scenic resources. As discussed in Section 7.1.7 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential impacts to scenic resources, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate impacts to certain scenic resources will adequately address any impacts to such resources related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0080. • IPC addresses this standard in more detail in Section 7.1.7 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-PA-02 Avoidance of Ladd Marsh Wildlife Area if Morgan Lake alternative route is chosen GEN-SR-01 Usage of dull-galvanized steel for lattice towers and non-specular conductors GEN-SR-02 Union County visual impact reduction GEN-SR-03 Reduction of National Historic Oregon Trail Interpretive Center visual impacts GEN-SR-04 Reduction of Birch Creek Area of Critical Environmental Concern visual impacts

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0090 Historic, Cultural and Archaeological Resources	The Historic, Cultural and Archaeological Resources Standard requires that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to certain historic, cultural and archaeological resources. As discussed in Section 7.1.8 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential impacts to historic, cultural and archaeological resources, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate impacts will adequately address any potential impacts to such resources related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0090. • IPC addresses this standard in more detail in Section 7.1.8 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-HC-01 Avoidance of Oregon Trail/National Historic Trail resources GEN-HC-02 Implementation of final HPMP OPS-HC-01 Submission of Cultural Resources Technical Report
OAR 345-022-0100 Recreation	The Recreation Standard requires that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to important recreational opportunities. As discussed in Section 7.1.9 below, for the Proposed Site Boundary Additions, IPC has adequately characterized the potential impacts to important recreational opportunities, and IPC demonstrates that the Proposed Site Boundary Additions will not result in any significant impacts to such opportunities. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 345-022-0100. • IPC addresses this standard in more detail in Section 7.1.9 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-RC-01 Reduction of Morgan Lake Park visual impacts

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-022-0110 Public Services	The Public Services Standard requires that the construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to the ability of providers to provide public services. Because the proposed changes in RFA 2 do not introduce any new facility types that would require a new type of public service. The analysis area for RFA 2 does not extend into rural fire districts, airports, landfills, cities/housing, law enforcement jurisdictions, etc. that were not already considered in the ASC. The changes proposed in RFA 2 will result in less than a 1% change in the total length of the Project which will not result in a need for additional workers during peak construction periods.The RFA 2 does not propose any changes that would affect public service providers differently, or that would introduce any new Project components or related or supporting facilities requiring new types of public service providers, the Council's existing findings, analysis, and conclusions in its final order regarding public service providers and the related Site Certificate conditions are adequate to ensure the Proposed Site Boundary Additions comply with OAR 345-022-0110. • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-PS-01 Submit Helicopter Use Plan GEN-PS-02 Submit Final Fire Prevention and Suppression Plan GEN-PS-03 Submit Wildfire Mitigation Plan PRE-PS-01 Consultation with Owyhee Irrigation District PRE-PS-02 Submit county-specific Transportation and Traffic Plan PRE-PS-03 Submit FAA form 7460-1 Notice of Proposed Construction or Alteration PRE-PS-04 Implementation of Environmental and Safety Training Plan
OAR 345-022-0120 Waste Minimization	The Waste Minimization Standard requires that, to the extent reasonably practicable, the plans for the construction and operation of the facility are likely to minimize the generation of waste, and the management of waste is likely to result in minimal adverse impacts to the surrounding and adjacent areas. Because The proposed changes in RFA 2 will result in less than a 1% change in the total length of the Project which will not result in a significant increase in the amount of solid waste estimated to be generated during construction of the facility. Additionally, RFA 2 does not propose any changes that would affect IPC's waste minimization plans, or that would introduce any new types of waste, the Council's existing findings, analysis, and conclusions in its final order regarding waste minimization and the related Site Certificate conditions are adequate to ensure the Proposed Site Boundary Additions comply with OAR 345-022-0120. • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-WM-01 Implementation of Construction Waste Management Plan

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-023-0005 Need	The Need Standard requires that the applicant demonstrate the need for the Project either through the least-cost plan rule or system reliability rule. Because RFA 2 does not propose any changes that would affect the consideration of the Project under IPC's Integrated Resource Plan, or that would impact the need of the Project to enable IPC's transmission system, the Council's existing findings, analysis, and conclusions in its final order regarding the need for the Project are adequate to ensure the Proposed Site Boundary Additions comply with OAR 345-023-0005. • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	

Standard or Other Permit	Compliance	Related Site Certificate Conditions
OAR 345-024-0090 Transmission Lines	The Sitting Standards for Transmission Lines require that the design, construction and operation of the facility meet certain alternating current operating criteria and minimize induced currents. Because RFA 2 does not propose any changes that would affect the alternating current electric fields or induced currents, the Council's existing findings, analysis, and conclusions in its final order regarding alternating current and induced current, and the related Site Certificate conditions, are adequate to ensure the Proposed Site Boundary Additions comply with OAR 345-024-0090. • IPC does not address this standard in more detail in this RFA 2. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-TL-01 Management of electromagnetic field exposure OPR-TL-01 Reduction of induced current and nuisance shock risks GEN-TL-02 Adherence with the National Electrical Safety Code and grounding practices PRE-TL-01 Meeting with Public Utility Commission (OPUC) OPR-TL-02 Submission of compliance updates to OPUC
OAR 340-035-0035 Noise Control Regulations	The Noise Control Regulations require that the construction and operation of the facility meet certain noise standards. As discussed in Section 7.2.1 below, for the proposed changes, IPC has adequately characterized the potential noise impacts, and IPC demonstrates that the existing Site Certificate conditions requiring IPC to avoid, minimize, and mitigate impacts will adequately address any such potential impacts related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with OAR 340-035-0035. • IPC addresses this standard in more detail in Section 7.2.1 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-NC-01 Implementation of Noise Exceedance Mitigation Plans GEN-NC-02 Implementation of a noise complaint response system CON-NC-01 Implementation of design measures and construction techniques OPR-NC-01 Adherence to the ambient antidegradation standard during infrequent or unusual foul weather events OPR-NC-02 Variance to compliance with the ambient antidegradation standard
Removal-Fill Permit OAR Chapter 141, Division 85	The Removal-Fill Rules require a permit from the Department of State Lands to remove material from, or to fill in, waters of the state. As discussed in Section 7.2.2 below, for the proposed changes, IPC has characterized the potential impacts to Waters of this State, and the existing Site Certificate conditions requiring IPC to obtain a permit and avoid, minimize, and mitigate impacts will adequately address any such potential impacts related to the Proposed Site Boundary Additions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the Proposed Site Boundary Additions, subject to the related Site Certificate conditions, comply with the Removal-Fill Regulations. • IPC addresses this standard in more detail in Section 7.2.2 below. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	PRE-RF-01 Submission of updated wetland delineation reports GEN-RF-01 Implementation of final Site Rehabilitation Plan GEN-RF-02 Implementation of final Compensatory Wetland and Non-Wetland Mitigation Plan PRE-RF-02 Provide copy of Joint Permit Application GEN-RF-03 Compliance with General and Special Conditions GEN-RF-04 Compliance with Removal-Fill Conditions and procedures

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Fish Passage Plan Approval OAR Chapter 635, Division 412	The Fish Passage Rules require approval of fish passage plans for any new artificial obstructions, or substantial modifications to existing obstructions, affecting native fish streams. As part of the Proposed Site Boundary Additions, IPC is proposing at least four crossings that will require fish passage plan approval. The types of fish passage designs considered for these new crossings have been previously described in the ASC Exhibit BB Attachment BB-3 Fish Passage Plans. IPC is completing surveys and coordinating with ODFW to incorporate these new crossings in to a final Fish Passage Plan. Therefore, the Council's existing findings, analysis, and conclusions in its final order regarding fish passage, and the related Site Certificate conditions, are adequate to ensure the Proposed Site Boundary Additions comply with the Fish Passage Rules. • IPC includes a description of the crossings that will require fish passage plan approval in Section 7.1.5. • In relation to this standard, IPC is not proposing any new conditions or changes to existing conditions.	GEN-FP-01 Implementation of final Fish Passage Plan
Public Land Action Permit	None of the proposed changes in RFA 2 occur on non-federal public lands, and therefore, no Public Land Action Permit is required.	N/A
Morrow County Land Use Permit – Land Use Decision (Utility Facility; EFU Zone)	In Morrow County, all of the proposed site boundary changes in RFA 2 occur in the EFU zone. As discussed in Section 7.1.3 below, the Proposed Site Boundary Additions will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Morrow County EFU Zone requirements. • IPC addresses the Morrow County EFU Zone requirements in more detail in Section 7.1.3.1 below. • In relation to the Morrow County EFU Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-01 Submission of Morrow County permits, aggregate supplier identities, and riparian impact consultation
Morrow County Land Use Permit – Zoning Permit (Utility Facility; General Industrial Zone)	None of the Proposed Site Boundary Additions occur in the Morrow County General Industrial zone.	GEN-LU-01 Submission of Morrow County permits, aggregate supplier identities, and riparian impact consultation
Morrow County Land Use Permit – Zoning Permit (Utility Facility; Port Industrial Zone)	None of the Proposed Site Boundary Additions occur in the Morrow County Port Industrial zone.	N/A

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Umatilla County Land Use Permit – Land Use Decision and Zoning Permit (Utility Facility; EFU Zone)	In Umatilla County, portions of the Proposed Site Boundary Additions occur in the EFU zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Umatilla County EFU Zone requirements. • IPC addresses the Umatilla County EFU Zone requirements in more detail in Section 7.1.3 below. • In relation to the Umatilla County EFU Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Umatilla County Land Use Permit – Conditional Use Permit (Helipads; EFU Zone)	None of the Proposed Site Boundary Additions involve helipads.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Umatilla County Land Use Permit – Conditional Use Permit and Land Use Decision (Utility Facility; Grazing-Farm Zone/Goal 4 Forestlands)	In Umatilla County, portions of the transmission line Proposed Site Boundary Additions occur in the Grazing Farm zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Umatilla County Grazing-Farm Zone requirements. • IPC addresses the Umatilla County Grazing-Farm Zone requirements in more detail in Section 7.1.3 below. • In relation to the Umatilla County Grazing-Farm Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit GEN-LU-12 Limitations of right-of-way within Goal 4 forest lands
Umatilla County Land Use Permit – Exception to Goal 4 (Access Roads; Helipads; Grazing-Farm Zone/Goal 4 Forestlands)	In Umatilla County, certain access roads in Proposed Site Boundary Additions occur in the Grazing-Farm zone and Goal 4 forest lands. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 support a Goal 4 exception, if the Council deems necessary. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, warrant a Goal 4 exception in the Umatilla County Grazing-Farm Zone. • IPC addresses the Umatilla County Grazing-Farm Zone Goal 4 exception requirements in more detail in Section 7.1.3 below. • In relation to the Umatilla County Grazing-Farm Zone Goal 4 exception requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit GEN-LU-12 Limitations of right-of-way within Goal 4 forest lands
Umatilla County Land Use Permit – Conditional Use Permit and Land Use Decision (Helipads; Grazing-Farm Zone)	None of the Proposed Site Boundary Additions involve helipads.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Umatilla County Land Use Permit – Conditional Use Permit (Access Roads; Grazing-Farm Zone)	In Umatilla County, portions of the access road Proposed Site Boundary Additions occur in the Grazing Farm zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Umatilla County Grazing-Farm Zone requirements. • IPC addresses the Umatilla County Grazing-Farm Zone requirements in more detail in Section 7.1.3 below. • In relation to the Umatilla County Grazing-Farm Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Umatilla County Land Use Permit – Conditional Use Permit (Utility Facility; Light Industrial Zone)	None of the Proposed Site Boundary Additions occur in the Umatilla County Light Industrial zone.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Umatilla County Land Use Permit – Conditional Use Permit (Batch Plant; Light Industrial Zone)	None of the Proposed Site Boundary Additions occur in the Umatilla County Light Industrial zone.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Umatilla County Land Use Permit – Conditional Use Permit (Multi-Use Area; Rural Tourist Commercial Zone)	None of the Proposed Site Boundary Additions occur in the Umatilla County Rural Tourist Commercial zone.	GEN-LU-03 Submission of Umatilla County permits and Air Containment Permit
Union County Land Use Permit – Land Use Decision (Utility Facility; EFU Zone)	None of the Proposed Site Boundary Additions occur in the Union County EFU zone.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Conditional Use Permit and Land Use Decision (Helipads; EFU Zone)	None of the Proposed Site Boundary Additions involve helipads.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Conditional Use Permit and Land Use Decision (Concrete Batch Plants; EFU Zone)	None of the Proposed Site Boundary Additions involve concrete batch plants.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Land Use Decision (Utility Facility; Agriculture-Grazing Zone)	In Union County, portions of the Proposed Site Boundary Additions occur in the Agriculture-Grazing zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Union County Agriculture-Grazing Zone requirements. • IPC addresses the Union County Agriculture-Grazing Zone requirements in more detail in Section 7.1.3 below. • In relation to the Union County Agriculture-Grazing Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Union County Land Use Permit – Land Use Decision (Predominant Use Determination; Timber-Grazing Zone)	In Union County, portions of the Proposed Site Boundary Additions occur in the Timber-Grazing zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Union County Timber-Grazing Zone requirements. • IPC addresses the Union County Timber-Grazing Zone requirements in more detail in Section 7.1.3.3 below. • In relation to the Union County Timber-Grazing Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Land Use Decision (Utility Facility; Timber-Grazing Zone, Predominantly Farmland Parcels)	In Union County, portions of the Proposed Site Boundary Additions occur in the Timber-Grazing zone, predominantly farmland parcels. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Union County Timber-Grazing Zone, predominantly farmland, requirements. • IPC addresses the Union County Timber-Grazing Zone, predominantly farmland, requirements in more detail in Section 7.1.3.3 below. • In relation to the Union County Timber-Grazing Zone, predominantly farmland, requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Conditional Use Permit (Utility Facility; Timber-Grazing Zone, Predominantly Forestland Parcels)	In Union County, portions of the Proposed Site Boundary Additions occur in the Union County Timber-Grazing zone, predominantly forestland parcels. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Union County Timber-Grazing Zone, predominantly forestland, requirements. • IPC addresses the Union County Timber-Grazing Zone, predominantly forestland, requirements in more detail in Section 7.1.3 below. • In relation to the Union County Timber-Grazing Zone, predominantly forestland, requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Union County Land Use Permit – Exception to Goal 4 (Transmission Line Right-of-Way Width; Timber-Grazing Zone, Predominantly Forestland Parcels)	In Union County, portions of the Proposed Site Boundary Additions occur in the Timber-Grazing zone and Goal 4 forest lands. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 support a Goal 4 exception, if the Council deems necessary. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, warrant a Goal 4 exception in the Union County Timber-Grazing Zone. • IPC addresses the Union County Timber-Grazing Zone Goal 4 exception requirements in more detail in Section 7.1.3 below. • In relation to the Union County Timber-Grazing Zone exception requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits
Union County Land Use Permit – Conditional Use Permit (Access Roads; Timber-Grazing Zone, Predominantly Forestland Parcels)	In Union County, portions of the access road Proposed Site Boundary Additions occur in the Union County Timber-Grazing zone, predominantly forestland parcels. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the access road proposed changes, subject to the related Site Certificate conditions, comply with the Union County Timber-Grazing Zone, predominantly forestland, requirements. • IPC addresses the Union County Timber-Grazing Zone, predominantly forestland, requirements in more detail in Section 7.1.3 below. • In relation to the Union County Timber-Grazing Zone, predominantly forestland, requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-05 Submission of Union County permits
Baker County Land Use Permit – Land Use Decision (Utility Facility; EFU Zone)	In Baker County, portions of the Proposed Site Boundary Additions occur in the Baker County EFU zone. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Baker County EFU Zone requirements. • IPC addresses the Baker County EFU Zone requirements in more detail in Section 7.1.3 below. • In relation to the Baker County EFU Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-07 Submission of Baker County permits
Baker County Land Use Permit – Conditional Use Permit (Rural Service Area Zone)	None of the Proposed Site Boundary Additions occur in the Baker County Rural Service Area zone.	GEN-LU-07 Submission of Baker County permits

Standard or Other Permit	Compliance	Related Site Certificate Conditions
Baker County Land Use Permit – Land Use Decision (Utility Facility; EFU and ERU Zones)	In Baker County, portions of the Proposed Site Boundary Additions occur in the Baker County EFU-ERU zones. As discussed in Section 7.1.3 below, the proposed changes in RFA 2 will comply with the relevant county code provisions. Therefore, IPC has demonstrated with the information provided in this RFA 2 that the proposed changes, subject to the related Site Certificate conditions, comply with the Baker County EFU-ERU Zone requirements. • IPC addresses the Baker County EFU-ERU Zone requirements in more detail in Section 7.1.3 below. • In relation to the Baker County EFU-ERU Zone requirements, IPC is not proposing any new conditions or changes to existing conditions.	GEN-LU-07 Submission of Baker County permits
Baker County Land Use Permit – Conditional Use Permit (Helipads; EFU and ERU Zones)	None of the Proposed Site Boundary Additions involve helipads.	GEN-LU-07 Submission of Baker County permits
City of North Powder – Conditional Use Permit (Multi-Use Area; Commercial Interchange Zone)	None of the Proposed Site Boundary Additions occur in the City of North Powder.	NA
City of Huntington – Land Use Decision (Multi-Use Area; Commercial Industrial Zone)	None of the Proposed Site Boundary Additions occur in the City of North Huntington.	NA
City of Huntington – Land Use Decision/Temporary Use Permit (Multi-Use Area; Commercial Residential Zone)	None of the Proposed Site Boundary Additions occur in the City of North Huntington.	NA

7.1 Division 22 Standards Discussed in Detail

7.1.1 Structural Standard – OAR 345-022-0020

The Structural Standard generally requires the Council to evaluate whether the Certificate Holder has adequately characterized the potential seismic, geological, and soil hazards within the site boundary, and that the Certificate Holder can design, engineer, and construct the Project to avoid dangers to human safety from these hazards.

IPC's geotechnical contractor is performing investigations to support the design and location of Project facilities. This includes characterizing potential seismic, geological, and soil hazards within the site boundary. A landslide inventory and evaluation is provided in Attachment H-1 of the Final Order. The geotechnical contractor is currently performing field reconnaissance, geotechnical borings, and electrical resistivity testing. The results of these investigations are ongoing. The following changes proposed in RFA 2 are in or near geological hazard zones, historic landslide areas, or other non-seismic hazard areas.

Umatilla County Work Area, Proposed Site Boundary Addition 2/303 (Figure 7-1, Map 19), Mapped Fault

Proposed Site Boundary Addition 2/303 crosses through a mapped fault trace which is not included in the DOGAMI Oregon HazVu website (DOGAMI 2023a) or the U.S. Geological Survey (USGS) Quaternary Fault and Fold Database website (USGS 2023) and may not have geologic evidence demonstrating a tectonic fault exists and therefore it may not be active during the Quaternary period. However, this fault does not have additional information pertaining to slip rates, fault type, etc. and the risk of the fault impacting Proposed Site Boundary Addition 2/303 is not quantifiable.

Umatilla County Work Area, Proposed Site Boundary Addition 2/319 (Figure 7-1, Map 21), Mapped Faults

Proposed Site Boundary Addition 2/319 crosses through the approximate mapped trace of the Cabbage Hill Fault (USGS Hite fault system, Fault ID 845, Personius and Lidke 2003). It encompasses an existing roadway which will be used for construction. The USGS indicates the fault has a slip rate of <0.2 millimeter per year (mm/yr). Since the fault has such a low slip rate (<0.2 mm/yr) impacts of the Cabbage Hill Fault on Proposed Site Boundary Addition 2/319 is low.

Umatill County Sevenmile Creek Alternative and Work Area, Proposed Site Boundary Additions 2/304, 2/538, 2/539, 2/540 (Figure 7-1, Maps 25-27), Mapped Faults

These Proposed Site Boundary Additions cross through the approximate mapped trace of a series of faults likely part of the Hite fault system (USGS Fault ID 845). According to the USGS, the slip rate of the Hite fault system has a slip rate of <0.2 mm/yr. Based on this low slip rate, impacts of the faults on these sites are low.

Umatilla County Work Area, Proposed Site Boundary Addition 2/317, (Figure 7-1, Map 30), Mapped Fault; Union County Rock Creek Alternative 1, Rock Creek Alternative 2, and Work Areas, Proposed Site Boundary Additions 2/341, 2/345, 2/347, 2/350, 2/553, 2/567, 2/568, (Figure 7-1, Maps 31-34) Mapped Faults

These Proposed Site Boundary Additions cross through mapped faults which include the Coleman Ridge Zone faults, Rock Creek West faults, and the Rock Creek East faults. The faults

are not included in the DOGAMI Oregon HazVu website or the USGS Fault and Fold Database website and may not have geologic evidence demonstrating a tectonic fault exists and therefore it may not be active during the Quaternary period. However, these faults do not have additional information pertaining to slip rates, fault type, etc., and the risk of the faults impacting the Proposed Site Boundary Additions is not quantifiable.

Union County Baldy Alternative, Proposed Site Boundary Addtion 2/571, (Figure 7-1, Map 40), Mapped Faults and Landslide Deposits, Statewide Landslide Information Database for Oregon (SLIDO) 293

The Baldy Alternative crosses through mapped fault traces associated with the Hilgard Zone and the Mill Creek fault which are not included in the Oregon Department of Geology and Mineral Industries (DOGAMI) Oregon HazVu website or the USGS Fault and Fold Database website and may not have geologic evidence demonstrating a tectonic fault exists and therefore it may not be active during the Quaternary period. However, the faults do not have additional information pertaining to slip rates, fault type, etc. and the risk of the faults impacting Proposed Site Boundary Addition 2/571 is not quantifiable. Proposed Site Boundary Addition 2/571 crosses downslope of mapped landslide deposits associated with SLIDO “FernML2010_293” also referred to elsewhere in this project as SLIDO 293 (DOGAMI 2023b). Based on aerial imagery the headscarp is heavily overgrown with trees and does not appear to be currently active and the landslide deposits are not mapped as extending down the slope to the area of Proposed Site Boundary 2/571. The landslide is of minimal risk.

Union County Baldy Alternative, Proposed Site Boundary Addition 2/573 (Figure 7-1, Maps 41-43), Mapped Faults and Landslide Deposits, SLIDO 2279, 2281, 2282

The Baldy Alternative crosses through mapped fault traces associated with the Clover Creek fault and the Baldy fault which are not included in the DOGAMI Oregon HazVu website or the USGS Fault and Fold Database website and may not have geologic evidence demonstrating a tectonic fault exists and therefore it may not be active during the Quaternary period However, the faults do not have additional information pertaining to slip rates, fault type, etc. and the risk of the faults impacting the Baldy Alternative is not quantifiable. The Baldy Alternative at 2/573 crosses between mapped landslide deposits of SLIDO “FernML2010_2279” also referred to as SLIDO 2279 and deposits of “FernML2010_2282” also referred to as SLIDO 2282. During IPC reconnaissance of boring locations boring locations BH-J-4/5 and BH-J-4/6 IPC did not observe any indications of current movement of the ridge on which the structures are located, and the two borings encountered shallow bedrock at the depths of 1.5 and 6.5 feet, respectively. However, due to the close proximity of the two slides to the structures IPC considers the area to be of moderate risk and recommend the structures and the disturbance area not be shifted or moved to within the mapped extents of the landslides. Additionally, the Baldy Alternative at 2/573 extends into mapped landslide deposits associated with SLIDO “FernML2001b_2281” or SLIDO 2281. Based on boring BH-119/2 performed within the landslide deposits, and observations of the area performed during our reconnaissance of boring location BH-119/2, the landslide feature appeared ancient and is minimal risk to the Baldy Alternative at 2/573.

Baker County Access Road Change, Proposed Site Boundary Addition 2/424 (Figure 7-1, Map 63), Mapped Landslide, SLIDO 1103

The Proposed Site Boundary Addition 2/424 crosses through SLIDO feature “AshIRP1966_1103” which is mapped as an Alluvial Fan. This is an access road and SLIDO 1103 is an alluvial fan not a landslide, however, IPC would not make large cuts into the slope which would undercut the alluvial fan and destabilize it.

Baker County Work Area, Proposed Site Boundary Addition 2/433 and 2/434 (Figure 7-1, Map 67), Mapped Landslide Deposits, SLIDO 1707

Mapped landslide deposits of SLIDO feature "BrooHC179a_1707" or SLIDO 1707 are upslope from Proposed Site Boundary Addition 2/433 and 2/434. Light detection and ranging (LiDAR) imagery of the landslide has rounded, eroded features that would indicate an ancient landslide. Aerial imagery shows some exposed dirt sections which are above the landslide mapped extents of the landslide, and some small colluvium talus fields on the slopes to the east of the mapped slide. LiDAR imagery appears to show possible outlines of landslide bodies leading northwest and northeast form the mapped extents of the SLIDO 1707 leading into the two erosional drainages on the west and east sides of SLIDO 1707, and not impacting the sites. There is an access roadway and existing Rye Valley Lane at the base of the slope below SLIDO 1707 both of which appear stable. Based on the LiDAR and aerial imagery, the risk of SLIDO 1707 impacting the Proposed Site Boundary Additions 2/433 and 2/434, is low.

Baker County Access Roads, Proposed Site Boundary Additions 2/440, 2/441, 2/442, 2/445 and 2/446 (Figure 7-1, Map68), Mapped Landslide Deposits, SLIDO 1706, 1708

Proposed Site Boundary Additions 2/440, 2/441, 2/442, 2/444, 2/445 and 2/446 cross through two landslide features mapped as SLIDO "BrooHC1979a_1706" or SLIDO 1706 and "BrooHC1979a_1708" or SLIDO 1708. LiDAR imagery and aerial imagery of both slides show rounded, eroded features and both are overgrown with vegetation. In addition, Northwest Pipeline corporation has installed a gas line through both features and there is an existing 138kV transmission line through both features. The presence of an existing pipeline and transmission line may indicate the features are stable. Proposed Site Boundary Additions 2/445 and 2/446 appear to be predominantly upslope of SLIDO 1708 and are access roads so any movement would occur below the site or would only affect the access roadway at 2/445, and 2/445 and 2/446 are at a low risk of being impacted by SLIDO 1708. The rounded features of SLIDO 1706 would indicate it is likely an ancient slide however in LiDAR there appear to be a number of small slides within the larger complex which may shift in a large seismic event. The risk of movement within SLIDO 1708 affecting Proposed Site Boundary Additions 2/440, 2/441, and 2/442 is moderate, however these appear to be access roads so the impacts may be minimal.

Malheur County Access Roads and Work Areas, Proposed Site Boundary Additions 2/471 and 2/472 (Figure 7-1, Map 79), Mapped Faults

Proposed Site Boundary Additions 2/471 and 2/472 cross through the approximate mapped trace of the Cottonwood Mountain fault (USGS Fault ID 806). The USGS Quaternary Fault and Fold database indicates the Cottonwood Mountain fault has a slip rate of <0.2 mm/year. Since the fault has such a low slip rate (<0.2 mm/yr) impacts of the Cottonwood Mountain fault on Proposed Site Boundary Additions 2/471 and 2/472 are low.

Malheur County Access Roads and Work Areas, Proposed Site Boundary Additions 2/503, 2/504, 2/510, 2/511 (Figure 7-1, Maps 95 and 97), Mapped Faults

Proposed Site Boundary Additions 2/503, 2/504, 2/510, and 2/511 cross through the approximate mapped traces of unnamed faults possibly associated with the Owyhee Mountains fault system in Idaho. The faults are not included in the DOGAMI Oregon HazVu website or the USGS Fault and Fold Database website and may not have geologic evidence demonstrating a tectonic fault exists and therefore it may not be active during the Quaternary period However, the faults do not have additional information pertaining to slip rates, fault type, etc. and the risk

of the faults impacting Proposed Site Boundary Additions 2/503, 2/504, 2/510, and 2/511 is not quantifiable.

IPC will continue to investigate the potential areas of soil instabilities during ongoing site-specific geotechnical work. Site-specific geotechnical design will consider the most recent version of the International Building Code (IBC 2018) to address the seismic hazards of the Proposed Site Boundary Additions, similar to the evaluation performed in Attachment H-1 of the Final Order.

IPC will continue to adequately characterize the seismic, geological and soils hazards in order to design, engineer, and construct the proposed changes to avoid dangers to human safety and the environment. Therefore, based on the information provided in this RFA 2 and the application of the relevant Site Certificate conditions, IPC has demonstrated that the proposed changes comply with the Structural Standard.

7.1.2 Soil Protection – OAR 345-022-0022

The Soil Protection Standard requires the Council to find that, after taking mitigation into account, the design, construction, and operation of a facility will not likely result in a significant adverse impact to soils. Exhibit I of the ASC identified the soil conditions and land uses in accordance with the submittal requirements in OAR 345-021-0010 (1)(I) paragraphs (A) through (E). The following applies a similar analysis to the Proposed Site Boundary Additions.

7.1.2.1 Background Review

IPC identified the properties of soils throughout the RFA 2 site boundary using literature-derived soil properties and land cover types. The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) maintains the State Soil Geographic Database (STATSGO; NRCS 2011), which presents general soil properties for the entire United States. STATSGO data are used to characterize soil erosion and soil reclamation properties.

The U.S. Geological Survey (USGS) maintains the National Elevation Dataset (NED) with nationwide coverage of detailed elevation information compiled from multiple sources. The NED data were used for the slope analysis presented in this RFA 2.

7.1.2.2 Surveys

Site-specific geotechnical investigations are ongoing for all of the Proposed Site Boundary Additions. Detailed information relating to the scope of the geotechnical investigation is available in Attachment H-1 of the Final Order. The investigation includes drilling of exploration borings and collection of soil samples for laboratory analysis of soil properties.

7.1.2.3 Findings

Figure 7-2 shows the STATSGO soil mapping units contained within the Proposed Site Boundary Additions. Attachment 7-1 is a table displaying the STATSGO soil properties by soil mapping units contained within the Proposed Site Boundary Additions. Table 7.1-1 summarizes the STATSGO data at the highest soil taxonomic level, soil order.

Table 7.1-1. Soil Orders within the Site Boundary of RFA 2

County	Soil Order (acres)			
	Aridisols	Mollisols	Andisols	Entisols
Morrow	16.2	934.4	–	6.5
Umatilla	–	804.6	336.9	–
Union	–	792.9	127.7	–
Baker	–	326.2	–	87.7
Malheur	311.4	397.7	–	–
RFA 2 Total	***327.6***	***3255.9***	***464.7***	***94.1***

Source: STATSGO

Current land uses that may require or depend on productive soils were evaluated by identifying high value farmland soils data and land cover type data. High value farmland soils data are shown in Table 7.1-2 to identify lands that may include current land uses that require or depend on productive soils within the Proposed Site Boundary Additions. The high value farmland soils data do not provide a qualitative description of actual current land use but may be representative of current agricultural land uses within the proposed site boundary changes. For purposes of this analysis, IPC assumes that high value farmland soils are actively used for agricultural purposes and depend on the presence of productive soils. Similarly, IPC assumes that land cover types identified as agriculture (cultivated crops and pasture/hay) and forest/woodland also require productive soils. For estimates on the amount of the Proposed Site Boundary Additions in agriculture and forest/woodland, see the habitat mapping performed in Section 7.1.5.

Table 7.1-2. High Value Farmland Soils within Site Boundary of RFA 2

County	Site Boundary (acres)	High Value Farmland Soils (acres)[1]
Morrow	466.6	957.1
Umatilla	758.4	1,141.5
Union	519.2	920.7
Baker	288.1	413.9
Malheur	185.9	709.1
RFA 2 Total	***2,218.3***	***4,142.3***

[1] Source: SSURGO data.

Impacts on soils from Project activities are discussed in the ASC in regard to how the Project may contribute to soil erosion, loss of reclamation potential, and the potential for chemical spills. RFA 2 does not describe these potential soil impacts but does identify the RFA 2 soil properties that indicate susceptibility to erosion and loss of reclamation potential. Impacts resulting from chemical spills will be mitigated per the Spill Prevention, Control, and Countermeasures Plan as required under condition GEN-SP-02.

Soil erosion factors are defined in Exhibit I of the ASC and include: soil K factor, wind erodibility, slope, and soil T factor. Table 7.1-3 shows the soil erosion factors for RFA 2 construction areas. Construction areas are inclusive of temporarily disturbed areas that will be reclaimed and areas that will maintain a permanent facility through operation of the Project.

Table 7.1-3. Erosion Factors in RFA 2 Construction Disturbance Area

County	Construction Disturbance Area (acres)	Highly Wind Erodible[1,2]		High K Factor[1,3]		Slope Greater Than 25%[5]		Low T Factor[1,4]	
		Acres	%	Acres	%	Acres	%	Acres	%
Morrow	175.3	31.5	18.0%	148.1	84.5%		0.0%	131.0	74.7%
Umatilla	279.0		0.0%	279.0	100.0%		0.0%	137.8	49.4%
Union	372.6	180.8	48.5%	147.8	39.7%	64.7	17.4%	79.6	21.4%
Baker	198.1	141.4	71.4%	27.4	13.8%	103.9	52.4%	82.2	41.5%
Malheur	287.8	269.2	93.5%	151.7	52.7%	11.2	3.9%	48.1	16.7%
RFA 2 Total	***1,312.9***	***622.8***	***47.4%***	***754.0***	***57.4%***	***179.8***	***13.7%***	***478.6***	***36.5%***

[1] Source: STATSGO data.
[2] Highly wind erodible include STATSGO wind erodibility classes 1 through 4 (wind erosion greater than or equal to 86 tons per acre per year.
[3] High K factor defined as K factor greater than or equal to 0.37.
[4] Lot T factor defined as T factor less than or equal to 2 tons per acre per year.
[5] Source: USGS National Elevation Dataset database.

Soil reclamation factors are defined in Exhibit I of the ASC and include: soil compaction, stony-rocky soils, droughty soil, shallow bedrock, and hydric soils. Table 7.1-4 identifies the soil reclamation factors of soils in the RFA 2 construction areas. The NRCS STATSGO soil properties were reviewed within the Proposed Site Boundary Additions. No soil was detected with the combination of fine grain size, and poor drainage characteristics that would result in classification as highly compactible. Therefore, no areas within the construction disturbance area were identified as needing special considerations for soil compaction.

Table 7.1-4. Soil Reclamation Factors in RFA 2 Construction Disturbance Area

County	Construction Disturbance Area (acres)	Stony/Rocky[1,2]		Droughty[1,3]		Shallow Bedrock[1,4]		Hydric Soil[5]	
		Acres	%	Acres	%	Acres	%	Acres	%
Morrow	23.8	3.621.9	12.5%	31.5	18.0%	132.1	75.4%	57.1	32.6%
Umatilla	11.1	32.0	11.5%	32.0	11.5%	198.2	71.0%	65.9	23.6%
Union	6.5	179.0	48.0%	179.0	48.0%	304.7	81.8%	18.8	5.0%
Baker	120.6	146.5	73.9%	146.5	73.9%	82.2	41.5%	53.9	27.2%
Malheur	25.2	45.6	15.8%	87.1	30.3%	75.9	26.4%	97.2	33.8%
RFA 2 Total	***187.2***	***425.0***	***32.4%***	***476.1***	***36.3%***	***793.2***	***60.4%***	***293.0***	***22.3%***

[1] Source: STATSGO data.
[2] Stony rocky soil is defined as soil with at least 20 percent of soil particles with size greater than 2 mm.
[3] Droughty soils are defined as soil with sandy loam or coarser texture, and drainage class of moderately to excessively well-drained.
[4] Shallow bedrock is defined as bedrock occurring within 51 inches of ground surface.
[5] Source for hydric soil is SSURGO database and Oregon Wetland Database from the Oregon Spatial Data Library (2013).
Note: SSURGO and STATSGO databases did not contain any highly compactable soil within analysis area; therefore, highly compactable soil is not shown on this table.

7.1.2.4 Conclusion

The Proposed Site Boundary Additions occur in soil conditions that were previously characterized and evaluated in the ASC and do not affect the basis for the Council's previous findings of compliance with the Soil Protection Standard. Changes proposed in RFA 2 would adhere to all soil protection conditions identified in the Site Certificate, including: compliance with the NPDES 1200-C permit and Erosion and Sediment Control Plan (GEN-SP-01); development of a final Spill Prevention Control and Countermeasures Plan (GEN-SP-02 and GEN-SP-03); development of a final Blasting Plan (GEN-SP-04); and regular inspection of the as-built facility components for ongoing soil impacts (OPR-SP-01). Therefore, the Council may conclude that the Proposed Site Boundary Additions comply with the Soil Protection Standard.

7.1.3 Land Use – OAR 345-022-0030

Under OAR 345-021-0010(1)(k), an applicant must elect to address the Council's Land Use standard by obtaining local land use approvals directly from the relevant local governments under Oregon Revised Statutes (ORS) 469.504(1)(a), or by obtaining a Council determination under ORS 469.504(1)(b). In the ASC, IPC elected to have the Council make the land use determination for the Project under ORS 469.504(1)(b) and OAR 345-022-0030(2)(b). The ASC identified applicable substantive criteria from the following local governments: Morrow County, Umatilla County, Union County, Baker County, Malheur County, City of North Powder, and City of Huntington. The analysis area for potential land use impacts, as defined in the ASC, is the area within and extending half-mile from the site boundary. An assessment of applicable substantive criteria for RFA 2 follows with subsections 7.1.3.1 through 7.1.3.13 below.

7.1.3.1 Morrow County Applicable Substantive Criteria and Comprehensive Plan

Section 5.2.3 details the proposed changes in Morrow County (See Figure 4-1, Maps 1 to 13). Figure 7-3 shows the Proposed Site Boundary Additions overlaid on Morrow County Zoning. The Council previously found that the Project would be consistent with applicable criteria of the Morrow County Zoning Ordinance (MCZO) and Morrow County Comprehensive Plan (MCCP).[4] There have been no substantive modifications to the MCZO (Morrow County 2017) or to the MCCP (Morrow County 1986) since the Certificate Holder submitted the ASC on September 28, 2018. Specifically, the Certificate Holder has reviewed and confirmed there have been no changes to the Agricultural, Natural Hazards, Utility Finding, and Goal 5 Resources policies of the Morrow County Comprehensive Plan that were addressed in the Council's Final Order on the ASC. Since September 28, 2018, Morrow County has amended the listing of proposed aggregate sites on the Morrow County Inventory of Natural Resources - Aggregate and Mineral Resources. None of the new mineral aggregate resources identified in the Significant Resource Overlay Map occur within the site boundary or within 0.5 mile of the area subject to RFA 2. As such, Morrow County's Inventory of Natural Resources has not changed in ways that would impact the Council's prior findings under the land use standard.

The proposed changes do not affect the findings provided in the Final Order and summarized in Table 7.1-5.

[4] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 162-163 (September 2022)

Table 7.1-5. Morrow County Applicable Substantive Criteria

Section/Subsection	Name	Proposed Changes
Morrow County Zoning Ordinance (MCZO)		
Article 3 – Use Zones		
Section 3.010	Exclusive Farm Use (EFU) Zone Uses Permitted Outright	**Applicable and complies.** Portions of the Proposed Site Boundary Additions in Morrow County will occur within the EFU zone. Transmission lines that are necessary for public service are permitted in EFU lands under MCZO Section 3.010(B)(25) and 3.010(D)(10), provided the towers are no greater than 200 feet in height. The proposed changes in RFA 2 are part of a transmission line project necessary for public service and do not include towers greater than 200 feet. Accessory uses are also permitted in EFU lands. MCZO 1.030 defines "accessory use" as "a use incidental and subordinate to the main use of the property and located on the same lot as the main use." Because the access roads will serve the transmission lines and will be located on the same lot as the transmission lines, the access roads are considered an accessory use to the transmission lines. Therefore, the portions of the Proposed Site Boundary Additions occurring in the EFU Zone are permitted outright under MCZO 3.010(B)(25).
Subsection D	Use Standards	**Applicable and complies.** The MCZO has been amended since the Council's previous determination was made. For the original request, the code considered a utility facility necessary for public service as a Conditional Use subject to Article 6. Now MCZO 3.010(B)(25) identifies a utility facility necessary for public service as a use permitted outright on EFU-zoned land subject to the use standards of MCZO 3.010(D)(10). In the 2022 Final Order, the Council concluded the transmission line and associated access roads, modified existing roads, multi-use areas, temporary pulling and tensioning sites, and communication stations in the EFU zone are considered under the "utility facility necessary for public service" land use category. The Council also previously determined that the ASC complies with the

Section/Subsection	Name	Proposed Changes
		standards for a utility facility necessary for public service and ORS 215.275.
Section 3.070	General Industrial (M-G) Zone	**Applicable and complies.** Portions of the Proposed Site Boundary Additions in Morrow County will occur in the M-G zone. Utility and transmission towers less than or equal to 200 feet in height are permitted outright under MCZO 3.070(A)(15). The proposed changes in RFA 2 include transmission towers that could extend up to 200 feet in height.
Subsection A	Uses Permitted Outright	**Applicable and complies.** Portions of the Proposed Site Boundary Additions in Morrow County will occur in the M-G zone. Utility and transmission towers less than or equal to 200 feet in height are permitted outright under MCZO 3.070(A)(15). The proposed changes in RFA 2 include transmission towers that could extend up to 200 feet in height.
Subsection C	Use Limitations	**Applicable and complies.** The Council previously found the Project was in the M-G zone but would not be located adjacent to an existing residential lot on a duly platted subdivision or a lot in a residential zone. RFA 2 changes are not proposing to differ from what was previously approved for this standard. The Council can rely on its previous decision for this criteria.
Subsection D	Dimension Requirements	**Applicable and complies.** The Council previously determined that the proposed Facility complied with the dimensional requirements listed in MCZO Section 3.070(D). The changes proposed in RFA 2 in the M-G zone include adjustments to structures spanning Interstate 84 extending outside of the previously approved site boundary. There are no proposed changes to setbacks for structures. The transmission line will comply with setbacks for arterial and collector roads.
Subsection E	Transportation Impacts	**Applicable and complies.** The Council previously found that since the construction-related traffic would result in less than 400 passenger car equivalents per day, a Traffic Impact Assessment (TIA) would not be required for the Project. RFA 2 is not proposing changes that would

Section/Subsection	Name	Proposed Changes
		increase the number of trips per day. Therefore, the Proposed Site Boundary Additions comply with what was previously approved.
Section 3.073	Port Industrial (PI) Zone	**Applicable and complies.** Portions of the Proposed Site Boundary Additions are within the PI zone in Morrow County. The Certificate Holder is proposing the addition of a transmission line route in the PI zone, which are permitted outright under MCZO Section 3.073(A)(9).
Subsection A	Uses Permitted Outright	**Applicable and complies**. Portions of the Proposed Site Boundary Additions are within the PI zone including the 500-kV transmission line and associated facilities. Power generating and utility facilities are permitted outright under MCZO Section 3.073(A). The Council previously found that the Project is a utility facility and therefore a use permitted outright in the PI zone under MCZO Section 3.073(A)(9).
Subsection C	Use Limitations	**Applicable and complies.** RFA 2 Proposed Site Boundary Additions do not include any additional storage that was not previously approved by the Council. The Council previously approved storage for the Longhorn Station and a temporary multi-use area. These would include storage of hazardous and non-hazardous materials. The proposed changes to the Site Boundary and Project do not include the need for additional storage for hazardous and non-hazardous materials. The Proposed Site Boundary Additions will comply with MCZO 3.073(C).
Subsection D	Dimensional Standards	**Applicable and complies.** The ASC included a portion of the transmission line and accessory uses within the PI zone. The Proposed Site Boundary Additions are also within the PI Zone and are therefore subject to the dimensional standards in MCZO 3.073(D). The proposed changes will continue to meet the dimensional standards and comply with Condition 2 of the Final Order.
Subsection F	Transportation Impacts	**Applicable and complies.** The ASC included a portion of the transmission line and accessory uses within the PI zone. The Proposed Site Boundary Additions are

Section/Subsection	Name	Proposed Changes
		within the PI zone; therefore, these standards do apply to RFA 2. The Council previously found that the proposed Project will not generate more than 400 passenger equivalent trips per day and therefore a TIA was not required for the original approved Project. RFA 2 is proposing changes to the Site Boundary and associated facilities within the PI zone. These changes will not generate more than 400 passenger equivalent trips per day to the site. Additionally, the Certificate Holder still plans to work with the Morrow County Road Department to develop a traffic management plan prior to construction that addresses construction traffic-related concerns. The Proposed Site Boundary changes will comply with MCZO Section 3.073(F).
Section 3.100	Flood Plain Overlay Zone	**Applicable and complies**. Portions of the Proposed Site Boundary Additions fall within the Special Flood Hazard Zone A along Butter Creek on FIRM Panel Number41049C0500 (effective date 12/18/2007) and FIRM Panel Number 41049C0475D (effective date 12/18/2007), which is classified as the SFHA. (FEMA 2023). MCZO Section 3.100(4.1-1) establishes that a flood plain development permit is required for construction activities within a SFHA. GEN-LU-O1 requires the Certificate Holder to obtain, prior to construction of any phase or segment of the Project, a Flood Plain Development Permit for work in the Flood Plain Overlay zone. GEN-LU-O2 restricts structure placement within the SFHA or requires adherence to MCZO requirements for anchoring and construction materials and methods. Because Site Certificate Conditions GEN-LU-O1 and GEN-LU-O2 will apply to the Proposed Site Boundary Additions and IPC will obtain a Flood Plain Development for the relevant portions of the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with Section 3.100.

Section/Subsection	Name	Proposed Changes
Section 4.1-1	Development Permit	**Applicable and complies.** The Proposed Site Boundary Additions fall within the Special Flood Hazard Zone A along Butter Creek on FIRM Panel Number41049C0500 (effective date 12/18/2007) and FIRM Panel Number 41049C0475D (effective date 12/18/2007)(FEMA 2023). GEN-LU-O1 requires the Certificate Holder to obtain, prior to construction of any phase or segment of the Project, a Flood Plain Development Permit for work in the Flood Plain Overlay zone. Because Site Certificate Conditions GEN-LU-O1 and GEN-LU-O2 will apply to the Proposed Site Boundary Additions and IPC will obtain a Flood Plain Development for the relevant portions of the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with Section 4.1-1.
Section 5.1-1	Anchoring	**Applicable and complies.** The Proposed Site Boundary Additions fall within the Special Flood Hazard Zone A along Butter Creek (FEMA 2023). GEN-LU-O2 restricts structure placement within the SFHA, or requires adherence to MCZO requirements for anchoring and construction materials and methods. Because Site Certificate Condition GEN-LU-O2 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with Section 5.1-1.
Section 5.1-2	Construction Materials and Methods	**Applicable and complies.** The Proposed Site Boundary Additions fall within the Special Flood Hazard Zone A along Butter Creek (FEMA 2023). GEN-LU-O2 restricts structure placement within the SFHA, or requires adherence to MCZO requirements for anchoring and construction materials and methods. Because Site Certificate Condition GEN-LU-O2 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with Section 5.1-2.
Section 3.200	Significant Resource (Goal 5) Sites	**Applicable and complies.** Morrow County established a Significant Resource Overlay Map identifying the location of designated Goal 5 resources. The County indicated in

Section/Subsection	Name	Proposed Changes
		the original ASC that only those resources depicted on the 1986 Significant Resource Overlay Map were considered Goal 5 designated resources in Morrow County. On December 7, 2015, the County provided to IPC Geographic Information System data identifying the location of the Goal 5 designated resources in Morrow County under the 1986 Significant Resource Overlay Map and the MCCP. Figure K-22 of the original ASC depicts the 1986 Significant Resource Overlay Map information provided by Morrow County and shows the upper reach of Juniper Canyon, but not Little Juniper Canyon. There are no Goal 5 resources, as identified in the 1986 map, within the analysis area for RFA 2. Therefore, the Proposed Site Boundary Additions will comply with the County's Goal 5 standards in Section 3.200.
Section D	Review Criteria	**Not applicable.** There are no Goal 5 resources identified within the analysis area for RFA 2, so these standards do not affect RFA 2.
Section E	List of Conflicting Uses and Activities	**Not applicable.** There are no Goal 5 resources identified within the analysis area for RFA 2, so these standards do not affect RFA 2.
Morrow County Comprehensive Plan		
Agricultural Policy 1	The Proposed Site Boundary Additions do not affect consistency with Agricultural Policy 1. GEN-LU-11 requires the Certificate Holder to finalize, prior to construction, an Agricultural Land Assessment and Mitigation Plan, which implements mitigation measures and monitoring during construction. Therefore, the Council's previous findings, analysis, and conclusions that the Project would be consistent with MCCP Agricultural Policy 1 are equally applicable to RFA 2.	
Natural Hazards Element	The Proposed Site Boundary Additions do not affect consistency with the Natural Hazards Element. As described under Section 3.100, GEN-LU-O1 requires the Certificate Holder to obtain, prior to construction of any phase or segment of the Project, a Flood Plain Development Permit for work in the Flood Plain Overlay zone. GEN-LU-O2 restricts structure placement within the SFHA, or requires adherence to MCZO requirements for anchoring and construction materials and methods. Therefore, the Council's previous findings, analysis, and conclusions that the Project would be consistent with the MCCP Natural Hazards Element are equally applicable to RFA 2.	
Utility Finding C; Policy C	The Proposed Site Boundary Additions do not affect consistency with Utility Finding C; Policy C. The proposed site boundary changes do	

Section/Subsection	Name	Proposed Changes
	not impact the selection of the Longhorn Station site. Therefore, the Council's previous findings, analysis, and conclusions that the Project would be consistent with MCCP Utility Finding C; Policy C are equally applicable to RFA 2.	
Goal 5 Resources	There are no new Goal 5 resources identified within the analysis area for RFA 2. The Council may find that no additional analysis is required to comply with the County's Goal 5 standards in Section 3.200(E) and the MCCP.	

7.1.3.2 Umatilla County Applicable Substantive Criteria and Comprehensive Plan

Section 5.2-4 details the portions of the Proposed Site Boundary Addition in Umatilla County (Figure 4-1, Maps 14 to 30). Figure 7-4 shows the Proposed Site Boundary Additions overlaid on Umatilla County Zoning.The Council previously concluded that the Project, including access roads, complied with the applicable substantive criteria of Umatilla County's comprehensive plan and development code.[5] There have been no substantive modifications to the Umatilla County Development Ordinance (UCDO; Umatilla County, 2022b) or to the Umatilla County Comprehensive Plan (UCCP; Umatilla County, 2022a) since the Certificate Holder submitted the ASC on September 28, 2018. When a text reference is no longer accurate, both previous and current code references will be included. Table 7.1-10 identifies the updated and archived applicable substantive criteria and provides a response. Specifically, the Certificate Holder has reviewed and confirmed there have been no changes to the Open Space, Scenic and Historic Areas, and Natural Resources and Public Facilities and Services Elements of the Umatilla County Comprehensive Plan that were identified in the Final Order for the ASC.[6] Since September 28, 2018, Umatilla County has amended the previously reviewed Transportation Element. However, the change is not substantive (as described in Section 7.1.3.8). In addition, the UCDO has been updated in 2022, but the updates did not change nor alter the criteria evaluated with the ASC.

Table 7.1-6. Umatilla County Applicable Substantive Criteria

Section/Subsection	Name	Effect of Proposed Change
Umatilla County Development Code (UCDC)		
Exclusive Farm Use (EFU) Zone		
Section 152.059	Land Use Decisions	**Applicable and complies.** Portions of the Proposed Site Boundary Additions in Umatilla County will occur within the EFU zone. UCDC 152.059(C) (code reference is unchanged) establishes that utility facilities necessary for public service may be permitted in the EFU zone through an administrative review application per UCDC 152.769, subject to the criteria found in UCDC 152.617. The decision is finalized through a zoning permit under UCDC 152.025. The Council previously

[5] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 168-186 (September 2022)
[6] Boardman to Hemingway Transmission Line Application for Site Certificate - Proposed Order, p. 184-185 (September 2022)

Section/Subsection	Name	Effect of Proposed Change
		concluded that the associated access roads, modified existing roads, multi-use areas, and communication stations in the EFU zone are considered under the "utility facility necessary for public service" land use category. Therefore, the portions of the Proposed Site Boundary Additions occurring within the County's EFU zone are permitted under Section 152.059.
Grazing Farm (GF) Zone		
Section 152.085	Conditional Uses Permitted	**Applicable and complies.** Portions of the Proposed Site Boundary Additions in Umatilla County will occur within the GF zone. UCDC 152.085(S)(2) (prior code reference was 152.085(R)) identifies new utility facilities for public service, defined in UCDC 152.617(1)(C) as commercial utility facilities for the purpose of generating and distributing power for public use by sale, as a conditional use permitted on GF zoned land. The Council previously concluded that UCDC 152.085(R) (now UCDC 152.085(S)(2)) does not apply to facility components located in GF land because it applies to commercial utility facilities for the purpose of generating and distributing power and is therefore not applicable to the non-energy generating facility (or specific non-generating facility components) in the GF zone. Therefore, the portions of the Proposed Site Boundary Additions occurring within the County's Grazing Farm zone are permitted under Section 152.085.
Light Industrial (LI) Zone		
Section 152.303	Conditional Uses Permitted	**Not applicable.** The ASC included one temporary MUA within Umatilla County's LI zone. The Proposed Site Boundary Additions are not within the LI zone, so these standards do not affect RFA 2.
Section 152.304	Limitations on Use	**Not applicable.** The Proposed Site Boundary Additions are not within the LI zone, so these standards do not affect RFA 2.
Section 152.306	Dimensional Standards	**Not applicable.** The Proposed Site Boundary Additions are not within the LI

Section/Subsection	Name	Effect of Proposed Change
		zone, so these standards do not affect RFA 2.
Rural Tourist Commercial (RTC) Zone		
Section 152.283	Conditional Uses Permitted	**Applicable and complies.** The ASC included a portion of a temporary multi-use area within Umatilla County's RTC zone. The Council previously determined that the temporary multi-use area was conditionally permitted under UCDC 152.277(G) in the RTC zone. RFA 2 is not proposing changes to the temporary multi-use areas. RFA 2 is proposing the addition of 0.4 miles of a transmission line route within the RTC zone. The transmission line meets the definition of utility facilities described in UCDC 152.003, which are conditionally permitted in the RTC zone under UCDC 152.277(D).
Section 152.284	Limitations on Use	**Applicable and complies.** The Proposed Site Boundary Additions do not impact the temporary multi-use areas that were previously approved by the Council. RFA 2 is proposing 0.4 miles of a proposed 500 kV transmission line within the RTC zone. There are no limitations that are applicable to the proposed changes. The Certificate Holder will continue to comply with GEN-LU-04 as required by the ASC Final Order. RFA 2 additions will comply with UCDC 152.284.
Section 152.286	Dimensional Standards; Setbacks	**Applicable and complies.** The Proposed Site Boundary Additions are within the RTC zone and do not impact the previously approved temporary multi-use area. The Final Order noted that the dimensional standards were applicable to the proposed use but not to the proposed site, since the applicant was not proposing partitioning of any properties. The proposed changes in RFA 2 will comply with applicable dimensional standards listed in UCDC 152.286.
General Provisions		
Section 152.010	Access to Buildings	**Applicable and complies.** UCDC 152.010 establishes general provisions for site and building access that is applicable to the Proposed Site Boundary Additions. GEN-LU-04 dictates

Section/Subsection	Name	Effect of Proposed Change
		the terms necessary to comply with the UCDC 152.010 requirements. Because Site Certificate Condition GEN-LU-05 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with UCDC 152.010.
Section 152.016	Riparian Vegetation	**Applicable and complies.** UCDC 152.016 establishes standards for permitted uses in all zones that result in maintenance, removal and replacement of riparian vegetation along streams, lakes and wetlands. The Council's previous determination that the ASC complies with Section 152.016 is applicable to RFA 2. GEN-LU-04 will ensure compliance with UCDC 152.016 requirements. Because Site Certificate Condition GEN-LU-05 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with UCDC 152.016.
Section 152.017	Conditions for Development Proposals	**Applicable and complies.** UCDC 152.016 requires that permitted uses in all zones not impose a significant change in trip generation within the local transportation system. The trip durations associated with the Proposed Site Boundary Additions are similar to those considered by the Council in the Final Order and are not likely to generate a significant increase in trip generation. The Council's previous determination that the ASC complies with Section 152.017 is applicable to RFA 2. PRE-PS-02 will ensure compliance with UCDC 152.017 requirements. Because the Proposed Site Boundary Additions will not generate significant increase in trip generation and Site Certificate Condition PRE-PS-02 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with UCDC 152.017.
Section 152.439	Historical, Archeological or Cultural Site/Structure Overlay; Criteria for Review	**Applicable and complies.** UCDC 152.439 establishes requirements for proposed uses in the Historical, Archeological or Cultural (HAC) Site/Structure Overlay zone. The

Section/Subsection	Name	Effect of Proposed Change
		Certificate Holder maintains there are no amended project components within or near the HAC Overlay zone and therefore does not apply to the proposed Project site. As detailed in this RFA 2 under Section 7.1.8, new surveys have occurred to determine the proposed amendment makes no changes that will alter the basis for the Council's earlier findings, or its conclusion that the Project will not likely result in an adverse impact to any historical, cultural and archaeological resources in the Analysis Area, and therefore the amendment request meets the requirement of the Historical, Cultural and Archaeological Resources Standard.
Section 152.456	Critical Winter Range Overlay; Applicability	**Applicable and complies.** UCDC 152.458 establishes requirements for specific uses in the Critical Winter Range (CWR) Overlay zone that would result in eventual placement of a dwelling, and administrative review of non-resource dwellings. The ASC demonstrated that UCDC 152.458 standards apply to dwellings, and because the Project does not include any dwellings, UCDC 152.458 does not apply to the Project. However, since RFA 2 changes are within the Critical Winter Range Overlay, potential impacts to elk and deer winter range were evaluated under the Council's Fish and Wildlife Habitat standard. Section 7.1.5 of this RFA 2 evaluates potential impacts to elk and deer winter range and proposes mitigation that meets that standard.
Goal 5	Technical Report D-63	**Applicable and complies.** The Proposed Site Boundary Additions cross into waterfowl/furbearer, and Big Game Critical Winter Range Habitat Goal 5 resource areas that were previously identified with the original ASC. There are no new Goal 5 resources identified within the analysis area for RFA 2.

Section/Subsection	Name	Effect of Proposed Change
		The Certificate Holder stated in the original ASC that Umatilla County has not adopted any Goal 5 protection program for furbearers and hunted non-game wildlife, or Goal 5 fish streams. Nevertheless, impacts to streams and riparian vegetation would be minimized as evaluated under UCDC 152.286 and 152.306 and imposed under Condition GEN-LU-05, which requires a 100-foot setback from structures to the high water mark of any stream, lake or wetland; minimization of cleared vegetation; and, restoration and monitoring.[7] As evaluated in the Final Order, UCDC 152.435 through 152.443 are the only applicable provisions to HAC sites within the HAC Site/Structure Overlay Zone UCDC. UCDC 152.436 defines an HAC site as "any historic, archeological or cultural site or structure, or geographic area listed on the Umatilla County Register of Historic Landmarks or recognized as significant by the County Comprehensive Plan and Technical Report." Umatilla County has not identified any specific HAC sites or structures included in the Goal 5 inventory within the analysis area. A complete assessment of protected areas, scenic resources, and historical resources follows below in Sections 7.1.4, 7.1.7, and 7.1.8. Because Umatilla County has not adopted specific provisions for Goal 5 HAC sites, the Council found no additional analysis is required to comply with the County's Goal 5 planning goals for historic resources.[8] Therefore, the Council may find that no additional analysis is required to comply with the County's Goal 5 planning goals.
Umatilla County Comprehensive Plan		

[7] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 184 (September 2022)
[8] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 184 (September 2022)

Section/Subsection	Name	Effect of Proposed Change
Open Space, Scenic and Historic Areas, and Natural Resources Element - Finding 37; Policy 37	The Proposed Site Boundary Additions do not affect consistency with Open Space, Scenic and Historic Areas, and Natural Resources Element - Finding 37; Policy 37. The Project would predominately be located on EFU-zoned land within Umatilla County which, based on Policy 37, may be considered open space appropriate for energy facility use. The Council's previous determination that the Project would not significantly impact accepted farm practices remains applicable to RFA 2. A complete assessment of protected areas, scenic resources, and historical resources follows below in Sections 7.1.4, 7.1.7, and 7.1.8.	
Public Facilities and Services Element - Finding 19; Policy 19	The Proposed Site Boundary Additions do not affect consistency with Public Facilities and Services Element - Finding 19; Policy 19. Minimum separation distances for high-voltage transmission lines, as established by the North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC), remain a constraint. The Council's previous determination that the ASC evaluated feasibility of using existing right-of-ways remains applicable to RFA 2.	
Transportation Element - Finding 18; Policy 18 (Previously Finding 20; Policy 20, See Table 7.1-10)	The Proposed Site Boundary Additions do not affect consistency with Transportation Element - Finding 18; Policy 18 (Umatilla County 2022a). Minimum separation distances for high voltage transmission lines, as established by NERC and WECC, remain a constraint. The Certificate Holder worked extensively with local landowners in the siting process and Umatilla County maintains the opportunity to review recommendations consistent with the Transportation Element Finding 18 and Policy 18.	

7.1.3.3 Union County Applicable Substantive Criteria and Comprehensive Plan

Section 5.2.5 details the proposed changes in Union County (Figure 4-1, Maps 31 to 47). Figure 7-5 shows the Proposed Site Boundary Additions overlaid on Union County Zoning and Figures 7-6 and 7-7 show the Proposed Site Boundary Additions overlaid on parcels whose predominant use was evaluated in the ASC. All Proposed Site Boundary Additions in Union County that are in the hybrid Timber-Grazing Zone occur on parcels whose predominant use was evaluated in the ASC. The Council previously concluded that the Project transmission line, including access roads, complied with the applicable substantive criteria of Union County's development ordinance.[9] There have been no substantive modifications to the Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO; Union County 2015) since the Certificate Holder submitted the ASC on September 28, 2018. The Certificate Holder identified slight differences (detailed below in Table 7.1-7) in criteria references when comparing the ASC and Final Order with UCZPSO available on the County website. However, the differences are not substantive, and the criteria evaluated with the ASC remains consistent with existing applicable criteria in the UCZPSO. As such, an analysis of the updated applicable criteria follows in Section 7.1.3.9.

[9] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 191-211 (September 2022)

Table 7.1-7. Union County Applicable Substantive Criteria

Section/Subsection	Name	Effect of Proposed Change
Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO)		
Exclusive Farm Use(A-1) Zone		
Section 2.03	Administrative Uses	**Not applicable.** Portions of the Proposed Site Boundary Additions occur within Union County's EFU A-1 zone. The Final Order listed utility facilities necessary for public service as an administrative use in the A-1 zone; however, the UCZPSO states in Article 2.04(11) that utility facilities necessary for public service are conditional uses with general review criteria. Compliance with the applicable conditional use standards of Article 2.04(11) is detailed under Section 7.1.3.9.
Section 2.04	Conditional Uses	**Applicable and complies.** Article 2.04(11) states that utility facilities necessary for public service are conditional uses with general review criteria. As such, an analysis of the updated applicable criteria follows in Section 7.1.3.9.
Agricultural-Grazing (A-2) Zone		
Section 3.03	Administrative Uses	**Not applicable.** Portions of the Proposed Site Boundary Additions occur within the County's A-2 zone. The Final Order listed utility facilities necessary for public service as an administrative use in the A-2 zone, however the UCZPSO states in Article 3.04(11) that utility facilities necessary for public service are conditional uses with general review criteria. The Council previously found the Project is a utility facility necessary for public service that would be a permitted use in the A-2 zone. As such, an analysis of the updated applicable criteria follows in Section 7.1.3.9.
Section 3.04	Conditional Uses	**Applicable and complies.** Article 3.04(11) states that utility facilities necessary for public service are conditional uses with general review criteria. As such, an analysis of the updated applicable criteria follows in Section 7.1.3.9.
Section 3.05	Use Standards	**Applicable and complies.** The use standards for a utility facility necessary for public service are listed under UCZPSO Section 3.05(15), as analyzed in Section 7.1.3.9
Section 3.07	Development Standards	**Applicable and complies.** The Final Order referenced UCZPSO Section 3.07 for

Section/Subsection	Name	Effect of Proposed Change
		development standards, but Section 3.07 speaks to dwellings associated with farm use. The current UCZPSO establishes development standards for uses permitted in the A-2 zone in Section 3.17. The numbering has changed, but the criteria is identical (see comparison in Section 7.1.3.8). No partitions are proposed subject to Section 3.17(1). The Council's previous determination that the ASC complies with Section 3.07 is applicable to RFA 2. GEN-LU-06 ensures compliance with setback requirements outlined in Section 3.17(2) and signage siting requirements outlined in Section 3.17(4). Therefore, the Council may rely on its previous findings and conditions, and the Project, as amended by RFA 2, will continue to comply with these standards.
Section 3.08	Development and Fire Siting Standards	**Not applicable.** There are no Development and Fire Siting Standards in Article 3.00 and Section 3.08 speaks to accessory farm dwellings. Development and Fire Siting Standards are listed in UCZPSO Section 5.08, which identifies fire siting standards for structures including requirements for placement of signs, specifying the location and size. GEN-LU-06 ensures compliance with these standards by requiring submission of Union County permits in accordance with UCZPSO Sections 3.08 and 5.08. Since there is no reference to signage in Section 3.08, the Certificate Holder assumes the Council intended to refer to the development standards of Section 3.17.
Timber-Grazing (A-4) Zone		
Section 5.03	Administrative Uses	**Not applicable.** Portions of the Proposed Site Boundary Additions will occur within the County's A-4 zone. However, the ASC listed utility facilities necessary for public service as an administrative use in the A-4 zone; however, the UCZPSO states in Article 5.04(21) that new electric transmission lines with right-of-way widths up to 100 feet, as specified in ORS 772.210, are conditional uses with general review criteria. As such, an analysis of the updated applicable criteria follows in Section 7.1.3.9.

Section/Subsection	Name	Effect of Proposed Change
Section 5.04	Predominantly Forestland Conditional Uses	**Applicable and complies.** Article 5.04(21) states that new electric transmission lines with right-of-way widths up to 100 feet are conditional uses with general review criteria. This definition applies to the Project. An analysis of the updated applicable criteria follows in Section 7.1.3.9.
Section 5.06	Minimum Parcel Sizes	**Not applicable.** The updated UCZPSO details minimum parcel sizes in Article 5.10. The minimum parcel sizes remain unchanged; however, no partitions are proposed. The parcels to be used for siting of the proposed and alternative facility components within A-4 zoned land would not likely involve partitioning; however, if partition is necessary, the Certificate Holder would work directly with Union County to obtain approval according to minimum parcel size standards. Section 5.06 in the UCZPSO now pertains to Conditional Use Review Criteria and is addressed below in Section 7.1.3.9
Section 5.07	Siting Standards for Dwellings and Structures	**Not applicable.** The Council previously found that no additional limitations are warranted since the communication stations have been sited in a way to minimize any unnecessary cumulative impacts. The Proposed Site Boundary Additions do not involve communication stations or other structures, and therefore Section 5.07 does not apply to the Proposed Site Boundary Additions.
Section 5.08	Development and Fire Siting Standards	**Applicable and complies.** The applicable Development and Fire Siting Standards are listed in UCZPSO Section 5.08, which identifies fire siting standards for structures including requirements for placement of signs, specifying the location and size. These standards have not changed and the Council's previous determination that the ASC complies with Section 5.08 is applicable to RFA 2. GEN-LU-06 ensures compliance with these standards by requiring submission of Union County permits in accordance with UCZPSO Section 5.08. Because Site Certificate Condition GEN-LU-06 will apply to the Proposed Site Boundary Additions, the

Section/Subsection	Name	Effect of Proposed Change
		Proposed Site Boundary Additions will comply with UCZPSO 5.08.
Section 21.06	General Standards for Governing Conditional Uses	**Applicable and complies.** UCZPSO 21.06 applies to all conditional uses in Union County. These standards have not changed since the ASC was submitted. UCZPSO 21.06(1) requires that conditional uses meet the development standards relevant to uses permitted outright in the zone, including UCZPSO 5.06 (Minimum Parcel Size), UCZPSO 5.07 (Siting Standards for Dwellings and Structures), and UCZPSO 5.08 (Development and Fire Siting Standards), which would be satisfied based on applicant representations and compliance with GEN-LU-06. Because Site Certificate Condition GEN-LU-06 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with UCZPSO 21.06.
Supplementary Provisions		
Section 20.08	Riparian Zone Setbacks	**Applicable and complies.** The Proposed Site Boundary Additions do not change conditions that would alter the Council's previous determination that the ASC complies with Section 20.08. These standards have not changed since the ASC was submitted. The Council imposed GEN-LU-06 to ensure the locations the Project will cross or be near Class I streams complies with the riparian area setback requirements of UCZPSO 20.08. Because Site Certificate Condition GEN-LU-06 will apply to the Proposed Site Boundary Additions, the Proposed Site Boundary Additions will comply with UCZPSO 20.08.
Section 20.09	Significant Goal 5 Resource Areas	**Applicable and complies.** The Proposed Site Boundary changes cross into Big Game Winter Range or Critical Habitat Zone Goal 5 resource areas that were previously identified with the original ASC. Union County indicated that its mapping is intended to be over-inclusive of possible habitat areas.[10] The standards of Section 20.09 have not changed since the ASC was submitted. In the original ASC, the Certificate Holder evaluated the economic,

[10] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 207 (September 2022)

Section/Subsection	Name	Effect of Proposed Change
		social, energy, and environmental criteria to demonstrate compliance with Union County's Goal 5 Resources Comprehensive Plan Element implemented through UCZPSO 20.09 Based on the Certificate Holder's detailed evaluation, the Council found the Project complies with UCZPSO 20.09.[11] The Proposed Site Boundary Additions would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. As depicted on Figure 4-1, Maps 31-47, the Certificate Holder has attempted to use existing roads and to limit the development of new roads in Big Game Winter Range overlay areas. These efforts have resulted in the development of a proposed access road system to support the construction of the transmission line that substantially relies on the system of publicly maintained roads as well as unimproved roads on public and private lands. Therefore, the previous evaluation remains consistent with the Proposed Site Boundary Additions, and the Council may rely on its previous findings and conditions that the Project complies with the County's Goal 5 planning goals.

7.1.3.4 Baker County Applicable Substantive Criteria and Comprehensive Plan

Section 5.2.6 details the proposed changes in Baker County (Figure 4-1, Maps 48 to 71). Figure 7-8 shows the Proposed Site Boundary Additions overlaid on Baker County Zoning. The Council previously concluded that the Project complied with the applicable substantive criteria of Baker County's development ordinance.[12] The Baker County Zoning and Subdivision Ordinance (BCZSO; Baker County 2020) has been updated since the Certificate Holder submitted the ASC on September 28, 2018. When a text reference is no longer accurate, both previous and current code references will be included. Table 7.1-10 identifies the updated and archived applicable substantive criteria and provides a response. However, the updates (detailed in Table 7.1-8) are not substantive, and criteria evaluated with the ASC remains consistent with existing applicable

[11] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 211 (September 2022)
[12] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 216-227 (September 2022)

criteria in the BCZSO, which has been amended to clarify and reorganize standards. The amended standards mirror what was previously evaluated with Exhibit K of the ASC. There have been no identified updates to the Baker County Comprehensive Plan since the ASC was submitted on September 28, 2018.

Table 7.1-8. Baker County Applicable Substantive Criteria

Section/Subsection	Name	Effect of Proposed Change
Baker County Zoning and Subdivision Ordinance (BCZSO)		
Article 3: Uses Zones		
Section 301 Exclusive Farm Use Zone		
Subsection 410.03.E.2 (formerly 301.02)	Conditional Uses	**Applicable and complies.** Portions of the Proposed Site Boundary Additions occur within Baker County's EFU zone. Section 301 formerly stated that "major utility facilities as defined in Section 108(B)" and their accessory uses (including roads) were conditional uses within Baker County's EFU zone, subject to BCZSO 301.05, 301.06 and Article 6 of the ordinance. The BCZO has been amended and Section 301 has been renumbered as Chapter 410, which authorizes "utility facilities necessary for public service" as a Type II administrative decision as analyzed in Section 7.1.3.9.
Section 305 Rural Service Area		
Subsection 550.03 (formerly 305.02)	Conditional Uses	**Not applicable.** No portions of the Proposed Site Boundary Additions occur within the Rural Service Area (RSA) zone; these standards do not apply to RFA 2.
Chapter 530 Industrial Zones		
Subsection 530.03(A)(6)	Uses Permitted Through a Type I Procedure	**Applicable and complies.** Portions of the proposed site boundary are within Baker County's Industrial Zone (I). Under 530.03(A)(6), "major utility facilities and local distribution utility facilities" are permitted to use through a Type I procedure.
Subsection 530.03(E)	Limitations on Uses	**Not applicable.** Major utility facilities are permitted through a Type I procedure in the Industrial Zone. This permitted use is not subject to the limitations on use criteria in 530.03. Therefore, section 530.03 is not applicable to the Site Boundary Additions.
Article 4: Supplementary Provisions		
Section 340 (formerly 401)	Setbacks and Frontage Road Requirements Flood Plain District	**Applicable and complies.** The BCZSO has been amended and Section 401 has been renumbered as Chapter 340 Development Standards (Setback Requirements) for All Zones. A comparison of these chapters follows below in Section 7.1.3.8.
Section 710 (formerly 412)	Historic/Cultural and Natural Area	**Applicable and complies.** The BCZSO has been amended and Section 412 has been renumbered

Section/Subsection	Name	Effect of Proposed Change
	Protection Procedure	as Chapter 710. A comparison of these chapters follows below in Section 7.1.3.8.
Section 630 (formerly 410)	Flood Plain Provisions	**Applicable and complies.** Section 410 Flood Plain Provisions was removed during the update to BCZSO. A new section, Chapter 630 Floodplain Development Zone was adopted for floodplain management. According to the FEMA FIRM Panels for Baker County, digital floodplain data is not available. Portions of the RFA 2 corridor cross rivers and streams, which may have floodplain. Any impacts would be from temporary MUA's. If required by the county, site-specific evaluations will be performed to comply with floodplain regulations.
Article 6: Conditional Uses		
Section 210 (formerly 602)	Standards for Granting a Conditional Use	**Applicable and complies.** As stated above, utility facilities necessary for public service are permitted in the EFU zone through an administrative permit, therefore the standards for granting a conditional use are not applicable to RFA 2 within this zone. The standards addressed in the ASC for conditional uses remain largely the same as the amended BCZSO Conditional Use approval criteria in Chapter 210.04(A)(1-6). The chapter has been renumbered, but the criteria is consistent with the language previously addressed in the previous BCZSO Section 602. A comparison of these chapters follows below in Section 7.1.3.8.
Baker County Comprehensive Plan		
Goal V Open Space, Scenic and Historic Areas and Natural Resources Open Spaces and Scenic Areas Natural Areas Historic and Cultural Sites, Structures, Districts	As described in the ASC, the proposed facility and site boundary would be located within Baker County's Big Game Overlay zone and could potentially impact several scenic resources protected under the Baker County Comprehensive Plan Goal 5 Resources element. Most of the Proposed Site Boundary Additions also occur within the Big Game Overlay. In ASC Exhibit K, the applicant evaluated Goal 5 resources to confirm that the proposed facility would not result in significant adverse impacts. The Final Order stated that Baker County's land use regulations for the EFU zone are compatible with big game habitat and do not include any Goal 5 protection programs applicable to permitted uses in the EFU zone. To minimize potential impacts to riparian vegetation, the Council imposed GEN-LU-07. Based on compliance with GEN-LU-07 and because the facility is permitted in the EFU zone, the Council found the proposed use would be consistent with the county's Goal 5 planning goals for protecting big game habitat.[13] A complete assessment of protected areas and scenic resources follows below in Sections 7.1.4 and 7.1.7.	

[13] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 225 (September 2022)

7.1.3.5 *Malheur County Applicable* Substantive Criteria and Comprehensive Plan

Section 5.2.7 details the Proposed Site Boundary Additions in Malheur County (Figure 4-1, Maps 72 to 102). Figure 7-9 shows the Proposed Site Boundary Additions overlaid on Malheur County Zoning.The Council previously concluded that the Project complied with the applicable substantive criteria of Malheur County's development ordinance.[14] The Malheur County Code (MCC; Malheur County 2021) has been updated since the Certificate Holder submitted the ASC on September 28, 2018 (detailed in Table 7.1-9). However, the updates to the MCC did not change the criteria evaluated with the ASC. There have been no identified updates to the Malheur County Comprehensive Plan since the ASC was submitted on September 28, 2018.

Table 7.1-9. Malheur County Applicable Substantive Criteria

Section/Subsection	Name	Effect of Proposed Change
Malheur County Code (MCC)		
Exclusive Farm use and Exclusive Range Use		
MCC 6-3A-2	Permitted Uses	**Applicable and complies.** Portions of the Proposed Site Boundary Additions occur within Malheur County's EFU & ERU zone. The Project is a transmission line necessary for public service, which is permitted outright in EFU & ERU lands, provided the towers are no greater than 200 feet in height. The proposed site boundary changes do not affect compliance with standards of the EFU & ERU Zone. As described in this RFA 2, the Council concluded the transmission line and associated access roads, modified existing roads, multi-use areas, temporary pulling and tensioning sites, and communication stations in the EFU & ERU zone are considered under the "utility facility necessary for public service" land use category. The Proposed Site Boundary Additions occur within the County's EFU & ERU zone and the Council's previous determination that the ASC complies with MCC 6-3A-2 is applicable to RFA 2. GEN-LU-08 requires the Certificate Holder to obtain applicable permits from Malheur County prior to construction (including a zoning permit for components in the EFU & ERU zone). Therefore, the Council may rely on its previous findings and conditions, and the Project, as amended by RFA 2, will continue to comply with these standards.
Heavy Industrial Use		
MCC 6-31-4	Performance Standards	**Not applicable.** There are no Proposed Site Boundary Additions within the Heavy

[14] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 229-236 (September 2022)

Section/Subsection	Name	Effect of Proposed Change
		Industrial Use zone. This criterion is not applicable to RFA 2
Flood Plain Management Zone		
MCC 6-3K-3	Flood Plain Development Standards	**Not Applicable.** Under MCC 6-3K-3, any development within the 100-year flood plain requires compliance with MCC Title 5, Chapter 2, the Federal Insurance Administration requirements, and the standards of the underlying primary zone. The Certificate Holder stated in the original ASC that it does not anticipate that any permanent Project features will be located with the 100-year flood plain in Malheur County. RFA 2 is not proposing any permanent impacts to flood designated areas. A portion of the Proposed Site Boundary Additions, specifically existing road improvements along the Malheur River, is within a Malheur County SFHA. However, these existing road improvements are not considered "permanent construction." MCC Chapter 2 Flood Control states "permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways. Further, GEN-LU-08 requires the Certificate Holder to provide applicable permits approved by Malheur County prior to construction (including flood plain development permits for each location where development could occur within a regulatory floodplain). Therefore, the Council may rely on its previous findings and conditions, and the Project, as amended by RFA 2, will continue to comply with these standards.
MCC 5-2-5-1; 5-2-5-2	Flood Hazard Reduction	**Applicable and complies.** GEN-LU-08 requires the Certificate Holder to provide applicable permits approved by Malheur County prior to construction (including flood plain development permits for each location where development could occur within a regulatory floodplain). Therefore, the Council may rely on its previous findings and conditions, and the Project, as amended by RFA 2, will continue to comply with these standards.
Malheur County Comprehensive Plan		

Section/Subsection	Name	Effect of Proposed Change
Goal 3 Agricultural Lands, Policies 2, 7, 8 and 9	The proposed site boundary changes do not affect consistency with Agricultural Policy 1. GEN-LU-11 requires the Certificate Holder to finalize, prior to construction, an Agricultural Land Assessment and Mitigation Plan, which implements mitigation measures and monitoring during construction. Therefore, the Council's previous determination that the Project would be consistent with MCCP Agricultural Lands Policies 2, 7, 8, and 9 remains applicable to RFA 2.	

7.1.3.6 City of North Powder Applicable Substantive Criteria and Comprehensive Plan

The Council previously concluded that the Project complied with the applicable substantive criteria of the City of North Powder's comprehensive plan and development ordinance.[15] None of the Proposed Site Boundary Additions occur within the City of North Powder, and therefore the Council may find that no additional analysis is required.

7.1.3.7 City of Huntington Applicable Substantive Criteria and Comprehensive Plan

The Final Order described how the multi-use area within the City of Huntington would be located within both the Commercial Industrial (CI) Zone and Commercial Residential (CR) Zone, as represented in ASC Exhibit K Figure K-53, *City of Huntington Zoning and Proposed Multi Use Area*. In ASC Exhibit K Section 6.9.2.1., the Certificate Holder describes that, in a June 2, 2016 email, the City of Huntington indicated that because the multi-use area would be a temporary use, no provisions of the City of Huntington Zoning Ordinance (CHZO) would apply and no City permits would be required.[16] None of the Proposed Site Boundary Additions occur within the City of Huntington, and therefore the Council may find that no additional analysis is required.

7.1.3.8 Updated Applicable Substantive Criteria

Table 7.1-10 shows a comparison between the substantive criteria evaluated in the ASC against the updated version of the current substantive criteria.

Table 7.1-10. Comparison of Updated Applicable Substantive Criteria and Archived Applicable Substantive Criteria Previously Analyzed with the ASC[17]

Archived Applicable Criteria	Updated Applicable Criteria
Umatilla County Comprehensive Plan Transportation Element Finding 20 and Policy 20	**Umatilla County Comprehensive Plan Transportation Element Finding 18 and Policy 18**
Finding 20. Major transmission lines (natural gas and electricity) traverse the county with additional expansion proposed, and additional new lines or pipelines could be proposed through the county.	Finding 18. Major transmission lines (fuel, power and communication) traverse the County. Additional expansion proposed, and additional new lines or pipelines could be proposed through the County.

[15] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 239-241(September 2022)
[16] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 242 (September 2022)
[17] Table 7.1-10, Comparison of Updated Applicable Substantive Criteria and Archived Applicable Substantive Criteria Previously Analyzed with the ASC, compares applicable substantive criteria from the pASC submitted in 2013.

Archived Applicable Criteria	Updated Applicable Criteria
Policy 20. The county will review right-of-way acquisitions and proposals for transmission lines and pipelines so as to minimize adverse impacts to the community.	Policy 18. The County will review right-of-way acquisitions and proposals for transmission lines and pipelines so as to minimize adverse impacts on the community.
Response: The amended text changes the definition of "major transmission lines" as applying to "natural gas and electricity" lines to "fuel, power, and communication" lines. Finding 18 still applies to the Project, including the Proposed Site Boundary Additions, because it transmits electrical "power." Beyond the definition change, Umatilla County's Transportation Element findings and policies have not changed in ways that would impact the Council's prior findings under the land use standard.	
Union County (UCZPSO) 3.07 Development Standards	**Union County (UPZPSO) 3.17 Development Standards**
• Any proposed division of land included within the A-2 Zone resulting in the creation of one or more parcels of land shall be reviewed and approved or disapproved by the County (ORS 215.263). • Setbacks from property lines or road rights-of-way shall be a minimum of 20-feet front and rear yards and 10-feet side yards. • Animal shelters shall not be located closer than 100 feet to an R-1 or R-2 Zone. • Signs shall be limited to the following: a. All off-premise signs within view of any State Highway shall be regulated by State regulation under ORS Chapter 377 and receive building permit approval. b. All on-premise signs shall meet the Oregon Administrative Rule regulations for on-premise signs which have the following standards: A. Maximum total sign area for one business is 8% of building area plus utilized parking area, or 2,000 square feet, whichever is less. B. Display area maximum is 825 square feet for each face of any one sign, or half the total allowable sign area, whichever is less. C. Businesses which have no buildings located on the premises or have buildings and parking area allowing a sign area of less than 250 square feet may erect and maintain on-premises signs with the total allowable area of 250 square feet, 125 square feet maximum for any one face of a sign. D. Maximum height of freestanding signs adjacent to interstate highways is 65 feet, for	• Any proposed division of land included within the A-2 Zone resulting in the creation of one or more parcels of land shall be reviewed and approved or disapproved by the County (ORS 215.263). • Setbacks from property lines or road rights-of-way shall be a minimum of 20-feet front and rear yards and 10-feet side yards. • Animal shelters shall not be located closer than 100 feet to an R-1 or R-2 Zone. • Signs shall be limited to the following: A. All off-premise signs within view of any State Highway shall be regulated by State regulation under ORS Chapter 377 and receive building permit approval. B. All on premise signs shall meet the Oregon Administrative Rule regulations for on premise signs which have the following standards: (1) Maximum total sign area for one business is 8% of building area plus utilized parking area, or 2,000 square feet, whichever is less. (2) Display area maximum is 825 square feet for each face of any one sign, or half the total allowable sign area, whichever is less. (3) Businesses which have no buildings located on the premises or have buildings and parking area allowing a sign area of less than 250 square feet may erect and maintain on-premises signs with the total allowable area of 250 square feet, 125 square feet maximum for any one face of a sign. (4) Maximum height of freestanding signs adjacent to interstate highways is 65 feet, for

Archived Applicable Criteria	Updated Applicable Criteria
all other highways is 35 feet, measured from the highway surface or the premises grade, whichever is higher to the top of the sign. E. All on-premise signs within view or 660 feet of any State Highway shall obtain permit approval from the Permit Unit, Oregon State Highway Division. No sign shall be moving, revolving or flashing, and all lighting shall be directed away from residential use or zones, and shall not be located so as to detract from a motorists vision except for emergency purposes.	all other highways is 35 feet, measured from the highway surface or the premises grade, whichever is higher to the top of the sign. C. All on premise signs within view or 660 feet of any State Highway shall obtain permit approval from the Permit Unit, Oregon State Highway Division. No sign shall be moving, revolving or flashing, and all lighting shall be directed away from residential use or zones, and shall not be located so as to detract from a motorist vision except for emergency purposes.
Response: The side-by-side comparison of these applicable criteria in the UCZPSO demonstrates that the only changes are in the numbering and lettering of the standard. The text is identical and therefore the intent remains the same. The Council may find that there are no substantive changes to the applicable criteria previously addressed with the ASC.	
Baker County (BCZSO) Section 602 Standards for Granting a Conditional Use	**Baker County (BCZSO) Chapter 210 Conditional Uses Approval Criteria**
A. The proposal will be consistent with the Comprehensive Plan and objectives of this Zoning and Subdivision Ordinance and other applicable policies of the County. *B. Taking into account location, size, design and operating characteristics, the proposal will have a minimal adverse impact on the (1) livability, (2) value, and (3) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.* *C. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrant.* *D. The proposal will preserve assets of particular interest to the community.*	*1. The proposal will be consistent with the Comprehensive Plan and objectives of this Ordinance and other applicable policies of the County.* *2. Taking into account location, size, design and operating characteristics, the proposal will have a minimal adverse impact on the (1) livability, (2) value, and (3) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.* *3. All required public facilities have adequate capacity to serve the proposal.* *4. The proposal will not result in emissions that damage the air or water quality of the area. Documentation is required to demonstrate that required state and federal discharge permits have been obtained.* *5. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrant.* *6. The proposal will preserve assets of particular interest to the community.*
Response: The side-by-side comparison of these applicable criteria in the BCZSO demonstrate that the only changes are to include the new provision that "3. All required public facilities have adequate capacity to serve the proposal" and "4. The proposal will not result in emissions that damage the air or water quality of the area. Documentation is required to demonstrate that required state and federal discharge permits have been obtained." Site Certificate Condition GEN-LU-07 requires the Certificate Holder to obtain applicable permits required by Baker County ordinances. If after commencement of construction the Certificate	

Archived Applicable Criteria	Updated Applicable Criteria
Holder determines additional County-approved permits are required, the Certificate Holder will provide a copy of those additional permits to the department. In addition, Site Certificate Condition PRE-PS-02 was imposed to address public services criteria. PRE-PS-02 requires the Certificate Holder to submit a Transportation and Traffic Plan for review and approval by the Department in consultation with the affected county. The condition also requires that, through county-issued road-related permits, the Certificate Holder executes a formally binding agreement with the county for use of and potential impacts to roads during construction activities. With respect to new provision 4, the Proposed Site Boundary Additions will not result in any air or water quality impacts that the Council did not previously consider and analyze in the Final Order, Therefore, the Council may find the Project complies with the current standard.	
BCZSO Section 401 Setbacks and Frontage Road Requirements Flood Plain District	**BCZSO Chapter 340 Development Standards (Setback Requirements)**
A. APPLICATION These requirements shall apply to all structures except for adjustments permitted in Section 402. See also Section 407(B). B. STANDARDS 1) The minimum land width at the front building lines shall be 220 feet. 2) No part of a structure shall be constructed or maintained closer than 60 feet to the center line of a road or street, or 30 feet from any right-of-way in excess of 60 feet. 3) No part of a building or other structure, except for a sign, shall be constructed or maintained closer than 10 feet to any property line. 4) No part of a building or other structure requiring a building permit or farm use affidavit or a road to access such development, shall be constructed within 50 feet of a naturally occurring riparian area, bog, marsh or waterway.	A. Applicability. These requirements shall apply to all structures except for adjustments permitted in Section 340.03 and Livestock Concentration Limitations in Section 510.05. B. Standards. 1. Minimum road frontage shall be 220 feet per parcel, unless the subject property is: a. Currently accessed or proposed to be accessed from a dead-end road, in which case 60 feet of road frontage shall be required; or b. Accessed by an easement granted before 2005, in which the width of the existing easement shall suffice; or c. A parcel or lot on the radius of a road or facing the circular end of a cul-de-sac, in which case no less than 30 feet of road frontage shall be required upon said road, measured on the arc of the right-of-way. Such frontage shall be subject to the standards set forth in Chapter 340. 2. No part of a structure shall be constructed or maintained closer than 60 feet to the centerline of a road or street, or 30 feet from any right-of-way in excess of 60 feet. 3. No part of a building or other structure, except for a sign, shall be constructed or maintained closer than 10 feet to any property line. 4. If any part of a structure and/or development is proposed within a jurisdictional wetland, as described in Section

Archived Applicable Criteria	Updated Applicable Criteria
	660.03, notification shall be provided by the Baker County Planning Department to the Department of State Lands, as required by ORS 196.795-990. The applicant/property owner shall be responsible for obtaining all necessary permits for the proposed structure and/or development from the Department of State Lands.

Response: The amended text in BCZSO Chapter 340 is generally the same as previously written in the archived version of BCZSO analyzed with the ASC. The updates add clarity, but do not change the intent of the setback restrictions, which remain the same for the Project. BCZSO Chapter 150 defines "building" as "a structure built for the support, shelter or enclosure of persons, animals, goods, chattel, or property of any kind."

- Access roads: The Project access roads will not be built to support, shelter, or enclose anything. Therefore, the access roads are not considered buildings, and the yard setback requirements of BCZSO 401(B)(1) do not apply to the relevant access roads.
- Transmission Line Towers: The Project transmission towers will not be built to support, shelter, or enclose anything. Therefore, the transmission towers are not considered buildings, and the yard setback requirements of BCZSO 340 (B)(1) do not apply to the relevant towers.
- Light-Duty Fly Yards: There will be three (3) light-duty fly yards in the Proposed Site Boundary Additions in Baker County. Therefore, the yard setback requirements of BCZSO 340(B)(1) do apply to the relevant towers.
- Multi-Use Areas: There are seven (7) multi-use areas in the Proposed Site Boundary Additions in Baker County. Therefore, the yard setback requirements of BCZSO 340(B)(1) are applicable.
- Communication Stations: There will be no communication stations in the proposed Baker County alternatives. Therefore, the yard setback requirements of BCZSO 340(B)(1) are not applicable.

GEN-LU-07 requires the Certificate Holder to provide applicable permits approved by Baker County prior to construction. In addition, CON-LU-01 ensures the Certificate Holder complies with applicable setback distances and other requirements in Baker County. Therefore, the Council may rely on its previous findings and conditions, and the Proposed Site Boundary Additions will continue to comply with these standards.

BCZSO Section 412 Historic/Cultural and Natural Area Protection Procedure	BCZSO Chapter 710 Historic, Cultural, and Natural Resources Protection
This Section shall not apply to sites designated as 3A or 3B sites, pursuant to OAR 660-16-010 (1) and (2), respectively. Major alteration or destruction of a Natural Area designated as 2A or 3C shall first require an ESEE analysis, justification, and Plan Amendment.	710.02 Applicability. This Section shall not apply to sites designated as 3A or 3B sites, pursuant to OAR 660-016-0010(1) and OAR 660-016-0010(2), respectively. Major alteration or destruction of a Natural Area designated as 2A or 3C shall first require an ESEE (economic, social, environmental and energy) analysis, justification, and subsequent Plan Amendment application. 710.03 Permits Required

Archived Applicable Criteria	Updated Applicable Criteria
A permit shall be required to destroy or make major alteration to a historic/cultural/natural site or structure inventoried as significant in the County Comprehensive Plan. Upon receipt of an application for said permit, the Planning Department shall institute a 30-day hold. During that time various actions will be initiated by the County depending upon the nature of the threatened resource. All of the inventoried natural sites, historic sites and the cultural sites identified with one, two or three stars will be subject to a public hearing. Notice of the proposed change and public hearing will be provided to the general public, the State Historic Preservation Office, the State Natural Heritage Advisory Council, the State Department of Fish and Wildlife and/or affected local historical, cultural, or governmental entities. The opportunity to educate, persuade, pay for, and/or require the preservation of a significant resource will be provided by the County. 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 townsite or a Natural Area resource is threatened, the following criteria will be applied to decide whether to allow, allow with conditions, or disallow the proposed change. FOR SIGNIFICANT HISTORIC/CULTURAL STRUCTURES AND TOWNSITES A. The historic/cultural structure or townsite constitutes a hazard to the safety of the public occupants and cannot reasonably be repaired; or	A. A permit shall be required to destroy or make major alteration to a historic/cultural/natural site or structure inventoried as significant in the County Comprehensive Plan. Upon receipt of an application for said permit, the Planning Department shall institute a 30-day hold. During that time various actions will be initiated by the County depending upon the nature of the threatened resource. All of the inventoried natural sites, historic sites and the cultural sites identified with one, two or three stars will be subject to a public hearing. Notice of the proposed change and public hearing will be provided to the general public, the State Historic Preservation Office, the State Natural Heritage Advisory Council, the State Department of Fish and Wildlife and/or affected local historical, cultural, or governmental entities. The opportunity to educate, persuade, pay for, and/or require the preservation of a significant resource will be provided by the County. At the hearing before the Planning Commission a review will be conducted to determine: 1. If the change will destroy the integrity of the resource. 2. If the proposal can be modified to eliminate its destructive aspects. 3. If any agency or individual is willing to compensate the resource owner for the protection of the resource. 4. If the resource can be moved to another location. B. If, after this review, it is determined by the County that the integrity of a significant historic/cultural structure or townsite or a natural area resource is threatened, the following criteria will be applied to decide whether to allow, allow with conditions, or disallow the proposed change: 1. For significant historic/cultural structures and townsites. a. The historic/cultural structure or townsite constitutes a hazard to the safety of the public occupants and cannot reasonably be repaired; or

Archived Applicable Criteria	Updated Applicable Criteria
B. The retention of the historic/cultural structure or townsite would cause financial hardship to the owner which is not offset by public interest in the structure's/townsite's preservation; or	b. The retention of the historic/cultural structure or townsite would cause financial hardship to the owner which is not offset by public interest in the structure's/townsite's preservation; or
C. The improvement project is of substantial benefit to the County and cannot be reasonably located elsewhere, and overrides the public's interest in the preservation of the historic/cultural structure or townsite; or	c. The improvement project is of substantial benefit to the County and cannot be reasonably located elsewhere, and overrides the public's interest in the preservation of the historic/cultural structure or townsite; or
D. Major exterior alteration shall, to the extent possible, be consistent with the historic/cultural character of the structure.	d. Major exterior alteration shall, to the extent possible, be consistent with the historic/cultural character of the structure.
FOR SIGNIFICANT NATURAL AREAS	2. For significant natural areas.
A. The existence of a site report: The site's relative significance is indicated by the existence of a site report indicating a field survey with one or more elements verified.	a. The Existence of a Site Report. The site's relative significance is indicated by the existence of a site report indicating a field survey with one or more elements verified.
B. Number of elements: The site is elevated to a higher priority if it contains a diversity of natural elements.	b. Number of Elements. The site is elevated to a higher priority if it contains a diversity of natural elements.
C. Past use of land: The degree to which man's activities have already impacted an area is a significant factor in determining the value of protecting the resource.	c. Past Use of Land. The degree to which human activities have already impacted an area is a significant factor in determining the value of protecting the resource.
D. Abundance and quality of the same resource elsewhere on the County's inventory: In reviewing such comparative information the County will be able to make its decision knowing the relative significance of the resource in question.	d. Abundance and Quality of the Same Resource Elsewhere on the County's Inventory. In reviewing such comparative information, the County will be able to make its decision knowing the relative significance of the resource in question.
E. Financial impact: A determination that the retention of the natural area would cause financial hardship to the owner not offset by public interest in the site's preservation would be a determining factor in the County's decision.	e. Financial Impact. A determination that the retention of the natural area would cause financial hardship to the owner not offset by public interest in the site's preservation would be a determining factor in the County's decision.
F. Public benefit from the proposed change: A finding that the change is of substantial benefit to the County and cannot be accommodated feasibly elsewhere on the applicant's property would be a significant factor in the County's decision.	f. Public Benefit from the Proposed Change. A finding that the change is of substantial benefit to the County and cannot be accommodated feasibly elsewhere on the applicant's property would be a significant factor in the County's decision.
FOR RESOURCES ON FEDERALLY MANAGED LANDS	

Archived Applicable Criteria	Updated Applicable Criteria
The findings and conclusions of Baker County relative to a proposed alteration or demolition of a significant cultural/ historic/natural site/structure shall be forwarded to the appropriate federal agency as a recommendation. FOR RESOURCES NOT INVENTORIED OR DESIGNATED AS 1B For resources of unknown significance or resources not on the inventory, a local review will be conducted by BLM and USFS personnel with the consent of their supervisors, Oregon Department of Fish and Wildlife, State and/or college historians and local museum and historical society members to evaluate the resource's comparative worth and make a recommendation as to whether a full public hearing is warranted.	3. For Resources on Federally Managed Lands. The findings and conclusions of Baker County relative to a proposed alteration or demolition of a significant cultural/ historic/natural site/structure shall be forwarded to the appropriate federal agency as a recommendation. 4. For Resources Not Inventoried or Designated as 1B. For resources of unknown significance or resources not on the inventory, a local review will be conducted by BLM and USFS personnel, Oregon Department of Fish and Wildlife, State and/or college historians, and local museum and historical society members to evaluate the resource's comparative worth and make a recommendation as to whether a full public hearing is warranted.
Response: The amended text in BCZSO Chapter 710 is generally the same as previously written in the archived version of BCZSO analyzed with the ASC. The updates renumber subsections and add clarity, but do not change the intent of the Historic, Cultural, and Natural Resources Protection standards, which remain the same for the Project. The Council previously found there are no resources of unknown significance, or resources not on the inventory which are located within the Analysis Area of the proposed transmission line. As detailed in this RFA 2 under Section 7.1.8, new surveys have occurred to determine the proposed amendment makes no changes that will alter the basis for the Council's earlier findings, or its conclusion that the Project will not likely result in an adverse impact to any historical, cultural and archaeological resources in the Analysis Area, and therefore the amendment request meets the requirement of the Historical, Cultural and Archaeological Resources Standard.	

7.1.3.9 New Applicable Substantive Criteria

The following section addresses new applicable substantive criteria that have been added to county land use plans since the ASC was prepared.

Union County

3.04 Conditional Uses with General Review Criteria

In the A-2 Zone, the following uses and their accessory buildings and uses are permitted subject to county review under Article 24.03 Quasi-Judicial land use decision and the specific standards for the use set forth in Section 3.05, as well as the general standards for the zone and the applicable standards in Article 21.00 (Conditional Uses).

11. Utility facilities necessary for public service, including associated transmission lines as defined in Section 1.08 and wetland waste treatment systems, but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height as provided in Subsection 3.05.15

…

3.05 Use Standards

15. A utility facility that is necessary for public service

A. A utility facility is necessary for public service if the facility must be sited in the exclusive farm use zone in order to provide the service. To demonstrate that a utility facility is necessary, an applicant must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

(1) Technical and engineering feasibility;

(2) The proposed facility is locationally-dependent. A utility facility is locationally-dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(3) Lack of available urban and non-resource lands;

(4) Availability of existing rights of way;

(5) Public health and safety; and

(6) Other requirements of state and federal agencies.

B. Costs associated with any of the factors listed in subparagraph A. of this paragraph may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities and the siting of utility facilities that are not substantially similar.

C. The owner of a utility facility approved under paragraph A shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this paragraph shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

D. The county shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on surrounding farmlands.

E. Utility facilities necessary for public service may include on-site and off-site facilities for temporary workforce housing for workers constructing a utility facility. Such facilities must be removed or converted to an allowed use under the A-1 Zone or other statute or rule when project construction is complete. Off-site facilities allowed under this paragraph are subject to Section 2.06 Conditional Use Review Criteria. Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request. A minor amendment request shall have no effect on the original approval.

Response: As described in the ASC Exhibit K, proposed facility components within Union County's A-2 zone would include up to 6.1 miles of 500-kV transmission line and ancillary facilities, which based on 2001 and 2005 court decisions (see *Cox v. Polk County* and *Save our*

Rural Or. V. Energy Facility Siting Council, respectively) the Certificate Holder maintains should be considered under the "utility facility necessary for public service." The Council previously found the Project is a utility facility necessary for public service that would be a permitted use in the A-2 zone. Proposed site boundary changes occur within the A-2 zone, which under the current standards are subject to county review under Section 3.05, as well as the applicable standards of Article 21.00 (Conditional Uses).

The standards of Section 3.05(15) mirror the standards of ORS 215.275, which the Certificate Holder went beyond what is required to demonstrate compliance with and included a county-specific alternatives analysis previously evaluated with the ASC. The proposed Union County site boundary changes, which are limited to alternative transmission line routes, alignment shifts, and road and MUA updates, will be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. As such, the Council's previous determination that the ASC complies with ORS 215.275 is applicable to RFA 2. GEN-LU-05 condition requires submission of Union County permits in accordance with UCZPSO. Therefore, the Council may rely on its previous findings and conditions, and the Proposed Site Boundary Additions will comply with these standards.

5.04 Conditional Uses with General Review Criteria

In the A-4 Zone predominantly farmland lots and parcels shall comply with Section 5.06 Administrative Uses and predominantly forest land parcels may authorize the following uses and activities and their accessory buildings and uses subject to county review and the specific standards set forth in Article 21.00, as well as the general provision set forth by this ordinance.

21. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way of 50 feet or less in width.

…

5.06 Conditional Use Review Criteria

A use authorized by Section 5.04 of this zone may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands.

- *The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.*
- *The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.*
- *A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 6660-006-0025 Subsection 5(c)*

Response: Article 5.04(21) states that new electric transmission lines with right-of-way widths up to 100 feet are conditional uses with general review criteria. This definition applies to the Project. As described in RFA 2, the Proposed Site Boundary Additions within Union County's A-4 zone would include alternative transmission line routes and road, pulling-tensioning, and MUA adjustments (Figure 4-1, Maps 31 through 47). A summary of proposed changes are outlined in Table 4.1-1. As such, the Proposed Site Boundary Additions are subject to county review under Section 5.06, as well as the applicable standards of Article 21.00 (Conditional Uses). The

Conditional Use Review Criteria of Section 5.06 mirror OAR 660-006-0025(4)(q), which was evaluated in under OAR 660-006-0025(5) Uses Authorized In Forest Zones.

As stated in the ASC, while OAR 660-006-0025(4)(q) expressly refers only to transmission lines with up to a 100-foot right-of-way, the Oregon Supreme Court has concluded that the use category defined in OAR 660-006-0025(4)(q) also includes new electric transmission lines with right-of-ways greater than 100 feet because of that provision's specific reference to ORS 772.210 (regarding condemnation) (see *Save Our Rural Oregon v. EFSC*, 339 Or. 353, 375-76 (2005) [concerning the EFSC application of the COB Energy Facility LLC, and hereinafter referred to as COB]). ORS 772.210 relates to "Rights of Ways for Public Uses" and public utility condemnation authority. The Council imposed GEN-LU-12 to allow transmission line right-of-way in Goal 4 forest lands to no wider than 300 feet and found the proposed facility would not result in significant adverse impact to accepted forest practices nor result in a significant increase in the cost of accepted forest practices within the surrounding area.

To evaluate the significance of the removal of land from timber harvest potential, the Certificate Holder assessed the quantity of forest land lost compared to total forest land available (791,000 acres of Union County forested acres), resulting in approximately 530 acres lost (0.07 percent) in Union County.[18] The Council found the proposed facility would not result in significant adverse impacts to accepted forest practices nor result in a significant increase in the cost of accepted forest practices within the surrounding area.[19] Table 5.2-6 quantifies the acres of land disturbed during construction and operation in Union County, where 34.5 acres of land would be permanently converted to operations as a result of the Proposed Site Boundary Additions in Union County. This impact is a de minimis percentage of the total forest land available in Union County and the inability to use the land for forest purposes over the life of the facility is not significant. Therefore, the Council may rely on its previous findings and conditions, and the Proposed Site Boundary Additions will comply with these standards.

Baker County

410.03 Uses Permitted Through a Type II Procedure.

In the EFU Zone, the following uses and their accessory uses may be permitted when authorized in accordance with the provisions of Section 115.06.

E. Utility Facilities

2. Utility facilities necessary for public service, including associated transmission lines as defined in ORS 469.300 and wetland waste treatment systems, but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet high. To demonstrate that a utility facility is necessary, as described in ORS 215.283(1)(c), an applicant must:]

a. Show that reasonable alternatives have been considered and that the facility must be sited in an Exclusive Farm Use Zone due to one or more of the following factors:

i. Technical and engineering feasibility;

[18] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 266 (September 2022)
[19] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 270 (September 2022)

ii. The proposed facility is locationally-dependent. A utility facility is locationally-dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

iii. Lack of available urban and non-resource lands;

iv. Availability of existing rights-of-way;

v. Public health and safety;

vi. Other requirements of state and federal agencies

b. Costs associated with any of the factors listed in Section 410.03(D)(1)(a) may be considered; however, cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities. The Land Conservation and Development Commission shall determine by rule how land costs may be considered when evaluating the siting of utility facilities that are not substantially similar.

c. The owner of a utility facility approved under this Section shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this Section shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

d. The governing body of the county or its designee shall impose clear and objective conditions to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands.

e. The provisions of subsections (2) to (5) of this Section do not apply to interstate natural gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

…

410.05 Standards for Certain Uses in the EFU Zone

B. As specified above, certain uses in the EFU Zone shall demonstrate that the following criteria area met:

1. The use will not force a significant change in accepted farming practices on surrounding lands devoted to farm or forest use; and

2. The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

Response: The Certificate Holder established in the ASC and throughout this RFA 2 that the Project classifies as a facility necessary for public service. The criteria for conditional uses previously evaluated in the ASC establish a higher level of review (Type III) than what is required for administrative uses (Type II). In Baker County, a Type II administrative permit application for utility facilities necessary for public service must demonstrate compliance with BCZSO 410.03(E)(2), which mirror the standards of ORS 215.275 evaluated in the ASC. The

ASC also addressed OAR 660-006-0025(5)(a)-(b), which mirror BCZSO Chapter 410.05(B)(1)-(2), to demonstrate the Project will not force a significant change in, or significantly increase the cost of, accepted farming practices in the areas surrounding the Project in forest lands. The Council previously determined that the Project satisfied the requirements of ORS 215.275 [20] and OAR 660-006-0025. [21] The proposed changes to the site boundary would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. The proposed site boundary changes do not change conditions that would alter the Council's previous determination that the ASC complies Section ORS 215.275 or OAR 660-006-0025, and therefore, the Council may conclude that RFA 2 complies with the applicable standards of BCZSO Chapter 410 Exclusive Farm Use Zone.

Chapter 510 Residential Zones

510.03 Recreation Residential Zone (RR-2).

C. Uses Permitted Through a Type III Procedure. In the RR-2 Zone, the following uses may be permitted when authorized in accordance with the provisions of Section 115.07. These uses shall also require a Conditional Use Permit as described in Chapter 210.

2. Uses

a. Major utility facilities as defined in Chapter 150.

Response: The definition of major utility facility in Chapter 150 includes power transmission lines, which indicates an electrical transmission line project would be considered a conditional use in the RR-2 zone. Facility components within 0.5-mile of the RR-2 zone include an accessory use to the proposed utility facility, including new access roads. The Council previously found the Project satisfied the BCZSO conditional use approval standards.[22] The BCZSO has been amended, but standards addressed in the ASC for conditional uses are not substantially different from the amended BCZSO Conditional Use approval criteria in the newly adopted Chapter 210.04(A)(1-6). Existing Site Certificate Conditions ensure compliance with the standard. The Council imposed Site Certificate Condition PRE-PS-02 , which requires the Certificate Holder to submit a Transportation and Traffic Plan for review and approval by the Department in consultation with the affected county. The condition also requires that, through county-issued road-related permits, the Certificate Holder execute a formally binding agreement with the county for use of and potential impacts to roads during construction activities. In addition, Site Certificate Condition GEN-LU-07 requires the Certificate Holder to obtain applicable permits required by Baker County ordinances. If after commencement of construction the Certificate Holder determines additional County-approved permits are required, the Certificate Holder will provide to the department a copy of those additional permits. Moreover, the substantially modified roads would provide road improvements that would support livability, value, and access within the area. The Certificate Holder has not identified any "assets of particular interest to the community" that would be impacted by the location of the proposed roads. Livability is considered an assets of interest to the community and is defined as "the sum of factors which add up to a community's quality of life, limited to the built and natural

[20] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 244-259 (September 2022)
[21] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 261-272 (September 2022)
[22] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 218 (September 2022)

environments, economic prosperity, social stability and equity, educational opportunities, protection of cultural and heritage assets, and recreation possibilities which collectively contribute to the sustainability of human living" under BCZSO Chapter 150.03. Due to the limited potential impacts resulting during construction and operation of facility components within 0.5 mile of RR-2 zoned land, RFA 2 satisfies BCZSO Chapter 210.04.(A)(1-6) approval standards.

7.1.3.10 Directly Applicable Statutes and Administrative Rules

7.1.3.10.1 ORS 215.283 and ORS 215.275

The Council previously determined that the Project satisfied the requirements of ORS 215.283 and ORS 215.275.[23] The provisions of ORS 215.283 and ORS 215.275 have not changed since the original ASC was submitted on September 28, 2018. The Certificate Holder demonstrated the Project is permitted outright in Goal 3 EFU lands because it is a utility facility necessary for public service under ORS 215.283(1)(c)(A) and ORS 215.275. In compliance with ORS 215.275, IPC will both minimize impacts to accepted farming practices, and mitigate temporary and permanent impacts where necessary, in accordance with the measures outlined in the Agricultural Lands Assessment provided in the original ASC (Attachment K-1 of the Final Order on the ASC). The Proposed Site Boundary Additions would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. GEN-LU-11 requires the Certificate Holder to finalize, prior to construction, an Agricultural Land Assessment and Mitigation Plan, which implements mitigation measures and monitoring during construction. Therefore, the previous evaluation remains consistent with the Proposed Site Boundary Additions, and the Council may rely on its previous findings and conditions that the Project complies with ORS 215.283 and ORS 215.275.

7.1.3.10.2 ORS 215.276

The Council previously determined that the Project satisfied the requirements of ORS 215.283 and ORS 215.276 based upon inclusion of the notification requirements with the Agricultural Assessment and Mitigation Plan (Attachment K-1 of the Final Order on the ASC, imposed in Site Certificate Condition GEN-LU-11), the Project satisfies the requirements of ORS 215.276.[24] The provisions of ORS 215.276 have not changed since the original ASC was submitted on September 28, 2018, and the Certificate Holder does not propose any changes to Land Use GEN-LU-11. The Proposed Site Boundary Additions would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. Therefore, the previous evaluation remains consistent with the Proposed Site Boundary Additions, and the Council may rely on its previous findings and conditions that the Project complies with the ORS 215.276.

7.1.3.10.3 OAR 660-006-0025 (Forest Zone Requirements)

Exhibit K of the ASC demonstrated that the Project will not force significant changes in farm practices or cause significant increases in the costs of accepted farm practices on surrounding lands devoted to farm use. The Council previously determined that the Project satisfied the

[23] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 244-259 (September 2022)
[24] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 260-261 (September 2022)

requirements of OAR 660-006-0025.[25] The Proposed Site Boundary Additions within Union County's A-4 zone would include alternative transmission line routes and new transmission line routes, access roads and design updates, MUA's, and pulling and tensioning sites (Figure 4-1, Maps 31 to 47). As such, the proposed site boundary changes are subject to county review under OAR 660-006-0025(4)(q), which was evaluated under OAR 660-006-0025(5) Uses Authorized In Forest Zones. As stated above, approximately 34.5 acres of land would be permanently converted to operations as a result of site boundary changes within Union County. This impact is a de minimus percentage of the total forest land available in Union County and the inability to use the land for forest purposes over the life of the facility is not significant. In addition, IPC has prepared a Wildfire Mitigation Plan (Attachment 7-16) that has been filed with the Public Utility Commission of Oregon in compliance with OAR chapter 860, division 300. This plan would apply to the entire Project, including the proposed changes in RFA 2. Therefore, the Council may conclude that the Proposed Site Boundary Additions will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel, as the Project is subject to a wildfire protection plan approved by the Public Utility Commission. Therefore, the previous evaluation remains consistent with the Proposed Site Boundary Additions, and the Council may rely on its previous findings that the Project complies with the Forest Zone requirements of OAR 660-006-0025.

7.1.3.11 Statewide Planning Goals

The Council previously determined that the Project satisfied the applicable criteria of OAR 345-022-0030, which implements ORS 469.504(1)(b).[26] The ASC described each of the 19 statewide planning goals and detailed how the Project complies with each goal. The proposed changes with RFA 2 involve several site boundary changes across the entire span of the Project. The Proposed Site Boundary Additions would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. Therefore, the changes proposed in RFA 2 will not create significant new impacts affecting those resources and interests protected by the Council's siting standards and the Council can find that the Proposed Site Boundary Additions will comply with the statewide planning goals adopted by the Land Conservation and Development Commission.

7.1.3.12 Goal 4 Exception

The Council previously determined that the Project satisfied the applicable criteria of OAR 345-022-0030, which implements ORS 469.504(1)(b).[27] The Proposed Site Boundary Additions do not affect the Council's previous finding that an exception to Goal 4 is justified. As described in the assessment of applicable local land use criteria, the Council previously imposed several conditions (GEN-LU-12) that would limit the right-of-way in Goal 4 forest lands to no wider than 300 feet. The Proposed Site Boundary Additions on forest lands are limited to alternative transmission line routes, access road changes, and pulling and tensioning sites along the Proposed Site Boundary Additions and permanent impacts represent a de minimus percentage of the total forest land available in Union County. The existing conditions imposed by the Council to minimize potential impacts to forest practices will apply to the Proposed Site Boundary Additions. Therefore, the Council may conclude that the Proposed Site Boundary Additions do not affect the Council's previous finding that an exception to Goal 4 is justified.

[25] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 261-272 (September 2022)
[26] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 272-280 (September 2022)

7.1.3.13 Federal Land Management Plans

National Environmental Policy Act (NEPA) review for the Project will include an evaluation of the Project's consistency with the applicable federal land management plans, which, per ORS 469.370(13), requires the Council to review the application, to the extent feasible, in a manner that is consistent with and does not duplicate review under NEPA. In the ASC Exhibit K, the Certificate Holder provided an evaluation of compliance with Federal Land Management Plans including Wallowa-Whitman National Forest Land and Resource Management Plan, Bureau of Land Management (BLM) Vale District Resource Management Plan, BLM Baker Resource Management Plan, BLM Southeastern Oregon Resource Management Plan, and Sage-Grouse Amendments to Resource Management Plans. The Wallowa-Whitman National Forest Land and Resource Management Plan was recently amended after the Final Record of Decision (USFS 2018) was issued to authorize the Project and related actions on National Forest System lands managed by the Wallowa-Whitman National Forest. In January 2021, BLM issued a record of decision approving amendments to its resource management plans in Oregon to provide certain conservation measures for Greater sage-grouse. The ASC's Exhibit K noted the Project was exempt from the new conservation measures set forth in prior amendments; instead, conservation measures for sage-grouse were analyzed through the Project's NEPA process (see Oregon Greater Sage-Grouse Approved Resource Management Plan Amendment). The Proposed Site Boundary Additions would generally be in proximity to the approved site boundary, be constructed of the same materials and components previously described in Exhibit B of the ASC, and would occur in similar habitat types, topography, and land uses to those previously considered. Therefore, the previous evaluation remains consistent with the Proposed Site Boundary Additions, and the Council may rely on its previous findings that the Project complies with the applicable Federal Land Management Plans.

In conclusion, the Proposed Site Boundary Additions will comply with Land Use conditions previously imposed on the Project (see Table 6-1). For the reasons discussed above, the Proposed Site Boundary Additions will comply with the Land Use Standard.

7.1.4 Protected Areas – OAR 345-022-0040

The Council previously concluded that the Project complies with the Protected Areas Standard.[27] The updated Protected Areas Standard requires the Council to find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to a protected area designated on or before the date the ASC or request for amendment was determined to be complete under OAR 345-015-0190 or 345-027-0363, as defined by OAR 345-022-0040. Based on the Certificate Holder's review of protected areas listed in the updated OAR 345-001-0010(26), there are 77 protected areas located within 20 miles of RFA 2's proposed site boundary additions (analysis area); no new protected areas were identified that weren't previously addressed in the ASC (see Figure 7-10, and Attachment 7-2, Table 1). Note that this analysis does not address the previously approved site boundary and solely addresses the proposed site boundary changes in RFA 2.

The significance of impacts on protected areas from water use and wastewater, traffic, noise, visual viewshed alteration, and other impacts are disclosed in Exhibit L and the changes proposed by RFA 2 will not contribute any additional significant impacts to those already

[27] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 326 (September 2022)

considered[28] (see Figure 7-10 and Attachment 7-2, Tables 1 and 2 for a full description). All identified protected areas within the RFA 2 analysis area will not serve as sources for water or experience any kind of wastewater disposal impacts due to continued proper wastewater containment; any traffic impacts from construction will be short term, otherwise negligible, and operational impacts will be negligible due to infrequent maintenance and inspections required at the Project; construction noise impacts will remain less than significant and temporary, or otherwise negligible, and noise impacts from operations will be intermittent (due to infrequent maintenance and inspections) or otherwise indistinguishable from existing background noise; and of the 26 protected areas that were determined to potentially experience visual impacts, all were found to have less than significant impacts, similar to or less than what was previously approved for the ASC (see Figure 7-11 and Attachment 7-2, Table 2).[28]

Continued implementation of the following Site Certificate Conditions will ensure that impacts to protected areas will be minimized: GEN-PA-01 (Ladd Marsh Wildlife Area agency coordination), GEN-PA-02 (avoidance of Ladd Marsh Wildlife Area if Morgan Lake alternative route is chosen), GEN-SR-03 (National Historic Oregon Trail Interpretive Center visual impact reduction), GEN-SR-04 (Birch Creek Area of Critical Environmental Concern visual impact reduction), GEN-HC-01 (Oregon Trail/National Historic Trail resource impact avoidance), GEN-HC-02 (implementation of Historic Properties Management Plan), PRE-PS-02 (traffic management and control measure implementation), and GEN-PS-01 (controlled helicopter use within 2 miles of the protected or recreation areas).

The Proposed Site Boundary Additions do not alter the basis for the Council's previous findings, or its conclusion that the Project will not likely result in a significant adverse impact to any Protected Areas in the analysis area. Therefore, the Proposed Site Boundary Additions meet the requirement of the Protected Areas Standard.

7.1.5 Fish and Wildlife Habitat – OAR 345-022-0060

The Council's Fish and Wildlife Habitat Standard requires the Council to find that the design, construction, and operation of a facility is consistent with the Oregon Department of Fish and Wildlife's (ODFW) habitat mitigation goals and standards, as set forth in OAR 635-415-0025. The Council previously found that the Project complies with the Fish and Wildlife Habitat Standard. The following describes IPC's review of the effects on fish and wildlife habitat from the Proposed Site Boundary Additions and any additional information required to comply with the Fish and Wildlife Habitat Standard.

7.1.5.1 Background Review

IPC reviewed ODFW's current list of sensitive species (ODFW 2021a), updated databases from the Oregon Biodiversity Information Center (ORBIC 2021), U.S. Forest Service and BLM (USFS 2022; BLM 2022), and StreamNet (2019) to inform which state sensitive species have the potential to occur in or near the proposed changes. IPC also reviewed existing landcover data (USGS 2011) to determine the habitat types that occur in the proposed changes.

7.1.5.2 Surveys

IPC has performed biological surveys on the Proposed Site Boundary Additions following the protocols presented in Attachment P1-2 of Exhibit P1 of the ASC and per the Site Certificate conditions PRE-FW-01 and PRE-FW-02. Table 7.1-11 includes a list of surveys, the proposed

[28] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 296-325 (September 2022)

changes at which the surveys are being performed, the current status of those surveys, and details regarding future survey efforts.

Washington ground squirrel (WAGS; *Urocitellus washingtoni*), raptor nest, and pygmy rabbit (*Brachylagus idahoensis*) surveys have been completed for the Proposed Site Boundary Additions. Great gray owl (*Strix nebulosa*) and flammulated owl (*Psiloscops flammeolus*), and northern goshawk (*Accipiter gentilis*) and American three-toed woodpecker (*Picoides dorsalis*) surveys have been partially completed for the Proposed Site Boundary Additions. Terrestrial visual encounter surveys, rare plant surveys, noxious weed surveys, and wetland surveys of the Proposed Site Boundary Additions are also partially completed. The surveys that are considered ongoing are due to right of entry; however, surveys will be completed on all proposed changes prior to construction. Survey findings are incorporated in this RFA 2 where available. Surveys regarding fish passage are currently ongoing and not included in Table 7.1-11.

Table 7.1-11. Biological Resources Surveys

Survey Type	Survey Location	RFA 2 – Total Area Requiring Surveys (acres)	RFA 2 – Survey Area Completed (acres)	Status
Washington ground squirrel (Attachment 7-3)	Ayers Canyon Alternative, Boardman Junction Alternative, Bombing Range SE Alternative, Other Access Road and Work Area Changes in Morrow County	797	797	IPC completed surveys of all ground squirrel habitat associated with RFA 2 in the spring of 2022 and 2023. A 2023 survey report is forthcoming. Survey results will be provided to ODOE.
Terrestrial Visual Encounter Survey (Attachment 7-4)	RFA 2 site boundary additions.	4,142	1,486	IPC will survey all unsurveyed parcels prior to construction. Survey results will be provided to ODOE.
Pygmy Rabbit (Attachment 7-5)	Hwy 203 Crossing Alternative, Proposed Route (230-kV Rebuild) Revised Alternative, Other Access Road and Work Area Changes in Baker County	33	33	IPC will survey all unsurveyed parcels prior to construction. Survey results will be provided to ODOE.
Rare Plants (Attachment 7-6)	All RFA 2 site boundary additions.	4,142	1,327	IPC will perform pre-construction T&E plant surveys of all unsurveyed areas of RFA 2 site boundary additions that have potential habitat and where species were previously observed and/or areas with known occurrences.

Survey Type	Survey Location	RFA 2 – Total Area Requiring Surveys (acres)	RFA 2 – Survey Area Completed (acres)	Status
				Survey results will be provided to ODOE.
Noxious Weeds (Attachment 7-7)	All RFA 2 site boundary additions.	4,142	1,327	IPC will perform pre-construction noxious weed surveys of all unsurveyed areas associated with the RFA 2 Proposed Site Boundary Additions. Survey results will be provided to ODOE.
Great Gray Owl and Flammulated Owl[1] (Attachment 7-8)	Proposed Site Boundary Additions in Union County	237 call stations	117 call stations	IPC will perform pre-construction great gray and flammulated owl surveys of all unsurveyed areas associated with the previously approved site boundary. Survey results will be provided to ODOE.
Northern Goshawk and American Three-toed Woodpecker[2] (Attachment 7-8)	Proposed Site Boundary Additions in Union County	423 call stations	202 call stations	IPC will perform pre-construction northern goshawk and American three—toed woodpecker surveys of all unsurveyed areas associated with the RFA 2 Proposed Site Boundary Additions. Survey results will be provided to ODOE.
Raptor Nest	All Proposed Site Boundary Additions.	4,142	4,142	IPC completed raptor nest surveys for the entire Project in the spring of 2023. A 2023 survey report is forthcoming. Survey results will be provided to ODOE.
Wetland	All Proposed Site Boundary Additions.	Ongoing (See Section 5.3)		See Section 5.3

[1] Great gray owl call stations are within 0.25-mile buffer of the RFA2 Site Boundary Additions.

[2] Northern Goshawk call stations are within 0.5-mile buffer of the RFA2 Site Boundary Additions.

7.1.5.3 Findings

IPC has performed habitat categorization per OAR 635-415-0025 by using survey data in combination with an existing landcover dataset (USGS 2011) as the basis for habitat mapping within the site boundary of the Proposed Site Boundary Additions. IPC also used the findings of

the WAGS surveys and ODFW elk and mule deer winter range designations to inform the habitat categorization. The habitat categorization followed the process described in Attachment P1-1 of the ASC.

Three WAGS colonies were identified within the survey area associated with the Proposed Site Boundary Additions. No pygmy rabbits or their sign were observed during surveys. No owl, goshawk, or woodpecker nests were identified during surveys. Raptor nest surveys have been completed for all Proposed Site Boundary Additions and survey reports are forthcoming.

IPC is currently performing fish passage surveys in coordination with ODFW. At least four crossings that have been surveyed will require fish passage plans. An additional four crossings that have not been surveyed could require fish passage plans. These eight crossings are included in Table 7.1-12.

Table 7.1-12. RFA 2 Stream Crossings Needing or Potentially Needing Fish Passage Plans

Stream Name	Tributary to	Crossing ID	County	Proposed Site Boundary Addition	Proposed Site Boundary Addition ID	Map Reference
Surveyed						
Webb Slough	Butter Creek	R-17578	Umatilla	Other Access Road and Work Area Change	2/321	Figure 4-1, Map 14
Webb Slough	Butter Creek	R-17697	Umatilla	Other Access Road and Work Area Change	2/321	Figure 4-1, Map 14
Unnamed Stream [1188084454138]	East Birch Creek	R-21433	Umatilla	Other Access Road and Work Area Change	2/319	Figure 4-1, Map 21
McKay Creek	Umatilla River	R-23147	Umatilla	Sevenmile Creek Alternative	2/542	Figure 4-1, Map 25
Not Surveyed						
Unnamed Stream	Unnamed Stream [1184159454693]	R-25692	Umatilla	Other Access Road and Work Area Change	2/313	Figure 4-1, Map 29
Gentry Creek	Powder River	R-44985	Baker	Other Access Road and Work Area Change	2/388	Figure 4-1, Map 49
Unnamed Stream [1178303449936]	Gentry Creek	R-45252	Baker	Other Access Road and Work Area Change	2/389	Figure 4-1, Map 50
Unnamed Stream [1175073445827]	Chambeam Ditch	R-58996	Baker	Other Access Road and Work Area Change	2/423	Figure 4-1, Map 63

Mule deer winter range and elk winter range are both considered Category 2 habitat. Several of the proposed alternatives are in mule deer and elk winter range. Eight of the thirteen proposed alternatives are in mule deer winter range: Ayers Canyon, Rugg Canyon, Sevenmile Creek, Baldy, Rock Creek 1, Rock Creek 2, and Cottonwood Creek. Several of the Other Access Road and Work Area Changes occur in mule deer winter range in Morrow, Umatilla, Union, Baker, and Malheur counties. Five of the thirteen proposed alternatives are in elk winter range: Sevenmile Creek, Baldy, Rock Creek 1 and Rock Creek 2. Several of the Other Access Road and Work Area Changes occur in elk winter range in Umatilla, Union, and Baker counties.

Table 7.1-13 shows the habitat categorization for the Proposed Site Boundary Additions. Figure 7-12 contains maps showing the habitat categorization.

Table 7.1-13 . Habitat Categorization of RFA 2 Site Boundary

	Habitat Category						Total
Proposed Change	**1**	**2**	**3**	**4**	**5**	**6**	
Ayers Canyon Alternative							**926.5**
Agriculture / Developed		1.5				8.6	*10.2*
Grassland		0.9					*0.9*
Riparian Vegetation		1.2					*1.2*
Shrub / Grass	1.7	901.1					*902.8*
Shrubland		11.5					*11.5*
Boardman Junction Alternative							**5.1**
Agriculture / Developed						3.3	*3.3*
Riparian vegetation			0.3				*0.3*
Shrub / Grass				0.4	0.8		*1.3*
Shrubland			0.0				*0.0*
Wetland		0.2					*0.2*
Bombing Range SE Alternative							**5.7**
Agriculture / Developed						0.5	*0.5*
Shrub / Grass					1.9		*1.9*
Shrubland			3.4				*3.4*
Rugg Canyon Alternative							**159**
Grassland		0.0					*0.0*
Shrub / Grass		158.9					*158.9*
Shrubland		0.1					*0.1*
Sevenmile Creek Alternative							**695.1**
Agriculture / Developed				2.6		3.0	*5.7*
Forest / Woodland		190.0					*190.0*
Grassland		64.4					*64.4*

Proposed Change	Habitat Category 1	2	3	4	5	6	Total
Riparian Vegetation		12.8					*12.8*
Shrub / Grass		342.0	4.4				*346.5*
Shrubland		75.2					*75.2*
Wetland		0.6					*0.6*
Baldy Alternative							**597.3**
Bare Ground		2.6					*2.6*
Forest / Woodland		230.2	123.6				*353.8*
Grassland		0.0					*0.0*
Riparian Vegetation		0.0					*0.0*
Shrub / Grass		223.9	1.0				*224.9*
Shrubland		16.0					*16.0*
Wetland		0.0					*0.0*
Rock Creek Alternative 1[1]							**52.1**
Agriculture / Developed						2.3	*2.3*
Bare Ground		0.1					*0.1*
Forest / Woodland		7.8					*7.8*
Riparian Vegetation		0.9					*0.9*
Shrub / Grass		41.0					*41.0*
Shrubland		0.1					*0.1*
Rock Creek Alternative 2[1]							**36.2**
Forest / Woodland		8.4					*8.4*
Shrubland		27.8					*27.8*
Hwy 203 Crossing Alternative							**70.6**
Agriculture / Developed						3.2	*3.2*
Shrub / Grass				67.0			*67.0*
Shrubland			0.3				*0.3*
Proposed Route (230-kV Rebuild) Revised Alternative							**10.2**
Shrub / Grass					1.2	9.0	*10.2*
Cottonwood Creek Alternative							**239.7**
Agriculture / Developed						0.8	*0.8*
Grassland					0.0		*0.0*
Riparian Vegetation			0.1				*0.1*
Shrub / Grass		0.5	3.5	222.0	12.8		*238.7*
Shrubland			0.0				*0.0*
Willow Creek Alternative							**32.8**
Agriculture / Developed						32.8	*32.8*

Proposed Change	Habitat Category						Total
	1	2	3	4	5	6	
Other Access Road and Work Area Changes							**1,314.7**
Agriculture / Developed		20.8	1.0			455.0	*476.7*
Bare Ground		1.5	0.6				*1.5*
Forest / Woodland		27.6	39.8				*61.1*
Grassland		72.1	3.0		15.0		*90.1*
Open Water		0.0					*0.0*
Open Water / Unvegetated Wetlands		0.8					*0.8*
Riparian Vegetation		3.5	0.0				*3.5*
Shrub / Grass		388.7	62.2	58.3	21.6		*530.8*
Shrubland		106.1	41.7	2.3			*150.2*
Wetland		0.1					*0.1*

[1] Rock Creek Alternative 1 and Rock Creek Alternative 2 share 2.8 acres of site boundary.

Review of the most recent ODFW sensitive species list and species occurrence datasets would not warrant any changes to the previously prepared Table P1-5 in Exhibit P1 of the ASC that indicates which sensitive species are likely to occur near the Project. The discussion of the nature and duration of potential impacts to fish and wildlife in Exhibit P1 of the ASC is applicable to the Proposed Site Boundary Additions.

Quantification of acreages of temporary and permanent impacts by habitat type and category of the proposed changes are included in Table 7.1-14 and are incorporated incorporated in a redlined habitat mitigation plan (Attachment 7-9).

Table 7.1-14. Temporary and Permanent Impact Calculations

Proposed Change	Habitat Category											
	1		2		3		4		5		6	
	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm
Ayers Canyon Alternative												
Agriculture / Developed			1.0	0.0							0.0	0.1
Grassland			0.8									
Riparian Vegetation			0.0	0.1								
Shrub / Grass			108.2	43.3								
Shrubland			7.6	0.4								
Subtotal			*117.6*	*43.8*							*0.0*	*0.1*
Boardman Junction												
Agriculture / Developed											2.7	

Proposed Change	Habitat Category											
	1		2		3		4		5		6	
	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm
Riparian Vegetation					0.3							
Shrub / Grass							0.0		0.8			
Wetland			0.0									
Subtotal			*0.0*		*0.3*		*0.0*		*0.8*		*2.7*	
Bombing Range SE Alternative												
Agriculture / Developed											0.0	0.1
Shrub / Grass									0.3	0.1		
Shrubland					0.1	0.6						
Subtotal					*0.1*	*0.6*			*0.3*	*0.1*	*0.0*	*0.1*
Rugg Canyon Alternative												
Shrub / Grass			25.7	4.5								
Shrubland			0.0	0.0								
Subtotal			*25.7*	*4.5*								
Sevenmile Alternative												
Agriculture / Developed							0.6	0.2			0.6	0.1
Forest / Woodland			21.1	2.2								
Grassland			0.0									
Riparian Vegetation			5.3	0.1								
Shrub / Grass			56.0	8.4								
Subtotal			*82.5*	*10.8*			*0.6*	*0.2*			*0.6*	*0.1*
Baldy Alternative												
Bare Ground			2.6									
Forest / Woodland			31.6	10.6	19.6	5.0						
Grassland			0.0									
Shrub / Grass			40.7	11.7	0.2							
Shrubland			9.8	0.3								
Subtotal			*84.7*	*22.5*	*19.8*	*5.0*						
Rock Creek Alternative 1												
Forest / Woodland			5.0									
Shrub / Grass			6.3	2.3								
Subtotal			*11.2*	*2.3*								
Rock Creek Alternative 2												
Forest / Woodland			3.1	0.2								
Shrubland			3.0	0.4								

Proposed Change	Habitat Category											
	1		2		3		4		5		6	
	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp	Perm
Subtotal			*6.1*	*0.6*								
Hwy 203 Crossing Alternative												
Agriculture / Developed											2.8	
Shrub / Grass							12.8	2.2				
Shrubland					0.0	0.0						
Subtotal					*0.0*	*0.0*	*12.8*	*2.2*			*2.8*	
Proposed Route (230-kV Rebuild) Revised Alternative												
Shrub / Grass									0.1	0.0	0.9	0.2
Subtotal									*0.1*	*0.0*	*0.9*	*1.2*
Cottonwood Creek Alternative												
Agriculture / Developed											0.0	0.0
Shrub / Grass			0.5		1.1	0.2	25.6	8.8	3.0	0.3		
Subtotal			*0.5*		*1.1*	*0.2*	*25.6*	*8.8*	*3.0*	*0.3*	*0.0*	*0.0*
Willow Creek Alternative												
Agricultural / Developed											10.8	1.2
Subtotal											*10.8*	*1.2*
Other Access Road and Work Area Changes												
Agriculture / Developed			5.5	2.5	1.0		0.1	0.1			407.9	4.6
Bare Ground			0.6	0.1								
Forest / Woodland			8.0	2.8	23.0	1.3						
Grassland			23.2	5.5	3.0				15.0			
Open Water			0.0									
Open Water / Unvegetated Wetlands			0.8									
Riparian Vegetation			3.6	0.2	0.0							
Shrub / Grass			105.5	38.9	4.4	8.2	36.0	3.2	9.1	1.9		
Shrubland			34.1	7.9	37.4	0.6	2.3					
Wetland			0.1									
Subtotal			*181.4*	*58.0*	*68.8*	*10.1*	*38.3*	*3.3*	24.1	1.9	*407.9*	*4.6*
Grand Total			**509.7**	**142.5**	**90.0**	**15.9**	**77.4**	**14.6**	**28.2**	**2.3**	**425.8**	**6.3**

The Proposed Site Boundary Additions in sage-grouse (*Centrocercus urophasianus*) habitat are subject to OAR 635-415-0025, Policy 2 and Policy 3. Policy 2, subsections (a), (b), and (c), requires compliance with a mitigation hierarchy intended to direct development away from productive sage-grouse habitat into the least productive areas for sage-grouse. Subsection (d) requires minimization where impacts cannot be avoided pursuant to (a), (b), or (c). Policy 3

requires compensatory mitigation in the event avoidance and minimization efforts have been exhausted.

The Hwy 203 Crossing Alternative in Baker County, Cottonwood Creek Alternative in Malheur County, and Other Access Road and Work Area Changes in Baker and Malheur counties occur in greater sage-grouse habitat. Greater sage-grouse habitat designations are defined in Exhibit P-2 of the ASC. The Hwy 203 Crossing Alternative occurs in Core Area, the Cottonwood Creek Alternative occurs in Low Density, and Other Access Road and Work Area Changes occur in Core Area and Low Density in Baker and in Core Area in Malheur County. The types of impacts on sage-grouse and their habitat associated with the changes proposed in RFA 2 would be similar to those discussed in Exhibit P-2 of the ASC.

The proposed changes that occur in elk winter range would result in the types of impacts discussed in Exhibit P-3 of the ASC.

7.1.5.4 Conclusion

Ground-disturbing activities will be avoided in WAGS Category 1 habitat (within 785 feet of the colony boundary) per condition CON-TE-01. Similarly, ground-disturbing activities will not occur in elk or mule deer winter range from December 1 to March 31 per condition CON-FW-01 (with exceptions) and ground disturbing activities will not occur within the seasonal restriction areas associated with active raptor nests per condition CON-FW-04 (with exceptions). Acreages of temporary and permanent impacts by habitat type and category will be incorporated in the final habitat mitigation plan per condition GEN-FW-04. All work will be performed in accordance with the draft Reclamation and Revegetation Plan (Attachment P1-3 of the Final Order), draft Vegetation Management Plan (Attachment P1-4 of the Final Order), and draft Noxious Weed Plan (Attachment P1-5 of the Final Order), which will be finalized prior to construction per conditions GEN-FW-01, GEN-FW-02, and GEN-FW-03.

The Proposed Site Boundary Additions that occur in greater sage-grouse habitat are subject to the avoidance test contained in Policy 2 of the Sage-Grouse Strategy at OAR 635-415-0025(7). The Proposed Site Boundary Additions in sage-grouse habitat meet the criteria identified in Policy 2 (a)(B) and (b)(B) because they are dependant on lands that are reasonably adjacent to the Previously Approved Site Boundary. All land reasonably adjacent to the Previously Approved Site Boundary, where the Proposed Site Boundary Additions occur in sage-grouse habitat, also occur in sage-grouse habitat. Policy 2 criteria (a)(C) is met as the Project would create economic opportunity through construction-related jobs and taxes and operation of the Project would provide needed infrastructure for the region by increasing transmission capacity.The Proposed Site Boundary Additions would be evaluated in a final Sage-Grouse Habitat Mitigation Plan, including development of compensatory mitigation, prior to construction per condition PRE-FW-03.

The Proposed Site Boundary Additions that occur in elk habitat would be evaluated with the rest of the Project in a final Habitat Mitigation Plan.

The Proposed Site Boundary Additions that would require fish passage consideration would be addressed in a final Fish Passage Plan in consultation with ODFW per condition GEN-FP-01.

Therefore, based on the information provided and the conditions imposed on the Project, the Council may conclude that the Proposed Site Boundary Additions will comply with the Fish and Wildlife Habitat standard.

7.1.6 Threatened and Endangered Species – OAR 345-022-0070

The Council previously found the Certificate Holder has demonstrated an ability to construct, operate, and retire the Project in compliance with Council standards and conditions of the Site Certificate, including the Threatened and Endangered Species Standard (OAR 345-022-0070). The Certificate Holder's assessment of the Project's compliance with the Threatened and Endangered Species Standard was included as Exhibit Q of the ASC. The following describes the Certificate Holder's review of the effects on threatened and endangered species from the Proposed Site Boundary Additions.

7.1.6.1 Background Review

IPC reviewed ODFW's Threatened, Endangered, and Candidate Fish and Wildlife Species list (ODFW 2021b) and ODA's Threatened, Endangered, and Candidate Plant Species list (ODA 2022) to determine which species are currently listed under the Oregon Endangered Species Act (ORS 496.171 – 496.192) that have the potential to occur in the analysis area (site boundary with a half mile buffer). Additionally, IPC reviewed updated databases from the Oregon Biodiversity Information Center (ORBIC 2022), U.S. Forest Service and BLM (USFS 2022; BLM 2022), and StreamNet (2019) to inform which Threatened and Endangered species have the potential to occur in or near the Proposed Site Boundary Additions.

Species found to exist or potentially occur in or near the Proposed Site Boundary Additions include WAGS, Snake River Chinook Salmon (Spring/Summer; *Oncorhynchus tshawytscha*), and seven threatened and endangered plant species (Table 7.1-15). Species were considered to have the potential to occur at a particular location if their habitat overlaps the analysis area or if a known record occurs within 5 miles of the analysis area. The background review did not identify any threatened or endangered species associated with RFA 2 that were not previously addressed in RFA 1 or the ASC.

Table 7.1-15. State Listed Threatened and Endangered Species Potentially Present within the Analysis Area.

Type	Species	Location	Counties	State Status	Justification
Wildlife	Washington ground squirrel (*Urocitellus washingtoni*)	Ayers Canyon Alternative, Boardman Junction Alternative, Bombing Range SE Alternative & Other Access Road and Work Area Changes	Morrow	Endangered	Historical and verified extant records overlap site boundary
Fish	Snake River Spring/Summer Chinook Salmon (*Oncorhynchus tshawytscha*)	Rock Creek Alternative 1 & 2	Union	Threatened	Nearest record is within the analysis area

Type	Species	Location	Counties	State Status	Justification
Plant	Lawrence's milkvetch (*Astragalus collinus* var. *laurentii*)	Bombing Range SE Alternative, Ayers Canyon Alternative, Rugg Canyon Alternative and Other Access Road and Work Area Changes	Morrow, Umatilla	Threatened	Known occurrence overlaps site boundary (Morrow Co.), analysis area (Umatilla Co.)
Plant	Mulford's milkvetch (*Astragalus mulfordiae*)	Williow Creek Alternative, and Other Access Road and Work Area Changes	Malheur	Endangered	Known occurence overlaps site boundary
Plant	Cronquist's stickseed (*Hackelia cronquistii*)	Cottonwood Creek Alternative, Williow Creek Alternative, and Other Access Road and Work Area Changes	Baker, Malheur	Threatened	Known occurence overlaps site boundary
Plant	Oregon semaphore grass (*Pleuropogon oregonus*)	Baldy Alternative and Other Access Road and Work Area Changes	Union	Threatened	Known occurrence within the analysis area
Plant	Snake River goldenweed (*Pyrrocoma radiata*)	Other Access Road and Work Area Changes	Baker	Endangered	Known occurence overlaps site boundary
Plant	Smooth mentzelia (*Mentzelia mollis*)	Other Access Road and Work Area Changes	Malheur	Endangered	Nearest occurrence is within 5 miles of the analysis area
Plant	Howell’s spectacular thelypody (*Thelypodium howellii* ssp. *spectabilis*)	Highway 203 Crossing, Proposed Route (230-kV Rebuild) Revised Alternative, Baldy Alternative, and Other Access Road and Work Area Changes	Baker, Union	Endangered	Nearest occurrence is within 5 miles of the analysis area

Four WAGS records from the Oregon Biodiversity Information Center (ORBIC) overlapped the Proposed Site Boundary Additions at the Ayers Canyon Alternative and Other Access Road and Work Area Changes within Morrow County. The record at the Ayers Canyon Alternative (2013 record) and at the proposed access road change (2011 record) are verified extant colonies according to ORBIC 2022. Two historical record occurrences overlap proposed changes to the

access roads with observations from 1979 and 1987. Analyzing WAGS ORBIC records within the analysis area area added 1 historical (1987 record) and 1 verified extant (2013 record) colony overlap.

Threatened and endangered plant species records that overlap the Proposed Site Boundary Additions in RFA 2 include Lawrence's milkvetch (*Astragalus collinus* var. l*aurentii*), Mulford's milkvetch (*Astragalus mulfordiae*), Cronquist's stickseed (*Hackelia cronquistii*), and Snake River goldenweed (*Pyrrocoma radiata*) in Baker, Malheur, and Morrow Counties (ORBIC 2022; BLM 2022).

Additional records of each of the threatened and endangered plant species found within the Proposed Site Boundary Additions overlap the analysis area, along with a 1986 ORBIC record of Oregon semaphore grass *(Pleuropogon oregonus*) in Union County. Within 5 miles of the analysis area, Smooth mentzelia (*Mentzelia mollis*) and Howell's spectacular thelypody (*Thelypodium howellii* ssp. *spectabilis*) are known to occur (ORBIC 2022; BLM 2022).

Snake River Chinook salmon (Spring/Summer) rearing and migration habitat occurs in the analysis area for the Rock Creek 1 and Rock Creek 2 alternatives and is associated with the Grande Ronde River along the Hilgard Highway 244. However, the Proposed Site Boundary Additions do not overlap any rivers or tributaries bearing Snake River Chinook salmon (Spring/Summer).

7.1.6.2 Surveys

IPC performed and completed all necessary surveys for WAGS within a 1,000-foot buffer of the Proposed Site Boundary Additions in suitable habitat (survey area) in Morrow County in April and May of 2022 (Attachment 7-3) and 2023 (surveys complete, survey report forthcoming). A 1,000-foot buffer on the Proposed Site Boundary Additions was surveyed because ODFW recommends a 785-foot buffer in continuous suitable habitat around WAGS colonies as an avoidance area for energy development projects. Surveys for WAGS are 100% complete.

At the close of 2022, RFA 2 threatened and endangered plant species surveys were 32 percent completed throughout Baker, Malheur, Morrow, Union and Umatilla counites. The survey area for threatened and endangered plants is the site boundary. Threatened and endangered plant species surveys are ongoing for 2023 and will be completed prior to construction. Table 7.1-16 summarizes the surveys performed for threatened and endangered species including the status of survey completeness for the Proposed Site Boundary Additions.

Snake River Spring/Summer Chinook Salmon are the only Oregon threatened and endangered salmonids known to inhabit the stream sections within the RFA 2 analysis areas. The Grande Ronde River bearing Snake River Spring/Summer Chinook will not be affected by the Proposed Site Boundary Additions in Union County.

Table 7.1-16. Status and Results of T&E Plant Surveys by Proposed Site Boundary Additions

Proposed Site Boundary Additions	Survey Complete (acres)	Survey Incomplete (acres)	Site Boundary/Survey Area (acres)
Ayers Canyon Alternative	0	926.5	926.5
Boardman Junction Alternative	0	5.1	5.1
Bombing Range SE Alternative	0	5.7	5.7
Other Access Road and Work Area Changes	0	19.8	19.8
Morrow County – Total	**0**	**957.1**	**957.1**
Rugg Canyon Alternative	151.9	7.0	159.0
Sevenmile Creek Alternative	500.1	195.1	695.1
Other Access Road and Work Area Changes	0	287.4	287.4
Umatilla County – Total	**652.0**	**489.5**	**1,141.5**
Baldy Alternative	433.5	163.8	597.3
Rock Creek 1 Alternative	0	49.3	52.1
Rock Creek 2 Alternative	1.2	35	36.2
Other Access Road and Work Area Changes	7.7	230.1	237.9
Union County – Total	**442.4**	**478.2**	**920.7**
Hwy 203 Crossing Alternative	0	70.6	70.6
Proposed Route (230-kV Rebuild) Revised Alternative	0	10.2	10.2

Proposed Site Boundary Additions	Survey Complete (acres)	Survey Incomplete (acres)	Site Boundary/Survey Area (acres)
Other Access Road and Work Area Changes	0	333.0	333.0
Baker County – Total	**0**	**413.9**	**413.9**
Cottonwood Creek Alternative	219.8	19.9	239.7
Willow Creek Alternative	7.7	25.1	32.8
Other Access Road and Work Area Changes	4.5	432.2	436.7
Malheur County – Total	**232.0**	**477.2**	**709.1**
Grand Total	**1,326.5**	**2,815.8**	**4,142.3**

7.1.6.3 Findings

2022 IPC surveys found WAGS populations to occur at three locations within the analysis area of the Ayers Canyon Alternative in Morrow County. Details for these three occurences include a colony 1) 0.17 miles from Existing Road (Substantial Modification 21-70% Improvements), 0.27 miles from new road construction, colony 2) 0.5 miles from new road construction (primitive), and colony 3) - 0.01 mile from new road construction (bladed), 0.14 mile from new road construction (primitive), 0.2 mile from structure work area, and 0.21 mile from pulling and tensioning work area.

2022 IPC surveys found one population consisting of a single individual inside a pulling and tensioning site boundary of Lawrence's milkvetch within the Rugg Canyon Alternative in Umatilla County, as well as other population occurrences within the analysis area.

7.1.6.4 Conclusion

As previously stated in the Fish and Wildlife Habitat section above, ground-disturbing activities will be avoided in WAGS Category 1 habitat (within 785 feet of the colony boundary) per condition CON-TE-01.

Per condition CON-TE-02, the population of Lawrence's milkvetch which overlaps the pulling and tension area associated with the Rugg Canyon Alternative will be avoided by micrositing (by a 33-foot buffer) the road corridor. If avoidance is not possible, temporary construction mats will be installed over soils where the threatened or endangered plant species have been observed and where construction vehicles will be operated. The same approach will be followed if threatened or endangered plants are identified during ongoing surveys prior to construction.

All previously imposed Council conditions for threatened and endangered species apply to RFA 2. There will be no changes to the conditions, and the proposed changes to the Project do not affect the Certificate Holder's ability to comply with any of the other previously imposed Site Certificate conditions for threatened and endangered species. Therefore, for the reasons discussed above and subject to the Site Certificate conditions, the Proposed Site Boundary Additions will comply with the Council's Threatened and Endangered Species Standard.

7.1.7 Scenic Resources – OAR 345-022-0080

The Council previously concluded that the Project complies with the Scenic Resources Standard. OAR 345-022-0080 requires the Council to determine that the design, construction, and operation of the proposed Project will not have a "significant adverse impact" to any significant or important scenic resources and values in the analysis area. The previous scenic resource analysis for the ASC (Exhibit R) found 47 applicable federal and local land use management plans or development codes within the 10-mile analysis area of the Project. Based on the Certificate Holder's review of applicable land use plans, 23 of the 47 plans or codes have been updated or replaced by a new plan since the ASC (Attachment 7-10 includes the updated land use plans relevant to RFA2). The updates did not identify additional scenic resources or include provisions that will warrant changes to the previous analyses of scenic resources. See Attachment 7-10, Table 1 for a description of the plans and codes and any updates. See Figure 7-13 and Figure 7-14 for the locations of the identified scenic resources.

Additionally, the proximity of a majority of the previously identified scenic resources to the RFA 2 analysis area either remained the same as previously described in the ASC or increased, thus the impacts will be less than or equal to what was previously approved (Attachment 7-10 , Table 2). For the one scenic resource that decreased in proximity to the Project (SR B5), the distances changed by approximately 0.1 mile, thus impacts were found to be similar to what was previously approved for these areas (Attachment 7-10, Table 2).

The Certificate Holder completed a zone of visual influence (ZVI) analysis for the changes proposed in RFA 2. The visual impacts associated with the changes proposed in RFA 2 were found to be similar to what was previously approved for these areas (Attachment 7-10, Table 2).

Continued implementation of the following Site Certificate conditions will ensure that impacts to scenic resources will be minimized: GEN-PA-02 (avoidance of Ladd Marsh Wildlife Area if Morgan Lake alternative route is chosen), GEN-SR-01 (use of dull-galvanized steel), GEN-SR-02 (Union County visual impact reduction), GEN-SR-03 (National Historic Oregon Trail Interpretive Center visual impact reduction), and GEN-SR-04 (Birch Creek Area of Critical Environmental Concern [ACEC]).

Therefore, the Proposed Site Boundary Additions do not alter the basis for the Council's prior findings that the Project complies with the Scenic Resources Standard.

7.1.8 Historical, Cultural and Archaeological Resources – OAR 345-022-0090

The Council previously concluded that the Project complies with the Historical, Cultural and Archaeological Resources Standard. OAR 345-022-0090 requires the Council to determine that the design, construction, and operation of the proposed Project will not have a significant adverse impact on historic, cultural, or archaeological resources that have been listed on, or will likely be listed on the National Register of Historic Places (NRHP); for a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in ORS 358.905(1)(c); and for a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).

The previous historic, cultural, and archaeological resource analysis for the ASC (Exhibit S) is summarized in the Final Order, particularly in Tables HCA-2, -3, -4, -6, and -7. These tables identify 29 avoided/not impacted segments/resources associated with the Oregon Trail, 10 potentially indirectly impacted segments/resources associated with the Oregon Trail, three (3) indirectly impacted Historic Properties of Religious and Cultural Significance to Indian Tribes, 104 potentially impacted resources, and 23 inventoried resources subject to the standards in OAR 345-022-0090.

7.1.8.1 Background Review

IPC has completed record searches to identify previously recorded archaeological and historic sites within the site boundary of all proposed changes and that might be encountered during the course of the Project surveys. Research was conducted at the Oregon State Historic Preservation Office (SHPO), Confederated Tribes of the Umatilla Indian Reservation Tribal Historic Preservation Office, U.S. Department of Agriculture, Forest Service (USFS), and BLM offices to identify previous cultural resource surveys and previously recorded cultural resources within the Analysis Area. Oregon SHPO databases consulted include Oregon Archaeological Records Remote Access and Oregon Historic Sites Database. Data were collected for both archaeological and historic sites and included site location, age, type, ownership, NRHP status, and a brief description of site attributes. Additional sources of information included the Oregon Historic Trails website (http://www.oregonhistorictrailsfund.org), USGS Mineral Resource Data System, General Land Office plats, early USGS and state maps, other historic maps and aerial photographs, ethnographic literature, and historical contexts.

7.1.8.2 Surveys

Cultural resource field surveys were performed consistent with applicable survey protocol plans and situated within the site boundary of all proposed changes. These include a cultural resources pedestrian survey (Figure 7-15) of the direct analysis area and surveys in support of the Visual Assessment of Historic Properties within the Visual Assessment analysis area. To date, 3, 417 acres (82 percent) of the site boundary has been surveyed for cultural resources. These preconstruction surveys are ongoing and have identified resources subject to the Standards in OAR-345-022-0090 and they are listed in Table 7.1-17. Maps depicting the location of resources within the direct analysis area are included in confidential Attachment 7-11 (Part A). A report for survey within the direct analysis area completed through 2021 is provided as confidential Attachment 7-11 (Part B). A report for resources identified after 2021 is forthcoming. The report in confidential Attachment 7-11 is considered a preliminary final and has been reviewed by consulting parties for the Project's Section 106 process. An updated Visual Assessment of Historic Properties survey report for the indirect analysis area is also provided as confidential Attachment 7-12. This report is a draft and is currently being revised under the Section 106 process.

The impacts associated with changes in visibility as a result of this RFA were found to be similar to what was described in the ASC. AECOM prepared revised viewshed maps that identified areas that would have new views based upon the new alignments and roads (confidential Attachment 7-13). The maps contained in the 2022 draft Oregon VAHP ILS (Attachment 7-12) were then analyzed. This analysis did not identify resources that would be newly affected by the proposed route changes other than those archaeological sites with aboveground components identified by Tetra Tech in the direct analysis area and contained in the Initial Class III (confidential Attachment 7-11, Part B). A map depicting the identified resources and viewshed impacts for the site boundary is provided as confidential Attachment 7-13. Outside of site boundary, no additional resources were identified for field analysis within the Visual Assessment analysis area.

Table 7.1-17. Potentially Impacted Resources

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
8B2H-ZH-02	Morrow	Undetermined Stacked Rock Feature	To be determined. Potentially eligible for purposes of RFA2.	Ayers Canyon Alternative	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-ZH-03	Morrow	Historic Stacked Rock Feature	To be determined. Potentially eligible for purposes of RFA2.	Ayers Canyon Alternative	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
Sand Hollow Battleground	Morrow	TCP/HPRCSIT	Eligible	Bombing Range SE; Bombing Range SE Alternative; Proposed Route	Structure Work Area; Existing Road, Substantial Modification, 21-70% Improvements; New Road, Bladed	PV, U.S. Navy	a) Historic Property	No – potential physical impact	No	To be determined in consultation with Parties to the Section 106 PA.
Sisupa	Morrow	TCP/HPRCSIT	Eligible	Bombing Range SE; Bombing Range SE Alternative; Proposed Route	Structure Work Area; Existing Road, Substantial Modification, 21-70% Improvements; New Road, Bladed	PV, U.S. Navy	a) Historic Property	No – potential physical impact	No	To be determined in consultation with Parties to the Section 106 PA.
35UM00524/ 6B2H-TH-08	Umatilla	Historic Agriculture	Not Eligible	Proposed Route	New Road, Bladed	PV	b) Archaeological site on private lands	Yes	No	No further management.
6B2H-MC-17	Umatilla	Pre-Contact Stacked Rock Feature	Unevaluated	Sevenmile Creek Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	Flag/Avoid/Monitor.
6B2H-MC-21	Umatilla	Pre-Contact Stacked Rock Feature	Unevaluated	Sevenmile Creek Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	Flag/Avoid/Monitor.
7B2H-BB-09	Umatilla	Pre-Contact Stacked Rock Feature	Unevaluated	Sevenmile Creek Alternative	New Road, Primitive	BLM	a) Potential Historic Property	Yes	Yes	Flag/Avoid/Monitor.
9B2H-AL-01	Umatilla	Historic Agriculture	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
9B2H-AL-02	Umatilla	Historic Agriculture	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
Charley Henry Hudson Homestead (35UM00603 / B2H-BS-40)	Umatilla	Historic Homestead	Eligible	Sevenmile Creek Alternative	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Historic Property; b) Archaeological site on private lands	No – physical impact not significant with mitigation.	No	Fill placement on existing road. Flag/avoid/monitor.
Daly Wagon Road	Umatilla	Historic Road	Eligible	Proposed Route	Existing Road, Substantial Modification, 71-100% Improvements	PV	a) Historic Property	No – potential physical impact	No	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-28	Union	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Multi-Use Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-40	Union	Historic Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-41	Union	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-42	Union	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-43	Union	Pre-Contact Lithic Scatter & Historic Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-JS-06	Union	Historic Mining	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
8B2H-JS-07	Union	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-JS-08	Union	Pre-Contact Lithic Scatter & Historic Buildings & Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	New Road, Primitive	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-JS-09	Union	Historic Structures	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-JS-ISO-06	Union	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	New Road, Bladed	PV	a) Potential Historic Property; b) Archaeological object on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-JS-ISO-07	Union	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological object on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-ND-ISO-03	Union	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Multi-Use Area	PV	a) Potential Historic Property; b) Archaeological object on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
B2H-BS-ISO-29	Union	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Rock Creek Alternative 2	Structure Work Area	BLM	a) Potential Historic Property	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
B2H-SA-24	Union	Undetermined Stone Alignment	Unevaluated	Baldy Alternative	Structure Work Area	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	No	To be determined in consultation with Parties to the Section 106 PA.
35BA01521	Baker	Historic Refuse Scatter & Road	Not Eligible	Hwy 203 Crossing	Structure Work Area	ST	c) Archaeological site on state lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
35BA01560/ 3B2H-CH-04	Baker	Historic Structural Remains	Not Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	b) Archaeological site on private lands	No – physical impact not significant.	Yes	No further management.

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
35BA01583/ B2H-DM-07	Baker	Historic Homestead	Unevaluated	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – physical impact not significant with mitigation.	No	Fill placement on existing road. Flag/avoid/monitor.
35BA01613/ 6B2H-SA-11	Baker	Historic Structural Remains	Unevaluated	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – physical impact not significant with mitigation.	Yes	Fill placement on existing road. Flag/avoid/monitor.
8B2H-DM-18	Baker	Historic Agriculture	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 71-100% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
B2H-DM-ISO-06	Baker	Historic Refuse	Not Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	N/A	Yes	Yes	No further management.
B2H-DM-ISO-07	Baker	Historic Refuse	Not Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	N/A	No – physical impact not significant.	Yes	No further management.
Corral Ditch/ 4B2H-EK-06	Baker	Historic Water Conveyance	Eligible	Hwy 203 Crossing	Pulling and Tensioning	PV	a) Historic Property; b) Archaeological site on private lands	No – potential physical impact	No	To be determined in consultation with Parties to the Section 106 PA.
Oregon National Historic Trail	Baker	Route of National Historic Trail	Listed	Proposed Route	Multi-Use Area; Existing Road, Substantial Modification, 21-70% Improvements	County, PV	a) Historic Property; b) Potential archaeological site on private lands	No – potential physical impact	No	No evidence of trail at access road or MUA BA-05. To be determined in consultation with Parties to the Section 106 PA for MUA BA-06.
Schuck Irrigation Ditch/ 35BA01370	Baker	Historic Water Conveyance	Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Historic Property	No – physical impact not significant with mitigation.	No	No evidence of ditch at road crossings. Flag/avoid/monitor.
Smith Ditch/ 4B2H-EK-07	Baker	Historic Water Conveyance	Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Historic Property	No – physical impact not significant.	No	No further management.
35ML01619/ 7B2H-BB-08	Malheur	Historic Water Conveyance & Refuse Scatter	Not Eligible	Cottonwood Creek Alternative	Existing Road, Substantial Modification, 71-100% Improvements	BLM	N/A	No – physical impact not significant.	Resource: No; Segment: Yes	No further management.

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
35ML02152/ 6B2H-SA-01	Malheur	Historic Mining & Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Multi-Use Area	BLM	a) Potential Historic Property	No – potential physical impact	No	To be determined in consultation with Parties to the Section 106 PA.
4B2H-EK-48	Malheur	Pre-Contact Lithic Procurement Site	Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Historic Property	No – physical impact not significant with mitigation.	No	Fill placement on existing road. Flag/avoid/monitor.
4B2H-EK-50	Malheur	Pre-Contact Lithic Scatter & Historic Refuse Scatter	Unevaluated	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – physical impact not significant with mitigation.	No	Fill placement on existing road. Flag/avoid/monitor.
7B2H-BB-04	Malheur	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	New Road, Bladed	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
7B2H-BB-07	Malheur	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	New Road, Bladed	BLM	a) Potential Historic Property	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
7B2H-BB-ISO-03	Malheur	Pre-Contact Debitage	Unevaluated	Cottonwood Creek Alternative	New Road, Bladed	BLM	a) Potential Historic Property	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
7B2H-BB-ISO-05	Malheur	Pre-Contact Biface	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	Structure Work Area	BLM	a) Potential Historic Property	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-16	Malheur	Pre-Contact Lithic Scatter	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological site on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-17	Malheur	Historic Mining	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-ISO-10	Malheur	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological object on private lands	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
8B2H-DM-ISO-17	Malheur	Pre-Contact Debitage	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	PV	a) Potential Historic Property; b) Archaeological object on private lands	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.

Resource Number	County	Generalized Resource Description/ Resource Type	NRHP Status or Recommendation	Project Route	Project Component	Land Ownership	Applicable EFSC Standard	Physical Impact Avoided	Resource Newly Considered	Management Comments
8B2H-JS-ISO-11	Malheur	Pre-Contact Biface(s) & Debitage	To be determined. Potentially eligible for purposes of RFA2.	Cottonwood Creek Alternative	Structure Work Area	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
9B2H-DM-03	Malheur	Historic Survvey Marker	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	Yes	Yes	To be determined in consultation with Parties to the Section 106 PA.
9B2H-DM-04	Malheur	Historic Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
9B2H-DM-05	Malheur	Historic Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
9B2H-DM-06	Malheur	Historic Refuse Scatter	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – potential physical impact	Yes	To be determined in consultation with Parties to the Section 106 PA.
B2H-SA-42	Malheur	Pre-Contact Lithic Procurement Site	Unevaluated	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – physical impact not significant with mitigation.	No	Fill placement on existing road. Flag/avoid/monitor.
Kingman Lateral Canal/ 8B2H-AB-01.1	Malheur	Historic Water Conveyance	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	Yes	Resource: No; Segment: Yes	To be determined in consultation with Parties to the Section 106 PA.
Kingman Lateral Canal/ 8B2H-AB-01.3	Malheur	Historic Water Conveyance	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 71-100% Improvements; Existing Road, Substantial Modification, 21-70% Improvements	BLM	a) Potential Historic Property	No – potential physical impact	Resource: No; Segment: Yes	To be determined in consultation with Parties to the Section 106 PA.
South Canal	Malheur	Historic Water Convyance	Eligible	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements; New Road, Bladed	BLM, PV	a) Historic Property	No – physical impact not significant.	No	No further management. (New Access Road avoids resource.)
South Canal/ 9B2H-DM-02	Malheur	Historic Water Conveyance	To be determined. Potentially eligible for purposes of RFA2.	Proposed Route	Existing Road, Substantial Modification, 21-70% Improvements	BLM, PV	a) Potential Historic Property	No – potential physical impact	Resource: No; Segment: Yes	To be determined in consultation with Parties to the Section 106 PA.

BLM = Bureau of Land Management; EFSC = Energy Facility Siting Council; HPMP = Historic Properties Management Plan; HPRCSIT = Historic Property of Religious and Cultural Significance to Indian Tribes; NRHP = National Register of Historic Places; ODOT = Oregon Department of Transportation; PV = Private

[1] Eligibility evaluations can be found in confidential Attachments S-6 and S-10 of the Application for Site Certification (ASC) or, if not previously addressed in the ASC, the Initial Class III Intensive Inventory Report (King et al. 2023). Those not yet determined will be addressed in forthcoming reports under the Section 106 PA.

7.1.8.3 Findings

For those resources subject to the Council's standards and where significant impacts will occur under the standards, the Historic Properties Management Plan (HPMP) will include the final impact analysis and mitigation proposals for Historic, Cultural, and Archaeological Resources based upon the field surveys and in coordination with the lead federal agencies. The impact analysis and mitigation obligations will be rectified based on the boundary probing, testing, evaluation, and final NRHP eligibility determinations for the sites listed in Table 7.1-17 and included in the redlined resource tables in confidential Attachment 7-14. Eligibility determinations will be made by the lead federal agencies in consultation with the Oregon SHPO and consistent with the Programmatic Agreement (PA), for Section 106 compliance. The preconstruction surveys will be included in reports submitted to the Oregon SHPO and EFSC and the NRHP eligibility, effects to resources, and mitigation will be resolved prior to construction consistent with the Site Certificate Conditions.

7.1.8.4 Conclusion

Continued implementation of the following Site Certificate Conditions will ensure that impacts to historic, cultural, and archaeological resources will be minimized: GEN-HC-01 (avoid direct impacts to Oregon Trail/National Historic Trail resources), GEN-HC-02 (prepare HPMP prior to construction (by phase or segment), and CON-HC-01 (completion of a final Cultural Resources Report within three years of construction completion).

The proposed amendment makes no changes that will alter the basis for the Council's earlier findings, or its conclusion that the Project will not likely result in an adverse impact to any historical, cultural and archaeological resources in the Analysis Area, and therefore the Proposed Site Boundary Additions meet the requirement of the Historical, Cultural and Archaeological Resources Standard.

7.1.9 Recreation – OAR 345-022-0100

The Council previously concluded that the Project complies with the Recreation Standard.[29] The updated Recreation Standard requires the Council to find that the design, construction, and operation of a facility, taking into account mitigation, will not likely result in significant, adverse impacts to important recreational opportunities, as defined by OAR 345-022-0100. Therefore, the Council's Recreation Standard applies to only those recreation areas that the Council deems important. Based on the Certificate Holder's review of recreation areas, there are 27 recreation areas, 24 of which were deemed important, located within 2 miles of RFA 2's proposed site boundary additions (analysis area); no new recreation areas were identified that weren't previously addressed in the ASC (see Figure 7-16, and Attachment 7-15, Tables 1 and 2). Note that this analysis does not address the previously approved portions of the site boundary and solely addresses the proposed site boundary changes in RFA 2.

The significance of impacts on important recreation areas from direct or indirect loss of recreational opportunity, traffic, noise, visual viewshed alteration, and other impacts are disclosed in Exhibit T and the changes proposed by RFA 2 will not contribute any additional significant impacts to those already considered[30] (see Figure 7-16 and Attachment 7-15, Tables 1 and 2 for a full description). No loss of opportunity is anticipated for the identified recreation

[29] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 568 (September 2022)
[30] Boardman to Hemingway Transmission Line Application for Site Certificate - Final Order, p. 546-568 (September 2022)

areas due to less than significant, temporary intermittent access delays during construction, otherwise no access delays, and no long-term loss of opportunity; any traffic impacts from construction will be short term, otherwise negligible, and operational impacts will be negligible due to infrequent maintenance and inspections required at the Project; construction noise impacts will remain less than significant and temporary, or otherwise negligible, and noise impacts from operations will be intermittent (due to infrequent maintenance and inspections) or otherwise indistinguishable from existing background noise; and of the 24 recreation areas that were determined to be important and potentially experience visual impacts, all were found to have less than significant impacts, similar to or less than what was previously approved for the ASC (see Figure 7-17 and Attachment 7-15, Tables 1 and 2).

Continued implementation of the following Site Certificate Conditions will ensure that impacts to recreation areas will be minimized: GEN-RC-01 (Morgan Lake Park visual impact reduction), GEN-SR-03 (National Historic Oregon Trail Interpretive Center visual impact reduction), GEN-SR-04 (Birch Creek Area of Critical Environmental Concern visual impact reduction), GEN-HC-02 (implementation of Historic Properties Management Plan), PRE-PS-02 (traffic management and control measure implementation), and GEN-PS-01 (controlled helicopter use within two-miles of protected or recreation areas).

The changes proposed in RFA 2 do not alter the basis for the Council's earlier findings, or its conclusion that the Project will not likely result in a significant adverse impact to any Recreation Areas in the analysis area. Therefore, the Proposed Site Boundary Additions meet the requirement of the Recreation Areas Standard.

7.1.10 Wildfire Prevention and Risk Mitigation – OAR 345-022-0115

OAR 345-022-115 Wildfire Prevention and Risk Mitigation

(1) To issue a site certificate, the Council must find that:

(a) The applicant has adequately characterized wildfire risk within the analysis area using current data from reputable sources, by identifying:

(A) Baseline wildfire risk, based on factors that are expected to remain fixed for multiple years, including but not limited to topography, vegetation, existing infrastructure, and climate;

(B) Seasonal wildfire risk, based on factors that are expected to remain fixed for multiple months but may be dynamic throughout the year, including but not limited to, cumulative precipitation and fuel moisture content;

(C) Areas subject to a heightened risk of wildfire, based on the information provided under paragraphs (A) and (B) of this subsection;

(D) High-fire consequence areas, including but not limited to areas containing residences, critical infrastructure, recreation opportunities, timber and agricultural resources, and fire-sensitive wildlife habitat; and

(E) All data sources and methods used to model and identify risks and areas under paragraphs (A) through (D) of this subsection.

(b) That the proposed facility will be designed, constructed, and operated in compliance with a Wildfire Mitigation Plan approved by the Council. The Wildfire Mitigation Plan must, at a minimum:

(A) Identify areas within the site boundary that are subject to a heightened risk of wildfire, using current data from reputable sources, and discuss data and methods used in the analysis;

(B) Describe the procedures, standards, and time frames that the applicant will use to inspect facility components and manage vegetation in the areas identified under subsection (a) of this section;

(C) Identify preventative actions and programs that the applicant will carry out to minimize the risk of facility components causing wildfire, including procedures that will be used to adjust operations during periods of heightened wildfire risk;

(D) Identify procedures to minimize risks to public health and safety, the health and safety of responders, and damages to resources protected by Council standards in the event that a wildfire occurs at the facility site, regardless of ignition source; and

(E) Describe methods the applicant will use to ensure that updates of the plan incorporate best practices and emerging technologies to minimize and mitigate wildfire risk.

(2) The Council may issue a site certificate without making the findings under section (1) if it finds that the facility is subject to a Wildfire Protection Plan that has been approved in compliance with OAR chapter 860, division 300.

(3) This Standard does not apply to the review of any Application for Site Certificate or Request for Amendment that was determined to be complete under OAR 345-015-0190 or 345-027-0363 on or before the effective date of this rule.

IPC has prepared a Wildfire Mitigation Plan (Attachment 7-16) that has been filed with the Public Utility Commission of Oregon in compliance with OAR chapter 860, division 300. This plan would apply to the entire Project, including the proposed changes in RFA 2. Therefore, the Council may conclude that the Proposed Site Boundary Additions comply with OAR 345-022-0115(2) as they are subject to a wildfire protection plan approved by the Public Utility Commission.

7.2 Other Standards and Laws

7.2.1 Noise Control Regulations – OAR 340-035-0035

The Project Order requires an analysis of the Project's compliance with the Oregon Noise Regulations at OAR 340-035-0035.[31]

7.2.1.1 Methods

OAR 345-021-0010(1)(x)(B): An analysis of the proposed facility's compliance with the applicable noise regulations in OAR 340-035-0035, including a discussion and justification of the methods and assumptions used in the analysis.

To demonstrate compliance with the Oregon Department of Environmental Quality (ODEQ) Noise Rules, IPC conducted an acoustic analysis of the Proposed Site Boundary Additions using the same multistep process that was used in the ASC and approved by the Council in the Final Order.[32]

Monitoring Point (MP) and representative acoustic environments were provided in ASC Exhibit X Attachments X-2 and X-3 including aerial imagery maps supporting review of proximate noise sources (e.g. road/highways, railroads, transmission lines, and creeks), topography (e.g. hilly, flat) and land cover type (e.g. agriculture, forested, bare ground and low vegetation). Similarly, the Department reviewed aerial imagery maps presenting noise-sensitive receptor (NSR) location along with proximate noise sources and topography as provided in ASC Exhibit X Attachment X-5. Based on the Department's review of acoustic environments of MPs compared to the respective NSR groups the acoustic environment of the MP represent locations with similar noise sources but located at greater distances than NSRs to noise sources and therefore a more conservative and acceptable ambient noise level for use in the evaluation of compliance with the DEQ noise rules. The Proposed Site Boundary Additions are minor and do not alter the previous determined representative monitoring points for the NSRs associated with the proposed alternatives.

7.2.1.2 Construction, Regular Maintenance, and Helicopter Noise

OAR 340-035-0035(5): Exemptions: Except as otherwise provided in subparagraph (1)(b)(B)(ii) of this rule, the rules in section (1) of this rule shall not apply to: . . . (g) Sounds that originate on construction sites. (h) Sounds created in construction or maintenance of capital equipment; . . . (h) Sounds created in . . . maintenance of capital equipment; . . . (j) Sounds generated by the operation of aircraft and subject to pre-emptive federal regulation. This exception does not apply to aircraft engine testing, activity conducted at the airport that is not directly related to flight

[31] Boardman to Hemingway Transmission Line Application for Site Certificate – Second Amended Project Order, p. 21 (July 2018); *see also* OAR 345-021-0010(1)(y)(B) (requiring the same).
[32] Boardman to Hemingway Transmission Line Application for Site Certificate – Final Order at pp. 673-76.

operations, and any other activity not pre-emptively regulated by the federal government or controlled under OAR 340-035-0045; . . . .

The Council previously found that noise resulting from Project's construction activities, regular maintenance activities, and helicopter operations is exempt from the Oregon Noise Regulations at OAR 340-035-0035(1).[33] Because the Proposed Site Boundary Additions will involve the same construction, maintenance, and helicopter activities previously evaluated, the Council may rely on its previous findings that those activities are exempt from the relevant Oregon Noise Regulations.

7.2.1.3 Corona Noise

7.2.1.3.1 Maximum Allowable Noise Standard

OAR 340-035-0035(1)(b)(B)(i): No person owning or controlling a new industrial or commercial noise source located on a previously unused industrial or commercial site shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source . . . exceed the levels specified in Table 8, as measured at an appropriate measurement point, as specified in subsection (3)(b) of this rule, except as specified in subparagraph (1)(b)(B)(iii).

Under the maximum allowable noise standard, a new industrial or commercial noise source to be located on a previously unused site may not exceed the noise levels specified in Table 8 of the noise rules. The maximum allowable L_{50} sound level standard relevant to the Project is 50 A-weighted decibels (dBA). The Council previously found that IPC sufficiently demonstrated that the maximum sound level resulting from corona noise in a "worse-case scenario" (that is, during foul weather) will be no greater than 46 dBA, and accordingly, the Council found that the Project would be in compliance with the maximum allowable sound level standard identified in OAR 340-035-0035(1)(b)(B)(i).[34] As shown in Table 7.2-1, the Proposed Site Boundary Additions will result in maximum sound levels no greater than 45 dBA, which is less than the 46 dBA previously considered by the Council. Thus, the Council may rely on its previous findings that the Project complies with maximum allowable noise standard in OAR 340-035-0035(1)(b)(B)(i) and Table 8.

7.2.1.3.2 Ambient Antidegradation Standard

OAR 340-035-0035(1)(b)(B)(i): No person owning or controlling a new industrial or commercial noise source located on a previously unused industrial or commercial site shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source increase the ambient statistical noise levels, L10 or L50, by more than 10 dBA in any one hour . . . as measured at an appropriate measurement point, as specified in subsection (3)(b) of this rule, except as specified in subparagraph (1)(b)(B)(iii).

The ambient antidegradation standard under OAR 340-035-0035(1)(b)(B)(i) allows a maximum increase in ambient statistical noise of 10 dBA, as measured at an "appropriate measurement point" from noise generated from a new industrial source. "Appropriate measurement point" is defined in -0035(3)(B) as a point on the noise sensitive property (also referred to as noise-

[33] Final Order at pp. 655-57. As described in the Final Order, the Department engaged its consultant, Golder Associates Inc. (Golder), to evaluate IPC's methodologies for conducting baseline surveys and identifying the frequency of foul weather. Golder found that IPC's methodologies were sound. *See* Final Order at p. 676.
[34] Final Order at p. 679.

sensitive receptor [NSR]) nearest to the noise source. The Council previously found that foul weather corona noise from the Project may exceed the ambient antidegradation standard during low wind, late night (midnight to 5 a.m.) conditions.[35] However, the Council granted the Project an exception and a variance to compliance with the ambient antidegradation standard with respect to corona noise, and found that the Project otherwise complies with the Noise Control Regulations.[36]

7.2.1.3.3 Potential Exceedances of the Ambient Antidegradation Standard

For the Proposed Site Boundary Additions, IPC used the same methods that the Council previously reviewed and approved, comparing baseline ambient sound levels to the modeled predicted future sound levels at potentially affected NSRs. For the baseline ambient sound levels, IPC relied on the baseline monitoring positions and related sound data previously reviewed and approved by the Council. IPC identified the potentially affected NSRs using the same approach previously reviewed and approved by the Council—that is, IPC analyzed (a) all NSRs within 1/2 mile of the transmission line alternatives included in the Proposed Site Boundary Additions; and (b) NSRs out to one mile in areas where the late-night baseline sound level was unusually low (i.e., less than 26 dBA). IPC then compared the ambient baseline sound levels with the predicted future sound levels at the potentially affected NSRs.

IPC identified 45 potentially affected NSRs: 33 NSRs within 1/2 mile and 12 NSRs between 1/2 and 1 mile whose late-night baseline sound level was less than 26 dBA (Attachment 7-17). The results of the analysis indicate that during typical fair weather conditions, the transmission line alternatives included in the Proposed Site Boundary Additions will comply with the ambient antidegradation standard. However, a potential increase of more than 10 dBA above the L_{50} baseline may occur at 28 of the NSRs during foul weather in low wind, late night conditions. Attachment 7-17 presents the foul weather analysis at the NSRs evaluated by IPC. Figure 7-18 shows the orientation of the NSRs in relation to the Proposed Site Boundary Additions.

7.2.1.3.4 Exception to Ambient Antidegradation Standard

OAR 340-035-0035(6): Exceptions: Upon written request from the owner or controller of an industrial or commercial noise source, the Department may authorize exceptions to section (1) of this rule, pursuant to rule 340-035-0010, for: (a) Unusual and/or infrequent events; . . . .

A potential increase of more than 10 dBA above the ambient baseline sound levels may occur at 28 of the potentially affected NSRs during infrequent periods representative of foul weather conditions, 21 of which were previously identified as exceedances in the ASC. The Council previously granted the Project an exception from compliance with the ambient antidegradation standard due to unusual or infrequent foul weather events, as authorized under OAR 345-035-0035(6)(a), subject to the Noise Control Conditions described in the Final Order.[37] Because the Project has already received an exception, IPC does not need to request a separate exception from the Council to address the exceedance related to the Proposed Site Boundary Additions.

7.2.1.3.5 Variance to Ambient Antidegradation Standard

The Council previously granted the Project a variance from compliance with the ambient antidegradation standard under OAR 345-035-0100(1), finding strict compliance would be inappropriate due to conditions beyond IPC's control, special circumstances and physical

[35] Final Order at p. 679.
[36] Final Order at p. 699.
[37] *See* Final Order at p. 682.

conditions would render strict compliance unreasonable, and strict compliance would prohibit the Project from being built.[38] Because the Project has already received a variance, IPC does not need to request a separate variance from the Council to address the exceedance related to the Proposed Site Boundary Additions.

7.2.1.4 Quiet Areas

OAR 340-035-0035(1)(c): Quiet Areas. No person owning or controlling an industrial or commercial noise source located either within the boundaries of a quiet area or outside its boundaries shall cause or permit the operation of that noise source if the statistical noise levels generated by that source exceed the levels specified in Table 9 as measured within the quiet area and not less than 400 feet (122 meters) from the noise source.

There are no ODEQ-designated "quiet areas" within the Proposed Site Boundary Additions or within the vicinity of the Project. Therefore, the Project will be in compliance with OAR 340-035-0035(c).

7.2.1.5 Impulse Sound

OAR 340-035-0035(1)(d): Impulse Sound. Notwithstanding the noise rules in Tables 7 through 9, no person owning or controlling an industrial or commercial noise source shall cause or permit the operation of that noise source if an impulsive sound is emitted in air by that source which exceeds the sound pressure levels specified below, as measured at an appropriate measurement point, as specified in subsection (3)(b) of this rule: (A) Blasting. 98 dBC, slow response, between the hours of 7 a.m. and 10 p.m. and 93 dBC, slow response, between the hours of 10 p.m. and 7 a.m. (B) All Other Impulse Sounds. 100 dB, peak response, between the hours of 7 a.m. and 10 p.m. and 80 dB, peak response, between the hours of 10 p.m. and 7 a.m.

OAR 340-035-0035(1)(d) applies to blasting and other impulse sounds resulting from the "operation" of noise sources. Here, while the Project may include certain blasting or other impulse sounds, those sounds will occur during construction and not operation of the Project. Accordingly, the Project will be in compliance with OAR 340-035-0035(1)(d).

7.2.1.6 Measures to Reduce Noise Levels or Noise Impacts, or to Address Complaints

OAR 345-021-0010(1)(x)(C): Any measures the applicant proposes to reduce noise levels or noise impacts or to address public complaints about noise from the facility.

IPC is not proposing any changes to the Noise Control conditions set forth in the Final Order, which would apply to the Proposed Site Boundary Additions.[39]

7.2.1.7 Monitoring

OAR 345-021-0010(1)(x)(D): Any measures the applicant proposes to monitor noise generated by operation of the facility.

IPC is not proposing any changes to the Noise Control conditions set forth in the Final Order, which would apply to the Proposed Site Boundary Additions.[40]

[38] *See* Final Order at pp. 696-99.
[39] *See* Final Order, Attachment 1, Site Certificate at 40-44 (Noise Control Conditions 1 and 2).
[40] *See* Final Order, Attachment 1, Site Certificate at 40-44 (Noise Control Conditions 1 and 2).

7.2.1.8 List of Noise Sensitive Properties

OAR 345-021-0010(1)(x)(E): 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.

Per the Second Amended Project Order, the list of NSR owners must include all owners of NSRs within one-half mile, and not one mile, of the Site Boundary.[41] Refer to Attachment 7-17 for a list of the names and addresses of all owners of NSRs within one-half mile from the Proposed Site Boundary Additions.

7.2.2 Removal-Fill Law

The Oregon Removal-Fill Law (ORS 196.795 through ORS 196.990) and Oregon Department of State Lands regulations (OAR 141-085-0500 through OAR 141-085-0785) require a removal-fill permit if 50 cubic yards or more of material is removed, filled, or altered within many "waters of the state." For activities in ESH streams, State Scenic Waterways and compensatory mitigation sites, a permit is required for any amount of removal or fill.

As detailed in Exhibit J of the ASC, a removal-fill permit is required for the Project. The information provided in Section 5.3 of this RFA 2 will be incorporated into an updated wetland delineation report for the proposed changes per condition PRE-RF-01. An updated removal-fill permit is required prior to construction and IPC will comply with procedures in all removal-fill conditions included in the permit per conditions GEN-RF-03 and GEN-RF-04.

IPC will incorporate the changes proposed in RFA 2 in a revised Joint Permit Application per condition PRE-RF-02 including a final Site Rehabilitation Plan (condition GEN-RF-01) and final Compensatory Wetland and Non-Wetland Mitigation Plan (Condition GEN-RF-02).

Therefore, the Proposed Site Boundary Additions do not significantly alter the prior analysis and the Proposed Site Boundary Additions will comply with the Oregon Removal-Fill Law.

8.0 PROPERTY OWNERS OF RECORD – OAR 345-027-0360(1)(F)

OAR 345-027-0360(1)(f):A list of the names and mailing addresses of property owners, as described in this rule:

(A) The list must include all owners of record, as shown on the most recent property tax assessment roll, of property located:

(i) Within 100 feet of property which the subject of the request for amendment, where the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of property which is the subject of the request for amendment, where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 500 feet of property which is the subject of the request for amendment, where the subject property is within a farm or forest zone; and

(B) In addition to incorporating the list in the request for amendment, the applicant must submit the list to the Department in an electronic format acceptable to the Department.

[41] *See* Second Amended Project Order, Section III(x); Final Order at 673.

A property owner list applicable to this RFA 2 is provided in Attachment 8-1 and the notification area is shown on Figure 8-1.

9.0 CONCLUSION

Based on the information provided in this submittal, IPC has demonstrated that the Proposed Site Boundary Additions will comply with the requirements of the Oregon Energy Facility Site Statutes, ORS 469.300 to 469.520, with all other Oregon statutes and administrative rules applicable to the amendment of the Site Certificate that are within the Council's jurisdiction, and that the existing Site Certificate conditions ensure that the Project will continue to comply with the applicable laws, standards, and rules. For these reasons, IPC respectfully requests approval of RFA 2.

10.0 REFERENCES

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FIGURES

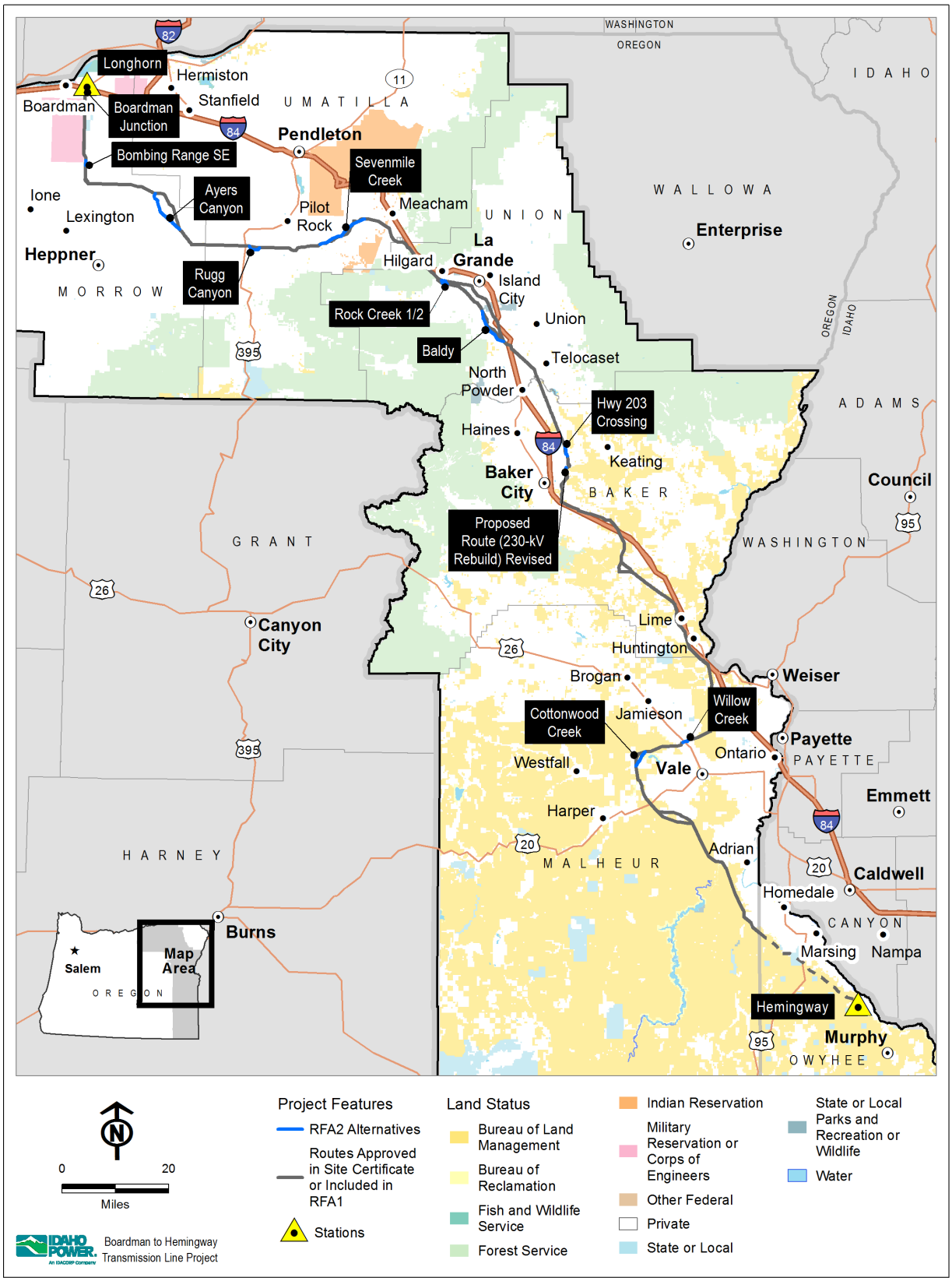

Figure 1-1. Project Overview

Attachment 4-1. RFA 2 Supplement to Final Order Attachment B-5 Appendix A

Attachment 6-1. Red-lined Site Certificate

Attachment 7-1. Soil Properties by Soil Map Unit

Attachment 7-2. Identification, Assessment, and Visual Analysis of Protected Areas

Attachment 7-3. 2022 Washington Ground Squirrel Survey Report (Confidential)

Attachment 7-4. 2021 and 2022 Terrestrial Visual Encounter Survey (Wildlife) Report (Confidential)

Attachment 7-5. 2022 Pygmy Rabbit Survey Report

Attachment 7-6. 2022 Special Status Plants Survey Report

Attachment 7-7. 2022 Noxious Weed Surveys

Attachment 7-8. Interim Report: 2022-2023 Pre-Construction Avian Surveys for the Boardman to Hemingway Project

Attachment 7-9. Redline Attachment P1-6 Habitat Mitigation Plan

Attachment 7-10. Scenic Resource Analysis

Attachment 7-11. Initial Class III Report (Confidential)

Attachment 7-12. Oregon Visual Assessment of Historic Properties Report (Confidenital)

Attachment 7-13. Project Alignment Maps with Intensive Level Survey Resources (Confidential)

Attachment 7-14. Redline Attachment S-9 Inventory Tables

Attachment 7-15. Recreational Opportunities in the Analysis Areas and Importance Assessment

Attachment 7-16. Wildfire Mitigation Plan

Attachment 7-17. RFA 2 Potential Noise Receptor Locations and Supplement to Final Order Attachment X-4

Attachment 8.1 Property Owners of Record